

Citizenship Participation in Local, Urban Planning in Algeria

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Abstract

Participation is a strong reflection of harmony, solidarity and social cohesion in designing and preparing the policy of cities in light of global competition among countries for the advancement of all sectors of the state in various fields. Urban planning is an effective means of controlling urban regulation, considering that governance is one of the general principles of the city policy in Algeria under which the foundations and approaches seeking to involve citizens directly or through associations in the management of programs and activities related to their living environment, as well as the assessment and evaluation of the implications thereof. This study aims to assess citizens' participation at the local level and the space given to them during the design and the implementation of urban planning tools in the case study of Land Occupancy Plan (LOP) No. 07 in the city of Hammam Dhalaa. The study is based on the analytical descriptive approach and research techniques, such as site visit, observation, and content analysis, in order to provide the necessary recommendations to address a range of obstacles that narrow the space of citizens' participation at the local level during the design and the implementation of development projects.

Keywords: participation, urban planning, city policy, LOP ,Hammam Dhalaa.

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Introduction

Demographic explosion is an abnormal increase in population with negative consequences on humanity, which it threatens to break the natural balance within the biosphere. In the past, population was dependent on the abundance of fruits, preys, and the like; however, population was also exposed to diseases that decrease their numbers. During the time of Jesus the Christ, human kind was estimated to be about a quarter of a billion (250 million) people. The number population was doubled in 1650 to about half a billion and then doubled again to about 1 billion in 1850. Only 80 years later (1930), the number of people reached about two billion, and continued to increase until the census finally reached about four billion in 1975. The latest census of the world population reached six billion in 2000. Thus, the demographic explosion unorganized urban expansion in cities, which were rapidly growing, led into a kind of chaos in the expansion of urban fabric, and the use of land in urban centers, "which forced countries put an end to this urban chaos by censoring urban expansion and urban growth to urban planning. Germany was the first country to initiate this initiative by the end of the 19th century followed by England, France, and the rest of the European countries by the same initiative at the beginning of the 20th century. Later on, urban planning spread out after World War II, in various capitalist and socialist countries alike"(Tijani, 1997, p. 89).

Immediately after independence in 1962, Algeria inherited the techniques of urbanization and planning of cities from the French Administration, but later on, "city planning was attributed to the central planning policy by urban directive plans that were used as tools for urban planning until 1990, to be replaced by new means, operating under Law 29-90 of 01/12/1990, as tools for regional and urban planning"(Tijani, 1997, p. 56). These are also known as urbanization directive plans which aim at regional planning and urban governance. In addition, Land Occupancy Plans (LOPs) define, in the framework of urbanization directive plans, land use and construction rights in detail.

In 1991, the Algerian executive decrees were issued for the approved planning and urbanization tools, which defined the legal framework through which the concerned associations and citizens are informed and consulted to participate in decision-making. Executive Decree No. 177-91 of 28/05/1991 was issued, which defines the procedures for preparing LOP, approving it, and the contents of the relevant documents. It was amended and supplemented by Executive Decree No. 318-05 of 10/09/2005.

Daoud (2001) considers the city as "the phenomenon of modern times because of it coincided with industrial revolutions; and as a result of this social hierarchy, the was distribution of urban spaces to places for work, places for housing, places for entertainment, and places for commerce in downtown and suburbs ... In short, the city itself is modern societies"(p. 28). Miloud(2015) also goes that "chaotic construction is leading factor to the environment pollution, where the lack of facilities and services is due to violation of the legal and engineering conditions for construction"(p. 83).

In light of the global competition for the advancement of all sectors, and after the world wide acceptance of the concept of sustainable development and becoming the basis for the amendment and change of global and national laws, it was necessary for all countries to find new policies to govern the urban expansions of the cities. Therefore, urban planning is considered as one of "the effective means to control the random growth of cities"(Dahdouh et al., 2018, p. 2).

Algeria was also one of the countries whose modern urban policy emerged from the principles of this concept. It issued Law 06-06 of 20 February 2006, which aims to define the special provisions aimed at defining the elements of the city policy within the framework of regional planning and sustainable development.

The design and preparation of this policy is based on a consultative and coordinated process. The most important principle in this process is the actual involvement of citizens, according to the methodology of participatory approach and based on communication to share knowledge, power and responsibility to achieve the success of its tools such as LOPs. However, the latter did not succeed in achieving their objectives, as if the tool caused the chaos in the urban fabric; not the absence of citizens in preparing and implementing them. In our view, the technical explanation for this failure is just the opposite. We will try to discuss it in this paper, taking the Municipality of Hammam Dhalaa as a case study.

The Municipality of Hammam Dhalaa is located in the North of M'sila and is connected to the headquarters via National Road N° 60 (Map 1). Yet Hammam Dhalaa is covered by 16 LOPs, the plans are either not studied or studied but have not been applied on the ground. In this case study, we analyze the advantages of citizens' participation during the preparation of LOP No. 07 as a generalizable sample, as it is a wide area for realizing the concerns of citizens by virtue of its ownership (private property), and being suitable to compare it with the new Algerian urban policy included in Law 06-06.

Map1
Location of the Municipality of Hammam Dhalaa in M'sila City.



Source: Hammam Dhalaa. (2017). Retrieved December, 10, 2017, from Wikipedia: https://fr.wikipedia.org/wiki/Hammam_Dhalaa.

Objectives and Importance of the Study

This study seeks to find out the causes which lead to the failure of the urban planning tools, especially LOPs, in achieving their objectives to provide urban, economic, cultural and social environments that achieve sustainable development in cities. We address the issues through scientific contribution in order reach the following objectives:

- a) Identifying the importance of citizen participating in the urban planning process during the conception and completion of urban and social development projects
- b) Identify the reality of decision making of urban planning tools at the local level, and assessing the level of citizens' participation in the preparation and implementation, and identifying the nature of obstacles in participation: political, institutional, organizational, and cultural
- c) Suggesting mechanisms that make citizens and land owners the key actors in the efficiency of LOPs, which are considered as tools of urban development and a newly adopted city policy in Algeria
- d) Identifying the conditions and mechanisms that effectively involve the citizens in the programs and activities related to the city policy and the space given to citizens to participate during the planning and the implementation of LOPs.

Defining Concepts

The concepts used in this paper will appear repeatedly and, therefore, it is necessary to define them.

Participation

Participation means actual consultative involvement in all decision-making and procedures for the preparation and application of urban planning tools.

Contribution

Contribution means the participation in economic, social or political activity. According to Parsons, democratic contribution is a positive sign expressing the individual's will to be involved in a solidarity group (as cited in Akoun & Ansart, 1999, p. 385).

Development

The idea of development is the same as comparing society with a living organ that is changing according to gradual transformation process until it reaches the level of modernization (Boudon et al., 1989, p.6).

Sustainable development

It is a developmental path that allows raising the level of comfort of present generation without compromising or adversely affecting the comfort of future generations.

Governance

The term governance is an important term that has been used in the development field since the end of the 1980's. It was used for the first time by the World Bank in 1991 which considered it as the method of exercising power in managing the economic and social resources of the country for development (p.1). The World Bank used of the concept to assert that Africa's development crisis was primarily a governance crisis because of the corruption of political systems and poor governance. Governance is the way in which an institution or a country regulates its economic, political and administrative competencies and exercise. Therefore, governance at the level of cities is related to all programs aimed at organizing and managing the urban environment in the presence of all representatives of the neighborhood (residents, associations, local communities, and others).

Urban Governance

Urban governance has recently occupied many countries in order to improve the living conditions of the people and ensuring their well-being. It has become a priority for developing countries, owing to the challenges of poverty, unemployment and illiteracy, and it is also a modern management approach because of the new roles of central administration, local bodies, the private sector, and civil society.

Urban governance seeks sustainable development, making cities strategic poles of development, and lays the foundations of integrated local development policies to put an end to exclusion, marginalization and poverty. Devas et al. define urban governance as a process in which government (local, regional and national) and stakeholders decide to plan, finance and manage urban areas. It is political, economic and social implementation of decisions for the interest of the poor (2004, p.1). Therefore, Urban Governance is a mechanism that facilitates the participation of citizens in achieving development according to a strategic vision based on the approaches of sustainable human development. The latter results in arranging the relationships between citizens and local and regional actors under democratic participation.

Coordination and consultation

Accordingly, the various sectors and actors are involved in coherent and effective implementation of the city's policy, based on the choices made by the state and by mutual arbitration

Neighborhood management

It is a set of principles and methods of involving citizens, either directly or through associations, in the managing programs and activities concerning living environment, as well as assessing or evaluating their effects

Participatory approach

This approach is one of the principles that ensure effectiveness in urban governance by involving citizens in making critical decisions, through civil society organizations and associations, to develop proposals and integrate them in the preparation, implementation and evaluation of local and urban development programs.

Research questions

In light of the above-mentioned readings, and in order to diagnose the shortcomings or imbalances experienced by LOPs in achieving their objectives, and in line with the nature of the study, the research questions can be limited to the following:

- a) What are the importance and the level of citizens' participation in programs and activities of the city policy in Algeria?
- b) How much space is given for participation during the preparation and the implementation of LOPs? To what extent can this be practical?

Methods

The study relied on descriptive methodology and research techniques, such as site visit and content analysis, and then answering the questions by using the questionnaire which is distributed to a sample of 20% the citizens, including households, real estate owners and residents of the neighborhood. In addition, we interviewed some officials and specialists in the sector of planning and urbanization to extract negatives and positives and to identify the causes and to give a set of directives and recommendations.

In order to answer the research questions, we considered approaching the topic through the following:

Rational planning

During the Industrial Revolution, rational planning relied on a small group of architects, engineers, government officials, and private developers to improve the environment based on spatial factors including movement of vehicles, closeness to green spaces, housing units. Rational planning movement used a set of techniques for quantitative assessment which required high level to understand. Therefore, public participation was limited. Rational planning spread out across America and Europe with a dedication to quantitative assessment of spatial processes; but its implementation soon declined because it focused on technician elites rather than public participation.

Participatory planning

Participatory planning is a set of strategic and management processes that emphasizes involving participants in urban planning to reach an agreement about a plan and its implementation. Participatory planning is initiated by local authorities and the citizens based on mutual interests that should be addressed by the application agreement building methods. The aim of participatory planning is to prevent conflicts between the participants and to harmonize their views.

Literature review

Citizenship participation in urban planning has been dealt with in various studies. Taking into account the recent studies that have respected the methodological rules in scientific research, we came up with two studies, European and Algerian studies, with different research specializations and academic and professional interests.

The first study is initiated by the Research Body of the International Federation of Local Authorities in 1988 entitled: The Dynamics of Urban Governance in Western European Countries, where in the problem and questions were centered on clarifying the determinants controlling the basic trends of people towards participatory initiatives. This allowed helping service agencies in their communities to ask the following questions:

- Which social groups are more interested and committed to participation?
- What are the motives behind the participation of individuals and groups?
- What are the main mechanisms used by the people in organizing and implementing participation?

The aim of that study was to understand the levels of social participation in urban governance with in European societies and even within local communities to give additional support to local services. The field of study was based on the method of comparing a number of cities from the West Bank of the European Union, by targeting a random sample of citizens. The results of the study revealed the following:

-The local inhabitants initiative focuses on two variables: the first variable is of socio-professional conditions, while the second one is related to ownership and spatial belonging of the respondents, the effectiveness of landowners at the expense of renters, the awareness of the inhabitants.

The motives behind inhabitants' initiative, as a social self-behavior in harmony with their innate tendencies, are determined in the private and public interests, followed by considerations of common interest and public benefit. The mechanisms of participatory action are divided into two:

- a) Direct mechanisms can be private initiatives of individuals without any coordination or collective initiatives based on citizens' contact with local authority.
- b) Indirect mechanisms are based on the resort of citizens to formal or informal mediation such as associations, organizations, or even influential people (Naeem, 1994, 154-160).

The study gave a scientific and methodological addition in the field of knowledge, as it dealt with levels of social participation in urban governance. This study will deal with another angle concerning citizenship as a dimension of participation, and the citizen as one of the actors in the management of the urban planning.

The second study is a PhD. thesis written by Serbah Mohammed (2017) entitled: Urban Governance, Policies and Tools: The Cases of Algiers and Djelfa. Throughout his study, the researcher gave perceptions and guidance of good governance in Algiers by focusing on the laws of reconstruction. He wondered whether public authorities can reconsider the spatial organization of the urban area and expand it to higher plains. The study also gives three directives concerning strategic plan on the organization of Algiers and Djelfa cities as follows:

1. Creating coordination councils at different levels
2. Involving citizens and associations in the management of the municipalities
3. Reorganizing municipalities and searching for financial resources, as well as some directives concerning the reorganization of Djelfa city and exploiting its areas to solve the problems of the overcrowded areas in Algiers.

The study aimed to achieve the followings:

4. Showing the importance of good governance in Algeria and opening a research window for research students to expand the circle of research in the subject of good urban governance.
5. Clarifying the role of the private, public, citizen actors in establishing the rules of good urban governance and creating a balance in the distribution of facilities to achieve sustainable urban development.

The researchers collected data through survey, and the findings show that it takes more seriousness to establish a culture of coordination and consultation among the different actors.

This study is considered an innovation in this field of research. Thus, we will start from where the previous studies ended, and we will deal with issue of the citizenship participation in the management of urban areas at the local level and its contribution to sustainable urban development.

Participation in the preparation of public decisions

Concept of participation

Participation is "the voluntary act of individuals and groups, which is at the highest levels of readiness and consent to bear the consequences and burdens of accomplishing a given work, and moving forward in response to need or service. This act reflects the meanings of solidarity and the spirit of cooperation between the components of the society" (Marion, et al. 2002, p. 312).

United Nations' experts define participation as "the active and clear interaction of the masses at different levels in the decision-making process, goals setting, using resources, and the voluntary implementation of approved programs and projects, while enjoying the benefits of development" (Abu Al-Maati, 2012, p. 106).

One of the definitions that dealt with the concept of participation was of Saleh Ziani that "the concept of participation or partnership is a concept linked to the democratic open society and it is a basic component of human development that the United Nations Development Program seeks to achieve. This means that citizens have a role and a say in decision-making that affect their lives directly or through representative institutions. This type of broad participation is based on the freedom of organization and freedom of expression, as well as on the capacities of constructive participation" (as cited in Bay & Houchet, 2017, p. 274).

In the area of urban management, local participation is "synonymous with the concept of good governance or the quality of governance. Where does it contain a call for regional participatory democracy? Where are the citizens? Where are landlords and local residents who participate in all decisions and become official actors in the phases of the urban project?" (Salama, 2010, p. 5)

As part of the promotion and implementation of a new neighborhood policy, the Algerian Ministry of the Interior and Local Communities have developed a new participatory approach based on the integration of the approach in local development programs. This can be done through:

- a) Completing the exemplary process for integrating the participatory approach by the preparation of socio-economic audits in all 25 municipalities.
- b) Forming of local certificate holders on the participatory approach.
- c) Completing integrated local development programs in the exemplary provinces (Setif, Mila, Khanchla, Tipaza, Batna and Om El-Bouaqui), pending the generalization of the process.
- d) Organizing seminars and meetings on promoting the regional and participatory approach

Objectives of participation

The recent trend in the practice and application of city policies depends mainly on involving citizens in their own affairs and participating in decision-making. In this regard, "the President pointed out that the failure to listen to the population and the lack of real powers of local communities contributes to the sense of injustice which often leads to demonstrations" (Sidi Boumedine et al., 2013, p. 31).

The participation of citizens is also an important mechanism for planning and the implementation of various projects. For many researchers, consulting the concerned citizens should be "initiated in advance as much as possible, including residents, land owners, developers, and contractors. This participation contributes to the enrichment of the project, taking into account their views"(Dahdouh et al., 2018, p. 3). The most important objectives of participation are:

1. Helping in the decision-making process: Getting information directly. This saves time, effort, and money; and enables management to adapt the project to the needs of citizens and to obtain information about their city, development, and prospects.
2. Facilitating the acceptance of projects by citizens: Avoiding reactions of projects rejection, raising awareness, and creating positive momentum between citizens and owners as the main source of wealth and the purpose of development.
3. Minimizing and controlling conflicts: Contribution to conflict management and development social connections among members of the city community, thus, raising the level of harmony, solidarity, and social cohesion as being essential elements of the city's policy.
4. Dialogue and democracy: Respecting the rights of citizens and promoting representative democracy, which contributes to reducing disputes, and keeping administration concerned with public interest in the framework of transparency.

Levels of participation

The level of participation refers to space the authority has given to citizens in the preparation of a decision or a project under preparation, or in proposing amendments to a draft in order to enrich it. Though there is difficulty in distinguishing levels of participation, Arnstein Sherry's research has proposed a ladder of levels of participation. His ladder has 8 levels categorized under 3 groups:

Group I (non-participation)

It represents the base of the scale, in which there is no citizen participation in planning. The real objective is not to enable people to participate in planning, but to inform the participants of the running programs. This group comprises two levels:

Manipulation: In this rung, public authority gives the impression that citizens are involved in the process without their awareness.

Therapy: In this level, public authority meets with citizens without addressing the real challenges.

Group II (degrees of tokenism)

This group enables citizens to get informed and to have their say. This is referred to as "listening group", and it includes three levels:

Informing: By which citizens are informed of plans and projects but without having a space to express their opinions.

Consultation: Through which public meetings and investigations are conducted that allow citizens to express their views that are not taken into account.

Placation: Some stakeholders are involved in decisions and have an impact on the implementation of projects.

Group III (degrees of citizen power)

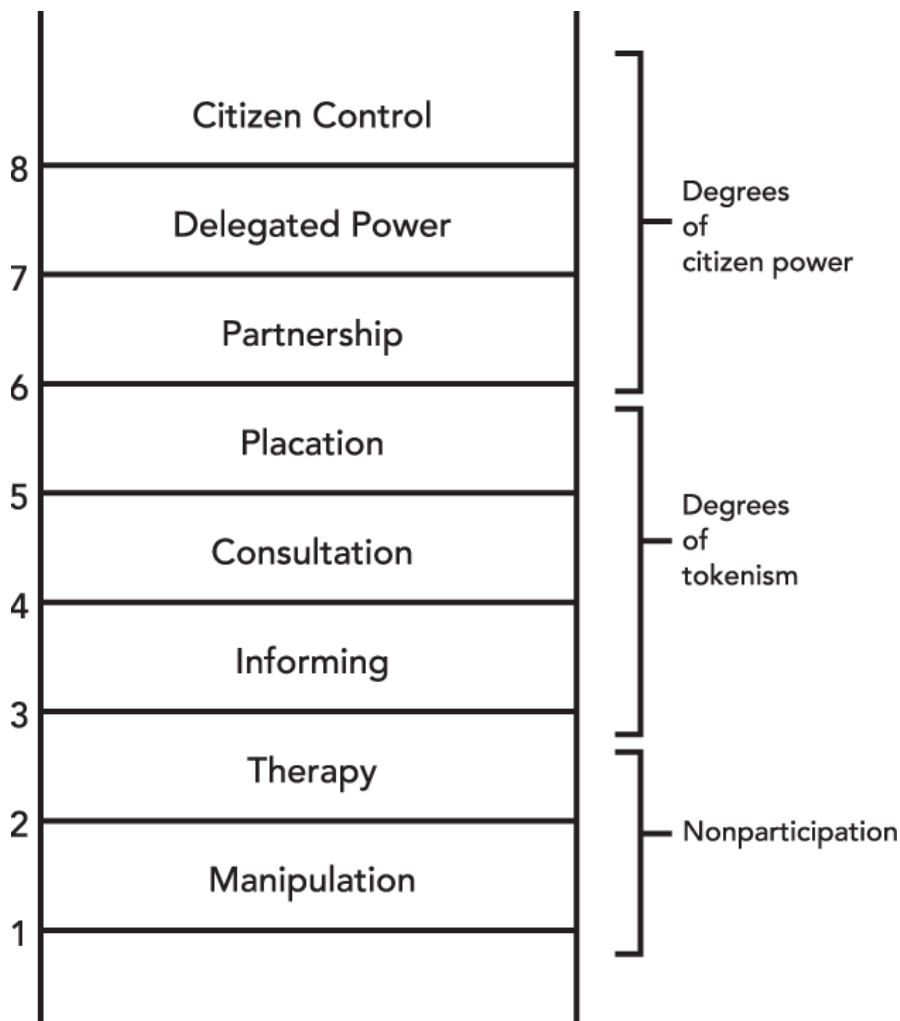
This group is sometimes referred to as "actual citizen power" where citizens can negotiate, exchange their views and, obtain the majority of decision-making. This group includes three levels.

Partnership: Decision-making is the result of negotiations between public authorities and citizens.

Delegated power: The central authority delegates to a local group the power to decide and execute a plan.

Citizen control: is the highest level in which all powers of decision-making and project design are assigned to citizens (1969, pp. 217-218).

Scheme1
Arnstein's Ladder to measure participation levels



Source: (Arnstein, 1969, 217)

The legal framework for urban planning in Algeria

Urban planning in Algeria is based on Law 90-29 of December 1, 1990 which is related to the preparation and reconstruction. This law is a translation of the major political principles contained in the 1989 Constitution, which devoted a series of deep reforms at the political and economic levels. The foundations of Algerian urban planning contained in Law 90-29 enable us to place it within the following models and trends:

Legal Urban Planning

The main legal tools for urban planning are the urban directive plans and LOPs. This characteristic is clearly stated in article 10 of Law 90-29, "Reconstruction tools shall be formed as urban directive plans and LOPs, as well as the organizations which are an integral part thereof" (Official Gazette, 1990, p. 1654). For Haraket, this characteristic is not uniquely Algerian; it seems closely related characteristic of legal and "technocratic urban planning" (2015, p. 642).

Consultative Urban Planning

Algerian urban planning is consultative and seeks to involve civil society in the formulation and conception of urban plans within the basic principles and legal mechanisms, namely:

- Informing: As required by article 14 of Law 90-29 on the preparation and reconstruction that the urban directive plans and LOPs shall be published for approval regularly in the places normally reserved for them and the authority shall respect their content" (Official Gazette, 1990, p. 1654).
- Consulting: All actors, associations, users and professional, organizations that are stated forth in article 15 of Law 90-29 on preparation and reconstruction should be consulted as follows: " Local associations of users, chambers of commerce, farmers and professional organizations should be consulted during the preparation of the urban directive plans and land occupancy plans" (Official Gazette, 1990, p. 1654).
- Public investigation: According to Article 36 of Law 90-29 of the Official Gazette (1990), " The approved land occupancy plans shall be submitted for public investigation by the President of the Municipal People's Assembly or the heads of the Municipal People's Councils within a period of 60 days" (p. 1654).

The legal framework of city policy in Algeria

The main tools of urban planning mentioned above, especially LOPs ,are considered in Algeria as part of the city policy tools as described by Law 06-06 of February 20, 2006. This Law includes the city directive law and an analysis of its content with respect to citizen participation in urban planning as follows:

5. Law 06-06, which includes the city directive law, aims to define the elements of the city policy within the framework of sustainable development (Article 01). This policy is designed according to a consultative path; and it is put it into practice in the context of decentralization and neighborhood management.
6. The general principles as dictated by Article 02 of Law 06-06 are:

Coordination and consultation

The various sectors and actors contribute to the implementation of the city policy in a coherent and effective manner, based on the choices made by the state and by mutual arbitration.

Neighborhood management

This approach aims at involving citizens directly or through associations in the conduct of programs and activities related to their living environment.

Human Development

It is the main source of wealth and the purpose of all development

Good governance

The administration worries about the concerns of citizens and works for the public interest in the framework of transparency.

Informing

Citizens are able to obtain regularly information about the status, development and prospects of their city.

Culture

The city is a space for creativity and cultural expression within the framework of national values.

Social equity

According to Official Gazette, (2006), Social harmony, solidarity and cohesion are the basic elements of city policy (p. 18).

As for the actors and powers who watch over the consistency and performance of the city policy tools according to Articles 13 and 14 of the same Law 06-06, they are:

- a) The state: It is represented by the public authorities
- b) Regional groups: They are represented by the electoral body formed by the ruling majority and the minority, often the opposition.
- c) Economic and social investors and dealers: They are urban activists who contribute to achieve the goals of the city policy.
- d) Citizen and associations: They are inhabitants and organizers of civil society, such as political parties and association, with various interests(Official Gazette, 2006, p. 19).

Making LOPs in accordance with the legislation in effect

Definition of LOP

It is a tool for designing and managing urban areas. It serves as a book of reference which specifies the size and shape, and the place of buildings on ground and on LOP. It represents the last level in the system of planning tools as an intersection of directive plans and construction (Saidouni, 1999, p.155).

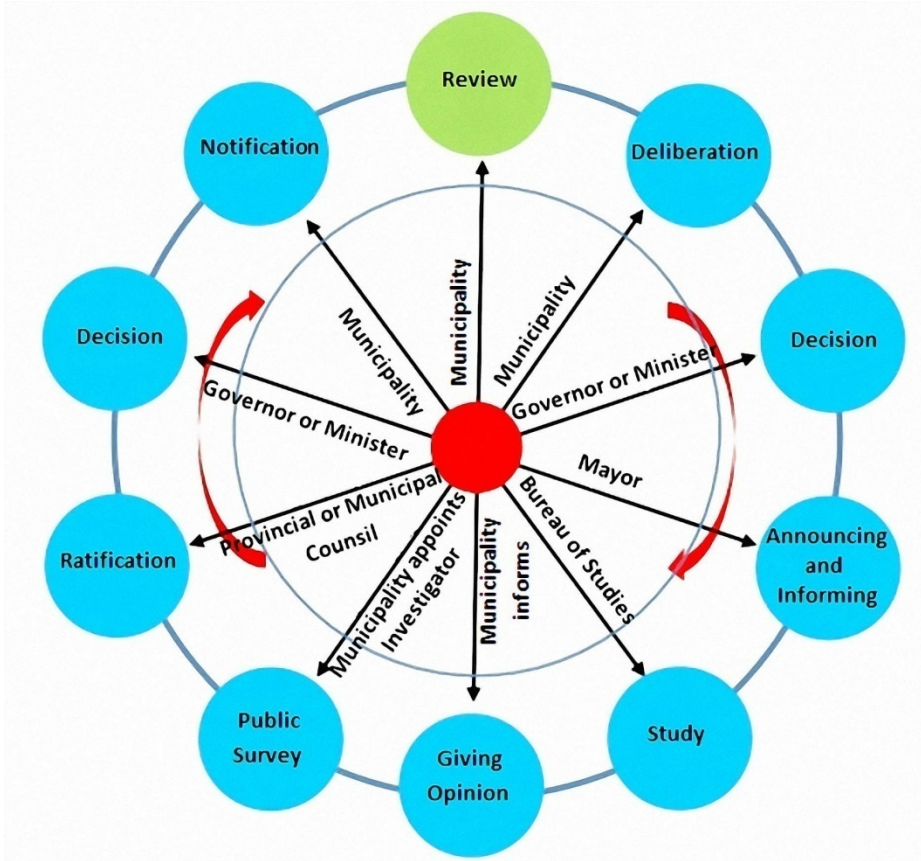
The legal reference for LOP

LOPs appeared in the Algerian urban organization at the end of 1990, in conjunction with the directive plan that represents the legal and planning reference for it. This reference was established by Law 90-29 of December 1, 1990 and separated by Executive Decree No. 91-178 of May 28, 1991, which determine the procedures for its preparation, approval, and the content of documents related them, which are summarized in the following stages:

Stages of preparing LOPs:

The preparation of LOPs are carried out in accordance with Executive Decree No. 91-178, which defines the stages of their approval and the contents of the related documents as shown in Scheme 2.

Scheme 2
The stages of preparing LOP in accordance with Algerian legislation in force



Source:(Dahdouh et al., 2018).

Drafting of LOPs begins by deliberating from People's Municipal Council or, and then informing the concerned provincial Governor in order to issue the decision. The Mayor then announces the project and informs all the actors in the city in order to determine the list of participants in the preparation of the project. The technical study of the project shall be assigned a Bureau of Studies chosen for this purpose. The Municipality shall report the proposal made by the Bureau of Studies in order to enrich and express opinion. After dealing with all reservations, the project shall be subject to a public survey, the proceedings, which shall be followed by a public investigator appointed for this purpose, are recorded in a special record. After the completion of the public survey, the project is submitted for ratification by the Provincial People's Assembly or the Municipal People's Assembly. The legally authorized bodies then prepare the decisions under which the project becomes formal. The ratified file shall be communicated to all services of the State and shall be made available to the public.

Stages of achieving the study of LOPs

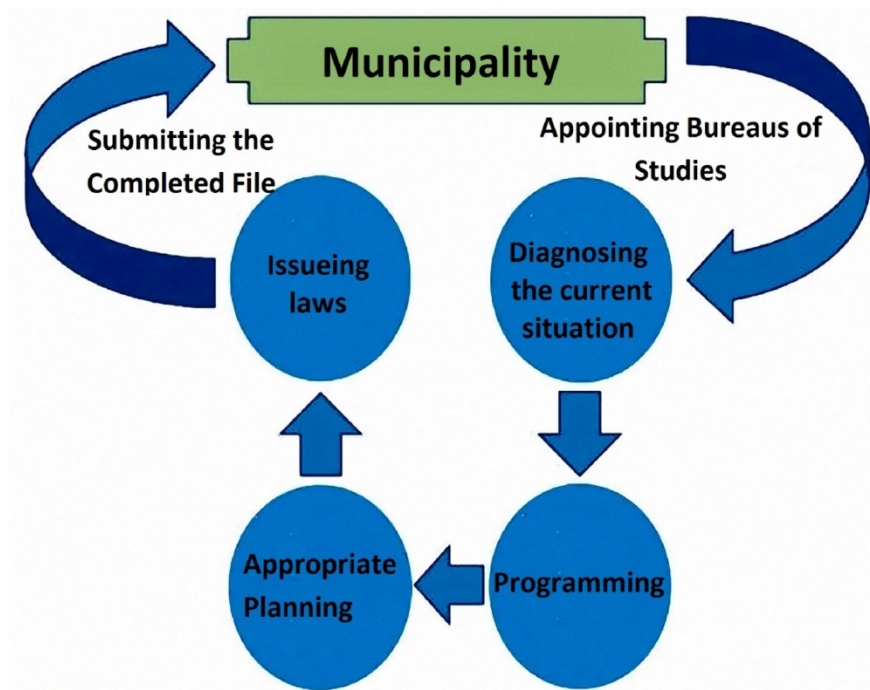
LOP is achieved in four stages as shown in Scheme 3..

- a) The first stage: represents diagnosis of the current situation and the prospects of development. It includes a number of statistics related to the current situation in order to determine their own growth in all fields, and to draw an overview of the pace of growth and development, in addition to comparing between the current diagnosis and the diagnosis of urbanization directive plans.
- b) The second stage: Based on the data obtained in the first stage, the programming process is carried out through the identification of equipment areas, green areas, and determining the types of accommodation and the identification of easements, and so on.
- c) The third stage: Based on the approved programming, appropriate configuration is proposed and approved.

The fourth stage: legalization is a legal conclusion of the achieved study in the previous stages.

Scheme 3

The stages of achieving the study of LOP in accordance with the Algerian legislation in effect



Source:(Dahdouh et al.,2018).

Analysis

Classification of the urban planning model in Algeria

After reviewing the urban planning models mentioned previously in the background and theoretical origins of the research, and linking them to the urban planning model in Algeria, we came to the following observations:

- a) It is based on a procedural legal model.
- b) It is involved in a participatory trend through the following processes:
 1. Informing
 2. Consulting
 3. Public investigation

By applying the ladder of Arnstein, which was previously mentioned in the levels of participation and in Scheme 1, on the model of urban planning in Algeria, it can be classified as follows:

- It is located at the second level of Arnstein's Ladder because it shares the same elements of the level as:
- Informing citizens of plans and projects, but without having a space to express their opinion.
- Conducting public investigations that allow citizens to express their views that are not taken into account.
- Some residents are involved in decisions and have an impact on project implementation

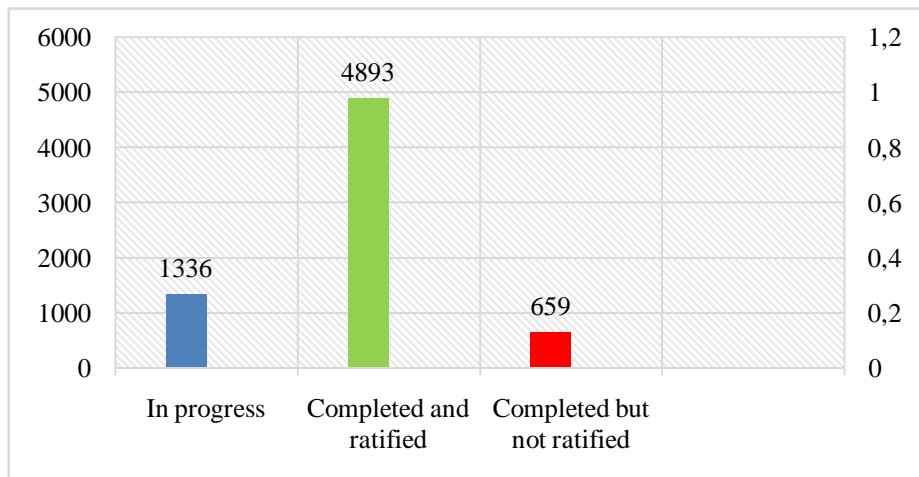
Assessing the level of participation in the preparation and implementation of LOPs in Algeria

According to the statistics approved by the Ministry of Housing, Urbanization and the City, the approved LOPs are studied and funded by Directorate of Urbanization, Architecture and Construction.

At the National Level

For LOPs in Algeria, Dahdouh et al. (2018), state that "the number of registered studies is estimated at 6891 of which 6229 are completed (90.36%) and 659 studies are in progress(9.56%), and 03 studies have not started yet(0.05%). For the completed studies, there are 1336 not yet ratified (19.39%) and 4893 ratified(71%)"(p. 61).

Graph 1
Ratification level of LOPs in Algeria

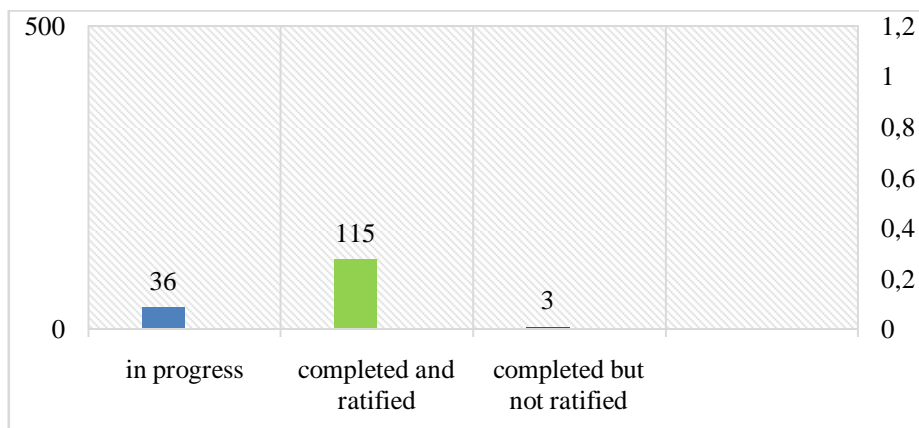


Source: The researchers, based on statistics of the Ministry of Housing, Urbanization and the City, 2017.

At the Regional Level

For LOP in the province of M'sila, "the number of registered studies is estimated at 154, of which 36 are in progress with 23.37% and 3 are completed but not ratified with 1.95% and 115 are completed and ratified with 74.68%" (Dahdouh et al., 2018, p. 61).

Ratification level of LOPs in the M'sila province



Source: The researchers, based on statistics of the Ministry of Housing, Urbanization and the City, 2017.

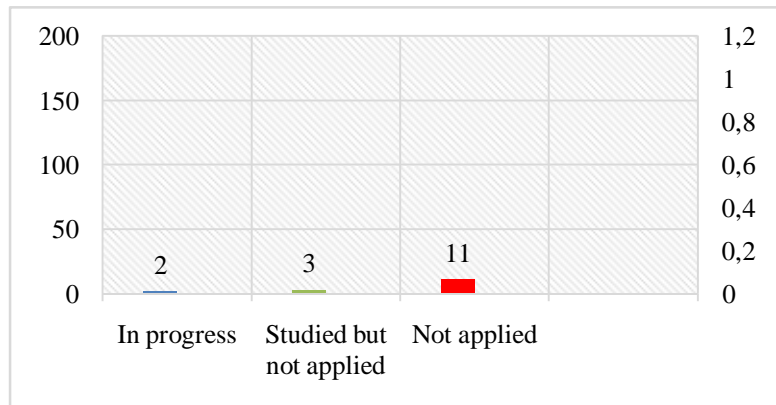
At the local level

At this level, we deal with LOP No. 07 in Hammam Dhalaa, which is our case study.

Procedures for preparing and implementing LOP No. 07 in the Hammam Dhalaa

In order to know the allocated area for participation during the preparation of the local urbanization plans, we chose one of LOPs from Hammam Dhalaa whose “urban area is organized by 16 LOPs, all of which have either not been studied or studied and have not been implemented”(Center for Studies, 2013, p.108). There are 11 plans not studied, 30 studied plans but not applied and 02 plans in progress as shown in Graph 3.

Graph 2
Application level of LOPs in Hammam Dhalaa

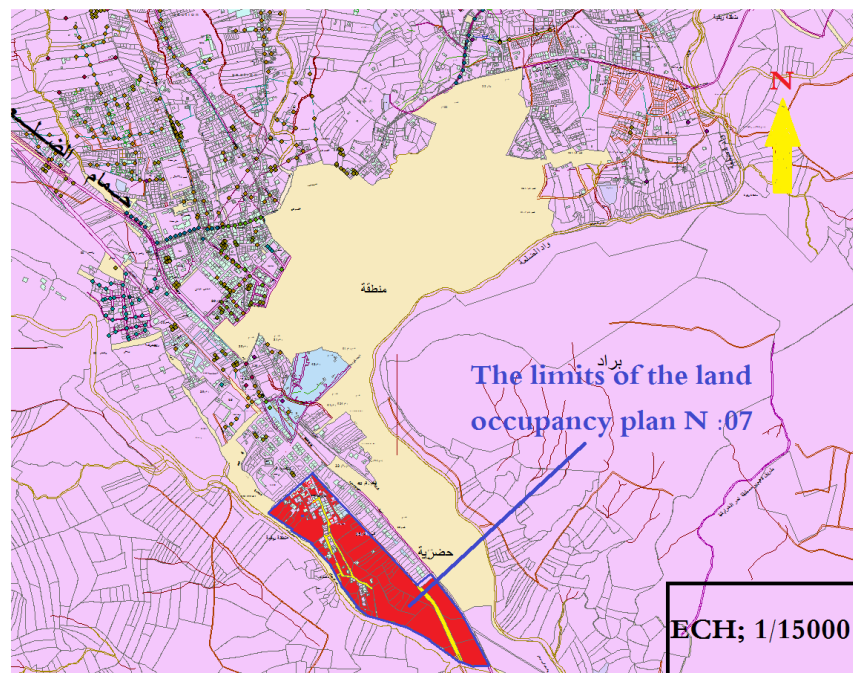


Source: The researchers, based on the review of urbanization directive plan of Hammam Dhalaa + Municipal Technical Services, 2018.

We have chosen the plan of land occupancy No. 07 in the city of Hammam Dhalaa as a sample of the studied and non-applied plans on the ground. It is also a wide area for research by virtue of citizens' real estate ownership (private ownership) and its date, which is synchronized with the new urban policy in Algeria, in accordance with Law 06-06.

LOP No. 07 is located on an important axis of National Road No. 60, covering 32.53 hectares, which was established within the framework of the development and reorganization of the population and the creation of spaces suitable for urbanization (Verdier, 2009, p. 188).

Map 2
Location of the LOP No. 07 of the city of Hammam Dhalaa



Source:(the researchers, 2018).

After the Municipality of Hammam Dhalaa benefited from the study of LOP No. 07, the project was embodied by a deliberation of the Municipal People's Assembly on 23/04/2012 under No. 26/2012, and ratified on 29/05/2012 No. 71. After that, the governor got informed about the deliberation in which he issued a decision on 03/07/2014 under No. 34/14 and then assigned the study to URBA Constantine. Then, the project was subjected to the public survey by Saghieur Mohammed, a municipal engineer in the municipality as a public investigator, who recorded all the notes in a special record from 31/07/2014 to 29/09/2014. Then the project was submitted for ratification by the Municipal People's Assembly. The decision was then prepared on 25/04/2016 and ratified on 05/06/2016, under which the project became official. However, its application in the field remains the main problem.

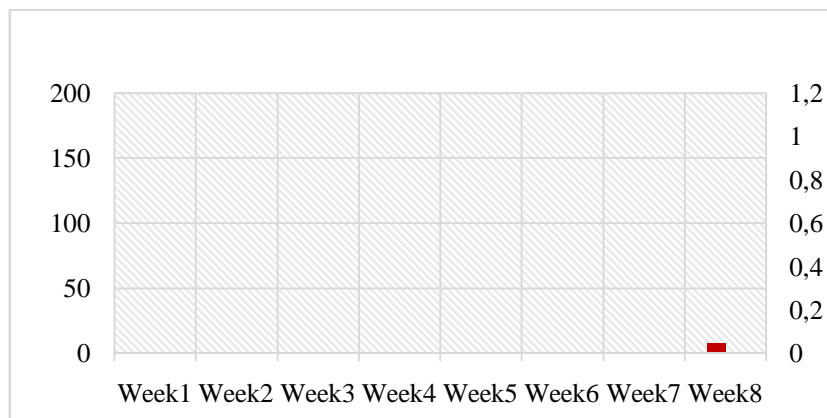
Participation in the preparation of LOP No. 07

After reviewing the administrative file of LOP No. 07, we were able to form a general idea about the plan's progress, especially project announcement and the parties involved in. Thus, it became clear to us the following:

- The book of references did not contain any reference to the involvement of citizens, especially private property owners; and participation was only confined to communication with public services.
- The total absence of citizens and landlords' participation together with communication weakness, as reported in the record of the public investigation of LOP No. 07. The real estate area for LOP occupies more than 270 ownership groups while the number of participations does not exceed 08 owners in the last week of the public investigation to defend individual interests (Graph 4).

Graph 4

Participation of citizens during the period of public investigation in LOP No. 07 in the city of HammamDhalaa



Source: The researchers, based on the public investigation record No. 07 in the city of Hammam Dhalaa.

The reality of LOP No. 07 between approval and implementation.

To address this point, especially with regard to implementing and respecting the content of LOP No. 07, we have carried out the following operations:

- a) Comparing the stages of preparing a LOP: We relied on the aforementioned urban planning laws, especially Executive Decree No. 91-178 of May 28, 1991 which defines the procedures for preparing and approving LOPs and the contents of documents related to them.
- b) Interviewing: We relied on interviews that we conducted with some representatives of the Hammam Dhalaa municipality and the Directorate of Reconstruction and Architecture in the city of M'sila. Through analysis, we found that the procedures of preparing LOP have not been respected, especially with regard to the following stages:
 1. Informing stage: In reality, the participants are appointed directly without expressing their desire to participate.
 2. Public survey stage: Citizens participate in making their observations only when they are directly concerned.
 3. Reporting stage: This procedure is not actually respected though the law puts the plan at the disposal of the public.

- c) Site visit: We moved to the site with the aim of projecting the data of LOP No. 07 on the ground. After the comparing the data on the plan and on the ground, it became clear to us that LOP No. 07 was not implemented. In fact, its real estate areas were at the disposal of the individuals who obtained ownership certificates while the concerned authorities did not take any legal action such as expropriation for public benefit. The projection process is shown in Maps 3a and 3b.

Map 3

Projection of LOP No. 07 in the city of Hammam Dhalaa on the ground.

Map 3a. Suggested planning of LOP No. 07 in Hammam Dhalaa



Map 3b. Current situation of LOP No. 07 in Hammam Dhalaa



Note: The researchers based on LOP No. 07 and satellite image of Google Earth, 2018.

Source: (Google Earth, 2018).

Field of investigation

In order to confirm the previous analysis, we prepared a questionnaire about the space granted for citizenship participation during the preparation of LOP No. 07 on the one hand, and the extent to which conditions and mechanisms are provided to ensure effective participation on the other hand. After selecting the purposive sample, in which the sample size was determined by 20%. An investigation was conducted on 22 members of the household out of 110 living within the area of LOP No. 07. The results of the investigation showed the following:

- a) 92 % of respondents assert they are unaware of the existence of LOP No. 07 either by the municipality or through the media; in return, 0.37% of real estate owners participated. The remaining 7.63% of the respondents refrained from answering because they had acquired their land in customary.
- b) The same majority of respondents (92%) confirmed that the preparation of plans by local authorities is not in the framework of transparency because the study is often assigned to outsider bureaus of studies.

Results and Discussion

Results of the statistics approved by the Ministry of Housing, Urbanization and the City related to LOPs (Graph 1, Graph 2, and Graph 3) show the following:

At the national level: Algiers is considered as "an urban community of a population with administrative, economic, social and cultural functions" (Official Gazette, 2006, p. 18).

At the regional level: The average city is represented by the "M'sila" as an "urban gathering between 50,000 and 100,000 people" (Official Gazette, 2006, p. 18).

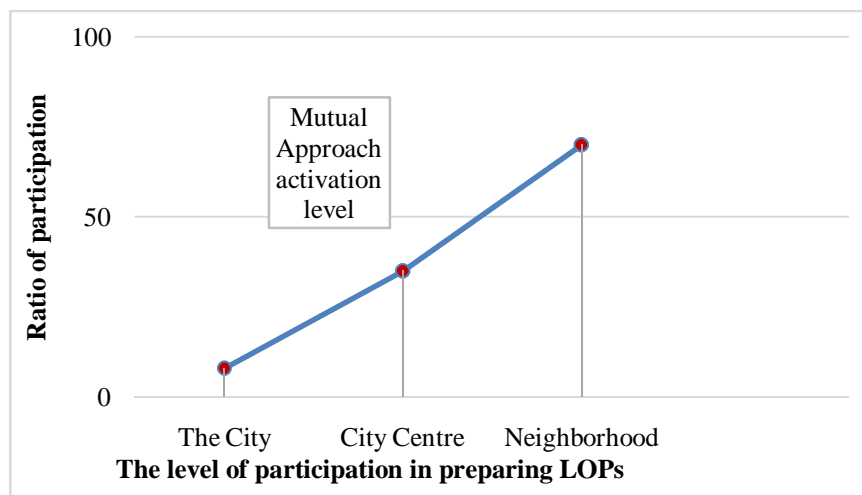
At the local level: The neighborhood is represented by "LOP No. 07," as "part of the city determined on the basis of a combination of data relating to the state of the urban fabric, its structure and population, and the number of its residents" (Official Gazette, 2006, p. 18).

The results shown in (Graph 5) indicate:

- The level of activation of participatory approaches in improving the performance of LOPs is moving towards good practices as we move up from the neighborhood towards the city.
- The level of activation of participatory approaches in improving the performance of LOPs is moving towards bad practices as we move down from the city towards the neighborhood.

Graph 5

The level of activation of the participatory approach in improving the performance of LOPs



Source: The researchers, based on the review of LOPs of Hammam Dhalaa + Municipal Technical Services, 2018.

The result is logical because a city is a distinct place and differs from a neighborhood. In the city, legal legislation appears to replace tradition, and it controls society by regulating the relationship between people. There are many social functions such as religion, culture and administration, which raise the necessity of bringing the media and culture out of the policy of administrative centralization from large cities to neighborhoods and villages that are ready to absorb the city policy representing the country administration in raising the pace of urban development in Algeria and pushing it to the correct path.

As for the case of study, the results of the field investigation were consistent with the results obtained by analyzing the content of the administrative file of LOP under study. The stages of preparing the plan were carried out in circumstances far from the good participatory practices of the citizens and disinterest of the administration in their concerns. As the results of the study showed, the procedures for preparing LOP No. 07 failed through the following steps:

- Informing: they are not given importance and often participants are appointed without their desire.
- Studying: The citizen, the resident or the owner does not participate unless he is directly concerned with defending the private interest while the rest of the bodies are satisfied only with giving opinion.
- Notification of opinion: This step is mainly based on formal correspondence only.
- Communicating the plan and placing it at the disposal of the public: This procedure is not respected.
- Public survey: In this step, the citizen participates in making his observations when he is directly concerned with the private interest, but he rarely participates in the public interest.

Conclusion

Modern methods and research on the issue of participation have benefited from the influence of sustainable development, governance, and participatory approach. The latter was implemented in several countries like Britain, which was called "alternating democracy." In the German experience, it was called "local democracy." In Venezuela, the model was based on making participatory democracy a constitutional basis for the state by allowing local citizens in policy management. In the same context, the Swiss experience, known as "semi-direct democracy," and the French experience shown in city policy, called "neighborly democracy" are considered successful experiences in activating local development by involving local citizens in the management of local affairs" (Salama, 2010, p. 6).

The situation can be similar in Algeria if it adopts the governance that came as an explicit invitation to involve all the actors in the city's policy as "the civil society, the social forces, the electorate (the ruling majority and the opposition minority), executive directorates and investors" (Verdier, 2009, p. 188). In order to effectively prepare development programs and projects and to ensure the state's monitoring and evaluation of its performance, different sectors and actors should be involved in the development, implementation and evaluation of various development programs in an organized, harmonious and efficient manner.

The involvement of citizens, residents and landlords in the preparation of LOPs remains weak compared to the directives of the various Algerian laws issued in this area. This participation is guaranteed by Law 06-06 of 20/02/2006, including the city's directive law related to urban planning.

The application of the participatory approach in the preparation of LOPs contributes to reducing all kinds of imbalances between the neighborhoods of the city and the achievement of several principles, such as social equity, under which harmony; solidarity and social cohesion constitute the basic elements of the city policy. Media also helps citizens obtain permanent information on the status of their framework life, development and prospects. Citizen participation in urban planning means that urban plans and projects are the result of negotiations between the public authority and citizens. The authorities must ensure that participatory diversity is achieved during the preparation and implementation of social and urban projects in such a way as to guarantee the rights and duties of Algerian citizens in programs and activities related to their living environment. In order to have a higher level urban planning in Algeria, We propose the following:

- a) Identifying urban policy by involving all actors in the city before, during and after approving LOPs.
- b) Expanding the space of participation to citizens, residents and owners of real estate during the design and the implementation of social and urban development projects.
- c) Developing awareness-raising and information-oriented policies for citizens and organizing seminars and meetings on promoting the regional and participatory approach.
- d) Providing the conditions for consultation and discussion between the various stakeholders in the beginning and at the end of the preparation of LOPs.
- e) Developing the legal framework for consultation in accordance with Article 20 of Law 06-06.
- f) Developing rational management patterns using modern means and methods.
- g) Activating the laws related to media tools in accordance with Article 23 of Law 06-06.
- h) Completing integrated local development support programs at the level of model districts called for by the Ministry of the Interior and Local Communities and Urbanization.

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