

Intergovernmental Relation and Governance of First Grade Cities of Oromia

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Abstract

Building on the view that Intergovernmental relation (IGR) can be federalism's offer for addressing urban governance challenges, this study assesses the IGR between first grade cities and Oromia Regional National State, and thereby evaluates the implication of the relationship on the governance of these cities. The study shows that the Regional State understands that the legislated autonomy is insufficient for meeting urban governance, and that the governance system is inevitably connected to the sub-national and neighbouring local administrations. It presupposes the city's local autonomy, city's accountability to the region and the need for cooperation, mutual respect, support and partnership as underlying principle of interaction between the city and the region. The IGR, however, has been performed through the ruling party and sectoral line networks but the implementation of the underlying principles of cooperation appears as leverage for party solidarity at times of electoral contingencies than run by clear frameworks. This study, therefore, contends that the settled legal and institutional framework for the status of first grade cities and the parameters of IGR between these cities and the Regional State can moderate the main forces - decentralization and urbanization - shaping the urban governance.

Key words: *Federalism, IGR, Urban Governance*

1. Introduction

In a multi-level/federal systems, urban spaces are characterized by diverse, complex and dynamic systems (Savitch and Vogel, 2000; Hoffmann-Martinot and Sellers, 2008; Mossberger, 2007); and much of the challenges that urban spaces face arise from the forces not completely under the control of urban governments. Urban local governments are inextricably linked vertically to the upper level governments and horizontally to associated local governments (Agranoff, 2012). Urban local government has to perform as autonomous independent decision making body for its own affairs and as an agent of upper level governments for implementation capacities (Dillenger, 1994). At the interface of the administrative/implementation and self governance roles of urban local governments stand the institutions and practices of intergovernmental relation (IGR).

IGR can be presented as an institutional and pragmatic means that can overcome the drawback of the subordinate status of local government and enable the levels of government to carry out governance functions (Agranoff, 2012). In this regard, the studies on local governments in Ethiopia by Zemelak (2011, 2014) and Yonatan and Zemelak (2012) reveal the subordinate and insecure position of local governments in constitutional status. They have, however, noted the implicit constitutional recognition granted to the local governments for ethnic self governance^[1] and/or for the self administration and participation^[2]. Particularly, the municipal decentralization came as service delivery and implementation of the development policy in 2001/2. The national policies have since then shown increasing attention to the urban question (MoFED, 2007, 2012).

Nonetheless, the issue of urban local government and the governance of such places have become among the contentious subjects worth studying. As it appears now, the top political actors have increasingly acknowledged the problem of urban governance in the country. They associate this problem with lack of good governance expressed in terms of absence of accountability and responsiveness, and incapacity of the municipal leadership. Here, the level of government which should be blamed for these problems of urban governance is unclear.

1 Article 39(3) of the Federal Constitution

2 Article 50(4) of the Federal Constitution

What is rather clear is that the urban governance cannot be relegated to a single municipal government in as much as this level is subordinate to and under the operational competence of regional states. Hence, the solution to resolve urban governance resides in how the city and upper level government cooperate and coordinate with each other than blaming one another.

In this line, this study assesses the IGR between first grade cities and Oromia National Regional State, and thereby evaluates the implication of the relationship on the governance of these cities. It specifically attempts to answer the following questions: What explains the status and institutional design of first grade cities of Oromia? How does the institution/mechanism of IGR between the first grade cities and the regional government influence the urban governance? To what extent were the principles of IGRs between the first grade cities and the regional state materialized? In doing so, the article constitutes five sections. The first section consists of this introduction section. The second section sketches the theoretical and conceptual framework. It specifically elaborates why the IGR approach matters in addressing urban governance issues. The third section dwells on urban local governments under Ethiopian federalism and policy frameworks, and the rationale for presenting IGR into governance of urban spaces. The fourth section dwells on assessing the IGRs between the first grade cities and the Regional State of Oromia, and its implication on the governance of these cities. The last section provides a concluding remark.

2. Federalism and Urbanization

Urbanization was long noted as one of the internal factors that could affect federal systems (Duchacek, 1975; Elazar, 1987). Duchacek (1975:52) spells two formidable internal challenges that urbanization brings to the cities under federal systems. The first challenge centres on the spill over effect of the city on to neighbouring local governments. Since urbanization often appropriates a large portion of the neighbouring territory as economic and function hinterlands, it raises jurisdictional boundary dispute. The second challenge is related to the dynamics of urban demography, social need and revenue generation along with the process of urbanization.

With a rise of urbanization, different issues related to socioeconomic, cultural and political factors emerge. Urbanization naturally brings the biggest impact on the neighbouring local government. The consequence takes different forms in developed and developing regions. For example, in the developed region, as a city grows, economies of scale occur in the provision of basic public utilities and services like transport, water, gas, sewerage, and refuse collection (Harvey and Jowsey, 2004:276-78). In developed regions, wealthier people live in suburban areas while the poor and below average citizens live in the core city. The reverse is often the case in developing countries.

The challenge that urbanization would bring against federalism was unforeseen by the founding fathers of the system because the institutional design at the time took rural societies and their geographic concentration (Elazar, 1987; Duchacek, 1975). Other scholars (Hoffmann-Martinot and Sellers, 2008; Lefevre, 2010) also affirm that the institutions of governance in federal and/or decentralized systems did not take up the impact of urbanization on multilevel systems. In mature and developed federal countries there are settled systems of legal and governmental institutions and established parameters for managing the consequences of urbanization. In contrast, emerging and developing federations struggle with rapid urbanization and urban governance problem, and stable institutional mechanism to resolve the problem is yet to come. At this juncture, it is important to ask: what institutional solution is put forward for meeting the urban governance problems? Whether federalism renders institutional solution to the challenges of urbanization and urban governance? The next section identifies and reviews answers to these key questions.

2.1. Institutional Solution to Urban Governance under Federal/ Multilevel Systems

Since the early 20th century, the mature federations with developed urban areas have witnessed different institutional theories to capture the growing problems of urban governance inherent in the federative structure and urbanization processes. Towards this end, the following three theories: Old Regionalism, Public

Choice and New Regionalism are identified and evaluated in their chronological sequences. The approach of this study is then placed in a theoretical continuum.

2.1.1. Old Regionalism

The Old Regionalism approach proposes the creation of single level metro-scale government as a solution to the complex problems of governance. This government would be “single handedly responsible for the coordination and delivery of public services for the entire community” (Brown and Rodriguez, 2013:230). In this view, the problem of mismatch between territorial and functional boundaries arises from national, local and neighbourhood influences, and the solution to this is consolidation of governmental institution (Wood, 1958 cited in Kubler, 2005). Hence, the old regionalist solution signifies the benefit of big government for the sake of economies of scale and inter-jurisdictional service delivery (Glaser, 2012; Hoffman-Martinot and Sellers, 2008).

This approach has been criticized for a number of reasons. Old regionalists aim to address public service delivery without recognizing the particularistic ethnic, culture and other interests of a community (Brown and Rodriguez, 2013). The school rejects the institutional innovation of urban diversity management and recommends hierarchical as well as consolidated governmental institutions altogether (Ibid: 230). Christain Lefèvre (2010) denotes this approach as a top down approach to urban governance because it establishes institutions inconsistent with decentralization and local democracy logic. He echoes the failure of the old regionalism even among the principal western countries like USA. Instead, the bottom up approach has become the norm of the 21st century for institutional design of urban governance in federal/multilevel systems.

2.1.2. Public Choice Theory

The Public Choice theory was developed as a reaction to the obsolete realities of Old Regionalism institutions (Yaro and Ronderos, 2011). Unlike that of Old

Regionalist theory, the Public Choice theory states that multiple units of government lead to competition among government jurisdictions that could enhance efficiency (Tiebout, 1956). The pioneer of the school, Charles Tiebout has argued that the multiple government jurisdictions of various sizes could serve the particular preference of tax-service congruence. In this sense, his idea of “voting with feet” has captured as that could bring free mobility of citizens across jurisdictions for seeking tax-service correspondence (Tiebout, 1956: 418).

The Public Choice theory defends fragmentation of multitude of autonomous local jurisdictions as beneficial for efficient service delivery and local democracy (Yaro and Ronderos 2011; Hoffman-Martinot and Sellers, 2008; Kubler, 2005). This theory promotes what has been called ‘territorial polycentrism’ (Ostrom, 1990) and this territorial design would bring competition across local jurisdictions for a right set of incentives for provision of service delivery (Yaro and Ronderos, 2011).

This theory, however, has been criticized on three grounds. Firstly, it disregards the advantage of economies of scale which would be gained if fragmentation of local governments subsided. Secondly, the theory renders localized solution for all kinds of problems that might require regional, city or neighbourhood coordinated solutions. Thirdly, it creates duplication of resources and cost ineffectiveness.

The above theories advance different solutions for the complex problems of governance and urbanization. The Old Regionalist approach magnifies the importance of big city government institutions for the benefit of economies of scale for public service delivery. In contrast, the Public Choice advances smaller jurisdictions for attaining decentralization and local democracy (Ostrom, Tiebout, and Warren, 1961). Both of these theories did not offer a solution for the inevitable interconnection between multiple jurisdictions in and around the city.

A new line of explanation known as ‘New Regionalism’ has emerged around the onset of the 21st century. This perspective shifted the debate from consolidated and fragmented government to institutions of cooperation for governance. The primary aim of this approach is to bring better governance through institutional

and actors' cooperation in the polycentric political arrangement (Savitch and Vogel, 2000).

This approach views governance as that comprises cooperation and competition (Yaro and Ronderos, 2011; Kubler, 2005). The theory considers the context of multiple political matrix and IGR to the explain governance related problems (Savitch and Vogel, 2000; Yaro and Ronderos, 2011). It focuses on the institutions of cooperation without hindering the significance of local government autonomy and the path to democracy (Hoffman-Martinot and Sellers, 2008). Besides, the New Regionalism perspective of governance in multilevel and/or federal systems epitomizes the establishment of institutions that can represent the interest of key stakeholders (Kubler, 2005:37). This brings the focus of this study to what this research captures as the intergovernmental relation approach to examine urban governance. The subsequent section, therefore, describes the concept and rationales for the IGR as well as the concept of urban governance as utilized in this study.

2.1.3. The IGR Approach to [Urban] Governance

Governance is not synonymous with the term government. Government stands for the formal institutions and elections and established decision-making processes and administrative structures. In this perspective, government is an elaborate "machine that operates through hierarchical layers" of political authority and accountability. It is about a legitimate monopoly that takes responsibility for both providing and producing public services (Savitch and Vogel, 2000). In contrast, governance is "horizontal and flexible" and focusing on decentralizing virtues of local cooperation and is less confined by boundaries (Savitch and Vogel, 2000: 161-162). In addition, Burgess (2006: 256) argues that governance is about obtaining consensus, efficiency and legitimacy necessary to carry out programmes wherein many different interests are found. Governance describes the processes and institutions of social actions which might or might not be governmental while government is the portion of the activity that acts with authority and creates formal obligations (Grazbord, 2008:81). Scholars have focused on what gover-

nance constitutes rather than defining governance *per se*.

They underscore the achievement of public purposes through collaboration as core referent to understand governance (Peters and Pierre, 2000; Rhodes, 1997; Mossberger, 2007). Hence, the cooperation of institutions and actors across sectors and boundaries is a central component of [urban] governance (Pierre, 1999; Mossberger, 2007). The empirical and analytical understanding of governance acknowledges how difficult it is for single government institutions to be solely responsible for coordinating social complexity and spillovers. Governance is an empirical/analytical concept (Pierre, 1999; Rhodes, 1997). Particularly, the UN Habitat (2002: 14) defines urban governance as the “process through which conflicting or diverse interests may be accommodated and cooperative action can be taken. It includes formal institutions as well as informal arrangements and the social capital of citizens.” In this vein, the analysis of interactional system stands at the centre of urban governance. This directs the focus of this paper to the intergovernmental relation approach.

The IGR is an important body of activities or interactions occurring between governmental units of all types and levels. It is about how different orders/spheres of government in federal countries communicate and collaborate with each other (Wright, 1988). According to Trench (2006), IGR is one of the principles that distinguish federal systems from the non-federal ones. It has been through the processes, mechanisms and institutions of IGR that federal systems like the USA have evolved models of federal governance (Wright, 1988; Agranoff, 2012). In this sense, IGR is not only institutional innovative response to policy and governance issues but also it is one that holds pragmatic solution for unanticipated problems between levels of government. IGR is the intersection point for matters of high formal/constitutional and day to day affairs. That is why scholars like Agranoff (1994) note IGR as how governments actually function than strictly adhering to legal matters, without, however, depreciating the constitutional/legal frameworks. In this sense, IGR is an analytical tool that can help to attest the utility of federalism at all spheres of government.

A number of reasons are on offer for the increasing attention to the institutions and mechanisms of IGRs. At the very basic level is the idea that the different levels under the federal and/or multilevel systems generally serve the same people (Riker, 1964). Watts (2006) has identified three main reasons for increasing importance of IGRs. One, the general trend to increased activity by governments at all levels which led to greater areas of overlap and interpenetration, and hence the need to manage this interdependence more effectively in order to minimize intergovernmental competition, friction and conflict; two, the development of new policy areas (e.g. environment, energy etc) not envisaged at the time their constitutions were drafted; and three, the problem of financial imbalances requiring intergovernmental financial transfers and the establishment of processes and institutions for the periodic adjustment of financial relations among governments.

According to Agranoff (2012), there is a need to pay attention to the place of local government as long as the local units are the ones vertically connected to the other levels of government for policy implementation and deliverers of public services. The local governments are where actually much governing activities take place (Grindle, 2007). Agranoff (2012, 1) states:

Local governments are inextricably linked vertically to states and to their general governments through ranges of national-state programs, legal and fiscal considerations and horizontally linked with associated local governments and NGOs through partnering, contracting or other forms of externalization.

The IGR approach that takes local governments into consideration presumes what Wright (1988) calls the overlapping model of IGR, which entails the proactive participation of all levels of government in the intergovernmental system. It advocates the situation of no one level of government dominating the IGR system.

Local governments shoulder dual responsibilities of meeting community needs, on the one hand, and implementing higher level government programmes on the other hand (Bennett, 1984 cited in Agranoff, 2012). Today the involvement of local governments in IGR is taken as a mechanism by which federalism could overcome the legally subordinate status of local governments. Furthermore, IGR helps to meet issues of effective administration by sharing professional knowledge and skills among officials (Frederickson and Matkin, 2009; Agranoff and McGuire, 2003). This in turn reduces managerial and technical incapacities across the spheres of governments (Germa and Warner, 2013). Modern day government, de Villiers (2012:674) summed, requires the mechanisms and institutions of IGRs so as to implement policies and programmes, maximize the standard of service delivery and optimally utilize scarce resources. In Urban contexts, beyond the purposes discussed above, the process of urbanization and factors stemming from it add another impetus for the participation of urban governments in the IGRs.

3. Urban Local Governments (ULG) under Ethiopian Federalism

3.1. ULGs in the Constitutional/Legal Setup

After the onset of new political system in 1991, Ethiopia has gone through two phases of decentralization. The first phase of decentralization began during the Transition Period (1991-94) and went up to 2001/2. During the Transition Period, the nations and nationalities had the authority to establish their self governance starting from the district level.^[3] Local governments in general and urban local governments in particular were not among the federating units of the nations, nationalities and peoples federation of Ethiopia. Except for the capital city, Addis Ababa, the Federal Constitution does not explicitly mention urban local governments. Nonetheless, the Constitution implicitly envisages two ways of establishing local units. On the one hand, local governments can be established for the purpose of self rule.^[4] In this line, local government territorial units can be formed

3 The preamble of the Transitional Charter Proclamation No. 1/1991.

4 Article 39(3) of the Federal Constitutions states: "Every Nation, Nationality and People in Ethiopia has the right to a full measure of self-government which includes the right to establish

for the sake of granting self governance rights to territorially concentrated ethnic groups within a given region. On the other hand, local government can be set for the sake of administrative convenience and public participation.^[5] Put differently, the Federal Constitution hints the creation of the local governments for either ethnic decentralization or administrative convenience.^[6] Zemelak (2014, 129-32) classifies local governments into ethnic and regular^[7] ones. His classification stems from Article 39(3) and 54 (4) of the Federal Constitution, respectively. It is apparent in this view that the classification of local governments into ethnic and regular ones is a matter of degree of emphasis on ethnic self governance. Regular local governments, Zemelak^[8] notes, are pervasive and their primary purpose is enhancing “democratic participation and providing service delivery.”

However, inasmuch as the principle of establishing governing institution is all the same in Ethiopia, the classification of local units into regular and ethnic ones is not mutually exclusive. Is the urban local government ethnic or regular local administration? One, the difficult part of studying local government stems from the lack of clarity with regard to the concept of local government/administration. The Federal Constitution does not mention the word “local government.” Instead, the constitution talks about “other administrative units” than the federal and regional government levels.^[9] In the same article that addresses “other administrative units”, there is a clause that states “adequate power shall be granted to the lowest unit of government.” Two, the Federal Constitution does not mention “other administrative units” or “lowest units of government” and/or ethnic self rule in relation to urban contexts. Given the federal set up is designed in

institutions of government in the territory that it inhabits and to equitable representation in state and Federal governments.” Besides, the spirit of Article 88(1) of the Federal Constitution hints the self rule rights of local governments. It states, “Guided by democratic principles, Government shall promote and support the People’s self-rule at all levels.”

5 Article 50(4) of the Federal Constitution envisages: “State government shall be established at State and other administrative levels that they find necessary. Adequate power shall be granted to the lowest units of government to enable the People to participate directly in the administration of such units.”

6 The case of the federal capital city, Addis Ababa, which has been granted special legal status, is as per Art. 49 of the Federal Constitution and it is not part of this purview.

7 Regular LGs are administrative units, not level of governments.

8 See Reporter’s interview with Zemelak Ayele on 10 January 2015 at <http://www.thereporterethiopia.com/>.

9 See Article 50/4 of the Federal Constitution.

such a way that it follows the fundamental principle of granting territorial autonomy for territorially concentrated ethnic communities, it would be difficult to look into administrative units outside of this governing principle. The regional state or other territorial units stand for the self governance/determination right of the ethnic group owning the region/the territory. The local administrative units established by such upper level governments cannot detach themselves from ensuring the same right. Inasmuch as the lower units are created by and for the self governance of the ethnic group in question and, of course, by the regional ethnic political party, every such unit cannot be analyzed without considering the ethnic factor. Moreover, every ethnic group that did not secure the status of regional state is a potential regional state.^[10] Under such context, the governing units which are now below regional state but function for the self governance of specific ethnic group shoulder two tasks: one, ensure the self governance of the nationality in question, and two, establish their own lower administrative units for ensuring the self rule of the ethnic group in question.

Though the federal government can set regulatory standards that can influence local governments through formulation of general policies on national, social and economic matters^[11] as well as through enacting proclamations like urban land lease (Kassahun and Tegegn 2004), urban governments have been the operation competence of regional governments. They are the creations of ordinary statutes, not of regional constitutions (Zemelak and Yonatan 2012). However, the regional governments cannot simply form local governments as lower administrative units short of democratic elements, but they have the duty to establish such governments on the basis of democratic principle.^[12]

The background work for the onset of the second phase of decentralization which was embarked on in 2002/02 shows that the original intent of municipal decentralization was to mobilize own revenue source and strengthen the capacity for addressing the needs of cities and towns. This was part of the emphasis to unleash and prioritize regional resources for rural development activities^[13] thereby un-

10 See Art. 47/2 of the Federal Constitution.

11 See FDRE Constitution, Article 51/2.

12 See Article 88(1) of the Federal Constitution.

13 See Report written by a team of researchers on the Municipal Decentralization in Ethiopia, 2001.

leasing regional resources to focus on rural development priorities. To this end, the Regional Constitutions were revised to decentralize and grant some political, administrative and financial powers to District/Municipal governments so as to conform to the national policy of Sustainable Development and Poverty Reduction Program. In the process, urban administrations have been given the chance to prepare and implement their development plans (Zemelak, 2011; Mulugeta, 2012).

The second phase of decentralization particularly has brought some basic changes with regard to local government and regional state relationship. Prior to the second phase, a number of institutional constraints related to financial and political powers have challenged the local governments. Particularly, the own revenue sources could not cover the expenditure responsibilities and made them dependent on upper level governments (Kassahun and Tegegn, 2004). Still, many studies (Zemelak, 2011; Zemelak and Yonatan, 2012; Yilmaz and Venugopal, 2008) unfold that urban governance struggles with dual accountability: meeting the interest of the electorate and that of the upper level governments. Further, most of the decisions on the legal status and planning are made by the party at regional state and beyond and conveyed down to the urban centres.

3.2. National Policy Frameworks and Urban Ethiopia

Starting from 1991 up to 2001/2, little attention was given to the “urban agenda” in Ethiopia. At times, the ruling party’s prime focus was on rural agenda emphasizing the policy of Agricultural Development Led to Industrialization (ADLI). This was because much of the proportion of the GDP and political constituencies came from these areas (UN Habitat 2008). It was also consistent with the development discourse of the period which advocated the focus on rural development by subsidizing focus on the hitherto urban biased development policies in Ethiopia, as suggested elsewhere for emerging economies.

As already hinted above, commencing from 2001/2, the EPRDF government has increasingly taken up the urban agenda into the fore. First, though the Sustainable Development and Poverty Reduction Program (SDPRP 2001/2- 2004/5) was

not a robust policy that fully addressed the urban problems in Ethiopia, it has outlined clear government strategies to reduce urban poverty by ameliorating the situation of urban development and management. It specifically dwelt on the range of issues for resolving urban problems: strengthening urban governance, infrastructural provisions, addressing housing problems, improving land management, strengthening employment opportunities, and addressing urban environmental problems. Moreover, the programme had acknowledged the need to enact context specific legal and institutional parameters for administering urban spaces (MoFED, 2002). The SDPRP admitted the prevalence of “poor urban management, lack of infrastructure, and inadequate service delivery” (MoFED, 2002: 125). Nonetheless, this programme had focused on the urban management and professional aspect of urban governance.

Secondly, unlike SDPRP, the Plan for Accelerated Sustainable Development to End Poverty (PASDEP 2005/6 to 2009/10) boldly embodied the “urban agenda.” PASDEP constitutes two important packages for urban poverty reduction: the Urban Development Package and the Urban Good Governance Package. It underscores the view that urban development and good governance are inseparable, and good urban governance is instrumental to build sustainable urban development. PASDEP has admitted the inadequate attention granted to urban areas as opposed to their increasing contribution to the country’s GDP.

On the one hand, this policy framework^[14] has recognized the potential contribution of urban centres to the national development. On the other hand, PASDEP considers principles of good urban governance as the base for urban development (MoFED 2005/6). Nevertheless, the UN Habitat (2008) report criticized that the policy hardly gave attention to urban local democracy because many of the municipal officials were appointed by the supra-local governments and were not elected popularly. Hence, the problems of participation and lack of accountability were pointed out as impediments to urban governance.

14 Under PASDEP, the urban development package constitutes five pillars including expansion of Micro and Small enterprise, Housing Development, Land and Infrastructure Provisions, Social services and urban planning and environment. See: MoFED 2005/6, *Ethiopia: Building on Progress: A Plan for Accelerated and Sustained Development to End Poverty*, MoFED volume I.

The third is the first Growth and Transformation Plan (GTP 2010/11 - 2014/15). It was built on what was provided by PASDEP and considered both urban development and good urban governance packages. As the policy matrix of the GTP illustrates, reducing urban poverty was taken as the key task of urban related endeavours. Towards this end, the main objective of the Ministry of Urban Development and Construction concentrated on Integrated Housing Development (IHD) programme which had multiple urban poverty reducing benefits such as reduction of slums, creation of jobs and empowering women by granting housings (MoFED, 2012 :60-61). The GTP proclaimed to ensure provision of urban infrastructure services and aimed to build the capacity of city/town administrations through implementing good urban governance packages along with suitable environment for urban life. More than any previous policies, the GTP positioned urban centres as “growth poles” that needed effective and efficient governance as well as comprehensive reform with regard to urban service delivery and financial administrations.

3.3. Federal Design and Urbanization Process in Ethiopia: An Interface for IGR?

On the one hand, the extant federal design and institutions of governance at all levels centre on a specific correspondence between the territorial distribution of ethnic populations and the territorial jurisdictional boundary. On the other hand, the complex urban settlements uneasily fit into the logic of ethno-territoriality. In this line, works on Ethiopian federalism by and large suggest two alternative propositions for bridging the limitation of ethno-territoriality. The first proposition argues for the need to complement the extant federal design with non-territoriality principle (Van Der Beken, 2009) without obliterating the milieu and original intent for which federalism came into being. This complementary proposition marks the ethno-territoriality cum non-territoriality as it would bring effective diversity accommodation and complete ethnic right. In this sense, non-territoriality works for marker of identity short of territory. It also presupposes the sense of oneness among members of such group. Personal approach or non-territorial approach occurs when a group links on the basis of some ‘personal characteristic’ (e.g. language, religion, culture, etc.) dispersed geographically (Elazar, 1975).

The other proposition, however, claims to disentangle the inextricable link between ethnicity and territory, and redesign institutions of governance on geographic and administrative ease principle (Wondwosen and Zahorik, 2008). This is a contradictory proposition in the sense that it proposes the designing principle that contradicts and obliterates the primary factor i.e. territory-based diversity has necessitated federalism.

On the other hand, the history of urban administration and urbanization in Ethiopia had been the reflection of the institutional, political and economic systems in the country (Getahun 2007; Yirgalem 2008). Prior to 1974, urban centres were feudal seats and ultimate administrations of them were subjected to the imperial government. Under the military regime (1974 to 1991), the urban centres were reorganized as Urban Dwellers' Associations and tools for inculcating socialist ideology and consolidation of central government power (Ibid, Zemelak, 2014).

At the onset of the first decentralization in 1991, the urban population of Ethiopia was 13.4% (Gutema, 1996). Since 1991, the number of urban centres in the country has shown tremendous increase reaching up to 925 at present (Leulseged *et al*, 2011). This figure, however, is related to the proliferation of administrative structures or changes in the recognition of settlements as urban. Towards this end, starting from the first census, a locality has been defined as urban if it is either administrative capital of a region, zone or *woreda*, or a locality with at least 1,000 people who are primarily engaged in non-agricultural activities, and/or areas where the administrative official declares the locality to be urban (Dorosh and Schmidt, 2010, 17-18).

Being the second most populous state in Africa, Ethiopia is one of the least urbanized countries (17.6% as of 2007) (Schmidt and Melkamu, 2009). The case of Ethiopia shares the feature of Sub-Saharan African countries wherein the “urbanization does not accompany industrialization and sustained economic growth” (Hove *et al*, 2013). Under such circumstances, urbanization heightens the urban governance challenges by drawing some population without meeting the required urban amenities. This has not only increased pressure on public services but also heightened the socio economic and political cleavages. The kind of governance

challenges under such process of urbanization is related to a number of problems including poorly developed economic base, high level of unemployment and worrying incidence of poverty and slum habitation characterized by lack of basic urban amenities (MWUD, 2007; UN Habitat, 2004, 2007).

Consequently, apart from federalism that shapes the urban governance and politics through the constitutional, territorial and political framework, the process of urbanization is another force that influences the governance of urban spaces. The kind of institutional and practical solution to the governance of such spaces has to, therefore, speak to the forces of federalization and urbanization at a time. It is at this juncture that the article argues that the IGR can be federalism's offer for meeting the urban contexts. Unlike the complementary and contradictory propositions forwarded regarding the lacuna of the extant federalism that has to be shaped by constitutional amendments, the IGR approach is primarily how the already existing federal system should actually work on the basis of the constitution it has set for itself. The IGR approach is in line with the view that federalism has to deliver its promises and be fairly implemented. This approach points to the practical utility of federalism, and hence works towards giving tangible substance to the federal system.

Studies on the IGR system in the federal system of Ethiopia show that the practice of IGR is executive-dominated and relies on the political party channel (Assefa, 2009; Haileyesus, 2014; Zemelak, 2014). Assefa (2009) suggests that this mechanism and practice of IGR has to be transformed from party politics to formal institution and laws because this determines the effectiveness and stability of the federation.^[15] He raises the question of sustainability of the extant IGR practice in Ethiopia as it is predominantly carried out by party channel. He also evaluates the IGR in terms of lack of accountability and clear institutions that follow up

15 Most federations - coming together and holding together- have shown increasing trend towards institutionalization of IGRs. However, holding together federations tend to favour a more structured, legalized, or even constitutionalized form of interaction. see: *Poirier, Johanne and Cheryl Saunders, (2010), "Cooperative Mechanisms and Intergovernmental Relations in Federal Regimes in Intergovernmental Relations in Federal Systems ed. By Rupak Chattopadhyay and Karl Nerenberg, A Global Dialogue on Federalism Booklet Series, Forum of Federations p.4.*

the activities and evaluate the operation of IGR, horizontal or vertical. The actors and institutions have to know how and why they engage or do not engage in IGR schemes. In a nutshell, the argument for formalization centres on the view that it could bring greater certainty, predictability, effectiveness, transparency, accountability, and respect and trust for the balance between self rule and shared rule. These points are basically what constitute the need for effective governance in the system.

The above findings were primarily in relation to the kind of vertical relationship between federal and state governments as well as horizontal relationships between/among states. Similarly, the analysis of local governments in the IGR system of Ethiopia made by Zemelak (2014:233-246) by and large reveals that through the regional proclamations for the establishment of urban local governments, the regional states across the federation have attempted to include some principles that could foster the relationship between cities, *woredas* and the regional state. Nonetheless, there has been lack of deliberately designed institution for the IGR between the city, *woreda* and regional government.

In conclusion, IGR is inevitable. It should not be understood as a merely political party activity and it should not be utilized as downloading decision to the lower level. Instead, the different interrelated dimensions of IGR - legal, political, fiscal, and administrative/technical - have to be properly accounted for. IGR has both formal and informal institutional forms. But the formal institution the IGR has set through laws, guidelines and institutions, has to shape the informal forms of IGR, without abandoning informality. Arguably, unlike any other federation, the task of IGR in the federal system of Ethiopia is unique in some respect. It merely is not a governmental relation but it is an inter-ethnic and/or intra-ethnic relation in so far as the fundamental principle for governmental arrangement relies on the same factor, ethnicity. Some observers^[16] even take it further and state that if IGR proceeds as it works now, there will be a propensity to forget federalism and the way governments should interact under the constitutional framework of the federal polity. Though they understand that legacy of unitary state of Ethiopia has

16 Participant's view at IGR technical committees' workshop organized by Forum of Federations, Dire Hotel, December 22-24, 2014 Adama.

influenced the political culture and political actors' hierarchical orientation, this should not be the case after twenty five years of federal system.

4. IGR between First Grade Cities and the Regional State of Oromia: Implication on Governance

In the case of Oromia, like elsewhere in the federation, cities or urban administrations are not among the levels of government created by the Regional State Constitution (Zemelak, 2014:235). Instead, the basic power, function and their relationship to the Regional State has been defined by regional proclamations. Based on the preceding theoretical and constitutional framework, the next section assesses the relation between the first grade cities and the Oromia National Regional State (ONRS) and evaluates the implication of this relationship on the governance of first grade cities.

4.1. Taxonomy of Cities under Oromia

There are several urban centres in the National Regional State of Oromia. As of the 1994 Population and Housing Census, out of 855 urban centres, 373 are accounted by Oromia. This figure has increased to over 560 out of over 900 urban centres (CSA 1994, 2007). According to the most recent census of 2007, the urban population of Oromia accounts for about 3.32 million.

In Oromia, as elsewhere in the federation, cities are not given equal protection with *aanaa* (or *woredas*).^[17] *Woreda* administration is constitutionally recognized and somehow granted functional responsibilities under the sub-national constitutions. In contrast, except for stating the region's capital, the regional state constitution does not mention urban administration. Instead, the region has disclosed the status of urban administration by different proclamations. The establishment and classification of towns in Oromia started with Proclamation No. 26/1999. The rationales of enacting this proclamation *inter alia* include strengthening the administration of towns in the region in order to provide full social and economic services for their residents. The proclamation classified towns into four based on

17 See Zemelak 2012

their level of development. These are: special zone, special *woreda*, sub-*woreda* and special *kebele*.^[18]

With the onset of the second wave of decentralization, Proclamation No. 65/2003 established urban local government. This Proclamation created four grades of cities based on population size.^[19] Accordingly, first grade cities are cities with over 90,000; second grade cities have residents ranging from 45,000 to 89,999; third grade cities have a population varying from 10,000 to 44, 999; and fourth grade cities have population ranging from 2,000 to 9,999. Particularly, first grade cities of Adama, Burayou, Bishoftu, Jimma, Sabata and Shashemene altogether account for about 23% of the urban population in the region. These cities have close interaction with the Regional Government and report their activities directly to the Office of the President of the Regional State.

4.1.1. The Principles of IGR between the City and the Regional State

On the one hand, urban centres are places where self rule of the Regional State should be practiced, and hence cannot be free from the Regional State's duty. On the other hand, urban centres need some level of right to self administration for decentralization and local democracy reasons. Hence, an urban centre is the intersection point for these processes. In this regard, Proclamation No. 65/2003, Article 6, has generally laid down important principles for the IGR between city and the state.^[20] First, this proclamation recognizes the relation between a city and the State, and at the same time it recognizes the self governance autonomy of the city. It underscores the democratic accountability of the urban government to the electorate by stating that all local power stems from the residents. Secondly, the principle of city-state relation is based on the accountability and responsibility of the city to the Regional State, city as a subject and competence of the Re-

18 See Article 2 of the Proclamation No 26/1999 for the establishment of towns in Oromia Regional National State.

19 Article 6 of Proclamation No. 65/2003 for establishment of Urban Local Governments of Oromia.

20 Article 24 to 30 of the Proclamation No. 65/2003 for establishment of Urban Local Governments of Oromia.

gional Government. Thirdly, the proclamation stipulates that the relation between a city and the Regional Government shall be guided by spirit of cooperation, partnership, support and rule of law.^[21] The urban administrations are conceived as partners, equals and non-subordinate. Fourthly, the kind of relationship between a city and the Regional State relies on the coordination and smooth flow of information among parties to the relationship. Fifthly, the kind of assistance that the Regional State extends to cities relies on principle of equity and competitiveness.^[22] Notably, the principle of IGR between a city and the Regional State is understood on the dual accountability of the city to the region and to its residents.

4.1.2. IGR between First Grade Cities and the Regional State of Oromia

Proclamation no. 65/2003 for the establishment of urban local government sets the Council-Mayor model of urban governance.^[23] According to this model, the mayor and the council have clearly distinct duties and roles, but are elected for the same term. The Proclamation assumes that citizens are better served because the two bodies have collective responsibility and can be held accountable to their constituency. The limitation of this model centres on the power struggle between the mayor and the elected council. But the two are required to cooperatively work together; otherwise citizens may use their voting power to resolve and get rid of them through their democratic rights (Meheret, 1998).

Proclamation No. 65/2003 and Proclamation No. 116/2006 which amended the former, establish a strong relationship between the top executive of the region and the city, the President and the Mayor. The Mayors of first grade cities are

²¹ Article 24(2) Proclamation No. 65/2003 for establishment of Urban Local Governments of Oromia.

²² Article 27 of Proclamation No. 65/2003 for establishment of Urban Local Governments of Oromia.

²³ Article 10 of Proclamation No 65/2003 for establishment of Urban Local Governments of Oromia

appointed and accountable to the Region's President.^[24] In addition, the Mayor is expected to produce his plan and report to the council of city.^[25] This situation of the Mayor and the President relation has been criticized because this arrangement affects the accountability principle in that the Mayor acts on the basis of the President's will than on that of the local community. This executive relationship facilitates for the control from the top level (Zemelak, 2011). Moreover, the experiences of change of Mayors of first grade cities like Adama, short of the life of the elected city councils, has caused some instability and the situation takes another longer time for the new appointed Mayor to acquaint himself with the city, neighbourhood and the regional interaction.

Evidently, lack of urban good governance has been increasingly acknowledged by the regional and municipal leaders alike. For this, the regional state cannot merely blame the city as Mayors are accountable to the President. In fact, one could hardly identify who is actually accountable and responsible for the problem of governance in the cities.^[26]

4.1.3. Within the City: Mayor, Council and Manager Relationships

As Yilmaz and Venugopal (2008) noted, the city council is expected to oversee executive policy implementation and service delivery, and hold local bureaucracy accountable for its performance. Contrary to this, the city councillors play dual roles as full time executive functionaries dependent on and accountable to higher up bureaucracies, and also as elected local officials. The Mayor plans activities and reports to the city council but is not elected by and accountable to the council.^[27] Consequently, this situation undermines the councillor's ability to

24 See, Art. 6 of State Proclamation No. 116/2006 for amending the Proclamation No. 65(2003) for establishment of Urban Local Governments of Oromia.

25 See, Art. 7 of State Proclamation No. 116/2006 for amending the Proclamation No. 65(2003) for establishment of Urban Local Governments of Oromia.

26 "The responsibility is null and void when nobody knows who is responsible. There must be one person who receives the whole praise of what is well done, the whole blame of what is ill" (J. S. MILL quoted in Lindeerg 2009)

27 Article 7 Proclamation No. 116/2006 for amending the Proclamation No. 65(2003) for

oversee the Mayor's performances.

Moreover, the Regional Statute sets the relationship between the Mayor and the Manager of the municipal functions.^[28] In principle, the relationship between the Mayor and the Manager of municipality presumes the coordination of the city's political and professional activities. In this case, Mayors, as politicians, should be able to carry out the policies for which they are held accountable. In contrast, the city Manager should focus on professional activities of the municipality without political influence. In fact, Mayor-Manager relation in first grade cities is so fused and there has been a blurred boundary and terms of coordination between the political and professional activities.

4.1.4. **The City and *Woreda* Relations**

As already hinted, the legacy of urbanization in Ethiopia is characterized by rapid and mostly informal and horizontal/outward expansion (Yirgalem, 2008). The biggest and immediate impact of urbanization is on surrounding local environment. On the positive side, as a city grows, economies of scale occur in the provision of basic public utilities and services: transport, water, gas, sewerage, refuse collection etc (Harvey and Jowsey, 2004:276-78). On the negative side, urbanization brings a number of interrelated problems to the people's livelihood including local boundary dispute, loss of farmland, loss of natural habitats, environmental degradation and similar crises (Hill, 2003:94).

It appears in this line that Proclamation No. 65/2003, Article 28(2) sets the terms of IGR between the city and *woreda* governments. According to the Article, a joint committee is created for performing two key functions: first, it identifies issues of mutual interest and sets strategies to jointly address and strengthen the urban-rural economic interaction; and second, it amicably settles boundary disputes between the urban and the concerned hinterland or adjoining rural areas. If the committee fails to settle the dispute, the Regional Executive Council has the

establishment of Urban Local Governments of Oromia.

28 Proclamation No. 65 /2003 for establishment of Urban Local Governments of Oromia.

final authority to resolve the case.

In this case, evidences from the cities reveal that there have been different sector-based committees that discuss cooperation between the city and the surrounding *woredas*. But the study could not find tangible achievements of this committee. In the mean time, it has to be noted that the interaction between the city and the surrounding *woreda* administrations does not take place following the clear guidelines and institutions of IGRs but becomes operational on personal relationship between the key executives of the city and the *woreda*. If the joint committee that often works between sectors is adequately supported by clear institutional guideline of interaction, it can control the tension created in the process of urbanization. The practice suggests that when there is a felt need to enlarge the municipal borders, the city administrations often influence the neighbouring rural communities, and this reveals the weakness of the city and *the woreda* relation. The committee is, in fact, supposed to moderate the effects of urbanization. Besides the institutional failure of the inter-local cooperation, the rapid and uncoordinated territorial expansion of the city has boosted the growing tension on land and service delivery issues.

Peculiar to first grade cities, however, Proclamation No 116/2006, Article 5, reserves 20% of the city council seat for the city's hinterland, *gandoota*. This effort of representing the hinterland's voice in the city appears to resolve the challenge that urbanization puts on the surrounding communities. The elected members may serve as the IGR channel between the city and the surrounding *woreda*. In practice, city council has never challenged the decision of key executive with regard to city and surrounding local rural administrations. Since the city is the capital for the surrounding local administration and in so far as it has been the same party that rules over the city and the *woreda*, the question of interaction between the units and the extent to which their relationship works out has not been examined.

4.1.5. The Cities Association?

Proclamation No. 65/2003 has included a provision for the association of cities under Oromia. Article 51 (1) of the Proclamation states that cities in the region may set up their own regional association and actively participate in the operation thereof. Moreover, the association has been given important functions such as inter-city cooperation through exchange of resources, experiences and ideas. The association serves as a forum for provision of trainings and support for building the capacity of their members; and works towards promoting development of the cities as a whole. The association may also represent cities collectively and express their views on matters of common interest. It can also create and strengthen good working relation within cities in the region and outside. City associations work in consultation with the Urban Development and Industry Bureau of Oromia.^[29]

Except for what has popularly become *Yeketemoch saminit* in which some major cities from across the federation display their products of small and micro enterprises, one would not find the association of cities meeting for their common concerns at the federal level. At the regional level, there is no institution created for cities' association to advance their concern within the region. Here and there, one may find what is known as the sharing of good practice between the cities in the region. Nonetheless, some first grade cities like Adama have established relationship with cities from other countries normally known as sister cities. But one hardly finds similar efforts of creating sister cities within the region and across the country. Given the subordinate status of the association, even if such cities are established, it may not make a significant difference in the status of interaction of cities within the regional state.

4.2. Self Rule of First Grade Cities

In principle, the governance of first grade cities primarily focuses on meeting the

29 See Article 52 (1-6) of Proclamation 65/2003 for establishment of Urban Local Governments of Oromia.

self governance of the Oromo based on the ethno-territoriality logic set by the Federal and Regional Constitutions. This has been made clear by the preamble of the Amendment Proclamation no. 116/2006. It appears to achieve this self rule as the regional proclamation puts some mechanisms of ensuring it. In this case, Article (4) of Proclamation No 116/2006 states:

When the number of Oromo residents in first and second grade city is found minor or undersized, the administration council of the national regional government may notice the number of Oromo people against other people and reserve 50% of the seats in the city council. This provision is also applicable to the council of the city *ganda*.

The percentage for the representation of the neighbouring hinterland or rural *kebele* in the cities has increased to 20%^[30] by the repealing the 5% in Proclamation No 65/2003. The candidates for city council seat are required to comprehend Af-aaan Oromoo.^[31] Moreover, this amendment proclamation repealed the naming “urban local government” and replaced it by “urban administration.” This reveals that urban centres are not the levels of government created under the Regional State. Instead, they are the administrative units established by the region.

According to the Regional Statute, representation and accountability are the two mechanisms by which the regional government wants to maintain the Oromo’s right to self governance in these cities. On the one hand, for justifying the issue of representation of the Oromos in the city council, the proclamation gives primacy to the right of the Oromo to self determination in the region, which remains the same across the levels of administration in the region. In this light, the Federal Constitution has basically created two levels of government, but where the principle of territorial concentration of a distinct group applies, the ethnic group in question has the right to territorial self governance. The limitation of the urban self governance is indifferent to the principle for designing the federation *per*

³⁰ Article 5 of Proclamation No 116/2006 for amending the of Proclamation No. 65/2003 for establishment of Urban Local Governments of Oromia

³¹ Article 13/7 of Proclamation 65/2003 for establishment of Urban Local Governments of Oromia.

se. On the other hand, urban administration is also accountable to the Regional State's executive council. As the respondents^[32] in this study unfold, the measures that Oromia has taken aim to rectify the situation of marginalization of the Oromo in the pre-1991 processes of urbanization and governance of urban spaces.

The municipal council elections in first grade cities has so far not clearly shown a resort to implementing the equation for the representation of the Oromo to ensure the self rule right over these urban spaces. This is because of the ethnic-based territorial autonomy and also because of the fact that the same party rules at the municipal, the neighbourhood and the regional state levels. The ethnic factor here is consistent with the underlying principle of the federal design. However, what can be pointed out as a limitation to the federal design in terms of addressing the non-territorial group (if there are such distinct groups anyway) and protection of sub regional minorities can also be attributed to urban spaces where there are people from outside the territorial group.

As already hinted, first grade cities are centres of economic, service, investment and industrial strategies. They hold a significant number of urban population in the region.^[33] As one of the regional key informants once noted, as the Oromo saying goes: *iddoo abiddi hin jirre aarri hin mul'atu'* -“where there is no fire, there is no smoke.” As economic, service and market centres, first grade cities now increasingly witness constellation of interests that has a bearing on the governance of such spaces. The expressed status of first grade cities and their relationship with the neighbouring *woredas* and the Regional State as per the ordinary regional statute, however, depicts the political and electoral factors milieu than developing it through robust mechanisms.

4.2.1. Political Solidarities and Electoral Contingencies

The moments of expressing the governing structures of first grade cities and their relationship with the Regional State were the function of the political and electoral contingencies - unforeseen emergencies of political and electoral issues. On the one hand, Proclamation No. 65/2003 was issued at the time when one of the

32 Key informants from the relevant regional bureaus

33 According to the 2007 Census report, FGC account for about 23% of the urban population in the region.

first grade cities, i.e. Adama, was selected as the capital city of the region, and the region was about to position its highly unpopular new capital. At the time, the regional elite had aimed at making the first grade cities attractive to the self governance of the Oromo. On the other hand, Proclamation No. 116/2006 issued to amend Proclamation No. 65/2003 of urban local government was enacted after the Oromo People's Democratic Organization (OPDO) had lost the 2005 national election over some of the first grade cities like Adama. A couple of years before the 2005 election, the party ruling Oromia had decided to shift the Oromo regional capital from Finfinnee to Adaama.^[34] The political opportunism of this highly unpopular decision became obvious when the Oromia Government finally abandoned the project and brought the region's seat back to Finfinnee. This was particularly the case during the 2005 elections, after the triumph of the opposition candidates presented by the Coalition for Unity and Democracy (CUD). The defeats of the OPDO/EPRDF in the first grade cities like Adama – and the shift of political solidarities they were supposed to implement – rapidly boosted the interest of the regional state over such cities thereafter.

The 2005 National Election seemed to unveil the negative consequences of the prevailing position of relationship between first grade cities and ONRS. Cities were seen as places where EPRDF coalition's networks could break if they continued to be ruled by the opposition. Before 2005, the OPDO/EPRDF domination over all the local municipal administrations in Oromia had facilitated the implementation of policies and programmes. However, the 2005 election tended to underline the incapacity of the Regional State to make easy communication with the cities under the region. Beyond political and electoral factors, provided that there has been in place a constitutional guarantee for the right of the Oromo to self rule, it is not clear why the self rule right of the Oromo over the cities is emphasised at one time and deemphasised (otherwise forgotten) at another time.

This leads to the conclusion that the kind of relationship between the cities and the Regional State as stipulated by the regional proclamation aims at moderating

34 <http://www.adamacity.gov.et/urban.htm>

the potential consequences of another electoral victory of the opposition parties in some of the first grade cities, and to maintain the political party solidarity. Hence, the settled and clear legal/institutional system and mechanism of IGR between these cities and the Regional State remains to be seen.

5. Conclusion

This study has assessed the implication of the IGR on the governance of first grade cities in the Regional State of Oromia. Through the proclamation enacted for establishing urban administration, the Regional State clearly understands that the legislated local power and function is insufficient for governance of urban centres, and their governance system is inevitably connected to the sub-national and neighbouring local administration. Towards this end, the intergovernmental relation appears as a facilitator of self rule and urban governance.

Nonetheless, the case of first grade cities is a subject of unanticipated and unpredictable status in the sub-national intergovernmental relation schemes. The status of first grade cities and the kind of relationship they have with the Regional State and neighbouring *woreda(s)* is inadequate, as this has been stipulated by ordinary proclamation than by the Regional State Constitution. Instead, the relationship between the cities and the State appears to serve as political solidarity and electoral contingency than bring effective urban governance by building cooperation, partnership and hierarchy-free working relationship. Inasmuch as it is the same party that rules over the cities and the Region, there did not exist a discernible dispute with regard to the level of autonomy granted to the cities and the kind of institutional and/or executive relationship between the city, the neighbourhood and the Regional Government. Thus, this study contends that the settled and clear legal and institutional system that establishes the parameters for first grade cities' relation with the upper level government and neighbouring local administration would be worth noting.

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