NAME: AKACHUKWU ORJI

MATRIC NO: 15/LAW01/024

COURSE TITLE : LAND LAW II

COURSE CODE : LPB 402

ASSIGNMENT TITLE: CUSTOMARY LAND TENURE SYSTEM

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 about0. This should briefly cover the creation, ownership, management and determination of family or communal land in your locality. Note that the examiner expects you to write based on your research or knowledge acquired with customary land tenure system in your locality.

“ An Analysis of Igbo Traditional Land Tenure System In Ozubulu, Amakwa Ozubulu In Ekwusigo Local Government Area of Anambra State”

Land tenure system is the relationship among people with respect to the land. Land also includes other natural eresources such as water, trees. Rules of land tenure system define how property right are to be allocated between societies. In simple terms, land tenure systems means who can use resources, for how long, and under what conditions. If they are poorly defined, it gives room for exploitation

The name of my locality is Ozubulu community under Amakwa Ozubulu in Ekwusigo Local Government Area in Anambra State, Nigeria. Land in my community which is known as “ ANA” is strictly by inheritance . Land is owned through progenitors. They share it amongst their sons only . Female children do not inherit land because they are married and their husbands have their own inheritance , although these laws mitigated. Land tenure in Ozubulu can be classified into community/communal or land owned by the entire Ozubulu community (ANA OBODO) ,Village land/tenure (ANA OGBE) clan land/tenure(ANA UMUNNA) the family land/tenure (ANA EZI NA ULO) and the individual land tenure. Outside these is also ones dedicated to the gods of the land or otherwise known as “OFIA ALUSI” OR “ ANI ALUSI”. In my locality, land is rarely sold in fact, it is an abomination to sell land. Before a man can sell a land, he will have to discuss with his brothers and if none of them can lend him money or solve the need for which he wants to sell the land, one of them can buy the land. This is to make sure it does not leave the family lineage , but where none of them can solve his needs, he can sell the land. The reason why selling pof land is seen as a taboo is that land is what a man bequeaths to his children.

Land tenure in Ozubulu is classified into communal land owned by the community, the family land and the individual land tenure system. In my locality, we believe that “ANA” is a gift from God(Chukwu) and from our ancestors especially communally owned land . ANA(Land) is valued as a source of livelihood, even though land ownership is seen to be a man’s domain. For us Land is the greatest deity after Chukwu, the creator

COMMUNAL LAND TENURE: Land is the birth right of every male in my locality, it has a communal measure whereby all members of the community are expected to share its resources, under some form of traditional authority. The eldest leader has divine authority over land. In this type of tenure, the land is owned by the entire Ozubulu community. The community land can be shared according to all the males that pay the annual levy to the community for farming only. The land is held in trust by the traditional ruler of the community. Since our town called Ozubulu consists of peasants and farmers, farmland is allocated to women for cultivation to keep them busy and to feed their households from the farm products.

THE FAMILY LAND TENURE: Family land is owned by a family in a certain manner by the head of the family which is usually the oldest member of the family. He holds the same in trust for the members of the family. Despite the fact that he possess the right to family land, he does not have the right to take decisions pertaining to the land without the principal members of the family . He must seek the opinion of the members of the family first. Land can be held patrilinearly or matrilinearly . The family land comprises of the nuclear and extended families. When a man is survived by the first son, his land is inherited by his sons with the eldest son acting as the caretaker until the other sons build their houses and vacate the compound which will now wholly belong to the eldest son. “ANA IRU EZI” is an eldest son’s right to an extra piece of land by the position he attains.

INDIVIDUAL LAND TENURE: Under the individual land tenure, the Isi(leader) in villages and towns handle land disputes when they are among individuals. For example cases such as disputes between the town and the neighbouring on the issues bordering on land matters only.

Under the public ownership , the community is not ignorant of the fact that governmenthas the right to acquire land within its domain . Under customary tenure systems, public rights were exercisedwhen land was to be used for the benefit of the public. Satutory interventions into land tenure in Eastern Nigeria include Registration of Titles and Acquisition of Public Lands Act and Land Use Decree.

The flexibility of the land tenure system is also affected by the religious beliefs of the local people. This is less pronounced in individual and public land tenure. In Ozubulu community, the arrival of the colonaists and Christian missionaries hastened the productive use of sacred lands and also calmed gender restrictions on agricultural activities and land ownwership/inheritance.