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**(De)Constructing Risk:  
The Weaponised and Commodified Home**

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Submitted for the degree of Doctor of Philosophy of Goldsmiths,  
University of London

September 2018

Centre for Research Architecture, Department of Visual Cultures,  
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## **Declaration of Authorship**

I, Helene Kazan hereby declare that this thesis and the work presented in it is entirely my own. Where I have consulted the work of others, this is always clearly stated.

Signed:

Date:

## **Abstract**

The history of ‘risk’ is bound up with the history of colonisation; colonial merchants conceptualised risk, and with this the principle of insurance, as a mechanism for trading commodities across turbulent seas. This transformation of risk into a separate, commodified object engendered an unequal distribution of its effects through a colonial understanding of value in relation to human life and resource commodities. This practice-led PhD project analyses risk in Lebanon through a study of the homes and lives affected by a limit condition of mechanised conflict and capitalist ideals for profit-making, first introduced into the Arab region through British and French colonialism. I investigate the unfolding of this condition in the present through an intersectional analysis of international law, architecture, and the human experience of violent affect.

Spanning from the Second World War into the present, I demonstrate this limit condition of risk through two architectural typologies in Lebanon, materialised through potential destruction and development as the weaponised and commodified home: the Waad project, the redevelopment of homes in Haret Hreik in Beirut by Hizb-Allah following their destruction during the 2006 war with Israel; and yet-to-be-built luxury development projects across Beirut, which exist as life-sized architectural visualisations on hoardings that wrap construction sites.

The thesis also examines the subjective experience of living with a protracted condition of risk in Lebanon. Having been excluded from the law, the often chaotic account of violence, here framed as ‘poetic testimony’, finds a place in art and cultural production. This is analysed through the practical aspects of the PhD project, for example in ‘Points of Contact’, an exhibition that I curated in Lebanon in 2018. Here I pose questions about the revolutionary potential of poetic testimony, as a method for breaking the asymmetric power relations entailed in a limit condition of risk.

## Acknowledgements

This doctorate began as a question I asked myself on many sleepless nights during and since my childhood in Lebanon. The frustration of never having a satisfactory answer to why people are forced to live through or be displaced by the condition of total war, evolved into the research question posed by this thesis on the lived effects of risk in the context of Lebanon. As a result of the *long durée* of thinking through and speaking out about this frustration, I have a lot of people to thank, too many to name here. For the endless list of people that have been a point of contact or encouragement towards the outcome of this project: I will forever be thankful.

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## Introduction

In September 2013, I embarked on my first research trip to Lebanon, preoccupied with the question of risk in the Lebanese context.<sup>1</sup> A red line had recently been crossed in the neighbouring Syrian Civil War, triggering international condemnation, but as military operations had not spilled into Lebanon, I began my research in Beirut, the air thick with the threat of violence.<sup>2</sup>

In stark contrast to the dark promise of conflict, the in-flight magazines on my trip there contained a proliferation of yet-to-be built luxury developments projects. These architectural visualisations—miniatures of the life-sized versions I would encounter wrapped around the many construction sites across the city—intended to seduce the flight’s captive audience to invest in these images of luxury real-estate development.<sup>3</sup> Thus began my five year-long embedded study and speculation into the reciprocal nature of the projected images of destruction and development in Lebanon.

The conjoined image of destruction and development in Lebanon, I will come to argue in the three chapters of this thesis, is produced through an interconnected limit condition of risk. My framing of the term ‘limit condition’ comes from theorist David Harvey’s writing on the processes by which capitalism constitutes a condition of limit: spatially, materially, and psychologically.<sup>4</sup> I apply

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<sup>1</sup> During this trip to Lebanon I was also taking part in ‘Exposure’, an exhibition at the Beirut Art Centre, which is a good illustration of how this PhD project simultaneously operates across different

<sup>2</sup> On 25 August 2013, UN investigators were called into Ghouta, an area east of Damascus, to investigate claims of a chemical attack affecting thousands of Syrian civilians, which crossed red a line in regards to international law. Questions of whether Syrian or rebel forces were responsible for deploying the chemical arms were followed by international condemnation, and the US and UK governments debated the necessity and extremity of a foreign intervention. Not willing to wait for the UN findings, the US decided to strike in Syria on the grounds of self-defense for their troops and allies. The threat of an armed intervention by the US and UK increased the influx of refugees fleeing from Syria into Lebanon. US warships ready to strike were situated on the coast of Lebanon. A car bomb was then detonated outside the Iranian embassy in Beirut. This heightened situation of insecurity implied that the fighting might potentially erupt in Lebanon. “Syria ‘Toxic Attacks Kill Hundreds,’” *BBC News*, 21 August 2013, sec. Middle East, <https://www.bbc.com/news/world-middle-east-23777201> (Last accessed September 15, 2013).

<sup>3</sup> Airlines Middle East, “Thank You Expats,” *Cedar Wings Middle East Airlines In-Flight Magazine*, November 2013. This article describes the necessity of expat investment into Beirut’s real estate market. These speculative images of real-estate development also appear on monitors at each seat on the plane—a reel of adverts that passengers have no choice but to watch, as they can’t be switched off. Luis Eslava makes a similar introduction in *Local Space, Global Life: The Everyday Operation of International Law and Development* (Cambridge, UK: Cambridge University Press, 2015), 5.2015), 5.

<sup>4</sup> David Harvey, *Spaces of Global Capitalism* (London: Verso, 2006); David Harvey, *The Condition of Postmodernity: an Enquiry into the Origins of Cultural Change* (Oxford: Blackwell, 1995), 240–323.

this logic across the spectrum of risk experienced in the context of Lebanon, including violent conflict (in addition to capitalism) as part of the constituted condition of limit. This research further observes how this limit condition transforms the urban environment into a space produced and perceived through the restrictions of risk. Harvey determines that this limit condition can withdraw the human right to the city; I argue that this condition also calls into question the even more basic human right to shelter.<sup>5</sup>

Further, I propose that the limit condition of risk I describe through the projected images of development and destruction is specific to Lebanon, but with applications across the wider Arab region. European cities might, in part, enjoy the prosperity, wealth, and modernisation that the commodification of the domestic space brings, but they do so without the conjoined effects of potential conflict that arise in Lebanon.<sup>6</sup>

The limit condition produced and perceived through risk creates a state of exception, first engaged through the violence of conflict and then followed by a process of what theorist Timothy Mitchell would describe as the ‘separate development’ of the lived-built environment, as how contemporary development processes bare the ghostly imprint of colonial violence as a method of separating indigenous communities from rights to land and property.<sup>7</sup> Further, I situate my use of the ‘state of exception’ through Giorgio Agamben’s writing on the relationship between state-perpetrated violence and the citizen. Rooted in the violence of conflict, Agamben argues that a mode of governance is produced in the vacuum

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<sup>5</sup> In writing on the right to the city, David Harvey challenges how liberal and neoliberal markets focus on profit, and engage processes that strip the human right, and access to the city. David Harvey, “The Right to the City,” *New Left Review* 53, 2008; Helene Kazan “The Right to Shelter,” *Ibraaz*, accessed September 7, 2018, <https://www.ibraaz.org/interviews/176>.

<sup>6</sup> This tension between the projected image of development and destruction can currently be seen in the dispute over the oil fields discovered on the coast of Lebanon; Chirine Mouchantaf, “How a Disputed Oil and Gas Field Could Be the Last Straw for Israel and Lebanon,” *Defense News*, February 9, 2018, <https://www.defensenews.com/global/mideast-africa/2018/02/08/how-a-disputed-oil-and-gas-field-could-be-the-last-straw-for-israel-and-lebanon>. Foucault also considers the unevenness of risk; Thomas F. Tierney, review of *Security, Territory, Population: Lectures at the Collège de France, 1977-78* by Michel Foucault, ed. Michel Senellart, trans. Graham Burchell, *Foucault Studies*, no. 5 (2008): 61.

<sup>7</sup> The term ‘separate development’ is outlined by Timothy Mitchell in his book *Carbon Democracy: Political Power in the Age of Oil* (London: Verso, 2013). Anne Orford also identifies this condition in regards to current global economic relations in *International Law and Its Others* (Cambridge, UK: Cambridge University Press, 2006).



that the threat and realisation of violence creates.<sup>8</sup> That vacuum, created by the state of exception, provides an opportunity for regimes of power to shift and take hold, as I will demonstrate and analyse in the following chapters.

Throughout the thesis, I have added ‘lived’ to the phrase ‘built environment’, to emphasize the subjective experience of the limit condition of risk and the accumulated effects of slow, structural, and spectacular violence. As such, the research question this thesis attempts to answer, in regards to the experience of risk as a limit condition produced through capitalism and conflict in Lebanon, is analysed in the following chapters through three scales of engagement. First, I read the ever-present threat of conflict in Lebanon through an analysis of international law’s incapacity to restrain or restrict the violence of aerial bombardment. Second, I read the limit condition of risk through a study of the architecture of the home and the lived-built environment, as a material sensor of the mode of governance the human subject is forced to participate in.<sup>9</sup> The third and final chapter observes the subjective experience of the limit condition of risk, and questions the methods by which its violent effects are registered and actors are held accountable.

My interest in the subjective experience of risk in Lebanon stems, in part, from my experience of living through and fleeing the Lebanese Civil War in 1989 as a child.<sup>10</sup> This experience has created in me a vested interest in understanding the specific and protracted nature of the limit condition of risk in Lebanon, widely perceived as having been in effect since the Lebanese Civil War. But as this thesis will come to argue, this condition is rooted in a longer history of colonial violence perpetrated in the Arab region since the turn of the twentieth century. Witnessed the civil war in Lebanon as a child, has made the stark transformation of the city of

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<sup>8</sup> Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life*, trans. Daniel Heller-Roazen (Stanford, CA: Stanford University Press, 1998); Giorgio Agamben, *State of Exception*, trans. Kevin Attell (Chicago: University of Chicago Press, 2005).

<sup>9</sup> Throughout this thesis ‘mode of governance’ and ‘governmentality’, in both the international and state produced limit condition of risk, refer to Foucault’s writing on the subject of governmentality in his lectures ‘25 January 1978’ and ‘1 February 1978’ in Michel Foucault, *Security, Territory, Population: Lectures at the Collège de France, 1977-78*, ed. Michel Senellart, trans. Graham Burchell (London: Palgrave Macmillan, 2007), 55–114. In this writing, Foucault defines governmentality as the technology by which governments produce and engage a subject or citizen to best fulfil governmental policies. The operation of this technology, I argue, takes place in the production of a limit condition of risk. Foucault also writes on governmentality at the human scale in *The Birth of Biopolitics: Lectures At The College de France 1978-1979*, ed. Michel Senellart, trans. Graham Burchell (London: Palgrave Macmillan, 2008). Thomas Lemke also analyses this concept in “‘The Birth of Biopolitics’: Michel Foucault’s Lecture at the College de France on Neoliberal Governmentality,” *Economy and Society*, vol. 30, no. 2 (2001): 190–207.

<sup>10</sup> ‘Masking Tape Intervention: Lebanon 1989’ is a short film I made in 2013 on my family’s lived experience of the Lebanese Civil War, <https://vimeo.com/33284309> (last accessed 10 April 2018).

Beirut that followed the end of the conflict in the 1991—once I was able to return and visit—more noticeable.<sup>11</sup> The analysis of the interconnected limit condition of risk framed in this thesis therefore doesn't begin with a spectacular moment of violence, or a catastrophic or political event occurring during conflict.<sup>12</sup> Rather, this thesis begins through a reading of two operative images of destruction and development discovered during fieldwork in Lebanon in 2013.<sup>13</sup>

In the encounter of the two images (Figures 1 and 2, and which I'll come to discuss in more detail), my experience of the history of violence in Lebanon gave meaning to the potential influence of these images on the milieu they depict.<sup>14</sup> This contextual knowledge, though perforated, would have been impossible to gather through the standard timeframe of a doctoral project, and provides an optimum perspective for analysing the long, slow, and structurally violent threads of the limit condition of risk, as observed and studied in this thesis.<sup>15</sup> This does, however, pose a larger methodological question: how might we be able to recognise and assign accountability for the continuing cycles of violence that take place in this context and that we cannot all be a witness to? The following section of the introduction will begin to attend to this question, whilst analysing how the colonial history of risk intersects with the colonial history of violence, in the context of Lebanon.

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<sup>11</sup> Luis Eslava also points to how his experience of living in Colombia as a child meant that he was later better able to notice and analyse the dramatic changes in the city of Bogotá; Eslava, *Local Space, Global Life*, 61.

<sup>12</sup> My analysis of conflict throughout the thesis is focused on the violence of aerial bombardment. This is because of the damage this mode of conflict has on the architecture of the home, and further as a focus of my analysis of international law's (in) affectivity. Capitalism in this thesis is an economic instrument or technology, which is based on the principle of private ownership of commodities or the means of production, including private property, capitalist accumulation, or waged labour for profit-making through the free-market. This thesis also emphasizes the emergence of capitalism as an economic system in the industrialised extraction and distribution of oil from the Arab region in the early twentieth century. The historic development of capitalism and conflict in the region through the control and extraction of oil is discussed in more detail in Chapter 1, but also outlined in detail in Timothy Mitchell, *Carbon Democracy: Political Power in the Age of Oil* (London: Verso, 2013). Here I also reference Karl Marx, *Capital* (London: J. M. Dent, 1933); Naomi Klein, *The Shock Doctrine: The Rise of Disaster Capitalism* (New York: Metropolitan Books/Henry Holt, 2007); Couze Venn, *After Capital* (London: SAGE Publications Ltd, 2018); and David Harvey, *Spaces of Global Capitalism* (London: Verso, 2006).

<sup>13</sup> My reference here to spectacular violence is framed in regards to violence that breaks peace and produces an event or a spectacle all too easily 'witnessable' in news and media coverage. This is particularly true of when the Lebanese Civil War took place, at a time when news and media coverage was a new developing technology. I reference here Hannah Arendt's early writing on violence as spectacular but also as a set of force relations that interact between politics, economics and warfare; *On Violence* (New York: Harcourt Publishers, 1970).

<sup>14</sup> This subjective relationship to the context and condition I am studying and writing on of course does pose some problems. My subjective perspective is analysed in further detail in Chapter 3.

<sup>15</sup> Rob Nixon, *Slow Violence and the Environmentalism of the Poor* (Cambridge, MA: Harvard University Press 2011), 2.

## 1.1 A Domestic Image of Risk

The history of conflict in Lebanon begins as part of a global history of violence at the turn of the twentieth century, which gave rise to the materialisation of capitalist ideals of profit-making through the development of the lived-built environment. I argue that a precedent was set through the ‘total war’ of the Second World War and the Allied Invasion of Lebanon and Syria in 1941 that can be traced in the effects of the Lebanese Civil War 1975–1991 and further in the 2006 War between Israel and Hizb-Allah fought in Lebanon.

The limit condition of risk is made visible through these spectacular moments of violent conflict. But beyond the optics of these spectacular events is a complex condition that theorist Rob Nixon would describe as slow and structural modes of enacting violence, which are purposefully less visible, and therefore much more difficult to detect and prove.<sup>16</sup> Nixon sees the distinction between slow violence and defined notions of structural violence as ‘vast structures that can give rise to acts of personal violence and constitute forms of violence in and of themselves [...] in contrast to the static connotations of structural violence, I have sought, through the notion of slow violence, to foreground questions of time, movement, and change, however gradual.’<sup>17</sup> What’s of interest to this research is Nixon’s distinction between structural and slow violence in temporal terms. While he assigns a static-ness to structural violence, his definition of slow violence allows for a longer, slower, more complex framework of causation of the effects of violence. I would like to further build on Nixon’s theory of violence with regard to the context of Lebanon, replacing the static nature of structural violence as instead being constant.

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<sup>16</sup> Rob Nixon’s writing on slow violence is mainly in relation to what he frames as environmental violence. In the context of Lebanon, it has become increasingly difficult to determine a difference between environmental violence and the effects of war, as the long history of both means they are indistinguishable. I would like to frame this discussion through the term ‘built ecology’. This was discussed in during the event ‘Built Between the Slow, the Structural, and the Spectacular’ that took place in the exhibition ‘Points of Contact’ I curated in Lebanon. It was also the subject of the commissioned works ‘Dreamland’ by Fadi Mansour and ‘Mount Mound Refuse’ by Jessika Kharzik. More detail of these practice base elements of the thesis will come in the following chapters and in the practice outline pages on ‘Points of Contact’.

<sup>17</sup> Nixon, *Slow Violence*, 10–11.



Figure 1: (left) Dream Ramlet, a construction project situated near the oceanfront Corniche, in Beirut. The image shows one of the visualisations onsite. Photograph by Helene Kazan, 2013. Figure 2: (right) Photograph taken during the 2006 conflict in Lebanon and featured on the front cover of a report forecasting 'The Next Israel–Hezbollah War' written by risk assessment company Exclusive Analysis.

This is in agreement that slow violence occurs as an accumulative process towards the rising wave of spectacular violence, which becomes visible in its moment of rupture.

The evolution of the limit condition of risk—understood through the interconnected realisation of capitalism and conflict and produced through overlapping temporal and spatial cycles of slow, structural, and spectacular violence—is in this thesis focused initially on the Allied invasion in Lebanon and Syria in 1941. Though there are arguably earlier moments of conflict in this context, this is the first episode of the full emersion of Lebanon into total warfare, a burgeoning and mechanised technology of violence, and is therefore, I argue, an important moment to focus on.

The limit condition of risk can be observed in two images of the domestic space seen in Figures 1 and 2. Figure 1 shows a life-sized architectural visualisation of a soon-to-be-built luxury apartment block in Beirut visible on the hoardings that wrap its construction site. This architectural visualisation, created for feasibility and for planning reports, later migrates into lifestyle or in-flight magazines to entice investment in the luxury development projects. Through their widespread dissemination across the city, and as an endless flow of images, they reproduce Lebanon's urban environment as a shimmering mirage of a future, or of a city under constant and multiple suns.<sup>18</sup> These images convey a model of modern life inaccessible to a large percentage of those who constantly encounter, or live within, this spectral view.<sup>19</sup>

Figure 2 depicts a scene of destruction during the 2006 war in Lebanon, and appears as the front-cover of a risk assessment report published in 2010, re-activated in this document as a prediction of the next war to take place in Lebanon between Israel and Hizb-Allah.<sup>20</sup> This image of risk also appears often, and is distributed through national and international media networks, presenting itself as evidence of a clear and present threat of conflict. The ongoing nature of this

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<sup>18</sup> This description of the city as an endless flow of images references the writing of Beatriz Colomina, *Domesticity at War* (Barcelona: Actar Inc, 2001), 240.

<sup>19</sup> This claim will be developed in more detail in Chapter 2.

<sup>20</sup> Exclusive Analysis, 'The Next Israel–Hezbollah War? Exclusive Analysis Report', UK, 2010.

projected threat comes in response to continued geopolitical tension between Israel and the democratically elected political party, Hizb-Allah.<sup>21</sup>

These two images are not just a visual sensor of a projected limit condition of risk in Lebanon, but are part of its materialisation.<sup>22</sup> Connected on a semiotic axis, these images contribute to a disruption of the present through the realisation of a potential future. Both images require the viewer not only to observe and believe in the future they depict, but go so far as to ask their audience to invest in and gamble on it.<sup>23</sup> By this process, these images act as mode of knowledge production that colonises the future, producing a form of reality that is both felt in and affects the present situation. At the same time, residents' everyday experience of capitalism and conflict, and its constructed set of affects (suggested in Figures 1 and 2), creates a violent interpenetration of private and public spheres, intensified by the multi-scalar and intersectional aspects of this imposing technology of governance.<sup>24</sup> The impact of these images pose urgent questions, as what occurs through their operation is a hierarchization of human life, between those who are able to profit or protect themselves from these visions of risk, and those who are not.<sup>25</sup> What histories of violence are rooted in the active projection of these domestic images of risk? What is the impact of such a projection on a population that is already living

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<sup>21</sup> I describe Hizb-Allah as a democratically elected political party to underline the legitimacy of their position of power in Lebanon and to counter US claims that they are a terrorist organisation. Here is a selection of contemporary news reports discussing the ongoing threat of conflict in Lebanon: Nazir Majli, "Middle-east Arab News Opinion," *Asharq Al-awsat*, September 7, 2018; Ilan Ben Zion, "Israeli Wall Rising near Border with Lebanon Stokes Tensions," *Associated Press*, September 6, 2018; John T. Huddy, "The Third Lebanon War: What Would It Look Like?," *The Media Line* (blog), February 8, 2018; Youssef Diab, "Middle-east Arab News Opinion," *Asharq Al-awsat*, April 11, 2018; Benny Avni, "UN Failure Is Leading to Another Lebanon War," *New York Post* (blog), August 29, 2017; "Israel Has 'unimaginable' Power to Strike Hezbollah, Air Force Chief Tells Security Conference," *Reuters*, June 22, 2017; "Heading towards Israel-Hezbollah Confrontation FM," *Council of Resesarch and Strategic Studies*, July 31, 2017; Ben Norton, "Prominent American Professor Proposes That Israel 'flatten Beirut' — a 1 Million-Person City It Previously Decimated," *Salon*, February 2, 2018.

<sup>22</sup> Here in reference to W. J. T Mitchell's argument that images are not only representational but create and influence the milieu they depict; W. J. T Mitchell, *Landscape and Power* (Chicago: University of Chicago Press, 1994), 5-34.

<sup>23</sup> I use the word 'gambling' to emphasize the higher risk of investment as compared to investment in other such images of luxury real-estate, for example in the UK.

<sup>24</sup> I will come to explain in greater detail in Chapter 3 how this human sensorial effect manifests through the cycles of violence that continue to take place in the context of Lebanon and the wider Arab region.

<sup>25</sup> Eder and Klonk theorize the operational power of images beyond representation, which here describes the operative use of Figures 1 and 2 in the projections of the future domestic space. Jens Eder and Charlotte Klonk, *Image Operations: Visual Media and Political Conflict* (Oxford: Oxford University Press, 2016).

through this reoccurring violence, with no power to avert its future re-enactment?<sup>26</sup> In the three chapters of this thesis, I will come to discuss how the limit condition of risk produces inequality in Lebanon through class, economic standing, nationality, race, religion, and gender.

## 1.2 The Object of Risk

After observing the precarious nature of cargo in transit on the sea, colonial merchants from North America were the first to convert the threats of sea travel into a commodity of its own, refashioning their collective insecurities into a new form of private property called ‘risk’. This cooperative process developed by colonial merchants isolated risk as a separate commodity, so that the object of risk itself could be shared, exchanged, or sold—distributing responsibility for the loss or damage that might affect the resource commodity in transit. The perception of risk in relation to sea travel catalysed a series of actions that enabled the management and distribution of known and unknown threats in the future, and through this mechanism of transference, the principle of insurance was born.<sup>27</sup> Insurance meant colonial merchants could purchase financial compensation in anticipation of their property being lost to a ‘peril of the sea’ or an ‘act of God’. In the event that cargo was lost or damaged, the merchant insurer would provide the merchant owner with compensation for the lost value of his cargo, thus applying a profit-making logic as a collective strategy for economic security against the recognised risks of trading valuable resources across turbulent seas.<sup>28</sup>

This was not only a way of controlling the risks that confronted merchants at sea, but also became a mechanism for conquering lands, resources, people, and minds. In this way, the colonial merchant would take on risk—by shipping human cargo (in the form of slaves) or non-human cargo (such as tobacco, sugar, etc.)—

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<sup>26</sup> These asymmetrical power regimes are also discussed by B.S. Chimni where ‘the economic and political independence of the 3rd world [sic] is being undermined by policies and laws dictated by the 1st world and the international institutions it controls.’ M. W. Janis, “B.S. Chimni, Third World Approaches to International Law: A Manifesto, The Third World and International Order: Law, Politics And Globalization, Pp. 47-73, Ed. by A. Anghie, B. Chimni, K. Mickelson and O. Okafor Janis,” *International Community Law Review*. 9, no. 3 (2007): 317–321.

<sup>27</sup> Jonathan Levy, *Freaks of Fortune* (Cambridge, MA: Harvard University Press, 2012). This book has been a key source in reframing the conceptualisation of risk through its colonial legacy.

<sup>28</sup> This is written about also by Ayesha Hameed in, “Black Atlantis: Three Songs.” In *Forensis: The Architecture of Public Truth* (Stenberg Press 2014) Ayesha Hameed, “Bricks and Blood. The Dialectical Image of the Black Atlantic in the Colonial Metropolis” (PhD Diss., York University of Toronto, Ontario, 2008).

and profit from whatever situation that object or subject was placed in, regardless of whether the intended destination was reached safely or not. Colonial merchants were able to share the limit condition they had experienced from the risk of transporting valuable goods, distributing this risk, in order to give themselves more power and license to impose a developed mode of governance on all encountered.<sup>29</sup> Therefore, the object of risk and the insurance mechanism was a colonial way of thinking about value in relation to human and non-human life, giving license to colonial merchants to place the lives of who or what they encountered or decided to transport in a position of heightened risk, whilst insuring themselves against any danger, and further profiting and benefitting from this action.

The conceptualisation of risk in this thesis is therefore also viewed through Foucault's idea of the biopolitical, outlined in *The History of Sexuality: The Will to Knowledge*, as a technology of control, or governance, over the subject, as an individual or as a population.<sup>30</sup> I argue that the colonial conceptualisation of risk and its management through insurance is an example of the growing inclusion of the natural or biological life of humans into the mechanisms and calculations of power and control established from the seventeenth century onward. In this regard, Foucault further argues that governmentality evolved as a threshold of the modern, as becomes apparent in the colonial history of violence that takes place in the context of Lebanon and Syria.<sup>31</sup>

From its earliest conceptualisation as a colonial project, risk and the principle of insurance were always unevenly distributed, towards those valued or

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<sup>29</sup> Foucault, *The Birth of Biopolitics*, 27-74.

<sup>30</sup> Foucault's ideas on biopolitics begin in Michel Foucault, *The History of Sexuality: The Will to Knowledge: The Will to Knowledge v. 1*, trans. Robert Hurley, (Harmondsworth: Penguin, 1998). And further in Foucault, *The Birth of Biopolitics*. As for the questions on governmentality and security this engages, see Couze Venn, *After Capital* (London: SAGE Publications Ltd, 2018), 1–24, 64–85; and Couze Venn, "Neoliberal Political Economy, Biopolitics and Colonialism: A Transcolonial Genealogy of Inequality," *Theory, Culture & Society* 26, no. 6 (2009): 206–233.

<sup>31</sup> In my first reading of Foucault during the Masters program at the Centre for Research Architecture under the tutelage of Professor Eyal Weizman, and Dr Paulo Tavares, Foucault's writing became integral to the shaping and development of my academic mind-set, and is therefore, quite visible in the argument I pose across this thesis. However, following this early reading of Foucault's writing I have stumbled on some issues in applying Foucault's theories in the context of Lebanon, particularly, there is a tension I have come to recognise in his writing with regards to gender and an occidental view of risk, governmentality, and biopolitics. This tension in Foucault's writing is also referred to in Venn, "Neoliberal Political Economy, Biopolitics and Colonialism," 206–233.



valuable enough to benefit from the use of its technology.<sup>32</sup> The uneven effects of a limit condition of risk, comes, as it is not always possible for all affected by its projected futures, to have access mechanisms of insurance. Even if we'd like to argue for a more balanced distribution of risk's effects, the entire mechanism of risk and the insurance principle is modelled on a colonial drive for profit-making.<sup>33</sup> Keeping within this logic, an even distribution of risk is impossible to even hypothesize.<sup>34</sup> Therefore, risk and the insurance principle, established an uneven global hierarchy of value in relation to human and non-human life. This is not only in regards to the encounter of land and natural resources, but of people, and modes of labour as well.<sup>35</sup>

The colonial encounter also distinguished between those who toil the earth and consume only the fruits of their own labour, and those who are able to save and accumulate the fruits of their labour and the labour of others.<sup>36</sup> This process of accumulation, introduced as part of the colonial duty to civilize, was imposed through a multitude of violent acts and registers in order to secure the future

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<sup>32</sup> Boaventura De Sousa Santos also argues for a more even distribution of risk in the foreword to *Another World Is Possible: World Social Forum Proposals for an Alternative Globalization*, eds. William F. Fisher and Thomas Ponniah (London: Zed Books, 2015).

<sup>33</sup> We can understand the extent to which risk's distribution and the insurance mechanism has evolved in relation to the value of human life in the catastrophe bond. The catastrophe bond enables an insurance provider to share further their responsibility for the financial costs of future catastrophe. What occurs as a result is that large sums of money are won or lost according to the number of fatalities that follow the catastrophic event, producing a mode of profit-making out of the loss of human life. However statistically and probabilistically driven this contemporary method is, it can easily be traced to risk's earliest conceptualisation as an active mechanism for the subjugation of both human and non-human life. D. Graham Burnett, "The Bonds of Catastrophe," *Cabinet* 57 (Spring 2015). We can also refer here to the writing of Achille Mbembe in engaging a modern politics of life and death, "Necropolitics," *Public Culture* 15, no. 1 (2003): 11–40.

<sup>34</sup> This argument is made by Mark Fisher in relation to forms of capitalist realism that doesn't even allow for an imagination of the world outside of the capitalist financial system in *Capitalist Realism: Is There No Alternative?* (Winchester, UK: Zero Books, 2009).

<sup>35</sup> This can also be seen in Marx's explanation of primitive accumulation in *Capital*. I encountered a deep political following of Marxist theory operating in Lebanon, which, as I came to understand, is a result of its contextual roots in the Pan-Arab resistance movement against Western capitalism that took hold against the development project after the Second World War, in the global move towards the Cold War, and the anti-Communist drive coming from the West. This theoretical framework still operates amongst scholars, activists and religious communities in Lebanon today, particularly in the fight against what is seen as the privatization of the country as a whole, first through a liberal and laissez-faire economic system of the pre-Lebanese Civil War era, and further in the evolution into neoliberalism following the end of the Lebanese Civil War in 1991. Writing that outlines this political importance of Marx in this context is by Robert Young, *Postcolonialism: An Historical Introduction* (Chichester, UK: Wiley Blackwell, 2016), 1–11, 167–181.

<sup>36</sup> This is the proposition that Oscar Guardiola-Rivera makes as he narrates Columbus' journey to the tropics. He recounts the colonial perception specifically in relation to labour. This was made in Oscar Guardiola-Rivera's introduction to 'The Devil's Advocate: a Roundtable for Forensic Architecture', Centre for Research Architecture, Goldsmiths, University of London, 2013. The narrative that he references is from N. Wey Gómez's, *The Tropics of Empire: Why Columbus Sailed South to the Indies* (Cambridge, MA: Massachusetts Institute of Technology, 2008).

through a present governing action. The maritime history of risk and insurance facilitated the inhumane colonial embrace of New World slavery, giving colonial merchants the right to own (and thus to risk) the bodies of slaves and the encountered other as they saw fit.<sup>37</sup>

Through the colonial drive for profit-making framed in this thesis as the conceptualisation of risk, a colonisation of the future takes place. This method of colonising the future is a mobilising feature of modernity. Theorists Claudia Aradau and Rens van Munster argue that what takes place as a result of this colonisation of the future is a ‘radical disruption of the present’.<sup>38</sup> This disruption to the present applies a multitude of violent acts and registers to secure the future through a present governing action. This thesis argues that capitalism as an ‘economic system that thrives on radical uncertainty’, or risk, is exactly such a practice of disruption.<sup>39</sup> Financial systems break with the notion of temporal linearity through a colonisation of the future and the development of credit and insurance. Theorist Francois Ewald also identifies this mechanism of risk as part of the capitalist drive, as a present actionable technology calculating and feigning control over the future, both for profit and for protection.<sup>40</sup> Making a greater connection to the relationship between risk, insurance, finance, and modes of governmentality, Ewald asserts that:

Considered as a technology, insurance is an art of combining various elements of economic and social reality according to a set of specific rules. It is important to note this need to think of risk and insurance through multiple levels of societal influence to engage itself properly as a mode of governance.<sup>41</sup>

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<sup>37</sup> Hameed, “Bricks and Blood”; Eric Eustace Williams, *Capitalism and Slavery*. (London: Andre Deutsch, 1972). Ian Baucom, *Specters of the Atlantic: Finance Capital, Slavery, and the Philosophy of History / Ian Baucom*. (Durham, NC : Duke University Press, 2005); Kenneth R. Andrews, *Trade, Plunder, and Settlement: Maritime Enterprise and the Genesis of the British Empire, 1480-1630* (Cambridge, UK: Cambridge University Press, 1984); Herbert S. Klein, *The Atlantic Slave Trade* (Cambridge, UK: Cambridge University Press, 2010).

<sup>38</sup> C. Aradau and R. van Munster, ‘The Time/Space of Preparedness: Anticipating the ‘Next Terrorist Attack’, *Space and Culture* (2012), 98-108.

<sup>39</sup> J. Levy, *Freaks of Fortune: The Emerging World of Capitalism and Risk in America* (Cambridge, MA: Harvard University Press, 2012), 5.

<sup>40</sup> Francois Ewald, “Insurance and Risk,” in *The Foucault Effect: Studies in Governmentality*, eds. Graham Burchell, Colin Gordon, and Peter Miller (London: Harvester and Wheatsheaf, 1991), 198.

<sup>41</sup> Ewald, “Insurance and Risk,” 6.

This position is supported by theorist Ulrich Beck, who, in his framing of the ‘Risk Society’, sees the omnipresent productivity of risk as a mode of governance that operates through the many aspects of everyday life.<sup>42</sup>

My intention in this thesis is to emphasize the historic effect of the colonial conceptualisation of risk, as a mechanism and technology of governance, in order to connect risk as a financial and legal condition, produced through both conflict and capitalism. In citing the history of violence perpetrated through colonial mechanisms of governance in the context of Lebanon and Syria, I seek to re-contextualise risk’s operation, to the land, people and resources in the Arab region.<sup>43</sup> Legal Theorist Sarah Keenan writes in ‘From Historical Chains to Derivative Futures: Title Registries as Time Machines’ that:

new forms of ownership generated by contemporary finance are derivative of property’s past. Securitisation and the legal means innovated to support it are based on a familiar formula of taking human relationships with land and turning them into distinct, seemingly independent and history-free assets to be traded and insured. The dephysicalisation of property in modern Anglo-American law has become more extreme with financialisation, and the new temporalities that accommodate this dephysicalisation, have racial consequences.<sup>44</sup>

This point on the racialised consequence of the dephysicalisation of valuable commodities, or property, made by Keenan, I argue is what foregrounds the connection between risk as a capitalist financial system, and risk as the modes of conflict legitimised through international laws of war. In its operation it produces

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<sup>42</sup> Ulrich Beck, *Risk Society: Towards a New Modernity* (London: SAGE Publications Ltd, 1992).

<sup>43</sup> In this frame, I acknowledge the importance of authors such as Brian Massumi, Louise Amoore, Claudia Aradau, and Rens van Munster, as their work outlines the perceptions of risk in contemporary terms: through the production of fear, with a focus on fear in the media following the catastrophic attack on the United States on September 11, 2001.<sup>43</sup> Their writings on the ‘War on Terror’ and the production of fear as a mechanism of governance and control also posits catastrophe as enabling certain actions in the present. This is not to diminish the terrorist attacks that have occurred sporadically on Western soil, but rather to draw more closely together these seemingly disparate histories, and to identify their longer, drawn out points of contact.

<sup>44</sup> Sarah Keenan, “From Historical Chains to Derivative Futures: Title Registries as Time Machines,” *Social & Cultural Geography*, n.d., 15.

an uneven and context-specific limit condition of risk in the Arab region, and in this thesis, in the context of Lebanon and Syria.<sup>45</sup>

In outlining the connection that exists across the multiple shapes, forms and perceptions of risk, seen through financial markets and international laws of war, I ground this risk in as a colonial mechanism conceptualisation in the early seventeenth century. Connecting to a method of decontextualising the violent historic processes that allowed colonial powers to gain access and control over resource extraction, in the Arab region. This violent process has erased the body, land and context connected to these resources, with the aim of extracting it into a financial market that rationalises its capital value and power as a separate and entitled autonomous entity.

It is in this way, through international laws on war that aerial bombardment has become the action undertaken by strong states, in order to secure their own sovereignty and entitled self-interest to such technologies of accumulation and control, of power and resource value.<sup>46</sup> In this way international laws of war mirror the collective mechanism for profit and security, conceptualised by colonial merchants as the risk and insurance apparatus, allowing powerful states to act in their own self-interest to normalise and legitimate the use of violence. In taking a long historic look at the conjoined effects of capitalism and conflict in the context of Lebanon and Syria, I am re-contextualising risk, not as an autonomous object, but as a situated condition of threat that affects some more than others. As such, it has a clear differential and specific effect in the context of Lebanon and Syria, as it does in other settings.

In this sense, my understanding and framing of risk is that it is an international condition felt differently and specifically in particular contexts, as a result of long historic and violent process of dephysicalisation or decontextualisation of resource commodities.<sup>47</sup> Through this I will come to argue that the conjoined, constructed, present speculative futures felt through risk, in the context of Lebanon and Syria, are rooted and affected by one another, through a political and legal economy of resource extraction.

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<sup>45</sup> Keenan. 15.

<sup>46</sup> I'll come to explain this technology of international law and aerial bombardment in Chapter 1.

<sup>47</sup> Keenan, "From Historical Chains to Derivative Futures." 15.

Therefore, though risk and insurance have evolved into highly sensitive statistical and probabilistic financial systems, this research proposes that in its many guises across a spectrum of fields, at its core, risk analysis is simply an active mechanism for the enactment and distribution of power and control as a mode of governance.<sup>48</sup> I argue that embedded within the mechanisms of risk—even in its most evolved contemporary forms—is a system of profiteering which prioritises some lives over others.<sup>49</sup> In my reflections on risk throughout this thesis, whatever shape the object of risk takes, I maintain its connection to its root as a colonial technology. The effects of this have unfolded in temporal and spatial ways, to give license to those in a position of power to place the lives of some (namely, the encountered and racialised other) in a greater position of risk. This uneven limit condition of risk serves to benefit those who are able to take advantage of its technology. It is in this conceptualisation of risk that I ground the entire thesis, in an attempt to analyse how this colonial technology has embedded a condition of precarity, in the lands and people of Lebanon and Syria.<sup>50</sup> This thesis frames these many perceptions of risk, through the architecture of the domestic space, an effort to reveal the impact that this condition has had on the human subject as both abstract and effective.

### 1.3 The Geopolitics of Home

The domestic space—the home or the house—operates as a site where a complex range of values converge under one roof. This value in the home comes in part from its material function for the provision of shelter against adverse conditions. Shelter is provided by the architecture of the home, through its potential material strength to withstand adverse conditions or exterior threats.<sup>51</sup> Access to the home as

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<sup>48</sup> This is the argument that Ulrich Beck makes through the risk society; Beck, *Risk Society*; and Aradau and Munster, “Taming the Future.”

<sup>49</sup> These ideas are rooted in the work of Judith Butler; in *Frames of War*, she writes about a grievable life as a life of value and the precarity of a life less valued. See Judith Butler, *Frames of War* (London: Verso, 2009).

<sup>50</sup> My definition of precarity relates to an imposition on human life of the uneven effects of risk in relation the arguable value placed on that life. This is written about by Isabell Lorey, *State of Insecurity: Government of the Precarious*, trans. Aileen Derieg (London: Verso, 2015); and Butler, *Frames of War*.

<sup>51</sup> Here I borrow from Giorgio Agamben’s philosophy on potentialities, as he writes ‘An experience of potentiality as such is possible only if potentiality is always also potential not to (do or think something).’ It is exactly this tension that plays out in relation to the domestic space transforming from a space of shelter to a space of threat, as the potential strength of its materiality acts out in the mind of the human dwelling; as a space of potential protection there is also the possibility of it as a

shelter is often accorded a set of political, economic, social, and geographic reasons. In this way, the temporal and spatial material transformations of the domestic space can be read in response to the influence of these forces, particularly given the capacity of certain material transformations to protect against the adverse conditions a human needs shelter from.<sup>52</sup>

In the uneven access to the home as shelter, the architecture of the domestic space can simultaneously articulate risk as both abstract and affective, breeding a tension which arguably induces ‘alienation, distrust, and...heightened risk perception in those who are excluded from the magic preserves of its technical expertise’.<sup>53</sup> Under a condition of heightened insecurity, produced for example through aerial bombardment, the architecture of the home undergoes a radical shift, as it transforms from a space of shelter into a space of threat.<sup>54</sup>

For the occupant, the understanding of a home’s materiality alters under threat, as it becomes a site where a series of small-scale actions can be undertaken in anticipation of the risk’s violent effects. See for example: in the taping windows to prevent glass from shattering or reinforcing outer walls with sand bags or breezeblocks (see Figure 3). These small-scale actions are a feeble attempt to fortify the home against violent exterior force.

However, beyond their pragmatic function, these actions provide a visual and material demarcation of the turbulent time and context within which the home is situated. Together, these actions design an environment in which the fear of the future is continually being rehearsed. The psychological fear of living with this potentiality alters the material components of the domestic space. Within these shifting material conditions, what forces shape what is made available as the shelter of home?

As the materiality of the home provides evidence of exterior threat, it also simultaneously conveys the subjective experience of living within this condition. Underlying the writing of this thesis is the question of the lived experience of this limit condition of risk and how it is reflected in the materiality and

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space of destruction; Giorgio Agamben, *Potentialities: Collected Essays in Philosophy* (Stanford, CA: Stanford University Press, 2000), 250.

<sup>52</sup> Eyal Weizman, introduction to *Forensis: The Architecture of Public Truth*, ed. Forensic Architecture (Berlin: Sternberg Press, 2014), 16.

<sup>53</sup> Sheila Jasanoff, “The Political Science of Risk Perception,” *Reliability Engineering & System Safety* 59, no. 1 (January 1, 1998): 129-124.

<sup>54</sup> Eyal Weizman, *Hollow Land: Israel’s Architecture of Occupation* (London: Verso Books, 2012). 185-221.



Figure 3: Sand bags used on the ground floor of a domestic building in Beirut to protect the civilians living there from the Lebanese Civil War, 1989. Courtesy and copyright of BBC News.

architecture of the domestic space. This may seem an obvious observation, however, in research and fieldwork I have often found that the subject is placed on the periphery of architectural design strategies, as the home itself, becomes more valuable than the human.<sup>55</sup>

In *Colonial Lives of Property: Law, Land, and Racial Regimes of Ownership*, theorist Brenna Bhandar refers to this value of the domestic space as a space of ‘security from harm’: the safety provided by the materiality of the domestic space is not equally accessible.<sup>56</sup> In alignment with this argument, I further define the condition that produces uneven access to the home as shelter in two ways: first, in the threat of legally-sanctioned aerial bombardment that shifts the materiality of the home as shelter to a space of threat; second, in the destruction caused through bombardment, a process that takes advantage of the state of exception to engage a process of post-conflict development,<sup>57</sup> which in turn limits access to the home as shelter.<sup>58</sup> This thesis will come to explain how a colonial imposition of the technology of risk in the context of Lebanon has unfolded in temporal and spatial terms. Risk has accelerated and accentuated the uneven access to the domestic space as shelter, in turn producing, as I will come to argue, the weaponised and commodified home.<sup>59</sup>

Further, the right to land and the homes built upon it is at the core of many of the disputes in Lebanon, Syria, and the surrounding territories.<sup>60</sup> I argue that this is a result of the colonial nature of risk in the Arab region, which makes my study of

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<sup>55</sup> I define this shift in value, in regards to the home, as the production of the commodified home. This is explained in detail in Chapter 2.

<sup>56</sup> Brenna Bhandar, *Colonial Lives of Property: Law, Land, and Racial Regimes of Ownership* (Durham: Duke University Press, 2018), 21.

<sup>57</sup> The state of exception I will be unpacking in this thesis in relation to Lebanon is the effects of total war, which then allowed for the separate development of the lived-built environment. I want to make a distinction here between post-war and post-conflict, I use post-conflict to define when armed combat has come to an end, but in that the war may still not be finished, as geopolitical tensions might continue, as in the case of Israel and Hizb-Allah.

<sup>58</sup> In line with the earlier Marxist argument, David Harvey has framed this mechanism at work in processes of modernity as ‘creative destruction’. I have made the choice to omit this term of phrase, but acknowledge here the theory and writing of creative destruction. An article that makes the connection with what’s at stake in this argument is Hito Steyerl, “How to Kill People: A Problem of Design,” *e-flux Architecture* “Superhumanity”.

<sup>59</sup> This proposition of the weaponised and commodified home will be outlined in further detail in Chapter 1 and 2.

<sup>60</sup> This issue is at the heart of the conflict that took place in Lebanon during the Civil War, also in Palestine and Israel, this issue over contested land and homes is written about in Weizman, *Hollow Land*.



the home in this thesis geopolitical.<sup>61</sup> Therefore, in assessing the affectivity of the domestic space as shelter, this thesis focuses on the contextually specific geopolitics of 'home' in Lebanon.<sup>62</sup> Bhandar further unpacks this historic interaction between geography, race, and rights to private property:

The colonial encounter produced a racial regime of ownership that persists into the present, creating a conceptual apparatus in which justification for private property and ownership remains bound to a concept of the human that is thoroughly racial in its makeup. Thus not only was property law the primary means of appropriating land and resources, but property ownership was central to the formation of the proper legal subject in the political sphere.<sup>63</sup>

The history of property law begins in the Enclosure Acts, passed in 1604 by the British government, enabling open fields and common land to be legally enclosed as private property—effectively appropriating the environment and rendering both the landscape and natural resources as commodities.<sup>64</sup> Public land was easily commoditized because of the demarcation of its borders with a fence, hedge, or a house. Once construed as private property, the protection of its boundaries became necessary. At sea, risk was a more abstract and less tangible commodity. However, the connection between risk and land as commodities was soon made.<sup>65</sup>

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<sup>61</sup> The argument is that there is also the subjugation of people of lower class and economic standing and in accordance to race in the western context, which has very unfortunately recently been realized again in the Grenfell Tower catastrophe in London. This in part is tackled in Chapter 1. However, I emphasize here that the thesis focuses on the relationship between the development process and the threat of conflict through bombardment, which I argue is specifically encountered in Lebanon and across the Arab region.

<sup>62</sup> I will come to explain over the three chapters of the thesis, the geopolitical specificity of the conceptualisation of home in the context of Lebanon, as the image of prosperity, wealth and modernisation also brings the threat of conflict. This first takes place in the promise of independence that is made in 1941, but in contemporary terms financial strength also invites conflicts into Lebanon through the conflicting political regimes it might empower or not. Here's a recent reported example: Mouchantaf, "How a Disputed Oil and Gas Field Could Be the Last Straw for Israel and Lebanon"; "Risks Loom Large as Lebanon Pursues Energy Exploration, BMI Report Says," *The National*, accessed September 8, 2018, <https://www.thenational.ae/business/energy/risks-loom-large-as-lebanon-pursues-energy-exploration-bmi-report-says-1.725569>.

<sup>63</sup> Brenna Bhandar, *Colonial Lives of Property: Law, Land, and Racial Regimes of Ownership* (Durham: Duke University Press Books, 2018), 4.

<sup>64</sup> Harvey, *Spaces of Global Capitalism*; Venn, *After Capitalism*, 1-24.

<sup>65</sup> In that as land was enclosed and became private property it engaged a mechanism that meant it was necessary to protect its value, this became particularly important in regards to a possible 'act of God' that might affect the accumulated value of the land and private property.

The interconnected limit condition of risk outlined here finds its origins in the promise of independence made to Lebanon by the Allied forces in the invasion of Lebanon and Syria in 1941. This technology of governance takes hold in the neo-colonial strategy introduced into the Arab region through international development following the end of the Second World War that allowed foreign control and access to oil in the region. Through the temporal and spatial unfolding of this technology into the present day, and projected into future, this thesis observes the production of the commodified and weaponised home. This is observed in the slow, structural, and spectacular violent effects of capitalism and conflict in Lebanon, seen through their transformation of the built environment, so that the architecture of the domestic space becomes an archive of this evolution. Further analysing how temporality plays an important role in the production of such a condition, I ask: how does architectural planning become a way of speculating and projecting the effects of capitalism and conflict into the future? And in the end, what are the natural and political forces that shape what can be made available as the shelter of the home? Or, to turn that question on its head, how is insecurity in the future reflected in the way home is constructed.

#### **1.4 A Modern History of Violence**

With the fall of the Ottoman Empire, there was a significant shift in global power following the First World War.<sup>66</sup> The Sykes-Picot agreement, ratified during the Paris Peace Conference in 1919, established new borders across the Arab region, and partitioned Lebanon and Syria between the British and French Mandates.

Previously, in October 1915, communications had begun between Sharif Hussain, King of the Hejaz, and Sir Henry McMahon, the British High Commissioner for Egypt, in which McMahon asked the King to assist in a revolt against Ottoman rule of the region. In return for his assistance, the High Commissioner promised British assistance in recognising the independence of the Arab states. However, in spite of these discussions, France and Britain instead agreed between themselves how the region should be governed. Sir Mark Sykes and François George-Picot, representing the British and French governments in

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<sup>66</sup> Much controversy surrounds both the process of forming the Sykes-Picot agreement, as well as its outcome. Robert Fisk, "The West's Desire to 'liberate' the Middle East Remains as Flawed as Ever," *The Independent*, March 6, 2016.



Figure 4: Three key reports uncovered in the General Spears archive at the Middle Eastern Centre, Oxford University. On top is a report on Peace Terms in the Middle East, 1943; in the middle, a report on post-war settlements in the Middle East, 1942; at bottom is a report on Agricultural Development of the Middle East, 1943. Photographs by Helene Kazan.

negotiations, delimited spheres of influence over the territories that were at that time under Ottoman control. Unsurprisingly, discussions between Sykes and Picot were very different from the ones that had previously taken place between King of Hejaz and the British High Commissioner, as neither Sykes nor Picot had any intention of keeping the promise of Arab independence.

By the end of the First World War, following a fierce campaign fought by King of Hejaz and his army, the Arab region was free from Ottoman rule.<sup>67</sup> However, France and Britain's aspirations for colonial domination over the region, as well as their desire for continued access to the region's oil, including the Suez Canal, and the Port of Haifa, meant that the political attitude of Sykes-Picot Agreement took precedence over the negotiations that had happened with the King of Hejaz. Therefore, the Arab region was separated between the British and French colonial mandates. As such, an atmosphere of suspicion and resentment prevailed in the early stages of British and French rule over Lebanon and Syria.<sup>68</sup>

J. B. Glubb, British Commanding Officer of the Arab Legion, describes how in the period that followed, 'modernisation was preached and practiced and a new view of human relationships was formed'.<sup>69</sup> Edward Said describes this process as the production of a global hierarchy of human and non-human life through the production of the orientalist figure.<sup>70</sup> Adding to Said's critique, I would insist that the colonisation of the Arab region through the Sykes-Picot Agreement produced an unequal distribution of risk, inflicted on the people living in the region, through a colonial understanding of value in relation to human life and resource commodities.

By the end of the First World War, the battlefields of armed conflict had extended to include civilian domains and environments. The practice of total war began through targeted bombing of strategic sites of key importance. However, the non-military built environment, the home, and the civilian became part of the battleground, as military forces took full advantage of the new technological

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<sup>67</sup> The Anglo-French declaration was issued on 17 November 1918.

<sup>68</sup> The British Government undertook to grant to the French 25 percent of the crude oil from the region, arrangements were also made in regard to the transport of oil from Iraq and Persia through the French sphere of influence to the eastern Mediterranean.

<sup>69</sup> J. B. Glubb, British Commanding Officer of the Arab Legion, "Top Secret: A Further Note on Peace Terms in the Middle East", 1943, 9, Box 3, File 5. GB165-0269, Sir Edward Spears Collection at the General Spears Archive, Middle Eastern Centre, Oxford University. 28.

<sup>70</sup> Edward W. Said, *Orientalism* (New York: Vintage, 1979), 11.

capabilities of aerial bombardment, unrestricted by international law.<sup>71</sup> The industrialization of war meant that following the end of the First World War, Britain could deploy its extra-technological capacities to continue this mode of governance in order to govern the sites of oil extraction.<sup>72</sup> This strategy of control over oil in the Arab region is observed in ‘Operation Exporter’, the Allied invasion of Vichy French controlled Syria and Lebanon between May and June 1941. As highlighted in the report, ‘Peace Terms in the Middle East,’ distributed by the British government in 1943, the industrialised terror of aerial bombardment during the Second World War inflicted an unprecedented level of violence across the Arab region, bringing Lebanese and Syrian civilians onto the battleground.<sup>73</sup> A new phase of globalization had begun: one connected to the developing racialised capitalist system, operating not only through economic mechanisms but also through international law.<sup>74</sup>

## 1.5 Methodology and Practice

In the writing of this thesis, my underlying, subjective experience of living through conflict and heavy aerial bombardment has produced a particular sensitivity in understanding the human bodily experience of the *lived* limit condition of risk in Lebanon. An auto-ethnographic methodology has therefore been adopted to provide space for this subjectivity as a methodological tool to engage further nuance. This is part of a developing auto-ethnographic tradition of female scholars attempting to understand their complex subjective position, both within and from outside of the Arab region. This is tackled in relation to the complex body politics of living and working in the Arab region as a woman.<sup>75</sup> Two key examples are

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<sup>71</sup> Mark Duffield, “Environmental Terror: Uncertainty, Resilience and the Bunker,” *Global Insecurities Centre*, 2011,

<http://www.bris.ac.uk/spais/research/workingpapers/wspaisfiles/duffield-0611.pdf>.

<sup>72</sup> In writing by Henry Brailsford published in 1914, he maps how imperialism made it possible to trace the causes of war to the uncontrollable flow of economic resources outside of the EU, and the growth of arms manufacturers and military cliques with a vested interest in war. Henry Noel Brailsford, *The War of Steel and Gold. A study of the armed peace* (London: G. Bell & Sons, 1915). This is also discussed in Mitchell, *Carbon Democracy*, 73.

<sup>73</sup> J. B. Glubb, “Top Secret: A Further Note on Peace Terms in the Middle East”.

<sup>74</sup> An example is how the introduction of the Gold Standard produced new rivalries among economic and imperial powers, rivalries that led to the world wars; Venn, “Neoliberal Political Economy, Biopolitics and Colonialism,” 210. Also the use of the term ‘racialised capitalism’ appears in Bhandar’s, *Colonial Lives of Property*, 6; and Darryl C. Thomas, *Cedric Robinson and the Philosophy of Black Resistance*, Race & Class vol. 47, No. 2 (London: Sage, 2005).

<sup>75</sup> Also see here Donna Haraway’s ‘Introduction: The Persistence of Vision’ in *Primate Visions Gender, Race, and Nature in the World of Modern Science* (Routledge 1989), 1-18.

*Being, doing, and knowing in the field: Reflections on ethnographic practice in the Arab region, Contemporary Levant*, edited by Samar Kanafani and Zina Sawaf, published in 2017, which follows *Arab Women in the Field: Studying Your Own Society*, edited by Soraya Altorki and Camillia Fawzi El-Solh's, and published in 1988. Of particular relevance to this thesis is the chapter by Suad Joseph, "Feminization, Familism, Self and Politics: Research as a Mughtaribi" written from the context of Lebanon in 1945. I come to this point first in outlining the methodological framework of this thesis because I believe it to be of greatest importance to specify from the outset the application and scope of a feminist methodology. This feminist methodological framework becomes even more integral in the intervention I propose to make through my research practice, as outlined in Chapter 3, in the mode of *écriture féminine* and in the potential of what I will come to frame as the poetic testimony of violence.<sup>76</sup>

In undertaking this PhD project, I already had a practice established in the visual arts. I have therefore used the practice-based PhD format to take my research into the fields of architecture and international law, and to use the knowledge acquired to develop a series of lecture performances, short films, and a curatorial practice. My background in the visual arts allowed me to take knowledge from the fields of architecture and international law in an attempt to demystify and make more accessible these largely inaccessible fields. My practice has also offered an opportunity to disseminate the important and little known information mined through archival research in such a way as to engage a discussion on the complex legacy of the violent effects of a limit condition of risk in the context of Lebanon today. I have been fortunate enough to receive support for the development of the practical outcomes of the PhD project both in UK and Lebanon; it has been crucial to access audiences in both contexts. Therefore my research practice over the timeframe of the PhD has engaged an interdisciplinary, international, inter-generational discussion, across the fields of architecture, history, law, visual arts, activism, and philosophy, going so far as to produce new knowledge on the subject, through the work carried for the PhD.

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<sup>76</sup> Yoriko Otomo, *Unconditional Life: The Postwar International Law Settlement* (Oxford: Oxford University Press, 2016), 81. Here, Otomo refers to writing by Luce Irigaray in 'Any Theory of the "subject" in *Speculum of the Other Woman* (Ithaca, NY: Cornell University Press, 1985), 47.

One aspect in particular that has evolved through this practice-based PhD format has been the lecture performance. In a program curated by Rabih Mroué at the Haus der Kulturen der Welt in October 2017, he explains: ‘[a]t the end of the Civil War in 1990, a new generation of artists felt the need to unpack history beyond its emptied propagandistic and political takeover.’<sup>77</sup> This allowed the rise of a format today widely known as ‘lecture performance’. First, I would like to frame the format of the lecture performance as a form of poetic testimony born from the experience of risk in this context.<sup>78</sup> My own lecture performances allow for an embodied performative aspect of the work, which I argue is needed to engage audiences in the bodily experience of the risks described. This takes place through an embodied performance of the material in a specific aural and visual environment produced through the audio and visual material I share in the presentation.<sup>79</sup> The most important lecture performances I have given during the PhD were ‘The Imperiled House’ first at the Serpentine Gallery in London, then at the American University of Beirut within a week of each other in April 2017. This was an incredibly important moment in the PhD project in terms of the development and crystallisation of key aspects of the argument.

Working in archives situated across the UK and Lebanon, I have attempted through this material, to visualise and narrate the colonial history of violence in Lebanon. These documents, in conjunction with my investigation and collected testimonies from survivors of the violence perpetrated in Lebanon and Syria in 1941, have become primary sources in my attempts to outline the contested history of what took place in Lebanon and Syria during and since the Second World War. This largely overlooked front of the Second World War marks a moment when Allied democracies made strategic choices and abrogated democratic values by overthrowing three governments (in Lebanon, Syria, and Iraq) to keep them from being influenced by the Axis powers. It begs the question of whether this research might have more agency than merely re-narrating or re-enacting these events: is there a possibility for assigning accountability for the present threat of armed

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<sup>77</sup> Rabih Mroué, Haus der Kulturen der Welt, “How Close Could We Get to the Light and Survive?,” *HKW*, July 14, 2017.

<sup>78</sup> I will come to explain in greater detail my meaning in regards to poetic testimony in Chapter 3.

<sup>79</sup> Examples and information of the lecture performances I have done can be found in the Practice Outline section on Imperiled House.

conflict in Lebanon, Syria, and the wider region, by unpacking this little-known history?

Images play a crucial role in communicating this history and engaging an audience. However the image operates in this thesis in a multitude of ways. As already described, it is a form of representation and description. But further, throughout the thesis I have used the term ‘imaged’ or ‘imaging’ as a description of the method by which the image itself creates or influences certain present and future realities and scenarios; this idea will be outlined in greater detail in Chapter 2. In relation to this argument, my use of the image in this thesis, through the practical outcomes of the PhD, has been to visualise and capture the history of this violence through the production of short films, for example, the short film I recently completed titled *Under Multiple Suns*.<sup>80</sup> These films have the capacity to engage a wider and more diverse audience, which is a crucial aim of the project. The production of this film, through funding opportunities it has granted, has allowed me to do extensive fieldwork in Lebanon, and has offered a way to capture and crystallise the human experience and testimony of the history of violence during the Second World War period in Lebanon for the first time.

Finally, perhaps the most crucial aspect of the practice that I have come to develop through the PhD project was as curator of the exhibition ‘Points of Contact’ in Lebanon in 2018.<sup>81</sup> I will analyse and discuss this project in greater detail in Chapter 3, but this aspect of my practice has engaged complex questions in regards to the potential legal agency of poetic testimony, a term I frame as the often chaotic nature of giving human testimony to violence, or the poetics needed to express the experience of violence.<sup>82</sup> In 1992, Shoshana Felman and Dori Laub, wrote on ‘how art inscribes (artistically bears witness to) *what we do not yet know of our lived historical relation to events of our times*.’<sup>83</sup> This is tangible in the artistic practices encountered throughout this PhD thesis as an evolved poetics of

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<sup>80</sup> The short film that I completed *Under Multiple Suns*, Helene Kazan, 2018. More information can be found on this project in the Practice Outline section on Under Multiple Suns, and the film file can be found on the USB stick accompanying the PhD.

<sup>81</sup> Goethe-Institut Libanon, ‘Points of Contact’, curated by Helene Kazan, January 27–March 10, 2018.

<sup>82</sup> In domestic law a tort (as in the law of tort) is a way for an individual to impose (state or personal) liability for harm to the body, both physical and emotional. This will be discussed in greater detail in Chapter 3.

<sup>83</sup> Shoshana Felman and Dori Laub, *Testimony: Crises of Witnessing in Literature, Psychoanalysis, and History* (London: Routledge, 1992), xx.



witnessing which unravels a present history of affect. My argument for poetic testimony is in line with this proposal from Felman and Laub, as an echo of their early investigation into the relationship between art, witnessing, and testimony.<sup>84</sup> The feminist approach taken across the thesis and focused in particular in Chapter 3 references theorist Yoriko Otomo's writing on 'unconditional life' as she argues that a turn towards *écriture féminine*, or poetic testimony, as a necessary and feminist methodological intervention into international law.<sup>85</sup>

In this respect, this research holds the space of cultural production as a vital platform towards an accumulative evolution of international legal justice. This conclusion comes through my own engagement in practice and in further analysis of the artistic or poetic practices I encounter in Lebanon. The space of cultural production allows room for the expression or the experience of slow, structural, and spectacular violence, especially when there is no other platform, space, or freedom for such expression. This project asserts that art and cultural production provides—through interdisciplinary and public assembly—a space for freedom of expression that other political and legal contexts might exclude. Further, I ask, in providing space and a platform for diverse and nuanced subjectivities, in inclusive spaces of assembly and with alternative methods of knowledge production, what role does the curator, artist, exhibition, or museum play in regards to the register of slow, structural, and spectacular violence? My interventions as such will be annotated at the end of each chapter of the thesis as 'Practice Outline' sections that detail the practical outcomes of the PhD project.

Further, throughout the thesis, I have used elements of my practices and others I have encountered as evidence of the theory I come to propose. This is so that from the outset these varied 'poetic' modes communicating the limit condition of risk are recognised with the same importance and credibility as more conventionally recognised evidence. This is poetic testimony and *écriture féminine*. To this end, I also invite the reader to 'click' into the hyperlinks that occur from time to time throughout the text, as this will take you to the different practical elements that are already active in the world via the world wide web.

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<sup>84</sup> Felman and Laub, *Testimony*, xx.

<sup>85</sup> Yoriko Otomo, *Unconditional Life: The Postwar International Law Settlement* (Oxford, New York: Oxford University Press, 2016). Otomo refers to writing by Luce Irigaray in 'Any Theory of the "subject" in *Speculum of the Other Woman* (Ithaca, NY: Cornell University Press, 1985), 47.

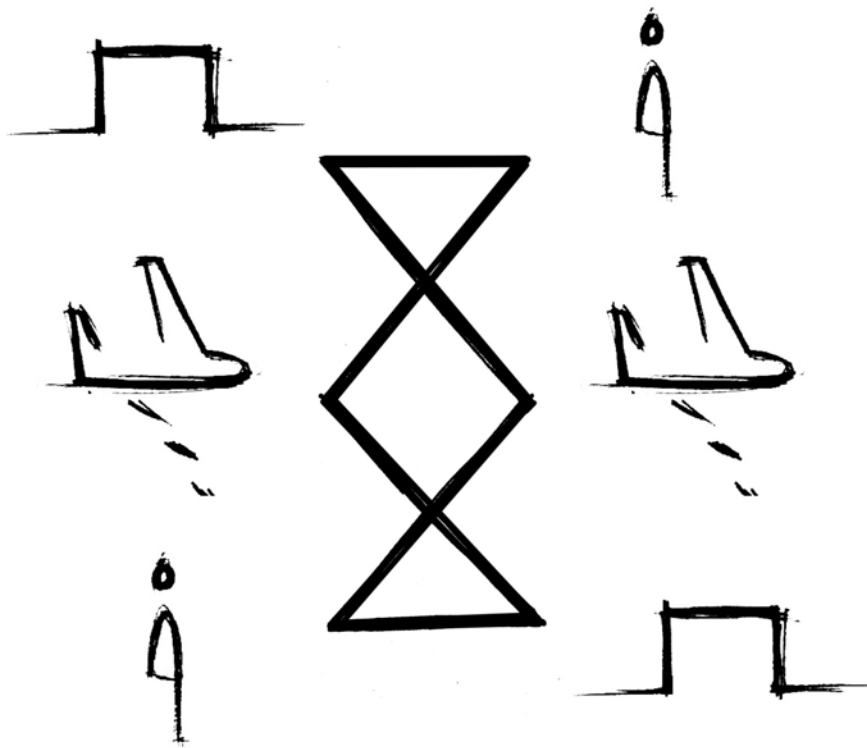


Figure 5: The drawn symbols represent (from the top left down): architecture, international law, and the human scale and bodily experience of violence. The lines drawn between the symbols to the right illustrate how the three chapters in this thesis work, as they enter and are focused through each field and scale, but always in relation and in conversation with the other two subjects. Drawn by Helene Kazan.

In the movement through this research, a particular relationship between the written work and practice-based elements of the project has presented itself, and will become apparent further in the thesis. This often takes place initially through an analysis of an image, which leads to certain investigation and experimentation with the material. In carrying out or realizing these experiments in the process of in-depth research, both the research and practice yield ‘accidental’ discoveries. I want to place an emphasis on the importance of these ‘accidental’ discoveries that have occurred in the realization of this research, and point out that this method has resulted in the production of new material, data, and information that demonstrates the productive interaction between research and practice.

As mentioned, commencing my PhD, I conducted a series of trips to Lebanon for fieldwork. To this end, in the narrativisation of the critical theoretical framework that applies to the thesis as a whole, I have found that my field notes are an incredibly important part of this work, and are necessary in articulating the effects of the limit condition of risk in the context of Lebanon. Key pieces of information and narrative were relayed to me during informal conversations. These would not have occurred if there had been an audio recorder present.

A key question posed in this thesis is to understand the human effect of the conditions of risk in Lebanon, and these field notes are therefore an integral aspect of the research. The importance of these narrativised conversations is a reminder of the need to think with intellectual independence and freedom, and therefore a reference to the feminist writing of Virginia Woolf, in *A Room of One's Own*.<sup>86</sup>

The diagram in figure 5 illustrates how each chapter is focused through the lens of international law, architecture, and the human scale of violent affect. It is important to add that, as the diagram illustrates, though each chapter is focused through a particular field, the other two fields are also always participating in the conversation.

## **1.6 Unique Contribution and Knowledge Production**

The unique contribution this thesis seeks to make is in regards to the bringing together of the fields of international law, architecture, and cultural production through an interdisciplinary discussion into the limit condition of risk in Lebanon.

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<sup>86</sup> Virginia Woolf, *A Room of One's Own* (Oxford: Oxford University Press, 1992).

Also, as the project has progressed, the crucial importance of first-hand archival research, in outlining the history of this condition in Lebanon, has been integral to the uniqueness of this knowledge.

My reading of the archival content and of the colonial history of Lebanon is unusual. Carrying out this research, nearly all of the writing on this history I encountered was told by men, and always from an un-self-aware and neo-colonial position. This I argue can be observed in the way this writing often frames this history as ‘secret’, as I believe this framing provides evidence of the writing’s neo-colonial logic towards western audiences.<sup>87</sup> In becoming aware of these problematics in regards to position and gender, I have done all in my power to avoid this masculine and neo-colonial mind-set in narrating this history.<sup>88</sup> This awareness and methodology has been particularly important in my reading of secret British government documents in the archive of General Spears, the First British Minister of Levant, as well as other archives across the UK and Lebanon. The mining of this information in regards to the contested history of violence in Lebanon has given this thesis a unique source of knowledge and a new position to work from. Further, the detail in my reading of the history of colonial violence in Lebanon (a product of in-depth archival research) allows me to ground this history with regard to global post-war development following the end of the Second World War. This also suggests the important role that these archival documents play in the thesis, and why they feature so heavily throughout. In directly working with the primary sources, I was able to avoid the influence of the interpretations of this material. The historic overview uncovered in archival research is then used to uphold the collection of witness testimonies featured in my short film *Under Multiple Suns*, again as a way of adopting a feminist methodological frame.

In my interviews with elderly people in Lebanon who had witnessed the violence of the Second World War, nearly all expressed how no one had previously asked them about their experience of the conflict. They were 80 years old or more and had never giving testimony of these events, or even being asked. From my

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<sup>87</sup> Two examples are Meir Zamir, *The Secret Anglo-French War in the Middle East: Intelligence and Decolonization, 1940-1948* (London: Routledge, 2014); and Basil and Youssef Aboul-Enein, *The Secret War for the Middle East: The Influence of Axis and Allied Intelligence Operations During World War II* (Annapolis: Naval Institute Press, 2013).

<sup>88</sup> An example of this in James Barr’s writing, though he encountered the same documents in the Spears archive as I did, his telling of this history underplays the controversy of this history as will be shown in this thesis across the chapters; James Barr, *A Line in the Sand: Britain, France and the Struggle That Shaped the Middle East* (London: Simon & Schuster, 2011).

family's experience of the Lebanese Civil War, this doesn't surprise me, as it was not until I almost forced my parents to talk about this situation in my short film *Masking Tape Intervention: Lebanon 1989* in 2013 that we spoke about the experience for the first time. It is therefore unsurprising that the experience of these earlier cycles of violence have also remained unspoken, especially when the neo-colonial method of governance that followed made all attempts to underplay the extremity, impact, and importance of what took place during this time. These testimonies and the archival evidence I have uncovered serve to uphold each other in corroboration of the extremity of this early wave of mechanised total war in the region.<sup>89</sup>

Western influence across key infrastructural aspects of modern life allowed a neo-colonial mode of governance to develop in Lebanon and Syria under the auspices of an international post-war development project following the end of the Second World War. This set a precedent for a state of violence that can be traced from this history until today, and is further projected as a lethal future. This research also draws out the early British influence in Lebanon, which at the time was under French control as agreed through the Mandate. Bringing this political struggle between England and France forward is of particular political sensitivity today as the breadth of British influence in Lebanon and Syria is not public knowledge, and therefore how this early involvement can be traced to today's geopolitical situation in the region cannot be fully analysed as a result. Having spent five years working in Lebanon, presenting the work repeatedly to Lebanese, Syrian, British, and international audiences, the sensitive nature of this research always becomes apparent. This little-known history and its continued contemporary effects are repeatedly questioned by audiences, as hardly any information on this history is held or known in the context of Lebanon, and is also difficult to access in the UK. My aim for this PhD project is to disseminate this information to make this history widely accessible.

## **1.7 Outline of Chapters**

This thesis is arranged in three chapters. Chapter 1, entitled '(De)constructing Risk: Accident and Design in Aerial Bombardment', argues that in the devastating use of

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<sup>89</sup> This is outlined in Chapter 3.

weapons to engineer the ‘accident’ of destruction, in the process of deploying this harmful technology, human accountability is distanced from the fact that these weapons are engineered to make plastic, or alter irrevocably, the human or non-human object it comes to impact. I will come to explain how international law falls short of deterring the effective use of aerial bombardment, as shelter from this violence must come instead from the architecture of the domestic space. The state-perpetrated violence in turn establishes resilient communities and subjects in accordance to class and race. This chapter unpacks how the limit condition of risk experienced through aerial bombardment becomes articulated in the materiality of the domestic space in Lebanon. This is identified first in an analysis of the effects of the conflict that took place in the Allied invasion of Lebanon and Syria in 1941. This is then studied contemporaneously in the Waad project, and the redevelopment of homes (leading to their weaponisation) in Haret Hreik in Beirut by Hizb-Allah following the destruction of the area during the 2006 conflict with Israel.

Chapter 2, entitled ‘Under Multiple Suns: Separate Development and the Commodified Home’, analyses how the separate development of the lived-built environment in Lebanon evolved through capitalist and neoliberal post-conflict development.<sup>90</sup> This chapter analyses how post-conflict development of the lived-built environment in Lebanon engages a further mode of governance, materialised in accordance with the economic and political agenda of the governing state authority. This chapter first observes the early establishment of this method of governance by the Allied invasion of Lebanon and Syria in 1941 and the global post-war development that followed. In the subsequent analysis of how separate development continues to materialise today, and further exists as a projected future, this chapter observes how, in the aftermath of the Lebanese Civil War, changes made to domestic property laws allowed the spatialisation of an evolved neoliberal economic system to take hold. In turn, this has commodified the home—homes are now assigned more value as an investment than as a dwelling or shelter. This is observed in the separate development of downtown Beirut by private real-estate company Solidere and the Rafic Hariri government.

The final chapter, Chapter 3, ‘The Poetic Testimony of Violence: What the Law Excludes’, frames the often chaotic nature of giving human testimony to

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<sup>90</sup> Timothy Mitchell, *Carbon Democracy: Political Power in the Age of Oil*, 1 edition (London: Verso, 2013).

violence or the poetics needed to express the experience of violence as ‘poetic testimony’. There is an existing tension between the distinct register of producing evidence and giving testimony, which is important in regards to the role the law plays in its attempt at producing universal legal justice. Dominant methods of producing evidence in international law often exclude or render the human body invisible. I pose a question in regards to the revolutionary potential of poetic testimony, as a method for breaking the asymmetric power relations produced through international law and its current failings, especially as experienced in Lebanon as a limit condition of risk. I further propose a turn to international tort law as a potential answer to the issue of registering harm or ‘trespass to the body’ through internationally perpetrated violence. I argue for the legal recognition of the poetic nature of the human testimony of violence, and the greater recognition of testimony in the language and means of the empowered subject, as oppose to strict adherence to the technical language of the law. My proposal to instigate such an evolution in international is made possible through the argument for international tort law. Such a reparative process of international legal justice would intervene in the cyclical continuation of violence into the future.

# Masking Tape Intervention: Lebanon 1989

Short film written and directed by Helene Kazan

2013

The film takes place in two sections: the first section is a stop motion animation filmed on a model of the kitchen in the Kazan household in Lebanon. The model is generated entirely from a single archive photograph of the kitchen, taken in 1989 just before the family fled the Lebanese Civil war. Discovered again in 2012, the archive image of the kitchen shows the morning sun streaming through the south facing window, casting a distinct patterned shadow across the space through the cross hatched masking tape put on the window to stop the glass from shattering during bombardment. This masking tape becomes a visual demarcation of the exterior threat of the war, and in the film, the tape and its shadow are used as a mechanism to describe the space and the situation to the viewer. The second part of the film is comprised of archive material relating to the violent events leading to the decision to leave, ending with a BBC interview with the Kazan family as they arrive into the refugee centre in Larnaka, Cyprus. The film has been screened and exhibited extensively in Lebanon, the UK and internationally.

## **Film credits:**

Written and directed by Helene Kazan

Interview with Suzanne and Elie Kazan

Archive material from BBC Archives, Cyprus Mail and Kazan family archive

With thanks and support from Openvizor

Online link to view film: <https://vimeo.com/33284309>

*This film can be found in the folder titled 'Masking Tape Intervention: Lebanon 1989' on the enclosed USB stick.*





Stills from short film *'Masking Tape Intervention: Lebanon 1989'*, (top) kitchen scene with shadow cast by masking tape put on the window to stop glass from shattering during bombardment, (bottom) scene with interview Kazan family for the BBC news, March 1989.

# Chapter 1: (De)Constructing Risk: Accident and Design in Aerial Bombardment

## 1.1 Introduction

In its many guises, the ‘accident’ is particularly present in the early conceptualisation of risk, observed in the question of accountability in regards to an ‘act of God’, a ‘peril of the sea’, and human (in)action.<sup>91</sup> In the human design and use of weapons, natural elements are harnessed and deployed as a destructive technology with plastic effects.<sup>92</sup> In the use of weapons to engineer an accident, we observe the break, fissure, and crack whereby the human, or non-human object, having been elastic, in impact becomes plastic, and no longer recognisable as its original self.<sup>93</sup> What occurs in the process of deploying this harmful technology is that human accountability for the use of such force is distanced from the weapon’s engineered purpose. This distance of accountability, particularly in aerial bombardment, makes its violent effects seem almost beyond human control. In the development of the technology of warfare, international law falls short of deterring the effective use of weapons, and is instead manipulated by powerful states to legitimise the legal engineering of the violent accident. This is the lethal technology of the legal threshold of targeted strikes and military necessity. As a result, shelter from the violent force of aerial bombardment must come from the materiality of the lived-built environment, most specifically from the domestic space, or home.

This chapter outlines an argument for a historical turn in international law, and asks how a better understanding of international law’s colonial legacy can help us understand its current failings. I argue that international law’s colonial and imperial history has engendered a method for legitimising the uneven distribution of the violent force of armed conflict, specifically aerial bombardment, as can

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<sup>91</sup> Jonathan Levy, *Freaks of Fortune* (Cambridge, MA: Harvard University Press, 2012).

<sup>92</sup> Plastic destruction takes place when violent force is applied to the human or non-human object and shatters its ability to retake its original shape, therefore becoming irreparably changed.

<sup>93</sup> This process, which affects the body and psyche, is described by Catherine Malabou in *The Ontology of the Accident: An Essay on Destructive Plasticity*, trans. Carolyn Shread (Cambridge, UK: Polity Press, 2012). This is theorized in further detail across the collection of texts edited by Brenna Bhandar and Jonathan Goldberg-Hiller, *Plastic Materialities: Politics, Legality, and Metamorphosis in the Work of Catherine Malabou* (Durham, NC: Duke University Press, 2015). The connections made between Malabou’s theory on plastic destruction and the collection of texts edited by Brenna Bhandar and Jonathan Goldberg-Hiller will be outlined in more detail in Chapter 3.

currently be observed in the Arab region.<sup>94</sup> The long-term effects of this as a lived limit condition of risk, observed through the ongoing potential of armed conflict, further becomes a mode of governance, which this thesis argues engages a strata of accident and design across the Arab region, in place since the turn of the twentieth century. Thus, this chapter establishes how the object of risk becomes militarised in the engineered distribution of violent force through armed conflict and aerial bombardment.

Furthermore, I investigate how the necessary engineering of shelter against the threat of aerial bombardment produces resilient populations in accordance to class and race.<sup>95</sup> This chapter unpacks how the violent risk of aerial bombardment manifests in the materialisation of the lived-built environment in Lebanon, as the home remains the only answer to shelter against the destruction deployed through aerial bombardment. This is identified first through the violence that took place in the Allied invasion of Lebanon and Syria in 1941, and in the following neo-colonial development that subsequently took shape.

I outline this condition contemporarily in the case study of the Waad project, the development of homes in Haret Hreik in Beirut by Hizb-Allah following the destruction of the area during the 2006 conflict with Israel. I argue that the domestic spaces of Waad are transformed as weaponised homes, as a result of the disproportionate economic and violent threat posed by aerial strikes from the state of Israel.

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<sup>94</sup> This argument of international law, in regards to it legitimising certain modes of conflict, particularly in relation to aerial bombardment, is made in the following writings by international legal scholars: James B. Brady and Newton Garver, *Justice, Law, and Violence: Conference Entitled "Law and the Legitimation of Violence"* (Philadelphia: Temple University Press, 1991); C. A. Jochnick and R. Normand, "The Legitimation of Violence: A Critical History of the Laws of War," *Harvard International Law Journal* 35, no. 1 (1994): 49; R. Normand and C. A. Jochnick, "The Legitimation of Violence: A Critical Analysis of the Gulf War," *Harvard International Law Journal*. 35, no. 2 (1994): 345; J. M. Spaight, *Legitimate Objectives in Air Warfare* (21 BYBIL 158, 1944); Natalino Ronzitti and Gabriella Venturini, eds., *The Law of Air Warfare: Contemporary Issues*, Essential Air and Space Law vol. 1 (Utrecht: Eleven International Publishing, 2006); Christiane Wilke, "How International Law Learned to Love the Bomb: Civilians and the Regulation of Aerial Warfare in the 1920s", *Australian Feminist Law Journal* 44, no. 1 (2018), 29-47.

<sup>95</sup> We may account for the appearance of resilient populations as an effect of a technology of imposed risk, put in place, as I will come to argue from the Second World War. I discuss the concept of plastic destruction in further detail later in the chapter. This theory in relation to resilient populations is developed though the writing on bare life by Giorgio Agamben, as life that has been exposed to a state of exception that constitutes contemporary biopower of governance to imposed risk. Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life*, trans. Daniel Heller-Roazen (Stanford, CA: Stanford University Press, 1998), 31.

## ***1.2 In Conversation – Part 1: Ali at the Municipality of Haret Hreik***

*Monday 20 November 2017, 10.30am. We visit the municipality building of Haret Hreik to get approval for filming in the area, a compulsory measure for any work in the Hizb-Allah stronghold.<sup>96</sup> We walk into the cool stone building and are met with a wall of smiling male faces. After a short discussion about our purpose for being there, we're ushered into a small, smoky office, where a charismatic man sits behind a large wooden desk. His name, he tells us, is Ali, and he works for the housing department in the municipality of Haret Hreik. He clearly holds power and respect—all the men in the room quickly leave when he asks them to. He watches us intently, as I tell him about my research and what we plan to document in the area for the film I'm making.<sup>97</sup> A man brings us coffee and a glass of water, Ali lights a cigarette and asks the man to leave and close the door behind him.*

*Ali begins by making it very clear that we cannot audio record or film the conversation we're about to have, that there's to be no documentation at all.<sup>98</sup> He starts: 'my father gave my brother and myself a plot of land, he told us that we were not allowed to sell it to anyone, and that we were to build a building on it exclusively for our four brothers and their families. So we built a five-story house over the course of ten years'. He takes a deep breath, and continues: 'I was in that building during the 2006 war. When the bombardment intensified, I decided to leave to my summer house further in the south.' A pause and he continues, slowly: 'Two days after I left, the building got hit by two rockets and was totally destroyed. It broke my heart, it took such a long time to build, and so much love and sweat went into it.' I didn't understand why this man had decided to embark on such a*

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<sup>96</sup> In carrying out work on the film in Lebanon, I needed to work with a production team. Most often in these encounters I was accompanied by Vanessa Bowles, who worked on production and camera for the film. Full credits for the film can be found on the Practice Outline section on *Under Multiple Suns*. As we were not able to audio record the conversation, the recollection of what Ali told us in Arabic came from Vanessa and I recording as much detail of the meeting as possible immediately afterward.

<sup>97</sup> This conversation took place during the production of the short film *Under Multiple Suns*, more information can be found on the Practice Outline section on *Under Multiple Suns*.

<sup>98</sup> In discussing Waad, most people want to remain anonymous, in part because—as Ali mentioned—the hold Hizb-Allah has on the area. For this reason I have altered the interviewers name to Ali, which isn't his real name, for his protection. The challenges of openly documenting in the area of Waad and the sensitivity of local politics is in part why the exhibition and public program 'Points of Contact' was conceived as a space for discussion. Part of the exhibition was a discussion between Rania Stephan, who produced the documentary film *2006 Lebanon War* in the days following the catastrophic violence and Mhamed Safa, who created *50cm Slab*, an audio installation which directly engages in the violence of the 2006 war and its ongoing material and structural effects.

*personal conversation with us. No doubt the increased threat at the time of another bombardment from Israel played a small part, along with perhaps my being perceived as a caring female figure, who had expressed a wish to understand the human affect of this lived condition.*<sup>99</sup> He continues: *'After the war ended, we were promised funds from both the government and Waad. The government was to give each household 70,000 million Lebanese liras in two instalments. They were giving that fixed sum no matter what size house you'd had destroyed. I had a 7-bedroom house with a veranda. In the end it came down to a matter of trust; when comparing the promise of the Waad to the promise made by the government, we knew we could trust the Waad, so we felt we had no other choice. The new building took four years to complete. It was a very emotional process. Seeing something, built over such a long period of time, completely destroyed in a matter of days, and then to have to go through the whole process of rebuilding it again.'* He stops for a moment to light another cigarette and sip his coffee before continuing: *'I'm back in the house now, but you know, it's not the same house. What can you do? Hizb-Allah had to rebuild 250 buildings, they outsourced a lot of the work, and it had to happen very quickly. They were really keen to move the community back into the area as soon as possible. So you can't expect to have the same quality as before.'*

*He goes on to tell us about how Hizb-Allah built many underground levels across the whole redevelopment of Haret Hreik. The rebuild is engineered to shelter the community that lived there against the missiles they know Israel will use.*<sup>100</sup> He goes on to say—with no hint of sarcasm—that the underground levels are currently being used as cars parks and adds: *'This solves the car parking issues we have here too.'* There's a pause, he looks around again, seemingly to check we have no recording equipment running, and says: *'Criticising the quality of the new buildings might be interpreted as a critique of Hizb-Allah'.*

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<sup>99</sup> Reuters, "Army Chief Aoun Calls for Readiness at Israel Border | News, Lebanon News," *The Daily Star*, November 21, 2017, <http://www.dailystar.com.lb/News/Lebanon-News/2017/Nov-21/427257-army-chief-aoun-calls-for-readiness-at-israel-border.ashx>, (Last accessed July 10, 2018).

<sup>100</sup> I will go into some detail later in this chapter on the specific engineering of these missiles, and how they have come to alter the materiality of the home in Haret Hreik.



Figure 6: The Reconstruction of Haret Hreik: Design Options for Improving the Livability of the Neighborhood. Edited by Mona Fawaz and Marwan Ghandour. Haret Hreik in Beirut By Haret Hreik Task Team. An AUB-ARD Reconstruction Unit Document. 2006.

*He didn't appear to feel comfortable talking about this, but went on: 'The problem with our situation is that we can't say anything that isn't a hundred percent in line with Hizb-Allah party politics. We are very limited in our viewpoint. This probably applies to all the political parties in Lebanon, but in the end the community here always has to negotiate between Hizb-Allah and the government, there is very little space for freedom without corruption.'*

*The whole interview was conducted under the political omnipresence of the all-seeing and-hearing 'Party of God' (Hizb-Allah), and under the further shadow of threat from Israel. The 2006 war has caused the plastic destruction of this municipality, and despite every attempt to redevelop it in the image of itself; nothing can be done to reverse the damage. The area has inevitably been reformed in a different image of itself, with traces of prior destruction still tangible. The next section of the thesis will observe the colonial history of international law in the continued and ever-present threat of conflict in Lebanon. It will further argue that this history of international law needs to be reformed in order to deter the future threat of such violence.*

### **1.3 A Historic Turn in International Law**

After all, the present cannot be properly assessed, nor future projected, without an understanding of the past.<sup>101</sup>

Within the context of the law, the past recurs in the legal use of the precedent: when previous examples are brought forward to create a working legal argument. In analysing a limit condition of risk observed through armed conflict in Lebanon, a study of international law's colonial history must come into the frame.<sup>102</sup>

International legal scholars associated with Third World Approaches to International Law (TWAAIL) argue that in order to understand international law's current failings, a crucial study of the colonial and imperial historic legacy

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<sup>101</sup> R. P. Anand, *New States and International Law* (Delhi: Vikas Pub House, 1972), 5.

<sup>102</sup> Anne Orford, "The Past as Law or History? The Relevance of Imperialism for Modern International Law," *ILJ Working Paper 2012/2 (History and Theory of International Law Series)*, June 2012, 4. Other scholars that follow this argument are R. P. Anand, Yoriko Otomo, Luis Eslava, Sundhya Pahuja, B. S. Chimni, Antony Anghie, Ratna Kapure, and Vasuki Nesiah.



ingrained in international law and its practice must be undertaken.<sup>103</sup> International law's authority and legitimacy rests on its claim to operate as a universal law, capable of representing and protecting all of humanity equally. Any suggestion that it operates with any bias goes against these founding principles, and undermines its claim to universal justice. Further to this, legal theorist Anne Orford states that:

Many international legal regimes are based on the assumption that current extremes of uneven development, inequality, mass movement of peoples, civil war, food insecurity and poverty are the consequence of the inherent characteristics or failed leadership of post-colonial states, rather than the effects of a historically constructed global political and economic systems that can be challenged.<sup>104</sup>

The argument goes that instead of analysing continuity between the colonial past of international law and the contemporary multilateral legal systems that produce and exploit resilient communities, further legal frameworks are needed to educate, develop, and advance the peoples of the decolonised world to bring an end to violence.<sup>105</sup> This legal rhetoric reads as a clear parallel to the early colonial argument of a 'duty to civilise' those encountered in the colonies.<sup>106</sup> In this way the law becomes an internalised belief system, allowing some complacency with its potential failures. This process, known as the 'reification' of international law, limits the ability to analyse the injustice produced in its unequal application.<sup>107</sup> Further, it provides an iron-clad protection against any fundamental challenges to international law and the war machine inscribed by its colonial and imperial hierarchies.<sup>108</sup> My response to this argument brings forth a question: to what extent has the decolonisation of international law ever taken place? The study of a modern

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<sup>103</sup> Anne Orford, "International Law and the Limits of History," in *The Law of International Lawyers: Reading Martti Koskenniemi*, eds. Wouter Werner, Marieke de Hoon, and Alexis Galán (Cambridge, UK: Cambridge University Press, 2015), 297-320. Here, Orford outlines how Martti Koskenniemi coined the term for a 'historical turn' in international law.

<sup>104</sup> Orford, "The Past as Law or History?," 4.

<sup>105</sup> Ibid.

<sup>106</sup> This propensity of the colonial 'duty to civilize' is outlined in detail in the Introduction to this thesis.

<sup>107</sup> Jochnick and Normand, "The Legitimation of Violence," 49.

<sup>108</sup> Jochnick and Normand, "The Legitimation of Violence," 58.



history of violence in Lebanon in relation to the history of international law is itself a political act,<sup>109</sup> and provokes a methodological question in relation to the ‘historic turn’ in international law.<sup>110</sup> This chapter argues that a historical study of international law is necessary in relation to its intersection with the history of colonial violence in the Arab region, here in the case of the Allied invasion of Lebanon and Syria in 1941. The military campaign into Lebanon and Syria formed part of a developing technology of warfare legitimised by international law, which set a clear precedent for the continued use of such violent force through aerial bombardment, today and into the future.<sup>111</sup>

Theorist Yoriko Otomo makes a case for this important technological advance that takes affect from the Second World War, outlining: ‘It is we humans—particularly since the Second World War—who have created technologies that pose systemic, unpredictable, uncertain, and infinite risks, unbounded in time and space’.<sup>112</sup> As entire populations were mobilised in support of the war effort, the blurring lines between combatant and civilian, taking place for the first time, risks the civilian claim to immunity.<sup>113</sup> The Hague Convention in 1907 endorsed ‘military necessity’ without any substantive limitations, meaning that the ‘laws of war’ only restricted belligerents to act in accord with their own military self-interest.<sup>114</sup> This elasticity meant that belligerents could legally justify

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<sup>109</sup> Studying and telling this modern history of violence in Lebanon is a political act, as the study of history itself in Lebanon is politicised. For example, following the end of the Lebanese Civil War, each of the political parties involved in the war, wrote their own version of events and these simultaneous and different histories are taught in the different schools in Lebanon depending on their political orientation. In relation to the modern history of violence in Lebanon since the Allied invasion in 1941, the Allied forces have made all attempts to suppress any detailed information about these events, which makes my telling of this history a political act in itself.

<sup>110</sup> Orford, “International Law and the Limits of History,” 14.

<sup>111</sup> This is seen further in the neo-colonial move to modernise the region and the newly formed Lebanese nation state in 1943, which I will come to explain in more detail later in this chapter.

<sup>112</sup> Here, Yoriko Otomo describes the terms of ‘unconditional life’ through the demand that Japan and Germany surrender unconditionally after the Second World War. This unconditionality included total military and economic submission to the terms of a new global society understood through international law. Yoriko Otomo, *Unconditional Life: The Postwar International Law Settlement* (Oxford: Oxford University Press, 2016), 1.

<sup>113</sup> I argue this early blurring of the line between combatant and civilian is an extension of the argument of human shielding, which operates as part of Israel’s directed threat to Hizb-Allah in Lebanon and Hamas in Palestine. Israel argues both political parties are using its people and their homes as a human shield, threatening Israeli national security and giving good reason to launch violent attacks. This is discussed in more detail later in this chapter, particularly in relation to the weaponising of homes.

<sup>114</sup> A belligerent is a term recognised in international law as an individual, group, state, or other entity that acts in a hostile manner, such as engaging in combat. It is rooted in the Latin meaning of the ‘one who wages war’.

nearly any conduct of violence during warfare.<sup>115</sup> Military necessity essentially is the argument for placing the lives and bodies of the enemy civilian in a greater position of risk, and mortal threat, for the benefit and protection of the attacking belligerents. In case of the Allied invasion of Lebanon and Syria in 1941, this conflict took place for the benefit of Allied control over natural resources in the Arab region. As it was possible that if the Allied forces hadn't gained control over the Arab region, then perhaps the Axis forces might have won the Second World War, thus making the invasion a 'military necessity'.

However what this thesis argues is that the method by which these two foreign forces fought in and won control over this territory has had long term and continuing effects that need to be scrutinized and accounted for. This is as parts of the Arab region continue to face a future of violent warfare, in part, as a result of this early colonial involvement and intervention.<sup>116</sup>

In writing on international law and the international development project, legal theorist Luis Eslava also points to the importance of the Second World War period in regards to the unequal application of this technology. In particular, Eslava focuses on the Nuremberg Trials, the war crimes tribunal for the Second World War, which left the widespread use of aerial bombardment undertaken by both belligerent forces unpunished as a criminal act.<sup>117</sup> It is argued that this oversight in regards to the criminalisation of aerial bombardment in the Nuremberg Trials was as a result of the trials being led and influenced by the Allied forces, who themselves did not want any legal scrutiny into their own violent actions. In so doing, the tribunal set a precedent for lending further legitimacy to the use of aerial bombardment.<sup>118</sup> In her account of the Nuremberg Trials, journalist Rebecca West predicts the significance of this moment in the evolution of the technology of war:

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<sup>115</sup> To a degree this argument is also made in Peter Sloterdijk, *Terror from the Air*, trans. Amy Patton and Steve Corcoran, Semiotext(e) Foreign Agents Series (Los Angeles: Semiotexte, 2009). W. G. Sebald, *On the Natural History of Destruction*, trans. by Anthea Bell. (London: Notting Hill Editions, 2012).

<sup>116</sup> The polarized discourse in relation to the Axis and Allied forces warring at this time needs to be put aside to allow for a more nuanced discussion on the ongoing effects of violence perpetrated by both belligerent sides.

<sup>117</sup> This argument applies to all aerial warfare carried out during this period, including the use of nuclear bombs in Hiroshima and Nagasaki. Jochnick and Normand, "The Legitimation of Violence," 49. As this thesis is written from a subjective experience of total war, this thesis's definition of aerial bombardment includes all aerial warfare, including all regulated missiles, nuclear missiles, drones, automotive missiles as part of the same lethal technology of killing.

<sup>118</sup> *Ibid*, 94.

A machine was running down, a great machine, the greatest machine that has ever been created: the war machine, [...] There was another machine which was warming up: the peace machine by which mankind lives its life, [...] All over the world people were sick with impatience because they were bound to the machine that was running down, and they wanted to be numbered among the operators of the machine that was warming up.<sup>119</sup>

The refusal to condemn such air attacks at the Nuremberg trial underscores international law's capacity to legitimise (rather than to restrict) the continuation of such violence today. Following the Nuremberg trial, air power entered the post-war period, free of all constraints, save those imposed by its own technological and economic restrictions. Aside from the law, the conduct of warfare had long been limited by technological and economic factors, outlined in the military concept of the 'economy of force', of which arguably the 'law of proportionality is simply a legal restatement'.<sup>120</sup> This oversight with regards to airpower established Nuremberg's unfortunate legacy of legitimising the unrestrained conduct of this violence today.<sup>121</sup>

Eslava further argues that the impact of this history of international law is produced in terms of the creation of nation-states out of former colonies and the expansion of a global capitalist order, leading to the 'consolidation of today's multiple global regimes of governance'.<sup>122</sup> He alludes to the invisibility of international law's historic effects that lurk 'behind much of the violence experienced in our unequal and still-violent present'.<sup>123</sup> The Lebanese Civil War is not usually framed through the preceding period of the mandate, but it is widely known that this war was fuelled, armed, and funded internationally. In relation to

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<sup>119</sup> Rebecca West, *A Train of Powder: Accounts of criminal cases, including the Nuremberg trials* (London: Macmillan & Co, 1955), 65. Also, Tom Krever writes critically on the way that the Nuremberg Trials did not hold both sides accountable for the extreme violence of the Second World War, and further questions the trials claim of international legal justice. "Tor Krever: Dispensing Global Justice," *New Left Review* 85 (January-February 2014).

<sup>120</sup> The 'economy of force' used by powerful states like the US and Israel underlines an argument for economic restraint to be applied through international laws. Jochnick and Normand, "The Legitimation of Violence," 54.

<sup>121</sup> Jochnick and Normand, "The Legitimation of Violence."

<sup>122</sup> Luis Eslava, "The Materiality of International Law: Violence, History and Joe Sacco's *The Great War*," *London Review of International Law* 5, no. 1 (March 2017): 58.

<sup>123</sup> Eslava, "The Materiality of International Law," 51.

the legal framing of civil wars, Eslava explains:

As the 'nation-state' form took hold across the globe, [...] local populations came to be ever more subject to (economic and political) 'national' interests and 'international' pressures. This situation, especially from WWII onwards, transformed warfare and its technologies of killing into an increasingly internal affair. Less 'international' but perhaps more chronic and systemic, internal wars categorised now as 'mere' civil wars-have become a key marker of our present world.<sup>124</sup>

By not criminalising the widespread use of aerial bombardment during the Second World War, a precedent was set for the continued use of such violent force, which has now become an almost uncontrollable problem across the contemporary Arab region.<sup>125</sup>

We can trace the history of international law's failure to protect or deter violence in Lebanon to before the World Wars, back to 1912 and the Tripolitan War. Two Turkish warships named the *Awnullah* and the *Ankara* had stopped at the Port of Beirut. The Italians followed and on the morning of 24 February, three more warships—the *Garibaldi*, *Ferruccio*, and *Varese*—arrived. Having challenged the Turkish warships to surrender with no answer, the Italians opened fire and engaged the Turkish ships in battle. After some resistance, the Turkish ships surrendered and the *Ankara* was sunk (see Figure 5). In the backdrop of this battle was the town of Beirut. The 'misdirected fire from the Italian squadron [had] killed and wounded a large number of civilians' along with many buildings in the harbour.<sup>126</sup>

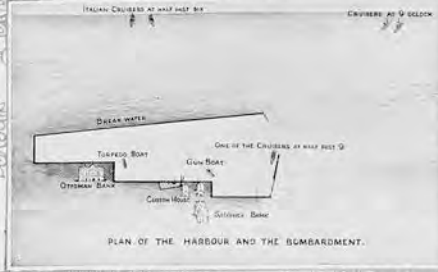
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<sup>124</sup> Eslava, "The Materiality of International Law," 60.

<sup>125</sup> This can be seen currently taking effect in Iraq, Syria, Palestine, Afghanistan, and Yemen. As the rest of this chapter will come to show, this is a continued daily threat in the context of Lebanon.

<sup>126</sup> J. M. Spaight, *Air Power and the Cities* (London: Longmans, Green and Co, 1930), 75.

INEVITABLE AS BREAKING WINDOWS WHEN SHELLING TRAFALGAR SQUARE.  
SCENES IN BEIRUT AFTER THE ITALIAN BOMBARDMENT OF TURKISH WAR-SHIPS.



1. AFTER THE SECOND BOMBARDMENT AN ITALIAN WAR-VESSEL LEAVING THE PORT OF BEIRUT.  
2. THE WHICH DISCUSSED ACTION, A PLAN OF BEIRUT HARBOR AND THE BOMBARDMENT OF TURKISH VESSELS BY ITALY.  
3. DAMAGED BY SHELL-FIRE, THE BANK OF SALONICA, BEHIND THE CUSTOM HOUSE, BEIRUT.  
In our last issue we illustrated the recent naval incident at Beirut, when two Italian cruisers, the "Giribaldi" and the "Ferruccio," sank the Turkish gun-boat "Awat-Ilah," and the Turkish torpedo-boat "Angora" in the harbour there. We now give further photographs showing the effect of the Italian fire, not only on the Turkish vessels, but on the adjacent buildings and shipping. In his dispatch to Rome the Italian commander, Admiral

4. WHERE TEN OR FIFTEEN WERE KILLED BY A STRAY SHELL—A SCENE IN BEIRUT, AFTER THE FIRST BOMBARDMENT.  
5. THE RESULT OF ITALIAN SHELL-FIRE AIMED AT TURKISH WAR-SHIPS: THE DAMAGED IMPERIAL OTTOMAN BANK, BEIRUT.  
6. HIT BY ITALIAN SHELLS AIMED AT TURKISH WAR-SHIPS: THE NEW CUSTOM HOUSE, BEIRUT.  
Farwell, said: "An absolute denial should be given to the report that the town of Beirut was bombarded." No one questions the Admiral's denial that the bombardment was directed at the town, but, as our photographs show, the results to some of the buildings were much the same as if this had been the case, and a number of people were killed on the quays.—  
[Continued opposite.]

Figure 7: Destruction to the Port of Beirut after bombardment by Italian Forces, as reported in the *Illustrated London News* on 16 March 1912. Located at the British Library.

The Italian forces declared that the damage caused to the town was unintentional, and appealed to the terms of Article 2 of the 1907 Hague Convention, which stated that a naval commander is not answerable for unintentional damage caused by the bombardment. The Turkish Government protested against this violation of the Hague Convention to no end, as Article 2 allows specifically for the bombardment of ‘men-of-war in the harbour’ in an undefended town or state.

Therefore no accountability was incurred for damage or lives lost in the Port of Beirut, a perfect example of how even before the World Wars, international laws were being manipulated to legitimise violence.<sup>127</sup> Nation states present at the 1907 Hague Convention were concerned with protecting their own military self interests, particularly as airpower was a new burgeoning technology at the time, and known to have much military potential.<sup>128</sup> Their refusal to provide concrete limitations, particularly in regards to aerial bombardment seen under Article 25, meant political and military leaders could use a legal, humanitarian rhetoric to justify their wartime conduct.<sup>129</sup> The scope of permissible violence under an elastic definition of military necessity predictably justified the relentless bombing campaigns that took place during the Second World War, and still take place now.

There is a critical unspoken assumption that gives rhetorical power to the idea of a legal war, specifically that a legal war is more humane than an illegal war.<sup>130</sup> However, examination of the historical development of these laws reveals that, despite attempts to the contrary, the laws of war were formulated to privilege military necessity—and state violence—at the cost of humanitarian values. The evolution of internationalism in relation to aerial bombardment presents critical opportunities and obstacles for those seeking to reform belligerent attacks.<sup>131</sup> Still, the power struggles that produced the laws on war in the past are inscribed in the legal and political framework within which future wars threaten to be fought.<sup>132</sup>

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<sup>127</sup> Eyal Weizman, “Lawfare in Gaza: Legislative Attack,” *openDemocracy*, <http://www.opendemocracy.net/article/legislative-attack> (last accessed June 23, 2016).

<sup>128</sup> Normand and Jochnick, “The Legitimation of Violence,” 83.

<sup>129</sup> Jochnick and Normand, “The Legitimation of Violence,” 76. I ask can this humanitarian rhetoric be retrieved from its mobilisation by states to sanction wartime violence?

<sup>130</sup> Normand and Jochnick, “The Legitimation of Violence”; Brady and Garver, *Justice, Law, and Violence*.

<sup>131</sup> On 15 May 2009, a Manual on International Law, Applicable to Air and Missile Warfare, was agreed in Bern; “International Law on the Bombing of Civilians,” n.d., <http://www.dannen.com/decision/int-law.html>.

<sup>132</sup> Jochnick and Normand, “The Legitimation of Violence,” 95.

Regardless of whether or not the reluctance to criminalise aerial bombardment was based on the Allied forces' unwillingness to face legal scrutiny, the Nuremberg tribunal's refusal to prosecute the massacre of civilians through air attacks lent further legitimacy to the targeting of enemy civilian populations.<sup>133</sup> This cannot be more unfortunately understood than in the horrific and unprecedented atomic bombardment of Hiroshima and Nagasaki by the Allied forces, which according to the Nuremberg trials was legitimate in so far as it was aimed at inducing military surrender.<sup>134</sup> To this day the way that international law operates in relation to aerial bombardment makes restricting such action very difficult, as this violence is easily legitimised by powerful states as a military necessity.<sup>135</sup> The precedent set following the Second World War continues to produce a technology of violence that is perceived by the innocent civilian in most circumstances as an uncontrollable risk.<sup>136</sup>

#### **1.4 Engineering Shelter and Resilient Populations**

On 11 May 1940, Winston Churchill gave the order to the British Royal Air Force (RAF) to pre-emptively strike Dresden.<sup>137</sup> He understood that these instructions would inevitably bring a retaliatory air strike from Germany, bringing about the start of Second World War. He chose to sacrifice the safety of British and German civilians to begin the war in a position of strength.<sup>138</sup> Unsurprisingly, Churchill's choice to strike Germany first wasn't made public, as his advisors believed that it might have a negative impact on public opinion.<sup>139</sup> In the pre-emptive airstrikes on Germany, Churchill set a precedent for 'morale bombing', a practice of aerial bombardment designed to break the 'morale' of the enemy civilian. This strategy

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<sup>133</sup> Ibid., 94.

<sup>134</sup> This testimonial by Hiroshima bombing survivor and activist Setsuko Thurlow controversially argues against the legal legitimacy of the Hiroshima bombing. "Instead of Helping Nuclear Bomb Survivors, US Studied Us like Guinea Pigs – Hiroshima Survivor," *RT International*, August 3, 2018, <https://www.rt.com/shows/sophieco/434984-hiroshima-nagasaki-bombing-survivor> (last accessed August 7, 2018).

<sup>135</sup> Normand and Jochnick, "The Legitimation of Violence"; Brady and Garver, *Justice, Law, and Violence*; Ronzitti and Venturini, *The Law of Air Warfare*.

<sup>136</sup> Normand and Jochnick, "The Legitimation of Violence," 409.

<sup>137</sup> J. M. Spaight, *Bombing Vindicated* (London: Geoffrey Bles, 1944), 66.

<sup>138</sup> Sven Lindqvist describes Churchill's early use of the pre-emptive strategy in *A History of Bombing*, trans. Linda Haverty Rugg (London: Granta Books, 2012), 5. The pre-emptive strategy was used during the Bush Doctrine in the US, and has been written about further by Brian Massumi, "Potential Politics and the Primacy of Preemption," *Theory and Event* 10, no. 2 (2007).

<sup>139</sup> Spaight, *Bombing Vindicated*, 66.

would be carried out on the grounds of military necessity.<sup>140</sup> The international laws on war that were passed at the 1907 Hague convention provided a hollow rationale for the use of ‘morale bombing’, legitimising the death of civilians through aerial bombardment.<sup>141</sup>

During the First World War, bombing was restricted to strategic targets that were judged to have the greatest economic and infrastructural impact on the military capacity of the enemy. However, by the Second World War, aerial bombardment had become a more widespread method for affecting innocent civilians and their lived environments.<sup>142</sup> In the secret pre-emptive strike ordered by Churchill to begin the Second World War, he instilled the notion that the threat of retaliation from Germany was beyond British control. To provide shelter and security and to protect civilian lives under the threat of aerial bombardment, the British Government established the Ministry of Home Security—a ministry devoted to a mode of governance that extends into the materiality of the domestic spaces: the ‘Home Front’.

This in turn produced resilient populations and communities that could be subjected to a higher degree of suffering through an imposition of risk. By this process, the object of risk becomes militarised as the engineered distribution of violent force governs and subjugates the resilient population. This process, still in effect today, does not entail preventing the threat to the community. Instead, it enables the population to ‘cope’ with that threat. In his deceptive first use of aerial bombardment, Churchill distanced himself from any responsibility, instead using Germany’s counter-action to produce resilient populations who would not question the ethics or reasons for the war, or its methods of operation.

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<sup>140</sup> ‘Morale bombing’ is also a strategy which was utilised as a legal parameter to legitimise the violence of widespread aerial bombardment in the Gulf War. It is estimated that 100,000 Iraqi deaths occurred during the Gulf War as a result of coalition bombardment. The Gulf War is understood to be the most ‘legal’ of modern wars, as it adhered to international law particularly in the use of new technologies of targeting to legitimise civilian casualties through military necessity. This is described in detail in Normand and Jochnick, “The Legitimation of Violence.”

<sup>141</sup> Normand and Jochnick, “The Legitimation of Violence,” 85.

<sup>142</sup> The entrance of the innocent civilian onto the battlefield at this time, transformed human rights, as it became increasingly necessary to protect the civilian from the action or inaction of the state. Samuel Moyn, *The Last Utopia: Human Rights in History* (Cambridge, MA: Belknap Press, 2012). In Moyn’s more recent writing on human rights, he questions the failure of human rights in an unequal world; Samuel Moyn, *Not Enough: Human Rights in an Unequal World* (Cambridge, MA: Harvard University Press, 2018).





The new in-door "table shelter" announced by the Minister of Home Security in the House today.



Indoor Air Raid Shelter. Tests carried out by the Research and Experimental Department. Flat-topped shelter Type T. This shelter was first tested by dropping a heavy block of concrete weighing 350 lbs from a height of 6 ft above the top. The flat top was only dented. The shelter was then subjected to a second test in which a floor weighing 1,800 lbs and pivoted at one side was dropped 6 ft 6 inches and with a swinging action so that it struck one top edge of the shelter as it fell, simulating the manner in which the floor of house usually collapses. The steel angle at the top edge was bent.

Figure 8: Before and after images of an experiment carried out on the Morrison Shelter by the Ministry of Home Security in the UK, 1943. Copyright and courtesy of the Imperial War Museum.

Resilient populations are produced through state-perpetrated violence and are forced to live under a condition of increased threat as access to shelter is prescribed according to economic, social, and racial standing.

Many examples of proposed shelter from aerial bombardment appeared in the United Kingdom during this time. In 1941, the British Ministry of Home Security began recommending the use of an indoor table shelter, otherwise known as the Morrison shelter.<sup>143</sup> The Morrison shelter, designed by Professor Sir John Baker and named after Herbert Morrison, the Minister of Home Security in Britain at that time, was an indoor, cage-like structure recommended for use during aerial bombing. The Morrison shelter was provided free to households whose combined income was less than 400 pounds per year. The indoor, table-like shelter was distributed as a self-assembly kit with instructions on where to place it and how to build the 6-foot 6-inch long by 4-foot wide structure. Consisting of approximately 359 pieces—including a 3-millimeter steel top sheet and wire mesh sides—it was constructed using three tools supplied as part of the distributed pack. Over half a million of these shelters were sent to low income households across the UK by 1943, designed according to the principle that:

It was impractical to produce a design for mass production that could withstand a direct hit, and so it was a matter of selecting a suitable design target that would save lives in *many* cases of blast damage to bombed houses.<sup>144</sup>

The two images shown in Figure 8 were included in a public announcement recommending the use of the shelter. As the widespread use of aerial bombing entered the battleground for the first time, the image of domestic space began to be appropriated by the state in relation to notions of home security. The first image shows a civilian couple, apparently sleeping comfortably inside the shelter, whilst the second image presents the table shelter after a simulation of a level of violent force similar to aerial bombardment. These images were not designed to reach the

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<sup>143</sup> As part of my practice I re-enacted the experiment outlined in the archival images, this process and how it relates to the thesis project is described in greater detail in Chapter 3 and in the Practice Outline section of *Engineering Shelter*. Helene Kazan 'Engineering Shelter' *Ibraaz*, <http://www.ibraaz.org/projects/116> (last accessed 10 March 2018).

<sup>144</sup> From a lecture by Professor Sir John Baker on the principles of the design of the Morrison shelter at Cambridge University, 1946 (emphasis added).

wealthy or upper class, but were aimed at the lower classes for whom the shelter was designed.<sup>145</sup> Alongside one another, the ‘before and after images’ form a visual relationship testifying to the effectiveness of the shelter. As the scientific experiment confirms the safety that this material apparatus provides, the images also create a vivid description for the public imagination of the extremity of the violence that could take place during an attack.

Through the experiment, the government attempts to validate the newly recommended shelter by quantifying and simulating violence within the domestic space.<sup>146</sup> Yet through the ‘before and after’ images, an imaginary third image is generated between them, a missing snapshot as it were, of the potential experience of the worst. These images are employed in a mode of visual communication that goes beyond the stated facts in two seemingly contradictory directions. This public announcement simultaneously encourages an increased sense of danger in stating the potential violence that may take place, as well as the sense of the security the table shelter can afford—therefore both constructing and deconstructing the image of the home as a site of security. Whether intended to enhance fear or to reassure, the simultaneous projection of an image of security and insecurity into the public imagination coincides with a particular extension of governance into the materiality of the domestic environment.<sup>147</sup> The government promotion of the indoor table shelter raises questions not only about the truth claim of public information, but of its real function. The use of the threat of war to extend governance into the domestic setting can be viewed as a biopolitical application of governmentality as understood by Foucault.<sup>148</sup> This threat of war serves to subject and engage the citizen, in their day-to-day encounter of this risk, to a mode of governance that absorbs and manipulates this day-to-day experience.<sup>149</sup>

As scientific adviser to the Design and Development Section of the

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<sup>145</sup> It can also be argued that the precarious subject in international law was produced through a specific framing of gender, this is argued in Emily Jones, Sara Kendall, and Yoriko Otomo, “Gender, War, and Technology: Peace and Armed Conflict in the Twenty-First Century,” *Australian Feminist Law Journal* 44, no. 1, 1-8.

<sup>146</sup> Ines Weizman and Eyal Weizman, “Before and After” in *Forensis: The Architecture of Public Truth*, ed. Forensic Architecture (Berlin: Sternberg Press, 2014), 109.

<sup>147</sup> Keller Easterling, *Extrastatecraft: The Power of Infrastructure Space* (London: Verso, 2014).

<sup>148</sup> Michel Foucault, *The Birth of Biopolitics: Lectures At The Collège de France 1978-1979*, ed. Michel Senellart, trans. Graham Burchell (London: Palgrave Macmillan, 2008)

<sup>149</sup> Thomas F. Tierney, review of *Security, Territory, Population: Lectures at the Collège de France, 1977-78*, by Michel Foucault, ed. Michel Senellart, trans. Graham Burchell, *Foucault Studies*, no. 5 (2008): 90–100.

Ministry of Home Security, Professor Sir John Baker designed the Morrison Shelter using his newly developed theory of plastic structural analysis.<sup>150</sup> This enabled a greater application of the use of steel in his design of the shelter.<sup>151</sup> However, when the Morrison shelter was mass-produced and distributed, the theory that its safety was based on was entirely new and untested.<sup>152</sup> At least half a million households, most of which were low income, were subjected to a higher threshold of risk through the engineering of the Morrison shelter.<sup>153</sup> In the case of an indirect strike, the shelters were purposefully designed to squash down plastically by up to 12 inches. Statistics published by the government, which observed 44 damaged households, found that 3 people had been killed, 13 seriously injured, and 16 slightly injured out of a total of 136 people who had occupied the shelters. The government report goes on to say that the fatalities were a result of the shelters' having been installed incorrectly in the homes.<sup>154</sup>

This example traces an early genealogy of engineering shelter for use under conditions of threat. It also reflects how emergency shelter is often formed through a set of political and economic conditions, rather than as a response to what is actually needed to provide safety. That the Morrison shelter was recommended as a safety measure, I argue, reveals the extent to which the expected resilience of populations operated as a practice of governance. What is visible in the design of this shelter is the logic of the colonial mind; threshold engineering is what frames the philosophical adequacy of placing the bodies of those of a lower economic standing in a position of greater threat. The argument here is that the potential crime occurs in the intentional use of an inadequate material structure while knowing that under a direct impact it will inevitably fail. However, it is incorrect to call the engineer the criminal for extending the margin of threat for the civilian—the crime is not in building the imperfect shelter, but in the production of war and the adoption of such strategies of destruction in the first place.

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<sup>150</sup> In 1943 Professor Sir John Baker was made Head of the Engineering Department at Cambridge University, knighted in 1961, and made a life peer in 1977.

<sup>151</sup> National Archives, "Shelters: Why Where So Many Shelters Built During 1939-1941?," Learning Curve Exhibition: Home Front. (Last accessed 15 April 2014)

<sup>152</sup> It was not until 1943 that the theory was implemented for the first time, in the design of the Cambridge University Engineering Department, of which Baker was appointed Professor of Mechanical Sciences.

<sup>153</sup> I will come to explain later in the chapter how this structural inequality and violence is analogous to what takes place in Lebanon at the same point in history.

<sup>154</sup> "Examination of the effectiveness of the Morrison shelter" [www.learningcurve.gov.uk](http://www.learningcurve.gov.uk) (Last accessed 15 April 2014).



Figure 9: Home destroyed by bomb blast, London, 1943. Copyright and courtesy of the Imperial War Museum.

When critiquing measures of resilience, we have to be careful not to give in to its logic. Increasing resilience might increase the propensity for war. In the widespread use of aerial bombardment, we see the birth of resilient populations established through a discursive international ‘humanitarian’ legal framework coupled with architectural techniques of governance.<sup>155</sup>

To what extent can the need for shelter, in particular, the need for shelter under threat, be viewed as the spatialisation of international law? International law is not merely an abstraction but, I argue here, is materialised in the form of the emergency shelter. If we start from this spatialised condition, how can we conceive of international law’s affective qualities? In international law’s incapacity to protect civilians, access to shelter comes as a result of political and economic conditions, determined not only by class, but also by race—as I will come to explain through my analysis of how this condition leads to the subjugation of the racialised Lebanese citizen in the context of Lebanon. This idea of safety offers us a lens for understanding ongoing, internationally-enabled violence today. In thinking through the human bodily experience of such a limit condition of threat, what phenomenological quality of international law does this condition point to, as civilians of a certain class or race continue to be forced into conditions where they are unable to take shelter against the threat of violent conflict? Could this ever be reformed through international law? The example of the Morrison shelter demands that we ask: Why is the prospect of shelter-against-threat in the hands of architecture? Further, why hasn’t international law taken up its capacity and responsibility to provide this protection instead?

## **1.5 Oil and the War Machine**

In my analysis of the engineering of shelter in Britain during the Second World War, I draw a comparison between the engineered destruction or accident in aerial bombardment and its impact on innocent civilians, particularly in low-income households, through the architecture of their lived-built environment.

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<sup>155</sup> Chris Zebrowski “Biopolitics of Resilience,” Keele University, <https://www.keele.ac.uk/cgs/researchprojects/bioliticsofresilience> (last accessed February 15, 2016).



Figure 10: Bombardment of oil tankers on the coast of Beirut by British RAF during the Allied invasion of Lebanon in 1941. Image credit the Imperial War Museum.



Figure 11: Bombardment of a house in Damascus, Syria, during the Allied invasion of Syria in 1941. Located in the Spears Archive at the Middle East Centre.



By articulating the relationship between the designed impact of aerial bombardment and its material counterpoint in the bomb shelter, I also present a mode of governance that is produced through a limit condition of risk.

Having invaded Iraq in May 1941 to secure its oil refineries, the Allied forces occupied the entirety of Iraq after only a month of fighting. Unsettled by German aircrafts refuelling at Syrian airbases during the conflict, Churchill ordered an armed intervention into Lebanon and Syria.

‘Operation Exporter’, as the Syria and Lebanon campaign was named, was the Allied invasion of Vichy French-controlled territories between June and July 1941.<sup>156</sup> Following in-depth fieldwork in Lebanon, the lack of research into the effects of what took place in Lebanon and Syria during this period has become increasingly apparent. It is therefore important to narrate this longer history of violence in order to understand its impact in the Arab region. Moreover, it enables us to understand the wider significance of the global precedent that was set during the Second World War for the way that conflict is fought today—and threatens to be fought in the future—as it is legitimised through international law.

On 3 September 1940, Churchill wrote that, aside from the potential invasion of the British Isles, the other major theatre of operations for the Second World War would be the Middle East. In summing up the reason for its importance, J. B. Glubb, the British Commanding Officer of the Arab Legion at the time, writes:

Iraq and Iran and Arabia contain the last great oil-producing areas of the world: and are vital to the Empire. It is necessary therefore to secure our wells, pipelines and refineries.<sup>157</sup>

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<sup>156</sup> Further references include N. E. Bou-Nacklie, “The 1941 Invasion of Syria and Lebanon: Role of Local Paramilitary,” *Middle Eastern Studies*, 30, no. 3 (1994); Meir Zamir, *The Secret Anglo-French War in the Middle East: Intelligence and Decolonization, 1940-1948*, Routledge Studies in Middle Eastern History (London: Routledge, 2014); Aboul-Enein Basil Aboul-Enein and Youssef Aboul-Enein, *The Secret War for the Middle East: The Influence of Axis and Allied Intelligence Operations During World War II* (Annapolis: Naval Institute Press, 2013); Robert Lyman, *Iraq 1941: The Anglo-Iraqi War*, Osprey’s Battles of World War II, Book 7 (London: Hothouse Developments, 2009); Sir Edward Spears, *Fulfilment of a Mission: The Spears Mission to Syria and Lebanon, 1941-1944* (Hamden, CT: Archon Books, 1977).

<sup>157</sup> J. B. Glubb British Commanding Officer of the Arab Legion, “Top Secret: Note on Post-War Settlements in the Middle East” (British Government Report), 1942, Box 3, File 5. GB165-0269, Sir Edward Spears Collection at the General Spears Archive, Middle Eastern Centre, Oxford University.

The further strategic importance of the region was outlined at the time in ‘A Political Essay on Syria and Lebanon’, written by historian Albert Hourani:

Such interest as Great Britain possessed in Syria and Lebanon springs from her position first as a Mediterranean Power and secondly as the Western Power having the closest connection with a great part of the Arab world. An unfriendly Power in possession of naval, military and air bases in Syria or Lebanon would have been able to threaten the key points of the British strategic system in the Eastern Mediterranean: the naval bases at Haifa and Alexandria, the Suez Canal, the air and land routes from the Mediterranean to the Persian Gulf, the oil-wells of Iraq and Persia and the pipe-line from Kirkuk and Haifa.<sup>158</sup>

After the fall of France in 1940, Britain’s control over its parts of the Arab region became insecure, as French authorities in Lebanon and Syria had aligned themselves with the new Vichy government. Concern grew that the Vichy French authorities operating in Iraq, Syria, and Lebanon were collaborating with the Nazi regime, and therefore slowly gaining control over Allied oil supplies coming from ‘Iraq, Iran and Arabia’.<sup>159</sup> The vast mechanisation of war operations during the Second World War meant the need for fuel began to distort the conflict’s initial rationale. Control of oil extraction in the Arab region became of great military importance, and thus became the cause of war in the region.

The general attitude of the Lebanese and Syrian population at the time of the Allied invasion was one of genuine fear and apathy.<sup>160</sup> Mostly, there was apprehension that the experience of the First World War, with its famine and disease, would be repeated.

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<sup>158</sup> Albert Habib Hourani, *Syria and Lebanon: A Political Essay* (Oxford: Oxford University Press, 1946), 101.

<sup>159</sup> Interestingly, one of the key military sources I used to research these events notes that the Vichy armies were consuming at this stage on average 200,000 litres (about 52,834 gallons) of fuel per day. Access to this fuel had been negotiated through the transport of seven trainloads from storage in Turkey through Greece. Aboul-Enein and Aboul-Enein, *The Secret War for the Middle East*, 95.

<sup>160</sup> Hourani, *Syria and Lebanon*, 230.

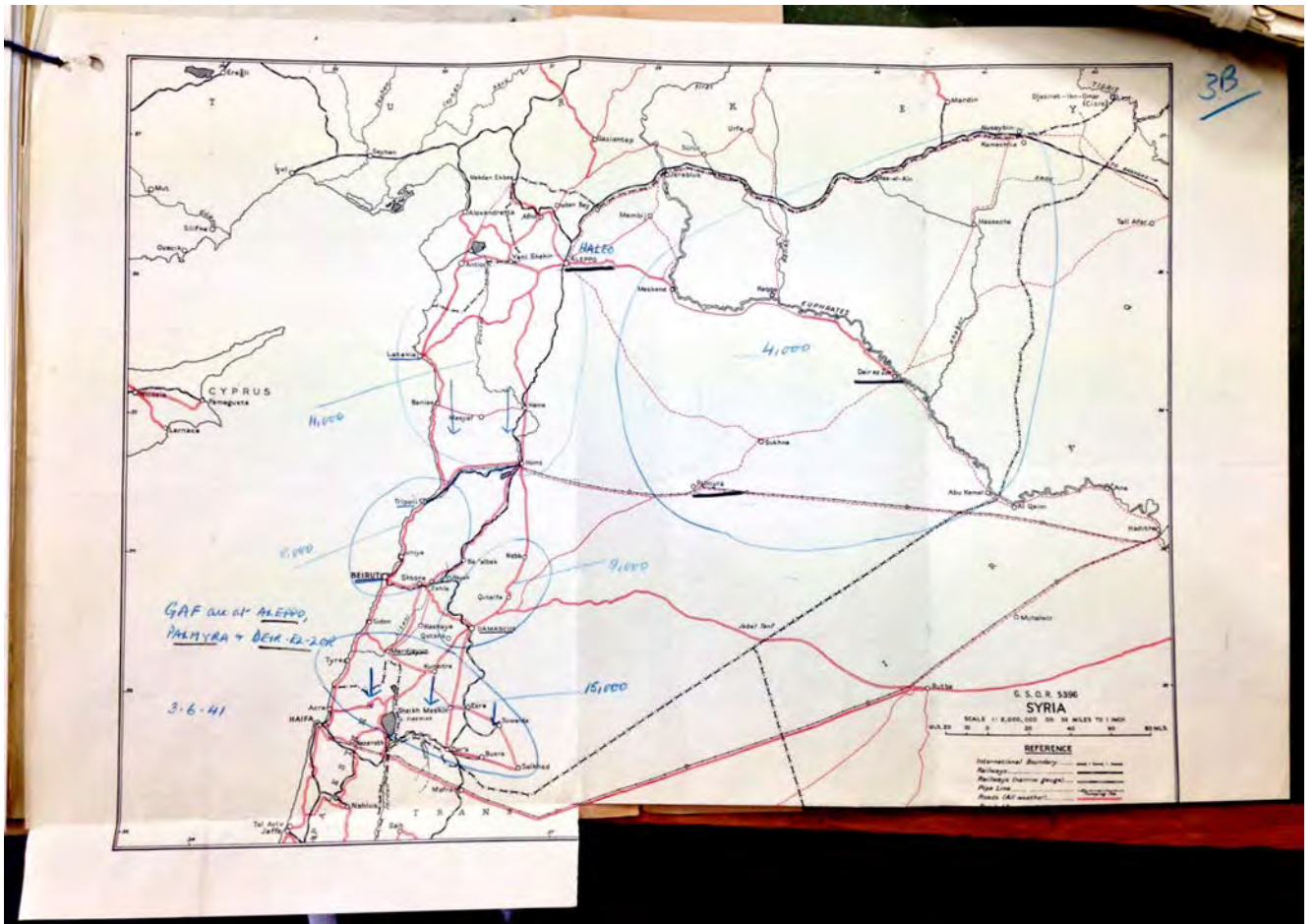


Figure 12: British map of war operations carried out in Lebanon and Syria during Operation Exporter. Drawn onto the map is the number of forces and the direction of the attack strategy. Located in the National Archives.

There was consensus at that time that even if both the Allied and Axis forces might invoke the noblest of principles to justify the violence of war, in reality both sides were operating equally in their own self-interest, as two foreign forces fighting for the control of natural resources in the territory.<sup>161</sup> The tension in relation to this observation came to a head in early 1941, as strikes and demonstrations took place across Syria and Lebanon against the sanctions that the British had put on food imports and trade.<sup>162</sup>

To legitimise the military necessity of the invasion and to alleviate growing tension on the ground, the Free French Army, with the support of the British, promised independence for Syria and Lebanon. On the morning of the invasion, the Free French leader General Georges Catroux declared:

The British Government in agreement with the Free French has promised to grant you all the advantages enjoyed by the free countries, which are associated with them. The blockade will be lifted and you will enter into immediate relations with the sterling bloc, which will give you enormous advantages from the point of view of your imports and exports. You will be able to buy and sell freely with all the free countries.<sup>163</sup>

The conflict between foreign forces for control over the territory placed little value on the civilian lives affected by the violence. In response to these events, Albert Hourani writes of how Western ideas at this time:

preached and practiced a new view of human relationships; based upon an undreamed of mechanical power and unknown economic organisation; it was prosperous and unimaginably strong. In these aspects it was to be feared as a force of

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<sup>161</sup> Ibid., 231.

<sup>162</sup> John P. Spagnolo, *Problems of the Modern Middle East in Historical Perspective: Essays in Honour of Albert Hourani* (Middle East Centre, St. Antony's College, Oxford, 1996), 231.

<sup>163</sup> Official statement made by the Free French with the support of the British on the morning of the Allied Invasion into Lebanon and Syria in 1941, which includes the promise of granting independence, released in 1941. Box 1A, File 1. GB165-0269, Sir Edward Spears Collection at the General Spears Archive, Middle Eastern Centre, Oxford University.

oppression and destruction, but also prosperity and strength.<sup>164</sup>

In the Allied invasion of Lebanon and Syria, a three-pronged attack was planned. Beirut, Rayaq, and Damascus would be targeted, with possible raids on Tripoli in Lebanon and Homs in Syria. The British also agreed to join forces with the Free French Army that had formed in opposition to the Vichy French.

In this coalition, Britain promised as much military and air support as the Allied forces could provide. General Archibald Wavell, who was the Allied Commander in Chief of the Middle East, then gathered the largest possible force to occupy Syria and Lebanon. The Allied ground forces were made up of 8,000 troops from the Australian Corps, 9,000 from the British Army, 5,000 from the Free French Army, and 2,000 British Indian troops. The RAF would comprise 12 Fulmar, 17 Swordfish, four Albacore, and 28 other Allied aircrafts operating from Palestine and Cyprus.<sup>165</sup> The Vichy forces were made up of 18 battalions and 90 tanks in total, and 35,000 men, including 2,000 horsemen and motorized infantry with armoured cars. By the end of May 1941, there were 120 Axis planes operating from Syria as a base for attack, as well as a naval task force of two destroyers and three submarines based on the coast of Beirut.<sup>166</sup>

At 2am on 8 June 1941, British, Australian, and Free French Forces crossed into Lebanon and Syria.<sup>167</sup> The armed forces advanced north from Palestine along the Lebanese coast toward Beirut, while a second branch marched into Damascus and further to Rayaq Airfield. The strategy was to then combine units in order to redirect efforts towards Tripoli, Homs, and Palmyra.<sup>168</sup> Fierce fighting occurred on the Lebanese coast and along the banks of the Litani River. Bombardment of the Lebanese port of Sidon resulted in its occupation by 15 June 1941. Damascus fell to the Allied forces on 21 June. Fighting then escalated in Lebanon, and by 8 July, British forces had managed to reach the outskirts of Beirut.<sup>169</sup> On 9 July 1941, as Allied forces were about to occupy Beirut, the Vichy French asked for armistice terms. The armistice was signed at the Acre in Cairo on 14 July, which brought Syria and Lebanon under the Allied control. Though the promise to grant

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<sup>164</sup> Hourani, *Syria and Lebanon*, 3.

<sup>165</sup> Aboul-Enein and Aboul-Enein, *The Secret War for the Middle East*, 95.

<sup>166</sup> *Ibid.*, 97.

<sup>167</sup> Edward Spears, *Fulfillment of a Mission*, 99.

<sup>168</sup> Aboul-Enein and Aboul-Enein, *The Secret War for the Middle East*, 95.

<sup>169</sup> Aboul-Enein and Aboul-Enein, *The Secret War for the Middle East*. 96.

independence was made before the beginning of the invasion, negotiations continued until 22 November 1943 when Lebanon was finally declared an independent nation state.

Both belligerent forces used aerial bombardment to create a condition of threat during the Second World War. This produced a limit condition of risk in Lebanon, as each of the foreign forces were there to control and access regional oil. The application of the mechanised technology of the war machine engaged for the first time a mode of governance that, as I argue, produced resilient populations according to lower economic and racial standing. In 1942 the British government published two top secret reports: *Notes on Post-War Settlements in the Middle East* and *A Further Note on Peace Terms in the Middle East*, written by J. B. Glubb. The report states that the British forces used the state of exception in Iraq, Lebanon, and Syria—which led to the aerial bombardment and orchestrated destruction of key infrastructure—to apply a neo-colonial mode of governance that encompassed all aspects of life. The moment of total war brought into the region through the Second World War and its machinic violent force enabled the British to take total power over all facets of life, including finance, agriculture, shipping, banking, housing, and education.<sup>170</sup> Not only did Britain gain influence over the industries of Lebanon and Syria by these manoeuvres, it also gained influence over the governance of these ostensibly newly independent nation-states. This is explicitly revealed in the following sinister passage from Glubb's report:

This system is necessitated by the fact that we have declared independent certain small Middle Eastern states, which are incapable of independence. Thus the representatives of His Majesty's government in these countries are faced with a situation of quite extraordinary difficulty. With little or no official standing, they must really dominate and control these countries from behind the scenes. [...] This is an entirely new development in government service. *Control by influence* is a new art, which all who serve in these countries must learn.

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<sup>170</sup> This will be discussed in more detail in Chapter 3. Glubb, "Top Secret: A Further Note, 9.

Basic features characterises the situation in Arabia to-day: the division of the Arabs into two classes – *the governing and the governed*.<sup>171</sup>

It is difficult to keep an objective view of the information in these reports when confronted by the colonial mindset of Glubb. This passage makes it clear that British aid in the reconstruction and development of these countries was intended as a method of ‘control by influence’. The archival documents not only discuss such methods of governance through helping to rebuild Lebanon and Syria’s infrastructure, but also discuss the potential repercussions of these interventions and strategies as they were used to produce peace across the region, in Lebanon, Syria, Palestine, Egypt, Iraq, and Jordan. In weighing up the issues of potential future conflicts in each country, the reports speculate that the only way to gain peace was to show strength through ‘armed preparation, we must realise that we shall only be able to keep control of Northern Arabia after the war by the use of armed force.’<sup>172</sup> Thus, a vast arsenal was installed across the region: peace and democracy through armed force.

If these reports found in the General Spears archive, had been read by no one other than him, the claims written by Glubb would be possible to dismiss. However, proof of their influence was discovered in communications between the various Foreign Offices across the region.<sup>173</sup> My research proposes that a significant shift took place at this point in history, through a new mode of governance produced by the proliferation of mechanised armed conflict, specifically through the unprecedented and widespread use of aerial bombardment. This use of aerial bombardment also created an unprecedented necessity for oil to fuel the war machine,<sup>174</sup> which, as a result, made the Arab region the second most important front of the Second World War.

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<sup>171</sup> Ibid., 2, (emphasis added).

<sup>172</sup> Ibid., 24.

<sup>173</sup> Archival research found these documents were received by: High Commissioner Sir Harold CarMichael, at the Colonial Office in ‘Trans Jordan’; Honourable R. B. Haire from the Foreign Office, Egypt; The Right Honourable F. G. Stanley of the Foreign Office in Jerusalem; Al Fariq, the Commander of the Arab Legion in Amman; Mr Duff Cooper; the Right Honourable Oliver Stanley, Mr Thornley, Mr Eastwood all at Downing Street, London; and, of course, General Spears, the First British Minister of the Levant.

<sup>174</sup> My use of the term in this instance does loosely relate to its philosophical meaning as per Gilles Deleuze and Félix Guattari, *Nomadology: The War Machine*, trans. Brian Massumi (Los Angeles, CA: Semiotexte, 1986).



Figure 13: Archival image of Aleppo Spitfire Week, Syria, 1944.



Figure 14: Archival image of Beirut Spitfire Week, Lebanon, 1944.



I return therefore to my earlier outline of risk, as an active mechanism for the subjugation of human and non-human, for profit or benefit. The colonial imprint in international law and its intersection with the modern history of violence in Lebanon and Syria falls within the argument of the uneven production and distribution of a limit condition of risk in the Arab region. In the Allied military campaigns into Iraq, Lebanon, and Syria for the control of oil, the civilian was subjugated through their proximity to the battlefield, as a way of reinstating European power over the region.<sup>175</sup> The unequal distribution of risk in this colonial conflict, I argue, has embedded a condition of precarity across Lebanon's geopolitical landscape. The question remains: would the Allied forces have invaded Lebanon and Syria if it weren't for the insecurity that the Syrian airfields posed to the oil refineries of Iraq? Should this battle be viewed as anything other than a colonial struggle for control over natural resources, giving license to the subjugation of the encountered other, and further normalising the violence of aerial bombardment?

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<sup>175</sup> There is a brief mention of these military campaigns in Sven Lindqvist's *A History of Bombing*. He also frames them as conflicts over the final extension of colonial control in the region. This is written in the narrative stretching through the book named 'Bombs Against Independence'.

Before we withdraw from these countries we must decide whether we can see it through. Can we persevere in our policy, in spite [...] of the outbreak of massacre, and civil war behind us? Or should we be compelled as in Iraq in 1941, to re-invade the same countries again? And if we could stand aside and watch these bloodbaths, would not some other power seize the opportunity to step in and replace us?

Yet many of our best efforts seem to arouse only hatred and resentment. This is one of the most important world problems of our time [...] the future of the world depends on whether the resentment can be eliminated [...] let us not forget that the tradition of such hatreds lasts for centuries. We must look fifty years ahead, and allow for all such possible vicissitudes.<sup>176</sup>

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<sup>176</sup> I have added this quote here from Glubb written in 1941 to demonstrate how the British forces in the Arab region at the time understood the long historical impact of their actions. This quote ties together the modern history of this violence and the next section of the chapter that scrutinises the contemporary effects of this ongoing, lived threat of violence in Lebanon. Glubb, "Top Secret: A Further Note," 26.

## 1.6 The Next War

In an article published by the Israeli newspaper *Haaretz* on 15 February 2016, Professor Amitai Etzion describes a scene that took place during the 15<sup>th</sup> Annual Herzliya Conference in June 2015, an Israeli symposium on risk assessment in the Middle East. At the conference, audiences were told that Hizb-Allah had amassed over 100,000 missiles, and as a result had become the number two threat to Israel, second only to the nuclear threat from Iran. Further to this, intelligence reported that a new missile guidance system donated to Hizb-Allah from Iran meant the short-range missiles Hizb-Allah held in its arsenal were now a greater threat to Israeli security than ever before. Here, the rhetoric of risk engages a normalised state of exception, allowing for military preparedness against the projected and narrativised threat from Hizb-Allah.

During discussions at the Herzliya Conference, the Israel chief of staff Gadi Eizenkot claimed that most of Hizb-Allah's short-range missiles are placed in the private homes of civilians living in Beirut, asking: 'If Hizb-Allah starts raining them down on Israel, how can these missiles be eliminated without causing massive civilian casualties?'<sup>177</sup> This question was met with a dramatic demonstration that took place as part of the 2015 conference, when a number of the participants were invited to the Israeli Defence Force (IDF) Base Elyakim near Haifa, where a full-sized model of a Lebanese village had been built in the likeness of a Hizb-Allah stronghold. What followed was a demonstration showing IDF soldiers storming the village, moving from building to building, and entering houses in an attempt to rid the model homes of the 100,000 missiles. Figure 15 shows a similar simulation by the IDF in 2017, also at Base Elyakim.<sup>178</sup> Documentation of the IDF demonstration found its way into international news and media.<sup>179</sup>

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<sup>177</sup> Amitai Etzioni, "Should Israel Flatten Beirut to Destroy Hezbollah's Missiles?" *Haaretz*, February 15, 2016, <http://www.haaretz.com/opinion/.premium-1.703486> (Last accessed Sept 8, 2017).

<sup>178</sup> "Israel Army Stages Mock War against Hezbollah, Biggest Exercise in 20yrs," *RT International*, September 5, 2017, <https://www.rt.com/news/402064-israel-army-drills-hezbollah> (last accessed September 6, 2017).

<sup>179</sup> "Israel Army Stages Mock War against Hezbollah"; "Israel Conducts Military Drill to Get Ready for next 'real War' with Hezbollah," *RT International*, March 31, 2017, <https://www.rt.com/news/382973-israel-war-hezbollah-drill> (last accessed April 2, 2017); Gili Cohen, "Israeli Army to Simulate War With Hezbollah in Largest Drill in Decades," *Haaretz*, September 5, 2017, <https://www.haaretz.com/israel-news/israeli-army-to-simulate-war-with-hezbollah-in-largest-drill-in-decades-1.5448168> (last accessed April 2, 2017).



Figure 15: Israeli soldiers take part in the simulation of a ground invasion into Lebanon to fight Hizb-Allah, 2017, Elyakim Military Base, Haifa. Copyright of Nir Elias and Reuters.

In carrying out the demonstration in 2015, it became apparent that in reality a ground invasion by IDF soldiers would be unsuccessful. First, because it would be slow and time consuming, and, second, because there is no guarantee that they would recover and destroy all the weapons, as IDF intelligence accused Hizb-Allah of hiding them in a labyrinth of purpose-built underground tunnels and basements that weave the homes together into a militarised compound. The IDF further stated that this proves that Hizb-Allah is using civilians as human shields in these homes and buildings.<sup>180</sup> The architecture of the homes in Hizb-Allah strongholds is itself putting Lebanese people at risk, as the homes become weaponised by Israel in their rhetoric of threat.<sup>181</sup> In this way, Israel's argument that Hizb-Allah uses human shields in warfare reflects the early use of 'morale bombing'. This takes place as both aggressors, the Allied forces and the State of Israel, find reason within the context of international law to allow for the bombardment of civilians and their homes. I argue therefore that this is an extension of the legal argument for 'morale bombing' in international law, here, legitimising Israel's targeting of the homes and the civilians in Hizb-Allah strongholds with a disproportionate use of violent force.<sup>182</sup>

The homes in the Hizb-Allah strongholds are weaponised by the applied rhetoric of threat by the state of Israel, and the projected threat of the 'Next War'.<sup>183</sup> I would like to turn the argument made by the IDF that these homes are being militarised by Hizb-Allah, on its head, and suggest instead that these homes become weaponised by the rhetoric of threat applied by Israel. These domestic spaces are being instrumentalised through the argument of the human shield to allow for the continued projected threat of a disproportionate use of force by the state of Israel. Further, in observing and experiencing the ongoing threat of this violence in Lebanon in its day-to-day manifestation, I argue that the limit condition of risk this has produced is an international crime, on which I ground my argument of the contemporary failure of international law.

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<sup>180</sup> Judith Butler, "Human Shields," *London Review of International Law* 3, no. 2 (September 2015): 223–243.

<sup>181</sup> Isabel Kershner, "Israel Says Hezbollah Positions Put Lebanese at Risk," *The New York Times*, May 12, 2015.

<sup>182</sup> I provide proof later in the chapter of the disproportionate use of force by the state of Israel.

<sup>183</sup> This is the same accusation levelled at Hamas for operating from the within the homes of Palestinians in Gaza, militarising these homes and blurring the line irrevocably between civilian and combatant; Eyal Weizman, *Hollow Land: Israel's Architecture of Occupation* (London: Verso, 2012).

To give detail to how the discourse of threat articulates itself in the day-to-day environment in Lebanon, Etzion's article reiterates a conversation he had with two American military officers, who explained that the real strategy against the threat from Hizb-Allah should be the use of Fuel-Air Explosives (FAE). This suggestion is what inspired the title of the article, 'Should Israel Flatten Beirut to Destroy Hezbollah's Missiles?'<sup>184</sup>

The FAE missiles Etzion refers to were first developed by the US and used in the Vietnam War. They are composed of a container carrying fuel, most commonly ethylene oxide and propylene oxide, holding two explosive charges.<sup>185</sup> When the munitions are dropped from an airplane, the explosive charge is detonated; this then releases fuel in a fine spray—a gas cloud—that mixes with atmospheric oxygen to cover and infiltrate anything it comes into contact with, whether buildings, land, plants, skin, flesh, or lungs of civilians living in the affected area. Once the dense cloud of fuel has been dispersed and before the missile lands, the second explosive charge detonates the cloud of toxic gas to produce a blast wave that is strong enough to demolish all of those buildings, including underground tunnels and basements. The destruction occurs through the vacuum-like effect created by the explosion wave. The FAE missiles also instantly kill any human that might be caught in the midst of the toxic cloud. The threat of these weapons does not just come from being caught in the explosion, but the weapon itself is potent insofar as the gas, which combines with oxygen, is then breathed into the lungs of civilians. This missile not only kills anyone near the point of ignition of the explosion, but also causes internal injuries for all those caught on the periphery of the gas cloud. The weapon takes the volatile and explosive nature of the gas components and utilises its power as a weapon of destruction. This weapon is so effective because of its particular ability to demolish all human and non-human life in its molecular reach, very quickly.

Etzion goes on to speculate that if such a weapon were to be used, in accordance to international law the IDF would have to do their best to only use it 'after the population was given a chance to evacuate the area.'<sup>186</sup> However, it is

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<sup>184</sup> Etzioni, "Should Israel Flatten Beirut to Destroy Hezbollah's Missiles?"

<sup>185</sup> The first experiments with thermobaric weapon were conducted in Germany during the Second World War and were led by Mario Zippermayr. Fuel-air explosives have been used in warfare in Lebanon since the 1982 bombings by Israel.

<sup>186</sup> Etzioni, "Should Israel Flatten Beirut to Destroy Hezbollah's Missiles?"

unclear what area of Beirut that would mean when discussing a missile that sprays a vast gas cloud that indiscriminately kills or injures all in its reach. Where would they demarcate the threshold of safety when using such a weapon in a city as densely populated as Beirut? Would it not still reach the lungs of the person that had refused to leave their home? The idea of warning a population against the threat of bombardment is an empty proposition, as it is done only in order to meet international legal frameworks that allow for such violence. That is, international law allows for the detonation of such a weapon when the target is specific and has been warned.<sup>187</sup>

The implications of this article proved to be controversial, particularly because of its title, corrected later the same day to ‘Should Israel Consider Using Devastating Weapons Against Hezbollah Missiles?’<sup>188</sup> Irrespective of this correction, the article sent shock waves across Lebanon and its media.<sup>189</sup> To be legal, aerial operations must comply with the principle of proportionality, which requires belligerent forces to refrain from causing damage disproportionate to the military advantage gained.<sup>190</sup> However, in this potential attack, the calculation of the damage and loss of human life in relation to the threat posed in this circumstance is certainly disproportionate.<sup>191</sup> If we speculate upon the extent of force that Israel could inflict, and understand this armed power as an economy of force represented in 3.5 billion US dollars, it is certainly a disproportionate match for the arsenal of short-range missiles held by Hizb-Allah.<sup>192</sup>

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<sup>187</sup> Still, as we have seen in Gaza and Palestine, this technique does not prevent human casualty.

<sup>188</sup> Amitai Etzioni, “Should Israel Consider Using Devastating Weapons Against Hezbollah Missiles?,” *Haaretz*, February 15, 2016, <http://www.haaretz.com/opinion/.premium-1.703486> (last accessed June 7, 2016).

<sup>189</sup> Ben Norton, “Prominent American Professor Proposes That Israel ‘flatten Beirut’ — a 1 Million-Person City It Previously Decimated,” *Salon*, February 18 2016, [http://www.salon.com/2016/02/18/prominent\\_american\\_professor\\_proposes\\_that\\_israel\\_flatten\\_beirut\\_a\\_1\\_million\\_person\\_city\\_it\\_previously\\_decimated](http://www.salon.com/2016/02/18/prominent_american_professor_proposes_that_israel_flatten_beirut_a_1_million_person_city_it_previously_decimated) (last accessed February 20, 2016). There have also been reactions across Lebanon in relation to the violence perpetrated in Palestine, particularly this March 2018 in the shooting of ‘Abd a-Nabi’ in the protests in Palestine in regards to the US embassy moving to Jerusalem. There were also protests in Lebanon in solidarity with the Palestinian people’s struggle against Israeli violence.

<sup>190</sup> Harvard School of Public Health et al., *HPCR Manual on International Law Applicable to Air and Missile Warfare* (Cambridge, MA: Program on Humanitarian Policy and Conflict Research at Harvard University (HPCR), 2009), <http://www.ihlresearch.org/amw/manual> (last accessed June 12, 2016).

<sup>191</sup> Normand and Jochnick, “The Legitimation of Violence,” 54.

<sup>192</sup> The IDF would however argue that this war with Hizb-Allah is a proxy-war including Iran, and therefore Hizb-Allah has a substantial economy of force also.



Figure 16: Image taken during the 2006 conflict in Lebanon and featured on the front cover of a report forecasting 'The Next Israel–Hezbollah War' written in 2010. Image credit not listed, or traceable online.



There is a similar principle of proportionality in the concurrent conflicts that occur between Palestinian and Israeli forces; Eyal Weizman outlines, ‘proportionality as a technique of management and government—the management of violence and the government of populations—is undertaken by the powerful side “on behalf” of those it subjugates’.<sup>193</sup> I argue that the disproportionate capacity of the IDF makes the threat to use this force on populations that have no capacity to protect themselves an international crime.<sup>194</sup> Following the 15<sup>th</sup> Annual Herzliya Conference 2015, Israel commissioned the iron dome (the Israeli air defense system designed to intercept and destroy short-range rockets and artillery shells) to expand to the border between Lebanon and Israel, extinguishing any threat from Hizb-Allah missiles. Whilst the Israeli state chooses to use the iron dome to protect civilians from Hizb-Allah missiles, Hizb-Allah have no choice but to use the materiality of the targeted civilian homes in Beirut to intercept the disproportionate use of force from Israel.<sup>195</sup>

The image on the front cover of the previously discussed risk assessment report (see Figure 16)—which shows an image taken during the 2006 conflict of the destruction of a block of apartments in Beirut following an airstrike by Israel—attempts to make concrete this future threat of war between Hizb-Allah and Israel.

Still, the report could be regarded as a well-orchestrated and expensive piece of fiction, as there have been no wars between Hizb-Allah and Israel since 2006. Certainly the situation is fragile: during fieldwork in Lebanon in the autumn of 2017, Prime Minister Saad Hariri was forcibly held and made to resign his position as Prime Minister by Saudi Arabia. This geopolitical destabilisation increased the threat of war with Israel.<sup>196</sup> The published risk assessment report therefore acts as a crystallised image of this constant projected future, which, although written in the past and forecasting a future that has not yet take place, it inscribes itself into the moment it was produced as a persistent image of future ruin.

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<sup>193</sup> Eyal Weizman, *The Least of All Possible Evils: Humanitarian Violence from Arendt to Gaza* (London: Verso, 2012), 17.

<sup>194</sup> In Chapter 3 I set out a detailed argument for mirroring of tort law in international law as a way of registering the psychological and bodily harm of this potential threat from Israel on the Lebanese population.

<sup>195</sup> The New Arab, “Israel Deploys Iron Dome near Lebanon’s Border,” *Alaraby*, <https://www.alaraby.co.uk/english/news/2015/7/31/israel-deploys-iron-dome-near-lebanons-border> (Last accessed May 26, 2016).

<sup>196</sup> “Army Chief Aoun Calls for Readiness at Israel Border,” *The Daily Star*, November 21, 2017, <http://www.dailystar.com.lb/News/Lebanon-News/2017/Nov-21/427257-army-chief-aoun-calls-for-readiness-at-israel-border.ashx> (Last accessed July 31, 2018).

The question of the report's veracity becomes less important as the larger-scale dissemination of its content shapes its milieu. In predicting the future, there is always the chance that this future will not materialise. However, the very act of producing an image of that future might itself induce that projected eventuality—in a way that essentially becomes a colonisation of that future. Their predictions for the future in Lebanon continue to influence and be published in media across the globe: producing a nagging image of potential destruction, which, whether true or false, has effects on the ground that are difficult to counteract.<sup>197</sup> What methods can be used to trace this structural violence, which produces resilient populations and weaponised homes, within this limit-condition of risk observed through potential conflict?

### **1.7 The Weaponised Home**

On 12 July 2006, following conflict between Hizb-Allah fighters and IDF soldiers on the southern border of Lebanon, the State of Israel launched an aerial attack on Lebanon.<sup>198</sup> The IDF military campaign directed most of the violent force on Hizb-Allah controlled areas in the south of Lebanon, including the area of Haret Hreik, a southern suburb of Beirut. Haret Hreik was where Hizb-Allah was reported to be keeping its arsenal of missiles at the time.<sup>199</sup> In 2007, Amnesty International published a report on this 34-day war between July and August 2006, and came to the following conclusions:

About 1,200 Lebanese people were killed, hundreds of them children, and around one million were displaced by Israeli attacks.

The attacks also destroyed tens of thousands of homes and much civilian infrastructure in Lebanon. It is well documented that parts

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<sup>197</sup> The risk assessment report itself doesn't list a specific author, but in news and media coverage of this tension, authors writing on the potential of this conflict often are listed as being experts on risk assessment in the region from 'Exclusive Analysis'.

<sup>198</sup> This followed some conflict between Hizb-Allah fighters and IDF soldiers on the southern border of Lebanon.

<sup>199</sup> There is an interesting parallel to the 2006 war between Israel and Hizb-Allah as there is no question of the extreme violence that took place. However the RAF response to questions on the lack of information it holds on the British military campaign into Lebanon and Syria, which took place over a similar duration of time between May and June 1941, was to explain that this campaign was too short and insubstantial to have been documented or for records to have been kept. Though the technology might not have been as developed, in viewing the level of destruction that took place over the 34 day conflict in 2006, a second image is depicted of the level of damage that could have also taken place in 1941, but carefully covered up in the neo-colonial post-war development project.

of Beirut were nearly entirely demolished following the short war, fought mostly by air, with strikes targeting areas known specifically as Hezbollah strongholds.<sup>200</sup> At least 20 people were killed and scores injured by Israeli cluster munitions that remained after the conflict. Hezbollah launched missiles into Israel, causing the deaths of 43 civilians and damaging hundreds of buildings.<sup>201</sup>

There is no doubt in this assessment of the outcome of the war that the level of violent force directed at Lebanon by Israel during this conflict was disproportionate with regards to what could have and was returned by Hizb-Allah. Though many war crimes investigations have been carried out into the actions of both the State of Israel and Hizb-Allah during the 2006 conflict, in the end the UN's High Commissioner for Human Rights, Louise Arbour, could only express concern over the killing of civilians in Lebanon, Israel, and the Occupied Palestinian Territory, and further call for Israel to obey the 'principle of proportionality' in international law.<sup>202</sup> The investigations amounted to a series of warnings to both sides. As geopolitical tension between the two political parties continues, so does the clear and present threat to civilian lives in proximity to this risk of violence. International law's inability to deter the disproportionate use of violent force means that the potential for conflict in Lebanon continues to be projected as an image of risk. How can the effects of living with this risk be traced or sensed in the context of Lebanon today?<sup>203</sup>

In April 2018, Mhammad Safa, who was born and raised in the south of Lebanon, produced the multi-media installation *50cm Slab* (see Figures 17 and

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<sup>200</sup> This is clearly documented in the before and after images taken of the destruction and put online by Hizb-Allah, "Same Places Before and After," <http://www.waad.org.lb/gallery.asp> (last accessed May 26, 2017). Also see Figure 19.

<sup>201</sup> Amnesty International, "Lebanon - Amnesty International Report 2007," <https://web.archive.org/web/20150217122530/https://www.amnesty.org/en/region/lebanon/report-2007> (last accessed February 17, 2015).

<sup>202</sup> "Statement by Louise Arbour, UN High Commissioner for Human Rights, to Special Session of Human Rights Council on Lebanon," *ReliefWeb*, <https://reliefweb.int/report/lebanon/statement-louise-arbour-un-high-commissioner-human-rights-special-session-human> (last accessed September 11, 2018).

<sup>203</sup> "The next War between Israel and Hezbollah: The Conflict Hacks Love to Talk up," *Middle East Eye*, <http://www.middleeasteye.net/columns/talking-war-between-israel-and-hezbollah-658322974> (last accessed August 1, 2017).

18).<sup>204</sup> As a practicing architect, Safa worked closely on the redevelopment of Haret Hreik, the area destroyed by Israel in the 2006 war. We have been in ongoing conversation as part of our overlapping research, and this led to my invitation to Safa to participate in the exhibition and public program ‘Points of Contact’, which I curated in Lebanon in 2018. His proposal for the exhibition was *50cm Slab*. Safa describes how during the 2006 war, Haret Hreik was razed to ground level. Following inspection after the attack, it became apparent that the underground floors had in fact remained intact. This was due to the protective nature of the 50cm thick concrete slab that was used on the ground floor of the building. Following this discovery, the engineer working for Hizb-Allah in the reconstruction, Jihad Al Bina’a, claimed he could tell from the ruin that in fact, an FAE missile had hit the building. The FAE missile, which reaches 2200 Celsius and has a very high blast overpressure action, has been designed to dissipate thick concrete. As the floor in the municipality building endured the violent force, the engineer had accidentally uncovered a material threshold that could offer potential safety against the use of the FAE missiles.

The 50cm thickness of concrete was then implemented in the reconstruction of Haret Hreik. The thick slab does not only function as support for the building, but provides the threshold materiality of safety for the levels below.<sup>205</sup> The slab also materialises and rehearses the ever-present possibility—and what feels like to the people living there as the inevitability—of the next war between Hizb-Allah and Israel, reaffirming the potential of its devastating human affect.<sup>206</sup> The 50cm slab materialises and normalises the state of exception that comes from the violence and threat of aerial bombardment literally into the foundation of the homes. This normalised threat of bombardment creates a need for protection against such violence, which allows for Hizb-Allah’s strict governance in that area of Beirut.

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<sup>204</sup> This project was commissioned for the exhibition and public program ‘Points of Contact’, Lebanon, 2018.

<sup>205</sup> These specifications are taken from the description of *50cm Slab* by Mhammad Safa, and from our conversations about the work.

<sup>206</sup> Hiba Bou Akar, *For the War Yet to Come: Planning Beirut’s Frontiers* (Stanford, CA: Stanford University Press, 2018).

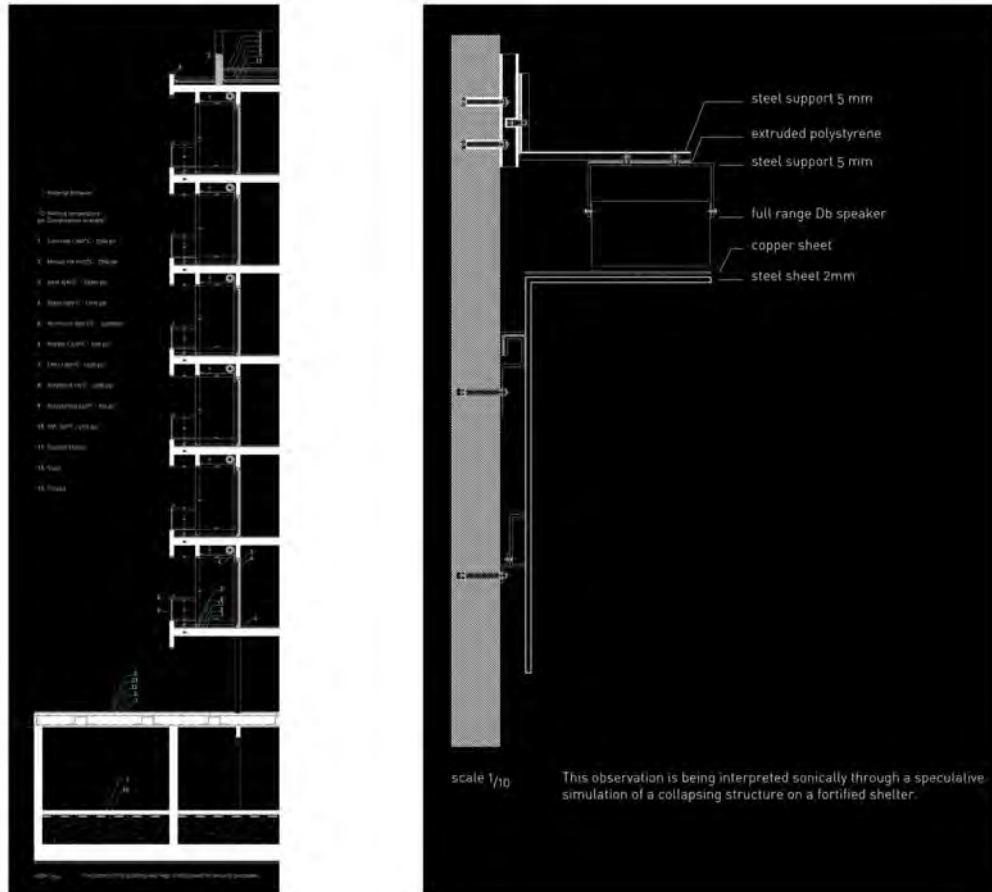


Figure 17: Architectural drawings by Mhamad Safa; on the left is the development of a building in Haret Hreik, on the right is a drawing of Mhamad Safa’s installation ‘50cm Slab’. Courtesy and copyright of Mhamad Safa, 2018.



Figure 18: Image of sound installation of ‘50cm Slab’ by Mhamad Safa. Photograph by Helene Kazan, January 2018.

Safa's installation *50cm slab* puts the spectator in the position of the subject being targeted by the missiles. Viewers are invited to stand under a vibrating platform, with the sound of a collapsing building playing overhead.<sup>207</sup> In his presentation during the public program, Safa concentrated on the work's engagement with the politics of sound. However, in a later conversation we discussed how this work also reflects a subjective experience of the war and the further need to communicate with those who have not experienced such an event, the intensity of the human bodily experience of such destruction as structural violence.<sup>208</sup>

It is well documented that parts of Beirut were nearly entirely demolished following the 34-day war, with strikes targeting Hizb-Allah strongholds.<sup>209</sup> Haret Hreik was almost entirely destroyed. By observing the later redevelopment of this area, I seek to understand how its architectural design materially manifests the threat of war. I further observe how these homes become weaponised by the threat that the IDF sees in them.<sup>210</sup> The architecture in Haret Hreik is a direct response to the proximity of threat from Israel. As opposed to the intent to cultivate risk, the materiality of these homes is formed to protect the civilians living within them from the potential of the disproportionate violence of an Israeli air strike. Further, in presuming the need for such protection, these homes become a cypher of Hizb-Allah's political agenda.

Following the destruction that took place in the 2006 war between Hizb-Allah and Israel, the Lebanese government proposed a project of rehabilitation for the destroyed areas of Beirut. Heated discussions ensued as to who was responsible for the reconstruction of areas damaged in the conflict, partly as there were tensions in place already because of a power struggle between the Lebanese government and

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<sup>207</sup> There is a lot of writing from Lebanese authors on the relationship between the human body and architecture in the context of potential conflict. It is a recurring motif because it has existed in ever fluctuating levels since 1912. Those authors include: Tony Chakar, *A Window to the World* (2005); Rabih Mroue, "The War Imprinted Body," n.d.; Walid Sadek, *Peddling Time When Standing Still*, 2011; and Rasha Salti, "Siege Notes," *London Review of Books*, August 3, 2006.

<sup>208</sup> The need to communicate to a viewer the human bodily experience of this violence is also the subject of both Rabih Mroué and my work, outlined in detail in Chapter 3.

<sup>209</sup> This is clearly documented in the before and after images taken of the destruction and put online by Hizb-Allah; "Same Places Before and After."

<sup>210</sup> Or, as reported by the IDF in the *New York Times*, 'Hezbollah is wantonly militarizing villages in south Lebanon — to the extent that a single village of 4,000 people is said to contain missiles in about 400 military sites and facilities.' Isabel Kershner, "Israel Says Hezbollah Positions Put Lebanese at Risk," the *New York Times*, May 12, 2015.

Hizb-Allah.<sup>211</sup> In the end, some financial support came from the Lebanese government for the redevelopment of each home destroyed, but in an attempt to reassert its political power in destroyed areas, Hizb-Allah decided to further assist in the redevelopment process to quickly rehouse the community and cultivate support of the political party. Negotiations between Hizb-Allah and the Lebanese government came to a head in huge posters covering the remaining ruins of Haret Hreik, featuring Sayyed Nasrallah, the Secretary-General of Hizb-Allah, reading ‘It’s going to come back more beautiful than it was. That’s a promise from the honest Secretary-General.’<sup>212</sup> This promise from Hizb-Allah was translated into the creation of a private limited company called Al-Waad-Al-Sadiq, which took on the swift reconstruction of the destroyed neighbourhood.<sup>213</sup> In Arabic, *Al-Waad-Al-Sadiq* means ‘the truthful promise’.<sup>214</sup> Hizb-Allah was thus making a ‘truthful promise’ to the people of the community that their homes would soon be resurrected.<sup>215</sup> The promise from Hizb-Allah was not just about providing new apartments, but also about the construction of people’s homes and domestic spaces in the likeness of the pre-war lived environment.

The fact that this post-conflict development wanted to bring the local community back into the area is a very important aspect of the development model, which reflects Hizb-Allah’s political agenda.<sup>216</sup> I argue that this differs greatly in relation to the how the inhabitants of the homes in central Beirut were treated following the end of the Lebanese Civil War.<sup>217</sup> The aim of Waad was to resurrect the previous social fabric of Haret Hreik, and to use an unusual process (in architectural terms) to do so.<sup>218</sup> The goal of Hizb-Allah was to rebuild the homes of Haret Hreik very quickly, especially as this might allow the development to avoid

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<sup>211</sup> Mona Fawaz and Marwan Ghandour, “The Reconstruction of Haret Hreik: Design Options for Improving the Livability of the Neighborhood / حريك حارة إعمار إعادة,” *Architecture Books*, January 1, 2007, [http://lib.dr.iastate.edu/arch\\_books/3](http://lib.dr.iastate.edu/arch_books/3) (last accessed 7 June 2016).

<sup>212</sup> “Waad Delivers a Reconstructed Haret Hreik,” *Beirut the Fantastic* (blog), <http://spatiallyjustenvironmentsbeirut.blogspot.co.uk/2011/10/waad-delivers-reconstructed-haret-hreik.html> (last accessed June 8, 2016).

<sup>213</sup> This move also allowed them to detach the reconstruction process from the local municipality, therefore ensuring the government had as little involvement as possible with the project.

<sup>214</sup> Mona Fawaz, “Hezbollah as Urban Planner? Questions To and From Planning Theory,” *Planning Theory* 8, no. 4 (November 1, 2009): 323–334.

<sup>215</sup> This was stated on a website that was made public by Hizb-Allah about the redevelopment process: <http://www.waad-rebuild.com/competedproject.asp>. The website was last accessed 8 June 2016, but has since been taken down and is no longer live.

<sup>216</sup> Joseph Daher, *Hezbollah: The Political Economy of Lebanon’s Party of God* (London: Pluto Press, 2016).

<sup>217</sup> This is detailed in Chapter 2.

<sup>218</sup> Fawaz and Ghandour, “The Reconstruction of Haret Hreik.”

some legal and political entanglements. Perceivably, there was an implicit trust in the party's promise to rebuild the community and social fabric back into the area; so much so that residents signed their legal rights to their properties over to the private real-estate company Al-Waad-Al-Sadiq.<sup>219</sup> The clear objective of Waad was to rebuild the area in the image of itself.<sup>220</sup> After detailed surveying of the destruction and a lot of consultation with the homeowners, the reconstruction work began. In an interview with a developer who worked with Hizb-Allah on the reconstruction of Haret Hreik he mentioned:

It was a really interesting project to work on [Waad], because it's the first time I've worked on a project where everything, every tiny detail, needed to be checked. Meaning in as far as construction, the concrete quality had to be checked, etc. In Lebanon, this detail of regulation isn't normal.<sup>221</sup>

He went on to speculate that the reason for such regulation was the result of foreign influence from Iran. The suggestion that the project was under the direct instruction of the Iranian government politicized the reconstruction of Haret Hreik by Hizb-Allah. It rendered the project an extension, through the materiality of the built environment, of the political instability of relations between Israel and Iran. I therefore argue that it is less the fabric and form of the buildings that poses a threat to Israel's national security, than it is the close affiliation between Hizb-Allah and Iran, and the accordant assumptions by Israel, indicated by this development project.

Arguably the threat is made visible through the very existence of these buildings, even if no real threat is on the horizon. The developer went on to say:

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<sup>219</sup> Fawaz, "The Politics of Property in Planning."

<sup>220</sup> This is unusual because a lot of architects in Lebanon associated with the area drew up different plans for the redevelopment, most following a notion of development responding to new design strategies that make the living environment perceivably better. This is the normative code of practice in architecture: the idea that the design of space can always evolve and be made better. It is therefore fairly unusual for an area to go against this basic principle of architecture and to be rebuilt in the image of itself. This was of course because of how that image operates in recreating the social fabric of the community. Mona Fawaz and Marwan Ghandour, "The Reconstruction of Haret Hreik: Design Options for Improving the Livability of the Neighborhood / حريك حارة إعمار إعادة," *Architecture Books*, January 1, 2007, [http://lib.dr.iastate.edu/arch\\_books/3](http://lib.dr.iastate.edu/arch_books/3) (last accessed 7 June 2016).

<sup>221</sup> The interviewee asked to remain anonymous at this stage. Anonymous Interview, 20 November 2015, Beirut, 00:05:30.





Figure 19: Before and after image of destruction and development of Haret Hreik, as viewed on Waad website. Image courtesy and copyright of Waad: <http://www.waad.org.lb>

They knew that if they didn't finish on time, they would lose the trust of their public. You are dealing here with a construction project that was directly supposed to communicate a message to the public.<sup>222</sup>

This is key, as the political tension between Iran and Israel, which feeds into Lebanon through Hizb-Allah, means public support is incredibly important. This is why the public message that came with this redevelopment was so crucial.<sup>223</sup>

According to the IDF, the biggest threat posed by the architecture of Waad is Hizb-Allah's arsenal of missiles in tunnels and basements under the new development. When asked about this controversial point, the developer responded:

When I started work on the project I expected to see a specialist in bunker and basement architecture. I didn't. But the specifications of the basements were incredibly detailed, meaning that the slabs of concrete on the walls and floors were unusually thick. Specifications outlined that each apartment should have a direct connection through the building from the basement. I didn't witness any tunnels being built, but when you redevelop an entire area following its complete destruction, and have to excavate deep for reconstruction, you don't need to build tunnels from building to building, all you need is doors.<sup>224</sup>

As the interviewee went on to outline, it was implausible that any weapons were still held in the area, particularly because of a lack of specifications in the design that would allow for the movement of such weapons. This is in contrast to an area that had previously existed in Haret Hreik called Security Square, which before 2006 had been the storage location of Hizb-Allah's arsenal of weapons. The military infrastructure of Security Square from before the war was clearly visible, the interviewee outlined that it is in his opinion that this infrastructure did not get

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<sup>222</sup> Anonymous Interview, 20 November 2015, 00:07:00.

<sup>223</sup> Mona Fawaz and Nasrin Himada, "Hezbollah's Urban Plan" *Scapegoat Journal* 1 (Summer 2011). <https://www.yumpu.com/en/document/view/48516214/hezbollahs-urban-plan-an-interview-with-mona-fawaz-scapegoat/4>. (last accessed June 30, 2016)

<sup>224</sup> Anonymous Interview, 20 November 2015, 00:20:00min.

rebuilt into Waad, therefore arguing that there can be no weapons being stockpiled in the area, posing no further threat.

In the development of Waad, there was a lengthy consultation process with residents, looking through plans and archival images in an effort to reconstruct the area as it was before the war. This was heralded with the following words accompanying ‘before and after images’ on the Al-Waad-Al-Sadiq website: ‘A lot of attention went into making the development feel the same as it had been before, so it was familiar.’<sup>225</sup> The community considered the redevelopment to be very successful—it was finished on time, with hardly any problems. Its completion increased the social influence of Hizb-Allah, which was thus successful in keeping their public support.

A surprising outcome of the redevelopment of Haret Hreik was the change in demographic as the area became a real estate interest. Irrespective of, and in contradiction to, the condition of perceived threat, the quality of work and the close correspondence with the local community greatly improved the area and made it seem an attractive place to live. The Waad became known, to the joy of Hizb-Allah and the dismay of the Lebanese government, as ‘the Anti-Solidere’ development. The homes in this district took some of the shine off the booming real estate market that the rest of Beirut was enjoying at that time, casting the homes as good future investments. The nickname ‘Anti-Solidere’ also alludes to the very different objectives in these models of post-conflict real-estate development. Whilst Waad sought to bring back the community that had previously lived in the area, Solidere’s development of downtown Beirut following the end of the civil war used techniques to drive out the people that had lived there before the fifteen year-war, in order to make room for foreign investment and to recreate downtown Beirut as a neoliberal playground for the rich and wealthy. This will be the focus of the second chapter, as the state of exception of the Lebanese Civil War corrupted the basic right to the home as shelter. The surprise comparison of the Waad project to Solidere’s redevelopment brings into contact two of the key challenges faced in attempting to provide shelter in contemporary Beirut.

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<sup>225</sup> Again, this was stated on a website that was made public by Hizb-Allah about the redevelopment process: <http://www.waad-rebuild.com/competedproject.asp>. The website was last accessed 8 June 2016, but has since been taken down and is no longer live.

## 1.8 Conclusion

In this chapter I have analysed how a historic turn in international law is necessary in order to understand how its colonial and imperial history has contemporary, everyday effects. Further, international law lacks the capacity to restrict or deter strong states from utilising the elastic argument of military necessity and targeted strikes, in order to use the violent method of aerial bombardment introduced in the Second World War. I have shown how the colonial imprint of international law intersects the colonial history of violence in the Arab region, where two foreign forces fought for control over the territory in order to access and control the region's oil. Further I have illustrated how this colonial history of violence led to the imposition of a neo-colonial method of governance across the Arab region, focused on in this thesis through a study of Lebanon.

In this way, this chapter analyses how we can begin to understand the design of the 'violent accident' introduced through aerial bombardment as a threshold through which resilient communities are produced as they are subjected to a limit-condition of risk. In pointing to the protective need from the materiality of the home in Lebanon, particularly with regards to international law's current failings to restrict the threat of bombardment from Israel, I underline an international need for further sensitivity in regards to the lived situation that this limit condition of risk has produced, as the subject is caught in the to-and-fro of the geopolitical tension. I have argued that this is a condition specific to Lebanon (as well as other parts of the Arab region) in relation to the ever-present risk of violent conflict through aerial bombardment.

The following chapter will unpack the proposition of this lived limit condition of risk in Lebanon through its further materialisation in the architecture of the domestic space. Focusing on the post-conflict redevelopment of Beirut following the end of the Lebanese Civil War and the resultant commodification of the domestic space. This next chapter explores how capitalist and neoliberal models of profit-making sought to take advantage of the state of exception produced through the civil war in Lebanon.

# From Above and Below

A multi-media event curated by Helene Kazan  
Mosaic Rooms, London

28 February 2015

The multi-media event brought together a series of investigations into the shifting parameters of contemporary warfare. With the intention to not only convey the position or physical viewpoint - from above - which the state apparatus utilises as part of modern day conflict, exemplified by the use of armed drones and aerial bombing. In particular this event focuses on the position - from below - mobilising the domestic arena as a platform, and as a material and human register of this perceived external threat. By exploring this condition the presented works observe a violent interpenetration of private and public spheres, a condition that is intensified by the multi-scalar effects of war. The proposition of the event is thus to better understand the effect of being positioned 'From Above and Below' and to analyse the transformations this doubled condition might create, as it impacts directly upon the human subject within the home.

Including the participation of: Jesse Connuck, Helene Kazan, Daniel Mann, Susan Schuppli, Tom Tlalim, Eyal Weizman

## **The event included:**

Screening of film '*Drone Strike Investigation. Case study no. 2: Mir Ali, North Waziristan, October 4*' (2010) by Forensic Architecture and Eyal Weizman

Lecture '*Home is a 3-year shelf-stable pizza*' by Jesse Connuck

Lecture Performance '*Home-Image*' by Daniel Mann

Lecture Performance '*(De)constructing Risk: A Domestic Image of the Future*' by Helene Kazan

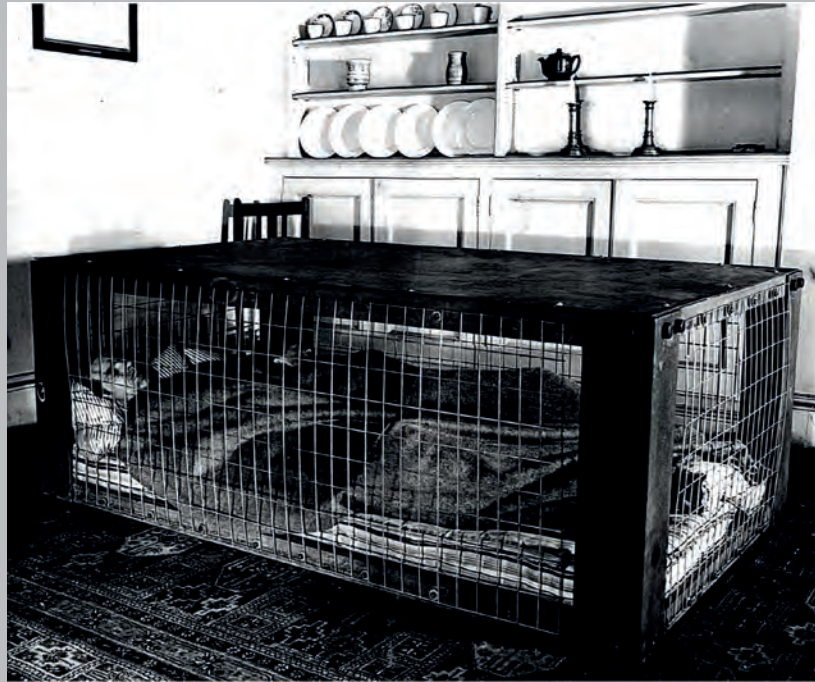
Lecture Performance '*F/EAR: Living Under Drones*' by Susan Schuppli and Tom Tlalim

## **For further information:**

<https://mosaicrooms.org/event/from-above-and-below/>

Images on the next page are the before and after images of an experiment carried out on the Morrison Shelter by the Ministry of Home Security in UK, 1943. Copyright and courtesy of the Imperial War Museum. These images were used in the promotional material 'From Above and Below'





The new in-door "table shelter announced by the Minister of Home Security in the House today.



Indoor Air Raid Shelter. Tests carried out by the Research and Experimental Department. Flat-topped shelter Type T. This shelter was first tested by dropping a heavy block of concrete weighing 350 lbs from a height of 6 ft above the top. The flat top was only dented. The shelter was then subjected to a second test in which a floor weighing 1,800 lbs and pivoted at one side was dropped 6 ft 6 inches and with a swinging action so that it struck one top edge of the shelter as it fell, simulating the manner in which the floor of house usually collapses. The steel angle at the top edge was bent.

# Engineering Shelter

**A multi-media installation by Helene Kazan for the exhibition 'Space Interrupted' at Fort Brockhurst, translated as a film and online project for Ibraaz**

September 2015

Mining information from 'before and after' images of an experiment carried out by the British Ministry of Home Security in 1941 on a bomb shelter, where a 350 pound concrete block was dropped on a shelter known as the Morrison shelter, to prove the structures engineered capacity to shelter civilians during aerial bombardment. Engineering Shelter re-enacted the outlined experiment to test the claims of safety being made by the British government in recommending its use. A live re-enactment of the experiment took place, the documentation of which formed part of a multi-media installation for the exhibition 'Space Interrupted' curated by Clare Sheppard. The project was then translated as a short film and online project commissioned by Amal Khalaf for Ibraaz, a leading critical forum on visual culture in North Africa and the Middle East.

## **Project credits:**

Written and directed by Helene Kazan

Audio recording and sound design by Vishal Kassie

Filming by Hannah Majid and Richard York

Technical Assistance from Liam Tickner, Robin von Einsiedel, Hannah Martin, Naty Lopez Holguin and Julie Graves

Commissioned as part of Space Interrupted, curated by Clare Sheppard and Sharon Haward

Commissioning editor Amal Khalaf, Ibraaz

With thanks and support from the Aspex, British Arts Council, English Heritage and Ibraaz.

Engineering Shelter for Space Interrupted:

Space Interrupted: <https://spaceinterrupted.wordpress.com>

Engineering Shelter for Ibraaz: <https://www.ibraaz.org/projects/116>

***The film and documentation of the project can be found in the folder titled 'Engineering Shelter' on the enclosed USB stick.***

## **Outcomes of the project:**

'*The Right to Shelter*', Helene Kazan in conversation with Amal Khalaf for Ibraaz: <https://www.ibraaz.org/interviews/176>



The moment the 'Morrison Shelter' is destroyed in 'Engineering Shelter' by Helene Kazan during the re-enactment for 'Space Interrupted' at Fort Brockhurst in Portsmouth and later featured by Ibraaz.



## Chapter 2: Under Multiple Suns: Separate Development and the Commodified Home

### 1.1 Introduction

This chapter analyses how the separate development of the lived-built environment in Lebanon evolved through capitalist and neoliberal post-conflict development.<sup>226</sup> Chapter 1 established how, through the risk of conflict, the architecture of the home is (de)constructed as space of shelter against the perceived threat of aerial bombardment. Following the state of exception caused by war and the destruction of the domestic space through aerial bombardment, this chapter analyses how post-conflict development of the lived-built environment in Lebanon engages a further mode of governance, materialised in accordance to the economic and political agenda of the governing state authority. These two stages of the limit condition of risk—destruction and construction—are read here through a study of international law and how architecture, in turn, contributes to the continuation of such cycles of violence.

This chapter first observes the early establishment of this method of governance, in the Allied invasion of Lebanon and Syria in 1941 as part of the Second World War. Instigated in Lebanon through a state of exception and the promise of independence, I observe the activation of a neo-colonial method of governance through the influence of the post-war economic and development model. This chapter establishes the important connection between the free trade agreement granted in Lebanon's contract for independence and the neo-colonial strategy adopted in the region. I then observe how the post-conflict development of the Lebanese nation-state materialises in accordance with Western capitalist political and economic interests. This is reflected architecturally in the modernist building of the Lebanese nation-state, and in the idea of Beirut being the 'Paris of the Middle East'. Further, I argue that this economically forced alignment between Lebanese national and Western capitalist interests places

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<sup>226</sup> Neoliberalism is an evolved liberal economic model developed by Milton Friedman at the Chicago School of Economics in the 1970s, which favours free-market capitalism. Whereas liberalism engaged a laissez faire economy in Lebanon, neoliberalism uses the state governing apparatus to clear the way for a profit-making market mechanism. This shift is observed in the Hariri government's post-conflict development of downtown Beirut, explained in detail later in the chapter. David Harvey, *A Brief History of Neoliberalism*. (Oxford: Oxford University Press, 2005); Couze Venn, *After Capital* (London: SAGE Publications Ltd, 2018).

the modernist development of Lebanon directly within the framework of the global post-war development project instigated after the Second World War.<sup>227</sup>

In this way, there is an overlap in relaying the modern history of violence in Lebanon between Chapter 1 and Chapter 2. Chapter 1 makes an analysis of these events through a study of international law and the effects of aerial bombardment producing the weaponised home. In contrast, this chapter analyses this history through different models of post-war development, as traced through architecture, to observe the evolution of the commodified home.

In the analysis of how separate development continues to materialise today, and is further projected into the future, this chapter observes how in the aftermath of the Lebanese Civil War changes were made to domestic property laws that allowed for the spatialisation of an evolved neoliberal economic system to take shape. In turn, this produced the commodified home: a home assigned more value through the financial gain it accumulates as an investment than in its provision as a dwelling or shelter. This is observed first in the separate development of downtown Beirut by the Hariri government and the private real-estate company Solidere. I observe how the architecture of slow and structural violence, established in the economic and political precedent set by Solidere, continues to be instrumentalised by small developers across Lebanon today.<sup>228</sup>

## ***1.2 In Conversation – Part 2: Beirut***

*Thursday 10 November 2017, 6.45am. We sit in front of the still, moving image (see Figure 20).<sup>229</sup> What begins as an attempt to capture the multiple suns that exist across the city in turn becomes an archive of the day-to-day life that intersects its optic view. Adorning these new city walls, the widespread dissemination of life-sized architectural visualisations is an endless flow of images wrapping the construction sites of soon-to-be-built luxury developments, reproducing Lebanon's*

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<sup>227</sup> This is against the proposition of distance, produced in regards to Lebanon and the Arab region, and the violent effects of the Second World War engaged through a Eurocentric rhetoric.

<sup>228</sup> Richard Hall, "Is Lebanon's Beach Privatisation a Corrupt Playground of the Nation's Wealthy?," *The National*, August 19, 2018, <https://www.thenational.ae/world/mena/is-lebanon-s-beach-privatisation-a-corrupt-playground-of-the-nation-s-wealthy-1.761374> (last accessed September 12, 2018).

<sup>229</sup> In carrying out work on the film in Lebanon, I needed to work with a production team. Most often in these encounters I was accompanied by Vanessa Bowles who worked on production and camera on the film. Full credits for the film production crew that worked with me on the film can be found on the Practice Outline section on *Under Multiple Suns*.

*urban environment as a shimmering mirage of the future. We observe how these images convey a model of modern life, but a model inaccessible to a large percentage of those whose gaze is interrupted. Machines and bodies pass, filling the emptiness of these images momentarily, in the daily-becoming of the commodified home.*

*Now, again, it's 6.45am. This time we occupy the image, whilst gazing out at another image of the city that this building is designed to frame (see Figure 18). The south-facing glass wall reifies the feeling of inhabiting a pictorial frame. While booking the flat through Airbnb, the owner tells us that he is based in Saudi Arabia, and that our stay will be handled by his local representative. It becomes clear during our occupation of the constructed image that this commodified home is not for living in. From within and without, the imaging technology that constructs this real estate investment holds us in its presence, and further still in its projected future gaze. As these images of the commodified home engage a process of slow and structural violence across Lebanon, their optics produce a condition that comes to affect some more than others, an image of separate development constructing an existence, under multiple suns.<sup>230</sup>*

*Thursday 22 November 2017. A state visit by Lebanese Prime Minister Saad Hariri to Saudi Arabia has turned into what some press are reporting as a 'kidnapping'.<sup>231</sup> This is soon followed by the Prime Minister's resignation and the Lebanese Future Movement's withdrawal of support for the democratically elected political party Hizb-Allah. A balancing act between political parties in Lebanon has been in place since the formation of a new government in 2016, but in the unexpected resignation of Prime Minister Hariri, this political balance is now under threat, sending regional politics into upheaval, and increasing the risk of war with Israel.<sup>232</sup>*

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<sup>230</sup> This text in part forms the narration of the short film *Under Multiple Suns*, written and directed by Helene Kazan, 2018. Follow this link to watch in full: <https://vimeo.com/275612201> (Last accessed July 21, 2018). Information on this project can be found on the Practice Outline section on *Under Multiple Suns*, further the film file for *Under Multiple Suns* can be found on the USB accompanying the PhD.

<sup>231</sup> "Lebanese President Says PM Hariri Has Been 'Kidnapped'," *Reuters*, November 11, 2017, <https://www.reuters.com/article/us-lebanon-politics-aoun-official/lebanese-president-says-pm-hariri-has-been-kidnapped-official-idUSKBN1DB0JC> (Last accessed November 11, 2017).

<sup>232</sup> Reuters, "Army Chief Aoun Calls for Readiness at Israel Border," *The Daily Star*, November 21, 2017, <http://www.dailystar.com.lb/News/Lebanon-News/2017/Nov-21/427257-army-chief-aoun-calls-for-readiness-at-israel-border.ashx>, (Last accessed July 10, 2018).



Figure 20: A full-sized architectural visualisation wrapping a construction site in Jisr le Wati, in Beirut, with one of the construction workers walking in front of the image, momentarily filling the emptiness of the warehouse-style flat in the image. Photograph by Helene Kazan, November 2017.



Figure 21: Photograph taken from inside of an award-winning luxury real estate development project called The Cube, designed by Michiel Hofman, Jeroen Schipper and Patrick Meijers, completed in 2010, in Sin el Fil, Beirut. Photograph by Helene Kazan, November 2017.

*In a televised interview with Prime Minister Hariri from Saudi Arabia, we discover that the reason the Saudi state is able to hold the Prime Minister captive, is in part because of the 9 billion US dollars worth of Hariri family money the Saudi state holds—wealth accumulated through real estate developments before and since the Lebanese Civil War.*

*Now, as Independence Day celebrations take place, we hear the machinic drone of 1940s airplanes flying overhead. In the promise of independence, and the war machine it allowed to invade, how could it have been known that this contract would always allow a condition of risk to enter this territory, at will, with no seeming power of deterrence or restriction?<sup>233</sup>*

### **1.3 Separate Development**

how to secure their good will? It seemed to me that the most obvious as well as the simplest way, was to promise them independence in a manner that would carry conviction, so that they would forget how often it had been promised before but always withheld.<sup>234</sup>

This excerpt from General Edward Spears's memoir *Fulfilment of the Mission*, referring to the Allied invasion of Lebanon and Syria in 1941, describes how the promise of independence made to Lebanon was a Trojan horse to allow the Allied forces to invade and occupy, with the 'good will' and support of the Lebanese people. This passage also alludes to the multiple times the promise of independence, or, put differently, the 'device that emerged under the auspice of "self-determination"', had been used as a political tool by British colonial powers previous to Lebanese independence in 1941.<sup>235</sup> As outlined in the Introduction, a key part of negotiations between the British and French colonial powers and the King of Hejaz in Egypt over Arab military assistance to fight the Ottoman Empire was independence for various Arab states following the fall of the Ottoman

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<sup>233</sup> This is analysed in detail in Chapter 1.

<sup>234</sup> Sir Edward Spears, *Fulfilment of a Mission: The Spears Mission to Syria and Lebanon, 1941-1944* (Hamden, CT: Archon Books, 1977), 114.

<sup>235</sup> Timothy Mitchell, *Carbon Democracy: Political Power in the Age of Oil* (London: Verso, 2013), 68.

Empire. This promise for self-determination became an operative tool for gaining the support and the good will needed to overthrow the Ottoman regime. But instead of granting independence, the Sykes-Picot agreement was ratified, distributing the Arab region under the governing control of the British and French Mandates.

In realising that a military campaign into Lebanon and Syria was necessary to secure access to regional oil, this passage from General Spears's memoir illustrates the history of colonial deception. The question was how to promise independence again, in such a way that it would again gain the 'good will' of the Lebanese people and thus allow the foreign invasion and occupation of Lebanon. A further controversial point to be made here is that in the declaration of independence, this process for self-determination did not necessarily mean breaking with imperial or colonial power or influence in the region. Rather, I argue that the promise of independence became a mechanism for the continuation of 'a new form of empire, based on the principle of self-government' as a 'new form of colonial self-rule.'<sup>236</sup> In the top secret British government reports on the post-war peace and settlement process, J. B. Glubb outlines how the question of self-determination was instrumentalised as a neo-colonial method for governance, seen to take place in the process of decolonization:

For the past twenty-four years, we have let it be understood that Asiatic countries have a 'right' to 'independence', and furthermore that, at a more or less early date, we shall be prepared to concede this 'independence'.

To the overwhelming majority of the people of Asiatic countries, these statements are without meaning, and without interest. If they knew what these statements meant, or took the trouble to ask, many of them would be strongly opposed to the proposals which they contain. A small class in each Asiatic nation, however, who have acquired a smattering of European education, have learnt the catchwords of independence and democracy, and loudly demand a cessation of 'colonial empires'.

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<sup>236</sup> Mitchell, *Carbon Democracy*, 73.

We must get our experts to work quietly, and then be able to present the Arab governments with constructive proposals for engineering, irrigation, improvement of agriculture, world marketing, elementary and technical education, and so on. We must make a great effort and take the lead in developing economics and education. By this means, we can convince the Arabs of our good intentions, and divert public attention from unhealthy concentration on politics.<sup>237</sup>

In line with this neo-colonial strategy, Timothy Mitchell's argues that granting independence was a 'new form of colonial self-rule'. Mitchell further outlines:

The mandate system that provided the justification for colonialism after the war was to be based on the same principle, and in fact the language of 'mandates' would be quickly replaced with doctrines of development. As the practice of development grew under the mandate rule in the later twentieth century, it always carried this racial structure. Even after the adjective was dropped, the term 'development' would always carry and mean '*separate development*'.<sup>238</sup>

Here Mitchell proposes that underlying the processes of development and modernisation is a colonial separation of the Arab indigenous people's right to their own land and resources. This is further evidenced in Spears's memoir:

So I watched the heartbroken children of the free air and the burning sands come forward to the French officials to give up their independence in exchange for a few acres of land, which were to be their prisons.<sup>239</sup>

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<sup>237</sup> J. B. Glubb, British Commanding Officer of the Arab Legion, "Top Secret: A Further Note on Peace Terms in the Middle East", 1943, 9, Box 3, File 5. GB165-0269, Sir Edward Spears Collection at the General Spears Archive, Middle Eastern Centre, Oxford University.

<sup>238</sup> Mitchell, *Carbon Democracy*, 83 (emphasis added).

<sup>239</sup> Spears, *Fulfilment of a Mission*, 114.



It is fascinating how Spears frames the process of independence as part of a colonial process of land enclosure, and further as a process of imprisonment. This highlights the double-edged sword of Lebanese Independence and the agreement of the National Pact, on 22 November 1943.<sup>240</sup> Mitchell's writing on this neo-colonial strategy comes through a study of the colonial infrastructures of control, extraction, and distribution of oil in the Arab region.<sup>241</sup> He outlines how demands for self-determination and independence in the Arab region were defused through a process of development and modernisation, separating land, property, and resources through a colonial system of governance.<sup>242</sup> In writing on the post-war development project, Luis Eslava also makes the connection between the separation of land and people, outlining:

imperial powers and colonial administrators confronted the problem of how to prepare native populations for their transition into fully independent citizenries able to assume responsibility of a nation-state. [...] the Mandate System and the League of Nations, provided the forums for articulating this new civilizatory objective with the more mundane project of exploiting colonial resources.<sup>243</sup>

Much of the interest in continued control over the Arab region following the end of the Second World War came after it became known that large deposits of oil were situated across the region. To talk of risk in the context of the Arab region is to talk about oil and the infrastructures of power and governance that were born through the desire for control over this natural resource.<sup>244</sup>

Exploration for oil in the Arab region began in 1908 after its discovery in Iran by what came to be known as British Petroleum (BP), now one of the largest oil

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<sup>240</sup> Under the National Pact, Lebanon gained independence from France, the Maronites gave up on the West and Europe, and the Sunnis gave up on greater Syria. Thus the Pact established a sectarian structure in government based on the 1932 census, formalising the power-sharing established during the Mandate. Adrian Lahoud, "Architecture, the City, and Its Scale: Oscar Niemeyer in Tripoli, Lebanon," *The Journal of Architecture* 18, no. 6 (December 2013): 811.

<sup>241</sup> This is outlined further in Chapter 1.

<sup>242</sup> Samir Makdisi makes an argument for the evolution the economics of war and development in Lebanon since the 1940's; Samir Makdisi, *The Lessons of Lebanon: The Economics of War and Development* (London: I. B. Tauris, 2004).

<sup>243</sup> Luis Eslava, *Local Space, Global Life: The Everyday Operation of International Law and Development* (Cambridge, UK: Cambridge University Press, 2015), 93.

<sup>244</sup> Mitchell, *Carbon Democracy*.

and gas companies in the world. Following the discovery of oil in 1908, BP began importing materials to build pipelines to transport this resource to Europe.<sup>245</sup> The discovery of oil produced the need for a set of legal and economic technologies to evolve, to allow control over this resource, and to enable widespread mechanised conflict to enter the Arab region undeterred. Furthermore, the development of capitalism itself, as a technological construct, is born through the oily materiality of this natural resource, and the material infrastructures of power that became necessary to control its potential power.<sup>246</sup> Mitchell's writing on the development of this process undoes the normative focus on the accumulative wealth that comes from the extraction and control of oil.<sup>247</sup> Rather, he discusses the material infrastructures of power and governance developed in the Arab region as a result of western influence.<sup>248</sup> Theorist Couze Venn also makes the vital link between the appropriation of unprotected economies by early colonial infrastructures that unfold as insecurity in the region.<sup>249</sup> I argue in this thesis that the materiality and infrastructure for oil extraction and control itself induced the spread of capitalism and mechanised conflict in the Arab region.<sup>250</sup> As we observe in the operation of this technology in the early twentieth century and then through the First and Second World Wars, it is the insidious process of control-through-influence that becomes a mode of governance in the control and extraction of oil; Mitchell proposes that the corruption in relation to this resource today is to do with the 'particular ways of

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<sup>245</sup> It is also noted that the development of infrastructure at this stage included phone lines, which were also needed by guards for protection. I am reminded in this way of the introductory narrative in Eyal Weizman's *Hollow Land*, where a similar method of occupation employed by the Israeli state was oriented around a telephone mast, which then needed a guard to protect the mast, this then led to the occupation of Hebron. Eyal Weizman, *Hollow Land: Israel's Architecture of Occupation* (London: Verso, 2012). Also in reference to Mitchell, *Carbon Democracy*, 44.

<sup>246</sup> Archival footage shows this infrastructure being put in place: CriticalPast "British engineer and oil explorer and oil drilling at Masjid-i-Suleiman , Iran, HD Stock Footage," YouTube, March 26, 2015, [https://www.youtube.com/watch?v=QWGKWC\\_sWn4](https://www.youtube.com/watch?v=QWGKWC_sWn4) (Last accessed July 20, 2016).

<sup>247</sup> Mitchell, *Carbon Democracy*, 1.

<sup>248</sup> We have observed the powerful force of this natural resource in recent months in relation to the negotiations and investigations into potential oil fields discovered off the coast of Lebanon. The timeline for exploration for oil and gas in Lebanon dates as far back as the 1930s, during the same time that oil from Iraq was being exploited. Nabila Shehabeddine, "LibGuides: Oil and Gas in Lebanon: Overview," <http://aub.edu.lb/libguides.com/c.php?g=276502&p=1842747> (Last accessed March 14, 2018).

<sup>249</sup> Venn explains 'to complete the history of the relation of colonialism to economic discourse, we could add to it the third phase of European expansion, namely, the 'Scramble the Middle East' in the 1880s, tied to the second industrial revolution, built on oil, new minerals, and the electrical and chemical industries, for which trade with Africa for raw materials and the appropriation of new unprotected economic spaces were vital'. Couze Venn, "Neoliberal Political Economy, Biopolitics and Colonialism: A Transcolonial Genealogy of Inequality," *Theory, Culture & Society* 26, no. 6 (2009): 210.

<sup>250</sup> Mitchell, *Carbon Democracy*, 5.

engineering political relations out of the flows of energy.<sup>251</sup> A clear association can be made in the relationship between the development of capitalism and conflict, as Arab oil rebuilt European cities after the war, as part of the Marshall Plan:

Over 10% of the European Recovery Plan (ERP) funds were used to procure oil, representing the largest use of Marshall Plan money. The ERP financed more than half the oil supplied to Marshall Plan countries by US companies during the period of the Plan (April 1948 to December 1951), making the oil companies among the largest beneficiaries of Marshall Plan aid.<sup>252</sup>

The Marshall Plan was the US-led program to rebuild Europe after the Second World War, for which significant quantities of Arab oil were extracted.<sup>253</sup> Further, the necessity of oil in the post-war development plan converted the need for natural resources protection into the rhetoric of peacetime national security:

a new apparatus of peacetime ‘national security’ marked the start of a post-war politics in which the collaboration of local governments in restricting the flow of oil, and US antagonism towards those who tried to increase its supply, was recognized as though it were a system for ‘protecting’ a scarce resource against others. Critical accounts of US international oil policy tend to accept ‘national security’ as the concept with which to frame the history of oil, exposing its true meaning either in terms of the logic of capitalist expansion that confronts an inevitable scarcity of resources.<sup>254</sup>

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<sup>251</sup> Mitchell, *Carbon Democracy*, 5. I will show how the accumulated wealth from oil affects Lebanon later in this chapter. This is also discussed further in Timothy Mitchell, *Questions Of Modernity* (Minneapolis: University of Minnesota Press, 2000); and Timothy Mitchell, “Epilogue: The Capital City in *The Arab City: Architecture and Representation*, eds Amale Andraos and Nora Akawi (New York: Columbia Books on Architecture and the City, 2016).

<sup>252</sup> Mitchell, *Carbon Democracy*, 30.

<sup>253</sup> Eslava, *Local Space, Global Life*, 98.

<sup>254</sup> Michael T. Klare, *Rising Powers, Shrinking Planet: The New Geopolitics of Energy* (New York: Metropolitan Books, 2008), 41.

Returning to the promise of independence and free trade made in the invasion of Lebanon and Syria in 1941, these actions irrevocably intertwined the technologies of capitalism and conflict from this point onwards.<sup>255</sup> The toxicity of this conditional relationship produces a need to move beyond the argument that asserting the violence carried out by the Allied forces during the Second World War diminishes the extreme use of violence also perpetrated by the Axis forces. This thesis argues for an investigation into these foreign forces fighting over the extraction and control of oil in the Arab region to assert further a mode of neo-colonial governance.<sup>256</sup> This idea must be inspected in relation to its continued effect in the region today. But what this research also does, in mapping this largely unknown entangled history, is question how the technology of risk continues to be an uncontrollable and unbreakable condition of the future.

#### **1.4 Obscured Materiality**

The rare archival images of the Residence des Pins (Figures 22 and 23) show a colonial-style building located on the northern edge of Beirut's pine forest, known as Horsh Beirut or Qasr al-Snawbar, which in Arabic means the palace of the pines. Taken in 1941 from a British warplane, the frames reveal the moments just before and after the bombardment of the Residence des Pins during the Allied invasion of Lebanon and Syria in 1941.

Most likely, these photographs were taken from the same airplanes that dropped the bombs—in addition to showing the before and after, these archival images also establish an early relationship between the technology of the aerial image making and the militarised aerial perspective. The architecture of the Residence des Pins reflects Beirut's early modernisation, between the Ottoman period into the Mandate, as the Port of Beirut became a colonial gateway into the Arab region.<sup>257</sup> The architecture of the Residence des Pins incarnates the complex geopolitical forces that affect Lebanon's lived-built environment from this early colonial period.

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<sup>255</sup> Eslava, *Local Space, Global Life*, 98.

<sup>256</sup> D. Painter, "The Marshall Plan and Oil," *Cold War History*. 9, no. 2 (2009): 159–175.

<sup>257</sup> I outline the shift in power between the Ottoman and Mandate period in detail in the Introduction.



Figure 22: Residence du Pin, before bombardment. Lebanon, 1941. Located at the Middle East Centre Archive.



Figure 23 Residence du Pin, after bombardment. Lebanon, 1941. Located at the Middle East Centre Archive.

The Residence des Pins was built by Alfred Sursock, a member of an affluent Christian family of great notoriety and influence, initially tax-collectors during the Ottoman period, then as land owners, having taking advantage of Ottoman land reforms to buy large swathes of land across the Levant, particularly in Lebanon and Palestine.<sup>258</sup> Returning to Beirut in 1915, Alfred Sursock bought the rights to Horsh Beirut to build the Residence des Pins, the design of which also included a casino, club, and horse racetrack.<sup>259</sup> Construction began in 1916 under the supervision of Bahjat Abdel Nour, the Sursock family's architect.<sup>260</sup> The two-story 'central hall' residential building was completed following the end of the First World War, when the fall of the Ottoman Empire in 1918 led to Lebanon and Syria (and parts of the wider Arab region) coming under French and British control. On 28 September 1921, the Sursock family sold the Residence des Pins and rights to Horsh Beirut to the French state, for a sum of 1.85 million French Francs.<sup>261</sup> After the Sykes-Picot agreement, François George-Picot himself moved into the Residence Des Pins.<sup>262</sup> During the Mandate period many changes and additions were made, including the first floor atrium, which was redesigned in 1932 by French architect Michel Ecochard—who would later rise to great fame in the Lebanon through his master plans of Beirut.<sup>263</sup>

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<sup>258</sup> There is controversy with the Sursock family in their history of land ownership in the Arab region, as the family sold important pieces of land in Palestine to Jewish settlers, who then demanded the forceful eviction of Palestinians already living in the territories. This history is referred to in Lorenzo Trombetta's, "The Private Archive of the Sursuoqs, a Family of Christian Notables: An Early Investigation," *Rivista Degli Studi Orientali* 82, no. 1/4 (2009): 197–228.

<sup>259</sup> 'The appearance of a mercantile urban bourgeoisie in colonial gateway cities is not a phenomenon unique to nineteenth century Beirut. The passage from a feudal economy to a world economy usually involved participation of members of the indigenous population in foreign-dominated trades, finances, and enterprises. However, it is the magnitude of this phenomenon, its local sectarian character, and its future political repercussions that differentiated Beirut from other Levantines cities.' Robert Saliba, *Beirut 1920-1940: Domestic Architecture Between Tradition and Modernity* (Beirut: Order of Engineers and Architects, 1998), 6.

<sup>260</sup> It was a standard practice for these wealthy and well-established families to work with specific architects; this was true of the Beyhums, Sursocks, and Bustros families in Lebanon. Saliba, *Beirut 1920-1940*, 12.

<sup>261</sup> The growing development of a Western-oriented urban bourgeoisie can be understood through the growing success of the Sursock family. These early relationships can also be tracked in relation to the political tensions that led to the beginning of the Lebanese Civil War, in particular, the growing alliance between western governments and wealthy Christian families. Saliba, 6.

<sup>262</sup> It was on the steps of the Residence des Pins on September 1, 1920 that General Gouraud proclaimed the establishment of the State of Greater Lebanon, with Beirut as its capital.

<sup>263</sup> "La Résidence des Pins," *La France au Liban*, last updated June 13, 2017, <https://lb.ambafrance.org/La-Residence-des-Pins> (Last accessed May 6, 2018). I will go into some detail about the influence of Ecochard and modern architectural design later in this chapter, in particular, the political framing of his master plan for Beirut following independence in 1943.

In *La Residence des Pins* by Denise Ammoun and Pierre Fournié, the chapter on Lebanese Independence and the period between 1941 and 1945 makes no mention of the destruction or damage caused to the building by British bombardment during Operation Exporter in 1941.<sup>264</sup> It is, in fact, quite difficult to uncover any truthful or detailed account of the British military campaign that led to the destruction depicted in these images. The hidden destruction reveals a wider geopolitics at play, particularly between British and French governments who competed for power and control over the region.<sup>265</sup> This evident attempt to obscure the Allied invasion is indicative of a wider erasure of what took place across Lebanon and Syria during the Second World War. The erasure of the violence that took place in the Allied invasion of Lebanon and Syria has been so effective that studies of modernist architecture in Lebanon do not situate the European influence in Beirut in relation to the post-war development project that began after the end of the Second World War.<sup>266</sup> As a further result of a lack of documentation of this history, the impact of the events that took place across Lebanon and Syria during the Second World War remains widely contested.

The two snapshots of the destruction of the Residence des Pins were discovered in the personal archive of General Spears at the Middle Eastern Centre.<sup>267</sup> The destruction of the building is illustrated further still in archival footage of the military campaign montaged in Figure 24, showing the destruction to the building particularly signified in the plaque that famously sits on the front of the residence. This footage was part of Vichy French news of the terror produced in the Allied invasion. As the Vichy forces were allied with Germany at this time, this news and documentation would have been swept up in the binary wartime rhetoric of good and evil. The result is that nearly all traces of the violence enacted by the Allied forces have been erased. The victor of war writes history.

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<sup>264</sup> Pierre Fournie and Denise Amoun, *La Residence des Pins: Beyrouth* (Paris: Art Creation Realisation, 1999).

<sup>265</sup> This is outlined in some detail in Meir Zamir, *The Secret Anglo-French War in the Middle East: Intelligence and Decolonization, 1940-1948*, Routledge Studies in Middle Eastern History (London: Routledge, 2014).

<sup>266</sup> Further detail on this is given in Chapter 1.

<sup>267</sup> I will go into more detail in Chapter 3 about the nature of discovering this archival material in the Spears archive at the Middle Eastern Centre at Oxford University.



Figure 24: A montage of frames from a newsreel showing the bombardment across Beirut in 1941, including internal and external views of damage to the Residence Des Pins. "8 Août 1941 - Premier Reportage - Georges Boustany," <https://www.facebook.com/geoboust/videos/10156274167751165>.



Given that the Residence des Pins was a recognised monument of French governance in Lebanon, its bombardment by the RAF points in two directions: either a purposeful attack was made as a demonstration of force, or, worse still, it alludes to such widespread aerial bombardment by the British that the destruction of this building was merely part of the collateral damage of the aerial strikes. Either way, this archival material is evidence of the unmistakable violence and destruction that took place across Lebanon and Syria in the Allied invasion in 1941.

In discussing Lebanese modernist architecture—developed largely through European influence during and after the Mandate—a question lingers: what analysis is missing of the politics of this influence, when the destruction and violence that preceded it is written out the history of the Second World War? Through a study of scholars of modernist architecture in Lebanon, this research aims to resituate this European influence, in relation to the violence of the Second World War in Lebanon.

### **1.5 The Modernist Building of a Nation State**

Historian Kamal Salibi places the beginning of the modern period of Lebanon and Syria in 1918, when the Sykes-Picot Agreement established the British and French Mandate across the Arab region.<sup>268</sup>

Whilst agreeing with this point of departure, I put particular emphasis on the little-known history of events that take place between the Allied invasion of Lebanon and Syria in 1941 and the declaration of Lebanese Independence in 1943. The focus on these disruptive events is to draw attention to the significant economic and political shift that followed, producing a limit condition, as I argue, which enabled a model of post-war development that can be traced through the influence of modernist European architecture in Lebanon. After a month of fighting, in May 1941 the Allied forces had entirely occupied Iraq to secure its oil refineries. Unsettled by German aircrafts refuelling at Syrian airbases, the Allied forces began their armed intervention into Lebanon and Syria.<sup>269</sup>

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<sup>268</sup> Kamal Suleiman Salibi, *The Modern History of Lebanon* (Westport, CT: Greenwood Press, 1976) Another important book on this history of Lebanon is by Samir Kassir, *Beirut* (Berkeley and Los Angeles: University of California Press, 2010).

<sup>269</sup> There is an overlap in relaying this history between Chapter 1 and Chapter 2, as Chapter 1 makes an analysis of these events through a study of international law and the effects of aerial bombardment, whilst this chapter leads analyses the modern history of post-war development through modernist architecture and the evolution of capitalism in the region. Basil Aboul-Enein and



Figure 25: Post-war development of Lebanon's railway. This is the bridge landing over the river in Beirut for the Beirut-Tripoli Railway, 1944. Located at the Middle Eastern Centre Archive.

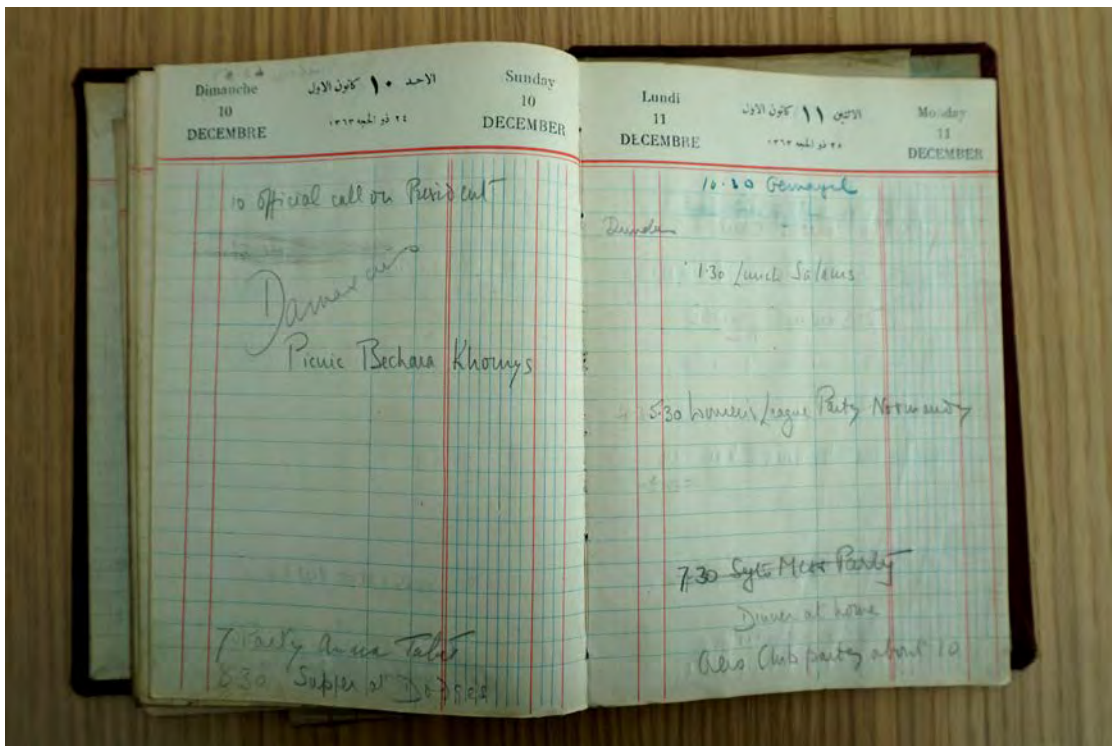


Figure 26: Pages from General Spear's diary from 10–11 December 1944, describing his acquaintances with President Bechara El Khoury, as well as the family's Lebanese architects, Assam Salem and Antoine Tabet. Middle East Centre.

On the morning of the invasion, the Leader of the Free French Army, General Georges Catroux, declared:

The British Government in agreement with the Free French has promised to grant you all the advantages enjoyed by the free countries, which are associated with them. The blockade will be lifted and you will enter into immediate relations with the sterling bloc, which will give you enormous advantages from the point of view of your imports and exports. You will be able to buy and sell freely with all the free countries.<sup>270</sup>

Following the invasion, aid from the British in the reconstruction and development process, along with the free trade agreement, allowed a neo-colonial mode of governance over these soon-to-be nation-states to develop, in part observed in the introduction of a liberal economic system. Total war brought a method of ‘control by influence’ by the Allied forces, which also meant a society of ‘the governing and the governed’ in Lebanon.<sup>271</sup>

Documents uncovered in the General Spears archive give an unusually detailed snapshot of how this mode of control takes place, as is outlined in archival records of the development of the Haifa/Beirut/Tripoli Railway line, which was built expressly to enable the transportation of regional oil. The documents openly promote ‘the building and exploitation of the port of Tripoli’.<sup>272</sup> They also reveal how influence flowed in the close relationship formed between General Spears and the newly appointed Christian President of Lebanon, Bechara El Khoury, as well as with many other politicians and leading figures in Lebanon at the time. The period that followed, during which Beirut is often referred to as the ‘Paris of the Middle East’, marks a time of vast economic and political change. I argue that the promise of independence that came in the Allied invasion produced a contract: violent conflict in exchange for economic development and privileges, given through the

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<sup>270</sup> Official statement made by the Free French with the support of the British on the morning of the Allied Invasion into Lebanon and Syria in 1941, which includes the promise of granting independence, released in 1941. Box 1A, File 1. GB165-0269, Sir Edward Spears Collection at the General Spears Archive, Middle Eastern Centre, Oxford University.

<sup>271</sup> This is explained in Chapter 1.

<sup>272</sup> Minutes and Memoranda of War Cabinet Committee of Foreign (Allied) Resistance, 1941, Box 1, File 4, folder GB165-0269, Sir Edward Spears Collection, Box 1 File 4, at the General Spears Archive, Middle Eastern Centre, Oxford University.

free trade agreement, in the building of the Lebanese nation-state. However, this bound the violence of conflict and capitalist ideals for profit-making as a limit condition of risk in Lebanon—giving license for the imposition of this combined limit condition in the present and into the future.<sup>273</sup> The promise of independence to Lebanon allowed a blanket of impunity in regards to the violence of 1941, but how is this politics inscribed into the modernist architecture and building of the Lebanese nation-state that followed?

The liberal economy or ‘laissez-faire’ system introduced under Bechara El Khoury, the first post-independence president of Lebanon, resulted in a substantial increase in foreign exchange and trade, with little or no governmental regulation.<sup>274</sup> Often the responsibility for the capitalist drive is placed solely on the shoulders of President El Khoury and his political ambitions, but I argue that it was also part of the Allied neo-colonial strategy to produce a society of the governing and the governed, through inequality and the unregulated liberal economic policies brought into Lebanon in the contract for independence. These liberal economic policies in relation to trade in Lebanon from this point become particularly conspicuous, especially in relation to the strict policies in place elsewhere in the Arab region.<sup>275</sup> The lifting of trade restrictions by the Allied forces is a vital piece to understanding the economic, political, and therefore architectural shift that resulted in Beirut becoming known as the Paris of the Middle East.<sup>276</sup> Here, the first historic fold of this limit condition of capitalism and conflict takes effect, reflected through changes in economic policy brought by the Allied invasion and followed quickly, as I’ll come to show, by changes in the materiality of Lebanon’s lived-built environment.<sup>277</sup>

Scholars of modern architecture in Lebanon often comment on the neglect of this period in Lebanese architectural history. Robert Saliba speaks of a ‘scarcity

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<sup>273</sup> Fawwaz Traboulsi, *History of Modern Lebanon* (London: Pluto Press, 2007).

<sup>274</sup> A laissez faire system takes place as private financial transactions operate with little regulation and intervention from the government. This obviously only made a small part of Lebanese society rich, known as the merchant rich families. This economic system is written about by Michel Foucault, *The Birth of Biopolitics: Lectures At The College de France 1978-1979*, ed. Michel Senellart, trans. Graham Burchell (London: Palgrave Macmillan, 2008); Venn, *After Capital*.

<sup>275</sup> Samir Khalaf and Philip Shukry Khoury, *Recovering Beirut: Urban Design and Post-War Reconstruction* (New York: Brill, 1993).

<sup>276</sup> Hisham Sarkis and Peter Rowe, “Introduction: Projecting Beirut,” in *Projecting Beirut – Episodes in the Construction and Reconstruction of a Modern City* (Munich: Prestel, 1998).

<sup>277</sup> Sarkis and Rowe, "Introduction," 9.

of detailed literature on domestic colonial architecture in the region'.<sup>278</sup> This research argues that this lack reflects a wider negligence in the study of this era in Lebanon and Syria and the shifting economic and political changes that took hold. Saliba further points to a dialectic that occurs at this point between modernity and national identity and the relationship that forms between the ideology of national independence and the modernist building of the Lebanese nation state. I will go onto explain the progression of this dialectic in the following sections of the chapter, but a clear example of this can be seen in the modernist design of the Electricité du Liban Headquarters (EDL), seen in Figures 27 to 30.<sup>279</sup>

Even before independence was granted to Lebanon, in 1942 the French architect Michel Ecochard was commissioned to develop a master plan of Beirut. This first Ecochard Plan took two years to develop, and was submitted for approval in 1944, soon after the declaration of Lebanese independence on 22 November 1943. This first Ecochard Plan for Beirut was extremely detailed, and included the design of a transportation network, a commercial sector in the city centre, and the airport.<sup>280</sup> It also offered an intensive survey of existing agricultural spaces, as well as a detailed proposal for twelve land-use zones across Beirut, which would include commercial, industrial, and residential areas.<sup>281</sup> The 1943 Ecochard master plan applied European principles of modernist architecture to Beirut.<sup>282</sup>

Although this master plan wasn't approved, in the following years Ecochard enjoyed significant popularity in Lebanon as an architect and urban planner. In her writing on Ecochard, Lebanese architect Marlène Ghorayeb asserts:

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<sup>278</sup> This point is made by several historians of architecture of this period in Lebanon, in particular Robert Saliba's Preface to *Beirut 1920-1940*, V–VII; Michael Hays, "Modern Beirut," in *Projecting Beirut*, 79; George Arbid, *Practicing Modernism in Beirut: Architecture in Lebanon, 1946 – 1970* (PhD Diss., Harvard University, 2002), 3.

<sup>279</sup> Robert Saliba, "Historicizing Early Modernity – Decolonizing Heritage: Conservation Design Strategies in Postwar Beirut," *Traditional Dwellings and Settlements Review* 25, no. 1 (Fall 2013): 9. Adrian Lahoud also establishes this influence in modernist architectural design in Lebanese nation state-building. Lahoud discusses this in relation to the incomplete project by Oscar Neimeyer, in Tripoli; Adrian Lahoud, "Fallen Cities" in *The Arab City*.

<sup>280</sup> Assem Salam, "The Role of Government in Shaping the Built Environment," in *Projecting Beirut*, 125.

<sup>281</sup> Arbid, *Practicing Modernism in Beirut*, 57.

<sup>282</sup> Marlène Ghorayeb, "The Work and Influence of Michel Ecochard in Lebanon," in *Projecting Beirut*, 106.

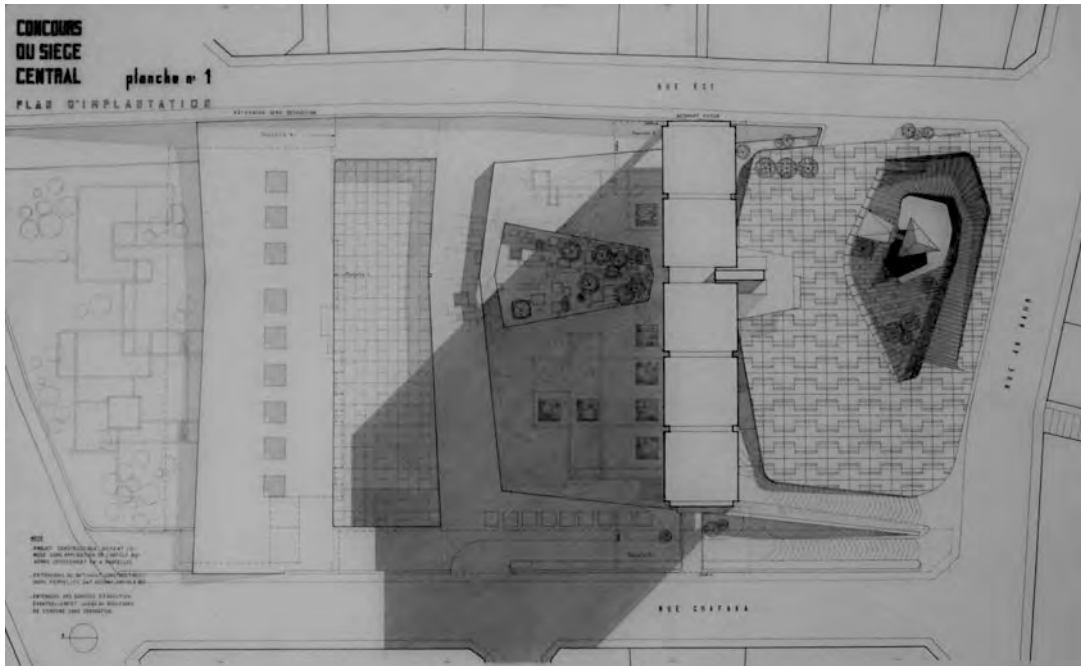


Figure 27: Modernist design of Electricité du Liban Headquarters (EDL), 1965–1972. Architectural drawing by J.N. Conan. Architects: J. Aractingi, J. N. Conan, J. Nassar, P. Neema. Arab Center for Architecture.

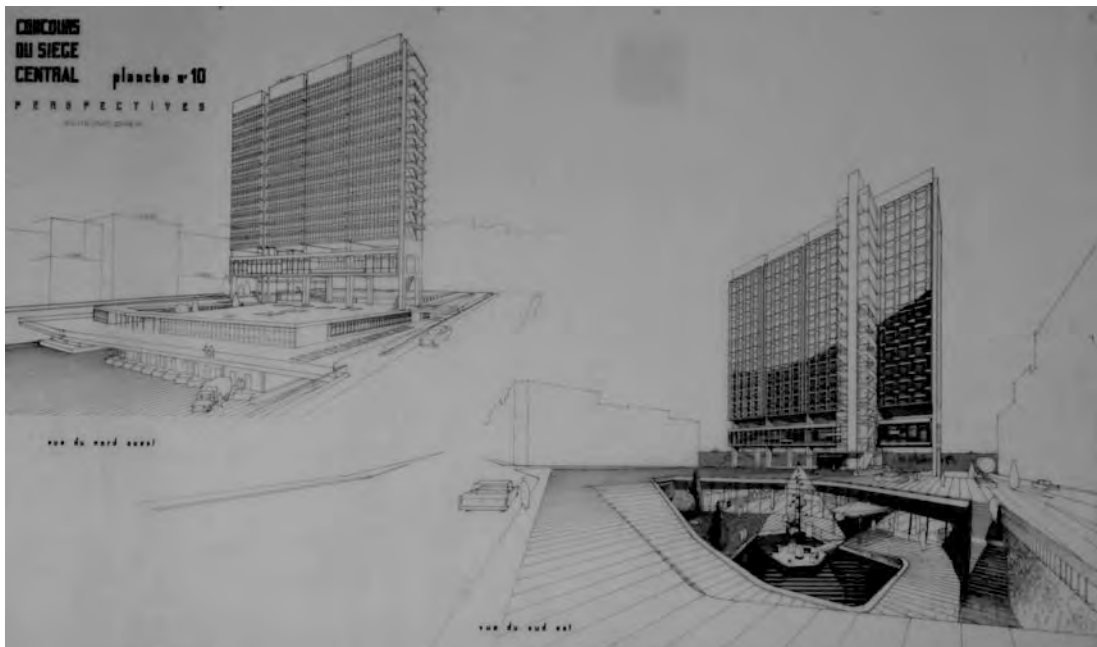


Figure 28: EDL Headquarters, 1965–1972. Arab Center for Architecture.





Figure 29: EDL Headquarters, 1971. Photograph by P. Neema. Arab Center for Architecture.



Figure 30: 'Modern Beirut' architectural walk leading to EDL Headquarters by George Arbid, Director of Arab Center for Architecture, during 'Points of Contact', exhibition and public program, Beirut, 2018.



Whether Ecochard is to be considered as an accelerating force behind an ongoing process, or as its initiator, one thing is certain: he symbolised modern ideas and modern skills to the people in whose countries he worked.<sup>283</sup>

Ecochard first arrived as a French civil servant in the Arab region in 1932, the same year he graduated with a degree in architecture from the Ecole des Beaux-Arts in Paris. Ecochard's first major architectural project in the region was when he transformed the Azem Palace in Damascus, Syria, into the French Institute in 1936.<sup>284</sup> Spurred on by this experience in Syria, Ecochard applied a similar modernist approach to his master plan for Beirut in 1943. Publicly, Ecochard's design for Beirut argued for greater equality through modern architectural design.<sup>285</sup>

In tracking Ecochard's career, his early loyalties were with the French state in helping to establish their power through architectural design (shown earlier in this chapter in the design of the Residence des Pins). Further, it could be argued that the trajectory of Ecochard's career falls in line with the proposed neo-colonial project of control-through-influence as a continued strategy for colonial governance. Though this argument isn't clear-cut, observing the success of his career, made possible only in the unusual support he received from the French state, suggests the politics of his architectural design cannot be totally ignored.

In 1959, Ecochard met Le Corbusier during a trip to the US and was greatly influenced by this meeting.<sup>286</sup> Ecochard then set to work on new master plans of Damascus and Beirut in the 1960s that would help absorb a population growth in each of the two cities.<sup>287</sup>

Other European architects who joined Ecochard's architectural stage in Lebanon include: Lucian Cavro, André Leconte, Otto Bartning, Karol Schayer, Constantin Doxiadis, Alfred Roth and Alvar Aalto, Addor et Julliard, Oscar Niemeyer, Julio Garcia Lafuente, André Wogenscky, and Jacques Marmey.<sup>288</sup>

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<sup>283</sup> Ghorayeb, "The Work and Influence of Michel Ecochard," 119.

<sup>284</sup> Arbid, *Practicing Modernism in Beirut*, 58.

<sup>285</sup> This position is put forward in Ghorayeb, "The Work and Influence of Michel Ecochard," 109.

<sup>286</sup> Le Corbusier's role in engaging modernist design in the development neo-colonial strategies is written about in "Le Corbusier's Vision for Fascist Addis Ababa," *Failed Architecture* (blog), October 9, 2014, <https://failedarchitecture.com/le-corbusiers-visions-for-fascist-addis-ababa> (last accessed July 19, 2018).

<sup>287</sup> Ghorayeb, "The Work and Influence of Michel Ecochard," 113.

<sup>288</sup> Arbid, *Practicing Modernism in Beirut*, 5.

Notably, Oscar Niemeyer was commissioned to design a permanent International Fair in Tripoli, though the building was not completed.<sup>289</sup> Besides the two unsuccessful urban planning schemes for Beirut, Ecochard also designed major school projects in different parts of the country, including the Collège Protestant Francais de Beyrouth.<sup>290</sup> Further, André Wogensky, one of Le Corbusier's last significant collaborators, worked with Lebanese architect Maurice Hindieh to design the new Defense Ministry in Hazmieh and the Lebanese Public University in Shwayfat.<sup>291</sup> Often, these architects would work in collaboration with Lebanese architects, particularly those who had received their education overseas in the US, France, or the UK. These architects included Bahjat Addelnour, Yussef Aftmus, Salah and Faouzi Itani, Antoine Tabet, Farid Trad, Joseph Najjar, and Assem Salam.<sup>292</sup>

The political era that followed Lebanese independence in 1943 can be defined through two regimes of government. First, from 1943 until 1958, Bechara El Khoury and Camille Chamoun governed Lebanon according to an economically liberal, or *laissez faire*, economic model. Arguably this era set the stage for the current neoliberal economic model in place in Lebanon. During this period, Lebanon became a filter into western markets for surplus flows of capital coming from across the Arab region. This included, for example, deposits from wealthy Palestinians fleeing Israeli violence in 1948, as well as, most famously, deposits of surplus capital from the oil boom in the Gulf. Flows of capital were also being attracted from Egypt, Syria, and Iraq, where nationalisation was driving away private capital made in the markets. The lifting of trade restrictions in Lebanon by the Allied forces, and the unregulated liberal economic model that took hold, made Lebanon the banking capital of the region and provided great prosperity and growth for those who were able to take advantage of this new economic freedom. Little or no attention was devoted to forming a governmental framework that could offer public services or benefit the public sector during this time.<sup>293</sup> This period is also characterised by the established relationship between Western powers and the Lebanese Christian community, who wanted a Western-facing Lebanese state that

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<sup>289</sup> Lahoud, "Architecture, the City and its Scale."

<sup>290</sup> Here La Corbusier's five points were rigorously applied, like at the Marist Brothers' school in Baabda and Sidon and the German Hospital in Hazmieh.

<sup>291</sup> Saliba, *Beirut 1920-1940*, 12.

<sup>292</sup> Saliba, *Beirut 1920-1940*, 12.

<sup>293</sup> Salam, "The Role of Government in Shaping the Built Environment," 125.

participated in a dominant capitalist hegemony. This flow of capital through Beirut in turn fed a construction boom in Lebanon and started the shift towards the commodified home, as foreign investment coming into the country was concentrated in real estate in Beirut.

In 1958, President Fuad Shihab came to power, bringing more security and presence for Muslims in the government and across the country. He paid particular attention to economically depressed areas, and initiated the first social and public services in Lebanon. The creation of a central bank in 1964 began to reverse the laissez-faire economic practices established by the previous government. New agencies were created for planning, statistics, regional development, medical dispensation, and social security. Of particular importance to this research was the creation by President Shihab of the Council for Development and Reconstruction (CDR). This period set in place an altered foundation for the development of the modern Lebanese state, commonly known as the period of Shihabist reforms. However, the Shihabist regime came to an end in 1970. Conflict between the Palestinian Liberation Organisation (PLO) and the Lebanese Christian Phalanges had begun: martial law was declared in 1972 and Lebanon headed towards the civil war that would start officially in 1975.

There is a wider misconception that following the declaration of Lebanese independence in 1943 this newly formed state was left to its own governmental devices to develop. As the archival material referenced in this research reveals, this was not the case: a neo-colonial strategy was immediately put into effect.<sup>294</sup> This chapter argues that the influence of modernist architecture following the invasion of Lebanon in 1941 and independence in 1943 needs to be placed in the context of the regional upheaval and conflict that takes place in the early 1940s, and the wider global development project following the end of the Second World War.

## **1.6 Built Between the Slow, the Structural, and the Spectacular**

This section takes my already defined outline of the distinction between the states of slow, structural, and spectacular violence and observes the state of development and architecture that gets built between them—it observes the architecture that

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<sup>294</sup> Close inspection of the reports by J. B. Glubb on the post-war peace and development process shows that the biopolitical scale of this strategy goes so far as to use foreign education as a method of manipulation. J. B. Glubb, British Commanding Officer of the Arab Legion, "Top Secret: Note on Post-War Settlements in the Middle East."

utilises the state of exception in conflict to allow further slow and structural violence to take hold in less visible modes of action.

On 22 October 1991, the Ta-if agreement was signed, marking the end of the Lebanese Civil War and also granting amnesty to the perpetrators of violence during the conflict.<sup>295</sup> This removed all legal capacity to testify against the crimes committed during the war, meaning no justice could be brought for the people killed and disappeared during the conflict.<sup>296</sup> The agreement also confirmed and readjusted the confessional governmental system, which had been in place before the beginning of the Lebanese Civil War. The agreement for peace in Lebanon came into effect through the active international involvement of Saudi Arabia, the United States, and Syria.<sup>297</sup>

Rafik Hariri played a significant role in negotiating the terms of the Ta-if Agreement. It is argued that in the Ta-if agreement, Hariri wanted to reorient Lebanon as an Arab country, following the Western economic and political influence from before the civil war. Ultimately, the agreement formed the principle of mutual coexistence between Lebanon's different religious sects; it restructured the national political system in Lebanon by transferring some of the power away from the Christian political community, which had experienced particular privilege under the Western influence at the end of the Mandate. Before the war, Lebanon had a liberal economic system, in part helped by the agreement for independence in 1943 through which Allied forces lifted trade restrictions in place in Lebanon.

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<sup>295</sup> Stipulated as violence taking place before 28 March 1991, but also drawing a line in relation to any criminal activities that took place during the conflict, in the interest of creating peace.

<sup>296</sup> In October 2012, Justice Minister Shakib Qortbawi put forward a draft decreeing that the Lebanese cabinet must establish a national commission to investigate the fate of the disappeared, but no further action was taken. In September 2014, the government finally provided the families of the disappeared with the files of the Official Commission of Inquiry appointed in 2000 to investigate the fate of the kidnapped; "Lebanon," *Human Rights Watch*, <https://www.hrw.org/world-report/2017/country-chapters/lebanon> (Last accessed January 12, 2017). There is still a huge question with regards to what happened to many of the disappeared, including speculation that mass graves exist across much of Beirut, and are being dug up and hidden by the new luxury development projects; Kaveh Waddell, "The Desperate Search for Lebanon's Mass Graves," *The Atlantic*, April 22, 2018, <https://www.theatlantic.com/international/archive/2018/04/lebanon-civil-war-burial-missing/558632>; Caroline Arkoum, "Middle-east Arab News Opinion," *Asharq Al-awsat*, April 13, 2018, <https://aawsat.com/english/home/article/1236231/lebanon-civil-war-missing-persons-electoral-track> (last accessed September 12, 2018); Rebecca Collard, "Lebanon's Civil War Legacy: Matching the Missing with the Dead," *ABC News*, July 8, 2016, <http://www.abc.net.au/news/2016-07-08/lebanon%E2%80%99s-civil-war-legacy:-matching-the-missing-with-the-dead/7578676>.

<sup>297</sup> The agreement also established special terms between Lebanon and Syria, and drew out a framework for the beginning of Syrian withdrawal from Lebanon, following the Syrian occupation to assist in the Civil War.

During the fifteen years of the civil war, Lebanon's economy collapsed and ceased to function in the way that it had between 1943 and 1975. During the war, the Gulf States—who had been channelling money through Lebanon's unregulated banking system—formed closer economic ties with the US, dissolving Lebanon's strategic position in the Arab region from before the start of the war.<sup>298</sup>

The Gulf States had played an important role in introducing a neoliberal capitalism into the Arab region after the end of the Bretton Woods system in 1971.<sup>299</sup> The oil boom between 1973 and 1981 led to large sums of surplus capital flowing into the Gulf economy. As theorist Hannes Baumann writes:

At a moment of transformation in the world economy, petrodollars became a price which the USA, as the global hegemon, was keen to capture to strengthen the status of the US dollar and the ability of Wall Street finance to serve the newly globalizing financial market [...] Enormous amounts of petrodollars were being recycled by Gulf economies via investment, trade, arms purchases and construction contracts with the USA and EU countries.<sup>300</sup>

The economic downturn during the Lebanese Civil War, and the further shift in regional economies, meant the merchant class that had profited from the liberal economic policies lost their unrivalled economic position of strength.<sup>301</sup> Rafik Hariri's quickly accumulated wealth and power—through real estate development in the Gulf during the civil war years—meant he was able to see a similar window of opportunity in post-conflict Lebanon.<sup>302</sup> It was through the influence he had gained in Saudi Arabia that made him integral to negotiating the terms for ending the Civil War, influencing then the neoliberal redevelopment of Lebanon for further gain and profit.

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<sup>298</sup> Bahrain replaced Lebanon as the banking capital of the region during this time.

<sup>299</sup> David Harvey, *Spaces of Global Capitalism* (London: Verso, 2006); Harvey, *A Brief History of Neoliberalism*.

<sup>300</sup> Hannes Baumann, *Citizen Hariri: Lebanon's Neoliberal Reconstruction*. (London: Hurst & Company, 2016), 22.

<sup>301</sup> The *laissez faire* system, was, and is to a certain extent still in operation after the Civil War, but as I will come to argue, the economic downturn that took place during the Civil War allowed for a new and evolved neoliberal economic model to take hold.

<sup>302</sup> Marieke Krijnen and Mona Fawaz, "Exception as the Rule: High-End Developments in Neoliberal Beirut," *Built Environment* 36, no. 2 (2016).

Following the Ta-if agreement in 1991, Hariri quickly assumed the leadership of Lebanon as Prime Minister. Hariri had immigrated to the Gulf at the beginning of the Civil War and had accumulated great wealth as a contractor working in real estate development.<sup>303</sup> Through this wealth and influence he received Saudi nationality; this was very rare, as very few Lebanese who went to the Gulf at the beginning of the Civil War were granted such a privilege.<sup>304</sup> Through his experience of real estate development in Saudi Arabia, Hariri developed a clear understanding of how the neoliberal economic model could be applied in the urban development of downtown Beirut by focusing on the reconstruction of Beirut's Central Business District. Following the end of the Lebanese Civil War, a shift from the established pre-war liberal economy to a new neoliberal economic model took place, brought about through changes in the property law by President Hariri.<sup>305</sup> This mechanism of development relates to what architectural theorist Reinhold Martin proposes in that:

housing is a verb; it does things as well as represents them. This is what allows us to speak of something like a housing system: a dynamic set of relations, a portion of which this report sketches via the logic and the 'laws' of real estate development.<sup>306</sup>

Martin emphasizes in, *The Art of Inequality*:

that far from being objectively given, these laws are pieces of artifice that amount to a way of governing, as in the expression 'the art of governing.' Insurmountable housing disparities are not a historical accident, nor are they merely the unintended side effect of well-meaning policies and practices. They are designed,

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<sup>303</sup> Ulrich Bröckling, Susanne Krasmann, and Thomas Lemke, *Governmentality: Current Issues and Future Challenges*, Routledge Studies in Social and Political Thought (London: Routledge, 2011), 71.

<sup>304</sup> Thomas Lemke, *Foucault, Governmentality, and Critique*, Cultural Politics & the Promise of Democracy (London: Routledge, 2016).

<sup>305</sup> Thomas Lemke, *Biopolitics: An Advanced Introduction*, trans. Eric Frederick Trump (New York: New York University Press, 2011).

<sup>306</sup> Reinhold Martin, *The Art of Inequality: Architecture, Housing, and Real Estate* (New York: Temple Hoyne Buell Center for the Study of American Architecture, 2015), 11.

built into the system by which housing is produced and maintained in the first place. Architecture matters here for that reason.<sup>307</sup>

Understood most blatantly as the form given to real estate, but also as an arrangement of material things that makes real estate possible, architecture thus becomes both evidence and instrument of growing socioeconomic divides.<sup>308</sup>

Hariri's promise in the redevelopment of downtown Beirut was to make it again the economic hub of the Arab region. To do this he needed to rebuild Beirut as an international city, able to attract international investors from the Gulf as well as the wealthy diaspora that had left during the many years of war. In order to do this, his focus was on developing the high-end luxury real-estate market, which would produce higher rents and therefore be more profitable. In so doing, the attempt was to create an elite playing field for the wealthy, which served to segregate or separate the centre from the rest of the city.<sup>309</sup> This is arguably typical of neoliberal urbanism, but also falls in line with this chapter's arguments regarding the method of separate development conceived through colonialism in the region. The model of spatialised neoliberalism was in many ways successfully applied in the local context of Beirut.<sup>310</sup> In essence the neoliberalist operation becomes 'a political project to re-establish the conditions for capital accumulation and to restore the power of economic elites'.<sup>311</sup>

An important part of how Rafik Hariri imposed neoliberalism through the redevelopment of downtown Beirut was in changes to domestic law that gave his government greater authority to strip property rights from the people who had owned properties damaged before the war.<sup>312</sup> The key example of this came through

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<sup>307</sup> Martin, *The Art of Inequality*, 11.

<sup>308</sup> Martin, *The Art of Inequality*, 12.

<sup>309</sup> Marieke Krijnen, "Beirut and the creation of the rent gap," *Urban Geography* 39, no. 7 (2018).

<sup>310</sup> To underline the way that neoliberalism came to influence Hariri in this period, the winner of the Milton Friedman post-doctoral scholarship at the University of Chicago. Nasir al-Sa'idi, was vice governor at the central bank from 1993-2003 and lead negotiator of the EU-Lebanese association agreement, a free-trade pact with the EU; Baumann, *Citizen Hariri*, 103.

<sup>311</sup> Baumann, *Citizen Hariri*, 6.

<sup>312</sup> It's important to note that whilst this project did win, there was resistance, as much of the architecture writing in this chapter reflects, but particularly exemplified in the writing of Jad Tabet, who was awarded the title of Head of the Order of Engineers in Lebanon in 2017 and is known as the godfather of Lebanese architecture. The question of how the lived-built environment would develop in Lebanon after the war was a heated topic amongst architects and urban planners at the time.

the reconstituted Council for Development and Reconstruction, established during the Shihabist reform period. In June 1991, Hariri appointed Fadl Shalaa, a close supporter, as the head of CDR. Also in 1991, Hariri and the Lebanese government changed Law 117 to give the CDR power to establish and control the private real-estate company Solidere for the redevelopment of Beirut.<sup>313</sup> The change in Law 117 also allowed Solidere to use the state of exception from the civil war to forcefully transfer property rights to the private firm. This state of exception created an opportunity for a new neoliberal economic model to take hold. Furthermore, the government then established a system of profit making through the high rents in the luxury redevelopment of downtown Beirut.

Solidere took charge of the reconstruction project, and their main goal was to maximize profit—predominantly by creating separate luxury real-estate, that is, homes for investment, or the commodified home. This segregated the downtown development of Beirut, separating it from the wider urban and social fabric of the city. The reconstruction of central Beirut was not oriented towards the needs of the city's inhabitants, but rather for the wealthy foreign investor. Urban space was commodified and marketed towards international capital, especially from the Gulf.<sup>314</sup> Again we see the redistribution of power under a state of exception playing out through economic and then architectural terms in the post-conflict situation. Lebanon became even more closely integrated into the circuits of Gulf capital as the country became increasingly reliant on the Gulf cycle of oil-induced boom and bust.<sup>315</sup> Banking, tourism, and construction drove a strong economy in Lebanon between 2006 and 2010 during the banking downturn in the US and Europe.<sup>316</sup>

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<sup>313</sup> Solidere was listed on the Beirut stock exchange.

<sup>314</sup> Baumann, *Citizen Hariri*, 67.

<sup>315</sup> This took place in Lebanon in 2016, as a result of geopolitics associated with the Syrian Civil War. This was reflected in the design of luxury real-estate developments, as flats were made smaller to accommodate investment from less wealthy members of the Lebanese diaspora.

<sup>316</sup> Gulf tourists often holiday in property they rent or buy rather than staying in hotels, so therefore provide a boost to real-estate. Between 2002 and 2006 the Gulf experienced an oil boom, with oil windfalls reaching 1.5 trillion US dollars. Investors were turning away from the US in fear of a crackdown on suspicious Arab capital after 9/11 and the 2008 financial disaster. Social networks between the Gulf and other Arab countries played a role in redirecting these flows. For instance, between 2004 and 2008, about 120 trillion US dollars in capital outflows from Gulf states reached the Middle East, Lebanon and Egypt were the prime recipients. Baumann, *Citizen Hariri*, 181.





Figure 31: Still from 'So That You Too Could See' showing downtown Beirut in 1991. Film by Vanessa Bowles, 2018. 13min. Courtesy and copyright of Vanessa Bowles.

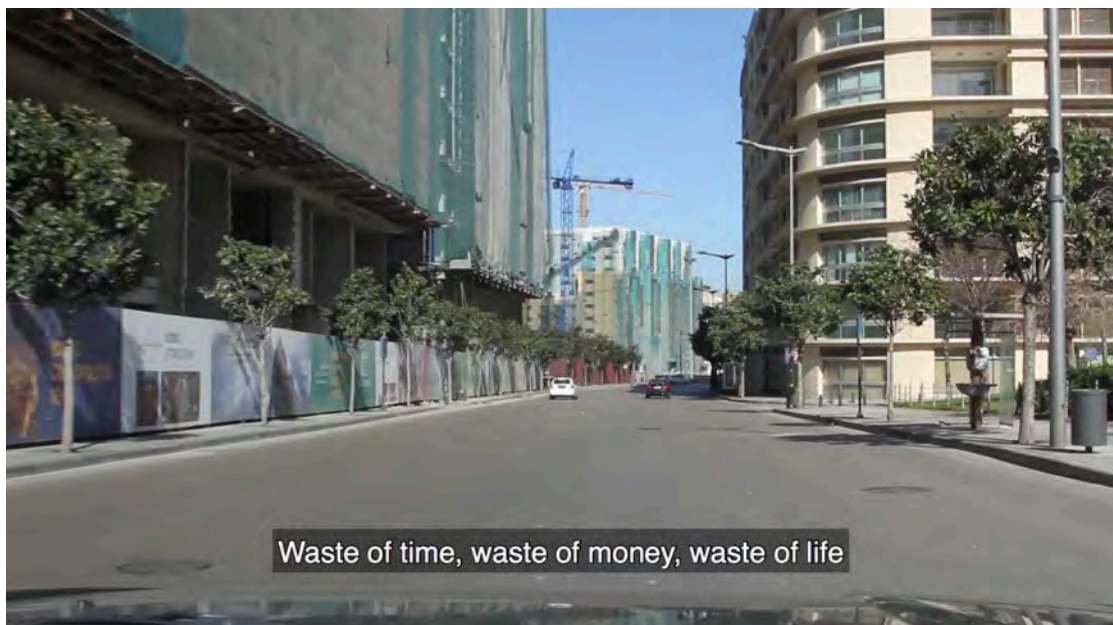


Figure 32: Still from 'So That You Too Could See' showing downtown Beirut in 2018. Courtesy and copyright of Vanessa Bowles.

In his writing on the post-conflict development of Beirut, Rodolphe el-Khoury describes how the downtown district had suffered from systematic bombing and street fighting during the Civil War, but that in his opinion (and in the opinion of many others in Lebanon at the time) these buildings could still have been restored.<sup>317</sup> Khoury suggests however that ‘Solidere’s explosives delivered the coup de grace in 1992’.<sup>318</sup> The final blow of violence and destruction came in the explosives that Solidere used to bring down the war torn central district.<sup>319</sup>

In *So That You Too Could See*, the 13min film made by Vanessa Bowles in 2018, previously unseen footage of downtown Beirut from 1991 is featured, shot by Bowles’ father (also a filmmaker) as he documented the damage caused by the Civil War in Lebanon at its end in 1991 (see Figures 31-32). His reason for doing so, as he puts it, was so that she ‘too could see the damage’ one day.<sup>320</sup> The footage shows the city in ruin, with, as argued by el-Khoury, most of the buildings standing’. However, the buildings are so badly perforated with bullet holes and bomb damage that it is very difficult to imagine they could have been restored.

Indeed there could be an emotional argument for wanting to keep and restore these buildings, but it is also evident why Solidere felt it necessary to destroy the whole area to allow for its redevelopment. The film relates the emotional relationship between people who lived in Beirut during the war, and the city. Following the same path that Bowles father takes in 1991, Bowles retraces his steps around the city again in 2017 (see Figures 31 and 32). The evolving images of the city in this film engage the conversation between father and daughter about their relationship with each other, the city, and the history of violence seen through war and development. The film provides a powerful testimony of the intergenerational effect of this history of violence as it is traced through the materiality of the city. This further underlines the importance of understanding the complex lived capacity

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<sup>317</sup> Rodolphe el-Khoury, “The Postwar Planning of Beirut,” in *Projecting Beirut*.

<sup>318</sup> el-Khoury, “The Postwar Planning of Beirut,” 183.

<sup>319</sup> The term ‘creative destruction’—originally used by Karl Marx, and later by David Harvey—could be used in describing the post-conflict development of Beirut by Solidere. However, I believe the description misrepresents the cycles of violence perpetrated on people. I have chosen therefore to stay in framework of structural violence, as a description of the institutionalization of this violence, instead. The referenced texts across this chapter outline the context specific nature this relationship between destruction and development such as *Recovering Beirut: Urban Design and Post-War Reconstruction* (New York: Brill, 1993) and *Projecting Beirut – Episodes in the Construction and Reconstruction of a Modern City* (Munich: Prestel, 1998).

<sup>320</sup> *So That You Could Also See*, Vanessa Bowles, 2018. Commissioned for inclusion in the exhibition and public program ‘Points of Contact’, Goethe-Institut Libanon, 2018.

of this built environment. Or, as AbdouMaliq Simone outlines in his writing on the materialisation of neoliberal developments, these are ‘sensory, spiritual, cognitive, performance, and experiential environments in addition to being built-up and economic domains.’<sup>321</sup> In the legal changes made by Hariri and the Lebanese government, we observe the birth of the commodified home; a condition where the financial profit gained from the properties’ accumulated value outweighs its capacity to house and shelter. The development that took place in post-conflict Lebanon was oriented toward the needs of investors, rather than toward Lebanese citizens’ need to return home.<sup>322</sup> As a result, inequality and a lack of public services have plagued Rafiq Hariri’s neoliberal economic model of redevelopment. In this regard, Reinhold Martin further describes that:

inequality is everywhere. Political standoffs between incentivized luxury-development and rent regulation run parallel with a litany of racial violence that, in turn, reflects the role of both race and space in determining economic outcomes.<sup>323</sup>

Here, Martin describes the neoliberal materialisation of an unequal society in the context of US, but we can certainly draw parallels to the architecture shaped through the neoliberal economic model in Lebanon.<sup>324</sup> Eventually, the commodification of domestic space in Lebanon became an outlet of Gulf surplus capital. The adoption of a globalised neoliberal economic system within the context of Lebanon, I argue, is the second fold of the limit condition of risk, seen in the destruction caused through conflict and then in the profit gained through the redevelopment of Lebanon’s lived-built environment.<sup>325</sup> To understand the politics of Lebanese neoliberalism observed in the model of post-conflict development by

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<sup>321</sup> *Housing after the Neoliberal Turn: International Case Studies* (Leipzig and Berlin: Spector Books and Haus der Kulturen der Welt, 2016).

<sup>322</sup> In the discussion with Ali in Haret Hreik (see ‘In Conversation’ in Chapter 1) he argued that this is in part that because the Lebanese Civil War was such a long conflict, a lot of people that left had made lives in other countries; this fact was taken advantage of in the legal changes that took place, such as stripping property rights.

<sup>323</sup> Martin, *The Art of Inequality*, 12.

<sup>324</sup> Also in thinking through the logic of localities of neoliberalisation, I have been reflecting on Michel Feher’s writing and lecture series on the neoliberal condition; Forensic Architecture, *Michel Feher Lecture One*, 2013, <https://vimeo.com/80882516>; Michel Feher, “Self-Appreciation; or, The Aspirations of Human Capital,” *Public Culture* 21, no. 1 (January 1, 2009): 21–41.

<sup>325</sup> Rafik Hariri’s neoliberal model also reproduced the political economy of sectarianism. A more equal economy and non-sectarian public services would have transformed sectarian practices.

Solidere, both the modes of accumulation and of governance must be understood in the reproduction of this global economic model, as it materialises in the specific political context of Lebanon.

Some argue that Lebanon's political economy is unchanged, still determined by the laissez-faire system; but to make that argument one must ignore the profound economic and political changes that the neoliberal system has brought to the country.<sup>326</sup> Solidere followed a global neoliberal template that became embedded in local and regional politics in Beirut, which does still reflect some laissez-fair propensities as a trace of economic and political history. This second unfolding of a colonial technology has robbed the people of downtown Beirut of the right to their homes.<sup>327</sup> In the end, the development of downtown has brought much protest, because it was seen to hollow out a once rich and vibrant city centre. However, whatever happened after the Lebanese Civil War, for many of the reasons analysed thus far in this chapter, this city again was never going to be the same, so part of the question must be: what would be a better, alternative model of development?<sup>328</sup>

## 1.7 The Commodified Home

In writing about housing as a commodity, Anne Kockelkorn describes how the commodified home produces 'contradictions that derive from the double character of housing within a capitalist economy as being both a commodity and means of production.'<sup>329</sup> This is true in the case of Solidere's development of downtown Beirut, as these homes function less as places of dwelling, and more as both a commodity and a means of production. In the case of Lebanon's post-conflict development in the early 1990s, which takes place amidst a global neoliberal economic turn, the home became a commodity and a mode of economic production, in addition to its ever-necessary role as shelter against the threat of conflict. However, these luxury development projects purposefully turn their back on the potential risk of conflict, instead projecting and engaging a future for Lebanon steeped in a modern image of wealth and glamour, as can be seen in the

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<sup>326</sup> T. K. Gaspard, *A political economy of Lebanon, 1948–2002: The limits of laissez-faire* (Boston: Leideb, 2004), 2.

<sup>327</sup> Krijnen, "Beirut and the creation of the rent gap".

<sup>328</sup> This detail is taken from an interview with Lebanese architect Mustapha Jundi, first in 2013 and then again in 2018.

<sup>329</sup> *Housing after the Neoliberal Turn*, 62.

life-sized architectural visualisations that fill the city of Beirut (see Figure 20). These luxury real estate developments are determined to erase any trace of the history of violence, and further any thought of that violence's continued threat into the future.<sup>330</sup>

In my fieldwork in 2013, in response to the proliferation of the images of the commodified home littering hoarding across Beirut, I began mapping the extent of this visual regime, photographing the images across the city (see Figure 34).<sup>331</sup> It became clear that what was being produced through these images was the neoliberal development of a modern city, separate from the people that lived there. The inhabitants' rights to the city were being withdrawn through this visual regime of separate development.<sup>332</sup>

The proliferation of these images of the commodified home became a trace of a legal and methodological precedent, set by the Hariri government and Solidere, in its continued operation through small developers.<sup>333</sup> Is it possible to trace the architecture of these systems of slow and structural violence in the post-conflict development of downtown Beirut?<sup>334</sup> I have brought forward a few key examples that outline the occurrence of this slow and structural violence.<sup>335</sup>

The first example depicts a slow mode of violence taking place on Armenia Street in the area of Mar Mikhael in Beirut, where a resident came home to find that the construction company working on a project next door had mistakenly torn down the walls of her house.

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<sup>330</sup> Beatrice Colomina, *Domesticity and War* (Cambridge, MA: MIT Press, 2007).

<sup>331</sup> Helene Kazan, "A Cartography of Risk," *Forensic Architecture*, <https://www.forensic-architecture.org/file/cartography-of-risk> (Last accessed August 19, 2018). See Practice Outline section for A Cartography of Risk.

<sup>332</sup> Nadine Bekdache "Mapping Place Narratives: Beyhum Street رسم شارع خريطة رسم," Vimeo, <https://vimeo.com/123292878> (last accessed August 19, 2018).

<sup>333</sup> There has been recent evidence that important archaeological digs are being uncovered by the construction projects. However, a lack of protection of these historic sites means ancient remnants are being removed and discarded, so there is limited evidence of the historical relevance of the sites. Activists are encouraging people living in Beirut that have visual access to the sites via surrounding flats to try and document the developments to prove what is taking place; "Archeology, Culture, Heritage, *The Beirut Report* (blog), <http://www.beirutreport.com/category/culture-heritage/archeology-culture-heritage>.

<sup>334</sup> Habib Battah, "The Violent Face of Real Estate Development in Lebanon," *Beirut Report* (blog), June 30, 2017, <http://www.beirutreport.com/2017/06/the-violent-face-of-real-estate-development-in-lebanon.html>.

<sup>335</sup> Since 2013 things have changed in response to Syrian Civil War. The move of capital away from Lebanon has meant flats have gotten smaller in an attempt to get the Lebanese diaspora to invest instead, but the industry is declining badly.





Figure 33: Map of Beirut with locations of all luxury development projects under construction mapped in 2013 for 'A Cartography of Risk' by Helene Kazan. Copyright of the Lebanese Army.

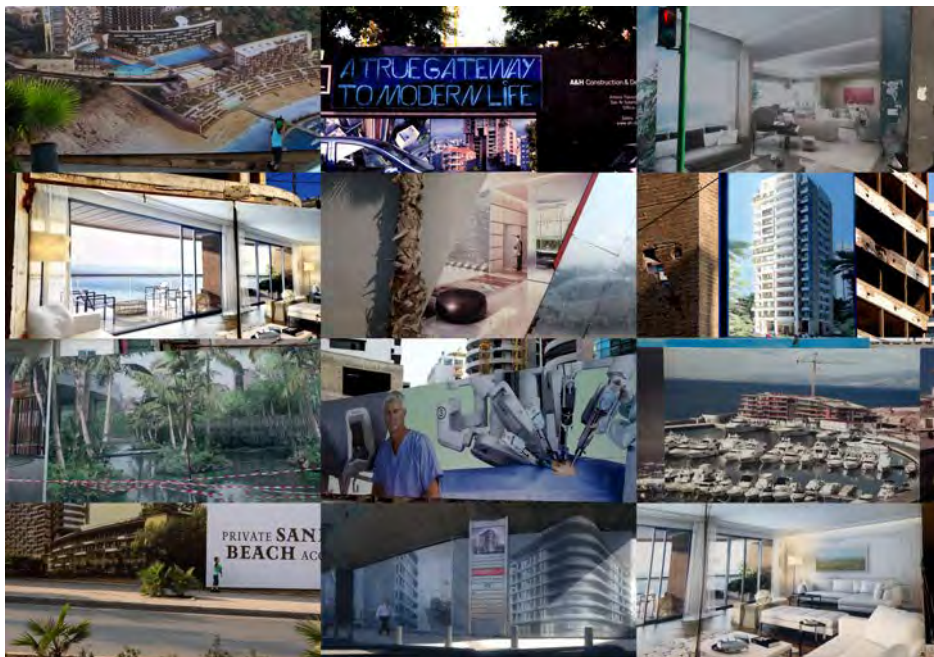


Figure 34: A montage of images of life-sized architectural visualisations taken in the streets of Beirut in 2013 in mapping the construction sites across the city for 'A Cartography of Risk'. Photographs by Helene Kazan.



Figure 35: Image featured in article 'Building towers, destroying lives' on BeirutReport.com. The image shows the view into Armenia Street through the section of the house that was destroyed by developers. Photograph by Habib Battah, 2014.



Figure 36: Image featured in article 'Building towers, destroying lives' on BeirutReport.com. The image shows the view into Armenia Street through the section of the house that was destroyed by developers. Photograph by Habib Battah, 2014.





Figure 37: Same plot in Mar Mikhael in Beirut in 2018, showing a large luxury development project being built on site. Photograph by Mark Hayek, 2018.



In the time leading up to the destruction, she reported: ‘I spent a month going up to my roof every day at 8am warning them from getting too close.’ She goes onto say: ‘if bombs couldn’t get me out, stones definitely won’t’ (see Figures 35 and 36).<sup>336</sup>

Today, the remnants of the house have been demolished, and the plot of land that the house stood on has been cleared to make way for a large luxury real estate development. Pedestrians must walk into the road to get around the works site, as cranes overhang the street and road (see Figure 37). In the encounter of the house just after the damage, to the un-trained eye the building easily might have appeared to be a ruin, bearing the effects of the Civil War. In its later demolition to make way for development in Mar Mikhael, we observe the traces of the spectacular history of violence enacted during the Lebanese Civil War—further partaking in the precedent that allowed for both displacement and profit-making through the development of the commodified home.

A second example is the destruction of thirty-year-old homes on the Lebanese coast belonging to local fishermen.<sup>337</sup> Again, the image of these homes gives the impression of the spectacular violence of war. Journalist Habib Battah, who reported on their destruction, begins by outlining: ‘There were no air strikes, no foreign army invasion, no earthquake—these homes were destroyed by the Lebanese police working for the Lebanese government.’<sup>338</sup> The government of Lebanon decided that the land on the coast would be put to better use as a private luxury development project, to be designed by architect Rem Koolhaas.<sup>339</sup> Boat-maker Bassam Chehab, who lived in one of the homes, who has been making boats since 1979 and claims to have built most of the fisherman’s boats along the coast of Beirut, argued ‘They didn’t give us any warning.’<sup>340</sup>

Bassam further testifies that the Lebanese police came with no warning, forced them from their home, then destroyed them. Some of the fishermen were beaten and arrested.

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<sup>336</sup> “Homeowner Returns to Demolished Bedroom” *The Daily Star*, June 15, 2014, <http://www.dailystar.com.lb/News/Lebanon-News/2014/Jun-15/260163-homeowner-returns-to-demolished-bedroom.aspx#axzz3AlqNI0ay> (last accessed September 12, 2018).

<sup>337</sup> Ibid.

<sup>338</sup> Habib Battah, “Police Demolish Fishermen Homes: ‘The Israelis Treated Us Better,’” *Beirut Report* (blog), May 2, 2015, <http://www.beirutreport.com/2015/05/police-demolish-fishermen-homes-the-israelis-treated-us-better.html> (Last accessed 13 November 2016).

<sup>339</sup> Ibid.

<sup>340</sup> Ibid.



Figure 38: Fisherman and his destroyed home on the Beirut coast. Photographs by Habib Battah, 2016.



Figure 39: Fishermen standing in front of their homes on the Beirut coast, destroyed by the Lebanese government to allow for a new luxury development. Photographs by Habib Battah, 2016.



Figure 40: Protest of coastal luxury development project in Beirut, 2017. Photographs by Helene Kazan.



Figure 41: Police at protest of coastal luxury development project in Beirut, 2017. Photographs by Helene Kazan.



The fisherman goes onto report that: ‘At least the Israeli’s gave the Palestinians a warning before they destroyed their homes.’<sup>341</sup> This example is layered with the history of violence from across the region, still enacted today.

In my argument around the commodified home, we see how, for the Lebanese government, the profit to be gained from the development of public coastal land into luxury apartments far outweighs the importance of the shelter and livelihood these homes provide for a community of fisherman and boat-makers who have been living on that valuable piece of land for thirty years, as well as those living in similar situations in Beirut.<sup>342</sup> The continuation of state-perpetrated violence in the face of civil action for the protection of the coastal land from luxury real estate development is evidenced in Figures 40 and 41. These images taken at a protest against the area’s development in 2017 show the militarised response from the Lebanese government against civil protests to protect this land of great ecological and social importance.<sup>343</sup> This militarised response to the civil action also reveals how this neoliberal model of development goes deep into the heart of the Lebanese government’s economic and political agenda and strategy.<sup>344</sup>

## 1.8 Conclusion

I have shown how the evolution of the colonial condition of separate development through the operation of risk has evolved as a capitalist and neoliberal economic model of profit-making in form of the commodified home. The development of these homes as a commodity strips them of their necessity as shelter for the people

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<sup>341</sup> Battah, “Police Demolish Fishermen Homes.”

<sup>342</sup> “The Civil Campaign to Protect The Dalieh of Raouche,” <https://dalieh.org> (last accessed August 19, 2018).

<sup>343</sup> Hanan Hamdan, “Development of Public Beaches Sparks Outrage in Lebanon,” *Al-Monitor*, July 4, 2018, <http://www.al-monitor.com/pulse/originals/2018/07/lebanon-public-beach-violations-hotel-tourism.html>; “Beirut Is Blocking Its World Famous Beaches From The People Who Actually Live There,” *GOOD*, July 27, 2017, <https://www.good.is/features/beiruts-losing-public-spaces>; “Campaign against Horsh Beirut Construction Proves Beirut Municipality Wrong,” *The Daily Star*, March 27, 2017, <http://www.dailystar.com.lb/News/Lebanon-News/2017/Mar-27/399356-our-campaign-has-proven-the-beirut-municipality-wrong-nahnoo.ashx> (last accessed September 12, 2018); Alex Dziadosz, “Beirut’s Last Public Beach: Residents Fear Privatisation of Ramlet Al-Baida,” *The Guardian*, February 2, 2017, <https://www.theguardian.com/cities/2017/feb/02/beiruts-public-space-last-beach-residents-fear-privatisation-ramlet-al-baida>; “Barricades on the Beach: Beirut Residents Fight for Their Waterfront,” *Reuters*, December 2, 2016, <https://www.reuters.com/article/us-lebanon-landrights-beach/barricades-on-the-beach-beirut-residents-fight-for-their-waterfront-idUSKBN13R1OT>.

<sup>344</sup> “Lebanon’s Economy Has Long Been Sluggish. Now a Crisis Looms,” *The Economist*, August 30, 2018, <https://www.economist.com/middle-east-and-africa/2018/08/30/lebanons-economy-has-long-been-sluggish-now-a-crisis-looms>.

and communities made resilient through the spectacular violence of conflict, particularly following the Lebanese Civil War.

This is first observed in the development of the global capitalist financial order that followed the end of the Second World War, and after that, the neoliberal global economic system that was put in place in Lebanon from the 1990s onwards. The importance of studying the conjoined technology of risk in destruction and development as it unfolds materially over time and space in the Arab region can be seen in the problems of its continued unfolding into the future. In the end, what are the natural and political forces that shape what can be made available as the shelter of the home? Or, how is projected risk reflected in the way home in Lebanon is (de)constructed? There are many reasons to study this technology as it unfolds over time and space, but of particular contemporary significance is its relation to the new property law recently passed in Syria.<sup>345</sup> The observation of the long-term effects of this condition in Lebanon can perhaps dissuade the repetition of such a history repeating itself in Syria.<sup>346</sup> Syria's new property laws have proved contentious in that they seem to engage a similar method of stripping rights to property from those Syrians who have had to flee the current war.<sup>347</sup> Lebanon and Syria's history as neighbouring states means that there is a possibility for significant financial gain from applying the same model of development in Syria as was applied in Lebanon after the end of the Lebanese Civil War. The same regimes, namely the Hariri and

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<sup>345</sup> A report on the recent changes in property law in Syria: "Q&A: Syria's New Property Law," *Human Rights Watch*, <https://www.hrw.org/news/2018/05/29/qa-syrias-new-property-law> (Last accessed May 29 2018).

<sup>346</sup> There are some grassroots attempts at averting the continued privatization and neoliberalisation of the housing system in Lebanon, this is a recent example: "Think Housing: The First Competition for Housing Alternatives in Beirut," <https://thinkhousing.org> (last accessed September 12, 2018).

<sup>347</sup> Reports in regards to the contention of recent changes in property law in Syria: "Syria Extends Deadline for Contentious Property Law Claims," *The National*, <https://www.thenational.ae/world/mena/syria-extends-deadline-for-contentious-property-law-claims-1.736362> (last accessed September 12, 2018); "Syrian Foreign Minister Extends Deadline for Property Confiscation Law Following International Uproar," *The New Arab*, <https://www.alaraby.co.uk/english/news/2018/6/2/syrian-extends-deadline-for-property-confiscation-law-following-uproar> (last accessed September 12, 2018); Midwest Communications Inc, "Lawfare? Syrian Development Plan Alarms Refugees and Host Nations," *The Mighty 790 KFGO*, <https://kfgo.com/news/articles/2018/may/25/lawfare-syrian-development-plan-alarms-refugees-and-host-nations> (last accessed September 12, 2018); Martin Chulov, "10m Syrians at Risk of Forfeiting Homes under New Property Law," *The Guardian*, April 26, 2018, <https://www.theguardian.com/world/2018/apr/26/10m-syrians-at-risk-of-forfeiting-homes-under-new-property-law>.

Assad regimes, look to profit from the same corrupt system of post-conflict development in rebuilding Syria after the Syrian Civil War.<sup>348</sup>

The following third chapter attempts to observe the human effects of the lived limit condition of risk in Lebanon, which has been built between slow, structural and spectacular violence.

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<sup>348</sup> Reports on how Lebanon see's economic opportunity emerging in the post-conflict reconstruction of Syria: "Lebanon and 'the Reconstruction of Syria,'" <http://english.alarabiya.net/en/views/news/middle-east/2018/07/14/Lebanon-and-the-reconstruction-of-Syria-.html> (last accessed September 12, 2018); "In Syria's Reconstruction, Lebanon Sees Economic Opportunity," *PBS NewsHour*, January 8, 2018, <https://www.pbs.org/newshour/show/in-syrias-reconstruction-lebanon-sees-economic-opportunity>; Tina Abou Rizk, "Syrian Markets, an Opportunity for Lebanese Construction Material Sector," *ByTheEast* (blog), July 2, 2018, <https://www.bytheeast.com/2018/07/02/syrian-markets-an-opportunity-for-lebanese-construction-material-sector/>; "Lebanon Prepares for Syria Post-War Construction Windfall," <https://www.aljazeera.com/news/2017/10/lebanon-prepares-syria-post-war-construction-windfall-171009101905515.html> (last accessed September 12, 2018).

# Imperiled House

## Lecture Performance by Helene Kazan marking the beginning of the residency at The Serpentine Gallery, London

6 April – 6 June 2017

Imperiled House confronted the many sites of destruction and construction in the cities of London and Beirut, tracing the interactive evolution of these lived conditions. Consolidating a history of spectacular and structural violence inflicted on the city through aerial bombardment, and real estate development, this project reinstated the link between the destructive nature of conflict, and capitalist ideals for profit-making. Further demonstrating the development of this (de)constructed condition through the ongoing planning and materialisation of the city.

The project took place through a series of events including:

Performance Lecture 'Imperiled House' by Helene Kazan, followed in a conversation by Lebanese filmmaker Rania Stephan at The Serpentine Gallery: 6 April

Performance Lecture 'Imperiled House' by Helene Kazan at the America University of Beirut, Lebanon: 19 April

Walking workshop 'The Nation State' from Bomber Command Memorial: 20 April

Walking workshop 'The House' from Marble Arch, London: 27 April

Workshop 'The Body' at The Carpenters Arms, Edgware Road, London: 5 May

### Further information:

<http://www.serpentinegalleries.org/learn/unwritten-handbook/unwritten-handbook-helene-kazan-conversation-rania-stephan>

Filmed documentation of the performance lecture: <https://vimeo.com/213508121/Ofe9ca1a4b>

***Filmed documentation of the lecture performance can be found in the folder titled 'Imperiled House' on the enclosed USB stick.***

### Previous performance lectures leading to this project:

'*The Object of Risk - A Prelude*' Lecture performance by Helene Kazan for exhibition 'City and the City' (2016): <http://cityandcity.net/index.php/helene-kazan/>

'*(De)constructing Risk: a Domestic Image of the Future*' Lecture performance by Helene Kazan for exhibition 'Frames of War' (2015): <http://framesofwar.net/index.php/helene-kazan/>

### Outcomes of the project:

'*Conjuring the Anxiety of Domestic Spaces During War*' Conversation between Susan Silas and Helene Kazan: <https://hyperallergic.com/190836/conjuring-the-anxiety-of-domestic-spaces-during-war/>

'*Accident and Design in Aerial Bombardment*' writing by Helene Kazan for The Funambulist: <https://thefunambulist.net/magazine/designed-destructions>



Montaged images of the bombardment of Beirut in 1912, a cargo ship in the Port of Beirut in 1930 and a protest to stop a luxury development project on Ramlet El Bayda in 2017. Helene Kazan. 2017. These images were used in the promotional material of 'Imperiled House'.



# A Cartography of Risk

Project by Helene Kazan for exhibition Forensis at the Haus der Kulturen der Welt, Berlin

March 2014

Risk analysis describes destruction that has not yet taken place. The destruction of buildings that are otherwise still standing intact is a complex reality fabricated by algorithms, fears, hopes, conflicting philosophies and historical experience. But these potential ruins are also “messages from the future”, and shape the economical and urban realities in their present environment through their effect on the prices of property and insurance. For the exhibition ‘Forensis’ curated by Eyal Weizman and Anselm Franke, the project ‘*A Cartography of Risk*’ brought together an archive of concurrent perceptions of risk in Lebanon through images, documents and a short film exhibited as multi-media installation.

For further information on ‘*Forensis*’:

[https://www.hkw.de/en/programm/projekte/2014/forensis/start\\_forensis.php](https://www.hkw.de/en/programm/projekte/2014/forensis/start_forensis.php)

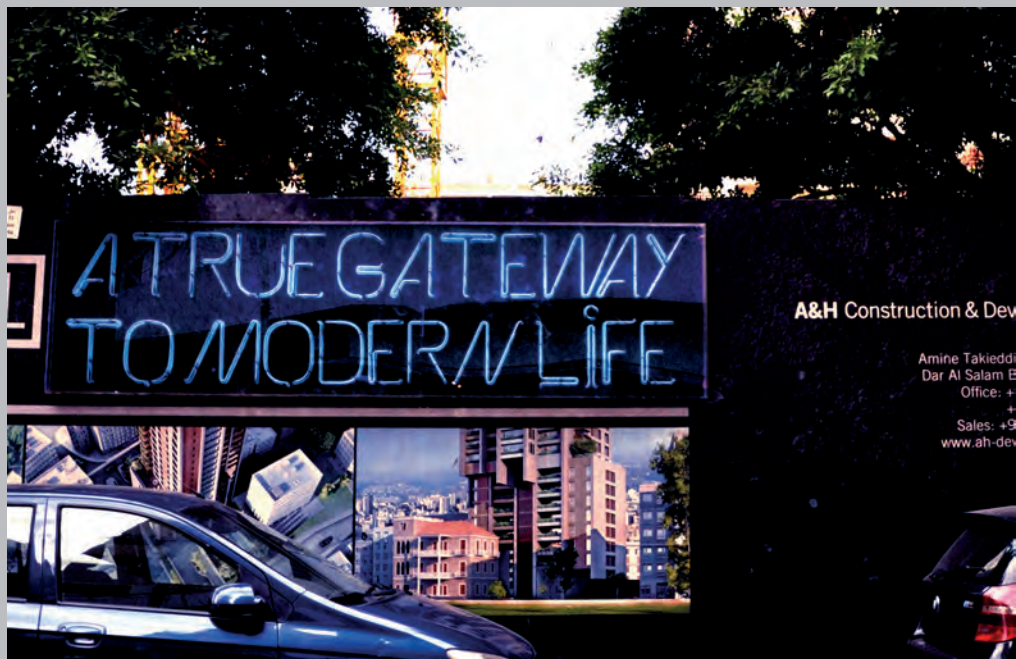
For further information on ‘*A Cartography of Risk*’:

<https://www.forensic-architecture.org/file/cartography-of-risk>

***Documentation of this project and the film can be found in the folder titled ‘A Cartography of Risk’ on the enclosed USB stick***

## Outcomes of the project:

‘*What the War Will Look Like*’ writing by Helene Kazan published in ‘*Forensis: The Architecture of Public Truth*’, Sternberg (2014): [https://www.academia.edu/27998416/What\\_the\\_War\\_Will\\_Look\\_Like](https://www.academia.edu/27998416/What_the_War_Will_Look_Like)



(Above) Dream Ramlet el Biadar Residence, Star Ramlet 1550 are two large construction projects, one next to the other, situated near the ocean front Corniche, in Beirut. Both use architectural visualisations to wrap the apparently non-active construction sites, the image shows one of the visualisations onsite, with the un-finished building in the background. (Below) Sold as a 'A true gateway to Modern Life', this project named B-Central on Bliss Street in Beirut is an image of the future as projected by A&H Construction & Development. The image shows the billboards and architectural visualisations which wrap the construction site, this photograph was taken in December 2013. Both images appeared as part of 'A Cartography of Risk'.

## Chapter 3: The Poetic Testimony of Violence: What the Law Excludes

### 1.1 Introduction

In giving testimony to the human experience of violence, it is the crack or break in the voice, the inaccuracy in detail, or the show of emotion that communicates the human bodily experience of violence.<sup>349</sup> However, it is exactly these aspects of testimony that can make it inadmissible, or can cause it to be seen as fallible evidence, in the technical setting of the law. As such, testimony to violence is predominantly perceived as only part of a larger legal mechanism of evidence collection towards identifying or capturing the perpetrator of violence in a trial. This evidential quality of giving testimony can overshadow the importance of the law's capacity to provide a platform for disclosing and registering the human bodily effect of violence—and the reparative process of legal justice that entails. International laws on war are not victim or subject focused, which allows little room for the human experience of international violence to be registered or connected in the process towards international legal justice. The disconnection between the subject and the international crime, kept in place through the international legal framework, devalues the human testimony of violence in favour of more technical and forensic evidence, in the attempt to successfully hold accountable the perpetrators of international crimes.<sup>350</sup>

This chapter frames the many human expressions of living through violence; the chaotic or hysteric human nature of voicing evidence as 'poetic testimony'.<sup>351</sup> In line with feminist critical legal theory—from Judith Butler, Anne

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<sup>349</sup> Shoshana Felman and Dori Laub, *Testimony: Crises of Witnessing in Literature, Psychoanalysis, and History* (London: Routledge, 1992).

<sup>350</sup> I am in this thesis focusing on international law, there is further room for discussion on the argument I make in regards to the poetic testimony of violence also in relation to domestic law. Further my claims about international law have been developed in conversation with legal theorists Yoriko Otomo and Emily Jones, and further in the editing process of "Gender, War, and Technology: Peace and Armed Conflict in the Twenty-First Century", eds. Emily Jones, Sara Kendall, and Yoriko Otomo, special issue, *Australian Feminist Law Journal* 44, no. 1 (2018); in conversation at the Centre for Research Architecture at Goldsmiths, University of London in June 2018; and then in meetings on the proposition of development of tort law in international law, as this chapter will come to outline.

<sup>351</sup> Here my use of 'hysteria' is inspired by Luce Irigaray's feminist writing on hysteria as a form of protest against patriarchal oppression. Yoriko Otomo also makes an argument for the application of *écriture féminine* in international law in response to an analysis of two important international legal cases. I will outline my argument in relation to Irigaray and Otomo's proposition on hysteria and

Orford, Yoriko Otomo, and Dianne Otto—on the culturally ingrained and gendered modes of voicing evidence that often exclude or render the human body invisible in international law, I question the potential of poetic testimony as a method for breaking down the asymmetric power relations produced through its legal frame.

Further, by annotating the development of my own research practice, I trace its progression in relation to other established practices that engage the topic of violence in Lebanon. Beginning initially as a way of communicating the lived experience of the Civil War in Lebanon, my practice developed into a process for decolonising and activating the archive. This is important to study as the trajectory narrates or makes visible a certain formation of the resilient subject in the context of a mode of governmentality that is produced through a normalised state of exception. Tracking the development of such practice, this chapter observes the emerging spatial and cultural practices that trace the enactment of slow, structural, and spectacular violence in Lebanon. In this way, I pose a further methodological question: what alternative methods are necessary for a nuanced register of the subjective effects of risk in Lebanon?

The poetic testimonial practices exemplified in this chapter bear witness to acute moments in the lengthy history of the *affect* of risk in the context of Lebanon, which have found a place and voice outside the law, within the realm of artistic and cultural production. In providing space and a platform for diverse and nuanced subjectivities, through inclusive spaces of assembly and alternative methods of knowledge production, what role does the curator, artist, exhibition, or museum play in regards to the register of slow, structural, and spectacular violence? In short, this chapter reframes the space of cultural production as a radical legal platform, with the potential to engage a further reparative process towards international legal justice.

Through an analysis of the practical outcomes of the PhD project—for example the exhibition and public program ‘Points of Contact’ I curated in Beirut in 2018—this chapter explores complex questions in regards to the legal agency of poetic testimony and constructs an argument for the evolution of tort law in international

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écriture féminine later in this chapter in the section on ‘The Poetic Testimony of Violence’, though recognise that the term can have a negative association. Luce Irigaray, ‘Any Theory of the “subject” in Speculum of the Other Woman (Ithaca: Cornell University Press, 1985), 47: ‘It is because they want neither to see nor hear that movement that they so despise the hysteric.’ Otomo, *Unconditional Life*, 81.

law. There is some contemporary attention to the potential for an interdisciplinary campaign to adjust the interpretation of tort law in international law.<sup>352</sup> The argument is that it would create a link between international law and the subject affected by violence. Registering both physical and psychological harm or ‘trespass to the body’ from internationally perpetrated violence is one way to intervene in its further cyclical continuation into the future.

### ***1.2 In Conversation - Part 3: Habib Battah and Rabih Mroué***

*It starts with my question, ‘When did aerial bombardment first have an impact on Lebanon and Syria?’ Lebanese journalist and activist Habib Battah answers, ‘Well my father, who is 83 years old, always tells us stories of how he remembers being made to hide in an underground shelter as a child.’ Silence follows. I respond, ‘But that can’t be the Civil War then?’ ‘No it can’t’, Habib agrees. ‘Do you know why this bombardment took place?’ After some pause for thought he answers. ‘No, no I don’t’.<sup>353</sup> The closing note of Skype sounds the end of our conversation, and I’m left thinking in a room on my own.<sup>354</sup>*

*The sun shines down now on both of our bodies as we sit in a café and drink coffee. At some point during our conversation, the Lebanese actor, director, and visual artist, Rabih Mroué says he’ll send me his writing from 1991 on ‘The War Imprinted Body’, because, like others who have written on this subject, he feels that his writing isn’t quite finished.<sup>355</sup> I read the words whilst remembering ‘Ode to Joy’, a performance by Rabih, Lina Majdalanie, and Manal Khader for Homeworks 7 in 2015, during which a representation of a targeted bed—the targeted sleeping place of a civilian—is blown up.<sup>356</sup> The performance is described as follows:*

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<sup>352</sup> There is a precedent for the use of tort law in Iraq against the torture of Iraqi civilians by US military forces, discussed in the unpublished work of Carla Ferstman. This takes place through the use of a domestic legal system, founded on the British legal system, in Iraq. The argument for an international mirroring of tort law is for a similar international capacity to speak out about harm or trespass to the body, both physical and psychological, in other global contexts that don’t have the foundation of the British legal system.

<sup>353</sup> From a Skype conversation with Habib Battah, 10 December 2015.

<sup>354</sup> The insistence of these narrativised conversations is a reminder of the need to think through these accounts with intellectual independence and freedom, and therefore in reference to the feminist writing of Virginia Woolf, in *A Room of One’s Own* (London: Hogarth Press, 1929).

<sup>355</sup> A term first coined by Rabih Mroué in “The War Imprinted Body” (unpublished, 1991).

<sup>356</sup> Homeworks is a multidisciplinary forum on cultural practices organised by Ashkal Alwan every 2–3 years in Beirut, this particular Homeworks took place in 2015; “Homeworks Forum 7,” Ashkal Alwan, <http://ashkalalwan.org/programs/home-works-7> (Last accessed November 3, 2015).

*The process of writing the future as a series of possible scenarios, the failure of the present to deal with reality, and the necessity of fiction to retell the past. In the beginning, we thought we were writing a play about the Palestinian revolution. Yet, with time it deviated and became a play about the 1972 Munich attack. Later, a bed was introduced and became the subject of the play. We do not know where this bed is going, but we do know its fate: death by explosion.*<sup>357</sup>

*I tell Rabih that watching this performance, and the condition it images, haunted me, not least because of my own muscle memory triggered by this spectacle. I remember thinking, or wondering, how do I tell him that I've recreated the same image, the very same representation of the targeted bed, the blown up, targeted sleeping place of the civilian body?<sup>358</sup> By coincidence, both depictions of destruction are performed, independently, only days apart, and mirror this condition across temporal and spatial strata at a distance to Lebanon's violence (see Figures 42 and 43).*

*Through some twist of fate, my representation of the targeted bed also passes Rabih's gaze, and in him, it creates a similar haunting.*<sup>359</sup>

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<sup>357</sup> "Ode to Joy", Rabih Mroué, co-written with Manal Khader and performed by Rabih Mroué, Manal Khader, and Lina Majdalanie, November 18, 2015. Performance in Arabic and video in German and English with Arabic subtitles, *Homeworks 7*, Ashkal Alwan, <http://ashkalalwan.org/events/ode-to-joy>, (Last accessed January 10, 2016).

<sup>358</sup> Two key examples are a recent special issue edited by Samar Kanafani and Zina Sawaf, "Being, doing and knowing in the field: reflections on ethnographic practice in the Arab region," special issue, *Contemporary Levant 2*, no. 1 (2017); following Soraya Altorki and Camillia Fawzi El-Solh, *Arab Women in the Field: Studying Your Own Society* (Syracuse: Syracuse University Press, 1988). Of particular relevance to this thesis is the chapter Suad Joseph, "Feminization, Familism, Self and Politics: Research as a Mughtaribi," in *Arab Women in the Field*.

<sup>359</sup> Helene Kazan, "Engineering Shelter," *Ibraaz*, <http://www.ibraaz.org/projects/116> (Last accessed 10 March 2018). Further information on this project can be found in the Practice Outline section on Engineering Shelter. The film file can also be found on the enclosed USB stick.





Figure 42: The moment the 'Indoor Table Shelter' or 'Morrison Shelter' is destroyed in 'Engineering Shelter' by Helene Kazan. Re-enactment for 'Space Interrupted' at Fort Brockhurst in Portsmouth and Ibraaz on 16 November 2015. Still from footage of the re-enactment by Helene Kazan.



Figure 43: The moment that a miniature bed is destroyed in 'Ode to Joy', a performance directed by Rabih Mroué, co-written with Manal Khader and performed by Rabih Mroué, Manal Khader, and Lina Majdalanie. Ashkal Alwan, Homeworks 7, 18 November 2015. Photograph by Helene Kazan.

*Now we both feel the heat of the sun bear down on us, as he tells me his reaction to my performance is in relation to his own writing on 'The War Imprinted Body', which he knows isn't quite finished. The image of destruction depicted in my re-enactment of an experiment by the British Ministry of Home Security shows a 350-pound concrete block simulating a bombardment, impacting and destroying a 1940's bomb shelter. In his writing, Rabih describes the physical act of sheltering and the tension between bodies in the close confines of this protective space. Relating the dynamics of an occupied bomb shelter to the space of the elevator—similar in dimension and material—the interaction between occupying bodies in each space is very, very different.*

*It is this relationship between the destroyed bomb shelter and the dropping elevator that my representational image unexpectedly brings to his mind. And so our conversation comes full circle. It seems that time and space expands and contracts, then breaks, becomes destroyed, and reforms.<sup>360</sup>*

*I read Rabih's writing on 'The War Imprinted Body' and I am struck by his juxtaposition of the human bodily experience of the bomb shelter with the occupied elevator. Once an optional means of moving between the four or five floors of the more traditionally occurring architecture in this territory, the elevator has become the compulsory way to climb the high-rise luxury apartment buildings that have replaced the ruins of war. A crucial access point to these vessels of investment, the suspended elevator sits within a complex infrastructure with a multitude of possible futures in mind, designed in order to enable the elevator's capacity to work under any circumstance, including the imagined-possible-worst.*

*In our next conversation, this time via Skype, I ask whether it was already apparent during the writing of this piece that the destruction caused by the Lebanese Civil War would inevitably lead to such exploitative forms of development in the city? Were the signs already present? What occurs in Rabih's description of the human bodily experience of total war is not only the mode of governance instigated through the threat of destructive violence to the architecture of the home; somehow the combined image of the shelter and the elevator also hints towards a further mode of governance through the reconstruction of the city. These*

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<sup>360</sup> Part of a conversation with Rabih Mroué, in Beirut on 8 October 8 2016.



*circumstances into which the human animal is forced leads our discussion towards how this condition has evolved over time. The separate development of the lived-built environment through the modernisation of the city serves to erase all trace of this violent affect. He smiles, we discuss the nature of this conversation over Skype versus our earlier discussion beneath the heat of the same sun, and how in some way this also relates to the present and missing bodies of Lebanon's lived-built environment. The closing note of Skype sounds the end of our conversation, and I'm left thinking, in a room on my own.*<sup>361</sup>

*The complexity of Lebanon's political landscape, in relation to its small scale, bordering states and its dense urban topography, has engendered a geopolitics of constant and rapid change. The movement of knowledge in relation to such events often takes place through human interaction, across networks of friends, family, or colleagues. This exchange of information, through conversation, person to person, the telephone, or via social media, can be an incredibly important means of understanding the day-to-day micro and macro occurrences. This is particularly so as formal methods of knowledge production become easily contestable or play a role in the corruption of the truthful depiction of events. Sensitivity towards the ebb and flow of information that comes through such informal means becomes crucial. Without ignoring the fallible nature of this mode of gathering knowledge, such testimony of affect needs a close reading, to be sewn together with formal modes of evidence making or knowledge production. This is the role that the conversations recounted here serve, in day-to-day life, in survival. In this text, these conversations unravel the significance of this human bodily interaction to show the need for finding ways to integrate this vital mode of gathering information and evidence with more formal methods of knowledge production.*<sup>362</sup>

*The image of the targeted, blown up, sleeping place of the civilian also enacts a shared witnessing of violence during the Lebanese Civil War. Rabih Mroué is part of a group of artists from Lebanon who became world renowned for the way their practices reacted to the experience of living in Lebanon during the*

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<sup>361</sup> From a Skype conversation with Rabih Mroué on 3 March 2017.

<sup>362</sup> Here I am referencing Yoriko Otomo's writing in *Unconditional Life: The Postwar International Law Settlement* (Oxford: Oxford University Press, 2016), 3, 81. She writes about a turn towards *écriture féminine*, or what I will come to frame later in the chapter as poetic testimony, in international law, referencing Hélène Cixous, Keith Cohen, and Paula Cohen, "The Laugh of the Medusa," *Signs* 1, no. 4 (1976): 875–893.

*Civil War. My experience of the Lebanese Civil War was as a child. My family fled in 1989 when I was seven years old.*<sup>363</sup> *The nature of our poetic accounts, as well as many others in this context, are twofold: they are reparative through their ambiguous testimonial claims, and they question, educate, debate, and ask for ways to end the further repetition of such violence through the production of an empathetic viewer. Through their poetics however, these accounts become undone as testimony within the law. Instead they find a place and a voice in artistic and cultural production, held there, indefinitely, defined by their lack of legal agency.*<sup>364</sup>

### **1.3 Decolonising the Archive**

It is no secret, the manner in which the archive, the home, and the authority of the law come into contact. As Jacques Derrida argues: ‘citizens who thus held and signified political power were considered to possess the right to make or represent the law. On account of their publicly recognized authority, it is at their home, in that place, which is their house (private house, family house, or employee’s house), that official documents are held’.<sup>365</sup> This assumption, in regards to the citizen’s authority and right to access the ‘house’, its ‘official documents’, and therefore the law, is what I argue a practice of decolonising the archive intends to problematise. An archive can only ever be read through a particular frame of authority when it is under the protection of the house. This chapter, however, argues for a practice to decolonise the archive, to liberate access and information, to carefully reread and reactivate documents outside of a colonial frame of authority.<sup>366</sup>

In developing a practice for decolonising the archive, my journey starts at home, in a small collection of archival photographs, taken by my father in our family flat in Lebanon on the eve of our flights from the Civil War in Lebanon (see Figures 44 and 45).<sup>367</sup> In uncovering these images, I surreptitiously began the

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<sup>363</sup> This is a short film I made in 2013 on my family’s lived experience of the Lebanese Civil War; Helene Kazan, *Masking Tape Intervention: Lebanon 1989*, 2013 <https://vimeo.com/33284309> (Last accessed 10 April 2018).

<sup>364</sup> Felman and Laub, *Testimony*, xx.

<sup>365</sup> As set out in Jacques Derrida, *Archive Fever: A Freudian Impression*, trans. Eric Prenowitz, Religion and Postmodernism (Chicago: University of Chicago Press, 1996), 2.

<sup>366</sup> A recent project engaging this discourse and finding and challenging ways to activate the archive is “Activating The Archive,” PHmuseum, <https://phmuseum.com/exhibition/activating-the-archive> (Last accessed July 24, 2018).

<sup>367</sup> Kazan, Helene “Masking Tape Intervention.” Further information on this project can be found of the Practice Outline section on *Masking Tape Intervention: Lebanon 1989*.



Figure 44: Archival image of the kitchen in the family flat in Masraat Yachoua, Lebanon. Photograph by Elie Kazan, March 1989.



Figure 45: Archival image of the sitting room in the family flat in Masraat Yachoua, Lebanon. Photograph by Elie Kazan, March 1989.



Figure 46: Montage of BBC footage featuring an excerpt from the short film ‘Masking Tape Intervention: Lebanon 1989’, which includes an interview with my family on the experience of fleeing the war.



Figure 47: Still from ‘Masking Tape Intervention: Lebanon 1989’ showing the interview with my family on the experience of fleeing the war. I am not in the interview, as I was told later that I couldn’t keep still for the filming. The relationship my parents developed with the BBC reporter Keith Greaves led to him personally helping my father get a visa to come to the UK, as he would have been sent back to Lebanon otherwise.

process of mining them for information about the situation we had been forced to leave. Being too young at the time to fully comprehend the turn of events, I turned to these loaded documents, removing them from the determinate authority of my parent's influence, to extract a history that had always been held at a distance from me.

This work culminated in a short film entitled *Masking Tape Intervention: Lebanon 1989*, which used the images to reconstruct the space of our home, providing a platform to engage my first conversation with my parents on the condition of living through the conflict and the decision to leave. The research practice that began from the discovery of these archival images has evolved, developing as a method to intervene in any singular authority's capacity to speak for the archival document. This chapter frames this as a practice for decolonising the archive.

I first observed the images on the press release published by the British Ministry of Home Security in 1941 to recommend the Morrison Shelter at the Imperial War Museum. As a viewer, I was struck by their illustrative dynamic. As 'before and after' images they perform, both then and now, their persuasive power in communicating the effectiveness of the shelter to protect civilians during aerial bombardment.<sup>368</sup> In applying a scientific language, the images also simultaneously create a vivid description of the extremity of the violence that could potentially take place during an aerial attack.<sup>369</sup>

In observing the illustrative dynamic produced through the 'before and after' images and the scientific description, I made the decision to re-enact the first experiment specified on the archival material. For this, I fabricated a 350-pound concrete block, and the table shelter modeled in images. A 350-pound concrete block was dropped from a height of 6 foot and 6 inches above the table shelter, as specified in the information provided by the British Ministry of Home Security. I adopted a scientific exactness across the re-enactment of the experiment in order for the results of the action to be able to dispute or corroborate the British government's claims in regards to the safety the indoor shelter would provide. I

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<sup>368</sup> Further writing on the politics of this project in Chapter 1.

<sup>369</sup> Further writing on this can be found in Chapters 1 and 2.

also in part adopted this method to reveal, in this case, the images' manipulative power.<sup>370</sup>

The analysis of the 'before and after' images in this scenario lead to certain experimentation with the archival material. In carrying out or realizing the experiment, a process of in-depth research went into attempting an almost scientific exactness in the action. I want to point to the subsequent 'accidental' discovery that occurred in the faithful carrying out of this work, which in this case lead to the revelation that at least half a million households, most of which were low income, were subjected to a higher threshold of risk through the engineering of the Morrison Shelter. In the case of an indirect strike, the shelters were purposefully designed to squash down plastically, by up to 12 inches. Published statistics by the government on the Morrison Shelter, which observed 44 damaged households, found that 3 people had been killed, 13 seriously injured, and 16 slightly injured out of a total of 136 people who had occupied the shelters. The government report goes on to say that the fatalities were a result of the shelters' having been installed incorrectly in the homes.<sup>371</sup>

Interrogating these archival images led to a re-enactment of the experiment. Through the research needed to re-enact the experiment, I discovered that the recommendation to use the shelter was in itself an experiment, to determine whether or not the newly development engineering theory of 'plasticity' would work. Professor Sir John Baker had designed the Morrison shelter used his newly developed plastic theory of structural analysis, the first papers on the progress of the theory were published in 1936. Plastic theory enabled a greater application of the use of steel in the design of the shelter, however, when the Morrison shelter was distributed in 1940 its safety was based on a new and untested engineering theory. In my investigation, the image and the information it held, were central for the research and practice, which were structured through and around it. In theorist Michael J. Shapiro's words, 'an effectively politicized and ethical archive is one

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<sup>370</sup> At the time of doing the experiment, it was quite difficult to find examples of the shelters or any real specifications of the self-assembly structure. However since I conducted the experiment and exhibited the project, the Imperial War Museum has added one of shelters to its permanent exhibition. Witness statement taken on 13th September 2015, Fort Brockhurst, Portsmouth.

<sup>371</sup> "Examination of the effectiveness of the Morrison shelter". [learningcurve.gov.uk](http://learningcurve.gov.uk). In 1943 Professor Sir John Baker was made Head of the Engineering Department at Cambridge University, knighted in 1961, and made a life peer in 1977.

that cannot be sealed: it operates within a “temporal plasticity”.<sup>372</sup> In the re-enactment of the experiment, an image of uncontainable violence is revealed. Further, the production of resilient communities is imaged in this developing threat of aerial bombardment. The third image—existing only as a re-enactment—makes tangible the threat that Lebanese and Syrian civilians would also have been placed under in negotiating shelter from the simultaneous conflict over the control and access of natural resources in the Arab region.<sup>373</sup> The discourse of good and evil that occurs through the Second World War rhetoric must be tempered with the colonial violence that continues to affect other parts of the world at the same time.<sup>374</sup> Aerial bombardment by both sides in the conflict constructs resilient populations through the mode of governance it imposes, both at home and overseas. In this thesis this occurs in the context of Lebanon and Syria as a continuation of colonial violence. The re-enactment of the experiment in the ‘before and after’ images becomes a method for reactivating and rereading, through a present action, the knowledge held in the colonial archive. This methodology was further applied in unpacking and reactivating the information held in top secret British government documents in the Spears Archive on the little known Allied invasion into Lebanon and Syria in 1941.<sup>375</sup>

In writing *Intelligence and Secrecy: The Cold War and the End of the British Empire*, historian and African American Studies scholar Caroline Elkins suggests that much work needs to be done on the history of secretive practices and intelligence at the end of the colonial era. To do so, she states that a vast excavation of imperial archives needs to take place, in order to re-narrate violent and undisclosed histories. Elkins further explains that:

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<sup>372</sup> Michael J Shapiro, “Zones of Justice: A Philopoetic Engagement,” in *Plastic Materialities, Politics, Legality, and Metamorphosis in the Work of Catherine Malabou*, eds. Brenna Bhandar and Jonathan Goldberg-Hiller (Durham: Duke University Press, 2015), 205.

<sup>373</sup> Not just present as ghosts, or shadows in these archival images of the re-enactment, I have also collected a series of witness testimonies of the effects of this violence perpetrated during the Second World War in Lebanon and Syria. Documentation of this can be found in the Helene Kazan, *Under Multiple Suns*, 2018. The film file can be found on the USB enclosed with this thesis, and further information on the project in the Practice Outline section on Under Multiple Suns.

<sup>374</sup> Robert Young, *Postcolonialism: An Historical Introduction* (Chichester, UK: Wiley Blackwell, 2016).

<sup>375</sup> The Sir Edward Spears Collection at the General Spears Archive, Middle Eastern Centre, Oxford University.



it is through this process of examining the archive as subject, and drawing analogies between processes of concealment and secrecy both in the past and in the present that we [...] can expand our toolkit and gain deeper understandings of the processes of intelligence gathering, interrogation, and torture that unfolded during the interlocking eras of [sic] end of empire and the Cold War: processes that had a profound effects on the postcolonial world<sup>376</sup>

In 2011, 1.2 million British government documents charting this period at the end of empire were found in Hanslope Park—documents that had been illegally withheld in a breach of the UK Public Records Act.<sup>377</sup> The sensitive and incriminating collection of documents had been sent back to the UK from 37 Foreign and Commonwealth Offices in Britain's former colonial governments on the eve of decolonisation in the 1950s.<sup>378</sup> These files were saved from burning and sent for storage in Hanslope Park, allegedly to avoid their public disclosure and any subsequent embarrassment to the British government.

The Hanslope Disclosure (as the move to abide by the Public Records Act of 1958 and bring the archive into the public domain came to be known) later enabled information from the archive to enter as evidence in the case of the Mau Mau Rebellion in Kenya, and to prove war crimes carried out there by colonial Britain.

In attempting to uncover detailed documentation on the Allied invasion of Lebanon and Syria, my search began with Foreign and War Office documentation from that period at the British National Archives. Surprisingly, documentation of the operation was decidedly thin. The reason for this was determined in a memorandum found in a lightly filled folder in the War Office files on Operation Exporter that outlines the destruction of documents from the military campaign (see Figure 48).

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<sup>376</sup> Caroline Elkins, "Archives, Intelligence and Secrecy: The Cold War and the End of the British Empire," in *Decolonization and the Cold War: Negotiating Independence*, eds. Leslie James and Elizabeth Leake (London: Bloomsbury, 2105), 275.

<sup>377</sup> Aoife Duffy, "Legacies of British Colonial Violence: Viewing Kenyan Detention Camps through the Hanslope Disclosure," *Law and History Review* 33, no. 3 (August 2015): 489–542.

<sup>378</sup> Calder Walton, *Empire of Secrets: British Intelligence, the Cold War and the Twilight of Empire* (London: Harper Press, 2013).





Figure 48: Email communication confirming that the RAF museum and archive hold no documentation on ‘Operation Exporter’, save for the propaganda leaflets dropped by the RAF over Lebanon and Syria.

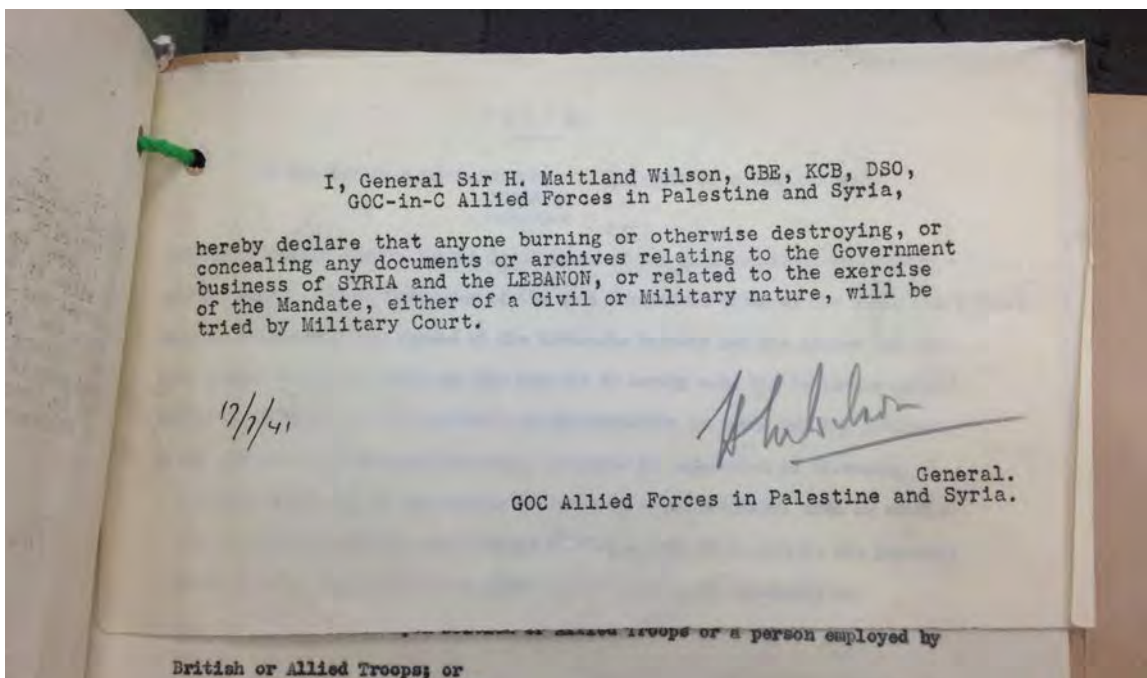


Figure 49: Memorandum outlining the destruction of documents on 17 July 1941, shortly after the Allied invasion of Lebanon and Syria. Located at the National Archives.

What's interesting about this memorandum is that the date shown is near the end of the Allied invasion, suggesting the documents were not destroyed as part of the decolonisation process, but rather in the days following the conflict, which is unusual. Further research took me to the Royal Air Force archive, an interview with the resident archivist revealed that the RAF holds no documentation on Operation Exporter either; the archivist explained that the battles across the Middle East were too brief to be documented (see Figure 49).

In attempting to get a fuller picture of the Allied military campaigns that took place across the Middle East in the early 1940s, my search took me to: Ashkal Alwan Library, Beirut; American University of Beirut Archives, Beirut; Bibliothèque Orientale, Beirut; Centre Des Archives Nationales, Beirut; Liddell Hard Centre for Military Archives, King's College, London; Middle East Centre, St Anthony's College, Oxford; Middle East Photograph Preservation Initiative, Beirut; Royal Air Force Archives, London; The Arab Center for Architecture, Beirut; The Arab Image Foundation, Beirut; The British Library, London; The Fouad Debbas Collection at the Soursouk Archives, Beirut; The National Archives, London; the Orient Institut, Beirut; Université Saint Joseph (USJ), Beirut; and Umam Documentation and Research, Haret Hreik, Beirut.<sup>379</sup> It was not until I stumbled upon the archive at the Middle East Centre at Oxford University that I was able to ascertain a fuller picture of what had taken place.

I entered the Middle East Centre (MEC) at Oxford University not fully aware of what I would find in the personal archive of Major-General Sir Edward Louis Spears, the First British Minister for Lebanon and Syria. Major Spears was the British Minister of the Levant following his involvement in the 1941 invasion, maintaining this position, situated in Beirut, until the end of 1945. The MEC archive at Oxford University is a collection of donated material connected with the region from the past one hundred years, and as characterised by this method of acquisition, it is quite difficult to pinpoint easily any exact material, especially without familiarity of the legacy of the person in question. In initiating work on the

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<sup>379</sup> I limited this research to archives in Lebanon and the UK, as I had started to become aware in reading French military biographies of the events that another historic narrative was constructed by the French in their own attempt to cover up British influence and power in the region in those years. This engages another aspect of the politics of access to information of this history of violence, written about in detail by Meir Zamir, *The Secret Anglo-French War in the Middle East: Intelligence and Decolonization, 1940-1948*, Routledge Studies in Middle Eastern History (London: Routledge, 2014).

meticulously categorised boxes in the General Spears section of the archive, my eye quickly caught the British military rubber stamp ‘Secret’ across bundles of documents. The importance and potential value of these 30 boxes, which hold a collection of previously top secret British government documents, including British military personal correspondence on all fields of governmental and personal interest—such as finance, shipping, agriculture and housing—in Lebanon, as well reports on post-war settlement, the peace process, and agriculture across the Middle East, soon became apparent.

The 30 boxes had belonged to General Spears, but were donated to the MEC by his wife, Nancy Maurice in 1974, the year they both passed away. Maurice had donated the material precisely 30 years after the British government had produced most of the documents, thus leaving the accorded time for the UK Public Records Act to allow them legally into the public domain. Both Spears and Maurice must have been aware of that fact, especially as they made the pointed effort to donate the meticulously kept records so close to the end of both their lives. Maurice had been Spears’ secretary for 42 years, since 1919, and had been posted with him during his duties in Lebanon. It was under these fortuitous conditions that the Spears archive exists and is in such good order, as it would have been Maurice who meticulously kept and organised, and perhaps even typed, each of the now-controversial documents. Either way, what makes the documents in this archive incredibly valuable, is that, like so much documentation at the National Archives and the RAF, a lot of the sensitive material held in the Foreign and War Offices had been destroyed. The unusual provenance of the Spears archive meant that the otherwise destroyed documentation remained intact and accessible at the MEC. These documents, in conjunction with my investigations across many of the previously listed archives, as well as interviews and collected testimonies from survivors of the violence enacted in Lebanon and Syria in 1941, have become the primary sources in my attempt to outline the contested history of what took place in Lebanon and Syria during the Second World War. This largely overlooked front of Second World War marks a moment when Allied democracies made strategic choices and abrogated democratic values by overthrowing three governments (Lebanon, Syria, and Iraq) to keep them from being influenced by Axis power. It begs the question of whether this research might have more agency than merely re-narrating or re-enacting these events. In uncovering such detailed information in the

archive at the MEC on the violent nature of these conflicts, is there a possibility to connect and assign accountability for the present threat of armed conflict that exists in Lebanon, Syria and the wider region?

In my recollection of the history of the Allied invasion of Lebanon, Syria, and Iraq, the narrative has been extracted from a number of key sources in an attempt to correlate the facts. This research has also delved into key publications on these events, though most often these are written with a particular agenda, and certainly still within the framework of the colonial mindset.<sup>380</sup> It is not just that work needs to be done in archives to investigate this violent historic past, but also the decolonised mind that needs to make the contact with this material to reframe and reactivate it in a different light.

#### ***1.4 In Conversation - Part 4: Rania Stephan***

*This time the image shows the camera moving through the streets, finally coming to a stop as it focuses on a bulldozer gently pulling at parts of a destroyed building—so that others can attempt to pull bodies from the rubble. There is no misrepresentation of what is happening: it is very clear that the capture of these images and the documentation of this violence is an instinctive act of resistance against the dehumanising effect of both political rhetoric and distorted coverage in the international media of the violence of the 2006 war in Lebanon. (Figures 50 and 51).*<sup>381</sup>

*I sit with the Lebanese filmmaker Rania Stephan in her fifth-floor apartment, which offers us calm above the surface of the city's chaos. We continue our protracted conversation. We discuss the Hollywood blockbuster film she watched on the Middle Eastern Airlines flight home from Paris to Beirut and the distinct impression the film left on her. She describes how the film depicts the destruction of a dystopian city of the future, and how in one scene an ambulance with Arabic writing was left in by accident in the film's postproduction.*

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<sup>380</sup> This is seen for example in Basil Aboul-Enein and Youssef Aboul-Enein, *The Secret War for the Middle East: The Influence of Axis and Allied Intelligence Operations During World War II* (Annapolis: Naval Institute Press, 2013), 5. Further in contemporary terms, of the use of books such as Raphael Patai, *The Arab Mind* (Tucson: Recovery Resources Press, 2014); and James Barr, *A Line in the Sand: Britain, France and the Struggle That Shaped the Middle East* (London: Simon & Schuster, 2011).

<sup>381</sup> Description of part of *Lebanon/War (2006)*, Rania Stephan, 2006, produced by JounFilms (Beirut).



Figure 50: Still taken from film "Lebanon/War (2006)" by Rania Stephan. Image credit and copyright Rania Stephan.



Figure 51: Still taken from film "Lebanon/War (2006)" by Rania Stephan, showing children affected by the conflict give their testimony. Image credit and copyright Rania Stephan.

*The conversation dances across these real and imagined images of catastrophe, and lands in a heated discussion around the lack of accountability assigned to the disproportionate use of violence against Lebanon during the 2006 conflict between Israel and Hizb-Allah. We go on to discuss the ambition of her film, Lebanon/War (2006), and her defiance—walking around the city during the conflict, with only a camera for protection, capturing the human bodily affect of the war. She tells me that irrespective of the danger in which her own body was placed, she felt compelled to do so, she felt compelled to document the experiences of people whose lives were destroyed in that conflict.*

*Some time passes before we continue our conversation. This time it takes place in front of an audience at the Serpentine Gallery in London, following a lecture performance I give on the affect of conflict and capitalism in Lebanon.<sup>382</sup> We discuss the moving images that Rania captures of the violence of the 2006 war and her recent work with the Syrian writer and activist Samar Yazbek. In the clip that Rania shows us Yazbek talks about exile, life, death, love, and her need to write and produce images throughout the change of the Syrian Civil War.<sup>383</sup> And so, again, time and space expand and contract, break, become destroyed, and reforms.*

## **1.5 Obscured Subjectivities and What the Law Excludes**<sup>384</sup>

In the previous chapters this research argued that embedded within risk and the insurance principle—even in their contemporary forms—are colonial systems of risk-taking and profit-making. Unfolded over time and space, this technological strategy has given license for the lives of some—namely, the encountered other—to be placed in a greater position of risk. A convincing argument for this can be viewed in the imposed state of vulnerability and resilience effected through the operation of (or lack of) both national and international law in Lebanon. My

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<sup>382</sup> Helene Kazan, “Imperiled House,” Serpentine Gallery, <http://www.serpentinegalleries.org/learn/unwritten-handbook/unwritten-handbook-helene-kazan-conversation-rania-stephan> (Last accessed April 15, 2017). Further information about this project can be found in the Practice Outline section on the Imperiled House.

<sup>383</sup> *Samar Yazbek Interviewed*, Rania Stephan, 2006. Produced for *Homeworks 6*, Ashkal Alwan, Beirut, 2013.

<sup>384</sup> This writing makes a distinction between the citizen and the human subject, as the human is not born a citizen, but citizenship is produced through the particular rights granted that person. This therefore becomes an issue in recognising basic rights in relation to shelter, as there is a distinct problem in the discrepancies of access to: the citizen, the subject, the civilian, the refugee, and the human or non-human entity. In itself this is a complex theoretical discussion, but in the framing of the subject under threat in this thesis, I include all these beings.

observations have shown an absence of effective legal frameworks in Lebanon, particularly for prosecuting the violence of war. Noting this makes it possible to reflect on how the ‘caring biopower’ of the law becomes a way of placing a subject in a position of further vulnerability.<sup>385</sup> The problematics this condition exposes in regards to the subject is a crucial one in international law.<sup>386</sup> Philosopher and gender theorist Judith Butler considers this issue in relation to what she terms as the ‘grievable value’ of a subject, which in turn engenders a position of precarity and forced resilience. Butler outlines the issue of the exposed or precarious subject thus:

There are persistent questions about whether and how such subjects can be represented in law, and what might count as sufficient cultural and institutional recognition for such subjects [...] That is to say, we cannot ask and answer the more commonly understood normative question, regarding how best to represent or to recognise such subjects, if we fail to understand the differential of power at work that distinguishes between those subjects who will be eligible for recognition and those who will not.<sup>387</sup>

This speaks of a distinct problem in international law, which Butler analyses in more detail in her writing on the human shield.<sup>388</sup> Whether voluntarily or not, what is the impact of imposing such violent threat on a population that has already repeatedly lived through this reoccurring reality, seemingly with no power to avert its future re-enactment?<sup>389</sup> A differential eligibility for recognition imposes a position of vulnerability on those in the line of fire. In *Unconditional Life: The Postwar International Law Settlement*, legal scholar Yoriko Otomo writes:

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<sup>385</sup> Couze Venn, “Neoliberal Political Economy, Biopolitics and Colonialism,” *Theory, Culture & Society* 26, no. 6 (2009): 206–233.

<sup>386</sup> Couze Venn, *Occidentalism: Modernity and Subjectivity* (London: SAGE, 2000); Couze Venn, *The Postcolonial Challenge: Towards Alternative Worlds* (London: SAGE, 2006).

<sup>387</sup> Judith Butler, *Frames of War: When Is Life Grievable?* (London: Verso, 2010), 138.

<sup>388</sup> The legal distinction in voluntary and involuntary human shielding is a central part of the legal discourse of the potential of war crimes in relation to the conflicts that have taken place between Israel and Hizb-Allah; Judith Butler, “Human Shields,” *London Review of International Law* 3, no. 2 (September 2015): 223–43.

<sup>389</sup> Judith Butler, “Human Shields,” 223–243. These asymmetrical power regimes are also discussed by B.S. Chimni where ‘the economic and political independence of 3rd world is being undermined by policies and laws dictated by the 1st world and the international institutions it controls.’ Janis, “B.S. Chimni, Third World Approaches to International Law.”

the idea of ‘humanness’ has, over the course of the twentieth century, become dependent upon a particular vision of the international domain and upon certain relations between humanness and technological intervention.<sup>390</sup>

Further, in writing on ‘Digital Narratives and Witnessing: The Ethics of Engaging with Places at a Distance’, Nishat Awan argues that some vigilance must be directed in considering how the political subject is lost or erased in the technological intervention of the law.<sup>391</sup> The operation of this technology for gathering evidence reflects a necessity to adhere to the technological framework of international law in the attempt to develop an airtight case against perpetrated violence of conflict. In the introduction to *Forensis: The Architecture of Public Truth*, Eyal Weizman describes the problem encountered in the physical and psychological traces of violence on the victim as they are manifested in the hysteric or poetic nature of the human account. Weizman outlines that the fallible nature of the human account of violence necessitates a move away from witness testimony towards a ‘forensic turn’.<sup>392</sup> How much does this turn away from the human account of violence, and its ability to act as legal testimony, reassert colonial power relations in international law? Following Mroué’s writing on ‘the war-imprinted body’, and Weizman’s on ‘the body as a marked mirror of the perpetrator of violence’, how can this trace, this mirroring, this bodily imprint, be made visible and more formally and sensitively understood as evidence under the law?<sup>393</sup> If the war-imprinted human body is marked (in)visibly by such violence, then this trace can be recognised and upheld as evidence of a crime.<sup>394</sup>

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<sup>390</sup> Otomo, *Unconditional Life*, 1, 11.

<sup>391</sup> Nishat Awan, “Digital Narratives and Witnessing: The Ethics of Engaging with Places at a Distance,” *GeoHumanities* 2, no. 2 (2016): 325.

<sup>392</sup> Forensic Architecture, ed., *Forensis: The Architecture of Public Truth* (Berlin: Sternberg Press, 2014), 10. The framework of this publication in relation to this ‘forensic turn’ in legal terms began in the work carried out by Thomas Keenan and Eyal Weizman, *Mengele’s Skull: The Advent of a Forensic Aesthetics* (Berlin: Sternberg Press, 2012). The authors write that unlike the 1961 trial of Adolf Eichmann, which defined an era of witness testimony, a turn to the material witness took place in the mid-eighties in international justice. A key reference for making sense of the earlier era of the witness testimony is Felman and Laub, *Testimony*.

<sup>393</sup> Reference here to Mroué, “The War Imprinted Body”; and Eyal Weizman’s writing in *Forensis*, 10.

<sup>394</sup> I have added ‘human’ to Rabih Mroué title of “The War Imprinted Body’ to specify that I am writing on the human subject, not to be confused with the body politic, or the non-human body.





Figure 52: The archival image reads only 'Australian Soldiers', though it clearly shows an Australian soldier staring into the camera lens and a naked Lebanese woman with her hands covering her face. I have added a filter to the image. Taken in Lebanon, in 1941. Located at the Arab Image Foundation.

Butler, Otomo, and Awan also point to the way that the technical methodology of international law's framework erases certain subjects from its legal view. I argue that it is the methodological framework that is in need of reform as this erasure goes against the premise that international law has a humanitarian obligation to protect the subject.<sup>395</sup>

The human scale of suffering and subjugation in the 1941 invasion of Lebanon and Syria is largely unknown or unseen, in part because international law's technological framework has constructed our idea of humanness in relation to who is valued enough to be seen to be affected by such violence.

In researching this history I have attempted to give voice to the human experience of violence, having collected testimonial accounts of the conflict from Soubhi Antonios, Ali Baajokrk, Habib Battah (Senior), Henri Yazbeck, and Nasri Yamine, further asserting the right of these individuals to their history and involvement in the violence of the Second World War.

The image seen in Figure 52 was uncovered at the Arab Image Foundation, and depicts the subjugation of a Lebanese woman by Australian soldiers fighting for the Allied forces. The woman poses naked, legs apart, hands covering her face, as one Australian officer smiles proudly into the eye of the camera, whilst the second soldier takes the shaming photograph.<sup>396</sup> There is an unmistakable analogy between this archival image and the images leaked of captives held and tortured in Abu Ghraib by US soldiers in 2004. It's not clear in the archival image what level of consent was asked of the woman, whether she was a prisoner of war, a prostitute, or a consenting adult. In fact, this matters little; what the image reveals is the inherent power construct, in relation to gender, and the entitled authority of male soldiers.

In analysing the leaked images from Abu Ghraib, theorist Susan Sontag also connects them to a colonial history of mistreated subjects, pointing out that:

Considered in this light, the photographs are us. That is, they are representative of the fundamental corruptions of any foreign

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<sup>395</sup> This question is answered with some clarity in the final section of this chapter in the potential for tort law in international law.

<sup>396</sup> I was unsure on how to use this image in my PhD, particularly in relation to the ethics in continuing the regime of subjugation of this anonymous Lebanese female. For the PhD document I have added a noise filter to the image, so that the viewer can still make out her rough outline and that of the soldier, and therefore still be able to engage in the argument I'm making.

occupation together with the Bush administration's distinctive policies. The Belgians in the Congo, the French in Algeria, practiced torture and sexual humiliation on despised recalcitrant natives.<sup>397</sup>

The colonial history of this corruption alluded to by Sontag is evident in this image of a Lebanese female subject and two Australian soldiers.<sup>398</sup> Particularly crucial is the gloating soldier standing proudly next to the ashamed woman with her hands covering her eyes and face, either for her own protection or shame. In itself the very act of these soldiers taking a photograph of this subjugated woman is a form of torture. Sontag argues:

the horror of what is shown in the photographs cannot be separated from the horror that the photographs were taken—with the perpetrators posing, gloating, over their helpless captives. German soldiers in the Second World War took photographs of the atrocities they were committing in Poland and Russia, but snapshots in which the executioners placed themselves among their victims are exceedingly rare<sup>399</sup>

Part of the horror of this image is its sexual theme. Sontag argues in her analysis of the Abu Ghraib photos that it is the proliferation of pornographic imagery and the digital turn in photography that creates the culture of these images. This archival image of the naked woman and two soldiers goes against that argument, but does align with the notion that these images were meant to be keepsakes.<sup>400</sup> I have attempted to trace the violence that took place in the Allied invasion of Lebanon and Syria at both the scale of the state and the international scale. This image captures the subjugation and violence at the scale of the body. A further illustration of colonial violence at the scale of the human body was the promise for

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<sup>397</sup> Susan Sontag, "Regarding The Torture Of Others," *The New York Times*, May 23, 2004.

<sup>398</sup> Across the testimonies I collected, it came up time and again that of all forces fighting in the region, the Australians (fighting with the Allied forces) were known to be the most cruel in their treatment of the local people. One interviewee stated that they were so well known for their cruelty that the interviewee would run and hide whenever they saw them coming.

<sup>399</sup> Sontag, "Regarding the Torture of Others."

<sup>400</sup> Sontag, "Regarding the Torture of Others."

independence and—in the question of self-determination—in the proposal for a neo-colonial mode of governance imposed through a western system of education. This is particularly illustrated in this excerpt from a report on ‘Postwar Settlements in the Middle East’ in a section titled ‘Educating the Asiatics’, which sets out a strategy for the education of higher class Lebanese. What are the implications of this biopolitical mode of governance for framing the ongoing effects of the violence following the Second World War and still today? When we understand how education operated as a technique to manipulate a certain class of Lebanese civilian—who could then be promoted to particular positions of power—what are the implications for how this colonial violence is seen and depicted? This question is posed particularly in regards to an attempt of engaging a process for holding those accountable for the perpetration of this history of this violence. In producing a society of the governing of the governed, the very notion of self-determination is manipulated to guarantee certain powers and authority.

In *The Ruin to Come: Essays from a Protracted War*, Lebanese artist and writer Walid Sadek describes the relationship between the city, the war-imprinted human body, and a poetics of seeing, which he describes using the cipher of a ‘witness who knows too much’.<sup>401</sup> Relating the practices of Lebanese writers and artists, to methods of witnessing and to themes of poetics is a way of articulating the tension that occurs in the need for such a poetics to describe catastrophic violence. The enduring strain between these methodological frameworks has become a recognisable and well-established trope in the array of well-known and established practices that have emerged through the violence of the civil war in Lebanon, namely, in the works of Joanna Hadjithomas and Khalil Joriege, Rabih Mroué, Walid Raad and the Atlas Group, Rania Stephan, Walid Sadek, and Akram Zataari.<sup>402</sup> Across these practices, the witnessing of violence by the war-imprinted human body engages a complex combination of poetic and investigative methodologies. The outcome of this methodology is twofold, developed in part through a lack of legal recognition for testimony of the violence of the Lebanese

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<sup>401</sup> Walid Sadek, *The Ruin to Come: Essays from a Protracted War* (Berlin: Motto, 2017), 154.

<sup>402</sup> Across these practices there is also an underlying thematic relationship between the archive and the archival image. This is in part due to the loss or destruction of the archive in Lebanon through many years of war. These practices therefore attempt to reassert a certain public notion of truth or untruth.

Civil War. The duality of these practices as poetry and as testimony finds a place and a voice in artistic and cultural production.

Historically, the poetic nature of these testimonial accounts has further decreased their probability of being accepted as formal legal testimony.<sup>403</sup> It is unclear whether it is the incapacity of international legal frameworks to bring justice to the violence of the Lebanese Civil War<sup>404</sup> or whether it is the poetics of the testimony itself that has cultivated the poetic testimonial practices that Lebanon is so well known for.<sup>405</sup> Either reasoning can be scrutinised; however, it can be stated that, in this context, international law has consistently failed to place any accountability for the history of perpetrated violence through conflict. An example of this incapacity to give testimony to the violence of the Lebanese Civil War is in Sadek's account of two soldiers, named Sneifer and Andary, who instead published their testimonies of the violence of the Lebanese Civil War in a book. Sadek writes:

These accounts are true testimony, even if insufficient to prompt a process of accountability and incapable of embarrassing a society with its own ghastly deeds. The ordeals of Sneifer and Andary call on us to develop a more complex understanding of witnessing and consequently of the writing of history, and to challenge the structural logic that maintains a protracted civil war immune to the struggle of truth against falsity and unconcerned with either the moral claims of the witness or the legal accountability of the perpetrator.<sup>406</sup>

Following the end of the Lebanese Civil War, on 26 August 1991, the Ta-if agreement granted complete amnesty for those accused of perpetrating criminal acts of war. This also removed any legal capacity to witness or testify against the crimes committed during the conflict, and meant that no justice was brought for the people killed and the many disappeared. The practices and works that have evolved from that silencing and injustice bear ghostly marks of the war-imprinted body and

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<sup>403</sup> This research recognises that it is also a purposeful choice made by artists to work in the artistic and cultural realm.

<sup>404</sup> This can be observed, for example, in works produced by Lebanese artists Ghassan Salhab, Lamia Joreige, and Joanna Hadjithomas and Khalil Joreige, which specifically address the issue of the disappeared and the predicament of living with their absence in Lebanon after the end of the civil war.

<sup>405</sup> Sadek, *The Ruin to Come*, 116.

<sup>406</sup> Sadek, *The Ruin to Come*, 154.

the disappeared, but provide some evidence and testimony to crimes against humanity that have never been recognised in the international legal sphere. It is by this process that the space of cultural production has become a radical legal platform, giving space and voice to the subjective account of the protracted experience of this conflict. How much does the separation of the human account of violence from its ability to act as legal testimony reassert the colonial condition of the subjugated, encountered other? This research proposes that the poetic testimonial practices, as described in the chapter thus far, should be given agency as legal testimony. Through international law's consistent failure to produce accountability for the violence that has taken place in Lebanon and Syria, these poetic practices must be rethought as testimony to engender radical new ways of embodying and voicing political agency in the account of such perpetrated violence. What are the methodologies that can provide space and voice for the nuanced, subjective account of violence in international law, accounts that put the subject above the technical object and intervenes in the frame of what the law excludes?<sup>407</sup>

## 1.6 The Poetic Testimony of Violence

In light of international law's current failures, Yoriko Otomo poses the revolutionary potential of a feminist methodological intervention as an opportunity for reform or radical change in international law, outlining:

Could *écriture féminine*, or poetic, political writing that inverts masculine logic, be any kind of answer to the serious problems of legal authority, risk management, and the orderly functioning of the laws of war and trade? And what does it mean to propose a 'feminine' technic against a 'masculine' one?<sup>408</sup>

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<sup>407</sup> I wanted to flag here the blog post on evidence written by Sara Ahmed, which I believe touches on the logic of exclusion, evidence, and feminism. Sarah Ahmed, "Evidence," *Feministkilljoys* (blog), July 12, 2016, <https://feministkilljoys.com/2016/07/12/evidence>.

<sup>408</sup> Otomo, *Unconditional Life*, 81. In this section Otomo refers to discussions on hysteria by Luce Irigaray, 'Any Theory of the "subject" in *Speculum of the Other Woman* (Ithaca: Cornell University Press, 1985), 47: 'It is because they want neither to see nor hear that movement that they so despise the hysteric.'

Inspired by Luce Irigaray's feminist writing on hysteria as a form of protest against patriarchal oppression, Otomo's argument for the application of *écriture féminine* in international law comes in response to an analysis of two important international legal cases where the jury is left with no recourse or language for making a decision.<sup>409</sup> Otomo proposes that a turn to *écriture féminine*, as a feminist methodological intervention, could provide a more expansive and inclusive framework for international law's effective capacity. I further argue that this feminist methodological shift does not just frame female concerns in regards to what the law excludes, but, following Irigaray and Otomo, would also allow a broader methodological frame for moving away, or resisting, the inherently uneven power structures shown to be in place in the lived limit condition of risk outlined in Chapters 2 and 3. This is the key shift this chapter argues for: a shift that reframes structural and slow violence through a feminist methodology. This argument for a feminist methodology to allow a broader framework for what the law includes can also be linked to the feminist critique of visibility in international law, as legal scholar Diane Otto asserts:

Law may be particularly impervious to feminism because of its deeply gendered (and hetero-sexed) structures and practices, which are heavily disguised by its claims to objectivity and neutrality and its commitment to formal rather than substantive equality.<sup>410</sup>

Here, Otto folds the recognition of a feminist critique of international law into the problems of formal, objective, or even masculine methods of knowledge production or evidence gathering. In framing a feminist intervention in relation to Irigaray's writing on hysteria, some would argue that the problem sits with the negative association of the hysteric or chaotic expression of human emotion. It is the negative association of such human expression that a feminist turn in international

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<sup>409</sup> The two international law cases dealing with questions of risk are the Nuclear Weapons Advisory Opinion, where the International Court of Justice was called upon to decide on the legality of the 'threat of use' of nuclear weapons; and the EC-Biotech dispute, where the World Trade Organisation's Dispute Settlement Body was called upon to determine the legality of the European Union's moratorium on genetically modified organisms. Otomo, *Unconditional Life*, 3.

<sup>410</sup> Dianne Otto, ed., *Gender Issues and Human Rights*, Human Rights Law 4 (Cheltenham: Edward Elgar, 2013), viii. In this claim Otto is also in reference to Carol Smart, *Feminism and the Power of Law* (New York; Routledge, 1989), 21.

law intends to interrupt by reframing such accounts as a necessarily human response to the exposure of violence. These negative and fallible connotations of emotion are what exclude the human reach from the technical frame of the law. To reject the chaotic or emotional human account of such violence in the context of the law is to render the human voice and its testimony immobile or invisible, and in so doing, prevents human political agency from speaking out within the context of law against the perpetration of international violence. The tension between physical and psychological harm to the body, and its recognition, is brought forth by philosopher Catherine Malabou:

A smashed-up face is still a face, a stump, a limb, a traumatised psyche remains a psyche. Destruction has its own sculpting tools. Construction is counter balanced by a form of destruction. This much we know and accept.<sup>411</sup>

My argument is that reframing the hysteric or chaotic account of the war-imprinted human body is a way to break dominant ‘masculine’, technical modes of producing legal testimony and evidence so as to establish a position of strength for the subjugated ‘other’ affected by violence, as exemplified in the context of Lebanon. Could *écriture féminine*, or the poetic testimony of violence, invert a masculine logic in international law and be any kind of answer to the problems of the subject’s legal and political (lack of) authority?

The previous chapters have shown how international law’s failure to place accountability for the history of violence in Lebanon and Syria is rooted in the colonial history of the region.<sup>412</sup> As international law’s colonial imprint attempts to

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<sup>411</sup> Catherine Malabou, *Ontology of the Accident: An Essay on Destructive Plasticity* (Cambridge, UK: Polity Press, 2012). 3. Also in Catherine Malabou, *The New Wounded: From Neurosis to Brain Damage*, trans. Steven Miller (New York: Fordham University Press, 2012); as well as Bhandar and Goldberg-Hiller, eds., *Plastic Materialities*.

<sup>412</sup> Forensic Architecture, *Forensis*. Here, Weizman outlines these issues with international law in relation to the violence that takes place across Palestine and Israel. ‘Indeed, acts of politics and legal activism must negotiate a complicated terrain between compromise, complicity, resistance, and evasion. As the interview with human rights lawyer Michael Sfard in this book demonstrates: ‘confronting political injustice in the name of the existing laws of war (also known as International Humanitarian Law, or IHL) needs to be cognizant of the ways by which these laws have also been increasingly used to regulate, legitimate, and conduct the very violence they seemingly oppose’, 12.





Figure 53: Soubhi Antonios giving his testimony on living through the violence of the Second World War in Lebanon; his house that was bombed during the Allied invasion in 1941 is behind him. His witness testimony features in my film, *Under Multiple Suns*. Masaar Al Chouf, Lebanon, 2017.



Figure 54: Soubhi Antonios points to the damage to his house in the 1941 Allied bombardment—there is still a material trace where the new cement hasn't fixed, allowing water to leak through. As featured in my film *Under Multiple Suns*. Masaar Al Chouf, Lebanon, 2017.

produce a technical universal language of legal justice, it erases human, cultural, historical, and spatial differences.<sup>413</sup> Further still, in some cases, the technical language of the law is operated to legitimise, validate, and even erase the potential prosecution of war crimes. Through this process we begin to understand how the witness and their testimony have become separated from the law in the context of Lebanon's violent history.<sup>414</sup> As testimony to violence engages a mode of poetics to depict the full experience of such situations, this witnessing is taken away from the legal forum created for its capture as testimony and as evidence. Instead, it is defined in its poetics, and by its lack of legal agency.

This conclusion has come through my own practical engagement and analysis of the artistic or poetic practices encountered in Lebanon. The space of cultural production allows room for the expression or the experience of slow, structural, and spectacular violence, where there might not be any other platform, space, or freedom for such expression. As mentioned earlier in the chapter, in Lebanon this also comes from the withdrawal of any legal capacity to witness or testify against the crimes committed during conflict, particularly following the civil war. I've shown that this exclusion from the law is predicated on a longer history of the enactment of such violence with impunity, which in Lebanon, has never allowed the subject to speak out, or give testimony in the frame of international law.<sup>415</sup> Though this exclusion from the law is felt acutely in the context of Lebanon, there are ways in which international law is attempting to make space for different voices and languages to enter its legal framework in other contexts. I will come to discuss the examples of the war crimes tribunals that took place in response to violence in the former Yugoslavia and Rwanda. Another example of the potentially changing legal attitude towards form and language of testimony is observed in the case of *Delgamuukw versus British Columbia*, which took place in 1997, where the Gitksan and Wet'suwet'en peoples claimed Aboriginal title and jurisdiction over

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<sup>413</sup> R. P Anand, *New States and International Law* (Delhi: Vikas PubHouse, 1972), 8.

<sup>414</sup> The closest attempt to international prosecution in regards to the violence in Lebanon has been in the Special Tribunal for Lebanon that was set up to try the assassination of Hariri in 2005. Special Tribunal for Lebanon, <https://www.stl-tsl.org/en>, (Last accessed 11 January 2018).

<sup>415</sup> This is a very different legal outcome to what took place following the end of the Bosnian war for example. The tribunal that followed took very seriously the need to give testimony against the experience of the violence.

58,000 square kilometres in northwest British Columbia.<sup>416</sup> During the trial at the Supreme Court of British Columbia, Gitksan and Wet'suwet'en elders testified about their land using oral histories and in their own languages.<sup>417</sup> Justice McEachern initially dismissed the oral traditions he heard from the chiefs as inadequate in meeting the demands of the court. However, following an appeal to the Supreme Court of Canada, the case was reopened. The court then found that the government had no right to extinguish the Indigenous peoples' rights to their ancestral territories, and further deemed their use of oral history as an important type of evidence that courts must treat as equal to other types of evidence.<sup>418</sup>

Though this thesis has been focused on the context of Lebanon, in the past years I have also worked on the research project 'Modelling Kivalina' with the Iñupiaq community in Alaska, in its attempt to hold 24 of the largest oil and gas companies legally accountable for the effects of climate change on the island they lived on.<sup>419</sup> Though the case of *Delgamuukw* versus British Columbia does speak of some movement in international law, regarding the treatment of the subject and testimony, the work carried out in Kivalina, with the community based on the barrier island, demonstrated how the technical and scientific language of law and risk assessment and management, was operative in separating the community and their particular forms of knowledge and expression, from having agency in decision of their future on the island.

Coming back to the context of Lebanon, in being inadmissible as legal testimony, the poetic testimony of violence finds a place and a voice in artistic and cultural production, and is held there indefinitely, further challenging its potential capacity for change through legal authority. This research proposes that the poetic testimonial practices as described in the chapter thus far should be entitled to enter the law as legal testimony.<sup>420</sup> In response to international law's consistent failure to produce accountability for the violence that has taken place in Lebanon and Syria, these poetic practices must be given the freedom to become legal testimony. A

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<sup>416</sup> Julie Cruikshank, "Invention of Anthropology in British Columbia's Supreme Court: Oral Tradition as Evidence in *Delgamuukw v. B.C.*," *BC Studies: The British Columbian Quarterly*, no. 95 (1992): 388.

<sup>417</sup> Cruikshank, "Invention of Anthropology in British Columbia's Supreme Court." 388.

<sup>418</sup> Cruikshank, "Invention of Anthropology in British Columbia's Supreme Court." 385.

<sup>419</sup> "Modelling Kivalina." Andrea Bagnato, Daniel Fernández Pascual, Helene Kazan, Hanna Meszaros Martin, Alon Schwabe for Forensic Architecture. Accessed September 13, 2018. <https://www.forensic-architecture.org/file/kivalina/>.

<sup>420</sup> I will outline later in the chapter how I suggest this might be able to take place.

feminist methodological intervention in the ways of embodying and voicing the experience of perpetrated violence makes room for the political and legal agency in these expressions, as well as for a reparative and inclusionary process of international legal justice. In allowing space for such testimonial accounts to take place, this thesis reconceptualises cultural production as a radical legal platform working towards a more inclusive international law. By providing space for diverse and nuanced subjectivities through the assembly of poetic testimony, what role does the curator, artist, exhibition, and/or cultural institution play in regards to the register of slow, structural, and spectacular modes of enacting violence? Further, what are the modes of curatorial and artistic practice that give space and voice to the poetic testimonial accounts of this violent affect? These questions assert the political and legal agency of the subject and the cultural institution. At the same time, legal frameworks exclude or make fallible the human response to violence. My research has observed the ways by which the space of art and cultural production allows, upholds, makes visible, the poetic testimonial practices I have pointed to in the context of Lebanon. In this respect, this research holds the space of cultural production as a vital platform for the accumulative evolution of international legal practice.

This proposal inverts the normative logic that the space of cultural production can only be a platform for representation.<sup>421</sup> Rather, I argue that the capacity and freedom for assembly, in both the local and international, makes the accumulative potential strength of cultural production potent as a radical legal platform for the register of violence.<sup>422</sup> For the time being, by including poetic testimonial practices that must exist outside the technical construct of the law, the space of art and cultural production allows room for an empowerment of these works in the interdisciplinary disruption of a normative legal frames.

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<sup>421</sup> This argument for what cultural production allows room for, and the potential of the effect of this on international law, by being reconceptualised as a radical legal platform, can also be argued through the effect of the images and the imaging processes I have discussed earlier in the thesis in Chapter 1 (see Figure 16), which shows how this image production affects the milieu they depict and represent.

<sup>422</sup> My research at the Centre for Research Architecture since 2011 has produced the grounding for this argument, first in the roundtable events that have taken place over the many years, and in the exhibition and public program of *Forensis: The Architecture of Public Truth* at the Haus der Kulturen der Welt in 2014. I argue that the accumulative effect that the space of cultural production provides in giving space and platform for the presentation of projects and the public discussion has given the forensic architecture project political and legal agency as an investigative force for legal justice.

### 1.6.1 From Above and Below

No other platform allows freedom for such expression or experience of slow, structural, and spectacular violence. The first example of a project that takes advantage of that opportunity is ‘From Above and Below’, an experimental event I curated at the Mosaic Rooms in London in 2015. The programme brought together a series of investigations into the shifting parameters of contemporary warfare.<sup>423</sup> The intention was to not only convey the position or physical viewpoint from above—which I argue the state and international legal apparatus utilise as part of conflict, exemplified by the use of aerial bombing—but also of the position from below—mobilising the domestic arena as a material and human register of the perceivable external threat of violence.

By exploring this condition, the presented works observed a violent interpenetration of private and public spheres, a condition that is intensified by the multi-scalar effects of war. The event was an attempt to gain a better understanding of the effect of the position ‘from below’ by analysing the violent impact directly upon the human subject. ‘From Above and Below’ was realised as a way to develop key issues that are central to this thesis, which I argue are of contemporary urgency. The event included: ‘Drone Strike Investigation, Case study no. 2: Mir Ali, North Waziristan, October 4, 2010’ by Forensic Architecture and Eyal Weizman; ‘Home is a 3-year shelf-stable pizza’ by Jesse Connuck; ‘Home-Image’ by Daniel Mann; ‘F/EAR: Living Under Drones’ by Susan Schuppli and Tom Tlalim; and a performance lecture of my research on ‘(De)constructing Risk: A Domestic Image of the Future’. Inviting the five projects to come together in the space of the Mosaic Rooms over the course of one day, with ample room for discussion between the interdisciplinary practitioners and the public, left this discussion to be heated and diverse. The multimedia, interdisciplinary, and experimental nature of the presentation of the projects created an environment, which allowed for open debate on injustice in the civilian effects of state perpetrated violence. It was the freedom of expression in opening a multi-lingual and interdisciplinary public debate that in

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<sup>423</sup> ‘From Above and Below’ was an event I curated at the Mosaic Rooms, in London, in 2015. I invited 5 practitioners to present their multidisciplinary work on the civilian effects of state perpetrated violence over the course of a day. “From Above and Below,” The Mosaic Rooms, <http://mosaicrooms.org/event/from-above-and-below>, (Last accessed 5 January 2018). For further information please see the Practice Outline section on From Above and Below.

part drove the early conceptual framing and analysis of the poetic testimony of violence in this thesis.

### **1.6.2 Points of Contact**

During fieldwork in 2016, a conversation started between myself, George Arbid, the Director of the Arab Centre for Architecture, and Sylvia Arnout, Public Program Director at the Goethe Institute, Beirut. This led to my curating an exhibition and public program, 'Points of Contact', in January 2018 across the sites of the Goethe Institute in Lebanon, and the Arab Center for Architecture, and in further collaboration with the British Council.<sup>424</sup> Following the charged experience of 'From Above and Below', the ambition of the project in Lebanon was to cultivate a complex and striated discussion with a series of questions:

How does architecture construct the human bodily experience of everyday life? How is this bodily experience connected to capitalism and conflict? What are the points of contact between the human body, the architecture of the lived-built environment, and state and international governing forces? How can one problematize, resist, or intervene in the evolution of this lived condition?<sup>425</sup>

The 'Points of Contact' exhibition and public program brought together multimedia responses and investigations by artists, theorists, activists, lawyers, and architects within the temporal and spatial framework of an exhibition and public program across the different sites of exhibition and into Beirut itself. The design of these different entry points into the project were meant to allow the greatest flexibility of access for the participating practitioners, their chosen language of presentation, as well as in regards to public and audience engagement and participation. The participating practitioners included: Shakeeb Abu Hamdan, George Arbid, Marwa Arsanios, Rayya Badran, Habib Battah, Vanessa Bowles, Hiba Farhat, Dima

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<sup>424</sup> 'Points of Contact', Goethe Institut-Libanon, [https://www.goethe.de/ins/lb/en/ver.cfm?fuseaction=events.detail&event\\_id=21132768](https://www.goethe.de/ins/lb/en/ver.cfm?fuseaction=events.detail&event_id=21132768) (Last accessed August 10, 2018). Please see the Practice Outline section in the thesis on Points of Contact.

<sup>425</sup> "Points of Contact." Please see the Practice Outline section in the thesis on Points of Contact.

Hamadeh, Samar Kanafani, Helene Kazan, Jessika Khazrik, Fadi Mansour, Ayat Noureddine, Yoriko Otomo, Mohamed Safa, Rania Stephan, and Sandra Schaefer. The exhibition itself evolved over its duration, as it was constructed and reconstructed in response to participants' work taking place through screenings, conversations, performances, lectures, and walking tours, forming together, two experimental roundtable events on 27 January and 17 February 2018. These events became a platform for a discussion between the participating projects as well as with the audience. The freedom of assembly that came through this project, across many fields, generations, and walks of life, politically charged the whole encounter. And further, the multilingual/multimedia/multidisciplinary conversation produced new knowledge on the questions framed in this thesis (see Figures 55 - 59).

The exhibition opened with a roundtable event on 'Body as Testimony, Poetics, and Gender', which included Yoriko Otomo, in a performance lecture on 'Secrets of the Body', in conversation with Marwa Arsanios; Dima Hamadeh and Ayat Noureddine on 'Feminist Strategies: In and Out of the Legal Frame'; and my performance lecture 'Under Multiple Suns'. In providing space for these legal, theoretical and artistic voices to come together and discuss crucial issues specifically in the context of Lebanon, knowledge was produced which activated the space as a site of political, legal, and cultural agency. Further, these conversations addressed and explored the potential of and opportunity for reform and radical change in international law, particularly in relation to *écriture féminine* or, as this research has framed it, as poetic testimony. The second experimental roundtable day, titled 'Built Between the Slow, the Structural, and the Spectacular', combined a discussion between Samar Kanafani on her talk 'Why should Past Matter Matter? A Question About Old Houses, Heritage and Inheritance in Beirut' and Habib Battah on his lecture 'Heritage Activism: The Battle for Public Space in Beirut', which together engaged a crucial conversation on the evolution of the lived material condition in Lebanon produced in response to slow and structural violence.

Though it was important to hold 'Points of Contact' both in Lebanon and across a range of institutions that could support the project, the questions this project challenged are also incredibly important to open up and discuss in a wider





Figure 55: Mhamad Safa in conversation with Shakeeb Abu Hamdan and Rayyan Badran, as part of 'Body as Testimony, Poetics, and Gender', the first experimental roundtable event for the exhibition 'Points of Contact', Beirut, 2018. Photograph by Alia Haju Jan.



Figure 56: Screening of 'So That You Too Could See' by Vanessa Bowles, 'RIOT: 3 Movements' by Rania Stephan, and 'Dreamland' by Fadi Mansour as part of 'Built Between the Slow, Structural, and Spectacular', the second experimental roundtable event for 'Points of Contact', Beirut, 2018. Photograph by Alia Haju Jan.





Figure 57: (Centre) Fadi Mansour's film installation of 'Dreamland', (left) partial view of Mhammad Safa's sound installation '50cm Slab' and (right) distant view of multimedia installation 'Remplissement' by Hiba Farhat for 'Points of Contact', Beirut, 2018. Photograph by Helene Kazan.



Figure 59: Samar Kanafani giving a talk 'Why should Past Matter Matter? A Question About Old Houses, Heritage and Inheritance in Beirut' as part of 'Built Between the Slow, Structural, and Spectacular', the second experimental roundtable event for 'Points of Contact', Beirut, 2018. Photograph by Alia Haju Jan.

global context.<sup>426</sup> In this way, art and cultural production is more than a space of representation; the nuanced shift is that art and cultural production provides, through interdisciplinary practice and public assembly, a space for freedom of expression, where other political and legal contexts might exclude those expressions and remain closed.

A crucial part of the curation of the project was that the non-static nature of the exhibition meant there was not the sense of a white cube space—the works and how they were shown responded to how the space needed to be used at that time, which produced an almost domestic feel to the whole project. This was underlined by the fact that although these spaces fit within the frame of cultural production, they weren't spaces normally used for exhibition and were constantly in use by different communities—of different generations, ages, and fields—who nevertheless rarely interacted. The exhibition led, in some cases, to their engagement in the discussion and with each other for the first time. It was also very important, and something I worked hard to facilitate, that every participant making work for the project received payment. My brief to all participants was that, as well as the presentation of works, during the events they would need to embody their practice in discussions. This attempted to create an equal notion of value across all of the practitioners, be they international or local. These decisions on my part were all folded into the evolution of the feminist methodology of my research practice.

The projects all engaged in a wide definition of poetic testimony of the felt effects of slow, structural, and spectacular violence. With the engagement of Otomo and Nouredine, on feminism and Islamic law, for example, I argue an attempt was made towards the accumulative development of a feminist methodological intervention into international law through this assembly of work from different disciplines within this exhibition.<sup>427</sup> It has developed since that my writing on the potential of poetic testimony was published in a special issue of the *Australian Feminist Law Journal* on “Gender, War, and Technology”. As the only non-legal scholar in the issue, bringing the practices and questions outlined in this chapter into the field of international law was a crucial development. This, I

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<sup>426</sup> “Points of Contact.” Please see the Practice Outline section in the thesis on Points of Contact.

<sup>427</sup> These ideas on the potential of poetic testimony have been published in Helene Kazan, “The Architecture of Slow, Structural, and Spectacular Violence and the Poetic Testimony of War” in “Gender, War, and Technology: Peace and Armed Conflict in the Twenty-First Century”, eds. Emily Jones, Sara Kendall, and Yoriko Otomo, special issue, *Australian Feminist Law Journal* 44, no. 1 (2018).

believe, is also the beginning of an interdisciplinary discussion about the poetic testimony of violence. Though this is an intervention into critical legal theory as opposed to international legal practice, Orford writes on the importance of understanding the relationship between the two in regards to the effect they can have on each other.<sup>428</sup> But what is the potential in international legal practice for the poetic testimony of violence entering the framework of international law?

When first approached by the Project Director, Sylvia Arnout about working with the Goethe Institute in Lebanon, it was in relation to the institution opening a new exhibition and media lounge in their redeveloped cultural centre in Beirut. Having followed my work over some time, the initial conversation with Arnout was with regards to doing a solo exhibition in the soon-to-be opened space at the Goethe Institute in Gemayze, situated in the centre of Beirut. On receiving this invitation from Arnout to do a solo exhibition, my immediate response was that it wouldn't be the right format for the practical realisation of the PhD project in the context of Lebanon. The development of a practice-based PhD project over the course of four years had required my engagement in a complex conversation with many researchers and practitioners from across the disciplines of architecture, academia, art and activism in Lebanon. Therefore, it felt important that the public presentation of the work would also be in conversation with the many people and practices that had supported its evolution throughout. Hence, the provocation of a solo exhibition, in turn lead to my proposal of the exhibition and public programme 'Points of Contact' at the Goethe Institute and the Arab Center for Architecture in January 2018.<sup>429</sup>

The project used the forum of the exhibition and public programme, to provide a platform to engage the complex interdisciplinary discourse that had been underway for some time, with the ambition to bring it into the public domain. As the Goethe Institute in Lebanon didn't have an in-house curator or the resources to invite one, in order for the project to be multi-disciplinary and work in collaboration with a group of institutions, projects and practitioners across Lebanon, I took on the responsibility of being the 'curator' for the purpose of the project. Though this decision came for pragmatic reasons, I also knew that the

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<sup>428</sup> Orford, "International Law and the Limits of History" in *The Law of International Lawyers: Reading Martti Koskenniemi*, eds. Wouter Werner, Marieke de Houn, and Alexis Galán (Cambridge, UK: Cambridge University Press, 2015).

<sup>429</sup> "Points of Contact." Please see the Practice Outline section in the thesis on Points of Contact.

curatorial method that I wanted to employ, which reflected the feminist methodological approach I was theorising in the writing of the thesis, was unorthodox. The decision to curate the exhibition gave me the opportunity to put this feminist methodological approach into practice, whilst it was being theorised in the thesis at the same time. The exhibition and public programme 'Points of Contact' became a testing ground for the practical application of the above approach engaged in the context of Lebanon.

As a critique of the project, due to becoming so focused on the practical employment of a feminist methodological approach in the curating process, I didn't give adequate space for my own practice as an artist to be well enough situated in the frame of the other works and projects in the exhibition. The exhibition and public programme became a vibrant and active cacophony of voices and practices, sensing the complicated politics of violence in the context of Lebanon. In this way, the project was perhaps unsuccessful in showcasing my own individual artistic practice. Nonetheless, I believe that the manner in which the feminist methodological approach was put into practice, and the consequent crystallisation of my seedling ideas on poetic testimony, made this project a great success.

Following this, in rethinking the proposition of a future solo exhibition, for such an invitation I would reform my film *Under Multiple Suns* first shown as a performance lecture in 'Points of Contact'. In the context of a solo-exhibition, it would be presented as a single channel multi-media installation that would occupy the full wall of a single room or exhibition space, and be projected at a 1:1 scale of the domestic and intimate spaces being depicted in the work.<sup>430</sup> The installation would bring together the filmic and performance lecture components of my practice and reshape them as an immersive multi-media installation. The curatorial frame of the solo exhibition would be to bring forward the little known history of violence in Lebanon and Syria that took place during the Second World War, and its overlap with the colonial history of international laws of war, as outlined in the previous chapters of the thesis. The multi-media installation would connect this history to the present day via the speculative legal future I propose through poetic testimony and international tort law (as I'll come to explain later in this chapter). The multi-media

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<sup>430</sup> The short film that I completed *Under Multiple Suns*, Helene Kazan, 2018. More information can be found on this project in the Practice Outline section on *Under Multiple Suns*, and the film file can be found on the USB stick accompanying the PhD.

installation would be an assemblage of the many mediums and languages it has taken to complete this PhD project and its theoretical argument.

If possible, the single room of the solo exhibition space would have a corridor leading the audience into the multi-media installation, where an introduction to the work and theoretical concept of poetic testimony would provide the viewer with the works terms of engagement. In addition to this explanation, I would install a single photograph size screen showing the film *Masking Tape Intervention: Lebanon 1989*. In the most ideal situation, this solo exhibition would still be interrupted and affected through a series of events and discussions, which would narrate other intertwining practices that also work to de-colonise knowledge and history in the Arab region.

Through the development of this research practice, my argument for poetic testimony operates as a vibrating, porous, time and space traveling, mode of resistance and engagement. A reflection of poetic testimony, as a methodological approach, means my work constantly changes, responding and adapting, to the spaces, situations and people it comes to encounter through its evolvement. This can be seen, for example in the making of *Masking Tape Intervention: Lebanon 1989*, which from its early conception, took three years, and many iterations; from multi-media installation, film, flip-book, to now being a finished body of work.<sup>431</sup> This is equally true of *Under Multiple Suns*, which has also changed format, language and media throughout its development, and will continue to do so in response to what the work needs in order to be affective.<sup>432</sup> Therefore, my works are quite often never ‘complete’ or ‘finalised’ per se, in that they can be permeable, open, slightly vulnerable and manage to resist the hyper capitalisation of the art market.<sup>433</sup> I believe this mode of practice also continues and falls in line with the feminist methodological approach that I have come to argue for through the thesis. This movable and ever-changing quality of my practice isn’t reflected in the catalogue of my work accompanying the PhD. This was an intentional decision, in order for the breadth and multiple formats and outcomes of my practice to be made

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<sup>431</sup> The short film that I completed Helene Kazan, *Masking Tape Intervention: Lebanon 1989*, 2013. Further information on this project can be found of the Practice Outline section on *Masking Tape Intervention: Lebanon 1989*.

<sup>432</sup> The short film that I completed *Under Multiple Suns*, Helene Kazan, 2018. More information can be found on this project in the Practice Outline section on *Under Multiple Suns*, and the film file can be found on the USB stick accompanying the PhD.

<sup>433</sup> This has also been my reason for resisting the format of the solo exhibition.

clear and legible in response to the theoretical argument I build around and through the practice.

Furthermore, in being a practitioner working in the context of Lebanon, on the subject of violence perpetrated both through conflict and capitalism, I fall in line with an internationally recognised group of practitioners that have worked on similar questions. These practitioners, whom I have already mentioned earlier in the chapter, such as Walid Raad and Rabih Mroué, are often seen to disrupt notions of truth, produced and perceived in the archive or the archival document, treading the fine line between fiction and documentary practice.<sup>434</sup> The legacy that these renowned Lebanese practitioners have left for the next generation attempting to sense or depict the continued effects of violence in Lebanon, experienced as slow, structural, and spectacular, has become a trap. As a result, it has become almost impossible to work with archival material in the context of Lebanon without the reliability of that material being called into question.

Therefore as a practitioner, I have chosen to turn away from this earlier frame. Instead, I attempt to uphold a stable notion of truth-making through the archive, through moving image and through my work, however also engaging a necessary mode of poetics, as I argue, in the expression of the lived experience of violence. It is important to note here that this is different from fictive narratives, or documentary filmmaking. As previously explained, poetic testimony engages a mode of practice to uphold the depiction of the ‘truth’, through bringing the human experience and testimony of violence in line with the technical or forensic object of investigation.

The crystallisation of my ideas on poetic testimony manifested in the work carried out with the practitioners in Lebanon that participated in the exhibition ‘Points of Contact.’ At the time of developing this frame of poetic testimony, as I saw it in operation in the context of Lebanon, I watched *Ghost Hunting*, a film directed by Raed Andoni, first released in February 2017.<sup>435</sup> *Ghost Hunting* examines the Israeli torture of Palestinian prisoners by recreating an Israeli interrogation site, further re-enacting the traumas of abuse that took place there. The director Andoni takes his experience of being tortured as a teenager, at al-

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<sup>434</sup> These practitioners were also mentioned earlier in the Chapter 3.

<sup>435</sup> *Ghost Hunting*, Palestine’s submission to the 2018 Foreign Language Oscar. *Ghost Hunting* also won the Berlinale’s Silver Bear for best documentary and also figured amongst the Panorama audience awards.

Moskobiya, an Israeli detention centre in Jerusalem, and uses this knowledge and understanding to depict the human effects of this torture, through the reconstruction and re-enactment of the site and events that took place. The chosen crew and cast of actors have also been through the same experience of violence. I argue that this is another case of poetic testimony that uses the platform of the film as an active and radical legal platform, to give space and voice to human testimony of such violence.

It was in observing this work, and its terms of engagement, written from another context that finds the subject, the Palestinian, excluded from being able to testify against Israeli state persecution, that I recognised the potential of my argument for poetic testimony as a generative frame of practice. This work, and its situatedness in the space of cultural production, lies in wait for the kinds of reform in international law that will recognise its legal agency as testimony. No doubt, there are many practices and works that engage my theoretical and practical frame of poetic testimony. The question is how these accounts can be perhaps brought together in a way that provides strength to their terms of engagement, within the frame of the law. I argue for poetic testimony as a generative frame, an open question that asks for modes of solidarity to be engaged through its practice, in connecting communities and contexts dealing with the effects of violence that fall outside of international law's current conceptual frame of accountability.

## **1.7 International Tort Law**

In 'Sexuality in the Time of War: Or, How Rape became a Crime Against Humanity', Sharon Sliwinski asserts the restorative function of the testimonial account through a study of the international tribunals that took place in the former Yugoslavia and Rwanda.<sup>436</sup> At those tribunal proceedings a precedent was set for the criminalization of rape as a forced, physical invasion of the human body. Is there some relation to this physical invasion of the human body that can also occur through the violence of aerial bombardment, as both a physical and mental

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<sup>436</sup> Sharon Sliwinski, "Sexuality in the Time of War, or, How Rape Became a Crime Against Humanity" in *The Flood of Rights*, eds. Thomas Keenan, Suhail Malik, and Tirdad Zolghadr (Berlin: Sternberg Press, CCS Bard, and Luma Foundation, 2017); Janet Halley, "Rape in Berlin: Reconsidering the Criminalisation of Rape in the International Law of Armed Conflict," *Melbourne Journal of International Law* 9, no. 1 (2008): 119. Halley further problematizes this logic with some crucial questions: 'What are the downsides of ratifying the idea that rape in war is a fate worse than death? Could the special condemnation of rape weaponise it?'

invasion? Rather than seeing the criminality of this force in the act of deploying such weaponry (which can be manipulated to bypass the reach of international law through new technologies of targeting), could we rethink the perspective of this violence from the point of view of when that force inflicts harm on the human body itself?<sup>437</sup>

The possibility of inverting accountability in relation to aerial bombardment ties in to Rebecca Crootof's argument for the need to establish war torts in international law.<sup>438</sup> Currently, in domestic law, a tort (as in the law of torture) is a way of imposing (state or personal) liability for harm to the body, as both physical and emotional.<sup>439</sup> It is important to emphasize here, international law operates at the state level, in that currently there is no mechanism by which an individual can hold a state accountable for the perpetration of violence through international law. This is the potential that international tort law offers: a mechanism that already exists in domestic law, and can be translated internationally, to empower the subjective experience against state perpetrated violence. This legal mechanism, however, does not yet exist in international law. In arguing that the future proliferation of automated weapons creates a necessity for tort law to be mirrored in international law, Crootof also establishes a comprehensive ground for the necessary evolution of war torts in relation to normalised aerial warfare.<sup>440</sup> War torts, as Crootof frames the law of tort in international law, could go some way towards engaging a legal technology for holding states accountable for violence in the lead up to war crimes, or further, as a way of making the affects of slow and structural violence visible within the context of international law.<sup>441</sup>

Tort law does not fall under the umbrella of criminal law, it is private domestic law and, therefore, an event or act of violence could be tried both as a crime and as a tort. Translating tort law into international law would create a direct relationship between the victim of violence and the international legal framework.

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<sup>437</sup> Some of these ideas are also discussed in Dianne Otto, *Queering International Law: Possibilities, Alliances, Complicities, Risks* (London: Routledge, 2017).

<sup>438</sup> Rebecca Crootof, "War Torts: Accountability for Autonomous Weapons," *University of Pennsylvania Law Review* 164, no. 6 (January 2016): 42.

<sup>439</sup> In Latin, *tort* means wrong.

<sup>440</sup> Crootof, "War Torts," 62.

<sup>441</sup> There is already some ground being made in the discussion for establishing tort law in international law to hold states accountable for environmental disaster and climate change. Noah Sachs, "Beyond the Liability Wall: Strengthening Tort Remedies in International Environmental Law," SSRN Scholarly Paper (Rochester, NY: Social Science Research Network, September 6, 2007), <https://papers.ssrn.com/abstract=1012323>.



This direct connection does not currently exist, as international laws on war are not victim focused, but rather absorbs the victim into its legal technology. The argument for the use of tort law in the context of the violence perpetrated in Lebanon fits into a broader discourse in international law around accountability, as international lawyers are beginning to argue that international criminal law does not hold those accountable for harm and destruction caused through international-scale violence. Perhaps a translation of domestic tort law in international law would create a capacity for international law to look much closer at the people affected by state perpetrated violence.

This type of use of tort law is beginning to take place in the context of Iraq, as lawyers use the domestic tort law systems put in place by the British colonial system, against the torture of Iraqi prisoners by UK and US soldiers.<sup>442</sup> The use of tort law in Iraq, is itself a colonial inversion, as it uses both criminal and British tort law in Iraq to claim against harms committed by the UK and US.<sup>443</sup>

Following this example, over the past four decades, there has been much discussion on how to strengthen or apply tort liability principles within international environmental law.<sup>444</sup> At the core of this discourse is an understood necessity for making the issues of accountability and liability work for the environment, both as a means of deterring harmful activities done by multilateral corporations, and as a way of providing compensation to those affected by internationally perpetrated environmental violence.<sup>445</sup> This came in the recognition that globalisation not only ties national economies together, but has resulted in a web of environmental risks, taking place over many centuries.<sup>446</sup> Despite decades of work, international law has been unable to establish tort remedies for victims of environmental damage.<sup>447</sup> More than a dozen civil liability cases have been

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<sup>442</sup> Matilda Arvidson, "The Subject in International Law: The Administrator of the Coalition Provisional Authority of Occupied Iraq and its Laws" (Faculty of Law Lund University, 2017).

<sup>443</sup> Tort law comes from the English legal system, and was transplanted into different contexts through colonial governance.

<sup>444</sup> How does the idea of tort law in international law come into play with other laws in different contexts, such as, for example, Sharia law?

<sup>445</sup> Liability for environmental harm was a central concern of the 1972 Stockholm Declaration on the Human Environment, the founding text of international environmental law, which called on states to 'co-operate to develop further the international law regarding liability and compensation for the victims of pollution and other environmental damage.' Noah Sachs, "Beyond the Liability Wall: Strengthening Tort Remedies in International Environmental Law," SSRN Scholarly Paper, Rochester, NY: Social Science Research Network, 2007, 380.

<sup>446</sup> Sachs.

<sup>447</sup> Sachs.

negotiated, but few have entered into force.<sup>448</sup> Here it's important to note that the precedent for the use of tort law in international environmental law is different from the proposition of war torts made in this thesis. But it's a useful precedent to reflect on in regards to how my argument for the international use of the domestic tort legal system might answer larger questions on how to assign accountability for violence that has been distanced from the states perpetrating such action. Or further, how can we establish more widely, a shared responsibility for internationally perpetrated violence and bodily harm?

Notably, in the US, the use of the Alien Tort Statute (ATS) has allowed civil action to be brought by foreigners (aliens) into US courts against violations of international laws.<sup>449</sup> These cases often lead to long drawn out hearings, with little success. But the belief in regards to the cases that have taken place is that the negative exposure the hearings have on large corporations might deter the perpetration of further harmful action. However, the case that effectively ended the use of ACTA in the US, *Kiobel v. Royal Dutch Petroleum* argued in 2012, came down to an issue that the judge brought forward in relation to the corporations complicity in the violence, and being able to place accountability on the corporation as a result.<sup>450</sup> There are three main reasons for the problematic history of tort liability in international environmental law. First, there is often a conflict of interests between developing and developed states, which creates distrust in respect to how liability becomes placed. Developed states often seek to protect domestic firms and maintain certain legal thresholds of liability, which doesn't allow developing states to be able to hold those states accountable for environmental harm.<sup>451</sup> Further, often multilateral cases that push to break the legal liability thresholds mean that developed states frequently need to incur the high costs to pay the compensation for damages.<sup>452</sup>

My intention of using the speculative legal frame of international tort law is to highlight the inherent issues and failures in the current international legal

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<sup>448</sup> Of the fourteen major civil liability treaties that have been adopted in the environmental field since 1960, only six have ever entered into force, and actual claims for compensation under these treaties are scarce. Notably, not a single major civil liability treaty outside the contexts of oil spills and nuclear accidents has ever entered into force. 3

<sup>449</sup> "Alien Tort Claims Act," accessed May 1, 2019, <https://www.globalpolicy.org/international-justice/alien-tort-claims-act-6-30.html>.

<sup>450</sup> "Alien Tort Claims Act."

<sup>451</sup> Sachs, "Beyond the Liability Wall," September 6, 2007, 842.

<sup>452</sup> Sachs, "Beyond the Liability Wall," September 6, 2007.

framework in relation to the normalised violence of aerial bombardment, as a form of torture. The issues in relation to this precedent of tort law being used in international environmental law, shows how distance in accountability becomes a wall for the state and multilateral institutions to hide behind.

In the context of Lebanon, a combination of specific political and contextual problems make the application of a normal truth and reconciliation model inconceivable<sup>453</sup> As mentioned, following the end of the Lebanese Civil War, the Ta'if agreement that brought an end to the conflict, provided impunity for all the criminal activity that took place during the conflict. The governing powers in Lebanon in place following the end of the civil war, had no interest in engaging the process of justice, as they would be the first to be prosecuted in case of a trial. This is why the proposition for applying the international tort law system in this setting would be a good fit, as it is not criminal law, and would not revoke or disrupt the post civil peace agreement and situation.<sup>454</sup>

My speculation in regards to war torts, imagines a legal future where in the case of torture, (as both psychological and physical harm enacted to the human body by the state and multilateral corporations) can be legally registered as an international tort. However, there are some complicated questions that need to be unpacked in this regard to the current developing discourse on the potential of international tort law, or war torts: could tort law break the asymmetric power relations that are imprinted in international law through its colonial and imperial legacy? The primary argument against the application of tort law is that it might create a culture of compensation. But by focusing on harm to the body as both physical and psychological, as in the tort of trespass to the person, it is possible to assign a tort that is not only connected to bringing monetary compensation, but is rather a reparative process of providing justice by recording and acknowledging an act legally as harm. In engaging court proceedings to do so, a reparative process of international legal justice, as this thesis argues is necessary, begins to become possible. Further, there is a powerful potential in the combined proposal of translating tort law in international law and engaging legal agency in poetic testimony. Here we can think again of Malabou, and how plastic destruction could

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<sup>453</sup> “Lebanon & Transitional Justice | ICTJ,” International Center for Transitional Justice, April 4, 2011, <https://www.ictj.org/our-work/regions-and-countries/lebanon>.

<sup>454</sup> Sune Haugbolle, “War and Memory in Lebanon. 120.

be registered towards legal justice.<sup>455</sup> This argument for tort law also reveals international law's vacuum in regards to the scale of the domestic space, as harm suffered to the human body within the walls and materiality of home can still be an international violence, even though it is not recognised in the international legal framework and currently has no way to be registered.<sup>456</sup>

At the Critical Legal Conference 2017 at Warwick University, the final international law panel included legal theorists Vanja Hamzić, lecturing on 'International Law as Violence: The Catastrophic Other'; Ratna Kapur, lecturing on 'The Redemptive Turn in Critical Human Rights Scholarship: A Catastrophic and Nihilistic Move'; Vasuki Nesiah, lecturing on 'Slavery Colonialism and Reparations: The Complimentary Catastrophe's of Slow Violence and Human Rights'; and Nicola Perugini, lecturing on 'Human Shielding and Bombing Under the Justification of International Law'. In the concluding discussion of how to move forward in regards to the present enactment of such violence and international law's seeming inability to restrict or protect, a multitude of different methods of inspection and scrutiny, intervention, questioning, and disrupting were proposed. In conclusion it was stated that these methods of intervention and resistance to the structures that allow for international law's incapacities, that these processes need to take place simultaneously, from all sides, if there is ever a chance for reform, to shift the status quo, in the attempt at international legal justice.

Following this, in the final comments from Otomo at the roundtable event at the Centre for Research Architecture in June 2018, she outlined that 'there is a space in international law that we have to create, produced for a multitude of different ways of communication'.<sup>457</sup> I have argued that this needed space in international law begins in the space of art and cultural production, as such a space

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<sup>455</sup> There is also an interesting point that can be made for the mirroring of tort law in international law in the division between war and peace. International law does not intervene in peace, so no one can be held accountable for what takes place outside of the official context of war. So in the way that refugees are treated and how they are or are not framed within the context of war, the wider application of the law of tort would create a means to register the harm to the human body and to register the state-perpetrated violence that afflicts the refugee, during transition or once they are outside the conflict zone and arrive in other countries that are considered to be at peace.

<sup>456</sup> Though there is writing on tort law in domestic law, this is a newly developing discussion in regards to international tort law, so writing on its translation into international law is not in depth yet. A lot of the information in this section comes through the aforementioned discussions with Yoriko Otomo and Emily Jones.

<sup>457</sup> Final comments from Yoriko Otomo at the roundtable event 'Built Between the Slow, the Structural and the Spectacular', organized by Helene Kazan at the Centre for Research Architecture, Goldsmiths University of London, June 2018.

allows for the inclusive process of poetic testimony of violence and as such it should be viewed as a radical legal platform lying in wait.

## 1.7 Conclusion

In conclusion, this chapter has outlined how the subjective experience of slow, structural, and spectacular violence, framed here as the poetic testimony of violence, has been produced through a protracted limit condition of risk affected by international law's incapacity to restrict the threat of bombardment, as outlined in Chapter 1, and as a mode of governance applied through the architecture of the lived-built environment in Lebanon in the withdrawal of rights to the city and to the home as shelter.

I have argued in this chapter that this limit condition of risk can be traced in the spectrum of poetic testimonial practices that have evolved in the context of Lebanon. In the historic incapacity of these testimonies to partake in any legal framework, I have argued that poetic testimonial practices should be given the capacity to enter an international legal framework as a further step towards a reparative system of international legal justice. I have also shown how this might be possible through the translation of tort law into international law.

Unpacking the potential of international tort law, what are the specific implications for the Lebanese Civil War? Since tort law is not under the umbrella of criminal law, there could be some argument for its retroactive use to register the harm, both physical and psychological, to the civilian body, as perpetrated through the international conflict. In empowering the subject to voice the effects of the Lebanese Civil War, it might not only be possible to engage a further reparative process of international legal justice, but also the registration of individual testimony of such harm could have a trickling effect, in the collective strength in numbers, to deter the future re-enactment of such violence.<sup>458</sup>

In relation to the 2006 conflict between Israel and Hizb-Allah, not only might international tort law register the ongoing harm perpetrated by the state of Israel, but it could also establish a connection between the subject and international law that could potentially take the protection of civilian life in targeted areas out of the

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<sup>458</sup> Questions of how the poetic testimony of violence could apply to the Syrian Civil War can begin to be seen in recent works emerging from the continuing situation: "In Beirut, Play about Syria's War Gets as Close to Home as It Can," *Reuters*, October 23, 2017, <https://www.reuters.com/article/us-mideast-crisis-syria-play/in-beirut-play-about-syrias-war-gets-as-close-to-home-as-it-can-idUSKBN1CR09T>; "'Speak Your Mind' to Prevent Conflict," UNDP, [http://www.undp.org/content/undp/en/home/blog/2018/\\_speak-your-mind-to-prevent-conflict.html](http://www.undp.org/content/undp/en/home/blog/2018/_speak-your-mind-to-prevent-conflict.html) (last accessed September 13, 2018); and Sally Farhat, "Home Within: The Syrian War through the Lens of Art," *An-Nahar*, March 29, 2018, <https://en.annahar.com/article/783796-home-within-the-syrian-war-through-the-lens-of-art>.

hands of Hizb-Allah. This would relieve the necessity of their political control over certain territories in Lebanon.

In bringing this chapter to a conclusion, I come to the proposition of international tort law, which in itself poses some further questions in the frame of critical legal theory: thinking of *écriture féminine*, can the hysteric or poetic account of the war-imprinted human body be reframed as a technique to counter dominant, or masculine, modes of producing legal evidence? In this respect, can poetic testimonial practices be part of a methodological shift towards *écriture féminine* to establish a political position of strength for the subjective account, which has become so far been excluded from the law? Can the poetics of the human account of violence be reframed as a necessary expression of violence, rather than its fallible quality, and, together with the stated facts of events, be upheld to provide a more concrete or inclusive account of the subjective experience of slow, structural, and spectacular violence? In this way, there is a revolutionary potential in using poetic testimony to break the asymmetrical technologies of power and governance inscribed in the lived limit condition of conflict and capitalism within the context of Lebanon and Syria.<sup>459</sup>

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<sup>459</sup> This point becomes particularly important as we look towards the growing effect of slow and structural violence of climate change, which can also lead to the spectacular violence of war.

# Points of Contact

Exhibition and public program curated by Helene Kazan

A project by the Goethe Institute, Lebanon, in collaboration with The Arab Center for Architecture and the British Council, Lebanon

27 January – 10 March 2018

'Points of Contact' brought together multi-media responses and investigations into the architecture of the lived built environment in Lebanon. The participating artists, theorists, activists, lawyers and architects explored an interpenetration of private and public spheres effected through a lived condition of capitalism and conflict. The exhibition changed and evolved over its duration, being constructed, and reconstructed as each participant presented work through screenings, conversations, performances, lectures, and walking tours, across two experimental roundtable events on January 27 and February 17, 2018. The aim of these events was to create a platform for discussion between the participating projects as well as with the visiting audience.

Participants included: Shakeeb Abu Hamdan, George Arbid, Marwa Arsanios, Rayya Badran, Habib Battah, Vanessa Bowles, Hiba Farhat, Dima Hamadeh, Samar Kanafani, Helene Kazan, Jessika Khazrik, Fadi Mansour, Ayat Nouredine, Yoriko Otomo, Mohamed Safa, Rania Stephan, Sandra Schaefer.

The first experimental roundtable '***Body As Testimony, Poetics and Gender***' (January 27) paid particular attention to the effects of capitalism and conflict at the scale of the human body, observing changes in the architecture of the built environment that takes place in response to this human bodily experience. This event further questioned how dominant methods of producing evidence or giving testimony can exclude or render the human body invisible? Proposing a possible turn towards the poetics of human testimony, this event asked questions in regards to the methods needed to engage a more inclusionary account of the effects of violence?

**The event '*Body As Testimony, Poetics and Gender*' included:**

Film Screening of '*Lebanon / War*' (2006) by Rania Stephan

Mohamed Safa in conversation with Shakeeb Abu Hamdan and Rayyan Badran about sound installation '*50cm slab*' (2018) by Mohamed Safa

Sound/Poetry Performance of '*Mount Mound Refuse*' (2018) by Jessika Khazrik

Film Screening of '*Under Multiple Suns*' (2018) by Helene Kazan:

Performance Lecture '*Secrets of the Body*' (2018) by Yoriko Otomo

Marwa Arsanios & Dima Hamadeh (98weeks Feminist Reading Group) in conversation with Ayat Nouredine '*Feminist Strategies: In and Out of the Legal Frame*' (2018)

Images on the two next pages are both sides of the poster produced for exhibition and public program '*Points of Contact*'. Design by Karim Farah. Copyright of Goethe Institute Lebanon and Karim Farah.



The second experimental roundtable ***'Built Between the Slow, the Structural and the Spectacular'*** (February 17) observed a spectrum of methods that attempt to capture and evidence the slow, structural and spectacular violent affects of capitalism and conflict, seen through transformations in the architecture of the built environment. Asking how does the lived built environment or the architecture of the domestic space becomes an archive of such transformations? Further questioning how planning of the built environment becomes a way of speculating and projecting the effects of capitalism and conflict into the future?

The event ***'Built Between the Slow, the Structural and the Spectacular'*** included:

Architectural Walk *'Beirut Modern'* (2018) by George Arbid

Film Screening of *'So That You Too Could See'* (2018) by Vanessa Bowles

Talk *'Remplissement'* (2018) by Hiba Farhat

Film Screening of *'RIOT: 3 Movements'* (2017) by Rania Stephan

Film Screening of *'Dreamland'* (2017) by Fadi Mansour

Talk on *'Why should Past Matter Matter? A Question About Old Houses, Heritage and Inheritance in Beirut'* (2018) by Samar Kanafani

Lecture on *'Heritage Activism: The Battle for Public Space in Beirut'* (2018) by Habib Battah

In accompaniment to the main exhibition at the Goethe-Institute, the Arab Center for Architecture also opened as a satellite exhibition on February 17, 2018. This event included a screening of *'Constructed Futures - Haret Hreik'* (2017) by Sandra Schaefer

***The works and documentation of the exhibition and public program can be found in the folder titled 'Points of Contact' on the enclosed USB stick.***

#### **For further information:**

[https://www.goethe.de/ins/lb/en/ver.cfm?fuseaction=events.detail&event\\_id=21132768](https://www.goethe.de/ins/lb/en/ver.cfm?fuseaction=events.detail&event_id=21132768)

<https://www.e-flux.com/announcements/174650/points-of-contact/>

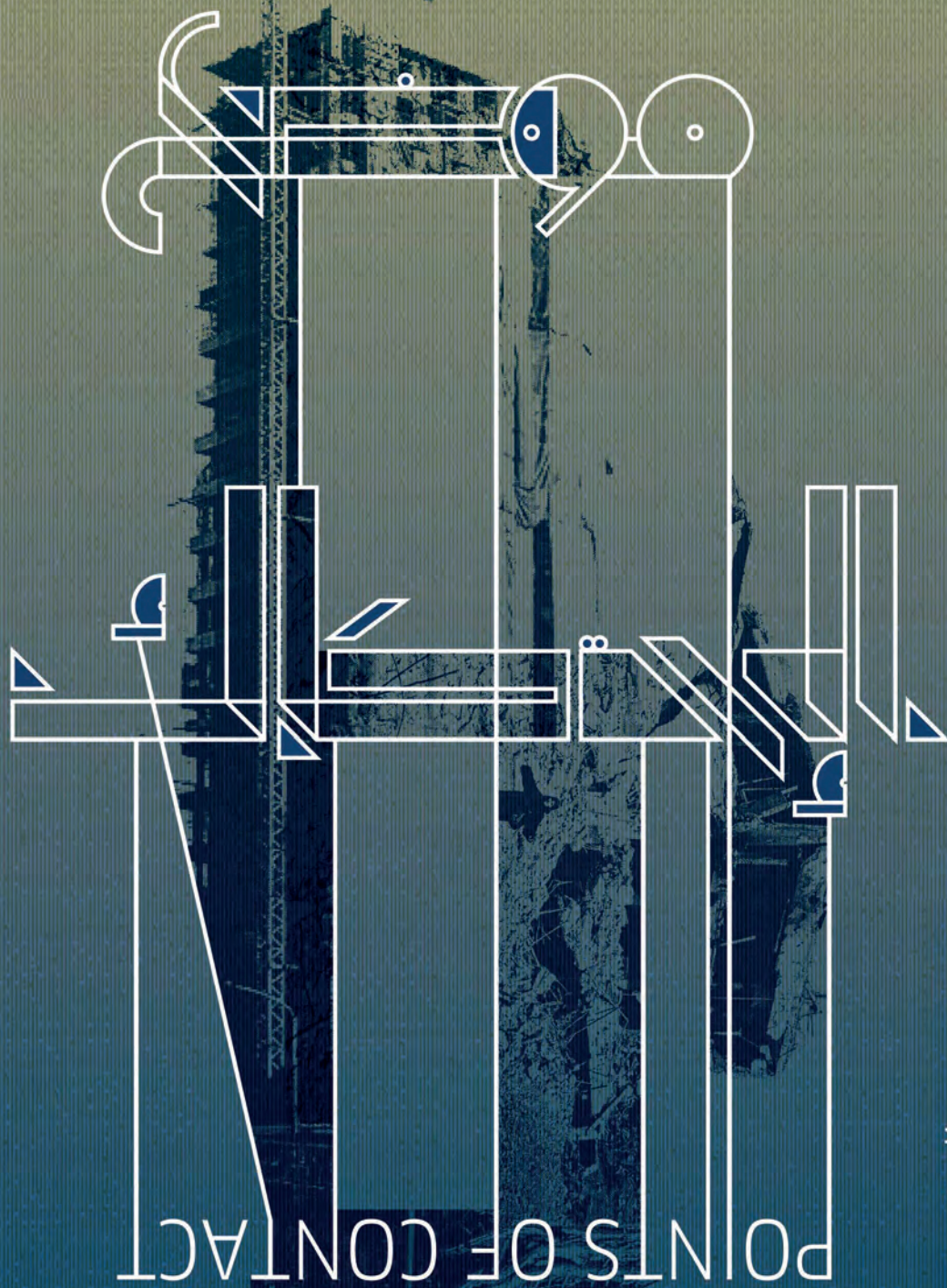
#### **Outcomes of the project:**

*'The Architecture of Slow, Structural and Spectacular Violence and the Poetic Testimony of War'*, writing by Helene Kazan published in the peer reviewed special issue on *'Gender, War, and Technology: Peace and Armed Conflict in the Twenty-First Century'*, edited by Emily Jones, Sara Kendall & Yoriko Otomo for Australian Feminist Law Journal (2018): <https://www.tandfonline.com/toc/rfem20/current?nav=toCList>

Interview between Fari Bradley and Helene Kazan for *'Six Pillars'* on Resonance FM, a focus on contemporary Middle Eastern, North African and South Asian sound, art and culture: <https://www.mixcloud.com/Resonance/six-pillars-june-27th-2018-curator-helene-kazan/>

*'Points of Contact'*, sound piece by Helene Kazan for broadcast on Saout Radio, Documenta14 (2017): [http://saoutradio.com/docs/pdf/Saout\\_Africa\(s\)\\_Program.pdf](http://saoutradio.com/docs/pdf/Saout_Africa(s)_Program.pdf)





موضع الإحتكاك  
معرض وبرنامج عام  
2018.01.27  
2018.03.10  
قاعة الميديا،  
معهد غوته  
في لبنان

Points of Contact  
Exhibition and  
Public Program  
27.01.2018  
10.03.2018  
Media Lounge,  
Goethe-Institut  
Libanon



# معرض

موضوع الاحتكاك

من 27 كانون الثاني 2018 حتى 10 آذار 2018

كيف يمكن لقرن العمارة ماء وتنظيم التجربة الجسدية للفرد يوماً؟ وكيف يمكن لهذه التجربة أن تكون حسنة بالإنسانية والضرراعات؟ وما هي نقاط الإنقاذ بين الجسد البشري، عمران الحيز الأهلبي المنعاش، التوتلة والتسلطات الحكوميه المائنه؟ كيف يمكن للفرد أن يواكف ويتجاوز ويعترض في الشياق التحديتي لشروط العيش؟

يقدم معرض «موضوع الاحتكاك» إجابات متعدده الوسائط وتحقيقات تصل إلى حسنة الحيز العمراي في لبنان وتأثيره على التجربة الجمعيه للفرد، يقوم المشاركون، فنانين ونقاداً وباتصلين ومحامين ومهندسين معماريين، باستكشاف التفاعل بين المساحات العامة والمساحات الخاصة التي تتشكل تحت تأثير الرأسمالية والشرع. طوال مئه السته، سوف يتخضع المعرض للتحليل والتحديث والتتركيب وإعادة التركيب عبر مساهمات المشاركين التي تتنوع بين عروض أفلام وحوارات وعروض أدائية ومخاضرات وجولات استكشافيه، وذلك من خلال حلقتي نقاشي تجريبتين في 27 كانون الثاني، و27 شباط. يهدف هذا الحدث إلى خلق مسحة للتقاني بين المشاريع المشاركة والأهلبيين.

تتمحور الحلقة النقاشية التجريبية الأولى (27 كانون ثاني) بعنوان «الجسد كشهادة: الجندر والشاعرية»، حول تأثيرات الرأسمالية والشراعات على معمار الجسد البشري، في ضوء التحولات الطارئة على عمارة الحيز العمراي والتي تحدث كاتساق لتجربة الفرد الحسني. ويقوم النقاش أيضا بطرح الأسئلة حول المدى الذي يمكن أن تتغلبه الأساليب المهميه في إقانه دليل أو منح شهادة فيما يتعلق بإيضاة أو حجب الجسد البشري. طارحا تساؤلا مفتوحا، أ، شاعرية القيادة البشريه ومتشابلا عن ماهية الأساليب المطبويه كحجب واحتواء، قيمة أكثر إدمانها للتأثيرات على الجسد البشري.

تستكشف الحلقة النقاشية التجريبية الثانية «العماره بين التباطؤ والنشويه والمشهدية» (7 شباط)، سلسلة من النتيج التي تسمى إلى إدمان وإظهار التأثيرات العصفه للرأسمالية والشراعات من وجهها التباطؤي والنشوي والمشهدية. تلك التأثيرات المرليه من خلال التحولات في فن عمارة الحيز الأهلبي المنعاش. وتتساءل الحلقة عن كيف يمكن للمحيز المعماري أو المساحة الأهلبيه أن تقدم كارتيفد لهذه التحولات. إضافة إلى التساؤل عن الكيفية التي يمكن من خلالها تحويل خصميئات الحيز المعماري إلى فرصة لتسليق وتصوير التأثيرات المستقبليه للرأسمالية والشراعات.

بمشاركة المعرض الرئيسي في «قاعة الميديا معمه غونه في لبنان»، سفتفتح «المركز العربي للعمارة» كفضاء، عرض عبر فدر الأعمال الصاعبي يوم السبت 17 شباط 2018.

المشاركون: شكيب أبو حمدان، جورج عريبد، مروة أرسانيوس، ربا بردان، حبيب بطاح، فانيسا بولز، هبة فرحات، دجما حماده، سمر كنفاني، هيلاني قران، جيسيكيا خزريق، فادي منصور، آيات نور الدين، يوريكو أوتومو، محمد صفا، رانيا اسطفان وساندرا شفيق.

مشروع وضعته «قاعة الميديا معمه غونه في لبنان»، من تنظيم القصة هيلاني قران وبالتعاون مع «المركز العربي للعمارة» و«المجلس الثقافي البريطاني في لبنان».



أوقات الزيارة:

من الإثنين إلى الخميس | 9 صباحاً إلى 6 مساءً  
الجمعة | 9 صباحاً إلى 2 مساءً

معهد غونه في لبنان  
بيروت، الحصريه - شارع نهر ارايمو، مقابل محرمه  
«القلب الأبيض»، المدخل الجنوبي

# برنامج عام

الجسد كشهادة، الجندر والشاعرية

الحلقة النقاشية التجريبية الأولى وأفتتاح المشروع - السبت 27 كانون الثاني 2018

13:00

ترحيب ومفتحة

لبنان / حرب (2006) - رانيا اسطفان  
معرض فيلم

سبقت 50 سم - محمد صفا

محمد صفا في حوار مع شكيب أبو حمدان وريا خزين

أسئلة وأجوبة / إستراحة

15:00

خلف في أوتام القمامة - جيسيكيا خزريق  
عرض أدائي صوتي

إستراحة

16:00

تحت شمس غفيرة - هيلاني قران  
عرض فيلم / محاضرة أدائية

أسرار الجسد - يوريكو أوتومو

محاضرة أدائية

17:30

استراتيجيات نسوية: داخل الإطار القانوني وخارجه - مروة أرسانيوس ودجما حماده، (90أ.سوع، حلقة القراءة النسوية) في حوار مع آيات نور الدين

أسئلة وأجوبة / نقاش

إستقبال

العماره بين التباطؤ والبنويوه والمشهدية

الحلقة النقاشية التجريبية الثانية - السبت 17 شباط 2018

13:00

ترحيب ومفتحة

بيروت حديثه - جورج عريبد

جولة معمارية تنطلق من معهد غونه في لبنان

14:00

لكني ترى - فانيسا بولز  
عرض فيلم

لعينه - هبي فرحات

هبي فرحات في حوار مع هيلاني قران

أسئلة وأجوبة / إستراحة

15:00

شعب: ثلاث حركات (2017) - رانيا اسطفان  
عرض فيلم

أرض الأحلام - فادي منصور

عرض فيلم

أسئلة وأجوبة / إستراحة

16:00

لما نهتمنا الماضي؟ سؤال عن المساكن القديمه، وعن التراث والأهت في بيروت - سمر كنفاني  
حوار

النشاطية التراثية: الكفاح من أجل المساحات العامة في بيروت - حبيب بطاح

محاضرة

أسئلة وأجوبة / نقاش

18:00

إفتتاح معرضي والنشال في «المركز العربي للعمارة»، يستهته عرض فيلم «مستقبل تركب حارة حريكه» (2016) - ساندرا شفيق

حفلة إختتام - السبت 10 آذار 2018

Goethe-Institut Libanon  
Nahr Ibrahim Street, Facing Sacre Coeur School  
Beirut, Gemmayzeh  
Friday | 9:00 am to 2:00 pm  
Monday to Thursday | 9:00 am to 6:00 pm  
Visiting Hours:



Lebanon

A project by the Media Lounge of Goethe-Institut Libanon, curated by Helene Kazan, in collaboration with the Arab Center for Architecture and the British Council.

Rania Stephan, Sandra Schaefer,

Nouredine, Yoriko Otomo, Mohamed Safa, Jessika Khazrik, Fadi Mansour, Ayat Hamadeh, Samar Kanafani, Helene Kazan, Vanessa Bowles, Hiba Farhat, Dima Arsanios, Rayya Badran, Habib Batah,

Shakeeb Abu Hamdan, George Arbid, Marwa Spectacular (17 February) will observe a spectrum of methods that attempt to capture and evidence the slow, structural and spectacular violent affects of capitalism and architecture of the built environment or the

architectures of the domestic space becomes an archive of such transformations? Further questioning how planning of the built environment becomes a way of speculating and projecting the affects of capitalism and conflict into the future?

With the participation of: Shakeeb Abu Hamdan, George Arbid, Marwa Spectacular (17 February) will observe a spectrum of methods that attempt to capture and evidence the slow, structural and

spectacular violent affects of capitalism and architecture of the built environment. Asking how does the built environment or the architectures of the domestic space becomes an archive of such transformations? Further questioning how planning of the built environment becomes a way of speculating and projecting the affects of capitalism and conflict into the future?

the Arab Center for Architecture will open as a satellite exhibition space on Saturday 17 February 2018.

the Media Lounge of Goethe-Institut Libanon, in collaboration with the Arab Center for Architecture and the British Council.

Q&A and Discussion  
Space in Beirut | Habib Batah  
Lecture

Heritage Activism: The Battle for Public Space in Beirut | Habib Batah  
Talk

Why Should Past Matter? A Question About Old Houses, Heritage and Inheritance in Beirut | Samar Kanafani  
Talk

Q&A and break  
Film Screening  
Dreamland | Fadi Mansour

Q&A and break  
Film Screening  
RIOT: 3 Movements (2017) | Rania Stephan

Q&A and break  
Film Screening  
Remplissement | Hiba Farhat

Q&A and Discussion  
In conversation with Helene Kazan  
Hiba Farhat in conversation with Helene Kazan

Q&A and Discussion  
In conversation with Ayat Nouredine  
Nouredine, Yoriko Otomo, Mohamed Safa, Jessika Khazrik, Fadi Mansour, Ayat Hamadeh, Samar Kanafani, Helene Kazan, Vanessa Bowles

Q&A and break  
Film Screening  
So That You Could See | Vanessa Bowles

Q&A and break  
Film Screening  
RIOT: 3 Movements (2017) | Rania Stephan

Q&A and break  
Film Screening  
Dreamland | Fadi Mansour

Q&A and break  
Film Screening  
Remplissement | Hiba Farhat

Q&A and Discussion  
In conversation with Helene Kazan  
Hiba Farhat in conversation with Helene Kazan

Q&A and Discussion  
In conversation with Ayat Nouredine  
Nouredine, Yoriko Otomo, Mohamed Safa, Jessika Khazrik, Fadi Mansour, Ayat Hamadeh, Samar Kanafani, Helene Kazan, Vanessa Bowles

Q&A and break  
Film Screening  
So That You Could See | Vanessa Bowles

Q&A and break  
Film Screening  
RIOT: 3 Movements (2017) | Rania Stephan

Q&A and Discussion  
In conversation with Helene Kazan  
Hiba Farhat in conversation with Helene Kazan

Q&A and Discussion  
In conversation with Ayat Nouredine  
Nouredine, Yoriko Otomo, Mohamed Safa, Jessika Khazrik, Fadi Mansour, Ayat Hamadeh, Samar Kanafani, Helene Kazan, Vanessa Bowles

Q&A and break  
Film Screening  
So That You Could See | Vanessa Bowles

Q&A and break  
Film Screening  
RIOT: 3 Movements (2017) | Rania Stephan

Q&A and Discussion  
In conversation with Helene Kazan  
Hiba Farhat in conversation with Helene Kazan

Q&A and Discussion  
In conversation with Ayat Nouredine  
Nouredine, Yoriko Otomo, Mohamed Safa, Jessika Khazrik, Fadi Mansour, Ayat Hamadeh, Samar Kanafani, Helene Kazan, Vanessa Bowles

Public Program

# Public Program

# Exhibition

27.1.2018 - 10.3.2018

Points of Contact

Body As Testimony, Poetics and Gender

Opening | Saturday 27 January 2018

Welcome and Introduction

Lebanon / War (2006) | Rania Stephan

Film Screening

50cm Slab | Mohamed Safa

Mohamed Safa in conversation with Shakeeb Abu Hamdan and Rayya Badran

Q&A and break

3:30 PM

Mound Refuse | Jessika Khazrik

Sound Performance / Poetry

Break

4:00 PM

Under Multiple Suns | Helene Kazan

Film Screening / Performance Lecture

5:30 PM

Feminist Strategies: In and Out of the Legal Frame | Marwa Arsanios & Dima Hamadeh

(9Weeks Feminist Reading Group)

Q&A and Discussion

6:00 PM

Q&A and Discussion

7:00 PM

Second Experimental Roundtable | Saturday 17 February 2018

The Spectacular

Build Between the Slow, the Structural and

3:00 PM

RIOT: 3 Movements (2017) | Rania Stephan

Film Screening

Q&A and break

3:30 PM

So That You Could See | Vanessa Bowles

Film Screening

Q&A and Discussion

4:00 PM

Remplissement | Hiba Farhat

Film Screening

Q&A and Discussion

4:30 PM

Why Should Past Matter? A Question About Old Houses, Heritage and Inheritance in Beirut | Samar Kanafani

Talk

Heritage Activism: The Battle for Public Space in Beirut | Habib Batah

Lecture

Q&A and Discussion

6:00 PM

Exhibition Opening and Reception at Arab Center for Architecture

Including a screening of 'Constructing Futures - Haret Hreik' (2016) by Sandra Schaefer

Closing Event | Party

Saturday 10 March 2018

# Under Multiple Suns

**Documentary Film written and directed Helene Kazan**

15min. 2018.

Through a combination of human and material testimony, and uncovered archival documentation 'Under Multiple Suns' produces an account of the contested history of the events that took place in the Allied invasion of Lebanon and Syria in 1941. This documentary film exposes in human and material terms, how actions and events that took place during this historic period, have become inscribed in the day-to-day materiality and architecture of the lived-built environment in Lebanon. Unfolding in both temporal and spatial terms to construct multiple lived worlds that concurrently exist 'Under Multiple Suns'.

## **Film credits:**

Written and directed by Helene Kazan

Producer Openvizor/Abbas Nokhasteh

Camera and Production by Vanessa Bowles

Audio correction by Shakeeb Abu Hamdan

Colouration by Bilal Hibri

Interview with Sobhi Antonios

With the support and special thanks to Openvizor, AHRC/CHASE UK, The Arab Centre for Architecture, The British Council, Lebanon, The Goethe Institute, Beirut.

Online link to view film: <https://vimeo.com/275612201>

Password to view the film: UMS\_arabic

***The film can be found in the folder titled 'Under Multiple Suns' on the enclosed USB stick.***





Stills from '*Under Multiple Suns*' the documentary film written and directed by Helene Kazan. The images show (top) a still of a life size architectural visualisation wrapping a construction site in Jisr le Wati, in Beirut, (bottom) and inside of an award-winning luxury real estate development project called The Cube, in Sin el Fil, Beirut.

## Conclusion

In the case of Lebanon, we observe the technology of international law being manipulated to legitimise past and present violence—violence against people framed through their race or class, which somehow makes their continued subjugation acceptable.<sup>460</sup> As history teaches us, many technologies of killing are developed as a way to bypass the reach of international law.<sup>461</sup> Only in grappling with the corrupted historic root of international laws of war is it possible to gain the capacity to confront the development and use of burgeoning technologies of warfare, such as unmanned drones and automated weapons. Without confronting the clear problems in the foundation of international law's capacity, the new technologies of warfare and killing will always be able to work through the cracks in the armour of the international laws of war. In this way, my attempt in this thesis is to demystify international law and its humanitarian accomplishments, I join an ongoing interdisciplinary discussion which attempts to recognise international law's current failures and limitations in order to make it more humanly accessible, and to take steps towards possible reform.<sup>462</sup>

In the context of Lebanon, the commodification and weaponisation of the home are both, as I have shown, manifestations of the same condition of living with extreme risk. The commodified home, seen in the life-sized architectural visualisations of the soon-to-be built luxury development projects across Lebanon, offers the possibility for capitalist accumulation and the neoliberalisation of Arab economies. As the luxury development projects attempt to point the future away from the threat of geopolitical violence in Lebanon and the wider region, they cannot help but be affected by this simultaneous threat constantly circulating in international news and media.

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<sup>460</sup> This article about the use of new weapons against the people of Palestine by the IDF is an example of testing the thresholds of the legal use of such violence and weaponry. "Doctors Spooked by Israel's Mystery Weapon – Israel Firing Experimental Weapons at Gaza's Civilians, Say Doctors," *World Observer Online*, July 20, 2014, <http://worldobserveronline.com/2014/07/20/doctors-spooked-israels-mystery-weapon-israel-firing-experimental-weapons-gazas-civilians-say-doctors> (last accessed August 24, 2018).

<sup>461</sup> Some action has been taken in trying to place accountability for this violence, an example is written by Eyal Weizman on lawfare: 'A prosecutor at the International Criminal Court in the Hague is currently considering a Palestinian group's petition to indict Israeli commanders. Israel has demonstrated its resolve to challenge these allegations by launching an international campaign to argue its legal position.' In "Lawfare in Gaza: Legislative Attack," *openDemocracy*, March 1, 2009, <http://www.opendemocracy.net/article/legislative-attack> (last accessed June 23, 2016).

<sup>462</sup> R. Normand and C. A. Jochnick, "The Legitimation of Violence: A Critical Analysis of the Gulf War," *Harvard International Law Journal* 35, no. 2 (1994): 95.

The contemporary effect of the co-existence of the image of destruction and development in Lebanon see's an increase in financial speculation: the vast wealth from the Gulf invested into Lebanese real estate before the outbreak of the Syrian Civil War in 2013 might be part of the reason fighting has not spilled into Lebanon. It is also possible that this Gulf influence and the war in Syria have affected investment into real estate development in Lebanon, as the industry has seen a significant downturn since 2016. This is visible in the shrinking size of the homes bought for speculative purposes, a change reflecting the need to accommodate the smaller price range of wealthy Lebanese and the diaspora, as opposed to the larger budgets of Gulf investors.<sup>463</sup> It is now projected that Lebanon is on the precipice of economic (and therefore political) collapse as a result of the mutual feedback between the projected image of development and destruction in Lebanon—this duplicate speculation promises the further disruption of both.<sup>464</sup>

While luxury real estate development in Beirut is at risk of a financial crash, the homes in Haret Hreik are at risk as they become weaponised through the rhetoric of threat by Israel. In threatening the use of the disproportionate economic and military advantage that the state of Israel maintains through the political, military, and economic support it receives from US, Israel creates an uneven field of operation for a future conflict with Hizb-Allah. The potent strength of this potential violence occurs, as I have argued, through the history of its operation, as the threat of violence between Israel and Hizb-Allah has yet to diminish.

In Chapter 1, I argued that the precedent for the manipulation of international law by belligerent forces—which this tension between Israel and Hizb-Allah points to, particularly in regards to aerial bombardment—was set in the Nuremberg Trials, when the widespread use of aerial bombardment by both the Axis and Allied forces during the Second World War was effectively condoned. This history of international law is ongoing and deeply embedded in the practice of warfare today. The aim of the historical turn in international law is to develop ways to assign accountability for a history of such violence, argued in this thesis as the violence in the uneven distribution of risk in Lebanon—also visible across the Arab

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<sup>463</sup> “Real Estate Developers Shun Big Apartments,” *Zawya*, September 24, 2015, [https://www.zawya.com/mena/en/story/Real\\_estate\\_developers\\_shun\\_big\\_apartments-DS24092015\\_dsart-316436](https://www.zawya.com/mena/en/story/Real_estate_developers_shun_big_apartments-DS24092015_dsart-316436) (last accessed September 16, 2018).

<sup>464</sup> “Lebanon’s Economy Has Long Been Sluggish. Now a Crisis Looms.” *The Economist*, August 30, 2018, <https://www.economist.com/middle-east-and-africa/2018/08/30/lebanons-economy-has-long-been-sluggish-now-a-crisis-looms> (Last accessed September 18, 2018).

region in Syria, Iraq, Afghanistan, Palestine, and Yemen.<sup>465</sup> In this way, my aim has been to make visible the people and places affected by a history of slow, structural, and spectacular violence, especially as an imposed uneven limit condition of risk.

Through the practice-based PhD model, I have attempted to foreground an interdisciplinary engagement of the key questions with regards to the projected image of destruction and development in Lebanon. In this way I have used both the image making and curatorial practice developed through the PhD project to make an ideological argument for reframing the space of art and cultural production to serve as a radical legal platform in a process towards a reparative progression in international legal justice. In this way, this research calls for accountability to be assigned for the history violence in Lebanon and Syria, which I argue has been purposefully understated in its severity and ongoing effects in order to bypass scrutiny. Western military intervention in the Arab region connects the colonial history of international law and the colonial history of violence in Lebanon and Syria.<sup>466</sup> I argue that Western involvement in the Arab region should be viewed less as an intervention, but rather as part of the imposition of an uneven condition of risk. Therefore, I have framed the history of conflict and development through the rubric of risk in an attempt to demand accountability for the ongoing effects of these operations in the context of Lebanon and the wider Arab region.

This thesis has interrogated the historical moment when aerial bombardment produced the necessity for shelter in response to the risk it created. My intention in scrutinising the history and precedent of this continued practice of armed conflict is to make the logic of this violent encounter, again, strange and unnatural. In observing the difficulties of enforcing any legal parameters on the conduct of warfare for the protection of civilians, we also gain insight into the challenges faced in the attempt to provide both material and psychological shelter against this violent threat. As I have shown, these challenges are in both the potential destruction of the home through conflict and the ways that the state of exception of conflict allows exploitative modes of post-conflict development. My objective has been to question the international institutions that legitimise these methods of distributing risk to

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<sup>465</sup> Security Council Report, “Yemen,” <https://www.securitycouncilreport.org/yemen> (last accessed August 28, 2018).

<sup>466</sup> This comes particularly in regards to the violence framed through civil wars as internalised political violence.



civilians and their environment, both in their destruction and development. As in the imagination of these scenarios of destruction and development, the landscape of risk and domesticity is ultimately redefined or, in other terms, made plastic. The soon-to-be luxury development projects now across Lebanon and the homes of Haret Hreik and the south of Lebanon are materialised in response and through the projection of the ‘certain’ futures of development and destruction. However, as I have argued, these dangerous futures cannot be separated from one another other: both influence the inevitability of the other taking place.

In contrast, a more caring international law might come specifically through this domestic scale of interaction—and an embodied feminist approach, which attempts to invert international law towards the victim of international violence. This has the potential to disrupt a logic that allows new technologies of warfare to bypass criminal accountability. Instead I have come to the conclusion that a necessary evolution in international law should come through a feminist methodological intervention in the mode of *écriture féminine* or poetic testimony, as a way of creating accountability for the human visible and invisible effects of slow, structural, and spectacular violence, and to provide an answer to the issues of visibility in each case. The space of cultural production could assist with this evolution in the international law, and be recognised in itself, as a radical legal platform. If all of these things are possible, then so might a further move towards a reparative legal process that resists or intervenes in the cyclical continuation of such violence, not just in Lebanon and Syria, but also on a global scale.

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