

## THE TOPONYM: DOES DOCUMENT OF TITLE, NOTARIAL ACT?

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### Summary

If the function first of the toponym is used to identify, to locate, it is useful also and especially for the old societies to convey other concepts and not the least like the concept of limit, property in addition to the intrinsic values relating to the culture and the history.

The toponym for the old companies constitutes, above all, a document of title, it is the cadastral title par excellence but in these times there, it did not have there a document of title writes strictly speaking.

It is by the denomination that social thing is adapted. Generally at least for the companies of Moslem culture, each property carries the name of the owner or that of the group if it is a collective ownership.

This paper treats role of the toponym as a document of title as a cadastral title and up to what point this depth can it be extended to the names of the seas and the oceans.

*"Toponymy is never arbitrary. It crystallizes all kinds of virtuality, condenses and orders thousand contradictory feelings which find in it executory"*

*(Matoré G 1953)*

space is a concept used in order to qualify the distribution of the men and places on the surface of the ground and by geographical space we hear sets of places and men divided on the surface of a surface given and associated the

ones the others by multiple interrelationships.

The denomination has the aim of identifying and to fix some limit to these extents by applying a name to a space unit to which corresponds in reality a certain number of points locators, identifiable, locatable or object of conventions.

The word which appears in the syntagm "place name" can easily be replaced by space bus in its current direction, place means given part of space; Derived from Latin locus, it means place, place of dwelling.

The denomination implies a concept of limit, because to name means, initially to take possession of a territory, a space.

One names to delimit, isolate, identify, dissociate and also and especially to take advantage of a certain right on a given surface.

By the nomination one locates the other, that which is combined or that which can harm competes with to us or us, that which has or does not have such or such piece or.

Denomination as well as the demarcation which reinforces it, mark the position of the ones compared to the others.

It is indeed by the word, the denomination, that one adapts 'the social thing' which one adapts of space, which one fixes to him his limits, that one identifies it, that one individualizes it compared to the others; it is as by the name as one is attached to him.

If it is commonly allowed that each company produces its space, we also admit whom this space carries an identity that a word or group indicates. They is words transcribe a real Is the denomination also a message which delivers a project, to name is not it not the act first of the policy? " Without denomination the societies and by extension the successive powers does not have any reference to exert their powers on their fields of influence.

The toponyms express a space-time reality, because the men are and find themselves in space and in time, since the activities which are regulated, organized, controlled are expressed all at the same time in space and time, in a place and one moment given, on a certain extent and for a certain length of time by a given capacity. Consequently, the space denomination is one of the symbols which express this reality.

Space then takes the significance according to the denomination that one gives him. Any space being used as support with the human activity must equipped with an identity, of a denomination. Space occupied thus, are located,

marked out, named to be able to be in and on space; moreover, so that it is taken into account, this one must be localized in order to better center the reflexion on the objects which will occupy it.

Consequently, space object becomes by the operation of its denomination, as underlined Ci high, a space project. These spaces thus delimited will be developed by the nature of the objects which one wants to observe, that one wants to highlight.

What wants one to retain space?

What one names what one sees? Does what have feels? Does what one want to impose like message? Which is its characteristic? Is this a characteristic physical, administrative, ethnic, cultural...?

Toponymy constitutes a space mark of the culture of the people occupying or having occupied space in question.

Is it for as much the toponym has a role of document of title?

In what follows we will center our reflexion on the societies of Moslem tradition and more particularly on the Maghrebian societies. Thereafter, we will up to what point see the conclusions to which we arrived can beings extended to the other companies belonging to other cultures.

For the Maghrebian societies, of Moslem tradition, the toponym is a semantic sign as well as others to mark and delimit a territory.

Any property bears the name of the individual or the group who marks the limits of this one thus. The limits of my property stop there where stops my name.

It is by the name of the tribe or the family that one attaches the individuals to locate them in space.

The place name constitutes the document of title because the grounds were not titrated. The toponymic reference returns to the owner himself which is a private property or collective.

The Maghrebian societies of Moslem traditions did not have a document of title it is the name which plays the part of cadastral title.

They are the members of the group, connected to each other by the relationship symbolized by the name which forms the exploitation and manufacturing unit on an inheritance known and recognized by the name of ownership.

Space is identified on the ground by a name, which indicates and animates a territory distinct from the others.

The name constitutes a capital which conveys a capacity, an honor and a place in the company. It is the symbol of the unit of the family and her force.

Until our days certain individuals praise themselves to carry such or such name and declare that such or such ground or plot of land was at a given time of the history, their good. For proof it continues to bear the name of their family. These places are also and first of all a name which is used to attach the men to their territory. It is also used to decide between the tribes and the families.

Each individual is attached to such or such name of tribe and consequently with such or such space. The territorial unit of the tribe or the family is supplemented by the unit of relationship.

The toponymic reference is synonymous with being able and of power, this toponymic reference conveys a ideology to which the members of the group of the tribe recognize themselves, because the individual is absorbed by the group which ensures the safety by solidarity to him, it is the 'Acabya' described by Ibn Khaldoun in his 'Mukadimah'; Thus the social identification by the name is connected to a given space.

The name expresses and expresses a space anchoring and is used to specify the distribution in the space of the human groupings.

It is by the name that one adapts thing of a place, a territory, an area and by extension of a country!!!

It constitutes rightly, the document of title, the cadastral title.

Even if a given property changed owner, the continuous place name to preserve the historical traceability of the original membership of this property.

Is this concept of property conveyed by the name of topicality in the case of the denomination of the seas and the oceans?

We can answer by the affirmative and the denomination of the 'Arabic Gulf' or 'Persian Gulf' is for this reason revealing of this duality of names for the same place;

This duality expresses a rough battle that delivers themselves Arabic on a side and the Persians of another for the monopolization this space and its integration in the historical and cultural inheritance of each nation.

And from there, to attest, and its name confirms it, that this Gulf belonged (and will be able to belong) to the nation. This one not only is in charge of fabulous history but could also take advantage of certain rights on this stretch of water. Because the name confirms that this Gulf was formerly Arab or Persian property!!! (That depends on which side one is!)

Other examples could quoted beings: Gulf of Bab el Mandab, for Arabic or Gulf of Eliât for the Israelis, Sea of Japan for Japanese or Sea of the East or Korea for Korean.

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