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Abstract

After the civil war (1975-1990), the Lebanese government adopted a new policy towards the informal settlements, which had sprawled in Beirut, especially in its southern suburbs, during the events. The Prime minister team entered in negotiations with the Shiite parties Amal and Hezbollah, who were dominating this part of the town. These negotiations resulted in a huge project of onsite resettlement of most of the 80,000 irregular inhabitants of this area.

The elaboration of this project rest largely on legal practices, claims of rights and will of justice. Several representations of the irregular settlements and their inhabitants were present in minds and the project was conceived with different, indeed contradictory, conceptions and interpretations of law, justice and rights. Contradictions between these different conceptions led to a compromise project, difficult to be implemented and parts of which could be diversely interpreted.

Eventually, the project hasn't be realised. Nevertheless, its existence had other effects. The agreement on the wording of a policy, in spite of its shadowy areas, created a common platform of ideas from which to cooperate, negotiate and manage deviations and contradictions from a point of agreement. It calmed tensions, confirmed the property rights, encouraging private investments in the southern suburbs, allowed the state to intervene in the area and, finally, defined rights for the inhabitants who cannot be anymore evicted without compensations or resettlement.

Résumé : Lois et droits dans l'élaboration d'un grand projet de rénovation de quartiers informels à Beyrouth.

Après la guerre civile (1975-1990), le gouvernement libanais a adopté une nouvelle politique vis-à-vis des quartiers informels qui se sont développés à Beyrouth, essentiellement dans sa banlieue sud, pendant les événements. L'équipe du Premier ministre a entrepris des négociations avec les partis chiites Amal et Hezbollah qui dominaient cette partie de la ville. Ces négociations ont abouti à un grand projet de relogement sur place de près de 80 000 habitants irréguliers de cette zone.

L'élaboration de ce projet repose largement sur des pratiques légales, des revendications de droits, des volontés de justice. De nombreuses représentations des quartiers irréguliers et de leurs habitants étaient présentes dans les esprits et le projet a été conçu avec des conceptions et interprétations de la loi, de la justice et des droits différentes, voire contradictoires. Les contradictions entre ces différentes conceptions a mené à un projet de compromis, difficile à mettre en œuvre et dont certaines parties étaient diversement interprétables.

Au bout du compte, le projet n'a pas été réalisé. Néanmoins, son existence a eu d'autres effets. L'accord sur la formulation d'une politique, en dépit de ses zones d'ombre, a créé une plateforme idéelle commune à partir de laquelle il est possible de coopérer, de négocier et de gérer ce qui devient des déviations ou des contradictions à partir d'un point d'accord. Par leur seul fait qu'il ait été mis en place, ce projet a permis que se dénouent les tensions, il a confirmé les droits de propriété, encourageant les investissements privés dans la banlieue sud, il a permis à l'Etat d'intervenir sur la zone et, enfin, il a défini des droits pour les habitants, qui ne peuvent plus maintenant être évincés sans indemnité ou relogement.

Introduction

When faced with informal settlements, town planners usually devise urban projects that bear in mind the fact that the transformation of space has a social impact. For some of them, this social change is one of the main goals of planning: improving living conditions, encouraging social diversity, normalizing certain practices, protecting the social identity of places, defending residents' and owners' rights, encouraging access to the city, and so on. How do these planners think the transformation of space might influence social practices? The designers explain numerous causal links between existing or planned spatial shapes and the social shapes they identify or desire, based on different methods of reasoning. The selection of planning projects depends largely on these complex representations. Questions of rights, laws, and standards play a leading role therein, especially since the residents of these areas are in breach of the law. What is the impact of the issue of law and lawfulness? What is the role of the law and of rights in the creation of a project? How are decisions made, and based on which representations, for projects concerning informal settlements?

This analysis is carried out as part of research on the principles of action of town planning (Clerc-Huybrechts 2002). Research on the design and implementation of urban development projects traditionally follows two main lines. One aspect studies the design: the rhetoric and theories of urban development (Choay 1980; Nasr and Volait 2003), the skills, expertise, and methods of planners and architects (Verdeil 2002; Souami 2003), and the political and social objectives of the professionals involved (Verpraet 1989). The other aspect of research involves decision- making, public policy, understanding the mechanisms of action systems (Crozier and Friedberg 1977), and the power relations and strategies at work in the context of an urban planning project (Harb 2005; Lacaze 1997; Friedberg 1993). The first aspect mainly examines the technical stakeholders, the professionals of the city, while the second is more focused on

political parties, project management, and decision-makers. This research project is positioned at the meeting point of these two approaches; it attempts to enter the 'black box' of the project's design, to identify all the factors that guide decisions, to bring to light the reasoning of the actors who have an influence on those choices, to establish when the stakeholders—the political decision-makers as well as the people working in planning—are motivated by ideal representations of the city or by the mechanisms of the system of actors in which they work (Signoles 1999).

To highlight these representations and their role in the design of urban planning projects, this paper will analyze the implementation of the Elyssar project, the biggest urban planning project of the Lebanese reconstruction period, implemented in 1995 in the southern suburbs of Beirut. Politically, this ambitious project fits into a scheme of reconciliation among the Lebanese people and reunification of a city that was fragmented into numerous communities and districts by the civil war (1975–90). It sought to open up and reinstate 560 hectares of the southwestern suburbs in the city (see Fig. 12.1). The complete restructuring of two thirds of the project's area is in response to the presence of informal settlements in the area, which are built on the land of others, and which in 1995 housed 80,000 people in a city with a population of 1.5 million.

This paper aims to analyze the Elyssar project in order to highlight the factors that influence the choice of projects, and to understand the way in which the decision-making process led to the solutions advocated by the project. Between 1998 and 2001, a survey was carried out of a hundred or so of the project's observers and parties—members of the various negotiating parties or those who were or might have been influential in defining problems, proposing solutions, or conducting negotiations for Elyssar.

Fig. 12.1: Main irregular settlements in Berut. Map by Valérie Clerc, 2010.

Interviews were conducted with representatives of the government, Amal, and Hezbollah who participated in the meetings during the various phases of negotiations, starting with the prime minister Rafiq Hariri, and including advisors, consultants, and research departments (including Oger International, Oger-Liban, Millennium, the Advisory and Development Studies Centre, Jihad al-Binaa, and so on); deputies, chairmen, and members of municipal councils in the region affected by the project; professionals (consultants, town planners, architects, engineers, economists, and so on) who were either independent or working for consultant firms that participated in various phases of the project such as Dar al-Handassah, Assaco, Laceco, and BTUTP; the employees and members of the board of directors of the Elyssar Public Company; government directors and senior officials (from the General Directorate of Town Planning, the Town Planning Board, the Architects Association, the Land Registry, the Council for Development and Reconstruction, the Public Corporation for Housing, the Ministry of Housing, the Ministry for Displaced Persons); judges and lawyers (whether advisors or professionals involved in real-estate lawsuits); owners and residents of the southwestern suburbs; planners, real-estate developers, and financial investors (banks) with projects in the area; and, finally, some observers (journalists, teachers, and researchers).

This chapter focuses on one of the frames of reference used by these actors, namely the role of notions of justice and law in the design of the town-planning project. In the first part, it shows the diversity of representations deployed, the use by the actors involved of three registers of reasoning to consider and design the project, and how these rationales combine to form very personal profiles of those actors. The second part of this chapter focuses on questions of law and justice, and shows the different value systems used in the project. Noting in particular the central choice to rehouse evicted people within the same area, or perimeter of the project, it sheds light on how these rationales and value systems are based on questions of law and justice in order to lead to decision-making.

Thinking About Town Planning

Representations, rationales, and profiles of actors

The implementation process of Elyssar in the southern suburbs of Beirut involved many political and technical participants, and therefore demonstrates a variety of representations and influences on the project.

Elyssar

In Lebanon, the informal settlements located on squatted land are found mainly in the southwestern suburbs of Beirut. Very localized informal settlements developed, particularly during the war, sometimes from former cores, owing to massive population displacements, mainly from south Lebanon and the eastern suburbs. The settling of inhabitants was organized by Shi'i militias, swelling the Palestinian camps and some small illegal settlements, by squatting on parcels that were either subject to ownership disputes, owned by public institutions, or which experienced difficulties in implementing town planning regulations and plans, which were applied to the southern suburbs for nearly a century (Clerc-Huybrechts 2008). These districts were a stronghold of the Shi'i parties Amal and Hezbollah, as are their neighboring older districts to the east: Burj al- Barajneh, Ghobeiry, and Haret Hreik, where major destruction took place during the 2006 war. Therefore, in Lebanon's political context, which is based largely on sectarian divisions, any project concerning this space took on a strong political dimension (Harb 2005).

As soon as the civil war ended in late 1990, the project was encouraged by Rafiq Hariri (who later became prime minister). From 1992 it was developed through political negotiations between the government (then headed by Hariri), which wanted to regain a foothold in those areas, and the Shi'i parties Amal and Hezbollah, which played an important role in developing the infrastructure and services for the predominantly Shi'I areas under their control. In 1995, three years of negotiations led to the decision (which was formalized by a plan and a ministerial decree) to carry out a restructuring project for the area. The project planned to create or improve infrastructure, and to develop real-estate and tourist resorts along the city's biggest beach, thus potentially adding 6.7 million square meters to the area. Thanks to negotiations, Amal and Hezbollah agreed to the project, in exchange for the guarantee that the residents would remain housed in the same area and that the project would be implemented by a public planning and development corporation. They established as a result of the negotiations the principle and methods of the destruction of the existing informal settlements, compensation for residents and building owners, and the rehousing of inhabitants in new units built within the project's domain. The project claimed to be in the public interest and to renew social ties, and sought a compromise between access to the southern suburbs for all the inhabitants of the city—requested by the government with the aim of rebuilding a unified and practical city—and the protection of the identity of those districts, of interest only to part of Beirut's population: its residents, who, defended by their representatives, wished to maintain their sectarian territorial roots.

The project was hardly implemented. Only the main roads and public facilities were built in the area, causing the demolition of part of the illegal settlements, but, fifteen years on, most of the informal settlements are still in place.

Independent representations of professions and positions

All the actors interviewed had a personal interpretation of the situation and of the project, justifying and/or criticizing its choices. Numerous opposing concepts of spatial and social recomposition were present simultaneously throughout the project's design. For instance, the inhabitants of the areas concerned were considered by the various actors involved as people who were war-displaced, poor, or living in bad conditions. Each actor interviewed established its own set of diagnoses for the purposes of the project. These were sometimes connected or consistent, generally heterogeneous, sometimes contradictory, and reflected the fact that each actor took a different line of reasoning, and that none of them had a unique strategy. The study in Beirut revealed that these representations did not depend on the social group or profession of the relevant actors. Nor were they a function of their religious affiliation, their position within

the system of actors, or their membership in the ruling or Shi'i parties. In particular, we can see a discrepancy between the technical and political roles of the various participants and their rationales. On the one hand, the political decision- makers, both the policy makers who initiated and proposed the project (Rafiq Hariri and his team) and those who participated in the negotiations (Amal and Hezbollah party members), had a discourse that was strongly influenced by technical considerations due to their training (many political representatives are engineers, and several engineers participated in the political negotiations) and their notions of what constitutes an ideal representation of their city. In particular, at the highest political level, the prime minister, presented by all as the the project's main supporter, was originally a real-estate professional who had built his fortune (one of thebiggest in the world) as an investor. From the 1980s he had begun to think about how to rebuild Beirut, then still at war, and when he became head of government he never ceased to think in terms of urban development. At the same time, town planners and technical stakeholders claimed to have taken a back seat and been restricted to their technical role because of the political sensitivites surrounding the project. But precisely because of this, they remained extremely aware of the political dimensions of the project, and many automatically used political arguments to make certain choices in their proposals, prior to discussion with the political actors (for instance, to avoid moving Shi'i inhabitants to a Druze region).

Lines of reasoning and 'topical' profiles of the actors

The various concepts used to conceive the project did not all derive from the same lines of reasoning. There were prominent lines of reasoning. Firstly, the parties reasoned within an ideal style (in the sense of both perfect and imaginary). They expressed the intention to transform from the present situation to a future one following conceptualized projects (urban and social patterns, political projects, technical improvements, social change, the implementation of rules, and so on). Secondly, the parties articulated strategies, describing the project as dynamic and taking into account issues, opposing forces, and strategies (to obtain political 'victories', economic benefits, and so on). These first two styles project into the future. The third style relies on value judgments. The actors expressed judgments, which are formulated in the language of justice and injustice, on the current situation, and on the desired outcome or means of achieving it. This style criticizes or justifies preconceptions, words, acts, and omissions identified in the two previous styles.

The combination of representations and judgments in the three lines of reasoning and how individuals manage any possible contradictions form their position concerning the project. There is no common frame of reference since each actor gives their own partial interpretation with only some elements in common. Thus, each party has a personal profile, which one might call a 'topical profile,' because it links the actor to the problematization of a place in the broad sense, and which is drawn from references to values that are external to the project but applied in a specific context. These views clash or merge to define the project.

In the first style, the ideal style, the ideas developed by the actors involved in the Elyssar project correlate with town planning theories with a social goal. Several points of view oppose one another depending on the way in which the actor takes into account the social group it wishes to promote. The vast majority of actors interviewed have progressive visions, seeking aesthetics, hygiene, and modernity. Their main leitmotifs are the improvement of living conditions and the attainment of order, movement toward urbanity, the promotion of social advancement, social diversity, or the modification of the 'traditional' social practices that these informal districts are said to have. However, others have a more cultural vision and wish to protect the current social fabric; they follow the same premise — that the transformation of space will have an impact on social practices — but they are opposed to the modification of lifestyles and settings, in favor of preserving the current forms of sociability and culture, therefore promoting a habitat suited to current practices.

In the second style, the strategies style, the space is mostly linked to organized social groups,

and spatial intervention is considered as a means to protect or, to the contrary, to modify or even break up the existing collective organization in favor of another. The southeastern suburbs are mainly presented as Shi'i territory: a specific space, inhabited by a social group, controlled by a specific authority (the Shi'i Amal and Hezbollah parties), and thus a site of power, a space to be defended or won over, a marked space (Harb 2003). Consequently, the decision as to whether or not to relocate the population outside the area in question (providing compensation or rehousing elsewhere) is perceived as a major political, economic, and social issue. At the time when these discussions were underway, the population was still very conscious of the recent civil war and the project was still explained by many actors using the discourses of reconquering or defending territory, combined with economic interests.

Mixed arguments

The actors interviewed sometimes mix the first two styles (ideal and strategic), particularly when it comes to certain recurring key topics, such as the belt of poverty, rural depopulation, or Shi'i access to the city.

The belt of poverty

The prewar expression "belt of poverty" (Bourgey and Pharès 1973) refers to the poor outlying quarters of the city and the need to eradicate poverty from the suburbs. Risks were associated with rings of shantytowns surrounding the capital city Beirut; they were mostly populated with Palestinians, living in armed camps that became autonomous after the Cairo Accords (1969). The situation by the mid-1990s was completely different (for instance, 82 percent of the illegal settlements' inhabitants in Elyssar are Lebanese). Yet this expression, with its dual connotations, both strategic and ideal, is still frequently used by many actors in reference to Beirut's southern suburbs or the Elyssar project to explain why the downtown project — a small luxurious area surrounded by insanitary districts — cannot be considered independently from a project to develop the suburbs, and to give expression to the social threat that lies at the city's gates. "Belt of poverty" allows for the differentiation between groups of inhabitants of these illegal developments: rural migrants who had no choice but to settle in the poor districts they could afford are differentiated from the people who were already living in the area, and who used their resources and often Mafia-style networks to create this supply of informal housing, and who are said to have deliberately brought together clients and people of their own confession into a single area in order to create a territory, in the military sense of the word. The project meets both these actors' concerns by improving living conditions while modifying the social fabric of this environment to break such an encirclement.

Rural depopulation and community balance

The parties interviewed believe strongly in the reversibility of the phenomenon of rural depopulation, which is closely associated with the issue of forced population displacements due to war. One of the main reasons leading to the decision to rehouse the inhabitants was the fact that refugees from South Lebanon were present in the Elyssar area. Most of them migrated during the war and some have now been urbanised for over thirty years. But they were the only residents who could not return to their region of origin, which was still occupied by Israel at the time of the project's development (Israel only withdrew from South Lebanon in 2000), and it was therefore necessary to come up with a suggestion for the area.

Some suspect this assertion of reversibility to be a way of concealing community strategies aimed at getting rid of the Shi'is by sending them back to their regions of origin, with compensation. In Lebanon, poor rural inhabitants are traditionally Shi'is. In the eyes of many, migration from outlying rural areas of Lebanon toward the suburbs created a problem of population distribution in the country and a community imbalance around the city, to which the return to the countryside would be a solution.

Access of Shi'is to the city

The image of the informal settlements in the southwestern suburbs as being akin to that of a

village—ties to the land, low-rise housing, outdoor spaces attached to dwellings (courtyards and gardens), a haphazard layout of buildings—is associated in the discourse of several actors with the persistence of rural attitudes, habits, and social ties, despite migration to the city that sometimes dates back a long way. Moreover, prewar studies show that although traditional forms of grouping persist in towns, they tend to break down with social advancement (Nasr 1979). The denigration of the village-like character of informal settlements, coupled with the assumption that their residents, especially the poorest, are incapable of creating urban space, is an argument from the ideal style widely used by actors to support the creation of new buildings. For some, it is also a strategic argument to deny access to the town for Shi'is, who are also associated with people living in rural areas. The Shi'is' access to the city has been cause for debate in Lebanon since before the war, and is part of the Shi'i parties' political struggle for integration into urban society (Nasr 1985). Amal and Hezbollah were therefore ready to accept the eviction of residents, on the condition that they would be rehoused in the same area, because the southern suburbs are their only gateway to the capital. But many others sought to compensate residents in a bid to clear the city of a community that they feared could threaten Christian and Sunni urban supremacy.

Justice and Town Planning Choices

In the third style of reasoning, the judgment style, the parties regularly resort, either explicitly or implicitly, to the concepts of justice, fairness, or legitimacy in order to analyze the current situation, the project's ambitions, and the system of actors to which they belong. In their discourses, the parties follow several value systems, both to criticize and to justify Elyssar, linking them in very personal, complex, and sometimes controversial ways by the same argument (Boltanski and Thévenot 1991). The concept of rights is particularly present in this, the third style.

Using different value systems to judge informal areas

Within this third style of reasoning, two value systems pervade the discourse of the project's actors. First, the *functionalist* values of improvement, efficiency, productivity, predictability, and organization, with the objective of meeting needs, guaranteeing normal functioning, and adequately determining the future in order to control it correctly. These values are used by almost all actors (thus echoing the organizational nature of town planning). Second, *civic* values, such as general interest, solidarity, law, and lawfulness, which refocus the project on the social entity which town planning affects (human settlements). These values are also used by all actors. The fact that these civic values are repeatedly drawn on by the actors is one of the main reasons for the extent of discourse about the project's social dimension. The fundamental objections and contradictions lie in the use of civic values on various levels and for several different social groups, which the project resolves through compromise.

The squatters are criticized in every value system. However, each system presents one or several reasons to judge them positively and to justify their actions. The most significant disputes about squatters revolve around civic values. A number of parties emphasize the illegitimacy of those who squatted (took others' land) by force, under the supervision and instructions of militias or of their allies, who controlled those lands during the war. They mention the fact that this phenomenon is unfair to landowners, who could not or did not know how to defend themselves, since they were not protected by state law. The judgment of certain people is focused entirely on the issue of illegality.

Yet civic values, which stigmatize these neighborhoods most violently, also provide the strongest arguments for an intervention in their favor. All the actors mention reasons not to blame these inhabitants, who sought refuge from Lebanon's successive wars. They acknowledge that they have a right to settle somewhere, and justify the settlements with reference to the lack of housing, the magnitude of the displaced population, and, often, the need for communities to rely on militia practices for their survival. These justifications of the residents' actions are all based on the state's failure, but they vary depending on designation of the social group affected.

For some actors, the inhabitants developed a strategy in reaction to the state's inability to take care of the poor. For others, due to the lack of public intervention, the squatters were the victims of unequal treatment between the southern suburbs and the rest of the agglomeration. Considered as war-displaced persons, the inhabitants' attitude is forgiven by others, who cite the injustice suffered and their right to compensation. Some support the first waves who settled in those areas at the end of the 1950s, with the support of the municipality, seeking revenge against the scandal of a government considered to be neither democratic nor legitimate, and alleged to have allowed its connections to privatize beaches and public land in the southwestern suburbs. Finally, a few people mention the 1955 "Sands Trial" (Procès des Sables), which was considered to have been unfair because it ruled in favor of some private owners of parcels which were traditionally communal land and on which there had been an overlapping of rights during the previous century. The Sands Trial is referred to as a means of insisting on the legitimacy of wronged legal claimants and, by extension, that of inhabitants who sympathize with them, and to express the sentiment of injustice concerning access of the poor to land, and their desire for a struggle of the people for democratic justice against the legal system.

All the actors have different ways of judging squatters, both negatively and positively. Some people do not point the finger at formal irregularity or the failure to adapt to needs, but to the lack of a sense of civic responsibility. Others, to the contrary, acknowledge rights, opportunistic practices, and even need, but they do not accept unlawfulness. All the actors establish personal hierarchies of rights and judgments, depending on their own personal stake in the project or their own personal worldview, or a combination of the two.

The project's choices: the case of rehousing in situ

Even when they are widely shared, the concepts arrived at do not shape the project directly. In spite of sometimes evident influences, it is impossible to credit the origin of a selection to one or more persons. The analysis of the negotiations, from press reports and especially from interviews with the three parties to the negotiations (the government, Amal, and Hezbollah), shows that the decisions taken were the result of interactions, within a context of strategic interdependency. Within the framework of this power struggle, each person aims for an agreement corresponding to his own interests and representations. Concepts take shape in some proposals. Some ideas suit everyone. They reflect a series of judgments following different value systems. Therefore the choices of the project represent the different significance awarded to them by each actor. No actor persuaded others to accept their point of view. No single justification can characterize each choice. These choices were made because a range of disparate judgments and representations led to them. They avoid dispute and make judgments compatible. They are only relevant and in line with the system as long as they support the justifications of each party.

The unanimous decision to rehouse in situ all inhabitants who so wished this, rather than compensating, renovating, or rehousing them elsewhere, combines several judgments. Based on several attitudes and representations, with regard to the law and rights, three arguments played a specific role in the reasoning processes: the arguments of social justice, respect for national law, and the rejection of social division.

From social justice to rehousing

The necessity of treating everyone equally according to the same principle led to rehousing, rather than compensation. Indeed, all the parties involved in negotiations desire the improvement of housing conditions in these neighborhoods; for some, it is about encouraging greater social justice between communities; for others, it is a question of remedying the past neglect by the state. From a psychological point of view, it is important to provide housing and not compensation; to grant people a right to inhabit and not simply offer them a commercial good. This distinction only makes sense in the abstract. One cannot separate the qualitative value of being housed from the property value of a dwelling, and beneficiaries are able to resell their accommodation. However, the desire to grant housing, and not compensation, expresses

the desire to compensate for housing inequalities; squats are the expression of a problem and there is no desire to compensate those who sought to commercialize accommodation. On a symbolic level, rehousing for Elyssar satisfies those who consider the justification of the project to be primarily the achievement of social justice.

The assertion of rights without questioning the law

The law also lies at the origin of the decision to rehouse rather than upgrade the neighborhoods. Upgrading was immediately rejected by all parties involved in negotiations, for practical purposes but also to satisfy a desire for justice for the Lebanese people who had never squatted, in order not to award legitimacy to what had been illegally acquired during the war. Above all, there is never any ambiguity regarding the legitimacy of owners. Although some people who were interviewed report that some inhabitants would prefer to stay in the property they occupy, regularization is never considered by their supporters. Despite claims that land might not have been allocated to its proper owners forty years previously, in 1990s Lebanon mobilization on behalf of neither the poor nor the displaced, nor that for the inhabitants of the southern suburbs, was able to modify attitudes concerning property rights.

On the contrary, it is as if a scale of values was unanimously adopted, placing the established law above the civic movement that would call it into question demanding greater justice. Even if in the end legal property owners have to be expropriated (in order to obtain land for rehousing), everyone opposes the principle of expropriating them only in order to regularize the inhabitants' situation. The actual ownership of the land is never questioned; on the contrary, it itself stands in the way of the idea of upgrading.

This commitment of all actors to the current land law is remarkable in a country where the history of land ownership is so complex and unstable. By placing the law and property rights at the heart of contentious issues, and by structuring negotiations around the law, paradoxically, all actors treat the country as a single whole, in spite of the Shi'i parties' securing of benefits for the inhabitants of the southern suburbs that they support. After the civil war, the country's unity became a frame of reference with more significance than any other social space. By resolutely relying on the property right which survived the civil war, Elyssar can thus be read as a project of reconstruction and reconciliation, and not exclusively, as many readings of the strategies imply, as the continuation of territorial struggles by other means.

Staying in situ, a major conflict of interests

All actors agree on the importance of unity and the rejection of social division. Based on these principles, two opposing civic attitudes, which take into account the social groups at different levels, are at the heart of negotiations. On the one hand, actors reasoning at the country level reject the territorial division between communities. Although they accept the principles of compensation and rehousing, they hold that these must not be applied in situ, since that would affirm the division of society into sectarian groups. On the other hand, the actors reasoning at the level of the southern Shi'i suburbs, oppose the reduction of the community into a series of individuals who want to free themselves from party guidelines and act in their own interests. This civic vision is internal to the community and encourages union, collective action, loyalty to a cause, and the defence of the group's interests. In this regard, it seeks to maintain the current social fabric and to gain rights and advantages for the area's residents. It was legitimized by the accession of Hezbollah members to parliament in 1992 and to the heads of municipalities in the southern suburbs in 1998. This civic system drastically opposes its predecessor since it advocates the preservation of a homogenous population in situ.

By taking into consideration part of each of these opposing attitudes, the solution chosen for Elyssar—the proposal of rehousing in situ *and* the possibility of choosing compensation—is a compromise which meets both demands while not justifying itself entirely in terms of either of them. The lack of official documents presenting a synthesis that would enable us to extract the essential facts shows how difficult it was to decide on a single project that combines two fundamentally opposed outlooks. The consensual texts written to define the project were kept to

a minimum (the Elyssar decrees). They do not lay out the project's issues, put them into perspective, or record any specific general objectives. There is no overall consensual justification. The texts are sufficiently unclear so that each party can interpret and justify them in its own terms. The details of the rehousing process have therefore never been precisely defined and only part of the project was implemented.

Conclusion

Town planning takes into account both civic and functionalist values, hence the frequent link between town planning and social projects and the fact that town development plans are based on public interest. The definition and scale of the social group (neighborhood, suburb, city, or even country) targeted by the plan determine the selection of development projects. Plans to regularize informal settlements tend to give rise to opposition based on concerns for justice for the different social groups. Paradoxically, although the disagreements concerning legitimacy follow these same divisions between social groups, support for the selection of a project does not follow the same divisions. Several justifications on the same level can lead to different choices, while one choice may meet several requirements on different levels. This makes compromise possible.

A compromise, which is enough in itself

While the Elyssar project demonstrates many ways of transforming the area depending on the desired social impact, it particularly shows that different, sometimes conflicting, social impacts are the expected outcomes of a single choice of development of the area, especially that of rehousing in situ. The actors have social objectives on different levels: some give priority to city residents, others to those of the southern suburbs. However, this contradiction remains concealed.

In fact, the mere fact of agreement on the project's choices seems at least as important as their content. By its existence alone, the project constitutes common ground, which enables the progress of relations. In order for the agreement to last, contradictions should not be made visible.

The terms of the rehousing program have never been precisely defined. The negotiating actors agreed on the complex compromise of rehousing because it met their requirements, but the agreement also raised problems for them all as it involved an element that went against their various positions. The period of implementation saw an unspoken shift toward other options. The project was only partly implemented: apart from the beginning of the regrouping of lands and expropriation proceedings, only the main roads and highways passing through the project area have been completed. Therefore, notwithstanding their demands, Shi'i parties exceptionally agreed that the families living along the planned routes of these roads be evicted in return for substantial compensation. The apartments for rehousing were never built, the terms for their allocation have not been defined, and the informal settlements are still there today.

The agreement about the conflicting aspects of the project eased certain tensions, allowed relations to continue, and satisfied each party's primary social goals, through partial implementation and dispensation regarding the appointed rules. On the one hand, the party of government was able to modernize and open up the southern suburbs to the whole of the population, it could build highways across the area, and the project put an end to the expansion of informal settlements. On the other hand, the Shi'i parties obtained official acknowledgment of the rights of the residents of informal settlements, and an end to the threat of expulsion without compensation.

For the prime minister, the choice of rehousing in situ was primarily justified by the presence among the future beneficiaries of refugees from South Lebanon. When the area was liberated in 2000, he thought it would be possible to negotiate a new solution for Elyssar in which all the residents could be compensated and return to their home region. Furthermore, ten years after the war ended, it finally seemed possible for residents to deal with landowners directly (buying

and selling land from one another), since they were no longer the original wronged landowners but had since bought the land with full knowledge of the facts. With the evolution of the topical profiles of the prime minister and the Shi'i parties, the period of implementation of the project became a time for its recomposition.

Town planning between the law and a sense of justice

The specificity of Beirut as a site for research highlights the contrast between existing rights and those that are in fact claimed. Town planning and building regulations were developed from the 1960s onward. For a century, the southern suburbs have been the site of town-planning projects; they are the ideal site for the expression of these rights. The right to property is guaranteed by the state upon its registration in the land register, which is an unusual situation in world terms. Therefore, the issue of irregularity does not lead to confusion. The law is used as a reference and there is no ambiguity regarding the legitimacy of owners. Moreover, nobody ever claims the transfer of property in favor of its occupiers.

In this context, it seems that political claims do not call the existing law into question, but claim rights in favor of a group: access to the city, compensation for the state's failures, and social justice. There is no overlapping reasoning on this point, unlike in countries where the law is less clearly constituted, or less known by the public. This is demonstrated by the always partial reference to the 1955 Sands Trial lawsuit, and the resulting decision to rehouse.

The importance of the role of the law in Lebanon in the actors' arguments leads one to question the conditions under which the projects of regularization of informal settlements are feasible, especially considering the role played by the law in a society which is undergoing a period of national reconciliation and/or of (re)construction of a legally constituted state.

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