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ASSIGNMENT.

Land tenure system is the system of landholding in a given society or community. According to Prof Mqeke customary law can be defined as the custom and usages traditionally observed by the African peoples that eventually forms a culture amongst them. Customary land tenure system is the system of land holding governed by the customary.

I intend to briefly talk about the creation, ownership, management and determination of family of customary land tenure system in Rumuolukwu community which is under Obio/Akpor local government, Rivers State, Port Harcourt.

In the Obio/Akpor local government area, the creation of land in the rumuolukwu community firstly the land they owned was given to them as a gift by another community during those days they were given the land for them to start a family and for them to farm on but during the world war when we were colonized by the British rulers, then the traditional rulers did not have any power to pass down any rule or to take charge of what right fully belonged to the community. The rumuolukwu community where being fought over by another community on their land, when the one of the British rulers saw the fight between the two communities and forcefully took our land in other for peace to rein the decided to take part of our land to build a domestic airport, which they ended up using almost all the land without consulting the head of the community i.e. the king.

The ownership of land in the obio/akpor local government area unlike before it was owned by both the community and family but now it’s owned by the community, family and the government. After the world war, the government passed down a law that ‘land would therefore be owned by the government and that whichever family that owned a land and where their land was forcefully taken by the government would be compensated,’ but the rumuolukwu community were not compensated for their land that was forcefully taken from them by the British government and now the government. In addition to the ownership of land under the rumuolukwu community land is issued to various families by the head of community and women are not allowed to own lands except for lands that are being gifted to them by another person or by sale. In the families land is given to the father for ownership, while parts of the land are issued out to the women for farming but not for ownership and however, in a situation where the head of the family dies the land is being passed down by right to the son in the family but in a case where a family has no male child to inherit the land in this community if the head of the family didn’t will the land to his children and wife, his brothers are rightfully allowed to claim ownership of the land.

The management of land under this community is headed by the head of the family in a given family which is the father and is the owner of the land in the family; He controls everything that has to do the land in other to avoid other individuals or the government from forcefully taking their land from them. Another way the head of the family manages the land is by allocating parts of the land that are not yet in use to the women in the family to farm on.

The determination of land in this community and in obio/akpor local government is by absolute transfer and partition. Determination by partition occurs when the head of the family shares the land between his sons respectively or probably upon his death making each son’s to have a land of their own without any form of conflict among themselves. While determination by absolute transfer is done by the head of the family passing down full ownership of the land to an outsider by sale i.e. making the outsider the owner of the land.

In conclusion the customary land tenure system which is practiced in rumuolukwu community which is under the Obio/Akpor local government is a communal landholding system in that community which later transfers into a family land. In the family it’s customary for the eldest son to inherit his father’s land but if there isn’t any land issued out to the family or to possess by right the son inherits his father’s house.