INHERITANCE AND HERITAGE: CONSIDERATIONS FOR UNIFIED ACTION AGAINST GENTRIFICATION IN BEIRUT

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**ABSTRACT**

This working paper challenges the alignment of interest that the advocates of “heritage protection” in Beirut presume to have with tenants on rent control against property owners. It argues that while advocates for heritage preservation typically assume that property owners and tenants have radically different positions in the housing market, the two groups may well be in similar conditions, as far as both are threatened by eminent displacement brought about by gentrification. The paper shows that access to affordable housing in the city is the main preoccupation of small property-owning families who compete – sometimes fiercely – over limited inheritance shares and rent control tenants who use the heritage value of their homes as tactics to contest eviction notices. In the context of the state’s lack of mitigation and mediation of heightening hostility between tenants and owners, urban activism that is interested in advocating for equal rights to the city should draw on this shared threat of displacement among urban dwellers to consolidate its action against gentrification.

**ACKNOWLEDGEMENT**

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INTRODUCTION

Since the post-war reconstruction era of Beirut began in the early 1990s, heritage activists have largely ignored the concerns of inhabitants of the old buildings they seek to preserve, including conflictual inheritance dynamics within families, while over-emphasizing the need to popularize an appreciation for heritage in their struggle to challenge the city's rapid urban growth and gentrification. In their bid to protest the rapid waves of demolition of old buildings deemed of heritage value, advocates have tended to make two assumptions. On one hand, that all property owners, big or small, play an equal role in the demise of old heritage buildings and, for those activists who care about it – bring about gentrification, by evicting tenants on rent control who populate them and selling the property to developers. On the other hand, that tenants on rent control (from here on “old tenants”) are genuine allies in appreciating the heritage value of these buildings, which are often inhabited by such tenants. Such assumptions have served to polarize further an already widened rift between small property owners and tenants, particularly following the revised “new rent law” passed in 2014 that revoked rent control protections and set in place a timeline to evict all tenants protected by the 1992 law, many of whom live in houses of potential heritage value.

This short working paper challenges these two assumptions by looking more closely at relations among and between small landlords and old tenants. In-depth ethnography about the struggles over shared and limited inheritance between multiple co-owners reveals the gravity of the hurdles that this category of urban dwellers often faces to extract enough purchasing value from shares in the property being divided among heirs, in order to afford a home in Beirut. Meanwhile, research among old tenants struggling against eviction reveals that they often instrumentalize heritage protection to garner traction in anti-eviction cases, without necessarily subscribing to the discourse of shared cultural heritage. Given the national policy context where the state has refrained from developing housing and heritage policies while playing a powerful role in driving new, large-scale and high-end constructions (Fawaz 2008, Krijnen 2010, Marot 2014, Tierney-Sakr 2017), I argue that despite being framed within the heritage debate as representing two opposing interests, members from both groups of urban dwellers are likely to share the predicament of having trouble accessing affordable housing in the city.

Despite being framed within the heritage debate as representing two opposing interests, members from both groups of urban dwellers are likely to share the predicament of having trouble accessing affordable housing in the city. My purpose is to contribute research that informs the articulation of a broader base for solidarity and popular action against state policies and market forces that have been encouraging the gentrification of the city and exacerbating the housing
crisis, affecting urban dwellers that straddle categories of ownership and tenancy, and who could become part of such action. With the state’s lack of mitigation and mediation of heightening hostility between tenants and owners, urban activism that is interested in social justice in the city should draw on the commonalities of this predicament, and delve deeper into additional cases, to consolidate its action against gentrification.

1) Profiling the activists

The group I refer to as heritage activists includes groups and individuals with the explicit mission of preserving urban heritage buildings and sites (including natural sites and archaeology) in Beirut or elsewhere in Lebanon. The inefficacy and loose implementation of existing laws and mechanisms on the protection of old houses and buildings (the focus of this paper) has implied that most activism has been geared towards preventing demolition (as opposed to actual restoration). Frequently, the state issues demolition permits to developers without due process, while other developers, who are backed by powerful government members, proceed with demolition on the sly even when activists have obtained a court order against it. It is under these uneven conditions that advocates operate, battling chiefly on two fronts: Online and offline campaigns of public denunciation; and the amendment and implementation of favorable laws and policies. Over the past decade or so, but more intensely in the past five years, I have conversed with and interviewed some of the main representatives of these movements. I have also observed their online and offline campaigns and initiatives. I sought to understand how they depict their mission of salvaging old houses and buildings, and what sort of vision of the city (and country) they believe they can achieve by doing so. While these groups admittedly differ slightly in scope and vision, I would characterize and analyze their focus on old heritage buildings and their vision in the following way.

The heritage movement that followed the post-war reconstruction era of the mid-1990s was characterized by its preoccupation with the protection of buildings deemed to have cultural heritage from demolition and redevelopment rather than with a holistic recovery plan for the city, which might include urban inclusion, including affordable housing, gentrification and evictions. And this, even though 15 years of war had destroyed thousands of homes, and displaced masses of people both internally and externally. Increased attention to heritage preservation is evidenced in the tripling of the number of heritage associations in Beirut from eight before the civil war of 1975-1990 to 21 in its wake (Misk 1998).

Brones convincingly argues that the first heritage group, Association pour la Protection des Sites et Anciennes Demeures au Liban (APSAD), which was founded in 1960 primarily by an urban and propertied elite (“demeures” meaning “mansions” in French), had the effect of promoting as essentially valuable the inherited architecture of its forebears, which it deemed under threat by the spread of state-endorsed modernist construction at the time. This served to protect its own propertied interests in the city’s periphery (Brones 2012). Through its campaigns, we are invited to celebrate and identify with an idyllic vision of a city (and country) that has a distinctly hybrid Ottoman and French Mandate architectural typology, often grandiose in size and decor, pertaining to a middle- to upper-class
milieu of the capital. Indeed, the affective and aesthetic affinity to Lebanese architecture and the desire to preserve it for posterity as national heritage is made possible by a “distance from necessity” (here of the dire necessity for housing) that is class-specific, and the condition of middle-to upper-class existence (Bourdieu 1984, 53-56). This comes across in the ideology – “how the members of the associations define heritage and how these definitions are contextualized in associational work” – of early heritage associations in Beirut (Misk 84, 103).

APSAD’s influence resurfaced in the 1990s, in response to a state-sponsored urbanization project led by the real-estate company Solidere in a neoliberal era of unbridled development that followed the end of the civil war. In 1996, the association mobilized a survey of heritage buildings in Beirut in 1996, which identified some 1200 buildings; however, the state reduced this number by nearly half following controversial interventions and pressures by powerful and well-connected property owners. In 1999, the Directorate General of Urban Planning5 commissioned a private company to produce another survey that identified only 500 buildings, which were then prohibited from demolition by decree. By 2010, fewer than 250 remained standing6, while today,

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5 The DGU operates under the Ministry of Public Works and Transportation.
6 From interview with architect and urban heritage activist, Mona Hallak, October 13, 2010.
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activists say that figure could have dropped to 200. In 2010, when parliament voted to delist more than half of these, two subsequent groups were formed: Association for the Protection of Lebanese Heritage (APLH) and Save Beirut Heritage (SBH). These associations continued to focus mainly on battling the disappearance of similar style urban artefacts through sit-ins, guided tours, blogs, websites and publications. However, these actions were intended or produced for an audience that is mostly unrelated to the neighborhoods and buildings in question. To harness support for their campaign, APLH for instance, have mainly targeted an entrepreneurial diaspora, whose members have the financial means (at times from real estate development) and political influence to support their initiatives and potentially invest in restorations or help arrest demolitions. They equate the remainder of “traditional” buildings and houses in the city, with markers of the continuity of a supposed ‘shared communal and national identity’, arguing that the state should put this heritage to use in promoting the tourist industry as a long-term plan for collective profit, against the short-sighted plan of speculation profits for the few.

Newer emerging waves in urban activism against sweeping development, including against the construction of unviable infrastructure, have paid more attention to the disruption for and destruction of entire neighborhoods, as well as the eviction of residents. Yet often times, they have done so more through the lens of heritage sensibility and a lament against the loss of “tradition,” than with an explicit battle cry against gentrification or for universal housing rights per se. Activists against the eviction of old tenants have articulated the position of excluded inhabitants in the struggle for a right to the city. However, their stance often vilifies the owners for wanting to relinquish the properties to developers, and presumes tenants as their allies in heritage appreciation, paying little heed to the ways these groups are internally differentiated by class, access to property and prospects for inclusion in the city. We find therefore, neither the older guard of heritage advocates nor recent activists managing to integrate a nuanced understanding of the positions of the inhabitants of remaining old buildings and neighborhoods, in their struggles against reconstruction or gentrification when this agenda began to emerge.

2) Ethnography: dispossession in two decrepit homes

Ethnographic fieldwork, originally the hallmark of anthropological research but increasingly the choice method of other disciplines with social scientific inclinations or objectives, entails long-term and slow processes of participation, observation and conversation with the communities and sites of research. This form of qualitative research, typically has as objective to tease out the most precise depiction of interlocutors’ points of view, taking into account all manner of distortions and unspoken ulterior motives that may arise between researcher and subject, but ideally producing data in which both parties’ stakes are fulfilled (Bourdieu 1999, 607-608). In 2013 and 2014, I carried out ethnographic fieldwork among inhabitants of old houses in the districts of Mousseitbeh, Basta, Bashoura, and Zoqaq al-Blat, neighborhoods on the gentrifying southern fringe of Beirut’s plush city center. These included old tenants and owners of the houses or buildings. The two cases I present below, come from two decrepit houses from my field, the first inhabited by some of its owners, the second by long-term tenants on rent control.

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7 From an interview with Joseph Haddad, general secretary of APLH, on Nov. 13, 2013. During this interview, Haddad called this situation a “double-edged sword” whereby support for protecting and restoring a heritage site comes from the same sector that is destroying other buildings of heritage value.
Case 1: The decrepit three-story house, built in phases beginning in the late 19th century is only partially inhabited on the first floor by Ahmad Kaju, his wife and two college-age children. Wissam grew up in this ancestral home, which he co-inherited from his mother and where he spent most of his adult life. The house was initially listed as heritage but then removed from listing by Bassem, Wissam’s eldest brother and one of five inheriting owners, during a wave of mass de-listings in 1996. Granted power of attorney over the house, a common practice among families wishing to expedite the sale of their shared property, Bassem (allegedly through emotional and possibly physical extortion) registered the property in his wife’s name, disowning the other inheritors, including Wissam who currently lives there in deteriorating living conditions and has no share in any other properties elsewhere. Himself residing in a modern flat elsewhere in the city and owning other property, Bassem is not in a precarious situation and therefore less in a hurry to sell but waits for “the right opportunity” to strike a deal with developers. Bassem thus monopolizes the moment of development, with the distribution of its benefits, including the potential to own a home in any future construction that replaces the ancestral house, being entirely at his discretion. Behind the scene of what appears to be a moment of de-facto preservation, which heritage advocates may look favorably upon because the house still stands, we find speculative behavior and extortion categorically disinheriting some kin, conditionally promising others benefits without guarantees, while entrapping those who live there in uncomfortable living conditions.

Case 2: In the ground floor of an equally decaying three-story apartment building, two unmarried sisters, Zalfa and Zeina, live on rent control. The sisters legally inherited the decades-old rental agreement from their deceased father and were entitled to continue living in the house because they had resided there without interruption, in Zalfa’s case since birth (as stipulated by Article 5 of the Law 160 of 1994). However, one of their two landlords (two paternal cousins) wants to evict them, while the other has allowed them to continue living there for a small agreed-upon rent. A long-drawn dispute between the cousins over the shares of the property keeps the sisters housed but in conditions of decay, particularly in the kitchen where loose bits of ceiling have been falling on them as a result of unrepaired damage that dates back to the civil war. In late 2011, the unaccommodating cousin filed an eviction notice against the sisters on the grounds that the house is unfit for dwelling and endangers its inhabitants. In her eviction response, Zalfa includes a civil engineer’s inspection report attesting to the flat’s continued viability for habitation despite the damage. She first flags up the owners’ refusal to repair the house after its initial damage and despite her repeated pleas, leaving her to make minor and costly but necessary repairs herself. Then, she takes recourse in notions of “injustice” as she reports the owners’ neglect, claiming these were deliberate to expedite putting her and her sister “out on the street”. Finally, she brings up the building’s old age – over 100 years – as proof of its durability and of its heritage value, having previously
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been listed until its owners managed to delist by pulling strings at the Ministry of Culture, according to her. By 2014, the Directorate General of Antiquities, and a committee appointed by the Culture Minister, which deliberates on property listing and recommends to the Beirut Governor a prohibition on demolitions, agreed to back Zalfa’s claim; and while the building was not relisted, the eviction was deterred. Having rendered the property unavailable for imminent development, and thereby lessened the unwelcoming landlord’s incentive to evict them, Zalfa’s tactical use of the heritage claim temporarily left a roof – albeit a crumbling one – over her and her sister’s heads. However, after the passing of the “new rent law” of 2014, their situation became more precarious as the threat of discretionary court rulings in favor of more evictions increased.

“Zalfa’s tactical use of the heritage claim temporarily left a roof – albeit a crumbling one – over her and her sister’s heads”

3) Analysis—What these two cases can tell us

Case 1 is not only a reminder of the obvious: That the owners of old houses of potential heritage value are diverse in socio-economic position and trajectory, with some owning vast amounts of either inherited or acquired property, while others like Wissam Kaju holding on to single, small and shared plots of land. More significantly here, this case shows that within a single inheriting family, we find differentiation and discrimination (usually along patriarchal lines), between the ownership status of individual family members, which have a strong baring on the entitlement to dwell in the city. Extortion, facilitated by bureaucratic mechanisms such as the power of attorney and by customs of patriarchal representation, can lead to disinheritance and dependencies that leave some owners without enough shares or means to maintain homes in the neighborhoods where they initially lived, and thereby faced with the necessity to move outside the city, far from work and social relations. The second case, for its part, shows the dual material and moral conditions that preoccupy old tenants who live in houses with potential heritage value as they struggle to hold on to their homes in the city. On the one hand, old tenants are concerned about the decay they endure in everyday life and the financial costs for makeshift repairs that render their homes livable. On the other hand, the fraught relations that emerge from neglected repairs between them and owners (or some of them), give rise to suspicions of ill-intention and injustice. In such cases of impending eviction, where no other options for housing exist, tenants’ sensibility to the heritage value of their homes is only instrumental to securing continued housing and secondary (at best) to a sense of ambivalence towards the hassles of the crumbling house and the misanthropy of the owners who want them out.
Tenants on rent control may sing the glory of heritage in order to avoid eviction while the multiple small owners in a co-inherited property will purport to care less about it because listing obstructs their avenue to financial gains and housing security. Yet, urban movements hoping to challenge the onslaught of the real estate market for the sake of just and equitable access to the city, over and above agendas of identity promotion, consuming tradition and place-making, need to problematize the divide between tenants on rent control and small owners in a co-inherited property these two groups of inhabitants. The state’s inaction in the realm of housing policy-making is not to be construed only as a lack, but as a form of “institutionalized neglect” that centers of power mobilize to produce particular effects (Kanafani 2016). In this case, the desired effect is the freeing up of additional urban properties for profitable high-end development, which an intensification of conflict between tenants and small property owners can help to expedite. I argue that to critique state policies of exclusion it is first necessary to debunk the illusion that such a conflict of interest is ‘natural’. Drawing insights about the positions and priorities of precarious members from both categories of urban dwellers, my research prompts us to see the predicament of inhabitants of so-called heritage houses as two iterations of a single condition: The necessity for and right to affordable housing. It shows how they are both likely, each in their relative and distinctive ways, to be excluded from the neighborhoods where they have resided for decades, forging valuable social and emotional attachments, and are therefore both potential allies in consolidated efforts against gentrification. More interest in and research about their position vis a vis the right to the city can help to inform such efforts of consolidation.
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Samar Kanafani is a researcher residing and working in Beirut. Her interests include urban renewal, urban decay, heritage, collectivization, commoning, migration, kinship and embodiment. She has a PhD in social anthropology from the University of Manchester, UK. She has published on gender, urban practices and ethnography. She has taught at the American University of Beirut (AUB) and the University of Manchester. During 2017-18, she was an Early Career Fellow with the Arab Council for Social Sciences (ACSS), with affiliation to the Social Justice in the City Program at AUB’s Issam Fares Institute. She is a founding member of the ACSS Ethnography and Knowledge Production working group and a member of Bahithat Lebanese Association of Women Researchers. She is currently a Research Associate at AUB’s department of Architecture and Graphic design.

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