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**MATRIC NUMBER: 16/LAW01/078**

**LEVEL: 400**

**COLLEGE OF LAW**

**COURSE CODE: LPB402**

**COURSE TITLE: LAND LAW11**

**LECTURER: PROFESSOR E. A. Taiwo**

**QUESTION**

**Prepare a brief paper (not more than 3 pages, 12pt, Times New Roman, 1.5 line spacing) on the customary land tenure system as practiced in your locality (state the locality, state, local government or community you are writing about).**

**This should briefly cover the creation, ownership, management and determination of family or communal land in your locality.**

**CUSTOMARY LAND TENURE SYSTEM**

**OF**

**OGIDI TOWN OF IDEMILI LOCAL GOVERNMENT AREA IN ANAMBRA STATE**

**INTRODUCTION**

I hail from a town called Ogidi, the headquarters of Idemili North Local Government area, Anambra State, Nigeria. It has an estimated population of about 70,000 indigenes and has as its neighbours consisting of Abatete, Nkpor, Umunachi, Umuoji, Oze, Ogbunike, and Umudioka. Ogidi has a very rich history that dates over 450 years and its first settler Ezechumagha who is responsible for what is now known as Ogidi my town. Like most areas in Igbo land and in Nigeria, land is a scarce commodity, and individuals in the society struggle to acquire it. Land could be owned through various ways, like by inheritance, buying from the initial owner, mortgage, lease, or rent, etc. In some cases, especially in the olden days, when population was at it minimum, the first or early settlers in a particular area would give out large areas of land to new comers to settle down and that would give the new settlers right of ownership over that land. This system of land ownership is a very common feature among the Igbo of Eastern Nigeria and is applicable in my town Ogidi in Anambra state. In the early days of my towns’ existence, individuals lived a homogenous life without struggles over land and violence but as the days wore on and knowledge became open that land is goldmine; individuals who once lived in harmony started laying claims to ownership of land. This feud and struggle over land brought about the Anambra State Boundary Committee and with this setup many issues regarding land and boundaries were attended to, including issues between Umuoji and Ogidi.

**OWNERSHIP, MANAGEMENT AND DETERMINATION OF LAND IN OGIDI TOWN**

Customary land tenure in Ogidi is commonly accorded to families through inheritance system. They are generally classified into two;

* Communal or Community Land (Obodo Anyi): This is land owned by the entire community.
* Family to Individual Land tenure (BIRTHRIGHT)

Communal land tenure is based on the equal right of ownership by every member of the community; it is usually a vast scale of land that belongs to the entire community. It could be used to set up public infrastructures like schools, town halls, hospitals etc. One can gain access to community land by being a member of the community, land here is seen as that which belongs to no one and everyone and acquisition of such a land by a private individual is through cultivation (it can be shared to male indigenes who seek to start up lucratic work in farming) or development on the land. However that individual has to be granted permission to work on that land by the council of elders ( UMUNA). The land is held in trust by our Igwe Amobi, the traditional ruler who is the figurative governor of my town.

Family land is owned by the head of the family which is usually the oldest member of the family. Land here is shared according to the male born with age as reference NA NNA NA NNA as is the tradition. The male son will in turn share with his children his own potion of land. This is the right of ownership of a freehold land (birthright). This system of ownership gives right to individual acquisition by way of inheritance.

Although I have discussed the major land tenure systems in my town one cannot be ignorant to the fact that government has the right to acquire land within its domain so far as it is for the benefit of the public or it contains natural resources. Due to the rate of change in the socio-economic structure of the society, statutory positions and instruments have sprung up such as the Land Use Act, The Registration of Titles and Acquisition of Public Lands Act and the likes to guide the ownership and management of land in every area or community in Nigeria.