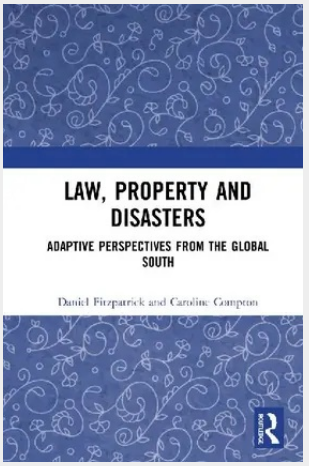
Fitzpatrick / Compton

Law, Property and Disasters

Adaptive Perspectives from the Global South



This book re-considers property law for a future of environmental disruption. As slogans such as “build the wall” or “stop the boats” affect public policy, there are counter-questions as to whether positivist or statist notions of property are fit for purpose in a time of human mobility and environmental disruption. State-centric property laws construct legal fictions of sovereign control over land, notwithstanding the persistent reality of informal settlements in many parts of the Global South. In a world affected by catastrophic disasters, this book develops a vision of adaptive governance for property in land based on a critical re-assessment of state-centric property law. This book will appeal to a broad readership with interests in legal theory, property law, adaptive governance, international development, refugee studies, postcolonial studies, and natural disasters.

Analysing the challenges posed by natural disasters and the mass movement of people, this book demonstrates how state-centred property law is ill-adapted to circumstances of mass human mobility.

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