Short Route Accountability and the Grievance Redressing Mechanism: A Study on the Local Governance in Bangladesh

Mohammed Faruque Uddin
Shahjalal University of Science and Technology, Bangladesh

Abstract: Ensuring public service in a satisfactory level, the Government of Bangladesh introduces Citizen’s Charter. Grievance redress mechanism are actions taken to restore citizens’ confidence if the organization fails to deliver the required services as have been promised in the citizen’s charter. Consciousness about grievances is the major steps that an organization can take towards introducing correctives in its functioning. The Citizen’s Charter clearly mentions the grievance redress process if the users have any dissatisfaction. Process of inviting and addressing any grievances should always be taken seriously because the performance and image of the organization is largely affected by the persistence of grievances of users. So, grievance redress is an important elements to quality service. A responsible officer should be appointed to redress grievances. However, this paper articulates the scenario after adoption of Citizen Charter (CC) in Bangladesh on the issue of grievance redressing mechanism.

1. Introduction

Introduction of the Citizen’s Charter is a response to the journey to meet the citizens demand for quality service from the public sector. The notion of citizen’s charter cherishes the trust between the service providers and the service receiver. Although the concept of citizen’s charter was first articulated by the then Prime Minister John Major in the UK, now it has twisted considerable interest around the world. The essence of citizen’s charter was to empower citizen by accepting their rights and privileges and also to make administration more service oriented. So, the Government of Bangladesh was also interested to improve the public service delivery system through introducing Citizen’s Charter. The reason behind the introduction of citizen’s charter in Bangladesh was to improve citizens’ access to information and their participation in governance processes through ensuring transparency and accountability. Now, the Government of Bangladesh has instructed all public offices to prepare their own citizen’s charter and deliver their services accordingly. The objective of this study was to search whether these non-conventional tools of social accountability are successful to achieve its target. This paper tries to remark whether CC ensures grievance redress in terms of service delivery.

Access to and the performance of public services is a simultaneous process toward public good provision in a country. From institutional perspective state, market and civil society is the key actors among the institutional arrangements to perform service deliveries of public good. With a careful scrutiny on Smith, Sen [1] argues that governance through market mechanism plays an important role on public good provisioning but sometime market does not enhance the agency freedom to all. If so, theoretically, it is argued that state is the direct source of ‘entitlement’ to provide goods and services toward its citizen through state mechanism of service provision via different providers. But in practice, it is evident that beyond the formal institutional arrangements, individuals in developing countries try to find alternative pathways to receive services which can be accounted as the ‘informal’ side of public service provisioning. Hence, following the accountability triangle for public service provisions, this paper addresses theoretical arguments, issues and evidences on why ‘informal’ side of public good provisioning is important toward access and performances of public services, especially focusing the grievance redressing mechanism in local land office in Bangladesh.

2. Data and Method

Following non-positivist epistemology, this study comprises ‘desk research’ philosophy using in-depth interviews1 to bring out the details from the participants view point. In order to find out the outcome of CC in Bangladesh, total 30 individuals were interviewed from two land offices situated in Khulna District. One office was chosen from urban area and the other was from rural part. Data were collected from four types of respondents and four different sets of interview schedules were developed to hold the interview. Researcher himself also collected data through visiting a local land office

1 (I acknowledge Mr. Md. Arif Nazmul Hasan, former graduate of I08, University of Antwerp, Belgium for providing me the raw data he collected for his dissertation in 2013)
sustained in a Upazilla in northeastern Bangladesh. The target group was as follows:
  a) Senior Officials at policy planning level (to know the process of formulation and monitoring of CC)
  b) Higher Officials at field level
  c) Officials and Staff at implementation level (to investigate the organizational problems and skills of the service providers)
  d) Users level (to investigate the impact and problem in following CC)
  e) Brokers level (to investigate the causes of intervention)

3. Theoretical Arguments

World Bank’s [2] renowned accountability framework designs both the short route and long route of accountability (fig: 1). Evidence shows that in the case of both routes, there are some prevailing bottlenecks where co-existence of formal and informal service provisions are also existed. The framework can be displayed by following figures.

Fig: Accountability Framework, adapted from [2]

Accountability is a relationship among actors that have five features (fig:2): delegation, finance, information, and enforceability [2].

Within the relationship of the accountabilities from delegation to enforcing clients and service providers are theoretically bounded within formal networks but reality explains different practice of norms [3]. The first and foremost complication arises from financing; where does it come? The issue of enforceability can be mitigated through two channels; exit possibilities and voice possibilities.

Secondly, incomplete contracts complicate the issue on information (example of lemon and good car). Further complications arise with transaction. For example, discretionary and transaction-intensive provisions both require case specific and personal involvement respectively. Furthermore, different kind of users resulting in multiple tasks and multiple principals also complicate the production of public services through attributability problem. However, individuals live and operate in the realm of institutions. Opportunities and prospects of individuals depend on what those institutions exist and how they function. Following capability approach [1], we can argue that individual’s functioning depends on their ability to valorize their own agency within the sophisticated institutional arrangements. Based on their capabilities, sometimes-vested interested group can maximize their profit from market mechanisms where those who are in a state of deprivation cannot access their provisions like these vested interested groups.

4. Accountability: Issues and Evidences

In the case of Niger, de Sardan [3] explains the issue of governance with a conjectural analysis with practical norms. He argues that the concept of governance might take organized method of delivering public or collective services and goods according to specific logic and norms and to specific forms of authority. Experiences taken from Niger and other countries from West Africa, Sardan finds out eight different modes of governances, which definitely complicates the formal way of access to public services and it’s performances as well. In ‘chiefly mode of governance’ Sardan explains that chief maintains a network of clients and practices from different sources of patronage where due to patronialism, corruption and absence of accountability creates the opportunity for so called ‘commission’ and ‘under the table service’. If this sort of governance exist, especially poor people who are in state of capability deprivation, cannot manage to access to the public services through a formal channel. Development agency led ‘associational mode of governance’ also creates form of ‘appropriation’ in Niger through two processes; internalization of imported model by the people involved and move away from formal rules following practical norms. Thus the ‘ideal type’ of governance mismatches with ‘real type’. While municipal mode captures political nomadism with electoral corruption, project based mode result in the disappearance of the goods and services after its completion. Bureaucratic, sponsorship-based, religious, and merchant modes of governances are different entities exist in Niger where individuals find to access basic public services. For example, religious mode of governance can be explained as ‘formalization of informals’ in accordance to the co-production of service delivery in Niger.

Booth [4] emphasizes a new theoretical arbitration, which is required for issues related to ‘good governance’ and ‘under-provision of public good’. Studying on Malawi, Niger, Rwanda, and Uganda, Booth finds that incoherence, chaos and disengagement are serious issues in these countries. In Malawi, Booth finds that a serious weak coordination among agricultural, health and education sectors. For Niger dis-coordination exists among line ministries for health services, in Uganda the prevailing tension between health district and administrative districts, which affect basic public
services toward the citizen. After experiencing coherent functioning among line ministries in Rwanda, Booth conceptualizes that local governance and public good provisions should be demonstrated through a coherent vision, corporate performance discipline, and it must be locally anchored. A vibrant civil society taking local cultural repertoires into account can serve local poor toward accessing public services but still people in capability deprivation finds alternative route to access those facilities.

“Political mediation is deeply entrenched in the procedures, policies and habits that guide the daily functioning of Gujarat’s state institutions” Berenschot [5] explains the nature of everyday mediation in the political spheres in India. While analyzing the case of ‘evening compromises’, it echoes the political culture and mode of governance prevailing in a developing country. Perhaps the agitated women who came to the ‘Pravin Dalal’ for setting her housing issue might refrain her from courtship and encourage others to do so which creates an opportunity for the local mayor increase his/her vote bank. Thus, the political mediation is entrenched in the procedures, policies and habits of a local community. This short route of accountability (sometime in informal way) encourages clients to follow informal side rather than formal institutional arrangements of public service provision.

While explaining the practical norms which go beyond the formal state rules in cross-border trading, Titeca & De Herdt [6] found that the major dynamics of the regional trade between north-western Uganda, north-eastern Congo and southern Sudan is in extra-institutional realm. In their own word-

"…manufactured goods are traded – following more or less standard legal procedures – to Uganda, the DRC or Sudan from Kenya (Mombasa/Nairobi), where they in turn have been imported from foreign places such as Dubai and the Far East. Part of these goods, having reached the DRC or Sudan, are smuggled back into Uganda where they make higher profits than normally taxed goods. The town of Arua in north-western Uganda plays a particularly central role in these trading dynamics: from this town, smuggled goods are dispatched in different directions. A good example is sugar: daily, an estimated 40,000 kg of sugar is smuggled into Arua on bicycles by transporters who ferry the sugar in 50 kg bags. From Arua, sugar is distributed all over West Nile and northern Uganda: of the total, it is estimated that only about a quarter is for local consumption, while the remaining sugar is traded in the wider region. Other goods from Kenya stay in the DRC or Sudan, where they remain to be sold. Foodstuffs and natural resources originate from the DRC, from where they are exported to Uganda, which in turn exports them to other countries. For example, there is a major trade in timber, which is bought in the DRC, smuggled into Uganda, and then smuggled again to Sudan” [6:574-575].

This example of informal trade provision challenges the accountability in governance, which implies if provisions are evident and available, why not to use the cheap and easy accessible way to access public services?

From the performance point of view, Stasavage [7] explains the role of political institution (democracy) toward the public service provision. In the case of Uganda, Stasavage explains that making 5th out of 7 priorities in Ugandan Presidential Election, Museveni won the race highlighting the discourse of UPE where we find the role of electoral competition towards public services. Some inconsistencies were observed in the election; voters were dissatisfied with the incumbent but were unconvinced by the challengers. Thus, education was a salient issue among voters; if it does not meet their expectation (apart from quality) the weak form of governance will be in action accelerating more informal channels between clients and service provider.

6. The case of Bangladesh
An example of short route accountability can be found in Hossain’s [8] analysis on the case study of Bangladesh explaining its rude nature. When the dissatisfied patient (woman) shouted in public about her immediate experience of ignorance from the doctor, the doctor got himself embarrassed by public rebuke and served the patient again up to her satisfaction. This is a very typical example of both ‘art of resistance’ through ‘voice’ and gaining access to public service what was not provided in a decent and appropriate way. From this study of Hossain, it is important to conceive that how do informal and social relations between citizens and state actors influence the level and quality of public service delivery? And, how do the specific features of the state and social regimes shape the influence of informal relation?

In order to get access to public goods and services, sometimes, the process of quiet encroachment of the poor and organized encroachment of the powerful might open avenues for the individuals live in the lower strata of the society. Hackenbroch & Hossain [9] studied the second process in relation to water
service provision in Bangladesh. Here, we can find a kind of neo-patrimonial mode of governance where a dominant role is being played by the cronies (Mastan) between citizen and the state and some time make frontline bureaucrats bound to provide services what they desire. Normally a squatter/slum is not allowed to get connection with water pipe or to electric wires. Through state patronization, a process of ‘informal formalization’ (a process mentioned earlier organized encroachment of the powerful) takes place to provide public services toward those who are not entitled (formally) to access it.

6.1 State of grievance redress mechanism in Bangladesh

Arrangement toward the short route accountability in Bangladesh is very visible in every public offices. Almost every offices display the CC in a wall board where issue of grievance redressing is clearly mentioned and written. The major pitfall I found in the land office that no official was appointed to redress the grievances. As we know, grievance redress mechanism ensures that necessary actions are taken to restore citizens’ confidence if the organization fails to deliver the required services as have been promised in the citizen’s charter. Consciousness about grievances is the major steps that an organization can take towards introducing correctives in its functioning. The Citizen’s Charter should clearly mention the grievance redress process if the users have any grievance and seek redress. Process of inviting and addressing any grievances should always be taken seriously because the performance and image of the organization is largely affected by the persistence of grievances of users. So, grievance redress is an important element to quality service. A responsible officer can be appointed to redress grievances. The CC may contain his name, designation, contact information and location of his/her room. All grievances should be received, acknowledged and redressed within the shortest possible time and the providers should fix the time. The Citizen’s Charter of the land offices doesn’t contain the grievance redress mechanism. It is a major shortcoming of land office to ensure quality service delivery.

6.2 Policy makers view on grievance redress mechanism: Officers from this level said that grievance redress is a crucial element for an effective citizen’s charter. Without this mechanism quality service cannot be ensured. It is one of the key principles to formulate CC. The CC manual described about grievance redress procedures. According to the manual, all CC should specify the necessary actions in case of failure of service delivery in due time. The organizations should introduce feedback process through the establishment of complaints procedure, which will be accessible, approachable and open for all. All organization should appoint a person as ‘Grievance Manager’ and keep a complaint mailbox. Service providers should take these complaints seriously and take prompt and proper action within the timeframe. Service providers should develop multiple mechanisms to receive complaints and redress them accordingly. They can form a review committee, arrange monthly or weekly meetings with the concerned officers, discuss and analyze the reports on the number and type of grievances received and can take precautionary measures for further improvement of the service quality.

6.3 Organizational providers’ view on grievance redress mechanism: Officers from these level said that, they always monitor the activities of the AC (L)2 office regarding the grievance redress. As the controlling authority at field level, they have instructed all the AC (L) offices to assign a person as ‘Grievance Manager’ and establish a mail box at the entrance of their office so that it can be easily located by the users. Subsequently, they have instructed to include the grievance redress procedure in their own CC. at least once in a week they should open the box and check any complaint has been lodged or not. After receiving any complaint from the users, they should pay enough time to give a hearing to the concerned person and within the timeframe they have to redress the issue. If they fail to give any solution they should forward the matter to the district office for further action. They must not left any complaint unattended. They are providing regular training for the providers in order to improve their capabilities to redress grievances.

6.4 Frontline providers view on grievance redress mechanism: Both the AC (L) said that they pay due attention in addressing any grievance coming from the users side. When any complain comes to them, they give a patience hearing to the complainant, calls upon the concerned officials and instruct him/her to get the job done within the time frame.

6.5 Users’ view on grievance redress mechanism: Users from the both office informed that, the grievance redress system of AC (L) office is not satisfactory. Some users from the Sadar Land Office said that though the procedure is written in the CC but it is not practiced. Two respondents said that for undue delay they complaint to the AC (L) and their problem was solved within the time limit. Among these two, one respondent complained verbally and directly to the AC (L) against the official concern while the other one made a written complaint and

2 Assistant Commissioner Land
handed it over to the AC (L). Other users told that they dropped their complaints into the box regarding unnecessary delay in getting services but they have not received any solution. One user said that he dropped a letter describing the undue delay in ‘mutation’ of his land more than two months ago and yet the office has not call him or give any reply. Another user mentioned,”

“I have seen the complaint box near the main entrance of the AC (L) office. I dropped a formal complaint regarding my LDT3 fifteen days ago but nobody called me for hearing. I am very much anxious about my payment because if the date is over then I have to pay fine for late payment. I asked the M.I.S.S.4 of this office about my complaint and he replied me that we open the box only when it is full. These people are not taking my complaint seriously.”

The users from the Dumuria Land Office told that they don’t know at all how to lodge a formal complaint, where to submit it, who is the concern person to handle this matters. They have neither heard about the name of ‘Grievance Manager’ nor have seen the complaint box. One of the user said that he has seen a box in front of the head assistant’s room which was labeled as “Tender Dropping Box”. Another user said that he submitted an application for certified copy of ‘ROR’5 through the local Sub Assistant Land Officer of his Tehsil and six months have been passed and he has not yet received his copy. Though he bribed the concern person for this purpose so that he can collect it quickly. He tried to contact the AC (L) but the staffs of this office didn’t allow him to go. Now he doesn’t know when he will get his document. The following table explains the state of grievance redressing scenario in the studied area.

<table>
<thead>
<tr>
<th>Table 1: Findings on grievance redress mechanism</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quality</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Grievance redress mechanism</td>
</tr>
<tr>
<td>Responsive ness</td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>

Source: [10] & fieldwork

Grievance redress mechanism is a vital element of Citizen’s Charter. It helps the organization to improve their quality of services and it increase the users’ confidence by redressing the grievances in case of service failure. In order to ensure the proper redress of all grievances, the government instructed to appoint a ‘Grievance Manager’ in all offices. But the field study reveals that both the AC (L) office failed to assign that officer. In Sadar Land office, they have not mentioned the grievance redress mechanism in their CC. Users do not know about it. Similar picture was found in the Dumuria Land office. As a result the accountability of the providers towards the users is not ensured. Officials from land offices didn’t value the needs of the citizens. They remain unaccountable to the citizens to whom they were bound to serve. So, in this regard CC has no impact at all both on provider and on receiver.

7. Conclusion

Individuals, who suffer from specific capability deprivation, seek to get an alternative way pertaining informal channels to attain public services. Experiences from Bangladesh, India, Congo, Uganda, Malawi and other developing countries portray the scenario of modes of governance toward the public service provisions. When people find themselves unable to access such basic services, they start their journey by informal channels where other dominant actors find their way to utilize their own benefits from the process. The reality might be explained through ‘informalization of formal’ and the vice versa. In Bangladesh, officials at upazila land office lack commitment and seriousness to implement CC. Access to information about services is one of the most important element of the charter program. But the CC of the upazila land offices are not well displayed. So people can’t access it and they are deprived of information. Lack of free flow of information, insufficient publicity of CC and lack of people’s participation made the officials unaccountable. The officials from the land office never tried to receive feedback from the users about their needs, demands and preferences and they hardly offer what the citizens looking for. But, the objective of the CC was to establish a responsive and accountable public service that will provide people
acceptable standards of services. It was expected that citizen’s charter will help transforming the public service into a more productive, professional and customer oriented institutions. An effective CC should entail effective mechanisms for enforcing compliance and ensuring accountability of service providers in complying with service standards. So these mechanisms should be built in with the citizen’s charter during the formulation of charter program. To harvest good results from the charter program, it is needed a vibrant and vigilant listening and care for ‘voice of citizen.’

Reference:


