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| CUSTOMARY LAND TENURE SYSTEM  LAND LAW: LPB 402  ASSIGNMENT QUESTION  CUSTOMARY LAND TENURE SYSTEM PRACTICED IN MY LOCALITY.  STUDENT NAME:  ADEWOLE BLESSING  16/LAW01/008  TO BE SUBMITTED TO: PROF. E.A TAIWO    4/24/2020 |

LOCALITY: CALTON GATE, AKOBO, IBADAN

STATE: OYO STATE

LOCAL GOVERNMENT: LAGELU LOCAL GOVERNMENT

**CREATION**

Ibadan was founded in the 16th century around 1820. An army of [Egba](https://en.m.wikipedia.org/wiki/Egba_people), [Ijebu](https://en.m.wikipedia.org/wiki/Ijebu), [Ife](https://en.m.wikipedia.org/wiki/Ife) and Oyo people won the town during their wars with the [Fulanis](https://en.m.wikipedia.org/wiki/Fula_people). After a struggle between the victors, the Oyo gained control in 1829. A system where the Baale line (civic) and Balogun Isoriki line (military) shared power was established by 1851, subject to a traditional council representing both lines.[[1]](#footnote-1)

In 1885 C.E. the [Royal Niger Company](https://en.m.wikipedia.org/wiki/Royal_Niger_Company) became effective rulers of the area, signing treaties with local powers such as the Olubadan, and in 1900 the British government formally assumed authority over Nigeria as a "Protectorate". The British created the Ibadan Town Council in 1897, using the traditionally powerful local chiefs to administer their town. In 1901 the Governor Sir [William MacGregor](https://en.m.wikipedia.org/wiki/William_MacGregor) introduced an ordinance whereby the Baale became the president of the Council while the Resident was only to advise when necessary (Rulers of Ibadan were generally referred to as Baale until 1936 when the title of Olubadan was resuscitated).[[2]](#footnote-2)

Lagelu Local Government area was created in 1976 with its administrative headquaters located at Iyana Offa. Lagelu local government area is subdivided into 14 wards. The Local Government area has a land area of 310.850 square kilometers. It shares boundaries with Egbeda Local Government to the East and Iwo Local Government to the West, Ibadan North Local Government to the North and Akinyele Local Government, Ibadan North East Local Government to the South. The Local Government area comprises of the following: Iyana-Offa, Iwo Road, Monatan, Lalupon, Ejioku, Lagun, Apatere, Oyedeji, Igbo Elerin and other settlements. The Yorubas dominated the local government area.[[3]](#footnote-3)

**OWNERSHIP**

The land tenure system practiced was the communal law tenure system. The then Baale of Oyo was the traditional leader. Land was allocated to some members of the community to be used for farming (as most of the settlers were predominately farmers) and accommodation (this created the family land tenure system). The areas of the Local Government were dominated by farmers who practiced arable farming (cassava, maize, and yam) and livestock farming. Among the cash crops cultivated in the area are oil palm, cocoa and kola nut.

Presently, the local government area is owned in conjunction with the Oyo State government. This started under the administration of the ex- governor of Oyo State, Alao Akala who opened up areas in the land in order to develop a private estate settlement.

**MANAGEMENT OF FAMILY LAND**

Land is owned by a family in a prescribed manner by the head of the family which is usually the oldest member of the family. A Land may become a family land through succession of the property by the man’s relationship (patrilineal) or through the woman's relationship (matrilineal). He/ She hold the same in trust for the rest of the family. He/ She MUST seek the opinion of the principle members of the family before making or taking decisions. The family comprises of the nuclear and extended family. The family land is vested on the family as a corporate entity. No individual member of the family, therefore, has a separate claim of ownership to any or whole of it. When a man dies he is survived by his first child. His land is inherited by his other children with the eldest acting as the caretaker.

**MANAGEMENT OF COMMUNAL LAW**

Land is the birth right of every first born in my locality (often times the male child). It has a communal measure whereby all the members of the community are expected to share its resources under some form of traditional authority. The eldest leader(Baal´e) has the divine authority over the land. In this type of tenure, the land is owned to the entire Lagelu community. The community land can be shared accordingly to all males that pay the recurrent annual levy to the community for the purpose of farming only. The land is held in trust by the traditional ruler(s) of the entire community. Since the land is predominately occupied by farmers, the lands are allocated to the community members (family unit) for cultivation.

**DETERMINATION/ TERMINATION OF COMMUNAL OR FAMILY LAND**

In a family land tenure system, termination of a land system is strictly by inheritance. Originally, Land is owned and inherited through ancestors/ forefathers. They share it among their children (often times among the sons only) although the female child can also inherit part of the land. However these laws are antiquated and have been modified. In my locality, land is rarely sold. In fact it may be seen as an abomination. Before a man can sell a land he must discuss it with the principal members of the land. If one of the members disagrees with such decision to sell the land, the land must not be sold to a non member or stranger. All the principal members must collectively agree to sell such land and the proceeds from the sale of the land is shared amongst them.

In a communal land tenure system, the land can be acquired by the government has the government has the right to acquire land within it's domain. Also when the rate of change in the socio economic structure of the modern society is faster than the rate of change(s) in a community, the state intervenes.

1. Outline of the history of Ibadan by Oba Isaac Akinyele [↑](#footnote-ref-1)
2. wikipedia [↑](#footnote-ref-2)
3. Ibadanland.com/ lagelu.htm [↑](#footnote-ref-3)