

Global Slum Legalization Practices: New Perspective to Improve Kampung in Jakarta

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Global Slum Legalization Practices: New Perspective to Improve *Kampung* in Jakarta

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Abstract: *Kampungs* in Jakarta are defined as areas that emerge beyond the purview of governance. However, a notable shift occurred with the announcement of Governor Regulation Number 31/2022, acknowledging *Kampung*'s existence and potentially paving the way for improvements once synonymous with slums. This study explores global practices of slum legalisation to provide a perspective on addressing the legal challenges facing *Kampung* without resorting to evictions. The study suggests that legalising slum areas does not solely depend on issuing ownership certificates but can encompass diverse approaches like formal adjustments to spatial regulations, tenure guarantees, and various legal rights to minimise risks for government officials.

Keywords: *Kampung*; slums legalisation; new regularisation; global practice

1. Introduction

1.1 Informal Settlement

In 2020, UN-Habitat reported that a staggering 1.6 billion people across the globe were residing in inadequate housing which of 1 billion live in squatter areas, slums, or informal settlements¹⁾. Despite extensive efforts made by governments in cities of the Global South over the past half-century to curtail their expansion, the proliferation and resilience of such housing have been nothing short of remarkable. Projections for 2050 suggest that the number of informal settlements will continue upward, reaching an estimated 3 billion²⁾. From an economic, spatial, and social perspective, informal settlement areas have become intricately woven into the urban fabric to the extent that most cities now rely on their presence for survival. Contrary to the common association of informal settlements with slums problems and deprivation, the data reveals that one in four urban dwellers owes their livelihood to these areas³⁾. According to Zhang, the functions of this settlement made its existence credible, they provide alternative housing and economic opportunities for city residents. Moreover, due to their high population density, informal settlements have been regarded as a source of political influence⁴⁾.

In economic discussions, informality is defined in contrast to the formal economy, highlighting practices in "non-formal" markets overlooked in national economic assessments. Analogously, as noted by Roy & AlSayyad⁵⁾, informal settlements fall outside of formal urban planning. Informality does not equate solely to poverty, reflecting the coexistence of formal and informal sectors in every

economy. This perspective challenges the notion that formality inherently precedes informality, as urban development historically comprises both elements, a concept evident in the evolution of cities since medieval times⁶⁾.

Hence, no linear sequence exists where formality precedes informality any more than the state precedes the city⁷⁾. Historical evidence attests that cities have evolved through a complex interplay of informal and formal processes, as exemplified by the remnants of ancient cities in medieval Europe⁶⁾. Nonetheless, in the modern context, 'informal settlements' are delineated as areas that evolve beyond formal state regulation. Notably, these settlements are not entirely haphazard; instead, they often result from calculated and strategic initiatives undertaken by residents. Even in the annals of old European cities, many land invasions transpired informally while adhering to 'formal' street plans and layouts. Community leaders often spearheaded the planning and development processes, sometimes even entrepreneurial individuals colloquially called "pirate developers"⁷⁾.

However, in the modern era, 'informal settlements' are defined as areas that emerge and function beyond the purview of formal state governance. In Indonesia, these informal settlements are commonly referred to as urban *Kampung*. Before modern residential planning in Indonesia, *Kampung* held a prominent role in the country's residential fabric, serving as a defining feature of Indonesian society. As an essential element of the urban landscape, *Kampung* represents one of the fundamental settlement areas that shaped cities in the absence of or before the advent of modern planning practices.

Kampungs are home to a significant portion of the city's population and represent a longstanding residential enclave. Devoid of structured city planning interventions, these *kampungs* have evolved organically, shaped by the collective endeavours of their residents. This organic growth offers each other social support and economic opportunity⁸⁾ that fostered a unique, inclusive community characterised by its inclusive ethos. Remarkably, despite their organic development, many *kampung* residents have achieved legal status for their homes. Therefore, Kampung blended informal and formal elements within the dynamic urban space.

However, in major metropolitan centres like Jakarta, a prevailing inclination persists to perceive these *kampungs* as residential areas needing renovation or, in some cases, eviction. For decades, the annals of history have chronicled Jakarta's sincere efforts to erase the presence of these *kampungs*, deeming them disruptive to the city's identity and reputation.

Recently, in sync with Jakarta's public transportation enhancements, *kampungs* are progressively aligning with the 15-minute City Vision initially proposed by Carlos Moreno (2016)^{9,10)}. This visionary concept underscores catering to community needs within a brief walking or cycling radius, typically spanning approximately 15-20 minutes^{11,12)}. This vision is actualised by providing easy access to diverse facilities, facilitated by the accessibility

of space, street networks, and public building facilities, coupled with the reinvigoration of urban areas. The overarching aim of 15-Minute Cities is to establish self-sustaining yet interconnected neighbourhood units.

The Institute for Transportation and Development Policy (ITDP) identified characteristics of *kampungs* as settlements located at strategic locations. ITDP referred to Kampung Sunter Jaya as one of the *Kampung* selected as an ITDP pilot project. Sunter Jaya is home to approximately 13,000 families and is a mere 1000 meters from the nearest transit station. This Kampung has evolved organically over time, characterised by its permeability facilitated by a network of alleys, each segment not exceeding 120 meters long. These narrow alleys have established walking and cycling as the primary modes of transportation, especially for schoolchildren, effectively restricting vehicular access. The frontages of the houses serve as active spaces for various businesses, fostering robust interactions among residents. Beyond living spaces, homes function as bases for diverse production activities. The high-density housing, inhabited by individuals from diverse backgrounds, coexists harmoniously with many activities within the village, creating a compact urban environment. The distinguishing feature here is the prevalence of low-rise buildings, lending the Kampung a human-scale quality.

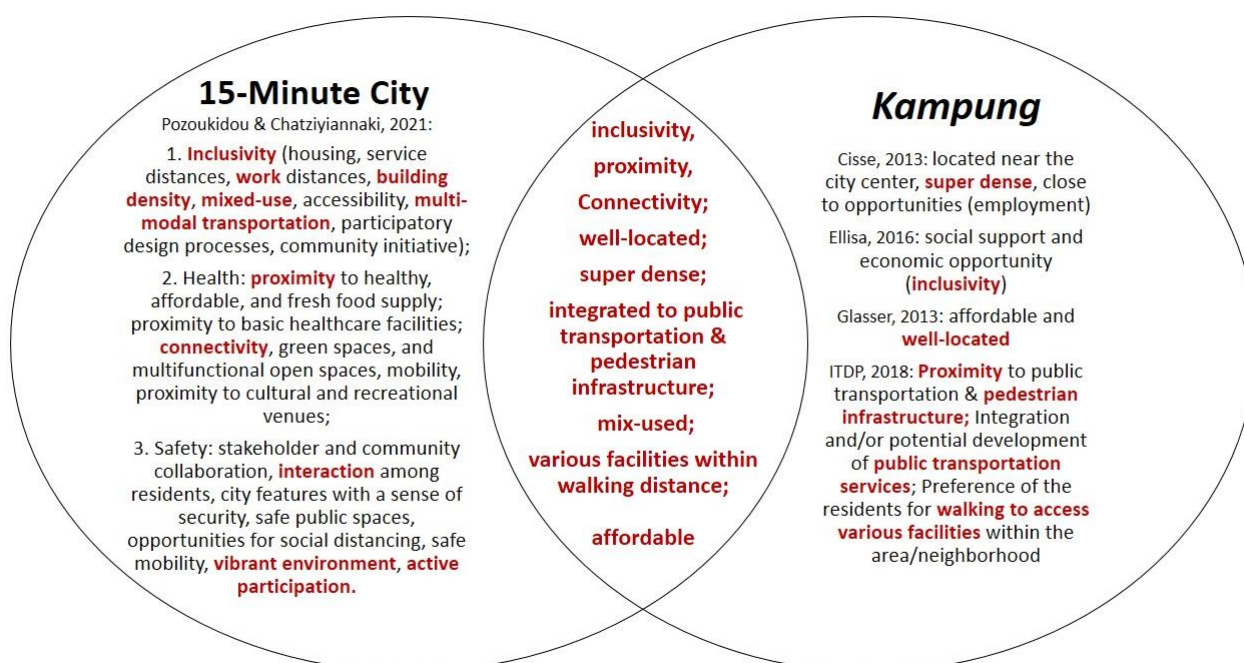


Fig. 1: Shared characteristics between the 15-Minute City concept and the characteristics of *Kampung*.

ITDP summarised the characteristics of Kampung Sunter Jaya, including (1) Proximity to public transportation, (2) Proximity to pedestrian infrastructure improvement by the government, (3) Integration and potential development of public transportation services, (4) Preference of the residents for walking to access various facilities within the area¹³⁾.

Drawing from ITDP's description, even without conducting an in-depth analysis, it becomes evident that there are distinct overlapping aspects between the 15-Minute City concept by Pozoukidou & Catziyiannaki (2021)¹⁴⁾ and the unique characteristics of *kampungs* (Fig. 1). Despite different motivations, these characteristics also serve as a magnet, particularly the low-income groups,

while promoting lower energy consumption and emissions.

It is not surprising that, in synchronisation with the swift pace of urban development, the location of *kampungs* naturally lures newcomers seeking opportunities. The strategic area around Jakarta's hub of activities emerges as a preferred destination for the newcomers who migrate to the cities without capital and expertise. Consequently, due to high population density coupled with inadequate infrastructure planning¹⁵⁾, the environments of *kampungs* experience degradation and gradually transform into slums. They are generally declared *RW Kumuh* (slum neighbourhoods) in the DKI Jakarta Province.

Since Jakarta instituted Detail Spatial Plan regulations or RDTR, which served as an elaboration of the Regional Spatial Plan or RTRW in 2014, *kampungs* have faced a dual challenge: not only is their existence unacknowledged, but their zoning is also deemed unsuitable for their intended purposes. The dense living conditions within these *kampungs* have failed to alter the consequences dictated by this regulatory framework, with eviction looming as a perpetual threat. Nonetheless, similar to other slums or informal settlements, eviction attempts are far from straightforward and often encounter obstacles¹⁶⁻¹⁹⁾. On the flip side, the uncertainty surrounding when the government will initiate land acquisition has left *kampung* residents in limbo.

A pivotal turning point concerning the destiny and prospects of these *kampungs* came with the official announcement of DKI Jakarta Governor Regulation Number 31/2022 regarding RDTR²⁰⁾. Within this regulation, outlined explicitly in Article 1, Points 119, 128, 137 (1) and (2), and Article 172 (4) of RDTR 2022, is a resounding affirmation of the existence of these *kampungs*, granting them the recognition they deserve. *Kampungs* are now acknowledged as integral parts of the city and quintessential features of Indonesian urban landscapes. This recognition not only opens doors for the growth of these *kampungs* but also sets the stage for their transformation into thriving, habitable, and healthy communities.

Kampungs naturally offer refuge to newcomers who migrate from rural areas to urban centres and lack capital and skills. However, the confluence of high population density and deficient infrastructure planning¹⁵⁾ perpetuates *Kampung's* downward spiral into degradation, gradually transforming it into a slum. Data from the DKI Jakarta Provincial Central Statistics Agency in 2017 reveals that out of 2,744 RWs (Rukun Warga) locations in Jakarta, a disheartening 445 RWs are classified as "Kampung Kumuh" or "messy-kampung" or slum²¹⁾. As highlighted in a World Bank report, these densely populated areas are inhabited by individuals willing to trade the comfort of a car for a central slum location and by those who exchange personal space for proximity to opportunities, such as employment²²⁾. However, this

trade-off comes at a "price" – the emergence of slums and environmental degradation.

1.2 Upgrading Program

The process of *kampung* degradation, stemming from the migration from rural villages to urban cities, has been ongoing since the Dutch colonial era. A 1930 report²³⁾ underscores this phenomenon, revealing that in urban areas, a significant portion of the native population resided in *kampungs* characterized by densely populated areas, unpaved muddy roads, dim and cramped huts, and unsatisfactory sanitation conditions. Vital life-supporting amenities such as clean water and adequate lighting were conspicuously absent. Moreover, *kampungs* frequently faced the dual threats of floods and devastating fires, compounding the challenges faced by their inhabitants. After Indonesia independence, government initiatives to enhance the quality of residential areas were set long before the emergence of the term *RW Kumuh*. Such programs in Jakarta were previously referred to as the Kampung Improvement Program, implemented through the Mohammad Husni Thamrin Project (MHT) in 1969, during the tenure of Governor Ali Sadikin²⁴⁾. This project involved a broad spectrum of enhancements, including road improvements for pedestrians and vehicles, drainage system, sanitation facilities, and the development of schools and health centres. Additionally, it included environmental education for Jakarta residents²⁵⁾.

The MHT Project was renamed the "*Kampung Deret*" (Row Kampung) Program in 2013-2014, covering residential infrastructure and private home improvement. It garnered considerable interest from the public; however, it was eventually discontinued due to regulations concerning the financing of private assets and land ownership.

Subsequently, from 2018 until now, the program was revived and referred to as the Community Action Plan (CAP) and Collaborative Implementation Program (CIP). These initiatives addressed physical aspects such as wastewater drainage systems, local roads, greening, infiltration wells, and neighbourhood road accessories²¹⁾ (Fig. 2). However, the program was criticized by Jakarta Regional People's Representative Council (DPRD). The program's implementation needed to be improved, as it focused solely on enhancing wastewater drainage systems in certain administrative areas²⁶⁾.

Based on the experience of the local government in conducting slum upgrading projects in East Jakarta Administrative City, several obstacles hindered the efforts. One of the main obstacles was the issue of occupied land. Residents of slums often lack formal titles or deeds for the land they occupy, which leaves them in a precarious legal position. Many slum settlements are established on land without the requisite legal approvals or permits, which leads to their classification as illegal settlements, subject



After Upgrading

(a) Rawa Bunga 01; (b) Rawa Bunga 06; (c) Rawa Terate 03

Fig. 2: Kampung in East Jakarta Before and After Upgrading Program (2021, 2022). Sources: author & SDPRKPJT.

to demolition or eviction^{16–19}). The issue of slum legalisation led to doubts about conducting physical interventions, as they would result in developments that deviate from the city plan; the unclear land ownership posed legal risks (land disputes and financial loss for the state). Consequently, these areas often remained unattended, and their improvement efforts stagnated.

Some governments in other cities adopted certification programs aimed at regularising slum settlements through assistance from government officials. It involves granting residents legal recognition and rights, including issuing land titles. However, in the context of improving the quality of slum areas in Jakarta, reaching the legalisation stage seems quite distant. These risks arise if the land clarification process is not carried out carefully. Clarifying the legal ownership has never been achieved in Jakarta, as seen in Kampung called *Kampung Prioritas* or Priority Kampung of Kampung Susun Aquarium, Kampung Susun Kunir, and Kampung Susun Produktif Tumbuh Cakung²⁷. As the name implies, *Kampung Prioritas* are part of a government-sponsored *kampung* planning program that designates specific locations as development priorities due to their unique communities. They foster close-knit social bonds amidst the bustling metropolis of Jakarta. In addition to being a time-consuming process, often entangled with land ownership issues, this stage also presents legal risks for the officials involved.

2. Study Objective

In numerous major cities across the Global South, slums face challenges from unfriendly policies, social

marginalisation, climate change vulnerabilities, and inadequate public healthcare infrastructure (Fig. 3). Johan Mottelson²⁸) and Yue Zhang⁴) argues that restricting the development of informal settlements by the government will worsen living conditions for the urban poor. UN-Habitat²⁹) proposes an approach to informal settlement development opposite to formal settlements. They include in-depth analyses of occupation, construction, and infrastructure provision before implementation into planning, regularisation, and legalisation. These sources support the “hands-off approach”, “laissez-faire” or “letting go” approach towards these phenomena, suggesting a wait-and-see stance until favourable changes pave the way for legalisation. This “laissez-faire” condition has persisted for a long time in Jakarta. Despite decades of *kampung* improvement programs, slums have not been eradicated. It raises the question of whether legalisation should be the goal.

Many works of literature argue that the most crucial factor in addressing slums is generating legalisation to provide tenure security, as UN-Habitat²⁹) mentioned. This argument is perceived from the perspective of slum residents, stating that environmental improvement will only occur if the residents are willing to invest in improving their dwellings and surroundings. However, the legalisation issue also hinders the government from ensuring policies consistent with other regulations.

This paper aims to explore the concept of slum area legalisation in many cities worldwide, examining global practices and drawing upon their relevance to the specific context of *Kampung* in Jakarta. The study aspires to dissect legal frameworks meticulously, scrutinise case



(a) Chebu; (b) Ahmedabad; (c) Katmandu

Fig. 3: Slums in overseas world cities. Sources: author.

studies, and meticulously present policy recommendations that can serve as actionable guidance for stakeholders seeking to improve the slum areas. These recommendations are designed to be tailored to the unique challenges and opportunities presented by the government of Jakarta, with the ultimate goal of fostering sustainable urban environments. This paper addresses two questions: (1) What form of legalisation can ensure minimal legal risks for participating government officials? (2) Can a compromise alleviate slums in Jakarta while enabling the realisation of a sustainable city?

3. Method

3.1 Data Sources

This study is centered around a comprehensive literature review on the topic of legalisation in the context of informal settlements and slums. A systematic literature search was initially conducted through the Universitas Indonesia Library's sophisticated search engine, which provides direct access to a broad range of international journal websites (accessible at <https://remote-lib.ui.ac.id/menu>). To expand the scope of research, the search was extended to Scopus, a renowned database for scholarly literature in April 2023 (<https://www.scopus.com/search/form.uri?display=basic#basic>). The primary search keywords employed were "informal settlements" and "slums." This initial search aimed to establish a conceptual understanding of the relationship between these topics. Recognizing the extensive body of literature pertaining to slums, the search parameters were refined to focus more specifically on aspects of legalisation and tenure. This refined search utilized more targeted keywords such as "slums and legalisation," "slums and regularisation," "slums, a review," "slums and tenure," and "slums and land," enabling a more focused and in-depth exploration of the subject matter.

3.2 Literature Selection

The methodology for selecting relevant literature entailed a multi-stage process. Initially, a scan of the document titles was performed to determine their relevance to the research topic. This was followed by a thorough review of abstracts and conclusions to further

assess the suitability of each document. Key findings from this initial screening were meticulously recorded, with all reviews conducted in English for consistency. Journals that did not demonstrate relevance during this review phase were excluded from further consideration. This exclusion process was critical in refining the search, ultimately resulting in a distilled list of 40 pertinent articles. For the core analysis of this study, a random selection of 10 articles from this refined list was undertaken to ensure a varied and representative sample. In addition to peer-reviewed journal articles, the research also incorporated various forms of grey literature specific to the context of Jakarta. This included non-peer-reviewed research, gubernatorial and spatial planning regulations, socialisation documents, and official publications by the Jakarta Provincial Government. The inclusion of these diverse sources provided a more comprehensive understanding of the topic within the specific geographical and administrative context of Jakarta.

4. Results and Discussion

Until now, the perception of legalisation or granting of tenure rights in slum areas has been interpreted as synonymous with granting land ownership rights. This study reveals that legalisation can take various forms. The review of practices related to the legalisation of slum areas in several countries shows that the concept of legalisation or granting of legal rights or validation (according to laws or regulations)³⁰ regarding residential land in slum areas is not solely limited to the issuance of ownership certificates (Table 1).

From the experience in China, legalisation is provided as rights to residential houses and joint property rights. The residents face no economic issues as they can maximise their properties by renting them out while also assisting the government in providing housing for immigrants³¹. In the context of Nairobi, the basic infrastructure within the settlement areas does not just contribute to the economic prosperity of slum dwellers; infrastructure interventions also play an important role in enhancing the sense of security. Moreover, they serve as a form of guarantee for residential tenure. It falls under the perception of tenureship³².

On the other hand, in Turkey, legalisation in the form of

land ownership rights is not recommended as it tends to encourage occupants to occupy land and enrich themselves. Turkey recommends the construction of

housing units for slum dwellers on government land. In contrast, those occupying private land can negotiate with the landowners or go through legal proceedings¹⁶⁾.

Table 1. Studies of Legalization and Tenureship in Slums.

Authors	Year	Title	Research Method	Summary	Key Points
Yuting Liu, Shenjing He, Fulong Wu, Chris Webster ³¹⁾	2009	Urban Villages under China's Rapid Urbanization: Unregulated Assets and Transitional neighbourhoods	Case Study on 6 Cities in China experiencing massive urbanization, consisting of 11 urban village settlements	<ul style="list-style-type: none"> - Legalization is granted in the form of residential rights and collective property rights. - The residents can maximize their properties as rental housing while assisting the government in providing housing for immigrants. 	Residential rights and collective property rights as forms of legalization
Sumila Gulyani, Debabrat Talukdar ³²⁾	2010	Inside Informality: The Links Between Poverty, Microenterprises, and Living Conditions in Nairobi's Slums	In-depth survey of 1,755 households in the slum area of Nairobi	<ul style="list-style-type: none"> - A connection between employment/business opportunities and infrastructure. - Households below the poverty line lack permanent employment but have access to water, electricity, and drainage infrastructure or have access to enabling infrastructure, allowing them to access credit. 	Access to infrastructure serves as a form of tenureship assurance
Bayram Uzun, Mehmet Çete, H. Mustafa Palancıoğlu ¹⁶⁾	2010	Legalizing and upgrading illegal settlements in Turkey	Modelling from a case study of gecekondu/slums in Turkey	<ul style="list-style-type: none"> - Legalization in the form of ownership rights is not recommended as it encourages residents to occupy land and enrich themselves. - Three forms of slum intervention in Turkey: <ol style="list-style-type: none"> 1. Eviction failed due to political, social, and economic reasons. 2. Legalization failed as gecekondu settlements began to be seen as a means for residents to enrich themselves. 3. Constructing new developments in the location of the slum areas: providing housing units to the owners of the slum areas, also for informal settlers and low-income living outside the area. - The affordable unit payment was made on a long-term basis, preventing the emergence of new gecekondu settlements and avoiding enrichment schemes. 	Housing provision through new development with a long-term payment
Kenan Handzic ³³⁾	2010	Is legalized land tenure necessary in slum upgrading? Learning from Rio's land tenure policies in the Favela Bairro Program	Evaluation of a case study on the implementation of slum upgrading (Favela Bairro Program, FBP) in Brazil.	<ul style="list-style-type: none"> - Full land ownership arrangements through land certification are not crucial in the process of slum improvement. - The implementation of FBP has resulted in increased tenure security for favela residents: <ol style="list-style-type: none"> 1. Tenureship can be granted through infrastructure improvement support. 2. The granting of the right to use but not ownership. 3. Exceptional circumstances of land use. 4. Brazilian agrarian law supports the acquisition of abandoned land and its social function. - The importance of distinguishing between the process of slum area improvement and land regularization. 	Infrastructure improvement The right to use but not ownership Exception in land use. Agrarian law for abandoned land
Shohei Nakamura ³⁴⁾	2016	Revealing invisible rules in slums: The nexus between perceived tenure security and housing investment	Using a mixed-method approach, quantitative and qualitative data collection and analysis, a survey, statistical analysis to examine perceived tenure patterns further explored through a case study in a slum* of Pune, India.	<ul style="list-style-type: none"> - The residents' confidence in their rights to build well-structured housing reasonably reflects the level of ownership assurance. - Political interventions have significantly influenced the formation of perceived property rights among slum dwellers and their housing activities. - Security assurance can take various forms: <ol style="list-style-type: none"> 1. Possession of ration cards (social assistance), 2. Non-demolition of buildings (laissez-faire) 3. Access to clean tap water, 4. Support from social activists and 5. Political backing. 	Perceived tenure security: Access to clean tap water, Access to social assistance support of political and social activist Non-demolition of buildings (laissez-faire)
Kali Marnane, Kelly Greenop ³⁵⁾	2023	Housing adequacy in an informal built environment: case studies from Ahmedabad	A case study was conducted on four households in three different slum areas.	<ul style="list-style-type: none"> - Affordability is the main factor for slum dwellers in housing decisions. - Tenure security is crucial for adequate housing; diverse ownership arrangements affect the ability to access protection, infrastructure, and services, which are criteria for housing adequacy. - Lack of authorized proof of residence in neighbourhoods makes them ineligible for the redevelopment process. - Housing adequacy of the UN can only be attained if addressing the most critical constraints of informal settlement. - Despite not meeting the standards of adequate housing experiences (the absence of tenureship), it does not hinder some residents from improving their homes. 	Access to protection, infrastructure, and services

Authors	Year	Title	Research Method	Summary	Key Points
Johan Mottelson ²⁹⁾	2020	A New Hypothesis on Informal Land Supply, Livelihood, and Urban Form in Sub-Saharan African Cities	A case study in four slum areas of four Sub-Saharan African countries, a mixed-method approach: surveys, field interviews, literature reviews, and quantitative and qualitative assessments of forms of informal settlements.	<ul style="list-style-type: none"> - Government restrictions on informal settlement development would exacerbate the living conditions of urban poor communities. - Governments should refrain from limiting development in slum areas to avoid price increases, as limiting the growth of slum areas reduces the sense of security in tenurial guarantees and construction. 	Not limiting the growth of slum areas (laissez-faire).
Godfred O. Boateng, Ellis Adjei Adams ³⁶⁾	2023	A multilevel, multidimensional scale for measuring housing insecurity in slums and informal settlements	A household survey in Ghana, a combined qualitative and quantitative approach, and statistical analysis.	<ul style="list-style-type: none"> - In the Global South, relational and non-physical processes such as ownership relationships are crucial for the housing experience in slum areas. - Residential security for tenants (threats from landlords) is not the primary concern that disrupts living in slum areas; instead, sanitation and toilet facilities play a more significant role. 	Sanitation and toilet facilities
Frederico Poley Martins Ferreira, Paulo Coelho Ávila ³⁷⁾	2018	Who has secure land tenure in the urban areas of Brazil? Evidence from the state of Minas Gerais	A survey of 18,000 households in the state of Minas Gerais	<ul style="list-style-type: none"> - Tenureship affects the quality of buildings. - Tenureship is also an issue for settlements outside slum areas. - Tenureship issues arise due to the absence of property documentation (untitled land) and the lack of property registration (unregistered deeds). - Paved sidewalks, a proxy for the quality of public spaces, and waste collection, a proxy for urban services, showed a stronger association in reducing insecure tenure in slums - The government needs to provide tenureship in alternative forms. 	Public investments in infrastructure and neighbourhood quality
Diane Archer ³⁸⁾	2012	Baan Mankong participatory slum upgrading in Bangkok, Thailand: Community perceptions of outcomes and security of tenure	In-depth face-to-face interviews in four communities in Bangkok	<ul style="list-style-type: none"> - The program for improving the quality of settlements was implemented through government loans to residents and - Tenureship was granted through long-term lease agreements. - A sense of discomfort still exists due to the need for more information provided to residents regarding housing security. - Residents still expect land ownership. 	<p>Quality improvement of settlements through loans to residents</p> <p>Assistance (clear information)</p>

Brazil has extensive experience with various forms of tenureship. Brazil's innovation is granting rights for use but not ownership rights. In Brazil, full land ownership through land certification is not crucial in improving slum settlements. While ownership rights are the long-term goal, tenureship can be initially provided through the support of infrastructure improvement^{33,37)}. Additionally, Brazilian agrarian laws support the takeover of abandoned land to achieve social land functions³³⁾. Another study in Brazil shows that tenureship issues are not only faced within slum areas but also outside, affecting the quality of ownership buildings. Tenureship issues arise due to the absence of property documents and the lack of property registration³⁷⁾.

Like Brazil, the experience in India shows that for slum dwellers, security can come in various forms, including ration card ownership (social assistance), non-demolition of buildings, and access to clean/tap water networks, which social activists and politicians supported³⁴⁾. Despite falling short of the ideal standards of housing, in terms of tenureship, it does not hinder residents' efforts to improve their homes³⁵⁾.

Meanwhile, based on experiences in four cities in Sub-Saharan Africa, it is evident that government-imposed limitations on slum dwellers have led to an increase in

house rental prices in slum areas. These limitations reduce the sense of security provided by residential tenures. Therefore, it is suggested that the government should not restrict development in slum settlements to avoid price increases. Lower costs offer opportunities for residents to improve their living environment²⁸⁾. Findings from a study in Ghana indicate the existence of other forms of security, such as tenureship for tenants (threats from landlords), revealing that tenureship is not the main issue hindering living in slum areas, but rather the provision of sanitation facilities and drinking water³⁶⁾. Surprisingly, the legalisation experience in Thailand shows that even though tenureship has been granted through long-term lease agreements, there is still a sense of discomfort due to the lack of information provided to residents regarding the duration of their stay, leading residents to aspire to own land³⁸⁾.

The literature reveals that the concept of legalisation or granting legal rights within the framework of laws or regulations regarding residential land in slum areas can be conceded through various forms such as residential rights and suitable to use but not to own; access to or provision and improvement of infrastructure and services; provision of housing or improvement of settlement with long term payment or loan; non-interference or laissez-faire (non-

demolition and not limiting of development in slum areas); support and assistance of activist; land use exception; and agrarian law for abandoned land. It means legalisation in slum areas does not necessarily require issuing ownership certificates. Legalisation of the informal regions can take various forms, including formal and de facto or perceived approaches.

Taking cues from the Brazilian experience, formal legalisation can be achieved through adjustments to spatial regulations and the assurance of tenure guarantees. Tenure guarantees encompass more than property rights of use, construction, buying and selling, and leasing. Also, from Brazil's experience, achieving formal legalisation can be facilitated through implementing agrarian law, facilitating the acquisition of abandoned land, and upholding its social function.

In 2016, the government of Jakarta undertook the demolition of 440 homes in Kampung Bukit Duri, located on the bank of the Ciliwung River, to mitigate flooding. These inhabitants were relocated to *Rumah Susun* (low-cost community housing) of Rawa Bebek. However, some affected residents harboured reservations, believing the proposed solution was unilaterally imposed upon them. This dissatisfaction ultimately drove these residents to pursue a collective legal action in the Central Jakarta District Court, which they eventually won. Consequently, this legal victory mandated the government to provide compensation, highlighting the importance of addressing legal and procedural concerns when implementing community interventions.

Although several cities globally have adopted various legalisation strategies to enhance the quality of slums, in the case of Jakarta, it might not be adequate for government officials to guarantee that their programs are consistently aligned with legal standards and regulations. The incident of Kampung Bukit Duri serves as a valuable lesson for the government, underscoring that navigating legal intricacies is imperative when intervening in such matters and striving to enhance the well-being of communities.

Governor Regulation Number 31/2022 is a significant breakthrough that can impact slum area management. During the outreach sessions, it was clarified that construction could not proceed on unsuitable land use (e.g., green areas) if there were no signs of impeding the government land acquisition programs.

Although the effect of the Governor Regulation Number 31/2022 may still need to be visible, given the current flexibility in space utilisation within *Kampung*, the disparities between spatial constraints and the upgrading program are minimised. This enhancement fosters increased confidence among government officials to execute initiatives to enhance the quality of slum areas. With definite ownership, the planning and regularisation processes can proceed with greater confidence.

Moreover, even though it is currently constrained to areas with unambiguous land ownership, it opens

possibilities to achieve the highest target: formal legalisation. It aligns with the literature that adjustments to spatial regulations can facilitate formal legalisation. Derived from the new regulation, it should be followed up by establishing regulations for slum upgrading consistent with the law and rules to ensure sufficient support for participating government officials involved. Meanwhile, for abandoned land, drawing lessons from Brazil's experience, formal legalisation is possible by administering agrarian law to support the acquisition of abandoned land and its social function.

5. Conclusion

The literature review findings emphasise that achieving legal recognition or rights for residential land in slum areas does not always require issuing ownership certificates. Legalisation can manifest in various forms, encompassing formal and de facto approaches. The formal route involves adjustments to spatial regulations and the assurance of tenure guarantees, which extend beyond property rights. These approaches help mitigate legal risks for government officials involved. On the other hand, de facto or perceived legalisation relies on factors such as government tolerance, support from political actors, and the provision of essential infrastructure. These represent a pragmatic compromise that can alleviate slum conditions in Jakarta while facilitating sustainable city development. Additionally, the government holds the authority to encourage landowners to maximise the benefits of their property or acquire abandoned land.

Although the Jakarta government has yet to provide formal legalisation through ownership certificates previously, Governor Regulation Number 31/2022 and increased awareness about legalisation offer opportunities for improvement. Jakarta's government, particularly the institutions and officials responsible for enhancing slum quality, can draw inspiration and guidance from successful international practices in multiple countries. It can establish a legal foundation for the government to formulate strategies to enhance slum quality and promote sustainable urban environments, with the potential for these areas to serve as '15-minute' living environments.

The government's commitment to addressing 445 *RW Kumuh* or slums is commendable. Still, it is crucial to translate this commitment into tangible, sustained actions that improve the quality of life in these communities. Overcoming obstacles related to land legalisation requires learning from various approaches adopted by different countries, each offering a range of strategies and solutions.

As previously discussed, ITDP's efforts in Sunter Jaya to enhance pedestrian accessibility and safety align with Transit Oriented Development (TOD) principles and the vision of a '15-minute city.' This initiative has received support from Jakarta authorities and serves as a replicable model for implementation in numerous *kampungs* across Jakarta³⁹.

Nonetheless, a significant research gap exists in

understanding the intricate interactions and influences between *kampung* legalisation and the 15-minute city concept. This paper has predominantly focused on slum legalisation policies within urban areas strategically located around Jakarta's hub of activities. There is a pressing need to bridge this gap by exploring the relationship between slum legalisation and realising a 15-Minute City in informal settlements like *Kampung*. Comprehensive further research of their interactions can offer invaluable insights for policymakers and urban planners striving to promote sustainable and inclusive urban development in rapidly urbanising areas.

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