

أحمد غصين، الأرض لمن يحرّرها

Ahmad Ghossein

There Is No Right Or Wrong Here

لكل هذه الأسباب وغيرها نرجوا من جنابكم  
وضع هذا الملف على جدول إهتماماتكم بحيث  
يرفع القين عن المواطنين المستوفين للتنزه  
والشرب من سواهي ضياه نبع وادي الحيدر  
مع العلم أن هذه المنطقة لا يوجد قيساماعة  
ويتم التمتع على

شكر

سيد أحمد علي  
في ١٢/٩/٢٠١٧



وزارة الداخلية والبلديات - محافظة النجف  
السلطانية مر جعفر  
رقم التسجيل: ٢١٤٥٩٨  
تاريخ: ١٢/٩/٢٠١٧

552

## *Of Deeds and Acquittals*

by Rasha Salti

One fine day, my friend, accomplice, and comrade, Ahmad Ghossein (artist and filmmaker) whose creative surges startle me, sent me the image of a land deed in my name. In English, deed is curious because it is at once intention, action and property. The word has been ascribed different roots, German and Dutch, that have the same meanings, but its Greek root also means thesis. More curious than the act of gifting someone a plot of land, is the document itself. It represents a marvelous map of the paradoxes of the Lebanese state's management of its territorial integrity, protection of private property, the gaps in its short modern history, and the makeshift mechanisms of resolving collective disputes and injustices. Essentially, that deed incarnates the state's acquittal from its responsibilities.

At face value, it is mystifying. The document I received from Ahmad, known as *'ilm wa khabar*, is an official notification intended to the public

registrar of land management, in other words, it is the declaration of an intention. It notes that the plot of land does not appear in the records of the public registrar and describes the claim of property as a “calm and manifest seizure” (or literally a land grab), that has not been contested by anyone for 10 years, and the outcome of which will be to cultivate seeds. The plot size is 940 acres, located in the village of Qantara (province of Marjayoun, in South Lebanon). In lieu of cadastral coordinates to locate the plot, its boundaries are identified by the owners of bordering properties (to the east Salman Hassan, west Abu Abbas Sabra, north Ghaleb Deeb and south a gravel road). The legal classification of the plot in the public registrar known as *ameery*, is an indication inherited from the days of the Ottoman administration in reference to “the common”, or the shared grazing land.

Cadastral surveys were deemed to be one of the foundational tools for ‘modernizing’ a country, registering and classifying the demarcations

between public and private property and did not only imply enabling the planning and implementation of modern infrastructure, but also organizing private property, and thus introducing a new “objective” or “scientific” ordering of social, economic and political relations. Whoever controlled the land registrar had the power to recognize deeds, entitlements to property and arbitrate disputes. The first cadastral survey of Lebanon was commissioned by the French colonial mandate administration in 1926. There are complex historical, political and social considerations that can explain why the southern provinces of Lebanon were surveyed to a bare minimum, suffice it to note that the region was under the control of a handful feudal families who maintained their hegemony long after the country became independent.

The outbreak of the Civil War triggered the waning of their power, their authority became obsolete by the end of the long conflict. The Israeli occupation of parts of the territory from 1978 until 2000 also

رقم العقار في سجل مساحة لاندن القديم لا يوجد  
مساحت = ٩٢ هكتاراً واربعمائة وثمانون  
رقم عموم اليوركو في الولايات

نوع العقار الشريعي وأوصافه (ملك أو وقف أو ميراثي والخب...) (أخبرني)  
مقتضيات العقار (الغراس أو البنية والخب...) (أخبرني) جميع ما سبق من غير حجب

رقم سند الطلوع أو حرك التعديك الذي يستند اليه صاحب العقار: **جوزع اليد والتمتع المهادد، والعائلي**  
حدود العقار (١) **منها خمس عشرة سنة دور الخزان**  
**من واحد**

من الشرق مفيد فرحات  
من الغرب ابو طالب كركي  
من الشمال حسن مجازي  
من الجنوب طارق حافر

[illegible]

عضو الاختيارية  
محمد حجازي

عضو الاختيارية  
صاحب القادر

عضو الاختيارية

عضو الاختيارية

الخاتمة وختمه

قد وكلت **شاه إبراهيم السلطي** القبول الشراء عنني  
المشتري

(١) لما تعددت العقارات فلا بد من كتابتها على طوير من العلم والخبر وتصديقها من التعاقدين والمشار.











1 - Planimetrie <sup>مقياس</sup> <sup>مقياس</sup> <sup>مقياس</sup>  
 2 - Orographie <sup>شكل الارض</sup>  
 3 - Hydrographie <sup>التيارات المائية</sup>  
 4 - Vegetation <sup>النباتات</sup>  
 5 - Rochers <sup>الصخور</sup> Tolus <sup>الطول</sup> Terrasses <sup>التراسات</sup>  
 Caves <sup>الكهوف</sup>  
 couche à Tracer

15/	1027.23	976.17	-2,61
16/	1033.88	1028.34	21.85
17/	1090.02	1030.18	21.57
18/	1068.43	1036.85	20.48
19/	1049.18	1041.92	20.38
20/	1021.49	1042.57	16.40
21/			

contributed to the emergence of a new social and political organization that undermined the feudal order. The various political protagonists of the Civil War and of the post-war, in consort with the farmers tilling the land, and its resilient residents, gradually devised a different system of parceling plots and recognizing private property, that was grounded in community consensus and two principal precepts, namely that cultivating an idle plot of land empowered entitlement to it, and in the absence of any objection for the span of 10 years, whoever had been cultivating it could legitimately lay claim to it. In other words, labor produces ownership. A rare precept in the present prevailing mindset. And community consensus, or at least the consent of neighbors, to make up for the absence of raw, reliable data, another rare precept today.

This system is obviously imbricated in the local fabric of social and political power, that can potentially elude the power of the state. Over decades, it has evolved its own gumption,

unwritten codes and mechanisms of transaction and arbitration, weaving a shroud of untranslatable logics that supersede cadastral or GIS surveys. In this system, deed is action, intention and collective consensus, all at once. It is internally resilient, drawing strength from solidarity, but also fragile, because if a single element falls, the entire structure is at a risk of collapse as in a domino effect. However, this kind of a system is also the fertile soil for an absolute authority or political power to thrive.

In lieu of cadastral and geodetic coordinates, or even "Google-mapping", this system relies on testimonies, stories, dramaturgies and a cast of protagonists. The deed to the 960 acres in Qantara that Ahmad granted me identifies the neighboring property owners, and had it been official, it would have also included the notary public, a constable or mayor. Each has a narrative of why a specific plot of land is rightfully owed to its claimant. In lieu of a map, one could imagine an epic chorus of narratives. Every village, town or city produces

its own mythologies. South Lebanon is rife with stories of insurgency, rebellion and oppression against injustice, oppression and military occupation. In Arabic, to liberate generally refers to emancipation, but in the specialized parlance of journalism and publishing, 'liberation' is also used to refer to the revisions, corrections and fine-tuning of a text for the purpose of publishing it. When the deeds are acquitted from their stories, will the land be liberated.



MARFA'



1339 Marfa' district  
Beirut - Lebanon

tel. +961 1 571 636  
[info@marfaprojects.com](mailto:info@marfaprojects.com)

[marfaprojects.com](http://marfaprojects.com)