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LAND GOVERNANCE; FACTS AND EFFECTS. CASE OF THE CITY OF TAHER (WILAYA OF JIJEL IN EASTERN ALGERIA)

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ABSTRACT

All religious laws and man-made laws call for the preservation and sustainability of natural resources, including land as an irreplaceable element. Compliance of land use with the guidelines of development and town planning instruments is a basic principle in land use. This rule of good governance leads to the protection of the environment, natural resources and the preservation of the natural, cultural and socio-economic heritage marking a given territory. Aware of this reality, the Algerian state anticipated this problem early on through the promulgation of laws and regulations governing territorial management, the occupation of urban land and the protection of the environment within the framework of sustainable development.

However, the divide between land allocations and its use on the scale of certain urban areas on the eastern outskirts of the city of Jijel gives food for thought on the reliability and feasibility of urban planning instruments in the control of land management. . This deficiency is manifested by the disorderly extension of the built environment, the consumption of natural, forest and agricultural space. This trend, accompanied by the increase in population, generates increasing needs for equipment and amenities and difficulties in the management of all types of waste produced.

Taking the case of the city of Taher as a study framework, the decadence of heritage wealth (social way of life, agricultural activities, low population and construction density, hygiene and environmental balance) can increase on board be noticed in view of the areas withdrawn annually from natural landscapes and agriculture.

In order to control urbanization and meet the needs for individual housing, the municipality of Taher has planned several subdivisions in accordance with the town planning plan. Despite the fact that the majority of designated land bases are of a public legal nature, these operations for individual residential use have been abandoned under the effect of constraints and disputes. As a result, the land areas in question are invaded by constructions which do not necessarily meet town planning standards and land use rules.

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Introduction.

Urban sprawl results from a certain number of factors (historical, socio-economic, etc.) accessibility, land availability, attractiveness of natural landscapes, but also the policy, competence and will of the local community for territorial management in in general and urban land governance in particular.

Land governance is in a way a support and an essential raw material for environmental and urban quality. However, in the town of Taher, this natural potential is poorly exploited, even though this town is constantly lacking in housing and amenities.

The systematic review of development and town planning documents before they are finalized, which in no way benefits the control of the socio-economic and urban development of this city, is not necessarily due to the scarcity of land. The damage inflicted on the periphery of the old core gives food for thought on the principles of governance, environmental protection and sustainable development of the territory which have been the focus of central public authorities for around thirty years.

The planned extensions across more than ten subdivisions were not carried out in accordance with the established plans. The form and mode of emergence of the housing groups on the land bases which were allocated for the subdivisions provide information on a lack of territorial governance or the absence of concern for prevention and environmental protection. Despite the efforts made within the framework of the urban improvement program, the nature and morphology of the buildings generate negative impacts on the environment (irrational occupation of land, pollution of surface and underground water, air and ground).

This article is devoted to the problem of the divide between land use and land use in the residential subdivisions which constitute a large part of the city of Taher. As a result of a scientific analysis of the ins and outs of this problem, light will be shed on important cases from a spatial point of view (housing areas adjacent to the old center). This reality constitutes a significant fact in terms of modes of land management and governance and the resulting impacts on the city of Taher and its environment.

Problematic.

In addition to the strong growth of its population, resulting in the highest density in the wilaya of Jijel, Taher is marked by a rapid, informal, irregular and illegal extension of its built environment. The irregularity of land use refers to illegal sprawl with regard to the right to use the land (property) and anarchic from the point of view of urban organization (disorder in relation to town planning rules and standards of construction).

Local authorities (wilaya and commune of Taher) have tried to anticipate and control these trends through territorial projects (PUD, PDAU, POS, Housing estates, ZHUN, etc.), the urbanization produced has no coherence with the former colonial center. The divides between the advocated objectives and the resulting realities result in negative and sometimes irreversible impacts on the environment in general and the urban perimeter of Taher in particular.

The disputes surrounding land operations dedicated to individual housing have not allowed the legal and regular implementation of the related development and plot plans. The city of Taher, which has found itself forced since the 1980s to satisfy needs expressed beyond the local scale, is no longer the master of its destiny.

Furthermore, environmental restrictions hardly benefit either the preservation of the environment and agricultural land, or the respect of various natural and technological easements (non-urbanizable spaces). Despite the significant extension of the perimeter of this urban area, it is not satisfactory in terms of housing, equipment, town planning, aesthetics or the environment (health and safety).

What are the modes and forms of governance adopted in the mobilization of land availability having been allocated to individual housing in the urbanization perimeter of the city of Taher?

Presentation of the study area.

The town of Taher has been a capital of the commune since 1962. Originally, it is a small agricultural village created by colonization in 1878 jointly with a series of agricultural villages. In 1957, it was already the capital of a mixed commune governing the entire region. It was reappointed as the capital of its commune in 1962.

Geographically, it is located in the northern part of the wilaya of Jijel (18 km east of the town of Jijel) and occupies a plateau which extends from the locality of Dekkara in the south to that from Bazoul to the north.

The location in the middle of the plain, at the gate of the town of Jijel, close to express road no. 43, the railway, the port of Djendjen and the airport of Elachouat), predisposed Taher to occupy a supreme place in the northern part of the wilaya of Jijel.



*Map 1. The town of Taher and its environment.
Source: Topographic map 1/25,000 sheet: Jijel n° 3-4 + processing.*

Theme Objective.

Any initiation, modification or rectification of technical and administrative documents relating to these subdivisions must be the subject of municipal deliberation and duly approved subsequently by the wilaya as the supreme authority at the local level. These steps concern precisely the first extensions of the old center of Taher since their advent was part of the land reserves.

That said, the commitment of the community and local administration (regulatory, town planning, cadastre and state domain services) in addition to citizen participation constitutes the essential element in the realization of operations real estate including subdivisions for residential use.

We understand a multitude of factors which hinder the implementation of development and town planning tools as a factor in the homogeneous evolution of the Taher agglomeration. The character of the urban structures induced by the illicit and anarchic occupation of the land requires the impactful analysis of certain subdivision projects which would have formed the embryo of an organized city worthy of its status.

By realizing that the act of subdividing and building on the scale of this agglomeration is unequivocally confronted through the different phases of the projects with hidden considerations, conflicts of interest and disputes in multiple forms; legal, administrative and technical. The sabotage of the local urban project through the defeat and cancellation of these subdivisions implies an in-depth study of the roles and synergy of the actors (municipality, wilaya, town planning, estates, land register, finances, justice, promoters and society). civil...) in the development of land as a non-renewable resource.



Photo 1. The old center of Taher and its agricultural outskirts in 1973.

Source: aerial photography INCT 1973, Algiers; 1/200,000.

The equation of land in relation to town planning instruments and the reality on the ground (allocation-occupation), encouraged me to highlight and assess the ins and outs of a scenario (northern subdivisions of the city of Taher) most significant for the theme of this article. This ambition is supported by my experience in the combined management of land and small and medium-sized urbanization.

Research method.

This article is devoted to highlighting the deficiencies in the management of the land issue and the resulting impacts on the homogeneity of the city of Taher and on the environment. The ins and outs of these realities are highlighted through the formulation of a number of questions and hypotheses which will be analyzed and verified in the field.

a. The determinants of the urbanization process at the scale of the city of Taher and its periphery (peri-urbanization).

b. The genesis of the current state of affairs in the city of Taher (synergy of actors, concordance of territorial skills (local authorities and administration) and sectoral prerogatives.

c. Control of production and mobilization of land by the different actors and stakeholders.

d. The succession and continuity of urban policies (rupture and questioning of previous stages).

e. Solidarity and inter-communal complementarity in planning and territorial management (the dynamics of the city of Taher downstream and the sluggish towns upstream).

f. Environmental quality and forms of urbanization in view of the sprawl of agricultural land.

g. The compatibility of the new universal principles of sustainable development, governance, participatory democracy or urban projects currently emerging with the issues of sustainability, planning, cohesion and control of the city of Taher.

1. A dynamic and predominant center surrounded by a sluggish territory.

The population of the city of Taher has increased tenfold (10) in forty years. This center had 8,311 inhabitants in 1977 and 85,000 inhabitants in 2018. According to law n° 06 of 02/20/2006 relating to the law of orientation of the city, Taher has been classified in the stratum of medium-sized cities since 2008.

Its growth is due to the combination of several factors;

-the town of Taher has benefited from a large number of services and facilities given its administrative scale (capital of Daïra since 1974)

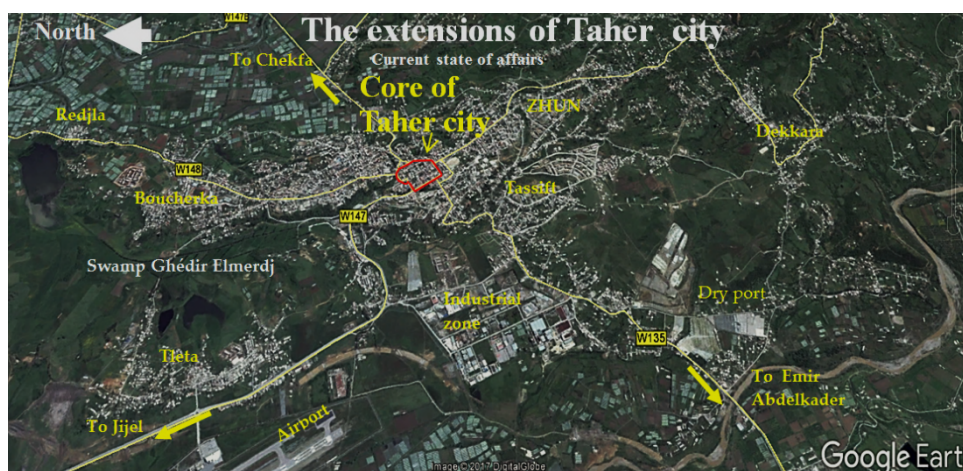
-it is marked by its economic dynamism due to its industrial zone)

- its role as a relay and a radiant center in the plain attracted waves of rural exodus during the 1980s and 1990s in particular.

2. Extensions and coalescence.

The core inherited from the colonial period has experienced immense extensions to the detriment of rural areas and adjacent agricultural lands. The extensions have taken various trends across the road axes, notably the wilaya road leading to Bazoul in the north and leading to Emir Abdelkader in the west. As a result, we end up with continua of urbanization and coalescence with neighboring secondary agglomerations. The latter are now integrated into the perimeter of the town of Taher.

The multiplication of housing programs with accompanying equipment and the generalization of urban improvement operations (improvement of the living environment) have worsened the impact on the natural and agricultural space. The area of its urbanization perimeter which was only 150 ha according to the master urban plan (PUD) in 1987, 500 ha in 2008 became 1400 ha in 2018. The urbanized area was multiplied by almost ten times in thirty years.



*Figure 1. The extensions of the town of Taher.
Source: Google Earth + processing.*

3. Urban management projects.

Local communities and administration (wilaya -commune of Taher, DUC, Land Agency) have attempted to control these trends through territorial projects (PUD, ZHUN, PDAU, POS, Allotments, etc.), but the management and the regular mobilization of available land allocated to urbanization has never been conclusive.

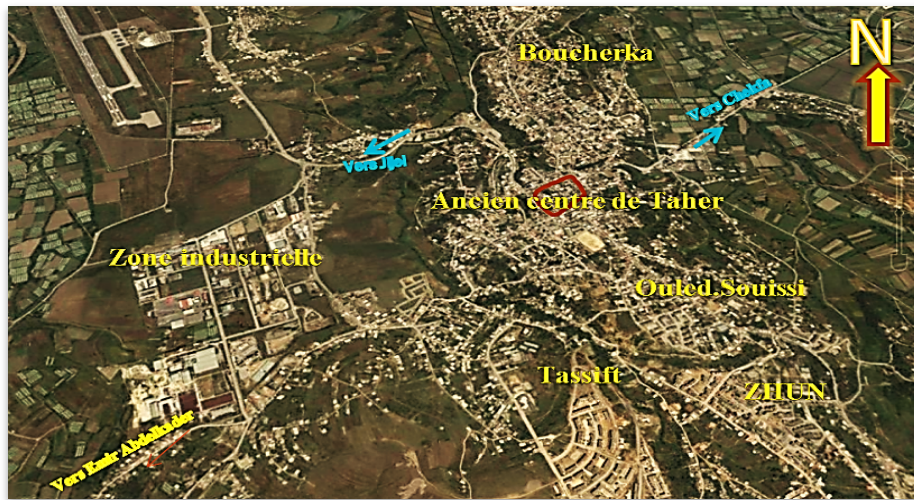
Taher is seen with its first development master plan (PUD) in 1982. According to this document which had the force of law, spaces are allocated and developed to serve as a basis for the implementation of subdivision, collective housing and various equipment. The immediate north of the former colonial center was the first cradle of extensions. To the south, there is a new urban housing zone (ZHUN) with a capacity of 75 ha which was promulgated in 1985.

In order to meet housing and equipment needs and anticipate the enormous needs anticipated as part of the construction of a steel complex in Bellara in the far east of the wilaya of Jijel, this important land base (ZHUN) was quickly made viable and equipped by various networks.

The absence and high cost of real estate and land (disputes and cancellation of subdivisions) which could not be legally placed on the market due to disputes linked to the legal nature of land have aggravated this trend.

Furthermore, environmental restrictions have not benefited the preservation of agricultural land, nor the respect of areas declared non-constructible and subject to various risks. Despite the significant extension of the perimeter of this agglomeration (1400 ha), enormous needs remain pending in terms of housing, equipment, town planning, aesthetics as well as environmental quality, hygiene and safety.

Successive urban policies have never been carried out in continuity and there has been a rupture and questioning of previous stages. Thus, urban plans are always updated and revised before the set deadlines.



*Figure 2. The sprawling extensions of Taher city.
Source; Google Earth + processing.*

The absence of solidarity and inter-municipal territorial complementarity in the planning and urban management of the city of Taher and the neglect of the needs of sluggish towns located upstream constitute an important factor in this reality.

Beyond the environmental quality and the sprawl of agricultural land, the absence of the land dimension in the understanding of the territory of the city of Taher and its periphery as well as unsuitable development approaches constituted additional elements in the genesis of current forms of urbanization.

4. Realities and state of affairs in the city of Taher.

The urban morphology of the city of Taher is currently manifested through two types of framework;

- a regular part occupied by public facilities (Schools, high schools, hospitals, stadiums and sports halls, etc.) and collective housing programs spread from north to south (Ouled Souissi, Tassift, Ouled Salah, the station, Boucherchour). It represents the different stages of its evolution (100, 200, 300, 400, 500, and 800 housing units.....),

- Another part which is irregular and preeminent, it is generated by the multiplication of spontaneous habitat. It clearly reflects the difficult mastery of development and town planning.

A large part of this last type of land use is erected to the detriment of natural spaces and sometimes encroaches on land bases which should be used for the harmonious extension to the northern surroundings of the former colonial center (Boucherka, Beni Aissa).

The problems generated by this state of affairs result in the difficulty in managing the city and problems linked to the unbridled, illicit and anarchic consumption of land, mobility and urban traffic, and the management of various types of waste and pollution.

5. Land areas north of the old core.

The first extensions to the north of the town of Taher date back to the early 1980s. These are mixed longitudinal urban structures which extend over 3 kilometers, from the former colonial core to the locality of Boucherchour.

5.1. Physical environment, initial purpose and history of land use.

The northern part of the town of Taher presents a coherent relief from a topographic point of view with low slopes of 02 to 15%). From a geotechnical point of view, the land made up of slightly sandy brown clays is well consolidated and does not require special structures or additional expenses

for construction (earthworks, retaining walls). This privilege is corroborated by the fact that these lands are not encumbered by technological constraints such as high voltage electrical lines and gas.

About forty years ago, these areas were clearly exploited in agricultural activities. With the exception of around ten hectares having a private status, all the rest, i.e. 140 ha, were of a state legal nature. They were marked by its olive groves, its vineyards, its cereals and its natural fodder.

During this same period, individual residential subdivisions, collective housing programs (social and promotional), public facilities as well as VRD were planned there as part of the application of town planning instruments in particular the plan master urban planning (PUD) and the orientation plan for development and urban planning (PDAU).

5.2. Residential subdivisions as an example.

These are the subdivisions (1st, 2nd, 3rd, 4th, 5th parts and 6th part), with a total area of 40 hectares to be distributed over more than 800 plots of land for individual residential use. These land operations constitute one of the examples which illustrate the omission of the land dimension as a factor in the undermining of the development and urban planning plans of this city.

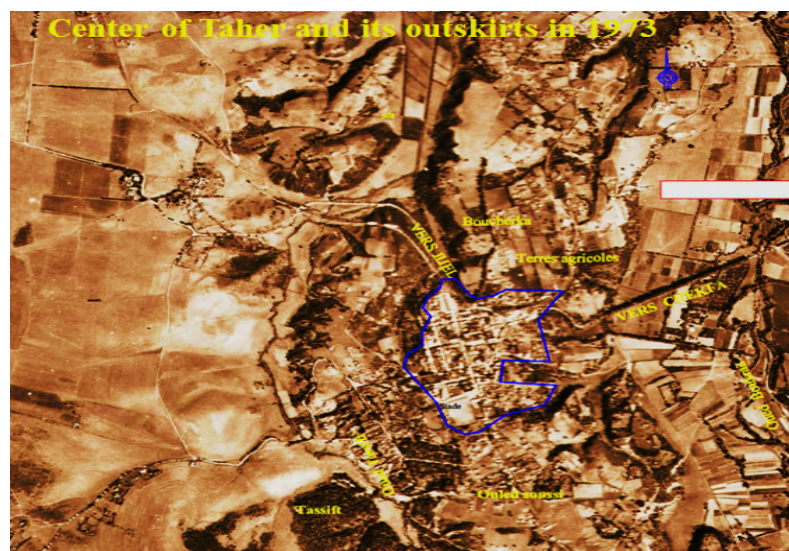


Figure 3. The town of Taher in 1973, the buildings are limited to the colonial core.

Source / Aerial photo from 1973 + processing.

These subdivisions border each other and are listed from 1 to 6 starting from the old core of Taher. They have been the subject of a multitude of technical, administrative and regulatory procedures for their realization. They should cover an area of 40.15 ha and spread over 883 lots of building land.

They are bordered to the north by the hospital, to the south by the old center of Taher, to the east by the old railway and to the west by the main axis leading to national road no. 43.

The agglomeration of Taher is limited to the northwest and west by a pond which constitutes a non-urbanizable zone (Ghédir el Merdj) from where its urbanization perimeter can no longer be subject to extension in this area direction.

The development plans and initial plots provided for blocks of regular shapes predominated by the rectangular shape with individual lots with surface areas between 250 m² and 400 m². The plots of land should be used for constructions for individual residential use of a ground floor + 2 levels with a maximum CES of 80% sanctioned by a rigorous alignment with a setback of 2m from the sidewalk, homogeneous facades and non-existent spaces. buildings 4m deep along the dividing boundaries. The planned urban form was to be reinforced by green and leisure spaces, play areas, parking lots and regular networks (roads, AEP, gas, electricity and telephone).

5.3. Forms of space occupation.

The areas of the northern subdivisions have been allocated to individual shelter within the framework of the municipal land reserve policy. This is a regulation from 1974 which gave exclusive prerogative to the municipality for the management of land integrated into the urbanization perimeter. The current state of affairs is marked by the dominance of constructions that do not comply with general town planning rules and land use standards.

In order to restructure the situations generated, enormous budgets have been allocated through the implementation of urban improvement operations. But it turns out that the inventory remains marred by a range of irregularities, notably non-compliance with land use coefficients (COS and CES).

These anomalies are reflected in the exceeding of the permitted height of constructions (R+2), the exceeding of the built surfaces prescribed by the regulatory plans and the absence of prospect rules.

- A space densely occupied by buildings,

- Absence of parking, green space and facilities which were initially planned there as part of the development files.

All things considered, the three decades of management of land reserves across the entire northern part of the former center of Taher were marked by a proven lack of control over urbanization. Town planning that meets the rules has been limited to programs whose management and control is the responsibility of sectoral authorities, that is to say projects which escape the control of the municipality.

Furthermore, another configuration occurred at the scale of the subdivisions which were created within the framework of the new land and urban regulations (after 1990). For example, the subdivisions of Béni Aissa and de la Gare resemble small urban enclaves since the land use and the buildings erected there are distinguished by:

- Respect of the plot plans of the subdivisions.

- Compliance with regulatory plans (COS; CES; facades, setback from the sidewalk, joint ownership, parking lots, green space, etc.).

Table 1. State of the planned subdivisions north of the town of Taher.

Subdivision	Initial area (ha)	Current area (ha)	Initial number of land lots	Current number of land lots	Observation
First part	8.23	8.23	184	214	Restructured and regularized
Second part	9.99	9.99	178	197	Restructured but not regularized
Third part	2.88	2.88	71	71	Restructured and regularized
Fourth part	5.31	5.31	99	94	not regularized
Part Five	11.46	11.46	261	233	not regularized
Sixth part	2.28	2.28	53	53	Duly concreted
Total area	40.15	40.15	883	862	Municipal land reserves
Béni Aissa	2.03	2.03	59	59	Completed according to plan
Gare	1.39	1.39	50	50	Completed according to plan
Total	43,57	42,18	942	921	

Conclusion.

The availability of land allocated to individual housing during the 1980s did not benefit this city to evolve in homogeneity and respond to its status as a radiant and preeminent city in its region. The migratory flows of populations from the mountains have generated ever-increasing needs for housing and equipment.

If the programs for collective housing and public facilities were carried out according to the rules of the art from a technical point of view, the failure in the realization of subdivisions for individual residential use benefited the proliferation of spontaneous occupation of land urban.

The revisions and updates of urban planning instruments (PDAU) have not helped much in terms of controlling urbanization. Despite the inclusion of large natural and agricultural areas in the urban perimeter of the city of Taher, housing and equipment programs have only found place in surplus spaces adjacent to the equipment and collective housing built before 1990 (Belle vue real estate cooperative, LSP and EPLF city, urban security, municipal libraries, court, etc.).

In order to respond to the spiral of demand resulting from demographic and economic growth, the generation of post-1990 urban plans led to the extension of the built environment and land use to the entire area surrounding area of Taher. The urbanizable sectors are determined without discerning the agricultural vocations and potential nor the vulnerability of the spaces.

As a result, we are witnessing the degradation of environmental structures and the socio-economic heritage inherited from the past, particularly in terms of the settlement pattern and the rural economy that have long marked the study area.

This observation no longer suits the will of the country's central authorities who are trying, through regulatory and managerial approaches, to reconcile the urbanization and socio-economic development of the territory with the principles of environmental protection in the context of sustainable development.

These approaches are based on the enhancement of the structures and identities of the territory through the upgrading of urbanized sectors and the rationalization of the occupation of unbuilt spaces. The identification of sensitive sectors to be protected, the promotion of social diversity, the option for more compatible activities, the determination of development rules better adapted to the characteristics of the built and unbuilt environment of the territory.

The objective of these directives is to protect heritage, facilitate transport, travel and accessibility to equipment.

Therefore, the resolution of the problem posed consists in the effective application of these principles by adapting the methods of approach of urban planning instruments so as to correctly read the territory, protect and reasonably use its land resources.

The objective of qualitative and limited land use, environmentally friendly urbanization and the control of induced changes can only be achieved for the city of Taher to the extent that the neighboring municipal territories are revitalized since their agglomerations are remained sluggish for a long time. Taher being saturated, we must now act to reverse the flow from downstream to upstream.

This is possible if we understand Taher with the surrounding regions as a single piece. Otherwise, the implementation of a global design of the territory based on the promotion of intercommunal solidarity and the implementation of an equalization system for access to land, services and equipment which will be encouraging and more incentive in sluggish areas.

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