

Gender Land Right Issues under the Customary System of Ile-Ife, Nigeria

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Purpose: This study examines women's land rights under the customary system of Ile-Ife, Nigeria, intending to provide information that could inspire efforts to change women's lives and inform land policy.

Design/methodology/approach: A qualitative research approach was used in this study. Four key informant interviews and 13 structured interviews with rural women farmers were conducted during fieldwork in Ajebandele village, Ile-Ife, Nigeria. Purposive and stratified sampling were used, respectively. In both cases, the interviews were conducted in the local language (Yoruba). The respondents' opinions were recorded using an audio recorder, interpreted, transcribed, and analysed through content analysis.

Findings: The study discovered, among other things, that the customary land tenure system in Ajebandele village, Ile-Ife, Nigeria, has been refined over the last four decades to benefit women. Men and women have equal access to land rights in terms of land availability and affordability. Despite the progress, the study concludes that gender equality has not been wholly realised because rural women farmers lack tenure security.

Practical implications: The findings confirm custom and tradition as a principal barrier to women's secure land rights. Governments and society can address women's insecure land rights through advocacy and awareness campaigns to revolutionise the community's mind-sets and practices.

Originality/Value: This study appears to be the first that examines women's customary land rights in Ile-Ife, Nigeria, thus contributing to the knowledge base on this topic.

Keywords: Access to and control over farmland, land administration, gender inequality, tenure security.

1. INTRODUCTION

Land rights issues have a long history and are rooted in patriarchal descent worldwide. Land and land-related matters have always been regarded as "an all-men's affair". This is the supposed perception of customary land ownership and management structures and has become the belief of many (Bonye & Kpieta 2012). The provisions for women's land rights are ambiguous, especially within the customary systems. Access to land rights is governed by socio-cultural norms, which have profound effects on gender relations. Women face

discrimination when it comes to exercising their land rights. (Njieassam, 2019). The historical usurpation of women's land rights has created marginalisation and frustrations among women. Women have no incentive for food production and investment in farmlands because of the strength of women's access to land rights (Schurmann et al., 2020). Studies have suggested that women should have direct and visible autonomy in obtaining access and control over resources and participation in economic and political decisions (Berhane & Miruts, 2015).

Countries all over the world have been making policies towards the provision of gender-equitable land reform. However, the implementation of these gender-based policy reforms has been challenging (ibid). In traditional African society, custom and tradition remain a significant impediment in effecting strategies that support gender-equitable access to land rights in rural communities (Njieassam, 2019; Massay, 2020). A study that examined the implementation of customary land policies in Amhara, Ethiopia, discovered that programmes supporting women's equal access to land rights did not result in the requisite community improvements (Askale, 2005). Similar studies conducted in Cameroon (Fon 2011; Njieassam, 2019), Ethiopia (Berhane & Miruts, 2015), Ghana (Dery, 2015), Zimbabwe (Thobejane & Murisa, 2015) and Tanzania (Moyo, 2017; Massay, 2020) established that rural women farmer lack sufficient access to land. These studies further suggested that women cannot farm cash crops and participate in other programmes that could improve their socio-economic status due to insufficient access. Dowuona-Hammond (2003) attributes women's insufficient access to land to higher poverty levels and other stresses.

Nigeria is among the agrarian nations of West Africa, where access to land is crucial as land is the primary source of rural livelihood. Over the years, the land tenure system in Nigeria has undergone several reforms. The Land Use Act (LUA) of 1978 currently regulates land rights throughout the country. Before 1978, Nigeria operated customary land tenure systems. These customary systems were administered under the customs of the indigenous communities and varied from one locality to another. One common feature across the customary systems before 1978 is that land was communally owned. Landholding right was vested in the village, community, family, or kinship. "Individual grantee is held to possess usufruct rights over land granted him" (Aluko & Amidu, 2006, p.3). In addition, the customary systems were characterised by discrimination against women in land matters. Women did not have equal land rights with men, thus subjugating women's socio-economic and political rights under the dominations of their male counterparts.

The Land Use Act (LUA) was passed on March 29, 1978, in response to the inherent gender imbalance in land access and other problems with the customary systems. The Act was enacted to integrate the country's land tenure systems, make land more accessible to all Nigerians (male and female) and promote equity and justice in land allocation and distribution. The LUA differentiates two types of landholding systems: statutory (at the state level) and customary (at the local government level). The state government will give a statutory right of occupancy in urban lands, while the local government will give a customary right of occupancy in rural lands. The Act also established Land Use and Allocation Committees (LUAC) at the state level and Land Allocation Advisory Committees (LAAC) at the local government level. These new agencies provide land-related advice to the state and local governments, respectively (Chapter L5 Laws of Federation of Nigeria, 2004).

In many rural communities, women face prejudice, stereotyping, or unfairness in accessing customary land rights. Women's claims to land are determined by the men, which is reinforced by "cultural norms, coupled with other forms of social capital – marriages, the patriarchal system of inheritance, the sexual division of labour, social class and decision making" (Dery, 2016, p.33). Women depended on their male relations for land rights, while men did not depend on their relationship with women for land rights (Aluko & Amidu, 2006). Women would face dispossession threats if marital conflicts led to divorce or separation and at the death of a husband. These unjust land access pattern "has led to feminisation of poverty and the disempowerment of women from society to national level" (Thobejane & Murisa, 2015, p.44). The customary system in Ile-Ife, southwest Nigeria grants equal land access to both men and women, and women are allowed to inherit land from their husbands (Ogbu & Iruobe, 2018). However, there is no evidence on the status of women's land rights in the study area's customary land allocation process. Therefore, it is unclear whether the LUA's requirement for equitable land allocation requires action.

This study is significant as land monetisation, and the global land rush erodes women's access to land and farm production. This is especially true in Ajebandele, where the majority of the farmers are women. Access to land is a composite term referring to the availability of land, affordability of land, ease of transactions and tenure security. Feminist economic theories have been developed and extended to explain gender stereotypes that seem skewed in favour of men. In their attempt to understand gender discrimination, feminists differ widely in their analyses of the origins of gender inequality and what situates gender injustice. This study employs Garry et al. 's (1996) liberal feminist theory to examine women's access to land rights in Ajebandele village, Ile-Ife, Nigeria, utilising all four components of access to land. This is to provide information that could inspire efforts to change women's lives and inform land policy and legislation. The overarching research questions addressed by this study include: How is customary land allocated in Ile-Ife? What is the status of women in access to land rights in the study? What factors limit women's access to land in the study? The second section below presents a summary of relevant literature, the third section details the methods used for the study, the fourth section discusses the findings and the fifth section contains the concluding remarks.

2. LITERATURE REVIEW

2.1 Gender and land rights

Gender is a sex-role identification that emphasises the differences between males and females. Gender is a vital theoretical instrument in the debate over women's rights and prerogatives to social and material capital (Almaz, 2007). In many facets of society, including households, social, economic, and political institutions, gender discrepancies occur. According to the United Nations, gender imbalance originating from women's lower social standing exists in all facets of the society (households, social, economic, and political institutions). However, the size of the difference varies between nations, cultures, and time. Many scholars have drawn attention to gender and inequalities in land tenure systems. Massay (2020) in a recent study affirmed that specific customary practices continue to deny women of their land rights and that these traditions should be addressed. However, a few studies in Ghana suggested otherwise. While Woodman (1985) insisted that there is no

problem of gender inequalities in land tenure, Bugri (2008), on the other hand, reported that women's access to land is improving as a result of migration, education and economic change in rural communities. It is also said that, even though males appear to predominate, there is no sex discrimination or restriction on access to land for any purpose, including farming or home construction (Bonye & Kpieta 2012). Findings from the above-mentioned studies cannot be generalized because of differences in geographical location, cultural norms of the study area and the methodologies adopted for the studies. Hence, this present study extends the frontier of knowledge in this subject by considering gender land right issues under the customary system in Ile-Ife, Nigeria.

The drive to address gender inequities had led to the creation of ideas by women economists to explain their oppression, and as a result, feminism as an ideology was established. The concerns of feminist economists came from the traditional economic theory's strong denial of gender marginalisation. Feminist economists asserted that traditional economic theories skew gender relations favouring men, depicting women as dependent on fathers, husbands, or male partners. Feminists argue that this ideology encourages women's reliance on men, their secondary place within the household and community and their isolation from decision-making. This study employs Garry et al.'s (1996) liberal feminist paradigm to examine discrimination against women's access to customary land rights. The Garry et al.'s model contends that women have been unfairly discriminated against because of their gender throughout history. The theory advocates for gender equality in societal systems by enacting legal and political systems to ensure that women are represented on an equal footing. In line with Thobejane & Murisa (2015), the rationale for using Garry et al.'s model as a theoretical framework for this study is the model's emphasis on reforms in the legal and political institutions to ensure that women are represented on an equal footing.

2.2 Women's land right in context

Land rights are seen as one of the most important and effective means of maintaining long-term human development (Dabara et al., 2019). Land rights include ownership, utility, access, control, transfer, exclude, inherit and other types of land-related resource decisions (Berhane & Miruts, 2015). Akuna (2004) asserted that women's land rights must be recognised in terms of "access and control" to guarantee rights' security. According to Duncan (2004), access to land is the right to enter upon and use land in which such rights are usufruct rights. On the other hand, control over land is based on ownership and use decisions; this establishes the command of that individual over the land and the benefits derived from the land (Lastarria-Cornhiel, 1997). Securing women's access and control over the land they depend on for food security, shelter, security and family wellbeing is critical to women's empowerment (World bank, 2020). Agarwal (1994) also explained that women whose land rights are secure could get better social facilities because they have the income. According to Berhane & Miruts (2015), secure land rights are long-term, enforceable, appropriately transferable, and legally and socially legitimate. Berhane & Miruts, however, observed that women of developing nations, especially of Sub-Saharan Africa, have been in a distinctive social dilemma. Women's right to land is contingent on 'the socially embedded nature of land', which is favourable to men (Dery, 2016). The social system enforces men domination, reinforcing and perpetuating the systemic oppression, exploitation, and subordination of the women category (Walby 1990). Although women have legitimate land rights, they are seldom recognised socially or effectively enforced (Almaz, 2007). Therefore, "women's land rights need a deep

understanding of the relationship between legal and social recognition as well as the relationship between legal provisions and enforcements" (Almaz, 2007, p.11).

Studies such as Knight (2010) and Massay (2020) pointed out that women in Tanzania have been unable to exercise their land rights in practice despite its inclusive land law. Rural women farmers in northwest Cameroon have access to farmlands through their families, but they do not control the land (Fon, 2011). Berhane & Miruts (2015) reported that rural women's equitable access to and control over land was not fully realised in Tigray, Ethiopia. Dery (2015) noted that women in the rural communities do not own or control land in Ghana's Upper West region. Women's rights of access to and control over land were argued to be a subject of negotiating or bargaining with men as landlords (ibid). Thobejane & Murisa (2015) documented that women's land ownership is still contentious in Norton, Zimbabwe. Indigenous women in Cameroon also lack control and ownership rights to land, according to Njieassam (2019).

Evidence from the above studies further suggested that rural women farmers lack tenure security. Tenure security is when a person or household are "protected from involuntary removal from their land or residence" (Durand-Lasserve & Payne, 2012, p.9). Bazoglu & UN-Habitat (2011, p.5) also perceived tenure security as "the degree of confidence that land users will not be arbitrarily deprived of the rights they enjoy over land and the economic benefits that flow from it". Ghebru & Lambrecht (2017) found that tenure security is strongly associated with gender in Ghana; male household heads' land was relatively more secure than female household heads. Evictions, displacements, and encroachments have compromised women's land rights (Haywood et al., 2008). Dery (2016) reported cases of women losing access to lands that they toiled to clear or invested in during previous years without prior formal notice. Odoemelam et al. (2014) earlier declared that approximately 13% of the women in their study were refused access to land following a long period of fallow. Women are also dispossessed of their land right whenever their social relationship with a male family member end; a woman in a broken, divorced, or widowed union often loses her right to land (Runger 2006). Tenure insecurity is observed as one of the significant factors contributing to stagnating economic development among women landholders (Dabara et al., 2017). Sadly, Nigeria is among the countries where tenure insecurity rates were higher for women than for men (see Prindex, 2019).

Women applying for access to land right may face some challenges. In most farming communities, women face attitudinal impediments such as believing that women lack basic farming knowledge and a lack of self-confidence in making individual farming decisions (Enete & Amusa, 2010). Women's land ownership is viewed with suspicion in society, there is a perception about property misuse by women, and women face harassment when engaged in land-related transactions (International Organization for Migration, (IOM), (2016). More so, women seeking access to land right face bureaucratic obstacles, gender disparities within procurement systems dominated by men, a lack of awareness about the procedure, and low mobilisation of women's advocacy organisations around land ownership applications (Moyo, 2007).

2.3 Factors limiting women's land right

Factors limiting women's access to land rights are categorised as custom, tradition and religion (Moyo, 2017; Chigbu et al., 2019); cultural or legal constraints (Berhane & Miruts, 2015; Thobejane & Murisa, 2015); inheritance and gift (McDonald, 2011; Dancer, 2015); intra-household practices (marriage/divorce, bride price/dowry and polygamy) (Chu, 2011); non-implementation of strategies and laws governing land rights (Almaz, 2007; Massay, 2020); lack of educational/awareness and enforcement (McDonald, 2011; Giovarelli, 2016); inability to participate in public life and decision-making processes (Dery, 2016; Njieassam, 2019); financial constraints and the high illiteracy rate among women (Agana, 2012) and women's health status and "actions or inactions" (Chigbu, 2019). Thobejane & Murisa (2015) reported that the cultural practice of patriarchy remains the significant oppressive and unjust social system that limits women's right to land. In addition, women do not have the available resources needed to meet land ownership requirements (ibid). Furthermore, inheritance practices entail the parents distributing their land among their male children. However, McDonald (2011) reported that the norm is changing in Kanungu, Uganda, and parents are starting to include their daughters in the distribution process.

According to existing research, women in Africa have historically had difficulty gaining access to secure land rights. Women's access to land right under the customary systems is often nuanced by systemic and discriminatory practices reinforced by culture, patriarchal system of inheritance, custom and tradition. Africa has about fifty-four (54) countries with each country having different customs and traditions that regulate access to customary land rights. This study examines gender land right issues under the customary system of Ile-Ife, Nigeria, with a specific focus on whether the LUA, 1978 has affected women's land right in the study area. Therefore, this study intends to contribute to existing literature on gender and customary land right by developing and disseminating new knowledge that can educate policymakers and feminists on women's land rights issues.

3. METHODOLOGY

The research was conducted at Ajebandele village, a rural neighborhood in Ile-Ife, Osun State, Nigeria. The village is located in a tropical rain forest with an abundance of agricultural land; the soil texture ranges from medium to fine and usually is well-drained. The two seasons that characterize the climate are the wet season (April to October) and the dry season (November to March). Ajebandele is home to about 600 individuals from various ethnic groups, most of whom speak Yoruba (Deji & Solomon, 2020). The majority of the residents are subsistence farmers who grow cassava, yams, cocoa, and maize. Ajebandele is a typical agrarian settlement, with more women farmers than men, typically three women for every two men. According to Baale (the village's traditional head), Ajebandele is organised into six communities, each with an average of 60 women out of a total population of 600. Ajebandele, like other agrarian settlements in southwest Nigeria, has a customary land tenure system in which entities such as the community, clan, or family have the right to land ownership.

The study employed a qualitative analysis technique focused on feminist empirical methodology to address issues from a gender perspective. Data were collected using a key informant interview with community leaders and a structured interview with rural women farmers. While the key informants were purposively selected, women farmers were selected

using stratified sampling. First, the women were grouped into the six communities that made up the village. Next, women were randomly selected from each community. The sample's determination for this study followed the recommendations in Creswell & Poth (2018) that the required number of participants in qualitative studies depends on when a point of saturation is reached. Thus, both groups of respondents were continuously interviewed until a point of saturation was reached. In all, saturation was reached with four key informant interviews and 13 women farmers (two women from five communities and three women from one community). The 13th woman was required to achieve saturation. The key informants consisted of four of the six community heads in the village. They played a significant role in allocating customary land and provided detailed and reliable information on the subject matter. On the other hand, the women farmers were chosen because they would provide information on how they acquire land.

The research questions include: What is the customary way of allocating land in Ile-Ife in 2019 compared to the norm prior to 1978? What is the status of rural women in access to land rights in terms of land availability, affordability, tenancy security, and transaction ease? What are the factors limiting women's access to land right in the study area? All interviews were conducted between October and November 2019 using a structured interview guide in the local language (Yoruba). The research questions in the interview guide were the same for the two groups. An audio recorder was used to capture the respondents' answers to each of the study questions. The responses were gathered, translated, and transcribed into writing. After completing the transcription, the analysis was carried out using content analysis and narrations, which identified several themes.

4. DISCUSSION OF FINDINGS

This section discusses the findings on gender and access to land rights in Ajebandele village, Ile-Ife, Nigeria, in 2019. The themes that arose through content analysis are discussed and organised by the research questions. Some respondents' comments are incorporated in the text to help in discussing the study's findings.

4.1 Customary Way of Allocating Land

This subsection addresses the first research question (What is the customary way of allocating land in Ile-Ife in 2019 after the LUA?). Customary land is that which is owned by indigenous communities and administered following their customs. Key informants and women farmers explained the customary land allocation system in the study area. The responses received from the two groups of respondents are discussed below.

4.1.1 Key informant interviews

When asked about the customary way of allocating land, the key informants' responses revealed different classes of land and land allocation process as highlighted below:

Classes of land

Box 1

- There are three classifications of land in the study area; family land, community land and palace land.
- The classification is dependent on how the land is managed and controlled and how the incomes are distributed.
- The family members own and manage the family land; the village Baale and Chief Lukosi of Ile-Ife manage and administer the community land. The palace manages and governs the palace land.
- The income generated by the palace land is split into three parts: one for the labourer, one for the Lukosi compound, and one for the palace.

Source: Field Data, 2019

Land allocation

According to the key informants, the method of land allocation has changed since the LUA's passage. Prior to the LUA, land was acquired by first settlement. People were often given land without any documentation or payment, and these practices resulted in land disputes. The key informants highlighted the following changes in the land allocation process:

Box 2

- Land allocation in the village was entirely the responsibility of the community head.
- Currently, a committee oversees allocating land to everyone in the village interested in agricultural practices (regardless of gender).
- Individuals seeking land must provide a guarantor.
- Land allocated to individuals is documented.
- Land allocated is leased rather than sold.
- The allocatees bring wine to the elders for blessing and pay a tribute (a portion of the farmland's proceeds)
- The tribute is a form of a pledge given to the property owner for the leased land and is usually made once a year or as agreed upon by the parties.
- The tribute payable is dependent on the farm's proceeds and is renewable each year to account for fluctuations in the proceeds of the land.
- In some instances, cash payment is made before planting. Pay arrangements are based on mutual consent.
- Allottees in subsequent reallocations will be required to pay 3000 Nigerian Naira (7.9 USD) as an entry fee in addition to an agreed-upon tribute after each farming season.

Source: Field Data, 2019

In addition, the key informants noted that women's land access has improved. According to the reports, land rights are now available to both men and women. However, the key informants claimed that it is still difficult for women to inherit land owned by their husbands. In a key informant's words:

"Women were not entitled to inherit a property in the olden days. Women were denied the right to inheritance of their father's property in the olden days. Civilisation and several awareness programs have caused changes in access to land and women can claim their right to the deceased father's property just as the men but it is difficult to get land in one's husband house." (Community leader 1, 2019)

4.1.2 Interviews with Women farmers

When asked about how they acquired land in recent times compared to before the LUA, the responses indicated that women now acquire land through purchase, gifting and leasing. The women also stated that women now inherit land from their fathers, unlike in the past, when women were considered inheritable property.

“My husband was invited to this village by his friend who gave him farmland, which we are cultivating for both food and cash crops. We are not paying any tribute since the land was given freely. I also purchased a plot of land from an owner with agreement on the amount to pay.” (Women 2, 2019)

“I inherited it from my father. Women were restricted from inheritance in the olden days as they (women) formed part of the inheritable property.” (Woman 8, 2019)

The findings above suggest that the current land allocation system in Ajebandele improved compared to the practices before the LUA. The community devised a plan to facilitate land allocation by constituting a committee that oversees the process and reports to community leaders. An allottee of community land must be a farmer and provide a guaranty from a well-known community member. Previously, there was no record of land allocated. However, specifics of allocated land are now well documented, implying that land is receiving more attention, possibly because of increased recognition of its value. More so, there is no gender discrimination in land access; the previous restriction on women's access to land has been lifted, indicating that women's land access has improved, as mentioned in Bugri (2008).

4.2 Status of Women's Access to Land rights

This section explores the status of women's access to land rights in Ajebandele village. Access to land rights was assessed in terms of land availability, affordability, tenure security and transaction ease. The findings are discussed under each context's subsection.

4.2.1 Land availability

According to both groups of respondents, land is rightfully available to women in many ways. The six themes on how land is made available to women include land clearance, inheritance, purchase, lease, cultivation grant and a gift from friends. This finding is in line with Aluko & Amidu's (2006), both women and men farmers have access to available farmland within the village or family holdings. Thus, women's access to land has improved in terms of land availability. Table 1 shows the various theme on how land is made available to women and the number of women that obtained access to land through each theme.

In this study, six of the 13 women farmers interviewed acquired land through inheritance. Although most women accessed land right through inheritance, some women were reported to have been denied land right by greedy siblings. A woman is also denied land right by members of her husband's family, especially a childless woman. The two groups of interviewees established that community land was not inheritable; instead, the land is reallocated to community members. On the other hand, family land is inherited and sold subject to the family members' consent as represented by the head of the family.

The other ways of obtaining land rights were less popular among the women farmers. According to the key informants and women farmers, land clearance has ceased to be a way of gaining access to land right in the study area. This could be attributed to the monetisation and changing land values in most peri-urban and rural communities. Thus, land clearing is considered inadequate to be exchanged for land right.

Table 1. Ways land right is made available to women in Ile-Ife, Nigeria

| Themes | Definition | Number of women that accessed land |
|-------------------|--|---|
| Land clearance | Acquiring land right in exchange for clearing the landowner's land. | None of the 13 women farmers interviewed accessed land right through land clearance |
| Inheritance | Transmitting family land to the deceased's family lineage or heirs. | Six women acquired access to land right through inheritance |
| Purchase | An outright transfer of land right for cash payment. | Two women acquired land right through purchase, |
| Lease | Transferring leasehold interest in land to another person in return for money or farm produce. | Three women acquired access to land through a lease |
| Cultivation grant | Giving a person the right to cultivate the land without payment. | One woman accessed land right through a cultivation grant. |
| Gift | Conveying land right to a person without monetary or in-kind payment. | One woman obtained access to land through a gift by a friend. |

Source: Field Data, 2019

4.2.2 Land affordability

This section discusses the cost of land acquisition and compares a woman's ability to obtain land through purchase, lease, or gift to that of a man. Four themes emerged from the responses: affordability of purchased land, affordability of tribute on leased land, affordability of wine as consideration for land allocation and affordability of land acquired through gift and cultivation grant. Responses from the interviewees revealed the followings:

Box 3

- Land acquired through purchase was high-priced for women and men in Ajebandele village.
- The purchase price is the same for both female and male farmers, but because women do not have the same purchasing power as men, the price could be more unaffordable for women.
- Acquiring land through a lease could be expensive for women farmers due to an unreasonable tribute.
- Tribute was deemed inexpensive when it is based on the farm proceeds, and the lessee farmer was required to pay after the harvesting of farm produce.
- Land allocation by the community was cheap to women because the necessity (wine) was inexpensive to both women and men.
- Both men and women farmers could afford to acquire through gift and cultivation grants because such land is given out freely.

Source: Field Data, 2019

4.2.3 Land tenure security

This section discusses the extent to which women's land right is safeguarded. It investigates the grounds for revoking women's land rights in comparison to men. Four themes that emerged from the responses are: revocation for public use, revocation for socio-cultural and family issues (such as divorce, misconduct, family crisis, death or land dispute), revocation for legal issues (violation of agreement, termination of a lease and unlawful sales), and revocation for economic issues (such as improper management and withdrawal for personal use). The responses to the question of how women's land rights might be revoked leads to the following conclusions:

Box 4

- Both men's and women's rights to farmland could be revoked without any form of discrimination for public use, legal and economic issues.
- Only women's land rights can be revoked in the event of divorce, separation and death of the spouse.
- Some women were displaced from their father's property by their siblings.
- Women mainly access land through cultivation grant from family and friends and the owner is free to withdraw it at any time.
- Most women farmers use the land under controlled conditions and constant interference.

Source: Field Data, 2019

It is essential to state that the view that only women's land rights were being revoked at divorce, separation and death of the spouse as reported in this study agrees with the position in Aluko & Amidu (2006) and further supports the argument in this paper regarding the disparity in land rights across gender. When a husband dies, the family members often evicted the wife (especially the childless ones) from her deceased husband's land. This resulted in the affected women losing rights to farmland, thus, rendering such women economically unproductive.

Furthermore, women mainly obtain use right to land through cultivation grant. This mode of land acquisition implies that the landowner retained the ownership right and can withdraw the use right at any time. Also, women farmers are unable to use the land without continual meddling. These factors undermine women's security of tenure. Thus, it is possible to conclude that women farmers in Ajebandele lack adequate security of tenure. This finding is consistent with the findings of Ghebru & Lambrecht (2017) in Ghana.

4.2.4 Ease of transaction

This section addresses the challenges women face before acquiring customary land in Ajebandele. Five themes that emerged from the responses included sexual harassment, doubt of women's competence, the requirement for a guarantor, lack of investment information and delays due to conditionality. The initial responses by both groups of respondents revealed that:

Box 5

- Some women were harassed by the community leaders while attempting to acquire farmland
- Women's access to land has been hampered by a lack of faith in women's ability to farm.
- A woman requesting land for farming was required to provide a guarantor before land can be allocated.
- Women are less knowledgeable about land-related matters because they are confined to the home. A lack of information severely limits women's access to land.
- Some women obtain land right on the condition that the recipients' daughter marries the landlord or the landlord's son. The acquisition may be delayed if the criterion is not met. This challenge was reported to affect both men and women that acquire land in such a manner.

Source: Field Data, 2019

Both groups of respondents acknowledged that the women's harassment by the community leaders had been overcome with the institution of the local committee that facilitates land allocation in the village. Also, the local committee ensures that the process of accessing land is not burdensome. However, individual landowners and community leaders are often sceptical of women's farming ability. Some women's land request was rejected or delayed land because of these reservations. This finding agrees with Enete & Amusa (2010) assertions that women face attitudinal barriers in most farming societies, which could be attributed to societal misconceptions about women farmers.

Furthermore, the requirement for a guarantor hampered women's access to land rights. There were cases where some husbands object to their wives having private farmland, and they often prevent other males from acting as guarantors for such spouses, thereby delaying or obstructing their access to land.

4.3 Factors Limiting Women's Land Right

This section discusses the factors limiting women's land rights in the study area. Six themes that emerged from the key informants and women farmers' responses are custom and tradition, religion, educational status and awareness, unavailability of finance, personal factors and socio-economic factors. When asked what factors limit women's land right. The women's initial responses include the following:

Box 6

- In the Idoma and Igala tribes, women are not permitted to participate in farming activities, so their access to farmland is limited.
- On religious grounds, the village's Niqobait (veiled Alhaja) were barred from farming and had no access to land.
- Women lack knowledge on their right to land, as stated in section 42 of the Nigerian constitution, and as a result, they were unable to exercise their rights.
- Land grabbers defrauded some women through fraudulent sales due to a lack of firsthand knowledge.
- Women's lower pay, coupled with homemaking responsibilities, negatively impact their income flow and ability to obtain adequate financing.
- Women's lack of land access was exacerbated by their health status, actions and inactions", incompetence, and desire for skill acquisition, trade or paid job.
- Greedy brothers also oppose women's access to land, claiming that "she will be getting married to a man, from whom she will get land".

- A polygamous family system, which required wives to work on their husbands' farmland, limited women's access to land right.
- Some husbands suppress their wives desire for land, whether through allocation or gift. This ensures that the wives will continue to work on the husband's farmland despite the unequal distribution of farmlands among wives in a polygamous family.

Source: Field Data, 2019

The interviewees explained that custom, tradition and religion significantly limit women's access to land rights. This finding is consistent with the outcomes in Moyo's (2017) and Chigbu et al.'s (2019). Women's educational status/awareness also limit their lack of access to land rights. Knowledge about land rights remains critical in breaking custom and traditional impediments to women's access to land rights. Almaz (2007) reported that women who knew their land rights have begun to challenge community traditions on land acquisition.

One limiting factor to purchasing land is the lack of access to financing, especially for women. Women were thought to work at a lower level and earn less money than men. This has a negative impact on their earnings and their ability to secure adequate funding to purchase land. This result supports Dowuona-(2003) Hammond's assertion that higher poverty levels among rural women are because of insufficient access to land. All the respondents also identified women's health status, "actions and inactions" as limiting women's access to land in line with Chigbu's (2019) submission.

5. CONCLUSION

This study examined gender land right under the customary system of Ile-Ife, Nigeria, with the intent of establishing the extent to which provisions of the Nigerian LUA advanced women's equal access to land right in the study area. Specifically, the study explored the customary way of allocating land in Ile-Ife in 2019 compared to the norm prior to 1978; the status of rural women's access to land rights in terms of land availability, affordability, tenancy security, and transaction ease; and the factors limiting women's access to land right in the study area. According to the study's results, farmland within a community or family is legitimately available to men and women. However, because of the high cost of land or overwhelming tribute, female farmers may be unable to purchase or lease land. In general, there was a noticeable change in the current land allocation system relative to procedures prior to the LUA. The customary land allocation process in Ile-Ife, Nigeria, has been refined over the past four decades to support women and, in theory, provides inclusive access to land in terms of land availability, affordability and ease of transaction. Though good progress has been recorded in the current land administration system of women's land rights, women were not fully beneficiary of their constitutional land right Ile-Ife, Nigeria. Women farmers lack access to land in terms of tenure security: women do not have control over land, when a woman's husband divorces, split from her, or dies, she loses her claim to the land. Thus, gender inequalities in land tenure security continue to exist in the study area because of cultural norms and traditional practices.

Lack of secure land right is a critical factor driving the creation and sustenance of poverty among women in rural communities of Sub-Saharan Africa. Therefore, there is a need for policymakers to restructure the customary land tenure system in a gender-sensitive way to strengthen women's secure land rights and ensure women enjoy equal benefits from policy results. Changes in the traditional practices that introduce women's tenure insecurity should

bring about greater gender justice in women's land rights. Governments and society could address women's insecure land rights through advocacy and awareness campaigns to revolutionise the community's mind-sets and traditional practices from this study's results and recommendations could be beneficial to other African countries having similar customs and traditions that impact women's secure land rights.

6. LIMITATION AND PATHWAY FOR FURTHER RESEARCH

Since this research was conducted in a village and during the rainy season, its applicability is limited; some places were inaccessible due to the village's poor road network. Although only a few farmers were interviewed, the researchers concluded that their responses were representative of the whole population. More research with more villages and respondents is advised to present comprehensive rural women's land rights issues for policy and adoption.

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