

Chapter 14

Management of the Public Land in Morocco Actors and Logics

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ABSTRACT

The land heritage held by the public authorities represents an important part of the Moroccan land system. The management of this land heritage obeys various logics arising from its functional, legal, and institutional complexity. The objective of this study is to identify the numerous logics that drive the management of land assets by various actors and to describe the impact of these logics on the land management. The adopted methodology is to analyze the theoretical aspects and functions of the land tenure, study the regulatory framework of the land and the territorial land, and deal with the institutional framework of the land heritage management. The achieved consequences of this study have enabled the authors to distinguish three logics: the conservative logic, the regulatory logic, and the promoting logic. The goal behind the chapter is to provide the stakeholders with a functional paradigm to take into account for creating the conciliation tools reinforcing the coordination to carry out the urban development of the country.

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INTRODUCTION

The land is the essential element in the definition of economic and social development projects in Morocco. The land heritage is shared between two forms of ownership: private property and the one belonging to the State and to territorial communities

The public ownership of land in Morocco is manifest in the federal lands, private lands, and forestry, and property Habous public. The municipal field, private and public, belongs to the territorial communities. Other statutes in land are appropriate by individuals but subject to the direct management of the State. It is of collective lands, lands Guiches and lands Habous private.

The management of this heritage is of crucial importance; view the important area of public land. This management which is the responsibility of the public authorities is framed by several variants which generate different logics of management. The question which arises: what is the logic of actors in the field of public management of land heritage? What are the factors producing these logics of management?

This study intends to distinguish the different logics of actors in the public land management. It adopts for tool the legal analysis of the concepts and functions of the land, as well as functions and roles of the actors, all the more the theoretical overview on the concepts and functions of land under different disciplines.

MATERIAL AND METHODOLOGY

In order to be able to distinguish the logic which animate the actors in the management of the heritage of the land in Morocco, we have opted in the first time to a conceptual analysis on the concepts and functions of land; then, we conducted the legal analysis of the land heritage of Morocco for release the definition and functions of each land status, and finally we have made a legal analysis of the institutional framework of the land in Morocco to distinguish the actors and their responsibilities in the management of land heritage

The Concepts and Functionality of Land

The Concepts of Land

The land refers to the set of social relations that have for support the Earth or the territorial space. The concept of the land can be apprehended under four approaches:

- **An Economic Approach:** It considers land as a well-exchangeable and as a commodity. This said, the transactions on the earth as an economic good involve many economic benefits.
- **Approach of Development:** Land is a support of agricultural production or support of urban development.
- **A Social Approach:** Often used by sociologists and geographers in recital the land as an object of desire (the main issue of communities and individuals) who organizes the social relationships between men and between men and the nature.
- **An Environmental Approach:** Land is an absolute environmental fact; the preservation of the land is a condition to the preservation of the environment.

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