



Titling the desert: Land formalization and tenure (in)security in Nouakchott (Mauritania)



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ABSTRACT

Drawing on empirical ethnographic research conducted in three resettled areas in Nouakchott (Mauritania), our paper aims to enrich the debate on land formalization, attempting to understand the effects of slum upgrading programs and the titling process. In a context of securing land tenure as upheld by international institutions, the paper questions the implementation of these titling programs, which aim to deliver secure tenure and, more broadly, achieve economic development. It appeals for an analysis of how poor people react to titling policies in a context of highly complex relationships between formal and informal land status. Our case studies show that formal deeds do not necessarily lead to secure tenure. For the impoverished households who have withstood resettlements, these titling practices can be seen as a way to improve their livelihoods or, on the contrary, as breeding grounds for new forms of vulnerability. Moreover, these elements can also be perceived as triggers for encroachments between the State and the law and, at times, a reason to claim new rights.

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1. Introduction: plotting and titling urban Africa

In the Global South, urban sprawl, informality and tenure insecurity embody some of the principal issues faced by State and municipal authorities. While plotting processes are stretching out the outskirts of cities, questions surrounding land tenure and poverty are at the heart of policies voiced and advocated by international institutions. The World Bank, the United Nations, as well as numerous donors and governments, have provided support for programs aimed at formalizing property rights, increasing tenure security, securing investment and expanding access to credit for poor urban dwellers (Choplin & Denis, 2016; Durand-Lasserve, 2015; Durand-Lasserve & Selod, 2009; Land Tenure and Development Technical Committee, 2015; Zevenbergen *et al.*, 2013).¹

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¹ See for instance the Global Land Tool Network, which offers a very useful platform for debates, tools and examples on "securing land and property rights for all" <http://www.gltn.net>.

Consequently, in many instances, land titling processes play a central role in encouraging individualized property rights as means to fight and alleviate poverty in cities across the Global South.

The dissemination of these ideas has been encouraged by the success of Hernando de Soto's theories (De Soto, 2000), which call for the formalization of informality, namely property rights. De Soto argues the lack of titles disables the poor from increasing the market value of their assets in that it prevents them from investing and developing their individual property holdings. According to de Soto, land titles can facilitate the inclusion of squatters into society by serving as start-up capital and thereby allowing for their insertion into the market economy. Leading in to this discourse, titling projects have been seen as the most straightforward way of including informal settlements and the poor into the city. However, while de Soto's theory has sparked the interest of high-end institutions and policy makers, the links between formal land titling, legitimacy, improved tenure security and livelihood stability remain unclear (Denis, 2012; Durand-Lasserve, 2015; Payne, 2004; Payne *et al.*, 2009). Numerous scholars have criticized de Soto theories, pointing to the absence of practical examples demonstrating the relevance of his ideas (Gilbert, 2002). Others target the economist's tendency to over-focus on the capitalization of property to enable its exchange in the form of credit rather than on

securing tenure for the poorest, and simultaneously denounce the oversimplification of the informal economy (Cousins *et al.*, 2006; Varley, 2002). Moreover, studies have shown property titles may, at times, weaken rather than strengthen security (Bromley, 2009), particularly in reference to how it is perceived (Durand-Lasserve & Royston, 2002; Payne *et al.*, 2009). Thus, as the Land Tenure and Development Technical Committee (2015) pointed out, “formalising land rights (through documented legal recognition) should not be confused with securing land rights (ensuring they can be exercised peacefully without threat or hindrance)”. Therefore, tenure security cannot be reduced neither to a formal status, nor to an exclusive lettered document.

Drawing on empirical ethnographic research conducted in Nouakchott, the capital of Mauritania, our paper aims to contribute to the debate on land formalization with a bid to understand how the poor respond to titling policies. Located in the rim of the Saharan desert, the Mauritanian capital has over a million inhabitants.² Created *ex nihilo* in 1957 around a mundane watering point, Nouakchott has experienced exponential growth in the 1970s, following a period of severe droughts. Since then, the government has regularly attributed plots and land titles to the new arrivals, stimulating urban sprawl, squatting and speculation. Thus, these ordinary practices shed light on the complex embedded relationship between formal and informal, legal and legitimate, positive and customary rights. Since the 2000s, international institutions have advocated for property rights and for the delivery of land titles. Within the framework of the Urban Development Program launched in 2001 (PDU), the World Bank encouraged the restructuring of precarious neighbourhoods through slum upgrading and land titling programs. For the authorities, plotting and titling have become the spearhead to regaining the city by eradicating informal settlements and fighting urban poverty.

Based on ethnographic research and extended case studies conducted among the impoverished households resettled in three peripheral neighbourhoods of Nouakchott between 2003–2014,³ our paper explores the implementation of these urban policies, and questions the links between formalization, property rights, economic development and political agendas. Three driving queries guided our fieldwork: does the assignment of formal land titles, as advocated by international institutions and de Soto, allow for the substantive improvement of living conditions in upgraded areas to take place? More so, do the inhabitants themselves feel more secure as land title owners? How does the titling process influence the settlements, land claims and their urban practices?

In order to understand these land titling policies and practices, the first part of this paper examines the interaction between the formal and informal way of accessing land and presents how residents of Nouakchott take advantage of this ambiguity. The second section presents the three case studies; neighbourhoods where populations have been resettled to and, seemingly, attributed land titles. In the final part of the paper, we question the living conditions, perceptions of tenure security and rising claims for new

rights as they stand.

2. Land titling in nomad's land

2.1. Nomads, land and the city

The urban land question is one that is recent in this part of West Africa that delineates the Sahara and the Sahel. In Mauritania, this emergence is linked to the creation of Nouakchott and the urbanization of the society as it established in the capital. Upon gaining independence in 1960, the country was predominantly inhabited by a nomad population. Unlikely to sedentary people, who consider their territory as a bounded area, nomads refer to tribal herds' range and an oasis, palm groves and wells controlled by each tribe. This does not imply that property did not exist for nomads; rather, it indicates the bond to land was undoubtedly different in the desert. Real property as such was of little significance for this mobile population prior to the creation of Nouakchott.

Since the inauguration of Nouakchott in 1958, with its 500 inhabitants at the time, the relationship towards land has radically changed given its rapid and anarchic extension (D'Hont, 1986; Choplin, 2006, 2009a; Chenal, 2014). Nouakchott experienced a massive influx of migrants from the rural areas as a response to the severe droughts of the 1970s and 1980s. The nomads, having lost their herds, moved to the new capital *en masse*, creating vast shanty towns in the surrounding dunes. Between 1975 and 1990, the population quadrupled, increasing from 135,000 to 420,000 inhabitants (annual average rate of growth of 8%). In 2000, the population was estimated at 800,000 inhabitants. In 2014, it reached 1,2 million (Le Gleau, 2014).

From 1974 to 1988, the Mauritanian government has attempted to tackle the problem of informal growth by distributing over 200,000 plots to the new residents (D'Hont, 1986; Diagana, 1993). Lacking the means to invest in or develop their living space, and since new plotted areas were not equipped by infrastructure services, the beneficiaries re-sold their attributed parcels and moved elsewhere, creating new informal areas (Diagana, 1993). Since then, the former nomads, who were indifferent to property and real estate in the desert, perceived the land distribution policy as a way to realize profits. The government's distribution of land at heavily subsidized prices has encouraged speculation and the squatting phenomenon. Since then, two types of spontaneous settlements have emerged: the *kebbe* and the *gazra* (Tanguy, 2002).

Distinguishable by its tents and barracks, the *kebbe*⁴ appeared in the 1970s alongside the sedentarization of poor former nomads. The *kebbe* can be recognized as the local slum and is an expression of social and economic marginalisation in the city. Most of the slum dwellers are descendant of former slaves (*Haratin*), who are considered to be at the bottom of the social hierarchy (Marchesin, 2010). In 2003, the largest slum in the city, the *Kebbe El Mina*, brought together high density (50,000 inhabitants - 400 inh/ha), poor living conditions and a state of insecurity in terms of status and rights to one point (Diagana, 2017). Since then, the *Kebbe El Mina* has been undergoing upgrades as part of a restructuration framework initiated by the Urban Development Plan and implemented by the World Bank. Around 15,000 slum dwellers were attributed a plot and a land title *in situ*. The other 35,000 were resettled in the south of the city (*Sans fiche sans photo* area) (Choplin, 2014).

The *gazra* (squat) is another term used to identify the illegal

² In 2016, Mauritania's population reached 4,1 millions (Source: UNDP).

³ This article hinges on research outcomes and ethnographic data obtained during the last fifteen years in Nouakchott. Analysis focuses particularly on urban processes, political governance, land access and social dynamics, especially in three neighbourhoods (*Nezaha*, *Sans Fiche Sans photo*, *Tarhil*). Since 2003, we have been following a slum upgrading program, as well as the resulting resettlement operation (in *Nezaha*). In 2008, an impact assessment was conducted to evaluate this slum clearance program (Choplin, 2009b), and a quantitative survey was undertaken with more than 400 residents (in the *Sans Fiche sans photo* area). In 2012–2013, we supervised French and Mauritanian students in Geography who conducted interviews in *Nezaha* and *Sans Fiche Sans photo* areas, as well as in the new plotted area, *Tarhil*.

⁴ In *Hassaniyya* (the local Arabic dialect), the term *kebbe* means spill over or dumping ground. To go further in the explaining of the differences of *kebbe* and *gazra*, see Tanguy, 2002.

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