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Land tenure system can be seen as 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 landholding governed by the customary law.

This writer aims at briefly discussing the creation, ownership, management and determination of customary land tenure system in Onna local government, Akwa Ibom State.

In Onna local government area, the ownership of land is held by both the community and family. Before the civil war, land in Onna local government was vested in the council of elders as they lacked a uniform ruler. The council of elders allowed for farming and cultivating of land by the members of the community. The community had various parcel of land in which the elders would decide on which they would farm on. In a situation where a family needed to acquire a family land, the head of the family could consult the council of elders and they would allocate a land for him and his family.

After the land has been transferred to the family, the head of the family takes charge of the management and control of the land and he can also be seen as the owner of the land. He does not have the right to do with the land as he pleases but he must consult the principal members of the family especially his older sons to seek their opinion before making any big decision regarding the land. In Onna local government area, land is created by operation of the law. Where the head of the family dies, the land passes to his male children and this is because women in Onna cannot have title in land except by special orders from the dying head or by purchase from the member of the family.

Also, the head of the family who is in charge of the management of the land allocates portions of the land to members of the family not as theirs but to farm and cultivate it which forms a means of livelihood as members of the family would sell some of the farm produce. Upon the death of the head of the family, the oldest son becomes the head of the family whereby he is in charge of the family land.

In Onna, family land can be determined by both absolute transfer and partition. Determination by partition occurs when the head of the family shares the land between his sons probably upon his death. In this case, 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 and this makes the outsider the owner of the land.

In conclusion, customary land tenure system practiced in Onna local government is communal landholding which transmute into family land. The family head is in charge of the management of the family land and upon the death of the family head the oldest son becomes the head of the family whereby he is in charge of the family land.