Where is Law? Investigations from Beirut

I. A Legal Geography Approach

Every aspect of law is either located, takes places, or has some spatial frame of reference. Likewise, every bit of social space, lived places, and landscapes are inscribed with legal significance. The “where” of law is not simply the inert sites of law, but is inextricably implicated in how law happens. (Blomley et al. 2001)

The convergence of the legal and geographical perspectives on understanding the city has significant consequences. On one level, “by reading the legal in terms of the spatial and the spatial in terms of the legal, our understanding of both “space” and “law” may be changed. New questions and research topics emerge” (Blomley et al. 2001, xvii). On another, taking legal themes opens a variety of questions about how the city is produced, maintained or transformed (ibid). “[L]aw is in fact a primary tool of shaping society and establishing different forms of hegemony and control over [the city].”

In Lebanon, the approach to the “legal” has been devoid of the social, and law has been reduced to the effects the political class has on the legislation process (Ghamroun & Saghieh 2011). The production of law in Lebanon has always concealed behind it a more dubious process; that of domination and power. How has this condition in turn shaped the legislative environment, and thus the urban development trajectory of Beirut?

The regulatory aspects of urban change – i.e. building regulations and other laws – are arguably facilitating the destruction or erasure of the city in favor of powerful groups. This report thus aims at going beyond the discourse of “public neglect” – a very dominant discourse in Lebanon in relation to the role of the state in city planning – to actually speak of “deliberate erasure” through a combination of legal interventions. To do so, I will use a legal geography approach to analyze urban change through the case of the seafront of Beirut.

More specifically, I will start with a brief background about urban change in Beirut. Then I will analyze the legislative system impacting urban development along three strands of

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1 The phrase “Where Is Law” is borrowed from David Delaney, Richard T. Ford, and Nicholas Blomley in their preface to “The Legal Geographies Reader: Law, Power and Space” book

legislations: the building law, legislation facilitating investment, and how these impact place making, by taking the case of the seafront of Ras Beirut.

II. Background

During the past two decades, most of Beirut’s neighborhoods have been subjected to drastic waves of demolition, paving the way for new forms that would emerge with disregard to history and social context. Buildings and sometimes entire urban clusters have been razed to ground and their inhabitants forced to relocate. In fact, Beirut was erased several times. In the nineteenth century (with the inclusion of the Levant into the capitalist system), Beirut transformed into a port city linking Europe to inland Greater Syria. With the modernization of its port and the expansion of its facilities in 1894, the city became the only passage to Syria on the sea for the transport and import of European products. The city hence expanded, and was soon joined by the areas of Basta and Bashoura and Zokak El Blat. This growth, however, did not change the social and built form of the "old Beirut". It was not until the Ottoman Tanzimat (in 1860) that Ottoman authorities began a policy of modernization and renewal of the city, and reached its peak in 1915 with the destruction of old neighborhoods based on recommendations by German experts (Tabet 1996).

In early 1920s, on the basis of the gaps left by the destruction of the Ottoman authorities of old traditional neighborhoods in the city, major urban French mandate projects emerged. These projects left a major Colonial impact exemplified by the Place de L’Etoile and Allenby Street. As Tabet puts it, “the city that unraveled around this center was considered an image of an urban bourgeoisie in the making”. (ibid)

Back to contemporary Beirut, the new cycle of spatial erasure that Beirut is witnessing today started in the post-civil-war (1975-1990) with the reconstruction project of historical downtown Beirut, which was part of a broader neo-liberal project (officially initiated with the Hariri mandate in Lebanon 1995-2005) aimed to establish Beirut as a global destination for international capital and investors, in line with other so-called neo-liberal urban interventions in the Arab Middle-East and elsewhere (Makdisi 1997). In light of this claim, the Solidere project has thus benefited from an array of public subsidies, such as tax exemptions and infrastructure, as well as public facilities, enshrined in special regulations (ibid).

Thus Solidere’s project turned the former historic core of Beirut into a high-end commercial downtown, causing radical demographic change under the banner of building a future world-class capital city. This model of urban destruction and reconstruction continues to
haunt the rest of the city, and the entire country's identity. Since the mid-1990s, several waves of demolitions have targeted and are still targeting each area of the city, replacing its old fabric or green open spaces with new constructions that are believed to testify to the vibrancy of economic liberalism and a booming real-estate market. These new constructions have been radically transforming the built environment for the purpose of capital circulation to the real-estate sector (Fawaz & Krijnen 2010). They can be seen as the material manifestations of a global circuit of capital in which Beirut is inscribed (Krijnen 2013).

More current research (such as Fawaz & Krijnen 2010, Achkar 2011) reveals that some key state actors and leaders of political parties are associated with this development boom. It has also become widely known that some of Beirut’s most prestigious new projects are owned, either partly or entirely, by politicians or those connected to political parties. Indeed, the real estate sector is considered by many as a main source of national economic growth. In an interview that a colleague conducted with a member of the Higher Council of Urban Planning Berg Hatjian, he outlined a few factors that he believed contributed to the strength of the sector.

- Banks prefer to offer loans to real estate than to manufacturing industries, since real estate projects are easier to be taken over in case of bankruptcy;
- Fiscal system encourages speculative investments on land and buildings;
- The private interests of many politicians in the banking sector complete the picture.

These factors have resulted in a set of conditions and assumptions that illustrate the ways in which the sector has impacted not only the built environment, but also, more profoundly citizen’s perceptions of the city and of themselves.

Indeed, there has been a prevailing assumption on the part of the general public, that investments in real estate are the main driver of economic growth. The myth of Lebanon as the Switzerland of the Middle East responds to this view. Citizens have – in varying levels – adopted a desire for a lifestyle associated with high-end luxury towers as the utmost desirable for everyone. In parallel, the sector has also succeeded in attracting a mix of real estate developers, architects, investors and government officials, who have collectively reinforced a model of urban development that is focused on high-end / high-rise oriented real estate market, prioritizing profit over the social dimensions of the city.

According to one analyst, the relationship between politicians and the economic or financial elite, with interests in the construction and real-estate development sector, is as old as the

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3 Interview conducted by Giulia Guadagnoli as part of a course work for “Introduction to Planning Theory”, Masters of Urban Policy and Planning, American University of Beirut, Fall 2013
Lebanese Republic itself (Traboulsi 2007). The reign of this ‘financial oligarchy’ over the economy and the tight connections between business activity and the political sphere continues until today in the form of “property speculation [which] raised the price of land and imposed the construction of luxury apartment buildings” (ibid). As a result, the legislative environment has been actively being altered to cater for the interests of this real estate class, since the 1970s and exacerbated in the post-civil war period.

### III. Lebanese Building Laws

The current Lebanese Building Law was officially written in 1940 even though a “modern” form of building legislation was already in practice since 1919. The initial writing of the current law occurred during the French mandate period, and was based on the French model. Since then, the law has undergone several revisions: in 1954, 1971, 1983, 1992, and 2004. In his paper that investigates the history and details of drafting the building law, Marwan Ghandour explains that the initial writing of the building law was made by a handful of architects who legislated the architectural practice in Lebanon (Ghandour 2001). These architects belonged to the so-called Modern Movement in Lebanon, the pioneers of which came from socially and politically dominant families, specifically feudal lords and the urban bourgeoisie (such as Trad, Khoury, Tabet, Salam, Edde, and others). Their drafting of the building law was centered around design criteria such as building height limits, surface exploitation, built up area, street setback, and so on. Such criteria enable the dictation of building forms, while concealing historical and social specificity: a fact that marginalizes all alternative existing social practices in space, as well as displaces the practice of spatial discourse to politically allocated power positions. As such, the building law reinforced the dominance of certain politically dominant families over the environment (ibid).

Having introduced – based on Ghandour’s analysis – the building law as inherently problematic, I will proceed to analyze the nature of the consecutive amendments that occurred to the building law.

Restrictions on building heights that were present in the 1940 building law were removed in the 1954 version of the law (18 bis), but within certain conditions related to location of the site in Lebanon. In 1971, these conditions were annulled, and hence height restrictions were removed for all buildings across the entire county, consequently affecting all major cities. As per the 1971 law, there is no limit to building height, and it can be calculated as twice the width of the planned road.
In 1983, engineer Mohamad Fawaz (head of the Directorate General of Urban Planning at the time) annulled the 1971 law and replaced it by a new law that lowered the building envelope ratio from 2 to 1.5\(^4\) (amongst other changes the DGU suggested that I will not dwell into). This suggestion was debated for 8 years, until it was successfully released in a watered down version in 1992. However, upon its issuance in the official gazette, the 1992 proposition of Mohamad Fawaz was immediately followed by aggressive objections by real-estate developers, despite the watering down the law went through, as explained by Fawaz himself. Consequently, due to pressure by the real estate sector, the Council of Ministers allocated a committee of 10 members to review the law. The committee included Mohamad Fawaz, the Minister of Public Works, the head of the Syndicate of Engineers, and others. The committee, after a meeting that lasted hours, voted for the change of the law, with the only objection vote by Fawaz (Fawaz 2014).

The other main amendments to the building law took place in 2004. The building envelope ratio was raised yet again from x2 to x2.5, and certain zones in a building were excluded from the calculation of the allowable building percentage (such as balconies, external wall thicknesses, and others). Interviews with developers\(^5\) confirm that this law (646/2004) was drafted in compliance with their own building practices and that they sought to define a regulation that meets their immediate needs to build higher and more, preferably in the form of towers that are the most coveted commodity in the high-end housing market.

We can hence conclude that building allowances were increased through consecutive amendments to the building law, in order to help developers maximize their profit wherever they are building in Beirut?

\(^4\) Building envelope is the ratio of building height to its footprint.

\(^5\) These interviews were conducted by author in 2010 during work as a research assistant with Mona Fawaz

IV. Legislation Facilitating Investment

Besides amendments to the building law, Fawaz and Krijnen explain that a second category of facilities was introduced to allow more actors to participate either in the real-estate market (Fawaz & Krijnen, 2010) or in the making of the city.

On one level, Law 296 was issued in 2001 to ease the acquisition of property for non-nationals. Also, the state facilitated the ways in which non-nationals can establish companies either in the form of holdings (e.g. Law 772/2006) or joint-stock companies (through IDAL, Law 771/2006). IDAL - the Investment and Development Authority in Lebanon – was established by the Hariri government in 1994 with the aim of promoting investments in the
country. Its mandate is to offer incentives and tax-cuts (up to 100 per cent) to investors whose projects fulfill its requirements, whether in the form of individual incentives or package deal contracts (Fawaz & Krijnen 2010).

On another level, the idea of *exceptionality to law* was introduced in the legislative system, resulting in a situation where private interests are playing an active role in the planning of the city, and hence shaping its urban development. It also raised land value in ways that dramatically shifted property patterns in several cases along the Ras Beirut coast. “Exceptionality” was first introduced in the 1971 building law through what is called the “Grands Ensembles”: any plot with an area above 10,000 square meters is allowed to gain exceptional building heights and exploitation factors.

In 1991, the company responsible for the reconstruction of downtown Beirut – known by the name of Solidere – introduced an entire new legislative framework and master plan for the area. In it, property came to be valued not only per square meter of land, but also per square meter of air. Law 117/1991 eliminated the total exploitation factor in Zone 1 of Beirut’s master plan, the area of downtown Beirut under the jurisdiction of Solidere. The law states:

"تعتبر المساحة المبنية الإجمالية مقياساً يمكن من خلاله ضبط كثافة البناء... إن تحديد المساحة المبنية الصافية والسموح بها ضمن عقار معين يسمح بتحديد عامل الاستثمار العام للعقار."

This means that each plot is subject to allowable building regulations, based on the projected building; hence the new notion of “development rights” that translates into a value for the square meter of air. Based on Solidere’s abolishment of the idea of zoning, this model came to dominate the practice of law in the rest of Beirut. It is a “practice” based on a mentality / modality that became a “law”. As architect / urbanist Elie Achkar elaborates, the dominant practice becomes the law.

Such a modality was accepted based on the positionality of the decision-maker or the public administration employee, reflecting the dominant inclination towards the interests of a specific class rather than the public good (Achkar 2014). This practice of exceptionality (rooted in laws that govern downtown Beirut) and of the “square meters of air” has had tremendous implications on small plots of land where property values dictate who can build what and where. Meaning, small plots are essentially undevelopable for a profit, given all the requirements, hence acquiring excess development rights, pressuring their land owners to sell them to developers who are agglomerating them for profitable projects.

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6 Interview with architect / urbanist Elie Achkar conducted by author for the purpose of this report on 25 September 2014
The result has been a handing over of all building development activity from small or traditional land owners to large developers/investors. I shall demonstrate this through an example.

What are the minimum allowable buildable plot sizes?

The 1954 zoning law specified that 35 square meters is the minimum allowable buildable plot size. In 1973, this article was annulled from the 1954 zoning law (images 1 and 2). Today, in zone 3 for instance, the minimum buildable plot has to have an area of 120 square meters for existing plots, and 300 square meters for newly parceled plots, with total building coefficient of 4 and surface exploitation of 60%. In zone 5, it is 250 square meters for existing plots, and 500 square meters for newly parceled plots, with building coefficient of 2.5 and surface 40%.

Let’s take the examples of a 250 square meter plot in Zone 3

\[ 250 \times 4 \text{ (coefficient)} \times 1.2 \text{ (2004 building law)} \times 1.2 \text{ (2004 building law)} = 1,440 \text{ sqm allowed to build} \]

Let’s say the owner wants to build ten floors, each with 144 sqm apartments (making the allowable total of 1,440 sqm). The owner would have to provide 10 parking spots (according to the 1971 law), in a 250 sqm of land: a condition that is architecturally impossible to create a car ramp that would lead to basement floors to accommodate for 10 parking spots. This results in a situation where the owner of a small plot finds little profit in developing the land in comparison to the exponential price a developer is willing to pay. Developers, in such cases, also purchase nearby plots, agglomerate them, and end up with a large area to secure maximum profit.

Such constraints on building in small plots are among the key reasons pushing small owners to sell their properties to large investment companies, hence majorly shifting the historic social constitution of neighborhoods.

V. Impact of the Legal on Place Making: Case Studies

In the following, I will discuss – by taking the case of the seafront of Ras Beirut – the impacts of the above-presented legislative environment and transfer of property rights on the making of place. I will reflect on the causes of urban change and the historical context of two coastal stretches: lands along maritime public domain below the corniche, and seafront land above the corniche. The corniche is used a delineating spatial element as it defines different legal areas according to the Beirut master plan.
Learning from Ras Beirut’s Seafront below the Corniche

In 2003, the real-estate magazine *Lebanon Opportunities* published an article entitled “Corniche Coasts Along”, about investment along the coast of Beirut. The article began with the following:

“As the thousands of Beirutis who spend the early hours of the morning walking, jogging, strolling or roller skating on the Corniche know; the stretch from Ain Mreisseh to the start of Ramlet el Baida skirts some of the most attractive pieces of real estate in the city.”

The article argues that the price of land along the 4-km seaside drive has remained stable and reasonable (back in 2003), with little real estate activity, due to the focus of investors over the past few years on Beirut Central District: “People saw many opportunities in downtown, and a momentum was created that focused on that area. The type of investor that would normally be interested in plots of land along the corniche is exactly the same one who would be interested in the BCD.” Consequently, the article argues, and actually propagates a policy strategy: that in order to reactivate real estate projects along the coast, “re-zoning would catapult the value of some seaside plots”. The article further explains - by mentioning the case of Dalieh in Zone 10 of Beirut’s Master Plan - that “drafted legislation currently before the Cabinet would allow for plots on the seashore in excess of 30,000 square meters to be considered as part of Zone 5. If passed, the law would greatly increase that land’s value.” (Image 3)

As these extracts demonstrate, the coast of Beirut is seen as a prime location for investment. Reform to current legislation, which prohibits any building on the seafront, has been seen as the way to increase exploitation ratio as well as land price. Today, we see that private beach resorts, hotels, and exclusive marinas, with walls, gates and entrance fees, punctuate the coast of Ras Beirut, and Lebanon at large, hindering the access of the majority of Beirutis to the sea. A portion of these resorts were erected during the civil war, in a process of illegal encroachment on the public maritime domain. Yet the continual growth of such resorts even after the end of the civil war indicates that the situation is not a matter of exception or illegality (Saksouk 2014).

So where is law? And what role has it been playing? A look at the history of laws governing the coast of Beirut, particularly that of Ras Beirut, will demonstrate how the legal framework has been continually adjusted to allow and encourage such investments. Property transformations, coupled with changes in the legal frameworks, have been tailored to serve the financial elite, at the expense of the public and communal spaces of the city.
The first wave of legislation, during the early Lebanese Republic, was initiated by the first set of zoning codes applied to the Beirut seafront. The Beirut Master Plan issued in 1954 prohibits construction of any kind in both Zones 9 and 10. Zone 9 is made up of maritime public domain stretch, constituting natural rock formations. As for Zone 10, it is an area made up of multiple sea-side plots communally owned by different families since the land registration in the 1920s.

However, several decrees were passed to facilitate building development along the coast. I will present here two such decrees, one impacting Zone 9 and the other impacting Zone 10. On 24 June 1966, a decree was passed that transformed the nature of the entire Lebanese coast. Decree 4810 – Nizam Ishghal al Amlak al ‘Aamma al Ba’hariyya – was issued to allow owners of property adjacent to the sea to privately exploit the maritime public domain, with the exception of Zone 10 of Beirut, in order to preserve it as a breather for the city. It also carried with it a set of conditions related to the ‘common good’ in case the public domain is exploited, such as offering 25% of one’s property to the municipality to transform it into a public garden. Nevertheless, the decree paved the way to all private beach resorts in Zone 9, such as the AUB beach, Riviera beach resort, and others. Also on 24 June 1966, Decree 4811 amended the zoning regulations for Zone 10 which stretched from the Bain Militaire to Ramlet el Baida beach (Dictaphone Group 2012). Where the 1954 Beirut Master Plan prohibited construction in Zone 10, the amendments permitted building activity in varying degrees. That was the first wave of legislation governing the coast; the second being the post-war phase of the 1990s.

Until the early 1990s, seaside properties below the corniche were held by numerous members of the so-called old families of Beirut. Each family member owned shares in each plot, producing a situation of collective or shared property. However, in several cases of the seafront in Zone 10, investors successfully appropriated these property shares, consolidated ownership and expanded over the commons through a series of laws issued specifically for this coastal condition (ibid).

In Dalieh, in 1995, three real-estate companies (all owned by the late Prime Minister Rafik al-Hariri) purchased on a single day the vast majority of shares from the owners of the plots in Dalieh (Image 4). In parallel to the land purchases, Law number 402 was issued in 1995 to enable landowners with a plot larger than 20,000 square meters to multiply the allowable percentage of construction if a hotel is to be built. This means that any investment on the seafront of Raouche has to be a multi-million dollar investment for it to be successful, meaning to create the maximum profit for its owners. Another law was issued, also in 1995, to allow for the private exploitation of maritime public domain; a condition that was not allowed in decree 4810 of 1995 (Image 5).
Such laws have, over time, led to existing communal seafront spaces and practices to be characterized and denigrated as ‘illegal squatting’ on private land, and subsequently managed interrupting it and tagging it as private property.

Investigating Ras Beirut’s Seafront above the Corniche

This section investigates the legal conditions of sites along the seafront of Beirut above the corniche and their land ownership patterns. In short, the cases indicate the following:

- A lack of alternatives (both legal and institutional) to resolve inheritance problems. Or at least these alternatives are not promoted as solutions for land owners to resolve multiple shared property issues.
- Investors hunt down land owners through the personality of the *semsar* – the middleman, jobber, broker – who knocks on landowners doors and encourages them to sell, offering them prices upon which negotiations happen. This is a systematic process in which the *semsar* plays an important role in manipulating residents’ visions of themselves and of their futures.
- Land prices in these areas – for all reasons mentioned earlier in the report – are extremely high. As one land owner put it: “a meter here is worth a hundred meters in Chouaifat (a suburban middle income area to the south of Beirut).

Case 1: Jal el Bahr

“Here (Jal el Bahr) it was all gardens and family. Sleit, Ghawi, Rawda, Ghazara, the whole area was Druze. They used to plant dates in this whole area. They were the oldest families, from a long time ago.” (Ras Beirut Oral History Project)

Indeed, the social constitution of Jal el Bahr neighborhood is tightly engrained in the history of Ras Beirut. A 1959 map indicates that this area was made up of a combination of agricultural lands and small single or extended family houses. (Image 6)

By the 1960s, Beirut was turning into a main tourist attraction in the region, and it was at its most attractive towards the coast, an area of wide boulevards, palm trees and cafes on the Corniche, overlooking the sea (Saksouk 2014). Compared to Nice’s Promenade des Anglais, Ras Beirut’s seafront and beaches were advertised as a main destination for tourism. In fact, it was a clear state strategy as of the 1960s to shift tourism in Lebanon from the mountains
to the coast, catering for European tourists (Maasri 2015). As an extension to this vision, the Lebanese state put forth policies to encourage investment along the coast, to cater for the emerging booming tourism sector (as described in previous section regarding decrees governing the coastal areas below the corniche). These visions also had an impact on such residential areas, such as Jal el Bahr.

Looking at its 1966 cadastral map, the neighborhood was made of small sized plots (Image 7). Taking the case of “cluster A” (Image 8), we can see that by the late 1960s, two houses were demolished and a building was erected in their place. Searching the archive of the Official Gazette, we find that decree number 9211 was issued in 1968 offering an exception to the building and zoning regulation in this area paving the way for a hotel resort. These are parts of the content of the decree:

يسمح للسادة يوسف الزاهد واخوانه بالشذوذ عن احكام البنا
في بناء فندق "بيروت شاراتون" المنيوي اقامتة على ارض
المعارين رقح 736 و 978 من منطقة عين المريسة العقارية
وعلى ان لا يتجاوز عامل الاستثمار الاقصى خمسة...
يعمل بهذا المرسوم لمدة أقصاها سنة من تاريخ صدوره ويعتبر
حكمًا لاغيا بعد مرور هذه المدة إذا لم ينفذ...

Soon after the erection of the hotel, the Lebanese civil war started. The hotel turned abandoned and later taken over my militias. Later after the end of the war, in 1998, the land was bought by a Gulf company, along with all the smaller plots around it, with the exception of one small plot, that of Radwan family who still live in their house until today.

“Cluster B” (Image 8) is made up of small plots, also mostly agricultural with a few ground and first floor house residences. They were all bought by a businessman by the family name of Tarazi in 1979, with the exception of one small plot owned by Nabil Kabalan. Kabalan refused to sell his land, and because it creates a puncture in Tarazi’s plots, he was subjected to a lot of pressure by Tarazi to sell. Kabalan kept resisting, consequently leading the case to court and putting Kabalan in prison for some years. During the civil war, Tarazi’s lands were squatted by fishermen who turned them into a vibrant fish market. The squatters were evicted during the early 1990’s. In a short interview I conducted with the Tarazi son, also a businessman who inherited his father’s properties, he explained that the lands were initially bought for potential investment along the coast (enabled by decree 4810 of 1966).

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Talk by Zeina Maasri entitled “Dislocating the Nation: Imagining Lebanon in Tourism Promotions” presented at the “Lebanon in the 1940s and 1950s” panel discussion at the American University of Beirut on 28 July 2015.
More recently, another process was taking place in the inner clusters of the neighborhood. I entered one house of what remains of “Cluster C” on the map (Image 8) and found the following writings on the walls (Image 9):

- "كل ما أملك في هذا العقار 764 يتحول الى بيت اليتيم الدرزي"
- "أخدين الدنيا خلط بلط، ما بصير هيك"
- "العطل والضرر، حقي أن أطالب به"
- "يا حاسدون تشتمون في هذا البيت"
- "السمسار سرسار. كيف يدخل الى البيت، يا ستار"

These words, and many more, were hand written on the interior walls of the half demolished house that remains in the part of the neighborhood. They were scripted on all four walls of a room, covering its entire surfaces. According to one interview, this is how 47-year old Makram (pseudonym) expressed his resent to having to leave the house where he was born and raised. Makram said: “they have taken away our land, until we found ourselves fugitives and strangers in our own community”.

Three families used to live on this land. An investor by the name of Dallal (a Druze from Rachaya who also owns property on Makhoul Street) approached them through middle men. There were many discussions in the family on whether to sell or not. Due to pressures by the sensar, they ended up selling and gaining a million dollars each. They each bought an apartment for half the price in Chouaifat. Makram was the only family member who was kept resisting this process all the way, and his words were his only form of opposition against the real estate take-over of the place he valued.

Across the street from this cluster is a high-end residential tower. Before the tower, lands were owned by the Sleit family. Through connections with a developer from South Lebanon by the name of Hjeij, they reached an agreement in 2008 build a residential tower while taking in return apartments in the newly erected tower. The Sleits eventually leased their new apartments, each for 70,000 USD per year, and relocated to Sakiet el Janzeer where they pay 20,000 USD per year for rent.

As for “Cluster D” (Image 8), interviews indicate that this neighborhood is called al-Ghawi, after the Ghawi family that has historically lived in it until today. They are the land owners themselves and have consequently maintained the fabric of the neighborhood. By investigating official maps for the area, we see that a highway is planned to cut through it – a fact further confirmed by residents who explained that some of the plots in their neighborhood were expropriated by the state. It seems the aim of the highway was to cater
for the high-end “Beirut Cultural and Conference Center” that was projected to happen on the nearby large state property land, plot 705. (Image 10)

Case 2: Chouran

During the nineteenth century, what we know today as the Chouran / Raouche area of Beirut was almost completely agricultural, with many different kinds of crops, including mulberry plantations separated by cactus hedges. The cultivation of mulberry trees for silk production had begun in the seventeenth century in the areas surrounding old Beirut and intensified during the nineteenth century. By the early 1900s, maps of the area show the presence of coastal agriculture and vegetables orchards, with orange groves, large beds of lettuce, vineyards, and other crops. Looking at old maps of the area, a 1936 French cadastral map shows large plots, expressing this agricultural nature of the land. (Image 11)

It was not until the 1950s that building activity started in the Chouran/ Raouche area. A 1960s map shows several luxury hotels erected in Raouche, including Federal Hotel and Carlton Hotel, as well as luxury residential buildings. These developments were the result of land subdivision processes that produced plots ranging between 700 and 1000 square meters.

As indicated by the 1966 cadastral map of this area, a land parcelization process took place, turning the large plots into smaller ones of an average area of 800 square meters, ready for development. This particular site remained mostly empty, despite the parcelization. Over the years, it was colonized by nature, turning it into a landscape of wild flowers and greenery. It was used, as some of the Ras Beirut Oral History interviews indicate, as a natural site for the promenades of city dwellers who went there to pick up flowers and wild herbs.

The 2004 cadastral map shows the same plot subdivisions as the 1966. However, current property records illustrate an entirely new landscape of property in the making – one that no more coincides with the plots divisions apparent in current official cadastral plans. The vast majority of plots are since 2013 owned by Zikril real estate company, with variations in the name of the company according to the plot number. Further analysis of the commercial circular of these companies8 shows an ambiguous process of “silent associates”, ephemeral one-project companies, whose shareholders are hard to track (Images 12, 13, 14). The “silent associates” and the “one-project companies” testify to a process of non-transparency where political actors try to hide their connections to major projects taking place, especially potentially controversial ones; a modality of going around the legal system. By tracking down one of the major shareholders in the companies, we see that it is Walid Daouk, the

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8 Most commercial circular for companies could be found on this website: http://cr.justice.gov.lb/
newly appointed Minister of Communication (2011) and a long-time financial and legal expert for multiple national and international real estate companies, banks and others. He was also board member for the Council of Development and Reconstruction between the years 2001 and 2004.

VI. Conclusion

This investigation has demonstrated that the manipulations of the regulatory framework for building development in Lebanon have systematically encouraged an intensive circulation of capital, enabling private actors to take charge of planning of the city. Private capital and its demands have overthrown other priorities formerly protected in law, particularly related to the common good. Additionally, the shift in property from shared into single ownership through political connections has played a major role in urban transformations – as well as the entrenchment of political elites’ power base and hence the status quo through ongoing wealth accumulation. According to Blomley, property’s social and political dimensions have been interpreted in a variety of ways, beyond the formal boundaries of law. For some, property empowers, fostering both autonomy and social connection. For others, conversely, property is an instrument of economic and cultural violence. Viewed as “quietness of possession”, property is seen in some cases as domination, dispossession and exclusion. Property has also been fundamental in exploring contemporary debates over the regulation of public space (such as the case of Dalieh seafront area in Beirut). For it is clear that property has a geography; at the core of the bundle of rights associated with property is the right to exclude others from a space – which this report partly explores.

Yet, by looking at a few other cases in Beirut (not covered in this report), we see the ways in which opposition to gentrification entails certain practical and representational claims concerning space, place, and property. Histories of local use, habitation and co-production are called upon in local mobilizations. Whether in the case of the struggle to reclaim Dalieh seafront area or in the mobilizations against the closure of Beirut’s landmark theatre “Masrah’ Beirut”, activists refer to collective property claims that transcend formal real property. As such, understanding property, within a larger legal framework, presents an eye-opening investigation unto the politics residential displacement and landscape uses. As such, a worth-while investigation in follow-up to this report is a study of how residents have resisted and negotiated against such changes that are affecting their everyday lives in direct ways.
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Bahr REC: 2300 shares (2007)
S. Baydoun: 100 shares

Bahr REC: 2133.8 shares (2000)
Inheritors of Baydoun, Nsouli, Chutila, Najjar, Sa‘eb families: 766.3 shares (1995)

Bahr REC: 1200 shares (1998)
Chutila family: 1200 shares

Bahr REC (2007)

Inheritors of Diab family: 1200 shares

A. Mahmaoud: 240 shares (1973)
Tadamon Company: 1920 shares (1983)

F. Bassoul: 0.53 shares (1937)
M. Bassoul: 50 shares (1966)
H. Bassoul: 50 shares (1966)
Inheritors of M. Bdl: 18.75 shares (1970)

(…) : year of purchase of plot or shares of plot
REC: Real Estate Company
<table>
<thead>
<tr>
<th>Year</th>
<th>Event</th>
</tr>
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<tbody>
<tr>
<td>1920's</td>
<td>Commons entrusted to main families then registered as multiple ownership.</td>
</tr>
<tr>
<td>1925</td>
<td>The furthest high-water point on the beach, along the sand and gravel seafronts are inalienable maritime public domain.</td>
</tr>
<tr>
<td>1954</td>
<td>Zoning regulation prohibits construction of any kind along the coast.</td>
</tr>
<tr>
<td>1966</td>
<td>Allow to exploit the public domain along entire Lebanese coast, except zone 10, with conditions set to preserve the common good.</td>
</tr>
<tr>
<td>1989</td>
<td>Allow to exploit zone 10 with minimal conditions, a notorious legislation for the Mövenpick.</td>
</tr>
<tr>
<td>1995</td>
<td>Three real estate companies bought the plots of Dalieh. Allow again to exploit zone 10. High exploitations exceptions granted to owners with large plots of lands wishing to build a hotel.</td>
</tr>
</tbody>
</table>

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Image 12: Commercial registry of real estate companies
### Image 13: Commercial registry of real estate companies

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<tr>
<th>Commercial registry of real estate companies</th>
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<tr>
<td>رقم السجل: 1017421</td>
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<td>المفتحة: 0</td>
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### Image 14: Commercial registry of real estate companies

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