Name: Nmezi Chioma Success

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Lecturer: Prof Taiwo

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Land tenure system is the system of landholding in a given society. According to Prof Mqeke customary law is defined as the “custom and usages traditionally observed among the indigenous African peoples and which form part of the culture of those peoples.” Customary land tenure system refers to the system of land holding governed by the customary law.

This writer intends to briefly talk about the creation, ownership, management and determination of customary land tenure system in Etche local government, Rivers State.

In etche law government area, the ownership of land is held by both the community and the family. In Etche local government area before the civil war, land was vested in the council of elders/chiefs as Etche lacks a uniform ruler. The council of elders back then allowed for the farming and the cultivating of the land by the members of the community. The community had various parcel of lands in which yearly the elders would have to decide which the members of the community would farm on. Also if a family needed to acquire a family land the head of the family could consult the council of elders and they would allocate a plot of land for him and his family.

When the land was transferred to the members of the family as theirs, the head of the family becomes the owner of the land or better still the one in charge of the land. However, this doesn’t give him the right to do with the land as he pleases as he must first consult the members of the family especially his older sons to seek their opinion before any big decision is made regarding the land e.g. sale.

In etche local government area, land is created by operation of the law. When the head of the family dies, the land passes on to his children (male children as in etche, women can’t have title in land except by special orders from the dying head or by purchase from the member of the family)

Also, land is managed by the head of the family in etche who allocates portions of the land to the members of the family not as theirs but to cultivate o it and form means of livelihood( in Etche, the major occupation is farming and the members of the family sell some of the farm produce.). Upon the death of the head of the family, the oldest son becomes the family head leaving him in charge of the family land.

In etche, family land can be determined by both absolute transfer and partition. Determination by partition occurs when the family head shares the land between his sons probably upon his death. In this grace each son has a land of his own. Determination by absolute transfer occurs when the head of the family decides to sell the land to an outsider. This automatically makes the outsider the owner of the land.

In conclusion, the customary land tenure system practiced in etche local government is communal landholding which transmogrifies into family land. In the family land, its customary for the eldest son to inherit his father’s land but if there isn’t space on his father’s land then he would be given a piece of land outside the father’s compound.