**“…How can we say we own the land? How can we own something that will outlive us? Truly, it is not we who own land, rather it is the land which owns us”- Macli-ing Dulag, Tribal Chieftain of the Kalinga, the Cordillera Mountains, Philippines.**

**Welcome to the 3rd topic titled “Who owns the land I live on and the house I live in?”. The previous unit introduced you to the basic concept of land, highlighted the current and future challenges facing land management and demonstrated the importance of Land Management. This unit will focus on the relationship people have to land. You will focus on different types of ownership as well as on special terms related to this topic.**

Welcome to 3rd topic called "Who owns the land I live on and the house I live in?"

In this topic we start by defining what ownership, tenure and use of land or use of buildings actually means.

There are different ways to look at it and there are different ways to find out

who actually owns a piece of land or a building.

You will learn about the terms movable and immovable goods, land registration and land administration, amongst others.

Based on these terms you will find out that maintaining information about land or buildings

or about land ownership and land use is an important task which requires a basic model of information keep.

This basic model of land administration is explained in this unit.

The exercises will help you to understand the terms and the basic model better.

In this way you can apply and/or adapt a model to the situation of land tenure and land ownership in your own country.

All in all, this unit will provide you with the basic insights in how to find out who owns or who uses what piece of land or which type of building.

Definition of Land Tenure

*"Just as man can't exist without his body, so no rights can exist without the right to translate one's rights into reality, to think, to work and keep the results, which means: the right of property." - Ayn Rand*

In discussing people-to-land relationship or in general land ownership, it is common for one to encounter the term Tenure Security. Tenure Security is important as it improves the standard of living of people. This term is widely used in developing country studies, as security to land tenure is mostly inadequate or non-existent for certain groups of people. This lecture will highlight the meaning and importance of land tenure security. Enjoy!

Welcome to the main part of our theme dealing with how to recognize that someone owns or uses land, or uses a house.

This unit deals with the definitions of land tenure, ownership and the use of property.

It starts by referring to the fundament of property, namely 'home'.

From this you learn how develop a sense of ownership and a sense of use.

When we speak about 'home', what do we actually speak about?

How do you relate to 'home'?

Do you only think about your house, your land, the house or land of your parents, the town where you grew up, or the town where you are staying now?

And, does 'home' always change when you move, or does 'home' always have a relation where you came from and where you have maybe similar traditions?

If people think or talk about 'home', then most people express various things.

They refer to physical objects or physical structures, on the one hand;

and then we can think about land, or plots of land or land pieces within a certain area.

They refer to buildings, or houses, or flats; or they refer to a particular location, such as neighborhoods, or villages, or cities, or countries.

In addition, people also refer to social relations.

When they refer to 'home', they often speak about family, where does family live;

or they refer to similar people, people with similar traditions, people with similar backgrounds,

or people with similar languages.

In fact, 'home' is an expression of a relationship between objects and subjects or groups of subjects.

This relation is important to understand ownership and use of land, and of buildings and of houses.

It is important to mention that subjects are not just individuals, but can also include groups, or entire countries.

In fact, subjects can also be two or more individuals in a partnership, a member of a family, a group of people, an entire nation or even a complete state.

In order to deal with the 'subject-object' relation in a meaningful way, there is a generic concept of land tenure.

Land tenure is explained in different ways.

First of all, land tenure is referred to as a concept which explains how people approach and think about land.

Any arrangement with land that humans are capable of creating.

And thirdly, it is referred to as the way in which groups of people or individual people hold land.

The immediate association of these definitions is a legal one.

However, land tenure does not only refer to the legal relation only.

It can also be described by a legitimate relation, so instead of having a set of laws or a set of regulations or written codes, it can refer to a legitimate relation by unwritten or customary rules.

When land tenure is officially recognized in some sort of rule or act, then often we refer to the 'subject-object' relation as ownership.

Ownership of land and buildings.

Land ownership in other words expresses the rules in relation to access and use.

There are different ways in which these rules apply.

The right of private ownership.

In that case, there is a private right to privately use and private enjoyment of the land or property;

and that also means, that you have the right to exclude all others of that private use.

Another way is the right of communal ownership.

In that case, the entire land belongs to a community, and individuals are member of that community, and it is the community who decides on the use, enjoyment or exclusion.

If the state is the community, then we can speak about state ownership.

In this case, community can be replaced by the entire state.

Land use, or the use of buildings, is similar to land or building ownership.

It is similar in that it describes a 'people to land' relationship.

However, the difference is that 'use' particularly refers to the type of activities which are undertaken on the land or in the buildings. And it can be different types of activities;

usually functional activities.

You can use land or buildings for residence; you have to live in it or it is your house. You can use it for agriculture; such as you cultivate it or you derive crops from it. You can use it for grazing of animals for example.

You can use it for industry; you can put there factories or offices.

Or you can use it for nature, such as recreation or wildlife.

Each of these activities may be guided by different rules.

That is why we see land use being guided by different laws.

Use and ownership may or may not refer to the same people;

so whoever is the user may or may not be the owner or vice versa.

In this lecture you learned how your sense of 'home' is related to the fundaments of describing and defining ownership and tenure-ship.

It can be related to land, to houses or to other structures on the one hand; and to people, family, social relations, on the other hand.

Land ownership and house ownership therefore refers to a relation between people, social relations and physical objects.