



**ADDIS ABABA UNIVERSITY**  
**COLLEGE OF LAW AND GOVERNANCE**  
**CENTER FOR FEDERALISM AND GOVERNANCE STUDIES**

**Regional Autonomy of Policy-Making and Implementations in the  
Ethiopian Federation: A Comparative Study on the Formulation  
and Implementations of Urban Policy in the Amhara and SNNPR  
States since 1991**

**By**  
**TAMIRAT CHERU HAILU**

**A Dissertation Presented for the Requirement of  
Doctoral Degree of Philosophy in Federalism and Governance Studies**

**Supervisors**

**Principal Supervisor Dr. Assefa Fiseha (Associate Professor)**  
**Co- Supervisor Dr. Zemelak Ayele**

**April, 2018**  
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## ACRONYMS AND ABRIVATIONS

<i>ADLI</i> .....	<i>Agricultural Development–Lead Industrialization</i>
<i>ANDM</i> .....	<i>Amhara National Democratic Movement</i>
<i>ANDP</i> .....	<i>Afar National Democratic Party</i>
<i>ANRC</i> .....	<i>Amhara National Region’s Council</i>
<i>ANRS</i> .....	<i>Amhara National Regional State</i>
<i>Art</i> .....	<i>Article</i>
<i>BPDF</i> .....	<i>Benishangul–Gumuz Peoples Democratic Unity Front</i>
<i>CCBS</i> .....	<i>Council’s Capacity Building Strategies</i>
<i>CGC</i> .....	<i>Cantonal Government Conference</i>
<i>Con</i> .....	<i>Constitution</i>
<i>CoN</i> .....	<i>Council of Nationalities</i>
<i>CSA</i> .....	<i>Central Statistics Authority</i>
<i>CSO’s</i> .....	<i>Civil Society Organizations</i>
<i>EPRDF</i> .....	<i>Ethiopian Peoples’ Revolutionary Democratic Front</i>
<i>EPRDM</i> .....	<i>Ethiopian Peoples’ Revolutionary Democratic Movement</i>
<i>EPRP</i> .....	<i>Eritrean People’s Revolutionary Party</i>
<i>FGD</i> .....	<i>Focus Group Discussion</i>
<i>GTP</i> .....	<i>Growth and Transformation Plan</i>
<i>HNL</i> .....	<i>Harari National League</i>
<i>HoF</i> .....	<i>House of Federation</i>
<i>HoPR</i> .....	<i>House of Peoples Representatives</i>
<i>ICG</i> .....	<i>International Crisis Group</i>

*IFAD.....International Fund for Agricultural Development*

*IGR.....Inter-Governmental Relation*

*MoFA.....Ministry of Federal Affairs*

*MoWUD.....Ministry of Works and Urban Development*

*MUDHC.....Ministry of Urban Development and Housing Construction*

*NCBP.....National Capacity Building Program*

*NCOP.....National Council of Provinces*

*NUPI.....National Urban Planning Institute*

*OPDO.....Oromo Peoples Democratic Movement*

*PASDEP.....Plan for Accelerated and Sustained Development to End Poverty*

*Proc.....Proclamation*

*RBoWUD.....Regional Bureaus of Works and Urban Development*

*SDPRP.....Sustainable Development and Poverty Reduction Program*

*SEPDM.....Southern Ethiopia People’s Democratic Movement*

*SNNPRS.....Southern Nation, Nationalities and Peoples Regional State*

*SPDM.....Somali People Democratic Movement*

*SSA.....Sub-Sahara Africa*

*TGE.....Transitional Government of Ethiopia*

*TAC.....Tripartite Agglomeration Conference*

*TPLF.....Tigray Peoples Liberation Front*

*UN.....United Nation*

*USPFJ.....United Sidama Parties for Freedom and Justice*

*WoGaGoDa.....It is a nomenclature for the attempt to create an amalgamated vernacular language  
for the Wolaytas, Gamo, Gofa & Dawros.*

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## **Abstract**

*After the collapse of the Derg regime in 1991, Ethiopia had adopted a federal political system. However, some group of scholars and individuals argue that, regional states of the Ethiopian federation are so far not yet become platforms for policy innovations by asserting that, regions are merely limited to the implementation of centrally designed policies and laws. The objective of the study is to investigate regional autonomy of urban policy-making and implementations in the Ethiopian federation taking the Amhara and the SNNPR states comparatively. The study provides answers for the core research question: - Are the Amhara and SNNPR States autonomously adopting and executing urban policies? It also examines the roles of citizens and other stakeholders in both policy-making and implementation schemes. The study is a descriptive and explanatory research conducted qualitatively using a variety of data sources such as primary and secondary data that involves plenty of legal documents. Structured and semi-structured interviews, FGD's as well as field observations were also employed. In doing so, in both regions, different sections of the population were purposively nominated for interviews and FGD's. Among others, members of regional and local officials, concerned public servants and experts, representatives from CSO's, residents from urban and peri-urban areas, youths and women were involved in the process of the study. On the other hand, as a framework to analyze the theme under study, core theoretical and conceptual approaches about federalism, regional autonomy and public-policy are briefly reviewed. In addition, the experiences of sub-national autonomy of policy-making and implementations in the American, Swiss, Indian and South-African federations are also dealt.*

*After the adoption of the federal system, indisputable socio- economic, political and infrastructural developments are witnessed across the country in general and in the Amhara and SNNPR states in particular. Politically, inter alia, regions have their own legislatures, executives and judicial organs. Among others, regions are constitutionally authorized to make their own socio-economic development policies, strategies and plans. The study found that, both regional states have autonomously adopted urban policies in the form of proclamations, regulations, directives and GTPs. However, due to the existence of one dominant party-EPRDF- that centralizes power by means of 'democratic-centralism', regions are so far not yet fully exploited their constitutional mandate of policy-making. In fact, the experiences of the Amhara and SNNPR states reveals that, policy-making at the regional level has been commenced though not yet fully exploited. Moreover, after the establishment of the National Planning Commission, better opportunities were created for the involvement of regions in the adoption of socio-economic development planning at the national level.*

*Post-1991 federal polity of Ethiopia has also witnessed horizontal urban growth and development. In this regard, Bahir-Dar city of the Amhara region and Hawassa of the SNNPR had been horizontally expanded and becomes very gorgeous for residence, investment as well as for local and international tourist attractions. In both cities, significant infrastructural developments have been witnessed for the last two decades. Likewise, a variety of job opportunities were created for a significant number of unemployed citizens. However, the existing very ambitious horizontal urbanization schemes of both regional cities brought adverse impact on the land tenure rights and the livelihood of the suburb agrarian communities. The existing compensation strategy is unfair to effectively rehabilitate the livelihood of expropriated households. Above all, implementation discourses of horizontal urbanization and land expropriation are characterized by lack of transparency, accountability and participatory approaches.*

*In sum, both the Amhara and SNNPR States autonomously adopted urban policies in the form of adopting urban laws, regulations, directives, plans and programs. However, the roles of citizens and other stakeholders in both policy-making and implementation schemes is still inadequate. In both regions, there are no adequate institutional systems for the active involvement of citizens and other stakeholders in the process of policy-making and implementation schemes. Regional and local officials usually fail to effectively communicate and to create adequate public awareness and participatory approaches before the adoption and implementations of policies in general. Among other factors, the existence of a single dominant political party system affects regional autonomy of policy-making. Therefore, the study in its last section provides some recommendations to better enhance regional autonomy of policy-making and implementations. Generally, the study is imperative for government officials, practitioners, citizens as well as for researchers who wants to conduct research in relation to regional autonomy of policy-making and implementations.*

# CHAPTER ONE

## INTRODUCTION

### 1.1 Statement of the Problem

The pre-1991 political regimes of the Ethiopian state were characterized by centralization of state bureaucracy and policy-decisions. During the Imperial regime of Haile-Sellassie I, the feudal aristocracy was consolidated by the establishment of a centrally controlled administrative bureaucracy. Thus, major socio-economic policy-decisions were adopted at the center by the Emperor and his palace courts (Meheret, 2002: 134-135; see also Mulugeta, 2005:77; Bahiru, 1991; Aalen, 2011:27-8). The centralization endeavor of the regime was also accelerated through the modernization of state apparatus (Markakis and Nega, 1978:32-43; see also Clapham, 1988:28; Steffan and Ronald, 1977:21-25; Mulugeta, 2005:76). During his reign, the Ethiopian societies in general were ruled by hierarchical politico-administrative order with public institutions operating under the absolute control of the monarchy (Meheret, 1997; see also Bahiru, 1991; Mulugeta, 2005; Aalen, 2011:27-8). Among others, the imposition of high land tax and followed by education and health tax, which had been imposed from the center with the adoption of different decrees and legislative instruments were some of the sign of Haile-Silassie's policies of centralization (Markakis and Nega, 1978:32-43; see also Clapham, 1988:28; Steffan and Ronald, 1977:21-25).

The military „Derg“ regime also maintained a unitary and authoritarian state and its policy prohibited any form of participatory governance and development (Meheret, 2002:35; see also Clapham, 1988:274; Pausewang *et al*, 2002:27-28). The regime maintained a government and party structure which kept a firm control on the economy and the society. Its party system known as the Workers Party of Ethiopia (WPE), structured according to the Leninist principle of „democratic-centralism“, put in place a highly regimented system of agricultural and economic management and pursued a policy of forced collectivization and coercive resettlement schemes. All these policies were evocative of authoritarian rule and hostile to democratic governance system (Mehiret, 2000:135; see also Mulugeta, 2005: 86; Clapham, 1988:274; Pausewang *et al*, 2002:27). Generally, in both the Imperial and „Derg“ regimes, there were centralized policy-making approaches. Party-fused executive leadership plays decisive roles to determine policy agenda, policy processes and policy outcomes. In consequence, every decision-making process was tight control from the center and popular participation in every facet of life was fragile (Mulugeta, 2005:6).

Ethiopia once a centralized state has now become a federation with government structured at federal and state level. Functional competences are divided between the federal and state governments. Accordingly, the federal government is constitutionally bestowed with 21 items of exclusive competences (Art.51). The constitution also lists 7 items as exclusive states powers (Art. 52). It also vested residual powers to the regions (Article 52 (1)).

It is true that, the Ethiopian federal system is a „dual-federalism“ where the constitution provides exclusive powers to both the federal and regional governments. So that, each order of government mandated to adopt and execute policies and programs in its area of competences. In fact, it is common to observe the existence of „concurrent“ and „shared powers“ in a „dual-federal“ system. However, since the constitution provides exclusive competences to either order of government, the system allows broader autonomy and freedom to adopt and execute constitutionally allocated competences autonomously.

In brief, the nature of the federal system and the constitutional division of powers allows regions to freely exercise their functional responsibilities. Indeed, article 52 (2-C) of the constitution envisages that, regions could adopt economic, social and development policies, strategies, plans, enact pieces of legislation and execute same autonomously. There are however claims that, the regions barely exercise their policy-making powers for various reasons. Therefore, this study empirically investigates whether such arguments are accurate. It does so by investigating regional autonomy of policy-making and implementations on urban government aspects of two regional states; namely the Amhara and SNNPR states comparatively.

Theoretically, with its constitutionally protected division of powers between at least two orders of government, federalism is thought to make a difference to policy-making that involves ample policy innovations (Chappell and Curtin, 2012:4). However, in most third world countries, sub-national states commonly lose their power to design socio-economic policies (Saasa, 1985:309-21; see also Mulugeta, 2005:3). As a consequence, citizens and civil society groups are usually lack the power to articulate their policy desires. Nor has there been fertile ground to promote their participation in any policy adoption and implementation schemes (Mulugeta, 2005:3). The key factors that prompted the researcher to rely on this imperative research theme are owing to the following problems.

Firstly, it is obvious that, after the adoption of the federal system in 1991 better urban developments are witnessed across all regions of the federation. In the last two decades, horizontal urbanization is tremendously increasing throughout the country. As a consequence, peri-urban agricultural lands were changed in to urban use purposes. Among these, Bahir-Dar city of the Amhara region and Hawassa of the SNNPR have witnessed rapid horizontal urbanization. This implies that, urban governance issues, among others, seek effective urban management, communication and implementation approaches. Thus, the study tries to explore the urban policy-making and implementation scene of the Amhara and SNNPR states since 1991.

Secondly, some scholars and practitioners argue that, though regional states of the Ethiopian federation have been constitutionally provided with the power to adopt and execute policies, strategies, plans and programs of the state, so far regions are commonly limited to the implementation of centrally designed policies and laws. There is also an argument that, whenever policies are designed and implemented, inadequate discussion takes place with the community and the concerned stakeholders. In all genuine federations, the federal government gets its legitimate power from the people (Dosenrode, 2007:23).

Though regional autonomy and active public participations in decision-making process of a government are central features of a federal system, practically these are not fully achieved at the regional levels of the Ethiopian federation. In this regard, for instance the recently adopted integrated urban master plan of Addis-Ababa and „Finfine Leyu Zone“ of the Oromyia regional state is an exemplary manifestation. The intended master plan was believed to benefit a lot to the Oromo communities living in the surrounding areas of Addis-Ababa. However, since it was adopted and declared by the federal government without making adequate consultation and discussion with the legislative and executive organs of Oromiya region as well as with the concerned Oromo communities, the master-plan has created popular resentment. As a consequence, the endeavor finally brought serious disasters that involved loss of lives and properties. Finally, the Oromiya regional government officially annulled the master plan in January 2015. The root cause of the problem was that, the policy-making autonomy of Oromiya regional state and the roles of its citizens in decision-making process were bared. Therefore, any endeavor to adopt and execute a particular public policy without the full consent and participation of the concerned sub-national state and



community may threaten the peace and stability of a particular federation. Though so far not yet studied, the same problem may also exist in the Amhara and SNNPR states.

Thirdly, ineffective urban policy implementations may affect the rights of „nations, nationalities and peoples to self- determination in connection with land-tenure rights. It is known that, the issue of land is very decisive for most people of the developing states including Ethiopia. Land is backbone for their socio-economic status and livelihood and it is a matter of their life. As stipulated within Article 39 of the FDRE Constitution, the issue of land can't be seen inseparable with the right to self-determination of nations, nationalities and peoples. As a consequence of the rapid horizontal urbanization of both Bahir-Dar and Hawassa cities and followed by the land expropriations made by their respective local and regional authorities, peri- urban agrarian households that are located in both regional cities might be seriously affected. Even though there is a compensation value for expropriated households, there is a doubt about its fairness. Moreover, there is also a doubt about the existence of active participation of evicted households in the process of land expropriations as well as in the determination of compensation values in both regional cities. Indeed, there is a doubt that, evicted households may use the compensation properly for the rehabilitation of their livelihood and for sustainable development utilities mainly due to lack of adequate supervisions, technical and professional supports from the concerned regional and local government authorities. Accordingly, the study tries to examine how the Amhara and SNNPR states are dealing horizontal urbanization, land expropriation and compensations.

Fourthly, the making and implementations of urban policy programs at the regional and local levels are obstructed by a multiplicity of challenges. Among others, there exist problems of transparency, accountability and participatory approaches as well as capacity problems; scarce of financial resources; and inadequacy of political commitment to implement those urban laws, regulations, policies, plans and programs designed by federal and regional authorities. Though it may vary from one region to another, there exist urban implementation gaps that, in turn, generate public grievance and hatred among expropriated households particularly against the existing land expropriation scheme and its compensation strategy.

Finally, so far thematic issues related to “regional autonomy of policy-making and implementations” are not adequately studied by researchers. Therefore, the research theme is very imperative that considerably attract the attention of citizens, government officials, scholars and practitioners particularly after the terrible crisis of the „top-to-bottom“ policy adoption process of the Addis-Ababa and Oromyia „Leyu Zone“ of „Finfine“ integrated master plan. Therefore, the dissertation endeavors to explore regional autonomy of policy-making and implementations via an examination of the urban policy-making and implementation scenarios of the Amhara and SNNPR states.

## **1.2. Objectives of the Study**

### **1.2.1. General Objective**

The study explores regional autonomy of policy-making and implementations in a perspective from urban policy-making and implementations of the Amhara and SNNPR States since 1991.

### **1.2.2. Specific Objectives**

After a thorough investigation of the study, its findings are anticipated to attain the following key specific objectives.

- To explore the urban policy-making autonomy of the Amhara and SNNPR states since 1991.
- To analyze the factors that impedes the Amhara and SNNPR states in the making of urban policies in their jurisdiction.
- To examine the level of public awareness and active participations in the making and implementations of urban policies in both regions.
- To appraise the institutional mechanisms that are used as a means for the active involvement of citizens, CSOs and other stakeholders in the design and implementations of urban policies in the Amhara and SNNPR states.
- To investigate horizontal urbanization in Bahir-Dar and Hawsaa cities and its impact on the socio-economic livelihood of peri-urban households.

- To assess the existence of transparency and participatory approaches in the process of urban policy implementation schemes of both regional states.

### **1.3. Research Questions**

#### **1.3.1. Main Question**

- Are regions (particularly the Amhara and SNNPR states) autonomously adopt and execute socio-economic policies in general and urban policies in particular since 1991?

#### **1.3.2. Specific Questions**

- Are the Amhara and the SNNPR states adequately exercising their constitutional mandate of urban policy-making autonomy?
- Are there any best urban policies that were being adopted by the Amhara and SNNPR States?
- What factors affect the Amhara and SNNPR states in the adoption of regional policies?
- Are citizens, CSOs and other stakeholders adequately involved in the adoption and implementation of urban policy issues?
- What institutional mechanisms used as a means of communication for citizens and concerned stakeholders in both policy-making and implementation schemes?
- How does the Amhara and SNNPR States deal horizontal urbanization, land expropriation and compensation?
- Is there an adequate system of participatory and transparency approach in the process of horizontal urbanization, land expropriation and in determining compensation values for evicted peri-urban households?
- What lessons could be drawn from the urban policy-making and implementation autonomy of the Amhara and SNNPR states?

## **1.4. Argument**

The FDRE Constitution provides broad autonomy for the regions that involves the design and execution of socio-economic development policies, strategies and plans. Thus, regions may adopt pieces of urban policies in the form of proclamations, regulations, directives and plans. In brief, as a component of policy framework, regions may autonomously adopt urban laws, regulations, directives, plans and programs.

However, so far regions have not yet fully exploited their constitutional mandate of policy-making due to various factors. Among other factors, the existence of EPRDF's party centralization; the blurred between party and government decisions; lack of full constitutional and democratic legitimacy; scarce of financial resources; the existence of communication gaps between policy-makers, citizens and concerned stakeholders; absence of adequate knowledge and awareness among regional and local officials about regional autonomy of policy-making as well as the misconceptions about the constitutional assumptions of building „one economic and political community“ are major factors that significantly impedes regional autonomy of policy-making and implementations. Therefore, the researcher argues that, the above mentioned factors may significantly hamper regional autonomy of policy-making in general and urban policy making in particular. As a consequence, the roles of citizens, CSOs and other stakeholders in both policy-making and implementation schemes at the regional level are so far insufficient.

## **1.5. Research Methods and Data Sources**

The study is a descriptive and explanatory research. That is, the descriptive research, in turn, lead the researcher towards explanatory research while seeking answer to „why“ and „how“ types of questions. Qualitative research method was also employed. In doing so, the study has employed the following data sources and data collection techniques.

### **1.5.1. Primary Data Sources**

The study mainly employed primary data sources such as data gathered from first hand informants of both regional states. Thus, intensive interview data was collected from government officials and experts of those concerned governmental institutions which are directly responsible to the issue under study. These institutions which were involved in the data collection process of the study are:- Office of the Executive and Legislative organs of the Amhara and SNNPR States; the Amhara Region Urban Development and Housing Construction Bureau; the SNNPR Trade, Urban Development and Housing Construction Bureau; the City Administration of Bahir-Dar; the Municipality of Bahir-Dar; the City Administration of Hawassa; the Municipality of Hawassa; and Micro-Enterprises offices of both Bahir-Dar and Hawassa cities. Indeed, top officials and technical experts of the aforementioned institutions were empirically interviewed. In addition, some members of regional and local legislatures and executives; as well as party leaders; members and leaders of some regional-based civil society organizations; prominent elders and residents; youths; women's from both regional states were involved in interviews.

Focus Group Discussion (FGD) was also conducted that involves representatives from some regional-based CSOs; individuals who have been engaged in a variety of micro-enterprise activities; urban residents as well as those peri-urban households who have been expropriated from their farmland due to the horizontal expansion of their respective cities. Moreover, field visits have been conducted in some peri-urban localities of both Bahir-Dar and Hawassa cities that extremely witnessed high pace of horizontal urban expansion and land expropriations. Furthermore, the researcher have also got an opportunity to attend the urban discussion forum which was held on 31 January 2016 at Nile convention hall of Bahir-Dar city that involves a sizeable number of residents and peri-urban communities of Bahir-Dar as well as other concerned local and regional officials. The forum was organized by the Amhara mass-media agency in collaboration with Bahir-Dar city administration and its ultimate purpose is to link the peoples of the city face to face with their administrators at all levels and so as to discuss each other about urban policy governance issues as well as urban policy implementation matters. Furthermore, the study has also utilized other primary sources such as federal and regional constitutions, policy documents, proclamations, regulations, directives, federal and regional urban development plans, programs, packages, and other related manuals which are pertinent for the study.

### **1.5.2. Secondary Data Sources**

The study had also employed a variety of secondary data sources including scholarly works like books, journal articles, web-page sources, research findings, unpublished documents and other related literatures that are relevant to the study.

## **1.6. Data Collection Techniques**

The study adopted a variety of data collection techniques and strategies such as structured and semi-structured interviews; focus group discussions; and document analysis as enumerated below.

### **1.6.1. Structured and Semi-Structured Interviews**

In order to attain the ultimate objectives of the study, structured and semi-structured interviews for different sections of the population was administered. Therefore, concerned local and regional officials as well as different section of the population in both regional cities have been nominated for interview so as to get accurate and reliable data. Accordingly, both close and open-ended questions were administered for those concerned officials and different sections of the community on the basis of the scope of their understandings. Accordingly, interview with regional and local officials as well as with those key informants of the different sections of the community was conducted in the Amhara and SNNPR states on March and April 2016, respectively.

### **1.6.2. Focus Group Discussion**

FGD is the other vital strategy that was utilized in order to validate the reliability and authenticity of the data gathered through structured and semi-structured interviews. Therefore, focus group discussions were held in each regional city. In the FGD, representatives from civic associations and knowledgeable residents of both Bahir-Dar and Hawassa cities were involved. More importantly, representatives from peri-urban households of Bahir-Dar and Hawassa cities who have been previously expropriated and those who are not yet expropriated were actively participated in the study. Moreover, the researcher has also used the „urban public discussion forum“ organized by the Amhara mass media agency and Bahir-Dar city administration as a supportive input for substantiating valuable data on matters of urban policy- making and implementation scenarios of the

Amhara region in general and the case of Bahir-Dar city administration in particular. The FGD was conducted in Bahir-Dar and Hawasaa cities on October and November 2016, respectively.

### **1.6.3. Empirical Field Observations**

As a strategy to examine regional autonomy of policy-making and implementations, the status of citizens, CSO's and other stakeholders' roles in both policy-making and implementation schemes were examined in both the Amhara and SNNPR states. Thus, field observations are technically made to assess and explore scenarios of urban policy-making and implementations. Accordingly, in both regions, the researcher has attempted to observe processes of policy-making at the regional level and its implementation scene especially in relation with the implementations of horizontal urban expansion programs of Bahir-Dar and Hawassa cities. Accordingly, field visits were technically made in those purposefully selected peri-urban „kebeles“ of both regional cities. Thus, the field observation was conducted in „Meshenti“, „Zenzelema“, „Abay-mado“ and „Yibab“ Kebeles“ of Bahir-Dar; and „Tabor“ and „Hawella –Tulla“ sub-cities (i.e., „Hawella-Wondo“ and „Hawella-Geter“ sites) of Hawassa city.

### **1.6.4. Document Analysis**

In addition to all the sources gathered from interviewees and focus group discussants, different documents including federal and regional constitutions, policy documents, proclamations, regulations, directives, growth and transformation plans, minutes of meetings and archives that obtain pertinent data for the theme under study have been technically and empirically analyzed.

## **1.7. Sampling Techniques and Sample Size**

### **1.7.1. Sampling Techniques**

Purposeful or judgmental sampling strategy is the key research technique being employed during the selection of interviewed informants and focus group discussants of the study. Among others, this method involves the selection of a group from the population on the basis of available information thought. Since the selection of a group intuition on the basis of criterion deemed to be self-evident, the technique is more efficient and cost effective (Kumar, 2006:91).

### **1.7.2. Sample Size**

For the conduct of structured and semi-structured interviews, a total of one hundred ten informants have been involved in the study. These participants were nominated purposefully among officials and communities who are considered as resourceful and knowledgeable for the issue under study. The selection was made from regional and local officials as well as from the different sections of the population such as from CSOs, micro-enterprise owners, merchants, business men, youths, and women”, farmers as well as ordinary citizens of both the urban and peri-urban residents of Bahir-Dar and Hawassa cities.

Thus, some members of the legislative and executive organs of the two regional states, bureau heads and technical experts from the regional bureau of urban development, housing and construction of both regional states, mayors, municipality directors, urban planning and land management officials and experts of both Bahir-Dar and Hawassa cities, as well as public relation directorates of the bureau of urban development of both regional states were purposefully nominated. Moreover, representatives from regional-based CSOs particularly from Youth Association, Women Association, and Teachers Association at both the regional and local levels are adequately involved in the study.

In order to triangulate and validate the authenticity and reliability of the facts gathered through interviews, FGD was conducted in both cities of the two regional states. In this regard, participants of the FGD were selected purposefully from those resourceful informants of the different section of the population in both the urban and peri-urban areas of the two regional cities. In this regard, among the peri-urban participants, those previously expropriated peri-urban households of Bahir-Dar and Hawassa cities were purposefully selected for FGD. In both regions, the FGD was composed of seven members of discussants.

### **1.8. Limitation of the Study**

The study would be very imperative if it would be studied across all regional states of the federation. It would be also valuable if it explores not only on urban policy aspects but also on other socio-economic policy-making and implementation endeavors of regional states. However, due to financial, time and other logistical constraints, it is difficult to conduct such an intensive study across



all states of the federation. As a consequence, the researcher is obliged to limit the scope of the study on matters of urban policy-making and implementation schemes in the two regional states, namely: the Amhara and SNNPR states.

In the process of the study, one of the challenges that have faced the researcher was the search of resourceful informants in the study areas. Most of the time, it was not an easy task to get regional and local officials for interviews because of meetings and other related reasons. In fact, due to the researcher's unreserved effort, it was possible to get some of the concerned regional and local officials for interviews. However, the researcher could not able to get regional chief-administrators for interview due to meeting and other constraints. In fact, in both regions, the researcher had interviewed their respective legal advisors and some members of the regional executive organ who are knowledgeable in relation to the key agendas of research inquiry.

The other limitation was that, some informants" particularly ordinary citizens at both the urban and peri-urban areas of Hawassa and Bahir-Dar city have frightened to provide their names and full addresses due to security reasons. The other challenge that the researcher has faced during the process of the study was the existence of long distance between Bahirdar and Hawassa cities of the two regional states. Once data was collected from both regions, sometimes the researcher wants to get additional data which were missed during the period of the actual data collection process. In such instances, the researcher was forced to go to both regional cities for such purposes repeatedly. In spite of the above mentioned challenges, the researcher has exerted his maximum effort to achieve the intended objectives of the study within the intended schedule.

### **1.9. Scope of the study**

The study is delimited to explore the urban policy-making and implementation autonomy of the Amhara and SNNPR states since 1991 due to the following basic rationales. In the first place, due to financial and time constraints, it is difficult to conduct such an intensive study across all states of the federation. As a result, it is inevitable to delimit the study areas in a more compact and manageable approach. Secondly, the selected regions and their respective capital cities are vital to conduct a comparative study since both share some similar and distinct features. Secondly, the selected regions and their respective capital cities are vital to conduct a comparative study since both share similar and distinct features. Both regions for instance share some common facets in terms of the

accommodation of diversity. In this regard for instance, the SNNPR is characterized by extraordinary diversity since it is home for about 56 ethnic groups. This implies that, unlike the Amhara region, diverse socio-economic policy interests may prevail in the SNNPR. On the other hand, when one appraises the socio-economic and demographic features of Bahir-Dar of the Amhara region and Hawassa of the SNNPR, one can found that, both regional cities are young unlike other regional cities such as Mek'elle, Harar, Adama, Assosa, and so on. In addition, both regional cities have witnessed marvelous urban development especially after the adoption of the federal polity. As a result, both regional cities become awesome for residence, trade and investment, hotel and tourism industries and centers for international conferences and resorts.

In fact, when one examines the socio- demographic and political dynamics of the two regional cities, one may also find some distinct features. In this respect for instance, while Bahir-Dar of the Amhara region is inhabited by homogenous communities principally inhabited by the Amhara natives, Hawassa as a multi-ethnic regional capital on the other is home for multi-ethnic groups. Therefore, unlike Bahir-Dar of the Amhara region, diverse policy interests may prevail in Hawassa of the SNNPR. Moreover, though land expropriations in the peri-urban localities of both regional cities are very common due to very ambitious horizontal urbanization, the case of Hawassa is highly contested since the town and its surroundings are also the political and administrative center of the Sidama ethnic group. Generally, the study is vital to obtain similar and distinct experiences from both regions on matters of regional autonomy of urban policy-making and implementation schemes.

### **1.10. Definition of Key Concepts and Terminologies**

- ***Federalism*** - It is a political ideology that holds at least two tiers of government for the exercise of both „self-rule“ and „shared-rule“ (Elazar, 1987:12).
- ***Autonomy***- “is a device to allow ethnic or other groups claiming a distinct identity to exercise direct control over affairs of special concern to them, while allowing the larger entity those powers which cover common interests” (Ghai, 2000:8).
- ***Public Policy***- It is an intended course of action followed by a government institution to resolve a particular community problem. Therefore, such a course of action must be

manifested in laws, official regulations, directives, public statements or widely accepted and publicly visible patterns of behavior (Cochran *et al*, 2009).

- **Urban Policy** - It denotes federal and regional urban policy that entails the broad approach and direction to be followed by the respective governments towards a host of cross-cutting urban development issues which, in turn, enhances the role and contributions of urban centers in national socio-economic development.
- **Urban Policy-Making**- It refers the formulation of urban policies at the regional level (i.e., in the Amhara and SNNPR states), aimed to alleviate urban related problems.
- **Urban Policy-Implementations** - It denotes the executions of urban policy programs in the Amhara and SNNPR states.
- **Regional State** - It is a common nomenclature for constituent member states of the Ethiopian federation.

### **1.11. Significance of the Study**

The study is indispensable for policy-makers, scholars, researchers, practitioners and government officials as well as for citizens in the following facets.

- It provides an imperative knowledge and awareness about regional autonomy of policy-making and implementations in the Ethiopian federation. In brief, it suggests about the status of regional autonomy of decision-making and its implication in terms of federalism's notion of „*self-rule*“ under the Ethiopian federal polity;
- It offers the overall implications of the process of urban policy- making and implementation schemes in the Amhara and SNNPR states;
- It is vital to make some generalizations about the nature of the post-1991 political system of the government. In brief, it offers adequate insights about the actual status of regional autonomy policy-making; discourses of democratization; rule of law; citizens, CSO's and other stakeholders roles in both policy-making and implementation schemes; transparency

and participatory approaches among government officials in comparison with the theoretical as well as the legal and constitutional grounds;

- It also forwards some insightful recommendations which are supposed to be a remedy for existing challenges that constraint the making and implementations of policies at the regional level;
- The study also serves as a footstep for other researchers who want to conduct a study on regional autonomy of policy-making and implementations.

### **1.12. Analysis of Data**

Data analysis and interpretations were technically interpreted and analyzed using qualitative data analysis techniques. Whenever data analysis and interpretations are made, the researcher has avoided any tendencies of biases and misinterpretations and, hence abided by all the required research ethical principles.

### **1.13. Structure and Chapter Outline of the Study**

The study is composed of seven chapters. The first chapter is in fact, this chapter that has so far set the research methodological frames which entails the problem statement, research objectives, research questions and methods, data sources, sampling techniques, limitation, scope, significance and structure of the study.

The second chapter deals about basic theoretical and conceptual frameworks about federalism, regional autonomy and public policy. In this chapter, the impact of federalism on policy-making and division of powers in federations are also briefly discussed. Moreover, experiences of sub-national autonomy of policy-making and implementations are explored from the American, Swiss, Indian and South-African federations in a comparative approach. The comparative review from the above mentioned federations was conducted in order to point out the achievements and limitations of each federation and their respective institutional systems in promoting regional autonomy of policy-making and implementations. Therefore, the core factors that enhance or impede sub-national autonomy of policy-making in the above mentioned federations are analyzed in a comparative approach.

The third chapter deals on the constitutional division of powers and regional autonomy in the Ethiopian federation. As a prelude the chapter introduces brief historical overview of the Ethiopian state and the nature of the governance systems during the Imperial and Derg regimes. Consequently, the 1991 federal process, constitutional division of federal and regional competences” and facets of regional autonomy and democratic legitimacy are enumerated. Moreover, the post-1991 urban development endeavors at country-wide level are also assessed.

In the fourth chapter, urban policy-making and implementations of the Amhara region are dealt. Thus, the chapter thoroughly analyses the Amhara region”s autonomy of policy-making in general and urban policy-making and implementations in particular. Therefore, the roles of the regional executives and legislatures in both policy-making and implementations are examined. In addition, citizens, CSOs and other stakeholders” roles in the process of urban policy-making and implementations are thoroughly explored.

In the fifth chapter, urban policy-making and implementations in the SNNPR are explored. In the same approach to chapter four, the chapter examines the SNNPRS”s autonomy of policy-making in general and urban policy-making and implementations in particular. Thus, the roles of the different organs of the regional government in both policy-making and implementations are investigated. Likewise, the roles of citizens, CSO”s and other stakeholders in both the adoption and implementations of urban policies are analyzed.

Chapter six is intended to explore implementations of horizontal urbanization and impacts on the land use rights and the livelihood of peri-urban agrarian households taking Bahir-Dar city of the Amhara region and Hawassa of the SNNPRS as a case study. Therefore, the chapter explores how regional and local authorities of the ANRS and the SNNPRS are dealing horizontal urbanization and land expropriation from peri- urban agrarian households of Bahir-Dar and Hawassa cities respectively. Finally, in the last chapter conclusion and recommendations are drawn out.

## **CHAPTER TWO**

### **SUB-NATIONAL AUTONOMY OF POLICY-MAKING AND IMPLEMENTATIONS IN FEDERATIONS**

Since the objective of the study is to explore regional autonomy of urban policy-making and implementations in the Amhara and SNNPR states, this chapter introduces core theoretical and conceptual approaches inherent in federalism, regional autonomy and policy issues. More importantly, it deals about division of powers in federations. Accordingly, it analyzes issues about which level of government adopts policies on which functional areas and why. In addition, essential institutional systems for sub-national autonomy of policy-making in federation are also discussed. Consequently, the impacts of federalism on policy-making are explored. Thus, the value of federalism for the „experimentation of policy innovations at the sub-national level is examined. Finally, experiences of sub-national autonomy of policy-making from some selected Western, Asian and African federations are presented. Accordingly, sub-national autonomy of policy-making and implementations in the American, Swiss, Indian and South-African federations are discussed.

The goal of reviewing the experiences of sub-national states autonomy of policy-making from the aforementioned federations is to point out some of the success and limitations of each federation on matters of regional autonomy of policy-making and implementations. Therefore, center-state relations in areas of policy-making, the role of citizens and different actors in policy-making and implementations as well as the factors that promote or hinder regional autonomy of policy-making in each federation would be analyzed. As it is known that, the American and Swiss federations are matured federations where better experiences may be acquired on matters of regional autonomy of policy-making and implementations. The Indian federation is a multi-national federation that accommodates different ethnic, linguistic and cultural diversities. Thus, the Ethiopian federation may also learn some experiences on matters of regional autonomy of policy-making from the Indian federation and the vice versa. The South-African union as a young federation from the African continent may also exhibit better experiences that other federations may acquire some experiences from it. In brief, since there is no „one-fit for all“ system of federalism, each federation can learn a lot about the success and limitations of each other on matters of regional autonomy of policy-making and implementations.

## 2.1. Federalism and Federation

The word „federal“ is derived from the Latin term *foedus*“; which refers „covenant“, or „bargain“. Federalism is defined as a system of „self-rule“ and „shared-rule“ (Elazar, 1987:5, 12; Elazar, 1991: xv). In fact, federalism is not a mere division of powers between governments but rather “a process structured by a set of institutions through which authority is distributed and redistributed” (Rodden, 2004:489). A federal arrangement is therefore, a form of political system that retains at least two tiers of government for the exercise of both „shared-rule“ and „self- rule“ (Elazar, 1987, 4-5; Elazar, 1991: xv; see also Watts, 2008:8). „Federation“ on the other refers a political institution in which there is power sharing between the constituent states and the federal government (Celine, 2002:4).

While „federalism“ refers the ideology; „federation“ on the other represents the political institution. „Federalism“ is an ideology because it holds the ideal organization of human affairs and is best reflected in the celebration of „diversity through unity“ (Smith, 1995:4; see also Elazar, 1987:33). Thus, „federalism“ is a value concept that holds an idea about the worth and validity of diversity (Burgess, 1993:3). In brief; „federalism“ refers to an ideology, a normative principle promoting unity and diversity (Aziz et al, 2003:119). „Federation“ is a political institution. It is “a polity with a strong overarching general government whose constitution is recognized as the supreme law of the land and which is able to relate directly to the individuals who are dual citizens in both the federation and in the constituent states” (Elazar, 1987:6; 1991: xiv). Thus, unlike „federalism“, „federation“ is “a political institution; it is not a subject for theory” (Verney, 2011:44). In sum, a central feature of federalism is its capability of establishing varying balances between „centripetal“ and „centrifugal“ forces (Burgess, 1993:26).

A federation often has at least two orders of government; a written constitution; a genuine autonomy for each order; special arrangements for the representation of the constituent units; an umpire for resolving disputes; and a set of institutions for facilitating relations between governments (Anderson, 2008:3-4; see also Watts, 2008:9; Karmis and Norman, 2005:14; Lijphart, 1979:502). Though federalism is not free from limitations and critics, it has imperative values such as it limits the concentration and abuse of power; it provides ample space for civic participation; enhances pluralistic society; offers local solutions for local problems; enables states to serve as laboratories; provides a

continuing referendum on fundamental principles; creates accountable government; and the right to choice (Howard, 1996:12-20).

More importantly, federalism creates proximity between a government and its people; local differences to be reflected in state and local government policy; mitigate tensions and conflicts; and also provides flexibility and experimentation (Smith *et al*, 1962:33). Moreover, federalism provides the citizen, decision-maker politicians responsive to their preferences and also provides more room for policy experiment and innovation than unitary states (Schmidt, 2000:2; see also Brennan and Buchanan, 1980; Wingast, 1995; Elazar, 1987:4-5; Watts, 2008:8). Furthermore, federalism also enhances peace and prosperity, democracy and liberty, efficiency and adaptation to change (Kincaid, 2011:245-56).

Federalism has also a firm impact on policy-making in the sense that, a federal system provides autonomy for sub-national units in policy-making arenas. In brief, federalism offers better opportunities for policy innovations at the regional level that will be discussed in detail in a separate section later. In fact, federalism works best where there is a respect for rule of law, a culture of tolerance, accommodation between diverse groups, and significant element of shared identity. Institutional arrangements are also vital in achieving peace and stability (Anderson, 2008:81). Moreover, in a federation balance between „self-rule“ and „shared-rule“ is crucial (Watts, 2008:23).

In sum, for the success of a particular federation, ensuring the supremacy of the constitution, democracy and democratic institutions are vital pre-conditions. In brief, a federation cannot be reliable if it is a result of coercion from above, since an action or any attempt to coercion undermines the federal division power and „self-rule“ of member states. To put it briefly, unless democratic order, the basic notions of „shared-rule“ and „self-rule“ could not be achieved; that is why some former federations in Africa, Latin America and Asia had been collapsed short of time (Michael and Pinder, 2007:8; see also Assefa, 2012:437; Aalen, 2006:244; Watts, 2008:157).



## 2.2. Autonomy: Key Theoretical Concepts

Autonomy “is a device to allow ethnic or other groups claiming a distinct identity to exercise direct control over affairs of special concern to them, while allowing the larger entity those powers which cover common interests” (Ghai, 2000:8). Autonomy can be offered under different legal forms. Among others, federalism is one better mechanism that guarantees sub-national states to benefit equal powers and thereby to have an identical relationship to the central government (*Ibid*). In brief, federalism is a mode of organizing a political entity that grants some autonomy to geographically defined subdivisions of the polity (Rubin and Feely, 2008:170).

Federal political systems where one or more regions are vested with special powers not granted to other provinces are known as „asymmetrical“. The federal model is usually extraneous if the need is to accommodate only one or two minority groups. In these conditions, special powers may be devolved only to that part of the country where the minority constitutes a majority; these powers are exercised by regional institutions (Ghai, 2000: 9). In general, very important powers are devolved and the region, unlike in a federation, plays relatively little role in national government and institutions. This kind of autonomy is known as regional autonomy. By its nature, regional autonomy is asymmetrical, as in Hong Kong and in the historic communities“ of Spain (*Ibid*).

The term „Autonomy“ essentially implies multiple decision-makers and permits each decision maker to put its own goals in the areas where such autonomy exists (Rubin and Feely, 2008:175). In a federal system for instance, the national government can decide that it wants to enhance education and such endeavor involves teaching desired subjects in elementary school. But if education is one of the areas where the sub-national states possess autonomy, the governments of the sub-national units will be able to define goals that differ from those of the central government and from each other (*Ibid*).

Generally, both federalism and regional autonomy are characterized by constitutional entrenchment of autonomy. When territorial devolution of powers is not constitutionally protected, the arrangements would be endangered and as a result, such a situation sometimes referred to as „regionalism“- where central powers and institutions remain dominant, as in Italy, or decentralization“ - which is frequently a form of administrative transfer of powers, as in France (Ghai, 2000: 9). Among others, fiscal decentralization (that involves the set of policies designed to

increase revenues or fiscal autonomy of sub-national governments); administrative or policy decentralization (that comprises set of policies that transfer the administration and delivery of social services); and political decentralization (that is designed to devolve political authority or electoral capacities to sub-national actors) are some of the key indicators and measurements of regional autonomy (Rodden, 2004: 482-488; see also Vezbergaite Ieva available in a web page).

There are some determinant factors that explain the success or failures of autonomy arrangements as pointed out by Ghai (2008: 14-22). Firstly, the prospects of establishing autonomy arrangements are strongest when the concerned state under goes a regime change. In brief, a period of regime change provides opportunities for autonomy for different reasons (*Ibid*: 14). In this regard, the adoption of the Ethiopian federation following the change in government in 1991 could be a concrete example. In addition, autonomy arrangements are most likely to succeed in states with established traditions of democracy and rule of law (*Ibid*).

Liberal societies have best record for regional autonomy because; they have established traditions of democracy and the rule of law. Autonomy arrangements usually require give and take; they depend on repeated negotiations for the adjustment of relationships or in the implementations of the law (*Ibid*: 16). Moreover, autonomy is more likely to succeed if there are several ethnic groups rather than two, i.e., autonomy arrangements which bring together two communities have a poor record. The collapse of the 1952 Ethio-Eritrean federation is a constructive example (*Ibid*: 17). Furthermore, autonomy arrangements which have been negotiated in a democratic and participatory approach have a better chance of success than those which are imposed (*Ibid*: 18). Above all, careful design of institutional structures is essential for the success of autonomy (*Ibid*: 21).

In sum, an issue of autonomy is central to many conflicts in the world. Autonomy can play an essential role in mediating relations between different communities in multi-ethnic states. It is an appropriate technique for the protection and promotion of the culture and values of community. In fact, it is not an easy tool to operate. That is, effective political and technical skills are required to structure and make it work. Broadly, given the difficulties of managing multi-ethnic states, autonomy is an important option, albeit its own challenges (*Ibid*: 24). Therefore, this study will investigate the status of regional autonomy in the Ethiopian federation since 1991 taking the urban policy-making and implementations autonomy of the Amhara and SNNPR states comparatively.

## 2.3. Public Policy: Definition and Conceptual Approaches

The term „policy“ is derived from the Greek root „*polis*“ (city state) and „*pur*“ (city), gradually evolved in to the Latin term „*politia*“ (state) and later to the English term „*police*“, which intends to denote the conduct of public affairs or the administration of government (Dunn 1994:33). Yet, there is no universally agreed definition for the term „policy“. A number of scholars have defined „policy“ in many different ways (Cochran and et al, 2009:1). Dye (1995) defines „policy“ as “what governments choose to do or not to do” (see also Fischer *et al* 2007: xix). Other scholars such as Lowi and Gindburg define „policy“ as “an officially expressed intention backed by a sanction which can be a reward or a punishment” (Fischer and *et al*, 2007: xix). Likewise, Anderson (2003:2) defines „policy“ as “a relatively stable, purposive course of action followed by an actor or set of actors in dealing with a problem or matter of concern”. This definition denotes that, „policy“ is a goal-oriented action designed to achieve desired goals.

As also defined by Cochran *et al* (2009), the term „policy“ is an intended course of action followed by a government institution for resolving a particular community problem. Therefore, such a course of action must be manifested in laws, public statements, official regulations or widely accepted and publicly visible patterns of behavior. This implies that, „policy“ is rooted in law and coercion associated with law. Equally, Fischer *et al* (2007: xix) notes that, as a process of action, „policy“ can take the form of a law, a rule, a regulation or an order. Policies commonly emerge in response to policy demands. In response to such demands, public officials make decisions that give content and direction to public-policy (Anderson, 2003:3). Among others, legislative statutes, executive orders and decrees, administrative rules and regulations and court opinions as well as statements and speeches by public officials reveals governments“ intensions and goals about what will be done to realize them (*Ibid*). Therefore, the working definition of „public-policy“ that is used for the purpose of this study is the definitions given by Cochran *et al* (2009) as well as Anderson (2003) - as it“s defined above.

### 2.3.1. Typologies of Policies

Conventionally policies are broadly categorized in to two forms: substantive and procedural policies. Substantive policies are policies those that refer to what government intend to do - such as constructing different infrastructures. Such kinds of policies directly involve advantages and disadvantages, benefits or

costs to citizens (Anderson, 2003:5). Procedural policies are those that pertain to how something be done or who is going to take action. Broadly, procedural policies are policies providing for the creation of administrative agencies determining the matters over which they have jurisdiction, specifying the processes and techniques that they can use in carrying out their programs and providing for presidential, judicial, and other controls over their operations (*Ibid*). Other than the above mentioned broad typologies of policies, policies could be also classified in to distributive, regulatory, self-regulatory and redistributive policies (*Ibid*).

Since the objective of this study is to explore regional autonomy of urban policy-making and implementations in the Amhara and SNNPR states, the study tries to analyze both the substantive and procedural dimensions of policies discussed above. In other words, the study tries to examine the roles of the two regional states in the adoption of regional-based socio-economic policies in general and urban policies in particular. As well, it also tries to investigate the benefits and adverse effects of the implementations of some urban policy programs for citizens of both regional states.

### **2.3.2. Notions of Policy-making and Implementations**

„Policy-making“ is a process that begins long before a policy proposal is presented in a parliament; and the process can be divided in stages or phases (Dosendorde, 2007:60). Conventionally, there are at least three common pre-policy stages namely: problem definition (i.e., issues formulation); policy demands; and agenda formation (Cochran *et al*, 2009: 8-9). However, the chronological differentiation between agenda-setting, policy-formulation, decision-making, policy-implementation and evaluation has become the conventional way to explain the sequential order of a policy process (Jann and Kai, 2007: 43; see also Dosendorde, 2007:61). Thus, the stages of policy-making were originally conceived as evolving in a chronological order. That is, first problems are defined and placed on the agenda; next, policies are developed, adopted, implemented; and finally these policies are examined against their effectiveness and efficiency so that either removed or recommenced (*Ibid*: 44).

Therefore, one among the key step in the development of a policy is policy formulation and decision-making for policy adoption (Jann and Kai, 2007:45; see also Cochran *et al* 2009: 8-9). It is the phase where a policy decision is negotiated and made in the formal political setting (Dosendorde, 2007:61). At this stage, the already identified problems, proposals and demands are transformed in

to government programs. Accordingly, at the stage of policy-formulation, the public administration concerned inspects an array of policy options that it considers to be possible solutions. Generally, „policy-adoption“ is the stage during which decisions are made at the governmental level, that result a decision that favors one or more approaches for addressing a given problem (Policy Briefing Note, 2013:2). Therefore, policy adoption includes the definition of objectives, i.e., what should be achieved with the policy and the consideration of a variety of optional alternatives (Fischer *et al*, 2007:45; see also Cochran *et al* 2009: 8-9; Policy Briefing Note, 2013:2).

Broadly, the process of policy-making is very intricate (Cochran and *et al* 2009:6; see also Chakraborty, *et al* 2003: 310). It involves a large number of actors among others; institutions, public opinion, active engagement of citizens, professionals, business and labor leaders, politicians, elected representatives, ministers, presidents and governors, judges, pressure groups and bureaucrats (Chakraborty, *et al* 2003: 31; see also Cochran and *et al*, 2009:6). Policy-making also calls on political resources, economic conditions, popular cultural attitudes and international conditions (Cochran and *et al* 2009:6). In fact, the decision on a specific route of action and the adoption of a program does not guarantee that the action on the ground will strictly follow policy-makers aims and objectives. Therefore, the stage of „policy-execution“ or commonly known as „policy-implementation“ is very crucial.

„Policy-implementation“ is defined as “what happens between the establishment of an intention on the part of the government to do something or to stop doing something and the ultimate impact in the world of action” (O’Toole, 2000:266). In brief, at this stage, the policy decision is supposed to be placed at work (Dosendorde, 2007:61). Generally, „policy-implementation“ involves those actions by public and private individuals or groups that influence the achievement of objectives set forth in prior policy decisions. Thus, at this stage, the policy’s implementation parameters are established which can directly affect the eventual outcome of the policy (Policy Briefing Note, 2013:2). Amid others, the process of „policy-implementation“ involves the following core aspects.

- ✚ Specification of program details, i.e., how and by which agencies/ organizations should the program be executed? How should the law/ program be interpreted?
- ✚ Allocation of resources, i.e., how budgets are distributed? Which personnel will execute the program? Which units of organization will be in charge for the execution?

- ✚ Decisions, i.e., how will be decisions of single cases be carried out? (Policy Briefing Note, 2013: 52; Van-Horn and Van-Meter, 1975:49-52).

Nevertheless, in most policy-implementation studies, three general explanations have been found about factors affecting for unsuccessful policy-implementations. These are: communication gaps, capability deficit and dispositional conflicts; each is briefly explained by Van Horn and Van Meter (1975:47) as follow:

- *“The communication process: Effective implementation requires that implementers know what they are supposed to do. As messages pass through any communication network, distortions are likely to occur - producing contradictory directives, ambiguities, inconsistencies in instructions, and incompatible requirements. Even when directives and requirements are clear, problems may arise as implementers fail to comprehend fully what is expected of them.*
- *The capability problem: Successful implementation is also a function of the implementing organization’s capacity to do what is expected to do. The ability to implement policies may be hindered by such factors as overworked and incompetent staffs; insufficient information, political support, and financial resources; and impossible time constraints.*
- *Dispositional conflicts: Implementation efforts may fail because implementers refuse to do what they are supposed to do”.*

Therefore, from the above discussions, one can comprehend that, effective policy- making and implementation requires more attention and deliberation over the structures and institutional effectiveness of a particular polity that involves the organizational loyalties and commitment of the implementers at the grass-root level.

Finally, „policy-evaluation“ or „policy appraisal“ which is a yardstick input either for the continuation or the termination of the policy is supposed to be an imperative stage of a policy process. That is, policies and their intensions will very often be changed or even distorted; its execution suspended or even totally abandoned (Policy Briefing Note, 2013:2; see also Dosendorde, 2007:61). In sum, on top of the above discussed theoretical approaches of policy-making and implementations, this study tries to examine the discourses of regional autonomy of urban policy-making on the one hand and the roles of diverse actors in the process of designing and executing urban policy programs on the other.

### **2.3.3. Citizens Role in Policy-Making and Implementations**

Citizens' rights to participate are central for a democracy. However, the degree of participation is debatable, but without a right to participate in the state's decisions (directly or indirectly) one cannot speak of a democracy (Dosenrode, 2007:204). A political system through which elites control power at the center may tend to make the legitimacy of regimes questionable. In consequence, gaps may prevail between policy-making institutions on the one hand and civil and social groups on the other (Mulugeta, 2005:50; see also Grindle, 1980). Thus, failure to create balance between the state and the society has increasingly become harmful to the policy-making process (Mulugeta, 2005:50; see also Balogun, 1998). In fact, such a failure occurs due to the absence of channels of communication and participation for citizens, CSOs and other stakeholders to have a direct participation in the policy-making process as well as the failure of accountability and transparency approaches between government and citizens (Mulugeta, 1995:50-51).

In a democratic federation, the people are sovereign and they legitimize the member state and the federal use of power (Dosenrode, 2007:23). In a federal polity, social forces and citizen action have strong impact on the actual operation and understanding of institutions, constitutions and intergovernmental relations. Indeed, citizen engagement forms one of the fundamental tests of how effective and legitimate a federal system is (Watts, 2006:6; see also Brock, 2011:248). Therefore, policy-making and implementation process has to call for participatory actions entailing direct representation, authorization and active decision-making. Indeed, "if development is defined as the capacity to make rational choices, the participatory nature of policy process is of primary importance" (De Coning and Cloete, 2000:27; see also Mulugeta, 2005:49). However, in most third world states it has been argued that, the channels through which governments hold themselves accountable to citizens and citizens communicate their demands for better policy and provision of services are often non-existent (Oyugi, 2000; see also Mulugeta, 2005:52;).

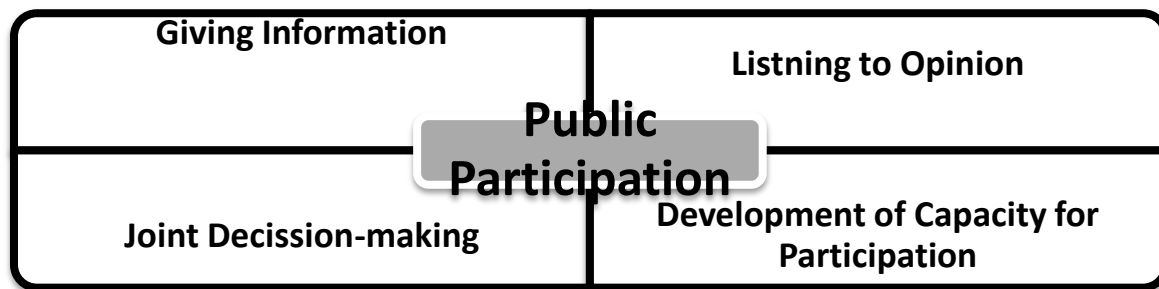
Generally, participation is a pillar instrument through which citizens and concerned stakeholders directly influence the making and implementation of policies. Good-governance requires that, citizens and civil society groups have the opportunity to participate during the formulation and implementation of development policies and strategies. In this regard, those affected communities and groups should be able to participate in the design and implementation

of policy programs and projects (IFAD, 1999:3). Briefly, participation is the creation of opportunities for the public in politics and governance that entails decision-making in various arrays, including community and national resource allocations that will have impact on the livelihood of the people. It is to be attained through sharing ideas, giving opinions and views, consultation, joint planning, joint implementation as well as direct control by the people (King Prajadhipok's Institute, 2005:10-1).

For the realization of effective public participation in decision-making processes, various institutional designs whereby citizens can be encouraged to participate and or provide inputs in the policy-making and implementation process must be created. Among others, public hearings, citizen's juries, round tables and electronic town meetings are examples of institutions meant to create opportunities for citizen participation (Mulugeta, 2005:52; see also Toddi and Ascher, 1997). Moreover, the presence of forums for public participation provides wider chance to authorize politically active CSOs and advocacy groups, academics, research institutes and the citizenry at large to develop informed outlooks on public issues and they can thus become venue of expressions of policy demands to policy-making institutions; and can also become deliberative as well as instruments of forming ideas on a public policy (*Ibid*). Among others, the principle of participation involves four key elements namely: listening to opinion; giving information; joint decision-making; and development of capacity for participation. These elements are demonstrated by the King Prajadhipok's Institute (2005) using the following diagram.



**Fig. 1 Basic Elements of Public Participation in Decision-Making**



Source: *the King Prajadhipok's Institute (2005:13)*.

The above figure demonstrates the need to provide clear information to the public; listening to whatever public opinion; allowing joint planning and decision-making; and finally creating capacity building schemes to enhance public participation in decision-making affairs. Therefore, the study tries to assess the existence of the above mentioned important elements during the adoption and implementations of urban policies in the study areas.

## 2.4. Division of Powers in Federation

In a federation, each level has to have some exclusive powers of their own, powers on which no other may intervene. This is derived from the idea of sovereign members joining on an equal footing. And this is why a constitution is so central to a federation (Dosenrode, 2007:22). The basic defining institutional feature of federations has been the constitutional distribution of powers between the federal and regional governments (Watts, 2007:83).

The concept of division of powers implies that, both levels issue laws which are directly applicable to the citizens. The laws of the federal level do not have to be ratified by the member states to enter into force. In most federations, the powers not explicitly handed over to the federal level remain with the sub-national states (Dosenrode, 2007:22). The sub-national states are also allowed to legislate within a federal area as far as the federal government does not use its rights. But, when this happens, the sub-national states will have to accommodate to the federal law (*Ibid*). In brief, the rationale for division of powers among tiers of government in a federation is to make the relationship between tiers of government „co-ordinate“ rather than „sub-ordinate“ (Wheare, 1963:10). Thus, each tiers of government should be limited to its own sphere and within that domain, should be independent of the other (*Ibid*: 14).

Generally, division of powers in a federation is an essential feature of constitutional government. An inherent feature of constitutional government is the ability to legislate and adjudicate. Thus, for a sub-national unit to claim to represent the sovereign will of its citizens- a claim separate from that of the national government- it must have its own constitutional institutions (Cameron and Falleti, 2005:246). Therefore, other than a sub-national executive, there should be sub-national legislature that within the capacities granted in the national constitution makes the laws that affect the sub-national territory. There must also be a judiciary that enforces the laws enacted by the sub-national legislature (*Ibid*). That is why in a federation, the self-governing status of the component states is typically constitutionally entrenched and may not be altered by a unilateral decision of the central government (Bin, 2012:2).

Basically, federalism is about the division of power. Powers and functions are assigned to the federal government and the sub-national units by provision of a constitution or by judicial interpretation (see also Bin, 2012:2). In brief, division of powers at two or more levels with exclusive competences at these various levels implies that, the central government may not occupy policy areas belonging to the member states without their consent (Lahteenmaki-Smith, 2007:141). In fact, the specific form and distribution of powers has varied and depends on the degrees and kinds of common interests and diversity within the particular society in question. A variety of factors such as geographical, historical, economic, linguistic, cultural and so on are very essential (Watts, 2007: 84). Broadly, the more the degree of homogeneity within a society, the greater the powers that have been allocated to the federal government, and the more the degree of diversity the greater the powers that have been assigned to the sub-national units. In fact, the federal government should have adequate powers to defy tendencies to balkanization (*Ibid*).

The process by which federations are established may affect the character of the distribution of powers (Watts, 2007:84). In a federation created by „aggregation“ of previously distinct units, the emphasis has usually been specifying a limited set of exclusive and concurrent federal powers with the residual powers remaining with the constituent states. The United States, Switzerland and Australia provide classic examples. Whereas, in a federation formed through a process of devolution from a formerly unitary state, the powers of sub-national units have been specified and the residual authority has remained with the federal government. Belgium and Spain provide concrete examples (*Ibid*, pp. 84-85). Broadly, there are two different approaches of distributing powers within federations: the

„dualist“ and „integrated models“. Many countries have elements of both. The „dualist model“ typically allocates different jurisdictions to each order of government. The „integrated model“ provides many shared competences for the sub-national governments often administer centrally legislated laws and programs (Anderson, 2008:21).

In the „dualist“ or „classical model“ of federalism, constitutional jurisdiction over different subjects is usually assigned exclusively to one order of government. In this model, each order of government normally delivers programs in its area of responsibility. However, in practice, the „dualist model“ does not achieve a clear division of powers because so many issues have regional as well as national dimensions. As a result, in all „dualist“ constitutions there are some „shared“ or „concurrent“ powers in which both orders of governments are intertwined. In fact, where powers are concurrent, federal law is generally, supreme, in cases of conflict. (*Ibid*, 22-23).

Under the „integrated“ or „interlocking“ model of federalism, some subject matters are exclusively assigned to one order of government, but most subject matters are concurrent, where the federal government sets „framework legislation“ that the sub-national units complement with their own legislation. Thus, the governments of the constituent units deliver programs in these concurrent areas. The „integrated model“ is sometimes also called „administrative federalism“ because the major powers of the constituent units are administrative. The German federation is a typical example for this model (*Ibid*, 23).

There is no single formula for determining the proper allocation of powers between tiers of government (Anderson, 2008:27). The specific powers assigned to each order of government have also varied from federation to federation according to the particular circumstances and balance of interests within each federation (Watts, 2008:90). In short, while there are some patterns in the allocations of powers within federations, there is also great variety. As a result, each country has its own debates around the allocation of powers. The intent to promote „diversity in unity“, enhancing public participation and efficiency purposes are some of the objectives of distribution of powers in a federation (Solomon, 2008: 47-50). However, principally issues of „efficiency“ and „effectiveness“ are the key rationales for the division of powers between orders of governments (Anderson, 2008:27). Therefore, any endeavor of devolving powers to the sub-national units needs to consider what powers may be required for the federal government to fulfill its role effectively for the federation as a whole

(Watts, 2007:178). In addition, „shared objectives“ across the federation are also an overriding determinant factor (Anderson, 2008:27). That is, all federations need also a central focus of loyalty that able to deal effectively with matter of common or shared interest of citizens of the whole federation (Watts, 2007:178).

In some countries, the federal government has broad power as in the case of the Russian federation, India and Nigeria. While in others, such as in the United States, the federal government has a limited and defined role (see also Bin, 2012:2). Broadly speaking, in most federations, the federal government is responsible for external relations, defense, the functioning of economic and monetary issues such as currency, customs, and excise, international and interstate trade, major taxing powers, inter-regional transportation, major infrastructure, and pensions. Whereas, sub-national governments often independently manage social policy such as primary and secondary education, health services, social welfare and labor relations; ensure the protection of public order; and solve other issues of local importance (Watts, 2007:90; see also Bin, 2012:2).

## **2.5. Essential Institutional Mechanisms for Sub-National Autonomy in Federation**

There are a great variety of autonomy arrangements for sub national governments. However, an important context for the viability of sub-national governments“ autonomy is not just the scope of jurisdiction that is decentralized for them, but the degree of autonomy they have in exercising that jurisdiction (Watts, 1999:14). The following issues are some of the key institutional principles for the feasibility of regional autonomy in a federation.

**Constitutional Division of Powers and Non-Centralization:** As discussed in the preceding section, in a federation each order of government derives its authority from the constitution. This is because of the fact that, each order of government acts directly up on its citizens rather than indirectly. Federations have varied greatly in the range of powers assigned to each order of government, but common to them all is the constitutional guarantee to the sub-national governments of non-centralization, i.e., autonomy, in at least some fields of jurisdiction (Watts, 1999:14-15). Constitutions give rise to and help stabilize political regimes by strengthening the legal-rational administration of the state and supporting rule of law. By giving sub-national governments“

constitutional standing, federalism has the potential to underpin both regime stability and the rule of law (Cameroon and Falleti, 2005:271). Generally, constitutions prescribe the way collective decisions are made within the polity. It delimits spheres of action and allocates competences to different tiers of government. Constitutions do not only allot powers to institutional actors but also provide check and balance against the use of powers-mainly against the power of the majority. In sum, the constitution as a „power map“ and basic legal order contributes to the legitimacy of the authority structures it constitutes by the explicit consent it has been given to (Abromeit,2007: 38-39).

**Regional Autonomy: Framework Conditions set by the Constitution:** This refers the degree of competences provided for sub-national states. In fact, the level of regional autonomy varies between countries and even between regions of the same country depending on the role that the respective national constitution assigns to regions (Baier, *et al*“, 2013:1). Therefore, the broader scope of autonomy granted for regions, the greater autonomy being operated at the sub-national level and the vice versa.

**Democracy and Constitutional Legitimacy:** „Democracy“ is broadly defined as “government of the people, for the people and by the people”. It is seen as the method through which individuals and groups in an area express their wishes as to who should be responsible for governing their area and how this area should be relate administratively to the broader community at both provincial and national level (De Villiers and Magi, 2008: 31). Constitutional legitimacy encompasses the rule of law, the autonomy and initiatives of the legislatives and executives at the sub-national level, and whether officials act within the law, and as well as all issues that need to be addressed at the sub-national level (Cameroon and Falleti, 2005:271). Though it is not always true in practice, broadly federal constitutions and democratic regimes go hand in hand. This is because; the separation of powers can exist only when at least some degree of autonomy is conferred on each branch of government (*Ibid*, 270). Broadly, a respect for constitutionalism or the rule of law is very crucial (Watts, 2008:68-69).

**Party Decentralization and Pluralism:** Political parties have a decisive role in political decision-making. In federal states this may either strengthen or weaken centralizing elements in policy-making. When Parties are fully centralized, so is federalism. When parties are somewhat decentralized, the practice of federalism is partially centralized (Riker cited in the work of Kumar

and Swenden, 2017). Therefore, non-centralized party systems have strong impact for the maintenance of federalism, which in turn, affects sub-national governance system. As noted by Elazar (1987: 222), non-centralized parties are necessary for the proper functioning of a federation. Thus, non-centralized party system plays a decisive role so as to avoid the “iron law of oligarchy” i.e., towards centralization, or in some cases the “iron law of secession”, i.e., towards disintegration (*Ibid*). Generally, political party systems are basic to the functioning of federations. Political parties play a critical role in determining how a written constitution operates in practice (Anderson, 2008:49-50).

An effective party system creates better access and opportunity for the proliferation of differences of interest and opinion (Riker, 1963:82). As in the case of the American federation for instance, commonly a two-party system has developed. As a result, there is a great opportunity for the diffusion of party financing and decision-making either among the state organizations or among those opposition groups operating countrywide (Elazar, 1975:33). The same is true in the Swiss federation where the system allows the proliferation of different political parties at both the cantonal and federal level. Most of the parties in the Swiss federation permit considerable cantonal autonomy in the process of policy-making. The political parties at the centre and at the cantonal levels are unlike each other. This condition helped cantons to enhance their decision-making power including the making of policies (Linder, 2010:12).

**The Capacity of Sub-National States:** Within a federation, there may be a wide difference among sub-national units in terms of their capacity to perform functions and in their influence on federal policy-making (Watts, 2008:72). Therefore, the availability of sufficient trained man power and natural resources as well as a supportive political culture are very essential factors (*Ibid*: 68). In sum, the fiscal capacity, development and population situation of the regional states can affect the degree to which sub-national units have able to take advantage of the high degree of self-autonomy (*Ibid*: 48, 74).

In sum, explicit division of powers; adequate allocation of powers for sub-national states; the existence of democracy and rule of law; non-centralized party politics; and the presence of adequate financial, institutional and human capital at the sub-national level are very crucial for the feasibility of regional autonomy of policy-making and implementations.

## 2.6. Federalism and Its Impact on Policy-Making

The role of a state in policy-making has long been a central topic in political science (Schmidt, 2000:1). Scholars in the field of federalism and political science over the past decade have begun to empirically explore the effects of federalism in comparative political context. The majority of such works has revealed the fact that federalism affects numerous areas of politics, economics and public policy (Volden, 2004:103-4).

It is widely recognized that, federalism enhances policy innovations at the sub-national level. Indeed, the most important contribution federalism can have on developments of society is its level of innovation (Gagnon, 1993:34). However, as noted by Schmidt (2000:3), theoretical assumptions and empirical findings about federalism's impact on policy-making vary widely and even contradict to each other. As to the arguments of Schmidt, questions such as "...can federalism serve the needs of the poor, politically unstable states with a heterogeneous population the same way as it provides sophisticated forms of decision-making for wealthy constitutional democracies? Can federalism foster competition and solidarity alike?" Thus, more systematic cross-national research on the effects of federal structure is needed to answer these questions (*Ibid*).

Notwithstanding the above arguments, federalism with its constitutionally protected division of powers between two orders of government is thought to make a difference to policy-making that involves ample space and opportunities for policy innovation (Chappell and Curtin, 2012:4). Conventionally, federalism is depicted as a contextual feature which conditions the behavior of individuals and groups, typically expressed as "federalism disperses power" or "permits policy diversity" (Krane, 1993:187). That is, the devolutionary character of a federal system can facilitate the governance of ethnically diverse society, extend democratic participation, adapt policy to regional needs and encourage innovation, experimentation and competition (Saunders, 1999:23). This is because; federalism is characterized by the territorial division of power and a sharing of the state's policy-making power between two or more levels. In a unitary state, the central government has the ultimate decision making power within all policy areas, but not so in a federation (Dosenrode, 2007:7).

Broadly, federalism allows constituent units to make use of their powers for the benefit of their citizens rather than putting aside this responsibility to the markets or anybody else. Hence, sub-national governments are able not only to decide on certain policy matters by themselves, but also to generate policy outputs more or less independently from central government (Keman, 2000:206). Thus, the promise of state and local policy-making in a federal system is that, sub-national governments may serve as “laboratories of democracy”, where they experiment with different policies and learn from one another (Shipan and Volden, 2008:840). Nevertheless, though the innovative function of federalism is very vital, it has been less emphasized by students of federalism (Frenkel, 1986:114).

In a federal system, policy innovation and learning can be found in the economic theory of “laboratory federalism”, which claims that in a multi-level system of jurisdictions, non-centralized public policies would lead to a process of „experimentation“ with new policies. In brief, it emphasizes the experimentation of new policies and the ensuing possibility of mutual learning about superior policies as an essential characteristic of federal systems (Oates, 1999:1131-33; see also Kerber and Eckardt, 2007:232). Another strand of research encompasses theories which consider innovation and diffusion of policies as an important aspect of inter-jurisdictional competition (Kerber and Eckardt, 2007:232). In other words, the values of federalism are also noticeable at the level of competition between orders of government, creating a situation in which federalism provides for flexibility in a variety of socio-economic and political issues within the system (Gagnon, 1993: 36). In this regard, Albert Breton suggested that:

*“Federalism offers the opportunity to tailor economic policies to the specific needs and concerns of citizens and groups in different parts of the country. In a world of uncertainty and rapidly shifting economic challenges, where there is little understanding of what is likely to work best, it provides the opportunity for experiment and learning, for flexibility and inventiveness. We can try different models for improving labor relations, for integrating education and training, for stimulating the flow of investment, and for diffusing technology”*(Albert quoted in Gagnon, 1993:37).

In brief, federalism possesses the necessary elements to become „a social laboratory“ in order to put in place new programs, to experiment, before proposing them to other partners in the federation (Gagnon, 1993:37). Therefore, triggered by yardstick inter-jurisdictional competition, policy innovations and simulation of best models through mutual learning would take place (Kerber and



Martina, 2007:228). In sum, federalism enhances policy innovation because it allows decentralized experimentation, mutual learning and competition (*Ibid*: 233). As a result, sub-national governments operate as “laboratories”, experimenting with policy responses that can spread across jurisdictions. Thus, given the background of ample policy capacity and competency, sub-national units can explore bold policy options and risk policy failure on a less damaging scale than if tried by a centralized government (Chappell and Curtin, 2012:4). That is the reason why one can discover greater policy innovation in federations unlike unitary states because, in federal states both the national and sub-national units have the capacity to foster policy in relation with a specific policy issues.

More importantly, in federal systems ideas and practices can be diffused and shared across governments through horizontal transfer i.e., across other sub-national units with similar policy powers and problems, and as well as vertical transfer, i.e., where a national government adopts innovative policies from below (Chappell and Curtin, 2012:4; see also Hueglin and Fenna, 2006: 247; Oates, 1999:1133). However, in order to facilitate learning from one another within the umbrella of federal jurisdictions, it is vital to have effective IGR institutions. Therefore, IGR machineries such as coordinating policy and fiscal institutions; formal and informal meetings of political and policy officials from each jurisdiction can work to enhance learning between and across different policy areas (Chappell and Curtin, 2012:4). Since the study of decision-making became imperative for understanding the nature and workings of a particular federation (David and Kantor, 1983:286), this study thoroughly explores regional autonomy of urban policy-making and implementations in the Ethiopian federation taking the Amhara and SNNPR states comparatively.

## **2.7. Sub-National Autonomy of Policy-Making and Implementations in Federations: A Comparative Perspective**

The primary objective of this section of the study is to explore the role of sub-national governments in the design and execution of their respective policies in particular and in the policy-making process of the federal government in general. Thus, the comparative analysis is made among some selected Western, Asian and African federations. Therefore, the section reveals insights about the division of powers and the role of sub-national governments in policy-making as well as the variety of legal and institutional mechanisms that characterize sub-national states of each federation on matters of policy-making and implementations and the lessons to be learned from each other.

### **2.7.1. Introduction to Policy-Making in Federations**

Since division of powers in a federal system is a pillar principle, it is vital to share or divide the power in a fair and proper way (Wheare, 1963:145; see also Dosenrode, 2007:62). In most democratic states, federalism is recognized as vital strategy to manage new demands that arise from societal change mainly via its mechanism of institutional adjustments and accommodation (Chandler and Zollner, 1988: xi). The emergence of complex interventionist governance system within industrialized societies has made federal arrangements increasingly relevant to comprehend patterns of conflict resolution (Chandler, 1988:4). Whilst states have expanded in size, they face diverse problems not only on policy agendas but also on matters of scope and impact of policy outcomes. Inevitably, this has forced towards a division of tasks within the political process. Thus, in a federal system policy networks have spread across formal administrative divisions. Such transformations have inescapably generated policy interdependence and have given new importance to the style and practice of political power-sharing intrinsic in federal institutions (*Ibid*).

One common facet of all policy-related interfaces in a federal system is the „independence“ and „interdependence“ of both the national and constituent governments (Chapman, 1990:69). However, in federations interdependence among levels of government becomes indispensable where almost any decision requires the involvement of more than one government. Thus, the extent to which an outcome depends on the mixture of independence and interdependence is conceptualized by the degrees of the federal factor (*Ibid*). In fact, one basic aspect of the institutional working of federal system is the role of inter-governmental agencies that facilitate a common policy-making by the federal and regional governments. Such a joint approach for policy-making and implementation is required not only in areas of „shared powers“ but also „exclusive powers“ where both orders of government undertake co-operative schemes on the basis of mutual consent (Saxena, 2002:2). Thus, the contractual sharing of public responsibilities, particularly common involvement in policy-making by all tiers of government in a federal system appears to be central features of federalism (Elazar, 1987: 185).

In a federal system, as far as the scope of governance remains limited, the probability of policy interference across levels of government is of little effect and the opportunity for relatively autonomous decision-making correspondingly high (Chandler, 1988:7). However, the growth of public sector and the growing difficulty of policy problems have made variations in interdependence

basically to any analysis of federal systems. Contemporary problems of state involvement in the industrial order from economic steering to energy issues, to industrial strategies or managing welfare- programs cannot be resolved without the cooperation of both tiers of government (*Ibid*). In this regard for instance Vile quoted in Chapman (1990:71) argues the following:

*“...The structural components of any system of government are not only constitutional and financial, but they are also political, administrative, and economic. These components do not operate in isolation according to the sphere of government, as is suggested by more rational approaches to the division of powers. They overlap and are interdependent, constrained by the appreciation of actors and organizations about the extent to which independent action is possible. Varying combinations of independence and interdependence in a range of policy arenas is the essence of a federal situation”.*

Thus, from the above argument one can infer that, sub-national units of a federation are not an „island“ isolated from the larger state in all aspects of the federal polity. Rather in a globalized world-where wider problems and challenges also prevail; there should be mutual interaction, cooperation and interdependence simultaneously maintaining its regional autonomy. In fact, pervasive interdependence does not necessarily imply collaboration (Simeon, 1979). Effective collaboration can be achieved only when the integrity of each order of government and mutual trust between levels are maintained (Chandler, 1988:7). Among others, constitutional and financial factors are vital in the policy-making process of negotiation in a federal system. Above all, political power is preeminent resource by which constituent governments may reduce dependency. It is also vital to consider the question about who benefits from the policies of a federal system (Chapman, 1990:72).

In a democratic society, though policy-making is thought as being the function of the elected representative to achieve certain objective at the best interests of the people, due to the growing complexity that prevails in those developed states of the modern world, there exist arrays of stages in the political process where elected officials lose control of their predetermined objectives (Chakraborty, *et al*, 2003: 310). Thus, it becomes inevitable that the makings of public-policy are the output resulting from interactions from governmental, non-governmental actors, individuals and other stakeholders. There are also two forms of policy-making bodies in federal systems, namely: „collegial decision-making“ and „specific-purpose authorities“ (Elazar, 1987:207). „Collegial policy decision-making“ involves a single body in which the separate institutions are represented but which

takes its decisions on a collective basis. The case of Canada's first-ministers' conferences have become vital collegial devices for policy-making. Germany also uses the „collegial policy-making“ system via well-entrenched intergovernmental executive-federalism. „Specific-purpose authorities“ in policy-making involves private, public and non-governmental bodies. The United States is a good example which has always relied heavily on such bodies as a means to supplement „general-purpose governments“ in the process of policy-making (*Ibid*: 208-209).

In a nutshell, in any forms of decentralized governance system, the prerequisite to enhance the effectiveness of public-policy is to identify the stakeholders involved in the design and implementation stages (Charbit, 2011:7). Thus, taking in to account the interdependence nature of policy design and implementation, the first step is to set up „institutional mapping“ of their roles and responsibilities to clarify their relationships. In this regard, sub-national governments play a key role both in the design and implementation of public policies (*Ibid*). Therefore, the following sections of the study attempts to briefly analyze scenarios of sub-national autonomy of policy-making and implementations from some selected Western, Asian and African federations.

### **2.7.2. Sub-national Autonomy of Policy-Making in the American Federation**

“Coming-together” or a federation formed through a process of „aggregation“ is a typical feature of the American federation-where formerly independent and sovereign states consent to forge common interest to join together under federal arrangement, so as to preserve some of its distinct autonomy while pooling common interests to the center as a shared value (Anderson: 2008:7-8; see also Stepan, 2005:257). The American constitution provides both the framework for federal and state governments“ structure and the limits of their powers (Stern, 2004:3; see also Verney, 2011:46).

Political institutions in the American federation are organized in a way to minimize or if possible to avoid the exertion of concentrated power. That is, power and authority are separated and shared across all aspects of the political landscape (Radin and Boase, 2000:67). This occurs horizontally through the demarcation of separate institutions charged with executive, legislative and judicial functions as well as vertically through the assumption of „shared“ or „separate powers“ between the national, state and sometimes local levels of government (*Ibid*). Thus, each state are sovereign and the American Constitution guarantees each state a republican form of government – that is, a government run by popularly elected representatives of the people (Stern, 2004: 21-22).

State governments in the US generally mirror the federal government. In each state, there is an elected head of executive branch, an independent judiciary and a popularly elected legislative branch. All states have a popularly elected legislature consisting of two chambers, except Nebraska, which has a single-chamber legislature (*Ibid*). Thus, states have the power to make and enforce laws, policies, levy taxes, and conduct their affairs mainly free from federal government or other states intervention (Stern, 2004:23; see also Stepan, 2005:265). This is mainly because, power is horizontally shared at the centre between three branches and also vertically devolved and shared in “*marble-cake*” federalism between the federal and state governments (Stepan, 2005:265). As also noted by Kincaid in his work entitled “The Eclipse of Dual Federalism by One Way Cooperative Federalism”, the deep rooted trends of American dual federalism was shifted towards cooperative federalism. According to Kincaid, the federal government has used different tools to foster state and local cooperation with federal policy objectives. Among others, grants-in aid, deficit spending, minimum national-standards schemes, court orders are some of the tools introduced by the federal government to enhance cooperation with state and local governments in policy making.

However, since the federal government does not have a monopoly on policy-making, important policy-decisions are regularly made at the state level. In brief, state governments in the American federation have broad mandates of autonomy in both policy-making and implementations. These include:-

- Setting educational standards and establishing methods for funding public education;
- Building and maintaining transportation networks;
- Establishing state-sponsored colleges and universities;
- Licensing and regulating business and professions;
- Creating and overseeing non-federal courts and the criminal justice system;
- Providing for the public safety;
- Issuing and recording birth and death certificates;
- Administering publicly funded health, housing and nutrition programs for the low-income and disabled reside;
- Managing state parks and other lands for recreation and environmental conservation purposes and so on (Stern, 2004:23).

Some of the above mentioned responsibilities are delegated or shared with local governments in many states (*Ibid*). Many cities for instance regulate a variety of public policies such as water, electric power, natural gas and telecommunications. Cities and towns are governed by elected officials. These officials usually include a Mayor and City Council that makes decisions and make policy (*Ibid*: 26). Generally, due to the state's jurisdictional strength and their resistance to federal encroachments, they are able to forge their political and policy independence (Radin and Boase, 2000:72). This implies that, the American federal system demonstrates ample models for policy-making since states have strong voice on affairs of both their own policies and even in the national policy-making process. Briefly, states are not passive recipients of centrally designed policies; rather they have strong institutional power in the process of policy-making (*Ibid*: 77). In this regard for instance, the following paragraph provides few insights about the status of policy-making and implementation autonomy of the states in areas of the public education sector.

In all states, public education through grade 12 is available at no charge to virtually every school-age resident. Each state's constitution or public laws provide for the manner by which public education is to be administered and funded. In most cases, school districts are established with a popularly elected school board of trustees. These boards create budgets, set policy, and hire the administrators who run the schools (Stern, 2004: 27). In most states, public education is funded by taxes assessed on personnel and business property and state governments may provide additional funding from general state revenues or dedicated revenues from state lotteries. State governments are responsible for setting education standards and general policies within the state, but implementation is left to the local school boards (*Ibid*). The above discussion implies the existence of broad autonomy for state governments in policy-making and implementation arenas.

The role of the judiciary is vital for the proper and smooth functioning of state's power in areas of their assignment. The Supreme Court's role was deemed so important that the founders gave the justice life tenure, thus insuring the high court's independence. The Court insures that the constitution, and hence the doctrines of separated powers and federalism are properly construed. The Court provides a valuable check on government by giving citizens power over the laws that govern them (Beckett, 1998:648). Therefore, the main point of departure in the American federal system is the actual reality of "power fragmentation" i.e., division of powers at different level of government

and within institutions (Radin and Boase, 2000:67-68). The American federal system did not begin with the assumption of a strong national government. Instead, it has developed largely from a “bottom-up” distribution of power. Thus, unlike a parliamentary federal system, in the American system there is no institutional actor with authority to look at the government as a whole. That is, with the exception of some emergency programs like wartime situations, the system would not create a national planning commission at the center (*Ibid*).

As far as interactions between levels of governments in policy-makings are concerned, there are multiple arenas in the American system. Members of the Congress deal with issues involving relationships between levels of government in two forms: in view of specific needs of their own states or via policy issues that arise in their committee assignments. In addition, each of the executive agencies and departments usually has a staff member given specialized responsibility for dealing with intergovernmental matters (Radin and Boase, 2000: 76-77). Although each sub-national state may deal independently with other unit of government, their involvement with the national government usually occurs through collective action. There is an organization called the PIGs (the Public Interest Groups), placed in Washington, and provides information to their members about national developments of interest to the group, take stands on relevant policy issues, and sometimes offers technical support to their constituencies. Individual states speak through the governor, members of the legislator and other directly elected or appointed state level officials (Radin and Boase, 2000: 68, 77).

Generally, states in the American federation have strong autonomy in policy-making. Other than the national level institutions, government units from both state and local levels have also strong power on national policy. In other words, state government officials have multiple accesses into the larger national policy process (Krane, 1993:187). Governors also possess a freedom of action that encompasses personal contact with presidents; strategy sessions with their state congressional delegation; negotiations with federal administrators; and mobilization of public opinion in their home state and throughout the nation. State government officials also possess the capacity and resources by which to influence national policy (*Ibid*). Each state also has a say through the governor, members of the legislature, and other directly elected or appointed state-level officials. In addition, congressional members of both the House and the Senate will represent the state interest.

Even the interests of each locality can be safeguarded by the mayor, a county commission, a city council, a township board or by member of the House from the vicinity (Radin and Boase, 2000:77).

In spite of the key role of the senate, there exist arrays of policy-acting organizations at the national level. *Inter alia*, the National Governor's Association, the National League of Cities, the International City Management Association, the Council of State Governments, the National Association of County Officials, the US Conference of Mayors, and the National Conference of State Legislatures are some of the major actors of policy makers in the US system. Many of such groups are also active at the state level (Radin and Boase, 2000:77). There are also "specialized policy actors" which actively influence the making of public policies (*Ibid*: 78-79).

Moreover, the American political parties hardly ever have centralized power at all. Thus, the decentralized nature of the party-politics significantly contributed for the perpetuation of high degree of state and local autonomy in policy-making (Elazar, 1984:48-9). The existence of a non-centralized party system is perhaps the most imperative element for the maintenance of federal non-centralization (Elazar, 1987:178). In the American system, two-party system has developed (i.e., the democratic and republican party). However, there is a great opportunity for the diffusion of party financing and decision-making either among the state organizations or among those opposition groups operating countrywide (Elazar, 1975:33).

Furthermore, since the American system of government was designed to be deliberative, accessible by citizens and open to a wide-array of opinions and interests, there exists a significant position for non-governmental organizations and institutions; private media's; trade associations; public policy research organizations; labor unions and so on to influence the making of public policies (Stern, 2004:29-30). This reveals that, policy-making processes at the sub-national level is made with the active involvement of diverse actors.

### **2.7.3. Sub-national Autonomy of Policy-Making in the Swiss Federation**

The Swiss federation is characterized by a „coming-together“ federation“. The 1848 Swiss constitution recognized „full cantons“ and „half-cantons“, in which the „half-cantons“ differ from the „full-cantons“ in the sense that, the first have each one seat instead of two seats in the federal



„Ständerat“ (i.e., the lower house). Currently, the Swiss federation is composed of 20 „full-cantons“ and 6 „half-cantons“, possessing substantial autonomy. The system is organized in to three orders: the commune, the canton and the federation (Elazar, 1991:252-53). Its federal structure which leaves a high degree of autonomy to the cantons has ensured the peace-full co-existence of two major religions (protestant and Catholic), and four official languages (German, French, Italian and Romanish). Thus, Switzerland is a typical feature of a „multinational federation“ (Poirier, 2005:94-5; see also Elazar, 1991:252; Aziz *et al* 2003:127).

The canton's autonomy is a fundamental element in the practice of federalism in Switzerland (Poirier, 2005:94-5). Sovereign power is vested to the Cantons, unless otherwise not limited by the federal constitution (Art.3 of the Swiss Cons). It is this balance between „self-rule“ and „shared-rule“ that seems the key to the country's stability (Elazar, 1991: 254). The federal order of government enjoys a number of competences that is explicitly outlined in the constitution. Among others, defense, foreign policy, energy, trade and commerce are federal powers. Cantons on their side are responsible for urban planning, education, culture, health care, and police and so on (chapter 2 of the Swiss Constitution). „Residual powers“ are left for the cantons. Any transfer of cantonal competences requires the support of the Swiss voters and the majority of canton via referendum (Poirier, 2005:100).

Any amendment of the Swiss constitution must also be approved by a majority of Swiss voters at the national level and by the majority of cantons (Poirier, 2005: 107; see also Schmitt, 2012:191). „Consensus democracy“ is a typical feature of the Swiss federation. It operates in a bottom-up process. Above all, it is the people which have a final say whether a law of the general legislature shall go in to effect (Wheare, 1963:17). Other than electing their parliament, citizens in Swiss are provided with two indispensable instruments of direct democracy: the „popular initiative“ and the „referendum“ which both allow them to influence decision-making processes (Linder, 2010:11).

„Administrative-federalism“ is a typical feature of the Swiss federation, in which cantons implement not only their own laws, but also federal laws (Art.46; see also Poirier, 2005: 110). However, cantons enjoy high degree of autonomy including the making of their own socio-economic policies. Therefore, cantons are not merely administrative units but also are the places of real and

significant legislative, executive and judicial power. They all have their own parliaments and executives elected by the citizens of the canton. Some cantons offer a “compulsory referendum” for every cantonal law; others apply “optional-referendum”, which are only held if a certain number of citizens request it. Some others even have “open- air” assemblies to confirm or reject laws adopted by the cantonal parliament (*Ibid*: 103-104). Thus, all cantonal governments, though differ in organization and size, are based on the principle of the sovereignty of the people (Elazar, 1991:254).

The extensive autonomy enjoyed by cantons in the design of their own institutions, the laws and policies they can adopt in their own sphere of competences, as well as in the way they can implement federal legislation leads to quite different political systems and public policies. Citizens are frequently asked to vote on specific constitutional and legislative proposals, as well as spending for particular projects through referendum. Thus, „direct-democracy“ is the dignified feature of the Swiss people. The peoples are very close to their local powers, and hence, they can have more control over public affairs (Poirier, 2005:114-5; Schmitt, 2012:178). That is why Switzerland is sometimes called “*Willensnation*” in German, which means: “a nation maintained by the wills of its inhabitants to preserve their homeland” (Schmitt, 2012:181). The political culture of Switzerland is therefore, „federalist through and through“ meaning political culture is reflected in every aspect of Swiss civil society including decision-making (Elazar, 1991:256).

Article 45(1) of the Swiss constitution also provides that, “...the cantons shall participate in the federal decision-making process and in particular in legislative process”. Art.45 (2) of the same constitution also offers that, the confederation must share information concerning its own policy projects, in due time and in a detailed mode. Art. 47(1) of the constitution also stipulates that, “...the confederation shall respect the autonomy of the cantons”. More significantly, the constitution guaranteed that, “the cantons, the political parties and interested groups shall be invited to express their views when preparing important legislation or other projects of substantial impacts as well as in relation to significant international treaties”(Art. 147). In doing so, „Consultation Procedure“ was endorsed by the Federal Act (Consultation Procedure Act, CPA RS 172.061); and a Federal Ordinance on the Consultation Procedure (Consultation Procedure Ordinance, CPO 172.061.1). As articulated under Article 1(2) of the Act, “the consultation procedure has the aim of allowing the cantons, political parties and interested groups to participate in the shaping of opinion and the

decision-making process of the Confederation”. In addition, a “Freedom of Information Act” was enacted by the Federal Act. This Act, among others, seeks to promote transparency with regard to the mandate, organization and activities of the administration. Hence, the act provides citizens to have free access to official documents except some cases listed under Article 3 of the same act.

For the cantons, there are also important institutions of inter-cantonal harmonization, which are called the „Conferences of Cantonal Ministers“. They are a means of voluntary co-ordination devoid of any legislative competences. Nevertheless, major accords of these conferences become *de facto* cantonal law (Armingeon, 2000: 115). In order to safeguard its interests, in 1993 the cantons had established the Conference of Cantonal Governments (CCG) which is an organization of defending the interests of the cantons (Schmitt, 2012:185). As already discussed above, the cantons are strong and they cooperate among themselves and with the government in many ways, for example, in the Conference of Cantonal Governments (*Konferenz der Kantons regierungen*), in the various „directors conferences“, where they try to reach a consensus when replying to the government’s policy proposals, or through the many inter-cantonal agreements (Dosenrode,2007:69).

The presence of CCG is an important means of inter-cantonal cooperation, which serves as a forum for consensus building between cantons before negotiations with federal authorities (Poirier, 2005:18-9). This conference plays a significant interface between the confederation and the cantons on important policy issues. It is also an effective center to which federal authorities can communicate information in the process of legislative consultation. The CCG makes sure that the necessary coordination and information is available for the attention of cantons. Thus, the cantons are protected against a strong executive by a variety of veto points and this forces the federal government to seek cooperation. Moreover, the cantons may themselves initiate federal law by sending a proposal to the parliament (Dosenrode, 2007:70).

Furthermore, there is a Swiss Association of Cities (SAC), which is committed to urban issues in Switzerland. This association keeps the interests of its members from all corners of the country. Above all, as far as urban development endeavors are concerned, there is a Tripartite Agglomeration Conference (TAC/TAK), which is a political platform of the confederation, cantons, cities and municipalities for a common agglomeration policy in Switzerland. The TAC/TAK was founded on

20 February 2001 with the involvement of different bodies and conference-based organizations. The TAC/TAK is aimed to ensure that the federal government, cantons and municipalities work more closely together and develop a common agglomeration policy. Through keeping all parties informed, the TAC/TAK wants to strengthen cooperation within the urban areas and tackle concrete agglomeration and other urban challenges.

More importantly, the cantonal units of most political parties on the other have a high degree of autonomy from parent party at the federal level and each canton has a different party system. Cantons are the operational units of major parties (Telford, 2002:67-69). Most of the parties permit considerable cantonal autonomy in the process of policy-making. The Swiss parties at the federal level are essentially confederations of cantonal party units. In fact, it is the genuine operations of federalism and proportional representation that led to a highly fragmented multi-party system in Switzerland (Linder, 2010:12). Broadly, the cantonal and federal parties maintain a high degree of political autonomy and such parties at both levels are unlike each other. These features of the Swiss party politics had strengthened the sovereignty of each order of government (*Ibid*). Therefore, the Swiss constitution and the practices of the federation is a genuine sign for the presence of popular sovereignty (Armingeon, 2000:124-5).

In the Swiss federal system, federal and cantonal authorities tend to work in partnership, more than through competition. The general rule that ranges from consultation to information-sharing and to referendum has created the peaceful management of political divergences (Poirier, 2005:121; see also Schmitt, 2012:190-91). In consequence, the Swiss federal system has been successful as a constraint to central government. Briefly, the system encourages policy innovation, preserves regional socio-cultural and political differences and is a major means of integration in a highly heterogeneous society (Armingeon, 2000:117).

In sum, the different ethnic, linguistic and religious groups and economic sectors have an ongoing voice on policy-making (Elazar, 1987:156). Thus, many of the cantons have experience with policy innovations with quite different strategies. Consequently, these policies have been adopted on the federal level, *inter alia*, policies against drug, labor market policies are some examples which were initially innovated at the cantonal level and later diffused to the confederation

(*Ibid*: 120). This implies that, cantonal level in the Swiss federation becomes centers for “laboratory federalism”. The “bottom-up” creation processes of the federation guarantees cantonal autonomy of policy-making even more than the constitutional provision (Schmitt, 2012:177). In other words, the nature of the federal system, the practice of the party-politics as well as the practical reality of democratic legitimacy and rule of law created balance of powers between the national government and the cantons, which in turn, made cantons fertile grounds for policy autonomy and innovation.

#### **2.7.4.Sub-national Autonomy of Policy-Making in Indian Federation**

India is a federation of 29 states and 7 union territories (Warner, 2014:1-2). The 1949 constitution of India established a polity based on a British type parliamentary system of government with a quasi- federal system. The federal system for a long period since independence was governed by a dominant party-the Congress Party (Riker, 1964: 120-21; see also Pal, 1984:235-36; Elazar, 1991:116; Verney, 2011:48-9). In spite of recent developments, there are also a variety of indicators that underpin the high degree of centralization for instance; the union government controls most of the economy by means of Central Economic Planning (CEP). The central government has many times in the 1970’s taken over the government of states believing that, the states have mismanaged their authority. By reason of all these, one can brand the Indian federation as more centralized (*Ibid*: 121).

The Indian Constitution divides legislative powers in to three categories: union, state, and concurrent. In a dispute between a state and the union on a matter of concurrent jurisdiction, union law usually prevails. The Union list consists of 99 items on which parliament have exclusive power to legislate. The state list consists of 61 items in which uniformity is desirable but not essential. The state legislature has exclusive power to make laws on these subjects, but under certain circumstances. The union parliament can also make laws on subjects in the state list. However, the parliament has to pass a resolution with 2/3<sup>rd</sup> majority that it is in the national interest to legislate on this state list. Though states have exclusive powers to legislate on items in the state list, several articles in the constitution identify situations in which the center can legislate on these items. The concurrent list consists of 52 items in which uniformity is desirable, but not necessary (The Indian Constitution; see also Warner, 2014:2-3). The Indian Constitution establishes full union control over the states (Warner, 2014:3). There are several ways in which the constitution empowers the union to

influence internal political matters in the states. The states do not have individual constitutions, but are governed under the relevant provisions of the union constitution, which sets forth the basis for state governmental organization and powers. Unlike the American, Swiss and Ethiopian federations, residual powers in the Indian federation remain with the center.

Though the states have exclusive powers to make laws and policies in the areas allocated to them, the union government has an extra ordinary power of legislation in state subjects in the national interest when authorized by the Rajya Sabha, the Upper House of the parliament to do so (Article 249 of the constitution; see also Mitra, 2000:44). Indeed, the role of the Central Planning Commission in creating a more centralized trend in planning by overtaking the role of states was highly visible. Generally, in the Indian system, there exist for a long period of time a high level of centralization of policy initiative and policy-making by the government (the executive) at least so far as major policy initiatives and all major functionaries and institutions involved in policy-making have implicitly recognized as the role of the union government in general and the prime-minster in particular. Therefore, as many scholars argue, the Indian federal system and its constitution is a „quasi-federal“ both in its creation and political operations of the system (Telford, 2002:56; see also Wheare, 1963:77).

In fact, as far as policy-making matters at the federal level is concerned, there are policy-formulation and coordinating bodies, namely: Cabinet, Prime Minister’s Office, Cabinet Secretariat, Planning Commission and National Development Council (NDC) (Chakraborty, *et al*, 2003: 311). Some of such institutions particularly the planning commission is the most influential institution that take some policy measures to influence states’ policy (Jha, 2014:3). On the other hand, within the cabinet, the power of the prime-minster is very high since the prime-minster exerts strong influence over policy-decisions if he/she has the majority support of members of the union legislature. It is also observed that, the cabinet and the cabinet committees have a bare role in decision-making and their role is only limited to an advisory role while real decision power is taken by the prime-minster (*Ibid*). Moreover, the domination of one party system is a common facets at the regional level, for instance in Skkim (one among the constituent state of the federation), its political party named Skikim Sangram Parishad (SSP) determines policies and finally recognized as policies of the government. As a consequence, there is no distinction between the party and the government

because to the people of Sikkim, the party (SSP) was the body and the government was the soul of the body (Chakraborty, *et al*, 2003:322).

Political centralization in the Indian system embodied in the so called „one party dominant system“ until the year 1989. As a result, the system contributed for the centralization of power and hence, states were virtually treated as subordinate units. Thus, unlike the Swiss and the American system, the party system in India, particularly the old „Congress System“ has hitherto been „quasi-federal“, and thus reinforced the „quasi-federal“ nature of the constitution and the political instability displayed in the Indian federation (Telford, 2002:70-73). In consequence, commonly the state governments are highly dependent on the union government to a large extent for financial help (Chakraborty, *et al*, 2003: 320). Financial and economic power leads to increasing dependency of the states on the center. Typical examples for this are state’s failure in the implementations of some policy programs in the policy domains of education, health and employment (Warner, 2014:13).

Generally, until the end of the 1980’s, states in India are highly dependent on the policies of the union government. On the basis of the Indian constitution for instance, urban policy and planning are state powers. Thus, without constitutional amendment, the union government does not have the legitimacy for urban planning. At maximum, the union government can issue directives; offer advisory services; sets yardstick laws and fund programs which the states can follow at will (Shaw, 1996:224). In spite of being empowered to do so, only a few state governments have taken the initiative for policy-making in this area and much of what exists as urban policy has come from the union government. Though urban policy-making powers are distributed between the union and state governments, the union does enjoy a dominant role as in the case of other policy issues such as education and environment (Ibid). In sum, as we can understand from the above discussions, though the Indian constitution made detailed power distribution among tiers of government, the union powers are designed in a way that it could be exercised widely to the extent possible for a stronger center. As a result, until the end of 1980’s, the autonomy of Indian states in policy-making power is bared unlike the autonomy of sub-national states of the American and Swiss federations discussed earlier.

However, the Indian federalism underwent significant changes. The working of the Indian federal system and centre-state relation shows some degree of transformation (Singh, 2004:164). At

the end of the 1980's, regional political parties gained significant position in the state politics (Lalmeena, 2009:7). The rise of different political parties on the state politics had brought two important impacts. These are: loosening the centralized federal structure and the shifting of focus from the national to the state level, which conceded to the states as independent political space (*Ibid*). The emergence of electoral bipolarities in the states since 1990 has brought a major transformation. The Congress party has declined as a „party of national governance“. Thus, there has been a federalization of the party system with a bipolar party system emerging in most states (*Ibid*).

After 1991, the dominance of the center in economic policy-making has witnessed significant decline paving the way for the state governments to design their own policies. Introduction of New Economic Policy (NEP) in 1991 has also led to a paradigm shift in center-state relations. Among others, the dissatisfaction of states; the gradual change in party system from one dominant to some degree of party pluralism; regionalization of policies; and liberalization of the Indian economy are the factors that results the shift in center-state relations in policy-making schemes (Jha, 2014:5-6; see also Warner, 2014:4-5). More importantly, a gradual de-institutionalization of the congress party and its inability to attract across a wide range of social groups are the key factors that led to the fragmentation of party systems in the federation (Kumar and Swenden, 2017).

In terms of center-states relations in politics in the 1990's, many fundamental changes took place in the Indian federation (Jha, 2014:5-6; see also Warner, 2014:4-5). State-based political parties have playing a significant role in state politics given that all federal governments between the years 1996-2014 are coalition governments (Kumar and Swenden, 2017). Broadly, economic liberalization and party system fragmentation are likely to generate centrifugal tendencies. As a result, the role of states in policy-making and implementations has increased. From 1990-2014 for instance, state government expenditures on social policy has increased faster than union expenditures (*Ibid*). In recent years, state governments more than the union government are in charge of functions relating to public welfare and the political system is so structured that a large part of political activity takes place in the states (*Ibid*). From the above discussion, the Indian federation provides important thoughts about the need to have party decentralization and economic liberalization at the sub-national level for the feasibility of regional autonomy of policy-making.



### **2.7.5. Sub-national Autonomy of Policy-making in the Union of South Africa**

The 1996 Constitution of South-Africa provides three spheres of government namely national, provincial and local government. These levels of government are „distinctive, interdependent and interrelated“ (Constitution of the Republic of South Africa, Section 40 (1)). Here the word „distinctive“ denotes that, each sphere has its own unique area of operation. „Interdependent“ implies that, the three spheres are required to co-operate and recognize respective areas of jurisdiction. Whereas, the term „interrelated“ emphasizes that, there should be a system of cooperative governance and intergovernmental relations among the three spheres (De Villiers, 2008:135).

As declared in chapter six of the Constitution, the republic has 9 provinces. The constitution provides for a constitutionally entrenched division of powers between the national and provincial governments and appoints the Constitutional Court to enforce the arrangement (see also Malherbe, 2008:46). The provinces have exclusive legislative power in respect of functional areas mentioned under schedule 5 of the constitution. The provincial governments are elected government bodies and have meaningful legislative and executive powers conferred on them by the constitution (Section 104 of the Constitution).

Section 125 (3) of the constitution stipulates that “...the national government, by legislative and other measures, must assist provinces to develop the administrative capacity required for the effective exercise of their powers and performance of their functions”. Thus, the relationship between the national and provisional governments is governed by the principle of “cooperative government” set out in Chapter 3 of the constitution. According to this principle, each sphere of government is expected to maintain close cooperation within a larger framework that recognizes the distinctiveness of every component as well as their interrelatedness and interdependence. Theoretically, the relationship is also characterized by consultation, coordination and mutual support (Malherbe, 2008:25). Therefore, the power of the national government to guide, support or intervene is not anticipated to dominate the other spheres and centralize all powers. Instead, they are mechanisms to help the other spheres to acquire and enhance the capacity they need for exercising their constitutionally granted powers (*Ibid*, 28). However, practically the principles of cooperative government and one-party dominance have been exploited to promote national dominance instead of

facilitating a genuine cooperative relationship between the national and provincial governments (*Ibid*, 48).

Though the three spheres are independent, they have to work together when deciding on issues of public policies, budget and other activities particularly in areas that cut across all spheres (De Villiers, 2008:135). The national government is generally responsible for policy-making, setting national standards and norms, rules and regulations. The provincial governments deal with matters that affect their own provinces. Thus, provincial legislatures make their own laws in some areas (*Ibid*). However, in the South-African system, there exist broad areas of concurrent powers of both the national and provincial governments (*Ibid*).

In relation to urban policy and planning, the South African government has put in place an urban policy and planning system that reasonably addresses the long term needs of urbanization (Ruhiiga, 2014:617). South Africa's urban development policy as appears in the government's white paper set a vision governed by a series of long-term goals. Four types of urban areas were identified for urban development planning purposes. These are: - tribal areas; rural formal/commercial farming areas; an urban formal area; and an urban informal area. (*Ibid*: 614).

On the other hand, at both the national and provincial levels, there are important institutional mechanisms for the making of policies. The Policy Co-ordination and Advisory Services (Policy Unit) is one of the key institutions that deal with policy-making. The Policy Unit conducts research, advisory, policy, project/program and strategic support to the presidency and government as a whole on matters of socio-economic development, justice, governance and international affairs. The Policy Unit comprises five main policy sectors, economic, social justice, crime prevention and security, international relation and governance and administration (Gumede, 2008:11). Forum of South African Directors-General (FOSAD) is the other important forum that deals about public policy sector issues. The policy unit works very closely with the FOSAD clusters (*Ibid*).

The National legislative authority in South Africa is vested in parliament, which consists of two houses: the National Assembly (NA) and the National Council of Provinces (NCOP). One among the key function of the National Assembly is to pass legislation. The NA is required by law to facilitate public involvement in its legislative and other processes and its committees in a regulating manner (*Ibid*: pp. 11-12). Generally, the process of policy-making in the South Africa federation

passes through some important stages of processes. In each stage of the policy making processes, anyone who is interested and /or affected can give comments and ideas. Interested parties are also allowed to provide comments and suggestions on government draft laws and policies (*Ibid*: 12).

At the Provincial level, the legislative authority of a province is vested in its provincial legislature. In exercising its legislative power, a legislature may consider, pass, amend or reject any bill before the legislature initiate or prepare legislation. As in the National Assembly, the National Council of Provinces, a provincial legislature must ensure public involvement in the legislative and other processes of the legislature and its committee, in a regulated approach (*Ibid*).

Likewise, at the local level, a municipality has a right to govern, on its own initiative, the local government affairs of its community, subject to national and provincial legislation, as provided for in the constitution. In brief, municipalities have a right to exercise their powers without the national or provincial government impeding their ability to exercise their powers and functions (*Ibid*: 13). Broadly, as in the cases of the American and Swiss federations, public participation forms a basis for the administration processes in the union of South Africa. In brief, there is a legal provision for public participation in all spheres of the government and its policy making processes (See Gumede, 2008). Therefore, as discussed above, one of the most important experiences in the policy making processes of both the national and provincial governments of South Africa is the existence of adequate space for the accommodation of public as well as political parties' comments, views and opinions.

On the other hand, as far as national and provincial governments' interaction in decision-making processes are concerned, there are a variety of formal institutional arrangements. Among others, the National Council of Provinces (NCOP), the Intergovernmental Forum (IGF), the „Minmics“, the Forum of South African Directors (FOSAD) are vital institutional mechanisms for provincial and national governments relations. The NCOP represent provincial interests in the national sphere by providing a national forum for public consideration of issues affecting the provinces. Thus, the NCOP brings together representatives from all the nine provinces to ensure that provinces are involved in the legislative process (Phosa, 1999: 55). Generally, NCOP is a bridge between the national and provincial spheres so as to promote the principle of cooperative government (Malherbe, 2008:51). Minmecs are cases where national ministers and the relevant provincial MECs (Members of the executive council) meet to formulate policy and discuss any other related issues (*Ibid*). All the

above mentioned institutions are some of the key institutions created to ensure coordination in policy-formulation and implementation. The intension is to make sure that policies emanating from different levels and spheres of government reinforce, rather than contradict each other (Malherbe, 2008: 56).

In spite of the existence of division of powers between the three spheres of government, in the South African union, there was national government's intervention over provincial jurisdiction. In this regard for instance, the national government implements a project without understanding the plans of provincial and local governments. This creates duplication and wastage and thus affects the powers of provinces (*Ibid*). On the other hand, in spite of recent developments, the major factor affecting the actual operation of regional autonomy of policy-making in the South-African union since 1996 had been the dominance of the African National Congress (ANC). This has meant that, despite the many federal features of the constitution, the predominance of the ANC has led in practice to a high degree of centralization in policy-making (Watts, 2008:50). Thus, it can be argued that, the policy-making endeavor of the provinces was partly constrained by a single centralized party domination (i.e., the ANC).

### **2.7.6. Comparative Analysis**

The nature and scope of federation differ from one another and largely depends on the peculiar socio-economic and political conditions of a country to which it has to serve up. Thus, though no "one-fits-for-all" system of federalism, lots of experiences can be shared and learned from each other. The preceding discussions about sub-national autonomy of policy-making and implementations reveal the existence of similar and distinct experiences among federations. In the first place, since the discussion was made taking case countries from the Western, Asian and African federations, different lessons could be drawn from the experiences of each federation. The Swiss system is a quite rational model for all federations in terms of cantonal autonomy of policy-making and implementations. Other than the extensive constitutional guarantee for cantonal sovereignty, there exists an array of institutions as a mechanism for the protection of cantonal autonomy.

In the American and Swiss system, sub-national governments enjoy substantial autonomy of policy-making. Thus, states of the American federation and Cantons of the Swiss have strong role in the making of their own policies as well as in the national policy-making process. Unlike case of

India and South-Africa, federal governments' intervention on the competences of sub-national states in the American and Swiss federation is almost non-existent. The reason behind the high degree of sub-national autonomy in the American and Swiss federation is existed because of a variety of factors. Among others, the nature of the constitutional division of powers and the actual operation of the federal systems in a democratic approach are the preeminent factors.

The American system has enabled states to legislate and execute laws and policies largely free from federal government's intervention. The political culture of democracy, democratic legitimacy and constitutionalism are also imperative values that enhance states autonomy of policy-making. In the American federation, the role of the judiciary particularly the constitutional court is also very essential in safeguarding the constitutional provision of states competences. Above all, the decentralized nature of the party system is the most important factor that enhances states autonomy of policy-makings in the American federal system.

Unlike the sub-national units of the Indian and South African federations, Cantons autonomy of policy-making is very high in the Swiss system. In the Swiss system, there is balance between „*self-rule*“ and „*shared-rule*“. The Swiss constitution is in favor of the Cantons since it provides extensive autonomy for Cantons including the provision of sovereign power. The principle of „consensus democracy“, constitutional legitimacy, and the formation of the party system as well as the nature of the federal process are some of the key factors that promote cantonal autonomy. Generally, Cantons have adequate power in the making of their own policies as well as in the national policy-making process. In brief, negotiation is the typical means for reaching decision in the Swiss system.

As discussed in the chapter, the forms and operational systems of parity -politics has its own impact on sub- national governments autonomy of policy-making. Like the American system, in Swiss, the party politics they owe have supported Cantons to preserve their autonomy. That is, party non-centralization is the most important factor that fosters cantonal autonomy of policy-making. Canons are the operational units of major parties. Most of the parties permit considerable cantonal autonomy in the process of policy-making. The political parties at the centre and at the cantonal levels are unlike each other. This condition helped cantons to enhance their autonomy in different arrays including policy-making, which enabled them to become functional areas of “laboratories of

federalism”. Above all, the “bottom-up” creation processes of the federation guarantees Cantonal autonomy even more than the constitutional provision.

The India and South-Africa federations share some common experiences. Both federations are initially characterized by the centralization of power. Though there are recent developments in terms of center-state relations since 1989, the role of the states in the Indian federation was mainly reserved for policy implementations rather than policy adoptions. As in the case of South Africa, though exclusive power is constitutionally vested for the three spheres of government, practically provinces are not adequately exercising their autonomy of policy-making. In fact, like that of the case of India, recent developments are witnessed in the South African union, where provinces begun to actively exercise their policy making power. In South Africa, at both the national and provincial levels, there are effective formal institutional mechanisms for the active engagement of provincial governments in policy making. However, what makes common for the two federations (i.e., India and South African) is the existence of political party constraint for regional autonomy of policy-making.

Though there are recent developments, the party system in India had reinforced the „*quasi federal*” nature of the Indian Constitution until the year 1989. In addition, the dominant role of the executive particularly the prime minister in policy-making and national planning tasks is the other key feature of the Indian system. Likewise, in the South-African system, since 1996 the ANC was the dominant party that centralizes power which, in turn, significantly affects the independence of provinces in decision making process. As far as sub-national governments’ participation in the national policy-making processes are concerned, the common facet of the Swiss and South-African federations is the existence of a variety of institutional mechanisms that facilitate national and sub-national relations. In sum, though no “one-fits-for-all” system of federalism, lots of experiences can be shared and learned from each federation.

## **2.8. Conclusion**

Federalism as a political system is very indispensable to distribute autonomy for sub-national and the different tiers of government. Different countries adopt various strategies for the allocation of power to their respective sub-national units. However, devolution of power by itself is not a guarantee for sub-national autonomy of policy-making. It is found out that, policy-making in federal countries is affected by the constitutional design as well as other intricate factors that may or may not be covered by the constitution but that are important in the working of federations.

In sum, other than the constitutional provision of power, the operational system of the particular federation positively or negatively affects sub-national autonomy of policy-making. Among others, there should be basic institutional mechanisms for the smooth operation of sub-national autonomy. Thus, principles of non-centralization; democracy and democratic legitimacy; constitutionalism; party decentralization and the capacity of the sub-national states are central factors. If the above variables are fully operated, sub-national units could enjoy their autonomy which, in turn, makes them fertile grounds for policy innovations. That is why, states of the American and cantons of the Swiss federations are adequately enjoying their constitutional autonomy of policy-making and implementations. In spite of recent developments, sub-national governments of the Indian and South-African federations were not adequately exercising their autonomy of policy-making due to a variety of factors. Among others, national government's interest to centralize power and the existence of a single dominant party for long periods are major factors that had impeded sub-national autonomy of policy-making in the Indian and South-African federations.

## **CHAPTER THREE**

### **DIVISION OF POWERS AND REGIONAL AUTONOMY IN THE ETHIOPIAN FEDERATION**

Since the central focus of the study is to explore regional autonomy of urban policy-making and implementations under the Ethiopian federal system by taking the Amhara and SNNPR states as a case study, the chapter provides introductory remarks about the federal polity of Ethiopia. In doing so, as a prelude the chapter highlights a historical overview of Ethiopia and offers a glance overview of the socio-economic and political scene of the country. In addition, it offers a preliminary overview of the Ethiopian federation since 1991. Thus, the federal process, constitutional principles, institutional structures as well as federal and regional competences are discussed. Moreover, some debates among scholars over the operation of the federation in a regional autonomy of policy-making perspectives are briefly discussed. Consequently, recent developments in the accommodation of regional interest in national policy-making and planning processes are also discussed. Finally, the federal government's endeavors to enhance urban development at country-wide level are also briefly summarized. In a nutshell, the key objective of the chapter is to provide introductory remarks about the nature and scope of the constitutional division of powers and the actual operation of the federal polity in relation to regional autonomy of policy-making perspectives.

#### **3.1. Ethiopia: Brief Historical Overview**

Ethiopia is located in the North-Eastern part of Africa situated in the heart of what is commonly known as the „Horn of Africa“ (See Map 1). It is one among the most ancient states in the world. The country is characterized by significant diversity in terms of ethnicity, language, culture, religion, topography, climates, fauna and flora. It is home for more than eighty ethnic groups also called „Nations, Nationalities and Peoples“ in the 1995 Constitution (CSA, 2007: 16). Having a significant position in the history of the origin of mankind, the country is also famous in its patriotism and sovereignty. It is a symbol for African dignity and independence (Markakis, 1972:1; see also Gillespie, 2003:9-10).



Until the second half of the 19<sup>th</sup> century, most part of the then Ethiopia had been characterized by „*de facto-decentralization*“, i.e., small principalities and kingdoms were ruled by mainly autonomous feudal lords (Assefa, 2012:438-439; see also Kidane, 1997:119-120). However, due to motives of centralization, modernization and territorial consolidation, the then imperial elites had abandoned the „*de facto*“ decentralized nature of the various provinces of Ethiopia. Thus, the modern Ethiopian state was established by coercion and centralization most importantly via a process of conquest under Menlik II (Bahiru, 2002:11-17; see also; Teshale, 1995:37; SIDA, 2003:75). Its subsequent history has been tension between centrifugal and centripetal forces, with the „integrity“ of the empire state maintained essentially through coercion (SIDA, 2003:75).

The policy of decentralizing government in Ethiopia is relatively a recent phenomenon. The first move towards decentralization dates back to the imperial era when Haile-Silassie I government proposed to the then parliament the „Awraja“ Local Self-Government Order No. 43 of 1966 (Miheret, 2000:134). In spite of strong resistance from parliament, the program was implemented in 17 selected „*awrajawoch*“ on an experimental basis. The policy could be considered as a typical administrative measure aimed at easing bureaucratic congestion at the center rather than a full-fledged decentralization experiment to bring about effective self-government. Generally, the imperial policy did not have resulted effective decentralization schemes since the imperial parliament was failed to pass the local government finance bill (*Ibid*).

The „Derg“ had no better record than its predecessor in decentralizing the Ethiopian state. The regime was highly characterized by a centrist and unitary state. It has introduced radical socialist policies including the nationalization of rural and urban lands (*Ibid*). In fact, in the early 1980“s due to the escalation of ethnic civil-wars and the increasing resistance to military rule, the government was forced to consider some kinds of decentralization. In consequence, it has established the „Institute of Nationalities“ to draft a new constitution that would help in restructuring the post-monarchist Ethiopian state. Thus, following the adoption of the Peoples Democratic Republic of Ethiopia (PDRE) in 1984, Tigray, Afar and Ogaden became “autonomous” administrative regions. Eritrea was also given a special “autonomous” status. However, all such endeavors were not brought meaningful transformations towards decentralized and democratized governance of the country (Miheret, 2000:134-135; see also Clapham, 1988).

Generally, throughout most of its recent history, modern Ethiopia has been a centralized state since the politics of „nation-building“ has been attached in creating a strong centralist state that jealously guarded its sacred central power. Haile-Selassie’s government and its successor-„Derg“ hardly achieved any serious program of decentralization and, hence the country has largely remained a centralized polity (Meheret, 2002:134; see also Andargaachew, 1993:299). Most of the regional policies which were designed in the pre-1991 regimes of Ethiopia were dominated by the then ideology of national growth, which was highly dependent on a centrist philosophy that perceives regional development as a national project (Tegegne, 2000:68).

However, after 1991, this trend of centrist approach had witnessed shifts in favor of decentralization, regional development and local autonomy. The military regime was ousted on 28 May 1991, with the military victory of the coalition forces of Tigray People’s Liberation Front (TPLF), Eritrean People’s Revolutionary Party (EPR) and Ethiopian People’s Revolutionary Democratic Movement (EPRDM) - later renamed-the Amhara National Democratic Movement (ANDM).

Consequently, with the leading architect of TPLF, the Ethiopian People’s Revolutionary Democratic Front (EPRDF) was established that comprises of: TPLF, ANDM, the Oromo People’s Democratic Organization (OPDO) and the Southern Ethiopia People’s Democratic Movement (SEPDM) as member parties; which control the region of Tigray, Amhara, Oromyia and Southern regions respectively. There are also other ethnic-based political parties which are affiliated to EPRDF without formally become party member organizations. These are: Somali People Democratic Movement (SPDM), Afar National Democratic Party (ANDP), BeniShangul- Gumuz Peoples Democratic Unity Front (BPDUF), Gambella Peoples Unity Democratic Movement (GPUUDM) and the Harari National League (HNL); these parties control the Somali, Afar, Benishangul- Gumuz, Gambella and Harari regions respectively. Henceforth, the country had begun a new chapter in its modern history with the adoption of federal political system.

As discussed in the preceding discussions, both the federal and regional governments have legislative, executive and judicial functions. On the basis of the 1995 FDRE Constitution, regions are autonomous in the sense that, they have elected bodies and exclusive power to legislate and adopt policies. Among others, regional governments are responsible for adopting and executing

economic and social development policies, strategies, and plans of the region (Art.52 (2-C)). The constitution further stipulates that, “all powers not given expressly to the federal government alone or concurrently to the federal government and the states are reserved for the states” (Art.52 (1)). However, in spite of such broad constitutional provisions to the regions, there exists contending views about the actual practice of regional autonomy of policy-making in the Ethiopian federation.

**Map1. The Political Map of the FDRE**



Source: [www.mapsofworld.com](http://www.mapsofworld.com) (2012).

## **3.2. Legal and Institutional Arrangements of the Ethiopian Federation**

### **3.2.1. The Charter as a Prelude to Federalism and Regional Autonomy**

In the aftermath of the collapse of the military regime, the various ethno-nationalist groups agreed to form a Transitional Government that would be administered by a Charter which, in turn, provided for the establishment of fourteen ethnic-based regional states. The promulgation of the Charter was founded by the „*Peace and Democracy Conference*“ held from 1-5 July, 1991. The Charter became the legal basis of the four year of interim rule under an EPRDF- dominated legislature. Thus, the TGE Charter laid down the foundation of the structures and composition of the transitional government. The Charter reflected a genuine political balance of power along an attempt to create a power-sharing arrangement among polarized societies.

The Charter also provided for a president who had executive powers, a prime-minister and a council of ministers (TGE Charter; see also Pausewang *et al*, 2002:29-30). The Transitional Government was empowered in effecting the principles of national/ regional „shared-rule“ and „self-rule“ until the coming in to effect of the newly introduced constitution in August 1995. It was also the legal document that offered the right of self-determination to all „nations, nationalities and peoples“ (Fasil, 1997:39-44). In sum, the adoption of the Charter had introduced a *de facto* federal system.

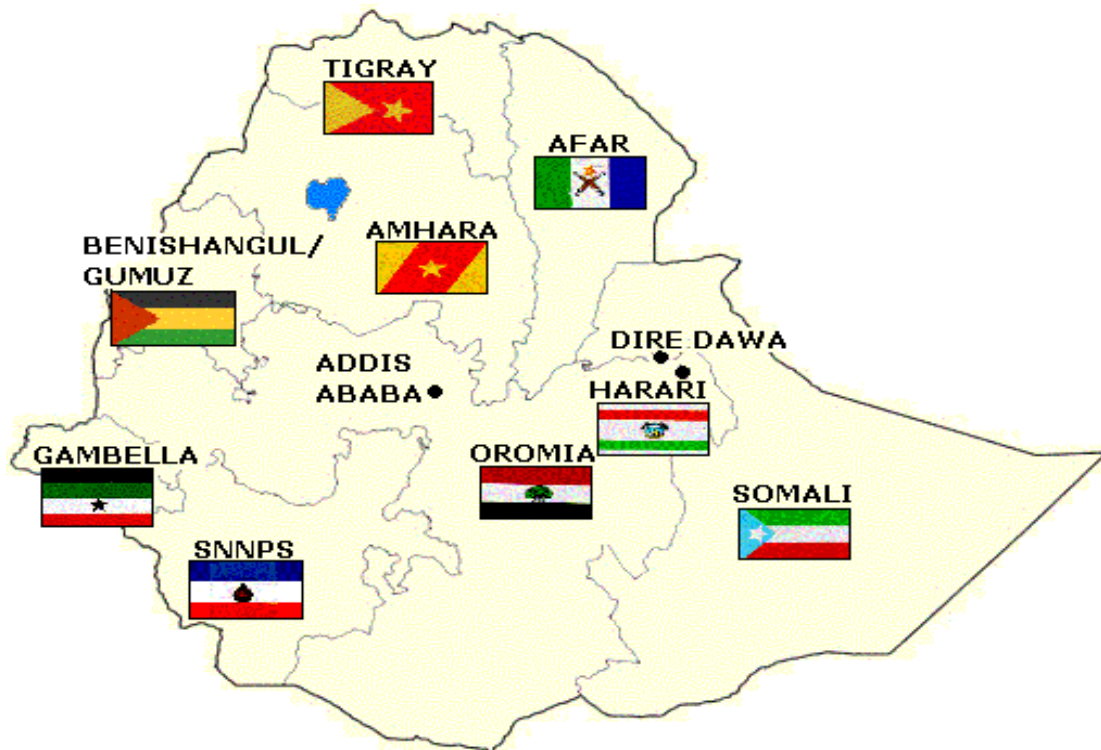
Other than the Charter, Proclamation No.7/92 was also another imperative legal document that provided a generous right to self-determination to all nations and nationalities of the country. It was via this proclamation that, the former fourteen regional states were reduced to nine regions since five of the Southern Regions were merged to create a larger amalgamated region named SNNPRS. The proclamation also provides and elaborates the national and regional state powers and the institutional structure of the regional government. Thus, from 1991-1995, the country was in a gradual transformation towards a full-fledged federal practice through acquiring some experiences of decentralization (see also Tsegaye, 2004:1).

Map2. Political and Administrative Location of Regional States with their Respective Flags

**Regional States of Ethiopia**

**Chartered Cities**

- Afar
  - Amhara
  - Benishangul - Gumuz
  - Gambella
  - Harari
  - Oromiya
  - Somali
  - Southern Nations, Nationalities and Peoples' (SNNP)
  - Tigray
- Addis Ababa City Council and
  - Dire - Dawa Administrative Council



Source: Government of Ethiopia (2012) available at <http://www.ethiopia.gov.et/regional-state>.

### **3.2.2. Basic Features of the FDRE Constitution and the Federation**

The 1995 FDRE Constitution came in to effect on August 1995 (Proc.1/1995). EPRDF played a dominant role at each stage of the constitutional process (see also Van der Beken, 2012:125; Aalen, 2011:43). When one have a glance overview of the whole content of the document, it has some salient features which make it even distinct in some aspects from the constitution of other federations; for instance, the secession clause and the provision of constitutional interpretation mandate to its second chamber (i.e. the HoF) are some among its unique features (Art. 39, 47, 62). Though it has a similar approach with the Indian and Swiss federal systems to some extent, the use of ethnic and linguistic criteria as founding principle for constituent states formation is also the other basic features of the Ethiopian federation.

Both elements of „unity and diversity“ can evidently be inferred from the preamble of the constitution. Thus, the preamble precludes by declaring that, “We the Nations, Nationalities and Peoples of Ethiopia...” The hypothesis of such declaration of the preamble is to convey the collective and shared consensuses agreed by the representatives of various ethnic groups of the country about their mutual respect and recognition based on their common will to build a common economic, political and social system. Indeed, sovereign power is vested to all „nations, nationalities and peoples“, and the Constitution itself is deemed as an expression of their sovereignty (Art.8). Above all, every „nation, nationality and peoples“ are constitutionally guaranteed the right to self-determination including „secession“ (Art. 39 (1-4)).

In sum, principles such as popular sovereignty; rule of law; inter-ethnic equality; inter-linguistic equality; inter-religious equality; and gender equality are cardinal principles of the constitution. Equally, principles of constitutional supremacy; respect for fundamental rights and freedoms; secularism; and accountability and transparency of government are explicitly stipulated as the basic principles of the constitution (Article 8-12; see also Tsegaye, 2004:1).

The form of government in Ethiopia is a Parliamentary Democracy having two houses: the House of Federation (HoF)- the Upper House, which hardly has any role in policy-making and the other which is a popularly elected house- the House of Peoples Representatives (HoPR) -the Lower House

is the supreme authority of the federal government holding a sole power in policy ratification. Members of the lower house (HoPR) “shall be elected by the people for a term of five years on the basis of universal suffrage and by direct, free and fair elections held by secret ballot” (Art. 54(1)). As a result, members of this house are accountable and governed by the Constitution, the will of their electorates, and their conscience (Art. 54(4)). Whereas, members of the upper house (HoF), is elected either directly by the people or indirectly by the State Councils (Art.61 (1-3)). But, in actual practice, members of the upper house are nominated by the State Councils of each region. The Constitution stipulates for the establishment of both a president and a prime-minster. The president is nominated by the HoPR for a six-year term and must then be elected by a two-thirds majority vote of a joint session of parliament (Art. 70). The prime-minster is acting as head of government; the chief executive chair-man of the council of ministers; and the commander- in-chief of the armed forces. The president on the other is more of ceremonial, who acts as head of state (Art. 70-74).

The HoF is composed of representatives of the country’s ethnic groups or nations and nationalities and deals with matters relating to, *inter alia*, issues of self-determination of ethnic groups, inter-state disputes, and division of revenue and interpretation of the constitution (Art.62). Each „nation, nationality and peoples“ shall be represented by at least one member, and plus one for each one millions of its population (Art. 61(2)). Generally, the upper house has few legislative roles; instead, it has constitution interpretive and adjudicatory power (Art, 54, 55, 62). The HoF is therefore, the custodian of the constitution. The lower house in contrast, is the supreme legislator and supreme political authority of the country. Members of the lower house are elected on the basis of population size so that it has a total seat of 550; of these, 20 seats are provided for minority nationalities (Art. 54, 55). Its election is held via “plurality vote” or “first-past-the-post” electoral system (54(2)).

As far as the executives at the federal level are concerned, Art 72(1) of the Constitution stipulates that, “the highest executive powers of the Federal Government are vested in the Prime-Minster and the Council of Ministers”. As discussed earlier, strong power is under the hand of the prime-minster where he is the chairman of the council of ministers and the commander-in-chief of the armed forces. The prime-minster has also other duties and responsibilities specified under Art.74 of the constitution. The council of ministers on the other hand, is composed of the prime-minster; the

deputy prime-minister; ministers and other members as may be determined by law (Art. 76(1)). The council of ministers is responsible to the Prime-Minister and to the HoPR (Art. 76(2)). This council is mandated to run different tasks; *inter alia*, “it ensures the implementation of laws and decisions adopted by the HoPR; shall submit draft laws to the HoPR; draws up the federal budget and submits it for approval to the HoPR; draw up economic and social plans and strategies and implement them; ensure the observance of law and order; and the right to proclaim a state of emergency” (Art. 77).

Article 78 (2) of the constitution stipulates that, supreme federal judicial authority is vested to the Federal Supreme Court. This court shall have the highest and final judicial power over federal matters (Art, 80(1)). In addition, the constitution declares that, the HoPR may by two-thirds majority vote establish Federal High Courts and First Instance Courts (Art. 78(2)). Nevertheless, pending such a decision of the HoPR’s, the competences of the High Federal Courts and First Instance Courts is delegated to the Regional State Courts. To this end, the Constitution adds that, the regional states have a three-tier judicial structure namely: Supreme Court, High Court and First Instance Courts (Art. 78(3)).

The Ethiopian federal system took ethno-linguistic identity line as the basic criteria for the founding principle of the constituent states of the federation. In this framework, the Constitution declares that, “states shall be delimited on the basis of settlement patterns, language, identity, and consent of the people concerned” (Art. 46(2)). Among these criteria, ethnic identity particularly language is the most commonly used guiding principle. The boundary demarcation commission has used language as a single yardstick criterion for the demarcation process. In consequence, the federal system is considered by different scholars and practitioners as an „*ethnic federalism*” (Kymilica, 2006:54; see also Assefa, 2006:132, Vaughan, 2003:34; Alean, 2006, 2011; Tsegaye, 2004:1). In fact, India and Swiss to some extent use language criteria as a guiding principle for the creation of their respective sub-national units. The notion of the „right to self- determination” is composed of the provision of “the right to speak, to write and develop and promote its culture and preserve its history” (Art. 39(2)). Indeed, it entitled „nations, nationalities and peoples” “the right to a full measure of self-government in the territory that inhabits and to equitable representation in State and Federal governments” (Art. 39(3)). Moreover, it also provides the far most extreme and external manifestation of self- determination (i.e., secession).



Though there are predetermined criteria set in the constitution, every „nation, nationalities and peoples“ has the right to withdraw and secede from the federation whenever they feel that, they are denied of any of their rights mentioned above (Art. 39(4)). Since the students movement, EPRDF“s ideology of „nations, nationalities and peoples“ to self- determination is rooted from Stalin“s ideology of “Marxism and the National Question” as he calls “nations sovereign”, and grants them the right to self- determination including secession. Thus, Lenin was the first person to advocate to the international community that, the right to self-determination be established as a general principle for the liberation of peoples by writing a detailed pamphlet on the issue by 1913 (Cassese, 1995:14-16; see also Van der Beken, 2012:149; Aalen, 2011).

The FDRE is comprised of the federal government and nine constituent member states- officially named as „regional states“ or „regions“, and these are: Afar, Amhara, Benishangul-Gumuz, Gambella, Harari, Oromiya, SNNP, Somalia and Tigray (Art. 47). As highlighted above, regional states are reorganized on the basis of ethno-linguistic criteria (Art. 46(2)). Each region with the exception of SNNPR, have a unicameral legislative organ called the „regional state council“, with the power to enact state constitution and proclamations on state affairs (Art. 50(3), 52(2)). Each region is headed by a president usually named as „head of administration' also called chief-administrator. Each head of administration of the regions is chief executive and chairman of the executive council of the region. Thus, each region has a parliamentary executive council (Art. 50(6)).

In a nutshell, EPRDF“s rationale for the adoption of federalism is to address the age-old historic quests of “national questions” or “ethno-cultural justice” that had been pervasive throughout the country before 1991 (Fasil, 1997: see also Assefa, 2006:131, Tsegaye, 2004:1-2; Tsegaye, 2009:42). Broadly, it may be submitted that, the post-1991 federal polity contains a threshold of both successes and some limitations. The federal polity among others brought significant socio-economic and infrastructural growth across the country in unprecedented manner. The constitutional grant of self-determination right has also enabled to protect the identity rights of a sizeable number of ethnic groups. However, its mere emphasis on ethno-territorial arrangement creates enormous affinity of politicization of ethnicity; ethnic elite entrepreneurs for autonomy; inter-ethnic and inter-clan parochialism; ethnic segregation; inter-ethnic conflicts over boundaries and resources and so on.

### **3.2.3. Division of Competences in the FDRE Constitution**

The 1995 FDRE Constitution provides legislative, executive and judicial powers exclusively to both the federal and regional governments (Art. 50(2)). Symmetrical federalism is the typical feature of the Ethiopian federation where the constitution provides equal power for all member states of the federation. Constitutionally, the Ethiopian federal system is a „dual-federalism“ though practically it has also some facets of „cooperative-federalism“. The federal government is mandated with issues of national concern that involves the power to formulate and implement the country’s policies, strategies and plans. These are, *inter alia*, overall economic and social development; national standards and basic policy criteria for health and education; defense; federal police; currency; foreign policy; declaration of state of emergency and so on (see Art. 51, 55). Other than exclusive powers, the constitution also provides „framework legislative powers“ in wide array of powers to the federal government.

The most imperative question that may be raised in areas of „framework power“ is how the frame will be articulated. In this regard, some scholars argue that, in numerous policy domains like education and health, policy is determined by the federal government. As to the arguments of such scholars and commentators, policies which are usually enacted by the federal government are very detailed that do not have a room left for regional specifications for improvement (Van der Beken, 2012:166-67; see also Yonatan, 2012). So, in some policy areas, regions usually become mere dependent on centrally designed policies. Therefore, this study will ascertain the status of the policy-making autonomy of the Amhara and SNNPR states via an empirical study of their respective urban policy-making and implementation scenarios“. The study will provide answers regarding regional autonomy of policy-making in general and urban policy-making in particular in the Amhara and SNNPR states under chapter 4 and 5 of the study respectively.

Regional states are constitutionally authorized to establish their own administration; enact and execute their own constitution and laws; formulate and execute its own economic, social and development policies, strategies and plans; administration of land and other natural resources in the territory; levy and collection of taxes assigned to the regional states; designing standards for state level civil services and payment; and establish their own regional police forces to preserve its public

peace and order (Art. 52). The federal and regional states have also concurrent powers in the areas of taxes on profits, sales, excise and personal income taxes on enterprises that jointly establish; on the profit of companies and on; dividends due to share holds; on incomes derived from large- scale mining and all petroleum and gas operations and royalties (Art. 98). On the other hand, residual powers are constitutionally reserved to the regions (Art. 52(1)). The constitution also enumerates power of taxation to both orders of government (Art.96, 97).

The federal power of taxation includes, *inter alia*, duties, taxes and other charges on imports and exports, air rail and sea transport services, and income tax on employees of the federal government. It is also entitled to levy and collect income, profit, sales and excise taxes on enterprises owned by the federal government (Art.96). The regional states power of taxation includes, *inter alia*, income tax on employees of the state and of private enterprises and also enterprises owned by the state, income from transport services rendered on waters on its territory (Art.97). On the other hand, as declared under Art.99, a joint session of parliament has to vote by a two- thirds majority on tax powers not specifically given separately or jointly to one or both of the two orders. On the other hand, an issue of constitutional amendment requires the involvement of both state and federal legislature organs and can be initiated by both orders of government. However, a two-thirds majority of state councils or federal houses is required for further processing (Article 104). In cases of amendments of fundamental rights and freedoms, both Houses of Parliament must accept the proposal by a two-thirds majority vote and all state councils must agree by a majority vote. In other cases, a joint meeting of parliament must agree by a two-thirds majority vote and two-thirds of the states must approve the proposed amendment by a majority vote (Art. 105).

From the forgoing discussion, one can infer the fact that, regional states of the Ethiopian federation have broad scope of competences". However, many scholars doubts its feasibility by arguing that, the constitution gives broadened powers to the federal government and so that, regions are no more than implementing agents of the federal government, with the latter exercising control over policy and legislative decision making (see also Yonatan, 2012:117). However, the researcher argues that, though the federal government under Art. 52 guaranteed extensive powers, it is only in areas of setting national standards and outlining policy area. This implies that, regions have broad areas of competences that are not covered by the ostensibly exhaustive list of powers of the federal

government. In brief, regional states can exercise control over different areas, among others, urban matters; state roads; intra-state trade; and many other areas that are not explicitly assigned to the federal government. This implies that, regions in contrast to what may argue enjoy legislative and policy autonomy in many areas (see also Yonatan, 2012:118-19).

In fact, as in the case of most federations, regions of Ethiopia are not immune from federal intervention, i.e., Proc. No.359/2003 provides the federal government to intervene in the regions under prescribed circumstances-usually when there is “a deteriorating security situation” (see also Yonatan, 2012:119; Van der Beken,2012:174-75). Thus, the most important question is that, “are regions genuinely exerting their mandate and responsibility of policy-making and implementations as per to the constitutional provision of both the federal and their respective constitutions?” If not, what is the reason behind the failure, and what factors made regions being dependent on centrally designed policies and programs? These are the central questions which are empirically investigated within chapter 4 and 5 of the study.

### **3.3. Some Debates on the Practices of the Ethiopian Federation on Regional Autonomy of Policy-Making Perspectives**

The purpose of this section of the study is to show the debates among scholars on regional autonomy of the Ethiopian federation. Some scholars argue that, regional states do not have meaningful power on matters of policy-making. Such group of scholars declares that, what regions adopt policies and programs are simply policies and programs of the EPRDF party adopted at the center. Whereas others assert that, policy-making scenarios at the regional level is a combination of both top-to bottom and bottom-to top process. Therefore, in this section of the study, the researcher attempted to provide an insight for readers about the different arguments raised by various scholars on matters of regional autonomy in the Ethiopian federation in general and policy-making at the regional level in particular.

The Ethiopian federation was intended to decentralize power and resources and resolve the hitherto „national question“ by accommodating the country’s various ethno-linguistic groups (Assefa, 2008:24; see also Watts, 2008:48; Keller, 2002:32). Thus, from legal and constitutional points of view, regions are provided broad scope of competences. However, there are different

contending views of scholars towards the federal arrangement and its endeavors of federal-regional devolution of power. As per to the very principles of federalism articulated under chapter two, the experience of the Ethiopian federal system still encounters some deficits. To put it briefly, despite the undeniable achievements in addressing past ethnic injustices, there are still some impediments which requires further improvements. Beyond the constitutional and theoretical expressions, nowadays issues of rule of law, democracy, popular sovereignty, good-governance, regional autonomy, minority rights, multi-party system etc... are still debatable. Hence, the system requires improvements on these issues at country-wide level. This section of the study is limited to briefly discuss the arguments of some scholars about the factors that impede regional autonomy of policy-making.

A sizeable number of scholars such as: Aalen (2002:105); Abu, (2013:17); Markakis (2011); Yonatan (2012: 115-16) argue that, as far as genuine federal devolution of autonomy and regional policy-making are concerned, the Ethiopian system is so far ineffective. Because of the dominant position of EPRDF, the institutional arrangement does not bring significant change for the enhancement of central and regional partnership. As a consequence, still there is an extremely centralized structure and method of decision-making. In this regard, Mulugeta (2005:6) for instance noted that, party elites play decisive roles to determine policy agenda, policy processes and policy outcomes. According to Mulugeta, the power to determine agenda setting, policies formulation and change institutional outcomes for their execution have been commonly invested on the party and the executive leadership.

Likewise, Paulos (2007:400) noted that, like its predecessor, the EPRDF too has used „democratic-centralism“ to make regional political leaders loyal and obedient, impose detailed policy directives on regional governments and intervene extensively in the administration of regional governments. Therefore, the dominance of the political landscape by a single party - EPRDF and the absence of party pluralism have an important impact in federal-regional states relations. The party has a highly centralized decision-making system founded on the principle of „democratic-centralism“. As a result, the centralized party organization of EPRDF which controls regional governments, jeopardize regional states“ ability to work independently from the central government (Aalen, 2011:5; see also Paulos, 2007:398-400; Assefa, 2012:464; Young, 1996:131-39; Van der

Beken, 2012:130; Markakis, 2011). In this regard, Van der Beken briefly expounds the dominant facets of the ruling –EPRDF party and its impediment to regional autonomy of policy-making as he writes the following summary:

*“...this party structure is coupled with a strongly centralized decision-making process, which constitutes an important impediment to regional autonomy. The highest organ within the EPRDF structure is the Congress, which is composed of members equally elected by the four constituent parties. The congress is responsible for the global EPRDF program and is conducted every two - two and half years. The EPRDF Council and Executive Committee lead the party between two Congresses. Each constituent party has 45 representatives in the EPRDF council, which brings its total membership to 180. The EPRDF Executive Committee has 36 members, and again equally composed from the four parties. The EPRDF is headed by a chair-man and a vice-chairman. The four constituent parties have a parallel structure with a Congress, a Central Committee, a chairman and vice-chairman. The EPRDF Council enacts five-year action plans that are adopted by the constituent parties, and thus serve as the basis for the federal and regional plans and policies” (2012:180-81).*

Thus, from the above outlook, one can infer that, EPRDF’s party plans and programs approved by the ruling party channel are simply adopted by regional officials as regional government policies and programs. Likewise, at the regional level, there is a close link between party and government apparatuses and thus party plans and programs are adopted as government policies and programs in both those EPRDF member states as well as in those affiliated party regions too. In this regard, Aalen (2006:181) noted that, “...its internal organization, featuring „democratic-centralism“ and „accountability upwards“ and the blurred distinction between the party and the state both contribute to a situation in which the ruling party is able to closely control regional and even local affairs”.

Generally, from the above arguments of the different scholars, one can argue that, the Ethiopian federation exhibits a form of „administrative decentralization“ rather than a full-fledged devolution of power. In its essence federalism differs from a mere administrative or political or financial decentralization. Watts for instance notes that “...though federations have often been characterized by decentralized political systems, what makes federations different from decentralized unitary systems is not just the scope of decentralized responsibilities but the constitutional guarantee of autonomy for the constituent governments in the responsibilities they perform ” (1998:124).

As discussed in chapter two, supremacy of the constitution across all orders of government and a political culture that focuses on the respect for constitutionality are the basic prerequisites for the smooth operation of a federation. If these are lacking, a federation is likely to deteriorate its effectiveness where one or other order of government subordinates to the other (Watts, 2008: 157). Nevertheless, on the basis of the arguments of different scholars discussed above, the case of the Ethiopian federation contradicts to the above basic theoretical principles of federalism. In this regard, Aalen (2006:251-52) argue that, due to EPRDF's dominant party rule with its strong centralized party and blurred borders between state and the party, the federal division of power become fragile. As a consequence, the situation promotes "upward accountability to the party organs above rather than downward accountability to the people of the region..." Thus, "self-rule is severely modified and „self-determination for the nationalities“ is more of a paper provision than an actual principle of government practice". However, in contrast to the above arguments, Tegegne (2000:72) asserts that, at the regional level of the Ethiopian federation, the actual process of policy-making is made with a combination of "top-down" and "bottom-up" approaches. In this regard, the author stipulates the following:

*"....The actual process of policy-formulation at regional level is a combination of top-down and bottom-up approaches. Guidelines initiated from regional executive committees and concretized by regional planning bureau flow down through sectors and lower planning units. Proposals which are initiated by public offices, compiled by planning bureau and approved by executive committees pass all the way to the regional executive committees and later to the regional councils for approval. The executive committee plays a significant role in policy-making at the regional level. The executive committee, after analyzing proposals submitted by bureau and lower unit councils, after discussing the policy proposals submitted to them, endorse the policy by consensus or voting"(Tegegne, 2000:71).*

Therefore, the study will empirically examine the actual reality of the above contending thoughts of scholars through an investigation of the autonomy of the Amhara and SNNPR states in adopting their respective urban policies. The researcher argue that, in spite of the existence of EPRDF's dominant party system that centralizes power under its notion of „democratic –centralism“, regions to some extent may exercise their constitutional mandate of policy-making in different forms. In addition, as far as center-states relations in politics are concerned, recent developments are witnessed in the Ethiopian federation. During the leadership of the late prime-minster-Meles Zenawi, there was

a strong EPRDF party influence over regions in decision-making processes. In brief, until the death of the ex-prime minister Meles, there was a strong dominant party system that strictly controls regions at the center in areas of decision-making. Nowadays, paradigm shift has been witnessed in the sense that, the autonomy of regions in decision-making processes is rising. Accordingly, regions have now begun to critically challenge the center in decision-making processes. In this regard for instance, regions are now begun to resist the provision of land to the federal government under the name of investment. For instance, recently the Oromiya regional government abandoned Midroc's gold mining company ascertaining that, the company could not able to achieve and positive impact on the livelihood of the Oromo communities who are living in the vicinity of the mining center of the company. Moreover, after the adoption of the National Planning Commission through Regulation in the year 2013, the historic party control system of policy adoption process has been shifted towards a relatively „independent institution“. In other words, the creation of planning commission provided some space for the active involvement of regions in the making of development policies and planning's at the national level. Thus, the following section of the study attempts to provide brief insights about the role of the national planning commission and its positive ends for regional states accommodation in policy-making and planning processes such as in the making of the second Growth and Transformation Plan (GTP II).

### **3.4. Recent Developments in the Accommodation of Regional Interest in National Planning Processes**

The establishment of the National Planning Commission (NPC) and the Planning Council via Regulation No.281/2013 of the council of ministers has positive ends for accommodating regional interest in socio-economic planning and perhaps in the future endeavor of adopting socio-economic policies. The Planning Council is accountable to the prime minister. It is composed of the prime-minister, chief executives/cabinet ministers, and chief executives of regional states, deputy chief of regional states as well as governor of the national bank and other organs to be designated by the prime minister (Article 4 of Regulation 281/2013).

The major duties of the planning council as stated within Article 5 of the regulation are, to set overall targets of gross domestic products (GDP) and gross domestic per capita for long term period of fifteen years; and the breakdown of successive five year periods there in; and provide guidance



and supervision for planning and development priorities at the commencement of each five year planning periods to the planning commission, which does the technical aspect of the task and finally approve the plan. It is also entitled to make a review of the periodic evaluation results of the plan submitted by the national planning commission and ensure its integrated implementation by federal and regional executive organs alike. On the other hand, the National Planning Commission is accountable to the Council and has the following powers and duties:-

- ✓ Serve as the secretariat of the council and provide support as needed;
- ✓ Preparation of long term perspective and medium term development plan and strategies;
- ✓ Research and Development;
- ✓ Monitoring, Evaluation; and
- ✓ Capacity Building.

The National Planning Commission is generally a technical wing and accountable to the council. The Central Statistical Agency (CSA) and the Mapping Agency are also accountable to the National Planning Commission (Regulation 281/2013; see also Habtamu, 2015).

### **3.4.1. Institutions and Development Plan Preparation Processes at the Federal Level**

The FDRE Constitution is a base for all national development plans. This is because of the fact that, the constitution provides full power to the federal government to formulate and implement national policies, strategies and plans in respect to overall economic, social and development matters. Accordingly, the federal government is responsible to design and implement vertically coherent and horizontally consistent national development plans which are based on national development needs and priorities. On the other hand, national development plan in Ethiopia is internally driven with strong sense of full ownership and political commitment of the government (see also Habtamu, 2015). In order to enhance the integration of public sector offices at country-wide level, nowadays the country has established four clusters under the prime minster office namely:

- Macro-Economy Cluster;
- Finance and Economy Cluster;
- Good-Governance and Civil service Reform Cluster; and
- Social Issues Cluster.

Generally, sector ministries found under each cluster prepare their plan in a coordinate and coherent manner. Thus, in the national plan preparation process, the above mentioned clusters and the National Planning Council have major roles of functions as discussed in the following paragraphs.

**1-The National Economy Cluster:-** In this cluster, the national planning commission; ministry of finance and economy council; national bank; and customs and revenue authority are the major members and are mandated to develop macroeconomic framework based on government priority, policy, country vision development priority, global and regional agreement trends etc.... It also provides general guidelines and directions (Habtamu, 2015).

**2-The National Planning Commission: -** Among others, this cluster is entitled to: formulate macro-economic targets and framework; provide generic guideline for each clusters; provide technical support to clusters; ensure the global and regional agenda mainstreaming process; prepare a draft national plan; conduct consultation and discussion with draft plan; and finally submits the final national plan to the Council and thereby to the HoPR for approval (*Ibid*).

**3-Finance and Economy Cluster, Good-Governance and Civil-Service Reform Cluster, and Social Issues Cluster:-** Each cluster are mandated to coordinate and prepare their respective line ministries plan-based generic guideline, macro-economic framework in transparent and integrated manner; mainstream global and regional goals in their plan; and submit the cluster plan to the national planning commission (*Ibid*).

**4-Council of Ministry/ National Planning Council: -** This Council approves and ensures the plan and also provides its own direction and recommendation (*Ibid*).

**5- House of Peoples Representatives (HoPR):-** It is the final mandate of this house to ratify the development plan document as a final binding development document for the next five years (*Ibid*).

Once a particular development plan is adopted, monitoring and evaluation is the other task provided for the national planning commission; the sector ministries; and to the HoPR. The planning

commission and other concerned institutions uses relevant and authentic data sources from the central statistics agency. Likewise, the national progress review is usually conducted by the national planning commission in collaboration with sector ministries (*Ibid*). Generally, after the adoption of the NPC, a significant shift was made about the adoption of development plans from the former mere EPRDF party elites control to a relatively better independent organ that accommodates the participation of regional governments. The second Growth and Transformation Plan (GTP II) could be cited as a good model since its draft preparation processes comes across via the pivotal role of the National Planning Commission and the National Planning Council (*Ibid*). Indeed, the federal GTP II document is officially published by the National Planning Commission on May 2016.

During the adoption of the first Growth and Transformation Plan (GTP I), the role of the party influence from its inception to its final ratification was very prominent. In brief, the formulation of GTP I was widely conducted through the active role of high level political leadership (National Planning Commission, 2016:1). Whereas, during the adoption of GTP II, the positive achievements of GTP I and lesson drawn from its implementation have been taken as an imperative input. Thus, the national vision; existing national and sector policies; strategies and programs; performance under GTPI; commitment to Sustainable Development Goals (SDGs); and regional and international economic collaboration initiatives were the basis for the formulation of GTP II through high level political leadership, public participation & ownership.

The formulation of the GTPII has passed through broad-based consultation processes with relevant stakeholders at both regional & federal levels to enrich its content & forge national ownership of the plan. The final version of the plan was approved by the council of ministers and there by endorsed by the parliament to guide development endeavors in the country during the next five years, i.e. in between 2015/16-2019/20 (NPC, 2016:2). Therefore, the establishment of the National Planning Commission headed by a commissioner with the rank of a minster created empirical processes of GTP II plan preparations with adequate professional inputs than GTP I.

In sum, the establishment of a planning commission is a historic move and a departure in accommodating regional interests all the way through starting from the initial stage of planning by involving all the regional states executives in which some of them are not formally from EPRDF's

member party's. However, the system still is not cure from some limitations. In the first place, in the planning commission wider public participation could not be held. It is only accessible for top federal and regional party-fused executives. Secondly, as we can understand from Article 6-10 of Regulation 281/2013, the planning commission is a form of *ad hoc* committee that usually gives a key guide for the planning council to conduct the planning and supervision of its implementation both at the federal and regional levels. Its primary role is therefore, planning, implementation and supervision. The other limitation is that, the Planning Commission is only directly accountable to the prime minister, not to the legislatures. As a result, still it is the prime-minister and the Planning Commission that holds the pivotal role in the task of planning. In addition, the final say on planning is still vested to the council of ministers, before it gets approval by the HoPR. This fact again takes back the role of regional executives in ensuring their regional interests at the national planning level as members of the council.

### **3.5. Post-1991 Urban Development Endeavors**

. Urbanization bears strong impacts for development, poverty, health, environmental quality and social welfare provisions (Martin *et al*, 2008:301). Nowadays, urbanization is increasingly growing across the world. The world's urban population pursues to grow faster than the total population of the world. Thus, nearly about three billion people or almost 48 percent of the population of the world lives in urban settlements (UN, 2004:3; see also Cordner *et al*, 2010). The rate of urban growth in third world countries are massively growing. In spite of its status as the world's least urbanized region, Sub-Sahara African (SSA) already has an urban population as large as that of North America (Martin *et al* 2008:301-302).

In Ethiopia, urbanization is not a recent phenomenon. It has witnessed thousands of years of indigenous urban development. The country's urban history can be traced back to the birth of ancient towns like: Coloe, Aksum and Adulis in the northern part of the country. Trade and trade routes contributed a considerable role to the emergence of such towns (Mesfin, 1972:185). The prevalence of most of the urban centers that are currently evident in the various parts of the country is garrison settlements that come out as of the mid-19th century (Solomon, 2008: 10). However, post-1991 federal polity of Ethiopia had witnessed relatively better urban growth and development. Nowadays, next to Nigeria, Ethiopia is the second most populated country in SSA. Of the estimated 73 million

people living in Ethiopia in 2007, approximately 84 percent live in rural areas and derive their income principally from the agricultural sector. The remaining 16 percent of the population resides in the urban highland areas that constitute 35 percent of the country's territory (Schmidt and Melkamu, 2009:6; see also FDRE MoWUD, 2007:2). According to the U.N. estimate, the urban population of Ethiopia is now growing at an average rate of 3.5% per year. Thus, Ethiopia is now one among the most rapidly urbanizing countries in the world (Angel and *et al* 2013:2).

Before March 2005, there was no any explicit urban policy document in the country. The government has given a more explicit concern for urban development only during its 2<sup>nd</sup> Five Year Development Program (i.e., from 2000-2005), wherein the objectives of urban development was stated as "to enhance the role and contribution of urban centers towards economic development and therefore to improve the living conditions of their residents" (Ministry of Federal Affairs: National Urban Planning Institute: 2003). In fact, at that time there has been some form of government institutions established both at the federal and regional levels which are mandated to coordinate urban development issues. At the federal level, the then Ministry of Works and Urban Development (MWUD), the precursor of Ministry of Federal Affairs (MoFA), was providing a variety of support services to regions and municipalities through its specialized agencies: it had rendered valuable support in area of urban planning and implementation through the National Urban Planning Institute (NUPI); and it had provided a variety of support in the implementation of donor-financed projects (*Ibid*).

In spite of the redefinition of the role of urban centers in the national economy, most municipalities continued to operate on the basis of regulations that were adopted during the centralized regimes of the pre-1991 period, notwithstanding the establishment of decentralized office for works and urban development at the regional and local levels. In fact, regional bureau of works and urban development of the bigger regions (Oromiya, Amhara, SNNPRS and Tigray) made sporadic efforts on their own to develop a grading system and designate municipal status to the urban centers under their jurisdiction, revise municipal tariffs and rates, define new organizational structures and staffing plan for municipalities, introduce computerized land information systems etc. Such bigger regions have also taken their initiatives to prepare and implement programs and strategies with technical and financial assistance obtained from donors. In this regard, the Amhara region for example, pioneered a municipal reform program that was to serve as a framework for

municipal level interventions, which was later emulated by Tigray, SNNPR and Oromiya regions (*Ibid*).

It is reckoned that, the effectiveness of these efforts exerted by federal and regional agencies could have been enhanced if explicit urban policies and strategies that pertain to urban development were put in place. This could become feasible with the presence of clear policies that would serve as a more objective basis in the setting of priorities for interventions to be made by the various tier of government and in the achievement of more tangible and sustainable impact. On top of the above intensions, a contract agreement for the execution of a national urban policy was concluded between the Ministry of Federal Affairs and the NUPI on the 26<sup>th</sup> of March 2003. Thus, among others, the NUPI has played a key role as a consultant for the drafting of the national urban policy. Accordingly, the national urban policy was introduced and approved for the first time by the Council of Ministers in March 2005. Consequently, the policy was revised on May 2014.

Before the adoption of the national urban policy, seminars, workshops and panel discussions were organized by the MoWUD, NUPI and RBoWUDs on matters of various urban development issues. Accordingly, the draft policy was intensively discussed by different stakeholders such as concerned regional bureau heads, regional experts, NGO's that works in relation with urban development affairs and so on (MoFA: National Urban Planning Institute: 2003). As stated in the preamble of the policy, "...it is imaginary to think urban development without enhancing urban good-governance issues". Therefore, *inter alia*, the need to have: swift urban services, democracy and democratization, broad-based public participation and public benefits, sustainable peace and stability, rule of law as well as the necessity to make urban centers of the country competent with the globalized world were taken as the key imperative issues for integrating urban development and urban good-governance issues (National Urban Policy: 2014: 2). Generally, the National Urban Policy has the following key objectives:

- To make urban centers as centers of development that plays a pivotal role for accelerating rural development as well as country-wide economic growth; and
- To make urban dwellers owners of legitimate power and beneficiary of development.

Whilst the national urban policy was designed, it has taken the following fundamental rationales as yardstick frameworks of the policy.

- ✓ *The Nature of the Federal Polity*: since the country is organized on the basis of ethnic-based federalism, the policy is intended to enhance for the creation and development of metropolitan urban centers via urban decentralization with the active and broad-based participation of the public through the creation of an enabling environment for regional governments to have broader autonomy over their respective urban centers;
- ✓ *The Rural and Urban Development Integration Strategy*: rural development of the country is anticipated to serve as a base for the vision of urban development and vice versa. This is to mean that, the rural productions, labor and natural resources are very crucial inputs for the urban industrializations and other urban service sectors. Likewise, to enhance sustainable rural development, urban centers are also expected to play a key role via consuming the rural market-oriented productions and the excessive man power;
- ✓ *The Industry Strategy*: since Agricultural Development-Led Industrialization (ADLI) is the key development strategy of the country, metropolitan as well as other small-scale urban centers are expected to serve as centers of agricultural oriented industries that significantly consume the productions as well as the excessive labors of the rural community (the National Urban Policy, 2014: 14-16).

On the basis of the national urban policy document, urban centers across the country are anticipated to play a crucial role for nation – wide development and democratization schemes. Urban centers were also given overriding value for the building of democratic systems. Unlike rural areas, urban centers are believed to be centers of better democratic cultures, diverse beliefs and ideologies, democratic institutions, party politics, mass-medias and so on. The policy aspires to create urban centers that serve as platforms for democratic culture, scientific outlooks, research and arts (the National Urban Policy, 2014: 19-21). Generally, in order to bring fast growing economy and fair urban development across all urban centers of the country, the policy document has identified basic functions that must be implemented. These are among others, to enhance micro and small-scale enterprises, housing development, good-governance, land management and the provision of better infrastructural facilities, education, health and recreational institutions, industry development, environmental protection and urban planning (*Ibid*:22). Consequently, in the mid-2007 almost majority of the regional states had passed proclamations establishing urban local government authorities with decentralized powers (MoWUD, 2007:7). Thus, after the adoption of the national

urban policy, different urban manuals, packages and programs were formulated at the federal level to enhance urban development of the country (*Ibid*). *Inter alia*, the urban planning and implementation manual; the 1<sup>st</sup> and 2<sup>nd</sup> Urban Local Government Development Programs; Resettlement System Guidelines for Urban Local governments (3<sup>rd</sup> Draft of March 2008) and the Rural-Urban Linkage Manual (Feb. 2009) are some of the various manuals introduced by the federal government.

The Urban Local Government Development Program (ULGDP) was a continuation of urban reform by the government which was started in the early 2000s. The objective of the program is to support improved performance in the planning, delivery and sustained provision of priority municipal services and infrastructure by urban local governments (MoFA: National Urban Planning Institute Urban Development Policy Report). The development objectives of the second ULGDP (2008/09 to end December 2014) is to enhance the institutional and organizational performance of participating urban local governments in developing and sustaining urban infrastructure and services.

Moreover, within the first GTP document (that was executed in between 2010/11-2014/15), there was a vision to bring the country “where democratic rule, good-governance and social justice reigns, upon the involvement and free will of its peoples; and once extricating itself from poverty and becomes a middle-income economy”. Therefore, among others, building capacity; deepening good-governance; enhancing transparent and accountable system; ensuring the active participation of citizens and Civil Society Organizations (CSOs) are the key aspects that are given much emphasis in the national GTP I document (GTP I, 2010:11, 58). Likewise, GTP II document of the national government has also given considerable emphasis to enhance integrated urban growth and development of the country. The following extracts from GTP II document reveals the remarkable emphasis bestowed for urban development and urban-good governance that could be executed in between the years 2015/16 to 2020/2021:

*“...During the period of GTP II, ensuring sustainable urban good-governance is going to be critical. Cities and towns will guide their development via urban plans that are well integrated with regional and national development plans and spatial plans. Moreover, by implementing fair and balanced settlement and by creating linkage among cities, the growth of urban centers will be ensured. The supply of land for different urban development programs will be executed in an utmost transparency, accountability and fairness. All urban development programs and resultant urban expansions should ensure equity of farmers and pastoralists by guaranteeing not only sufficient compensation but*



*also rehabilitating such households to warrant better livelihoods afterwards. The direction of ensuring efficiency in land use is also emphasized as a key direction of GTP II ” (National Planning Commission; GTP II Document, 2016: 157).*

Furthermore, in order to enhance urban development of the country, the MUDH had also crafted different programs and implementation manuals at different times. Noteworthy with the above endeavors made by the federal government, this study tries to investigate the roles of the Amhara and SNNPR states in the design and implementations of their own urban policies under chapter four and five of the study respectively.

### **3.6. Conclusion**

The change in government in 1991 and the adoption of the 1995 FDRE Constitution had brought the introduction of a democratic governance system for the first time in the history of modern Ethiopian state. The federal system was adopted to devolve power for autonomous regions. Thus, regions are granted legislative, executive and judicial powers exclusively. In fact, constitutionally guaranteed autonomy for constituent units of a federation hardly imply that, the units are separated from the centre, rather are engaged in a constant dialogue within it (Singh, 2004:3). The federal and regional governments should act independently in areas of their responsibilities and needs to work in partnership in areas of their shared competences.

As discussed in the chapter, from legal and constitutional points of view, regions have broad areas of autonomy that involves the design of their respective policies, strategies and plans. However, different scholars maintain that, so far regions are barely exercising their policy-making autonomy mainly because of EPRDF’s power centralization and the blurred between party and government decisions. From the foregoing discussion, the operation of Ethiopian federation has a feature of power centralization and the domination of a single party politics. In fact, the adoption of National Planning Commission to some extent has shifted the historic party controlled system of policy design to an independent federal institution-where regions could participate in national planning processes, for instance in the adoption of GTP II. On the other hand, urban development issues at the national level are recent endeavors. As discussed in the chapter, it was on March 2005 that the first national urban policy was adopted. In fact, after the adoption of the national urban policy, different efforts were made to enhance urban development affairs at both the national and regional levels.

## CHAPTER FOUR

# POLICY-MAKING AND IMPLEMENTATIONS IN THE AMHARA REGIONAL STATE: A PERSPECTIVE ON URBAN POLICY-MAKING AND IMPLEMENTATIONS

### 4.1. Introduction

As described in chapter three of the study, Art.52 (2) (b) of the FDRE Constitution provides that, member states of the federation have the right to „self-rule“ in their territorial jurisdiction. To that end, regional states have the autonomy to prepare and implement their own state policies and to conduct their own affairs autonomously. Therefore, the objective of this chapter of the study is to explore the Amhara regional state’s autonomy of urban policy-making and implementations.

However, the provision of constitutional power of policy-making is not sufficient for the feasibility of regional autonomy. As discussed in chapter two, for the smooth operation of regional autonomy in a federation, power non-centralization, constitutionalism and democratic legitimacy, decentralized party system as well as the capacity of the sub-national states are crucial factors. Therefore, the chapter examines whether the ANRS is so far fully exercising its constitutional mandate of designing socio-economic policies in general and urban policies in particular. It also examines the roles of citizens, CSOs and other stakeholders in urban policy-making and implementation schemes. As a prelude, the chapter provides brief introductory insights about the geographic and demographic features of the regional state including its administrative and institutional organizations.

#### 4.1.1. The Amhara Region in Brief

The Amhara region is one among the largest states in terms of size and population. Geographically, the region is located between 9°-14° North Latitude and 36°-40° East Longitude with a total land coverage of 161,824.4 SKM.<sup>1</sup> It is bordered in the North by Tigray; in the East by Afar; in the South by Oromiya; in the West by Benishangul-Gumuz and the Republic of Sudan (See Map 1 and 2). Based on the 2007 CSA report, the region constitutes a total population of 17, 214,056.

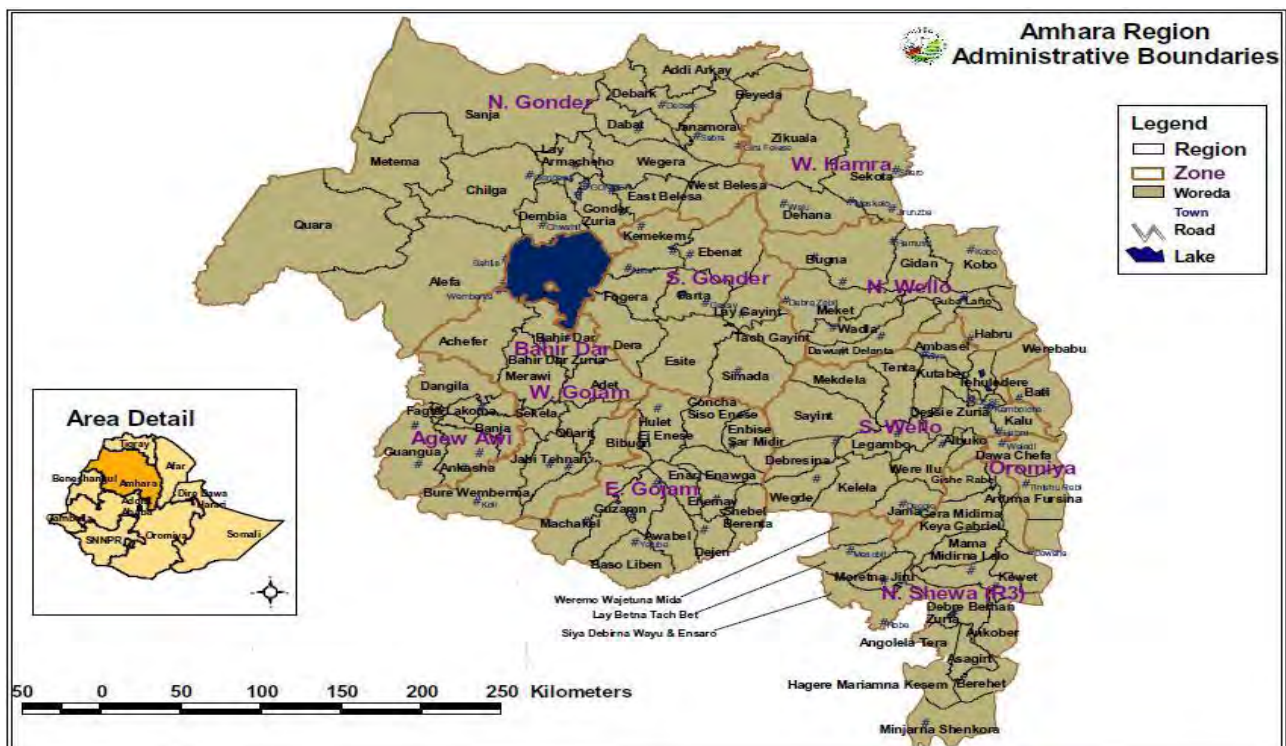
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<sup>1</sup> The ANRS Communication Affairs Office: The 2017 ‘Behere-Amhara’ Annual Regional Documentary Book, at page 1.

On the basis of the 2014 CSA forecast, the region has an estimated population of 20.02 million. Currently, the region constitutes a total of 10 „zones“, 169 „weredas“ and 3490 „kebeles“.<sup>2</sup>

In the regional state, there exists 3 „metropolitan towns“, 42 „town administrations“, 110 „municipal towns“, 89 „minor-municipal towns“, and 220 „emerging towns“. Nearly, 87 % of the regional population lives in rural areas and are engaged in agrarian economic livelihood.<sup>3</sup> The Amharas are by far the largest community in the region. However, there are also other minority ethnic groups such as Oromos, Agaw- Himras, Agaw-Awis, Argobbas and Kemants. The following map gives a picture of the political and administrative map of the ANRS.

**Map 3. Map of the Amhara Regional State.**



**Source: The Councils Capacity Building Strategy (CCBS) of the Amhara National Regional Council (2014)**

Bahir-Dar is the political and administrative capital of the Amhara regional state. On the basis of the 2007 CSA report, Bahir-Dar constitutes a population of 220,544 of which 180,094 are urban dwellers and 40, 250 are rural and peri-urban communities.

<sup>2</sup> Councils Capacity Building Strategy of the ANRS Council 2014-2018: Final Version of the Strategy Document.

<sup>3</sup> ANRS Communication Affairs Office: The 2017 ‘Behere-Amhara’ Annual Documentary Regional Book: P.1.

### **4.1.2. Administrative and Institutional Structures**

The Revised Amhara state constitution organizes the administrative divisions of the region in to three hierarchical levels i.e., the region, „wereda“ (district) and the „kebele“ level.<sup>4</sup> Whereas, for the ethnic minority groups of the Oromo, Agaw-Himra and Agaw-Awi, the constitution had vested three organs of administrative institutions namely: the Nationality Council; the Nationality Administrative Council; and Judicial Body of the Nationality Administration.<sup>5</sup>

Until the year 2001, there was a fusion of power between the executive and legislative organs of the regional government. Accordingly, the „chief-administrator“ of the regional government was simultaneously acting as chief of the regional state council. As a consequence, the „check and balance“ system among the three organs of government was vague and knotty. In fact, this was a common problem of all member state of the federation. It was after Nov. 2001 that, all regional states have revised their respective constitution mainly for the need to separate the existing fusion of power between the executive and legislative organs of their respective governments.

Thus, following the revision of the Amhara state constitution and with the subsequent adoption of Proc. No. 64/2002 by the state council, the three government organs were discretely reorganized. As stated in chapter 2, an inherent feature of a constitutional government is the ability to make laws and adjudicate. That is, for a sub-national state to claim to represent the will of its citizens, it must have its own legal administrative institutions. In brief, in a federation, there should be at least two tiers of government each having exclusive powers in some aspects. Thus, sub-national states must hold their respective legal as well as administrative institutions for the operation of regional autonomy.

The ANRS have its own administrative institutions for the exercise of regional autonomy. As an introductory insight, the subsequent diagrams and discussions reveals the administrative institutions of the ANRS in a particular focuses on the executive and legislative organs. Pursuant to Regulation No. 12/2011 of the Amhara state council, a new institutional organization for the office of the regional legislative council was introduced to attain its constitutional mandates in

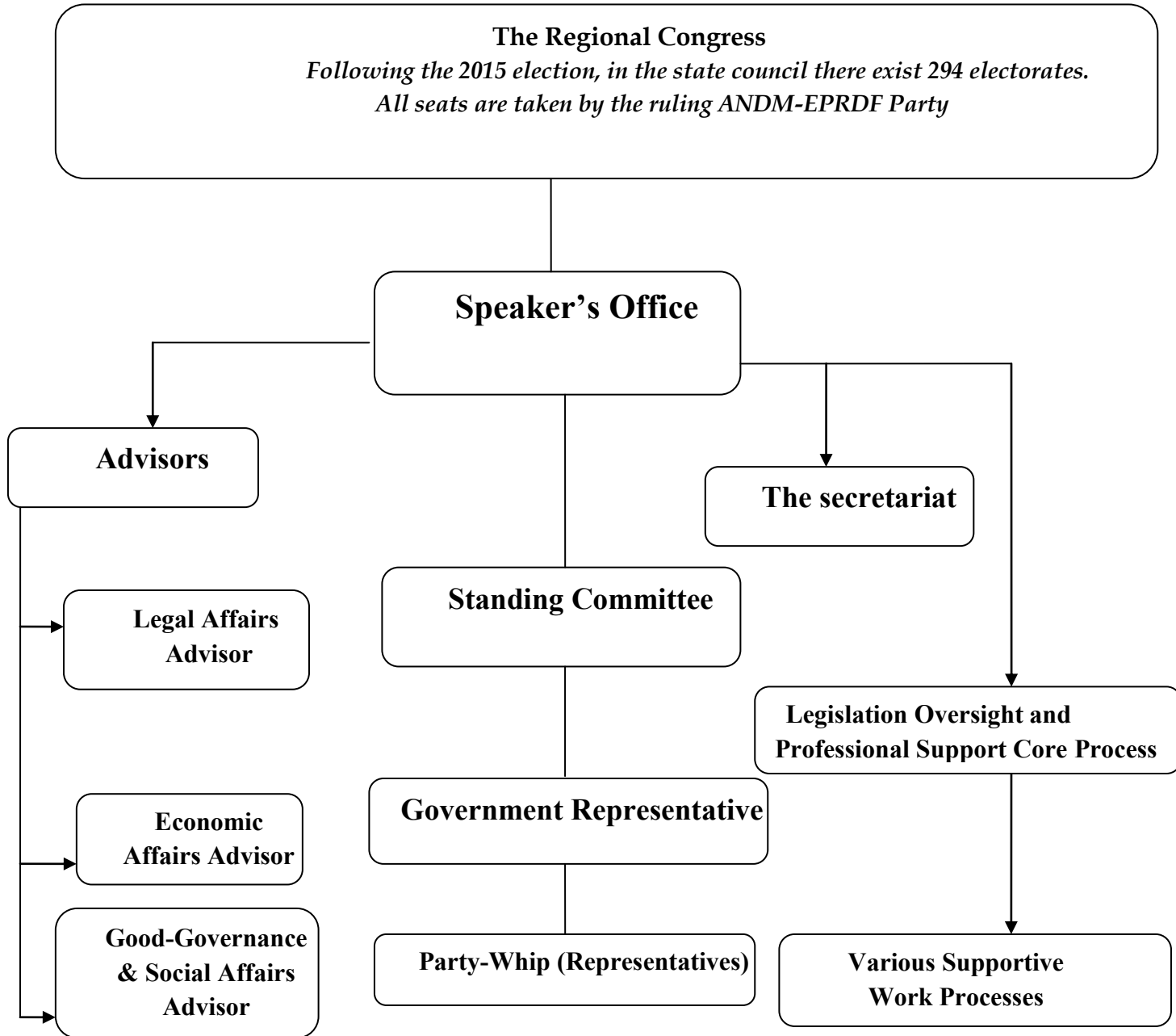
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<sup>4</sup> See Article 45 of the Revised ANRS Constitution.

<sup>5</sup> See Article 73 of the Revised ANRS Constitution.

efficient and effective approaches. The diagram below shows such institutional structure of the regional state council.

**Fig. 2 Structural Organization of the Amhara National Region’s Council**



Source: the Researcher's own diagram: Surveyed from the Office of the ANRS Council.

*N.B. Party-Whip or Party-representatives refers members of the council, who are members of the parties which have ten and above seats in the council, and who is delegated by such parties to coordinate & administer their activities in the council (Article 2 of Regulation No. 12/2011 of the ANRS Council).*

In the Amhara State Council, there are six standing committee. One among those standing committee is the trade, industry and urban development affairs committee. Each standing committee of the state council are composed of a total of 6-7 members among from the state council. Standing committees are mandated to carry out tasks such as making oversight supervision; organize quarterly and annual task-oriented performance evaluation for the executives; conduct face-to-face discussion with the public. Standing committees are also responsible to conduct a public discussion forum for concerned stakeholders on issues of draft laws, regulations and policy initiatives.

From theoretical and legal points of view, the regional state council in general and those „standing committees“ in particular are presumed to serve as a „*watchdog*“ actor against to the actions and activities of the executives. Thus, the existing legal framework at least theoretically provides a system of „*checks and balances*“ for each tier of the regional councils. They are also legally mandated to perform different functions such as to make a consistent support, follow up and overseeing the executives. Though its practical reality is still in question, principles of accountability and transparent system of government are theoretically well-entrenched in both the FDRE and the Amhara state constitutions.<sup>6</sup>

In fact, some members of the state council at the state and sub-state levels still lacks competences, necessary systems, procedures and facilities to execute their mandates satisfactorily. In brief, in spite of the existence of the legal framework, councils still lack full-fledged competence in knowledge, skill, attitude with respect to their constitutional powers; and they lacks adequate systems, tools and procedures related to their constitutional mandates.<sup>7</sup> As discussed in chapter 2, sub-national states in a federation needs a full system of government that is an executive, legislative and a judiciary, each exercising the ability to act independently of the other. However, in the ANRS the existence of the executives simultaneously as members of the state council created for the upheaval of strong autonomy on the side of the executives. As to the viewpoints of some anonymous informants, practically the balance of power between the three

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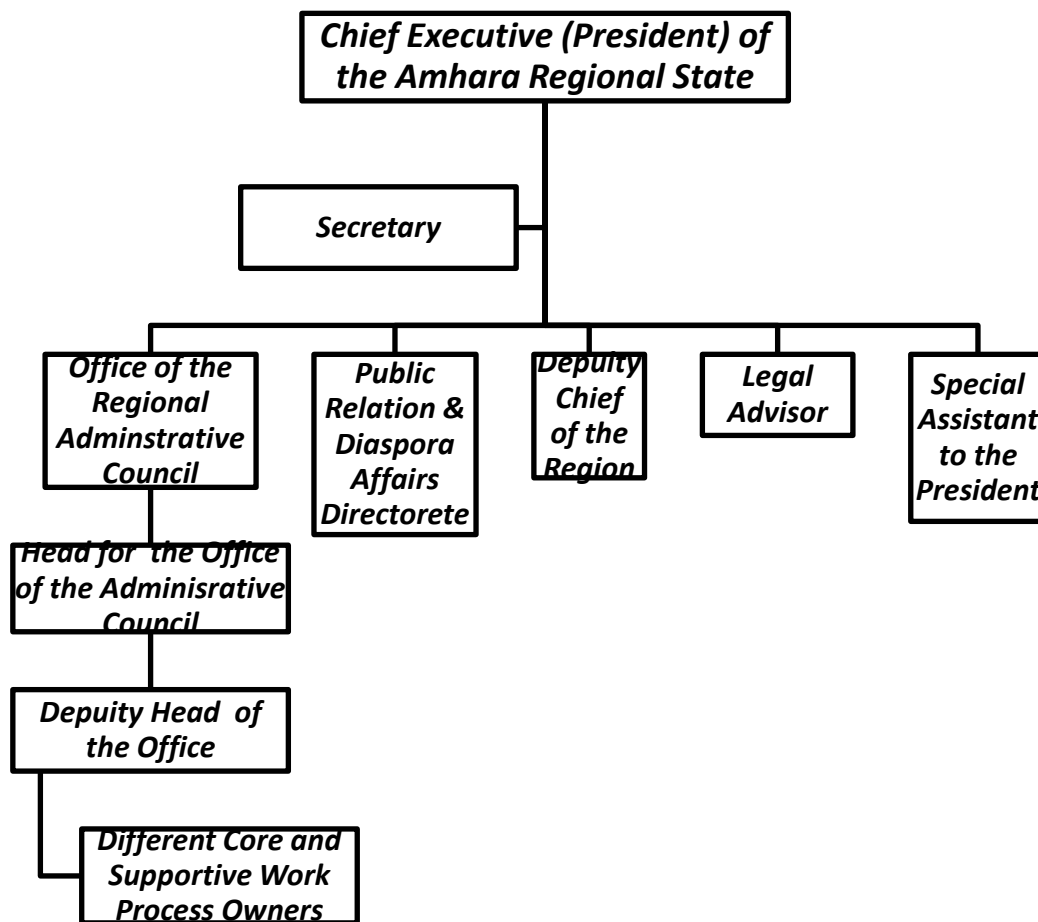
<sup>6</sup> See Article 12 of both the FDRE and the Revised ANRS Constitutions.

<sup>7</sup> Interview with Werksew Mamo- Deputy Speaker of the ANRS Council. Interviewed in her office in Bahir-Dar, ANRS State Council on March 2/2016; See also Councils Capacity Building Strategy of the ANRS Council 2014-2018: Final Version of the Strategy Document.

organ of government is still in question. This is because of the fact that, practically strong autonomy usually tilts towards members of the executives; as a result, the power of the executives at each tiers of the regional government is unlimited.

As far as the institutional organization of the regional executive organ is concerned, basically we can find two structural organizations. These are: the hierarchical structure of the Administrative Council and the structural organization for the office of the chief-administrator. The latter is demonstrated by the following diagram.

**Fig. 3 Organizational Structure for the Office of the Chief- Administrator & the Administrative Council of the ANRS**



Source: the researcher's own diagram: surveyed from the Amhara Regional State Administrative Bureau.

Generally, from the above figures and discussions, it can be argued that, there exist adequate legal and administrative institutions for the smooth operation of regional autonomy of policy-making in the ANRS.

## **4.2. Policy-Making in the ANRS**

As stated in chapter 2, the adoption of policies could be manifested in many different forms such as in the form of laws, official regulations, directives, executive orders, plans and programs. In other words, as a process of action, public-policy can take the form of a law, a rule, a regulation, a directive, a plan or a program. The very rationale for the existence of strong ties between a policy and a law, a regulation, a directive or a specific goal-oriented plan is due to the fact that, a policy is made in response to a specific community problem.

Accordingly, the content of a policy could be adopted in the forms of laws, regulations, directions, strategic plans and programs. Such policy-oriented laws could be designed and adopted by government officials most commonly by the executives. Indeed, policy statements initiated and designed by government officials in turn usually are formal expressions of a public-policy. Thus, this chapter tries to examine Amhara region's autonomy of policy-making and implementations in general and of urban policy-making and implementations in particular.

Since 1993, the Amhara state council has introduced 138 proclamations, 13 regulations and 19 directives.<sup>8</sup> Likewise, the regional administrative council has adopted multifaceted regulations, directives and plans.<sup>9</sup> Generally, since the establishment of the national regional state, the regional executive and legislature organs had adopted a variety of laws, regulations and directives including pieces of urban policies.<sup>10</sup> These policy-making achievements of the regional state could be attributed with the adoption of the federal political system after the change in government in 1991. As discussed in chapter 2, federalism creates proximity between a government and its people and also restraints the concentration and abuse of powers. Moreover, since federalism provides local solutions for local problems, local differences could be reflected in a state and local government policy. Accordingly, the above policy-making endeavor of the

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<sup>8</sup> Interview with Yersaw Tamire-Chief Speaker of the ANRS State Council. Interviewed in March 1/2016, Bahir-Dar ANRS State Council.

<sup>9</sup> Interview with Yayeh Addis- Chief Head for the Office the ANRS Administrative Council. Interviewed in March 9/2016, Bahir-Dar.

<sup>10</sup> Ibid.



ANRS in the form of adopting laws, regulations and directives implies that, the existing federal political system offered better room for policy-making autonomy at the regional level. However, before trying to analyze the policy making endeavors of the regional state in detail, the subsequent section of the study shall appraise the legal procedures for law and policy adoption scenes of the regional state in brief.

#### **4.2.1. Policy Adoption Processes in the Amhara Region**

As discussed in chapter 3, Article 52 (2-C) of the FDRE Constitution authorizes regions “to formulate and execute economic, social and development policies, strategies and plans of the state”. Likewise, Article 47(2) and Article 58(5) of the revised Amhara state constitution provides policy-making autonomy to the regional government and to the regional executives respectively. So that, other than the FDRE constitution, the regional constitution also reveals the existence of ample legal and constitutional space for the regional government to enact regional-based policies, strategies and programs.

The mandate to adopt laws and regulations are legally bestowed to the regional legislative organ. However, for the intent to craft effective and efficient system of working environment, the task to adopt regulations and directives are delegated to the regional executive organ.<sup>11</sup> Basically, the routine function of the Amhara state council is adopting laws that are commonly initiated by the regional executive organ. There are also instances in which the regional council may also adopts regulations and directives if such drafts are emanated from offices of the regional council itself as well as from those three administrative agencies that are lawfully accountable to the regional council namely: the Regional Court; the Regional General Auditor; and the Amhara Mass-Media Agency.<sup>12</sup>

The following institutional organs of the Amhara regional state are authorized to propose or submit draft laws and policy initiatives to the regional state council for ratification. These organs and institutions are:

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<sup>11</sup> Interview with Yersaw Tamire and Werksew Mamo- Chief and Deputy-Chief Speaker of the State Council respectively. Interviewed in March 1 & 2/2016, respectively at their respective office found in Bahir-Dar city of the ANRS Council; see also Proc. No. 12/2011 of the ANRS Council.

<sup>12</sup> Interview with Gashaw Admasu- Legislation Oversight and Professional Support Core Work Process Leader of the ANRS State Council. Interviewed in March 4/2016, Bahir-Dar City of the ANRS Council.

- Members of the regional executives;
- Speaker of the state council;
- Standing committees of the state council;
- Members of the regional state council (i.e., the legislatures);
- Parties who have seats in the state council;
- Supreme court of the regional state;
- Councils hierarchically found beneath to the regional council namely: nationality councils, wereda councils, town councils and kebele councils;
- Any public institutions that are directly accountable to the state council;
- Organized bodies like regional-based CSO's; and
- Other bodies and institutions authorized by law.<sup>13</sup>

As stated in Article 38 (3) of Regulation No. 12/2011 of the ANRS Council, the power to make draft laws on financial or budgetary issues is only offered for the regional executive organ. Generally, as far as policy initiations in the ANRS are concerned, the role of the regional executive organ is indispensable. This is because of the fact that, most of the laws and pieces of policy contents so far adopted by the Amhara state council are initiated by the regional executive organ.<sup>14</sup> In brief, members of the executive organ who are also members of the ruling party have played a pivotal role in both the initiation and adoption of laws and policies at the regional level.<sup>15</sup> However, party-fused executives control in policy-making at both the federal and regional level is not helpful for the democratization of the country as well as for the regional state. As discussed in chapter 2, a political system through which elites control power at the center may tend to make the legitimacy of regimes problematic. Rather, citizens and stakeholders engagement in decision-making processes forms one of the fundamental tests of how effective a federal system is.

As discussed above, in the ANRS, the duty of initiating policies, regulations and directives are mainly conducted by the regional executive organ. In fact, draft laws initiated by members of the executives are finally endorsed by the regional legislatures. That is, before the coming in to effect of policies, the regional constitution urges the regional executive organ to submit those draft policy documents to the legislatures for approval so as to make it as a binding legal policy

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<sup>13</sup> See Article 27 and Article 38 of Proc. No. 12/2011 of the ANRS Council.

<sup>14</sup> Interview with Yersaw Tamire and Werksew Mamo. Interviewed in March 1 and 2 /2016, respectively, Bahir-Dar.

<sup>15</sup> Interview with Admasu Lulu- Economic Advisor of the ANRS Council. Interviewed in March 5/2016, Bahir-Dar.

document.<sup>16</sup> Broadly, the endeavors made by the ANRS regional executive and legislative organs in the adoption of different policies in general and urban policies the form of urban laws, regulations and directives in particular could be cited as a good indicator for the beginning of exercising policy-making task at the regional level. On the other hand, when one explores the entire policy adoption processes of the Amhara regional state, one can also find some legally entrenched procedures which are discussed and analyzed in the following paragraphs.

Article 38 (4) of Proc. No.12/2011 of the ANRS declares that, if draft policies or laws are initiated by members of the state council, such draft bills must be backed by at least twenty members of the state council with their signatures. On the other hand, draft policies or laws that emanate from various organs must be signed by the „chair-person“ of that particular body/ party-whip/ civic society/institution and so on. Thus, every draft policy initiatives that discharge such a pre-condition should be submitted to the chief-speaker of the council. In addition, a draft law or policy that is initiated by any of the authorized body shall satisfy the following criteria’s:-

- The significance of the draft law/policy;
- Detailed contents of the draft law/policy;
- A document explaining the impact in which the draft law/policy shall have on government budget if it becomes a binding law; and
- The draft law shall be prepared in Amharic language.<sup>17</sup>

On the other hand, any draft policy or laws which are submitted to the state council becomes binding policy passing through three stages of readings as the case may be.<sup>18</sup> Once first-round-reading is conducted, Speaker of the House shall direct the draft bill either to the parliament for approval or to the concerned standing committee for further examination. Accordingly, if the draft bill is possibly directed towards the concerned standing committee, members of the respective committee are expected to conduct an appraisal of the draft bill from legal as well as socio-economic and political rationale. Consequently, the standing committee shall launch a public hearing session for concerned stakeholders which are commonly known as public-wings literarily

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<sup>16</sup> See Article 58(5) of the Revised Amhara State Constitution.

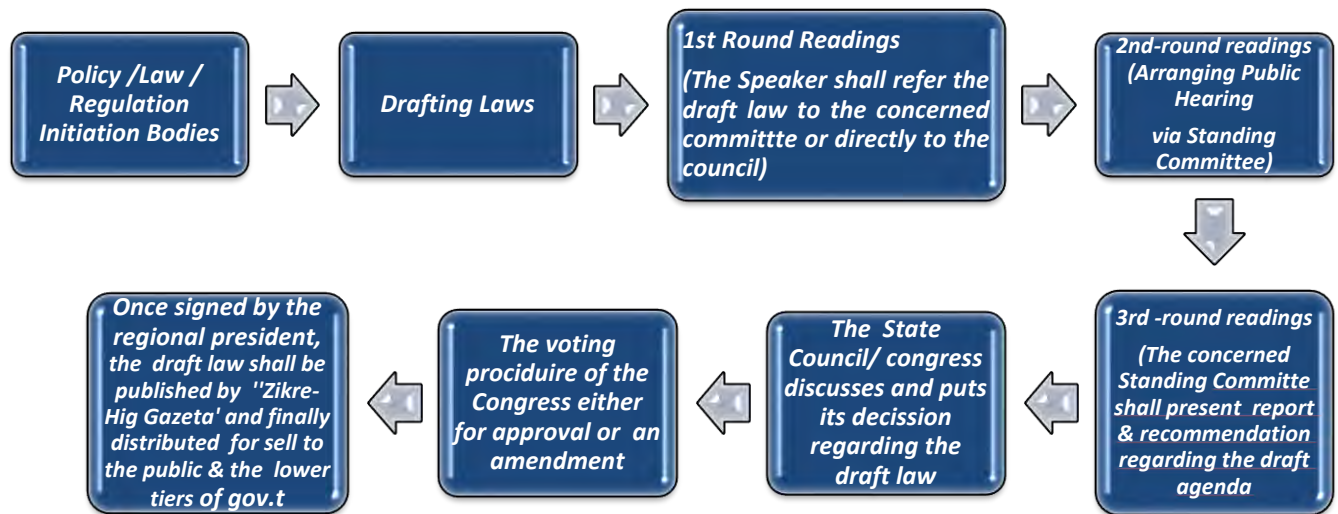
<sup>17</sup> See Article 38 (9) of Regulation No. 12/2011 of the ANRS.

<sup>18</sup> Interview with Yersaw Tamire, Weksew Mamo and Gashaw Admasu; see also Regulation No.39 (1) of the ANRS Council.

in Amharic called „ya-hizb-kinfe“.<sup>19</sup> Thus, taking substantial feedbacks from concerned stakeholders, the respective standing-committee shall finally submit its decision to the Chief-Speaker of the House within fifteen days earlier before the date of the State council“s assembly. Later on, Chief- Speaker of the state council set a meeting session for members of the parliament for discussion and deliberation.<sup>20</sup>

Finally, at the date of the council“s meeting, chief-speaker of the council instructs chief of the concerned „standing-committee“ to read the draft bill to the council in a detailed manner. Then, at this stage, speaker of the state council facilitates the discussion in a democratic approach. Finally, if the council believes that, the draft bill is not well substantiated in a credible approach, the speaker will re-direct the draft agenda once again to the concerned „standing committee“ for re-examination and revision. Otherwise it will be adopted by 2/3 majority vote of the congress. Finally, the draft bill becomes binding policy document being signed by the regional president and published in „Zikre-Hig“ magazine of the regional council in both Amharic and English versions.<sup>21</sup> Generally, law or policy adoption processes of the ANRS could be summarized by using the following diagram.

**Fig. 4 Law or Policy-Making Processes in the Amhara Regional State Council**



Source: Researcher’s own diagram: Surveyed from the Office of ANRS State Council: Office of Legislation Oversight and Professional Support Core Work Process.

<sup>19</sup> Interview with Gashaw Admasu- Legislation Oversight and Professional Support Core Work Process Leader of the ANRS Council. Interviewed in March 4/2016, Bahir-Dar ANRS Council.

<sup>20</sup> Ibid.

<sup>21</sup> Interview with Gashaw Admasu and see also Article 40-44 of Regulation No. 12/2011 of the ANRS Council.

From the above discussion, one can infer the fact that, the Amhara state council has adopted its own legal procedure of policy-making or simply called a „policy-cycle“. However, compared with the theoretical approaches of a „policy-cycle“ discussed in chapter two, the policy adoption system of the Amhara region lacks explicit procedures for policy adoption, policy-implementation and evaluation stages. It merely shows the processes of agenda-setting and decision-making. As stated in chapter 2, policy-adoption is a phase where a policy-decision is negotiated and made in the formal political stage. Thus, at this stage, the public administration inspects an array of policy options that it considers to be possible solutions. However, the policy/law adoption procedure of the ANRS lacks the key theoretical approaches of policy-adoption procedures that are discussed in chapter 2.

Above all, the role of citizens and stakeholders in policy-making is still limited. The system of policy-making in the region is predominantly controlled by the prominent role of the regional executives.<sup>22</sup> Therefore, in order to make the existing policy-making system of the region democratic, participatory and transparent, it would be better if all concerned stakeholders including opposition political parties“ have given adequate chance to comment and criticize draft policies particularly at the earliest stage of the policy adoption process. As conferred in chapter 2, in the Swiss, American and South-African federations for instance, all stakeholders of sub-national governments including political parties are consistently invited for comments and critics about draft bills. In Cantons of the Swiss federation for instance, the right of opposition political parties and other stakeholders in policy- making process is constitutionally protected by the Swiss Constitution.

Moreover, other than the commonly used approach of „representative democracy“, it is very crucial to create intensive public discussion forums at the grass-root level so as to build a sense of ownership and belongingness among citizens about those adopted laws and policies.<sup>23</sup> It is because of such a failure that, regional and local government officials frequently encounter challenges whilst trying to implement some federal and regional laws, policies and programs. In this regard, the urban-

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<sup>22</sup> Interview with Mola Desse- Deputy President of the ANRS Teachers Association. Interviewed in March 11, 2016, Bahir-Dar.

<sup>23</sup> FGD Conducted with Representatives of Civic Associations found in Bahir-Dar City Administration. It was conducted in October 2/2016, Bahir-Dar.

land lease laws, the health insurance policy programs for civil-servants, land expropriations for development purposes are few examples.<sup>24</sup>

On the other hand, in spite of the existence of the above discussed policy adoption procedures of the regional state, sometimes the executive organ makes a strong pressure and influence to the chief and deputy-speakers of the council so as to pass a particular draft bill directly to the congress for approval. In such instances, civic associations and other stakeholders are incapable of getting adequate opportunities to forward their insightful comment and critics.<sup>25</sup> As to the researcher point of view, such a breach of legal procedures by members of the executives reveal the nonexistence of effective check and balance system between the regional executive and legislative organs of the regional state. It is because of the existence of such a challenge that, absence of rule of law and democracy as well as good-governance problems becomes rampant across all tiers of government. As discussed in chapter two, for the smooth operation of a federation, it is mandatory to hold the spirit of democratic legitimacy and constitutionalism.

#### **4.2.2. Roles of the Executive and Legislative Organs in the Design of Urban Laws, Regulations, Directives and Plans**

The Amhara regional executives are the supreme executive organ of the regional government. Among others, this organ is legally empowered to:

- ✓ Organize, evaluate and approve annual plans of the state;
- ✓ Initiate new socio-economic draft policies submits such draft policies to the state council for approval;
- ✓ Propose draft provision for the revision of existing socio-economic policies;
- ✓ Propose and submit different draft laws for the state council for approval;
- ✓ Enacts various rules, regulations and directives.<sup>26</sup>

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<sup>24</sup> Ibid.

<sup>25</sup> Interview with Yersaw Tamire, Werksew Mamo and Gashaw Admasu. Interviewed in March 1, 2, and 4, respectively in their respective office, Bahir-Dar.

<sup>26</sup> Article 58 of the Revised ANRS Constitution; see also Art. 3-4 of Regulation No. 3/2005 of the ANRS Council.

As we can infer from the above legal provisions, the regional executive organ are authorized to perform a variety of functions. However, though the executive organ has adopted pieces policy regulations, directives as well as plans and programs, it has not fully exploited its constitutional mandate of policy-making due to different factors that will be discussed in a separate section later. The regional executive organ has been highly devoted in the provision of draft laws to the state council for approval. It also plays a decisive role for the executions of federal and regional policies in general and urban policy programs in particular.<sup>27</sup>

However, sometimes urban laws and policy programs fail to achieve the intended objectives mainly because of the existence of implementation problems at the local level.<sup>28</sup> As to the researcher points of view, such a problem prevails mainly because of the absence of effective policy-making and implementation tools at the regional level. As stated under chapter 2, policy-adoption and implementation requires more attention and deliberation over the structures and institutional effectiveness of a particular polity that involves the organizational loyalties and commitments of the implementers at the grass root level. However, as we can understand from the policy adoption procedures of the ANRS discussed in the preceding section, more attention is not given for policy-implementation tools. As a result, it is common to see implementation deficits at lower tiers of government.<sup>29</sup>

The Amhara regional state like other regions of the federation is using the urban policy of the federal government as a guiding urban policy framework that was enacted by the Council of Ministers in March 2005, and later revised by the same body on May 2014. Therefore, taking the federal urban policy as a macro-urban policy framework, the regional government has introduced different urban policies in the form of urban proclamations, regulations and directives.<sup>30</sup>

In fact, the makings of urban policies are recent endeavors both at federal and regional levels. In brief, urban policy issues were not given considerable attention by the ruling party-EPRDF. Unlike

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<sup>27</sup> Interview with Bedilu Nigatu –Plan Commissioner of the ANRS. Interviewed in March 14/2016, Bahir Dar.

<sup>28</sup> Interview with Nigussu Tilahun- Communication Director of the ANRS. Interviewed in March 16/2016, Bahir-Dar.

<sup>29</sup> Interview with Some Representatives from urban and peri-urban Households from at Abay-Mado, Zenzelma nad Meshenti Sites.

<sup>30</sup> Interview with Genet Gebregzabher-Bureau Head of Urban Development and Housing Construction. Interviewed in March 6/2016, Bahir-Dar.

urban policy, other development policies such as the Agri-led industrialization policy; education and training policy; health policy; foreign policy; and so on were given overriding priorities. It was during the 3<sup>rd</sup> EPRDF Congress that was held in Jima town that urban development policy issues were given some degree of attention by the federal government as a nation-wide development agenda for the first time.<sup>31</sup> The federal government has given a relatively better concern for urban development issues within the second five year development plan (2000-2007), wherein the objectives of urban development was stated as “-to enhance the role and contribution of urban centers towards economic development and therefore to improve the living condition of their residents.”<sup>32</sup>

As discussed in chapter 3 of the study, it was on March 2005 that, the federal urban policy document was adopted for the first time by the federal ministries of councils. However, before the adoption of the national urban policy, in the Amhara regional state a group of experts were assigned by the regional government to conduct a preliminary base-line urban survey in some selected towns of the region in between the years 2000-2001.<sup>33</sup> The study was conducted in Bahir-Dar, Gondar, Dessie, Kombolcha and Debre-Markos towns. Finally, the study become a yardstick „blue-print“ urban base-line survey and a milestone for the subsequently adopted urban proclamations, regulations and directives which were endorsed at different times by the ANRS.<sup>34</sup>

Later on, taking insightful inputs from the above mentioned urban base-line document, the Amhara regional council adopted the first urban policy in the year 2003 via Proc. No. 96/2003. Therefore, such an endeavor made the Amhara region pioneer regarding the endorsement of urban policy legislation at the sub-national level.<sup>35</sup> Gradually, a variety of urban proclamations, regulations and directives that deals about urban categories; criteria for urban determinations; urban personnel and financial administrations; urban court establishment procedures and so on were adopted at

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<sup>31</sup> Interview with Merhatsidk Mekonen- Legal Advisor of the ANRS Chief-Administrator. He has been worked in the Regional Bureau of the Administrative Council since the establishment of the regional state. Interviewed in March 9/2016 at his office, Bahir-Dar.

<sup>32</sup> Ministry of Federal Affairs (MoF): National Urban Planning Institute, 2003.

<sup>33</sup> A group of experts composed of six members (three from the regional government and the remaining three from international consultants) were assigned to conduct the 1<sup>st</sup> urban base-line survey in some selected towns of the ANR. One among the experts was my informant- Merhatsidk Mekonnen, who is now legal advisor to the ANRS Chief-Administrator.

<sup>34</sup> Interview with Merhatsidk Mekonen- Legal Advisor of the ANRS Chief-Administrator. Interviewed in March 9/2016.

<sup>35</sup> Interview with Genet Gebregzaber and Merhatsidk Mekonnen. Interviewed in March 6 & 9/2016, respectively.



different times by the regional legislative and executive organs.<sup>36</sup> This implies that, the adoption of the federal system since 1991 offered better opportunities for regional autonomy of policy innovations at the regional level. As discussed in chapter 2, one of the most important contribution federalism can have on developments of society is its level of innovation. This is because of the fact that, federalism enhances policy innovations at the sub-national level.

Generally, as a result of the adoption of the federal system and the distribution of powers to regional states, the executive organ of the ANRS has adopted a variety of urban regulations, directives, plans and programs. In this regard for instance, the executive organ had adopted the first urban regulation via Regulation No. 5/97, that declares about the establishment and organization of „town administrations“ and „municipalities,“ and determining their functions and responsibilities. At that time, such a regulation was introduced and intended to be applied only for the then 7 town administrations namely: Debre-Markos, Gonder, Debre-Tabor, Woldiya, Dessie, Kombolcha and Debre-Birhan. On the basis of this regulation, among others, organizational structure and functions of town administrations and municipalities; duties and functions of city“s councils“, city“s executives and judicial organs; administrative structures of a municipality; urban planning procedures, and so on were innovated<sup>37</sup>. This implies that, to some extent the regional state has autonomously exercising its policy-making power. However, party-fused executive leadership plays a prominent role in both policy-making and implementation schemes. This is because, most of the laws and pieces of policies initiated, adopted and implemented in the regional state are made with the prominent role of the regional executive organ rather than the roles of citizens, civic societies and other concerned stakeholders.<sup>38</sup>

The regional legislative organ in its part had also adopted a comprehensive urban law for the first time via Proc. No.43/99. The introduction of this urban law made the Amhara regional state pioneer in the history of adopting urban laws at the regional level.<sup>39</sup> Though it was revised via Proc. No. 91/2003, Proc.No.113/2005; and later via Proc. No. 226/201; Proc. No.43/99 was a milestone urban

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<sup>36</sup> Interview with Yayeh Addis- Head for the Office of the ANRS Chief-Administration. Interviewed in March 9/2016.

<sup>37</sup> See Regulation 5/97 of the ANRS Administrative Council.

<sup>38</sup> FGD with Leaders & Members of Civic Associations and Micro-Entrepreneurs. The FGD was Conducted in October 2/2016, Bahir-Dar.

<sup>39</sup> Interview with Regional Officials- Merhatsidk Mekonnen, Yayeh Addis and Genet Gebregzabher. March 9, 9, & 6/2016 respectively in Bahir-Dar.

policy content of the regional state. This urban proclamation, among others, stipulates about a variety of urban governance issues. Likewise, when we explore the revised version of this proclamation, one can also find ample urban policy innovations. Among such novel policy experiences for instance, Article 4 (1) of Proc. No. 91/2003 declares about the classification and determination of urban centers of the ANRS in to three distinct groups, namely:

- A) Town Administrations;
- B) Municipality Towns; and
- C) Emerging Towns

On the basis of this policy, those cities/towns that were categorized under label „A“ of „town administrations“ are further classified in to three groups, namely:

- Category „A“ labeled as „Town Administrations“;
- Category „B“ labeled as „Amalgamated Town Administrations“; and
- Category „C“ labeled as „Metropolitan Town Administrations“

„Municipality Towns“ of the Amhara region are also further classified in to two distinct categories namely: „Major Municipality Towns“ and „Minor Municipality Towns“. On the basis of Regulation No. 17/2003, the city of Bahir-Dar, Gondar and Dessie were categorized under „Metropolitan town administrations“. On the other hand, Debre-Birhan, Debre-Markos, Debre-Tabor and Woldiya towns are categorized under „Amalgamated Town Administrations“. Though nowadays the number of town administrations across the region is raised to a total figure of 42, initially those towns which were categorized under the brand of „town administrations“ were only 4 in number- these are:- Finote-Selam, Enjibara, Sekota and Kemisse towns.

Generally, the categorization of all urban centers of the ANRS in to the aforementioned urban categories“ were established with a criteria set by a policy regulation enacted by the regional executive organ. Therefore, on the basis of the above empirical data, one can argue that, to some extent the ANRS has exercising its mandate of policy-making autonomously. As a result, a variety urban policy contents have been experimented in the region. It is true that, the national urban policy is a guiding urban policy framework that would be used by all member states of the federation. However, the national urban policy didn“t explicitly provide specific policy criteria“s for the governance and administrations of towns and municipalities at the regional and local levels.

The above discussed urban policy-laws and regulations of the Amhara region reveals the existence of novel urban policy concepts in the region which are never mentioned within the national urban policy document. This also implies that, as far as regions exert their effort in the adoption of specific urban policy issues, the federal urban policy framework doesn't affect them in doing so. Broadly speaking, the making of urban laws and regulations by the ANRS legislative and executive organs respectively reveals the existence of some degree of regional autonomy of policy-making. In fact, as discussed chapter 2, federalism allows constituent units to make use of their powers for the benefit of their citizens rather than putting aside this responsibility to anybody else. Thus, sub-national governments are able not only to decide on certain policy matters by themselves, but also to generate policy outputs more or less independently from federal government.

The Amhara regional executive organ has also introduced pieces of urban policy content through Regulation No. 17/ 2003 which declares about the establishment and determination of urban categories of the ANRS. Pursuant to this regulation, a variety of pieces of urban policy contents were innovated. For instance, the level and status of urban centers of the region are categorized based on the following criteria's:- population size; geographic convenience of that particular urban center (i.e., its appropriateness to its neighborhoods and adjacent communities for administrative purpose); its revenue generating potential; the livelihood nature of residents; its future strategic value for socio-economic development of the region. Accordingly, as stated under Article 3 of the same policy framework, each urban centers of the region are expected to belong either at the status of a „town administration“, or a „municipal town“, or an „emerging town“.

In addition, those „town administrations“ of the region were categorized in to three forms namely: „town administrations“; „amalgamated town administrations“; and „metropolitan town administrations“. Thus, discrete criteria's were set out for the above mentioned urban categories of the region. To seize the status of a „town administration“ for instance, a particular urban center of the region must fulfill at least one of the following pre-conditions:

- A- Needs to become an administrative capital or seat of a zone;
- B- Needs to hold a total population of 50,000 or more; of these, 60 % of the population must live within the center of the town and the remaining 40 % should live around the peri-urban areas;

C- If the regional administrative council nominates the town due to its strategic importance for future socio-economic development of the region.<sup>40</sup>

On the other hand, an „amalgamated town administration“ is expected to acquire the following criteria“:

A- The existence of one or more geographically adjacent urban center/s within 10 KM radius, and when these centers co-operate each other for proportional socio-economic and urban development arenas.

Whereas, to seize the status of a „metropolitan town administration“, the following are the pre-condition criteria“s“:

A- Needs to hold a population of 50,000 or more at the center of the town; and the existence of other urban centers within a radius of 20 KM and thus adjacent urban centers must have their own self-administration as well as an intent for partnership and collaboration in a variety of socio-economic development arenas;

B- The population of the adjacent urban centers that establish collaboration and partnership with the metropolitan center must reach 10,000 and above.

C- If the regional administrative council provides a permission.<sup>41</sup>

Accordingly, on the basis of the above urban policy regulations, across the region Bahir-Dar, Dessie and Gondar towns were categorized as „Metropolitan Town Administrations“. Accordingly, small nearby towns such as „Tis-Abay“, „Meshenti“ and „Zeghe“ belonged to Bahir-Dar Metropolitan town administration. Likewise, while „Teda“ town brought under Gonder metropolitan administration, Kombolcha town on the other brought under Dessie metropolitan administration.<sup>42</sup>

The regional executive organ has also innovated specific criteria for the determination of a municipality. Thus, to become a municipality, a particular urban center of the region must fulfill at least one among the following criteria“s“:

A- If it has been previously become a municipality;

B- Holding a total population of 5000 and above;

C- Holding a total population of 3000 and above, if and only if such a center previously served as a „woreda“ center;

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<sup>40</sup> Regulation No. 17/2003 of the ANRS Council.

<sup>41</sup> Ibid.

<sup>42</sup> Interview with Genet Geberegiabher- Bureau Head of Urban Development; see also Regulation No. 17/2003.

D- If the regional executive organ nominate it because of its future socio-economic development value for the region.<sup>43</sup>

Broadly speaking, the ultimate intent of the above discussed urban policy guideline of the Amhara region is to establish a guiding framework for the governance and development of urban centers of the region. Thus, the adoption of such urban policies by and large has solved multi-faceted urban governance problems of the region.<sup>44</sup>

Generally, one can infer the fact that, the Amhara regional executive and legislative organs had identified an array of urban problems of the region and with the adoption of arrays of urban policy laws and regulations; the regional authorities have aimed to create better urban centers that enhance urban good-governance, democratization and urban development of the region. This implies that, there exists some degree of regional autonomy of policy-making at the regional level. In fact, this is one basic benefits of a federal political system. As discussed in chapter 2, by creating proximity between a government and its peoples, local differences could be manifested in state and local government policy. The adoptions of the above mentioned urban laws and regulations in the ANRS imply the existence of regional autonomy in policy making. Among others, policy legislations and regulations about duties and responsibilities of town administrations and municipalities; administrative organs of town administrations; election procedure for town council are some of the urban policy achievements of the regional state. However, in spite of such policy achievements of the region, sometimes policies and laws at the local level fails to achieve the intended goals mainly because of the existence of implementation and good-governance problems that will be discussed in detail under a separate section later.

Other than the above discussed urban policy contents, an array of new urban proclamations as well as the revision of earliest laws had been enacted by the regional legislatures at different times. Among others, the following urban laws are some of the urban policy legislations adopted by the regional state council at different periods.

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<sup>43</sup> Ibid.

<sup>44</sup> Interview with Regional Officials such as Genet Gebregzabher, Nigussu Tilahun, Yersaw Tamire and Yayeh Addis.

- A Proclamation for the Establishment of the ANRS Housing Development Agency (Proc. No. 109/2003);
- The Revised Proclamation Issued to Amend the Amhara National Region Urban Centers Establishment, Organization and Determination of their Powers and Duties (Proc. No. 113/2005);
- A Proclamation Enacted to Determine about the Ownership of Condominium Buildings in the ANRS (Proc. No. 141/2006);
- A Proclamation Enacted to Provide for the Transfer of Houses Built or to be Built by the ANRS Integrated Housing Development Program) to the concerned beneficiaries” (Proc. No. 142/2006);
- The Revised Proclamation for the Establishment, Organization and Determination of Powers and Duties of Urban Centers Re-amendment Proclamation of the Amhara National Region (Proc. No. 226/2015); and so on.

In sum, the above discussion on urban policy-making endeavors of the ANRS reveal the very fact that, federalism with its constitutionally protected division of powers between two orders of government is thought to make a difference to policy-making that involves ample space and opportunities for policy innovations at the regional level. As discussed in chapter 2, by devolving power, federalism permits policy diversity. That is, the devolutionary character of a federal system can facilitate the governance of ethnically diverse society, extend democratic participation, adapt policy to regional needs and encourage innovation, experimentation and competition. Therefore, it is possible to argue that, the Amhara regional state is autonomously exercising its policy-making power. The following section of the study for instance provides some among the best urban policy innovations adopted by the ANRS executive organ at different periods.

### **4.2.3. Some Best Urban Policies of the ANRS**

In broad terms, those urban policy contents discussed in the previous section of the study reveal the existence of some degree of regional autonomy of policy-making in the Amhara regional state. The various urban policy innovations of the region may offer insightful urban policy experiences for other constituent states of the federation. In the following paragraphs, attempts are made to show some of the best urban policies of the regional state.

One among the severe problems that is evident in those major urban centers of the country in general and in the Amhara region in particular is the existence of high rate of rural to urban migration. The existence of such a challenge brought a variety of socio-economic development challenges. In this regard for example, Bahir-Dar, Gondar and Dessie towns are among those major towns of the region that are characterized by high rate of in migration. However, in order to mitigate such a challenge, the regional executive organ had introduced a policy regulation for the establishment of the so called „satellite urban centers“ for Bahir-Dar, Gondar and Dessie towns. Accordingly, for Bahir-Dar town for instance, those neighborhood small-sized kebeles“ namely: „Meshenti“, „Zeghe“, „Tis-Abay“, and „Zenzelma“ were nominated as „satellite-urban centers“ for Bahir-Dar city administration.<sup>45</sup> The objective of adopting such a policy was to create a satellite – urban center and thereby to mitigate the likelihood of high rate of in migration towards Bahir-Dar city and hence aimed to reduce the burden of the city“s administration in relation with its scarce resources of urban land, housing and other social services and amenities.<sup>46</sup>

Likewise, in order to create better administrative system for rural „kebeles“, the regional executive organ had also introduced another policy concept for the establishment of the so called „rural- kebele centers“ across the region. Thus, in all rural kebeles of the region, geographically convenient rural „kebeles“ were identified by „woreda“ and „kebele“ administrators and finally such localities were selected to serve as „rural kebele – centers“ (in Amharic called yagater-maekel) for their respective communities. For instance, within GTP I implementation periods (i.e., from 2010/11-2014/15), a total of about 154 „rural kebeles“ have got legal certificate to become and serve as a rural kebele-center.<sup>47</sup> Accordingly, such a policy remedy has significantly solved problems of administration and service delivery which was the common facet in most rural localities.<sup>48</sup>

Shortage of housing is the other fundamental predicament that substantially affects a sizeable number of urban dwellers of the Amhara region particularly in those major towns of the region. While some group of people lacks financial capacity to construct their own houses, a sizeable number of others frequently claim their respective authorities for the provision of urban plots of

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<sup>45</sup> Interview with Genet Gebregzabher, Yayeh Addis and Nigussu Tilahun; see also Regulation No. 17/2003.

<sup>46</sup> Ibid.

<sup>47</sup> Interview with Mulugeta Semegn- Public Relations Directorate Director for Urban Development Bureau of the ANRS. Interviewed in March 6/2016, Bahir-Dar; see also the ANRS GTP II document; 2016: 31-32.

<sup>48</sup> Ibid.

land.<sup>49</sup> Thus, with the active agent of the regional bureau of urban development, housing and construction, a variety of policy directives were designed by the regional executives. In this regard for instance, within the implementation periods of GTP I, the regional government has constructed a total of 12, 573 condominium houses in those major urban centers of the region and redistributed such houses for the concerned communities.<sup>50</sup>

On the other hand, for those households who have the financial capacity to build their own houses, the regional bureau of urban development has set a directive that obliges such group of individuals to forge an association, and there by plots of land was allotted to them for the intended purpose. Accordingly, a sizeable number of citizens have been granted urban plots of land for house constructions. In this regard, for instance the city administration of Bahir-Dar has granted a total of 270 hectares of plots of land for about 4,345 citizens organized within a total of 204 „associations“ in the years between 2013/14 to 2015.<sup>51</sup> In addition, from a total of 100 urban centers of the region (58% of the region“s urban centers), a total of 6, 714.68 hectares of unexploited land were identified and legally documented under the so called „urban land bank“ for proper utilization in the future.<sup>52</sup>

Generally, from the above discussion, we can understand that, the executive and legislative organs of the ANRS had adopted pieces of a variety of urban policy laws, regulations, directives, plans and programs. As discussed under chapter 2, the value of federalism is not only limited to the extent of policy innovations, it also contributes for simulation of best policy models through mutual learning and competition. As to the researcher points of view, the above mentioned best policy achievements of the ANRS can spread and diffuse across jurisdictions both vertically as well as horizontally for experience sharing and mutual learning. However, unlike the Swiss, American, Indian and South-African federations discussed in chapter 2, in the Ethiopian federation there is no formal IGR system that serves as a means for policy-making processes as well as for the diffusion of best policies across regions and between regions and the federal government. In spite of such limitations, it can be argued that, to some extent the ANRS in general and its respective citizens in

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<sup>49</sup>Interview with Genet Gebregzabher and Mulugeta Semegn. Interviewed in March 6/2016, Bahir-Dar.

<sup>50</sup> The Amhara Region Planning Commission: GTP II document; 2016: 31-32.

<sup>51</sup> A data taken from the Office of Bahir-Dar City Administration, in March 18/2016.

<sup>52</sup> The Amhara Region Planning Commission: GTP II document; 2016: 31-32.



particular had practically begun to test and benefit from the very fruits of the „laboratory values of federalism“ articulated under chapter two of the study.

Among others, the following are some of the urban policy-regulations issued by the executive organ of the ANRS at different period:

- Regulation No. 2/1996 : a regulation issued for the establishment of urban property ownership registration process and service charge fees;
- Regulation No. 5/97: a regulation issued for the re-organization and revision of defining the powers and duties of town administrations and municipalities;
- Regulation No. 6/2002: a regulation issued for the establishment of the revised urban land lease system administration;
- Regulation. No. 7/2004: a regulation issued for setting a criteria standard for the reorganization and establishment of urban centers;
- Regulation No. 12/2000: a regulation issued for the purpose of enhancing revenue generating capacity of municipalities and for the improvements of the developmental roles of urban centers;
- Regulation No. 20/2004: a regulation issued to set the revenue or income tax base and rate determination for newly established municipalities;
- Regulation No. 37/2005: a regulation issued to determine city administrations and municipalities finance regulation of the ANRS;
- Regulation No. 41/2006: a regulation issued to provide for the amendment of the penalty tariff against constructions undertaken out of approved plans in the urban centers of the ANRS;
- Regulation No. 49/2007: a regulation issued to provide for the determination of the lease system to be operative in additional cities;
- Regulation No. 65/2009: a regulation issued about the ANRS revised cities“ organizational category determination and establishment, council of the regional government regulation;
- Regulation No. 69/2009: a regulation issued to provide for the revised cities revenue title and tariff determination;
- Regulation No. 83/2011: a regulation issued to establish the construction and housing development agency of the ANRS;
- Regulation No. 90/2011: a regulation issued to provide for the establishment and determination of the powers and duties of urban roads authority in the ANRS;
- Regulation No. 103/2012: a regulation issued to provide for the urban land lease holding administration, and so on.

Since the adoption of policies could be manifested through laws, regulations, directives and plans, the making of the above mentioned urban policy-regulations by the ANRS executive organ

reveals the existence of policy-making autonomy at the regional level. The regional executive organ had also adopted a variety of urban policy directives at different times. Among others, the following are some of the urban policy directives that were issued by the regional bureau of urban development and finally approved by the regional executive organ at different times. These are:

- ✚ Directive No. 1/2002: a directive issued for a short-term urban land lease holding administration system;
- ✚ Directive No. 7/2003: a directive issued for the establishment of public hearing council whilst expropriating urban land holders from urban centers;
- ✚ Directive No. 8/ 2003: a directive issued for setting minimum price base for urban land lease holding system;
- ✚ Directive 35/ 2008: a directive issued for land expropriation for urban land use purposes;
- ✚ Directive 8/ 2012; a directive that provides for the determination of land allotment systems at rural – urban centers, and so on are some of the key urban directives that holds substantial urban policy concepts of the region.

Likewise, in order to resolve specific urban governance problem, Bahir-Dar city administrative council in its part have also adopted an array of urban regulations and directives at different periods<sup>53</sup>. In sum, the Amhara regional executives as well as executives of Bahir-Dar city administration were intensively involved in the adoption of different urban policy-regulations and directives. All such urban policy regulations and directives were aimed to alleviate a variety of urban related governance challenges and as well as societal problems at the local level.<sup>54</sup>

On the other hand, whenever draft urban laws, regulations and directives are introduced at the regional level, attempts were usually made by the bureau to involve the concerned stakeholders in a seminar and discussion forums.<sup>55</sup> In fact, the magnitude and scope of citizens’ and stakeholders’ participation in policy adoption process is still very limited that will be discussed later in a separate section.

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<sup>53</sup> Interview with Kidane-Deputy Director of the Municipality of Bahir-Dar. Interviewed in March 9/2016, Bahir-Dar.

<sup>54</sup> Interview with Kefyalew Esubalew- Justice and Good-Governance Affairs Higher Officer of the ANRS Administrative Council. Interviewed in March 9/2016, Bahir-Dar.

<sup>55</sup> Interview with Genet Gebregzabher and Mulugeta Semegn. Interviewed in March 6/2016, Bahir-Dar.

Nowadays, there is also a recent development to better exploit the legal mandates of the regional executives in areas of policy-making and planning endeavors. While this study was conducted, a new administrative institution named Plan Commission of the ANRS was established as an independent institution with the approval of the regional council via Proc. No. 231/2016. Among others, initiating socio-economic draft policies, plans and programs that would fit with the socio-economic context of the regional state is one among the mandates of the „plan commission“ of the regional state.<sup>56</sup>

Though it was established recently in October 2016, the establishment of the Amhara planning commission parallel with the national planning commission is very imperative in the sense that, the regional state could be able to maximize the existing policy-making endeavors of the regional state in the future. After its establishment for instance, the ANRS planning commission has adopted GTP II of the regional state as it will be discussed in the forthcoming section of the study. Broadly, the policy innovation efforts of the ANRS is not only limited to the adoption of urban laws, regulations and directives. It also involves the design of a variety of goal-oriented plans and programs such as Growth and Transformation Plans (GTPs). Therefore, in the following section attempts are made to briefly analyze those core urban policy contents adopted within GTP II of the regional state.

#### **4.2.4. Urban Policy Programs Adopted within GTP II of the ANRS**

GTP II document of the Amhara regional state was officially published by the Amhara Planning Commission. As discussed in the introductory part of this chapter, the endeavor to adopt a policy can be examined in a variety of models. One among such models is the formulation of short, medium or long-term goal oriented plans, programs and directives. In this regard, the Amhara regional state has introduced its own GTPI and GTP II documents. GTP II of the Amhara region is officially organized and documented by the Amhara Planning Commission.<sup>57</sup> Thus, in the following paragraphs attempts are made to provide brief analysis about the key urban policy directions and urban development goals designed by the Amhara planning commission.

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<sup>56</sup> Interview with Bedilu Nigatu- Plan Commissioner of the ANRS. Interviewed in March 14/2016, Bahir-Dar.

<sup>57</sup> Ibid.

Among others, the wise use of urban lands; effective urban land management systems; and promoting the role of urban centers for the socio-economic development of the country are some of the key strategic directives that are dealt within GTPII of the Amhara region. As explicitly stated within the document, it is also aimed to make urban centers of the region conducive for employment opportunities and a center that are free from shortage of housing and other basic social services for its citizens. In addition, it is also planned to create a strong partnership and integration between urban and rural centers in which the first is expected to provide basic infrastructure and facilities to the later. Moreover, through enhancing urban decentralization and urban good- governance schemes, it is aimed to make urban centers of the region conducive for their residents.<sup>58</sup>

Furthermore, within GTP II periods, four basic urban strategic goals were set out for the intent to promote urban development aspects of the region. These goals are:

- To promote the existing urbanization rate of the region from 16.21 % to 25 %;
- To create effective and wise use of urban land management system;
- To craft efficient urban land and house-holding mechanisms;
- To establish effective mechanisms for the management of sewerages and waste disposals across all major urban centers of the region.<sup>59</sup>

In each urban development goal mentioned above, a variety of specific tasks are outlined for implementations across the five year execution period of GTP II. When the researcher attempts to investigate the key urban governance problems that are witnessed in major urban centers of the region in general and in Bahir-Dar city in particular, the absence of effective and wise use of urban land management system; shortage of housing and job opportunities for the unemployed; ineffective management sewerages and waste disposals are the crucial challenges.<sup>60</sup> Accordingly, most of the urban directives and plans adopted within GTP II of the region are aimed to solve such existing urban development challenges of the region. On the other hand, when one compares contents of GTP II of the Amhara region from GTP II of the federal government, one can also infer the fact that, the Amhara region had entailed innovative urban policy contents that contextually-fit with the urban

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<sup>58</sup> The ANRS Planning Commission: GTP II Document: January 2016:60-61.

<sup>59</sup> Ibid, PP.103-104.

<sup>60</sup> FGD with Leaders & Members of Civic Associations and Representatives from Micro Entrepreneurs. The FGD was Conducted in October 2/2016, Bahir-Dar.

governance challenges of the regional state. As to the researcher points of view, the adoption of such regional-based urban plan and programs reveals the existence of legal and institutional freedom for regions in the design of context-based socio-economic policies. Generally, as discussed in the preceding discussion, since the establishment of the regional state until this study is being conducted, the executive and the legislative organs of the ANRS had adopted numerous urban policies in the form of urban proclamations, regulations, strategic directives, plans and programs. Therefore, it can be argued that, to some extent the regional state has become fertile ground for the realization of the laboratory values of federalism in relation to policy innovations.

In sum, it can be concluded that, both the FDRE and the regional constitutions provides adequate legal and institutional freedom for regions to innovate policies, plans and programs at the regional level. The urban policy-making endeavors of the Amhara region discussed above indicates the fact that, beyond the adoption of pieces of urban policies in the form of proclamations, regulations, directives, plans and programs; the region even may adopt a policy document that perhaps may be diffused both vertically and horizontally as best urban policy experiences and models. Nevertheless, in spite of producing various pieces of urban policy contents, the Amhara regional state has not yet fully exploited its policy-making autonomy due to a variety of factors discussed in the next section of the study.

#### **4.2.5. Some Factors Affecting the ANRS in the Adoption of Urban Policy Documents**

As discussed in the preceding sections, the formulation and execution of policies were already exercised by the ANRS in the last two decades. However, the policy-making achievements of the region were not manifested through the adoption of well-organized and published urban policy documents. As discussed in chapter 2 for instance, Cantons of the Swiss federation has adopted different policy documents and such policies of the cantons were diffused towards the center as well as horizontally to mutual states as best policy experiences. Therefore, in the Swiss federation many of the cantons have experience with ample policy innovations with quite different strategies. *Inter alia*, policies against drug, labor market policies are some examples which were initially innovated at the cantonal level and later diffused to the confederation. This implies that, cantonal level in the Swiss federation becomes an important site for “laboratory federalism” (i.e., for policy innovation).

However, unlike Cantons of the Swiss federation, the Amhara region so far do not yet adopted well-published urban and other policy documents because of a variety of factors discussed below.

Some regional officials argue that, the adoption of policy documents including urban policies is the mandate of the federal government.<sup>61</sup> In fact, one among the rationale for holding such an argument is their belief in adhering to the goal of the federal bargain as stated in the preamble of the FDRE Constitution. These informants often raise the idea of “...one economic community is necessary in order to create sustainable and mutually supportive conditions...”- which is declared within the preamble of the FDRE constitution. This group of informants further assert that, since the ruling party-EPRDF is endeavored „...to build one economic community“, it is compulsory for all regions to adopt nationally adopted policies and legislations. As to the argument of the above interviewees, it is in light of „one economic community“ that, the federal policy and planning powers should be inferred and analyzed.

On top of the above argument, the informants believe that, the making of policies at the regional level may contradict with the federal government“s vision to build „one economic community“. To that end, the informants argues that, the attempt to design policy documents at the regional level shall create disparity among regions which, in turn, inevitably generate discrepancy in service delivery; and hence, it would finally become a source of maladministration. These informants further argue that, „...once macro-development policies are adopted at the federal level, regional states are merely expected to adopt regionally well-suited mechanisms for the smooth implementation of such macro-development policies and strategies. In other words, whenever regions attempt to implement a particular national policy, pieces of regional-based policy contents are usually innovated under the disguise of the federal macro-policy framework.<sup>62</sup>

In fact, one among the demerits of federalism is its propensity to create differences in service delivery due to the proliferation of a variety of laws and policy programs among sub-national states of the federation. However, if federations operate in a form of both „co-operative“ and „competitive“

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<sup>61</sup> Interview with Regional Officials from both the Executive and Legislative organs such as Yayeh Addis- Head of the Office of the Regional Administrative council, Yersaw Tamire- Chief-Speaker of the Regional State Council, and Bedilu Nigatu- Plan Commissioner of the Regional State.

<sup>62</sup> Ibid.

federalism, the existence of diverse policy experiences could not become a curse for national growth and development. Rather, it could become an opportunity for socio-economic developments.

As discussed in the previous sections, it is true that, the ANRS executive organ had designed a variety of pieces of urban policy contents in the form of urban regulations, directives and plans for the intent to create an ease way of executing urban development schemes on the one hand, and to resolve urban related problems of the community on the other. Thus, if the regional state introduces a well-organized policy document in a specific sector as of Cantons of the Swiss federation, it would provide ample policy experience for other regional states as well as to the federation. However, because of the misconception about the theoretical assumption of building “...one economic community...” so far, the ANRS is limited in the adoptions of urban laws, regulations and directives.

As to the researcher points of view, one of the critics towards the argument of such group of informants emanate from their miss-conception about the definition given for the country’s endeavor „...to build one economic community“- stated under the preamble of the FDRE constitution. As we know that, the rationale of the federal bargain articulated within the preamble of the FDRE Constitution is to reveal the commitments and consensuses reached among nations, nationalities and peoples in the making of the new constitution so as to bring and build a strong economic community that upholds a spirit of cooperation among themselves and thereby ensuring the respect of their rights, freedoms and collective interest. Thus, adopting policies at the regional level couldn’t affect and deteriorate the constitutional assumption of building one economic community. Rather, if regions become platforms for policy innovations, they would become fertile grounds for „laboratories“ of federalism“, and hence such conditions may further boost the vision to build strong federal polity via the diffusion of best policy experiences among regions horizontally as well as with the federal government vertically.

In fact, one among the key limitations is the dearth of knowledge and awareness among some regional and local officials about the constitutional and legal mandates vested to the regional state in general and to the executives in particular. As discussed in the previous sections, Article 52 (2-C) of the FDRE constitution guarantees all regions to formulate their own socio-economic development policies, plans and programs. Likewise, Art.47 (2) and Art.58 (5) of the Amhara state constitution

confirms about the constitutional guarantee of the regional state and the regional executives in the making of socio-economic policies and laws respectively. In spite of the presence of such adequate legal provisions, some regional and local officials are still not well aware of such constitutional provisions. Some regional and local officials merely perceive such a legal provision in relation to the adoption of laws, regulations, directives, plans and programs. However, the legal provisions mentioned above never explicitly prohibit regions to adopt policy documents. Equally, some local and regional officials also lack adequate knowledge about „the laboratory values of federalism“ particularly in terms of policy innovations. Therefore, lack of awareness about the legal provisions in particular and the very principles of federalism and its imperative value for policy innovations in general are common barriers that affect the making of urban policy documents in the Amhara regional state.

Other group of informants declares that, though it is possible to formulate socio-economic policy documents at regional level, any distinct policy innovations couldn't be attained at the regional level that differ from the policy contents of the federal government.<sup>63</sup> These informants assert that, “since the federal government has the vision to create equal access and opportunity for the socio-economic development of all regions, federal level policies are country-wide oriented”<sup>64</sup>. According to the argument of these officials, since the federal government is committed to enhance the welfare of the society across the country, federal level policies are by default policies of each region because, each region has fair representation in the lower house for decision-making on the one hand; and their respective top political elites usually participate in the national policy-making processes on the other.<sup>65</sup> In fact, nowadays it is true that, regional executive members have better roles in the adoption process of national-level plans and policies particularly after the coming in to effect of the National Planning Commission which was endorsed by Regulation No. 281/2013 as discussed in chapter 3 of the study.

Some other group of informant contemplates about the difficulty of adopting policy documents at the regional level.<sup>66</sup> As to the argument of such group of informants, the making of a policy is not an easy task and hence, policies must be designed and enacted at the federal level. The rationale

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<sup>63</sup> Interview with Werksew Mamo- Deputy Speaker of the State Council and Genet Gebregzabher- Bureau HJead of Urban Development. Interviewed in March 2 & 6/2016, Bahir-Dar.

<sup>64</sup> Ibid.

<sup>65</sup> Ibid.

<sup>66</sup> Interview with Yersaw Tamire, Kefyalew Esubalew and Gashaw Admasu.



behind their argument is that, regions could not have adequate and appropriate institutional and human capital that could feasibly formulate policy documents<sup>67</sup>. In fact, as discussed in the theoretical part of chapter 2, one among the most important institutional systems for regional autonomy of policy-making in federation is the capacity of sub-national states. That is, within a federation, there may be differences among sub-national states in terms of their capacity to perform functions and in their influence on policy-making. In other words, the availability of sufficient trained man power and natural resources as well as a supportive political culture are essential factors. However, the argument of the above group of informants could be viable only during the first decade following the adoption of the federal polity. It is true that, during the early 1990's almost all regions were not effective enough to exercise and execute their respective legal mandates mainly because of the absence of adequate financial, institutional and human capital. However, nowadays such issues should not be raised as a critical challenge especially for the four „relatively progressive regions“ (i.e., Amhara, Oromiya, Tigray and SNNPR).

In spite of the existence of the above arguments, political party centralization is the other key factor that strongly affects the exercise of regional autonomy of policy-making. Though there exists broad scope of legal and constitutional freedom for regions to adopt policies of their own, regions are implicitly obliged by the ruling party to merely implement policies, plans and programs of the mother party- EPRDF.<sup>68</sup> As stated in the theoretical part of chapter 2, non-centralized parties are essential for the proper functioning of a federation. Indeed, an effective party system creates better access and opportunity for the proliferation of differences of interest and opinion, but so far this is not the case in the Ethiopian federation. As discussed in the previous section, from legal and constitutional background, there is no barrier for regions to initiate and adopt policies of their own. Nevertheless, the key challenge that hamper regions in exploiting their legal mandate of policy-making emanate from the strong influence of the dominant power of the mother party (EPRDF) - that operate at the center via its political ideology of „democratic-centralism“.<sup>69</sup>

In brief, the concept of „democratic-centralism“ denotes diversity in discussion but unity in decision. In the Ethiopian federation the ruling party-EPRDF is the dominant party. EPRDF is

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<sup>67</sup> Ibid.

<sup>68</sup> Interview with Merhatsidk Mekonnen- Legal Advisor of the ANRS Chief-Administrator. Interviewed in March 9/2016.

<sup>69</sup> Ibid.

composed of the four regionally-ethnic based member parties, i.e., TPLF, ANDM, OPDO, and SEPDM. In the mother party, there are the EPRDF Council and the Executives. In the EPRDF Council there exist 180 members, in which each member parties are represented by 45 delegates. The EPRDF Executive on the other is composed of 36 members and thus, each member parties are again represented by 9 regional officials. The EPRDF Council is politically authorized to adopt the policies, plans and programs of the global EPRDF party. Thus, since some political elites among the regional executives of the four EPRDF party member regions are also members of both the council and the executive of EPRDF, they are strongly influenced by the decisions of the party's ideological plans and programs which they finally urged by the party to exclusively adopt policies, plans and programs of the mother party as policies, plans and programs of their own.<sup>70</sup>

The influence of the mother party (EPRDF) on regional autonomy could be seen not only in policy-making arenas but also in terms of other socio-economic and political dimensions. In this regard for instance, regions are seriously urged by the federal government to preserve and handover huge hectares of fertile land to the federal government under the name of facilitating foreign investment towards regions.<sup>71</sup> The researcher argues that, such investment endeavor of the federal government is vital from co-operation and development perspectives. However, such practices of federal government's intervention in the long run may deteriorate the constitutional autonomy of regions. So, unless otherwise managed wisely, such a relationship between the federal and regional governments would tilt towards „subordination“ rather than „co-ordination“ which, in turn, worsen the smooth operation of the federal system in the future. As discussed in chapter 2, in a federation the relationship between the federal government and member states must be coordinate rather than subordinate.

Nowadays, within the territory of regional states, the federal government is playing a pivotal role in the construction of federally-owned industrial parks. In the ANRS for instance, Bahir-Dar, Kombolcha and Bure towns were nominated for industrial parks managed by the federal government. In order to achieve such a mission for instance, the city administration of Bahir-Dar is urged to preserve 2000 hectares of land for the execution of the industrialization parks which are

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<sup>70</sup> Ibid.

<sup>71</sup> Ibid.

finally anticipated to be offered for domestic and foreign investors. The industrializations of such towns could be taken as a better prospect for the country in general and for the urban and peri-urban communities of the aforementioned towns in particular. Nevertheless, since the federal government is intensively made land grabbing within the regions for investment purpose, such condition in the long run might create a source of strife between federal and regional governments.<sup>72</sup>

Broadly, the effect of centralized party system in the process of decision-makings in general and in the design of policies in particular had been visible in the Ethiopian federation for the last two decades. As discussed in chapter 2, non-centralized party systems have strong impact for the maintenance of federalism, which in turn, affects the function of sub-national governance system. Non-centralized parties are necessary for the proper functioning of a federation, because it plays a decisive role in order to avoid the “iron law of oligarchy” i.e., towards centralization, or in some cases the “iron law of secession”, i.e., towards disintegration. Generally, political party systems are basic to the functioning of federations. This is because; political parties play a crucial role in determining how a written constitution operates in practice. Effective party system creates better access and opportunity for the proliferation of differences of interest and opinion. As a result, it significantly contributes for the upheaval of democratic governance system.

As discussed in chapter 2, as far as regional autonomy is concerned, there exist some similar features with the Ethiopian, Indian (especially until the year 1989) and South-African federations. Among others, one party domination at the center that operates under the notion of “democratic-centralism”, the blurred between party and government decisions are common facets of the Ethiopian and Indian federations. In fact, as discussed in chapter 2, in terms of center-states relations in politics in the 1990’s, many fundamental changes took place in the Indian federation. Nowadays, state-based political parties have playing a significant role in state politics. In India, economic liberalization and party system fragmentation are likely to generate centrifugal tendencies. As a result, the role of states in policy-making and implementations has increased. In this regard therefore, the Ethiopian federation should learn some experiences from the Indian federation. The Ethiopian system also shares some common facets with the South-African federation in terms of regional autonomy of policy-making. As discussed in chapter 2, as of the case of the Ethiopian and

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<sup>72</sup> Ibid.

Indian federations, provincial autonomy of policy-making in the South-African union was also constrained by the influence of a dominant party (i.e., the ANC). However, as discussed in chapter 3, nowadays in Ethiopia, there are recent developments in a way that regions begin to adopt their own plans and programs autonomously. In this regard for instance, whilst adopting both GTP I & II documents of the ANRS, all regional and local officials, and a sizeable number of citizens at the local level had actively involved in a discussion forum arranged by the regional state.<sup>73</sup> In sum, it has been true that, major policy and planning directives in the Ethiopian federation are usually performed by the active role of the EPRDF party apparatus and the active involvement of prominent party elites of federal and regional government with the HoPR- as being a rubber stamping body.<sup>74</sup>

In spite of the historic existence of EPRDF's party control in decision- makings, now there exists a recent development that witnesses regional states engagement in decision and planning processes at both the federal and regional levels. When one appraises the system about regional states involvement in national policy-making processes, relatively there exist some spaces where regions could involve via informal vertical IGR mechanisms mainly in the form of seminars, conferences and meeting of discussions among members of federal and regional executives.<sup>75</sup> Thus, before the adoption of policies at the federal level, all regions are commonly invited by the concerned federal ministry so as to partake in a meeting, a seminar or conferences that are launched to get rid of regional concerns about draft laws and policies.<sup>76</sup> In this regard for instance, while the national urban policy was adopted, the Amhara regional state was invited by the ministry of urban development and thus, the region has given an ample space to forward its valuable comments and critics on the draft policy. In brief, whenever draft urban laws, regulations or directives are designed at the federal level, all regions are usually invited by the respective ministry to put forward comments and feedbacks for improvements.<sup>77</sup> This implies that, regions are not merely agents of the federal government. Instead, they have a role in the adoption processes of policies and planning's at the federal level.

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<sup>73</sup> Interview with Nigussu Tilahun- Communication Director of the ANRS. Interviewed in March 16/2018, Bahir-Dar.

<sup>74</sup> FGD with Representatives from Civic Associations & Micro-Enterprisers. Conducted in October 2/2016.

<sup>75</sup> Interview with Yayeh Addis-Head for the Office of the ANRS Chief-Administration. Interviewed in March 9/2016.

<sup>76</sup> Interview with Nigussu Tilahun, Yayeh Addis and Yersaw Tamire. Interviewed in March 16, 9 & 1, respectively.

<sup>77</sup> Interview with Genet Gebregzabher-Bureau Head of Urban Development and Housing Construction. Interviewed in March 6/2016, Bahir-Dar.

However, unlike some other federations, in Ethiopia, the institutional mechanisms for federal and regional states interaction in areas of policy-makings are still inadequate. As discussed in chapter 2, unlike the federation of Swiss, American, India and South Africa, the Ethiopian federation seeks effective IGR mechanisms for the active involvement of regions in national policy-making processes. In the American systems for instance, state government officials have multiple accesses into the larger national policy process. Governors also possess a freedom of action that encompasses personal contact with presidents; strategy sessions with their state congressional delegation; negotiations with federal administrators; and mobilization of public opinion in their home state and throughout the nation. Each state also has a say through the governor, members of the legislature, and other directly elected or appointed state-level officials. In the Swiss system also other than the presence of adequate constitutional guarantee provided for the cantons, the presence of Conferences of Cantonal Governments (CCG) is an important means of inter-cantonal cooperation, which serves as a forum for consensus building between cantons before negotiations with federal authorities. This conference plays a significant interface between the confederation and the cantons on important policy issues. It is also an effective center to which federal authorities can communicate information in the process of legislative consultation. In the Indian federation, there are also some institutions that serve as a means for national and state governments' coordination such as the Prime Minister's Office, Cabinet Secretariat, Planning Commission and National Development Council. In the union of South Africa too, as far as national and provincial governments' interaction in decision-making processes are concerned, there are a variety of formal institutional arrangements. Among others, the National Council of Provinces (NCOP); the Intergovernmental Forum (IGF); and the Forum of South African Directors (FOSAD) are vital institutional mechanisms for provincial and national governments relations.

Therefore, regional states and the federal government of Ethiopia should learn such better experiences from the above mentioned federations in terms of federal and sub-national governments' coordination in policy making processes. In fact, as discussed in chapter 3, one among the recent development for the accommodation of regional interest in national policy-making process comes after the coming in to effect of Regulation No. 281/2013, which was adopted to provide for the establishment of the National Planning Commission (NPC) and the National Planning Council (NPC). Indeed, the establishment of the National Planning Commission marked a shift of planning

and policy adoption process from party elites control to an official federal government institution at least to some extent.<sup>78</sup>

#### **4.2.6. Roles of Citizens, CSOs and Stakeholders in Urban Policy-Making**

Before trying to explore the role of citizens and Civil Society Organizations (CSOs) in urban policy making processes, it is vital to offer some preliminary insights about the definition and status of civic societies in Ethiopia. CSOs can be defined as “non-governmental, non-profit making voluntary and pursuing common interests” (Alemneh, 2015:5). They are responsible for articulating the opinions of various social spheres, and include environmental groups, minority groups and consumer representatives. CSOs play decisive roles in citizen empowerment, development, human right advancement and equality (*Ibid*).

In brief, an empowered civil society is a crucial component of any democratic system and is an asset itself. It represents and enhances pluralism, and can contribute more effective policies, equitable and sustainable development and inclusive growth. By articulating citizens’ interest, CSOs are active in the public arena, engaging initiatives to further participatory democracy. They embody a growing demand for transparent and accountable government. Broadly, CSOs participation in policy-making processes is vital to ensuring inclusiveness and effectiveness of a governance system. CSOs contribute for building more accountable and legitimate states, leading to enhanced social cohesion and more open and deeper democracies (*Ibid: 5-6*).

As stated in chapter 2, policy-making process has to call for participatory actions entailing direct representation, authorization and active decision-making. In other words, participation is a pillar instrument through which citizens and concerned stakeholders directly influence the making of policies. In the Amhara regional state, some efforts are made to involve representatives from some regional-based civic associations in the process of policy-making. Therefore, this part of the study strives to confer the mechanisms where citizens, civic associations and other stakeholders participation in the process of designing policies in general and urban policies in particular at the regional level.

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<sup>78</sup> Interview with Bedilu Nigatu- Commissioner of the ANRS Planning Commission. Interviewed in March 14/2016.

At both the federal and regional levels, „representative-democracy“ is the most widely used mechanism for citizens“ participation in policy adoption processes.<sup>79</sup> Accordingly, in the ANRS, citizens are supposed to be indirectly represented by their respective electorates in the unicameral legislative chambers of the regional state.<sup>80</sup> In fact, in some cases, if some policy issues, plans and programs are considered as compulsory for public discussion, concerned public offices at each tiers of the region prompt a discussion forum with citizens and some members of CSOs.<sup>81</sup> However, the degree of public participations in decision-makings in general and in policy-making processes in particular is still inadequate.<sup>82</sup> In brief, mass-based participatory approach of decision-making was held only during the transitional period whilst adopting the 1995 FDRE constitution. Therefore, other than such historic broad-based popular participation in decision-making process, any other inclusive approach of policy-making had never been witnessed throughout the history of the post-1991 federal polity of the country.<sup>83</sup>

Broadly, other than the existence of a unicameral legislature both at the federal and regional levels, the Ethiopian federation at both the federal and regional levels lack adequate institutional system for citizens and CSOs participation in policy-making processes.<sup>84</sup> As discussed in chapter 2, for the realization of a genuine public participation in decision-making processes, various institutional designs whereby citizens can be encouraged to participate and provide inputs in the policy-making process need to be established. Among others, public hearings, citizen“s juries, round tables and electronic town meetings are examples of institutions meant to create opportunities for citizen participation in decision-making. Nevertheless, such mechanisms are not put in place at both the regional and federal levels of Ethiopia.

In fact, some regional officials assert that, the ANRS government attempts to vigorously involve 3 core organs in policy adoption processes. These organs are known as „government-wing“, „public-

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<sup>79</sup> Interview with Banchamlak Gebremariyam-Member of a Parliament in the ANRS Council. Interviewed in March 2/2016, at Bahir-Dar.

<sup>80</sup> Interview with Banchamlak Gebre-mariyam and Werksew Mamo. Interviewed in March 2/2016, at Hawassa.

<sup>81</sup> Interview with regional officials such as Werksew Mamo; Nigussu Tilahun; Yayeh Addis and Yersaw Tamire

<sup>82</sup> Interview with Mola Desse- Deputy President of the ANRS Teachers Association, interviewed in March 11/2016, Bahir-Dar.

<sup>83</sup> Interview with Merhatsidk Mekonnen and Mola Desse- Deputy President of the ANRS Teachers Association.

<sup>84</sup> FGD with Representatives of Civic Associations (Youth, Women & Teachers Associations) of Bahir-Dar City Administration. Conducted in October 2/2016, Bahir-Dar.

wing” and „political organization-wing“. The „government-wing“ refers the administrative and institutional apparatus including civil servants of the regional government. The „public-wing“ on the other denotes the public at large that involves CSOs and other stakeholders. The „party“s-wing“ refers to the ruling party“s, i.e., ANDM-EPRDF“s party personnel and its political apparatuses.<sup>85</sup>

Thus, whenever draft laws and policies are initiated, the regional council usually attempts to invite the “public-wings”, mainly representatives from some regional-based CSOs. Accordingly, when „public-hearing“ forums were organized by a particular „standing committee“ of the regional council, representatives from concerned CSOs are invited to partake in such discussion forums with one delegate without a vote right. Thus, the regional women association, youth association, business organization/ chamber of commerce, teachers association are some among the common stakeholders of the ANRS council which are commonly invited to participate in the process of adopting laws, regulations and directives.<sup>86</sup>

Likewise, when draft urban laws, regulations or directives are designed at the regional level, urban development and housing construction heads of all zones of the regional state, mayors of the 3 metropolitan towns (i.e., Bahir-Dar Gondar And Desse), and officials and experts from the regional urban planning institute are usually invited to provide their comments and opinions up on the draft urban laws, regulations and directives.<sup>87</sup> However, as pointed out above, the common stakeholders of the regional urban development bureau are government institutions. Therefore, the role of citizens, CSOs and other stakeholders“ participation in urban policy making processes is limited.

The FDRE Constitution has recognized the rights of participation in political, social, economic and cultural life, freedom of expression and all other obligations in the international human rights declarations and the emerged instruments thereafter. Article 31 of the FDRE Constitution provides that “every person has the right to freedom of association for any cause or purpose”. This fundamental right is also guaranteed under Article 20 of the Universal Declaration of Human Rights (UDHR) and Article 22 of the International Convention for Civic and Political Rights (ICCPR). In

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<sup>85</sup>Interview with Regional Officials of the ANRS such as: - Yersaw Tamire; Yayeh Addis; Merhatsidk Mekonnen; and Genet Gebre-egzabher.

<sup>86</sup> Ibid.

<sup>87</sup> Interview with Mulugeta Semegn-Public Relations Director of the ANRS Urban Development & Housing Construction.



spite of the presence of adequate legal protection for CSOs, their relationship with the government was affected particularly after the 2005 national election. Consequently, the political space for civic societies has decreased after the enactments of Civic Societies Proclamation No. 621/2009 as well as Regulation No. 168/2009 and Directive No.2/2011 of the Council of Ministers (See Alemneh, 2015: PP.8, 16).

Generally, in comparison with the above national and international legal basis and the theoretical approaches of public participations in decision-makings discussed in chapter two, the system for citizens and CSOs participation in policy-adoption processes in the ANRS is still in adequate. Even the mode of their participation is inconsistent and incomplete.<sup>88</sup> Generally, whilst adopting urban policies in the form of urban laws, regulations and directives, commonly the executive and the legislative organs play a prominent role.<sup>89</sup>

In sum, the Ethiopian federation in general and the Amhara region in particular lack adequate mechanisms for citizens and CSOs participation in policy-making.<sup>90</sup> In fact, nowadays recent developments have witnessed. For instance, during the adoption processes of GTP II document of the federal government, all opposition political parties were invited by the ruling party to offer their constructive comments and critics about the contents of the plan before its endorsement.<sup>91</sup> However, in spite of such recent development, the political culture of accommodating the interests of opposition parties at both the federal, regional and local levels is still weak and fragile. In a multi-ethnic state, the non-existence of feasible mechanism for citizens, CSOs and stakeholders participation in policy-making may miserably affect the socio-economic and political welfare of the diverse ethnic group of the country. As discussed in chapter 3, in the Swiss federation for instance, other than the existence of the bi-cameral chambers, citizens are always invited to actively partake in every facet of policy adoption processes of their respective Cantons in particular and the federation in general via popular initiatives, referendums and open-air discussion forums.

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<sup>88</sup> Interview and FGD with Representatives of Some Civic Associations at the Amhara regional State. Conducted in October 2/2016, Bahir-Dar.

<sup>89</sup> Ibid.

<sup>90</sup> FGD with Representatives from some Civic Associations (Youth, Women and Teacher Associations). March 2/2016.

<sup>91</sup> Interview with Nigussu Tilahun-Director for Communication Office of the ANRS. Interviewed in March 14/2016.

In the ANRS for instance, opposition political parties were not officially invited to offer their opinions and critics during the process of policy making.<sup>92</sup> This is of course one of the serious setback that significantly impede the democratization process of the region in particular and the country in general. Even representatives from some CSOs are invited to involve in public hearing sessions of a particular draft policy if and only if that draft agenda is not believed to be exhaustively discussed by the regional executives. In other words, if the regional executive organ confirms that, the draft law/policy is already discussed by the public across all tiers of the administrative wing below the regional level, speaker of the state council shall directly presents the draft bill to the congress for approval. As a result, public hearing procedures are usually omitted.<sup>93</sup>

As to the researcher points of view, such a failure to conduct public-hearing session for a particular draft policy is one among the serious limitation of the regional council. The basic problem here is that, in a one party system –where all seats in the parliament are controlled by ANDM-EPRDF across all tiers of the region, how far the administrative council is believed to accommodate the opinions and interests of all citizens across all tiers of the regional government? Moreover, despite of the existing few attempts to involve representatives from some civic associations in public hearing sessions, the mode of their participation in policy-making processes is inconsistent.<sup>94</sup> In this regard for instance, the participation of civic associations such as women and youth associations below the regional level is very limited.<sup>95</sup>

Broadly, as far as the involvements of diverse actors in policy making processes are concerned, the Ethiopian federation in general and regional governments in particular should learn some experiences from the Swiss, American, Indian and South African federations. As discussed in chapter 2 for instance unlike the case of Ethiopia, Article 147 of the Swiss federation provides that, the political parties and interested groups shall be invited to express their views when preparing important legislation or other projects of substantial impacts as well as in relation to significant international treaties. Likewise, in South Africa, in each stage of the policy making processes at both the national and provincial level, anyone who is interested and /or affected can give comments and

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<sup>92</sup> Interview with Yersaw Tamire-Chief Speaker of the ANRS Council.

<sup>93</sup> Interview with Gashaw Admasu- Legislations professional Support Core Process Leader of the ANRS Council.

<sup>94</sup> Interview data taken from some members of Youth, Women and Teacher Associations of Bahir-Dar City.

<sup>95</sup> Ibid.

ideas. Thus, interested political parties are also allowed to provide comments and suggestions on government draft laws and policies. In the American federation too, policy making processes at both the national and state levels is open to a wide-array of opinions and interests, there exists a significant position for non-governmental organizations and institutions; private media's; trade associations; public policy research organizations; labor unions and so on to influence the making of public policies.

However, the study found that in the ANRS, the role of diverse actors such as citizens, CSOs, and other stakeholders is so far in adequate. As discussed earlier, especially the role of opposition political parties in decision-making processes in general and urban policy-making processes in particular is nonexistent. In sum, party fused executive leadership plays crucial role in both policy-making and implementations.<sup>96</sup>

#### **4.2.7. Institutional Mechanisms for Citizens, CSOs and Stakeholders Participation in Policy-Making**

Institutional structures verify how many actors are involved in a particular decision-making processes and influence policy outcomes. The higher the actors that enter in the decision –making process, the greater need for negotiation is required to pass and implement legislation or policy as each actor tries to secure benefits for their particular consistency (Jeffery et al", 2014:1357). Institutions that introduce more actors in to the decision-making process are frequently referred to as “veto players, veto points, or institutions increasing policy resoluteness” (*Ibid*). Thus, this section of the study attempts to explore the form of institutional mechanisms available for citizens and CSOs in urban policy-making processes of the ANRS.

In the ANRS, draft urban laws, regulations and directives were commonly emanated from members of the executives. In other words, whenever lower tiers of government found an impending factor that affects the smooth implementation of policy programs, such challenges would be reported to the respective regional bureau in search of a remedy.<sup>97</sup> Consequently, the concerned regional bureau tries to conduct a pilot study and then proposes some viable remedies. Then, the regional

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<sup>96</sup> Ibid.

<sup>97</sup> Interview with Mulugeta Semegn – Public Relations Directorate of the ANRS Urban Development and Housing Construction Bureau and Genet Gebregzabher-Bureau Head for Urban Development and Housing Construction.

executive organ shall decide whether the existing problem would be redressed through the adoption of a proclamation, a regulation or a directive. Thus, if it is decided to be redressed via the introduction of a directive, the concerned regional bureau shall prepare a draft directive and then, the draft directive finally enacted by the respective regional bureau. If the existing problem is supposed to be resolved via the adoption of a regulation, the regional executive would adopt a regulation. On the other hand, if it is supposed to be redressed via the adoption of a law, the executive organ proposes a draft law to the regional council for approval.<sup>98</sup> This implies that, the role of citizens and other stakeholders in the initiation of draft policies are so far is limited. Rather, the role of the executives is very indispensable. In fact, as discussed in the preceding section, there exist some endeavors to involve civil servants and representatives from civic associations during the adoption of government policies, strategies as well as basic plans and programs. In this regard, GTP I and GTP II were the decisive plans being discussed by broad size of population across each tiers of the regional government.<sup>99</sup>

In spite of the above mentioned efforts exerted by the ANRS, there is no adequate institutional system for the involvement of citizens and CSOs in the process of urban policy-making. As mentioned in the previous section, such a limitation could be associated with the absence of well-organized channel of communication with the public and other concerned stakeholders. The only feasible institution that are supposed to be responsible for stakeholders' participation in urban policy-making processes are „standing committees“ of the state council.<sup>100</sup> The following table shows stakeholders of the Trade, Industry and Urban Development Affairs Committee of the Amhara state council in the adoptions of trade, industry and urban related laws and policies of the regional state.

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<sup>98</sup> Ibid.

<sup>99</sup> Interview with Bedilu Nigatu- Plan commissioner of the ANRS; Nigussu Tilahun- Director of the ANRS Communication Office; Yayeh Addis- Head of the office of the Region's Administrative Council; and Merhatsidk Mekonnen- Legal Advisor of the Regional Chief-Administrator.

<sup>100</sup> Interview with Banchamlak Gebre medhen, Werksew Mamo and Yersaw Tamire.

**Table 1. Trade, Industry and Urban Development Affairs Committee of the ANRS Council & Its Respective Stakeholders for Policy-Making**

<i>Name of the ‘Standing Committees’ of the Amhara State Council</i>	<i>Names of CSO’s and Other Stakeholders (Public Wings)</i>
<i>Trade, Industry and Urban Development Affairs Committee</i>	<ul style="list-style-type: none"> <li>• <i>Amhara Region Chamber of Commerce;</i></li> <li>• <i>Amhara Region Cooperatives;</i></li> <li>• <i>‘Abay-Zuriya’ Public Transport Association;</i></li> <li>• <i>‘Kay- Kebero’ Public Transport Association</i></li> </ul>

*Source: The Amhara Region State Council: Legislations professional support core process leader*

In the ANRS, standing committees of the state council are institutional systems to involve their respective stakeholders in „public-hearing“ session organized for the intent to conduct public discussions on matters of policy-making. They are also expected to involve their respective stakeholders during the period of quarterly and annual development plan performance evaluation sessions of each public bureaus of the region.<sup>101</sup> However, each „standing committee“ didn’t persistently involve their respective stakeholders in the process of policy-making. The common stakeholders“ that are consistently get involved are women and youth associations of the regional state.<sup>102</sup>

On the other hand, whether each „standing committee“ is exhaustively identified their stakeholders or not is still debatable. In this regard, for instance, as we can infer from table 1, the Trade, Industry and Urban Development Affairs standing committee of the regional council has not yet exhaustively identified other potential stakeholder since it is limited only for few stakeholders. As to the researcher points of view, this standing committee is expected to identify other CSOs and potential stakeholders from urban and peri-urban communities, industry institutions, micro and small scale enterprisers, youths“, women“s“, disable groups, elder men“s, business organizations and so on. As discussed in chapter 2, policy-making involves a large number of actors among others; institutions, public opinion, active engagement of citizens, professionals, business and labor leaders, politicians, elected representatives, ministers, presidents and governors, judges, pressure groups and bureaucrats. Policy-making also calls on political resources, economic conditions, popular cultural

<sup>101</sup> Interview with Admasu Lulu-Economic Advisor of the ANRS Council; Wersew Mamo-Deputy Speaker of the Council.

<sup>102</sup> Interview with Abayneh Melaku -President of the ANRS Youth Association; Molla Dessie- Deputy President of the ANRS Teachers Association; Aberashe Tadesse-President of the ANRS Women Association. Interviewed in March 11/2016, Bahir-Dar.

attitudes and international conditions. However, in the ANRS, there are no adequate institutional mechanisms for the involvement of citizens and other stakeholders in policy-making processes in general and in urban policy design in particular.

### **4.3. Scenarios of Urban Policy-Implementations in the Amhara Region**

The FDRE Constitution affords the legal basis for ensuring citizen's voice and participation in every socio-economic and political scene of the country. Article 43 (2) of the FDRE Constitution declares that, citizens have the right to "participate in national development and, in particular, to be consulted with respect to policies and projects affecting their community". Article 89(6) of the FDRE Constitution also calls for the governments at all times to promote the participation of the people in the formulation of national development policies and programs and to support the initiative of the people in their development endeavors. Equally, Article 43(2) of the Revised Amhara State Constitution declares that, "...residents of the regional state have the right to participate in the national development and, in particular, to be consulted with respect to policies and projects affecting their community". Nevertheless, from practical points of view, numerous informants in the study area declare that, scenarios of citizen's participation in policy-implementations are limited.<sup>103</sup> The following section of the study attempts to clarify the roles of the regional legislatures, executives, as well as citizens and CSOs in urban policy-implementation schemes of the Amhara regional state.

#### **4.3.1. The ANRS Legislative Organ & Its Role in Policy- Implementations**

Whenever urban laws, regulations and directives were enacted at the regional level, all such policy frameworks shall be disseminated to each tier of the regional state for executions. However, prior to the implementation of urban laws, regulations or directives, there exist some endeavors to introduce and communicate such newly enacted policies to the public mainly via two institutional mechanisms.

The first mechanism is that, decisions of the regional state council are usually disseminated to the public via a live television broadcast using the Amhara Mass Media Agency. In fact, such an instrument could be taken as a good system for enhancing transparency of government decisions to the public. However, the limitation behind such an endeavor is that, to what extent the majority of the regional people have an access to television. The other mechanism is the dissemination of all

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<sup>103</sup> FGD with representatives from some Civic Associations that are found in the region and representatives from the urban and peri-urban citizens of Bahir-Dar city. Conducted in October 2/2016, Bahir-Dar.

adopted laws, regulations and directives via “Zikre-Hig” magazine of the regional state council. That is, all newly adopted laws, regulations and directives are printed and documented in the form of a magazine and finally dispatched to each *woreda* council through selling. Accordingly, „*woreda*” councils in collaboration with „*lebele*” councils” are expected to create awareness to the public about newly enacted laws, regulations and directives.<sup>104</sup>

In spite of such attempts, the exerts made by „*woreda*” and „*lebele*” level administrators in areas of creating awareness about newly adopted policies and laws to the public is not adequate and reliable enough. In consequence, most people at the local level lack adequate awareness and knowledge about the contents and scopes of newly introduced urban policies. Let alone to make the people to know and to be well-aware of newly adopted socio- economic policies and urban policy programs, some officials at the local level hardly knows about the content and depth of newly adopted laws and policies of both the federal and regional governments.<sup>105</sup>

In fact, to enhance principles of accountability, transparency and popular participation in most government decisions and policy program implementations, recently a promising endeavor is began in the Amhara region- in which a face-to-face public discussion forum between the electorates and the people in each electoral consistency is began to hold. In such forums, discussions are particularly held about the implementations of federal and regional laws and policies.<sup>106</sup> In addition, members of each „standing committee” of the regional council tries to conduct field oversight, monitoring and evaluation programs in order to inspect the proper execution of federal and regional laws and policy programs.<sup>107</sup> However, in comparison with the legal and constitutional promises, the roles of the legislatives in policy-implementations are still limited.<sup>108</sup>

#### **4.3.2. The ANRS Executive Organ & Its Role in Policy-Implementations**

It is obvious that, the executive organ at each tiers of government is in charge of the smooth implementations of federal and regional policies, plans and programs. However, as discussed in chapter 2, it is decisive to enhance the awareness level of the public about the nature, scope and

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<sup>104</sup> Interview with Yersaw Tamire, Werksew Mamo, Genet Gebregzabher and Mulugeta Semegn.

<sup>105</sup> Yayeh Addis- Chief Head for the Office of the Regional Administrative Council.

<sup>106</sup> Interview with Yersaw Tamire, Werksew Mamo, Nigussu Tilahun and Genet Gebre-egzabher.

<sup>107</sup> Ibid.

<sup>108</sup> Interview with youths, women, micro-entrepreneurs, urban and peri-urban dwellers of Bahir-Dar city.

goals of newly adopted policy issues and the outcomes before its executions. In brief, it is useful to actively engage diverse actors in both policy making and implementation processes. If this would happen, citizens would develop a sense of ownership and belongingness to those newly introduced policies, and hence, they would become pivotal actors in both policy-making and implementation discourses.

In the ANRS, the executive organ at each tier of the regional government play a pivotal role in both policy-making and implementation schemes. Therefore, when a particular urban proclamation, regulation or a directive is endeavored to be adopted, the initiation usually emanate from members of the executives. Likewise, the authorization to implement urban policy programs is usually considered as the mandate of the executives and the concerned regional and local administrative offices. Accordingly, when particular urban laws are adopted by the regional council, executives at each tier try to implement such laws and policy programs without creating adequate awareness to the public and the concerned stakeholders. Thus, compared to the constitutional promises, the role of citizens and civic associations in policy-implementations is scant. Sometimes government officials at the local level undermine the legal rights of citizens and stakeholders participation in both decision-making and implementation schemes.<sup>109</sup>

Generally, one among the key problems in the process of urban policy-implementations of the ANRS is that, when attempts are made to implement a particular urban policy program, some citizens and concerned stakeholders would become strange to those newly introduced policy programs. As a consequence, sometimes a serious of public hatred and resentment prevail against the executives in particular and the government in general.<sup>110</sup> In this regard, some problems have been created in the Amhara region while trying to implement federal and regional urban policy programs for instance, the implementation of the land lease law, the health insurance policy for civil servants and so on are some examples that have created confusion and resentment among some peoples at the local level.<sup>111</sup>

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<sup>109</sup> Interview with Regional Officials such as Nigussu Tilahun, Yayeh Addis and Merhatsidk Mekonnen.

<sup>110</sup> FGD with Representatives from Some Civic Associations and Residents of Bahir Dar City. Conducted in October 2/2016, Bahir-Dar.

<sup>111</sup> Ibid.



Likewise, while trying to construct some infrastructure in major cities including Bahir-Dar, the procedure for program implementations lacks participatory approaches. For instance in the year 2014, while the city administration of Bahir-Dar tries to expand the road networks of the city along the side of „*Maskel Square*“; Christian followers of the city made a strong protest against such development scheme believing that, the city administration is overtaking the „*Maskel-square*“ for other infrastructural purposes. The protest finally brought severe devastation that involves loss of life and property.<sup>112</sup> As to the researcher points of view, such flattening usually emanates from the dearth of participatory and transparency approaches of policy-implementations. Thus, in order to create fertile grounds for the smooth implementations of urban policy programs, the executives must understand the indispensable roles of citizens and other stakeholders. Indeed, they have to vigorously engage such groups in both the adoption and execution processes of all socio-economic policies in general and in urban policy aspects in particular.

#### **4.3.3. Citizens, CSOs and Stakeholders Role in Policy-Implementations**

As discussed in the preceding section, as far as policy-implementations are concerned, the culture of public participation is so far not well-entrenched. In fact, lower tiers of governments to some extent try to engage the public in some aspects of policy-implementations. Nevertheless, though the ruling party ANDM-EPRDF highly anticipates in promoting notions of popular participation and sovereignty; from actual realities however, its achievement is inadequate compared with the constitutional promises.<sup>113</sup> Though lower tiers of government, i.e., „woreda“ and „kebele“ level administrations are expected to execute policy programs with the active agents of the public, practically citizens at the local level are not amply get involved in each and every facet of policy-implementations. As a consequence, good-governance problems, rent-seeking behaviors and mal-administrations become rampant across each tiers of government particularly at the local levels. Indeed, public grievance against government plans and programs frequently prevail at different times mainly due to the non-existence of participatory approaches of policy-implementations across the region in general and in major urban centers in particular.<sup>114</sup>

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<sup>112</sup> Interview with Yayeh Addis-former Mayer of Bahir-Dar; Genet Gebre-gzabher- Bureau Head of Urban Development. and Werksaw Mamo- Deputy Speaker of the State Council.

<sup>113</sup> Interview with Nigussu Tilahun; Merhatsidk Mekonnen and Yayeh Addis.

<sup>114</sup> FGD with Representatives from Youths, Women, Micro-enterprisers' and Prominent Residents from the Urban and Peri-Urban Localities of Bahir-Dar city. Conducted in October 2/2016, Bahir-Dar.

In fact, sometimes the regional government attempts to involve representatives of some CSOs mainly Women's Association, Youth Association, Teachers Association, Chamber of Commerce in some urban policy-implementations. Nevertheless, in a similar fashion with the policy-adoption processes, their participation in policy-implementation schemes is usually inconsistent and inadequate. This is actually because of the fact that, facets of policy-making and implementations in the region are so far usually held in a „top-to-bottom“ approach.<sup>115</sup>

Broadly, the system for citizens, CSOs and stakeholders active participations in government's development policies and programs is limited. Even sometimes government officials at the local level try to employ forceful and reckless measures against the public for the implementation of some policy programs. As a result, the achievements of such policy outputs become insignificant.<sup>116</sup> This implies that, policy-implementation scheme of the ANRS lacks some of the key theoretical approaches of policy-implementation tools discussed in chapter 2. These factors are the communication gaps and the capability problems. Effective implementation requires that implementers know what they are supposed to do. Likewise, successful implementation is also a function of the implementing organization's capacity to do what is expected to do. The ability to implement policies may be hindered by such factors -incompetent staffs, insufficient information, political support, and financial resources. As to the researcher points of view, it is due to the combination of such factors that, policy-implementation problems frequently prevail at the regional and local levels of the Ethiopian federation.

#### **4.3.4. Institutional Mechanisms for Citizens and Stakeholders Participation in Policy-Implementations**

The regional state council, the regional administrative council and each public bureau attempts to involve representatives from some regional-based civic associations during a particular policy-program orientation as well as in the performance evaluation procedures of quarterly and annual reports of the regional executives.<sup>117</sup> Accordingly, when urban laws, regulations or directives are introduced, representatives from women and youth associations, chamber of commerce, business

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<sup>115</sup> Interview with Abayneh Melaku- Presidents of the regional Youth Association and Molla Desse-Deputy President of the ANR Teacher Associations.

<sup>116</sup> FGD with Representatives from, Youths, Women, Micro-enterpriser and Some Residents of Bahir-Dar city.

<sup>117</sup> Interview with Abayneh Melaku- Presidents of the regional Youth Association; Aberash Tadesse-President of the ANRS Women Association and Molla Desse-Deputy President of the ANR Teacher Associations.

organizations, and so on are invited by the regional bureau of urban development for the intent to get their comments and mutual consent for effective implementations of those urban laws, regulations, directives, plans and programs.<sup>118</sup>

Nevertheless, as to the arguments of some representatives of civic associations, the above mentioned endeavors of the regional government are not effectively achieved at lower tiers of government. Nowadays most commonly, informal institutional mechanism called „one-to five“ cooperative arrangements are being used as a means for the effective implementations urban policy plans and programs especially among the civil servants, the urban and peri-urban communities.<sup>119</sup> In sum, it can be concluded that, there is insufficient formal institutional systems that serve as a means for citizens, CSOs and other stakeholders“ participation in socio-economic policy-implementations in general and for the implementations of urban laws and policy programs in particular.

#### **4.4. Discourses of Accountability and Transparency in the Process of Policy-Implementations**

As declared under Art.12 (1-3) of both the FDRE and the Revised Amhara State Constitutions“, “the conduct of affairs of government shall be transparent; and any public official or an elected representative is accountable for any failure in official duties; and in case of confidence, the people may recall an elected representative”. In spite of such constitutional stipulations, some informants in the study area argue that, transparency and accountability approaches in policy- implementation schemes are still inadequate compared with the legal and constitutional promise.<sup>120</sup>

In fact, to some extent the regional council attempts to promote transparency and accountability systems particularly through the conduct of „public-hearing sessions“ for some stakeholders whilst adopting laws, regulations, directives, as well as plans and programs. As discussed in the previous sections, standing committees usually attempts to involve some representatives from civic associations“ and other stakeholders in policy-making processes as well as in the performance

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<sup>118</sup> Interview with Regional officials such as Genet Gebre-egzabher and Bedilu Nigatu.

<sup>119</sup> Interview and FGD with Representatives from, Youths, Women, Micro-enterpriser and Some Residents and Civil-servants of Bahir-Dar city Administration.

<sup>120</sup> Interview with Kefyalew Esubalew- Justice and Good-Governance Affairs Higher Officer of the ANRS Administrative Council. Interviewed in March 9/2016, Bahir-Dar.

evaluation of the regional executives. In addition, each „standing committee“ attempts to conduct a field oversight at the local level so as to inspect the proper execution of federal and regional policies. Likewise, at least once in a year, federal and regional electorates conduct a face-to-face discussion with the public in their respective electoral constituencies.<sup>121</sup>

The above mentioned efforts of the regional state are vital measures since it reinforces accountability and transparency approaches of the regional government. Nonetheless, there exist accountability and transparency deficits particularly in municipalities „woreda“ and „kebele“ level administrations. It is because of such a challenge that, sometimes public grievances erupt against the government at different times across the country in general and in the Amhara region in particular. Sporadically, in major urban centers, problems of good-governance, maladministration, rent-seeking behaviors prevail mainly because of the absence of adequate transparency and accountability principles of government officials in policy-implementations.<sup>122</sup>

#### **4.5. Conclusion**

In the ANRS, there exist broad scope of legal and constitutional freedom for the regional government in the design of policies in harmony with the frameworks of the federal government’s laws and policies. As discussed in the chapter, in the region, there exist some institutional procedures for the adoption of a policy agenda. Thus, the regional state had exerted some efforts in the design of urban policies in the form of adopting urban laws, regulations, directives and plans. This implies that, though the Amhara region like other regions of the federation is using the urban policy of the federal government as a binding macro-urban policy, the regional state has autonomously adopted various urban- policy contents. Among others, typologies of cities; the determination and classification of urban centers; powers and functions of town administrations and municipalities; and the establishment of „satellite urban centers“ – for the intent to restrain the existing high rate of rural to urban migration are some among the most vital urban policies of the region.

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<sup>121</sup> Interview with Yersaw Tamire and Werksew Mamo. Chief and Deputy Speaker of the State Council, respectively.

<sup>122</sup> Data taken from Discussants of a Public Forum organized by the Amhra Mass media Agency at Nile Convention Hall of Bahir-Dar city on 31 January, 2016. The Researcher has got the opportunity to attend this Urban Public Forum.

In spite of the above urban policy achievements, the Amhara regional state has not yet fully exploited its constitutional mandate of policy-making. Among other factors, the existence of a centralized party politics by EPRDF is the key challenge that significantly affects regional autonomy of policy-making. Regional officials also lack adequate knowledge and awareness about the legal provision of policy-making vested to the regional state in general and to the executive organ in particular. Some regional officials merely perceive that, regional autonomy of policy-making must be limited only to the extent of adopting proclamations, regulations, directives and plans. In brief, such officials presuppose that, broad-based policy documents must be adopted only by the federal government via mentioning the federal government's endeavor to build „...one economic community...“ Generally, in spite of the historic EPRDF's dominant role over policy-making, there exists some degree of regional autonomy of policy-making in the form of adopting urban policy laws, regulations, directives, plans and programs. There also witnessed a recent development that shifts the party-control policy-adoption process towards a system where regions could actively engage in policy-adoption tasks particularly after the establishment of the National Planning Commission at both the federal and regional levels.

As far as citizens, CSOs and other stakeholders' participations in policy-making and implementations are concerned, in comparison with the constitutional promises, in the ANRS its achievement is limited. It is true that, representatives from some civic associations at the regional level such as representatives from youth, women, and teachers associations as well as from chamber of commerce were usually invited by the regional council in public-hearing sessions. Therefore, standing committees of the state council are the only institutional mechanism for the participations of stakeholders in policy/law-making processes of the state council. However, compared with the theoretical approaches of public participations in decision-making tasks discussed in chapter 2, the achievements in the Amhara region is inadequate. In brief, policy-making and implementation attempts of the ANRS fail to consider the 4 key components of citizens and stakeholders participation in decision-making process discussed under chapter 2 namely: listening to opinion; giving information; joint decision-making; and development of capacity for participation. Due to lack of these key components, policy-making and implementations of the region are characterized by „top-to bottom“ approaches which are ineffective for a democratic governance system.

## **CHAPTER FIVE**

# **POLICY-MAKING AND IMPLEMENTATIONS IN THE SNNPRS: A PERSPECTIVE ON URBAN POLICY-MAKING AND IMPLEMENTATIONS**

### **5.1. Introduction**

The objective of the chapter is to explore the SNNPR's autonomy of policy-making and implementations in a perspective from urban policy-making and implementations. The FDRE Constitution provides broad powers to regions including the adoption of policies, strategies, plans and programs of the state. Thus, the chapter explores whether the SNNPR is autonomously adopting policies in general and urban policies in particular. It also explores the factors that affect the SNNPR state in the making of urban policy documents.

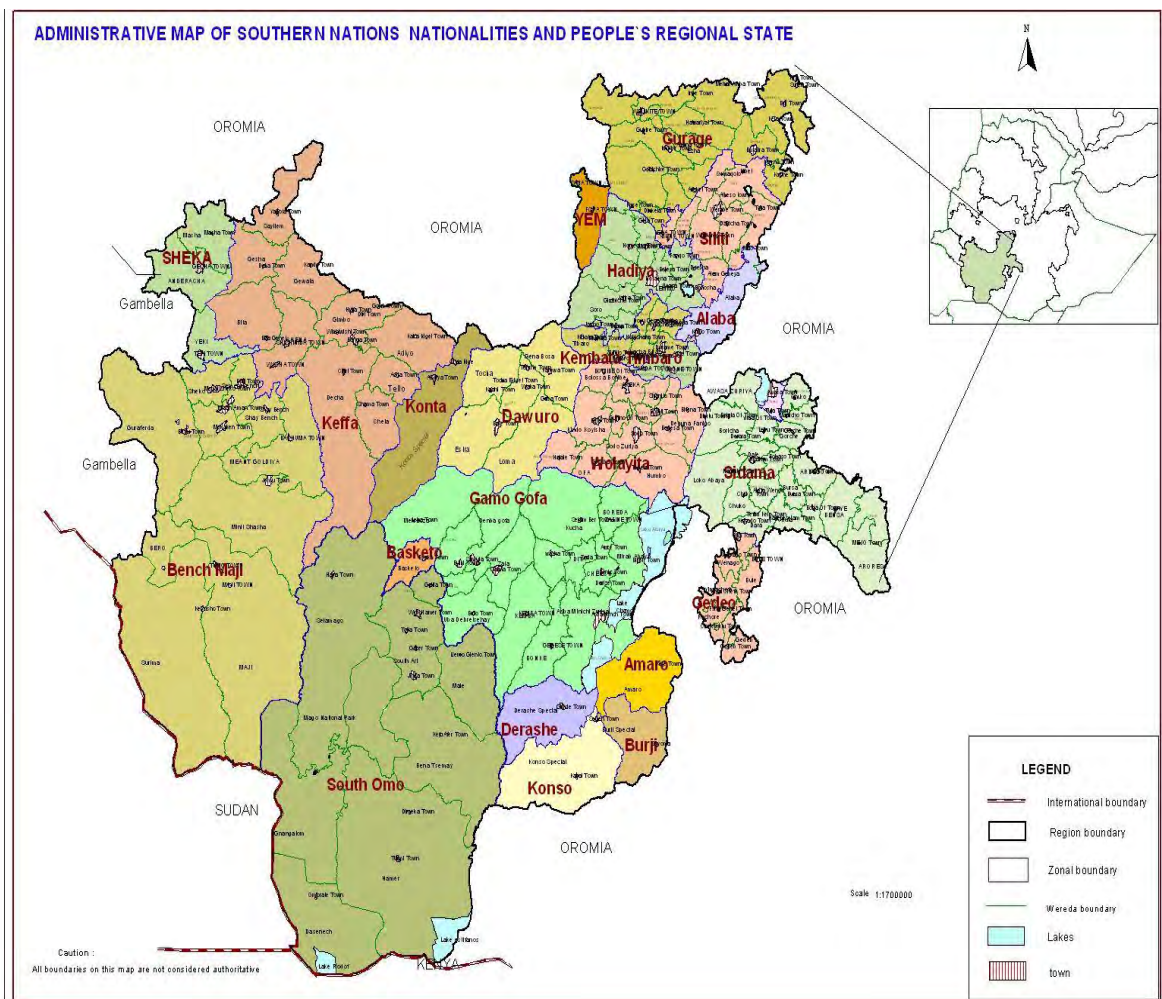
The chapter further examines the roles of citizens, CSOs and other stakeholders in urban policy-making and implementation schemes of the regional state. It also investigates the „laboratory“ values of federalism in relation to urban policy innovations in the region. Accordingly, it provides some of the best urban policies of the regional state. As an introduction, the chapter offers brief overview of the geographic and demographic features of the regional state including the administrative and institutional organizations that serve as a means for the exercise of regional autonomy. Generally, the chapter is imperative to understand regional autonomy of policy-making and implementations in a particular focus on urban policy-making and implementations.

#### **5.1.1. The SNNPR in Brief**

The SNNPR is the most diverse and multiethnic regional state that holds a total of about 56 ethnic groups. Thus, the region is diverse in terms of ethnicity, language, cultures, beliefs, traditions, rituals, norms, values and social identities. The 56 ethnic groups are classified in to the Omotic, Cushitic, Nilo-Saharan and Semitic language families. Geographically, the SNNPR roughly lies in between 4°43' - 8°58' North Latitude and 34°88' - 39°14' East Longitude. The region is bordered in the North-West, North and East by Oromyia regional state; in the South by the Republic of Kenya;

in the West by South-Sudan and in the North-West by Gambella regional state.<sup>123</sup> According to the 2007 CSA data, the region is inhabited by a total population of about 15,760, 743. Almost 89 % of the region’s population lives in rural areas with an economic livelihood of agriculture. Currently, the region is divided in to 14 „nationality zones“, 4 special „weredas“, 126 „weredas“ and 3678 rural „kebeles“. There also exist 22 town administrations; 114 towns with municipality status; and 238 urban „kebeles“.<sup>124</sup>

**Map 4. Administrative Map of Southern Nations, Nationalities and Peoples’ Region**



*Source: SNNPR Finance & Economic Development Bureau: Socio-Economic & Geo-Spatial Analysis and Dissemination Core Work Process.*

Hawassa is the political and administrative seat of both the SNNPR and the Sidama nationality zone. It is located 275 Km from South of Addis-Ababa via Debre-Zeit on the main road to Kenya. It

<sup>123</sup> A Data taken from the Office of the SNNPRS Administrative Council, in April 3/2016, Hawassa; see also map 1.

<sup>124</sup> Ibid.

has been founded in the year 1960 during the reign of Emperor Haile-Silasse I. It is divided in to 8 sub-cities and 32 urban and peri-urban kebeles. The city is located on the shores of Lake Hawassa, from which the name of the city was derived in the fringes of the Great Rift Valley.<sup>125</sup>

### **5.1.2. Administrative & Institutional Structures**

Article 45(1) of the Revised SNNPR Constitution had introduced a four-tier administrative structure in the region at the regional, zonal, „special -wereda“, „wereda“ and „Kebele“ level. The regional government is composed of legislative, executive and judicial organs. The state council has broad powers including the adoption of policies and laws; approves budget; and have a controlling and inspection power over the regional executives.<sup>126</sup> On the other hand, Article 47 2(A) of the revised SNNPR Constitution provides the regional state to “... formulate and execute the regional policy, strategy and plan with respect to social and economic development”. To that end, the regional executive organ is authorized among others, to “...formulate economic and social policies and strategies, and submit draft laws to the state council, when approved, it shall implement it”.<sup>127</sup>

Unlike other regional states, the SNNPR has its own upper house called the “Council of Nationalities”. It was introduced in an attempt to accommodate the ethnic diversity of the region.<sup>128</sup> On the other hand, in the same approach with the constitution of the Amhara region, the SNNPR Constitution in its Art.80 (2) vested three forms of institutions for the exercise of self-administration for those nationality zones and special „weredas“ namely: the Zonal/Special „Wereda“ Council; the Zonal/Special „Wereda“ Administrative Council; and the Zonal/ Special Wereda Judiciary. Each organ has powers and responsibilities in areas of their designation.

The SNNPR’s state organs (i.e., the legislative, executive and the judiciary) were not overtly separated till the revision of the constitution by the regional state council. However, following the revision of the state’s constitution on 12 Nov. 2001, the regional executive and legislative organs were reorganized in a manner to pacify transparency and accountability approaches at least theoretically. Thus, before exploring the urban policy-making and implementation scenes of the

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<sup>125</sup> A Data taken from Hawassa City Administration in April 4/2016 and an Interview with Belayneh Teshome-Advisor of the City’s Mayor. Interviewed in April 4/2016, Hawassa.

<sup>126</sup> See Article 51 of the Revised SNNPR Constitution.

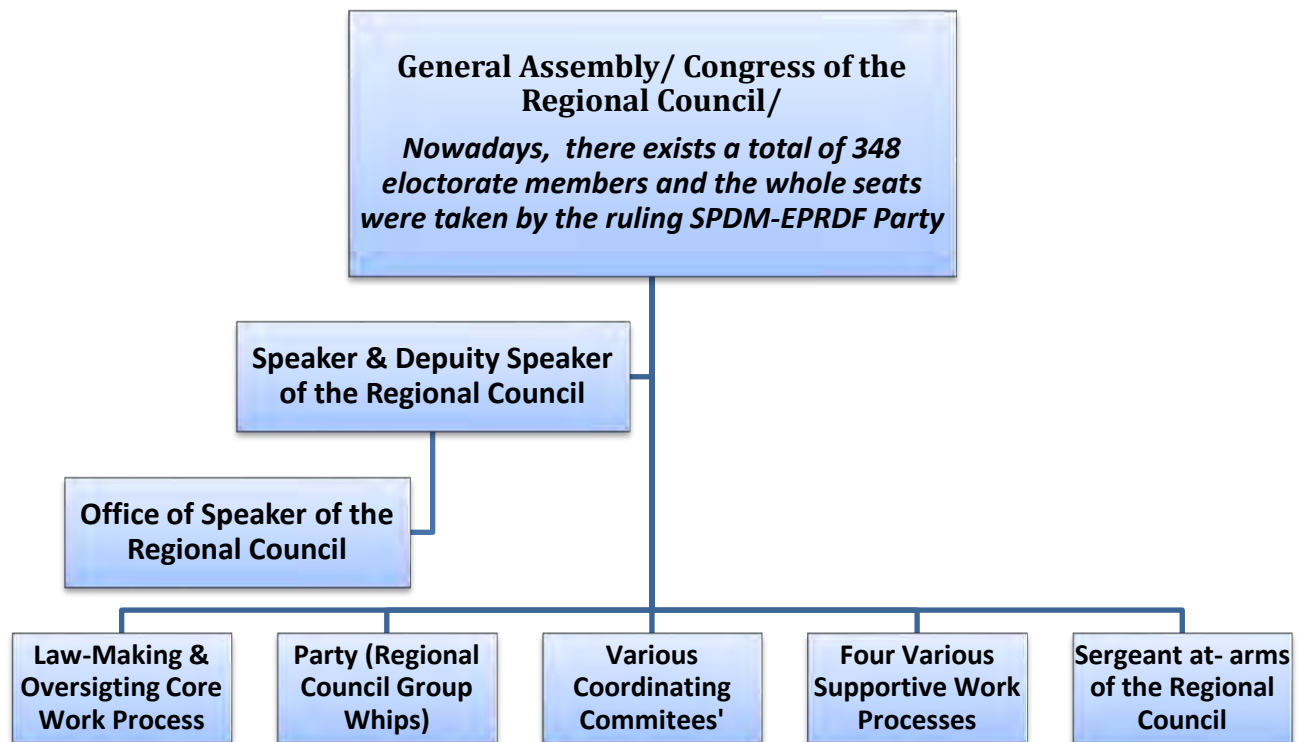
<sup>127</sup> See Article 66(4) of the Revised SNNPR Constitution.

<sup>128</sup> See Article 58(1-2) of the Revised SNNPR Constitution.



SNNPR, an attempt is made to provide some insights about the administrative and institutional organizations of the regional legislative and executive organs turn by turn.

**Fig. 5 Institutional Organization of the Office of the SNNPR State Council at the Regional Level**



*Source: The Researcher's Own Diagram Surveyed from the Chief Speaker's Office of the SNNPR State Council.*

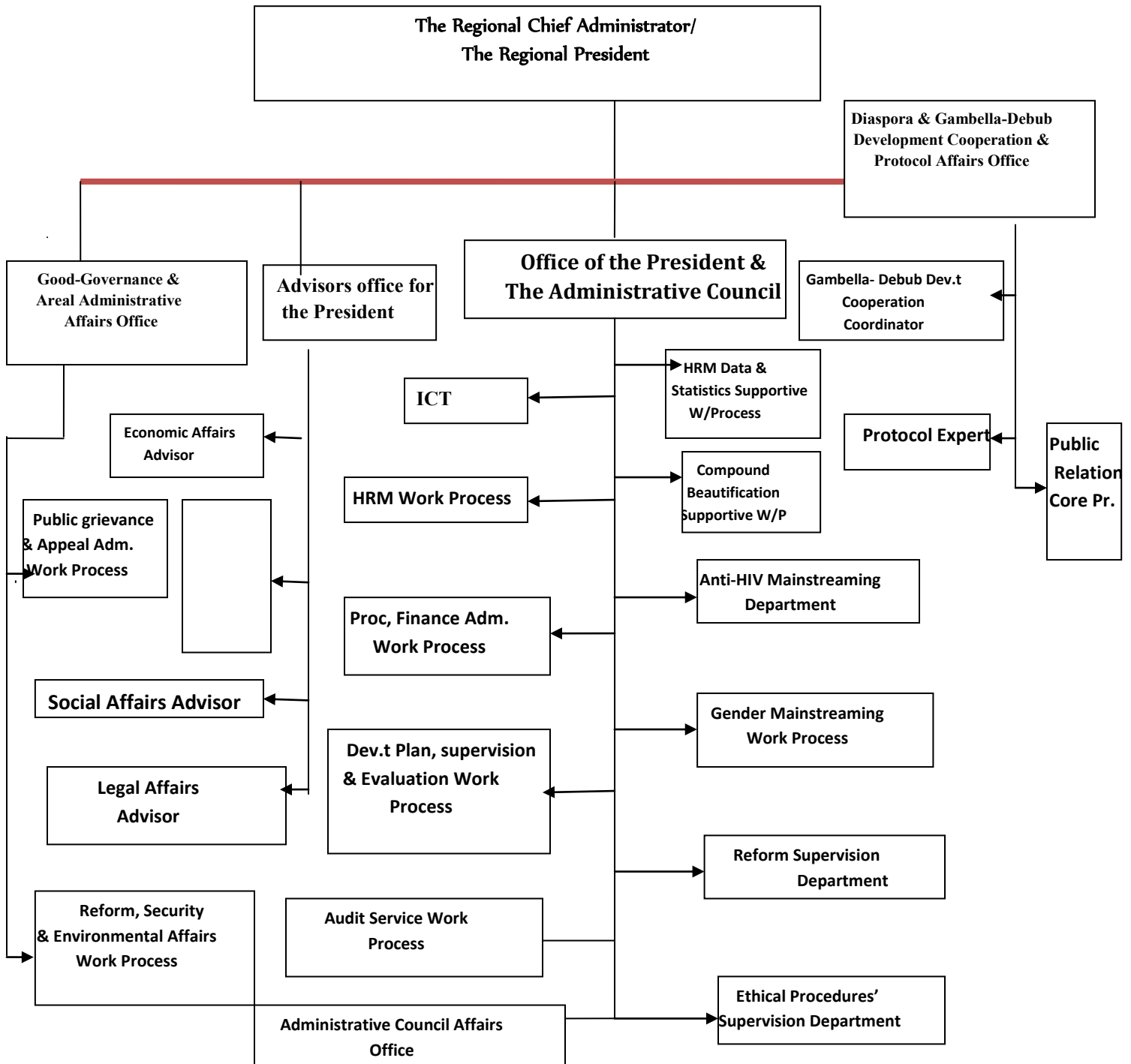
In the SNNPR State Council, there exist six „coordinating committees. These committees of the SNNPR State Council are authorized to run functions set by the state council. One among the committee is the „Urban and Infrastructural Development Affairs Coordinating Committee.<sup>129</sup> On the other hand, though there exists a party representative seat in the structural organization of the SNNPR State Council, nowadays such a seat is taken by representative from the ruling SPDM-EPRDF party.<sup>130</sup> On the other hand, coordinating committees of the SNNPRS are mandated to

<sup>129</sup> A Data taken from the Office of the SNNPR's State Council and an Interview with Gidanah Geremew-Head for the Trade, Industry and Urban Development Affairs Standing Committee of the State Council. Interviewed in April 4/2016, Hawassa.

<sup>130</sup> Interview with Hiwot Haile-Chief Speaker of the SNNPRS Council. Interviewed in April 2/2016, Hawassa.

organize and conduct public hearing forums for the intent to enhance transparency and accountability of government functions.

**Fig. 6 Institutional Organization of Offices of the Regional President & the Administrative Council**



*Source: Surveyed from the Office of SNNPRS Council.*

Generally, from the above discussions and figures, we can understand that the SNNPRS has adequate administrative institutions for the exercise of regional autonomy.

## 5.2. Policy-Making in the SNNPRS

Since the establishment of the regional state, the SNNPR State Council (i.e., the legislative organ) had ratified a total of 162 proclamations and 16 regulations.<sup>131</sup> Likewise, the Regional Administrative Council (i.e., the executive organ) in its part had also adopted numerous policy regulations and directives.<sup>132</sup> Generally, the SNNPR executive and legislative organs as well as the regional bureau of urban development had adopted different pieces of urban policies in the form of urban laws, regulations, directives, strategic plans and programs.<sup>133</sup> This implies that, the SNNPR state has autonomously exercising its regional autonomy of policy-making. However, before trying to examine some of the key urban policy innovations of the SNNPR, it is vital to appraise and analyze the legal and institutional procedures of policy-makings of the regional state in the next section of the study.

### 5.2.1. Policy Adoption Processes

In the SNNPR, as in the case of the ANRS, adopting laws is the mandate of the regional legislative organ. On the other hand, regulations and directives are commonly adopted by the regional executive organ. In fact, as far as the makings of directives are concerned, each regional public bureau can prepare draft directives and submits such directives to executive organ for approval. Thus, the primary duty of the SNNPR council is to adopt draft laws that mainly emanate from the regional executive organ. Among others, adopting laws, amending existing laws and ratifying inter-regional agreements are core functions of the SNNPR State Council. In this regard for instance, recently the SNNPR State Council had adopted the „Gambella- Debub Development Cooperation“ Memorandum Agreement.<sup>134</sup> On the other hand, as in the case of the Amhara regional council, the SNNPR state council has also the mandate to adopt proclamations, regulations and directives for matters that concern the affairs of the three regional administrative agencies namely: the Regional Court, the Regional General Auditor and the Regional Mass-media Agency. These

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<sup>131</sup> Interview with Hiwot Haile-Chief Speaker of the SNNPR State Council. Interviewed in April 2/2016, Hawassa.

<sup>132</sup> Interview with Birru Wolde- Urban Planning Director and Deputy Head for the Bureau of Urban Development & Housing Construction of the SNNPRS and Abera Tekle- Legal Advisor of the SNNPRS Chief-Administrator. Interviewed in April 6 and 8 respectively, Hawassa

<sup>133</sup> Ibid.

<sup>134</sup> Interview with Hiwot- Chief Speaker of the SNNPR State Council. Interviewed in April2/2016, Hawassa.

regional administrative institutions of the SNNPR are directly accountable to the regional state council.<sup>135</sup>

In the SNNPRS, the following regional institutions and government organs has the mandate to initiate and propose draft laws, policies, plans and programs of the regional state. These are:

- ✚ Executives of the Regional State;
- ✚ Speaker of the State Council;
- ✚ Standing Committees of the State Council;
- ✚ Members of the State Council;
- ✚ Parliamentary Groups; and
- ✚ Institutions and Organizations which shall be called to the Council.<sup>136</sup>

Therefore, on the basis of the legal provisions vested for the above mentioned regional organs and institutions, numerous pieces of urban policies in the form of urban laws, regulations, directives and plans have been initiated and adopted by the SNNPR government at different times.<sup>137</sup> On the other hand, like the case of the ANRS, the regional executive organ of the SNNPRS has taken the lion-share in the initiation of draft urban laws and regulations. Like the case of the ANRS, the mandate to prepare draft bills on budgetary issues is also the mandate of the regional executive organ.<sup>138</sup>

On the other hand, whenever draft laws and policies are initiated, there are some legal procedures“ set by Proc. No. 16/2015 of the SNNPR Council. Thus, when particular draft laws and policies are initiated by the regional executive organ, such draft bills shall be submitted to the speaker in written form signed by members of the regional executives. Likewise, when „coordinating-committees“ of the state council initiate draft bills, it shall be submitted to the speaker signed by the chairperson of the respective committee. Equally, a draft bill initiated by parliament group shall be presented to the speaker in written form signed by „chief“ of the party or the party-

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<sup>135</sup> Ibid.

<sup>136</sup> Article 50 of Regulation No. 16/2015 of the SNNPR State Council.

<sup>137</sup> Interview with Abera Tekle-Legal Advisor of the SNNPRS Chief-Administrator. Interviewed in April 8/2016, Hawassa.

<sup>138</sup> Interview with Hiwot Haile – Chief-Speaker of the SNNPR Council. Interviewed in April 2/2016, Hawassa.

whip. Similarly, a draft bill initiated by any authorized institution shall also be submitted to the speaker in written form signed by „head“ of the respective institution.<sup>139</sup>

In general, a draft policy or law that is initiated by any of the above authorized body is expected to satisfy the following pre-conditions: the significance of the draft law/policy for the socio-economic development of the region; detailed contents of the draft law; and a document verifying the impact in which the draft policy/law shall have on the government budget.<sup>140</sup> On the other hand, when a particular draft law/ policy is initiated by the regional executive organ or other concerned regional institutions, the authorization to organize contents of the draft agenda in a comprehensive written form is legally offered to the regional bureau of justice.<sup>141</sup>

In the SNNPR State Council, before the approval of policies and laws, draft bills should pass three stages of readings namely: „first round –reading“, „second round-reading“, and „third round-reading“. In the „first round-reading“ stage, the speaker provides provisional proclamation number to the draft policy/law, and refers it to the concerned „standing-committee“ for the intent of analyzing the relevance of the draft policy/law. In fact, if the speaker believes that, the draft bill do not require any further investigation by the „standing-committee“, he/she directly presents the agenda to members of the state council for final authorization. In the „second round –reading“ stage, the concerned „standing-committee“ to whom the draft law is referred presents their report and recommendation to members of the council.<sup>142</sup> Finally, in the „third round –reading“ phase, the council shall pass its final decision by a 2/3 majority vote. Therefore, the draft bill finally becomes a binding policy/ law. Consequently, the law/policy shall be printed via „Debut Negarit Gazeta“ signed by the regional president and finally arranged for selling to the public. Whereas, if the state council believes that, the draft bill is not tangible, it shall be returned to the concerned „standing-committee“ for revision.<sup>143</sup>

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<sup>139</sup> A Data taken from the office of the SNNPRS Council Law-making Core Work Process. See also Article 51-54 of Regulation No.16/2015 of SNNPR State Council.

<sup>140</sup> Article 50 (1-8) of Regulation 16/2015 of the SNNPR State Council.

<sup>141</sup> See Proc. No. 161/2007 of the SNNPRS Council.

<sup>142</sup> Interview with Hiwot Haile-Chief Speaker of the State Council; see also Article 51-54 of Regulation No.16/2015 of SNNPR State Council.

<sup>143</sup> Ibid.

From the above discussions, policy-making procedures of the SNNPR mainly emphasize on agenda setting and decision-making. Thus, the system fails to consider more about problem identification, optional alternatives in policy-decisions, policy-implementations and evaluation tools which are discussed in chapter 2. On the other hand, when draft bills are proposed by the executive organ, sometimes it is common to observe that, such draft bills are approved by members of the state council without making adequate critics on contents of the draft bills. This mainly happens because of the existence of a dominant party system at the regional level in the same style with the federal level.<sup>144</sup> Currently, as of the federal system, in the SNNPR, all seats of the state council are controlled by the ruling SEPDM-EPRDF party. Thus, like the case of the Amhara regional state, lack of free space for regional-based opposition political parties in decision-making processes is a common facet in the SNNPR.<sup>145</sup>

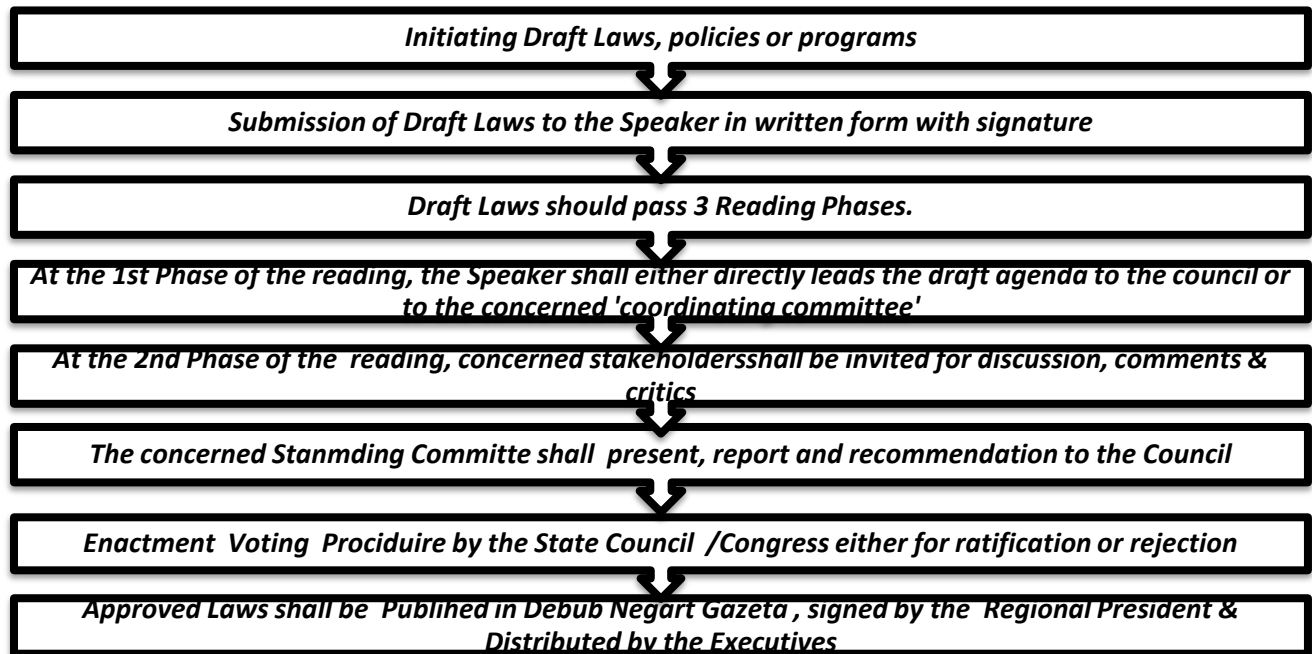
As discussed in chapter 2, the existence of multi-party system is very essential for the smooth operation of a federation. This is because; political parties have a decisive role in political decision-making. In brief, an effective party system creates better access and opportunity for the proliferation of differences of interest and opinion which, in turn, promotes democratic governance system. In spite of such limitation, the SNNPR has its own legal procedures“ for the adoption of policies and laws of the regional state. The following diagram recapitulates the policy-making procedures of the SNNPR state council.

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<sup>144</sup> An Expert who is working in the Regional Bureau of the SNNPR State Council Law-making and Over Sighting Core Work Process. His name is not disclosed because of his own interest. Interviewed in April 9/2016, Hawassa.

<sup>145</sup> Ibid.

**Fig. 7 Law and Policy-Making Processes of the SNNPR State Council**



*Source: the Researcher's own Diagram: Surveyed from the Office of the chief Speaker of the SNNPRS Council.*

In spite of the existence of the above legal procedure of policy-making, intermittently there exists a breach of the legal procedure by the regional executive organ. Though each draft bill is expected to pass through each step of the above mentioned legal procedure, the executive organ sometimes defies such principles by claiming that, the draft agenda is very expressive that do not require the consultation of others. In consequence, such draft laws or polices would finally adopted by the state council devoid of passing the legal procedure.<sup>146</sup>

In addition, sometimes regional executives of the SNNPR as in the case of the Amhara region submit particular draft bills to the speaker whilst the meeting of the congress has left only two or three days. As a result, „standing committees“ and concerned stakeholders lacks adequate time for discussion and deliberations.<sup>147</sup> The researcher argues that, such instances mainly manifest the ostensibly dominant position of the regional executive organ in policy-making as well as in other decision-making processes. The power of the legislatives is surpassed by the dominant power of the

<sup>146</sup> Interview with Rehima-Law making and Over sighting Core Work Process Leader of the ANRS Council. Interviewed in April 9/2016, Hawassa.

<sup>147</sup> Interview with Hiwot Haile-Chief Speaker of the SNNPRS Council. Interviewed in April 2/2016, Hawassa.

executives. As a consequence, check and balance systems become superficial. That is the root cause for the prevalence of rampant good-governance problems at country-wide level. Generally, it is very decisive to preserve a genuine balance of powers between the executive, legislative and judiciary organs so as to secure sustainable peace, democracy and stability of the federation at both the national, regional and local levels.

### **5.2.2. Roles of the SNNPR Executive and Legislative Organs in the Adoption of Urban Laws, Regulations, Directives, Plans and Programs.**

The SNNPR executive organ is entitled “...to formulate economic and social policies and strategies of the state, submit draft laws to the state council, when approved by the state council, it shall implement it”.<sup>148</sup> In addition, each regional bureau is mandated to implement national policies of their respective institutional objectives as well as to initiate regional-based policies, and up on approval implement it.<sup>149</sup> Accordingly, the SNNPR Bureau of Trade, Industry and Urban Development, among others, are mandated to “implement the national policies; based on this, initiate regional urban development policies; prepare work program and budget; and up on approval implement same.”<sup>150</sup> On top of the above cited legal provisions, one can infer the fact that, the regional state in general and the executive organ in particular are provided adequate legal space for the design of urban development policies of the regional state.

Since the establishment of the regional state, the executive organ of the SNNPR has autonomously adopted different urban laws, regulations as well as goal-oriented urban plans and programs. The SNNPR bureau of urban development, housing and construction also adopted a variety of urban policy directives so as to resolve a variety of urban-related governance challenges across the region.<sup>151</sup> However, as in the case of the Amhara regional state, other than adoption of urban policy legislations, regulations and directives, the SNNPR executive organ has not yet fully exploited its constitutional mandate of policy-making.<sup>152</sup> The factors that affecting the SNNPRS in the adoption of urban policy documents are discussed in detail later. Generally, though the SNNPRS like other regional states is using the urban policy of the federal government as a guiding

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<sup>148</sup> Article 66 (4) of the Revised SNNPR Constitution.

<sup>149</sup> Regulation No. 36/2001 of the SNNPRS.

<sup>150</sup> Article 11 (1) of Regulation No. 36/2001 of the SNNPRS.

<sup>151</sup> Interview with Regional and Local Officials of the SNNPR such as Hiwot Haile, Abera Tekle, Birru Wolde and Belayneh Teshome. Interviewed in April 2, April 8, April 6 and April 11/2016 respectively, Hawassa.

<sup>152</sup> Ibid.



macro-urban policy document, substantial regional-based urban policies were introduced by the regional state so as to resolve some urban-related governance challenges of the region. In brief, when the regional executive organ believes that, a particular urban issue must be redressed via the adoption of legislation, the executive organ submits draft urban law to the state council for approval. Whereas, if some of the existing problems are presumed to be resolved by the adoption of regulations, directives or plans, the executive organ adopts urban regulations, directives or medium or short term plans and programs taking in to account the socio-economic contexts of the regional state.<sup>153</sup>

On the other hand, whenever particular urban policy frameworks are introduced by the federal government, the SNNPR executive organ adopts specific urban laws/ regulations/ directives for the smooth implementations of such newly introduced federal urban laws and policies.<sup>154</sup> Thus, when we explore the urban policy making endeavors of the SNNPR, one can find arrays of urban laws, regulations, directives and plans adopted by the regional state at different periods.<sup>155</sup> This implies that, to some extent the SNNPR state has autonomously adopted urban policies in the form of laws, regulations, directives and goal oriented plans and programs. Thus, in the following paragraphs, attempts are made to explore and analyze some of the urban laws, regulations and directives adopted by the SNNPR executive and legislative organs at different periods.

On the basis of the data taken from the SNNPRS bureau of urban development, housing and construction, for the intent to establish urban policy framework for the administration of urban centers of the regional state, the regional executive organ had initiated a comprehensive draft urban law and submitted thereof to the state council for approval. As a result, via Proc. No. 19/2002, the state council had adopted an intensive urban law that contains a total of 11 chapters for the first time. Among others, the following are some of the key urban laws designed by the regional executive organ and finally approved by the legislatures. These are:-

- Typology and Grading of Cities;
- Aims, Powers and Functions of Cities;
- Governance System of Cities;
- City- Government Relations;

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<sup>153</sup> Ibid.

<sup>154</sup> Interview with Birru Wolde and Abera Tekle. Interviewed in April 6 & 8/2016 respectively, Hawassa.

<sup>155</sup> Ibid.

- Relations between Communities and City Administrations;
- City Finance Systems; and
- City Personnel Management.

When we explore and analyze the contents of each urban policy issues mentioned above, we can find a variety of original urban policy innovations of the regional state. In this regard for instance, for purposes of management and accountability, cities of the SNNPR are classified in to three distinct typologies namely:

- „Emerging Municipal Cities“;
- „Medium-Level Municipal Cities“; and
- „Advanced Municipal Cities.“<sup>156</sup>

The above typologies of cities of the SNNPR are quite different from typologies of cities of the ANRS discussed in chapter 4. These differences in urban policy innovations between the two regional states could be associated with the role of federalism for policy innovations. As discussed in chapter 2, federal system provides autonomy for sub-national units in policy-making arenas. In brief, federalism with its constitutionally protected division of powers between two orders of government is thought to make a difference to policy-making that involves ample space and opportunities for policy innovation. Therefore, in a federal system, regional officials have better opportunity to experiment policies in a way to address the concerns of their respective citizens.

In the SNNPR, an „Emerging Municipal City“ shall have a population of 4000-15,000. In fact, in exceptional cases, a community of 2000 or more people may apply for a city status where it demonstrates a capacity to manage the affairs of an „emerging city“. Accordingly, the regional executive council may either grant the request or place the community under the apprentice-ship of the bureau until the community qualifies for the status.<sup>157</sup> „Medium-Level Municipal City“ on the other shall have a population of 15,001-100,000 and above. In addition, such cities are expected to show better level of economic development; a relatively better commercial transaction and infrastructural services.<sup>158</sup>

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<sup>156</sup> Article 8 of Proc. No. 19/2002 of the SNNPRS.

<sup>157</sup> Article 8 (1-iv) of Proc. No. 19/2002 of the SNNPRS.

<sup>158</sup> Proclamation No. of 19/2002 of the SNNPRS.

On the other hand, „Advanced Municipal City“ in the SNNPR needs to fulfill the following pre-conditions:

- ✓ A population size of 100, 000 and above;
- ✓ Attained an advanced level of economic development marked by high level of mobility of people and goods;
- ✓ Put in place a well-developed infrastructure as well as a full-fledged governance and management system.<sup>159</sup>

From the above discussion of city-grading criteria“s and typologies of the SNNPR, we can find distinct models from the typology and city grading experiences of the Amhara region. This implies that, the SNNPR like the case of the Amhara region has autonomously designed a variety of urban policies in the form of laws, regulations, directives and plans.

In spite of the existence of some similarities with the case of the ANRS, cities of the SNNPR shall have the following primary objectives:

- (A) To facilitate and promote the exercise of self- administration at the community level and thereby enhances the active participation of the people;
- (B) To promote socio-economic development as well as for the protection of the environment of their respective locality;
- (C) Ensures the provision of public services in response to the needs of their citizens; and
- (D) Promote good relations between the people and the government.<sup>160</sup>

Likewise, when we explore the powers and functions of cities of the SNNPR, we can find explicit innovative urban policy contents. As pointed out under Article 11 of Proc. No.19/2002 of the SNNPR State Council, the following are some of the policy innovations in reference to the powers and function of cities of the SNNPRS:

- (1) To the extent and capacity and circumstances may allow, a city among other things perform the following functions:
  - (A) Provide and ensure the provision of:

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<sup>159</sup> Ibid.

<sup>160</sup> Article 9 of Proc. No. 19/2002 of the SNNPRS.

- (i) “ Environmental services including the construction and management of city roads, sewerage and drainage lines, parks, gardens, and recreation areas; waste disposal, prevention as well as control of floods, erosion and pollution;
  - (ii) Social services including education, medical and health care services; anti-HIV campaign, ambulance services, housing; care for the aged, the handicapped, the abandoned and the orphan; maintenance of vital statistics; provision of cemeteries and abattoir services;
  - (iii) Enhance cultural services including the promotion of sports and theaters as well as the establishment of public libraries and museums;
  - (iv) Public utility including water, electricity, telephone and transport services;
  - (v) Protective services including public security, city court services, fire prevention and control; inspection of weights and measures of foods and drugs;
  - (B) Enhancement of development of the city and its residents via promoting investment, income and employment generating schemes and poverty reduction programs;
  - (C) Regulatory functions such as the enforcement of government laws and standards, control of certain activities like liquor trade, the operation of public houses and the like through licensing;
  - (D) Planning and coordination including the preparation and implementation of detailed development plan;
  - (E) Representation through the expression of local opinion on matters which fall outside its jurisdiction.
- (2) To ensure the proper and efficient delivery of services, a city may as it sees fit enter in to contracts with the government or any of its organs with voluntary organizations or with the private sector; mobilize the sector; establish public agencies; private services fully or partially or take other measures that circumstances may justify”.<sup>161</sup>

In general, from contents of the above urban laws, one can infer the fact that, the SNNPR has adopted a variety of novel urban policy ideas. This urban law among others provides the functions and responsibilities of city administrations of the regional state in a more explicit approach. This comprehensive urban law of the SNNPR may better resolve the existing challenge in relation to

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<sup>161</sup> Ibid.

identifying the powers and functions of regions on matters of urban domains that are not explicitly listed within the FDRE and the regional constitutions.

In a similar approach with the case of the ANRS, the regional executive organ of the SNNPRS had submitted a variety of pieces of draft urban laws to the regional legislative council for endorsement at different times. Accordingly, other than the above discussed pieces of urban policies, various urban laws were also adopted by the SNNPR state council at different periods. Among others, the following are some of the urban proclamations adopted by the SNNPR State Council:

- Proclamation No. 40/ 2002: a Proclamation enacted for the SNNP Regional Government Urban Drinking Water Service Enterprises;
- Proclamation No.79/2004: a Proclamation to provide for the Enactment of Land Lease Holding of Urban Lands of the SNNPRS;
- Proclamation No. 80/2004: a Proclamation Issued for the SNNPR Government Housing Development and Administration Enterprise (HDAE);
- Proclamation No. 88/2004; a Proclamation enacted to revise the SNNPRS Cities Administration Proclamation; and so on.

Generally, the researcher argues that, of all the above mentioned urban laws, Proclamation No. 19 of 2002 of the SNNPR is a yardstick urban policy that has provided an array of urban policy issues in a more explicit approach. As to the researcher points of view, this urban law of the regional state among others provides insightful experiences of urban policies to other constituent states of the federation.

On the other hand, following the adoption of the federal polity, the number of urban centers across the SNNPR is progressively rising. Whilst this study was being conducted, there exist a total of 348 towns across the region. However, this figure shall rise to 378 in the near future since additional 30 localities have fulfilled the criteria to seize the level of a city/town.<sup>162</sup> So, in order to promote urban good-governance as well as to enhance the welfare of urban citizens across the region, different urban regulations, directives, packages, plans and programs were designed by the regional government particularly by the executive organ. Therefore, among others, the following are

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<sup>162</sup> Interview with Biru Wolde- Urban Planning Director and Deputy Head for the Bureau of Urban Development & Housing Construction of the SNNPRS. Interviewed in April 6/2016, Hawassa.

some of the urban regulations and packages adopted by the SNNPR administrative council (i.e., the executive organ) at different periods:

- A Regulation issued to establish the SNNPRS Urban Real Property Registration and Information Agency via Regulation No. 99/2012;
- A Regulation issued for the Execution of Urban Land-Lease Systems in the SNNPRS issued via Regulation No. 103/2012;
- The Revised SNNPRS Regulation for the Execution of Urban Land-systems issued via Regulation No. 123/2014;
- Urban Centers Good-Governance Package Enacted on April 2006;
- Urban Centers Public participation and Environmental Development Package Enacted on April 2006;
- Urban Centers Financial Administration Improvement Program Enacted on April 2006;
- Urban Land Development and Management Procedures Improvement Program enacted on April, 2006;and
- Infrastructures and Social Services Improvement Program Enacted on April 2006;

Though some of the above urban development packages are similar in its content with the urban packages and programs of the federal ministry of urban development, the efforts exerted by the SNNPR executives in adopting the aforementioned urban policy regulations and packages could be cited as exemplary endeavors of the regional state. Though not yet fully exploited, the practice to experiment and adopt urban policies in the SNNPR has been started since the establishment of the regional state.<sup>163</sup>

The SNNPR's bureau of urban development in its part had also adopted a variety of urban policy directives at different times. Among others, the „Urban Land Lease Implementation Directive of the SNNPRS“ enacted via Directive No. 8/2014 could be cited as one good example. Equally, the Administrative Council of Hawassa city had also adopted some urban policy regulations and directives in order to boost the public services and infrastructures rendered by the city; as well as to make Hawassa city conducive for residence, tourist and resort attractions. Thus, among others, the following are some of the most important regulations being enacted by Hawassa city administrative council for the aim of promoting the physical excellence and service delivery qualities of the city. These are:

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<sup>163</sup> Ibid.

- A Policy Regulation enacted to prohibit sound pollution in the city of Hawassa;
- A Policy Regulation enacted to determine the heights of buildings in Hawassa city;
- A Policy Regulation enacted to identify and determine „buffer zone“ for the shores and peripheries of Lake Hawassa;
- A Policy Regulation enacted to amend urban water service tariff of Hawassa city;
- A Regulation enacted to amend for the determination of kebele houses rent rate of Hawassa city.<sup>164</sup>

In sum, from the above discussion, one can infer the fact that, in the SNNPR different urban legislations, regulations, and directives were adopted by the regional executive and legislative organs. This implies that, in the same approach with the ANRS, the SNNPRS has also exerted its mandate of urban policy-making autonomy though not yet fully exploited. The key reason for adopting such urban laws, regulations and directives at the regional level is to alleviate or at least to mitigate urban related governance challenges that significantly affect the livelihood of urban citizens of the region.<sup>165</sup>

In general, for all those urban policy achievements of the regional state, the adoption of the federal system in 1991 was the key base which, in turn, provided constitutionally entrenched autonomy for regional states. As discussed in chapter 2, autonomy is a device to allow ethnic or other groups claiming a distinct identity to exercise direct control over affairs of special concern to them. Therefore, one imperative value of federalism is its potential for creating local solutions for local problems. Federalism also enhances policy innovation because it allows decentralized experimentation, mutual learning and competition. As a result, sub-national governments operate as „laboratories“, experimenting with policy responses that can spread across jurisdictions. In other words, federalism provides the citizen, decision-maker politicians responsive to their preferences and also provides more room for policy experiment and innovation. It is because of the adoption of the federal system that, a variety of urban laws, regulations, directives and plans were adopted by the executive and legislative organs of the SNNPRS.

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<sup>164</sup> A Data taken from Hawassa City Administration and also an Interview with Belayneh Teshome - Advisor of the City's Mayor. Interviewed in April 11/2016, Hawassa.

<sup>165</sup> Interview with Gidaneh Geremew- Member of a parliament in the Lower House of the State Council and Head for Trade, Industry & Urban Development Affairs Standing Committee of the SNNPRS Council. Interviewed in April 3/Hawassa.

### **5.2.3. Roles of the SNNPR's Council of Nationalities (the Upper House) in Urban Policy-Making**

In the SNNPR, the Council of Nationalities was introduced since 12 November, 2001 in an attempt to accommodate the enormous ethnic diversity of the region. The Council is composed of at least one member of representatives of nations, nationalities and peoples of the region, and each ethnic group has a right to one additional representation for each one million of its members.<sup>166</sup> The presence of an upper house as a replica of the House of Federation is a unique feature of the SNNPR. The establishment of an upper house in the SNNPR is one of the remarkable achievements in the process of diversity accommodation of the region. Nevertheless, alike the HoF, Council of Nationalities of the SNNPR has no role in policy-making.<sup>167</sup> In the SNNPR, double representation in the two regional chambers (i.e., in both the lower and upper houses) is not allowed, i.e., "...no one may be a member of the State Council and the Council of Nationalities simultaneously."<sup>168</sup> Therefore, members of the upper house of the SNNPR do not have any significant role in both the initiation and adoption of policies.<sup>169</sup>

As to the researcher points of view, if the upper house of the SNNPR is given a constitutional power of either initiating socio-economic draft policies or concurrent power of law making, the regional state would become a melting pot for the innovation of different socio-economic policies including urban policies. In brief, since members of the upper house represents the interest of their respective nation and nationalities", they would probably have better potential of exploring key societal policy interests of the diverse ethnic groups of the region, that would inevitably result the innovation of best policy inputs for the regional state.

### **5.2.4. Some Best Urban Policy Experiences of the SNNPRS**

Like the case of the ANRS, some urban policy experiences and lessons could be drawn out from the SNNPRS. As discussed in section 5.2.2., the SNNPR legislative and executive organs as in the cases of the ANRS have introduced arrays of urban laws and regulations at different times. The regional bureau of urban development has adopted some urban directives that are intended to promote urban development and urban good-governance systems of the regional state. Similarly, the

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<sup>166</sup> Article 58(1-2) of the Revised SNNPRS Constitution.

<sup>167</sup> Interview with Regional Officials Such as Hiwot Haile and Gidaneh Geremew. Interviewed in April 3 /2016.

<sup>168</sup> Article 49 (2-E) of the Revised SNNPRS Constitution.

<sup>169</sup> Interview with Regional Officials-Hiwot Haile and Gidaneh Geremew. Interviewed in April 2 & 3/2016, respectively.



executive council of Hawassa city administration had also introduced different urban regulations at different periods. All such endeavors of the regional government could be cited as a promising endeavor for the betterment of urban governance systems of the region.<sup>170</sup> Thus, in the next section, attempts are made to point out and analyze some of the best urban policy experiences of the SNNPRS.

Firstly, the provision of a legal right to Hawassa city administration to fully exploit its own revenue sources for the conduct of its administrative functions/expenditures is one among the vital urban policy attainment of the regional government. This policy measure of the SNNPR reveals the existence of sound and genuine political decisions that, in turn, encourage and prompt Hawassa city administrators to better utilize their revenue sources and thereby to enhance the revenue generating capacity of the city administration.<sup>171</sup> Thus, such policy decision of the executive organ of the SNNPR could be taken as one vital policy experience to other regions of the federation. This is because; such policy measures mitigate the existing common facets of vertical and horizontal fiscal imbalances which is common in most federations in general and in most town administrations of the country in particular.

Secondly, as it will be discussed in chapter 6, Hawassa city is enormously expanding horizontally. As a consequence, the land-tenure right of peri urban agrarian households becomes highly unsecured. In order to alleviate such a problem, the SNNPR executive organ introduced a decisive policy that allows peri-urban households to obtain a „sketchy“- master plan of Hawassa city. The provision of this „sketch-master plan“ to the peri-urban households among others provides a guideline clue about the major infrastructural networks of Hawassa that will be built in the future due to the likelihood of the horizontal expansion of the city. Therefore, on the basis of such a policy guideline, peri-urban households are allowed to build their own houses on their landholdings taking in to account the future expansion of Hawassa city and its major infrastructural networks. Thus, the

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<sup>170</sup> Interview with Regional and Local Officials such as Hiwot Haile- Chef Speaker of the State Council, Abera Tekele-Legal Advisor of the Regional Chief-Administrator, Chernet Filate-Deputy Director of Hawassa City Municipality and Belayneh Teshome-Advisor for the Mayor of Hawassa city.

<sup>171</sup> Interview with Belayneh Teshome- Chief Advisor of the Mayor of Hawassa City Administration. Interviewed in April 11/2016, Hawassa.

adoption of such a policy measure among others enhanced the land-tenure rights of peri-urban agrarian households of Hawassa city.<sup>172</sup>

Thirdly, in order to alleviate the key problem of those urban dwellers of the region (i.e., for those citizens that do not yet have legal ownership certificate for their urban house and land), the SNNPR executive organ has introduced a policy directive for the provision of a legal certificate to those concerned urban households of the region. Accordingly, within the implementation periods of GTP I (i.e., from 2010/11-2014/15), a total of 106, 295 urban households were granted legal certificate of urban land and house ownership.<sup>173</sup>

Fourthly, for the intent to create efficient and effective urban land management system, within GTP I implementation periods, the SNNPR has so far organized manual and electronic data management system for 300,000 urban house holders by categorizing the data in to sub-cities, kebeles, localities and blocks.<sup>174</sup> This also reveals the policy endeavors of the regional state in establishing a wise use of urban land management systems of the region.

Finally, in order to alleviate the serious problems of those houseless urban citizens of the region, within GTP I implementation periods, the regional government has constructed a total of 10,447 houses through integrated housing program. As a result, a total of 52,235 citizens have got the opportunity to have access for such houses.<sup>175</sup>

In sum, the above pieces of urban policies of the SNNPR reveal that, the regional executive and legislative organs have tried to resolve some of the key urban related governance challenges of the regional state. Therefore, by adopting various urban laws, regulations, directives, strategies and programs, some socio-economic challenges of the urban and peri-urban community of the regional state have been at least reduced.<sup>176</sup> In fact, this is achieved because of the adoption of federal

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<sup>172</sup>Interview with Chernet Filate-Deputy Director of Hawassa City Municipality. Interviewed in April 14/2016, at Hawassa.

<sup>173</sup> GTP II Document of the SNNPRS, 2015:35.

<sup>174</sup> Ibid: 36.

<sup>175</sup> Ibid.

<sup>176</sup> FGD with Representatives from Youth, Women, Micro-enterprisers, Urban and Peri-Urban Residents of Hawassa City. The FGD was Conducted in November 14/2016, Hawassa.

political system. As discussed in chapter 2, the promise of state and local policy-making in a federal system is that, sub-national governments may serve as “laboratories of democracy”, where they experiment with different policies and learn from one another. In a federal system, policy innovation and learning can be found in the economic theory of “laboratory federalism”, which claims that in a multi-level system of jurisdictions, non-centralized public policies would lead to a process of „experimentation“ with new policies. The policy making endeavor of the SNNPR is also manifested by the adoptions of goal-oriented urban plans which are discussed in detail in the next section of the study.

### **5.2.5. Urban Policy Programs Adopted within GTP II of the SNNPRS**

Like the cases of the ANRS, the SNNPR had also adopted short and medium-term development plans and programs. Among these plans, GTP I and GTP II of the regional state could be cited as the most comprehensive goal-oriented development plans designed for the intent to enhance the socio-economic growth and development of the region in particular and thereby to contribute for the development vision of the country in general. Therefore, alike with the federal government’s Growth and Transformation Plans, GTP at the regional level have given overriding priority by regional governments.<sup>177</sup> Therefore, in the following section, some of the key urban plans adopted within GTP II of the SNNPR are analyzed briefly.

Unlike the ANRS, Plan Commission is not yet established in the SNNPRS. As a result, GTP II document of the SNNPR was officially organized and published by the regional bureau of Finance and Economy Development. Thus, in the SNNPR, the mandate to organize development plans is authorized for the regional bureau of Finance and Economy Development. When one explores the entire contents of GTP II of the SNNPR, one can find numerous goal-oriented development plans, programs and strategic directions. Accordingly, when we assess and analyze the key strategic directives outlined in areas of urban development of the SNNPR, we can find some regional-based urban policy strategic directives as articulated within its GTP II document. These urban policy strategic directives are aimed:

- ✚ To abandon the existing rampant rent-seeking political economy that commonly exists in those major urban centers of the region and in its place, it is aimed to boost conducive

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<sup>177</sup> Interview with Regional & Local Officials of the SNNPR such as Belayneh Teshome, Biru Wolde and Hiwot Haile.

environment for urban development through the creation of ample job opportunities; micro-enterprises as well as middle-level industries;

- ✚ To promote urban-good governance system that is capable enough to enhance urban growth and development that involves efficient social services in a competitive basis.<sup>178</sup>

Whereas, some of the ultimate objectives of the urban policy frameworks articulated within GTP II of the SNNPR are the following:

- Urban centers of the region are anticipated to significantly contribute for the socio-economic growth of the region and the country;
- Through the provision of effective and efficient urban service utility in areas of land management, revenue raising, purchasing and construction; it is aimed to avoid rent-seeking behaviors and in its place emphasized to enhance development-oriented political economy;
- To ensure the accessibility of adequate urban lands through proper land planning and technology- based data management system;
- To enhance housing and other urban infrastructural services to citizens;
- To make urban centers of the region conducive and attractive for working and residence by promoting green environment development programs;
- To produce effective and scientific ways of managing waste and garbage disposal systems across all urban centers of the region;
- To establish effective mechanisms for the protection of man-made and natural/physical catastrophes“ that may suddenly occur in some urban centers of the region; and
- To enhance good-governance system through the active involvement of citizens in urban governance issues.<sup>179</sup>

Generally, from the above urban development objectives, one can infer that, the SNNPR State has planned to mitigate a wide-range of urban related problems that affects the livelihood of urban dwellers of the region. Accordingly, in order to realize the above mentioned urban development policy aspects, 8 specific urban policy goals were outlined within GTP II document of the regional state. These goals are intended to attain:

- ✓ Integrated urban infrastructural services supply management;

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<sup>178</sup> Finance and Economy Development Bureau of the SNNPR, GTP II Document; 2015:114.

<sup>179</sup> Ibid.

- ✓ Urban centers good-governance and public participation administration systems;
- ✓ Effective municipalities“ service delivery systems;
- ✓ Urban centers beautification and green development program;
- ✓ Urban centers structural management system and wise-use of land and planning implementations;
- ✓ Urban land development and management system;
- ✓ Housing development and governance system; and
- ✓ Urban safety-net and entrepreneurship programs.<sup>180</sup>

Moreover, for the above urban policy goals, different specific goal-oriented activities were designed by the regional state for implementations. Likewise, Hawassa city administration in its part has also adopted its own GTP II document which is intended to be executed within its territorial jurisdiction. Thus, GTP II document of Hawassa city administration also entails a wide-range of urban development schemes for implementations.<sup>181</sup> When we assess the contents of GTP II document of Hawassa city administration, we can find four key urban policy strategic directives.

These are:-

- ✓ Industrialization and Urban Development;
- ✓ Social Affairs Development;
- ✓ Capacity Building Programs; and
- ✓ Agricultural Development and Environmental Protection.<sup>182</sup>

In sum, when we appraise the urban policy contents adopted in relation with industrialization and urban development domains, we can find lots of imperative urban policy issues. In this regard for instance, among others, the goal of GTP II of Hawassa city administration is to generate competent and effective industrial centers that strongly support the economic growth and development of the city on the one hand, and to make the city of Hawassa conducive for residence as well as for local and international tourists. In order to achieve such overriding goals, broad scope of urban policy measures were designed by the city“s administration. Above all, in order to reduce the existing high

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<sup>180</sup> Finance and Economy Development Bureau of the SNNPRS, GTP II Document; 2015:114-118.

<sup>181</sup> See GTP II of Hawassa City Administration, 2015: pp.17-53.

<sup>182</sup> Ibid: pp. 71-73.

rate of unemployment, poverty and good-governance problems of the city, the following policy measures were pointed out for implementations. These are:

- ✚ To enhance micro and small enterprises and industrializations;
- ✚ To improve urban infrastructure and transportation utilities;
- ✚ To promote urban housing development programs;
- ✚ To enhance the role of private sectors and investors for urban development; and
- ✚ To produce broad employment opportunities for urban and peri-urban citizens.<sup>183</sup>

From the above discussions, one can argue that, in the SNNPRS various urban plans and programs were designed to cope up some of the urban-related governance challenges of the regional state. As discussed in chapter 2, a policy is an intended course of action designed to resolve a particular community problem. Therefore, the adoption of the above mentioned urban plans and programs through GTP II documents of both the SNNPRS and Hawassa city administration are aimed to achieve some desired urban development goals in the region. This implies that, the regional government is exerting its legal mandate of adopting urban policies not only in the form of urban laws, regulations and directives but also through the making of comprehensive urban plans and programs. However, in spite of the above discussed urban policy achievements, in a similar style with the ANRS, the policy making endeavors of the SNNPRS is obstructed by a variety of factors which are discussed in the next section of the study.

#### **5.2.6. Some Factors Affecting the SNNPRS in the Adoption of Urban Policy Documents**

As discussed in the preceding sections, the SNNPR state had designed and executed multifaceted urban laws, regulations, directives and plans. In spite of these urban policy attainments, the SNNPR in the same approach with the ANRS do not yet fully exploited its urban policy making autonomy because of various factors analyzed below.

Firstly, some regional political elites in the SNNPRS lack adequate knowledge and awareness about the constitutional mandate of the regional executive organ in relation to the making of policies. As discussed in chapter 2, in a federation, each level has to have certain powers of their own. In

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<sup>183</sup> Ibid: P. 72.

other words, the basic defining institutional feature of a federation has been the constitutional distribution of powers between the federal and regional governments. In brief, in a federation, the concept of division of powers implies that, both levels issue laws and policies which are directly applicable to the citizens. Accordingly, as stated in chapter 3, the FDRE constitution granted exclusive powers to both tiers of government. However, the study found that, some regional officials in the SNNPR lacks adequate knowledge and awareness about the constitutional division of powers between the federal and regional governments. To that end, such officials hesitate whether the regional state has the power to adopt policies, which is in fact one among the key limitation for the proper exercise of regional autonomy of policy-making.<sup>184</sup>

Secondly, some other informants argue that, let alone to design well-documented urban policies at the regional level, urban policy making at the national level is a recent endeavor. According to their argument, urban policy issues in the country had given attention only after the adoption of the national urban policy on March 2005. Therefore, though the SNNPR had introduced different pieces of urban policy contents in the form of urban proclamations, regulations, directives and plans, the SNNPRS has not yet published urban and other policy documents/papers.<sup>185</sup> As to the researcher points of view, such a failure could be associated with the capacity of the regional state in executing its constitutional mandate.

As discussed in the theoretical section of chapter 2, in a federation, there may be differences among regions in terms of their capacity to perform functions. That is, the availability of sufficient trained man power, natural resources and a supportive political culture are essential factors. In brief, the fiscal capacity, development and population situation of the regional states can affect the degree to which sub-national units have able to take advantage of the high degree of self-autonomy. In fact, it is true that, all regions including the SNNPR were not in a better position to adopt policies especially during the first decade following the adoption of the federal system mainly because of the absence of sufficient trained man power. But, nowadays such a challenge could not become a sound

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<sup>184</sup> Among the Regional Officials for instance, Hiwot Haile- Chef-Speaker of the SNNPR State Council initially hesitate whether the FDRE Constitution provided policy-making autonomy to regional states. However, when she has checked such constitutional provisions under Article 52 (2-C) of the FDRE Constitution and Article 47(2-A) of the Revised SNNPR Constitution, she has surprised about the issue under discussion.

<sup>185</sup> Interview with Eshetu -Urban Planning and Land Management Officer of the SNNPRS Bureau of Urban Development & Housing Construction. Interviewed in April 20/2016, Hawassa.

justification since regions are now better capacitated by skilled man power and other institutional facilities.

Thirdly, as of the arguments of some informants of the Amhara regional state, similar informants in the SNNPR also explains about the undesirable impacts of adopting policies at the regional level by asserting that, the making of policies must be recognized as the only mandate of the federal government. In brief, such group of informants articulates that, “there is a vision in the preamble of the FDRE Constitution to build one economic community at country wide level. As a result, any attempt to adopt urban or other policy documents at regional level would become extraneous which, in turn, may enhance the centrifugal forces of the federation rather than the socio-economic and political integration of the country”.<sup>186</sup> As to the researcher points of view, such informants also lack adequate knowledge and awareness about the „laboratory“ values of federalism in relation to policy innovations at the regional level. In other words, they are not well aware of the indispensable values of federalism in areas of policy innovations which, in turn, permits the likelihood of best policy diffusion between inter and intra-governments.

As stated in chapter 2, in a federal system, policy innovation and learning can be found in the economic theory of “laboratory federalism”, which claims that, in a multi-level jurisdictions, non-centralized public policies would lead to a process of „experimentation“ with new policies. In brief, federalism helps the experimentation of new policies and the ensuing possibility of mutual learning about better policies as an essential characteristic of federal systems. Moreover, innovation and diffusion of policies are an important aspect of inter-jurisdictional competition. The values of federalism are also noticeable at the level of competition between orders of government, creating a situation in which federalism provides for flexibility in a variety of policies and political issues within the system. Therefore, in light of such theoretical grounds, the arguments of the above informants in the SNNPR fail to consider the imperative values of federalism in relation to policy innovations.

Fourthly, other group of informants explains about the difficulty of adopting urban policy documents at the regional level due to shortage of qualified expertise and financial resources. These

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<sup>186</sup>Interview with Gidanah Geremew- Member of Parliament at the Lower House of the SNNPRS Council; Birru Wolde-Urban Planning Director & Deputy Head for Bureau of Urban Development & Housing Construction of the SNNPRS. Interviewed in April 3 and 6 /2016 respectively, Hawassa.



informants also explain about the challenges of adopting urban policy documents at the regional level by asserting that, "...adopting urban policy documents by regional state would create rampant good-governance and mal-administration problems across the federation". As to their argument, an attempt to design different urban policy documents by regions will affect the proportional growth of urban centers across and within regions. Indeed, they concluded that, all regions must adopt and use the federal urban policy document uniformly. Otherwise, regional officials and concerned civil-servants may abuse their power by making partial treatments in a sense of favoring and disfavoring some urban centers as of their own interest.<sup>187</sup> In fact, it is true that, the design of macro-urban policy framework is the mandate of the federal government. However, in harmony with the national policy framework, regions have broad scope of autonomy to adopt regional-based urban policy documents. Nevertheless, the above mentioned group of informants did not well understand the laboratory values of federalism at the sub- national level.

On the other hand, some informants acknowledge about the existence of broad legal and constitutional freedom for the regional executive organ in the design of regional-based urban policies, strategies, plans and programs. Nonetheless, the key impeding factor is that, top political officials and other higher level advisors at the regional level are always busy in routine administrative activities rather than trying to adopt urban and other policy documents. Though the SNNPR like other regions has exerted its effort in adopting specific urban policy contents in the form of urban laws, regulations, directives, plans and programs, full-fledged policy papers in any specific field are not yet published.<sup>188</sup> These informants argue that, "...if all regional executive organs with the technical and professional support of their respective advisers and experts exert their effort in the design of policies, each region would become platforms for „laboratories of policy innovations". As a consequence, the likelihood of best policy innovations across regions may radically deter the existing scenarios" of policy simulation from abroad (i.e. from those Asian-Tiger countries such as Taiwan, South-Korea, Japan, and China).<sup>189</sup>

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<sup>187</sup> Interview with Regional & Local Officials -Chernet Filate, Gidanah Geremew Belayneh Teshome & Birru Wolde.

<sup>188</sup> Interview with Abera Tekle-Legal Advisor of the Chief-Administrator of the SNNPRS; Rehima- Law Making Core Work Process Leader of the SNNPRS Council.

<sup>189</sup> Ibid.

Though the power to initiate draft policies at the regional level is mainly the mandate of the regional executive organ, the researcher has raised a question to some members of the regional legislative organ at least to discover their perception about the adoption of urban policy documents in the regional state. However, such informants are not enthusiastic regarding the need to adopt urban and other policy documents at the regional level other than the commonly used policy adoption mechanisms articulated above. In this regard, Hiwot Haile-Chief Speaker of the SNNPRS Council argues the following:

*“...So far, the federal system provides equal access for nation, nationalities and peoples to vigorously participate in the socio-economic and political arenas of the country. Above all, policies and programs of the federal government are in a position to benefit all nations and nationalities equally and fairly. Members of the federal lower house (HoPR) are mandated to safeguard the interests of their respective regions and the country as a whole. Thus, whenever policies are finally approved and adopted by the HoPR; all members of the parliament confidently shall hoist the fundamental interest of their respective region and localities. As a result, so far we are adopting federal level policies including the urban policy as usual. In fact, the regional executive organ commonly initiates pieces of policy legislations and submit thereof to the state council for approval. Likewise, a variety of policy regulations, directives, plans and programs had been also introduced by the regional executive organ at different times”.*

From the above argument, the task to adopt policy documents is merely considered as the mandate of the federal government. In fact, such argument from informants arises mainly because of their miss-understanding about the laboratory values of federalism at the regional and local levels. As discussed in chapter 2 for instance, anti-drug policy and labor affairs policy of the Swiss federation was initially innovated by Cantons and then, such policies were finally adopted as policies of the federation. This was happened because of the fact that, Cantons of the Swiss federation are fertile grounds for policy innovations. These, regional officials of the Ethiopian federation needs to learn such better policy making endeavors and experiences from Cantons of the Swiss federation.

On the other hand, as in the case of the ANRS, some informants in the SNNPRS assert that, the major factor that affects regional autonomy of policy making is associated with the existence of a dominant and centrist approach of EPRDF party system. In this regard, one informant argues the following:

*“...In spite of the existence of broad scope of legal and constitutional autonomy for regions, regional autonomy is affected by the centralized party ideological influence of the ruling-EPRDF party. In brief, the four ethnic-based EPRDF member parties are obliged to execute centrally designed policies, plans and programs. That*

*is, regional executives of the four EPRDF-member parties (i.e., SNNPDM, TPLF, ANDM and OPDO) are simultaneously members of EPRDF's Executives and the Congress. As a consequence, member party elites are obliged to implement party level policies, plans and programs. Thus, the SNNPR executive organ is also commonly adopts the policies and programs of the mother party.*"<sup>190</sup>

In spite of the existence of broad scope of constitutional space for regions in policy-making, it is common to observe a top-to-bottom flow of policies and programs at both the federal and regional levels. Broadly, the existing EPRDF's centralized party system created a situation for "governing-from-the-center", which in turn, makes regions reliant on centrally designed policies, plans and programs.<sup>191</sup> The researcher partially disagrees with the arguments of the above informants. As discussed in the previous sections of the study, a variety of urban laws, regulations, directives and plans were adopted in the SNNPRS. Therefore, despite the influence of EPRDF's dominant and centralized party system on regional autonomy, it is difficult to conclude that, regions are merely reliant on centrally designed policies, plans and programs.

In fact, one basic manifestation for the existence of „top-to-bottom“ approaches of policy-making in the SNNPR was the „WOGAGODA“ language policy endorsed at the top without making adequate discussion with concerned communities.<sup>192</sup> At the end of the 1990's, the ruling SEPDM-EPRDF party attempted to install an amalgamated language dialect for administration and education purposes named „WoGaGoDa“, refereeing a language of Wolayta, Gamo, Goffa and Dawro. However, this attempt had faced stiff resistance from citizens of the aforementioned ethnic groups. The attempt to install „WoGAGODA“ was a paradox against to the basic promises of self-determination that entails, *inter alia*, to promote the language and cultural traditions of the diverse ethnic groups of the country. In contrast to this promise however, „WoGAGODA“ is an instructive example of how disrespect for the meaning of ethnic identity can exacerbate intra-and inter-group tensions and lead to violence (Aalen, 2011:188). However, after a serious violence erupted in reaction to this endeavor, the government abandoned the „WoGAGODA“ language policy and separate ethnic minority „zone“ was offered initially to the Wolaytas“ in November 2002.

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<sup>190</sup> Interview with a Civil Servant who is Working in office of Hawassa City Administration as an Expert. His name is not disclosed because of his interest. Interviewed in April 24/2016, Hawassa.

<sup>191</sup> Ibid.

<sup>192</sup> WoGaGoDa is a nomenclature to create an amalgamated vernacular language for administration and education purposes for the Wolaytas, Gamos, Gofas & Dawros.

Consequently, the other ethnic groups also have raised the same claim and later granted separate ethnic minority zone (ICG, 2009:25; see also Aalen, 2011:7; Vaughan, 2003; Abbink, 2011:606).

From the above discussion, we can understand that, in spite of adopting urban laws, regulations, directives and plans by regional states, basic decisions are commonly made at the center by the ruling party-EPRDF. In brief, party centralization is the common facet of the Ethiopian federation. As discussed in chapter 2, unlike the case of the Ethiopian federation, political parties in the American federation hardly ever have centralized power at all. Thus, the decentralized nature of the party-politics significantly contributed for the perpetuation of high degree of state and local autonomy in policy-making. Likewise, most of the parties in the Swiss federation permit considerable cantonal autonomy in policy-making. Thus, in the Swiss federation, cantons enjoy high degree of autonomy in the making of their own policies. In addition, citizens of Cantons of the Swiss federation are frequently asked to vote on specific legislative and policy proposals as well as spending for particular projects through referendum. Thus, the peoples are very close to their local powers, and hence, they can have more control over public policies. Therefore, regions of the Ethiopian federation need to acquire some experiences from the policy-making autonomy of states and cantons of the American and Swiss federations, respectively.

Though EPRDF's party domination and its ideology of „democratic-centralism“ have been true, as discussed in chapter 3, recent developments are witnessed in the accommodation of regional interests in decision-making affairs. That is, the establishment of the National Planning Commission is a departure that paves better episode for the active participation of regions in planning processes at the federal level.

Above all, the overall endeavors of regions in adopting urban laws, regulations, directives, plans and programs could be cited as some positive policy achievements of the regional state. In the SNNPR for instance, with the adoption of different pieces of urban laws, regulations, directives and plans, considerable urban related governance challenges were at least curtailed.<sup>193</sup>

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<sup>193</sup> In this regard for instance, some Residents of Hawassa City who were participated in the FGD appreciate some of the urban development endeavors of the Regional State & Hawassa City Administration, especially in relation to the construction of basic social services in the city. The FGD was Conducted in November 14/2016, Hawassa.

### **5.2.7. Roles of Citizens, CSOs and Stakeholders in Urban Policy-Making**

As enumerated in chapter 2, one among the manifestations of a democratic state is the pervasiveness of active public participations in every facet of development and governance arenas. In this regard, Article 117 (6) of the Revised SNNPR Constitution proclaims that, “...the government shall promote the participation of peoples in the formulation of state development policies and programs. It shall have the duty to support the initiative of peoples in their development endeavors”.

However, as far as the role of citizens on matters of urban policy-makings are concerned, there is a similar trend in the SNNPRS as of the system of the Amhara region. Citizens’ participation in decision-making process is commonly held through „representative democracy“. Thus, as it is commonly being practiced at both the federal and regional levels, representatives of the lower house are expected to protect the interests of the people whom they elect them.<sup>194</sup> In fact, when there is a necessity to conduct meetings and discussions with the public on particular urban and other political agendas, citizens and some representatives of civic associations are invited to participate in such discussion forums.<sup>195</sup>

Nevertheless, other than such commonly used approaches, there are no any feasible institutional mechanisms for the active involvement of citizens, CSOs and other stakeholders in the design of socio-economic policies in general and urban policies in particular.<sup>196</sup> As explained in chapter 2, the presence of forums for public participation provides wider chance to authorize politically active CSOs and advocacy groups, academics, research institutes and the community at large to develop informed outlooks on issues of public issues. Thus, such organs become venue of expressions of policy demands to policy-making institutions and can also become instruments of forming ideas on a public policy.

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<sup>194</sup> Interview with Hiwot Haile- Chief Speaker of the SNNPRS Council. Interviewed in April 3/2016, Hawassa.

<sup>195</sup> Ibid.

<sup>196</sup> FGD with Representatives from Youth, Women, Micro-enterprisers, Urban and Peri-Urban Residents of Hawassa City. The FGD was Conducted in November 14/2016, Hawassa.

Theoretically, Civic Society Organizations involves social movements, volunteer organizations, mass-based membership organizations, faith based groups, NGOs, and community based organizations. While states carry the primary role, CSOs participation in policy making processes is vital to ensure inclusiveness and effectiveness of a governance system. It contribute to building more accountable and legitimate states, leading to enhanced social cohesion and more open and deeper democracies (Alemneh, 2015:5-6).

In the SNNPRS, among CSOs the common stakeholders of the State Council and the regional bureau of urban development are representatives of some civic associations of the region. These are youth, women, teacher associations and Chamber of Commerce.<sup>197</sup> In a similar style with the case of the Amhara state council, in the SNNPR one delegates from the above mentioned civic association are commonly invited to participate in meetings of the state council without a vote right.<sup>198</sup> However, such attempts are not consistently applied at the „zonal“, „woreda“ and „kebele“ levels. Even at the regional level, all public bureaus of the regional state do not show equal endeavors to involve all concerned stakeholders in decision- making processes.<sup>199</sup> The above discussion broadly implies that, other CSOs and stakeholders are not given any chance in decision-making processes of the regional state in general and in urban policy making processes in particular.

As explained in chapter 2, failure to create balance between the state and the society has increasingly become harmful to the policy-making process. In fact, such a failure occurs due to the absence of channels of communication and participation for citizens, CSOs and other stakeholders in policy-making arenas. In the SNNPR for instance, when a particular urban policy program is endeavored to be executed at the local level, sometimes citizens and concerned stakeholders become strange to those newly introduced policies and programs, which in turn, create public grievance and resentment against government policy programs. As explained above, such problems prevail mainly

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<sup>197</sup> Interview with Rehima-Law making Core Work Process Leader of the State Council and Gidaneh Geremew-Head for the Trade, Industry & Urban Development Affairs Standing Committee of the SNNPRS Council. Interviewed in April 9 and 3 /2016, respectively, Hawassa.

<sup>198</sup> Ibid.

<sup>199</sup> Interview with Samuel Altamo - President of the SNNPRS Youth Association. Interviewed in April 17/2016, Hawassa.

because of the inadequacy of public participation and belongingness in every facet of decision-making processes of the regional government.<sup>200</sup>

On the other hand, there is also a contending debate about the existence of genuine and functional CSOs in the region. As to the arguments of some informants, whether leaders of civic associations of the regional state are the accurate representatives of their respective members or not are contested. Theoretically, civil societies are a non-political organization that usually stands for the realization of the shared interests of their members in accordance to the law of the country. However, some youths and women from Hawassa city argue that, civic associations particularly youth and women associations are not genuine civil societies since sometimes they act as agents of the ruling party. As a consequence, it is doubtful to think that, representatives of some civic associations at both the regional and federal levels would stand in favor of the policy interest of their members as well as in attaining the objectives of their institutional mission.<sup>201</sup>

## **5.2.8. Institutional Mechanisms for Citizens, CSOs and Other Stakeholders Participation in Policy-Making**

In the SNNPRS, the legislative organ, standing-committees<sup>200</sup> of the state council and public sector bureaus of the regional state are the common institutional mechanisms that serve as a means for the involvement of citizens, CSOs and other stakeholders in policy/law making processes. On the basis of the data taken from legislations over sighting core work process office of the SNNPRS Council, the following regional institutions are stakeholders of the regional state council. These are: the regional executives; the community; the regional auditor; the judiciary; political party leaders/representatives; civic societies; the region<sup>201</sup>'s mass-medias; and research institutes<sup>201</sup>.

On the other hand, in the same approach with the ANRS, standing-committees of the SNNPRS Council are entitled to identify their respective stakeholders so as to involve them in public-hearing sessions of a particular policy agenda. However, standing-committees of the SNNPRS have not well identified all concerned stakeholders with the exception of regional public bureaus. In other words,

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<sup>200</sup> FGD with Representatives from Youth, Women, Micro-enterprisers, Urban and Peri-Urban Residents of Hawassa City. The FGD was Conducted in November 14/2016, Hawassa.

<sup>201</sup> Interview with some youths, women who are engaged in a variety of micro-enterprise activities in Hawassa City. Interviewed in April 10/2016, Hawassa.

most of the stake holders of each standing committee are public bureaus of the regional state.<sup>202</sup> In brief, in the SNNPRS, there is no well-organized institutional system for citizens’, CSOs and other stakeholders’ participation in policy-making processes. The table below shows the major stakeholders of the Urban and Infrastructural Development Affairs Coordinating-Committee of the SNNPRS.

**Table 2. Major Stakeholders of the Urban and Infrastructural Development Affairs Coordinating-committee of the SNNPR’s State Council**

	<i>Name of the Coordinating Committee</i>	<i>Public Sector Institutions which are considered as Stake holders</i>
	<i>Urban and Infrastructural Development Affairs Coordinating Committee</i>	<ul style="list-style-type: none"> <li>• <i>Trade &amp; Industry Development Bureau;</i></li> <li>• <i>Urban Development &amp; Housing Construction;</i></li> <li>• <i>Construction Bureau; and</i></li> <li>• <i>Transport and Road Development Bureau;</i></li> </ul>

*Source: SNNPR State Council: Legislation and Over sighting Core Work Process.*

As we can infer from the above table, though the Urban and Infrastructural Development Affairs Coordinating-Committee of the SNNPRS Council attempts to involve some stakeholders in public-hearing sessions, most of its stakeholders are public bureaus of the regional state. This implies that, a substantial number of other stakeholders are not yet identified. Thus, institutional mechanisms for the active involvement of citizens, CSOs and other stakeholders in policy-making processes of the SNNPR is still limited.

As discussed in chapter 2, unlike the cases of the SNNPRS and the ANRS of the Ethiopian federation, policy-making scenes in the states of the American federation is widely accessible by citizens and open to arrays of opinions and interests. There also exists adequate space for NGOs and institutions; private media’s; trade associations; public policy research organizations; labor unions and so on. All these bodies strongly influence the making of public policies. Likewise, in the Swiss federation, the different ethnic, linguistic and religious groups and economic sectors have an ongoing voice on policy-making. Generally, the absence of participatory approach of policy-making at both the regional and national levels of the Ethiopian federation is associated with the absence of effective institutional mechanisms that serve as a means for communicating citizens, CSOs and other concerned stakeholders in the processes of policy making.<sup>203</sup>

<sup>202</sup> Interview with Rehima- Law making and Over Sighting Core Work Process Leader of the SNNPRS Council. Interviewed in April 9/2016, Hawassa.

<sup>203</sup> FGD with Representatives from Youth, Women, Micro-enterprisers, Urban and Peri-Urban Residents of Hawassa City. The FGD was Conducted in November 14/2016, Hawassa.



### 5.3. Urban Policy-Implementations in the SNNPRS

In a similar approach with Art.43 (2) of the FDRE Constitution, the revised Constitution of the SNNPR also confirms about the right of citizens' participation in development endeavors. In addition, Article 117 (6) of the SNNPR Constitution declares that, "...the government shall promote the participation of peoples in the formulation of state development policies and programs. It shall have the duty to support the initiative of peoples in their development endeavors". Moreover, article 117 (7) of the same Constitution also proclaims that, the regional government "shall make the people play a dynamic role in the regional economic development activities. Therefore, the people shall participate not only in the formulation of the policies but also in their implementation and evaluation". Broadly, other than the constitutional and legal promises, the ruling party-EPRDF and all its member parties strongly believe for the indispensable value of popular participation in both decision-making and implementation schemes.

Some officials of the SNNPRS advocate for the existence of high degree of popular participation in every facet of the policy-making and implementation schemes of the regional state.<sup>204</sup> Nevertheless, a sizeable number of ordinary citizens and some individuals who are members of civic associations disagree with the above arguments of the regional officials. Though some efforts were exerted by the regional government to involve representatives of civic associations in policy-making and implementation processes, the achievements are inadequate compared to the legal and constitutional promises.<sup>205</sup> Generally, though there are few attempts to involve some members of civic associations in policy implementations, its practical attainment is yet insufficient in a similar approach with the case of the ANRS. The next sub-sections of the study tries to discuss the discourses of urban policy implementations in the SNNPR by way of exploring the roles of government organs, citizens, CSOs and other stakeholders turn by turn.

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<sup>204</sup> Interview with Gidaneh Geremew- Member of Parliament at the Lower House of the SNNPRS Council; Birru Wolde-Urban Planning Director & Deputy Head for Bureau of Urban Development & Housing Construction of the SNNPRS. Interviewed in April 3 and 6 /2016 respectively, Hawassa.

<sup>205</sup> FGD with Representatives from Youth, Women, Micro-enterprisiers, Urban and Peri-Urban Residents of Hawassa City. The FGD was Conducted in November 14/2016, Hawassa.

### **5.3.1. The SNNPRS Executive Organ and Its Role in Policy-Implementations**

The SNNPR's executive organ as in the case of the executive organ of ANRS plays a key role in policy implementations. In fact, executive organs at all tiers of government are legally mandated to implement national and regional laws, policies, plans and programs. Thus, the executives of the SNNPR are so far playing a prominent role in the implementations of national as well as regional urban laws, policies, plans and programs. Thus, once particular laws or policy issues are introduced at either the federal or regional levels, the executives at each tier of the regional government take the lion-share in the implementation landscape.<sup>206</sup>

However, one common limitation in the process of policy implementations is that, federal and regional laws, regulations, or policy programs and directives usually flow downwards from the region to local level administrations for implementations without the creation of adequate awareness to the people and concerned stakeholders.<sup>207</sup> Though both federal and regional governments have a strong vision for the effective implementations of urban laws and policy programs through participatory approaches, its actual implementation are below to the expectations.<sup>208</sup> Among others, the absence of full-fledged democracy and rule of law; lack of awareness among regional and local officials about the sovereignty of the people; the dearth of accountability and transparency principles among some government officials mainly at the local level are some of the factors that significantly impede the smooth implementation of policies.<sup>209</sup> As a consequence, instead of trying to implement policy programs through consensus with citizens, some government officials try to exert a forceful strategy which finally results public hatred against government development endeavors. In this regard for instance, when urban infrastructures were built at the local level, sometimes concerned officials and experts of the municipality attempts to carry their functions without adequately communicating the issue to the concerned community. Therefore, participatory approaches of urban policy-implementations are not fully practiced at the local levels of the SNNPRS.<sup>210</sup>

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<sup>206</sup> Interview with Regional and Local Officials such as Hiwot Haile,; Abera; Tekle, Birru wolde and Belayneh. Teshome.

<sup>207</sup> FGD with Representatives from Youth, Women, Micro-enterprisers, Urban and Peri-Urban Residents of Hawassa City. The FGD was Conducted in November 14/2016, Hawassa.

<sup>208</sup> Interview with Gidaneh Geremew- Member of Parliament at the Lower House of the SNNPRS Council & Head for Urban Development & Infrastructural Affairs Standing Committee of the State Council.

<sup>209</sup> FGD with Representatives from Youth, Women, Micro-enterprisers, Urban and Peri-Urban Residents of Hawassa City. The FGD was Conducted in November 14/2016, Hawassa.

<sup>210</sup> Ibid.

### 5.3.2. Citizens, CSOs and Stakeholders Role in Policy-Implementations

As discussed in the previous section, once policies in the form of laws, regulations, directives, plans or programs were adopted by federal and regional governments, the implementation aspect of such policies and laws with participatory approaches has been usually given less emphasis. In brief, as of the implementations of other socio-economic policy programs, the role of citizens, CSOs and other stakeholders' participation in urban policy implementations were limited.<sup>211</sup>

Though most of the national and regional urban laws, policies, plans and programs are believed to be very imperative for the development of the country as well as to respective region, the implementation schemes were usually held in a top-to-bottom approach without creating adequate awareness to the public and the concerned stakeholders. As a result, sometimes implementation schemes of some urban policy-programs become ineffective.<sup>212</sup> In this regard for instance, one among the key urban development goal stated within GTP II document of Hawassa city administration is to enhance various micro-and small enterprises, and thereby to create broad scope of employment opportunities for the unemployed urban and peri-urban citizens.<sup>213</sup>

However, sometimes such kinds of important urban development program are not effectively performed because of the fact that, some local officials could not able to involve all concerned stakeholders fairly.<sup>214</sup> This implies that, urban policy-implementation schemes of the SNNPRS fail to consider the key values of public participations in policy-implementation schemes that are explained in chapter 2. If development is defined as the capacity to make rational choices, the participatory nature of policy process is of primary importance, which is not well thought in the SNNPR.

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<sup>211</sup> Ibid.

<sup>212</sup> Ibid

<sup>213</sup> See GTP II of Hawassa City Administration, 2015:72.

<sup>214</sup> FGD with Representatives from Youth, Women, Micro-enterprisers, Urban and Peri-Urban Residents of Hawassa City. The FGD was Conducted in November 14/2016, Hawassa.

### 5.3.3. Institutional Mechanisms for Citizens, CSOs and Stakeholders Participation in Policy-Implementations

As discussed in section 5.3.1 of the study, members of the executives at the regional and local levels play a key role for the implementation of both national and regional urban and other policies. Thus, public bureaus headed by an executive at each tier of the regional government serve as the most common formal institutional system for urban and other policy implementations.<sup>215</sup>

On the other hand, „one-to-five“ group arrangement and „cooperative-developmental-army“ are the other informal institutional strategies for the executions of urban and other policy programs across all tiers of the regional government.<sup>216</sup> Most importantly, „one-to-five“ cooperative arrangement is the key mechanism that is being used for the implementations of a variety of development programs in both the urban and rural localities.<sup>217</sup>

„One-to-five“ cooperative arrangements had contributed a significant role for the implementations of natural resources conservation and management practices in the peri-urban areas as well as for community policing tasks for both the urban and rural communities.<sup>218</sup> Nowadays, such in formal institutional mechanisms are being used by all regional states of the federation. However, this kind of arrangement sometimes lacks political freedom for those citizens who are not members of the ruling party.<sup>219</sup>

Generally, as in the case of the ANRS, there are no well-entrenched institutional mechanisms that serve as a means for citizens and stakeholders active involvement in policy-implementations in the SNNPRS. Therefore, for effective implementations of urban and other policies, the regional government must launch a variety of formal and informal institutional systems for the active participation of citizens and concerned stakeholders.

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<sup>215</sup> Interview with Regional and Local Officials- Chernet Filate, Belyneh Teshome, Gidaneh Geremew, & Birru wolde.

<sup>216</sup> Ibid.

<sup>217</sup> Ibid.

<sup>218</sup> FGD with Representatives from Youth, Women, Micro-enterprisers, Urban and Peri-Urban Residents of Hawassa City. The FGD was Conducted in November 14/2016, Hawassa.

<sup>219</sup> Interview with informant who are working in Hawassa City Administration. Their name is not disclosed due to their interests. Interviewed in April 24/2016, Hawassa.

#### **5.4. The Status of Transparency and Accountability Principles in Urban Policy-Implementations of the SNNPRS: Theory versus Practice**

Article 12 (1-3) of the SNNPR Revised Constitution declares that, “the conduct of the affairs of the government shall be transparent; an elected representative may be recalled if the electorate lack confidence to them; and any public official or representative is accountable for any failure in official duties”. Thus, like the case of the ANRS, in the SNNPRS there is an effort to enhance and realize accountability and transparency principles across the region. However, such objectives are not fully come in to effect as of the legal and political presumptions.<sup>220</sup>

Nowadays, in the SNNPR there exist 32 regional public bureaus. All these public sectors are expected to vigorously involve representatives from citizens and their respective stakeholders in the implementation process of their respective policy programs. They are also required to promote accountability and transparency approaches across each tiers of the regional government. In spite of such presumptions, all public sectors are not equally exerting their legal and institutional mandate particularly in areas of involving the public in policy implementations. As a consequence such limitation, sometimes public hatred and grievances against the government become inevitable.<sup>221</sup>

Some informants from Hawassa city also argue that, at the sub-city and „kebele“ levels, there exists ethnic parochialism and discrimination especially in urban service delivery as well as in the provision of employment opportunities for the unemployed citizens. Likewise, when some urban policy projects are implemented, local officials usually fail to inform and communicate the concerned communities about the objectives of the urban policy program.<sup>222</sup> As discussed in chapter 2, though regional autonomy is an appropriate system for the protection and promotion of the cultures and values of a community, it requires effective political and technical skills to make it work. Therefore, since SNNPRS is home for multiethnic societies, government officials at each tiers of government must accommodate and administer all ethnic groups equally and fairly. In doing so,

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<sup>220</sup> Interview with Some Residents of Hawassa city, whose name is not disclosed because of their interest. Interviewed in April 24/2061, Hawassa

<sup>221</sup> Interview with Samuel Altamo- President of the SNNPRS Youth Association; Mihret Abuye-Public Relations Director of the SNNPRS Teachers Associations; Desta Paulos-President of the Ethiopian Disability Associations, Hawassa Branch Office. Interviewed in April 17/2018, Hawassa.

<sup>222</sup> Interview with some Urban and Peri-Urban Residents of Hawassa City, whose name is not disclosed because of their interest. Interviewed in April 24/2016, Hawassa.

accountability and transparency of government officials as well as participatory approaches in every facet of government's policy-making and implementation schemes are essential.

## **5.5. Conclusion**

Like the case of the ANRS, the SNNPRS has also adequate legal, administrative and institutional devices for the smooth operation of regional autonomy. The regional state has broad scope of constitutionally entrenched autonomy that involves the mandate to adopt its own policies, strategies, plans and programs.

The study found that, different urban laws, regulations, directives and plans were adopted in the SNNPRS. As a result, some urban policies in the form of urban laws, regulations, directives and plans were innovated in the region. Among others, the regional state has adopted unique criteria for the determination, categorization and typologies of cities/towns of the region. It has also introduced explicit lists of powers and functions for town and municipality administrations of the regional state. Therefore, it can be concluded that, to some extent the regional state is autonomously exercising its mandate of urban policy-making.

On the other hand, the regional executive organ has taken the lion-share in the design of numerous urban policy regulations, directives, packages, plans and programs. Though draft laws are finally approved by the regional legislatures, the role of the executive organ in tasks of initiating draft urban laws and policies is very indispensable. Due to the adoption of a variety of urban laws and regulations, some urban governance problems were minimized. In spite of such policy achievements, like the cases of the ANRS, the SNNPRS has also not yet fully exploited its mandate of policy-making because of a variety of factors.

As discussed in the chapter, as in the cases of the ANRS, the decisive factor that affecting regional autonomy of policy-making in the SNNPR is associated with the existence of EPRDF's centralized party ideological influence called „democratic-centralism. EPRDF's political party system was characterized by dominant and centralized party discipline. In brief, since top regional political elites of the four regional states are simultaneously members of EPRDF's Executive and the Council, such regional officials are influenced by the decision of the mother party-EPRDF. As a consequence, when policies and programs are designed by EPRDF, these policies and programs are

commonly adopted by regional states. This condition is quite different from the party politics experiences of Cantons of the Swiss and States of the American federations discussed in chapter 2.

In addition, some regional and local officials of the SNNPRS lack adequate knowledge and awareness about the legal provisions vested to the regional state in areas of policy-making. On the other hand, as in the case of the ANRS, „representative democracy“ is the common institutional mechanism for the involvement of citizens in the law/policy-making processes of the regional state. In fact, „coordinating committees“ which are equivalent with „standing committees“ of the ANRS are the other mechanism for the involvement of representatives of citizens, civic associations and other stakeholders in policy/law-making processes of the regional state.

Even though the SNNPR State Council attempts to engage representatives from some civic associations mainly youth, women and teacher associations, such endeavors are not consistently held at the sub-regional levels. Broadly, there is no adequate institutional system for citizens and CSOs involvement in urban policy-making processes. As a consequence, like the case of the ANRS, „top-to-bottom“ approach of policy-making and implementations are common facets of the SNNPRS. There also exists lack of transparency and participatory approaches during the process of urban policy-implementations at the local level. In sum, discourses“ of citizens and CSOs participation in both policy-making and implementation schemes are very limited that further require considerable attention by government and concerned stakeholders.

## **CHAPTER SIX**

# **IMPLEMENTATIONS OF HORIZONTAL URBANIZATION AND IMPACTS ON THE LAND TENURE RIGHTS AND THE LIVELIHOOD OF PERI-URBAN HOUSEHOLDS: THE CASE OF BAHIR-DAR AND HAWASSA CITIES**

As stated in chapter 3, urbanization in Ethiopia is growing at an average rate of 3.5% per year. Thus, Ethiopia is now one among the rapidly urbanizing countries in the world. Nowadays, due to the rapid horizontal expansion of cities, land expropriation from peri-urban households becomes a common event which, in turn, created socio-economic effects on the livelihood of peri-urban households. This implies that, wise use of urban lands and accurate urban plans for the proper expansion and growth of cities are key urban development policy issues. On the other hand, since horizontal urbanization is an inevitable circumstance, it is essential to adopt sound compensation strategy for expropriated households.

Therefore, as a strategy to explore regional autonomy of urban policy-making, it is vital to explore the way regional states and concerned local governments are managing and executing horizontal urbanization taking the two most rapidly growing regional cities, i.e., Bahir-Dar and Hawassa of the Amhara and SNNPR states respectively. Accordingly, the chapter examines how the ANRS and the SNNPRS are dealing horizontal urbanization, land expropriation, and the impacts on the land-tenure rights and the livelihood of peri-urban households taking Bahir-Dar and Hawassa cities as a case study, respectively.

As an introduction, the chapter provides an overview on the legal basis of land tenure rights of citizens in Ethiopia. Consequently, it explores patterns of horizontal urbanization in Bahir-Dar and Hawassa cities and its implication for their respective urban and peri-urban communities. In sum, the chapter provides brief insights about the existing opportunities and challenges witnessed in relation to implementations of horizontal urbanization programs in Bahir-Dar and Hawassa cities and its implication for urban policy-makers of the respective regional authorities.



## **6.1. Introduction**

The issue of urbanization policy cannot be merely treated as an isolated problem of cities and towns. Therefore, the regional impacts of urbanization need to be examined as well (Ramchandren, 1989 as quoted by Adem, 2010:36). Currently, it is obvious that there is a need to pursue an integrated development of the urban and rural areas together. The mutual developments of urban and rural areas are manifested through urban-rural linkages. This kind of relationship is designated as a righteous circle of rural and urban development and forms the basis for regional development strategies adopted by various governments of the developing and developed states (Adem, 2010:36). Therefore, as a framework to analyze horizontal urbanization and its impact on the land-tenure rights of the peri-urban households of Bahir-Dar and Hawassa cities, the next section of the study provides brief insights about the legal and constitutional basis for land rights in Ethiopia.

### **6.1.1. Land Tenure Rights in the Pre- and Post-1991 Period of Ethiopia**

The term „land-tenure“ may denote the conditions under which land is held, used and transacted (Adams, 2008; see also Dejene, 2011). For most citizens of the developing world like Ethiopia, land means all facets of their livelihood and hence life. Broadly, for developing nations land is among many other things, the means to secure the very basic needs to their lives mainly the food. In brief, the right to land is equivalently to mean the right to food and hence the right to life. Right to life is the universal fundamental human right. Therefore, the issue of land in the developing states has to be seen not only in terms of the economic benefits but also is very much related with the people’s culture and identity. In sum, land in such nations is the most decisive facet of overall development endeavors that government needs to consider it critically (see also Firew, 2010:18).

In the pre- 1975 period, land tenure system in Ethiopia was based on a feudal-oligarchic system whereby land was monopolized in the hands of the feudal lords and the church. Thus, land tenure rights were highly insecure and arbitrary evictions were very common. However, following the immediate collapse of the Imperial regime in 1974, the Marxist oriented military junta,- the „Derg“ transferred possession of all rural land to the state for the allotment of „use-rights“ to cultivators through local peasant associations-with the notion of „land-to-the tiller“ (USAID, 2007:18; see also Sayeh, 2014:2-3).

Thus, the „Derg“ regime had abandoned the exploitive mode of relationship that existed between tenants and landlords for a long period of time (Samuel, 2006:2). Consequently, the „Derg“ had come up with two basic land reforms. The first reform was made via Proclamation No. 31/1975 that declared the transfer of all rural land to the hands of the state. The second land reform was made via Proclamation No. 47/1975, which had brought all urban land and extra houses under the ownership of the state. Article 5 of this proclamation declares that, all urban land & extra houses should be nationalized by the government without any compensation. In addition, pursuant to Art.11 of the same proclamation, the state prohibits the sale, mortgage, lease, and inheritance of urban lands. Moreover, it prohibits the construction of additional houses on the same plots of land of a particular house hold. This had contributed to the scarcity of urban houses in the country for a long period of time (Daniel, 2011:5-6; see also USAID, 2007:18).

EPRDF’s government had adopted Agricultural Development Lead Industrialization (ADLI) as a key vehicle for the overall development strategy of the country since 1993. The government made agriculture as a key and yardstick economic sector and the development of other sectors rely on achievements made in the agricultural sector. ADLI has been the guiding principle for those key successive development plans namely: the Sustainable Development and Poverty Reduction Program (SDPRP), which covered the years 2002/03-2004/05; the Plan for Accelerated and Sustained Development to End Poverty (PASDEP)-for the years 2005/06-2009/10; the 1<sup>st</sup> Growth and Transformation Plan (GTP) - for the years 2010/11-2014/15; and for the existing GTP II, i.e., for the years 2016/17-2020/21. Based on these successive development plans, the government of Ethiopia adopted policies and strategies to address agriculture and rural development. These are the Rural Development Policy and Strategy (RDPS) and the Food Security Strategy / FSS (see also Genet, 2011:13).

EPRDF’s regime has shown no policy change on land ownership in the country (Daniel, 2011:5). The FDRE Constitution under Art.40 (3) confirms about the state and public ownership of land; and hence, land is not subject to sale and exchange. In other words, land is an inalienable common property of the „nations, nationalities, and peoples“ of Ethiopia and shall not be subject to sale or to other means of transfer. Thus, all land is owned by the state and granted to all farmers on a use-right basis (USAID, 2007:18; see also Daniel, 2011:5-6).

As far as urban lands are concerned, initially urban lands were governed by the land lease Proclamation No. 80/1993 of the federal government. Though this proclamation provides the first legal framework about the way in which urban lands should be held via land lease system; it lacks detail explanations regarding how it should be applied. As a result, the federal government had revoked Proc. No. 80/1993 and in its place adopted another law via Proc. No. 272/2002. This proclamation provides that, urban land would be changed into lease system and every holder of urban land would get land from the state through lease arrangement. Thus, in urban areas, lease land can be acquired mainly through public sale and negotiation (Art. 4 of Proc. No. 272/2002; see also Daniel, 2011:5). In fact, this proclamation is now revised and replaced by another lease law adopted via Proc. No. 721/2011.

In addition to the urban land lease system, grant by lot and award are also being applied. The most common method of land distribution to the average and low income citizen in the country is land grant. In other words, land is distributed to individual people or association of people for residential purpose through lot for free, i.e., without fee (Daniel, 2011:5). Recently, Proc. No. 818/2014 was adopted by the HoPR that intends for the registration of urban land holders across the country. The objective of this Proclamation is “to accelerate the economic, social and environmental development of urban centers by ensuring land holders security of land-holding right and recognition of title to immovable property by certifying the right to registration” (Art.2 of Proc. No. 818/2014). Generally, both the urban and rural land laws had created a condition for high rate of rural to urban migration on the one hand and urban land shortage on the other (Daniel, 2011:5-6).

## **6.2. Legal Frameworks for Land Expropriation and Compensation**

The FDRE government is legitimately entitled to make land expropriation pursuant to Article 40(8) of the FDRE Constitution that stipulates “...the government may expropriate private property for public purposes subject to payment in advance of compensation commensurate to the value of property”. Therefore, the FDRE Constitution place the issue of „public purpose“ as one of the requirements for the exercise of power of expropriation without making further explanation. This implies that, whenever the government wants the land for development purpose, the landholder may be evicted from his/ her land with compensation. In fact, in this legal provision, government’s intention

of land expropriation for “public purposes” is still vague since there are no explicit explanations about intentions of the underlined phrases.

On the other hand, in case of remuneration for those dispossessed landholders, the FDRE Constitution declares the following legal provision:

*“All persons who have been displaced or whose livelihood has been adversely affected as a result of the state [government development] programs have the right to commensurate monetary or [and] alternative means of compensation with adequate state [government] assistance” (FDRE Cons. Art. 44(2)).*

From the above legal provision, it is understood that, there is national constitutional provision that declares the right of every persons to claim for commensurate compensation for their property and land when any government-led development programs are founded to adversely affect their livelihood that is based on the land. In brief, a particular household is eligible for compensation if his/her land and the assets found in the land are expropriated by the government for any development endeavor. Indeed, in order to achieve such objectives, “Expropriation of Landholdings for Public Purposes and Payment of Compensation, Proclamation. No. 455/2005” of the federal government and Council of Ministers” Regulation No. 135/2007 were designed to achieve compensation payment for property situated on the landholding of expropriated households.

On the basis of Proc. No. 455/2005, a landholder whose land has been permanently dispossessed, other than the compensation paid for properties dispossessed, a house hold should be entitled compensation for displacement. The proclamation also declares that, displacement compensation for rural landholding should be equivalent to ten times the average annual income he/she secured during the past five years preceding the expansion program. This law further confirms that, a rural landholder whose land is dispossessed for specified period of time, in addition to the compensation paid for land dispossessed; he/she shall be paid until repossession of the land compensation for lost assets based on average annual income secured during the preceding five years. On the other hand, as far as the determination of compensation value is concerned, Proc. No. 455/2005 provides that, the valuation of land and other assets dispossessed should be conducted by certified private or public institutions or individual consultants on the basis of valuation formula adopted at federal level. Besides, it is indicated that the displaced household should leave the land within 90 days (minimum

duration to be given from the day on which the compensation is paid). The inclusions of such legal provision are vital for the proper implementation of the compensation procedure and thereby to avoid the possible occurrence of mismanagement, unfairness and power abuses by local officials.

Though there exists legal and constitutional protection for landholders“ in time of expropriation, the fairness“s of the above compensation law is still contested. One among the serious limitation of the compensation strategy is that, how does 10 times of the preceding 5 years average annual income should adequately secure the livelihood of a people predominantly characterized by subsistence agricultural livelihood with large family size and extended family? Therefore, this chapter of the study is intended to explore the mechanisms in which the ANRS and SNNPRS are dealing with horizontal urbanization and land expropriation taking Bahir-Dar and Hawassa cities, respectively as a case study.

### **6.3. Horizontal Urbanization, Land Expropriation and the Impacts on the Livelihood of Peri-Urban Bahir-Dar Households**

#### **6.3.1. Post-1991 Horizontal Expansion of Bahir-Dar City**

Bahir-Dar was founded in its present form recently in the early 1930“s during the Italian occupation period. Since then, it has remained to be one of the rapidly growing cities in the country. It has been given the status of city administration parallel with the guidelines declared under Proc. No. 91/2003 of the regional council. The city has witnessed fast growth in population size, territory and in its economic growth in the last two decades (see also Melkamu, 2008; Haymanot, 2009).

Before the year 1991, the built up areas of Bahir-Dar city was only 662 hectares. But after the adoption of the federal system, Bahir-Dar had witnessed rapid horizontal urban expansion accompanied by the built up of various buildings and infrastructures. In the year 2011 for instance, the built up areas of Bahir-Dar city was raised to 1778 hectares. This implies that, the city has spatially expanded by about 1,117 hectares, which is an average expansion of 45 hectares per annum (Agengehu, 2014: 6).



***Photograph images that show partial view of Bahir-Dar city.***

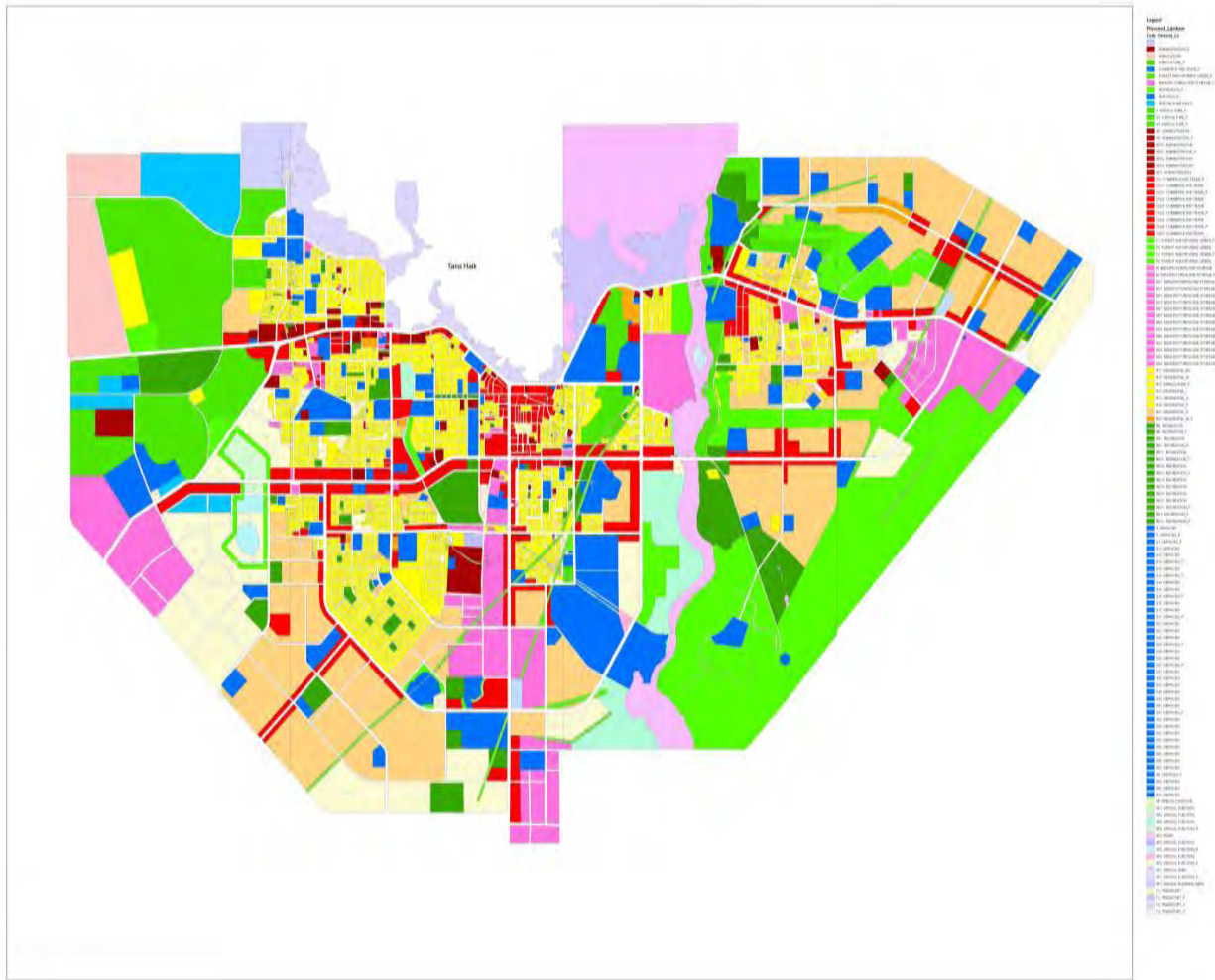
Nowadays, the city of Bahir-Dar holds 9 sub-cities namely: „Sefere-Selam“, „Ginbot-20“, „Fasilo“, „Shimbite“, „Tana“, „Hidar-11“, „Belay-Zeleke“, „Gishe-Abay“ and „Shum-Abo. The city also holds a total of 12 rural peri-urban „kebeles“. Moreover, it also incorporates four „satellite towns“, namely, „Meshenti“, „Tis-Abay“, „Zenzelema“ and „Zeghie“.<sup>223</sup>

The political and administrative roles of Bahir-Dar city, i.e., being serving as a regional capital coupled with its eye-catching geographical and physical scene- lying to the shores of Lake Tana and the source of Blue Nile has contributed a lot for its fast growth and expansion. Recently, a new master-plan was designed by international consultants for Bahir-Dar. On the basis of this master-plan, the city covers 30 KM radius from its center towards the adjacent neighborhood localities. This implies that, the city is enormously expanding horizontally from time to time.<sup>224</sup> The following map demonstrate the land use map of Bahir-Dar city that still serve as a guideline template for the city’s authorities and for those land management officers of the municipality.

<sup>223</sup> A data taken from Bahir-Dar City Administration Municipality. March 6, 2016; and a Field Visit Observation Conducted by the Researcher.

<sup>224</sup> Interview with Officials such as Genet Gebregzabher- Bureau Head of the ANRS Urban Development and Housing and Construction. Interviewed in March 6/2016; Yayeh Addis -Former Mayor of the City and He is now Chief Head for the Office of the ANRS Administrative Council. Interviewed in March 9/2016.

### Map. 5. Current Land Use Map of Bahir-Dar City



*Source: Bahir-Dar City Municipality. Land Development and Management Core Process.*

Generally, for the last two decades, the rapid horizontal expansion of Bahir-Dar city entails both positive and negative outcomes to its urban and peri-urban households as discussed briefly in the next sub-sections of the study.

#### **6.3.1.1. Some Positive Outcomes of the Horizontal Growth of Bahir-Dar City**

The horizontal expansion of Bahir-Dar city has brought positive ends for both the urban and peri-urban communities. Among others, the following are some of the positive outcomes of the growth and expansion of Bahir-Dar city. These are:- the construction of basic infrastructures such as: roads, electricity, health services, schools, clean water supply, market centers, telephone services,

government and private higher institutions, youth recreation centers, international stadium, access to banks and other micro- finance institutions, employment opportunities for micro-enterprisers in areas of production, construction, manufacturing as well as other off-farm activities.<sup>225</sup> During GTP I periods of the ANRS, a variety of infrastructures were built across the region in general and within Bahir-Dar city in particular. In this regard for instance, the following urban development activities were attained in those major urban centers of the region.

- A total number of 154 „rural kebele-centers“ (in Amharic called *“ya gater mae”kele*) across the region were provided legal certificate to seize the status of a „rural-kebele center“;
- 301 urban centers of the region have got basic urban plan document;
- From 100 urban centers of the region , a total of 6, 714.68 hectares of un utilized land was identified and these urban lands were legally reserved in „land bank“ for future utilization;
- For about a total of 112,250 urban households, house-holding certificates have been granted;
- A total of 12, 573 condominium houses across the region were constructed and distributed to those concerned houseless urban citizens“ of the region.
- A total of about 411, 418 KM cobble stone roads; 1291 KM gravel roads; 40 KM asphalted roads were constructed across the region. In addition, 40 market centers; 11 youths“ and cultural centers; 2 fire protection centers; 24 public transport service centers; 5,135 house-sheds for micro-enterprisers“ were also constructed by the regional government in different urban centers of the region. Likewise, a variety of job opportunities were also created for a significant number of unemployed citizens.<sup>226</sup>

Likewise, in the city of Bahir- Dar, various infrastructures had been constructed in the last two decades. The following data for instance reveals some of the major infrastructures which were built by Bahir-Dar city administration in between the years 2013/ 2014 to the mid-year of 2016/17.

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<sup>225</sup> A data taken from the Infrastructural Service Delivery Core Work Process Office of Bahir-Dar City Municipality, in March 24,2016.

<sup>226</sup> The ANRS Planning Commission: GTP II document; 2016, PP. 31-32.



**Table 3. Major Infrastructures Constructed by Bahir-Dar City Administration in between the years 2013/14 till the Mid -Year of 2016/17.**

<b>Roll No</b>	<b>Types of infrastructures constructed by Bahir-Dar City Administration in between the year 2012/13 till half of the year 2016/17</b>	<b>Total amount of infrastructure Constructed in KMs</b>
<b>1.</b>	<b>Cobble Stone Constructions</b>	<b>77 KM</b>
<b>2.</b>	<b>Concrete Road Constructions</b>	<b>16.2 KM</b>
<b>3.</b>	<b>Electricity Service Expansion</b>	<b>24.8 KM</b>
<b>4.</b>	<b>Electricity Service Repairing &amp; Maintenance</b>	<b>39 KM</b>
<b>5.</b>	<b>New Roads Access Pavement Constructions</b>	<b>98 KM</b>

*Source: Bahir-Dar City Administration Mayor Office: A Report of the Mayor presented to residents of the city in a forum held under the nomenclature “urban discussion forum” that was being held on 31 January 2016 at Nile convention hall of Bahir-Dar city, organized by the Amhara mass media agency.*

On the other hand, in between the years 2013 till the mid- year of 2016, the city administration had transferred several hectares of investment lands for about 150 private investors. As a result, a total of 300 investors have been engaged in an array of middle and macro-level investment activities within the city. In addition, the city administration has granted a total of 270 hectares of plots of land for about 4345 citizens for the purpose of house constructions. Accordingly, plots of land allotment were distributed to such group of individuals in three sites of the city namely: „Diaspora“, „Kidane-Mihret“ and „Ledeta“ sites. Moreover, a variety of job opportunities were created by the city administration. In this regard for instance, within 2 and half years (i.e., in between 2013/14 till half of the year 2016/17), a total of 30,254 permanent jobs and 80, 259 provisional job opportunities were created. Furthermore, the city administration has also constructed and distributed a total of 1,309 business „shed-houses“ for those unemployed individuals of the city within the first seven months of the fiscal year of 2016/17.<sup>227</sup>

<sup>227</sup> Reports of Lae’Ke Ayalew –Mayor of Bahir-Dar City. He has presented a report to representatives of urban and peri-urban residents of the city who have been participated in a public forum held under the nomenclature “urban discussion forum” which was being held on 31 January 2016 at Nile convention hall of Bahir-Dar city, organized by the Amhara mass media agency. The researcher has got the opportunity to attend the forum.

In general, important socio-economic and infrastructural developments were attained by Bahir-Dar city administration at different times especially in the construction of basic public services as well as in the creation of employment opportunities. This implies that, the post-1991 federal polity in general and the horizontal growth of the city in particular had created indisputable socio-economic and infrastructural benefits for citizens in general and for the unemployed youth and women in particular. As discussed in chapter 2, with its constitutionally protected division of powers between at least two orders of government, federalism creates proximity between a government and the people. Therefore, the adoption of the federal system allows for regional and local officials to identify the needs and preferences of the people at the local level. Indeed, the decentralization of fiscal, political, and administrative autonomy for regional and local level administrations significantly contributed for the rapid socio-economic and infrastructural growth of urban centers. That is, the key reason for attaining the above discussed socio-economic and infrastructural developments across the ANRS in general and in the city of Bahir-Dar in particular for the last two decades.

In spite of the above mentioned achievements, yet there also exist different urban governance challenges which are significantly affecting the livelihood of urban and peri-urban citizens of Bahir-Dar city. Therefore, in the next section of the study, an attempt is made to provide some of the major urban governance challenges that are recently witnessed in Bahir-Dar city administration.

### **6.3.1.2. Some Urban Governance Challenges in Bahir-Dar City**

Among others, the following are some of the key urban governance challenges raised by different section of the urban and peri-urban communities of Bahir-Dar city Administration.

- ✓ The failure of the city administration in full-filling basic infrastructure and social service demands of the urban and peri-urban communities such as: electricity, water supply, roads and so on.
- ✓ The prevalence of rampant maladministration and rent-seeking behaviors among some government officials and experts of the city administration, particularly at the municipal, sub-city and „kebele“ levels;

- ✓ The dearth of transparency and accountability principles among some officials and experts of the city administration in the process of service delivery, provisions of job opportunities for the unemployed;
- ✓ Inconsistent technical and professional support for micro-entrepreneurs and for those expropriated peri-urban households who are engaged in a variety of off-farm activities;
- ✓ The inadequacy of credit and training services for small-scale entrepreneurs“ and so on.<sup>228</sup>

According to the arguments of numerous informants, the existing procedure of land expropriation from peri-urban households is the serious problem that seeks immediate solution from government authorities and other concerned stake holders.<sup>229</sup> So, the next section of the study tries to analyze horizontal urbanization in Bahir-Dar city and the way the concerned regional and local authorities are dealing the circumstances in relation to it.

### **6.3.1.3. Land Expropriation and Its Impacts on the Land Rights and the Livelihood of Peri-urban Bahir-Dar Households**

Due to the rapid horizontal expansion of Bahir-Dar city, strong threats of land insecurity and socio-economic livelihood devastation on peri-urban households have been prevailed.<sup>230</sup> In the last two decades, peri-urban farmers from the suburbs of Bahir-Dar had lost their farmland and become landless with unfair cash compensation. In brief, numerous agrarian households from the localities of „Meshenti“, „Abay-Mado“ and „Zenzelema“ were expropriated due to government“s investment objectives.<sup>231</sup>

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<sup>228</sup> On 31 January 2016, there has been a general discussion forum among local and regional officials and as well as citizens of the city administration under the nomenclature “urban good-governance discussion forum” organized by the city administration and the Amhara mass-media agency. In this public forum, different section of the population that involves youths, women’s, micro- entrepreneurs’, businessmen’s, notable elders and residences from the city and the suburb agrarian households were participated. The researcher has got the opportunity to observe and attend such insightful public discussion forum.

<sup>229</sup> Interview with Kefyalew Esubalew –Justice and Social Affairs Higher Officer of the Regional State; Merhatsidk Mekonnen-Legal Advisor of the ANRS Chief Administrator; Peri-Urban expropriated households such as Desse Ayalew and Adebabay from Kidane-mihret site of Abaymado; Alehegn setotaw and Desse Beyadglegn from Meshenti peri-urban localities.

<sup>230</sup> Ibid.

<sup>231</sup> Interview with expropriated peri-urban households -Desse Ayalew and Adebabay. Interviewed in March 20/2016, Bahir-Dar Abay-Mado site.

As far as compensation is concerned, regional states including the ANRS are using Proc. No. 455/2005 of the federal compensation law as a guiding criterion for the determination of compensation value for expropriated households. In brief, though regions adopted their own regional- based implementation guidelines in the form of directives, they are simply using Proc. No. 455/2005 of the federal law as a yardstick legal framework for the executions of compensation. Recently, the ANRS Administrative Council has introduced Directive No. 26/2016 for the purpose of effectively and properly rehabilitating the livelihood of expropriated households in a sustainable approach.<sup>232</sup>

However, expropriated households of the study area strongly criticize the amount and kinds of compensation being offered by the municipality.<sup>233</sup> On the other hand, concerned regional and local officials argue that, compensation for expropriated households is so far implemented on the basis of Proc. No. 455/2005 of the federal law. Accordingly, 10 times of the average production value of the land in the preceding 5 years is the key legal ground for compensation.<sup>234</sup>

As to the researcher points of view, the above legal framework is not fair enough to compensate the socio-economic losses of expropriated households. As discussed in section 5.1, the issue of land for developing countries like Ethiopia is all about the issue of life. For such nations, land is, among many other things, the means to secure the very basic needs to their lives mainly the food. Therefore, the right to land is equivalently to mean the right to food and hence the right to life. Right to life is the Universal fundamental right. In relation with this, Ethiopia has ratified different International Covenants and agreements including the International Convention of Economic, Social, and Cultural Rights (ICESCR) which protects the right to food. For an agrarian community, land is also the physical and natural capital through which they ensure the well-being of their family such as the provision of health and educational services to their children. Most of such households transfer their lands to their ancestors from generation to generation (See also Firew, 2010:18).

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<sup>232</sup> Interview with Genet-Gebre-Egzabher- Bureau Head of Urban Development and Housing Construction; See also Directive No. 26/2016 of the ANRS Administrative Council. Interviewed in March 6/2016.

<sup>233</sup> FGD with Representatives from Peri-urban households of Abay-Mado, Tis-Abay, Zenzelma & Meshenti. The FGD was conducted in October 6/2016, Bahir-Dar.

<sup>234</sup> Interview with Genet Gebregzabher - Bureau Head of the ANRS urban development, housing and construction and Mastewal- Land Management Officer of Bahir-Dar city administration. Interviewed in March 6 and 10/2016.

In spite of the above reality, the existing criterion of the compensation law lacks sound justification for answering the following key questions. Firstly, what is the reason behind setting preceding 5 years average production value as a yardstick legal criterion for compensation? How does 10 times of the preceding 5 years average production value could fairly compensate a particular expropriated household? What is the socio-economic and legal rationale for multiplying the preceding five years production value of the land merely by 10 times? Since it is known that, land is the key means of livelihood for the community until death, how far 10 years compensation value could soundly compensate a particular household? There is no any sound argument in addressing all such questions.

Due to the above mentioned limitations of the compensation law, peri-urban households who have been expropriated from their land and those who possibly will be confiscate in the future criticize the existing compensation strategy by asserting that, the compensation mechanism lacks rationalism in the sense that, family size of the house hold and the future value of the land is not considered as an imperative criteria for compensation determination. Hence, among other criteria, proportional mechanisms for family size must be set. In addition, instead of overemphasizing the production value of the land in the preceding five years, it would be better to consider the current as well as the future value of the land since market prices of peri-urban lands as well as crops, fruits and vegetables are tremendously rising year after year.<sup>235</sup>

On the other hand, as far as implementations of compensation values are concerned, monetary compensation is the commonly used mechanism rather than compensation in kind such as in the form of offering plots of urban land. In addition, the value of compensation is not proportional with the actual market value of agricultural products and the market value of peri-urban lands in the black market.<sup>236</sup> On top of the above arguments of expropriated households, some regional and local officials acknowledge the unfairness of the compensation value set under the existing federal law. Thus, such officials argue that, either the federal or the regional government must design another

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<sup>235</sup> Interview with Expropriated Peri-urban households such as Desse Ayalew and Adebabay from Abay-Mado site and Alehegn setotaw and Desse Beyadglegn from Meshenti site. Interviewed in March 20/2016.

<sup>236</sup> FGD with Representatives from Peri-urban households of Abay-Mado, Tis-Abay, Zenzelma & Meshenti. The FGD was conducted in October 6/2016, Bahir-Dar.

compensation law that takes in to account the existing socio-economic situation as well as the discontents of expropriated peri-urban households.<sup>237</sup>

Expropriated peri-urban households of Bahir-Dar city also raise critics against the implementation processes. As stated in section 6.2 of the study, Proc. No. 455/2005 of the federal law declares that, the valuation of land and other assets dispossessed should be conducted by certified private or public institutions or individual consultants on the basis of valuation formula adopted at federal level. However, informants argue that, the „committee“ assigned by the city administration are not qualified expertise. As a result, the compensation is made inaccurately without taking the procedures of the criteria mentioned in the law. In this regard for instance, compensation is usually determined without making adequate discussions and consultations with concerned households.<sup>238</sup>

Though the city administration and the municipality try to organize discussion forums in the form of a meeting, such programs were usually held superficially without „win-win“ approaches. In this regard for instance, some informants argue that, sometimes land measurements for compensation were conducted without the physical attendance and eye-witness of the concerned land holder.<sup>239</sup> This implies that, processes of compensation value determination and its payment procedure lacks accountability, transparency and participatory principles. The researcher argue that, other than the committee assigned by the mayor of the city, some representatives from concerned households need to be included as a committee member so as to ensure the active participation of expropriated households in the process of compensation value determinations.

Broadly, implementation processes of the existing compensation strategy lacks fairness since compensation values sometimes become inconsistent from one household to another in a similar plot of land. Even sometimes land expropriations are unlawfully conducted by local authorities without offering a pre-warning announcement letter to concerned land holders.<sup>240</sup> All these problems

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<sup>237</sup> Interview with Yayeh Addis, Genet Gebregzabher and Merhatsidk Mekonnen. Interviewed in March 9, 6, 9 &10/2016, respectively.

<sup>238</sup> Interview with Expropriated Peri-urban households such as Desse Ayalew and Adebabay from Abay-Mado site and Alehegn setotaw and Desse Beyadglegn from Meshenti site. Interviewed in March 20/2016.

<sup>239</sup> Ibid.

<sup>240</sup> FGD with Representatives from Peri-urban households of Abay-Mado, Tis-Abay, Zenzelma & Meshenti. The FGD was conducted in October 6/2016, Bahir-Dar.

basically occur due to improper enforcement of urban laws and policy programs by concerned regional and local officials.<sup>241</sup> Nowadays, numerous peri-urban households who are supposed to be displaced in the future are in a serious fright of land expropriations. Such a fear of land tenure insecurity mainly emanate because of the non-existence of transparency and participatory approaches of land expropriation schemes as well as the unfairness of the compensation strategy being utilized by the regional government. Due to the growing insecurity of land-holding, some peri-urban farmers become pessimistic for the future ownership of their land. Indeed, a sizeable number of farmers in the suburbs of Bahir-Dar have sold their lands illegally.<sup>242</sup>

On the other hand, since the amount of compensation value for fruits, vegetations and other forest plantations are relatively high unlike cereals and crops; numerous households around Bahir-Dar are changing their agricultural land to the cultivation of the above mentioned cash crops.<sup>243</sup> During the researcher's field visit in some peri-urban areas of Bahir-Dar such as: Zenzelema, „Abay-mado“ and „Tis-Abay“; it is evident that, lands are now substantially changed in to cash crops such as fruits, „chat“ and other vegetables.

Above all, some expropriated households are also facing a difficulty of adaptability with urban mode of life. In brief, after land expropriation and displacement, instead of living in urban centers, some expropriated households would prefer to migrate towards another rural „kebeles“. In fact, such a problem mainly arises because of the non-existence of adequate technical and professional support in the livelihood rehabilitation processes of the displaced communities.<sup>244</sup> If concerned experts and authorities provide consistent technical support and supervision, such households may easily adapt urban mode of life in a short period of time. As mentioned earlier, though it is late, the ANRS Administrative Council has adopted Directive No. 26/2016 for the intent to effectively rehabilitate the livelihood of expropriated households in a proper and sustainable approach. However, this directive of the regional state is so far not come in to effect. As a result, some expropriated

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<sup>241</sup> A data Taken from a Public Discussion Forum Held on 31 January 2015 at Nile Convention Hall Organized by the Amhara Mass-media Agency.

<sup>242</sup> FGD with Representatives from Peri-urban households of Abay-Mado, Tis-Abay, Zenzelma & Meshenti. The FGD was conducted in October 6/2016, Bahir-Dar.

<sup>243</sup> Ibid.

<sup>244</sup> Interview with Kefyalew Esubalew- Justice and Good-Governance Affairs Officer of the ANRS Administrative Council; Asrat Areaya- Researcher in Bahir-Dar University. Interviewed in March 6 & 9/2016, respectively, Bahir-Dar.

households become jobless and went to the street and hence continued to live in a desperate way of life.<sup>245</sup>

The other land insecurity threat for peri-urban communities of Bahir-Dar is the prohibition to construct house in their land-holdings. In order to circumvent fear of future land expropriation, some landholders claim the municipality to get permission for them so as to build their houses in their landholdings. But, the municipality urges them to wait for unlimited period of time. In fact, such prohibition by the city administration was made to safeguard the proper and planned standard of the city by prohibiting illegal constructions that may affect the wise use of land resources. However, illegal constructions are very common in all peri-urban localities of Bahir-Dar city. In this regard, some regional and local officials confirms that, illegal land transactions and house constructions regularly increases overnight especially when a rumor is heard about the inclusion of a particular peri-urban „Keble“ towards the territory of the city“s administration.<sup>246</sup>

The other key problem in relation to peri-urban land expropriation is the existence of unutilized lands for a long period of time after expropriation. In brief, once farmers were expropriated from their land, significant hectares of land under the name of investment had left idle enclosed by a fence. In this regard, some evicted households criticize and blame officials of the city administration and the regional government by asserting that, „...the expropriated land had so far neither used for government“s development endeavor nor for the conduct of our agricultural livelihood“.<sup>247</sup> In this regard, the researcher has conducted a field visit in some selected peri-urban localities of Bahir-Dar namely: „Zenzelema“, „Abay-Mado“, and „Mashenti“ and thus, the researcher have assured the realization of the above mentioned arguments of informants. For instance, several hectares of land had been expropriated from numerous households around „Mashenti“ (i.e., from the so called „Ynes-Kidane- Miheret“, „Achaber-Abbo“, „Workeh-Bella“, and „Mashenti-Giorgiyse“ localities). However, the land had been remained idle for about a decade without utilization. Peri-urban households of the above mentioned localities were evicted from their land in the year 2006/7 through some

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<sup>245</sup> FGD with Representatives from Peri-urban households of Abay-Mado, Tis-Abay, Zenzelma & Meshenti. The FGD was conducted in October 6/2016, Bahir-Dar.

<sup>246</sup> Interview with Yayeh Addis- Chief Head for the Office of the ANRS Administrative Council; Mastewal- Urban Land Management Officer of Bahir-Dar city Municipality; Kefeyalew Esubalew-justice and social affairs higher officer of the ANRS and Genet Gebregzabher- Bureau Head of Urban Development of the ANRS.

<sup>247</sup> Interview with Numerous Expropriated Households from Abay-Mado, Zenzelma and Meshenti Peri-Urban Localities. Interviewed in March 20-22/2016.



compensation payment. Consequently, such huge hectares of land were granted to foreign investor for purposes of flower productions. However, this land is still barren neither used by the investor nor by the farmers. Therefore, such circumstances created grave bitterness among evicted peri-urban households since most of them are now landless and unemployed.<sup>248</sup>

Some officials from the regional state and the city administration also acknowledge and reaffirm the very existence of the above mentioned problem. In this regard, Genet Geberegzabher- bureau head of the region's urban development argue that, now her office is trying to influence those „investors“ either to utilize the land for the intended purpose or to handover it to the city's land-bank. One informant who is working in the city's municipality argue that, whenever the concerned expert tries to urge and warns those investors to either utilize the land for the intended purpose or to transfer the land to the city administration; the problem becomes very complex and even a severe warning comes against to such experts via a direct phone call from higher officials so as to stop such kind of influence on such reluctant investors. As a result, huge hectare of lands that could feed several households becomes idle without any development-use for more than a decade. As to the researcher points of view, this kind of problem basically emanate because of the failure to set decisive criteria and guideline standards for the nomination of eligible investors. In fact, the Amhara regional administrative council recently adopted investment land provision and utilization directive via Directive No. 11/2013. However, the above mentioned problem is not yet solved. The photograph picture below shows partial view of a huge hectare of land granted for the so called „investors“ for flower production near „Meshenti“ (i.e., one among the satellite towns of Bahir-Dar city). However, as discussed above, the land had left without utilization for about a decade.

*A photograph picture that shows an Expropriated Land located around Mashenti (the 'satellite' urban centers of Bahir-Dar city), but the land left without utilization for about a decade.*



*Source: Photograph Images Captured by the Researcher during Field Visits held on January 29/2016, located near to Meshenti town.*

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<sup>248</sup> Interview with Alehegn setotaw and Desse Beyadlegn. Interviewed in March 20/2016, around Meshenti.

As to the arguments of some peri-urban farmers, some of the so called „investors“ are using the given land for unintended purposes. While some uses it as a shield for getting loan from banks, others transfer the land for other users on in the form of contract. This implies that, government’s investment endeavors was/is constrained by „ineffective investors“ which in turn, directly or indirectly affects the socio-economic livelihood of peri-urban households.

Above all, the major limitation in relation to land expropriations in the ANRS in general and in the city of Bahir-Dar in particular is the non-existence of meaningful efforts in the livelihood rehabilitation of evicted peri-urban households. In brief, once the city authorities provide compensation for expropriated households, concerned officials and experts of the city administration have failed to technically support such households in the rehabilitation processes of their devastated livelihood. As a consequence, most of the evicted households use the compensation money extravagantly which finally becomes to live in a very terrible lifestyle. In this regard, one expropriated informant in the FGD articulates the following ideas:

*“... While few among the expropriated households used their compensation value for buying „Bajaj vehicle, most others have used their money for buying rifles/guns. Most of the expropriated households lost their time in bars“ and local drink houses“ for enjoyment and indulgence. Later on, they become very poor to the extent of incapable of feeding their families. As a consequence, most of such households were forced to migrate towards other rural localities such as towards „Jawi“ „woreda“ of „Awi“ Zone; „Quara“ and „Metema“ areas of North-Gondar Zone and to some localities of Benishangul-Gumuz region in search of agricultural land. Some others are obliged to engage in the livelihood of daily laborers and guardsmen in those private companies and hotels of the city. Children of some of the evicted households are also facing a desperate life since some of them were engaged in worst urban livelihood. In a nutshell, for most of the evicted households, the land expropriation procedure made them urban-made poor.”<sup>249</sup>*

In fact, no one denies the above argument of the expropriated household. Though a variety of incentive packages such as basic life-skill training, credit services and technical and professional supports were promised for expropriated households, the concerned public sector offices have not properly enforced these packages of promises to expropriated households.<sup>250</sup> Both the city authorities and the concerned regional officials also affirm the failure to provide consistent technical

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<sup>249</sup> Desse Beyadgelegn - Expropriated Household from Meshenti Peri-Urban area. The FGD was held in October 6/2016.

<sup>250</sup> FGD with Representatives from Peri-urban households of Abay-Mado, Tis-Abay < Zenzelma & Meshenti. The FGD was conducted in October 6/2016, Bahir-Dar.

and professional support for expropriated households.<sup>251</sup> In fact, nowadays three regional institutions namely the regional bureau of urban development; rural-land administration; and micro-enterprise agency are mandated to work together so as to make a project-based backup and supervision for evicted households in the future.<sup>252</sup> As to the researcher points of view, unless wise political and legal measures are taken, the existing rapid horizontal expansion of cities and land expropriation will become a serious security challenge not only in Bahir-Dar but also in those major urban centers of the country. In this regard, one informant has explained the following ideas:

*“....Scenario of land expropriation from peri-urban households has two basic limitations. Firstly, there is a policy deficit at the federal and the regional level. That is, at both the federal and regional levels, there exists a mere interest to expand urban centers with great ambition for industrialization and investment objectives. However, such endeavors are usually made without any meaningful care for the livelihood fate of the peri-urban farmers. The compensation value is not sufficient enough in rehabilitating the livelihood of dispossessed farmers. Thus, an attractive compensation law must be introduced that adequately rehabilitate the livelihood of expropriated households. Secondly, implementation gap is the other serious limitation which is commonly seen at the local level. Whenever horizontal urbanism and land expropriation is carried, the implementation procedure is usually held in the form of forceful strategy rather than consensus-oriented „win-win“ approaches. In brief, implementations of urban-policy programs in general and land expropriation processes in particular lacks participatory and transparency approaches which, in turn, becomes a source of good-governance problem”.*<sup>253</sup>

From the above argument, the existing process of land expropriation is usually made in favor of government’s interest for urbanization, industrialization and investment programs. However, the livelihood fate of peri-urban households is not wisely considered in a meaningful approach. In a nutshell, the unfairness of the compensation; lack of participatory approach; and absence of well-entrenched institutional mechanisms for the livelihood rehabilitation scheme of evicted households are some of the key challenges witnessed in the study area.

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<sup>251</sup> Interview with Regional and Local Officials - Kefeyalew Esubalew, Merhasidk Mekonnen, Yayeh Addis & Mastewal.

<sup>252</sup> Interview with Genet Gebregzabher- Bureau Head of urban Development and Housing Construction. Interviewed in March 6/2016, Bahir-Dar.

<sup>253</sup> Interview with Merhatsidk Mekonnen- Legal Advisor of the SNNPRS Chief-Administrator. Interviewed in March 9/2016, Bahir-Dar.

### **6.3.2. Horizontal Urbanization, Land Expropriation and the Impacts on the Land-Rights and the Livelihood of Peri-Urban Hawassa Communities**

In the following sub-sections of the study, an attempt is made to discuss and analyze the pros and cons of the post- 1991 horizontal expansion of Hawassa city to its urban and peri-urban communities. Accordingly, the positive outcomes of the rapid horizontal expansion of Hawassa in relation to infrastructural developments are briefly explored. Consequently, the very ambitious horizontal urbanization of the city and its adverse impacts on the land tenure rights and on the livelihood of peri-urban communities in relation to land expropriations are also analyzed.

#### **6.3.2.1. Post-1991 Horizontal Expansion of Hawassa City**

Some historical documents reveal that, Hawassa has been formerly named as „Adare“- which means in Amharic a large water body. The city shows a fast population growth rate of 4.8% with 14 years of doubling time (Firew, 2010:21). Like that of Bahir-Dar, Hawassa has also witnessed rapid development and horizontal expansion in the last two decades. The city of Hawassa constitutes a total of 152. 7 square kilo meters that contains a total of 8 sub-cities and 32 urban and peri-urban „kebeles“. These sub-cities are: „Tabor“ sub-city (holds 5 „kebeles“); „Menahriya“ sub-city (holds 3 „kebeles“); „Bahil-Adarash“ sub-city (holds 3 „kebeles“); „Haik-Dar“ sub-city (holds 2 „kebeles“); „Mahil-Ketema“ sub-city (holds 3 „kebeles“); „Misrak“ sub-city (holds 2 „kebeles“); „Addis-Ketema“ sub-city (holds 2 „Kebeles“); and „Hawella-Tula“ sub-city (that holds 1 urban & 11 rural „kebeles“).<sup>254</sup>

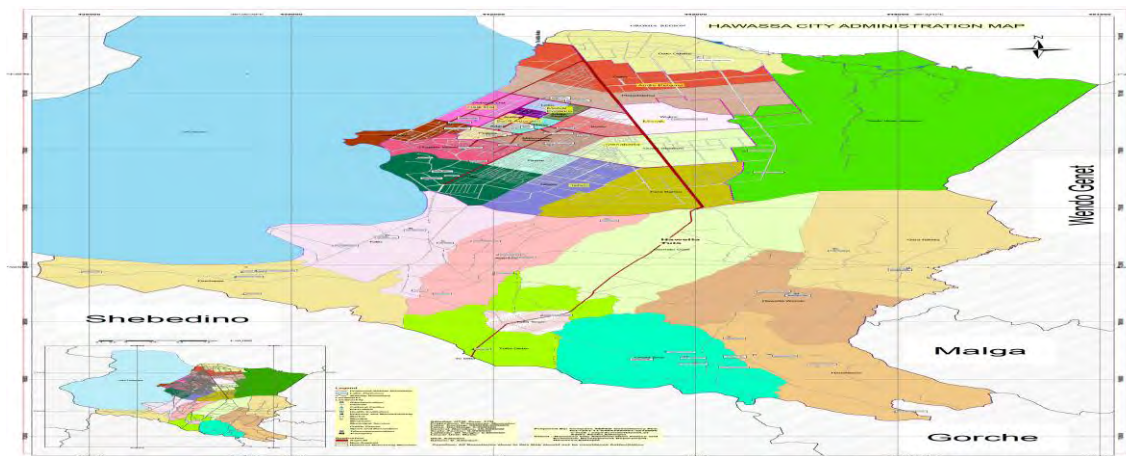
The adoption of the federal system followed by the urban decentralization schemes of the regional state had contributed significantly for the marvelous growth and expansion of Hawassa city. The city administration is legally guaranteed to exclusively use its revenue for the purpose of executing its administrative functions without making revenue transfer to the regional government. In addition, since the year 2013, the regional government consistently makes financial subsidy to the city administration that worth an amount of 200 million Eth. birr per annum for the intent of infrastructural developments. Moreover, Hawassa city administration is also financially supported by a donor organization that works in areas of urban development under the name of Urban Local

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<sup>254</sup> A Data taken from Hawassa City Administration and An Interview with Belayneh Teshome- Special Advisor of the Mayor of the City. Interviewed in April 11, 2016, Hawassa.

Government Development Project (ULGDP).<sup>255</sup> As to the researcher points of view, the legal guarantee that was being offered to Hawassa city administration so as to fully exploit its revenue without making revenue transfer to the regional government by itself, is one of the most progressive measure that extensively enhance the city's potential to better exploit its revenue resources efficiently and effectively. The provision of such autonomy for cities is the most imperative value to mitigate the existing vertical fiscal imbalances which is common in most federations.

The following map shows the current administrative map of Hawasaa city.



**Map. 6 Administrative Map of Hawassa City**

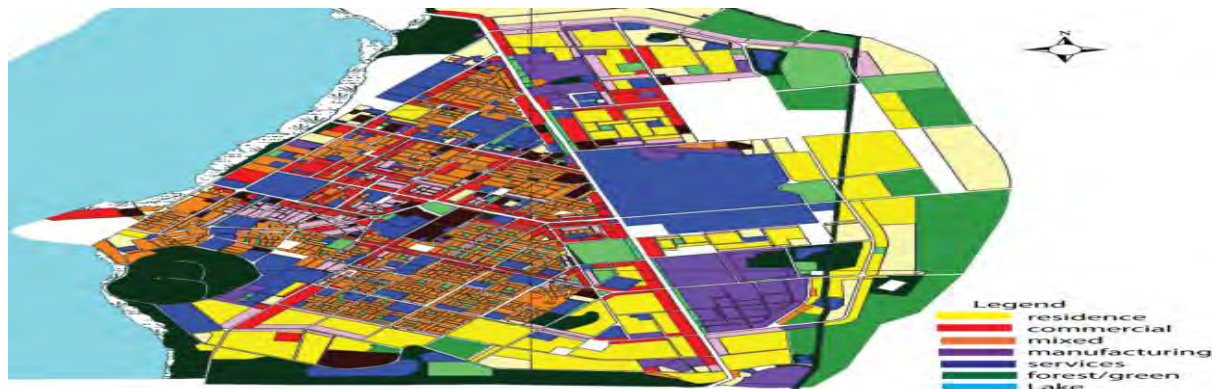
**Source: Hawassa City Municipality: Plan Preparation & Monitoring Work Process.**

When one explores the horizontal expansion of the city, in a similar approach with Bahir-Dar, Hawassa had also witnessed rapid horizontal urbanization in the last two decades. However, because of the existing physical barrier, i.e., being located adjacent to Lake Hawassa in the East and Ormiya region in the North and North-East; Hawassa was/is expanding only towards the South and South-East directions. Before the year 1991, most peri-urban areas of Hawassa were commonly under state-owned commercial farms. Later on, due to the horizontal expansion of the city, all such farm

<sup>255</sup> Interview with Officials of the City Administration- Chernet Filate- Deputy Head of Hawassa City Municipality; Mebrate Melese- Deputy Head of Hawassa City Municipality and Infrastructural Service Delivery Core Work Process Leader of the Municipality; Belayneh Teshome- Special Advisor to the Mayor of the City. Interviewed in April 11/2016, Hawassa.

lands and other barrel lands were changed in to urban land use purposes.<sup>256</sup> Nowadays, from its total land size of 152.7 square kilometers, 6465 hectares of land are under utilization for a variety of urban land use purposes.<sup>257</sup> The following map shows the current land-use map of Hawassa city adapted from the city's municipality.

**Map 7. The Current Land-Use Map of Hawassa City**



*Source: Hawassa City Municipality: Plan Preparation & Monitoring Work Process.*

### **6.3.2.2. Some Positive Outcomes of the Post-1991 Horizontal Expansion and Growth of Hawassa City**

Like the case of Bahir-Dar city, Hawassa is also characterized by rapid horizontal urbanization accompanied by significant socio-economic and infrastructural developments. Since Hawassa is the administrative and political seat of the SNNPR and Sidama Nationality Zone, the city has witnessed high population in migration and rapid socio-economic and infrastructural developments from time to time.<sup>258</sup> In brief, parallel with its rapid horizontal expansion, marvelous infrastructural developments are witnessed which, in turn, accelerated the rise of the city's physical excellence and attractions. That is the reason why Hawassa like that of Bahir-Dar becomes one among the few awesome cities of the country for residence as well as for local and international tourist attractions.

<sup>256</sup> Interview with Birru Wolde- Urban Planning Director and Deputy Head for the Bureau of Urban Development & Housing Construction of the SNNPRS. Interviewed in April 6/2016, Hawassa.

<sup>257</sup> Interview with Chernet Filate- Deputy Head of Hawassa City Municipality; Belayneh Teshome- Special Advisor to the Mayor of the City. Interviewed in April 11/2016, Hawassa.

<sup>258</sup> Interview with Representatives from youth, women, micro-enterprisers, urban and peri-urban residents. Interviewed in April 15-18/2016, Hawassa.

Generally, as in the case of the ANRS, arrays of urban infrastructure were attained by the SNNPRS. To mention few, the following are some of the major urban infrastructures which were achieved during GTP I implementation periods of the regional state.

- ✓ 10,087 KM concrete asphalt roads; 445.2 KM cobble stone roads; 6975.67 KM new pavement roads; 2626.43 KM gravel roads has been constructed across major urban centers of the region;
- ✓ 2409.74. KM water supply pipelines and a total of 1690.4 KM electricity cable networks were also installed.<sup>259</sup>

The above mentioned achievements reveal that, the adoption of the federal system has significantly contributed for the growth and development of urban centers across the regional state. Hawassa city administration in its part has also achieved various urban infrastructures within the GTP I implementation periods of the city administration. The following table shows a template of some of the basic infrastructures attained by city administration during GTP I execution periods (i.e., in between the years 2009/10-2014/15).

**Table 4. Some Major Infrastructures Attained by Hawassa City Administration**

<i><b>Rol. No.</b></i>	<i><b>Types of Infrastructures</b></i>	<i><b>Years / Periods of Construction</b></i>	<i><b>Amounts in KM</b></i>
<i><b>1</b></i>	<i><b>Concrete Asphalt Road Construction</b></i>	2009/10-2014/15	<i><b>64 KM</b></i>
<i><b>2</b></i>	<i><b>Cobble Stones Paved Roads Construction</b></i>	2009/10-2014/15	<i><b>116 KM</b></i>
<i><b>3</b></i>	<i><b>Gravel Road Construction</b></i>	2009/10-2014/15	<i><b>240 KM</b></i>
<i><b>3</b></i>	<i><b>Electricity Cable Network Installation Expansion</b></i>	2009/10-2014/15	<i><b>184 KM</b></i>
<i><b>4</b></i>	<i><b>Street Electricity Lamp Service Installation</b></i>	2009/10-2014/15	<i><b>84 KM</b></i>

*Source: Hawassa City Municipality: Infrastructure Service Delivery & Management Work Process (see also GTP II Document of Hawassa City Administration: PP.20-24).*

In addition to the above infrastructural achievements, a variety of basic public services such as schools, health centers, pure water supply, recreational centers including international stadium and International air-port were constructed in the city.<sup>260</sup> Moreover, following the 2005 national election, relatively better job opportunities were created for a significant number of the urban unemployed

<sup>259</sup> SNNPRS Finance and Economy Development, GTP II document: 2015:37.

<sup>260</sup> Interview with Mebrate Melese and Chernet Filate- Both are Deputy Director of Hawassa City Municipality. Interviewed in April 11/2016, Hawassa.

youths through different micro-enterprise activities.<sup>261</sup> In this regard for instance, during GTPI implementation periods of the city administration, for a total of 46, 297 citizens’-permanent jobs; and for about 89, 872 citizens’-provisional job opportunities have been created in areas of manufacturing, construction, urban-farming, service sectors and some other commercial activities.<sup>262</sup>

In sum, in a similar experience with Bahir-Dar city, the rapid horizontal expansion of Hawassa has witnessed public service expansions as well as relatively better job opportunities to its citizens. On the other hand, in order to mitigate the existing chronic shortage of housing, so far a total of 3,568 condominium houses were built and distributed for those houseless citizens of the city.<sup>263</sup> In spite of the above mentioned positive outcomes of the city’s socio-economic and infrastructural explosions, there also exist lots of challenges which seek considerable attention by government authorities and other concerned stakeholders. The following section tries to point out those key urban governance challenges that are witnessed in Hawassa city.

### **6.3.2.3. Some Major Urban Governance Challenges in Hawassa City**

Land scarcity is one among the serious challenge that arises mainly because of the rapid horizontal urbanization of the city and the unwise use of urban lands. As discussed in the previous section, such a problem is partly arise due to the existing physical barriers, i.e., the city is bounded by Lake Hawassa and Oromiya regional state in the East, and the North and North-East directions respectively. In addition, the inability to address the existing infrastructural demands of the society in both the urban and peri-urban localities is still another crucial challenge for the city administration.<sup>264</sup>

On the other hand, though regional and local officials don’t agree with the argument, there is also a problem of ethnic parochialism and „sons of the soil“ discrimination practices particularly against non-Sidama nations in areas of service delivery and in civil service posts. While some sub-cities and „kebeles“ that were predominantly inhabited by Sidamas“ get better access for some infrastructure such as roads, some other „kebeles“ and sub-cities which are significantly inhabited by

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<sup>261</sup> FGD with Representatives from youths, women and micro-entrepreneurs of Hawassa city. The FGD was Conducted in November 14/2016, Hawassa.

<sup>262</sup> GTP II document of Hawassa City Administration, 2015:18.

<sup>263</sup> A data taken from the SNNPR’s Housing Agency, in April 25/2016, Hawassa.

<sup>264</sup> Interview with Mebrate Melese and Chernet Filate- Both are Deputy Director of Hawassa City Municipality. Interviewed in April 11/2016, Hawassa.



non- Sidamas could not able to get equal infrastructural benefits as of Sidamas localities.<sup>265</sup> As to the researcher point of view, unless properly managed, such discriminatory approaches might become a root cause for political instability and thereby a source of inter-ethnic strife in the future.

Furthermore, the existence of high rate of population migration towards Hawassa city in search of job and land is another unrelenting challenge to the city administration. In spite of the endeavors made by the regional government and the city administration to reduce unemployment, still there exists high rate of unemployment in the city.<sup>266</sup> The presence of maladministration practices among some officials and civil servants at the local level particularly in the process of nominating unemployed citizens in the provision of employment opportunities is the other key good-governance problem which is frequently raised by a sizeable number of urban and peri-urban unemployed citizens of the city.<sup>267</sup>

On the other hand, like the cases of Bahir-Dar city, Hawassa's rapid horizontal urbanization have brought a devastating socio-economic and land tenure impact on the livelihood of peri-urban agrarian households. Therefore, the next section of the study attempts to explore and analyze how the ANRS and Bahir-Dar City Administration are managing horizontal urbanization, land expropriation and the impacts on the land rights as well as the livelihood of peri-urban households of Bahir-Dar city in brief.

#### **6.3.2.4. Land Expropriation and Its Land-tenure and Socio-Economic Impact on Peri-urban Hawassa Households**

As it can be evidently seen in a pragmatic field visit, peri-urban households of Hawasaa city are highly exposed to land expropriation because of the rapid horizontal urbanization of the city. Though land is a physically fixed asset that serves as the most important value for the livelihood of peri-urban communities, the horizontal expansion of Hawasaa city brought negative impacts in their way

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<sup>265</sup> Interview with Representatives from some Urban Residents, unemployed youths and women as well as from those who are engaged in some micro-enterprise activities. Their name is not disclosed because of their own interest. Interviewed in April 22/2016, Hawasaa.

<sup>266</sup> Interview with Wube- Micro-Enterprises Officer of Hawassa city Administration. Interviewed in April 5/2016, Hawassa.

<sup>267</sup> FGD with Representatives from Youth, Women, Micro-enterprisers, Urban and Peri-Urban Residents of Hawassa City. The FGD was Conducted in November 14/2016, Hawassa.

of life, production, distribution, consumption as well as social configuration.<sup>268</sup> Among those sub-cities of Hawassa, Hawella-Tulla and Tabor sub-cities has been experiencing high rate of horizontal urban expansion at different consecutive years. Accordingly, peri-urban households found in those localities of „Hiteta“, „Fara-Bariso“ „Tilte“, „Habe-Tula“, „Alemura“, and „Chikko“ are characterized by intensive land expropriation and displacement of peri-urban households.<sup>269</sup> Thus, managed wisely, the existing land expropriation scheme contradict with the legal land-use rights of citizens as well as against nations, nationalities and peoples“ right to self- determination of Article 39 of the FDRE Constitution.

On the other hand, whenever land expropriations are conducted by local officials, “win-loss” effects are very common than “win-win” approaches. As a result, like the case of Bahir-Dar, a substantial number of informants have objected the existing land expropriation procedure in particular and the compensation strategy of the government in general.<sup>270</sup> Like the case of the ANRS, compensation strategy in the SNNPR is basically conducted on the basis of Proc. No. 455/2005 of the federal law. Accordingly, the average production value of the agricultural land in the preceding five years multiplied by 10 times is the common criteria for setting compensation value for expropriated peri-urban households.

However, as informants argue, the amount of compensation being offered to expropriated households in the SNNPR is unfair compared to the lost socio-economic assets of expropriated households and the actual peri-urban land values in the black market. Thus, due to fear of future likelihood of land expropriation, some peri-urban households of Hawassa have sold their land illegally. Even nowadays, illegal land transactions and house constructions are very rampant in the localities of „Dato“, „Lokke“, „Cheffe“ of Hawassa city administration.<sup>271</sup>

Before the end of the year 2013, like the case of Bahir-Dar city, expropriated peri-urban households of Hawassa had used their compensation money unwisely and extravagantly. Therefore,

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<sup>268</sup> Interview with Some Representatives from Peri-urban Agrarian Households of Hawassa City. Interviewed in April 15-16/2016, at ‘Tilte’, ‘Habe-Tula,’ and ‘Alemura’ sites of Hawassa city.

<sup>269</sup> Ibid.

<sup>270</sup> Ibid.

<sup>271</sup> Interview with urban and peri-urban Residents of Hawassa such as Ayele Teramo, Demeke Gashaw and Yemane Birhanu. Interviewed in April 24/2016, in Hawassa.

some expropriated households in Hawassa usually used their compensation money for insignificant assets like for drinking alcohols and buying a motorbike. Finally, such households become jobless living in a street with chronic impoverished way of life. However, starting from the year 2014, better attention was given in the rehabilitation and urban livelihood adaptation processes for displaced households by concerned local and regional officials. Though it is a recent development, better efforts are exerted by Hawassa city authorities in the provision of technical and professional support for the livelihood rehabilitations of expropriated households. In this regard, the city's micro and small-scale enterprises agency tries to provide technical and professional assistance in the livelihood rehabilitation of such households.<sup>272</sup>

Thus, once compensation payment is prepared for expropriated households, the money is not offered for them in cash form. The households are expected to open their own bank account either in the Commercial Bank of Ethiopia or Omo Micro-Financ and then, the city administration shall deposit their compensation value in the account of each household. Consequently, concerned officials and experts provide consistent trainings for those households about entrepreneurship activities. Therefore, expropriated households are allowed to take their money from banks if and only if they submit sound project proposal for entrepreneurs" though assisted by concerned experts of the micro enterprises agency of the city.<sup>273</sup> As a result of the above mentioned technical and training supports, nowadays some expropriated households were engaged in a variety of urban farming activities such as in areas of milk, livestock and chicken productions, animal fattening, and pig rearing as well as in the cultivation of a variety of fruits and vegetables.<sup>274</sup>

In spite of the above mentioned endeavors, still a significant number of displaced households in Hawassa city strongly criticize the land expropriation strategy of the government. In this regard for instance, one dispossessed peri-urban informant explains the following argument:

*"...After land expropriation, some of the expropriated households have spent the compensation money improperly since we lack adequate knowledge and awareness about the proper management and utilization of the money for*

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<sup>272</sup> Interview with Wube- Micro Enterprises Officer of Hawassa City Administration; Birru Wolde- Urban Planning Director and Deputy Head for the Bureau of Urban Development & Housing Construction of the SNNPRS. Interviewed in April 5 and 6/2016, Hawassa.

<sup>273</sup> Ibid.

<sup>274</sup> FGD with Representatives from Youth, Women, Micro-enterprisers, Urban and Peri-Urban Residents of Hawassa City. The FGD was Conducted in November 14/2016, Hawassa.

*effective business entrepreneurships. Thus, unlike our former assets such as farm products, livestock and other assets, some of us have lost the compensation within a short period of time without sustainable development utilities. Since the compensation value is unfair and disproportional to what we have lost, we begun to critically stress daily about our food. Briefly, our former livelihood is now adversely affected because of the expropriation of our land, which was our basic ancestral socio-economic back-bone. Generally, for the majority of the expropriated households, the land expropriation had brought a desperate and impoverished impact to their livelihood. For instance, some of their children engaged in a worst mode of livelihood such as in vandalism, sabotage, street live, and prostitution. Therefore, for most of us, our former wealth, privilege and societal recognition have become a history at now”.*<sup>275</sup>

In general, it can be concluded that, due to the rapid horizontal urbanization of Hawassa city, a serious of socio- economic livelihood devastation had been witnessed on peri-urban expropriated households. In addition, there is also a frustration to adapt urban mode of life among some agricultural households. As a result, like the case of Bahir-Dar, some expropriated households of Hawassa city had also migrated towards the outskirt localities of Hawassa such as in the localities of „Wondo-Tikka“ and „Shamana“.<sup>276</sup>

Most of the above mentioned problems have been witnessed due to the existence of urban policy making and implementation limitations in the regional state. In the first place, as a self-governing state, the regional government needs to adopt its own compensation law that fairly compensates expropriated households. Secondly, before the conduct of land expropriation, adequate awareness should be created for the concerned households. As explained in chapter 2, in any socio-economic development schemes, public awareness and participation is crucial to ensure democracy and development sustainability. However, the study found that, lack of transparency and participatory principles are the common facets in Hawassa city administration whilst land expropriation and compensation determinations were conducted.

On the other hand, like the case of Bahir-Dar city, some respondents in Hawassa also argues that, once land was expropriated, in some localities the land remains unutilized for long periods (i.e., for

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<sup>275</sup> An Expropriated Household from ‘Habe-Tula’ site of Hawassa City. His name is not disclosed because of his own interest. Interviewed in April 20/2016, Hawassa.

<sup>276</sup> Interview with urban and peri-urban Residents such as Ayele Teramo, Demeke Gashaw and Yemane Birhanu. Interviewed in April 24/2016, in Hawassa.

about 5-10 years). This kind of problem happens because of the fact that some of the so called „investors“ uses the given land only as a means for getting financial loan from banks. As a consequence, the land remains unutilized for a long period of time.<sup>277</sup> In fact, nowadays as in the case of ANRS, the concerned officials of the SNNPR and Hawassa city administration have begun to take serious measure against such reluctant investors. Nowadays, if such investors are not using the land for the intended purpose, they are forced to return the land for the city administration. Due to such administrative measures, most of them have started to use the given land for the intended purpose.<sup>278</sup>

In sum, the horizontal expansion of Hawassa city has brought a serious of land scarcity and land tenure insecurity for the peri-urban households. In addition, implementation processes of land expropriation usually lack adequate participatory and transparency approaches. On the other hand, the existing urban land scarcity of Hawassa city could not be redressed through vertical expansion because; Hawassa is highly seismic for high degree of volcanic eruption and earthquake.<sup>279</sup> Therefore, concerned government authorities and stakeholders“ should design new policy strategies that focus on the wise-use of urban lands and the compact style of urban settlement patterns through geologically-friendship and technology-oriented buildings.

#### **6.4. Conclusion**

The country had experienced different urban and rural land tenure proclamations across the three consecutive political regimes. The adoption of the federal system in 1991 had contributed significantly for the rapid horizontal urbanization of towns/cities across the country. Thus, the fiscal and administrative decentralization schemes and the political and administrative roles vested to urban centers have brought a decisive impact for the rapid horizontal urbanization of cities across all regional states of the federation. On top of this reality, both Bahir-Dar and Hawassa cities are experiencing rapid horizontal urbanization in the last two decades.

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<sup>277</sup> Interview with Birru Wolde- Urban Planning Director and Deputy Head for the Bureau of Urban Development & Housing Construction of the SNNPRS; Belayneh Teshome- Advisor of the city’s mayor; Chernet Filate- Deputy Director of the City’s Municipality. Interviewed in April 6, 11 &11/2016, respectively, at Hawassa.

<sup>278</sup> Ibid.

<sup>279</sup> Ibid.

The chapter explored scenarios of horizontal urbanization in Bahir-Dar and Hawassa cities and its impacts to the livelihood of their respective peri-urban households. The study found that, both regional cities are characterized by rapid horizontal urbanization through land eviction from the suburb agrarian households. Accordingly, the horizontal urbanization of both Bahir-Dar and Hawassa cities has brought both benefits and deficits. Among others, access to basic urban services and infrastructures such as roads, schools, health centers, electricity, pure water supply, market centers, telephones, banking, recreation centers, and so on are some of the major infrastructures that significantly benefits both the urban and peri-urban communities of both regional cities. Likewise, in both regional cities, a variety of employment opportunities were created for some urban and peri-urban unemployed citizens.

On the other hand, the horizontal urbanization of both regional cities have brought adverse socio-economic and land-tenure effects. This is because of the fact that, horizontal expansion of cities commonly evicts numerous peri-urban households from their landholdings. As discussed in the chapter, both regions are basically using Proclamation No. 455/2005 of the federal law for the implementations of compensation value for expropriated households. However, the compensation being offered to expropriated households is not fair to rehabilitate the livelihood of the households. In addition, there is also dearth of participatory and transparency approaches in the process of compensation value determinations. The existence of such problems contradicts with the very notions of good-governance particularly in relation to the essential theories and guiding principles of public participation in policy-implementations. Although a variety of promises of packages“ are legally provided for expropriated households, such packages were not adequately implemented for expropriated households. In this regard for instance, Directive 26/2016 of the ANRS is not effectively employed so far. As a consequence, a sizeable number of expropriated households have faced complex socio-economic problems.

In both regional cities once huge hectares of land were expropriated and vested for investors, some of such land remained unutilized for long period of time. On the other hand, since Hawassa is a political and administrative seat of the multi-ethnic SNNPR as well as for the Sidama nationality zone, important consideration should be by regional and local officials to manage and accommodate the rights of the diverse nations and nationalities who are living in the city. Therefore, the existing symptoms of ethnic parochialism in Hawassa must be redressed through sound political measures.

Broadly, public participation in urban policy-implementations as well as accountability and transparency approaches of government officials are still in question in both regional cities. This is because, urban policy-implementation processes are mainly held in a “top-to-bottom” approach, rather than in a participatory approach of “win-win” strategy. In sum, urbanization and urban life is vital to shape and reshape the socio-economic livelihoods of a society in a better and modernized fashion. However, unless otherwise managed properly, unplanned horizontal urbanization may results a gloom effects particularly on the livelihood of peri- urban communities. The chapter explored the existence of policy deficit as well as implementation gaps at the regional and local levels in relation to horizontal urbanization, land expropriation and compensation schemes. Thus, sound compensation strategy must be designed by regional states before the conduct of land expropriations. Regions also need to adopt a new urban policy that emphasizes for the vertical growth of urban centers that involves urban land management approaches. It is also very essential to adopt participatory, transparent approaches in cases where horizontal expansion of cities becomes inevitable.

## **CHAPTER SEVEN**

### **CONCLUSION AND RECOMMENDATIONS**

#### **7.1. Conclusion**

The key objective of the study was to explore regional autonomy of policy-making and implementations in a perspective from urban policy-making and implementations of the Amhara and SNNPR states. Accordingly, the urban policy-making landscape of both regional states was investigated through an appraisal of the roles of the regional executive and legislative organs. The study also examined the roles of citizens, CSOs and other stakeholders in both policy-making and implementations. It also assessed the status of the laboratory values of federalism in relation to urban policy innovations in both regional states. The urban policy-implementation scene of both regions was also explored. Thus, implementation discourses of horizontal urbanization; land expropriation from peri-urban households; and the impacts on the land tenure rights and the livelihood of peri-urban households were explored taking Bahir-Dar and Hawassa cities as a case study.

In order to attain the objectives of the study, a wealth of data collection strategies and techniques were employed. Thus, structured and semi-structured interviews, FGDs, and field observations were used for the collection of accurate data from purposefully nominated resourceful informants that involves regional and local officials, concerned experts and officers, representatives from civil society organizations, youths, women's, micro-enterprisers; urban and peri-urban households of both regions.

The study within chapter two offered brief insights for readers about the key conceptual and theoretical frameworks on federalism and policy-making. Thus, core concepts about federalism and federation; regional autonomy; public policy; the impact of federalism in policy-making; and essential institutional systems for the feasibility of regional autonomy in federations are discussed. Moreover, some experiences of sub-national autonomy of policy-making in the American, Swiss, Indian and South-African federations are also reviewed. As a conclusion, this chapter provides key findings of the study including some of the common and distinct features witnessed in the Amhara and SNNPR states in relation to regional autonomy of urban policy-making and implementations. At the end, the chapter also forwards some imperative recommendations.



### **7.1.1. Lessons to be Learned in a Comparative Perspective**

### **7.1.2. Regional Autonomy of Policy-Making: Constitutional and Institutional Grounds Versus Actual Operations**

Both the federal and regional state constitutions adequately provided broad mandate of autonomy for regional governments. As explained in chapter, Article 52 (2-c) of the FDRE constitution affirms that, states shall have the right "...to formulate and execute economic, social and development policies, strategies, and plans of the state". Likewise, Article 47(2-1) of the revised ANRS constitution stipulates that, the regional state shall have the power "...to sets out the economic and social development policy, strategy and plan of the regional state and works towards their implementation there of". Equally, Article 47 2(A) of the revised SNNPR constitution provides the regional state to "... formulate and execute the regional policy, strategy and plan with respect to social and economic development". Accordingly, the executive organs of both regional states are authorized to design and execute socio-economic policies, strategies and plans of the regional state. Therefore, from legal perspective, regions are autonomous in both policy formulations and implementations. Indeed, both the Amhara and SNNPR states have adequate and full-fledged legal, political, administrative and institutional apparatuses for the operation of regional autonomy.

Both regions are using the federal urban policy as a macro-urban policy document. However, both regions had autonomously designed different urban policy contents in the form of adopting urban laws, regulations, directives and plans at different period. The executive organ of both regions have played a significant role not only on matters of initiating drafts of socio-economic bills but also in ratifying a variety of policy regulations, directives, development plans and programs. However, so far there are some factors that affect both regions in exercising their constitutional mandate of policy-making. As discussed in chapter 4 and 5, among others, the existence of EPRDF's party centralization was a major factor that significantly affects regional autonomy of decision-making in general and policy-making in particular. The existence of a single dominant party system (i.e., EPRDF) and the blurred between party and government decisions were common facets of the Ethiopian federation since 1991. In brief, the ruling party- EPRDF was operating in a more centrist approach under its notion of "democratic-centralism". As a consequence, all regional states in general and the four member parties to EPRDF in particular do not have active and prominent role in the design of regional-based policies and strategies by themselves.

In fact, the establishment of the National Planning Commission via Council of Ministers Regulation No. 281/2013 is one better prospect that has created some space for regions to actively participate in socio-economic development planning processes at the federal level. The establishment of Planning Commissions at the regional level has also positive ends to better exploit the constitutional mandate of regional autonomy of policy-making. This is because, one among the objectives of planning commission at both the federal and the regional levels is to promote the policy-making endeavors of regions in policy-making in a better institutional form. Though planning commission of the SNNPR is not yet established, the establishment of the ANRS planning commission via Proc. No. 231/2016 is one among the important endeavor that enhance the existing policy adoption efforts of the regional state. In sum, the following section of the study attempts to point out some of the common and distinct features among the Amhara and SNNPR states in terms of policy-making in general and urban policy-making and implementations in particular.

### **7.1.3. Some Common Facets among the Amhara and SNNPR States in Urban Policy-Making and Implementation Schemes**

Firstly, though there exist some differences in contents and scopes, both regions had adopted a variety of urban policies in the form of adopting urban legislations, regulations, directives, plans and programs. As a result, both regions have introduced imperative pieces of urban policies for the administration of their respective urban centers in general and as a remedy for diverse urban-related challenges in particular.

Secondly, in comparison with the theoretical approach of policy adoption procedures of the so called „the policy-cycle“, the system being used in the Amhara and SNNPR states have its own limitations. This is because; both regions have not created discrete institutional procedure for problem identification; policy- implementations; policy evaluation; and policy redefinitions. The policy-making procedures of both regions are basically emphasized on phases of policy-adoption, i.e., for the decision-making phase. Above all, in both regions, policy-making and implementation systems lack sufficient institutional space for the active involvement of citizens and other concerned stakeholders.

The only institutional mechanisms that serve as a means for citizens and stakeholders participation in policy-making process are the „indirect democracy“ system and „standing

committees“ of the state councils. Nevertheless, such systems are not adequate to exhaustively involve citizens, CSOs and other stakeholders consistently. The most common CSO’s that commonly involve in the adoption of policies and laws are youth, women and teacher associations of both regional states. This implies that, there is no adequate space for other CSO’s and opposition political parties in policy-making and implementation schemes. Therefore, the Ethiopian federation in general and regional states in particular could learn better experiences from the Swiss federation- where the cantons and the confederation intensively invite citizens, opposition political parties and other concerned stakeholders in decision making especially at the draft stage of policy-making processes.

Thirdly, party-fused executive political elites play a pivotal role in both policy-making and implementation schemes. In spite of those few efforts made by regional states, the active involvement of citizens and other stakeholders in both policy-making and implementation schemes is still inadequate. Socio-economic policies in general and urban policies in particular are commonly implemented by lower tiers of government without the creation of adequate orientation and awareness to the public. Broadly, policy adoption and implementation schemes in both regions are commonly held in a “top to bottom” strategy.

Fourthly, horizontal urbanization of Bahir-Dar and Hawassa cities has witnessed both positive and negative outcomes. The horizontal expansion and growth of both regional cities has brought a relatively better access for public services, urban infrastructures and job opportunities to their respective urban and peri-urban citizens. However, the very ambitious horizontal expansion of both regional cities has brought a devastation impact on the land tenure rights and the livelihood of peri-urban agrarian households. The existing cash compensation is not fair enough to rehabilitate the livelihood of expropriated households in a sustainable manner. As a result, the socio-economic livelihoods of a significant number of expropriated households were negatively affected. Indeed, the system made some of such households to live in a situation of „urban- poor“ livelihood. Generally, though the federal constitution provides important protection to the land-tenure rights of citizens, practically such constitutional guarantee is adversely affected by implementation gaps. In both the peri-urban areas of Bahir-Dar and Hawassa cities, once farmers were evicted from their land with compensation; such lands were granted for investors. However, in both regions huge hectares of land

had been left unutilized for a long period of time. Some of the investors have used the land as a shield for getting money loan from banks. Some others have used it for unintended purposes. This implies that, huge hectares of land neither used for investment endeavors nor left for evicted peri-urban land holders for agricultural purposes.

In sum, implementations of horizontal urbanization and land expropriation schemes lack adequate participatory, transparency and accountability approaches. On the other hand, due to the absence of persistent technical support and supervision, expropriated households have used their compensation value improperly for invaluable assets. As a consequence, a significant number of households become jobless who are living under impoverished way of life. In spite of the above limitations, there also exists some prospective endeavors on matters of the urban policy-making and implementation aspects of both regional states as summarized in the next section.

#### **7.1.4. Some Best Urban Policy Experiences of the Amhara and SNNPR States**

From comparative points of view, the following facets are some of the best urban policy-making and implementation experiences of both the Amhara and SNNPR states

- (i) The existence of adequate legal and constitutional freedom at the regional level is one imperative background for the smooth operation of the federal system in general and for the exercise of regional “*self-rule*” in particular. The adoption of the federal polity has played an imperative role for the existence of regional autonomy though not yet fully exploited by regional governments. It also helped a lot for the rapid growth and expansion of cities, which in turn, has contributed a lot for the rise of socio-economic and infrastructural developments including for the creation of a variety of job opportunities for a sizeable number of unemployed citizens in areas of manufacturing, construction, production, urban-farming and in the service sectors;
- (ii) In both regional states, the endeavor to design pieces of urban proclamations, regulations, directives and plans for the intent to resolve basic societal needs as well as urban governance challenges are some among the progressive achievements. Therefore, instead of foreseeing remedies from above (i.e., from the federal government), the executive and legislative organs of both regions had exerted to resolve some of the key urban governance challenges by adopting regional-based urban laws, regulations, directives and plans;

- (iii) Though its scope and depth is still inadequate and inconsistent, the attempt to involve representatives from some CSO's such as youth, women and teachers associations at the regional level whilst adopting laws and regulations via the agent role of „standing committees“ of state councils is also another promising endeavor. However, such an attempt is not comprehensive and even at the sub-regional level the achievement is still insignificant;
- (iv) Though not yet established in the SNNPR, the establishment of a „Plan Commission“ in the ANRS is one of the recent development that was established for the aim of achieving the constitutional autonomy of the regional executives in the design of socio-economic policies, plans and programs of the region;
- (v) In the ANRS, in order to mitigate the existing high rate of rural to urban migration and to reduce the existing high rate of land expropriation from peri-urban households, an attempt was made to establish „satellite urban-centers“ in the vicinities of those major cities of the region in general and around Bahir-Dar city in particular. In this regard, for instance „Mashenti“, „Zenzelema“, „Zegihe“ and „Tis- Abay“ were nominated as „satellite-urban centers for Bahir-Dar city. In such satellite urban -centers, a farmer household is provided 500 hectares of land in the presumption that, such a household shall use half of the allotted land for the construction of his/her home and the rest land for the use of urban-farming activities. In addition, if a particular household of such localities have a son or a daughter above the age of 18, such members of the family also given 1.05 hectares of land per each. Generally, the goal of establishing „satellite urban- centers“ in the Amhara region is to minimize the existing high rate of rural-urban migration and to curtail the high rate of land expropriation from peri-urban households;
- (vi) Though it is a recent development, the provision of a sketchy grid- master plan to peri-urban agrarian households of Hawassa is one among the vital decision of the SNNPR. This sketchy grid- master plan shows the future infrastructural expansion of Hawassa city towards the localities of peri-urban households. The adoption of such a policy concept becomes one among the better mechanism to improve the land holding security of peri-urban households. This policy allowed peri-urban farmers of Hawassa to construct their houses in their landholding in harmony with the sketch grid-master plan of the city;

- (vii) The efforts made by the SNNPR and Hawassa city administration in the livelihood rehabilitation processes of expropriated farmers in collaboration with Omo micro-finance is one better policy achievement of concerned officials and experts of Hawassa city administration and the regional state . Since the beginning of the year 2014, compensation value for evicted households is not offered in cash, rather the city’s micro-enterprise agency opens a saving account to those concerned households followed by the provision of technical training and supervision for such expropriated households;
- (viii) Though it is a recent begins, the creation of a public discussion forum for urban and peri-urban dwellers of those major cities/towns of the Amhara region is an encouraging endeavor of the ANRS. Such urban public forums are organized by the Amhara mass media agency. The goal of such forum is to evaluate urban policy-implementations in particular and urban good-governance issues in general. Such urban discussion forums are vital to enhance good-governance through creating a face-to-face discussion between the people and their respective local and regional officials on matters of urban governance aspects.

### **7.1.5. Some Existing Limitations in the Making and Implementations of Urban Policies in both Regional States**

Though both regions so far adopted pieces urban policies, yet they are not fully exploited their constitutional mandate of policy-making. The major factor for such a failure is associated with the existence of strong political party centralization by the ruling-EPRDF party. In addition, absence of adequate knowledge and awareness among some regional and local officials about the „laboratory values of federalism“ and its imperative value for policy-innovation is also the other serious drawback that hampers the policy-making endeavors of regions. Moreover, both regional states lacks well-organized, full-fledged and consistent systems for the active involvement of citizens, CSO’s, opposition political parties and other concerned stakeholders in policy-making and implementation schemes. Furthermore, urban policy-implementation processes in both regional states lacks adequate transparency and participatory approaches, particularly in relation with the implementations of horizontal urban expansion programs and land expropriation schemes. On the other hand, due to the very ambitious horizontal urbanization of both Bahir-Dar and Hawassa cities, the respective city administrators are now incapable to provide adequate urban services across all localities of the newly

incorporated peri-urban communities. Therefore, it is vital to consider the infrastructural demands of newly incorporated localities as well as to limit the existing very ambitious horizontal expansion of the cities in a planned and wise-use of urban land management approaches. Above all, the horizontal expansion of both Bahir-Dar and Hawassa cities and followed by the land expropriation measure has created grave consequences of land tenure insecurity as well as economic impact on the livelihood of the respective peri-urban households. The existing compensation law is not in a position to adequately recover the socio-economic loss of peri-urban agrarian households.

Broadly, both the federal and regional constitutions widely guaranteed regions to exercise broad scope of political, administrative and fiscal autonomy including the making and implementation of their own socio-economic laws, policies, strategies and plans. Thus, the study found that, though both regions are using the urban policy of the federal government as a macro-urban policy document, regions so far adopted pieces of urban policies in the form of urban laws, regulations, directives, plans and programs. Accordingly, with the adoption of such wide-range of urban policies, numerous urban governance issues as well as urban related socio-economic livelihood challenges that seriously affecting urban citizens of both regional states were significantly alleviated. Therefore, one can comprehend the fact that, to some extent, the practice of adopting socio-economic policies in general and urban policies in particular is already started in both the Amhara and SNNPR states.

However, as far as citizens, CSOs and stakeholders' roles in policy-making are concerned, in spite of those few attempts made by „standing committees“ of both regional councils; the achievements were so far inadequate compared to the constitutional and theoretical grounds. In both regions, the only institutional mechanism that is used as a means for citizen's participation in processes of policy-making is the indirect or representative democracy approach-where citizens were supposed to be represented indirectly by members of the legislatures in decision makings. The most common CSO's which are commonly involved in the process of law/policy-adoption are youth, women, and teacher associations of both regional states. Unlike the experiences of the Swiss, American and South African federations, the active participation of citizens, opposition parties and other stake holders in law/policy-making processes is still inadequate at both the national and regional level of the Ethiopian federation.

As far as the urban policy-implementation discourses are concerned, in both regional states tremendous socio-economic and infrastructural developments were achieved for the last two decades. As a consequence, most urban centers of both regions including Bahir-Dar and Hawassa cities were and still are significantly expanded horizontally accompanied by the buildings of different infrastructure. Thus, in both regional cities, peri-urban agricultural lands were extensively changed in to urban land-use purposes mainly for the use of residential and agro-industry investment activities. Generally, the physical locations coupled with its better infrastructural settings made both Bahir-Dar and Hawassa cities to become attractive for residence, recreations, tourisms, hotel industries, international conference and resort centers. Therefore, it is possible to conclude that, urban centers in Ethiopia are horizontally expanding in a progressive rate with the evacuation of a sizeable number of peri-urban households which, in turn, brought land tenure insecurity and socio-economic livelihood devastation on the peri-urban agrarian households.

In order to enhance sustainable development, it is very crucial to provide imperative value for the wise use of urban lands in a way that do not affect the socio-economic livelihood and the land-holding rights of peri-urban communities. However, the study explored that, while land expropriation is made for the purpose of urban land uses, there is no adequate formal discussion with the concerned communities who were get affected by such programs which, in turn, derogate principles of accountability, transparency and popular sovereignty that are articulated within the federal and regional constitutions.

Therefore, when land expropriations for urban land use purposes are inevitable, it is vital to be carried out in a win-win approaches accompanied by participatory and transparency principles so as to indoctrinate the interests and attitudes of the concerned communities. However, the existing land expropriation strategy and its implementation scene are not transparent and participatory. Generally, both regional governments needs to adopt new urban policy that discourages horizontal urbanization; and enhances the vertical growth of urban centers; and must also practically adopt participatory, transparent and accountable approaches whilst horizontal expansion of cities becomes inevitable.



In a nutshell, though practices of policy-making at the regional level are to some extent exercised in the form of adopting urban laws, regulations, directives and plan, regional autonomy of policy-making and implementations are still constrained by the following key limitations:-

- ✚ The presence of a single dominant party (i.e., EPRDF) that centralizes power under its notion of „democratic-centralism“;
- ✚ Absence of genuine and full-fledged political autonomy and party decentralization at the regional and local levels;
- ✚ The blurred between party and government decisions;
- ✚ Low level of awareness among local and regional officials, civil-servants and citizens about the core theoretical concepts of federalism and the „laboratory values of federalism“ in relation to policy- innovations at the regional and local levels;
- ✚ Inadequacy of institutional mechanism for the participation of citizens, CSO“s and other stakeholders in policy-making and implementations;
- ✚ Absence of well-entrenched formal and informal institutional mechanisms for the diffusion of best policy models among regions as well as between the federation and regions;
- ✚ The non-existence of adequate transparency, accountability and participatory principles during policy-implementations especially in relation to the horizontal expansion programs of cities; land expropriation; as well as in the determination of compensation values for evicted peri-urban households;
- ✚ Absence of adequate and fair compensation laws for expropriated peri-urban households;
- ✚ The non-existence of consistent technical and professional support in the livelihood rehabilitation of expropriated peri-urban households;
- ✚ The existence of unwise use of urban lands and urban land management systems in most urban centers of both regions;
- ✚ The presence of high degree of land-tenure insecurity and socio-economic livelihood devastation among peri-urban expropriated households of Bahir-Dar and Hawassa of the Amhara and SNNPR states respectively;
- ✚ The non-existence of effective mechanisms for „check and balance“ systems among the three organs of government at the regional and local levels;
- ✚ The existence of technical and administrative capacity problems mainly at the local level particularly in urban centers;

- ✚ The existence of rampant rent-seeking practices and maladministration mainly at the local level (i.e., in urban centers, sub-cities, woredas“ and kebeles“), and so on.

Therefore, in order to resolve or at least to mitigate the above mentioned major impediments, a lot is expected from an array of stakeholders including government organs (legislatives, executives, judiciaries); citizens, academicians, practitioners“, CSO“s, public and private mass-medias, opposition political parties and other concerned stakeholders. Thus, the next section of the study tries to forward some recommendations so as to minimize the existing policy-making and implementation gaps that are evident at the regional level.

## **7.2. The Way Forward and Recommendations**

As explained in the study, from legal and constitutional background, regional states of the Ethiopian federation have extensive autonomy that involves the formulation and implementation of socio-economic policies, plans and programs of their own jurisdiction. However, to better enhance the status of regional autonomy of policy-making and implementations and thereby to promote the existing „policy laboratories“ at the regional level, the researcher would like to forward and recommend the following strategies:

- i) A genuine and rational operation of the federal system must practically come in to effect. In other words, full-fledged political and administrative federalism must fully achieved and legitimacy of the constitution must be fully respected;
- ii) There must be political-party decentralization, party pluralism, and the need to separate the blurred between party & government decisions. That is, instead of the existing EPRDF“s notion of „democratic-centralism“, a full-fledged system of „democratic-federalism“ and democratic legitimacy must come in to effect. As noted by Elazar (1987: 222), “although centralized parties are counterproductive, non-centralized parties are necessary for the proper functioning of a federal government”. Thus, non-centralized party system plays a decisive role to avoid the “iron law of oligarchy” i.e., towards centralization, or in some cases the “iron law of secession”, i.e., towards disintegration (*Ibid*). Therefore, the dominant nature of the party system of EPRDF that controls all regions at the center via its notion of „democratic-centralism“ must be redressed in a position that provides free space and genuine decentralization for regional-based member

- and affiliated parties for decision-making processes in general as well as for the adoption of a full-fledged socio-economic policy documents in particular;
- iii) Regional political elites particularly members of the regional executive organ must fully exploit the constitutional mandate of designing socio-economic policies and programs that contextually fit with their regional state. Broadly, regional officials (i.e., both the legislatures and the executives) must stand in favor of the interests of the people and the region they have represented. They must stand for the actual realization of their respective constitutions though in harmony with the framework powers of the federal constitution. In brief, regional political elites needs to safeguard their autonomy from any forms of illegitimate federal interventions;
  - iv) It is also very vital to provide rigorous and consistent awareness about the very principle of federalism and its indispensable value for policy innovations for members of parliaments (legislatures), for the executives at all tiers of government in particular; and for the whole citizens in general;
  - v) Parallel with the National Planning Commission, all regions needs to establish their own regional planning commission. In fact, the Amhara region has already established its own planning commission via Regulation No.231/2016 so as to better utilize its constitutional mandate of adopting socio-economic policies, plans and programs of the region. Thus, the SNNPR and other regions which do not yet adopted their own planning commission should need to adopt it.
  - vi) It is also vital to enhance regional states revenues as well as their socio-economic and infrastructural developments so as to reduce their mere dependency to the center. This is because, being strong in financial and other socio-economic matters may partly foster regional state's political strengths and self-reliance;
  - vii) It is also important to establish an Inter-Governmental Relations (IGR) institution that serve as a means for facilitating the diffusion of best policy-experiences among regions and as well as between the federation and regions;
  - viii) The establishment of institutional mechanisms for safeguarding regional autonomy from federal power interventions is also another indispensable solution. Thus, forging different inter-regional as well as federal-regional collaboration and bargaining mechanisms in the form of institutions, conferences, associations, committees, *ad hoc* meetings and so on

- are very decisive to protect and safeguard regional states autonomy from federal government's power interventions.
- ix) Urban development is a long-lasting process that comes up with miscellaneous benefits and challenges. Unlike rural areas, urban centers are home for diverse group of interests and a melting pot for cross-cutting cleavages. Thus, creating an open system for public participation as well as accountability and transparency of government officials in both policy-making and implementation schemes are very decisive. At the outset, before a particular policy is made, it is vital to conduct intensive discussions and consultations with the public at large via different formal and informal institutional mechanisms. Though such systems might take time and resources, it is really valuable so as to get substantial inputs from citizens, CSO's, NGO's and other stakeholders including opposition political parties. Likewise, before an attempt to implement any socio-economic policy programs, it is important to get the consent of the particular community that directly or indirectly get affected by the outcome of that particular policy project.
  - x) Development induced displacement in peri-urban areas is one among the multifaceted challenges derived by horizontal urban expansion over the neighboring periphery. In order to bring sustainable urban development, regional and local governments should make meaningful and sound planning prior to expropriation and displacement devoid of affecting the livelihood of communities living in peri-urban areas. At the outset, wise use of urban lands and effective urban land management approaches must come in to effect. Broadly, the making and implementations of urban policy programs, *inter alia*, seeks to take in to account the interest and consents of the concerned communities. If there is no adequate awareness and participations of citizens and CSOs' in both policy-making and implementation discourses; its outcome would be terrible. In this regard, the case of Addis-Ababa and „Finfine“ Special Zone Integrated Urban Master Plan of March-May 2014 provide a constructive lesson that indicates the need to have a “bottom-up”, rather than the commonly used “top-down” policy-making and implementation strategies.
  - xi) Since the existing compensation law (i.e., Proc. No. 455/2005) is not well-suited and attractive enough in comparison with the socio-economic loss of expropriated peri-urban agrarian households, regional governments need to adopt attractive compensation law that well consider the market value of agricultural productions; the family size of evicted

- households; the value of urban and peri-urban land in the free market; and the existing high living costs that are being evident in the country.
- xii) In order to reduce the existing poverty and unemployment in urban centers, it is vital to provide adequate and persistent technical training schemes; broad-based entrepreneurship accesses; job opportunities; and market information for the unemployed youths as well as for those peri-urban evicted households. Therefore, the government, NGOs and other stake holders should work together in areas of enhancing the productivity of the livelihood of the urban and peri-urban communities of both regional cities. In addition, supplying fair and ample credit services for unemployed groups as well as for displaced peri-urban households and other micro entrepreneurs“ is also another overriding task.
  - xiii) In order to reduce the impacts of land expropriation from peri-urban households, urban land management policy that promotes for the vertical growth of urbanization and effective use of urban lands must come in to effect. On the other hand, when horizontal expansion is inevitable, among others, participatory, transparency and accountability approaches must be intensively utilized.

In a nutshell, citizens, government officials and politicians across all tiers of government, academicians“, practitioners“, CSOs, opposition political parties and all other stakeholders“ must be offered broad space of roles about the socio-economic and political governance affairs of the country. Thus, such group of people and institutions come together in consensus with the upsurge of the federal polity through discussions, deliberations, check and balances. In order to achieve such a vision, private and government mass-medias must play a decisive role particularly in disclosing the feelings and interests of the public in every governance issues, particularly in policy-making and implementation schemes. Above all, federalism requires, among others, a continuing adaptability to changing socio-economic and political circumstances. In this regard, the ruling party-EPRDF must to take the lion-share for the creation of broad landscape for public participation not only in policy-making and implementation schemes but also in the miscellaneous domains of the nation-building processes of the federal polity in general. When such improvements are made, the existing constitutional assumptions of regional autonomy, democratic legitimacy and popular sovereignty would become a feasible reality.

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PART I. GENERAL INTRODUCTION FOR INTERVIEWEE'S & FGD PARTICIPANTS

*Introduction and Objectives of the Study*

*Dear Respondents! As you well-know that, Ethiopia had adopted a federal political system since 1991. Thus, regional states are constitutionally guaranteed a wide scope of powers. Among such powers, formulating socio- economic policies and implementing same in their respective jurisdiction is the most overriding power. This study is intended to investigate regional states autonomy of policy-making & implementations in a perspective from urban policy-making and implementations in the Amhara & SNNP regional states since 1991. Therefore, the ultimate aim of this interview and FGD guidelines are to congregate data as an input for the study.*

*The study is used only for academic research purpose as a partial fulfillment for the requirements of a PhD Study at AAU, Center for Federal Studies. Its findings are anticipated to have vital significances for policy makers, government officials, citizens, researchers and other stake holders. Thus, I would like to confirm you that, participation to both the interview and FGD sessions are based on your consensus and willingness.*

*Therefore, thank you in advance for your honest co-operation to become participants of the study. I assure you that each piece of information collected are to be very much confidential except for the purpose pointed out here above. Once again, thanks for your participation in the study! And, hopefully our stay in the interview an FGD discussion will become successful!*

1. *Address* \_\_\_\_\_
2. *Place of Residence. City:* \_\_\_\_\_ *Sub-City:* \_\_\_\_\_ *Kebele:* \_\_\_\_\_
3. *Years of Residence in the Place* \_\_\_\_\_
4. *Education Status* \_\_\_\_\_ *Occupation* \_\_\_\_\_
5. *Your position in this Institution/organization/Office* \_\_\_\_\_

***N. B. The above background format could be used for all Interview & FGD Participants of the Study.***

## STRUCTURED & SEMI-STRUCTURED INTERVIEW GUIDELINES FOR DIFFERENT STAKE HOLDERS

### *Appendix 1. Interview Guidelines to Members of the Regional Legislatives*

- 1. Do the region enacted socio-economic policies in general and urban policies in particular so far? Who has the mandate to initiate draft policies of the region?*
- 2. What are the processes and procedures' for policy-making in the regional state?*
- 3. How do you examine the roles of the regional executive and legislative organs in areas of policy-making?*
- 4. Do you think that regional government has fully exploited its legal mandate of socio-economic policy makings in general and urban policy-making in particular?*
- 5. What is your personal outlook about the autonomy of your regional government in policy-making and implementation perspectives?*
- 6. Do citizens, CSO's, and other stakeholders sufficiently participate in the making and implementations of urban policies at the regional level? If your answer is yes, what are the institutional mechanisms for their active involvement?*
- 7. What are the legal procedures and institutional mechanisms for the implementations of urban policies and programs?*
- 8. What are the institutional mechanisms for the involvement of citizens, particularly peri-urban households in the implementations of the horizontal urban expansion programs?*
- 9. What do you think the overall positive and negative impacts of the post-1991 urban development policies, particularly in relation with the horizontal expansion of Bahir-Dar/ Hawassa Cities and its impacts on the livelihood of peri-urban households?*
- 10. Are there accountability and transparency approaches in the design and implementations of urban policies at the regional level? If you say "yes or no", what are the manifestations?*
- 11. What do you think the prospects and challenges in the design of urban policies at the regional level?*

### *Appendix 2. Interview Guidelines to Members of the Regional Executives*

- 1. Who has the mandate to initiate and enact socio-economic policies at the regional level?*
- 2. Are there urban policies designed by the regional executives so far? If your answer is "No", what are the impeding factors constraining the executive organ to achieve its constitutional mandate of enacting urban policies in particular and socio-economic policies in general?*
- 3. Would you please explain the process of policy-makings in general and urban policy design in particular at the regional level?*
- 4. What are the institutional mechanisms for the active involvement of citizens, CSOs and other stakeholders in the making of policies and laws of the region?*
- 5. What are the processes of policy implementations at the regional level?*
- 6. What are the best urban policy experiences of the regional state?*

7. *Do you believe that citizens, CSO's and other stake holders adequately involved in urban policy-making and implementations of the region so far?*
8. *How post-1991 urban policies are being implemented in the regional and local levels?*
9. *Who are the major actors in the design and implementations of urban policies at the regional level?*
10. *What are the Institutional mechanisms for the involvement of citizens, CSO's, and other stakeholders in the formulation & implementation of urban policies and programs?*
11. *In what process do expropriated peri-urban households being aware of and actively participated in the process of the horizontal expansion of Bahir-Dar/ Hawassa cities before the programs came in to effect?*
12. *Are there adequate participatory, transparency and accountability approaches in the implementation of urban policies at the regional and local levels?*
13. *What roles do the urban development policies played for the rapid growth of Bahir-Dar / Hawassa cities?*
14. *What do you think the overall positive and negative impacts of the post-1991 urban policies in the livelihood of citizens of the urban and peri-urban areas of Bahir-Dar/ Hawassa?*
15. *Do you think that federalism's notion of regional 'self- rule' is being effective in your region taking in to account the way the region have exercised its role in policy-making?*
16. *What do you think the best practices in your region regarding policy-makings and implementations in general and urban policy making and executions in particular?*
17. *What kind of imitations do you perceive in your own region about the process of policy -making and implementations in general and the urban policy making and implmentations in particular?*

*Appendix 3. Interview Guidelines to Officials and Concerned Experts of the City Administrations' of Bahir-Dar & Hawassa (i.e., about their roles and leverages in the process of urban policy making and implementations with different stakeholders)*

1. *What is the role of your institution in the process of urban policy-making and implementations?*
2. *Do you think that urban policies that are being implemented in the region are emanated from the regional executives? If your answer is "yes", what is your reason?*
3. *Are there accountability and transparency approaches in the design and implementation of the urban policies and Laws?*
4. *What roles do you think the post-1991 federal polity had played for the rapid horizontal expansion of Bahir-Dar and Hawassa Cities?*
5. *Are there participatory approaches in the making and implementations of urban policies and programs?*
6. *In what process do agrarian households of the peri-urban areas expropriated from their lands?*
7. *What positive & negative impacts do you see about the rapid horizontal expansion of Bahir-Dar/Hawassa Cities towards the peri-urban areas in the last two decades?*
8. *What remedies you assume to suggest for the future betterment of urban policy-makings & its implementations at the regional and local levels?*



*Appendix 4. Interview Guideline to Regional Officials, Experts & Public Relation Directorates  
Bureaus and Offices of the Urban & Housing Construction*

- 1. How urban policies were being formulated? Who has the mandate to initiate and enact? Who get involved in the process of urban policy design and implementations in your region so far?*
- 2. Do you think that regional legislatives and executives of the Amhara/SNNP regions adequately exercising their constitutional rights of policy-makings? Please, enumerate your reason with sound justifications?*
- 3. How do you evaluate the r/ship between the federal government & the regional state in terms of policy making processes, particularly in urban polices?*
- 4. Do you think that there exists subordinate r/ship between the federal and the regional government in policy-making processes? If your answer is "yes", who become subordinate; the region or the federal government? Please explain it in a little bit detail?*
- 5. To whom does awareness is being created before a particular urban policy is being implemented?*
- 6. To what extent citizens, CSO's and other stakeholders are being participated in the process of urban policy making and implementations?*
- 7. Are there any best urban policy experiences of the regional state? If your answer is yes, what are they?*
- 8. What is the institutional mechanism that serves as a means for the participation of citizens and other stake holders in urban policy-makings and implementations?*
- 9. In what process does farmers of peri-urban areas are expropriated from their land holdings while the urban center expands horizontally towards their localities?*
- 10. How do you see the impacts of horizontal urban expansion in Bahir-Dar/ Hawassa city in relation with land tenure rights and other socio-economic and cultural affairs of citizens?*
- 11. Are there transparency & accountability approaches in the implementation of urban Policies, laws and programs in Bahir-Dar/ Hawassa cities?*
- 12. What best practices you have saw in the Amhara/ SNNP regional states on matters of urban policy making and implementations?*
- 13. What are the prospects & challenges of urban policy design and implementations at the regional level particularly in the Amhara/ SNNP regional state?*
- 14. What positive & negative impacts do you see about implementations of horizontal urban expansion program?*
- 15. How do you judge the effectiveness of regional autonomy taking in to account its mandate in the makings of public policies in general & urban policies in particular?*
- 16. What remedies you assume to suggest for the future betterment of policy-makings & implementations at the regional level in general?*

*Appendix 5. Interview Guideline to Knowledgeable Informants of the Study Areas (Knowledgeable Elders, Businessmen's, Women, Youths and others)*

- 1. What are the institutional mechanisms for the active involvement of citizens, CSO's and other stakeholders in policy making and implementation processes?*
- 2. Are there participatory approaches in the process of urban policy makings and implementations?*
- 3. What did the post-1991 federal polity and the urban policy had contributed in improving the livelihoods of urban & peri-urban communities of Bahir/Dar/ Hawassa city?*
- 4. What positive & negative impacts did you have seen regarding the urban policy implementations in Bahir-Dar/ Hawassa cities?*
- 5. Are there transparency & accountability approaches particularly in the expropriation of per-urban households of Bahir-Dar/ Hawassa city?*
- 6. What positive & negative impacts you have observed in your region & locality regarding urban policy design & implementations?*
- 7. What remedies you assume to suggest for the future betterment of urban policy-makings & implementations in general?*

*Appendix 6. Interview Guideline to Micro-Enterprise Groups of the Study Areas*

- 1. To what extent does the making and implementations of urban policies had contributed for the improvement of your livelihoods? Explain it in detail?*
- 2. What is your role & leverage in the process of urban policy making and implementations?*
- 3. What do you think the positive and negative impacts of urban policy implementations in Bahir-Dar/ Hawasaa cities?*
- 4. What do you suggest the status of good governance in your locality regarding the process of urban policy making and implementations?*
- 5. What remedies you assume to suggest for the future betterment of urban policy makings & implementations in general?*

*Appendix 7. Interview Guideline to Youths' & Women's of the Study Areas*

- 1. Do you have any awareness about the way urban laws and policies are being formulated in your region?*
- 2. Do you have any role directly or indirectly in the formulation of urban policies in your region?*
- 3. In what processes do you think that urban policies are implemented?*
- 4. What are the positive achievements of the federal polity and the urban policies in improving the livelihoods of the youth and women?*
- 5. What are the major weaknesses in areas of urban policy making & implementations in your region?*
- 6. What remedies you assume to suggest for the future betterment of urban policy making & implementations in the region?*

*Appendix 8. An Interview Guideline to some CSO's found in the Study Areas (Teacher Association, Youth Association, Women Association and Chamber of Commerce e.t.c.)*

- 1. Do you have any knowledge & awareness's about the process of policy makings in your region?*
- 2. How do you judge the role of your respective regional government in terms of policy –making and implementations?*
- 3. Have you ever been involved in urban policy formulation & implementation Programs so far? If so, by what institutional mechanism?*
- 4. Do you think that your regional government is exploiting its constitutional mandate of formulating socio-economic policies in general & urban policies in particular? If you say “yes” or “no”, please justify your reason?*
- 5. Do you think that your respective regional government has so far adopted full–fledged socio–economic policies in general and urban policies in particular? Explain your reason?*
- 6. To what extent citizens, CSO's & other stakeholders are being adequately participated in the process of urban policy making & implementations?*
- 7. What benefits do you think that citizens in general and urban unemployed in particular have been benefited from the urban policy implementations of the region/ city?*
- 8. What positive impacts you have observed in your region on matters of policy making & implementations?*
- 9. What limitations you have observed in your region & locality about urban policy making & implementations?*

*Appendix 9. An interview Guideline to Expropriated Peri–Urban Households of The Study Areas*

- 1. Do you have adequate information & awareness about the laws, policies and procedures of horizontal urban expansion programs of your respective region before that came in to effect in your locality?*
- 2. Have you ever involved in any processes of urban policy implementations in your locality? If you say “yes”, how and by what institutional mechanism?*
- 3. What benefits & compensations have been given so far to those expropriated peri–urban agricultural communities whose livelihood is affected by horizontal urban expansion?*
- 4. What do you think the positive achievements that arise due to urban policy implementations in your locality?*
- 5. Do you think that participatory, accountability & transparency approaches are being adequately exercised by government officials while they design & implement urban policies?*
- 6. What specific limitations you have observed in the process of urban policy implementations in connection with horizontal urban expansion programs, compensation value determination procedures for expropriated households?*

## SECTION FOUR. FGD GUIDELINES FOR DIFFERENT STAKEHOLDERS

### *Appendix 10. FGD Guideline for Residents of Bahir-Dar & Hawasaa Cities*

*(I.e., for youths, women, and  
Micro-entrepreneurs' etc...)*

- 1. For some individuals & groups horizontal urbanization is said to be the better way of life and hence they advocate for it; however, it become opposite for others and hence they stand strongly against it. In which side are you? And Why?*
- 2. What do you think the role of the regional legislative & executive organs in policy design? Do you think that the regional legislative & executive organs had enacted any urban policies and laws? Justify your reason for your answer?*
- 3. Have you been made participate in the process of urban policy formulation and implementations so far? If you say "yes", in what way? Please explain its extent?*
- 4. What benefits you have got from the urban policy programs in your locality?*
- 5. What do you think the best practices regarding urban policy formulation & implementations in your region/ city/ locality?*
- 6. What do you think the limitations regarding urban policy formulation and implementations in your region/ city/ locality?*
- 7. What are the prospects & challenges of urban policy design and implementations at the regional level particularly in your own respective region?*

### *Appendix 11. FGD Guideline for Residents of Both Bahir- Dar & Hawassa Cities that Involves Peri- Urban Households*

- 1. Do you have adequate information & awareness about urban policy implementations, especially in the implementations of horizontal urban expansion programs and in compensation value determinations for expropriated households?*
- 2. What benefits & compensations have been given so far to those peri-urban households whose livelihood is affected by horizontal urban expansion and land expropriations?*
- 3. Do you believe the given or promised benefits or compensations are fair enough to farmers while considering farmers' economic back ground, living cost and land productivity? If your response is "no", what has so far been planned to improve the livelihood of pre-farmers?*
- 4. Have the dispossessed community been given any training, orientation and institutional supports in such a way that they can easily sustain their livelihood in newly changed urban way of life?*
- 5. Land is a base up on which life and livelihood of agricultural community depend. Hence, if this base is affected, then the lives of all children, parents and their well being get affected directly. As this is the case, do you believe that the patterns of urbanization have taken place in your city is in harmony with the above arguments or in harmony with citizen's rights to land? Please justify your response?*
- 6. What advantages and disadvantages you believe are the result of urban expansion towards your localities especially in terms of economic, social and cultural aspects?*
- 7. Discuss the copying mechanisms for alleviating the current negative impacts of horizontal urban expansion programs for your livelihood in particular and the peri-urban communities in general?*

**I THANK YOU FOR YOUR HONEST COOPRATION!**

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## PARTIAL LISTS OF KEY INFORMANTS

<b>Rol. No.</b>	<b>Name of the Informant</b>	<b>Current Position During the Interview</b>	<b>Date of Interview</b>	<b>Place of Interview</b>
1.	<i>Yersaw Tamire</i>	<i>Chief Speaker of the ANRS Council</i>	<i>March 1/2016</i>	<i>Bahir Dar</i>
2.	<i>Werksew Mamo</i>	<i>Deputy Speaker of the ANRS Council</i>	<i>March 2/2016</i>	<i>Bahir Dar</i>
3.	<i>Gashaw Admasu</i>	<i>Legislation Over sighting Professional Work Process Leader of the ANRS Council</i>	<i>March 4/2016</i>	<i>Bahir Dar</i>
4.	<i>Genet Gebregzabher</i>	<i>Bureau Head for Urban Development and Housing Construction</i>	<i>March 6/2016</i>	<i>Bahir Dar</i>
5.	<i>Yayeh Addis</i>	<i>Chief Head for the Office of the Chief-Administrator &amp; the administrative Council of ANRS</i>	<i>March 9/2016</i>	<i>Bahir Dar</i>
6.	<i>Admasu Lulu</i>	<i>Economic advisor of the ANRS Council</i>	<i>March 5/2016</i>	<i>Bahir Dar</i>
7.	<i>Merhatsidk Mekonnen</i>	<i>Legal Advisor for the ANRS Chief Administrator</i>	<i>March 9/2016</i>	<i>Bahir Dar</i>
8.	<i>Bedilu Admasu</i>	<i>Plan Commissioner of the ANRS</i>	<i>March 14/2016</i>	<i>Bahir Dar</i>
9.	<i>Kefyalew Esubalew</i>	<i>Justice and Good-Governance Affairs Higher Officer in the ANRS Administrative Council</i>	<i>March 9/2016</i>	<i>Bahir Dar</i>
10.	<i>Nigussu Tilahun</i>	<i>Communication Director of the ANRS</i>	<i>March 16/2016</i>	<i>Bahir Dar</i>
11.	<i>Mastewal</i>	<i>Land Management Officer of Bahir-Dar City Municipality</i>	<i>March 10/2016</i>	
12.	<i>Mulugeta Semegn</i>	<i>Public relations Director of the Bureau of Urban Development &amp; Housing Construction</i>	<i>March 16/2016</i>	<i>Bahir Dar</i>
13.	<i>Banchiamlak Gebremedhen</i>	<i>Members of the Parliament in the ANRS Council and Head for Youth, Women, Children and Social Affairs Standing Committee.</i>	<i>March 2/2016</i>	<i>Bahir Dar</i>
14.	<i>Mola Desse</i>	<i>Deputy President of the ANRS Teachers Associations</i>	<i>March 11/2016</i>	<i>Bahir Dar</i>
15.	<i>Aberash Tadese</i>	<i>President of the ANRS Women Association</i>	<i>March 11/2016</i>	<i>Bahir Dar</i>
16.	<i>Abayneh Melaku</i>	<i>Deputy president of the ANRS Youth Association</i>	<i>March 12/2016</i>	<i>Bahir Dar</i>
17.	<i>Kidane</i>	<i>Director of Bahir-Dar City Municipality</i>	<i>March 9/2016</i>	<i>Bahir Dar</i>
18.	<i>Fikre Mekonnen</i>	<i>Deputy Director of Bahir-Dar City Municipality</i>	<i>March 9/2016</i>	<i>Bahir Dar</i>
19.	<i>Desse Beyadlegn</i>	<i>An Expropriated Peri-urban farmer found in Kebele 13, Abay Mado Site</i>	<i>March 20/2016</i>	<i>Abay-Mado-Diaspora Site</i>
20.	<i>Desse Ayalew</i>	<i>An Expropriated Peri-urban farmer found in Kebele 13, Kidane –Mihret site</i>	<i>March 20/2016</i>	<i>Abay-Mado-Kidane Mehr Site</i>
21.	<i>Belayhun Kefyalew</i>	<i>Peri-urban household from Abay-Mado</i>	<i>March 22/2016</i>	<i>Abay-Mado-Diaspora Site</i>
22.	<i>Adebabay Belay</i>	<i>A Peri-urban Farmer found in Abay Mado</i>	<i>March 22/2016</i>	<i>Abay-Mado-Diaspora Site</i>
23.	<i>Alelegn Setotaw</i>	<i>An expropriated household around Meshenti</i>	<i>March 20/2016</i>	<i>Meshenti</i>
24.	<i>Asrat Areaya</i>	<i>A Researcher at Bahir-FDar University</i>	<i>March 21/2016</i>	<i>Meshenti</i>
25.	<i>Belayhun</i>	<i>A peri urban house hold in Zenzelma</i>	<i>March 26/2016</i>	<i>Meshenti</i>
26.	<i>Kindye Tesfahun</i>	<i>A Peri-urban Household in Meshenti</i>	<i>March 20/2016</i>	<i>Meshenti</i>
27.	<i>Hiwot Haile</i>	<i>Chief Speaker of the SNNPRS Council</i>	<i>April 3/2016</i>	<i>Hawassa</i>
28.	<i>Gidaneh Geremew</i>	<i>He is Member of the SNNPRS Lower House &amp; Head for the Trade, Industry &amp; Urban Development Standing Committee.</i>	<i>April 3/2016</i>	<i>Hawassa</i>
29.	<i>Tamene Tesema</i>	<i>Chief Head for the Office of the SNNPRS Chief - Administrator &amp; the</i>	<i>April 3/2016</i>	<i>Hawassa</i>

		<i>Administrative Council</i>		
30.	<i>Biru Wolde Guji</i>	<i>Urban Planning Director &amp; Deputy Head for Bureau of Urban Development &amp; Housing Construction of the SNNPRS.</i>	<i>April 6/2016</i>	<i>Hawassa</i>
31.	<i>Abera Tekle</i>	<i>Legal Advisor for the SNNPRS Chief-Administrator</i>	<i>April 8/2016</i>	<i>Hawassa</i>
32.	<i>Rehima</i>	<i>Law making, Professional Support &amp; Supervision Work Process Leader</i>	<i>April 9/2016</i>	<i>Hawassa</i>
33.	<i>Belayneh Teshome</i>	<i>Advisor for the Mayor of Hawassa City Administration</i>	<i>April 11/2016</i>	<i>Hawassa</i>
34.	<i>Chernet Filate</i>	<i>Deputy Director for Hawassa City Municipality</i>	<i>April 14/2016</i>	<i>Hawassa</i>
35.	<i>Mebrate Melese</i>	<i>Deputy Director for Hawassa City Municipality &amp; Infrastructure and Service Delivery Core Work Process Leader</i>	<i>April 15/2016</i>	<i>Hawassa</i>
36.	<i>Wube</i>	<i>Micro enterprises Director of Hawassa City Administration</i>	<i>April 15/2016</i>	<i>Hawassa</i>
37.	<i>Nesanet</i>	<i>An Expert in Hawassa City Municipality</i>	<i>April 14/2016</i>	<i>Hawassa</i>
38.	<i>Samuel Altamo</i>	<i>President of the SNNPRS Youth Association</i>	<i>April 17/2016</i>	<i>Hawassa</i>
39.	<i>Desta Petros</i>	<i>President of the SNNPRS Disability Associations</i>	<i>April 17/2016</i>	<i>Hawassa</i>
40.	<i>Mihret Abuye</i>	<i>Public Relation Director of the SNNPRS Teachers Associations</i>	<i>April 18/2016</i>	<i>Hawassa</i>
41.	<i>Eshetu</i>	<i>Urban Land Planning and Management Officer of the SNNPRS Urban Development Bureau</i>	<i>April 20/2016</i>	<i>Hawassa</i>
42.	<i>Ayele Teramo</i>	<i>Resident in Hawassa City</i>	<i>April 24/2016</i>	<i>Hawassa</i>
43.	<i>Demeke Gashaw</i>	<i>Resident in Hawassa City</i>	<i>April 24/206</i>	<i>Hawassa</i>
44.	<i>Tesfaye Ayele</i>	<i>Members of Youth Association in Hawassa City</i>	<i>April 22/2016</i>	<i>Hawassa</i>
45.	<i>Firew Kebede</i>	<i>A youth who is engaged in Micro Enterprise activities in Hawassa</i>	<i>April 23/2016</i>	<i>Hawassa</i>
46.	<i>Tsedale Wubshet</i>	<i>Members of Women Association in Hawassa</i>	<i>April 26/2017</i>	<i>Hawassa</i>
47.	<i>Lema Ayechew</i>	<i>Peri-urban Household in Hawassa</i>	<i>April 26/2016</i>	<i>Hawassa</i>
48.	<i>Amsalu Bezabih</i>	<i>Peri-urban Household in Hawassa</i>	<i>April 27/2016</i>	<i>Hawassa</i>
49.	<i>Yemane Birhanu</i>	<i>Urban Household in Hawassa City</i>	<i>April 24/2016</i>	<i>Hawassa</i>
50.	<i>Kebir Hussien</i>	<i>Peri-Urban Farmer in Hawassa</i>	<i>April 29/2016</i>	<i>Hawassa</i>

## Declaration

I, the undersigned researcher declare that, this PhD dissertation is my own innovative work and has not been submitted for a degree of research work in any university and institution; and that all the sources of the material used in this study has been fully acknowledged.

### Declared by:

Tamirat Cheru Hailu

Signature.....

Date.....

### Confirmed by Advisors'

Advisors' Name Dr. Assefa Fiseha (Associate Professor)

Signature.....

Date.....

Dr. Zemelak Ayele

Signature.....

Date.....