

Improved Female Customary Land Inheritance Necessary for Accelerating Socio-Economic Development in South East Nigeria

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Abstract

Customary land inheritance is a major avenue for land acquisition in Nigeria. Culturally, Nigeria is predominantly a patriarchal society with inheritance mainly devolving along the male lineage, the womenfolk being largely excluded especially as regards land inheritance. The study documents the extent of male/female imbalance among the Igbo ethnic group of South East Nigeria, one of the three most populous in the country. In order to drive balanced, accelerated and sustainable socio-economic development, suggestions are proffered for necessary cultural, legislative and legal adjustments to improve the status quo, including amendment of and better implementation of the Land Use Act.

Keywords: Nigerian customary female land inheritance, improvement.

1. Introduction

The social climate globally focuses on the status of women in terms of enforcement of their rights especially against any form of discrimination. However, women are the world's poorest. In Nigeria, this could be due to a combination of factors including obnoxious cultural practices like inability to inherit land from their families and communities.

In Nigeria, land can be owned by acquisition in a variety of ways – first settlement, conquest, long possession, purchase, gift or grant, government allocation, inheritance/succession or devolution (Ikpeze 2009). Historically, land ownership and utilization in Nigeria had been plagued by grave difficulties arising from application of many different customary inheritance and statutory land tenure systems, ultimately culminating in the promulgation of the Land Use Decree in 1978 (Allot 1978). The Nigerian Federal Government had intended to use this law to harmonise land tenure systems and vest all land to the various tiers of government. Problems have persisted leading to reforms and the emergence of the successor Land Use Act of 1990 (Mabogunje 1992; Federal Government of Nigeria 1990; Babalakin 2004). Notwithstanding the above, most lands are still held by individuals, families and communities, and acquisition is still mainly by customary inheritance.

The present study focuses on the Igbo ethnic group of South East Nigeria. The South East is one of the six geopolitical zones in Nigeria and comprises five states - Abia, Anambra, Ebonyi, Enugu and Imo States – and is mainly populated by the Igbo ethnic group which is one of the three most populous in Nigeria.

Field study was undertaken to determine the true extent to which females inherit land/property culturally in this ethnic group in order to make recommendations that could foster a more balanced and sustainable socio-economic development. The benefits of the research will be applicable to and therefore extend to other parts of Nigeria and Africa with similar cultural patterns of land inheritance.

2. Methodology

The research was centered on field work based questionnaire consisting of forty questions with subsections. By eliciting responses from representative samples of the population, analyzing the data and presenting the results directly and with charts, it would be shown what obtained customarily regarding the inheritance rights of females among the Igbos of Anambra State of Nigeria. Determining the current situation will inform as to the need for flexibility, future adaptations and legislations to improve on land inheritance rights of females with the desire for their general development, emancipation, economic empowerment and prosperity.

3.1 Study area and Subjects

Anambra State with a population of just over four million (National Population Commission 2015) consists of three Senatorial Zones (Central, North and South). Stratified random sampling was done to select two Local Government Areas (LGAs) from each of the Zones. Similarly, one community was selected from each of the selected six LGAs. The six selected communities were Ogidi, Awka (Central zone), Umueri, Ogbunike (North zone), Nnewi, Ekwulobia (South Zone). About 300 individuals were to be selected from households in each of the six communities. Within each community, males and females were selected to represent the young (18-35 years), middle age (36-60 years) and old (61+ years) proportionately. Their knowledge of, and views on customary land inheritance by females in their various communities was obtained.

3.2 Primary and secondary data

The questionnaires and respondents' answers were used as primary data. Existing scholarly publications on land inheritance, administration and usage from journals, textbooks, law reports and official government documents were used as secondary data.

4. Results

The final total number of respondents that completed the questionnaire was 1,821, which is slightly higher than the target number of 1,800.

4.1 Demographic data. The age of the respondents ranged from a minimum of 18 years to a maximum of 90 years, and the mean age was 45.90 years. Males and females were evenly represented in all the communities studied. Examination of marital status showed that currently married people accounted for 57.50% of responders, while the others were single, separated, divorced or widowed. Educational levels ranged from no formal education through primary, secondary to tertiary levels of education. 77.2% of the responders had at least secondary school level of education, which is an indication of relatively high level of literacy and general education.

4.2 Pattern of Land Ownership. The pattern of land ownership among males and females was determined from by the respondents who answered the relevant question "Do you own land in the community?" The results were analysed and shown in Figure 1 and Figure 2 for males and females respectively. The males have a much higher "YES" response whereas the females have a much Higher "NO" response. In all the communities most of the respondents stated that land could be owned by the community, family or individual. Communal lands were preferentially allotted to males on a permanent basis for erecting their houses and some portion left for peasant farming. Both males and females had access to communal land for peasant farming but the land reverts to the community upon the demise of the person allotted any portion for farming. In effect, most "Ownership" of land by the females is that portion allotted them for farming and is at best temporary.

5. Discussion, Conclusion and Recommendations

Land is a veritable tool for economic development. In a country like Nigeria, ownership of land or access to land for economic development is difficult as a result of so many different cultural settings and land inheritance patterns. Results of this study show that among the Igbos of South East Nigeria the females are further marginalized by inability to inherit land. Creating awareness of this obnoxious cultural practice is one of the major outcomes of this study. Previous Government attempts to harmonise procedures for acquiring land through the Land Use Decree of 1978 and the successor Land Use Act of 1990 have not achieved the aims of vesting all land in the various tiers of Government and having the State Governors and Local Governments allocate land with Certificates of Occupancy to the beneficiaries. Part of the problem is that in most rural areas land is still held in communal, family or individual ownership. Apart from that, the application of the Land Use Act has been difficult and at best haphazard leading to the government setting up reform committees on the issue (Mabogunje 2009). In seeking the solutions to all these problems, it will be worthwhile to compare with the experience in Ghana where Customary Land Secretariats (CLSs) have been set up and seem to be working to improve on land management and utilization in a sustainable manner (Nara, Mwingye, Boamah *et al* 2014). Such Customary Land Secretariats may also be beneficial in Nigeria. However, there is need to protect the females by intense advocacy and appropriate legislative input in the conceptualization and establishment such CLSs or in reforming the Land Use Act and its application. Community leaders, Non-Governmental organizations, developmental partners and other stakeholders also need to constantly discuss the issue of female marginalization on land inheritance with a view to achieving a positive shift in cultural practices. The eventual outcomes will definitely lead to improvements in land utilization, socio-economic progress and prosperity.

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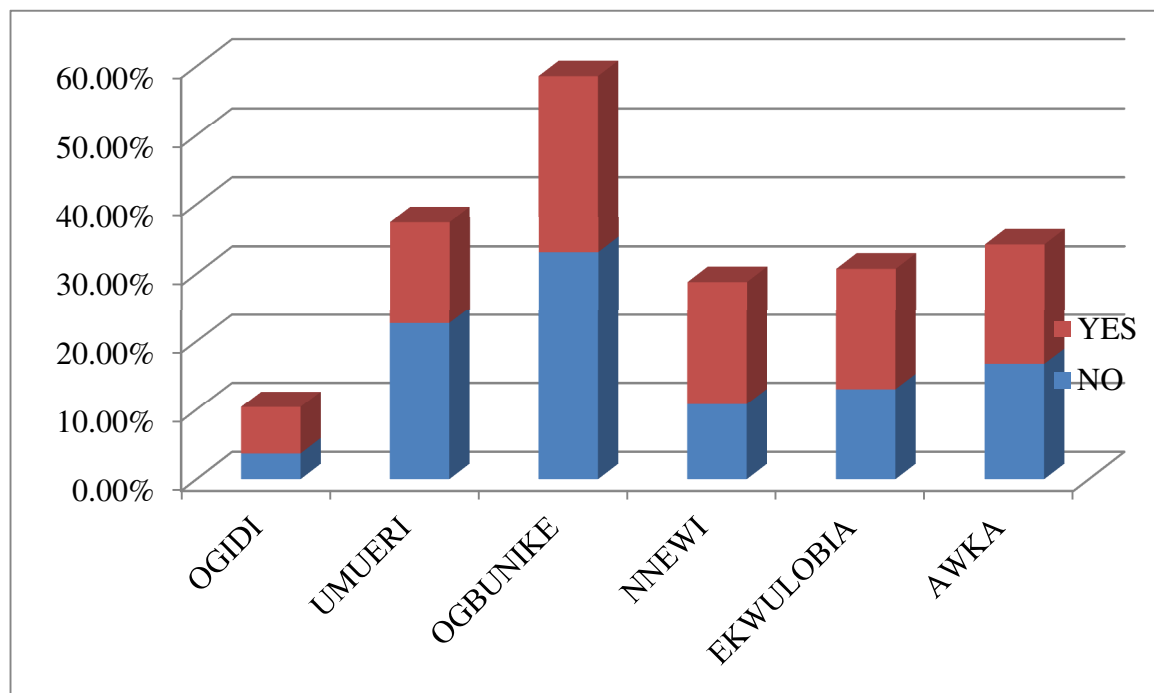


Figure1. Male ownership of Land

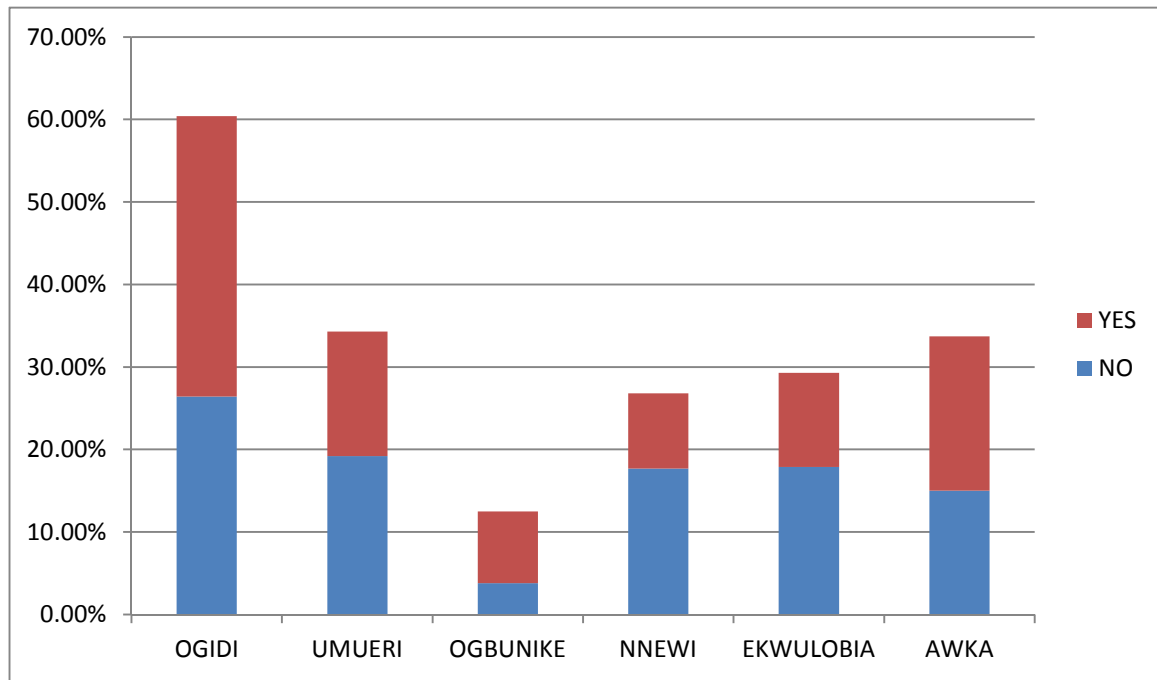


Figure2. Female Ownership of Land

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