

(Re-)Conceptualizing Land Claims through the Concept of (Property) Rights: The case of Solidere, Beirut

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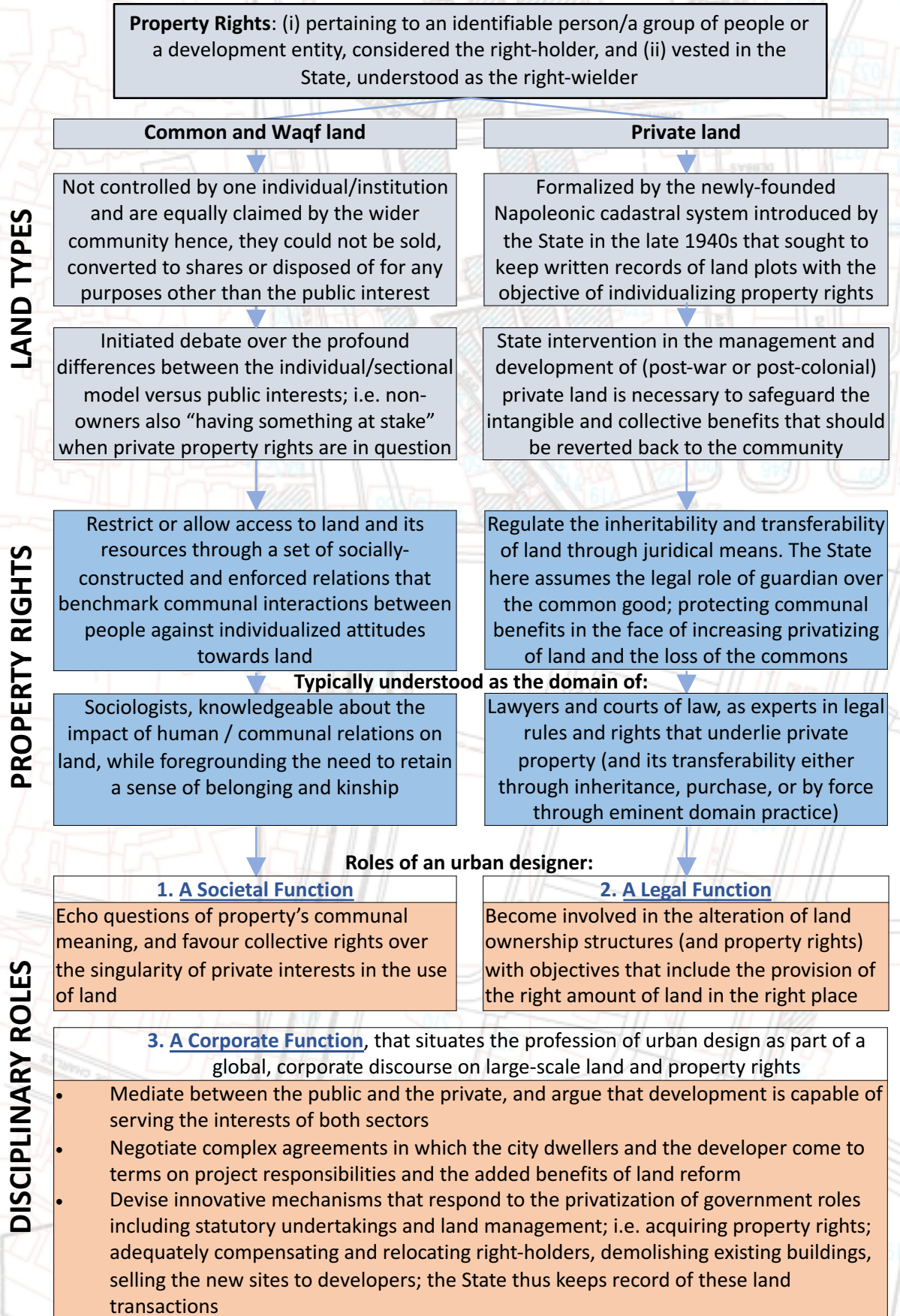
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ABSTRACT: Between 1975 and 1990, Lebanon witnessed a 15-year civil war that resulted in the massive destruction of the Beirut Central District (BCD). The BCD has since been subject to a detailed master plan entrusted by the weakened government to the joint-stock real estate company, Solidere. This dissertation sheds a property rights perspective on the case study of the given reconstruction project. It argues that such a perspective allows us to move beyond a narrow focus on architectural solutions or the shaping of functional and equitable public spaces in the BCD, to consider how the rebuilding ushered a wave of transformations in the way land claims were made in Beirut (by converting the ownership of property rights into company shares).

Accordingly, this dissertation questions the following: Solidere may be empowered by a weakened post-war government with limited public resources that hinder physical rebuilding, however, should a private entity be given ultimate control over land and property rights after conflict, hence dictating its future use? The research analyses this through tracing the formation process of the company and exploring the effects it had on the property rights within the BCD. It relies on an inductive approach that proceeds from an in depth understanding of a single case study that examines contextual descriptions of a certain phenomenon that has not yet been fully understood. In doing so, it foregrounds the use of two data collection methods: document analysis and semi-structured interviews that allow the researcher to elicit meanings and extract insightful, qualitative findings.

By reviewing literature on property rights, this dissertation also seeks to contribute wider lessons to the practice of urban design and planning that is rendered an interdisciplinary endeavour responding to *societal*, *legal* and *corporate-driven* goals. It concludes with a critical assessment of the case of Solidere against the *societal* functions that urban designers and planners can potentially assume; in doing so, it proposes avenues for future research on the little-understood “morality of rights.” (Blomley 2016: 11)

RESEARCH SUMMARY MATRIX



CASE STUDY: The Solidere Set-up

Public Private Partnership (PPP)	
Vesting in the Council for Development and Reconstruction (public but administratively independent)	Land acquisition and rearrangement, through the private, Real Estate Company (REC) Solidere
Empowered with legal tools to bypass litigious governmental routines and expected to adopt the management of the public domain upon completion	Tasked with the redevelopment of the public and private domains in exchange for reclaimed land assets

- Embodies the ultimate confusion between public and private interests
- Reduces the ability of the State to safeguard the non-monetary, communal benefits of land

Financial/Land Ownership Model	
Type A Shares in exchange for the property rights of existing owners	Type B Shares released to new investors in an effort to secure an initial working capital
Gain priority to acquire land within the area under study, thus enabling them to reactivate their relation to property rights by choice	Cannot exceed the Type A share rights in an effort to, ideally, ensure that an equal partnership between the shareholders can occur

- Property rights are reconceptualised into a compulsory corporate venture
- Property rights become owned by a single entity rather than by the local community