COMMENTARY

How effective are social accountability mechanisms in Bangladesh's rural local governments?

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Abstract

Over the last few decades, governance systems across the world have prioritised citizen participation. Direct participation of the citizenry facilitates social accountability, which contributes to the advancement of good governance. In Bangladesh, following the success of donor-funded pathfinder projects, various social accountability mechanisms were legally mandated at the local level. This study examines the prescribed functioning of these mechanisms and compares this to actual practice. The study followed an explanatory, descriptive method for content analysis by reviewing relevant secondary literature. Key findings were: no practical guidelines exist in Bangladesh for managing social accountability mechanisms; citizens have limited access to information; local functionaries have insufficient understanding of their role; and social accountability has not been institutionalised. To ensure successful social accountability, it will be necessary to provide adequate guidelines, take financial and management factors into account, and make people aware of their rights. Government and NGO intervention on the demand side (local people) will be required to make this happen.

Keywords: Social accountability mechanisms, accountability, citizen participation, local government, union parishad, effective functioning

Introduction

Decentralisation has gained increased global attention in recent times. It has become a strategic policy priority for government restructuring in many developing countries, with the aim of promoting efficient governance and effective service delivery to citizens (Olum 2014; Dick-Sagoe 2020). Often, however, decentralisation has been implemented with limited success (Olum 2014) due to the failure to ensure

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the prerequisite conditions (Fox et al. 2011; Doh 2017; Rodden 2019). These conditions include proper institutional processes (Litvack et al. 1998), creating space for participation (Olum 2014), political will (Rondinelli 1982), capacity-building at the local level (Dick-Sagoe 2020), and increasing accountability to the public (Litvack et al. 1998).

Aucoin and Heintzman (2000) identified three main objectives of accountability: controlling the abuse and misuse of government authority; ensuring the use of public resources per the law; and promoting public service values and continuing efforts to improve governance and public administration. As noted by Khan (2009), increasing public service performance is a priority for developing countries; and lack of accountability has been identified as paramount among the many factors responsible for deficient performance (Kakumba and Fourie 2007). Therefore, accountability should be viewed as not only a feature of democratic governance but also an essential element for improving the performance of government officials. Moreover, it helps to address issues such as corruption and clientelism (Ackerman 2005). Hence, there is also consensus that good governance and accountability, including social accountability, are prerequisites for successful economic development (Manzetti 2003, cited in Sarker 2009). Since the development of modern governance models, formal state-centric processes have been established in various countries to ensure public service accountability (Malena et al. 2004). However, although the developed world has succeeded in achieving accountability through such processes, developing countries need to catch up in implementing them (Sarker and Hassan 2010).

Social accountability is crucial for successful decentralisation and improved service delivery (Smoke 2015; Mbate 2017; Singh 2020) because it ensures that local governments provide adequate services in response to citizens' needs, and that government interventions are selected and targeted in response to local conditions (Mehrotra 2006). This is especially important in low- and middle-income democracies where citizens rely heavily on the state for basic services (Singh 2020). Transparency-focused social responsibility actions have been shown to have a positive and significant impact on service delivery (Fiala and Premand 2018). Also, research has shown that social accountability training and providing information about project performance can improve local development projects, particularly in areas affected by high levels of corruption or mismanagement (Hout et al. 2022).

To promote social accountability, it is important to consider supply-side factors, such as state structures and processes and the nature of state–society relations (Brinkerhoff and Wetterberg 2016). Effective interventions involve the use of partnerships and coalition-building, being context-appropriate, integrating information and data collection and analysis, and ensuring meaningful citizen engagement (Danhoundo et al. 2018).

Bangladesh context

Since colonial regimes, government services in Bangladesh have been heavily centralised (Siddiqui 2008; Aminuzzaman 2010; Uddin 2013). The *union parishad* (UP), the lowest tier of rural local administration, had a poor reputation until the late 1990s. The UP was viewed in two ways at the time: firstly, as being riddled with extensive financial and administrative corruption (relief and construction initiatives were prone to theft and waste); and secondly, as the foundation for centralised autocracy in rural power structures (Sobhan 1968) – a political and administrative tool to assist elites in dominating the local population (Ahmed 1993; Siddiqui 2008; Hossain et al. 2015). This led to debate about whether the UP's negative image could be changed (Hossain et al. 2015). One idea was to reconsider the developmental role of local government – that is, to stimulate interest in decentralisation and devolution from a highly centralised state system (Ahmed 1993). As a result, several government and non-government initiatives and actions have been implemented to develop local government institutions during the last two decades (WahedUzzaman and Alam 2015; Chowdhury and Panday 2018). A variety of interventions has been administered by the local government department within Bangladesh's Ministry of Local Government, Rural Development and Co-operatives, including with the assistance of donors (Chowdhury and Panday 2018).

Following the success of various donor-driven projects,[1] the Government of Bangladesh (GoB) enacted the Local Government (Union Parishad) Act 2009 with the objective of developing and implementing participatory development plans, channelling development funds, and raising the capacity of the UP as an effective local government unit (GoB 2018; Chowdhury and Panday 2018).

Institutional and social accountability

Accountability can be either institutional or social. Institutional accountability encompasses a comprehensive framework designed to ensure that public officials and institutions act in accordance with established laws, regulations and ethical standards. The key features governing institutional accountability are legislative instruments, executive means, judicial and quasi-judicial processes, official rules, codes of conduct, and official hierarchies (Sarker 2009). In Bangladesh, institutional accountability processes were not introduced until after the country's independence in December 1971. There has also been increasing emphasis on privatisation, corporatisation and deregulation of public services. However, despite good rules and regulations, bureaucratic methods of accountability remain ineffective (Mozumdar et al. 2008; Shafiqul Huque 2011).

[1] For example, the Sirajganj Local Governance Development Fund Project (SLGDFP) implemented in Sirajganj district during 2000–2006, and the Local Government Support Project – Learning and Innovation Component (LGSP-LIC) implemented during 2007–2011 in 388 unions of 41 *upazilas* (sub-districts) within the Sirajganj, Habiganj, Satkhira, Feni, Narsingdi and Barguna districts of Bangladesh.

In this context, although social accountability processes are currently limited in Bangladesh they present an opportunity to improve public accountability. Social accountability includes citizen participation in various public programmes and civil society movements to challenge government shortcomings, and encompasses the existence of a vibrant media. In this way, social processes differ significantly from institutional methods of public accountability (Haque 2007; Hughes 2003, cited in Sarker 2009).

Specific social accountability mechanisms (SAMs), were enshrined in Bangladeshi law via the Local Government (Union Parishad) Act 2009. Accountability at the local level is of particular importance in Bangladesh, as national development plans are based primarily on local government data (Ahsan et al. 2018). The success of local governments depends mainly on their efficient functioning and accountability to their communities. For example, the National Rural Development Policy highlights the importance of local governments as a way for people to ensure 'voice, openness and transparency' in local governance (Stiglitz 2002). Yet local governments are regularly criticised for inefficiency, corruption and lack of accountability (Sarker 2005; Siddiqui 2008; Khan 2009).

As argued by Sirker and Cosic (2007), the demand for SAMs evolved primarily due to the failure of institutional accountability mechanisms in developing countries. Especially in local councils, representative local governing structures lack openness, transparent and open budget meetings, mechanisms to inform communities of the planning and implementation of development projects, and delivery of adequate public services. They are also characterised by high levels of corruption and poor public accountability mechanisms, which fall into three categories: the replacement of proper supervision of service provision by a regulatory function, which hinders rather than helps business operations; an emphasis on bureaucratic compliance and regulation rather than on the efficiency of service delivery; and a lack of incentives for front-line employees (service providers) to function more effectively. Instead, there are numerous discouraging factors: outdated, ambiguous and restrictive institutional accountability mechanisms which deter good performance; a lack of legal status for SAMs (based on the concepts of 'client power' or 'voice'); and a lack of awareness among public sector employees regarding their responsibility to their clients – ie the general public.

This study compares the prescribed functions of the SAMs within UPs with their actual practice. In theory, SAMs were supposed to provide a democratic platform to hold service providers accountable for their actions. In light of the flawed functioning at local level of institutional accountability (eg periodic elections, institutional audit and inspection), the 2009 Act emphasised the innovation potential of SAMs. But, 15 years later, the efficacy of SAMs in local government is still questionable.

Legal framework of social accountability mechanisms in union parishads

In Bangladesh, UPs are the lowest, and the oldest, tier of local government,[2] making them the closest institutions to the majority of poor and marginalised communities (World Bank 2012). UPs have been working for the rural development of the country for over a century (Siddiqui 2008; Khan 2009). They are governed directly by elected representatives and administered under the Local Government (Union Parishad) Act 2009 (GoB 2009). According to the Act, a UP administration consists of:

- a chairman (directly elected)
- nine members, each elected by the people of a ward[3]
- in addition, three women members, each elected by three of the nine wards
- a secretary, appointed by the district deputy commissioner
- an accounts assistant/computer operator, appointed by the district deputy commissioner[4]
- village police, also known as *chowkider* or *dafader*.

UPs are accountable to the *upazila nirbahi* (chief executive of sub-district) officer for their operations, but they also report to the national-level deputy director (local government) and are audited by the Office of the Comptroller and Auditor General. Furthermore, UPs report to various authorities on the status of any ongoing projects, and the national-level Block Grant Coordination Committee oversees all block grants to UPs.

The 2009 Act, which introduced SAMs at the UP level, was significantly shaped by the success of innovations implemented in the Sirajganj Local Governance Development Fund Project (SLGDFP). SLGDFP was launched in 2000 and ended in December 2005, based on the recommendations[5] of reports in 1991 and 1997 from the Local Government Commission. The project was implemented with joint funding from United Nations Capital Development Fund (UNCDF), United Nations Development Programme (UNDP) and the Government of Bangladesh (Sirker and Cosic 2007).

Table 1: Social accountability mechanisms specified in Local Government (Union Parishad) Act 2009

Social accountability mechanism	Where legally specified
Ward *sabhas (ward meetings)*	Sections 4, 5, 6, 7
Open budget meetings	Section 57
Standing committees	Section 45
Citizen charters	Section 49
Right to information	Sections 78, 79, 80

[2] A four-tier local government system exists in Bangladesh (division, district, upazila (sub-district) parishad, union parishad).

[3] A union parishad consists of nine wards, and a ward may contain one or more villages.

[4] Administrative head of *zila* (district) parishad.

[5] The recommendations included a local council with more fiscal and administrative authority, reserved seats for women, dividing a union parishad into nine wards, and promoting people's participation in decision-making.

After a decade of experimentation by civil society and development partners, the 2009 Act incorporated additional social accountability elements (Chowdhury and Panday 2018). The expectation was that these would significantly increase marginalised communities' inclusion and involvement. Based on the Act (GoB 2009), and on the *Union Parishad Operational Manual 2018* (GoB 2018), the following sections explain how SAMs are intended to function.

Ward sabhas

The 2009 Act requires a ward sabha ('council') to be formed in each ward of the UP, consisting of all individuals who are included on the voter list for that specific ward. Formal meetings of the sabha are to be held at least twice each year, and at least 5% of the voters from each ward must be present for the meeting to be valid. The UP representative member convenes the meetings. In broad terms, the purpose of the sabha is to maintain a healthy democratic tradition; ensure transparency, accountability and residents' participation in the formulation and implementation of the UP's development plan; determine local priorities and nominate projects; provide a range of information about the ward to assist the UP; promote community harmony and address social issues. If operating effectively, the ward sabha is a handy tool for ensuring local sustainability and compliance with legal requirements and can be regarded as a local level 'people's parliament' in which the representative ward member acts as the speaker.

Open budget meetings

The annual open budget session of the UP is when the prospective revenue and expenditure statement is formally presented. It has to be presented in the required form 60 days prior to the beginning of each financial year, in front of the general public of the UP. The public can ask questions during the session about the current fiscal year's budget and the budget for the upcoming fiscal year. Questions may also be put to the various standing committees (SCs – see below) and project committees about the development activities of the UP. The budget session is held in front of the UP chairman, members, all SCs, representatives of government agencies, representatives from non-governmental and labour groups, and representatives of businesses and local citizens. The UP's ability to increase its income may be improved by the participation of all stakeholders in the budget session.

Standing committees

The Act mandates the UP to form a number of SCs[6] to enable it to carry out its work smoothly. The chairperson of an SC is elected from among the members of the UP, and a woman member of the UP shall chair the SC at least one-third of the time. The SC shall consist of five to seven members, nominated from among people qualified to contribute to the committee's work. The committee may, if

[6] Standing committees include: 1. Finance and Establishment, 2. Education and Mass Education, 3. Health, Family Planning, and Epidemic Control, 4. Audit and Accounts, 5. Agriculture and Other Development Works, 6. Social Welfare and Community Centres, 7. Cottage Industries and Co-operatives, 8. Law and Order, 9. Women and Children Welfare, Culture, and Sports, 10. Fisheries and Livestock, 11. Conservation of Environment and Tree Plantation, 12. Union Public Works, 13. Rural Water Supply and Sanitation.

necessary, appoint one further person as a non-voting member. A recommendation of the SC can only be adopted after consideration at the next meeting of the UP. However, if the UP does not accept the recommendation of an SC, its justification and reasons shall be communicated in writing to the SC. Each SC meets every two months, but may hold additional meetings as required.

Citizen charters

Under Section 49 of the 2009 Act, each council must publish details of the various types of civic services it will deliver, and deadlines for providing them. These publications are to be called 'citizen charters' and must be drawn up according to prescribed procedures and updated from time to time. The government formulates guidelines and a 'model' citizen charter. Within the guidelines, the UP can make changes and additions, but the charter should include: an accurate and transparent description of each service; pricing for services; eligibility and procedures for receiving and claiming services; a fixed period of service; citizens' responsibilities in service matters; assurance of service delivery; a grievance redressal process related to the provision of services; and the consequences of any breach of the undertakings mentioned in the charter.

Right to information

Section 78 of the 2009 Act mandates the free flow of information and the public's right to access information. Any citizen of Bangladesh may apply to receive any information about the UP, subject to the provisions of applicable law. First, they must submit a written application to the UP chairman in the appropriate format and pay the prescribed fees. If information is not immediately available, the UP secretary must provide it within a specified period.

Social accountability in practice

Ward sabha

In principle, the ward sabha is a useful way to get people directly involved in UP activities. By taking part in the formulation of the local development plan, attendees at the ward sabha can hold their representatives accountable. Its 'council' meetings are intended to act as a platform for bottom-up input (McGee and Kroesschell 2013). However, in reality there is little evidence of such input in UPs, even where meetings are regularly organised (Uddin 2019). Ward sabhas have not been functioning or being conducted in the manner prescribed by law (Ahmed et al. 2016; Uddin 2019). Although sabhas have the potential to be a significant forum for public interaction (McGee and Kroesschell 2013), no clear rules have been established for their administration, nor do they control any funding (McGee and Kroesschell 2013; Ahmed et al. 2016). It was anticipated that ward sabhas would encourage transparency and accountability, but without specifying exactly how accountability would be ensured. The role of citizens during sabha meetings, for instance, is unclear (World Bank 2012; McGee and Kroesschell 2013).

In most ward sabhas, citizens do not do anything but listen (Panday and Rabbani 2011; Ahsan et al. 2018; Chowdhury and Panday 2018; Uddin 2019), and only local elites discuss the various issues (McGee and Kroesschell 2013). The agenda is decided ahead of time by the chairman and the UP members, even though it is supposed to be drawn up with input from the general public (Ahsan et al. 2018). This goes against the ward sabha's core philosophy. An important point to be noted here is that although the Act mentions the active role of women UP members, their role is typically passive: simply being present and listening rather than participating in an active discussion (World Bank 2012). The majority of the existing literature (Panday and Rabbani 2011; World Bank 2012; McGee and Kroesschell 2013; Ahsan et al. 2018; Chowdhury and Panday 2018; Uddin 2019) has identified 'ignorance' and 'lack of education' as barriers to ordinary people actively participating in ward meetings. Bangladesh has a literacy rate of only 74.7% (*The Daily Star* 2022), meaning that a substantial portion of the population is unable to have a say in matters affecting their lives. McGee and Kroesschell (2013) also noted other critical factors, including geographic location (such as the *haor*[7] or remote areas), that make it difficult to arrange ward sabhas, and may even completely prevent people from participating.

As the World Bank (2012) notes, in practice organising effective ward sabhas is impossible without outside facilitation (such as assistance from non-governmental organisations (NGOs) or other groups). For the public to be involved and give useful feedback, there needs to be a steady flow of accurate and relevant information. However, studies repeatedly show that many people cannot attend meetings because of the absence of proper information regarding the time and place they are to be held (Ahmed et al. 2016). Additionally, a meeting is often scheduled during the day when people are at work. While a central purpose of the ward sabha is participatory planning, in reality matters discussed in the meeting (at least those that ordinary citizens discuss) do not go any further. The planning decisions are actually made by the chairman, council members, and other powerful elites of the UP (Ahsan et al. 2018).

Open budget meetings

The open budget meeting (OBM) is intended to be another significant avenue for assuring participatory local planning. In principle, the local budget formulation process is open to the public and is a crucial channel for bringing the opinions of the poor and marginalised into the governance process (Uddin 2019). But this platform is not widely utilised in reality (Ahmed et al. 2016).

Like the ward sabhas, OBMs also have inherent limitations, the most notable of which is that not all UPs have the capacity to organise OBMs on a consistent basis. One of the obstacles to organising OBMs is the lack of any dedicated funding (Ahmed et al. 2016). Furthermore, ordinary people are not properly informed about the date and place of the OBM before the meeting happens (Panday and Rabbani 2011).

[7] A geographically marginalised wetland ecosystem (Sultana et al. 2022).

As a consequence, the participation of citizens in the OBM is not satisfactory (Ahmed et al. 2016; Haque 2018; Ahsan et al. 2018). Very few qualified people attend OBMs (Ehsan 2020), and there is indifference among the general public, due in part to a lack of understanding of the importance of the meeting (Jamil et al. 2013; Ehsan 2020). The poor and underprivileged rarely are involved (Panday and Rabbani 2011).

In practice, in order to maintain legal requirements and receive subsidies from the national Local Governance Support Programme, the majority of UPs hold OBMs in front of only a small number of people. The OBM thus becomes a meeting of a small group of local elites and political leaders who talk among themselves. From these talks, a budget is proposed without taking into account what the general public thinks (Ahmed et al. 2016). If ordinary citizens do attend, many cannot take part in discussions because they do not know enough about budgets and because local budgets are still seen as complicated issues (Ahsan et al. 2018). Instead of holding UP members accountable for their actions, due to a lack of information and ignorance the general public plays the role of a quiet listener (World Bank 2009). Further, OBM records are not adequately maintained. Most of the meeting minutes merely include the participants' signatures and not information about the discussions or pertinent comments (Ahmed et al. 2016).

Standing committees

The local government SC is an institution which has a long history in Bangladesh. SCs are given a lot of importance under the 2009 Act, with 13 SCs specified to cover significant local issues – and in principle accountability and the transparency of the governance process are ensured by the regular participation of citizens in these committees. SCs are also meant to advocate for the concept of community ownership (Ahsan et al. 2018).

In some UPs, however, only a few of the 13 SCs are actually active throughout the year, and most do not exist or are hard to find (Uddin 2019; Hasan and Ara 2022). Nor do many SCs currently follow the basic rules for running a committee, such as having meetings with a set agenda and making decisions after significant deliberation (Panday and Rabbani 2011). The chair of the SC is a UP member, but most UP members do not know what their jobs entail (Ehsan 2020): often they are unaware of the committee names and the committees to which they actually belong. And in many cases SC's meeting minutes are not maintained properly (Ahmed et al. 2016; Panday 2019b).

It would appear that often SCs are formed merely to comply with legal rules; later, the activities of these committees are not seen (Uddin 2019). Aminuzzaman (2010) termed the activities of SCs 'rituals'. Notably, the functions of the various SCs overlap (Ahmed et al. 2016). Effective functioning is also hampered by: a lack of financial resources (Haque 2009), insufficient staff, a lack of terms of reference for the committees, and limited training opportunities (Islam 2016, cited in Uddin 2019). The chairman

and the members of the UP choose the SC's members (Haque 2018). In some cases, it has been observed that most of the committees consist of UP representatives only, rather than including members of the public. Members also serve on multiple committees, and due to this overlapping involvement, they are effectively more accountable to one another than to the general public. As a result, standards are lax. Committee meetings are not always convened at the appropriate time. Even when held, some members remain absent (Ahsan et al. 2018). However, this does not hinder the constitution of a quorum – since UP members are free to register their participation in the meeting minutes book whenever they like, even if they have not attended a meeting (Haque 2009).

Citizen charters

The concept of a 'citizen charter' in Bangladesh has been ineffective at the local government level due, amongst other things, to poor publicity. This has led to low citizen awareness, apathy and a lack of engagement among stakeholders, and an individual-centric approach to service delivery whereby some people in local communities receive services, while others are ignored (Huque and Ahsan 2016; Rab 2017). Staff tasked with implementing a citizen charter have typically not been involved in the process of drawing it up, and no endeavour has been made to increase their capacity for effective service delivery. UP officials may be unwilling or lack the skills, motivation and commitment to make the effort required, and staff shortages also present challenges (Ahsan et al. 2018). Another factor is whether NGOs are involved. NGOs in Bangladesh often assist in the application and operationalisation of citizen charters. This includes guidance on the application process, roles and responsibilities of members, and best practices for engagement with the UP (Chowdhury 2017). With this support, staff implementing the charters are more likely to be well organised, knowledgeable, and proactive in their roles.

The 2009 Act mandates each UP to publish a list of services supplied; the timescale for delivery of certain services; the cost of services; the identity of the responsible person; and the penalty for failure to deliver, or for providing a service which is not to specification. However, UPs are not following the directive in full. Panday (2019a) cites several reasons for the citizen charter's ineffectiveness: i) neither UP leaders nor residents comprehend the basic goal of citizen charters as a mechanism for social accountability; ii) although UPs are supposed to produce and implement a charter, there are no standard instructions to assist them; iii) UP representatives' lack of enthusiasm slows charter implementation; iv) there is no citizen charter budget; and v) there is no legal entity to supervise charter implementation or disseminate information about service delivery.

Right to information

How well the Right to Information section of the Act works depends on how much information people ask for. Most UP residents are unaware of this right to access information and how it can be exercised (Ahsan et al. 2018), and there is often little desire for information among local residents: the propensity to seek information is low (Ahmed et al. 2016). Also, with more than 25% of the population illiterate,

it is not surprising that the right to access information is not widely taken up. UPs do have their own websites, although none are updated regularly (Ahmed et al. 2016; Uddin 2019). Despite the fact that UPs are supposed to provide information on services to local residents (Uddin 2019), reluctance by chairmen, UP members and secretaries to give access to information has been observed in most cases (Rabbani and Panday 2011).

Concluding remarks

Recent research (Abhayawansa et al. 2021; Quiñones et al. 2021: Binh and Giai 2022; Kanyane et al. 2022) confirms that greater social accountability – ie engaging the public and civil society – can lead to improved governance, enhanced public service delivery, and greater development effectiveness. However, several criteria are critical to the success of SAMs, notably *"[p]olitical context and culture, access to information, the role of the media, civil society synergy [and] institutionalisation"* (Malena et al. 2004). In Bangladesh, the majority of these factors are not present to a sufficient extent. Despite the adoption of social accountability measures at the UP level with the goal of improving governance, mostly they have been unable to bring the benefits sought. Basic information flows and provision of effective channels of information sharing are legally mandated, but not implemented by local governments. User awareness and expertise is also critical, but this is equally absent. Thus, despite a focus on accountability and transparency in the 2009 Act, none of its provisions have succeeded in ensuring transparency, accountability or public participation (Ahsan et al. 2018). To make meaningful progress towards greater social accountability, comprehensive guidelines must be provided to UPs, consistent with their economic and management capacity to implement the measures required. Additionally, the government should collaborate with NGOs to raise public awareness of social accountability, oversee the activities of representatives from various ministries at the local level, and train UP functionaries.

Editor's note

A number of the points made in this paper, particularly concerning Union Parishad Standing Committees, are also discussed in the following article by Faridul Julfiker.

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