What is customary land tenure?

Tenure means landholding. Customary land tenure refers to the systems that most rural African communities operate to express and order ownership, possession, and access, and to regulate use and transfer. Another term for customary land tenure is indigenous tenure.

Unlike introduced landholding regimes, the norms of customary tenure derive from and are sustained by the community itself rather than the state or state law (statutory land tenure). Although the rules which a particular local community follows are known as customary law, they are rarely binding beyond that community. Customary land tenure is as much a social system as a legal code and from the former obtains its enormous resilience, continuity, and flexibility. Of critical importance to modern customary landholders is how far national law supports the land rights it delivers and the norms operated to sustain these.

Land Policy in Rivers Nigeria,

Land policy existed long before the advent of the colonial administration. Land management was traditionally left under the control of the administrator of the geo‐political group such as heads of ethic group, community, clan and family.

The Customary Tenure played prominent role in the administration of land.

There were also state lands in existence in the southern state. The category of land known as state land existed mainly in urban centre. These lands consisted of land acquired compulsorily by the Colonial Government for residential and other land uses. The initial land for the development of Port Harcourt was acquired from the Ikwerres and the Okrikas traditional landlords. The policy and acquisition of the said land look place in 1912 and was known as “Crown Land.

Land Use Policy and Administration in Rivers State

In Rivers state ,land policy was customarily carried out as generally operated in the southern region. Thus, the traditional rulers, heads of families and clans were in charge of land allocation. Despite the application of Land use Acts as mandatorily acceptable tool in Nigeria, Rivers State has certain procedures for the acquisition of land for public purpose in the state. Government of Rivers State(2012), outline the following procedures.

•Identification of suitable site

•Preliminary discussion with identified land owner(s)

•Conduct perimeter survey

•Issue/publication notice of revocation of rights of occupancy

•Enumeration and assessment of compensations •Payment of compensation to claimant It becomes certain that land ownership in the state is operated under the control of individuals, family and community. Thus, proper compensations stand as basic requirements for acquisition of land even for public use by the government