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**ABSTRACT**

Land is a very significant property and is one thing that man could not do without. It is the major determinant factor for the existence of man, plants and animals. For instance, Simpson (1976) said that Land is the source of all materials wealth, from it we get everything that we use or value, whether it be food, clothing, fuel, shelter, metal or precious stones. We live on the land and from the land, and to the land our bodies or ashes are committed when we die.

**INTRODUCTION**

Ekiti State is located in the South West Geo-Political zone of the country. It was created out of the former Ondo State in 1996. The state is reputed as the Fountain of Knowledge on account of the large number of educated elites in the state. In the 2006 Population and Housing Census, Ekiti State is made up of 1,215,487 males and 1,183,470 females totaling 2,398,9572 (National Population Commission) Ekiti State occupies 6,353 km area of land. The language in Ekiti is generally Yoruba but the native dialect is Ekiti.

Customary land is land which is owned by indigenous communities and administered in accordance with their customs, as opposed to statutory tenure usually introduced during the colonial periods. Common ownership is one form of customary land ownership.

HISTORY OF THE LAND TENURE SYSTEM IN IJERO-EKITI

The cognntic lineage is the backbone of traditional Ijero-Ekiti society. Much of this society still survives, but the system as a whole does not. Later in this paper ,I shall use the present tense when referring to elements which still survive, but use the past tense when dealing with those inter-relationships, peculiar to the traditional period, which no longer exist. Ijero-Ekiti myth suggests that all lands are owned by the king. During the Traditional Period land was allocated by the King to each domestic unit according to their needs. But it was not unusual to find people wandering round in order to cultivate land where they found it convenient for them to do so. Nevertheless, as time went by the membership in each household grew and the community's population expanded. Land became scarce and the method for distributing it was modified. The new development was a move towards the allocation of land on a linear basis rather than a household basis. It did not ,however, mean the complete abolition of land allocation to households, but the lineage tenure system, now assumed a supreme importance in land owning and allocation.

In spite of the modification in the land allocation system it was customary during the Traditional period for foreigners who wanted to settle in the community to beg for land from the King. This practice, at that period still confirmed with the myths, that the king owned everything including the people themselves plus the land they occupied.

The main burden of organization was that it had however now shifted to the lineage. Inevitably, land, as a natural resource, became more important and interests in it were more guarded than before. It also meant that those areas where individuals could cultivate land for farming were now clearly demarcated. This led to the arrangement and organization of land into the following categories.During the Traditional period there were three types of tenure by which land might be held in the community. The organization, of land into these categories was prompted by political motive in the community whose main aim was to create law and order in the community affairs, as a necessary precondition: for political and economic stability.

The division of land then might be classified as follows:

1. The family land
2. The lineage land (individual)
3. The category that could be termed the public land (communal land)

In the case of family land ,every domestic unit, was led by its head ,the bale, he owned a particular piece of land. It was normally inherited from father to son or sons. Subject to the availability and the quantity of land unused, the bale’s role was to divide the land into portions on the basis of the total number of members in the domestic unit, and according to their needs.

This is one of the primary functions of the bale in relation to land. The bale of each domestic unit was entitled to the enjoyment of sufficient land, within the limits imposed by its availability for the support of his households. Continued use was guaranteed by good behavior, but there was rarely an instance when a member or members were dispossessed ,of their shares. Once a man had farmed the land, he had the right to return to it after its fallow period. There was hardly any opportunity for friction as far as the family land was concerned and disputes between superior and inferior were ratb in this kind of land tenure since effective occupation was the main transaction of possession. Therefore land once given was never taken back, even if it was not being utilized at the particular time, provided there were marks of occupation. Such land was by right inherited from the previous holder. None outside the domestic unit could make use of or alienate the land except with the prior approbation of the bale. It must be added, however, that the right to manage the family property - in this case land - and to alienate it, resided in the group acting corporately and not in individual members. Therefore, access to land and rights to its occupation and use of the family land, for the purposes of farming, derived from membership of certain families with the same descent line or ancestor. An individual who acquired land by inheritance enjoyed certain rights over it, that is, including the right to lease the land to another person, to the free and uninterrupted use of such land, to build a house and cultivate it for food production purposes.

CONCLUSION

The paper just shows how the land tenure system in Ijero-Ekiti is done, which started with the lands belonging to the community and after a while the lands then became to the individuals due to the fact that there was starting to be a shortage of land, and this led to the land becoming a family land which was run by the family head(bale). And the land was passed from father to son. But In the case whereby the land was given to the family of the deceased, which includes all his children, then the land would be run by the eldest son who can not make any changes to the land except[[1]](#footnote-1) with the consent of the municipal family members

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1. <https://eprints.soas.ac.uk/29653/1/10752625.pdf>

   <https://www.oicrf.org/documents/40950/43224/Land+Tenure+System+in+Ekiti+State+Nigeria%281%29.pdf/ba5be37e-fd69-6eae-c9b2-ed0ff0a94570>

   <https://www.fig.net/resources/proceedings/fig_proceedings/fig2015/papers/ts01b/TS01B_ajibade_7607.pdf> [↑](#footnote-ref-1)