

The Local Government System in Bangladesh: An Anatomy of Perspectives & Practices

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Abstract

The local government of Bangladesh shows all the characters of a colonial one since our country was under the British Raj for 190 years and under Pakistan rule for around 24 years. During the British and Pakistani periods, even after independence, several structural changes were made to the local government bodies under different regimes. Despite all those efforts, Bangladesh has been known to be among the most centralized countries in the world. Over the past decade, however, major efforts have been undertaken to strengthen the role and capacity of local government institutions (LGIs). Currently, LGIs in Bangladesh have separate systems for rural and urban areas which are guided by its own operational framework. However, the way the legislations are enacted and executed, each tier and unit has become a watertight compartment. The interdependence and inter-organizational relationships are generally ignored. All these have hampered the comprehensive growth of local government. Moreover, despite the recent legal empowerment of LGIs, the bulk of public services continue to be managed directly by central line ministries and their local administrative offices without systematic involvement of the elected local government institutions. Hence, a conflicting scenario is created between the elected decentralized LGIs with the administrative decentralized bodies which affect the quality of public service delivery. This paper attempts to analyze the local government system in Bangladesh, with the intent to identify whether the current local government system is constraining the performance of local governments.

Keywords: *Local government institutions, decentralization, devolution, de concentration, local administration, local governance*

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1. Introduction

Bangladesh inherited the colonial structure of local government since the country was under the British Raj and Pakistan for 190 years and around 24 years respectively (Panday, 2011). The tendency to experiment with local government (LG) system in Bangladesh is not new (Khan, 2011). Regarding such experiments with decentralized local governance in context to Bangladesh, Khan (2016) commented that, 'even to a cursory observer, the experimentations with the history of decentralized local governance in Bangladesh would come out to be both chequered and intriguing'. The country, on one hand, has a rich legacy of establishing and promoting local government institutions; while on the other hand, the actual role and contribution of these institutions to augment citizens' participation and consolidate democratic practices have often been below par. Overwhelming central interference, abuse and manipulation by authoritarian regimes to perpetuate their power have been the predominant reasons of Bangladesh's limited success in decentralization (Rahman 1994, Sarker 1990, Siddiquee 1997) (Cited in Khan, 2016). In other words, despite several efforts to promote decentralized local governance, Bangladesh has been known to be among the most centralized countries in the world.

However, over the past decade, major efforts have been undertaken in Bangladesh to strengthen the role and capacity of local government institutions (LGIs). Various policy documents including Five-year plans (6th and 7th) envision a stronger, effective, participative and accountable local government system as the basis of consolidation of decentralization. Policy regimes and plan documents over and over again emphasized the need for making LGIs participative, accountable, inclusive, gender-sensitive and responsive to the needs in general and the disadvantaged groups, in particular (Aminuzzaman et al, 2015). As a matter of fact, Union Parishads (UPs), the lowest local government tier, have been transformed from traditional and largely unresponsive local government institutions to increasingly participatory and proactive local government institutions (Bhuiyan, 2014). Also, Upazila Parishad (sub-districts) have been re-established as a local government body with its own elected leadership. Moreover, various interventions have promoted the role of pouroshavas and City Corporations in an increasingly urbanized country (Bhuiyan, 2014). Furthermore, legal provisions for LGIs to play a stronger role have clarified and expanded. In simpler terms, currently, there are separate systems for rural and urban areas of LGIs which are guided by its own separate and operational framework. Meanwhile, fiscal transfers to local governments have significantly grown in size. Ahmed et al (2014) and Aminuzzaman (2013) noted that, due to these recent initiatives along with the project

based local development activities patronized by the development partners, LGIs are increasingly looking to play a meaningful role, both as platforms for deepening local democracy as well as mechanisms for the improved localized services.

Despite such claims, there is plethora of literatures, for instance Panday (2011); Waheed and Saminah (2012); Ahmed (2016); Haque, Islam & Sharmin, (2011), Osman (2011); WahedUzzaman and Mphande (2014); WahedUzzaman and Alam (2015); Osman(2015); Uddin (2015); WahedUzzaman, Saber and Hamid (2018), Ehsan & Kamruzzaman (2019) where a pessimistic overtone have been echoed by the scholars regarding the fact that local governance of Bangladesh is still suffering greatly from limited manpower and resources, lack of fiscal autonomy, ineffective monitoring, lack of accountability and transparency, elite power capture, political manipulation and non-cooperation from Upazila based bureaucracy. In this milieu, with such contrasting views from both the group of scholars, this paper seeks to understand whether current local government system in Bangladesh is constraining the performance of LGIs. More specifically, this study argues that although major initiatives have been taken in the recent times by the government, the LGIs have still not grown as a composite whole to play a meaningful role (although with few exceptions). Having set the scene in the introductory part, the next section of the paper provides a brief conceptualization of local governance and decentralization, followed by synopsis of local government system which is currently operational in Bangladesh. The following section unravels the inconsistencies and pitfalls within the present local government system. The paper concludes analyzing critically the factors which have given rise to such anomalies.

1.1 Objective of study

The specific objective of this study is to focus on the local government structure of Bangladesh. By local government structure, it is meant the different set ups (both local self- government consisting of urban and rural local government bodies as well as local administration). In doing so, the study digs into the rules and regulations of these local government bodies, i.e. the existing local governments Acts of UPs, UZPs, Zila Parishads, Pourahsvas and City corporations whether they constrain the powers and the functions of the local governments. In other words, the study looks broadly at the institutional and legal frameworks within which local governments operate in Bangladesh.

2. Methodology of study

This study is qualitative in nature, which has been conducted on the basis of collecting data from various secondary sources using content analysis method. Kothari (2004) notes that data extracted from secondary sources have been already collected and analyzed by someone and readily available for use. Such data are cheaper and more quickly obtainable than the primary data (Abdullah, 2017). A substantial amount of literature exists on local governance and decentralization in Bangladesh. So, the various secondary sources of data which this study has used have been extracted by thorough review of several books, journal articles published in both reputed national and international journals, newspaper articles, recent local government Acts, policy documents and reports published by concerned ministry and development partners, web-documents and other existing literature on this relevant topic. Reviewing such a good number of literature has helped the author to get in-depth understanding about the overall local government system in Bangladesh. This has further helped the author to recognize the current trends, critically analyze the present status of local governance in Bangladesh which has again facilitated in identifying what is working, what is not working, what are the underlying causes behind such dysfunctions etc. All these have ultimately aided to craft the paper into an argumentative one.

3. Local government and decentralization: Concept and connotations

3.1 Local government

The concept of local government has been indispensable in lessening the burden of the central government in service delivery, in the era of modern statehood (Islam, 2018). In most South Asian countries, local government is widely known as local self-government (Siddique, 1994; Panday, 2005). Perhaps the most comprehensive and acceptable definition of local self-government has been given by UN (1962). It conceptualized local self-government as an elected or locally selected political subdivision of a nation or state, constituted by law, having substantial control over local affairs along with the power to impose taxes, or to exact labor for prescribed purposes (Cited in Panday, 2011). One of the common mistakes which is done while discussing local governments is equating it with local administration although there is stark difference between these two. Local administration simply denotes execution of government decisions not only by the LGIs, but also by national/ provincial government units located at the local level (Panday, 2011).

3.2 Decentralization

Local government is closely related to decentralization which denotes the transfer of significant power, including law making and revenue generation authorities, to the locally elected bodies and sub-national units (Conyers 1983). Regarding the emergence of decentralization, Wunch & Olowo (2000) expounded that after suffering from the consequences of the centralized planning system, academics, planners, and reformers felt the urgency that power should be decentralized in the local areas in order to get rid of the central government domination, which would ultimately provide ample opportunities for participation in democratic governance. As the local government units are located nearer to people, they are in a better position to identify the specific needs of the people, and to offer them the required services within the shortest possible time and in a cost-effective way. Popularly, this has been referred to as “local rationality” (Rondinelli, 1989). Various scholars have defined decentralization from various contexts and dimensions. However, there is a consensus about that the fact that Rondinelli (1981) has defined decentralization in a holistic way as ‘ a transfer of authority to plan, make decision and manage functions from national level to any individual organization or agency at the sub-national level’. Hence, decentralization is related to the transfer of power and authority to the local levels of government.

Different countries have adopted different types of decentralization which include political, administrative and fiscal decentralization¹. Rondinelli (1986) considered three different types of administrative decentralization, notable (i) de concentration and (ii) delegation and (iii) devolution. He noted that these different forms of decentralization have different degrees of power, authority and autonomy associated with them. Deconcentration (which is often considered to be the weakest form of decentralization) redistributes the decision-making authority, and financial and management responsibilities among different levels of central government. To put it simply, it is a mere shift of responsibilities from central government officials in the capital to those working in regions, provinces or districts, or it can create strong field administration or local administrative capacity under the supervision of central government ministries (Siddique, 2005). As deconcentration

¹ Making a detailed discussion about these various typologies of decentralization is beyond the scope of this paper For detailed information about political and administrative decentralization, see Hossain (2005) and Panday (2011)

retains too much central control and direction, Turner and Hulme (1997) argued that it should be regarded as a less desirable option.

Delegation is a more extensive form of decentralization through which central governments transfer responsibility for decision-making and administration of public functions to semi-autonomous organizations. These bodies are not entirely controlled by the central government, but they are ultimately accountable to them. In terms of decision making, these organizations usually have a great deal of discretion (Siddiqui, 2005). While devolution usually transfers responsibilities for services to municipalities that elect their own mayors and councils, raise their own revenues, and have independent authority to make investment decisions. In a system where power is devolved, local governments have clear and legally recognized geographical boundaries over which they exercise authority, and within which they perform public functions. According to Wibbels (2004), this type of administrative decentralization underlies most political decentralization (Cited in Panday, 2011). Therefore, it is desirable that countries practicing decentralization have more elements of devolution than delegation and deconcentration. In other words, it will be ideal for countries to put more emphasis on devolution as it gives more discretion to the local government bodies for planning, management, resource-raising and allocation, and other functions compared to deconcentration and delegation. However, it is also important that countries strike a proper balance among the various forms of decentralization which they want to follow depending on the contextual factors. It is very likely that there will be coexistence of different types of decentralized local government bodies in the same country. Then it becomes important for the policy makers to create proper channels of interface and a coherence among them so that they can complement each other.

4. A synopsis of local government system in Bangladesh

Siddique (2005), Ahmed (2012), Panday (2011), Khan (2016), Ehsan and Kamruzzaman (2019) have well documented about the evolution of the local government system in Bangladesh. By the historical context, it suffices to say that the system of local government and local administration in Bangladesh is comprised of a patchwork of local administrative institutions and local government institutions that has been shaped and molded over the two centuries, retaining important elements and influences from the governance structure during the colonial period, the intermediate period resulting with the country's independence, as well as from the alternating eras of authoritarian and elected regimes. Overtime, five types of

Local Government institutions have been codified by law, including Zilla Parishads, Upazilla Parishads, Union Parishads, Pourashavas (municipalities) and City Corporations. These five types of LGIs function alongside four sub-national level of tiers of local administration of the central government, also referred to as the field administration. The figure 1 below depicts the structural representation about how the LGIs and local administration co-exists. The levels of the LGI's as shown below are not equivalents, as city corporations are located in old districts, where it is also a divisional head quarter, and a metropolitan area, likewise pourashovas are also not equivalents of Union Parishad.

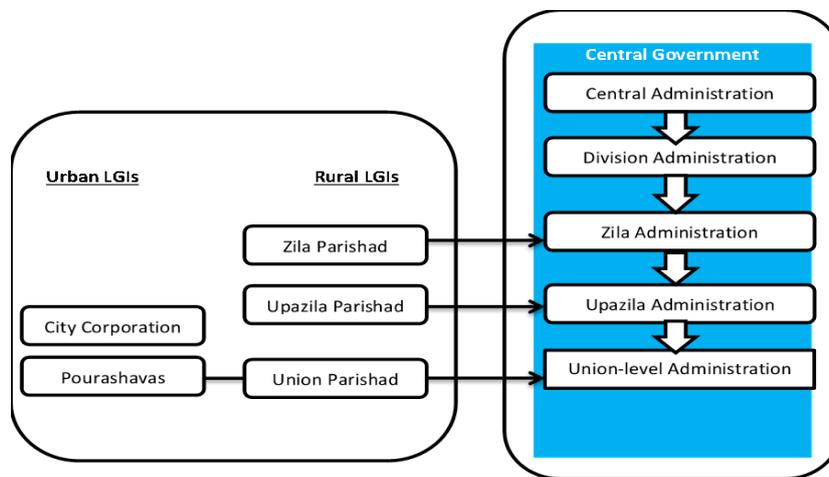


Figure 1: An overview of local government and local administration of Bangladesh. Adopted from (Ahmed et al, 2014)

The figure 1 also clarifies the fact that there are two distinct form of decentralized local government bodies, i.e. devolution and de concentration are coexisting here simultaneously. In other words, field administration at division, district, upazila and union level are examples of deconcentration who mainly operate with delegated authority, whereas LGIs both at urban and rural level are attempts of devolution. The various tiers of field administration are headed by appointed officials (bureaucrats) from the government, i.e. division, district and upazila is headed by divisional commissioner, district commissioner and Upazila Nirbahi Officer (UNO). These local administrative units are responsible for delivery of various public services which include health, education, agriculture, family planning. They are also responsible for undertaking various development works at the local level and. Furthermore, they have the role in monitoring, reporting and coordination of those development programs as per direction of the government.

Rural local government

Rural Local government Institutions are comprised of Union parishads (UPs), Upazilla Parishads (UZPs) and the Zilla parishad (ZPs). Tabular representation of these RLGs in Bangladesh have been given below, which articulates their election method, assigned duties, revenue authority and who heads those bodies; including the laws by which they are currently operated.

Table 1: Rural local government in Bangladesh

Name	Union parishad	Upazila parishad	Zila parishad
Headed by	Elected Chairman	Elected Chairman	Elected Chairman
Election method	Direct election	Direct Election	Indirect election
Functional observations	Participatory planning and implementation, and small investment and service monitoring powers, but limited staffing capacity.	Devolutionary integrated planning and thus implementation, small investment and service monitoring powers	Planning, coordination and oversight
Revenue authority	Limited revenue authority and scope, but does not have sub-national borrowing authority.	Widespread revenue authority and scope, but does not have sub-national borrowing authority	Yes but does not have the sub-national borrowing authority.
Acts in operation	The Local Government (Union Parishad) Act, 2009	The Local Government (Upazilla Parishad) Act, 2011	The Local Government (Zilla parishad) Act, 2000

Urban local government

Urban Local government in Bangladesh -namely, City Corporations and Pourashavas (municipalities) have a larger scope of functional responsibilities than the RLGs. A brief account ULG has been given in the table 02 which explicitly demonstrates by whom those bodies are headed, mode of election method, whether these bodies have the revenue authority or not and the current legal enactments by which these ULGs are being operated.

Table 2: Urban Local Government Structure in Bangladesh

Name	Pourashava (Municipality)	City corporation
Headed by	Elected mayor	Elected mayor
Election method	Direct election	Direct election
Revenue authority	Yes	No
Acts in operation	The local government (Municipality), 2009	The local govern- ment (City corpora- tion), 2009

Source: Developed by the author

5. State of local governance in Bangladesh: Issues and challenges

From the above discussion, it seems that Bangladesh is at least structurally a decentralized country, having well defined local government tiers for rural and urban areas. As figure 1 shows, both elements of decentralization, i.e. deconcentration and devolution coexist here for promoting local governance. A layman might reach to a fallacious conclusion seeing such a structural representation and de jure (legal) basis of decentralization that public service delivery is highly efficient in the country and there prevails good local governance. However, the ground reality is something different. Bhuiyan (2014) argues that local governments were never regarded as ‘self-governments’ of small areas, rather they were treated as an agent or client of central/national government. The situation is not better now albeit Bangladesh will celebrate its 50 years of independence next year. Moreover, because of their unplanned and inconsistent development, there are a lot of inconsistency in the structure, functions and jurisdiction of different LGIs which create a complex relationship between different local government bodies, along with parallel local government administration, which in turn results in an inefficient system of local governance. Some of the key issues of present local government system in Bangladesh which make the local governance challenging have been discussed here.

5.1 Excessive deconcentration and delegation with limited devolution

Bangladesh inherited and continued with a system in which the central government holds a dominating position. Despite major reforms, still the main principle of local governance is being done in the spirit of deconcentration and delegation with limited scope of devolution. The central government retains control over LGIs through various means, depriving them adequate power for making decisions even on local issues. In spite of delegation of power to act on certain matters

LGIs are restrained through procedures and requirements for approval that make them accountable to local field offices of the central government. For example, the budget of the Union Parishad requires final approval from the UNO before implementation (Huque and Panday, 2018). Such authoritative relationship pattern created scope for government officials, including the Deputy Commissioner, Upazila Nirbahi Officer (UNO), and heads of district and sub-district administrative units to control the LGIs. In addition, the government uses legal provisions and frequently issues circulars to control their activities, conduct inquiries, and even suspend their operation (Huque and Panday, 2018). For instance, (section 13 of City Corporation Act, section 32 of Pourashava Act, section 10 of ZP Act, section 13 of UZP Act and section 34 of UP Act) empowers the government to remove the Chairman/Mayor of any LGI or any of its members from his/her office on certain grounds including misconduct, corruption, will-full maladministration or misuse of powers. Moreover, Chairmen (except of ZP) and Mayors may also be suspended by the government through a written order on certain grounds. There is nothing irrational in incorporation of such clauses of removal and suspension of elected representatives of LGIs on the above mentioned grounds as that will help to keep them abide by rules regulations. In other words, such provisions will also demotivate elected representatives to refrain from such unlawful activities as the consequences will be severe. Such check and balance is always commendable for ensuring good governance. However, Bhuian (2014) rightly pointed out that this power is most likely to be abused by the government if it fails to ensure that the Mayor or Chairman does not adhere to its instructions or policies. Mere beginning of a criminal proceeding does not necessarily mean that the accused person is guilty, although government has been empowered to suspend the Chairman/Mayor on that ground. Again, government may anytime cause to file a case before the criminal court against any Chairman or Mayor to facilitate his/her suspension for an unknown period of time.

5.2 MP's role in local governance: Interference in the name of cooperation

A new phenomenon in the system of local government in Bangladesh is the advisory role of the MPs on LGIs. Article 25 of the Upazila Parishad Act 2009 keeps the provision for MP's role in the UZP as "Adviser". According to this article, the UZP will have to take or accept the advice of the MP concerned, who is neither elected to the UZP nor has any voting right in it. Again, article 42 (3) of the Upazila Parishad Act 2009 allows the UZP to plan local development in consultation with the local MP. (Islam, 2018). As adviser, MPs should monitor different activities of the local government bodies from a distance, just to ensure that they follow the parliament-adopted policies. Regarding such advisory role of

MPs, the Shawkat Ali Commission argued that MPs should not have any role at all in running a local government body because this sort of political control ultimately led to curtailment of LGIs autonomy and often makes them subordinate to the party in power (Bhuiyan, 2014). Arguing on the same vein, Khan (2016) and Islam (2018) commented that “advice” of MPs often turns into an “executive order”, overriding and controlling development plans and actions by the elected representatives at the Upazila Parishad. There have been many instances where the MP nominates his/her party loyalists in the selection committees and beneficiary lists of the social safety net programme which is done to ensure that the beneficiaries of Food for Work, Vulnerable Group Feeding (VGF), test relief, old-age allowance and other programmes come from the followers of the political party that the MP belongs to. Again, one of the most important apparatus to make the Upazila Parishad accountable for its actions is through the committees. However, MPs playing the role of advisor could nominate a representative to these committees ensuring his/her representation in the discussion, decision and development planning. As a result, those representatives of MP will naturally always try to impose the likings of MP in the decision-making process which might not accommodate the needs of the people of that locality. Thus, the MP's non-cooperation and undue influence bars the local government system from turning into an effective one (Islam, 2018).

5.3 Functional assignment of LGIs and line agencies: Complementing or conflicting in nature?

As mentioned earlier, each LGIs now have separate Acts which clearly stipulate the duties and functions of different tiers. However, each tier and unit has become a watertight compartment because of the way the legislations have been enacted and executed, the interdependence and inter-organizational relationships are generally ignored (Bhuiyan, 2014). Again, there are a lot of similarities in those responsibilities and activities. For instance, all UZPs are required to formulate a five-year plan and then need to divide such plan into annual development plans. The same provision is applicable for all other LGIs including UPs, Paurashavas, and City Corporations. Now, if UPs and Pourashavas prepare their five year plans, it is not clear as to what extent UZP can formulate a plan with the ex-officio representatives from UPs and Pourashavas. This provision for UZP appears to be conflicting with other two units. Similarly, both the Pourashava and UZP have the mandate to maintain and improve the public health and education. Even, UPs also have similar mandates. Therefore, there is confusion and ambiguity in terms of jurisdiction, power and roles and responsibilities of different LGIs. This issue gets further complicated when these different types of LGIs share

the same geographical area with almost similar mandates and responsibilities such as Zila Parishads, Upazila Parishads and Pourashavas/City Corporation (Bhuiyan, 2014)

Amidst such confusion in terms of functional jurisdiction and lack of coherence in assignment of such responsibilities, LGIs further face another challenge. Implementation of their assigned responsibilities and development functions in health, education and social welfare require substantial funding and functionaries which are laying with the respective line agencies of the national government at all the corresponding levels, i.e. union parishad, upazila parishad and districts. To be more specific, the responsibilities of health, family planning, education, agriculture, fisheries, livestock, physical infrastructure that are within the jurisdiction of LGIs are administered by units of the central government (Ahmed, 2012). This overlap affects the ability of LGIs in implementing their assigned roles effectively (Huque and Panday, 2018). Furthermore, the relationship between elected representatives and field level officials of the central government are not clearly defined that will facilitate fruitful coordination. Consequently, local institutions fail to exercise power over regulatory administration, and cannot function effectively (Panday, 2011)

5.4 Inadequate resource mobilization and high central dependency

All the LGIs in addition to the national government's budgetary allocation mobilize their own resources too. LGIs have been authorized to levy taxes, rates, tolls and fees on certain items fixed by the laws. However, it so happens that the amount of taxable items is so low that it becomes insufficient to meet the day to day expenses of the LGIs. For instance, UP receives 50 percent of the revenue earned from the lease of rural markets, of which 25 percent and 10 percent is taken by central government and UZP respectively, which leaves UP with only 15 percent of the market share for its maintenance. (Panday, 2011). Aminuzzaman (2011) also made similar observation that the income earned from taxes, rates, tolls, fees and other sources levied by UP does not correspond to the functions assigned to it. Again, the sources of income may overlap, in case the UZP and the Pourashava share the same geographical area. Furthermore, it appears that the sources of income for both urban and rural tiers of LGIs, such as Pourashava and UPs, are almost the same in many cases, except that they vary in terms of number and jurisdictions (Aminuzzaman, 2011). In the midst of such limited source of taxable items and overlapping of income sources, limited efforts towards local resource mobilization make the situation further deplorable. Some of the significant reasons as noted by Panday (2011) and Khan (2016) include the reluctance

on the part of local government political leaders to enforce taxation measures for fear of losing popularity amongst voters which might affect their chances of being re-elected, low technical capacity, the temptation of 'low hanging' central funds, and inadequate legal and executive backstopping support.

Consequently, LGIs have to depend on central resources even for maintaining basic daily activities. The central funding typically comes in the form of 'block grants' and other project aids. These resources remain a major avenue for central manipulation and interference (Khan, 2016). More interestingly, there is no clear budgetary formula for allocation of resources for LGIs. The LGIs receive development and revenue grants from central exchequer, which is nominal, compared to the public expenditure incurred at the same level through separate government agencies. Sometimes lobbying, personal connection, and a network of irregular means play a vital role in getting an enhanced amount of grant and different project support (Ahmed, 2012). Thus, government exercises a considerable degree of control over these institutions by increasing or decreasing their quantum or by making their release subject to the fulfilment of certain conditions. These are very important and effective weapons since a delay in the release of or a cut in, certain grants-in-aid would cause hardships to these institutions (Siddique, 2005; cited in Bhuian, 2014).

5.5 Lack of adequate staffing in LGIs

Another factor that is affecting the performance of the LGIs is the inadequate number of persons available to them. Although the Upazila Parishad (Amendment) Act, 2011 and the Union Parishad Act, 2009 provided for transfer of 17 departments to the sub-district and 13 offices at the union level, but these changes have not yet been implemented (Panday and Islam, 2016). The deficit in personnel affects performance of these LGIs to a great extent. Again, Khan (2016) argued that the technical capacity of LGIs especially at the Union level is relatively low. Most local government staff have limited or no capacity to perform the suggested technical roles stipulated in the relevant laws and ordinances. Besides, human resources and logistics are typically at the minimal level rendering these institutions ineffective, especially to play the envisioned role of a community focused 'development agent'.

5.6 Wardshava, open budget meeting and standing committees: Are they facilitating local participation?

In order to facilitate citizens' participation in the governing process, there are several platforms, such as the Ward Shava (WS), Open Budget Meeting (OBM)

and Standing committees (SC). However, the state of active participation by citizens in these avenues is far from satisfactory (Huque and Panday, 2018). WS is not functioning the way it was perceived and envisioned in the Act. Several problems such as professional obligation, lack of personal interest, lack of awareness, political reasons and inappropriate meeting times discourage people's presence at the WS (Chowdhury, 2018). OBM has its own limitations. Not all UPs are equally capable of holding or sustaining such practices in a consistent manner. Moreover, empirical evidences suggest that very few eligible people participate in open budget meetings. Furthermore, getting people to attend open budget meetings remains a difficult proposition, for reasons that plague participation in any public setting like general apathy, the lack of awareness of the importance of open budget meeting, and the perception of partisanship within the participatory budgeting process etc. (Aminuzzman et al 2015). As a matter of fact, most of the UPs hold WS and OBM for the sake of compliance only with limited spontaneous participation. Such absence of citizens in the governing process has created the risk of neglecting the poor and marginalized sections of the society (Panday and Rabbani, 2011).

Like WS and OBS, SCs are also not functioning effectively because most of the members are neither aware about the standing committees nor attend in the committee's meetings. There is also some overlapping of responsibilities in the committees (Ahmed at al 2016). Regarding the limited success of SCs, Aminuzzaman (2011) rightly commented on the vital issue of irrational number of SCs for various LGIs. He argued that, 'section 45 of the Act authorizes the UP to have 13 Standing Committees. In a 13 member Council, formation of 13 Standing Committees appears to be unrealistic. Similarly, City Corporation Act has also provided for 14 Standing Committees (section 50) and Upazila Parishad Act has provided for 17 standing committees (section 29). Surprisingly, with the mandate of highest number of responsibilities/activities, Paurashava Act has provided for only five standing committees (section 55). Experiences reveal that too many standing committees have been the prime cause for non-functioning of such executive bodies and making those mere symbolic' (Cited in Bhuian, 2014).

5.7 Absence of coherent legal framework

Separate frameworks of laws for various LGIs is not facilitating local governance in Bangladesh rather it is resulting in an overly complex governing structure, functional overlap, unclear central local and local-local interactions, and confrontational relationship with the local bureaucrats who seek to exercise domination over the elected bodies (Rahman and Ahmed, 2015, 16). This makes the situation

immensely complex in which local institution leaders are unable to comprehend their respective roles and responsibilities. The main problem is not the existence of different levels of government and non-existence of distinction between urban and rural government. The problem arises because there is no coherent legal framework for guiding the functional responsibilities of different local institutions for ensuring that each tier of government performs their own functions effectively (Ahmed, et al, 2015; Cited in Huque and Panday, 2018)).

6. Concluding remarks

It is evident from the discussion made so far that the current local government system in Bangladesh is in no way facilitating the pathways for effective local governance of LGIs rather its functioning is inhibited for various underlying causes. The situation is not like that LGIs in Bangladesh were operating with more autonomy and discretion earlier and the situation has turned grey now. A number of retrospective studies based on the political economy of the local governance in Bangladesh, for instance- Khan (2001), Huq (2014), Khan (2016), Ehsan and Kamruzzaman (2019) testify the fact that decentralization has never taken roots in Bangladesh. In fact, decentralization policies in Bangladesh have served, more than anything else, to create a sub-national political support base for the successive ruling regimes. In other words, local government and decentralization policies have mainly served to perpetuate power and authority of the central ruling political regimes (Huq, 2014; Khan, 2016).

Again, these initiatives have suffered broadly due to lack of genuine political commitment to devolution and the culture of disowning the reforms initiated by previous government. More specifically, with the regime shifts, local government policies, vision and practices are drastically changed, stalled, or scrapped altogether. One of the common practices has been to begin local government reform measures from the scratch with each regime shift (Khan, 2016). For example- BNP government (1991-1996) constituted Huda Commission for unraveling the reasons of mal governance at the grassroots in Bangladesh. The Commission made subsequent recommendations for strengthening it. However, as Awami League government (1996-2001) came to power by winning next national election, they shelved the recommendations which were put forward by Huda Commission. Rather, they formed new commission under the leadership of the then State Minister Advocate Rahmat Ali with similar objectives. The cycle of discontinuity of policy reforms continued when BNP and its alliance formed government in 2001-2006, stalling the suggestions made by Rahmat Ali Commission

(Ehsan and Kamruzzaman, 2020). The caretaker government from 2007-2008 also initiated some reforms related to local government and decentralization which included establishment of a high powered, independent Local Government Commission; promulgation of a series of laws (ordnances), notably a uniform law for all City Corporations, new laws for Paurashavas and Unions, revision of the Upazila Parishad Ordinance; and efforts towards coordination of ‘donor’ (international aid agencies’) assistance. Interestingly though, nearly all the reform efforts were ditched by the Awami League government after coming to power in 2009. The Local Government Commission was dismantled, the five vital ordinances were not ratified and thereby made null and void. The new government instead amended the Upazila Act (1998) in 2009, paving the way for the party MPs to exert disproportionate power at the local level. Besides, a series of Executive Orders were passed to exercise central discretionary power of decision making in the domain of local government (Khan, 2016).

There is no way to distinctly analyze why decentralized local governance in Bangladesh has had limited success. This is because most of the factors that have been impeding its effective functioning emanate from and are deeply engrained in the wider political economic fabric of the country. Therefore, neither peace-meal efforts nor radical solutions would be adequate enough to heal the problem. Although providing recommendation is beyond the scope of this study, the paper however offers a modest suggestion to the policy makers to seriously ponder about the current local governance issues and look for comprehensive strategies about how to transform nearly 6000 weak, emaciated and feeble LGI units into effective, functional and accountable democratic institutions. As the nation celebrates 50 years of independence the following year, perhaps, time has come to say goodbye to the colonial legacy which has haunted the local government system since independence.

References

- Abdullah, A. (2017). City Corporation Election on Party Lines in Bangladesh: A Review of Narayanganj City Corporation (NCC) Election 2016. *Public Affairs and Governance*, 5(1):73-82.
- Ahmed. N, Boex. J, Monem. M & Panday. K (2014) “Policy Study on the Local Government System in Bangladesh: A comparative Analysis of perspectives And Practices”, Local Government Division, Ministry of Local Government, Rural Development and Co-operatives, Government of People’s Re-

public of Bangladesh (GOB), Dhaka.

- Ahmed, T., Rashid, M.H., Ahmmed, K.N. and Razzaque, F. (2016), “Social Accountability Mechanisms: A Study on the Union Parishads in Bangladesh”, Special Publication Series, No. 2, BRAC Institute of Governance and Development, Dhaka. <http://bigd.bracu.ac.bd/jdownloads/WORKING%20PAPERS/BIGD%20Special%20Publication%20Series-2%20Final.pdf> , retrieved on December 6, 2020
- Ahmed, T (2014). *Decentralization and the Local State: Political Economy of Local Government in Bangladesh*. Dhaka: Agamee Prakashani.
- Ahmed, T. (2012), *Decentralization and the Local State: Political Economy of Local government in Bangladesh*, Dhaka; Agamee Prakashani
- Aminuzzaman, S.M. (2011),’ An Analysis of Union Parishad Act, 2009” An analysis done under the LGDP-LIC project of the United Nations Development Program (UNDP).
- Aminuzzman (2013) “Governance at Grassroots–Rhetoric and Reality: A Study of the Union Parishad in Bangladesh” in Jamil, I., Askvik, S. and Dhakal, T. (2013). *In search of better governance in South Asia and beyond*. New York, NY: Springer https://link.springer.com/chapter/10.1007/978-1-4614-7372-5_12, retrieved on December 6, 2020
- Aminuzzaman et al (2015), *Impact Assessment of Upazila Parishad Governance Project [UZGP] & Union Parishad Governance Project [UPGP] UNDP Dhaka*. (Retrieved from <https://erc.undp.org/evaluation/documents/download/10594>)
- Bhuiyan, M.N. (2014). *Reviewing of Local Government Laws in Bangladesh: Towards Prospect of a Local government Uniform Framework Legislation*”, Local Government Division, Ministry of Local Government, Rural Development and Co-operatives, Government of People’s Republic of Bangladesh (GOB), Dhaka, p. 34-49.
- Conyers, D. 1987. *Decentralisation: A Theoretical Framework*. A lecture note, Centre for Development Studies, Swansea.
- Chowdhury, S. (2018), “Decentralized planning and budgeting as social accountability tools: a study of social accountability in local government in Bangladesh”, in Ahmed, N. (Ed.), *Inclusive Governance in South Asia*, Palgrave Macmillan, Cham, pp. 215-234.

- Ehsan, S.M.A & Kamruzzaman, M (2019). "Revisiting the Reforms of Rural Local Government Institutions in Bangladesh: From Past to Present", Bangladesh Journal of Administration and Management, BCS Administration Academy, 31: 1-17.
- Haque, M.A, Islam, F. & Sharmin, Z (2011) "Problems of Strengthening Local Government in Bangladesh: Towards a Comprehensive Solution". SUST Studies, Vol. 15, No.1, 2012; p.76-84 <http://sustjournals.org/uploads/archive/b9403e6442985e876acc4a1e37a9a768.pdf> , retrieved on December 6, 2020
- Huque, A. and Panday, P. (2018). "Local Government Institutions and Governance in Bangladesh." South Asian Survey, 127-131.
- Huq, P.A. 2014. 'The Politics of Local Policy-Making in Urban Bangladesh: The Case of Rajshahi City Corporation', Asian Journal of Political Science, 2014 <http://dx.doi.org/10.1080/02185377.2014.945942> , retrieved on December 6, 2020
- Hussain, Awal. Md., (2005), Administrative Decentralization: A Framework for Discussion and Its Practices in Bangladesh.: <http://unpan1.un.org/Intradoc/Groups/Public/Documents/Unpan/Unpan019445.Pdf>, retrieved on December 6, 2020
- Islam, K. M., (1997), "Administrative Decentralization: A Conceptual Analysis and Its Implication in Bangladesh". A journal of Mass Communication, Public Administration and Social Sciences, Vol. 1 (1), p. 44-58.
- Islam, M. (2018). Cooperation or interference: MP's role in local government. <https://www.thedailystar.net/opinion/news/cooperation-or-interference-mps-role-local-government-1671871>, retrieved on December 6, 2020
- Khan, M. M., (2009), From Government to Governance: Expanding the Horizon of public Administration to Public Management. Dhaka: The University Press Limited.
- Khan, N.A (2016), Challenges and Trends in Decentralized Local Governance in Bangladesh. ISAS Working Papers No. 222 <https://www.files.ethz.ch/isn/195776/ISAS%20Working%20Paper%20No.%20%20222%20%20%20%20%20Challenges%20and%20Trends%20in%20Decentralised%20Local%20Governance%20in%20Bangladesh.pdf> , retrieved on December 6, 2020

- Khan, N.A. 2001 'The Political Economy of Decentralised Local Governance in Bangladesh: A Retrospect', *Indian Journal of Social Work*, Vol.62, No.1, 2001:90-105.
- Kothari, C. R. (2004). *Research methodology: Methods and techniques*. New Age International.
- Osman, F.A. (2011), *Assessment of the Contribution of Government Line Agencies to UP Service Delivery*, UNDP Dhaka.
- Osman, F. A. (2015), "Policy Review of Functional Assignment to Local Government (Union parishad and Upazila levels) in the Delivery of Health and education Services", (Component 01) UNDP Dhaka. https://www.academia.edu/32502260/Arfina_report_UNDP_Comp_1_Report_22Nov2014_Final_2_1 , retrieved on December 6, 2020
- Pandey, P. (2015), "Qualitative Action Research on Results and Learning of Strengthening Local Governance Project", Dhaka: BRAC-THP SLG Project. <https://en.thpbd.org/evidence/> , retrieved on December 6, 2020
- Panday, P.K. (2011)'Local government in Bangladesh,' <http://publicationadministrationbd.blogspot.com//2011/030local-government-in-bangladesh-note-5.html> , retrieved on December 6, 2020
- Panday, P.K. and Rabbani, M.H. (2011), "Good governance at the grass-roots: evidence from Union Parishads in Bangladesh", *South Asian Survey*, Vol. 18 No. 2, pp. 293-315. https://www.researchgate.net/publication/310331018_Good_Governance_at_the_Grass-roots_Evidence_from_Union_Parishads_in_Bangladesh , retrieved on December 6, 2020.
- Panday, P.K (2011)'Local government in Bangladesh,' *Lex-Localis Journal of Local Self-Government*, Vol. 9, No. 3, pp. 205 – 230. <http://publicationadministrationbd.blogspot.com//2011/030local-government-in-bangladesh-note-5.html> , retrieved on December 6, 2020.
- Panday, P. K. (2005) *Local Government in Bangladesh*, *South Asian Journal*, 9 (July-September).
- Panday, P. K. and Islam, M. T. (2016). *An Action Research on the Effectiveness of Commission of Upazila Parishad. A Report Prepared for the Upazila Governances Project (UZGP)*, UNDP, Dhaka.

- Rahman, M.H. 1994. Decentralisation and Rural Society in Bangladesh: A Study on the Bureaucratic Constraints on Success in the Upazila Structure. Ph.D Thesis, University of Wales, Swansea.
- Rahman, H. Z.; and Ahmed, T. (2015). Strategy on local government strengthening. A background paper for 7th five year plan. Dhaka: Planning Commission. Available online at: <http://www.plancomm.gov.bd/wp->, retrieved on December 6, 2020
- Rondinelli, D. (1981) Government Decentralization in Comparative Perspective: Theory and Practice in Developing Countries, *International Review of Administrative Sciences*, 47(2), pp. 133-145 <https://journals.sagepub.com/doi/10.1177/002085238004700205>, retrieved on December 6, 2020
- Rondinelli, D. A., (1986). What is Decentralization? In Litvack, J. and Seddon, J. ed. Decentralization Briefing Notes. Washington: The World Bank (Retrieved from <http://siteresources.worldbank.org/WBI/Resources/Wbi37142.pdf> retrieved on December 6, 2020
- Rondinelli, D., McCullough, J. & Johnson, R. (1989) Analyzing Decentralization Policies in Developing Countries: A Political-Economy Framework, *Development and Change*, 20(1), pp. 57-87, http://ls-tlss.ucl.ac.uk/course-materials/BENVGBU4_56138.pdf), retrieved on December 6, 2020
- Sarker, A.E. 1990. State Intervention in Rural Development: A Case Study of Bangladesh. Ph.D Thesis, University of Liverpool, Liverpool.
- Siddique, K. (1994) *Local Government in Bangladesh*, First Edition (Dhaka: University Press Limited).
- Siddiquee, N.A. 1997. *Decentralisation and Development: Theory and Practice in Bangladesh*. University of Dhaka, Dhaka.
- Siddique, K. (2005) *Local Government in Bangladesh*, Third Edition (Dhaka: University Press Limited)
- Turner, M. & Hulme, D. (1997) *Governance, Administration and Development: Making the State Work* (London: Macmillan).
- The Local Government (Union Parishad) Act (2009): (Dhaka: Government of Bangladesh) [http://www.dwatchbd.org/LG%20Acts/UP%20Act%2015%20October%](http://www.dwatchbd.org/LG%20Acts/UP%20Act%2015%20October%20)

- 202009%20(7003-7066).pdf, retrieved on December 6, 2020
- The Local Government (Upazilla Parishad) Act (2011): (Dhaka: Government of Bangladesh. http://www.dwatch-bd.org/LG%20Acts/UZP_Act2011.pdf , retrieved on December 6, 2020
- The Local Government (Zila Parishad) Act 2000: (Dhaka: Government of Bangladesh. <http://www.dwatch-bd.org/LG%20Acts/zillaparishadordinance.pdf>, retrieved on December 6, 2020.
- The Local Government (Municipality) Act 2009: (Dhaka: Government of Bangladesh. [http://www.dwatchbd.org/LG%20Acts/Municipality%2006%20October%202009%20\(6691-6789\).pdf](http://www.dwatchbd.org/LG%20Acts/Municipality%2006%20October%202009%20(6691-6789).pdf) , retrieved on December 6, 2020
- The Local Government (City Corporation) Act 2009: (Dhaka: Government of Bangladesh. [http://www.dwatchbd.org/LG%20Acts/City%20Corporation%2015%20October%202009%20\(6915-7002\).pdf](http://www.dwatchbd.org/LG%20Acts/City%20Corporation%2015%20October%202009%20(6915-7002).pdf), retrieved on December 6, 2020
- Uddin, A.M.M. N. (2015), “Review of Local Government Revenue Regimes of Bangladesh towards Prospect of a Uniform Local Government Revenue Policy”, UNDP Dhaka
- United Nations (1962) Decentralization for National and Local Government (New York: Technical Assistance Programme).
- Waheed, A., Saminah ,S. K. (2012) Decentralization: Catalyst for Welfare Service Delivery by local Government Administration, *Journal of Public Administration And governance*, 2(4):43-56.
- WahedUzzaman, W. and Mphande CHB (2014). Gaps in Pursuing Participatory Good Governance: Bangladesh Context. *Administration & Society*. 46(1):37-69. doi:10.1177/0095399712451891, retrieved on December 6, 2020
- WahedUzzaman, W. & Alam, Q. (2015) Democratic Cultureand Participatory Local Governance in Bangladesh, *Local Government Studies*, 41:2, 260-279, DOI:10.1080/03003930.2014.901217
- Waheduzzaman, W., As-Saber, S. and Hamid, M.H. (2018) Elite capture of local participatory governance, *Policy & Politics*, vol 46, no 4, 645–62, DOI: 10.1332/030557318X15296526896531

Wibbels, E. (2004) "Decentralization, Democracy, and Market Reform: On the Difficulties of Killing Two Birds with One Stone", In: Montero, A.P. & Samuels D. J. (eds.) *Decentralization and Democracy in Latin America*, pp. 203-234 (Notre Dame, IN: University of Notre Dame Press).

Wunsch, J. & Olowu, D. (1990) *The Failure of the Centralized State: Institutions and Self Governance in Africa* (Boulder, Colorado: West View Press)