

FIG

FIG WORKING WEEK 2017

Helsinki Finland

29 May - 2 June 2017

*Presented at the FIG Working Week 2017,
May 29 - June 2, 2017 in Helsinki, Finland*



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From digitalisation to augmented reality

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Teaching property law in geomatics degree programmes: innovations to enhance student engagement and learning

Jennifer Whittal
University of Cape Town
South Africa



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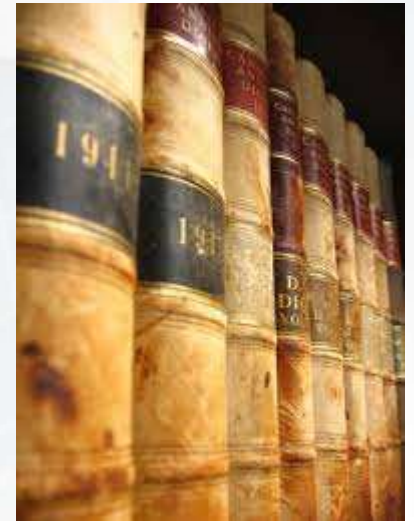
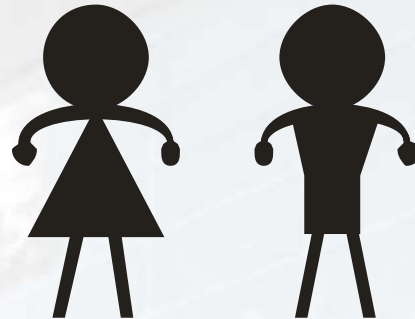


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Horizontal and vertical integration

Property Law

Land and cadastral
survey law

Cadastral and
registration projects

Plane Surveying

GNSS & Hydrographic
Surveying

Geomatics



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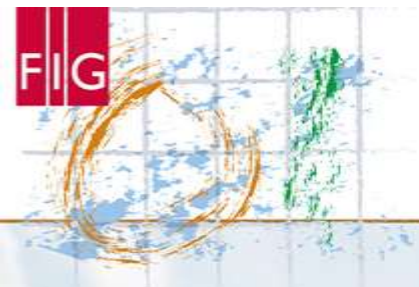


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Knowledge - *Property law in the context of cadastral systems*

- Property law principles – black letter law
- Rights, boundaries, ownership, tenure
- Property transactions and registration
- Statutes and cases
- Professionalism, ethics, quasi-judicial role



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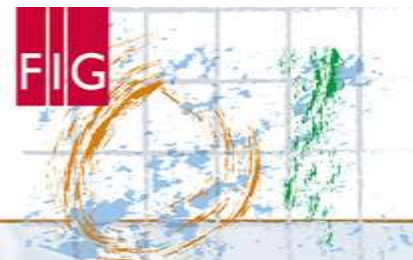


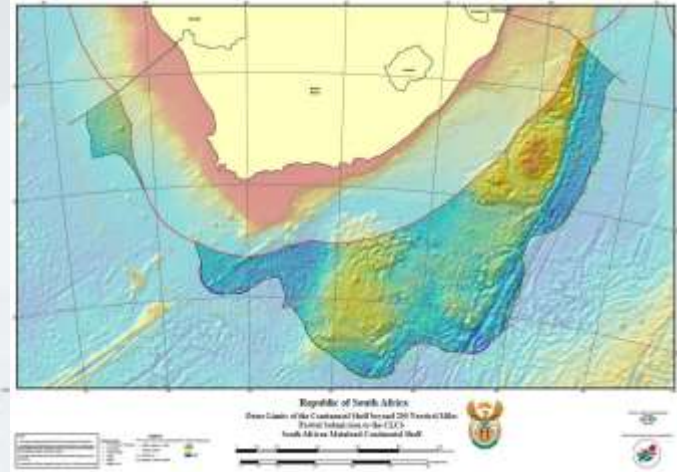
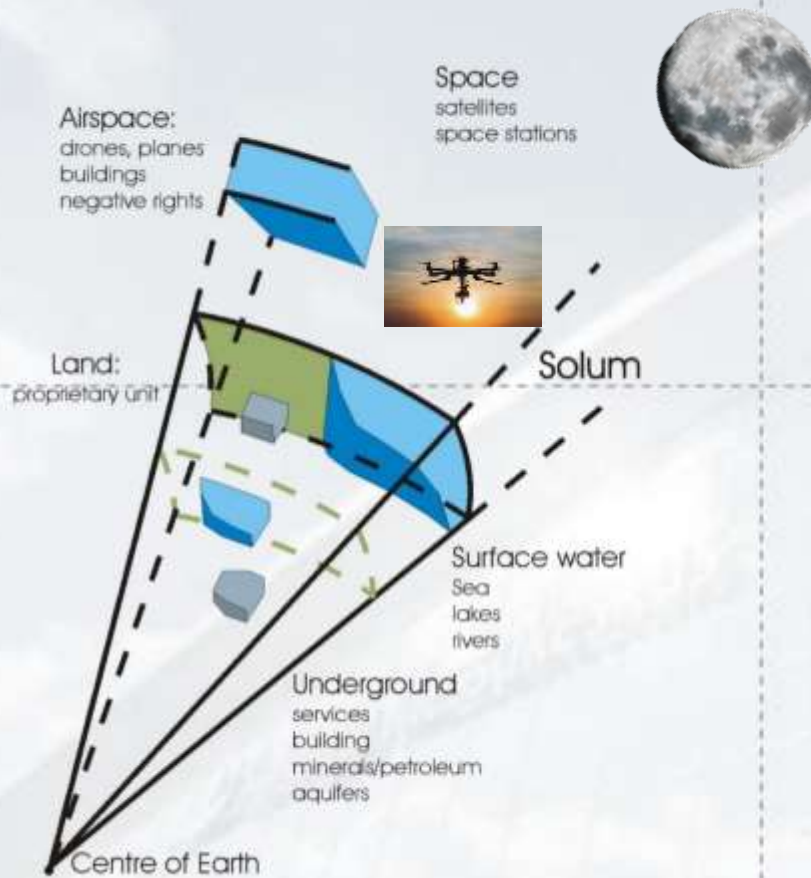
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Knowledge - *Property law above/below the land and offshore*



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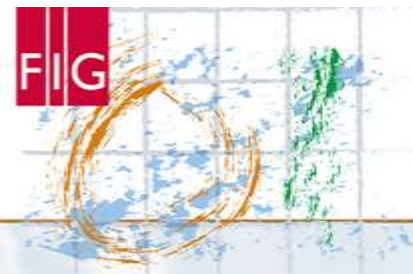


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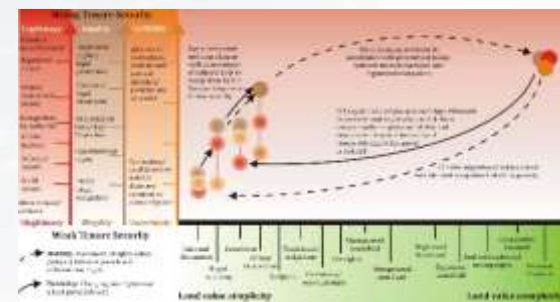
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Knowledge - *Property law in a context of a challenging, dual, complex, and often extra-legal environment*

- Indigenous and customary perspectives
- Continuum of land rights and inclusive land objects, subjects (actors), tenure and rights understanding
- Mixed legal system: Customary law in SA vs/and European legal traditions; statute vs/and case law e.g. in land claims
- Extra-legal access to land; informal settlements; the land “problem”
- Local LTIS
- Conflict resolution, gender, corruption, power, politics
- International policy, SDGs, good governance, VGGTs
- National and local policy and political context



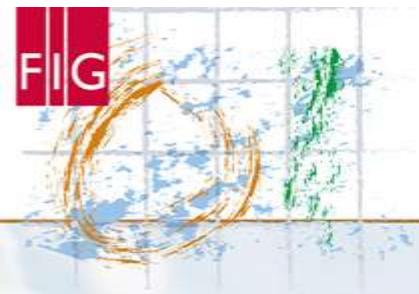


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Perspectives / Methods

- Modern pragmatism: Course design and Teaching
- Contextual learning
- Active/experiential learning in teaching law
 - Simulation method – board room and moot court
 - Socratic method – argument
 - Langdell method – led learning
- Reflection and debriefing

The law is not a mystery held by an academic elite, but a pragmatic and intellectual journey that students must undertake themselves” (Arnold, 1999:891)



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Delivery and assessment methods



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SESSION 4 VALUES AND COMPETENCIES TO IMPROVE LAND GOVERNANCE

Handout 7 Scenario: multiple sales of peri-urban land in Accra, Ghana

In Accra, many plots are sold by different people to different clients. While one buyer starts constructing, another buyer appears or sends land-guards to destroy the already built-up structures, sometimes even attacking the caretakers who are supposed to protect the property for the other person.

Some years ago, the Katamanso chief gave some of his land temporarily to the Anwahia chief and his people for farming. He, however, sold that land to a real estate agent who recently found out that part of it had also been sold to someone else. The real estate agent went to court. What had happened was that the Anwahia chief had died and his son had sold the land again, either not knowing that it had already been given away or thinking that it would not be developed by the real estate agent. Both father and son sold the same piece of land, which belongs to the neighbouring clan.³

The actors

The Katamanso chief

The Anwahia chief

The new owner – a developer

The old owner – the real estate agent

The local people

The judge

The local land administrator



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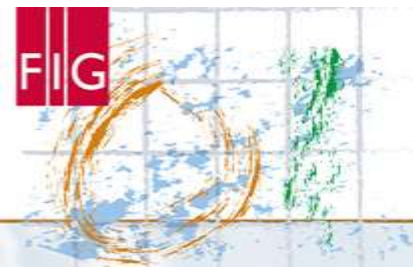


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Finally, change is key ...

- medium of instruction
- social space
- language style
- personal linkage
- action
- pace
- sound
- visual interaction
- responsibility
- assessment type and context



	A	B	C
MAX → Power	KC	Developers	KC
MIN →	L People	People	L People
Outcomes	$\frac{3}{4} \times$	$\frac{4}{2} \times$	$\frac{4}{3} \times$
fairness	No	PARTIAL	TOTAL
process of mediation	N	GOOD	GOOD



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Acknowledgements



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CONSAS Conference (Section 21 Company)



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jennifer.whittal@uct.ac.za



[@GeomaticsUCT](https://twitter.com/GeomaticsUCT)

[@jfwhittal](https://twitter.com/jfwhittal)



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- land tenure, law and registration, cadastral systems, survey, law and practice
- role of the land surveyor as a custodian of land tenure security
- dualities of informal and formal practice, legal duality, and an often post-colonial, complex and even conflict-ridden environment.
- framing national policy, law and practice within international best practice
- critique policy and legislation and to drive change to promote good land governance.

Knowledge outcomes



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