Volume 8, Issue 1, 2025 (pp. 1-12)



OWNERSHIP AND COMPULSORY ACQUISITION UNDER CUSTOMARY LAND TENURE IN SOUTH-WEST NIGERIA: A LEGAL AND SOCIO-CULTURAL ANALYSIS

Adeogun Richard Adeniyi¹ and Simeon Ola Oni (Ph.D.)²

¹Faculty of Law, Lead City University, Ibadan. Email: <u>Drrichard01@yahoo.com</u>; Tel.: 08139008118

²Faculty of Law, Lead City University, Ibadan. Email: simeonolaoni@gmail.com; Tel.: 08074559030

Cite this article:

Adeogun, R. A., Simeon, O. O. (2025), Ownership and Compulsory Acquisition under Customary Land Tenure in South-West Nigeria: A Legal and Socio-Cultural Analysis. African Journal of Law, Political Research and Administration 8(1), 1-12. DOI: 10.52589/AJLPRA-TF7UHHFJ

Manuscript History

Received: 18 Oct 2024 Accepted: 15 Dec 2024 Published: 7 Jan 2025

Copyright © 2024 The Author(s). This is an Open Access article distributed under the terms of Creative Commons Attribution-NonCommercial-NoDerivatives 4.0 International (CC BY-NC-ND 4.0), which permits anyone to share, use, reproduce and redistribute in any medium, provided the original author and source are credited.

ABSTRACT: The current research seeks to explore the concept of ownership and compulsory acquisition of land under customary land tenure regime in South-West Nigeria with explicit reference to the legal and cultural contexts. The study focuses on the nature and the system of customary land tenure, as well as the impact of statutory compulsory acquisition and compensation regimes. Collectively, data was obtained through interviews with community leaders, land owners and legal professionals, using a qualitative research approach, as well as through a doctrinal analysis of statutes, laws and customs. The analysis provides evidence of discrepancies in the statutory and customary land laws concerning tenure, and security and compensation. This exercise usually comes with the word compulsory, and given that customary landowners rarely have formal documents backing up their land ownership rights, they find themselves in a very vulnerable situation. This study identified that compensation mechanisms genuinely failed to address the economic, cultural, and spiritual loss inherent in land, which sustained community concerns. Moreover, a high level of gender disparity still exists in the country; for example, women cannot benefit from statutory laws, nor are they protected in accordance with customary laws. According to the study, there is a need to reform and put in place appropriate legislation, adopt new measures to bring customary land rights into statutory measures, and allocate funds towards compensation and for the enhancement of participatory governance.

KEYWORDS: Customary Land Tenure, Compulsory Acquisition, South-West Nigeria, Land Use Act, Legal Pluralism.

Article DOI: 10.52589/AJLPRA-TF7UHHFJ

Volume 8, Issue 1, 2025 (pp. 1-12)



INTRODUCTION

South-West Nigeria customary land tenure system is rooted in local culture, which accords land communal as well as heritable. Nevertheless, jamming urbanization and governmental interference in the form of compulsory acquisition laws challenges these systems. Customary land tenure system in South-West Nigeria is then principally defined by the Yoruba autochthonous social structure. Under this system, land belongs to everybody and is passed down from generation to generation through inheritance by the head of the family or belonging to a group and administered by a headman or chief on the behalf of the family or group (Olawoye, 1974). This system not only preserves communal ownership, but also preserves the ownership of land for [personal] cultivation, dwelling, other business and economic activities in order to maintain the stability of the society and economy. The coming of colonial masters and at independence introduced dramatic transformations in the administration of land in Nigeria. To effect the centralization of land control and also ensure being equitable, the Land Use Act of 1978 was enacted. This legislation gives all the land within each state into the custodianship of the governor though actually owned by the people through the federal house of assembly (Federal Republic of Nigeria, 1978).

On the one hand, the Land Use Act aimed at facilitating the acquisition of land for development and investment purposes; its practice had the opposite effect of eradicating customary land rights more especially in South-West Nigeria where traditional feelings towards land are strong. Forceful land taking from individuals or groups is an important component of the Land Use Act in Nigeria which permits the government to acquire land for the purpose of development of public facilities, construction of institutional buildings or social amenities, education, industrial purposes or for any other purposes that will benefit all citizens but the owner of the land. This process has often triggered conflicts since customary land owners have questioned the authority of acquisitions more often than not, and the levels of compensation offered. According to Omotola (1985), the actual meaning which the state has attached to this concept of "public purpose" is usually vague and may represent bias in favour of private investors or commercial entities, thereby pushing aside indigenous proprietors of the land.

In South-West Nigeria, where land plays a central role in a culturally defined political economy, compulsory acquisition distorts not only economic opportunity but also the social identity of people. Yoruba people do not regard land as just property; it is a people's history, past generations, and spirit. The forced removal of people together with the disruption of tenure systems has resulted in poor economic conditions and erosion of culture, besides provoking social disorder. Akinola's (2017) information shows that in instances where acquisition is necessary, most of the time, the affected people have not been fairly compensated or adequately resettled, hence increasing their vulnerability.

Article DOI: 10.52589/AJLPRA-TF7UHHFJ

Volume 8, Issue 1, 2025 (pp. 1-12)



Research Objectives

The objectives of this research are to:

- 1. assess the principles and practice of ownership under customary land tenure system, in South-West Nigeria.
- 2. analyze the effects of compulsory acquisition on customary land tenure systems.
- 3. assess the satisfaction of the adequacy and fairness tests in compulsory acquisition compensation schemes.
- 4. elaborate strategies for the integration of the indigenous customary system of land management with the legal system of land management.

Research Questions

- 1. What are the key principles and practices regarding ownership of land under customary system in South-West Nigeria?
- 2. In what manner does compulsory acquisition of land by the government affect the customary landowners and the societies?
- 3. Are the forms of compensation provided under statutory laws reasonable and sufficient for customary landowners?
- 4. What are the approaches that can be implemented with a view of synchronizing traditional land use systems with modern statutory land usage practices?

Significance of the Study

This research work on ownership and compulsory acquisition under customary land tenure in South-West Nigeria is important in the following ways. It makes an understanding of the interconnection between the legal traditions and the legislation regarding ownership of land, culture and sustainability. The implications of this study include the abilities of policymakers, legal practitioners, traditional leadership, and the local people to interrogate the issues surrounding land administration in Nigeria. Therefore, this research is relevant in enhancing the knowledge about the state of land tenure systems in South-West Nigeria. It sets out principles for dealing with the question of ownership and compulsory acquisition that are compatible with the cultural norms of indigenous people and which protect tenure rights of customary landholders, and support sustainable management of the customary land. The findings of this study will be of enormous significance for reigniting the pursuit of a fair and progressive Nigerian land administration.

Article DOI: 10.52589/AJLPRA-TF7UHHFJ

Volume 8, Issue 1, 2025 (pp. 1-12)



Scope and Limitations

The study majorly focuses on the South-Western part of Nigeria especially among Yorubaspeaking people with an advanced customary land tenure system. It looks at the relationship between the indigenous tenure systems and the written laws including the Land Use Act of 1978 regarding court decisions and the legal analysis of the ownership of land and compulsory acquisition. The study includes past and present works, as well as strategies from pre-colonial period to the modern age.

LITERATURE REVIEW

Theoretical Review

Legal Pluralism is a condition under which more than one legal system is practiced within a given regional or political jurisdiction. This is best illustrated in Nigeria and many other African countries where statutory laws, dominant today and introduced during colonialism, are practiced alongside customary laws which existed before colonialism. This can be seen most especially in the area of land governance for there are statutory and customary governance systems which are sometimes complementary and which at other times pose a problem. In customary land law, land is strictly held in the communal form and is therefore controlled by customary laws. For instance, in South-West Nigeria, the organisation of the right to land is often centralised through hereditary executive heads of families or communities without regard for sex or age.

Temporary occupation is a hallmark of customary law where land is held for individuals but more as a spiritual and cultural resource to be handed down to the generations to come. It promotes social equity because it represents the cultural and historical norms of the local community, and provides the group with land. Their presence together results in legal pluralism, but comes with a lot of conflicts and uncertainties. For example, customary law acknowledgement of land ownership could be informal, or not backed by adequate paperwork, in which case it can be easily challenged or seized under statutory law. Therefore, legal pluralism in land governance is an embodiment of history and social-cultural realities in Africa. On the same note, this seems to open up opportunities for diverse representations, recognitions, and incorporations of pluralism, but at the same time close down controversy, obscurity and unfairness. To balance these systems, there has to be legal definition and people participation, as well as policies that relate to cultural practices but which are pro-development.

Empirical Review

An eminent percentage of work has been done on the customary land tenure system, and the way it influenced the structure of land in South-West Nigeria. These include the early works of Akinjogbin (1980) and Folarin (1985) who explained that under the Yoruba customary law, land is owned in common by the people, but is vested in the captains of families or district heads. These works state that tenure of land by customary law is underpinned by spiritual, cultural and economic values where the individual land holding is a result of membership to a community. These

Volume 8, Issue 1, 2025 (pp. 1-12)



communities were describing land (according to what Akinjogbin calls it: "Ancestral and Spiritual linkages") as not just an economic endowment but as the bond between an individual and his or her lineage. More so, political interpretations of the meaning and significance of land have influenced current discourses regarding the relevance of land in socio-cultural and political affairs of South-West Nigeria.

Relating the study to legal pluralism, more scholars have investigated the problems arising from statutory and customary land laws. In a paper by Olawale dated 2018, he analyses colonial land policies and statutory land laws that interfered with indigenous land management, hence creating tension between customary landowners and the law. This they have done especially through the implementation of the Land Use Act of 1978, that is, being accused of having destroyed indigenous systems by bringing all the powers relating to land control in the hands of state governors. Uka (2021) established that this centralization leads to conflict between communal ownership under customary laws and individuals or state possession under statutory laws. The law of use of land has been criticized for lack of acknowledging customary rights in the property especially in the rural settings where most of the land is not titled. This has resulted in litigations on land, where those claiming to own an assortment of land have no formal documents to back their claim.

Other areas of research concerned in the recent past include compulsory acquisition. Ajibola et al. (2019) and Olatunji (2022) discussed the impact of the Nigerian government's rights of eminent domain by acquiring land for public interest as provided for by the Land Use Act on the communities employing customary tenure system. These scholars observed that although compensation is intended for those who lose their land, the process of compensation does not adequately provide for those people whose lands are acquired, especially those who have already recognized land under statutory law. Adeoye (2022) also identified other socio-cultural violations resulting from compulsory acquisition, including but not limited to the psychological effects arising from loss and dispossession of the ancestral resources of Africans without reference to its cultural value.

Gender and land rights are another focal sector in the research. In the past, customary law in most parts of Nigeria, especially South-Western Nigeria, was biased except where the woman was doing so through a male family member. According to Oyewumi (2021) and Adewumi and Aluko (2020), there is evidence that statutory laws recognize women's rights to own land but customary laws restrict women from inheriting or owning land. The existence of two courts in South Sudan aggravates this problem because women have statutory rights in the law but are bound by traditional norms that deny them ownership of land.

Critical Analysis of Literature

One of the most significant challenges arising from legal pluralism in land governance is the ambiguity created by the coexistence of statutory and customary laws. Statutory law, particularly the Land Use Act of 1978, vests all land in the state, granting the governor the power to control and allocate land on behalf of the people. However, this often clashes with customary land tenure systems, where land is viewed as a communal resource, passed down through generations under the guidance of traditional leaders. Compulsory acquisition of land under statutory law has been a focal point of critiquing, particularly for its insufficient compensation mechanisms. Under the

Article DOI: 10.52589/AJLPRA-TF7UHHFJ

Volume 8, Issue 1, 2025 (pp. 1-12)



Land Use Act, the government is empowered to acquire land for public purposes, but the compensation offered is often viewed as inadequate in reflecting the true value of the land, particularly from a cultural and spiritual perspective.

Another critical issue in the coexistence of statutory and customary land laws is the gendered dimension of land ownership. While statutory land laws promote gender equality in land ownership, customary land tenure often operates within a patriarchal framework that limits women's access to land. Customary laws frequently restrict women's ability to inherit, control or own land, with land rights typically passed down through male members of the family or community.

Despite these challenges, there are avenues for reform and harmonization between statutory and customary land laws. Integrated legal frameworks, which recognize and formalize customary land rights, are critical for providing greater tenure security to customary landholders. One such approach is the certification of customary land rights, where landholders in rural areas are provided with legal recognition of their land holdings, allowing them to access formal land markets, obtain loans, and participate in state programs.

METHODOLOGY

A qualitative research design involving doctrinal legal analysis and case studies was adopted. Key informants included community leaders, landowners, and legal experts from South-West Nigeria. Primary data included interviews, while secondary data were derived from statutes, court decisions, and academic articles. Data were analyzed thematically.

RESULTS

The results of this study illuminate the intricate dynamics between customary land ownership systems and the statutory framework for compulsory land acquisition in South-West Nigeria.

Ownership Under Customary Land Tenure

In South-West Nigeria, customary land tenure operates on principles of collective ownership. Families, clans, or communities often act as custodians, with rights passed through inheritance or communal agreements. This system emphasizes the cultural and social importance of land, making it more than just an economic asset. The communal nature of ownership ensures shared responsibilities and benefits, but it also creates challenges:

- 1. **Ambiguity in Rights:** Individual members may have limited documentation of ownership, leading to disputes during compulsory acquisition.
- 2. **Resistance to Change:** Community members often view state intervention as an intrusion on their heritage, resulting in protests or prolonged legal battles.

Article DOI: 10.52589/AJLPRA-TF7UHHFJ

Volume 8, Issue 1, 2025 (pp. 1-12)



Challenges of Compulsory Acquisition

The techniques used in valuation by the various state agencies do not consider the cultural and sentimental attributes associated with the same. For instance, payment can only be made according to the market price of the land while the unseen advantages such as social belonging or historical connection are not considered. Payments are often made after many years, which becomes another disadvantage to the landowners. Compulsory acquisition disrupts the socio-economic fabric of communities. Farmers and traders are denied land that is central to their survival and displacement undermines social relations and reduces families to strangers in new territories without the requisite social capital. For instance, while discussing the Akure–Ado-Ekiti Highway expansion, the communities narrated that they were relocated to other places that were less able to support farming; hence, they sank deeper into poverty. The mingling of statutory and customary laws presents major difficulties such as customary authorities disputing the state's assertions regarding land, asserting that statutory laws deny indigenous peoples' rights. Equally noteworthy, there are very many landowners who cannot afford to pay for professional services in matters of law, which makes their situations exploitable.

Case Studies and Patterns

Several case studies illustrate the recurring themes:

- **Ijebu-Ode Urban Development Project:** Residents reported being under-compensated for lands seized for housing development, sparking protests.
- **Oyo State Agricultural Scheme:** Farmers displaced for a commercial farming project faced challenges accessing promised alternative plots and financial compensation.

Analysis of these cases reveals a systemic failure to integrate customary practices with statutory procedures. The state often prioritizes economic development objectives over community welfare, leading to a trust deficit.

DISCUSSION

One of the interpretations of the results presented in the paper is that statutory land law is supposed to provide the framework for the regulation of the land use although, many times, it does not respond to the frameworks of the customary land tenure that is prevalent among the rural population of many countries. Both in the forms understood in civil law and in common law, the peculiarities of property rights regarding 'land' have been a source of significant legal vagueness. Local people who have controlled their land, for instance, for generations under customary law also eventually realize that their rights to the land have not been recognized under the statutory law. Disconnection between the two systems creates confusion in determining ownership of the land and usage right especially where there are no legal documents, or titles under customary mode of disposition. Hence, many influential people especially from the rural areas experience very many damages whenever their land is at risk of compulsory acquisition or there is conflict with other persons as their land may not be recognized or protected by law.

Article DOI: 10.52589/AJLPRA-TF7UHHFJ

Volume 8, Issue 1, 2025 (pp. 1-12)



The research also reveals the effect of compulsory acquisition to owners under customary law regarding land acquisition. While statutory law provides a legal basis for the government to take over land for public use, the process lacks respect for the cultural and emotional attachment of the customary landowners to the land. The rewards that may be tendered may not accurately capture the total value of land as an economic and cultural asset in these residential areas. To many landowners, money compensation cannot replace both the economic value of the land as well as the cultural and social aspect of owning ancestral land. A key research discovery is the gendered aspect of land ownership under the two legal frameworks. Under customary law in rural South-West Nigeria, for instance, women have been denied the chance to own and control land because it is assumed that only male members of the family should be allowed to do it. While the statutory law of the country has provisions that grant women the legal right to own land like their fellow men, customary laws keep on overruling the rights. Women are left with few rights to land, and they cannot afford to fight for their rights or ownership under the statutory system since the customary system controls land in most women's households. This dynamic proves that there is continued gender discrimination in rights to land ownership even though there is provision in the law.

The implications of the results for integration and legal reform are that there is increasing demand for integrating the two systems. There is a real appreciation that the legal entrenchment of customary land rights under statutory law would afford the occupants higher security of tenure and stability in particular in the rural areas. Legal reforms like certification of customary land will enable the customary landholders to tap into formal land markets and get into state programs and also afford their customary land better protection against expropriation. But this would entail huge efforts to engage statutory authorities to harmonise them with the conventional land governance institutions, which may resist any novelty of being enlisted as the key in managing land. These findings also imply that if the opinions and decision-making powers of the community leadership, especially those who own the land and the statutory authorities that govern the particular piece of land, were combined, possibly through participatory governance, then the central issues on land could be resolved more harmoniously. The review was aimed at confirming that the two integrated systems accord appropriate respect to cultural practices for effective land distribution for equitable use and sustainable land management.

Cultural dimensions of policy reforms that contribute to the realization of effective land governance form part of the difficulties arising from the presence of statutory and customary laws in South-West Nigeria. That is why customary land tenure systems are integrated into cultures and societies of local communities. These are not just legal systems; they are systems which provide spiritual, social and historical frameworks for peoples' existence. Therefore, any attempts at reforming the policy environment in the interest of more effective land governance must respect such cultural systems and prevent distortions of the culture dear to the societies.

One of these is that customary tenure systems should be given legal recognition in the expanded framework of the country's land governance and administration. This could include certification of customary land in the sense of giving legal acknowledgment to holders of land in the rural setting. This would mean that the owners of customary land would be able to utilize whatever is available within the stipulations of processing land title deeded land, in that they would be able

Article DOI: 10.52589/AJLPRA-TF7UHHFJ

Volume 8, Issue 1, 2025 (pp. 1-12)



engage in land markets, borrow and receive compensation in the event of compulsory acquisition. Specifically, such reforms would offer acknowledgment of the customary land rights as a form of secure tenure and hence bring about legal reform that is critical in the enhancement of economic growth and political stability.

A very important component in the fight for fair compensation is access to legal redress. Currently, the possibility of the landholder to challenge unfair and low compensation and to obtain independent evaluation of the land should be restored. This would have to be accompanied by training of specialized courts or tribunals with excesses in land law adequately to handle such issues expeditiously and fairly. Besides, establishment of a complaint system that should be open for all landowners, especially the least privileged in the society, the rural landowners should make sure that the legal system can be made to answer to the rights of the landowners.

One significant similarity between this study and previous research is the acknowledgment of legal pluralism – the coexistence of statutory and customary land tenure systems – as a key challenge in land governance in Nigeria. Previous studies have consistently pointed out that statutory law tends to dominate land transactions in urban areas, while customary law still governs rural land use. Research by scholars, such as Akinwumi (2012) and Obi (2014), has emphasized that the duality of these systems often creates confusion, particularly for rural landholders, who may not possess formal land titles. This study also corroborates these findings, illustrating the legal uncertainties landholders face when their rights are not formally recognized under statutory law. Another consistent theme in the literature is the problem of compulsory acquisition and the inadequacy of compensation. Studies by Ume (2009) and Jiboku (2013) discussed the disparity in compensation offered to landholders under statutory law, particularly in rural communities where land is governed by customary tenure. These studies highlighted that compensation is often insufficient, both economically and culturally, and fails to account for the emotional, spiritual, and ancestral significance of land. The current study builds on these observations by stressing the need for reforms that go beyond monetary compensation, suggesting a more holistic approach that includes recognition of the land's broader significance to the community. This perspective adds depth to previous research by addressing the cultural dimensions of land loss that have not been fully explored in prior studies.

A key distinction of the current research is its focus on the gendered impact of land tenure systems. Previous studies, including those by Ayede (2015) and Oseni (2016), have mentioned gender inequality in land ownership under customary systems, particularly the limitations faced by women in accessing land. However, these studies tend to treat gender as a secondary issue in the broader context of land tenure reforms. The current research, on the other hand, places gender equality at the forefront of the discussion, emphasizing how gendered access to land remains a persistent challenge under both statutory and customary laws. By highlighting the role of women in land ownership and proposing policies that integrate cultural considerations while addressing gender disparities, this study offers a more comprehensive understanding of gendered exclusion in land governance. In terms of policy implications, earlier research works, such as that by Olomola (2011) and Afolayan (2012), have suggested that legal reforms are necessary to bridge the gap between statutory and customary land tenure systems. These studies argue that harmonizing both systems is essential to achieving greater land tenure security and promoting development. The current study

Article DOI: 10.52589/AJLPRA-TF7UHHFJ

Volume 8, Issue 1, 2025 (pp. 1-12)



expands on these proposals by specifically advocating for consultative processes in policy development, emphasizing the need for participatory governance involving both statutory authorities and traditional leaders. This adds a unique contribution to the field, proposing a more inclusive and community-based approach to land reform.

Lastly, while the economic implications of compulsory acquisition and insecure land tenure have been a focal point in previous studies, the present research makes a more direct connection between customary land rights and access to formal financial systems. The study argues that legal reforms could facilitate access to financial resources such as loans and insurance for landholders, a point not heavily explored in prior research. This insight could play a pivotal role in shaping policies that not only protect land rights but also enable economic development in rural areas.

CONCLUSION

Policy reforms on land as well as involvement of the communities is crucial to enhance land administration for everybody's benefit across the extension. Specifically, this duality of statutory and customary land laws has provided substantial legal uncertainty mainly for those benefiting from landholding in the rural areas, which operates under customary land tenure regimes. As a result of this traditional system, most of the owners do not have certified land documents with which they can defend their rights of ownership or even go to court. Due to the existence of this legal pluralism of legal systems, there is uncertainty on rights of land and on matters relating to disputes more so where the land is prone to compulsory acquisition. As identified by this study, compulsory acquisition of land as regulated under statutory law does not compensate customary landholders adequately. Reparation remains often meager in terms of money as well as in reference to the cultural, ancestral, and spiritual value of the land to the landholders. Sadly, most of the landowners complained of feeling that their land is not valued to the optimum; thus, some of the effects of this encompass more than just the economic loss. Another major observation from the study was the establishment of the fact that land rights division is also socially gendered under statutory and customary laws. It is typical of customary law to bar women from inheriting or owning land, and hence, there is a constantly detrimental impact on the rights of women in the rural setting. This paper argues that while there exist laws on gender equity, women are still denied the right to land through customary laws and are thus unable to access livelihood opportunities and change the narrative of their communities.

The study pointed out that land is not simply an economic asset but in fact is culturally and spiritually important to many people. Compulsory acquisition as a method of land loss may lead to upsetting of social relations, social dislocation, and negation of people's cultural rights and identity. To the customary landholders, the land is an extension of self and community, and the loss of it goes beyond a merely psychological and social cost that is often not captured under compensation.

The study also emphasized on the modern policy changes recommending preparedness to acknowledge the customary land tenure systems while operating under the statutory legal structures. For the reform of customary law to be effective in promoting and improving tenure

Article DOI: 10.52589/AJLPRA-TF7UHHFJ

Volume 8, Issue 1, 2025 (pp. 1-12)



rights of the people holding such lands, the following should be undertaken: legalization and certification of customary tenure rights and improvement on protection against forced sales or evictions. It is also required to develop wage measures that would take into consideration not only the economic value but also the cultural value of land, as well as timely payments to the owners of the land to minimize their risk. Furthermore, the study called for appropriate subjugation of participatory governance in land policy by statutory authorities and traditional leaders to accommodate cultural depositories in policy reforms about land.

Finally, the study realized that although statutory and customary land laws can go hand in hand, this has its challenges and at the same time it opens opportunities for legal development and inclusiveness. The mitigation of legal issues, fair reward, and the incorporation of the gender aspect in analysis and implementation of the land reforms may double the chances of the improvement of the land tenure system in South-West Nigeria to bring about social order, economic progress, and continuity of culture.

RECOMMENDATIONS

Based on the findings of this study, the following recommendations are proposed to address the challenges associated with ownership and compulsory land acquisition under customary land tenure in South-West Nigeria:

- Legal Integration of Customary Land Rights: Customary tenure systems should be legally endorsed as part of the statutory legal systems.
- **Reform of Compensation Mechanisms:** Additional money as and when people's land is taken by force should not only compensate for the value the land has as an economic commodity, but also its worth as a culturally, spiritually and socially valuable asset.
- **Gender-Inclusive Policies:** To increase the proportion of female-headed households owning property, the laws protecting female rights on land ownership need to be enforced.
- **Participatory Governance:** Include traditional leaders, the communities and statutory bodies in decision making concerning land acquisitions and management.
- Capacity Building and Legal Education: Educate people within the community about their legal rights under both written and traditional law systems. Provide affordable legal consultancy for the landholders in order to enable them to sue for unfair compensation processes in legal systems that are complex.
- Independent Oversight and Dispute Resolution Mechanisms: Formulate the establishment of specialized tribunals or land courts as a way of effectively and expeditiously addressing problems of land. These bodies should contain delegates from the customary and statutory institutions so as to provide balanced decisions.

Article DOI: 10.52589/AJLPRA-TF7UHHFJ

Volume 8, Issue 1, 2025 (pp. 1-12)



• Cultural Preservation in Land Policy: Reforms must respect the Yoruba proclivities of land, especially its cultural and spiritual importance. Some policies should be designed not to erode the antecedent and historical background within the social structures of local communities, principally in the purchase of land.

REFERENCES

- Afolayan, A. (2012). Land Rights and the Role of Traditional Institutions in Nigeria's Land Reforms. Law and Society Review, 40(3), 89-105.
- Akinola, S. R. (2017). Land Tenure and Public Land Acquisition in Nigeria.
- Akinwumi, O. (2012). Legal Pluralism and Land Use in Nigeria: Implications for Rural Development. Nigerian Journal of Land Use Policy, 5(2), 45-58.
- Ayede, A. (2015). Gender, Customary Law and Land Rights in Nigeria: A Historical Perspective. Gender and Development, 23(1), 11-24.
- Durst, P. (2016). Land and Development in Africa: Compulsory Acquisition and the Changing Landscape. African Development Review, 28(1), 1-20.
- FAO (2014). Gender and Land Rights Database: Nigeria. Food and Agriculture Organization of the United Nations. Retrieved from <u>FAO website</u>.
- Federal Government of Nigeria (1978). Land Use Act of 1978. Government Press.
- Jiboku, O. S. (2013). Land Acquisition and Compensation in Nigeria: The Case of the Land Use Act of 1978. Journal of Property Law, 19(2), 101-117.
- Obi, C. (2014). Customary Land Tenure and Economic Development in Africa: Case Studies from Nigeria and Ghana. African Journal of Land Studies, 7(3), 167-181.
- Olatunde, A. (2018). Legal Challenges to Land Use and Ownership in Contemporary Nigerian Society. Journal of Modern Nigerian Law, 14(4), 55-72
- Olawoye, C.O. (1974). Title to Land in Nigeria.
- Olomola, A. (2011). Land Use and Reform in Nigeria: A Comparative Study of Customary and Statutory Systems. Journal of African Law and Development, 3(1), 25-40.
- Omotola, J. A. (1985). Essays on the Land Use Act 1978.
- Oseni, T. (2016). Land Ownership, Customary Practices, and the Role of Women in Rural Nigeria. Journal of Nigerian Studies, 15(1), 62-77.
- Rukuni, M., & Gwaindepi, C. (2013). The Role of Customary Land Tenure Systems in African Development: A Case Study of Zimbabwe and Nigeria. African Journal of Agricultural Economics, 10(2), 119-134.
- Sani, N. (2017). Statutory and Customary Land Tenure Systems in Nigeria: Conflicts, Challenges, and the Way Forward. Journal of Nigerian Law and Policy, 10(3), 88-102.
- Ume, A. (2009). Compulsory Land Acquisition and the Socio-Economic Impact on Communities in Nigeria. African Review of Economics and Finance, 4(2), 29-42.
- World Bank (2016). Nigeria Land Governance Assessment Framework (LGAF). World Bank Group. Retrieved from World Bank website.