Metropolitan governance: an approach to transterritorial government from a Latin American perspective

David Gómez Álvarez Pérez

"There is a whole cognitive work to be carried out in historical, cultural, legal, political, sociological dimensions, to advance in the idea and justification of metropolitan governance. These problems of concept and theory are largely responsible for the difficulty in achieving institutional order" - Luis F. Aguilar

Introduction to metropolitan governance

Metropolitan cities are too large to be governed by local governments and too small to be part of a national government. Nor do they fit entirely into intermediate or regional governments, which generally exceed the territorial limits of metropolises. Metropolitan cities are a relatively recent phenomenon that goes beyond the existing political, administrative and urban demarcations of most contemporary states. Metropolises do not fit into the classic paradigm of stratified and fragmented territorial organization, but they have not yet acquired their own status in accordance with today’s urban reality. Metropolises are de facto spaces of power without a de jure government.

Except for a few cities that have a metropolitan government as such, most of the world's large cities do not have a government of their own, but rather multiple overlapping and juxtaposed authorities. It is a paradox that the most prosperous, innovative and developed entities of the countries do not have a government of their own. The metropolitan reality has advanced faster than the adequacy of government structures (Subirats, 2019:93), evidencing the limits and contradictions of the governance of metropolitan cities.

For various reasons, metropolitan cities demand a new form of government that does not exist in the paradigm of vertical, static and formal government. On the one hand, the extended urban conglomeration, uncontrolled irregular settlements, the absence of comprehensive urban planning and land use planning instances (Aguilar, 2016:32), environmental externalities between districts, insufficient infrastructure, pressure on the provision of public services, are problems that demand a response at the metropolitan scale. On the other hand, economies of scale, agglomerations of industries and markets, concentration of intellectual, financial and social capital, urban redensification, among others, are trends that pose

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1 Dr. David Gómez-Álvarez, Researcher at the Institute for Research on Accountability and Anti-Corruption (IIRCCC) of the University of Guadalajara. I thank Felipe Medel for his research contribution to this chapter.

2 The fragmentation of institutional, administrative and financial arrangements of governments that tend to aggregate and integrated governance models is derived from the multiplicity of local governments in a shared metropolitan form (Subirats, 2018) these circumstances of fragmentation allow a greater degree of managerial and directional incapacity of the governments that make up a metropolis.
challenges in the way metropolises are governed. Thus, both the problems and trends of large cities have highlighted the limits of the metropolitan governance model.

Unlike other limits of government, what metropolises face "are not conjunctural or transitory problems, but inherent to the structure of the territorial political-administrative regime of which they are part" (Aguilar, 2017:1). Therefore, the State faces internal challenges inherent to its own design in different dimensions: constitutional, political, administrative and territorial. These challenges intrinsic to the modern government regime force a rethinking not only of state structures, but also of government models, which allow incorporating trends, but also actors in a governance modality.

Since the end of the 20th century, but clearly at the dawn of the 21st century, it has become clear to both governments and contemporary societies that the public problems to be solved and the growing social demands to be met (Aguilar, 2016), go beyond the boundaries of local government demarcations. These problems and demands not only have to do with the spatial-territorial dimension, but also with the capacities, resources and attributions that the different governments have, which are insufficient to address the metropolitan problem (Rojas, 2019:307). As Luis F. Aguilar himself has argued, the contemporary State is not only inefficient, but insufficient to solve public problems, meet citizen demands and achieve its objectives as a political authority. The State has failed to incorporate the metropolis into its political and managerial structure.

One of the greatest metropolitan challenges is what Luis F. Aguilar himself has called trans-territorial public issues or problems (PPT), which refer to those that go beyond demarcations and are a problem of two or more authorities. Metropolitan or trans-territorial public problems have led to the emergence of more aggregated and integrated forms of governance and management, either inter- or supra-governmental, with the purpose of solving them in a dynamic, simultaneous and systemic way. However, trans-territorial public problems continue to accumulate, spread and worsen in most metropolitan cities. Sociodemographic, economic and environmental trends continue to produce dysfunctional metropolises without effective governance structures capable of solving trans-territorial public problems that are more complex than traditional problems.

Despite the difficulties in facing these problems, Luis F. Aguilar affirms that the argumentative and political battle on the need and importance of metropolitan governance and management has already been won (Aguilar, 2017). There are more and more examples and experiences worldwide of governments that have recognized their limits, but above all that have granted powers, resources and even territories to be able to face these challenges that go beyond their demarcations. However, it is necessary to reconceptualize and redefine the attributions and responsibilities of the metropolitan government with greater rigor, discussing its structure and directive process, its institutional and financial capacities, its

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3 Transterritorialized public issues or problems for Luis F. Aguilar (APT) is the reference that gives rise to more aggregated and integrated (intra or supra) government or management models that are characterized by solving the problems that accumulate, extend and aggravate due to the socio-demographic and economic trend towards urbanization and metropolization.
operative functionality, as well as its mechanisms and instances of participation, which respond better to the metropolitan reality\(^5\). To this end, Luis F. Aguilar continues, it is essential to reflect on the problems, not only institutional and functional, but also cognitive, that hinder the creation of metropolitan governments\(^6\). The cognitive dimension is one of the original contributions of Luis F. Aguilar's thinking to the discussion of metropolitan development and governance.

**The cognitive problem of metropolitan governance**

Despite the recognition, or as Luis F. Aguilar would say, the triumph of the metropolitan argument - in the sense of recognizing the need for trans-territorial solutions to problems that go beyond traditional urban demarcations - its scope in terms of the role of metropolitan government is not clear. In other words, there seems to be a dilemma as to the scope of metropolitan governance: whether it is a government that decides the principles and objectives of all the societies that make up the metropolis or whether it is limited only to the common affairs of the different societies that make up the metropolis. The difference is important, because they are two different scopes: while the first refers to the conjunction of actors, the second refers to the common affairs of these actors. Thus, while the first idea assumes the definition of rules for the interrelation of the metropolis as an integrated social whole, the second idea only implies the governance of certain metropolitan issues. The difference between the two visions is crucial in terms of the scope of the very definition of metropolitan government. It would seem that the first vision implies a much greater integration than the second, especially with regard to the social dimension of the metropolis.

The cognitive challenge posed by Luis F. Aguilar has a certain parallelism with the federalist idea. In the theoretical discussion of federalism, the idea of the original sovereignty of the states that decide to form a federation remains, while a new sovereignty is recreated with the states that form it. In the federalist arrangement, there are two overlapping sovereignties: an original one and another formed on the basis of the pre-existing original one. Something similar could be posed in the creation of a metropolitan government: the integration of a new entity that merges the pre-existing entities or an entity that only includes certain aspects of the entities that form it. These are two distinct and distinguishable models.

The question posed by Luis F. Aguilar is whether the integration of the metropolis happens without losing the specific differences of its parts or whether it is an integration of something different, which erases those original differences. There are two differentiable logics. On the one hand, the metropolis as the integration of distinct but conurbate societies and governments, over which a new unitary reality prevails. On the other hand, the metropolis as

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\(^5\) Governance around the participation of formal and informal actors or groups in society and in networks of actors play only an important role in ratifying the products of governance processes (Roberts and Abbott, 2019:133).

\(^6\) The conditions that prevail in the creation or formulation of aggregate models of municipal governments are complex, many of these governments are limited in terms of the development of urban alternatives to solve problems in the territory. The implementation of metropolitan integration models has great and difficult challenges, among them, the cognitive conditioning factors on what is the most adequate for the metropolis, what is to be done according to a vision of government or management, as well as the practical conditioning factors which are those determined by territorial, structural and constitutional conditions.
an arrangement of neighboring societies and governments that maintain their differences, as a sort of "metropolitan federalism". Most of the world's metropolises obey the metropolitan federalist logic, due to their resistance to a higher integration that would allow them to constitute themselves as a new metropolitan government entity. Except for a few cities that have managed to merge, more in the governmental than in the social sphere, the metropolitan phenomenon has not been able to find a place in the existing institutional arrangements. The constitution of Greater London was, for example, an institutional experiment to integrate the local governments of the British capital that had to be reversed because of the unfeasibility of an effectively metropolitan government.

Part of the cognitive problem of the metropolis has to do with the nature of metropolitan governance, which can be a metropolitan government or an arrangement for metropolitan management. Again, most cases of metropolitan governance refer to instances, mechanisms and processes of management of the metropolis, but not necessarily to the constitution of a government as such. This difference is a cognitive problem raised by Luis F. Aguilar that has different implications in the reality of metropolises, but tends to be confused. Metropolitan governance as an arrangement for directing the metropolis is different from an arrangement for managing the metropolis. The former involves giving some joint direction to the metropolis, while the latter refers to the administration of common affairs of the metropolis. The former involves one government making decisions about the whole, while the latter involves actions agreed upon by the set of governments that make up the metropolis.

Derived from the cognitive dilemma on the scope of metropolitan governance, Luis F. Aguilar points out that the implications of the decisions are also different. While in the first case the decisions would be general and obligatory, in the second case they would be particular and optional or disputable. Even more important, however, is the scope in terms of the participation of non-state actors in the metropolitan governance process. While in the first meaning metropolitan governance implies state and non-state actors, in the second it implies a pre-eminently governmental process. In a broad sense, metropolitan governance implies the participation of multiple actors, public, social and private.

This series of problems related to metropolitan governance implies, as Luis F. Aguilar has pointed out, an underlying cognitive problem: what is understood by this concept and what is its scope in terms of the degree of integration of a metropolis. Of course, for each of these conceptual dilemmas there are countless empirical arrangements that respond to particular and complex realities. However, the theoretical approach in terms of the cognitive problem involved in defining the concept of governance or metropolitan government is extremely useful for understanding the tacit dilemmas that underlie both the academic and practical discussion of the construction of contemporary metropolises.

**Concept of metropolitan governance**

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7 For Sager (2005) "To speak of governance at the metropolitan level implies recognizing the need for collaborative relationships and agreements based on the cooperation of all the actors involved". For Diaz (2020) "representative mechanisms continue to be fundamental for the legitimacy of local authorities, it is increasingly clear that we need to develop new forms of citizen participation and engagement".
The denotation of governance, according to Luis F. Aguilar, refers to the process of governing: of directing society with a certain intentionality and causality (Aguilar, 2010). In other words, governance is the process of leading society based on certain values with a certain purpose through a set of actions that pursue certain results. Consequently, metropolitan governance refers to the process of governing a metropolis by leading the city as a whole on the basis of certain principles and objectives with a certain orientation. Although they may seem excessively broad definitions, of limited application due to their level of abstraction, they contain the three constituent elements of governance according to this author: the process of leading, the sense of intentionality and the instrumentation of causality. "Specifically, governance is the action through which government and society (different social organizations) define and decide their founding values, their principles of coexistence, their objectives of life in common, their particular goals and futures, their course and, through which they define and decide their form of organization, their rules of interrelation, the actions and resources that are considered necessary and suitable to be able to carry them out" (Aguilar, 2017:10).

However, governance, as the joint conduction between government and society, is not a discretionary action but an institutional process. Governance is structured not only by institutions, but also by knowledge, warns Luis F. Aguilar. On the one hand, institutions, based on socially accepted legal norms, give legitimacy to managerial decisions; on the other hand, knowledge, based on science and technology, increases the effectiveness of managerial decisions. Both norms, institutions and knowledge, are necessary for decision making, since society demands that decisions not only have a minimum consensus, but also solve public problems. While institutions translate the values and principles of a society into legal norms, knowledge validates the effectiveness of decisions through scientific and technical norms. Both types of norms combine and complement each other in governance.

According to Luis F. Aguilar, there are three forms of public governance: governance by government, by co-government and by self-government, which express a greater or lesser prevalence of government or society in the management, in this case, of the city. At the metropolitan scale, this typology of forms of governance acquires different meanings. Governance by government refers to the management of the metropolis not only by local governments, but also by intermediate and higher governments, where civil society has a limited space; governance by co-government refers to the joint management of the metropolis by different levels of government, where civil society has a more balanced space at different levels; finally, governance by self-government refers to the management of the metropolis by local governments, where local civil society occupies a broad space. The definitions of the three forms of governance emphasize both horizontal and vertical intergovernmental relations, rather than the government-civil society relationship. From the perspective of metropolitan governance, the interaction between orders of government would seem to better explain the concepts of self-government and co-government.

From a theoretical perspective, explains Luis F. Aguilar, governance includes three essential activities: the activity of defining and deciding values and goals; the activity of defining and deciding the appropriate means to realize these values and achieve these goals; and the activity of coordinating the actions to be carried out by means of the appropriate means for the realization of values and achievement of goals. At the metropolitan scale, the definition
of values and ends of the city takes place in the election of local authorities and in the elaboration of planning instruments of the metropolis; the definition and decision of the appropriate means in the metropolis occurs when local actors deliberate, agree on strategies and formulate metropolitan public policies; finally, the coordination of actions involves the implementation of plans, strategies and public policies through the different state and non-state actors in the territory. Following Luis F. Aguilar's theoretical perspective, governance employs two instruments for the management of the city: laws and public policies. Metropolitan governance by laws, which consists of rules and regulations that regulate behaviors through an intergovernmental system of justice and police; metropolitan governance by public policies, which consists of action programs aimed at achieving the goals of the metropolis through the public (and private) administrations of the metropolis. In contrast to the classical perspective of governance, as the interrelationship between government and civil society, from the perspective of metropolitan governance, the instruments of government by laws (regulations) and government by public policies emphasize intergovernmental interaction.

**Inter-institutional interaction as metropolitan governance**

The conceptual idea of the metropolis as a federation on a metropolitan scale is useful for understanding metropolitan governance. A metropolitan government can be conceived as the amalgamation of various local governments that choose to integrate into a higher government by granting powers, resources, responsibilities and/or even territories. Metropolitan governance does not necessarily entail the redefinition of boundaries, although it does entail the redefinition of responsibilities within a metropolis. There are cases where the boundaries of the original demarcations are modified to form a new larger demarcation that integrates part or all of the original territory of those demarcations. However, the demarcations as constituted local governments tend to remain. What changes in the integration processes are the governmental competencies.

When local governments form a demarcation or superior entity -either a metropolitan government or an institutional arrangement for metropolitan management- they modify and limit their political, fiscal, financial and managerial competencies. In the first instance, metropolitan governance involves the redefinition of roles among the governments that make up a metropolis, including the creation of a metropolitan government as such. In a second sense, metropolitan governance implies the redefinition of the roles of both governments and non-governmental actors, which also make up the metropolis.

In contrast to the national level - where only civil society organizations with the capacity to influence national decisions - it is at the local level that these types of organizations acquire greater relevance due to their scope and impact on local decisions. The complexity of public policies increases as one moves from the local to the national level, so that the impact of non-

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8 National, subnational and local governments have been involved in complex transformation processes that limit, obstruct and/or restrict their fundamental capacities to manage society. The redefinition of institutional management capacities of metropolitan cities is developed around metropolitan governance as a way to expand routes and affective solutions. For Iraçhe (2016) is to generate spaces of agreement that the only thing in question is the coexistence of local governments and governmental action that make multilevel, multi-actor and multisectoral cooperation necessary.
state organizations is more feasible at the local level. In the sense of governance as the space where state and non-state organizations converge, metropolitan governance acquires greater meaning, since it is at the local scale where there is a high level of interaction between state and non-state organizations in the metropolis.

There are different dimensions to the interactions that occur within the framework of metropolitan governance. The first dimension occurs between state organizations, i.e., between governments. However, the interaction that occurs in a metropolis occurs not only between the local governments that make up the metropolis, but also between the governmental organizations of those governments. Thus, the interaction between state organizations is much more complex than the interaction between governments alone. This dimension includes inter-governmental and intra-governmental interactions, since the relations between agencies within the same government are also affected by relations with other governments in the metropolis.

The second dimension occurs between state and non-state organizations, i.e. between governments and private, social or other non-governmental organizations. This dimension in interactions is even more complex, since it incorporates relations not only between governmental organizations (as occurs in the first dimension), but also between these and non-governmental organizations. When all possible relational modalities are incorporated, the number of interactions increases exponentially. The complex network of interactions that makes up a metropolis implies an equally complex metropolitan governance.

Both the number and the intensity of the interactions between the components that make up a metropolis is what determines what is known as the metropolitan phenomenon, not the scale of the metropolis. It is not the size but the density of the city that makes it a metropolis. In this sense, the metropolitan has to do with the interactions between governments (and their governmental organizations) rather than with the size of the metropolitan region or city. It is common that urban extension is considered as a determining factor of a metropolis, as there is a high correlation (and causality) between the phenomena of metropolization and urban sprawl (Díaz, 2017:2). Consequently, most large cities are metropolitan precisely because of their extension. However, the essential attribute of the metropolitan lies in the complexity of the interrelationships between its components, the jurisdictions that comprise it, rather than in the scale per se.

**Transterritoriality as a trigger for metropolization**

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9 These constant activities of dependence and interdependence have complexified the spaces/areas of concentration that allow the growth and expansion of economic activities and the location of cities, as well as the organization of urban populations and the formation of an urban system (Sobrino, 2019); therefore, the product of these urban dynamics brings us closer to the intellectual understanding of the phenomenon of metropolization.

10 The metropolitan phenomenon manifests itself as a "scaled adjustment processes" in the political-administrative organization, as well as in the weakness of the states as major players (Díaz, 2018), as in the intensification of an exodus towards the rural to the urban. These large metropolitan areas express certain circumstances, which revolve around rethinking novel forms of coordination, cooperation and decision-making.
An increasing number of public problems in the metropolises tend to "deterritorialize", meaning that they are no longer territorially circumscribed to a given area, but become "transterritorial". This happens when the problems that overflow a given territory. According to Luis F. Aguilar, "what is specific to these problems and opportunities is the transterritorial nature of their causes and effects" (Aguilar, 2016:37). While, on the one hand, problems are transterritorialized, on the other, political and governmental institutions remain territorial, "inherited from the creation of the modern Westphalian state of fundamental territorial creation" (Aguilar, 2017:6). Continuing with Luis F. Aguilar's thinking, transterritorial problems can be generated in a given territory, but affect other distinct territories beyond the political-jurisdictional boundaries. Thus, the deterritorialization of metropolitan problems implies that the territory where they originate (causes) does not necessarily coincide with the territory where their consequences (effects) occur.

The transterritoriality of externalities is a typical phenomenon of metropolises, since the institutions that should regulate such externalities do not necessarily have authority in the jurisdictions where they affect. This phenomenon forces us to rethink the territorial division based on legal-political demarcations, since an increasing number of metropolitan problems originate in demarcations other than the ones they impact. "The specific characteristic of the solution of transterritorial public problems consists then that their management exceeds the particular capacities of governments and territorially delimited societies" (Aguilar, 2017:6).

The metropolitan scope instances are the only institutional mechanism for the internalization of externalities. In order to regulate, compensate and/or correct externalities in a metropolis, a metropolitan authority is required over and above the traditional territorial divisions. Hence its importance, because without a metropolitan mechanism it is not possible to internalize them. However, Luis F. Aguilar states that this "does not mean that the problem is only the unilateral effect of an external cause, since the problem commonly has a multi-causal origin", so that it is complex to attribute responsibilities and/or impute affectations (Aguilar, 2017:7).

Finally, there is another even more complex characteristic of transterritorial public problems: "in addition to being effects of causes external to the territory in which the problems are manifested and suffered, these problems are characterized by the complexity of their composition and causality, due to the plurality, difference and linkage of their components and their causes. There are several and different components (...) of the problem; there are several and different causal factors that originate them; and several and different causal lines or routes that give rise to them" (Aguilar, 2017:8).

**Interdependence as a factor of metropolitan articulation**

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11 The analysis of metropolitan governance as a new process of city governance, as well as of the institutions and their transterritoriality that resizes the old roles of the municipal structures that establish the necessary conditions for transterritorial transformations.
Interdependence arises when the local governments of a metropolis recognize the need or convenience of establishing a certain coordination, cooperation\textsuperscript{12} and/or association arrangement with the purpose of solving certain common public problems or problems that exceed the capacity of the individual local governments. This recognition, whether by necessity or interest, is what makes two or more local governments interdependent on each other as part of the same metropolis. Although interdependence is inevitable, there is still resistance to its recognition due to political rivalries, institutional asymmetries and socioeconomic inequalities between the districts that make up a metropolis. These resistances prevent us from assuming, channeling and taking advantage of interdependencies, converting our own shortcomings into reciprocal complementarities between local governments.

Metropolitan intergovernmental interdependence is an inevitable phenomenon that is underestimated by the authorities that make up the metropolis. As a result of the historical-institutional inertia in the conformation of metropolitan cities - composed of rigid political-administrative demarcations, but with lax conurbation delimitations - local governments continue to resist the recognition of interdependencies. However, the non-recognition of these interdependencies exacerbates their negative effects, as it inhibits coordinated institutional action to solve metropolitan problems that require, in the first instance, the recognition of their interdependence.

This recognition is a necessary but insufficient condition for the solution of trans-territorial problems evidenced by interdependence\textsuperscript{13}. Local governments must act in a coordinated manner with the objective of, on the one hand, minimizing externalities (internalizing costs) and, on the other, maximizing joint action (taking advantage of economies of scale, for example). Both the minimization of negative externalities and the maximization of joint scope are ways of assuming and channeling interdependencies. However, interdependencies do not only occur between public authorities, but also between non-state actors. "In these conditions of complexity, the treatment of transterritorial problems (...) implies interdependence among numerous actors through forms of interlocution, exchange, coordination, cooperation among interested actors and through various forms of association among them" (Aguilar, 2017:9).

\textbf{Conditions and determinants of metropolitan governance}

For Luis F. Aguilar, there are two necessary (although insufficient) conditions for shaping metropolitan government (or achieving metropolitan governance): cognitive and practical. The first condition, of a cognitive nature, consists of understanding the complexity of transterritorial public affairs and recognizing the interdependence not only between governments, but also between governments and social agents. In governance, interinstitutional interdependence is as important as intergovernmental interdependence, since it is assumed that certain public, social or private institutions are as important in metropolitan dynamics as

\begin{itemize}
  \item \textsuperscript{12} Inadequate interscalar interaction leads to obstacles that impede cooperation by advancing in a manner particular to one's own jurisdiction rather than tangible benefits of an integrated and aggregated metropolitan form.
  \item \textsuperscript{13} The central question of trans-territorial transformations in governments is whether they have the capacity to conduct trans-territorial public affairs.
\end{itemize}
governmental institutions. Hence the emphasis placed by Luis F. Aguilar on the relationship between government and social agents. The second condition, of a practical and technical nature, consists of intergovernmental institutional, financial and administrative arrangements that respond to trans-territorial issues. This second condition refers to the applied design of the inter-institutional framework in a trans-territorial logic with technical criteria oriented to the resolution of metropolitan problems.

From a cognitive perspective, warns Luis F. Aguilar, there has been resistance to intergovernmental and supra-governmental forms of government as a result of a political-legal culture based on the idea of self-sufficiency of the concepts of autonomy and sovereignty. Political slogans such as "free municipality" or "sovereign state" are often erroneously equated with the idea of exclusivity, under the premise that each order of government and each jurisdiction is an entity isolated from the others. Worse yet, the idea of autonomy and sovereignty subordinates the three orders of government in a staggered manner, where the municipality is subordinated to the state order and the states to the federal order. This hierarchy derived from a mistaken conception of sovereignty contravenes the federalist idea of two sovereign orders of government.

This outdated political-legal culture is characterized by the idea that any form of supra- or intergovernmental government undermines the integrity of the State or threatens the governability of the federation. The centralist idea of national unity underlies this political-legal culture, where the autonomy of the states and the freedom of the municipalities is not necessarily established in the Constitution, but in the current political arrangement. Hence, metropolitan governance, which may involve various forms of government organization, is seen as a political risk, rather than an institutional solution.

The democratization of the State has opened spaces for certain non-state actors in the configuration of the institutional framework. "Democracy has made us advance cognitively; its values and principles question the autarchic and governmentalist idea that we have inherited from the autonomy and sovereignty of our authoritarian environment" (Aguilar, 2017:14). Hence, from the political-legal culture, the exercise of government is conceived in a hierarchical manner, under the premise of command and control. In particular, the democratization of government has been manifested in its integration (the electoral dimension) rather than in its performance (the directive-managerial dimension). The inclusion of social agents in decision-making processes has been limited for many reasons, among them the structural weakness of organized civil society. Governmental democratization, which is the basis of metropolitan governance, faces limits derived from this political-legal culture that conceives civil society as dependent on the government.

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14 The wrong expectation of the management of metropolitan cities leads to the pile-up and complexity of needs that in time become unsustainable and chaotic. Ahrend et al. (2017) state that risk and uncertainty in large cities, is due to the lack of effective metropolitan governance structures has large economic costs and strong negative effects on the quality of life in cities.

15 The urban weakness of institutions in large metropolises is expressed in the institutional framework of local governments, in the development of a biased and weak institutional development architecture. Cabrero and Zabaleta (2011), on the other hand, measure management problems in institutional weakness, in fiscal weakness, in the absence of professionalization of the public apparatus, and in the poor capacity to establish lasting and broad arrangements for collaboration and participation of governmental, social and private actors.
For most cases where there is a constitutional restriction on the creation of new forms of metropolitan government, there are only two possible institutional designs: to create institutions of metropolitan management rather than metropolitan government, and to create coordination associations between local governments or intergovernmental concurrence arrangements between orders of government. Both are the two legally viable and legitimately supported institutional alternatives that exist. The option of creating a supragovernmental form of government, that is, a metropolitan government as such, is not legally viable under the current regulatory framework in most countries, which expressly prohibits the creation of new juxtaposed orders of government.

The vast majority of concepts and institutions related to metropolitan governance have focused predominantly on horizontal relations between local governments (inter-municipal associations) that make up a metropolitan area. However, these relationships are generally confined to the administrative management of public services, without there being an "innovative reconceptualization (...so that) it tends to be and is exercised as metropolitan management of public services. It is not government in the strict sense, of shared and binding intergovernmental directive decisions (...on the contrary) metropolitan directive activity seems to be administrative rather than governmental direction: management rather than stewardship" (Aguilar, 2017:17).

Finally, there are two structural problems that condition metropolitan governance: institutional inequalities between, and the institutional capacities of, subnational governments. The problem of inequalities is directly related to the capacities of states and municipalities. In the global South, subnational governments do not have sufficient institutional strength to promote on their own institutional arrangements such as those implied by metropolitan governance. Historically, in developing countries, subnational governments tend to be subordinate to the national government, regardless of their federal or unitary nature. Vertical inequality between orders of government also exists horizontally between governments at the same level. Institutional inequalities between subnational governments also limit the scope of metropolitan governance. Local governments with significantly different institutional capacities can coexist in the same metropolitan area, which inhibits the inter-institutional arrangements necessary for metropolitan governance. Both vertical and horizontal asymmetries between governments is one of the greatest challenges for metropolitan governance in developing countries.

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