

Party-Based Local Government Election in Bangladesh: Problems and Comprehensive Solution

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Abstract- This study has been conducted to provide a better understanding of party-based local government election that is an integral part of the body of politics in Bangladesh. Local government was always there in Bengal but its' forms differed from time to time. The governments of ancient and medieval Bengal were heavily dependent on village institutions, which made the structure of the local government. This study is an effort specifically to investigate about the political participation of local government; its problems and comprehensive solution. Different kinds of problems rigorously restricted the local government system from realism such as financial control, interruption of politician, corruption, central government control and limited budget. Recently politicization leads to changes political culture at the local areas of Bangladesh. Party- based local government elections and party symbol in local elections is not democratic culture. Many scholars and civil society members threw question in this system. The study has been conducted depending on secondary sources of data such as related articles, Newspapers, Journals, books etc. Moreover different scholars' views have been included so that a comprehensive solution strategy can be provided properly.

Index Terms- Government Institution, Local Government, Local Level, Party-based Election, and Political Party.

I. INTRODUCTION

Local government is an administrative body in which a majority of contexts, exists as the lowest tier of administration within a given state. The success of any country's socio-economic and political development depends not only on central government but also local government. The power of local government is concerned with legal authority, financial autonomy central-local relations, personality and politics. Local government institutions have a great role for ensuring strong democracy. The local government bodies had never been independent Bangladesh. Since the emergence of Bangladesh it can be pointed out easily that units are being used by the periodical governments for its own political gains [1]. A great change occurred in the political culture of Bangladesh that party-based and party symbol elections are conducting in local government. Gradual politicization of local government institution is a serious threat to democracy. Local government is gradually weakening in Bangladesh [2]. The institutions of local government should free from politics to ensure democracy at grass-roots. Local government can help to establish democratic process and practice as well as ensure participatory development at grass-roots. Without any doubt, local government has a tremendous role to play in the efficacious existence and maturation syndrome of democracy. Local government also depends on central government to run its overall business. So, central government should keep local government free, non-partisan & participatory. Therefore, this paper tries to show the party-based local government election, its present scenario, problems and comprehensive solution.

II. STUDY METHODS

The aim of this paper is to discuss the political participation of local government. In this regard, the problems of local government election have been discussed and some policy recommendations have been suggested to overcome this problem. This paper has been written based on secondary materials i.e. related journals, books, newspapers, reports and Internet. Information has been presented in this study on the basis of various works, which have been done on local government. The study also used data from different website. In this study qualitative information has been used to explain the problems of party-based local government election and to find out the solution for effective & efficient local government system in Bangladesh.

III. STUDIES AND FINDINGS

A. Local government meanings

Local government is the administrative body of a particular country or district, with representatives by those who lived there. Collins English dictionary defines 'Local government is the system of electing representatives to be responsible for the administration of

public services and facilities in a particular area'. The United Nations Organization (UNO) defines Local government as 'The term Local Government refers to a political subdivision of a nation or a state which is constituted by law and has substantial control over local affairs, including the power to impose taxes, on exact labor for prescribed purposes.' Local self- government means such government, which is formed and empowered by law in a small range of certain geographic area to meet the local demand [3]. It is recognized not only by laws but by the constitution also. According to Article 11 of the constitution of Bangladesh that effective participation by the people through their elected representatives in administration at all levels shall be ensured. Local government is such government which is formed at lower levels or locally formed. By Local self- government we mean the administration of Local areas run by its selected representatives [4].

B. Local Government Reforms in Bangladesh

As a result of the long history of struggle for freedom and democracy, Bangladesh saw the importance of developing a sound democracy and increasing people's participation in the political process, decision-making and developing of the country after it emerged as an independent nation. After the independence of Bangladesh in 1971, the Awami League government, headed by Sheikh Mujibur Rahman, brought the following reforms in the local government.

First: the system of Basic Democracies was abolished and government bodies carried over from the days prior to independence were dissolved.

Second: public officials were authorized to form committees at different tiers of government to fill the void created by the termination of some bodies of government. The committees created would, for the interim, perform local functions.[5]

Third: District government was introduced in 1973; this provided the three tier system with a directly elected Union parishad (council), a Thana Development Committee under the control of the sub-divisional officer, and Zila parishad under the control of Deputy Commissioner. The Awami League government led by Sheikh Mujibur Rahman did not hold elections to the higher-level councils, nor did it take any measures to devolve authority to any of them. There was a substantial lack of political and behavioral support among Awami League Leaders for democratizing local government in Bangladesh.

The BNP government headed by Ziaur Rahman played a critical role for reviving the local government institutions in Bangladesh. The Local Government Ordinance 1976, promulgated by Zia, created Gram Sabha (Village councils) for decentralizing government down to the local level. The Local Government Ordinance 1976 made provisions for the formation of three types of rural local government; Union parishad (Up), Thana parishad and Zila parishad [6]. Local Government Ordinance in 1976 also prescribed detailed provisions as regards the qualifications and removal procedures of the union parishad chairman/members as well as how the Union parishad proceedings were to be conducted. But the government retained much controlling power over the Ups in that its prescribed authority i.e. SDOs (Sub-Division officer) in the case of Ups, could veto any of Ups decisions. The decentralization scheme implemented under Ershads' government was the most ambitious attempt in the history of Bangladesh to bring responsible government to the local level. The government adopted a resolution on 23 October 1982 to recognize the administration at thana level [6]. But, there were some major problems with this scheme of decentralized administration. First, the electoral system tended to represent only the wealthiest and most influential members of society. These persons made decisions that strengthened their own patronage networks and influence at the grass root. Second, Civil service members were slow to cooperate with elected members of local committees. Finally, the total system of decentralized politics was viewed by opposition politicians as a patronage network designed to attract local elites to the party of the regime in Power instead of decentralized democracy, the system only strengthened the national party controlled by central level. In 1991, the Bangladesh Nationalist Party (BNP) government appointed a high powered 'Local Government Structure Review Commission'. The recommendations were required to be consistent with institutional provisions on local government as laid down in Article 59 and 60 of the twelfth amendment of the constitution in 1991, [5]. Bangladesh Nationalist Party led by Begum Khaleda Zia came to power it chose to change the Upazila system within a few months and reinstated the previous bureaucracy-dominated Thana administration by promulgating the Local Government. Nothing appreciable, however, was done during the five years of BNP rule. When, Bangladesh Awami League Government led by Sheikh Hasina came to power in 1996, it formed a high- powered Local Government Commission in 1996, to suggest viable local bodies based on the principles of local democracy [6]. The commission recommended a four-tier local government structure including Gram/palli (Village) parishad at village level, Union parishad at Up level, Thana/Upazila parishad at Thana level, Zila parishad at District level. The four-party alliance government led by Begum Khaleda Zia in 2001 initiated a change in the local government Structure. Gram Sarker in place of Gram parishad had been introduced. These bodies were created at the ward levels. Each Gram Sarker (GS) represented one or two Village comprising about 3,000 people at an average. The UP member elected from the ward was the chairman of the GS, which will have other members both male and female elected in a general meeting of the voters of the ward under the supervision of a chair-man of Gram Sarkar. In 2008, the Awami League government led by Sheikh Hasina came to power and kept the three tiers of Local Government body like i) Union parishad .ii) Upazilla parishad iii) Zila parishad. But, On October 12, 2015 with the decision of cabinet, local polls hold on partisan basis. The century old practice of non-party poll of local bodies has been changed to a first-ever partisan poll that brought major challenges of political parties of Bangladesh.

C. Party-based Local Government Election in Bangladesh

A paradigm shift in the political system took place in Bangladesh On October 12, 2015 with the decision of the cabinet to hold local polls on partisan basis. We can observe a political culture in Bangladesh that when government changes in time to time, they amending laws and constitution in favor of their party interests. The century old system of non-party poll of local bodies has been

change to a first-ever partisan poll that brought major challenges for political parties of Bangladesh. Bangladesh Awami League considers demonstrating its popularity at grass-roots level through the election. The local government institutions are weakened as autonomous bodies due to recent politicization [7]. Local government experts, politicians and many civil society organizations are in hot debate about the politicization of local government to hold local poll on party line, having no discussion with referendum to elicit public opinion towards such a major shift. There are two groups of people who are advocating and opposing of the politicization of local government. Those who are advocating partisan polls are citing examples of India, USA and UK where local elections are held with the identity of political parties. Thus, it is not a political departure or a new idea in party politics. Even in Bangladesh, local polls like city corporations and Upazila elections were held in the past with clear political identity of candidates although they used no symbol of party. On the contrary, those who are opposing the decision are in view that this decision might obviously destroy the value system cherished so long at local level. As observed in the past, chairman and members are elected at Union Parishad on the basis of their family background, tradition, reputation for social work etc. They belong to no party but elected with massive voted in cognizance of their commendable social works in the locality. The partisan election will surely drive away these whistle-blowers of the value system in the local level to be replaced by party followers who might have controversial identities in the community [7]. The major challenges of political parties are now to organize themselves with their dedicated supporters steering the wheel of the party at the grass-roots level. As of now, almost all political parties are centrally governed. Election, whether partisan or non-partisan, is a political process, who said that non-partisan elections are non-political seem to lack clarity in their thinking [8]. Jatiya party chief said, the partisan local poll will generate hatred, violence and lack of discipline in the country [8]. As our wise poet Tagore aptly put it, 'Bengalis know only to fight in the name of parties, but they cannot build parties'. The Cabinet of Bangladesh has decided in principle to allow the use of party symbols in local elections. Three arguments are usually offered in favor of party-based local government elections. First, it would allow political parties to impose their discipline on representatives elected with party nominations. Second, it would make the local government elections 'political' as non-partisan elections are 'not-political'. Third, the political parties do not abide by the existing system of non-partisan elections; hence we should change the laws. However, Some Scholars and intellectuals opined that these arguments are weak and erroneous. Politicization of bureaucracy in local government areas to central government is another problem of Bangladesh. Politicization of bureaucracy in a descriptive sense refers to the right of government to appoint their own people to senior public service positions. There were a large number of officers are deprived of due promotions, which generate a turmoil of in the civil administration. Actually, Bureaucracy has an extensive ascendancy in the state organization of Bangladesh. There was a time, the bureaucracy in Bangladesh was considered as the "Steel frame" of the British Empire, is now hanging between professional neutrality and political loyalty. Since 1991, almost all the democratic government politicized the civil services for serving their narrow political interests.

D. Problems of Party-based Local Government Election in Bangladesh

The local government bodies had never been independent in Bangladesh, 'self-government' bodies in the true sense of the term. They could simply be labeled as an extension of the central government with guided and limited local participation. Local government have always been institutionally and financially weak, poorly managed and lacked social and political credibility. Latterly, more politicization of local institutions, government elections has been added with those cruxes and weakened the overall local government system in Bangladesh. The electoral process of Bangladesh has a long history, which may be traced back to 1885 conducted by the colonial rulers. Though, Bangladesh achieved independence in 1971 and conducted several elections before and after colonial rule, however, Khan said nine major democratic elections held at national level in Bangladesh (1919, 1935, 1946, 1954, 1970, 1991, 1996, 2001, and 2008) during the last 138 years and rest of the elections (1958-71, 1975-81, 1982-90, and 2007-08) were nondemocratic conducted by the military rulers ran political parties and these elections were controversial and full of manipulation. However, after ending the tenure of Awami League (AL) government (2009-13), the 10th national elections was held under AL government On 5th January 2014, but the Bangladesh Nationalist party (BNP) leads allies totally boycotted this elections and 153 of the total 300 seats being uncontested AL lead allies won with more than an absolute majority and formed a government for next five years. The parliament is run by one party though Jatiya party (Ershad) now acts as the opposition of the parliament who is part or AL lead allies and currently two MPS of Jatiya party act as cabinet members of the current government. That's why the question of legitimacy and acceptability is still questioning from various corners of politics, civil society and academic Scholars of national and overseas domains. That means the policy and works of the government are suffering from lack of legitimacy. The politics and governance of Bangladesh are practicing a culture of one party lead authoritarian government instead of real parliamentary democracy. At this situation, On 12 October 2015, with the decision of the cabinet to hold local polls on the partisan basis, without any discussion, research or evaluation with stakeholders, local government experts and civil society organizations, the government suddenly decided the law for local government elections. The change in the law mean that nominated candidates will be able to run with party symbols in elections at all local government bodies- union councils, Upazila councils, district councils, municipal corporations and city corporations. The century old practice of non-party poll of local bodies has been changed to a first-ever partisan poll. While BNP'S spokesperson Asaduzzaman Ripon has opposed these partisan local government elections, saying it is a political trick with an ill-motive. The chief of Liberal Democratic party, Oli Ahmed has expressed that 'politics and politicians are becoming controversial through the party-based local poll and democracy is being destroyed in a planned way' [8].

1. Party-based local government election and party symbol poll is contrasted with democratic values. The free, fair and credible election is the key elements for democracy and credible election is the key components for democratic government, which ensuring citizen's participation, government accountability and encourages political competition. But the ruling AL took the decision without

desirable changes in the political culture and reforms, partisan local government elections are tainted by the widespread use of money and muscle power for securing nominations and bringing down the quality of candidates. Nowadays, 'party cadres and government power used to make threats, file cases and harass the potential candidates from opposition parties that are totally opposition from democratic culture. Party-based local government elections are a dangerous decision for developing democracy and the politicization is weakening local government institutions as a democratic body. Amartya Sen Aply put it right that 'Famines do not occur in democracies, this is because any hunger death would immediately be politicized' [7].

2. Partisan polls have created conflicts and violence's in the local government elections in Bangladesh. The partisan elections drove away the value system of locality replaced by the party followers who have controversial identity in the society. It also destroys the peace of city corporation's polls which were peaceful before the non-partisan period. BNP-Backed mayor candidate of Dhaka North city corporation Tabith Awal shared his experience with bdnews24.com after visiting some polling centers, 'I did not see anyone other than the ruling party-backed candidates and the agents of their councilor aspirants. Our agents were chased off' he alleged. One of the basic democratic norms is to show tolerance and respect for political opponents and dissenting voices. But in Bangladesh, our political parties not only can't tolerate political opponents, but also engaged in violent confrontational politics and even efforts to annihilate each other. Due to the widespread politicization, local polls have promoted only party-arch, reflected by blind allegiance to parties, rather than strengthening our democratic system.

3. Election results are frequently manipulated by the party in power. Many studies in developing democracies show that partisan polls always created a scope for electoral manipulation because of the party in power. Sohul Hossain, former Election commissioner told that, 'it is true that in partisan elections, ruling party have a influence in the local government polls'. However, people not are interested anymore in participating in these elections under the proposed new system.

4. The Zila parishad elections with partisan and party symbol manner also widened the politicization in local level institutions. Because of partisan appointment of administrators, the Zila Parishad is now under the control of ruling AL government. The ruling parties MPs have also take control of the Upazila Parishad. Now, they captured local government bodies through partisan elections, and controlling over all political institutions, which is an ominous development, threatening the very foundation of the democratic polity of Bangladesh.

5. Politicization of local government created an impediment for the women participation and empowerment in local level. Ruling party captured the local government bodies and the practice of 'party-arch' lead to deprivation of people, who did not belong to the ruling party. In addition, because of the dominant influence of party 'symbols', the independent candidates, eased out of race. Since only limited numbers of women were nominated by the ruling party, opportunities for women to get elected in local government bodies also shrink. So, politicization of local government not only lowers the quality of elected local representatives, but also impeded the political empowerment of women and the growth of women leadership.

6. Politicization of bureaucracy from central to local level is another major barrier for ensuring democracy. There were a large number of promotions and transfers of the civil servants at the previous time, completely on political concerns. Having necessary qualifications a large number of officers are deprived of due promotions. Many competent officers are suffering as officers on Special Duty (OSD), inactive at home and getting their salaries simply, due to the politicization.

7. It always becomes difficult for the election commission to ensure a level playing field for all local candidates in partisan elections. Candidates and leaders from the ruling party always try to interpose a "code of conduct", which destroys the level playing field, thereby changing the local elections outcome.

Thus, politicization of local government becoming controversy among the stakeholders, civil society organizations, local government experts, international domains and the media of Bangladesh as a developing democracy. So, if the ruling government wants to ensure democracy in Bangladesh, it is of utmost importance the ruling party and the EC consider those issues for strong local and urban local governments.

E. Comprehensive Solution for Party-based Local Government Elections in Bangladesh

Participation, Accountability, Transparency, Empowerment, Equity and all other elements of good governance can become a part of the daily work of both the government and local bodies. The free, fair and credible election is one of the basic and crucial pre-requisite and elements of democratic government and governance in local and national levels. Therefore, free, fair and credible election means most of the political parties will have the opportunity to participate in all local and national's elections without any fear and hindrance. This type of election offers absolute people participation without fear and domination of any parties to elect their chosen candidates. For credible, neutral and acceptable elections, non-partisan and non-party symbol elections have no alternative as a developing democracy. The following issues should take into consideration in any future attempt to reform this law and to recognize it to make strong, participatory, transparent and accountable governing bodies.

1. Politicization of local government has only promoted 'party arch' rather than strengthening our democratic norms. As a developing democracy, the ruling party should conduct non-partisan and non-party symbol elections in local government bodies.

2. Local government experts Dr. Tofail Ahmed and Dr. Niaz Ahmed khan expressed that partisan local poll will create chaos among the local government institutions [10]. So, ruling party should change this law immediately for free and fair elections of local government bodies like union councils, Upazila councils, district councils, municipals corporations and city corporations.

3. Local government elections in Bangladesh like city corporations and Upazila elections were held in the past with clear political identity of the candidate but they used no symbol of party. Many civil society organizations, academic scholars, and stakeholders alleged that the partisan poll and party symbol in local elections obviously destroys the value system of local government which has

cherished so long [9]. So, ruling AL government should call a meeting about this issue, with opposition stakeholders, civil society members and local government experts for solving this problem.

4. Politicization of local institutions and polls system reduces the participation of all political parties in local government elections. As was seen in the Dhaka and Chittagong city corporations polls earlier in 2015 and created conflicts, Opposition parties, especially the BNP announced halfway through the voting day that they were withdrawing from the race, raising allegations of rigging by the candidates backed by the ruling AL government. So, for free, fair and neutral elections, this law should be banned and ensuring local polls with non-partisan manner.

5. Partisan local polls have already created a scope of unhealthy influence of political parties, lead to unnecessary party alignments. Local problems not to be subjected to party line in political squabbles. We observed that most of the local elections in the USA and California were non-partisan with the provision of political parties to endorse, support or oppose the candidates. However, people especially rural areas might be interested in participating non-partisan local body's elections.

6. Most of the elections held under ruling political government are manipulated, less competitive and controversial [11]. On the hand, elections held under non-political and interim caretaker government were more competitive, fair and credible, and accepted by national and international election observers and media. However, for ensuring equal voting rights of the citizen, and universal adult franchise, non-partisan and non-party symbol elections should be conducted in local government and urban local government.

7. Prime Minister Sheikh Hasina told in the parliament, On 1 April 2015, local government polls should be held like the general elections on party line. It ensures transparency and accountability; Lack of trust among political parties is one of the vital problems in Bangladesh. As a result, lack of reliability in holding elections under ruling government and claim and blame game is going on from the very beginning of independent Bangladesh. At this circumstance, partisan elections under ruling government were not accepted in many political stakeholders.

F. Recommendations for the Strong and Non-partisan Local Government in Bangladesh

a) Re-starting non-partisan and party symbol elections in union councils, Upazila councils, district councils, municipal corporations and city corporations should ensure.

b) Arranging a discussion with opposition political parties, local government experts and civil society's organizations about the issues by the ruling government.

c) Ruling government should conduct a free, fair and credible election in local bodies with the participation of all political parties, which is possible in non-partisan elections.

d) Politicization of bureaucracy is another barrier for ensuring democracy in local government bodies, ruling party should take action about the appointment and promotion of civil servants on the merit based.

e) The free, fair and credible election is the crucial and integral part of democracy. It is only possible, when local government elections held on non-partisan basis.

f) For ensuring universal adult franchise and equal voting rights, non-partisan and non-party symbol elections have no substitute.

Throughout the discussion, it has been found that democratic government depends on non-partisan free, fair and credible elections in national and local government bodies. Other countries of the world like South Africa the Election Commission (EC) has an electoral court, with the status of Supreme Court. The electoral court practices huge power to conduct non-partisan free and fair elections, Therefore, an electoral court may setup in Bangladesh.

IV. CONCLUSION

In modern democratic states there is a vital role of the local government because the burden of central government is lessened to it. Therefore, Local government institutions of Bangladesh should be democratic in nature. But nowadays partisan local polls and demonstrating party symbol in local elections are not similar with the political norms. Though, the current local government units are working well but violent activities by the local politicians and violation of human rights by them are still continuing. The conflict among the local politicians of rolling party is in extreme position. This is really unexpected for the sound local government system and also for the rule of law and good governance. It is assumed by the academician, civil society members, politicians and general people that all these incidences existing because of the unexpected influence by the rolling party. Therefore, non-partisan local government election system may be reintroduced for ensuring sound local government.

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