

Decentralization and Local Governance: Documenting Undocumented Factors

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Introduction

Many countries of the globe, especially developing countries of Africa, Latin America and Asia, are currently undertaking new programmes of decentralization in governance and public administration for several reasons with varying degrees of realization, but one thing is common, at least in paper aspiration, that is the improving local governance and development. Unlike herein Bangladesh the key likely challenges for local governance are outdated & controversial laws and lack of local resources, material, finance, expertise and competent leadership. Here among the rural local government institutions the Zila Parishad is running without an elected Parishad, while the existing Union Parishad has been waiting for years to have its overdue election that is likely to be held in early 2011. And the regenerated Upazila system with democratic decentralization has just started its journey. The local government institutions in general, upazila parishads in particular are passing through a transition. It is expected that transition will be over with effecting new local government acts by issuing subsequent rules and regulations and by amending some obsolete and controversial laws soon. Thus, herein the local government system is probable to see the sunrise.

Contextual Analysis of Decentralization

In general sense, decentralization is the process of transferring power from state- government to its agency, private institution, regional and local government. According to L.D. White, “the Process of decentralization denotes the transfer of authority, legislature, judiciary or administrative from a higher level of government to a lower”. And Mawhood pointed out -“Decentralization as a structure of government where bodies are created at the local level separated by law from the national centre in which local representatives are given formal power to decide on a range of public matter”.

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Though traditionally there are four forms of decentralization (i.e. deconcentration, privatization, delegation and devolution), most of the thinkers, for example, Mawhood, Uphoff, Rondinelli and Cheema pertinently emphasize on devolutionary decentralization that is resultant in democratic decentralization.¹ Globally as well in Bangladesh now it is widely believed that democratic decentralization can be conducive to local good governance leading to economic advancement and poverty reduction.

Formally, devolution is the creation or increased reliance upon sub-national levels of government, with some degree of political autonomy, that are substantially outside direct central government control yet subject to general policies and laws, such as those regarding civil rights and rule of law (USAID, 2000:6). While, theoretically, devolution does not necessarily mean democracy, there is a tendency to equate the two (Oxhorn, 2004). Democratic decentralization goes further than the devolution does in terms of autonomy, responsibility and accountability of the local authority, and participation, opportunity & emancipation of the people. A full-fledged democratic decentralization not only creates environment for wider participation, social inclusiveness and for citizens to demand accountability of local authority, but also generates a sense of transparency and accountability of the country's political system and of the government. Two interlinked and inevitable components of this latest form of decentralization are structural decentralization and institutional democratization.

Despite the limited empirical evidence to support decentralization and clarify how to reap its potential benefits, policy makers seem to be willing to push it forward in many countries (Smoke, 2003:7); Bangladesh is no exception of those. Again, much of the decentralization literature focuses on its often-problematic performance, and positive writings tend to be based on anecdotal instances of success or enthusiastic rhetoric about its benefits.² Decentralization is basically an elusive phenomenon resultant from the failure of centralized approaches to development, continual pressure from internal development agencies, country context reform needs and international development trends. Nonetheless, internationally as well as nationally there is evidence that democratic decentralization provides the environment for wider

¹ See Begum et al., 1998; Mawhood P., 1985; Rahman M.H., 1989; Rondinelli D.A., Cheema G.S. (eds.), 1985.

² Bahl and Linn (1992); Prud' home (1995); Ter-minassian (1997); Bird and Vaillancourt (1998); Litvack, Ahmad and Bird (1998); Allen (1999); Cohen and Peterson (1999); Manor (1999); Blair (2000); McCarney (2000); Turner (2000); Belshaw (2000); Steffensen and Trollegaard (2000); Smoke (2001); Charlick (2001); Harbeson (2001); Wunsch (2001); UNCDF (2002) and Smoke (2003).

participation and inclusiveness. Thus, developing political capacity of local citizens for demanding accountability, and engaging local authorities towards economic advancement are apparently ways to ensure the sustainable poverty reduction in rural areas. Hence, co-relation between the democratic decentralization and local good governance leading to economic advancement and fighting poverty would be significant to the regenerated upazila system context in Bangladesh.

Local Government & Local Governance

Local governments are nothing but sub-national territorial units of the state, which should have expenditure responsibilities and revenue assignments. And more importantly, a local government must be a legal persona as a body corporate, and it is expected to have democratic control on its affairs by locally elected representatives. The contemporary world is experiencing profound change in the local government as well as local governance, which basically aims to strengthen the local government as a body corporate so as to encounter local economic activities (see Talukdar, 2009:17).

Local governance is governing at the local level viewed broadly to include not only the machinery of government, but also the community at-large and its interaction with local authorities, while democratic local governance is, in turn, local governance carried out in a responsive, participatory, accountable and increasingly effective (i.e. democratic) fashion. Decentralization gives the local governance system the opportunity to become increasingly democratic (USAID, 2000).

Factors to Unleash the Local Good Governance

There is a long heritage of local government in Bangladesh, but it is the weakened as well as neglected tier of the Government both from the economic and governmental power viewpoints. In Bangladesh, like many other developing countries, the decentralization, by itself, will not unleash the promises of good governance at the local level to meet the development goals, basically getting people free from poverty and their entitlement of human rights, unless it is undergone with some factors that could turn these potentials into reality. For instance, a) Structural decentralization unless goes with institutional democratization at local governments in Bangladesh, it would not reinforce to build commitment to get the pro-people empowerment with right based approach; b) Democratic Decentralization does neither come comprehensively across economic development nor bring sustainable solutions to rural poverty unless it is undergone with full-fledged Fiscal Decentralization; c) Obsolete and controversial laws need to be amended along with generating rules and regulations based on the new local government Acts

to overcome stalemate of the local governments, particularly the deadlock of the upazila system in Bangladesh; d) All three-tier local governments in Bangladesh need to be democratically, administratively and fiscally decentralized; e) Meticulous academic as well as professional contributions, and sincere political as well as bureaucratic efforts for effective functioning of new acts, especially establishing and carrying out Standing Committees, are must.

Addressing Undocumented Factors

Further to these binding issues, there are some undocumented concerns that must be addressed to get optimum outcome of decentralization achieved herein Bangladesh.

Policy Instruments

A particular local government should initiate its governance policy based on the real community perspective coupled with international guideline on decentralization (see UN-HABITAT, 2007) and national decentralization policy framework. Unlike, we are yet to develop a national decentralization policy. Consequently, a nuanced linkage between the tiers of the local government and the unity of diversity in different projects functioning in the local government (even in the same tier of the local government or same donor funded projects in different tiers of the local government) seem to be missing.

Institutional Arrangement

Local Government Commission should be rebuilt to play a creative role in nurturing local leadership skills and strategies, and in establishing institutional democratic practices at the local government. The interplay of local government institutions to enhance the capacity of local government is central to the new decentralization adaptation in Bangladesh.

And extending the involvement of civil organizations, including entrepreneurial institutions and political party activities at the local level, in harmonizing the competing interests within the community, is significant to the democratic decentralization. Global experience and anecdotal evidence support that the *Public-private partnership* can drawn a new venture for the success of the local government. To get the real institutional democratization at the local government and new decentralization outcome on the livelihood of the people, national institutions like Parliament, Election Commission, Local Government Commission, National Human Rights Commission, Supreme Court and the Government itself must facilitate the advancement of the local government.

Citizen Activism

Evidence supports that citizens' active participation significantly entrenches the quality of local governance by demanding accountability

on public goods and services delivery. Globally as well as in Bangladesh, the success of new democratic decentralization mostly depends on citizen activism in local decision-making, planning, budgeting and scheme implementation, while women's participation in those is central to the discussion. Civic education to ensure community participation in local governance and to demand accountability of local public office holders can get started through donor funded projects and media involvement. According to the international guideline on decentralization - records and information should be maintained and in principle made publicly available not only to increase the efficiency of local authorities but also to make it possible for citizens to enjoy their full rights and ensure their participation in local decision-making.³ This crosscutting aspect is, however, pointed out in the Local Government (Union Parishad) Act, 2009.

Electoral Politics

Firstly, development of electoral politics at the local level is very important. The National Election Commission should emerge as one of the most trusted institutions in the country with commitment to develop and implement participatory democracy in the election process both in central and local elections, giving the opportunity to make the peoples' voices heard and fully participate and exercise their democratic rights. Secondly, the involvement of political parties in local political elections is at the center of several debates, but one of the vital aims of democratic decentralization concludes these debates. The augmentation of continual political competition will affect on accountability and political lessons for local leaders. Nonetheless the Election Commission should be keen to transform the involvement of political parties towards a supportive climate for a competitive, free and fair election process. Empirical evidence suggests that free and fair election is vital for the accountability leverage. For example, there was a failure of the Upazila system during the autocratic regime when the Election Commission had less freedom to hold a fair election. Those unfair elections were resultant unaccountable local governance that generated further mistrust and suspicion between the local government and community people.

Leadership

One principal challenge, facing any new democratically decentralized local government in the process of economic growth & poverty reduction

³ United Nations Human Settlements Programme (UN-HABITAT). 2007. 'Governance and democracy at the local level: Local officials and the exercise of their office'. International guidelines on decentralization and the strengthening of local authorities. Nairobi,00100, Kenya. P.4

and for the establishment of human rights, is to get ready effective leadership. In the context of Bangladesh, this challenge is likely to get complicated due to the conflict of interest between the concerned legislator and elected local government authority. Continued practice of institutional democratic values at the local level, however, flourishes the quality and sense of leadership. More importantly, the central government must protect the local government for its smooth functioning from detrimental interfering of the Member of Parliament, while the concerned MP may facilitate the local government in terms of ensuring government's fiscal allocations/block grants for infrastructural development at the local level and in terms of mediating governmental process to make up development projects/programmes for the wellbeing of the local community based on the demand as well as reality of the local government. Most importantly, in order to ensure transparency and accountability of local authorities, legislators may oversee the performance of local governments and can foster the access to information as well as right to know of the local people, particularly on issues of human rights, local resources, expenditure responsibilities & revenue assignments and on policy as well as programme agenda that are designed and carried out by the local government or for the local community. Notwithstanding the urgent need is to instigate or strengthen local capacity as well as leadership development projects that aim to develop the entrepreneurial capacity and leadership competency of the community leaders so as to promote innovative policies and to surmount institutional obstacles.

Administrative Reform

As the local government in Bangladesh is expected to be charged with new responsibilities provided with new resources, policy-framework and programme-agenda, here local administrative reform is a must to get those magnitudes coped with local governance. Hence, there are calls to create an adequate, competent and gender balanced civil administration for every tier of the local government so as to ensure effective, balanced and timely delivery of public goods and services and to do smooth implementation of development projects.

Concluding Remarks

Decentralization does have several dimensions, and its apposite exposure and appearance vary across countries, and its implementation takes considerable time, and it is not instinctively positive or negative, and its efficacy depends on particular country context and conditions (Smoke, 2003). Anecdotal evidence and global experiences, basically from Africa and Latin America, demonstrate that majority of advantages from democratic decentralization can broadly be captured as improved

efficiency in governance and/or equity and in fighting poverty with rights based approach.

A number of efforts have been undertaken in Bangladesh for local democratization, which are mostly coupled with structural perspective⁴ of devolution. Herein democratic decentralization is yet to get full-fledged in terms of institutional democratization.⁵ And strong influence of earlier trends is still evident. Nonetheless, there are few success stories. For example, LGSP-LIC⁶ project has tended pro-people local governance with institutional democratization. Unlike the project is limited at Union Parishads in 6 LIC districts under 6 administrative divisions of the country,⁷ while the LIC learning and best practices are subject to be tailored in larger Local Governance Support Project (LGSP).⁸ Surprisingly feeding of LIC lessons to LGSP is yet to be demonstrated. Some of the LIC practices are, however, documented in the new Union Parishad Act that is inclined to shifting the focus from structural decentralization to institutional democratization. Unless the Act get supported by the pro-people rules & regulations and by the recommendations of this article, a balanced & nuanced view of decentralization, and integrated perspective on how to advance it will not be portrayed.

⁴ Basically, structural decentralization alerts the balance of power among levels of government favoring localized levels of government; even to some extent this component allows local peoples' representatives to govern the local government, but values associated with legacy do not always change until it get touched with institutional democratization.

⁵ Institutional democratization refers to this shift in values, rules, skills, and interactions, favoring transparency, equity, responsiveness, accountability, and other traditional democratic values (Hodgson, 2006; McGill, 1997; OECD, 1996).

⁶ Local Governance Support Project- Learning and Innovation Component (LGSP-LIC) is a second generation pilot project of Local Government Division of Bangladesh Government, funded by UNDP, UNCDF, EC & Danida. And it is resultant from Sirajganj Local Governance Development Fund Project (SLGDFP).

⁷ Sirajganj in Rajshai, Barguna in Barisal, Feni in Chittagong, Narshindi in Dhaka, Hobigonj in Sylhet and Sathkira in Khulna.

⁸ LGSP is functioning at Union Parishads all over the Bangladesh.

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