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MUNICIPAL ADMINISTRATION IN ETHIOPIA

(with particular reference to the Municipality of Addis Ababa)

by

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The opinions expressed are those of the author and not necessarily
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MUNICIPAL ADMINISTRATION IN ETHIOPIA

Municipal institutions constitute the strength of free nations.

A nation may establish a system of government, but without mu-

nicipal institutions it cannot have the spirit of liberty.

Alex de Tocqueville

Introduction

The notion of municipal government autonomy stems from the theory that holds or advocates that in order to resolve to the best advantage and interest of a particular local group those problems which specially concern the group, a separate body must be created. Such a body, directly originating from the community and in constant touch with it, will be able to understand a given situation in all its details, and take judicious and appropriate decisions. Indeed, municipal government is not only able to introduce local measures to the best advantage of the community, but it can be best organized to apply and effectively administer general decisions of the central government, which by their nature require taking into account the local conditions. It is perhaps for this reason that the Revised Constitution of Ethiopia empowers Parliament to grant corporate charters to future municipalities subject only to Articles 88, 89, and 90.¹ And again, Article 129 of the Constitution specifies that "... all towns shall be incorporated by charters, and Municipal Councils shall be established respectively in all municipalities of the Empire." The Emperor appoints one Mayor from three candidates presented to Him by the Municipal Council. It is, therefore, by constitutional provision that municipalities are created by special charters granted by Parliament, and they are des-

In order to present a clearer view of the development of this provision of the Revised Constitution of 1955, and a cursory view of municipal government in Ethiopia, it is necessary to present a legal history of the evolutionary development of self-administration in Ethiopia. This evolution towards self-administration will be given without comments, for as we shall see, we will find its culmination in the administration of the city of Addis Ababa. The municipal administration of Addis Ababa has been the experimental ground of all the legal provisions in regard to self-administration. This legal evolution, however, should not be accepted as the end of the evolution; it should rather be considered the beginning. It is as example or an illustration of the practical development of the various provisions and the constant modifications which have been unavoidable necessary in a fast developing country such as Ethiopia. This paper, therefore, is an attempt to trace the evolution of local self-government towards self-administration in Ethiopia.

Self-administration (Historical development)

Experience is necessary for the efficient running of government. The city government could provide the required training school and the 'political and administration laboratory'. The art of deliberation in a council, to decide the intricate business of modern municipal government, can be and is best learned in the council itself. Indeed, local government is not only beneficial, but also indispensable to those countries in which the social, political and economic life is in revolutionary stride. The system of municipal administration in particular, and self-administration in general is a process which has always kept pace with educational development, for it is, in a larger sense, a 'civic education', which must be a developing country's paramount preoccupation.

Its historical development in Ethiopia, the constant encouragement and the conscious grant of self-administration to municipalities testifies to the fact that the Ethiopian Government has accepted and adhered to the above mentioned principles of self-administration.

Decree No. 1 of 1942, issued right after the liberation from the five years of Italian occupation, is an organic law for establishing municipalities and townships. It provided for appointments on the recommendation of the Ministry of Interior :

- a. one Kantiba² for the city of Addis Ababa,
- b. one Kantiba for the city of Gondar,
- c. one Officer of the Town in every town.

The Kantiba of Addis Ababa was put directly under the authority of the Ministry of Interior, while the Kantiba of Gondar as well as all officers of the towns were put under the direction of their respective Governor-General.³ The same organic decree set up municipal councils with the Kantiba or the officer of the town as chairman.

Their composition was :

- a. Officials representing the various ministries in the field;
- b. Seven Ethiopian residents elected yearly by the residents of the area, "after the elders of the town or city have been consulted". Candidates for the councils came from among property owners and principal merchants, "known by their work and conduct".

However, Decree No. 7 of 1947 excepted the capital city of Addis Ababa from the above provision; instead the Council was to be composed of :

2. - The term Kantiba is an honourable historical title held by the Mayors of towns or cities. Now commonly used for Mayors of cities.
3. - Decree No. 1 of 1942, Art. 9, Part 73 (Negerit Gazette)

- a. Officials from the various ministries, namely : two from the Ministry of Interior, one from the Ministry of Finance, one from the Ministry of Communications, one from the Ministry of Justice, one from the Ministry of Commerce, and one from the Ministry of Education; making a total of seven. All were to be appointed by their respective Ministers.
- b. Seventeen Ethiopian residents, instead of seven, and they were to be elected for three years instead of one.

The same Decree No. 7 of 1947 clarified the powers of the Kantiba and officers of the towns by enumerating their powers :

- a. The maintenance of the peace in the town or city;
- b. registration of property in the town or city;
- c. public hygiene in the town or city;
- d. inscribing the inhabitants of the city or town in the 'Register of Honour', i.e. births, marriages, deaths;
- e. the construction, repair and maintenance of the city's or town's water supply, light and roads;
- f. the proper supervision of animals and cars and such like to protect people moving about in the city or town, according to law;
- g. to register and give permits for all vehicles propelled by petrol or naphta or carts drawn by animals, according to law;
- h. to give certificates of capability to automobile and lorry drivers according to law;
- i. to maintain and guard places of public assembly in the town or city;
- j. to issue licenses for theaters, cinemas, hotels, restaurants, public houses, shops, butcheries, meat shops, stalls, according to law;
- k. to define areas for cemeteries, and control and register of graves;
- l. to receive the authorized municipal taxes, and pay the authorized expenditure;

(+) The difference between butcheries and meat shops is not clear. What is ment here is slaughter house and butcheries or meat shops.

- m. to define market and toll areas;
- n. generally to carry on the good administration of the city or town.

The same Decree forbade the Kantiba and the officers of the towns to impose taxes other than those fixed by the municipal council, and approved by the Ministry of Interior, in the case of Addis Ababa, and in all other cases approved by their respective Governor-General.

Appropriated money was to be disbursed for municipal expenses only.

Lastly the Decree provided for a special police force; "the Kantiba or the officer of the town was to command indirectly through his officers, a police force authorized for municipal duties".⁴

The previous power of the municipal council to "fix municipal taxes in accordance with the law"⁵ was made more specific by the following general provision of Proclamation No. 74 of 1945 Art. 4 (verbatim):

A municipal council shall have power to consider and decide the following matters, but no such decision shall come into effect until it has been confirmed by Our Minister of Interior :

- I. Town budget proposal;
- II. Assessment and collection of municipal taxes as well as the administration of municipal taxes and the administration of municipal revenues of any kind;
- III. a. Laying out, closing and keeping of streets, squares, bridges, promenades and public gardens, the fixing of fares for taxi cars, carts, saddle, burden and traction animals, schemes affecting sewage, alignment of buildings and generally the whole of the town's public services such as water, light, paving of roads, clearing, market areas, cemeteries, slaughter-houses, drains, theatres, all public houses and baths and anything that is likely to contribute to the embellishment and cleanliness of the town;
- b. the fire services and all measures relating thereto;

4. - op cit. Decree No. 1 of 1942 Part 74

5. - ibid:

- c. poor relief, asylums, hospitals, schools and the municipal welfare institutions;
- d. town health and hygiene service not otherwise provided by the medical department;
- e. any other laws and regulations which the government may ask such council to deliberate;
- f. all plans for buildings, large repairs, demolitions, the width, level and construction of any new rails and generally for all works to be undertaken by private individuals, which shall first of all be submitted to the municipal council for consideration as to the public safety and standards.

In this connection, the municipal council were to make their own internal rules and regulations to be effective upon approval by the Ministry of Interior and published in the Negarit Gazeta.⁶ The same provision declared three classes of townships viz: first, second and third.⁷

The same Proclamation No. 74 of 1945 empowered the Kantiba or town officer "with the approval of the Governor-General and in case of Addis Ababa with the approval of the Ministry of Interior to impose and collect the following rates, dues, taxes and fees to be fixed by the municipal council from the inhabitants of municipalities in respect of the following matters:"⁸

- 6. - This internal rule and regulation has not yet been published in the official Gazette.
- 7. - op cit: Proclamation No. 74 of 1945. The Ministry of Interior was empowered to take towns out of one class and transfer them to another. Under Schedule A as first class, were declared: Addis Ababa, Gondar, Gimma, Dossie, Dirc-Dawa. Under Schedule B: First class 27 townships, Second class 42 townships and Third class 330 townships, periodically there has been reclassification of cities.
- 8. - op cit: Proclamation No. 74 of 1945.

I. Local rates:

- a. A general rate on all immovable property calculated as a percentage of the rental value of the property;
- b. A water rate.

II. Licenses to carry out trades and professions:

- a. Licenses for hawkers;
- b. Licenses for bars, theatres, cinemas, dancing halls, garages, petrol pumps, hotels, restaurants, pensions, lodging-houses, clubs.

III. Market fees:

- a. Market stall fees and fees for the use of the market.

IV. Fees for municipal public services:

The last legislation which attempted to put all the modifications and changes culminated in the Charter given to the city of Addis Ababa by General Notice No. 172 of 1954.

The main observation that may be made in the devolution of the central Government towards local government and eventually towards municipal government in Ethiopia is that there is a realization of values which may be obtained by centralization and decentralization. There are clearly important values to be obtained by centralization just as there are equally important, although sometimes competing, values to be gained by decentralization. Losing the values of centralization may to a certain extent be considered one of the costs of administrative decentralization. The problem of centralization and decentralization can be posed as one of weighing values and costs in order to strike the 'right' balance. Thus, political expediency can also be efficiency in its wider meaning. The recognition that certain functions should be localized (decentralized) shows the competency of the Executive and his ability to perceive this maximum

equilibrium between decentralization and centralization, where maximum values are obtained at minimum social, political, and economic costs.

The concepts of centralization and decentralization are so frequently confused that a clarification at this point may be proper. Decentralization in its political sense means that local bodies elected or appointed are competent to make a series of decisions as regards the legal and administrative precepts which the inhabitants of the locality must conform to. When they can form their own budget and engage their own personnel, then one can say that there is local autonomy; but when the local authorities lack this power, the supervisory authority of the Ministry of Interior (the central Government) over the local government may become an administrative tutelage, a hierarchical power, "that kind of excessive and pointless centralization",⁹ which consists essentially in checking and double checking local decisions and frequently substituting their own. Decentralization in its administrative sense is a sort of self-government, a kind of "home rule", a manifestation of decentralization viewed vertically. In its limited sense its important element is autonomy, viz, the power to make ordinances, rules and regulations which shall be binding on the inhabitants. And, in addition, it is empowered to erect and run municipal utilities, to set up schools, churches, to levy taxes and rates to cover the expenditure entailed by these activities. While the degree of autonomy a locality may indulge in is dependent on the political climate of the country, self-administration is an administrative concept, which indicates the competent Executive in his ability to perceive the optimum equilibrium between vertical and horizontal departmentalization.

9. - Local Government and Central Control,

A Midland Group Study, London, 1956.

It is, therefore, the aim of this writer, in using the concept of self-administration, to discuss the Charter of the city of Addis Ababa as the main embodiment of the concept of self-administration and to indicate its virtues and shortcomings with the hope that, ".... although the existence of the township is now coeval with that of man, its freedom is an infrequent and fragile thing" Hence, the timely granting of a charter and a good municipal organization and administration should be an early evolutionary step of the Ethiopian Government and essential to the progress of Modern Ethiopia as a whole.

Organization and Operation of the Municipality of Addis Ababa

WHEREAS IT is Our desire that Our beloved people residing in Our Capital shall have the advantage of, and enjoy the benefits and facilities provided by a modern administration, and,

WHEREAS the tasks of the Municipality of Addis Ababa are increasing from day to day and with the advancing technical and economic evolution of the City and,

WHEREAS the City of Addis Ababa is not only a large and with God's help furthermore successfully increasing community, but also Our beloved residence the cultural, economic and administrative center of Our Empire,

NOW THEREFORE WE, of Our special grace, certain knowledge and mere motion do hereby grant and ordain to Our Capital, Addis Ababa, the following Charter on the basis of self-administration.

The pre-requisite for creating a separate entity for municipal purposes should be that the inhabitants of the given place form a true social community possessing "a real sense of civil loyalty towards the locality, a conscious regard for the common weal, a solidarity for the welfare of the general body of citizens, and a genuine

10. - Alex de-Tocqueville, Democracy in America, Vintage Books New York, Rep. 1957
11. - General Notice No. 172 of 1954, Charter of the City of Addis Ababa, Negarit Gazeta, 1954 Preamble.

concern for the excellence of local institutions."¹² Without such a spirit, permanent and wholesome social prosperity cannot in a true sense be achieved. "The material achievement", writes Robson, "of a municipality will never soar high into the realms of imaginative effort unless its social architecture is informed by a spirit which is not material."¹³

The 'Citizens' of Addis Ababa seem to form a true social community possessing the pre-requisites for creating a separate community with the characteristics above mentioned. The Charter, therefore, declares that Addis Ababa will "have a municipal body politic" having a corporate existence in perpetuity under the name of Addis Ababa, which will have her own coat of arms, seal and flag. The primary purpose of the Charter as explicitly mentioned in the Preamble is to give the City self-administration, which is the accepted principle of effective municipal administration. The Charter, therefore, is a legal document, a plan for a municipal government; in this way the City will have "the advantage of, and enjoy the benefits and facilities provided by, a modern administration".¹⁵ To achieve 'modern administration' the Charter concentrates all the powers of the municipality in a popularly-elected and central municipal organization, which has the full responsibility for the determination of city policies and an energetic Executive (the Kantiba) to carry into effect the policies so formed.

12. - William A. Robson, The Development of Local Government, George Allen and Unwin Ltd. London 3rd Rev. Ed. 1954; P249.

13. - ibid : P. 250

14. - op cit, Charter Chap. 1 Incorp. Art. 1.

15. - op cit, Charter, Preamble.

The basic difference between this Charter and the previous municipal Proclamations is the power given to the City of Addis Ababa as a corporate body with the power to prepare by-laws, to borrow money and issue bonds. This Charter marks the climax of the evolution from administrative to political decentralization. It is, indeed, the best example of a gradual move towards 'home rule'; the type of municipal government most adaptable to local needs. However, the demarcation line between the matter of purely local concern and the matter of state-wide concern in particular in a capital city is by its very nature controversial and in practice the line is blurred. Yet, however blurred and indistinguishable, a line can slowly be drawn, a line which can be evolved by court interpretation and actual practices from day to day.

The City comprises ten districts called WOREDAS, with a radius of some 12 Km. around the center of the city and has a population 449,000.¹⁶ It is indeed the largest city not only in Ethiopia but also "the largest town between Cairo and Johannesburg".¹⁷

16. - From recent census, not yet officially published.

17. - Sylvia Pankhurst, Ethiopia Observer, Vol. 1, No. 2,

p. 35.

POPULATION OF THE CITY OF ADDIS ABABA (+)

DISTRICT	1952	1961	Increase (+) Decrease (-)		% Change	Council- Men
Arada	51,079	48,633	-	2,446	- 5%	2
Entoto	31,819	28,889	-	2,930	- 9%	2
Yeka	15,295	19,140	+	3,845	+ 25%	2
Mekakeligna	59,206	82,804	+	23,598	+ 40%	2
Bolie	33,500	45,418	+	11,918	+ 36%	2
Maychew (Ledeta)	20,396	22,812	+	2,416	+ 12%	2
Tekle Haymanot	115,256	108,507	-	6,749	- 6%	2
Geferssa	33,622	38,892	+	5,270	+ 16%	2
Goulets	27,826	39,014	+	11,188	+ 40%	2
Kerania	14,016	14,892	+	876	+ 6%	2
Total	402,015	444,001	+	46,986	+ 12%	20

(+) Ethiopian Economic Review No. 5, issued by the Imperial Ethiopian Ministry of Commerce and Industry, February 1962, p. 58.

"The reader is cautioned that the 1952 Census figures are liable to much wider margins of error due to the lack of adequate planning and lack of resources to carry it out in accordance with generally accepted standard and procedures. Pending the final report of the Municipality of Addis Ababa regarding the Census taken in 1961, any comparisons between the two sets of figures and possible conclusions derived therefrom can only be tentative and subject to errors of an unknown magnitude."

The Council

The problem of size of a representative body has always been a debatable issue. In the Federalist No. 55, it is pointed out that no political problem is more difficult than determining the number most convenient for a representative body.¹⁸ It seems both logical and practical to have a certain number of representatives to secure the benefit of free consultation and discussion and to guard against too easy a combination for improper and corrupt purposes. On the other hand, the number ought to be within limits, to avoid confusion and "intemperance of multitudes."¹⁹

Be that as it may, a representative Council functions as a link between citizens' action and administrative action. The Council possesses basic powers over city life in the passing of by-laws, the fixing of tax rates, and the determining of municipal appropriations and borrowing. Its control over funds endows it with final decisions on the extent of public works, the provision of parks and recreation, the measure of public buildings etc.²⁰ It is obvious, therefore, that popular representation is significant.

The City of Addis Ababa has twenty representatives elected by the Woredas.²¹ Representation by Woreda is not by the number of population (proportional representation). Either system of representation, that is, proportional or by districts as in Addis Ababa,

18. Hamilton, James and Madison, Federalist, No. 55, E.P. Dutton and Co. Inc. Rep. 1929.

19. Ibid.

20. - The decision of the Council by the new Charter, does not have to be approved by the Ministry of Interior, unlike the previous Proclamation provision. The Ministry does, however, exercise general supervisory power.

21. - See Appendix A - Population table of the Municipality of Addis Ababa. Recent census, not yet officially published and available for publication has estimated the city population to be 449,000 (Census of 1962).

has its advocates. Dr. Bromage, a well-known student of municipal government, tells us that American cities "have not been loath to experiment with many types of representative democracy, partisan, ward, at large, combined system and proportional representation", but "what has been sauce for one city has not always been good for another".²² What is significant and important is to have an enlightened and progressively minded electorate, willing to pay for satisfactory conditions for its urban life. Thus to create an enlightened electorate the Charter provides for public meetings of the Council open both to the press and general public, with the proviso that exclusion is permissible if "unconditionally necessary for the benefit of the City".²³ It is the exercise of this right, together with the requirement of publication of all ordinances "in the Official Gazette or by other appropriate public notification",²⁴ that would make the council more democratic.

The Council is composed of twenty representative members of Woredas who are elected for two years, having the qualification of thirty years of age and of Ethiopian citizenship,²⁶ plus eight officials from the Central Government administration appointed by their respective Ministries. The Kantiba is the President of the Council.

22. - Arthur W. Bromage: Introduction to Municipal Government, Appleton-Century Graft Inc. 1957, p. 237.

23. - op cit: Charter Art. 20

24. - Loc cit:

25. - If the Council publishes not only its by-laws, but all its decisions which are deemed to be of public interest and encourage public participation, this would advance and enhance the spirit of democracy, which is much needed in the proper administration of any city. So far this has been neglected.

26. - op cit : Charter Art. 30

27. - Loc cit:

The Vice-President of the Council is appointed by the Emperor. The President and the Vice-President are ex-officio members of the Council; thus raising the total number of Councilors to thirty.

The Council is given the following internal powers:

- To have the right to increase its membership, effective when approved by His Majesty;
- To fix the remuneration of its members;
- To draw up its internal rules and regulations and order of business (Standing Order).

The Council, in addition to the above-enumerated powers, is vested with the following policy-making powers:

A. Budgetary

- a. Levy taxes, rates and fees for any municipal or public purpose;
- b. Adopt the budget of the City;
- c. Authorize the issuance of bonds;
- d. Control the finances and administrative activity of the city by investigations;
- e. Audit the accounts.

B. Legal

- a. Decide on the sale and purchasing of land property for the municipality. (This seems to confer the power of 'eminent domain');
- b. Adopt and amend local laws in relation to the property, affairs or government of the City, the conduct of its inhabitants and the protection of their property, safety and health.

28. - The fact that the Vice-President of the Council is directly appointed by His Majesty could create a situation whereby he could become favourably competitive with the Kantiba in the deliberation of the Council.

29. - Op cit : Charter Art. 30

30. - Op cit : Charter Arts 15

31. - Loc cit :

- C. Administrative:³²
- a. A power of investigation and a hearing from any office, department or agencies of the City as to municipal affairs.

- D. Blanket Power:³³

The City of Addis Ababa, on the basis of self-administration, shall be legally entitled to prepare and adopt laws of local scope and such implementing by-laws which are necessary for the better execution and carrying into effect of the law.

All legislation powers of the City and the determination of all matters of policy shall be vested in the Council.

The adequacy of the powers held by the Council, the propriety of duties and responsibility imposed upon the Council, and the strength and adaptability of the municipal mechanism which is used by them, have marked repercussions not only on the general welfare of every resident, but a vital influence on the city's probable economic and social growth in the years ahead. It is with this in mind that we now turn to evaluate the scope of these given powers.

The Council, by its corporate right and the specific powers the Charter grants it has extensive powers. The delimitation of the Council's competence is quite vague, and it would be interesting to study what standpoint the court will or has taken in :

1. The Ultra Vires interpretation, that the Council has to be able to refer to and trace the enabling law to substantiate its competence, or,³⁴
2. The Doctrine of Universality, which holds that the Council has all powers which naturally fall within its jurisdiction.

In the absence of precedents and in court interpretation this is difficult to predict. In practice, however, the eight Officials

32. - Loo cit :

33. - Op cit : Charter Arts 3 and 4

34. - The writer of the article is still trying to collect some facts on the subject.

from the various central government Ministries give the Council a cross-cut representation. This arrangement gives local knowledge to the Ministries concerned and some sort of accountability is made possible, thus minimizing the legal issues as to where to draw the boundary line between local and central government. In a way this is a built-in mechanism which will coordinate the policy and purpose of the municipality with that of the central government, or vice-versa.

In the event of neglect of duty or non-feasance³⁵ of "State Law", the Ministry of Interior may give a written order to charge the Kantiba for the execution of the law under the responsibility of the Imperial Government, but at the charge of the City.³⁶ In case of the Council's refusal, the same Ministry can vest the power of the Kantiba, thus making him a Commissioner for a period not to exceed three months, at which time a Council shall be reinstated and the power of the Kantiba automatically ceases. The ordinary city government is given the power to appeal³⁷ to the Emperor against possible arbitrary action of the Ministry of Interior.

An Electoral Commission appointed by the Emperor is empowered to prepare rules and regulations for elections, which are to be officially published. This Commission, whose number is not specified, was to have the power of supervision of the entire election proceedings; its decision was to be final unless "appealed to the High Court, in which case they shall be subject to immediate review by the said Court."³⁸

35. - Non-feasance may be interpreted to mean: refusal or negligence.

However, there has never been an occasion for interpretation.

36. - Op cit: Charter Art. 59

37. - Loc cit: In case the Council is disbanded or just inactivated by the Ministry of Interior, there is no provision in the Charter, whether the previous members are reinstated or a new election held. The only provision is that of Art. 26 which provides in case of vacancy, election is to be held in the same district for a new member to fill up the vacancy. It is questionable if this applies to disbanded or inactivated or rebellious Council-men.

38. - Op cit: Charter Art. 29

The Kantiba and his Office

It is difficult to classify the municipal government of Addis Ababa as having a strong or weak mayor form of government or any other accepted concept of city government dichotomy. To begin with, according to the Revised Constitution, Article 28, three candidates for mayorship are nominated by the Council for the Emperor to appoint.³⁹ This would tend to create a relatively weak mayor, for his nomination depends on the Council and on their value judgment. However, since the Kantiba has no specific tenure of office and as a Chairman of the Council might induce a 'strong mayor council' type of municipal government. Yet the Vice-Chairman of the Council, who is equally appointed by His Majesty, will tend to weaken the Kantiba.

The Kantiba is a symbol of the city. He appears in hundreds of ceremonies varying from the welcoming of visiting celebrities to the reviewing of parades, ceremonies etc. In general, he fulfills three distinct functions :

1. He is the Chief Executive of the municipality and presides over the Council;⁴⁰
2. He is an agent of the Imperial authority who takes his orders directly from the Emperor, and
3. He is charged with the maintenance of law and order in the city.

Theoretically, to give him strength, vigour and vitality, he has to have such formal powers as :

39. - The Revised Constitution and the Charter are in conflict in appointment power. The Constitution being the supreme law of the land, it could modify the Charter; if so, should Parliament, having the power to grant Charters, revise and air out some of the conflicts ? This is a point that will require interpretation.
40. - The Charter is mute as to the veto power of the Kantiba over the Council's decision.

- a. Appointment and removal power of subordinates;
- b. Power of departmentalization;
- c. Preparation of the budget (fiscal policy);
- d. Conducting of conferences, the requiring of reports, the issuing of directives and, if need be, the holding of investigations and, of course;
- e. The indispensable extra legal attributes, his personal vigour, vitality and personality etc.

It is the aim of this study to follow up with an investigation of the Kantiba's legal powers and the means he uses effectively in carrying out his enumerated duties and responsibilities.

A. Power of Departmentalization

For the execution of his administrative functions the Kantiba is given the power to "... establish a proper authority comprising offices, agencies and institutions as necessary according to the budget. He shall engage the personnel and provide for the requisite materials, building and land property".⁴¹ Thus, the Charter creates a single executive with integrated responsibility both for the administration (management of the municipality) and for departmentalization, which shall be "... the skeleton for the arrangement of the yearly budget."⁴²

For smooth and effective administration and management, departments must be so organized that the precise place of each employee in the whole organization is specified. To make departmentalization a meaningful administrative machine, sensitive enough to carry the hierarchical relationship throughout the administrative structure, the Kantiba should

41. - Op cit : Charter Art. 31

42. - Op cit : Charter Art. 32.

be able to create such a structure as will enable him to span his subordinates and deal only with a few top officials of individual departments. If the limit is exceeded, then the management and control of the organization of the Kantiba will not only be weakened but it will create a breeding ground for redistribution of functions and to new institutionalization of the work division.⁴³ It is, however, impossible to say anything of universal validity about the maximum size; this depends on the character of the work, the organizational structure and the personal ability of the Kantiba.

The Charter requires that the "administrative authority be drawn up in accordance with a particular organizational plan illustrating and describing all departments, sections and institutions of the municipality".⁴⁴ Such a definite plan is still in its formative stage, and is not yet written, accepted, legally adopted or recognized. There have, however, been a few studies of organizational charts but none have yet been accepted officially. There is a felt need for such a plan. Two charts are herewith presented: one is a chart which shows the 1957 hierarchy and the other is a recent one (1962) approved by the present Mayor. They show partially the existing and the future organizational structure of the municipality.

In evaluating these or any other charts we may, without being dogmatic, use the following criteria:

1. The formation of a hierarchical⁴⁵ system depends to a certain extent on a delegation of authority of diminishing supervisory

43. - Luther Gulick, Papers on the Science of Administration, 1937, p.75

44. - Op cit: Charter Art. 32.

45. - Op cit: Paul Mayer, P. 182. He defines it as "a system of inter-related individuals or organized units, the relationship of which is determined by the fact that every individual or organizational unit is subject to the hierarchical power of another individual or organizational unit."

power, but of an increasing number of people on the way down, while retaining the final authority at the top. This system becomes in a way an institutionalized mould of a special kind of coordination.

2. The 'span of control' usually determines the number of levels of the hierarchy. If we hope to have the well-integrated coordination so essential to an effective administration, the number of levels or main branches must be adjusted to give the required 'span of control'. A defective hierarchical organization is a sure cause of decentralization of a proliferated nature, creating gaps that have to be filled by non-hierarchical units, creating further problems of integration and coordination.
3. Related and like services should be organized in single departments. However, the question of classifying them into equal parts by the English system of departmentalization or the the French system of different rank and amount of work is a question of choice.

As a whole, departments headed by chiefs of equal rank should be reasonably balanced in significance and amount of work to be performed and should have a certain amount of built-in flexibility. The absence of a consistent administrative hierarchy leads "to a high level proliferation which means that a great number of people must be consulted before any action can be taken. Personal jealousy and troublesome communication make the administrators inefficient." 46

B. Power of Appointment and Removal of Subordinates

However necessary and useful organization and machinery may be in administration, the importance of manning of the administration is exceedingly important. The ultimate possibilities of solving a problem of government lie in the nature and quality of the men and women who compose the institution. As Herman Finer puts it: "No institution rises above the quality of its inventors and personnel".⁴⁷ Therefore, the establishment of a 'merit system' to attract the best, a personnel policy which offers an effective municipal career with a reasonable assurance of tenure, and an orderly position classification which will permit equitable salary, adequate opportunity for promotion based on meritorious service and a proper system of retirement⁴⁸ are necessary if the municipality is to have "the advantage of, and enjoy the benefits and facilities provided by a modern administration".⁴⁹

The Charter, Article 33, gives the Kantiba the power to "engage such personnel as will be necessary for the carrying into effect the good government of the City".⁵⁰ The only limitation imposed on the Kantiba is the provision of the budget of the respective fiscal year, and the exception of "Secretary General and the Director General (four of them) of the various departments who are appointed by the Emperor",⁵¹ upon recommendation. The same article specifies future municipal

47. - Herman Finer, Theory and Practice of Government, p. 709

48. - United Nations Publication, Standard and Techniques of Public Administration.

49. - Op cit : Charter, Preamble.

50. - Op cit : Charter, Art. 33

51. - Loc cit :

personnel regulations which shall be promulgated accordingly.⁵² The disciplinary power, to order formal admonition, fine or punishment, or decide on the disciplinary means of discharging or of suspending personnel is vested in the Kantiba (except in the case of personnel appointed by the Emperor). The Kantiba may, however, suspend even those appointed by the Emperor for a grave offence which may give him sufficient grounds for such suspension when he is required to submit a report to the Emperor.

There is at present a central personnel department in the municipality, but extensive well-defined personnel regulations, rules, and related guides applying to all municipal employees are still in the making. In order to prepare such personnel rules and regulations based on a 'merit system', it will be necessary to develop a system of classification or grading, and introduce an adequate pay plan. Thus, an objective analysis and evaluation of the duties and responsibilities of each position, with a sufficiently broad definition to allow flexibility must come first, irrespective of the system followed. In the interest of a good personnel department, the following should be the main principles :

- a. Endeavour to attract, recruit and select the best persons available on a merit basis;
- b. Have analytical appraisals by qualified officers of the abilities, performance, development and potentialities of staff to use as a basis for promotion, transfer, training, lay-off and other personnel management purposes;

^{52. loc cit:} In this connection, we may raise the question as to the relative importance of the mechanics of an institution. Is it the institution that creates the man or the man the institution ?

- c. Pay particular attention to training procedures, promotion, placement and transfer, for, as Napoleon pointed out, "the most difficult art is not to choose men, but to give to the men whom one has chosen all the value that it is possible for them to have".⁵³
- d. Develop disciplinary procedures, tenure, dismissal, retirement, safety, leave of absence etc.
- e. Since the basis of recruitment, salary schemes and career system in general depends on the existence of a clear out permanent policy, the establishment of such policies is paramount.

All the above enumerated personnel management principles will contribute to the efficiency and integrity to good municipal government which the writer of this paper is sure will be most welcome. This can be brought about by an energetic Kantiba when assisted by well-qualified staff.

According to the Charter, the Kantiba has "a Vice-Kantiba who shall be appointed".⁵⁴ According to this provision, the appointment of the Vice-Kantiba, whether with or without the Kantiba's recommendation, is not specified. However, the Kantiba is given the power to extend or limit the Vice-Kantiba's authority.⁵⁵ The Vice-Kantiba's duties are to assist the Kantiba and not to do battle and be an impediment. In practice, although the Vice-Kantiba has no definite attributes of his own, article 10 of the Charter provides that "whenever the Kantiba is

^{53.} - Herman Finer, The British Civil Service, London, Fabian Society; quoted on the first page of the book.

^{54.} - Op cit: Charter, Art. 10.

^{55.} - Loc cit :

prevented by any cause from acting in the duties of his office, his duties shall be discharged by the Vice-Kantiba".⁵⁶ This has tended to put both in the same magnetic field, repelling each other with almost equal force. Such magnetic field have frequently been induced and, in such a case, the best practical solution has been to remove one of them. A change in this provision of the Charter or a well-defined administrative power to the Vice-Kantiba making him the chief administrator, could probably reduce such possible friction. If the two are considered as political leaders, such friction may be said ironically to be proper. This problem is not uncommon in some American cities where a similar provision exists. The solution would seem to be in giving the Chief Executive of the municipality power not only to limit the Vice-Kantiba's duties, but also to remove him when cooperation becomes impossible. With such a provision he should be given the right to appeal to the Council. However, the practical solution in the case of Addis Ababa was found in creating two Vice-Kantibas (Kantibouch), namely one for technical affairs and the other for the administrative affairs of the municipality.⁵⁷

C. Maintenance of Law and Order

" As representative of the Imperial Government, the Kantiba is responsible for the maintenance of the peace in the City, and commands through their officer the police forces authorized for the municipal duties".⁵⁸ Thus the administration of the police force of Addis Ababa shows certain peculiarities :

56. - Loc cit :

57. - See the two charts.

58. - Op cit : Charter Art. 9.

a. The maintenance of law and order is the responsibility of the Kantiba; consequently, it seems that this provision could bring him under the Ministry of Interior for it is the Ministry of Interior which has the overall responsibility for "Maintenance of law and order throughout the Empire".

b. The Kantiba's command is not direct, but through his officers and a police force which is authorized specifically for the municipal duty. The Kantiba, therefore, has no power either of appointment or removal of any policeman or officer. Communication is only through the appointed officer whose responsibility is mainly to the Ministry of Interior by whom he is paid.

The gradual requirement of specialization of a metropolitan police force and the increasing demand of the city people for better protection has and will create a greater magnetic attraction of the police force towards the Kantiba, rather than to the Minister of Interior. It is hoped therefore, that the present existing security department will evolve as a city police force, as envisaged in the new chart⁵⁹, instead of just being a duplication or a competing body with the police force.

59. - See Charts 1 and 2.

Fiscal Management.

Budgeting is the medium through which the Council can conduct its financial business and mould its policies with higher or lower ideals depending mainly on the level of economic activity of the city receipts and on the initiative and energy of the Kantiba and the Council. Indeed, it is the system and the effectiveness of fiscal management that gives expression to abstract rules and principles. Unless the system is well formulated and efficiently worked, the aim and purpose which both the Council and the Kantiba have in view will be frustrated. Money is the heart-beat of public administration at all levels of government. The final authority to establish the city budget gives the Council the most effective control over administrative officials. A complete budget, properly organized and meaningfully presented, makes it possible for the council to compare the needs of one service with the desirability of the services proposed against the burden of taxes required to finance the work programme.

At present the Kantiba submits at "least sixty days prior to the beginning of each budget year"⁶⁰ a budget document which consists of:

- a. A budget message;
- b. All estimated revenue, income and expenditures covering the general operation of the administrative units regardless of the source of funds; that is, without specifying the funds from which they are to be supported.

Should the Council take no fiscal action on or prior to such day, "not later than the last day of the last month of the preceding fiscal year the budget as submitted shall be deemed to have been finally adopted by the Council".⁶¹ This provision theoretically seems to give the

60. - Op cit: Charter Art. 38

61. - Op cit: Charter Art. 39

Kantiba a possible subtle power to have his own budget, by putting⁶² the Council in arrears. The main sources of income of the City of Addis Ababa are :

1. Tax on land and buildings;
2. Tax on professions and on business, a complicated levy, which classifies trades and professions into several categories and bases the tax value accordingly. It also includes basic or fixed tax or licenses.⁶³
3. Octroi⁶⁴ duties (or ingate taxes) are also an important source of revenue.
4. There are other income derived from various sources, (see the following Tables).

62. - In practice, what the provision means is that the budget of the previous year shall be effective and not the possible new proposal of the Kantiba's budget which may recommend additional revenues and expenses. In case of conflict, therefore, one may tend to have a stagnant budget.
63. - The classification into several categories for tax purposes is so flexible that it has been the source of corruption and undue favoritism.
64. - Octroi is defined as a local tax levy on goods which are to be consumed in the place having the duty. There are serious economic arguments for such a tax. Its discussion would be beyond the scope of this paper. For detailed study on the general effect of this tax consult Alfred J. Pick, The Administration of Paris and Montreal. Comparative Study, Guy Drummond Publishing 1939.

(i) TYPES OF INCOME 1953

<u>Type</u>	<u>Budget</u> \$	<u>Actual</u> \$
Business Licensing	883,000	1,059,945
Pterol Tax	250,000	417,751
Cattle, etc. Tax	70,000	136,216
Property Rents	242,000	246,163
Miscellaneous Sales	30,000	62,078
Land Survey Fees	12,000	9,601
Building Permits	18,000	17,332
Hygiene Fees	202,000	191,976
Vehicle Licensing	327,000	404,231
Hire of Hearses	9,000	10,056
Rental Value Tax	84,000	86,970
Ashura (x)	150,000	170,925
Title Deed Registration	30,000	22,174
Contracts Registration	15,500	16,591
Miscellaneous	12,410	64,197
	<u>2,334,910</u>	<u>2,916,206</u>
Land Tax 1952 and 1953	500,000	1953 Tax NOT LEVIED BY COUNCIL
Land Tax (1952 and earlier)	----	171,003
Imported Goods Tax (Direct)	400,000	552,306
Imported Goods Tax , (Ministry of Interior)	800,000	NOTHING PAID BY MINISTRY
	<u>\$ 4,034,910</u>	<u>\$ 3,639,515</u>

If the land tax had been levied in accordance with the budgetted figure (\$500,000); and if the Ministry of Interior had paid to the Municipality the sum estimated on behalf of the Municipality (\$800,000), the total income for 1953 would have been in the order of \$ 5 million.

(x) Ashura is a tax collected whenever there is a sale of land. The Municipality receives 4 per cent of the land value.

(j) COMMENTS ON EXPENDITURE - 1953. SUMMARY
REVENUE EXPENDITURE

<u>Item</u>	<u>Actual \$</u>	
(x) Salaries	1,740,024	
Car Allowances	47,915	
Travelling Expenses	20,782	
Wages	115,043	
Uniforms	31,524	
Allowance to Councillors	14,858	
Printing and Stationary	59,689	
Telephones	24,751	
Repair & Mtce-Vehicles	36,739	
Fuel	81,464	
Kolfe Pensioners' clothing	5,396	
Clinics - Drugs, etc.	24,315	
Food for the lions	22,687	
Staff of zoo	5,949	
Repair & Mtce-Roads, etc.	339,274	
Planning Consultants Fees	52,500	
Civic Functions	57,478	
Repairs & Mtce-Property	22,539	
Aerial Survey	123,565	
Office Rents	19,509	
Electricity - Street Lighting	20,000	
Loan Repayment	13,458	
Public Convenience-Mtce	5,921	
Optician-Vehicle Licensing	8,761	
Vehicle Licensing plates	3,524	
Interest on Loans	30,835	
Halle Solassie Theatre Expenses	24,711	
Kolfe Pensioners' Food	113,248	
(=) Miscellaneous	109,324	3,175,783
<u>Revenue Cnts to Capital</u>		
Office furniture, etc.	4,011	
+ Compensation for land & buildings (expropriations)	193,280	
Roads	90,095	
Office Buildings	27,289	
Public Conveniences	24,619	
Vehicles	19,245	358,539
		<u>3,534,322</u>
<u>From Loan</u>		
Jubilee Palace Park	51,981	
Roads and Squares	237,735	289,716
		<u>\$ 3,824,038</u>

- (x) As at Maskaram 1953, the total number of employees for the Municipality was 1250. The average salary paid was \$ 116 per month.
- (x) Of this sum, \$ 49,223 represent payments made for expenditure incurred prior to 1953.
- + Large sums were owing for land compulsory acquired years ago - debts had to be settled.

Fiscal Administration

The function of fiscal administration is at present, according to the Charter, performed by the Accounting and Taxation Department. It is obvious that their line and staff functions are blurred and may in practice give rise to overlapping and duplication of functions and responsibilities. However, according to the annual report of 1961 submitted by the Financial department several improvements have been introduced. There is, however, room for further improvement. The report in particular stresses the point that there should be a continuous stress for the centralization of the Finance department offices. It is hoped that the organizational chart which is required by the Charter will in the near future distinguish the line and staff function and thus reorganize the department.

Public Works and Municipal Utilities

The main concern of a department of Public Works and Municipal Utilities is with the physical environment of the City. It carries on a number of activities which include: planning, that is engineering design and inspection, street improvement and maintenance, street cleaning, street lighting, establishment and maintenance of traffic control signs, signals, and markings; street names signs; and sidewalk

construction and maintenance. The common range of public works and municipal utilities activities includes, as we note, a wide variety of purpose and objectives; similarly its administrative organization may take a variety of arrangements.

In Addis Ababa, Public Works and Municipal Utilities are not only an unintegrated department, but some of the Public Works are outside the municipal jurisdiction altogether. The Charter entitles all the citizens of Addis Ababa "to make use of all public institutions and arrangements provided for by the municipality"⁶⁶ but no person, according to Article 36 of the Charter, is "entitled to such public utilities services as the municipality may provide, as for instance concerning water supply, electricity, collection of garbage etc. without having a contract thereof". This seems to give the municipality the power to run or control public utilities and public works; however, this power is neither in law nor in practice as yet specific.

Consequently, it has created proliferation by establishing a parallel administrative pyramid giving rise to lack of coordination and a cumbersome and protracted disintegrated organization. Yet when one views this from the practical view-point, a 'cooling off' period of gradual assimilation and digestion appears more desirable than the loading of all complicated management of public works and utilities on a new unseasoned, fast-growing and developing municipality of Addis Ababa.

66. - Op cit: Charter Art. 36

Conclusion

A complete centralized government administration guided only by ideals of well run government does not seem to be the solution for a fast-developing, prosperous, democratic Ethiopia. Ethiopia, in her race to achieve international significance and to be able to compete with other nations of the world on modern terms, has to adopt modern techniques and methods. In doing so, she cannot await the development of a system, through the evolutionary process which has been common to most western countries. True, when we view the volcanic restratification occurring in some countries, we are led to argue that it may be better to move slowly and securely within the tradition of the people than to attempt to do too much too fast. This, I think, is Ethiopia's or any other developing countries' dilemma. Can great changes, as are at present occurring, be carried through at the speed which has been set without injuring or destroying essential character and social initiative? Can one bring such changes about without changing the nature and the effectiveness of traditional institutions? Or must those institutions change into a modern bureaucratic dictatorship of the kind that has been prevalent in recent years in more than one of the surrounding countries? The answer to these questions can only be left to time. Yet the evolutionary move towards decentralized administration (municipal government) which must follow both the educational and the economic development of the people must actively be adhered to. The decentralization (municipal government) is indeed a civic educational institution, therefore, its effective use can accomplish the desired goal without fundamentally changing the basic structure of Ethiopian culture in its broader sense.

Municipal Charter

The Charter vests the legislative power in the Council and the Executive power in the Kantiba; these points require some clarification and suggest the need for some amendment of the Charter. However, these points will be clearer as we discuss the budget, planning, personnel and finance.

A. Budgeting:

The city has attempted to take significant steps in providing a uniform budgetary and accounting system; however, it must for effective fiscal management have a comprehensive fiscal policy. It is necessary that the city budget be made to reflect all the financial activities of all the municipal departments, bringing to one central department all those who are now revolving around the municipal organization set-up.

Financial transactions must be reported to the Council in such a manner as to show clearly the connection between the over-all results of the total municipal receipts and expenditures and the corresponding changes in cash holdings, and outstanding public debts. The significance of the 'power of the purse' is obvious, yet the city residents lack the understanding of the mechanism by which public funds are collected and expended. Obviously, public review and control of the purse is very little realized. This fact alone makes it imperative that self-disciplined persons of high moral standing be appointed to those positions dealing with the public purse until the public comes to realize its power of control and review.

B. Planning (in its wider sense)

The lag in the actual fulfillment of proposed city development and municipal organizational improvement is due most often to lack of trained personnel. Correcting these inadequacies is necessarily a long-range and national task, involving the evolutionary educational system.

But the fact remains that the personnel which the municipality obtains and the revenues which it gets must be used in a most productive and advantageous manner. This is, of course, the essential role and main objective of public administration and involves careful planning and effective marshalling of available personnel and financial resources.

For careful planning the municipality should first assess its performance and consider its organizational needs. This planning should be able not only to maximize the use of its present resources, but also to plan for the development of additional resources and make ready for the earliest and most effective use of anticipated resources. Certain necessary staff (auxiliary or facilitative) services have not been clearly established in the municipal organization. Among the missing are research and the necessary supervision and coordination of the Kantiba's administrative branch. There are inadequate facilities for review and evaluation of programmes and of experts' recommendations. There are tendencies not to follow up on newly-installed programmes. In order to see that they are properly understood and followed, a responsible committee or person, with a clear channel of authority and accountability, is necessary.

C. Personnel

To utilize and get the best-qualified men, so essential to the best running of the municipal government, a well-trained municipal civil service is a essential prerequisite. The need, therefore, for setting up a definite administrative machine for recruiting and placing the best qualified persons in positions in which they may make effective contributions is imperative at this stage of development. Effective devices for inter-municipal departmental coordination have not been

developed. There are a few ad hoc committees and boards, but at the working level there are no staffs, standing committees, or procedural arrangements for coordinating their efforts. The office of the Secretary General has legal competency to bring about such coordination, but it is not equipped with a staff sufficient for this task, nor does it have sufficient authority to impose decisions.

One of the by-products of the lack of effective coordination is an excessive compartmentalization of administrative functions tempered only in so far as the Kantiba himself, or the Vice-Kantiba have time to deal properly with the minuties of departmental operation. Clearly routine matters are often referred to the top officials for decision. This produces delays and interference with the consideration of important problems. Throughout the administrative structure, one notices the lack of delegation of authority. Administrative business flows from the top down; it seldom moves upward from below. Little discretion of responsibility for decision is developed by officials on the middle rungs of the hierarchical ladder.

D. Finance

The budget of a city is primarily a financial statement composed of collections of expenditures and revenue estimates gathered and categorized shortly before the beginning of the fiscal year to furnish a basis for certain decisions. These decisions affect the various public and private sectors. City purchases, plans, expenditures and taxes, for example, play an important role in determining the level of economic activity in the city, in particular when the city is twenty times larger than the next largest city, and is the capital city of the Empire, which all combine to magnify its economic role. The budget, therefore, as Gladstone pointed out, goes "to the root of prosperity of individuals, the relation of classes, and the strength of kingdoms".

The municipal budget in its present structure is a compilation of departmental requests, based on the last year's expenses probably with the additional request of salary increases for personnel or for new services. In short, the main consideration of the Council is the balancing of proposed expenditures to the anticipated income or revenue. This balance, if maintained, makes certain that the various municipal departments shall limit their activities and work programme to "keep in with its income". This is sound common sense; however, it is evident beyond need of demonstration that one of the most controversial issues to which a Council must give attention is the problem of revenue. While the revenue problem could become politically explosive, there are many aspects of it which should be studied in addition to the purely political implications. Some of these aspects may in brief be here enumerated:

1. Is the proposed tax equitable among classes of persons or subjects in the same class?
2. The incidence of the tax : in the readjustments in living and business habits following the imposition of a new tax, who will in fact bear it : a. the immediate, b. the ultimate burden of paying the imposed tax?
3. Effect on the economy of the City in the long and short run: What effect will be the proposed tax have on :
 - a. the individual incentive to work ?
 - b. business incentive to produce ?
 - c. investment incentive to expand ?

The enumerated questions must tax all the attention of the Council, and to handle it best it seems that :

- a. the Council should have the benefit of advice of the Kantiba and his department heads, and

- (b) set up an interim tax and revenue study Committee, which can hire a research staff and report to the Council.

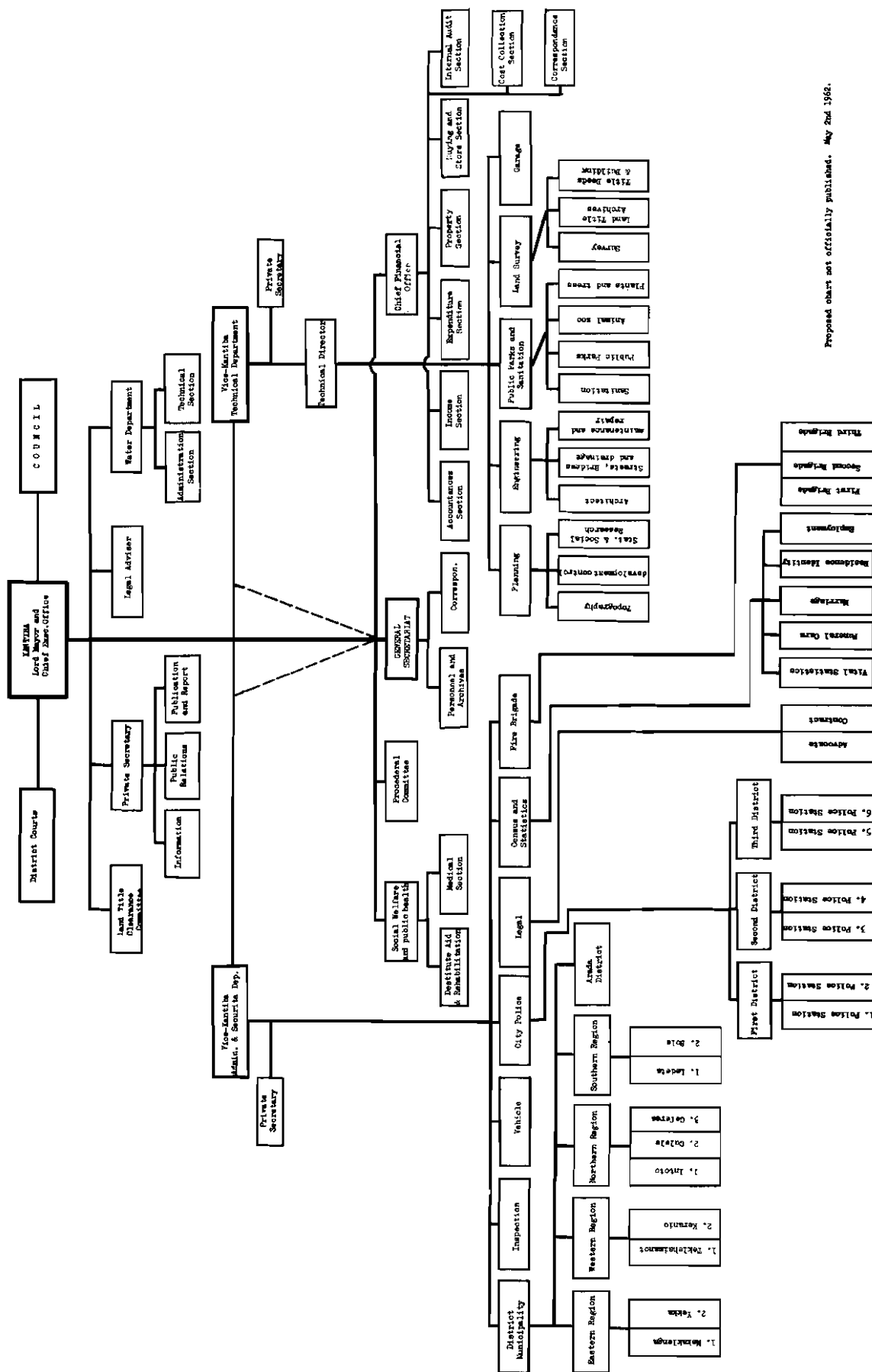
As it stands, it is the Kantiba who exercises leadership in the limitation of what is best for the City and acts as adviser to the Council in the process of final determination. It would be logical to give such responsibility to the Kantiba and to the General-Directors of the various heads of departments. The Kantiba may be able to give valuable advice and guidance due to his proximity (that is through his administrative agencies which are closer to the public in collecting taxes, etc.). He should, however, be given an adequate staff well-versed in taxation problems. In general, great patience and co-operation between councillors and officials is required to bring about success.

The writer of this paper realizes that there are many other criticisms which could justly be made of the practices of the City government in its day-to-day functioning. But since the writer lacks the detailed practical knowledge, so essential for constructive and intelligent criticism, he has refrained from indulging in unnecessary criticism or observations. Nevertheless, he strongly believes that most of the present problems are problems of transition, lack of trained personnel, and finance. He believes strongly that multiplication of municipal government will constitute the strength of the Empire and will inevitably lead to expansion of the 'spirit of liberty' and hence stability.

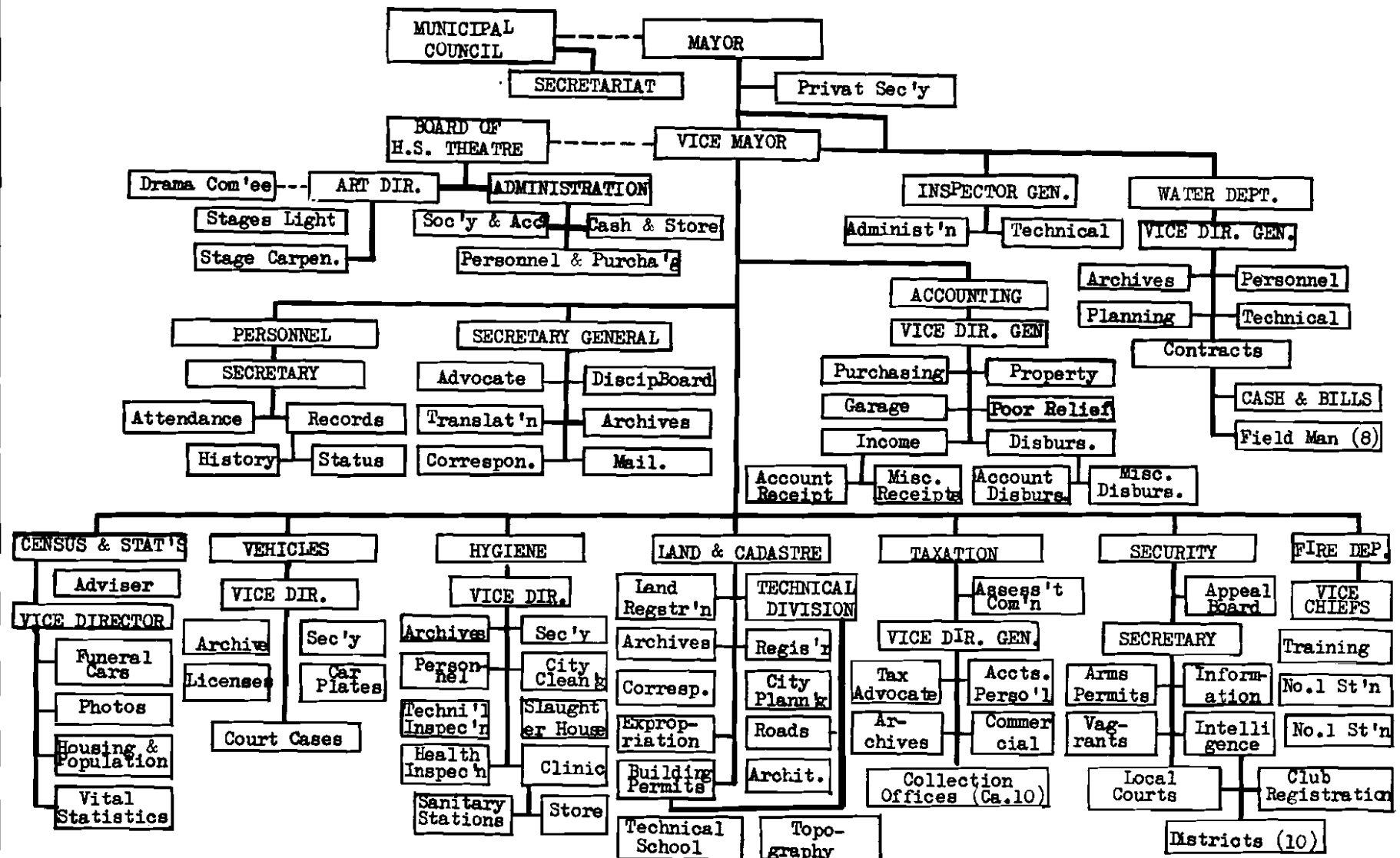
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MUNICIPALITY OF ADDIS ABABA



PREPARED BY SYOUM CEBREGZIABHER
I.F.I.F.A., April, 1957

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