



## RESEARCH ARTICLE

## Development of Algerian New Cities in Urban Planning Law: Realities and Challenges

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**ARTICLE INFO**

Received: Apr 24, 2024

Accepted: Aug 12, 2024

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**Keywords**

New cities

Legal framework

Sustainable development

Algeria

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**ABSTRACT**

Faced with increasing urbanization, new cities represent an innovative approach to meeting the challenges of urban sustainability. This research aims to analyse the legal framework relating to new cities in Algeria, by identifying the strengths and weaknesses, successes and limitations. Despite the legislative ambition, the results identify practical gaps and ambiguities that remain still. The Algerian experience exposes the difficulties of transposing contemporary urban planning ideals into a legal framework effectively favourable to these ambitions.

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### INTRODUCTION

In view of uncontrolled urban growth, marked by challenges such as demographic pressure, social injustice and pollution; new cities present themselves as a renovating model, offering innovative solutions for balanced and sustainable urbanization (Fainstein, 2010).

Create by political decisions<sup>1</sup> (Telier, 2005; Vermeersh, 2015), and/or spatial-functional, or economic and social reasons (Deit, 1973), the new city always reveals to improve urban thoughts and practices<sup>2</sup> for a better future of urban territories, which, in some cases, invites us to dream.

Indeed, the growing idea of building new cities illustrates an attempt to diversify urban strategies, offering an alternative to urban extensions (Vadelorge, 2020). These projects, often conceptualized on the outskirts of metropolitan areas, aim to establish a territorial balance (Safar Zitoun, in Signoles, 2014).

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<sup>1</sup> The new city was created to highlight the formation of the independent nation State (case of African countries) (Schlimmer, 2023).

<sup>2</sup> According to the French law of Jul. 13<sup>th</sup>, 1983, new cities aim to "...ensure a better social, economic and human balance in regions with a high concentration of population, by offering employment and housing opportunities as well as public and private facilities... ».

In England, *The Garden Towns* are new cities supposed to solve dysfunctions (overcrowding, pollution, etc.) through the proposal of new urban models based on the principles of separation between areas, the integration of green spaces and reconciliation between urban centres and the countryside.

The new French city is created as a laboratory of innovations, a space where urban experiments take on a qualitative dimension by integrating elements of urban art, green spaces and a balance between residential and economic functions (Vadelorge, 2020).

Following two logics, the logic of urban expansion (Algeria, France) and the logic of territorial re-composition (Egypt, Brasilia), the new city is not built for mere residence nor gathering crowds (Vermeersh, 2015), but a space where the housing/employment equation is balanced; neither an experimental city, nor a city of the future (Telier, 2005), but a field for innovation.

However, the contemporary evolution of urban policies, oriented towards the sustainable development of territories (Neglo, 2023), underlines the need for a critical reassessment of the legal frameworks governing existing agglomerations. The latter, often witnessing an economic and social regression, as well as a degradation of natural environments, call for a legislative overhaul in order to equip new cities with the capacities to respond to current challenges (Genestier, 2019).

These are, indeed, urban ambitions reflected in the promotion of an urban model focused on economy, society, and environment where the law plays a central role in the implementation of these new entities. The need for an adapted legal framework is highlighted by various authors such as Imbert (2011) who insists on the importance of regulation and standardization in the development of new cities.

This vision contrasts with practice in Algeria where the current legal framework, although innovative, has certain ambiguities that limit its effectiveness. Here, legal conceptualization tends to categorize new cities according to spatio-functional criteria<sup>3</sup> imaged<sup>4</sup> and modelled<sup>5</sup>, each sketching according to Sidi Boumediene (2013, 2017) a vision of the new city as an entity that is autonomous and dependent on its environment. Several main aspects are still partial, causing the relative obscurity of the new city. This requires in-depth thought to review the legislative context in order to reach equal aspirations of new cities with the principles of sustainable development.

The new city explored from various perspectives in the world, is of particular importance in the Algerian context where it questions the legal framework and its impact on the proclaimed urban planning ambitions: are Algerian new cities attractive and competitive urban areas whose objective is to break with previous thoughts and practices? Or are they new urban centers aimed solely at decongesting metropolitan cities? Is it a lever for urban development in a modern perspective or just a space reduced to receptacles intended to receive the populations?

The inherent complexity of the new city in Algeria calls for a normative re-evaluation that incorporates the contributions of city law specialists, such as Soja (2010) who explores "geographical postmodernity". These perspectives offer a valuable analytical framework for understanding the legal stakes of new cities, highlighting the need for legislation that clearly articulates the goals, means and ends of modern urban planning.

The reconstruction of a more comprehensive and explicit legal framework for new cities in Algeria therefore requires an approach that goes beyond traditional approaches. The aim is to integrate a

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<sup>3</sup> "... new cities are defined as much as any creation of human settlements of an urban nature in virgin sites or based on one or more existing housing cores..." (Article 3 Law No. 01-20; Article 2, Law No.02-08).

<sup>4</sup> "...a new city is a new image of the city..." (Notice of 22/8/1995, p.39).

<sup>5</sup> « ...New cities are defined as human settlements "of excellence" in organization, research in architecture, functional balance and living environment..." (Notice of 22/8/1995, p.39).

multidisciplinary vision that takes into account the spatial, functional, environmental and social dimensions of urban planning.

This study aims to dive into the legal contributions relating to new cities in Algeria, by highlighting the strengths and opportunities, as well as the weaknesses. By transcending theoretical divides, this analysis aspires to initiate a profound legal debate, likely to guide political choices and shape the future of urban territories with a view to sustainability (Scott & Storper, 2015).

## 1. Origin of the Legal Framework for New Cities in Algeria: The Construction of a Proactive Policy

The new city in Algeria as a project of nation has just been formalized in particular by its inclusion in the guidelines of the National Plan of Territorial Development 1987 (Law No.87-03). According to the same plan, new cities located according to a *crown* zoning, are supposed to be a tool with two functions: rebalancing the territory, planning spaces to receive populations from metropolitan cities (Ballout, 2019). In addition, these projects aim to build structured cities, promote investment and create jobs.

The new cities idea shows up when "*Algeria tomorrow*"<sup>6</sup> file appears. Here, the document ensures the commercialization of a brand image given that these projects reconcile economic growth and sustainable development by offering better reception conditions. It also corrects the undesirable effects of growth and optimizes economic and financial plans (Notice of 22/8/1995, p.39).

The territorial action plans (TAP no.6, 7, 8 and 10) of the law no.01-20 propose to implement these objectives according to a hierarchical urban plan, from the coast to the South passing through Highlands (National Plan of Territorial Development in 2030, Algiers, 2001). Here, the idea is to strengthen or even create the competitiveness and attractiveness of the territories while introducing new information and communication technologies (NICT) (Ballout, 2019).

The appearance of Law No.02-08 bearing the conditions for establishing and developing new cities marks a turning point by introducing an innovative legal framework for the design of new cities, not only as multifunctional urban spaces but also as tools of a social, economic and environmental balance (Article 02, Law No.02-08). These new urban entities aim to transcend the simple role to become centres of economic dynamism and social justice in harmony with the objectives of sustainable development.

Within the framework of this law, the recommended conditions are set by a legal arsenal consisting of more than 40 texts, including presidential decrees, executive decrees, decisions and inter-ministerial decisions. Between 2004 and 2021, the said texts continue to decisively determine the components of new cities, the practice conditions of delegated project managers, the flexibility of managers, the practice conditions of the concept of public interest (Sidi Boumediene and Signoles, 2017), the project management and the missions of administrative bodies relating to different sectors.

The new city is therefore a legal construction, always evolving, which transcends conceptual, geographical and trendy divides. It is considerably important in Algeria due to its proactive policy to implement ambitious projects, having aspiring objectives with decisive challenges.

## 2. Methodology

The exploration of the voluntarist policy of a new city in Algeria through the prism of law and urbanism reveals the complexity and richness of this debate. A strengthened legal approach inspired

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<sup>6</sup> "Algeria Tomorrow" file is a document prepared by the Ministry of Equipment and Spatial Planning in October 1995, submitted to the vote during the IV session of the National Economic and Social Council, appearing in the Official Journal No.21 of 9/4/1997.

by the reference work in the field, appears essential to rethink new cities not only as urban spaces but also as legal entities with a clear normative identity.

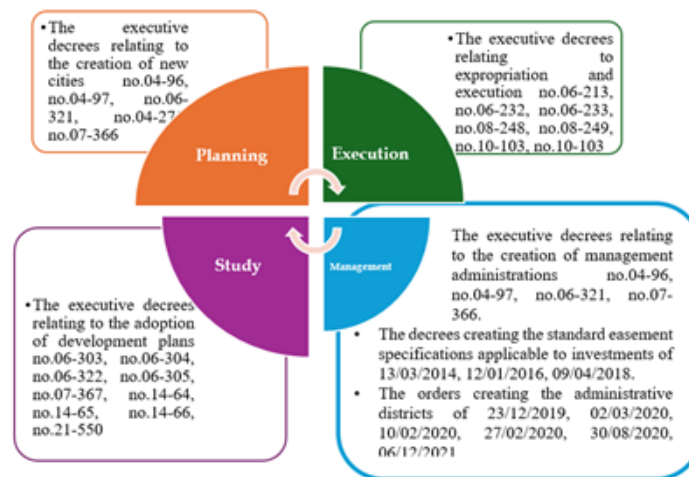
This study starts from a broad vision of this political will towards critical readings. It focuses on identifying the strengths and weaknesses and then wants to measure the content between the speeches and the reality on the ground able to look for the factors responsible for the differences in order to identify recommendations for its improvement.

In this vision, the QCA qualitative content analysis (Angers, 1997) is applied to a selection of regulatory documents, institutional missions as well as planning and urban planning documents.

Based on the recurrence of concepts, coding, the transition from a surface content to a latent one, conceptualization and interpretation (Paillé & Mucchielli, 2008); the chosen approach aims first of all, to become acquainted with the contents of the texts by examining more closely their objectives, approaches, fields of action and then to carry out a series of identification of concepts and selection of expressions related to the foundations of new cities. In accordance with articles 6, 7, 8, 9 of Law No.02-08, the created legal arsenal<sup>7</sup> was the subject of experimentation and made it possible to identify the indicators of modernism, as well as the foundations and bases.

Secondly, the QCA realises classifications over time and according to content. Indeed, the issuance of these laws was classified into four phases called the cycle of new cities (**Figure 1**).

Four phases under legal cover identify both the conditions of create and the conditions of construction or even operation. We are talking here about the creation laws that recommend the contents<sup>8</sup>, the laws of the procedures for adopting the plans, the laws of achievements and expropriation<sup>9</sup>, the laws of creation of management administrations, the specifications for investment and the laws of creation of administrative districts in the service of management<sup>10</sup>.



**Figure 1: Application laws, source: jora.dz**

<sup>7</sup> In this sense, new cities have recently been created (Boughezoul, Bouinan, Sidi Abdallah, El Ménéa, Hassi Messaouad), management administrations have been set up, development plans for new cities have been adopted, expropriation operations for public utility and implementation operations have been launched.

<sup>8</sup> The laws for the creation of new cities stipulate the situations, areas, perimeters, delimitations, functions and programmes.

<sup>9</sup> The laws of statement of public utility for the realization of certain works, equipment and infrastructures deal with three axes: land, areas intended for expropriation, lists of equipment and infrastructures to be realized.

<sup>10</sup> These laws mainly ensure the definitions of tasks, the appointment of members and their profiles of the various commissions, requirements, rights and obligations.

Finally, the QCA realises comparison and interpretation operations by examining more closely the extent and impact as well as the different relationships that may exist between concepts, expressions, articles and laws: logical relationships of causality, conditionality, temporality, etc. This essentially arises from approving the obtained results given that the legal arsenal is deemed concordant or relative.

### **3. Legal Analysis of New Cities in Algeria: Indicators of Modernity**

The development of new cities in Algeria engages a fundamental legal debate on urban governance and reveals the multiple facets – often hidden – of urban projects: their real objectives, implementation mechanisms and future prospects.

The introduction of Law No. 02-08, including the application laws, is set within this logic, adopting an approach that considers the contemporary challenges of sustainable development as a modernity aspect; such approach is essentially distinguished by its *sustainable, global* and *normative* character, as specified in Articles 3, 4, 5, 6, 7, 8 and 9 of the law.

#### **3.1. Sustainable New Cities and Urban Planning in Algeria: Integration Strategies**

The Article 4 of Law No.02-08 initially ensures that new cities are based mainly on requirements relating to the national spatial planning policy (Law No.01-20) oriented towards sustainable development. It is at this level that a meaning to the economic, social and environmental dimensions is given, and the role played by new cities is noted, especially in implementing sustainable urban practices to direct urban development, their functions execution, component and programs. The importance of three fundamental dimensions in the development of new cities is highlighted as follows:

##### **3.1.1. Economic Dimension in New Cities: for Integrated Economic Expansion**

Constructing new cities without a clear economic strategy, risks turning them into simple consumers of resources rather than wealth-producing hubs. Factors such as unemployment, predominance of retail trade and the lack of economic infrastructure put pressure on these urban spaces, which are supposed to contribute to overall economic efficiency (Florida, 2002).

As instruments of economic expansion (Notice of 22/8/1995, p.39), new cities are intended to promote urban development associated with tangible economic growth characterized by the generation of wealth and the minimization of costs and expenses. From the planning stage to the implementation one, each new city should be guided by a short-, medium- and long-term economic strategy, based on new information and communication technologies (NICT), innovation, training and research, ensuring a positive economic balance known through adequate job offers and decentralised financial management.

##### **3.1.2. The new city as a Social Rehabilitation Strategies**

Urbanization, when less planned, unfolds beyond adequate spatial and environmental boundaries, negatively impacting the quality of life. New cities are emerging in response to these challenges, seen as instruments for mitigating social fractures (Notice of 22/8/1995, p.39) through the resumption of precarious housing and the decentralization of activities. They aim to meet the needs and integrate more populations from metropolitan cities, in a social equity and intelligent distribution of the population.

Considered as a lever for social recovery, the new city must act as a physical and social device aimed at transcending constraints and specifically addressing social issues, moving from a situation of decline to a state of progressive development. This development aims to overcome the imposed social obstacles, functioning as a mechanism subject to opposing forces: the driving force represented by

the ambition to achieve sustainable urban development, and the force of resistance embodied by the social pressures exerted on the territories.

This paradigm requires an integrated approach where urban planning goes hand in hand with social strategies, with a focus on inclusion, diversity and accessibility. New cities must therefore be conceived not only as physically sustainable and aesthetically pleasing living spaces but also as environments that promote integration and social diversity.

### **3.1.3. Role of new cities in enhancing and protecting the environment**

New cities are emerging in the Algerian legal and urban image as strategic levers for the protection of the environment (Articles 4, 14-43 of Law No.01-20). In accordance with the notice of 22/1995 published in the Official Journal no.21, they are conceived as multi-faceted poles of balance, encompassing the urban and environmental dimensions thus aiming to promote a balanced distribution of the urban creating, a harmonious integration with the existing urban system and an optimal conservation of agricultural land.

This initiative is part of an increased national awareness of the urban planning challenges faced by Algerian cities, similar to other global contexts. Previous urban policies have often led to significant dysfunctions, pollution, precariousness, and unsanitary conditions. Besides, the lack of protection measures indicates the emergence of such environmental problems that require urgent intervention to enhance the health status.

The urbanization, mainly responsible for these challenges, has led to excessive consumption of agricultural land and disorganized urban expansion, increasing vulnerability to natural hazards and exacerbating mobility needs (Law No.10-02).

Faced with this reality, Algerian legislation envisages new cities as essential normative instruments for future urban policies, aimed at mitigating these dysfunctions by creating quality urban spaces from an operational environmental perspective. New cities are the tools to structure and coordinate the multitude of actors involved by embracing the diversity of environmental dimensions and issues. This is a process intrinsically linked to positive urban development, marking a crucial step in the reform of Algerian urban planning practices.

Thus, new cities, as tangible physical entities, as urban development synonymous with progress, structured around three fundamental environmental, social and economic dimensions. They aim to reconcile and reduce the different internal and external resistances, while offering innovative solutions to contemporary urban challenges.

## **3.2. Designing New Cities in Algeria: A Global Approach**

The Articles 3, 4 and 5 of Law No.02-08 put forward a global strategy for new cities, aimed at reducing the pressure on cities and controlling urban extensions. It offers an exemplary model of operation and organization, promoting regional, national, and international functions facilitating the development of infrastructure and public services of national interest.

This legislation therefore encourages the creation and development of new cities according to a deliberate and innovative vision, far from previous urban practices. It frames the vision through implementation and programming tools. These include the creation of administrations dedicated to new cities, the adoption of specific development plans and the development of adapted urban planning instruments.

### **3.2.1. Management administration of the New City**

The Management administration of the New City is positioned as a crucial entity, representing the State to ensure the achievement of urban development objectives. In accordance with Article 7 of Law No.02-08, the organization is responsible for four essential missions:

- Development of urban planning instruments: The creation of both written and graphic instruments, must align the planning of new cities with demanding criteria of environmental sustainability, economic vitality, and improvement of the quality of life,
- Adoption of Plans: The organization ensures the communication and adoption of development plans to a wide range of actors including decision-makers, future users in order to ensure a transparent approach in urban development,
- Project Implementation: It supervises the implementation operations, ensuring the achievements with the pre-established directives from the selection of the companies to respect the deadlines,
- Land Management: The organization manages land aspects, including expropriation and the right of pre-emption in order to facilitate urban development in compliance with strategic and regulatory guidelines (Article 14, Law No.02-08).

### 3.2.2. Development Plan of the New City<sup>11</sup>

Law No.02-08 stipulates that the initiation of any new city must be accompanied by the establishment and adoption of a development plan. This requirement underlines the importance of formalizing the planning, programming and development strategies to be adopted. The development plan or the development party projects the future of urban spaces that match future needs while adapting them to the existing context. It aims to improve urban organization and functioning by taking into account technical and economic imperatives.

### 3.2.3. Instrumentalisation

Law No.02-08 gives urban planning instruments (Article 6, Law No.02-08) a decisive role in the structuring of new cities through territorial distribution, the delimitation of planning perimeters and the programming of activities. These instruments are designed to :

- Ensure Legal Compliance (Article 10, Law No.90-29): Urban planning instruments having the force of law, guarantee any use of land or construction by complying with urban planning regulations (Azzouzi, 2019), under penalty of sanctions.
- Protect the Environment (Articles 1-11, Law No.90-29): They promote careful soil management, a balance between the different urban functions, the preservation of natural environments and landscapes.
- Planning according to National Interests (Article 1, Law No.90-29): These tools facilitate the implementation of national interest planning aligned with strategic orientations.

Ultimately, the legal framework for the new city reflects a political ambition to reinvent the urban image through new cities, by establishing management administrations that develop rigorous development plans deploying specific urban planning instruments, and this, in a global vision. These measures represent an innovative and exceptional approach to urban design and management.

This legislative approach reflects Algeria's commitment to the development of new cities, playing the role of the impulse for economic, social and environmental progress, alongside global aspirations for sustainable development.

## 4. Legal Reality of New Cities in Algeria: Ambition or Utopia!

Reflection on the development of new cities in Algeria transcends a simple reaction to existing urban dynamics to establish itself as a proactive approach to urban planning and management. This legal

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<sup>11</sup>Articles 8-9, Law No.02-08: called "development plan of the new city", this plan is responsible for the development, delimitation, protection of the environment (especially agricultural land).

framework is not only a response to the needs of urban expansion but a strategy of incentive, anticipation and orientation towards urban development reflected in a holistic vision.

Indeed, this strategy is supported by many laws; the objective is clear: to set up the guidelines relating to Law No.02-08, insofar as the foundations of sustainability are achieved, urban thoughts and practices are global (*in space and time*) as well as the conditions are met: adopted plans, approved instruments and management administration are put into operation.

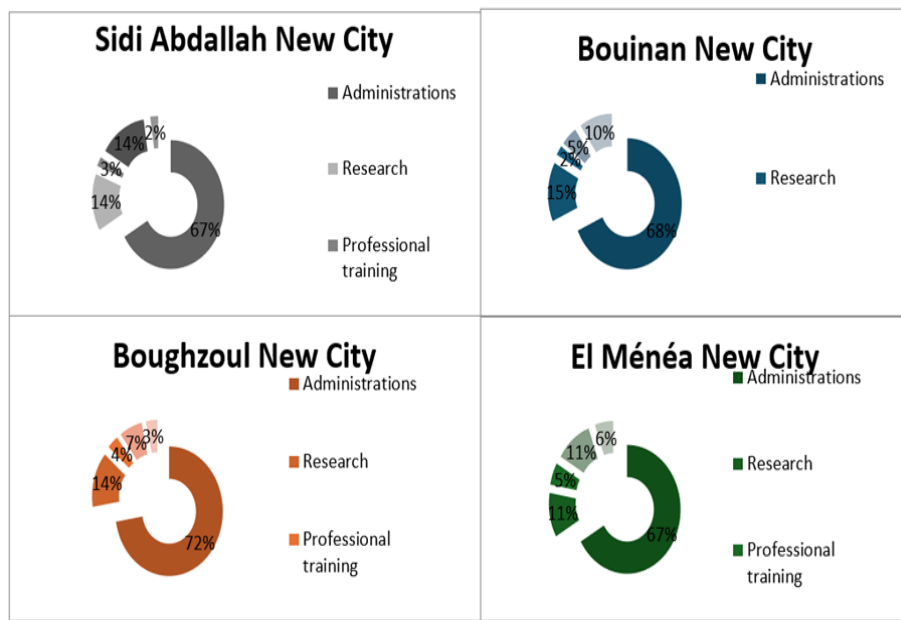
Although this current legal framework presents indicators of modernism, some ambiguities emerge and limit its effectiveness. The current prescriptive legal literature does not always manage to fully integrate the multi-faceted dimensions of new cities where economic, ecological and global concerns are now far from reality.

**4.1. Economic Strategies: from Attractiveness to Inefficiency**

The design of new cities as a project is mainly based on land facilities and financial benefits. Indeed, the definition of new cities as any creation of urban human settlements in *new spaces* (Article 3, Law No.02-08), clearly means a land acquisition at competitive costs. This land cost differential, due mainly to location and use, systematically encourages the planning of strategies and the attractiveness of investors to carry out their actions there.

Economically speaking, a *new space* promotes not only land speculation but also the possibility or even the choice of implementing and setting up a solid economic strategy in terms of the quantity and quality of the factors of wealth production. Here, a new city is a major factor in the attractiveness of companies. It has the ability to reduce physical distances between companies and exchange costs (Thisse, 2004).

However, the legal framework for economic strategies is now very limited, for two main reasons: the first concerns the absence of operational economic strategy, from which the programmed and/or produced content focuses mainly on housing, and the second is much more interested in basic services (**Figure 2**).

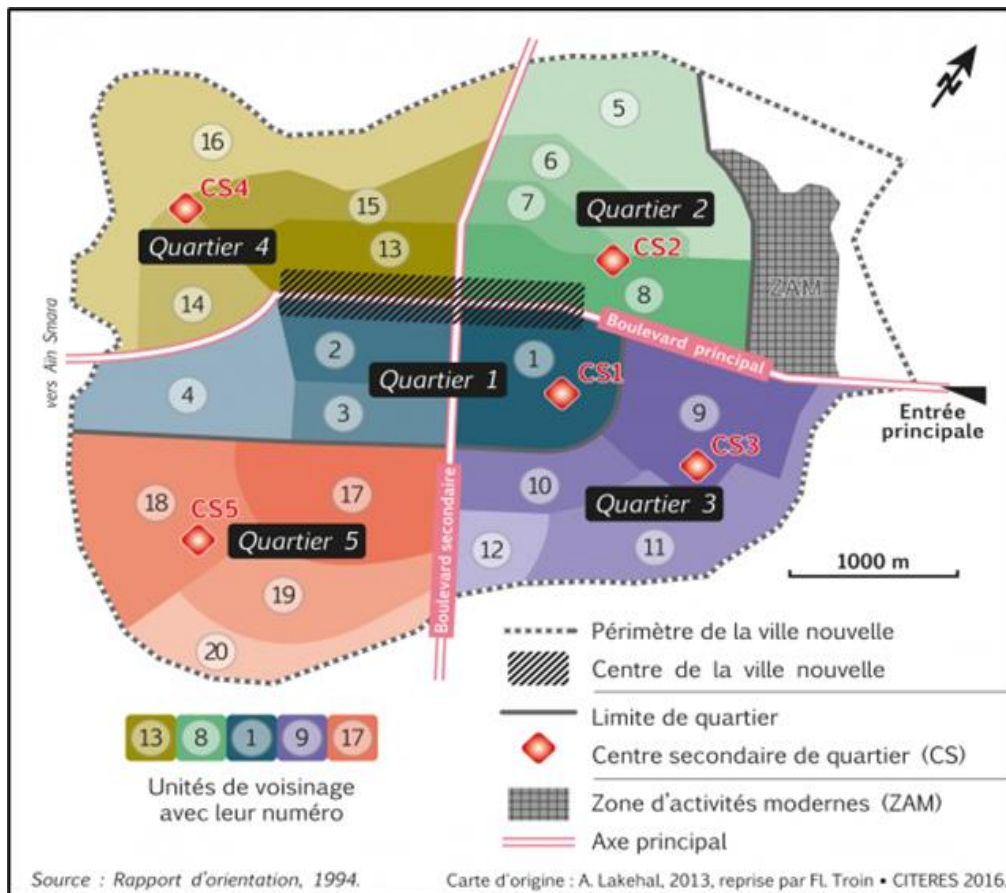


**Figure 2: Decided content for new cities**

Source: Authors 2023



According to (Foura, 2005), the urban planning adopted is based on a division of residential areas into neighbourhood units that in turn make up neighbourhoods. Each neighbourhood unit is supplied with various equipment and basic shops. The number of inhabitants and the level of equipment assigned to each neighbourhood unit are defined from the grid of equipment established by the urban planning regulations (**Figure 3**).



**Figure 3: Urban development of Ali Mendjeli New City**

**Source: A. Lakehal, 2017, p.4**

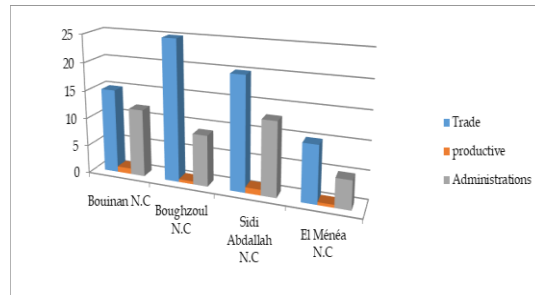
Following these principles, the example of the city of Sidi Abdallah has essentially become a space dedicated to housing programs because the only priority at that time (since 2014) is to respond to the housing needs of citizens.

For this reason, and also for others (Sidi Boumedine, 2017), the absence of an economic strategy that draws its pattern from centralized financing, remaining the single source having had a direct impact on the launch of such ambitious projects (many new cities have not achieved), or even a mission of delay on the completion of the works (the new city in Algeria presents itself as an infinite reality, incomplete or even a project destined to last for decades (Sidi Boumedine, 2017)).

The new city of Bouinan, although its executive decree (E.D.) aimed at its realization was promulgated in 2004 (E.D No. 04-96); its project reduced to a model ten years later. It was finally in 2019 that 450 ha of the plate received a housing programme, 20% of the total area (Ballout, 2019).

The failure of economic strategies spreads to issues related to planning and implementation priorities. Lawyers always insist on a commercial approach in the design of programmes (Figure 4), supported from the outset by implementation facilities initiated by decision-makers. Here, the

economic interest of the new cities is reduced to a single induced sector. The induced sector is formed by a simple approach, and this, in the total absence of the basic sector identified in the higher tertiary and new forms of economy.



**Figure 4: Economic strategies, Source: Authors 2023**

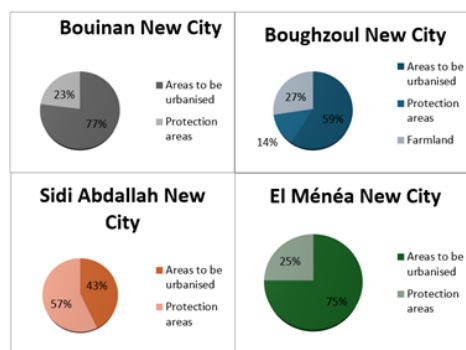
Trade continues to provide new cities with powerful hotbeds of polarization and to make it a major economic space. The new town of Ali Mendjeli increased from 28 commercial establishments in 2000 to 533 in 2006 (Lakehal, 2014). This rate is multiplied by more than 5 in an interval of 1096 to 2630, from 2010 to 2014 (Lakehal, 2015).

**4.2. Environmental Concerns: Choice or Necessity!**

The development of new cities as *new* creations involves a series of measurement of environmental concerns. They involve the rational use of natural resources (Articles 31-76-78 of Law No.03-10), the carrying out of impact studies (Article 15 of Law No.03-10/Executive Decree No.07-145), as well as the preservation of ecologically sensitive areas and protection against natural risks<sup>12</sup>, thus ensuring environmental sustainability.

This environmental opportunity linked to the *new*, as a character, is supported by other measures on two levels: the planning and management of new cities, as follows:

- The programmed protection perimeters have reached in some new cities more than 57% of the city surface (Figure 5),
- The creation of management departments responsible for organisational actions, rational use of pollution reduction (Articles 5-15\_Presidential Decree No.18-337) and the use of renewable energies (Article 6\_Presidential Decree No.18-337).



**Figure 5: Ratio of areas to be urbanised /protection areas Source: Authors 2023.**

<sup>12</sup> Article 5: E.D. No. 11-76 determining the terms and conditions for the initiation, development and adoption of the development plan of the new city. Article 4: Order of 13 March 2014 (Sidi Abdallah new city), Order of 12 January 2016 (Bouinan new city).

However, the prescriptive and ambiguous nature of some articles reduces this environmental opportunity as a choice in situations to be urgently corrected: an endangered environment and a space (new cities) take resources but also a space exposed to risks. We talk here essentially about:

- Lack of infrastructure to manage, dispose and recycle<sup>13</sup> waste<sup>14</sup> from planning registers<sup>15</sup>,
- Negligent consideration of impact studies has therefore exposed new cities to natural risks, such as the flooding of Ali Mendjeli New City (Figure 6) or the landslide in the case of Sidi Abdallah New City (Figure 7).
- The absence of the classification of resources either at the level of the implementing laws at the adoption of the plans<sup>16</sup> or at the level of the laws relating to the definition of the missions of the management administrations<sup>17</sup>: In the case of Bouinan New City, the works of the city increase from 350 ha to 1000 ha, but to the detriment of the agricultural land (Benamara and Chabou-Othmani, 2023).



**Figure 6: Flooding in Ali Mendjeli New City**

**Source: Independent daily newspaper L'Est Républicain, 26/11/2023**



**Figure: Landslide in Sidi Abdallah New City**

**Source: Inter-Lignes, 06/03/2020**

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<sup>13</sup> Here, recycling in accordance with Articles 2-3 of Law No.01-10, is neither planned nor studied.

<sup>14</sup> Article 10, Order No. 01-03

<sup>15</sup> Article 2: E. D. no.04-96 (creation of Bouinan new city), E. D. no.04-97 (creation of Boughzoul new city), E. D. no.04-275 (creation of Sidi Abdallah new city), E. D. no.07-366 (creation of El Ménée new city).

<sup>16</sup> Article 3: Executive Decree No. 11-76

<sup>17</sup> Executive Decrees No. 04-96, No.04-97, No.06-321, No.07-366.

The character of ambiguity occurs mainly in the use of forms of energy. On the one hand, Article 6 of Presidential Decree No.18-337 recommends the use of non-renewable energies and on the other, the inter-ministerial decree of Aug. 30<sup>th</sup>, 2020, ensures the establishment of the delegated management of energies, advocating the use of non-renewable energies!

## CONCLUSION

The modernity and the rigor with which lawyers continue to supervise new cities in Algeria, lead us to the end of this reflection to question ourselves in order to know what extent is there a concordance between *the new legal city* or even *the new proclaimed city* and the realities? This work therefore makes a double observation: On the one hand, a sum of requirements and recommendations expressed in this legal framework, no longer find their effectiveness hence a utopian appearance of the new city to the point that it just refers to brand images or political purposes! On the other hand, the absence of legal reforms to correct the situation, directs a large number of new cities in the process of implementation to resume ecologically weak approaches, based mainly on a commercial economy and the dominance of residential masses.

Two observations whose legal contributions to the design of new cities are fundamentally at odds, ultimately referring to the gaps between urban planning ambitions and legal realities.

Faced with this situation, legislation must not only provide a framework for urban development but also ensure the balance between these dimensions, thus ensuring that new cities do not deviate from their original purpose. The absence of one dimension or the predominance of one over the other, could lead to deviations from the set objectives highlighting the need for future reforms to correct the shortcomings.

Algerian legislation relating to the development of new cities creates a vision of urban planning that requires careful implementation and continuous adjustment to adapt to changing realities and emerging challenges. The success of this ambitious project will depend on the ability of the new cities to truly meet the needs of their inhabitants while preserving resources for future generations.

This vision requires in-depth reflection on the implementation modalities and governance of new cities, stressing the importance of an adapted legal and regulatory framework that frames their development, integration and sustainable management (Borja and Castells, 1997; Harvey, 2008).

The Algerian experience in the development of new cities thus offers a relevant case study for lawyers and urban planners, inviting a further exploration of the potentialities and challenges related to this normative urban planning model. It hosts a constant debate between lawyers, urban planners, political decision-makers and communities in order to concretize a vision of the new city that is both utopian but rooted in contemporary legislative and social realities.

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