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An Examination of the Divergences between the Traditional Land Holding System in Uga Anambra State and the Land Use Act of 1978

[1]Umekesiobi, Grace Chinenye, [2]Udobi Alexander Nnamdi

Email; [1]nwugochinenye562@gmail.com, [2]an.udobi@unizik.edu.ng

[1,2]Department of Estate Management, Nnamdi Azikiwe University, Awka, Anambra State, Nigeria

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ABSTRACT

This study explored the differences between the customary landholding system in Uga, Anambra State, and the Land Use Act of 1978, which highlights the intricacies of land ownership and use in Nigeria. The customary system is marked by communal ownership under customary law, which prioritizes lineage, inheritance, and group decision, processes that have been honed over centuries. On the other hand, nationalization of land ownership according to the Land Use Act gives power to the state and imposes formalized processes that often conflict with local culture. The overarching objective of this research is to analyze the implications of such divergence for land tenure security, agricultural productivity, and community relations. A quantitative and qualitative research methodology was employed for empirical data collection from 200 participants, i.e., farmers, landowners, community leaders, and citizens, using a structured questionnaire and in-depth interviews. Results indicate huge differences regarding ownership rights, transfer process of land, and conflict resolution between both systems, creating general land tenure insecurity and socio-economic problems. The research concludes that although the Land Use Act was promulgated to establish land administration, it inadvertently works against customary practice, heightening tensions between the government and local communities. The research therefore advises legal reforms that acknowledge customary rights, create awareness of statutory law among members of a community, provide inclusive mechanisms for conflict resolution, and encourage sustainable agricultural practices that integrate traditional knowledge. These proposals seek to promote a more peaceful and equitable type of land tenure for sustainable development in Uga, Anambra State.

Keywords: Divergences, *Traditional Land Holding System, Land Use Act 1978, Uga, Anambra State.*

1. INTRODUCTION

Land use and ownership have continued to be at the core of economic and social organization in Nigeria, especially in such locations as Anambra State, where there is a convergence of customary landholding institutions and formalized land policy. The interplay of local custom and statutory law creates a complicated environment for land use and tenure. The Nigerian Land Use Act of 1978 was apparently passed to rationalize land management across the country, promoting equitable access and maximum utilization of natural resources (Okoko, 1987). The Act aims at nationalizing land ownership, entrusting control to the state while protecting customary landowners' interests to an extent. The legitimacy of such a law is questionable, though, if interpreted in the context of deeply embedded customary landholding practices common in Igbo society, especially within Anambra State.

In the past, land in Anambra, as in all of Igbo land, is largely communally held, and with traditional law historically revered for centuries, regulating inheritance, use, and alienation (Ikejiaku, 2013). It has, through the years been shaped by generations, illustrating the identity and values of society. Conflicts between the customary systems and provisions of the Land Use Act have brought forth necessary concerns of land right, economic growth, and social justice. Inconsistencies can hinder farm productivity, property rights security, and conflict resolution processes, and can lead to conflicts, disenfranchisement, and unequal access to assets (Obi, 2020).

The main issue that this analysis tries to resolve is the apparent contradiction between the customary landholding patterns in Uga, Aguata Local Government Area of Anambra State and the statutory land tenure system laid down by the Land Use Act of 1978. While the Act was enacted to govern the use of land and create uniformity throughout Nigeria, its implementation has tended to have conflicts with local tradition and custom with the result of ambiguity and dispute over land rights. This difference raises important questions about the effectiveness of legal systems in responding to local conditions and sustaining socio-economic progress.

The conflict between the traditional land system and the statutory land system has consequences for farm production, communal living, and the Uga Anambra State development program. The traditional system allows communal ownership and collective decision-making, but the Land Use Act favors state ownership and individual ownership, and thus potential conflicts, particularly on matters of transfer and inheritance tradition (Ademola, 2015). In addition, local stakeholders like land owners, farmers, and community leaders are generally trapped between what the local

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practice would prefer compared to what Federal Law requires. Hence, such contradiction can be used to improve land tenure insecurity and access, retarding economic development and causing social tensions.

For the understanding of the implications of such conflict, there is the need to examine how these conflicting frameworks affect land rights, farm production, and communal relationships in Uga Anambra State. The study will also identify possible avenues towards reconciling customary landholding practices with statutory law to ultimately foster sustainable land management and socio-economic development in the state.

Geographical Context of Uga

Uga is a town in Aguata Local Government Area of Anambra State, Nigeria. It is 13 km southeast of Igbo-Ukwu, 12 km south of Ekwulobia, and 45 km south of Awka, the capital of Anambra State. The town consists of four communities: Umueze, Oka, Umuoru, and Awarasi. Other sites of attraction and tourism include "Obizi Uga," a natural spring that has stunning scenery which is well-represented in an old legend of Uga's folklores. Uga is also renowned for its traditional annual celebration known as the "OBUOFOR" festival, which is held on the 26th of December annually. It also has one of the biggest markets in the Aguata Local Government Area, which is "ORIE," and it significantly contributes to maintaining the economic enterprises of the local community and other neighbouring towns. The customary land tenure system is the dominant land holding system in Uga community. There is also state/public land in Uga.

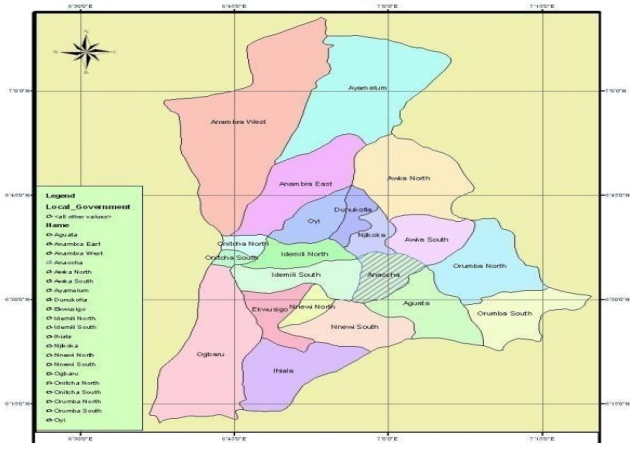


Fig. 1: Geopolitical map of Anambra State

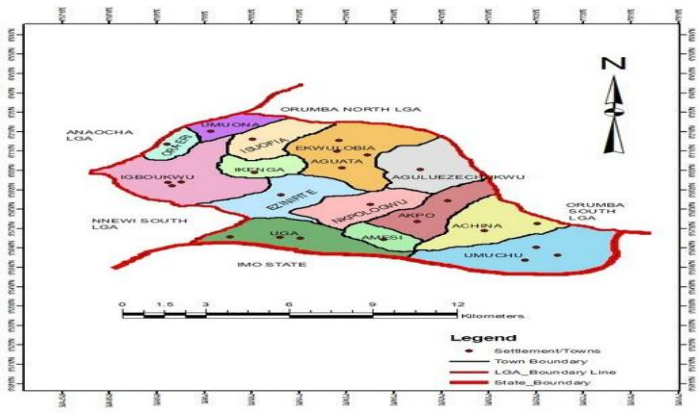


Fig 2: A map showing the location of Uga and other towns within Aguata LGA

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2. 0 LITERATURE REVIEW

Introduction

Land tenure in Nigeria, by extension of reference to Uga in Anambra State, invites critical examination of traditional landholding and statutory requirements like the Land Use Act of 1978.

2.1 Traditional Land Tenure Systems in South Eastern Region of Nigeria

The traditional systems of land ownership in the Southeastern States of Nigeria are anchored on the historical, social, and cultural milieus of the different ethnic groups of the region, especially the Igbo. The systems mentioned above are entrenched in communal ownership, inheritance on the part of families, and individual ownership, which mirror the communal values as well as agrarian practices that have been dominant in the societies for centuries. Land is not only an economic resource but is also associated with identity, heritage, and relational aspects (Agarau, 2018). In Southeastern Nigeria, communal lands are typically owned in common by communities, and their occupation is governed by customary law that respects communal benefits and obligations (Obi, 2016). Inherited generationally, family lands are controlled by lineage systems, in which family leaders have a significant function of making decisions in the use of land and succession. Complementing this is ownership by individuals, usually involving the need to seek authorization from family or leadership before participating in any transfers or transactions (Oladipo, 2017). Even though they are important, such customary systems are under strain, for example, from land conflict, the power of modernization and competition from statutory law, for example, the 1978 Land Use Act (Inyanga et al., 2021). One must research these customary regimes of land holding to realize the subtleties of how custom and land governance work in modern times within the region, not only the strength but frailties of such an antiquated practice as well.

2.2 Nature of Traditional Land Tenure

i) Communal Land: Community land is the land that is shared, used or managed by several individuals as opposed to one or private entity as communal land is shared by the community members and utilized for different purposes, including agriculture, grazing, and collection of resources. This type of tenure of land is a common one and is regulated by customary law in which the ownership is collective and is managed by traditional practices that focus on communal responsibility and benefit.

ii) Family Lands: Family land is land vested in the family as a corporate person.

This means that family land holding is the property of the family and is vested in the head of the family who keeps it in trust for all members of the family. The family land usually passes from generation to generation and is possessed by a specific lineage or large family. Briefly, the management of family lands is in the hands of the family heads or elders responsible for making decisions about land distribution, agricultural practice, and inheritance.

Under Customary Land Tenure, the control and management of family land is vested in the family head who holds it in trust for the entire family members. This implies that family lands are usually very culturally important and carry the legacy and heritage of the family. See the case of Ebosie V Phil-Ebosie and Balogun V. Balogun. It was held that the head of the family has the responsibility of the control and management of the family land and deals with it for the common good of the members of the family. However, the authority of the head of the family in relation to the management and control of the family land does not extend to alienating the family property without the approval of the principal members of the family. See Nwadike V. Ibekwe (1987); Ayalogu V. Agu (1998).

iii) Private/Individual Land: In some cases, individuals will buy land for private purposes, perhaps for agriculture, residential use, or investment. Individuals have personal rights of ownership over private land, but its sale or transfer requires approval by the concerned authorities and adherence to the provisions of customary laws of the affected community.

iv) State/ Public Land: State land implies all the lands that were purchased in the government's name to substitute for public interest. Public or state land is land owned and managed by a government agency, such as Federal, State, or Local Government, for public benefits. These lands are usually acquired for various uses such as conservation, recreation, resource management, and public facilities (Anderson & Hill, 2004). Public land may involve national parks, forests, wildlife refuges, and other protected areas that are preserved intact to conserve natural resources as well as offer public access (Vincent, Hanson, & Argueta, 2020). Government laws and policies regulate the use of public land to achieve the balance between economic utilization including logging, grazing, and mining and environmental conservation (Leshy, 1987). State land management differs from country to country and region to region, and some regions are publicly accessible

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while others are restricted for certain purposes (Owley, 2011).

2.2 Land Transfer Consent under Customary Land Law:

Transferring ownership of land whether communal, family, or private land calls for the agreement of different parties. This usually includes family members, traditional elders, and in some instances, headmen or local chiefs. Consent must be obtained to preserve the sanctity of the traditional landholding system and avoid disputes or conflicts arising due to unauthorized transfer. Where transfer of customary land occurs without consent, disputes may arise that are challenged in court. The courts have usually ruled that illegal transfer of land could be undone reaffirming the significance of adhering to traditional procedures (Woodman, 1996).

2.3 Dispute Resolution Mechanisms

There are various mechanisms employed to resolve land disputes through customary land tenure:

i) Community Assemblies: Land disputes have a tendency to trigger arguments among community assemblies where members and elders discuss the disputes. The community assemblies are forum platforms for conflict resolution by negotiation and mediation because they encourage an interactive mechanism in resolving the differences. (Obi & Chukwu,2022)

ii) Arbitration of Elders: Traditionally, custodians of justice and custom in society are Elders. They go through the case, consider history, and propose a solution on the basis of custom and traditional laws. (Adebayo & Nyarko,2023)

iii) Traditional Oath: Parties in dispute in some cases must give traditional oaths to avow their claims, thus serving as a sound check against deceit and ensuring social order in society. (Musa & Tambo, 2024)

2.4 Challenges of Customary Land Holding

Although the customary land-holding structures form the basis of land administration, they have a number of challenges:

i) Land Conflicts: Conflicts over land boundaries and ownership often occur owing to population pressure and the resulting lack of land, causing conflict among families and people.(0tu and Edett. 2023)

ii) External Pressure: The increasing influence of contemporary land legislation, such as the Land Use Act of 1978 tends to be contrary to customary practice and statutory law and therefore

makes land rights and transactions more complex.

i) Lack of Documentation: Oral consent is employed for the majority of the land right transfers and claims on land, leading to uncertainty and disputes when tangible proof of ownership is required (Kasim & Agbola. 2018).

iii) Youth Migration: With the younger generations moving to urban centres in search of improved opportunities, there will be lost experience and knowledge of traditional land tenure, which will hinder the capacity of the community to effectively manage their land resources.

The customary land holding regimes possess a strong relationship with the soil based on common identity and values. Yet such regimes are confronted by severe challenges that require the blend of traditional approaches and modern land government institutions. (Ukaeegbu, 2022)

2.5 THE LAND USE ACT OF 1978: OVERVIEW

The 1978 Land Use Act is a landmark legislation that regulates the ownership and administration of land in Nigeria. Passed to put land control under the State, the Act was designed to unify land administration and solve problems of access to land and fairness in distribution. The Act is a major departure from customary land tenure systems that traditionally ran under customary laws to a more institutionalized system that is administered by state agencies (Ogunleye, 2015).

2.5.1 Major Provisions of the Land Use Act

i) Government Ownership of Land: The Land Use Act puts all land in all the states in the custody of the Governor, who holds it in trust for the people. This central ownership implies that any sale of land without the Governor's approval will be void. Also, land utilized for federal purposes belongs to the Federal Government. Local Governments are authorized to manage rural lands not entrusted by the state government (Ezeokoli & Ahmed, 2023).

ii) Land Tenure System: Land ownership, as provided by the Act, is not absolute; people and institutions purchase land only on leasehold, usually for 99 years. The provision for allocation of land allows it to be used for purposes of residential, commercial, agricultural, or industrial use. Statutory rights are needed for customary landowners to register their ownership formally (Adebayo & Ojo 2022).

i) Certificate of Occupancy (C of O): Certificate of Occupancy is the state document that verifies land ownership. It specifies the terms, conditions, and purposes allowed for the land occupation.

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C of O .is required to gain formal rights over land (Ibidapo-obe, 2019).

ii) Governor's Endorsement for Land Transactions: All land transactions, including sale, transfer, mortgage, or lease of land, are to be endorsed by the Governor. In the absence of such an endorsement, the transactions are declared null and void, which makes land dealing more bureaucratic in Nigeria (Okonkwo, 2024).

iii) Revocation and Compensation: The state also continues to have the right to revoke land rights for the public interest of building roads, hospitals, or schools and compensating only for land development and not land itself (Ezeokoli et al, 2023).

iv) Customary and Rural Land Use: While the Act permits rural communities to stay on land under customary tenure systems, they are required to have their ownership legalized by the certification of the government. This intervention aims to harmonize customary land rights into formal land administration (Eze, 2020).

The 1978 Land Use Act is a watershed in the Nigerian landscape of land ownership and control. With centralized power and imposition of imposed laws, the Act attempts to address such problems of access to land, land control, and equitable distribution of land despite also causing complications that test the existing traditional system of tenure**.**

2.6 DIVERGENCE BETWEEN TRADITIONAL SYSTEMS AND THE LAND USE ACT OF 1978

Nigerian landholding systems, especially those in the Southeastern states, are a blend of customary practice and legislative provisions under the Land Use Act of 1978. It is necessary to distinguish between traditional landholding systems and those contained in the Land Use Act in order to understand issues of land ownership, access, and rights.

i) Ownership and Control

Traditional Land Holding System: In traditional land holding systems, land is viewed as a common resource where the ownership is in clans, families, or communities. Customary law typically controls the title to land with an emphasis on collective ownership, inheritance systems, and community consensus (Olayiwola & Adeleye, 2020). Land is typically inherited generation after generation based on family relations and traditional systems of authority.

Land Use Act: On the other hand, the Land Use Act of 1978 puts control of land in the hands of the government, and vests all the land in a particular state in the Governor, who holds it in trust

for the people (Federal Government of Nigeria, 1978). Hence, land ownership by an individual under the statutory system is not absolute but leasehold tenure, usually for 99 years. The Act places a greater focus on the government's regulatory role rather than land distribution and administration.

ii) Land Transfer and Transactions

Traditional Land Holding System: In traditional societies, land transfer is done informally through oral messages, family gatherings, or customary rituals. Land transfer can involve endorsement by family members or community leaders but not necessarily bureaucratic procedures (Omole & Adebayo, 2020).

Land Use Act: All transfers of title to land such as sale, lease, or mortgage must have the consent of the Governor by the Land Use Act (Section 22, Land Use Act 1978). This is a regulatory framework that legalizes the process so much that dealing in the title to land will have to satisfy legal processes if it is to be legally recognized.

iii) Documentation and Proof of Tenure

Traditional Land Holding System: Proof of tenure of land in traditional societies is typically non-written. They are usually based on tradition and historical occupation of the land by the community or family. Lack of documentation of land rights can result in conflict and doubt regarding the right over land (Adewumi, 2020).

Land Use Act: The Land Use Act codifies in law the concept of a Certificate of Occupancy (C of O), a written evidence of land ownership and provides for conditions and allowable use of land (Section 9 of the Land Use Act, 1978). The written requirement is designed to safeguard land rights and comes under the general objective of the legalization of land transactions

iv) Compensation for Revocation of Land

Traditional Land Holding System: In traditional land systems, there can be less transparency of compensation if the land is being acquired for public purposes since ownership and rights might not be statutorily recognized by statutory authorities. (Aluko, 2021)

Land Use Act: The Act gives power to the government to acquire land for public purposes, i.e., for purposes of infrastructure development, subject to the condition that compensation must be given, but only for improvement on land (Section 28, Land Use Act, 1978). This is an official procedure that will settle possible conflict on compensation but may still lead to disgruntlement on the part of local landowners.

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v) Regulation of Customary Practices

Traditional Land Holding System: Land use in traditional systems is governed by traditional customary practices without interference from statutory law. Although respected and followed, the practices tend to lead to conflicts, particularly where modern legal systems place restrictions that are against local customs.

Land Use Act: The Land Use Act recognizes customary land rights but demands that they be legalized by statutory approval. This has a tendency to complicate the traditional land management systems since local communities are compelled to undergo bureaucratic procedures in order to maintain their land rights (Obioha, 2009).

The distinctions between pre-existing land holding systems and the Land Use Act of 1978 are brought to reality in dimensions of ownership, control, transfer procedures, documentation, compensation, and regulation of traditional customs. Given the fact that Nigeria still struggles to manage land, recognizing these differences can be utilized to support better policies that strike a balance between traditional practice and statutory control.

2.7 THEORETICAL FRAMEWORK

In considering the Uga, Anambra State, traditional landholding system and Land Use Act of 1978, reference is made to relevant theoretical frameworks that explain the complex relationship between land tenure systems, power structures, and socio-economic growth. Two relevant theories in this respect are the Land Tenure Theory and Social Conflict Theory.

i) Land Tenure Theory

Land Tenure Theory offers the general explanation of how landholding and land use are organized and regulated in various socio-cultural settings. It argues that rights of ownership are not simply legal constructs, but also social norms, practice, and history (Bruce, 1993). In the case of Uga, the traditional system of landholding is on the principle of communal ownership and collective decision-making, which is central to Igbo cultural identity. The conception of land as a shared good is founded upon social relations and reciprocity rather than economic factors.

Land is a state property under the Land Use Act, and the state exercises rights over land distribution and utilization (Okoko, 1987). This shift from traditional to statutory ownership supports the conflict between state law and native mores. Kohler (2014) argues that the law must

consider local land tenure regimes in a bid to offer solutions to security, sustainability, and equitable access problems. From this, it can be understood how the consequences of this divergence can guide future legislative or policy reforms that honour customary rights but recognize statutory requisites.

ii) Social Conflict Theory

Social Conflict Theory, as conceptualized by theorists such as Marx (1976), describes society as being marked by conflicting interests among different social classes and segments. The theory can be used to examine the conflicts arising from deviation between customary practices and the Land Use Act. In the case of Uga, the use of the Land Use Act can be interpreted as a state power that challenges local agencies and customary approaches, creating tension around power between government agencies and local people.

Land use and ownership disputes can be exacerbated by socio-economic inequality, with minority groups struggling even more to clarify their rights in the Land Use Act (Walker, 2002). Social tension, displacement, and conflict can ensue from communal and individual tension between land rights, particularly where customary custodians of land have their rights threatened by statutory policy for state control of local culture (Duncan, 2010).

Other than this, the theory also focuses on discovering other conflict resolution avenues alongside conventional and statutory means that will promote cooperation and mutual understanding among actors (Adekoya, 2015). It is with an appreciation of the worth of local perceptions in land management that the platform is created for policies that will propel social justice and equitable distribution of resources.

Using the Land Tenure Theory and Social Conflict Theory offers a broad, analytical approach to the study of the gap between customary landholding systems and the Land Use Act of 1978. Studying both the rights in customary land systems and the conflict generated through legal systems, stakeholders, policymakers, and researchers can shed light on debate over land management in Nigeria and, in turn, build towards sustainable development that honours local traditions as well as deals with issues of today

3.0 METHODOLOGY

The empirical review approach is utilized in this research to examine the conflict between Uga's customary landholding system in Anambra State and the 1978 Land Use Act. Qualitative and

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quantitative approaches are integrated to achieve a comprehensive analysis of the matters at issue. The study employs a descriptive-exploratory research strategy that allows for an analysis of the intricacy of land tenure systems by capturing the perceptions, history, and prevailing land use systems of local stakeholders. The approach is appropriate in analyzing the intricacies of customary traditions vis-à-vis statutory provisions. The primary documents, including the Land Use Act of 1978, local government publications on land administration, and peer-reviewed articles that address the subject, were utilized to present a theoretical and legal background for the study. This will be used to explain the reasons the Act was passed and how it affects the regional setting. Structured questionnaires were administered to 200 respondents consisting of local landowners, farmers, community leaders, and Uga which residents who cross-cut adjourning communities: Umueze, Oka, Umuoru and Awarasi. The questionnaire addressed some aspects of land tenure including experience with land acquisition, inheritance systems, and opinions regarding the impact of the Land Use Act. In-depth semi-structured interviews were held with the informants such as traditional rulers, lawyers, and officials of the Ministry of Land. The interviews broached the underlying issues of the Land Use Act on customary landholding and the challenges confronting the local communities. Descriptive and inferential statistics were utilized to analyze data.

Results

Table 1: Study Population

Respondents	**Sample Size**	**Percentage**
Landowners	78	39
Farmers	59	29.5
Community Leaders	10	5.0
Residents	53	26.5
Total	**200**	**100**

Source: Authors Field Survey, 2025.

Table 2: Questionnaire Administration

Respondents		**Sample Size**		**Percentage off retrieved questionnaire**
Landowners	Umueze	29	78	39
	Oka	22		
	Umuoru	15		

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	Awarasi	12		
Farmers	Umueze	19	59	29.5
	Oka	17		
	Umuoru	13		
	Awarasi	10		
Community Leaders	Umueze	4	10	5.0
	Oka	3		
	Umuoru	2		
	Awarasi	1		
Residents	Umueze	17	53	26.5
	Oka	15		
	Umuoru	12		
	Awarasi	9		
Total			**200**	**100**

Source: Authors Field Survey, 2025.

Divergence between the Traditional Land Holding System in Uga, Anambra State and the Land Use Act of 1978

Table 3: Analysis of Major Factors that Determine Land Tenure in Uga, Anambra State Umueze, Oka, Umuoru and Awarasi

Communities	**Total No of Respondents collected**	**Analysis of major factors that determine the land tenure systems in traditional Uga, Anambra State**				
		Historical Antecedents	**Birth Right**	**Religious/ Spiritual obligation/vocation**	**Overriding public interest/ Political decision**	**Citizenship and Naturalization**
Umueze	69	27	14	5	18	5
Oka	57	13	11	6	17	10
Umuoru	42	16	13	4	7	2
Awarasi	32	10	11	2	7	2
Total	**200**					

Source: Author's Fieldwork. 2025.

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Hypothetical Table: Divergence between Traditional Land Holding and Land Use Act

Aspect	Traditional Land Holding System	Land Use Act of 1978	Divergence
Ownership	Community-based, lineage, or extended family	State ownership through the Governor	Traditional systems prioritize family and community ties, while the Act centralizes ownership to the state
Land Transfer	Informal, often involves customary practices	Formal registration and documentation	Traditional processes emphasize oral agreements, while the Act requires documented procedures, potentially marginalizing local customs
Tenure Security	Secure within the community but can be contested	Security provided through official records	Traditional systems may have informal yet stable tenure that can be undermined by formal state processes
Land Use Practices	Subsistence agriculture, communal land management	Promotes efficient land use and commercialization	Divergence lies in values; traditional systems focus on sustainability, while the Act incentivizes commercial land use
Dispute Resolution	Community-based mechanisms, often informal | Legal system through courts and adjudication	Legal system through courts and adjudication	Traditional dispute resolution is quicker but may lack formal recognition as compared to the judicial processes outlined in the Act

Source: Authors Conceptualization, 2025.

Ownership and Control: The traditional occupation of land in as in most other regions of Nigeria, is communally owned where land is held in trust for the advantage of the community or family (Okoli& Nwosu, 2019). The Land Use Act, however, provides that the state owns all land and could therefore be a source of profound conflict between the government and traditional landowners (Ademola, 2020

Land Transfer Mechanisms: The initial causal mechanisms of transferring land in traditional societies based on consensus within a family and communal rituals are inconsistent with the Land Use Act imposed formalized mechanism with paperwork and governmental approval (Afolabi & Akinyemi, 2018). The difference could trigger conflict with regard to property in land whereby governmental interests do not harmonize with community customs.

Tenure Security: It has been confirmed that tenure security in customary systems can to a great extent be founded on socio-cultural relations and offer a sense of security (Ibeawuchi & Okereke, 2021). By comparison, the priority of the Land Use Act on formal title systems is likely to

engender insecurity for those who have been occupying and using land in anticipation of customary rights (Nwogugu, 2019).

Land Use Practices: The customary land use practices tend to be focused on the upkeep of communities and environmental equilibrium, promoting agriculture activities that are based on sustainability (Obi, 2020). The Land Use Act favours commercialization and large-scale agricultural schemes, which may not be compatible with Indigenous agriculture practices (Eze, 2022).

Dispute Resolution: The social-based systems that are usually employed for the settlement of disputes, as argued by Okafor (2021), have a tendency of working well within social networks. Such are typically informal and non-institutionalized under formal law, hence the lacuna when the disputes are aired in government courts as prescribed by the Land Use Act.

Inconsistencies depicted in the table reflect conflicts between land use in terms of the conservation of cultural heritage and compliance with dominant legal schemes underpinned by commercialization and conventional possession. The ramifications of the variable and further policy implications driven by knowledge that would settle customary customs against legislation codes (Idigo & Aniah, 2019).

4. DISCUSSION

This section summarizes the outcome of the research into the divergence between the land- holding system that has existed traditionally in Uga, Anambra State, and the 1978 Land Use Act, drawing upon past research in placing the results within context. Tables 1, 2, and 3 contain data detailing some respondents' views about the land tenure system and reasons that influence the system in the area.

Table 1 shows the demographics of the population under study. The 200 respondents are stratified into four categories: landowners, farmers, community leaders, and residents. Landowners constitute the highest proportion (39%), as they play a core role in the structure of land tenure, followed by farmers (29.5%), residents (26.5%), and community leaders (5%).

This result is consistent with earlier research highlighting the pivotal position of landowners in Agri-based societies (Okoli & Nwosu, 2019). The greater proportion of landowners indicates a

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culture-based society that is agricultural, where numbers matter in local government and in the allocation of resources.

Table 2 provides a more detailed understanding of the geographical placement of the respondents among the different communities (Umueze, Oka, Umuoru, and Awarasi). The information highlights that Umueze generated the largest number of respondents across all groups (landowners, farmers, community leaders, and residence), an indication of its status as the central one in the traditional land holding arrangement.

The implications of these geographical findings are similar to those of earlier case studies that indicated how community demographics determine land tenure systems (Ademola, 2020). The clustering of land ownership in specific communities may worsen inequality and at the same time preserve cultural traditions controlling land use.

In Table 3, a clear examination of determinants of land tenure systems in the typical Uga context is exemplified. The major determinants include historical antecedents, birthrights, religious/spiritual duties, overriding public interest/political choice, and citizenship/naturalization.

Historical Antecedents: Here, the focus is on history and its application in deciding land ownership regimes, as evidenced by the research of Ibeawuchi & Okereke (2021), which cited that land use practices are influenced significantly by traditions and history.

Birthright: The definition of the most prevalent power of descent-based land claims is given, in keeping with general trends in the wider Nigerian context (Nwogugu, 2019).

Religious/Spiritual Obligations: The percentage figures show that the overwhelming majority of respondents identify religious obligations to the land, as indicated by findings of Obi (2020) highlighting interdependence of land and cultural identity.

Political and Public Interest: The low rate in these categories demonstrates the significance between the traditional practices and policies of the government, which suggests that although traditional systems are deep-rooted, they are coming under increasing pressures from outside.

5.1 Implications

The divergences that are presented in the findings are extremely important to understand the land management and land tenure socio-economic dynamics of Uga. The conflict between statutory regime and customary practice raises a need for policy reform that incorporates the local practices and traditions in bringing modern legal systems (Idigo & Aniah, 2019).

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The evidence points towards potential avenues for reconciliation where legislative frameworks could develop to leave space for inputs from traditional practice, hence towards a harmonious land tenure system that protects cultural heritage without inhibiting modernization. There is also a requirement for ongoing dialogue between and among stakeholders such as government departments, local government, and the broader community in an attempt to grapple with the subtleties involved in managing land use.

Utilizing detailed analysis of such differences, this research adds to the expanding knowledge base formulating the complex concordance of tradition and modernity in land tenure systems within.

CONCLUSION

The analysis of the divergence between the earlier landholding system in Uga, Anambra State, and the 1978 Land Use Act reflects very important tensions which affect land ownership, tenure, and agriculture. The research shows how customary land use systems assign value to kinship and communal ties, informal land transfer systems, secure tenure through social-cultural ties, and ecologically based land use practices that reflect the ecological balance of the society. This contrasts with the Land Use Act which emphasizes state control of land, legalizes land transactions, and encourages commercialization, and in the process tends to forsake local traditions and cause probable conflicts.

Based on the study, the difference between these two systems has critical connotations for socio- economic processes as well as for legal systems used in land administration. The struggle of the Uga people highlights broader national concerns, where systems of customary rule conflict with institutionalized legal systems. It is therefore necessary to deal with the differences to be able to realize a more expansive and equitable framework of land tenancy and land management.

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6.1 RECOMMENDATIONS

1. Legal Reforms and Integration of Traditional Practices: The policymakers ought to look into the integration of traditional land tenure practices as well as the Land Use Act. This can be done by formally giving recognition to customary land rights and giving local communities a say in land governance so that there is a balance between formal and informal systems.

2. Training Communities on Legal Frameworks: There is the need for awareness programs to be put in place to educate members of the public regarding their rights under the Land Use Act especially in the areas of l land ownership and transfer procedures. The training will help in minimizing disputes as well as encourage collaboration between the government authorities and the traditional land owners.

3. Conflict Resolution Frameworks: Designing a hybrid conflict resolution system that combines informal community-based frameworks with formal adjudication is necessary as it will give room for amicable land conflicts resolutions. This can be done by setting up community mediation committees made up of leaders of the communities and representatives of the law.

4. Sustainable Development Practices: The Government should promote sustainable agriculture practices in harmony with modern techniques and traditional knowledge. Government assistance to ecologically supportive ventures on village lands can make the community more food secure within the local tradition.

5. Pilot Projects for Integration: Development of pilot projects that pilot the integration of customary land tenure systems and statutory systems is paramount. Pilot projects can give valuable lessons about how such systems can coexist and instruct future policy-making.

6. Research and Ongoing Monitoring: Ongoing research into land tenure regimes and their social, economic, and environmental effects is essential. Put in place a monitoring framework to continually review the effectiveness of reforms and

their effects on local people.

7. Encouraging Stakeholder Dialogue: There is the need for setting up of platforms in order to pave ways for dialogue among government officials, community leaders, landowners, and citizens. This interaction can enhance understanding and cooperation in land administration and allow for settlement of disputes.

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