Democratisation of the *Upazila Parishad* and Its Impact on Responsiveness and Accountability: Myths versus Realities

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Abstract

The study explores whether a democratic *Upazila Parishad*[3] enhances its responsiveness and accountability to the people. In an ideal condition, the *Parishad* is likely to act in safeguarding and enhancing these two good governance principles. Since a representative local government enjoys significant devolutionary authority, it tends to have the capacity to reduce bureaucratic hierarchy in decision making and implementation of programs and projects. It also emphasises on bureaucratic accountability to elected representatives and, in turn, ensures the accountability of elected representatives to their constituents. The study has found that *Parishads* in Bangladesh with democratically elected representatives have somewhat failed to enhance their responsiveness and accountability to the people. A number of factors seem to have contributed to this failure which include the presence of a large number of rules and regulations imposed by the central government, inadequate local resources available to the *Parishad*, loyalty of the civil servants to the central authority rather than to the elected *Parishad*, hidden agenda of the government to consolidate regime, lack of skills and knowledge of elected representatives, corruption, domination of local elites in decision making process, and provision of ex-officio membership of the *Union Parishad*[4] Chairmen. On the other hand, weak bureaucratic accountability because of dual control of the civil servants and lack of active mechanism for political accountability for elected representative due to the absence of democracy or democratic practices at the national level contributed to the poor accountability of the *Parishad*. The control from the Ministry of Local Government and the recently implemented provision of mandatory advisory role of the members of the parliament (MPs) have complicated the scenario even further.

Key words: *Upazila Parishad*, responsiveness, accountability, Bangladesh

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[3] Sub-District council, one of the local government tiers in Bangladesh. Henceforth, the word *Parishad* will be used as a substitute for the term.
[4] Also known as the '*Union* Council'. The lowest tier of the local government in Bangladesh. On an average, an *Upazila Parishad* consists of five *Union Parishads*.

Introduction

Responsiveness and accountability are two of the important features of good governance (World Conference on Governance 1999). Decentralisation of authority through establishing and empowering local government is considered a useful mean to ensure these important aspects of good governance (Sarker 2003; Faguet 2004). Decentralised government has distinct advantages of getting closer to people, receiving information and acting upon the information received. Democratically elected local government effectively transforms the long channel of hierarchical accountability to direct accountability to the people. This type of government benefits decision-making by ensuring improved information exchange about local needs and puts the performance of public officials to closer scrutiny (Faguet 2004). Like many other developing countries, Bangladesh has been striving to achieve this elusive goal of establishing representative local government system which is closer to people, responsive to their needs and accountable for its deeds. The promulgation of the *Upazila Parishad* Ordinance (1982) appeared to be a step towards achieving this goal. This ordinance prompted the introduction of *Upazila parishad* during the mid 1980s with an elected Chairman as its head. The newly introduced system had significant potential to bring the government closer to the people. The experiment, however, was short-lived (1985-1991) and ended with the fall of the military-turn-civil regime headed by Lt General Ershad (Sarker 2006). However, in 1998, the newly elected government headed by Seikh Hasina enacted a legislation to reintroduce the *upazila* system where members of the parliament were given an advisory role. However, despite such enactment, no election was held and the system remained non-functional until recently. In 2008, the caretaker government of Bangladesh promulgated the *Upazila Parishad* Ordinance 2008 and created a Local Government Commission to oversee the activities and performance of *the Parishad*. According to the ordinance, members of the parliament were removed from the advisory role and two new elected positions of Vice Chairpersons were created (one of them being a woman). The ordinance also reserved 30% seats for the women.

Although an election was held in January 2009 under the new Ordinance, the newly elected government subsequently decided to revoke *Upazila Parishad* Ordinance 2008, and disband the Local Government Commission. Accordingly, a bill was passed in the parliament in April 2009 by reinstating MPs as advisors of the *Parishad*.

Based on the available information of the structure and functions of the *Parishad*, this paper makes an attempt to better understand the evolution of the *upazila* system in Bangladesh and its effectiveness as an administrative system. It will also endeavour to look into the impact of this system on accountability and responsiveness.

The paper begins with a short review of existing literature on the relationship across the democratically elected local government and its associated concepts of responsiveness and accountability to the people. It is followed by a brief account of the local government system in Bangladesh including an overview of the *Upazila Parishad* and its scope, functions and constituents. It will then highlight the potential of the system to become responsive and accountable to the people. Finally, the article explores the challenges and encumbrances that are being faced by this relatively new local government setting in improving its responsiveness and accountability.

Responsiveness and Accountability in Local Government:
A Developing Country Perspective

Local government is one form of a decentralised system which is affected by the transfer of authority or responsibility for decision making, planning, management or resources allocation from a higher level of government to its subordinate units (Rondinelli, et al., 1989; Sarker, 2003). The basic notion behind decentralisation is that it enhances administrative and economic efficiency, improves quality of programme implementation, and in the best situation, enhances greater degree of responsiveness to local needs and accountability to the local people (Ingham & Kalam 1992; Martell 2007). Responsiveness implies congruence between popular preferences and the actual policies and outputs (Crook 1996) and accountability refers to the ability of the people to "hold local government responsible for how it is affecting them" (Blair 1985: 22). Democratic decentralisation is considered more efficient way of meeting local needs, cutting red tape and making government and administration more flexible, accountable and responsive by bringing government closer to the people (Westergaard & Alam 1995). For obvious reason, local government attracts significant attention from various governments and their development partners as a means of participatory, accountable and responsive development tool (Ingham & Kalam 1992). The Figure 1 developed by The World Bank (2003) shows how the service providers are held accountable for implementing the policies through short route, the direct accountability to the citizen. It replaces the traditional framework of service provision and a long-route of accountability, and involves citizens in local level decision making in service requirements and delivery. The shorter route has the potential to improve quality and access for the poor and foster more close and direct relationship between the service providers and their clients.

Figure 1
An accountability framework showing key relationships
across major stakeholders and service provisions
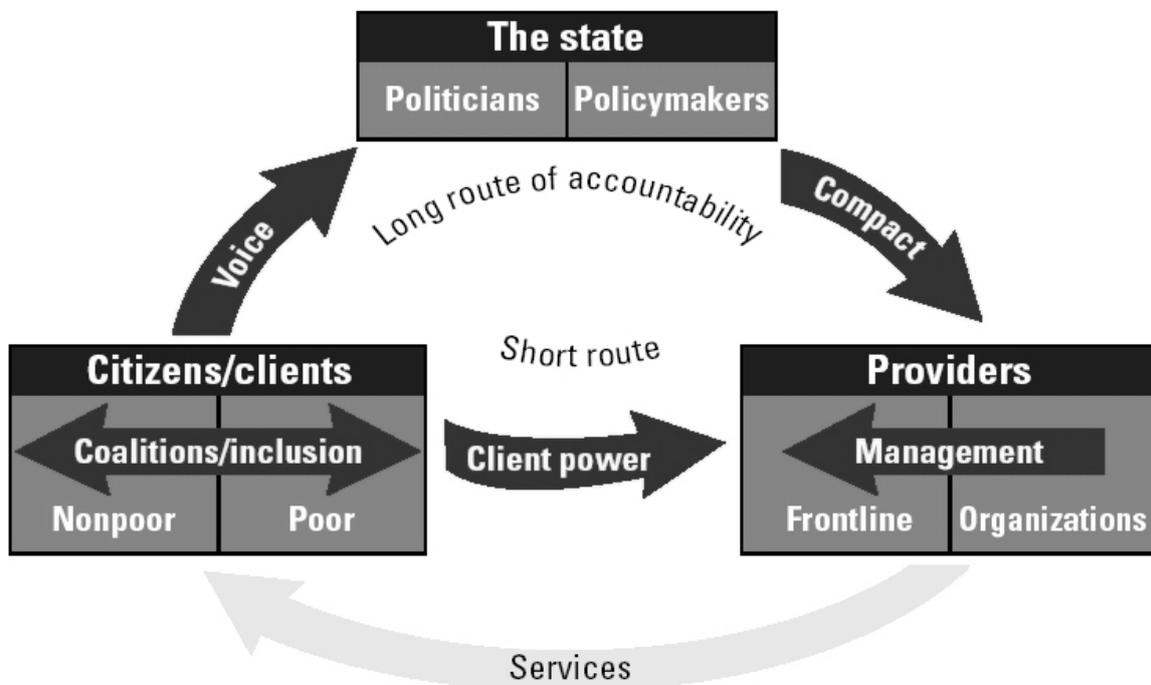
Source: The World Bank, 2003.

Despite convincing theoretical proposition, the effect of decentralisation on accountability and responsiveness of the local government is mixed, particularly in developing countries. Martell (2007) has found that the effort of municipal government in Brazil to increase economic, administrative and political accountability was significantly successful despite the constraints it faced from a volatile political environment and an unreliable legal system. Studies show that decentralisation has made governments more responsive to local needs across many developing countries including Papua New Guinea, the Philippines, India and Cote d'Ivoire (Rondinelli et al. 1983; Manor 1999). Faguet (2004) has found that decentralisation in Bolivia has positively changed the country's investment climate that are consistent with real local needs and expectations. A case study involving six Thai local governments (Krueathep 2004) shows that following the promulgation of the Decentralisation Plan and Power Act of 1999, participation of local people in the local government activities has increased significantly, e.g., regular focus group discussions are held by the municipality and people's involvements in accountability mechanisms are ensured through mechanisms such as the inspection of public procurement and monitoring of municipal performance. Decentralisation is, however, not devoid of drawbacks. There are numerous evidences of negative impacts of decentralisation on responsiveness and accountability (Slater 1989; Samoff 1990 as cited in Faguet 2004). Devas and Grant (2003) observe that although decentralisation is based on the idea of decision-making based on local needs and priorities, most government systems offer few opportunities for citizens, particularly for the poor and disadvantaged to participate in the decision-making process. Based on examples from Uganda, Devas and Grant (2003) have showed that the decentralisation of local government activities may not even provide any scope for citizen participation. Similar problems are evident in Kenya. Both of these countries, however, have the potential to enhance this condition through committed local leadership, articulate civil society organisations and free flow of information. Supporting this proposition, Ingham and Kalam (1992) argue that in theory decentralisation increases material welfare and reduces the alienation of traditional societies but in practice it seldom lives up to its promises. Based on the evidence from Bangladesh, they argue that the decentralisation in Bangladesh has neither improved the service delivery nor increased popular participation in the decision-making process. Decentralisation in Tanzania has also failed to achieve improved local level participation in the decision making process. Crook (1996) has found that democratisation of local commune contributes very little to the responsiveness and accountability in the Ivorian community. While studying the social protection programme in the Indian state of Maharashtra, Pellissery (2006) has found that access to the public fund by the rural poor was determined by the rural elites who dominated the local bureaucracy in decision-making. Local level officials enjoy significant discretion in interpreting the rules and regulations. At the end, the relationship with the local elites, not the eligibility criteria, acts as the main criterion for the entitlement of preferential government treatment including the allocation of grants. Decentralisation in Thailand has also proved to be a swing back to recentralisation through central local institutional arrangement developed by the interest of the central political leaders and local interests groups (Mutebi 2004). The instances together support the Radical Elite Theory of Local Government (see Siddiqui 2005, As-Saber, et al., 1994) where local government acts as a network of patronage and clientelism between the national elite and regional and local elites. According to Seabright (1996), decentralisation sometimes diminishes the accountability of government when the localities are insufficiently homogenous and the interests are marginalised in the localities adversely affecting the minority population. Centralisation, in this respect, may offer some sort of cohesiveness in policy formulation and service delivery.

Blair (1985) has emphasised the importance of time dimension in getting the desired outcome from a representative system. According to Blair (1985), participatory institutions show little

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outcome during the initial five or ten years of the introduction of any such system. During the first few years, the rich and the elite dominate the new institutions but in the long run other groups start playing some role. For instance, local *Panchayati Raj* in Bihar of India had suffered elite domination during its initial period which later on was shifted towards more participatory form. However, it took more than 20 years to make it more representative, participatory and responsive. From the above discussion it is quite evident that representative local government has enormous potential to be responsive and accountable but this responsiveness and accountability is not guaranteed and is subject to exploitation by the rich and the elite. The outcome may also vary significantly across countries and might require extended period of time to produce desired benefits.

Local Government in Bangladesh

The history of local government in Bangladesh is dated back to ancient India. There is evidence of some forms of village self-government in the oldest Hindu religious writing, "the Rig Veda" written in approximately 1200 B.C. (Siddiqui 2005). However, the history of modern day local government in Bangladesh started during the British colonial period in India. During that period, Bangladesh was the eastern part of the Indian province of Bengal. Like many other British colonies, the administrative system of Bengal and other parts of British India was centred on district-level administrative system where district was the core administrative unit. Under the district there were several sub-divisions (sub-districts) consisting of a number of police stations locally known as *Thanas*. Below the *Thana* were the villages.

The Bengal Local Self Government Act was passed in 1885 establishing a three-tier rural local government system at three different levels, district, sub-division and *union* (Blair, 1985; Westergaard & Alam 1995; Siddiqui, 2005). Under the Act, the villages were grouped into *unions* for the first time (each consisting of around 15 villages). A local government council was established at the *union* level known as the 'Union Board' (later known as 'Union Parishad'). District councils were called District Boards (later known as *Zila Parishads*). Subdivisional Boards were also constituted which was rather short-lived. District and subdivisional boards were under official tutelage, whereas the *Union Parishad*s were headed by elected representatives. During the Pakistan period a new level of local government, 'Thana council' was established under the direct supervision of the subdivisional officers (SDOs). However, the *Thana* council did not have the power of taxation, unlike district and *union* boards. After the independence of Bangladesh in 1971, three-tier local government system, with districts, *thanas* and *union*s, continued on (Blair, 1985; Ali 1987).

The provision of representative bodies at all levels of local government is preserved in the Constitution of Bangladesh. But, in practice, only the *union* level local government had a true representative character. Following the independence of Bangladesh in 1971, the government promulgated the Local Government Act 1973. The Act proposed a three-tier local government system with the *Union Parishad* (UP), *Thana* Training and Development Committee (TTDC) and the District Board (also known as *Zila Parishad*). Elections of the *Union Parishads* were held in the same year but election for the other two levels did not. The most ambitious local government reform came in 1975 with the introduction of the President-appointed district governors in replacing district officers (Deputy Commissioners). However, the system could not eventually be introduced and was abolished in the same year when the government of the day was overthrown by a military coup. Subsequently, after few coups and counter coups, Major General Ziaur Rahman had emerged as the military ruler of the country who assumed the role of the President of Bangladesh. The government of President Ziaur Rahman promulgated the Local Government Act, 1976 that proposed to continue the same three stages of local government as before. Similar

to the previous experiment, only the UP elections were held and other two were left under bureaucratic control. A new Act was passed in 1980 to create another level of local government at the village level called *Gram Sarker* (village government) which died with the death of its initiator President Ziaur Rahman in 1981 (Blair, 1985; Ali, 1987; Khan, 1987).

Upazila Parishad: Its Emergence, Structure and Functions

Following the assassination of President Ziaur Rahman, the power was taken over by the Vice President Abdus Sattar. However, Sattar's rule was short-lived and the power was seized by the Chief of Army Lieutenant General HM Ershad in 1982. Soon after assuming the power, the military government headed by Ershad formed an administrative reform committee, Committee for Administrative Reorganization/Reform (CARR). According to the recommendation of the committee, subdivisions were upgraded to districts and *thanas* were upgraded to *upazila* (sub-district). The committee suggested three-tier representative local government system- *Zila parishad* (ZP) at the district level, *Upazila Parishad* (the *Parishad*) at the sub-district level and *Union Parishad* (UP) at the *union* level. Subsequently, the *Upazila Parishad* Ordinance was promulgated in 1982 that prompted the introduction of the *upazila* system. Accordingly, for the very first time in the history of Bangladesh, the Chairman of a *Thana* level (*upazila* in new structure) council was elected directly in 1985 to make it a truly representative local government. According to Dr Shawkat Ali (1987) who was the Member Secretary of the committee, the underlying assumptions of this radical change of local government were:

> ...First, the structure and organization of the existing civilian administration were perceived to be inadequate to serve the people effectively. Secondly, based on identification of the inadequacies, an administrative system was to be designed taking into the account of devolution and the objective of establishing a closer relationship between the administration and the people. Implicit in the second was the assumption that the administration was perceived to be distant from the people and..........to make the local bureaucrats accountable to popular leadership (791, 795).

According to the new arrangements, the *Parishad* consisted of:
 a. A Chairman- directly elected by the people on the basis of adult franchise
 b. Ex-officio representative members (all Chairmen of the *Union Parishads* fall under the jurisdiction of the *upazila).*
 c. Three women members nominated by the government
 d. Official members of selected government departments specified by the government (without any voting right)
 e. Chairman, *Upazila* Central Co-operative Association, and
 f. One nominated member from among freedom fighters

The *Parishad* was assigned with a wide range of functions. The functions of the government at the *upazila* level were divided into two categories- retained subjects and transferred subjects. The regulatory functions and major development activities of national and regional coverage fell under the category of retained subjects and were controlled by the central government. All other development activities which were considered local in nature had been recognised as transferred subjects and responsibility for those had been given to the *Parishad*. Transferred subjects included agriculture and irrigation, primary education, health and family planning, rural water supplies and sanitation, rural works, disaster relief, food-for-work programs, cooperatives, and fisheries and livestock development. The retained subjects included law and order, justice, central revenues, large-scale irrigation, large scale industries, and higher and technical education. A large number of senior civil servants were deputed to the *Parishad*. The *Upazila Nirbahi Officer*

(UNO), a central government functionary, acted as the head of civil administration and became the Chief Executive Officer of the *Parishad* (Ahmad 1991; Sarker 2006).

However, there was a conflict of interests between the elected *Parishad* Chairmen and members of the parliament. The newly elected BNP government in 1991 favoured lawmakers' interests by dissolving *Upazila Parishads* instead of taking steps to reduce the conflicts. Following the general election in 1996, *Awami League* came to power and as an election promise, enacted the Local Government (*Upazila Parishad*) Act 1998. The Act proposed to make the *upazila* level the most important tier of local government (Habib, 2009). There were certain differences between the 1998 Act and the Act of 1992. According to the 1998 Act, in addition to the elected Chairman, provisions were created for three elected Vice Chairpersons (one of them a woman). Chairmen of all *Union Parishads*, mayors of all municipalities (if there are any), and women members of the reserved seats would become ex-officio members of the *Parishad* (See Figure 2). It also created a provision of mandatory advisory role of the local Member of Parliament over the *Upazila Parishad* activities.

However, despite the introduction of the new Act, no election was held during the two consecutive democratically elected governments. Eventually, with an aim to conduct *upazila* election, the caretaker government of Bangladesh promulgated the *Upazila Parishad* Ordinance in 2008 and created a Local Government Commission to oversee the activities and performance of *the Parishad*. According to the ordinance, members of the parliament were removed from the advisory role and two new elected positions of Vice Chairpersons were created (of which one must be a woman). The ordinance also reserved 30% seats for the women.

Figure 2
Structure of the *Parishad* according to *Upazila Parishad* Act 2009
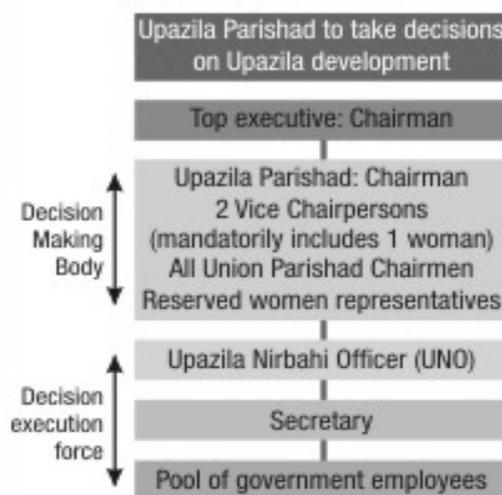
Source: Liton (2009)

Although an election was held under the newly elected Awami League government in January 2009 under the new Ordinance and legislative framework (see Figure 3), the new government subsequently decided to revoke *Upazila Parishad* Ordinance 2008, scrapped the Local Government Commission. Accordingly, a bill was passed in the parliament on the 6th of April 2009

by reinstating MPs as advisors of the *Parishad* and increasing the complexity of the *Parishad*'s governance structure.

Figure 3
***Upazila Parishad* Election 2009 at a Glance**

No. of upazilas	480
No. of candidates	8,174
Chairman candidates	3,340
Vice-chairman (general) candidates	2,898
Vice-chairman (reserved) candidates	1,936
Total voters	7,32,58,950
Polling stations	32,356
Polling booths	1,74,618
Polling officials	5,56,210

Source: Liton (2009)

However, the problem started when, on the 6th of April 2009, the parliament passed the *Upazila Parishad* Amendment Bill retaining MPs as advisers of the local-government bodies to play significant role within the *Parishad* despite protest from the newly elected *Upazila Parishad* Chairmen and Vice Chairpersons (*Financial Express* 2009).

Potential for Responsiveness and Accountability of the *Parishad* to the People

The *Parishad* has considerable potential to be responsive and accountable to the people. It has substantially reduced the administrative decision-making layer (Ali 1987). According to Ahmed (1988), the new system has engendered two significant changes creating an opportunity to achieve better responsiveness an accountability. First, it is a shift from bureaucracy to democracy in the local government as the chief executive and other officers of the sub-district are brought under the control of elected representative. Second, the *Parishad* is accorded the status of executive agency and has been made responsible for most of the development functions. The Table-1 shows the significant shift from bureaucratic control to the democratic structure of the *Parishad* delivering the potential for better responsiveness and accountability.

The main objective of the *upazila* system, as enunciated in governmental documents, is the devolution of authority to local bodies, supposedly in order to induce faster development at the local level with the participation of the people. The *Parishad* has considerable authority to plan and implement projects of local importance and interests, and to ensure accountability of local officials (The World Bank 1984; Ahmed 1988). Relevant government reports claim that under the new system local needs are better identified and projects are being designed to suit specific needs of the people (Ahmed 1988). Posting of higher level civil servants at the *Parishad* is likely to facilitate faster decision making and quality service for the beneficiaries (Schroeder 1985). The government documents also demonstrate the expectation of better mobilisation of local resources and lesser dependency on the central government (Sarker 2006). Both *Upazila Parishad* Ordinance 1982 and the *Upazila Parishad* Act 1997 have given the *Parishad* the authority of supervision, control and coordination of functions of officers serving in the *Upazila*, except for judicial service officers, trying magistrates and officers engaged in regulatory functions. The

Table: 1
From *Thana* to *Upazila*: a Shift from Bureaucratic Control to Democratic Accountability and Responsiveness

No.	*Thana*	*Upazila*
1.	Government official (Sub Divisional Officers) was the ex-officio Chairman of the *Thana* Parishad (TP)	*Upazila Parishad is headed by* elected people' representatives.
2.	Chairman was not accountable to the *Thana Parishad*	All elected representatives including Chairman are accountable to the *Parishad*
3.	The power and scope of TP was limited	The power and scope of the *Upazila Parishad* are wider
4.	Both official and representative members had voting rights	Only representative members have voting rights
5.	There was no accountability of the civil servants to the *Thana Parishad*	Civil servants are directly accountable to the *Parishad*
6.	The TP had no power of taxation	*Parishad* has the power of taxation
7.	The officers and staffs were appointed, transferred, controlled and paid by the central government	Officers and staffs are deputed to the *Upazila Parishad* and paid from the *Parishad* fund (allocated)
8.	District administration had wide control over TP	The district administration mainly plays coordinating role

Source: Adapted from Morshed (1997: 146)

Chairman has the authority of appointment, transfer, punishment or removal of any government servants, and writing of Annual Confidential Reports (ACR) of the civil servants (Morshed 1997) and hence holds considerable authority to make the officials accountable to the *Parishad*.

Therefore, it is assumed that with democratically elected representatives at the *upazila* level, the responsiveness and accountability of the *Parishad* to the people would be significantly enhanced. However, the evidence shows that there had hardly been any improvement of responsiveness and accountability of the *Parishad* under the democratic leadership.

Although the *Parishad* looks like complete devolution of power, a closer look at its structure and functioning may prove otherwise. As the central government retains the regulatory and policy making power and control of vital functions such as policing, magistracy, judiciary, revenue collection and land administration, the *Parishad* appears to have little authority to exercise its power to steer local development projects and provide services to its citizens In addition, with very limited financial power, the *Parishad* is dependent on the central government for its financial support and financial planning. Officially the *Parishad* is assigned with the responsibility of formulating local level planning (Ahmad 1991) to ensure people's participation in the overall development activities within its jurisdiction. However, the scope of such participatory arrangement does not include areas retained by the central government and is limited to deal with the transferred subjects only (Ahmad 1991). The *Parishad* again has failed to utilise its limited devolutionary authority and could not achieve the promised bottom-up planning and responsive service delivery (Sarker 2006). Most of the *Parishad*s have not even attempted to prepare a five-year plan and they just used to divide the allocation of development grants among the *Union Parishads* as per the list of schemes provided by the respective *Union Parishad* Chairmen (Faizullah 1986 as cited in Ahmad 1991).

Alam, et al (1994), based on a study of four *upazilas* within the districts of Patuakhali and Barguna, have found that the rural poor are not represented on the local bodies and seldom directly involved or consulted in making decisions regarding any development works. Zafarullah (2005) has observed that the local elites thwart any attempt to involve the people in selecting development projects and rarely, if ever, the ordinary people's real needs are taken into consideration. Crook and Manor (1994 as cited in Westergaard & Alam 1995) have found that vulnerable groups receive "very little in the way of projects intended to assist them". There are even instances of authoritarian approaches used by the Chairperson of the *Parishad* in deciding the projects without consulting the relevant Chairman of the *Union Parishad* (Zafarullah 2005). Most of the *Parishad* Chairmen use domineering approach in planning process often with the help of local bureaucracy and disregarding the views and recommendations of others (Khan, 1987; Zafarullah 2005). In addition, the *Parishad* does not have effective control over the personnel matter as most of the employees are appointed by the central government or its representative at district or *upazila* levels (Khan 1987; Westergaard & Alam 1995). The situation did not change much and additional complexity was created by the inclusion of two Vice Chairpersons in the 2008 Ordinance and the 2009 Act as the guideline on the functioning of the newly-formed *Parishads* failed to define the jurisdiction of the Vice-Chairperson (*Dhaka Mirror* 2009). Therefore, the impact of the *Parishad* with democratically elected Chairman on responsiveness and accountability to the people are likely to be minimal.

Factors Inhibiting the Improvement of Responsiveness under the *Upazila* System

There are a variety of factors that have been impeding the improvement of the *Parishad*'s responsiveness to the people (see Figure 4). Some of these factors are discussed below:

Figure 4
Responsiveness of the *Parishad* to the people
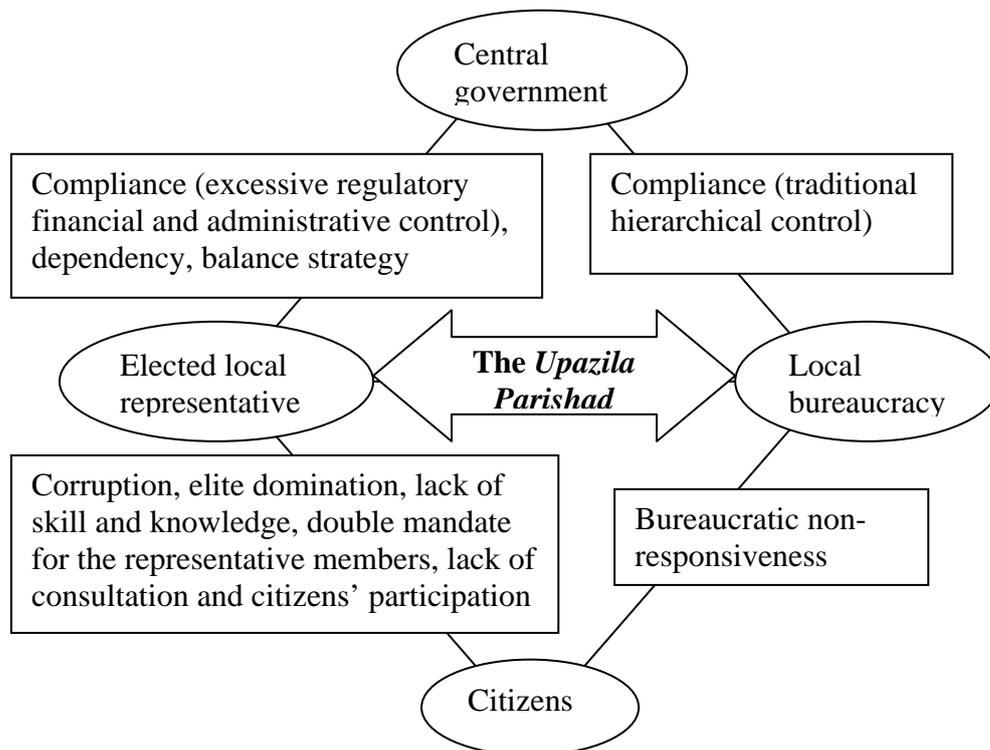
Financial and Administrative Guidelines from the Central Government: The power and authority of the *Parishad* is substantially constrained by the strict rules and guidelines prescribed by the central authority (see Figure 4). The *Upazila* Manual of 1984 contains four ordinances, four rules, one resolution, five guidelines and instructions, and 174 orders and notifications (Khan 1984 as cited in Hasan 1992: 809). After 1984, a detailed guideline from the planning commission and more than 200 orders and instructions have been issued by various ministries to control *upazila* activities (Hasan 1992). The planning and budgeting process of the *Parishad* as well as the implementation have been subject to these numerous guidelines. The *Parishad* had to spend the money in the particular sector like education, agriculture, and physical structure determined by the central government based on population and vaguely defined criteria of backwardness (see table 2). The *Parishad* had no power to reallocate the money from one sector to another (Zafarullah 2005). These provisions constrained the scope of responsiveness to the local needs. For example, an *upazila* which was already developed in physical infrastructure could not spend the unspent money to another thrust sector as that was restricted by strict provision for sectoral adherence in spending. Again, any project under a particular sector could not exceed one third of total allocation for that sector (Zafarullah 2005). Although these provisions were aimed at facilitating the distribution of projects across the various development sectors and parts of the *upazila*, they restricted the *Parishad*'s ability of taking any pro-active decision necessary to undertake and execute a project based on the needs and aspiration of the local people. It also constrained the capacity of the *Parishad* to implement a project in a particular area which required more than one third of the total sectoral allocation. The guidelines also increased the scope of spending money in unnecessary projects that inadvertently facilitated the misappropriation of the fund. Again, within the prescribed sector there was no systematic way to assess the needs of various localities including the *Union Parishads* (Westergaard & Alam 1995).

Table 2
Guidelines for the *Parishad* for utilisation of ADP

	Sector	Minimum share (%)	Maximum share (%)
1.	Agriculture, irrigation and industry	30.0	40.0
2.	Physical infrastructure	25.0	35.0
3.	Socioeconomic	17.5	27.5
4.	Sports and culture	5.0	10.0
5.	Miscellaneous	2.5	7.5

Source: Schroeder (1985: 1140).

Besides, the limited authority of planning was also subject to approval by the central government. Using regulatory tools, government exerted control over the *Parishad* through bureaucratic channel. District bureaucracy acted as the main tool to maintain this control. A cabinet division memorandum gave ample supervisory and controlling authority to the Deputy Commissioner (District administrator) of the district over the *Parishad* (Morshed 1997). At the divisional level, the Divisional Commissioner, was given the authority to exercise the overall role of coordinating all *upazila* and district administrations within its jurisdiction (Khan 1987; Sarker 2003). The excessive regulatory and bureaucratic control over the *Parishad* resembles the decentralisation in Thailand which Mutebi (2004) termed as recentralisation where elected local government at the subdivisional level are to function under the control of appointed Provincial Governors.

Narrow Resource Base and Dependency on Central Government: Local resource mobilisation is one of the direct outcomes of local government and acts as the main strength required for the local government to act independently of central control. *Upazila Parishads* in Bangladesh have failed

to utilise this potential for mainly three reasons. First, the *Parishad* has limited authority to collect revenues from particular sources such as rent from *jalmahals*, *hats- bazaars* and ferries, tax on professional and trading licenses, fees for fairs, exhibition and tournaments, and toll on services and facilities maintained by the *Parishad* (Siddiqui, 2005). Although the sources apparently look impressive the income from the sources is very meagre. Only hat-bazaars raise considerable amount of revenue (Huque 1992). However, it is not large enough to pay salaries or to manage other *upazila* activities. Major sources of revenue including income tax, customs and excise and land revenue are controlled by the central government. Second, there is a tax ceiling imposed by "The *Upazila Parishad* (Taxation) Rules 1983" on the items leviable by the *Parishad* (Hasan 1992). Third, elected representatives are reluctant to mobilise local resources in fear of losing their votes and official representative are unwilling to raise this unpleasant issue without expressed desire of the Chairman (Huque 1992). Altogether, only 3-5 percent, sometimes as little as 0.17 percent, of development budget of any *upazila* are met by its own revenue (Hasan 1992: 810). The central government is the major source of money for running the day-to-day business of the *Parishad* and implementing the various development projects (Westergaard & Alam 1995). Numerous studies suggest that expenditure decentralisation without revenue decentralisation limits the expansionary effect of decentralisation on service level (Bardhan & Mookherjee 2006). As local governments, *Upazila Parishads* in Bangladesh are, therefore, not viable without substantial support from the central government. Unless more power and authority are given to the *Parishad* in collecting and utilising tax revenues, the *Parishad* can do little regarding its own financial health and in undertaking development projects beneficial to its constituents. With such financial dependence, the *Parishad*, in essence, acts as an extended arm of the central government.

Bureaucratic Inclination to the Central Government: Officers working in the *Parishad* are recruited and deputed by the central government. Although the *Upazila* Chairman is conferred with substantial authority over these officers, the officials are also directly accountable to their respective departmental authorities. For example, the UNO is a member of the elite bureaucratic cadre, Bangladesh Civil Service (Administration) and works under strict control and supervision of the Deputy Commissioner. Along with the UNO there are about 20 officers working at the *upazila* level belonging to the various cadre services who also face dual control, from the *Parishad* Chairman as well as from their respective line authorities. Moreover, these officers are trained and served initially under the central government structure. As a result their mental makeup conforms more to the culture and structure of the central government. They are temporarily posted to the *Parishad* and their promotion and future postings are controlled by the central government bodies. Their loyalty to the *Parishad* is, therefore, not absolute and they often consider their deputation to the local government as a temporary banishment (Morshed 1997)!

Strategy to Consolidate Regime by the Government in Power: Decentralisation can be used to get macropolitical benefits by expanding governing coalition to increase the inclusiveness of central regime (Guess 2005). This practice is common in the history of local government of Bangladesh (Sarker 2006) and the case of decentralization in the 1980s by the military government of H. M. Ershad is a case in point. Researchers widely accept the notion that the *Parishad* was a part of Ershad's effort to build a support base in the rural areas (Alam 1994; Rahman 1984 as cited in Westergaard & Alam 1995). Study showed that majority of the elected *Parishad* Chairman had allegiance to the ruling party (Sarker 2008) and worked as neutralising agent against urban-based opposition of the government. There were widespread allegations of political use of the *Parishad* by the autocratic regime (Siddiqui, 2005). It was alleged that the ruling political party, Awami League, also attempted to manipulate the 2009 *upazila* election results by vote rigging and the use of force in many election centres in order to get their supporters to power to the *Parishad* (Rahman, 2009).

Domination by Local Elites: Historically local governments in developing countries are subject to influence by local elites and their use by the central-level political leaders and officials (Bardhan & Mookherjee 2006). These elites are aligned with the central level political leaders and the central leaders consider them as junior partners and use them creating power base. Since its inception, a significant amount of resources have been channelled to the *Parishad* in the name of development which has literally been used to gratify rural bigwigs supporting the ruling party. The elites serving the ruling party are influential enough to dominate the poor and general mass in the rural areas (As-Saber, et al., 1994; Sarker 2008). Alam, et al (1994) have found that all elected representatives in their study area are from rich or middle income family and no one is from a poor or disadvantaged background.

Corruption: The *upazila* system, in essence, has decentralised corruption (Siddiqui, 1997). According to Khan (2004), introduction of the *upazila* system in Bangladesh has

> ...contributed immensely to the spread of corruption to the grassroots and in the process vitiated local development and adversely affected local participation. Politics of patronage and corruption became the order of the day in the delivery of local services.

Huge amount of development aid has been infused to *upazila*s to support numerous development projects. These grants have largely been misappropriated by the party cronies and a new interest group has emerged in the rural area thriving on illicit use of *upazila* funding for development contracts (Westergaard & Alam 1997). The study undertaken by the Implementation Monitoring and Evaluation Division (IMED) of the Government of Bangladesh has found irregularities with respect to development works in almost all *upazilas* where no systematic audit has been done and financial discipline has hardly been maintained (Morshed 1997). A study by Sarker (2008) has revealed that the *Upazila Parishad* system acts as a channel of patronage distribution and private accumulation of wealth which go uninterrupted in the absence of proper accountability mechanism (Sarker 2008). One of the primary reasons shown by the government in 1991 to dissolve the *Parishad* was to get rid of gross mismanagement and widespread corruption within the *upazila* system (Siddiqui, 2005; Sarker 2006).

Double Mandate of the Union Parishad Chairmen: The ex-officio membership for the *Union Parishad* Chairmen has created an organic relationship between the *upazila* and the *union*. But, the provision created an opportunity for participation only by a small group of people (Ahmed 1988) on one hand and created a patron-client relationship between the *Parishad* Chairman and the Chairman of the *Union Parishad* on the other. Within the *upazila* framework, considerable bias is often witnessed in the allocation of resources among the *unions* as the allocation is largely dependent on the relationship between the *Parishad* Chairman and Chairman of the concerned *Union Parishad* (Westergaard & Alam 1995). Chairman of the *Parishad* constantly needs to gather and maintain support of a comfortable number of *Union Parishad* Chairmen to remain in power and to get the business done. In order to maintain such support, the *Parishad* Chairman often provides undue favours to some of their *union* counterparts who, in exchange of such favour, provide vital support to the *Parishad* Chairman during his/her tenure at office as well as during the election campaigns (Alam, et al., 1994).

Lack of Skills and Expertise of the Elected Representative: The *Upazila* and *Union Parishad* Chairmen often lack skills and expertise of making project design and become largely dependent on the UNO and officials of concerned departments (Morshed 1997). Zafarullah (2005), in his survey, has found that these officers often ignore the advice of the elected representatives of

the *Union* and *Upazila Parishads* and use their bureaucratic tactics and expertise to undermine the democratic system (Zafarullah & Khan 1987 as cited in Zafarullah 2005).

Factors Inhibiting the Improvement of Accountability under the *Upazila* System

As suggested by Blair (2000), accountability at the *Parishad* level can be viewed as a two-fold mechanism, (i) government employees are accountable to the elected representative, and (ii) the elected representatives are accountable to the public. The *Parishad* has by far contributed little to enhance both types of these accountability measures. Numerous factors could be blamed for the *Parishad*'s inability to improve its accountability to its constituents. Some of the key factors are discussed below (also see Figure 5):

Figure 5
Accountability of the *Parishad* to the People
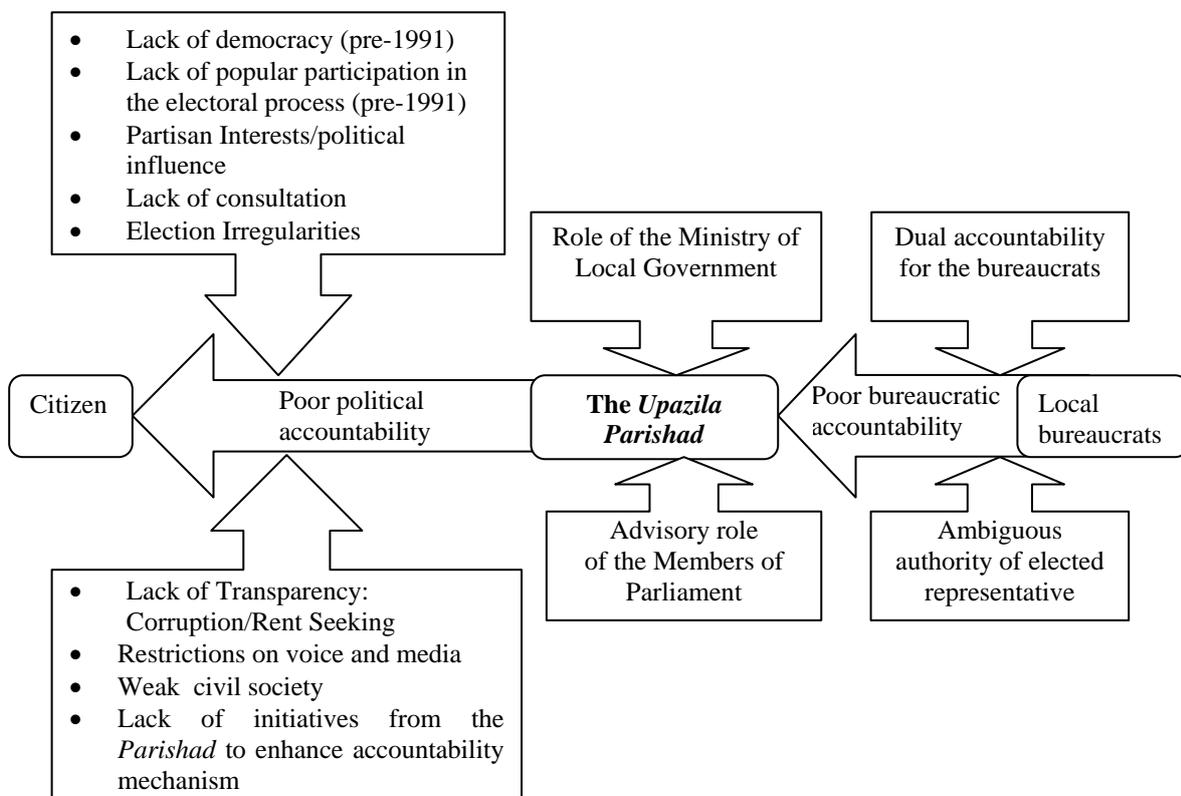
Bureaucratic Accountability to the Elected Representative: The mechanism for bureaucratic accountability within the *upazila* system is far from sound. The Chairman of the *Parishad* has the authority over all officers and employees serving in the *Parishad* in relation to their transfers and performance appraisals. However, nearly all of the employees assigned to the *Parishad* are employed by the central government and their salaries are paid from the fund provided by the central government. As mentioned earlier, all officers and most of the employees are under dual control of their respective line agencies and the *Parishad*. For example, although the Chairman initiates the annual confidential report (ACR) about the performance of the UNO, his/her line authority, the Deputy Commissioner is the final authority to authenticate that. As the line agency is the main authority for their career advancements, the civil servants are generally more loyal to their respective line authority. This duality has the potential to create a substantial accountability problem and, in many cases, is likely to cause strained relationship between the elected representatives and the civil servants (Khan1987; Alam, et al 1994).

Elected Official's Accountability to the People: Free, fair and regularly scheduled elections are a major tool for ensuring accountability of elected officials to people. Election allows the people to register their general approval or disapproval of the candidates and their activities at a regular interval (Blair, 2000). But, that might not be enough to fulfil the expectation of the citizen from the elected representative and there should be a mechanism to register their views all the time. Blair (2000) has identified seven major components of accountability, *viz.*, (i) regular elections, (ii) presence of political parties, (iii) a robust civil society, (iv) a strong media, (v) regular public meetings on important public issues, (vi) formal grievance procedure, and (vii) conducting frequent opinion surveys. Most of the above mentioned components are absent within the *upazila* system mainly due to the nature of the regime (see Figure 5). All *upazila* elections were mired with various allegations of vote rigging and were poorly participated by the people. Even the latest *Upazila Parishad* election that was held under the democratically elected government in 2009 was not without allegations (Rahman, 2009). The Chairman of the *Parishad* has been termed by Siddiqui (2005) as a product of "farcical and brutalised election". During the first experience of the *upazila* system (1995-1991), the participation of political parties and civil society in establishing accountability at *Upazila Parishads* was hardly appreciable as both groups were against the authoritarian regime of the day and continuously tried to dislodge the government during that entire period (Islam 1987; Maniruzzaman 1992). They viewed the establishment of the *Parishad* as a reflection of an ulterior motive of the government to consolidate the regime and were opposing the idea from the very beginning. The first attempt to hold the *upazila* election was cancelled due to this opposition. The period also experienced state of emergency which substantially curtailed the scope of participation for the political parties, civil society and media (Islam 1987). There is no evidence of conducting any opinion surveys, grievance mitigation hearings or consultation with the citizen by the *Parishads* during that entire period. The *Parishad* elected under the democratic national government in 2009 is yet to show any sign of improvement in this regard.

The Role of the Local Government Ministry and the Advisory Role of MPs: Two major factors contributing to the ambiguity of accountability of the *Parishad* are the existence of the Ministry of Local Government as the so-called 'controlling ministry' of the *Parishad* and the mandatory advisory role of members of the parliament (MPs) over the *Parishad*.

According to a discussion paper published by the Centre for Policy Dialogue (2000), the main enemy of decentralised local government in Bangladesh is the country's Local Government Ministry that compromises the autonomy of the local government bodies including the *Parishad*. The discussion paper further argues that the existence of the Local Government Ministry acts against the democratisation of local government. It also creates an unnecessary ambiguity with respect to the accountability of the elected *Parishad* to the Ministry. This relationship may be viewed as somewhat unconstitutional as the democratically elected representatives are brought under the control of an executive agency of the state. There is hardly any evidence from around the world of the existence of such a ministry (Centre for Policy Dialogue, 2000). Rather than having a local government Ministry a regular and transparent audit of the development and financial matters could be done through an independent regulatory body. The provision of a Local Government Commission in the *Upazila Parishad* Ordinance 2008 was a move towards the right direction. However, the entire ordinance including this provision was revoked by the *Upazila Parishad* Act of 2009.

Another disturbing development with respect to the *Parishad*'s accountability is the mandatory advisory role of the members of parliaments (MPs). According to Clause 25 of the The *Upazila Parishad* Act 1998, each MP is provided with the mandatory advisory role over the *Parishad*. The

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bill makes it obligatory for the *Parishad* Chairmen to accept recommendations from the local MPs as ex-officio advisers to the country's 482 *Upazila Parishads*. Although the provision was revoked by the 2008 Ordinance, it was re-introduced by the 2009 *Upazila Parishad* Act. Many consider this provision as unconstitutional and a 'slap for democracy' (Kabir, 2009; Rahman, 2009). It has made the accountability issue even more intricate and ambiguous as the relationships between these two democratically elected public representatives are not clearly spelled out other than making it mandatory for the Chairmen to accept recommendations from the MPs. Nonetheless, it is not unusual in Bangladesh to see MPs unduly interfering into the activities of the local government activities. This provision is likely to institutionalise such influence. More recently, the cabinet has made a decision to allocate offices to MPs in their respective *Upazial Parishad* premises (*The Daily Star*, 2010). It will further complicate the issue as the *Parishad* will be more prone to undue interference by the MPs affecting the *Parishad*'s accountability as well as autonomy as a local government.

Conclusion

Introduction of the *Upazila Parishad* system with elected government is likely to substantially improve the responsiveness and accountability of the *Parishad* to its people. Despite the widespread consensus in the extant literature about the positive outcome of a democratically elected local government, the first round of experiment with *the Parishad* led by a democratically elected Chairman was short-lived (1985-1991) and it hardly showed any sign of improvement in its responsiveness and accountability to the people. Although the revival of the system after a long 18 year gap has generated renewed hope of improved responsiveness and accountability, the latest version of the *Upazila Parishad* Act (2009) has raised a significant level of doubt with respect to its ability to meet the expectations of the people and the civil society.

The study has found that strict rules and regulations imposed by the central government, inadequate local resources of the *Parishad*, loyalty of the civil servants to the central authority, hidden agenda of the government of the day to consolidate its power base, lack of skill and knowledge of elected representative, domination of local elites in decision making, lack of consultation with the local communities, the lack of participation by the local people at all levels of the decision making process and widespread corruption are the main reasons behind the *Parishad*'s poor record of responsiveness to the people. On the other hand, weak bureaucratic accountability due to dual control of the civil servants and lack of active mechanism for political accountability due to the absence of democracy at the national level contributed to poor accountability of the *Parishad* to its constituents. The overwhelming power of the Ministry of Local Government and the mandatory advisory role of the members of parliament have made the situation even worse.

It is yet to see if the government of the day learns any lessons from the past failings of the *upazila* system and steers it towards the right direction. The establishment of an *upazila* system with elected representatives is just the first step to improve the situation. However, the outcome will remain poor if the government is not sincere enough to make the system more accountable and responsive and merely uses it as a tool in consolidating its political foundation at the grassroots level through patronage and clientelism.

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