

# RECLAIMING RIVER PUBLIC DOMAIN AS A COMMUNAL SPACE:

## THE CASE OF AMLEH-SAIDA

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### ABSTRACT:

Many activists in Lebanon lament the loss of communal land and public spaces. Their strategies for defending these spaces against different threats and encroachments are based on notions of the right to the city and to a healthy environment. This paper will look at one specific type of communal land – that of rivers – and reflect on activist strategies for their reclamation.

I choose to focus on the Amleh River in Greater Saida, for two main reasons. Firstly, I am part of an activist initiative –Lil-madina Initiative- that is conducting extensive study of and work on this specific river. Thus, I have an insider's perspective on the challenges that urban activists face when reclaiming such spaces. Secondly, the Amleh



Figure 1

represents an interesting example of a public domain that used to have a socioeconomic and ecological value and is today considered a curse (because of all the sewage it contains). Discussing the case of Amleh provides us with the possibility of assessing what remains of river space, perhaps what future it can hold, and what kind of strategies can be used to reach that future in the absence of strong public institutions that have clear

policies for managing and protecting rivers. The area of Greater Saida receives six rivers: two main rivers and four smaller streams, all of which cross different municipalities, communities and sociopolitical divides. When discussing the rivers in Saida many people state that "there are no more rivers in Saida", "there is no more water in these rivers, only sewage". In 2006, in an attempt to create a sewage network in Greater Saida, the Council for Development and Reconstruction (CDR) used a loan from the Japanese government to execute sewage lines in the middle of the river beds. The rivers were public domain (masha'a) and did not need any expropriation fees, however the project proved to be disastrous: the lines and the manholes keep on getting damaged by the water currents. From that point onwards, the rivers are only treated as public sewers that need to be covered up and buried in concrete culverts. In fact, the municipalities are not willing to cooperate with each other to solve sewage issues that transcend their municipal borders, due to political and sectarian rifts.

In 2014, we were working as the Lil-madina Initiative to convince officials and planners, who were developing a land pooling and re-subdivision project in Saida, to protect and even expand the space given to rivers within the project. Since these arteries have a natural ecological function, we argued that they do not need much to be successful public spaces. While the officials of Saida's municipality seemed to agree with this logic, we discovered that they were planning to turn a part of the Amleh River within municipal Saida into a culvert, with funding from UNDP/UN-habitat. This is when we decided to direct our efforts towards addressing the sewage problems upstream within Haret Saida and Majdelyoun municipalities, and push for a different reality for the river. With this aim in mind, several strategies were followed:

### STRATEGY 1: ANALYZING/ DOCUMENTING/MAPPING

As a first step of the urbanistic endeavor and perhaps the most important strategy that we followed was the analysis we conducted of the Amleh. The aim was to gain knowledge about this common and to understand how it was practiced/used, its problems, etc.

Moreover, it was a good opportunity to meet people who agreed with our aspirations and who would become our allies in our battles for the river.

### STRATEGY 2: RAISING AWARENESS

The second strategy was to work on reviving the memory of the rivers and putting them on the agenda of the city. The study and analysis of Amleh was compiled into a book that we distributed in the city. Moreover, we gave talks about Amleh and rivers in general in several places

in Saida. We also organized public site visits, walks and hikes along rivers of the city.

### STRATEGY 3: CONTESTING AND STOPPING MALPRACTICES

We worked on stopping several malpractices around Amleh. One of them was to fight against the municipalities turning the river into culverts. Here the strategy was to go and talk to the donors who were usually international agencies, and convince them based on their credos of environmental sustainability that incasing a river is not a very environmental strategy. This put our relations with the municipalities at risk many times.

Moreover, we worked on halting the dumping of rubble and garbage in the river public domain. For one section of the river where a lot rubble was being dumped, we agreed that one of the neighbors, whom we had met while conducting interviews, would guard the site; it proved to be more effective than talking to the municipalities.

There was another case further upstream where a real estate developer was completely landfilling a whole chunk of the valley to reach his plot and flatten it for construction. The only way to stop him was to offer him an alternative proposal. We did the same for another owner who was planning on asphaltting the river domain to reach his plot, which otherwise did not have a right of way. This brings me to the activists' fourth strategy of proposing alternatives and creating consensus.

### STRATEGY 4: PROPOSING ALTERNATIVES

In order to create an alternative to how the river space is being produced, we had to convince the parties who are currently controlling and affecting the space: the real estate owners and developers and the municipalities. In order to invent a public space on the river, we had to think of a space that adds value to private properties, and open up the possibility for municipalities to have their municipal parks there.

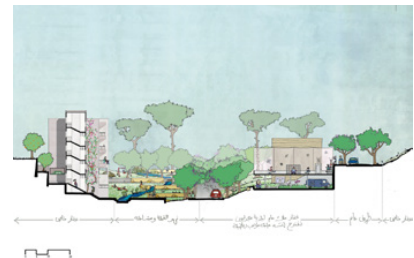


Figure 2

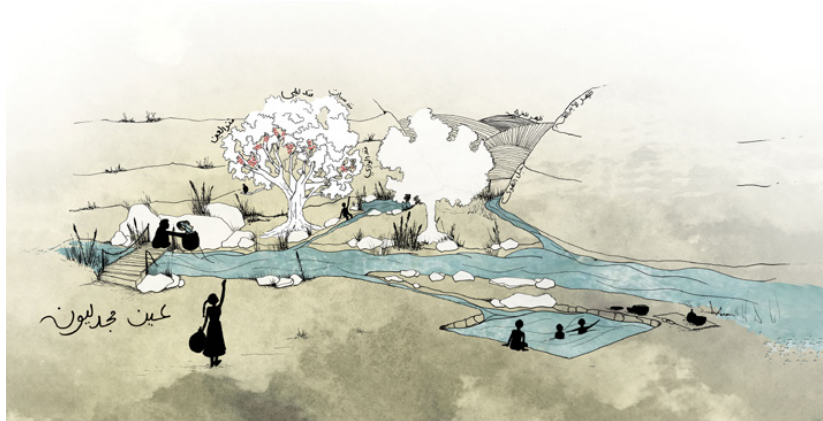


Figure 3

## STRATEGY 5: SELF-REFLECTING

While going through the long back-and-forth of negotiations between the different parties, we somehow did not reach the point of pondering over what it was exactly that we were doing. Which kind of public space were we aiming for? And for whom? Actually, the aim of participating in the conference “The Place that Remains” is to start this reflection process on what public space is for the urban activist.

Amongst Saida’s officials, there is a general fear of public space in its free and democratic form, as advocated by Don Mitchell (2003) and others in the West (Madanipour, 2013; Parkinson, 2012; Hoskyns, 2014). Almost all the land plots that were planned as public parks were given up to different institutions (schools, hospitals, courthouse, etc.). Public parks are always gated, and there is a tendency to delegate their management to private entities and NGOs. In fact, during several occasions we heard officials from the General Directorate of Urban Planning and deputies of the city state that “public space in Saida becomes a garbage dump”, “it attracts the ‘nawar’ (wretched) and the poor” and “is full of drugs and wrongdoings”. And this is why “it is better to give these spaces to the private sector, to manage them as part of hotels and restaurants”. Is there any truth in the view of these officials? What does the urban activist do when public state institutions and officials do not want to bear the responsibility for public spaces? Can we learn something from the “public” river spaces of the past that we as urban activists are nostalgic/utopic about? And how does that affect our visions and strategies for these spaces?

If we reflect on what made the Amleh a successful common space in the past, it is the fact that people living around it had appropriated it as their own. Like any logic of traditional landscapes in our region, control over space was a matter of use and proximity (Akbar 1997). Each section and element belonged to a party or a group who were its protectors. For example: the space around

the Naba’a (water spring) of Majdelyoun belonged to the people of Majdelyoun village. It was around the “naba’a” that women used to gather to do the laundry, and very often they would take some mezzeh with them to picnic with their children. Every person who was in Majdelyoun prior to 1985 remembers the two “jemayezeh” trees (or sycamore trees) next to the “naba’a”. In fact, each branch of these trees had a name, and its fruits would be picked by specific families from Majdelyoun.

There was also a pool that used to gather water from the “naba’a” for irrigation purposes. “All the children used to bathe and play in this pool” Pierre Haddad remembers, since the pool belonged to the loquat orchard (“bostan akedine”) that his parents were working in. “They would open a canal coming from the naba’a to fill the pool with water and then open it to irrigate the loquat trees by gravity. They had to use the water for only a certain amount of time, as other people from Haret Saida, downstream, needed it for irrigation too.”

The river water in Greater Saida was the property of all the communities that were benefiting from it. People had developed a system and timetables for managing the water and there were mutual agreements to preserve it in terms of flow and cleanliness. Interestingly, the dabbaghat (tanneries), that are known to pollute the water, were installed at the bottom of the Amleh River, next to the sea, where they bothered no one.

Transgressors onto the different properties or passersby such as bird hunters or gatherers were allowed through, but they had to abide by certain informal rules and norms imposed by whichever group had appropriated the river space. One of the people from Haret Saida, Mohamad Zeidan, who used to go bird hunting on the Amleh, told us in one interview how they were allowed to hunt on the river, but some people would be annoyed by their presence, as he explains: “The father of the mokhtar used to scream and swear from far away when he would hear us enter his orchard: He didn’t want us to pick from his fruit trees”.

According to Jamel Akbar (1997), the condition of commons (and the built environment in general) in our region started deteriorating after the introduction of modern land regulations and planning laws. When sharia was worked with, people owned their commons (including their rivers). The first step towards the erosion of these commons was their designation as public domain. The management and fate of commons before the modern era was the responsibility of their users, and was based on consent and agreements between them and rules related to precedence and harm. Since the users of commons owned and controlled them at the same time, these elements were in their best condition.

Based on Akbar’s reasoning, I would like to argue that the condition of rivers in Saida started deteriorating when people stopped using and appropriating them. The first blow came in the 1960s, when water reached the houses in Greater Saida and people stopped using the rivers for bathing and washing. Another blow came with the drastic expansion of the city of Saida during the Civil War in the late 1970s and 1980s. The agricultural plots around the Amleh gained a real estate value. Real estate developers started constructing around the river, and there was a shift in use and of population around the river. This was reinforced when some of the communities were displaced; for example, the “naba’a” (water source) of Majdelyoun disappeared under the asphalt of a land-parceling project while the people of Majdelyoun were absent.

Today, we are able to trigger the imagination of the mayor of Majdelyoun to dig out the “naba’a”: “It would be nice if we add a pool, like the one we used to swim in when we were children”, he said, commenting about our park proposal for the river public domain where the loquat orchard was located. But whose pool and park is it going to be? And, who is going to be responsible for this park? What is the role of these river spaces in our modern time and current urban context? What could be a space that negotiates between modern cities’ need of open/green/safe public space, and the idea of space that can be appropriated, and thus protected and maintained by its users?



Figure 4

## FIGURES

**Figure 1.** The current situation of the Amlah River public domain. Retrieved from: نهر القملة في صيدا الكبرى- حكايات اختفائه ومحاولات استرجاعه. Published by: Lil-madina Initiative. Date: 2017. Place: Saida. Photograph taken by: Ismael Sheikh Hassan. Copyright holder: Lil-madina Initiative

**Figure 2.** Proposed section for the river park. Retrieved from: نهر القملة في صيدا الكبرى- حكايات اختفائه ومحاولات استرجاعه. Published by: Lil-madina Initiative. Date: 2017. Place: Saida. Drawing produced by: Lyne Jabri and Ismael Sheikh Hassan. Copyright holder: Lil-madina Initiative

**Figure 3.** The Majdelyoun Naba'a. Retrieved from: نهر القملة في صيدا الكبرى- حكايات اختفائه ومحاولات استرجاعه. Published by: Lil-madina Initiative. Date: 2017. Place: Saida. Drawing produced by: Razan Khalaf. Copyright holder: Lil-madina Initiative

**Figure 4.** Catchment map

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