

# When illegal settlers sell land to the real landowners

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**E**very person, rich or poor, has the right to own land. More often than not, land is vital to survival. One cannot plant nor live on air. That is why it is important that children cherish the lands they inherited from their parents.

But sometimes, land is grabbed from the rightful owners. Either through neglect or misdirected kindness, those that the rightful owners allowed to temporarily use their land sometimes have the gall to claim the land as their

own. Sometimes, those provided with favors eventually end up owning the land.

It all boils down to proper documentation. If the rightful heirs

possess the documents proving that they indeed own the land, then they can contest the landgrab by whatever legal means necessary.

Such is the case of David Balao, one of the respondents to the survey conducted as part of the project “Enhancing Tenurial Security for Smallholder Farmers in Northern Mindanao, Philippines.”

According to David, the case happened in their former home in Tikalaan, Talakag, Bukidnon. For years, he and his family lived and worked on land he inherited from his father. Out of the goodness of his heart, he allowed some relatives to live and farm on his land.

Sometime later, David heard talk that his relatives were claiming that the land actually belonged to their father. David ignored such talk because he knew that the land was his father’s and is now rightfully his.

Two months later, his relative’s grumbling was too much for David to bear. They were insistent that they owned the land. The informal settlers even threatened to take the land from David because they really believed it was theirs. They even enlisted the help of the village authorities in order to come to an agreement. David refused. The irate relative vowed to hold on to the property at all costs. The situation was rapidly escalating.

To avert violence, David decided to just leave the land he called home for many years. That was why he and his family came to settle in *Barangay* Nabaliwa. To find work and hopefully get a fresh start. The situation was now reversed as a kind family gave David and his family permission to use their land for his house and farm.

The respondent expressed that despite not being able to reclaim his land, still in some way, he has earned a sense of fulfillment. Land disputes as what he had encountered will hopefully no longer be experienced by others.

David’s story is not unique. Squatting is a real problem on indigenous peoples’ land. In most situations, people assume that since the owner has more land than he can use or develop, and that since they are the ones that make it productive, then they de facto own the land. Many situations are resolved through dialogue brokered by the Indigenous Peoples’ Organization or by the local government unit. However, some go to the courts, which can be a tedious and expensive process.

As for David, even if he left his land, he did it to avert bloodshed. He is still confident that he can get his land back when the situation inevitably cools down. After all, he says he has the documents to prove it. ■