

“Decades of Struggle for Space”: About the Legitimacy of Informal Settlements in Urban Areas

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Key words: Informal settlements; Action Space; Urban Space; Urban Land Governance; Legitimacy

SUMMARY

There are two prominent factors (i.e. push and pull factors) causing rural/urban migration resulting in the emergence of informal settlements in urban areas. The push factors are directly related to livelihood problem and food security due to the subdivision of inheritance properties, the internally displacement due to the conflicts and the natural disasters due to the climate changes. Similarly, the pull factors are those related to economic opportunities, better education and better health facilities in the urban areas. In Nepal, the informal settlements without formally recognized land tenure in urban areas have always been the critical issue, and the failure to recognize legitimacy on these settlements always resulted many hurdles and/or continuous struggles between the governments (central and local) and the informal settlers. Although the informal settlements are not within the existing legal framework, currently there exist a lot of pressure from various stakeholders to legitimize these settlements on allocating urban land. Since the urban land allocation is multifaceted with many issues including the housing rights and land rights, this paper analyzes the problems on legitimizing urban land for the urban informal squatters using the concept of “action space” in which the state, market force and civil society groups play the major roles for provision of the urban space. This paper then explores how the “action space” is used within the informal settlements to deliver urban space. Land governance aspects within the “action space” are also explored using the case study approach. Lastly this paper identifies the major factors that bring pressures on the legitimacy of informal sectors.