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FROM CUSTOMARY HOLDING TO COMMERCIALISATION: A HISTORICAL ANALYSIS OF LAND TENANCY IN ILORIN EMIRATE, CENTRAL NIGERIA, 1820-2020

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Abstract

Land is pivotal in the economic, social and political relations among men. Generally, precolonial Africa operated a traditional land tenure on the principle that lands were communal inheritance of all members of the society and held in trust by its leaders. This study explores the trends in land tenancy in Ilorin Emirate from 1900 to 2020. The study adopts a historical research methodology comprising primary and secondary sources. Ilorin, a city in the middle belt zone of present-day Nigeria, like most precolonial African societies, operated a traditional land tenure system until the British began to introduce land reforms in the early Twentieth Century due to colonial, administrative and economic exigencies. Indeed, colonialism altered the land tenancy in the Ilorin. Traditional fief holding, which was the nerve of Ilorin traditional political and economic structure, began to lose its strength due to the British continuous introduction of legal instruments to convert traditional lands to colonial possession. After independence, the Land Use Decree of 1978 opened the way for increasing government involvement in land acquisition and this resulted in continuous land commercialization. Land commercialization has had both positive and negative impact on the Ilorin metropolis including urbanisation, socialisation, modernisation, infrastructure, and of course, land grabbing and disputes.

Keywords: customary holding, commercialisation, historical analysis, land tenancy, Ilorin emirate.

Introduction

Land was an important resource in pre-colonial Ilorin considering its cardinal position in the economy, traditional fief holding as well as its role in the political ranking of members of the society. The economic importance of land in the agricultural and non-agricultural activities made it a central element among Ilorin people in the pre-colonial period. The growth of Ilorin in the course of the nineteenth century was partly due to its central location in the middle belt zone, attracting different groups, for different activities including farming, hunting, animal herding, trade and Islamic evangelism. As Ilorin developed in the course of the nineteenth century, the demand for lands to satisfy economic, social and political needs grew among its inhabitants, particularly, the political class.

Meanwhile, the military played a prominent role in the acquisition of lands by Ilorin authorities in the nineteenth century. According to Mabogunje (1962), by the middle of the nineteenth century, Ilorin, had become one of the new centres of military power with a comparatively large population in Yorubaland. As early as the 1850s for instance, Bowen's estimated population for Abeokuta, Ibadan and Ilorin were 60,000, 70,000 and 70,000

respectively (p.1). For the record, diverse groups from different places settled Ilorin. These included the Yoruba from Oyo via Ile-Ife, Hausa from the old seven Hausa states, Fulani from Sokoto via Futa Toro and other Fulani settlements, Kanuri from the old Borno Empire. Others were Nupe from the old Nupe Kingdom under Tsoede of Edigi, Niki (Baruba) from present day Republic of Benin, Kemberi from Kebbi, and Ibeto near Kontagora, and Mali or Malawi from Mali (Ibrahim, 2012). Indeed, economic consideration gradually became a major motivation for military campaigns by the Ilorin warriors and this promoted the expansion of the city to new areas with vast lands under its control.

Geographical and Historical Descriptions of Ilorin

Ilorin, the capital of Kwara State, is situated in the transitional zone between the forest of the South and the savannah to the North of Nigeria. Thus, the town is fondly referred to as the gateway between Northern and Southern Nigeria. The town lies on latitude 8.30^0 North and Longitude 40^0 38 East (Mustain, 1978, Danmole, 1980). Its middle belt position and relative ease of access are its definite assets. It is about 300 km from Lagos, Nigeria and the coastline, and only about 160km from Ibadan, Africa's largest city. Jimoh, (1997) submits that the Ilorin Emirate consists of a strip of territory situated on the right bank of River Niger from Jebba to a point opposite Idah comprising about 24,000 kilometres (p. 17). The highest hill in the town is Sobi hill, with a height of about 1,200 ft. (Jimoh, 1997). A number of rivers and streams run through the town such as Abata, Asa, Aluko and Amule. The largest river in the town is Asa, on which the Asa Dam is built (Jimoh, 1997).

Geologically, Precambrian Basement Complex rocks underlie Ilorin city. This type has undergone many processes of metamorphosis and magmatic intrusion. Generally, the geology of the town is dominated by sedimentary rocks, primary and secondary laterites and alluvial deposits. These types of deposits are weak and therefore, readily yield to agents of erosion. (Jimoh, 1997, p. 21). On the soil surface, the town is largely covered by ferruginous typical soil from crystalline acid rocks. This type of soil has a sandy surface above the clay deposits. It is characterised by low water holding capacity and light texture on the surface. This, therefore, predisposes the soil to both drought and erosion. On the other hand, the clay deposits beneath the surface soil result in soil water logging during the rainy season, thereby reducing the depth of the soil.

Historically, Ilorin is largely a Yoruba settlement. The earliest settlers of Ilorin were Yoruba from Old Oyo Kingdom, and this fact has been attested to by a number of authors including Johnson, (1911), Hermon-Hodge, (1921), Abu Ikokoro, (1912), and Danmole, (1980). Subsequently, Hausa, Fulani, Nupe, Kanuri, Bariba or Batonu (known as Baruba in Ilorin) and other Yoruba migrants were attracted to the area from around the Eighteenth Century. *Ojo Isekuse*, an itinerant hunter from *Gambe* near Oyo-Ile, was said to be the first Yoruba man to settle in Ilorin, (Jimba, 2009). Ilorin's description by some writers as a "cultural melting point" is largely connected with the migration and settlement of different groups with distinct cultural backgrounds in the town. (Jimoh, L.A.K, 1994, Onikoko, 1999, & Jimba, 2009).

Traditional Land Tenure System in Africa

The traditional land tenure emanated from communal living among African people. Under this system, the welfare and comfort of all members of the community determined the administration and control of lands. It is important to realize that no single system prevailed

at any time in the whole of Africa. Various communities adopted the system most suitable to them, depending on land population ratio and cultural attitudes. However, it would appear that the common pattern was the community ownership of land, rather than individual ownership.

Meanwhile, the land law was dynamic. In the late nineteenth century, there was introduction of cocoa and higher demand for "legitimate" crops in Europe and land laws were modified to meet such changes. The customary land holding in the nineteenth century Ilorin was based on a fief holding system through which lands were parceled under different hierarchy of the political class within the Ilorin emirate.

Land Acquisition in the Nineteenth century Ilorin Emirate

Ilorin's economic prosperity in the Nineteenth century partly had its roots in her expansionist mission through the acquisition of lands in and around her environs. The emirate's military strength from the beginning of that century stimulated this expansion. For instance, according to Ajayi & Smith, (1964) Garvin maintains that:

> The major original source of the pre-colonial wealth of the city of Ilorin, situated toward the eastern frontier, where the Old Oyo Empire marched with the Nupe State and a cluster of semi absorbed Igbomina city states and chiefdoms, was without doubt, the war and plunder, which between 1817 and 1840 turned Afonja's rebel camp on the river Asa into a great and bustling metropolis under the dynasty of Fulani Emir, who fought for and then displaced and killed its Yoruba founder (p. 3).

In another description, Mabogunje, (1968) referred to Ilorin as the first Nineteenth Century "super city" in Yorubaland to be followed by Ibadan, Ijaye, Ogbomoso and others, ensconced with their dependent hamlets and farming tentacles on extents of territory where scores of smaller walled cities with smaller compounds and households had previously flourished (p.3). Having cleared its vicinity, around 1840, Ilorin switched from absorption to subjugation and continued its campaign of conquest southward and eastward leaving their existing authorities intact but subject to the watchful eyes of resident *Ajẹlẹs.* Even though, military and commercial activities complemented one another in Nineteenth Century Ilorin society, access to land was central to the city's wealth accumulation.

Administration of Fiefs in Ilorin before Colonial Conquest

Fief holding was an important factor, which demonstrated the mutual relation between the *Balóguns* and the *Emir* in the Nineteenth Century Ilorin. Indeed, Ilorin was divided into five wards. The first was the Emir's but the others were placed under the four *Balóguns*, the main military leaders representing the major groups in the emirate. The two largest wards, headed by *Balóguns* Ajikobi and Alánàmú, were Yoruba populated. *Balógun* Fulani headed the third ward, which included many of the Fulani residents of the town, while *Balógun* Gambari controlled the fourth, largely Hausa and the centre of the northern trade (Omoiya, 2009). According to Durosimi Atiku, (2015), with the involvement of the Ilorin Emirate army in the Nineteenth Century warfare in Yorubaland, the *Balóguns* became the central figures in the affairs of the state, particularly in the conquered territories. The military commanders often

appointed residents to administer such conquered territories on their behalf. Among Hausa and Fulani *Balóguns*, Fief Heads were known as *Alangua* (owner of the area) while the Yoruba *Balóguns* called their appointed residents *Baale* (Head of the land). Because of the prevalence of war at the period, notable warriors, who distinguished themselves at battle front were appointed as *Alangua* or *Baale* of the conquered areas.

Indeed, as a demonstration of mutual respect and interest, some of the areas acquired by the respective war leaders were given as tributes to the *Emir*, who in turn appointed members of his family as *Daudu* for the areas. In some cases, persons or families that lost in the succession bid to the throne of the *Emir*, were compensated with appointment as *Daudu*. The major role of the *Alangua, Baale* or *Daudu*, as the case may be, in the conquered areas, was to represent the interest of his benefactor, who remained in the metropolis to receive periodic updates about the area. He collected royalties on behalf of his master and passed instructions from the lord in Ilorin to his subjects. All these privileges were direct consequence of the *Balógun*'s military enterprise during Ilorin's wars of expansion. Tables 1 and 2 below shows the political influence of Ilorin on areas outside the metropolis controlled by magaji and *Babakekere*.

Table 1: Land allocation in Ilorin Metropolitan Districts in the Nineteenth Century

Settlement	***Alangua* (Custodian)**
Onire	*Magaji* Ojuekun
Gamon	*Magaji Ààre*
Okutaila	*Magaji* Akiale
Zaki	*Alfa* Zaki
Oko-Erin	*Magaji* Erin
Alapa	Lawani Giwa
Lanwa	*Magaji* Adenlalu
Igborin	*Sarkin* Gambari Bako

Source: NAK ILOPROF Ilorin Emirate – Reorganisation of Districts 4/1 A. M 829/1911

Table 2: Land Allocation: Incorporated Settlements of Ilorin Emirate in the Nineteenth Century

Settlement	***Babakere* (Custodian)**
Otun	Jimba (Warrior and headslave of Emir Abdulsalam)
Ile	*Balógun* Afin
Osi	*Balógun* Gambari Ali
Afon	*Magajin* Gari

Isan	*Balógun* Fulani
Iye	*Balógun* Fulani
Obo	*Balógun* Fulani
Ikole	*Ajia* Gaju
Ojoku	Basambo (Lieutenant of one of the *Emirs*
Ilofa	*Ajia* Opele
Ekan	*Ajia* Opele
Eruku	*Balógun* Gambari
Shao	*Ajia Kekere* (slave of *Emir* Shitta)

Source: NAK ILOPROF Ilorin Emirate – Reorganisation of Districts 4/1 A. M 829/1911

By the arrangements above, the Ilorin Emirate had unbridled access to lands both in the metropolitan areas and in the incorporated areas. However, with each of the *Balóguns* exercising full authority over administrative responsibilities in his unit of control referred to as wards within metropolitan Ilorin, and controlling lands he conquered outside the city as his fief, the powers and influence became dominant in the general administration of the *Emirate* (Olumoh, 2015). In 1861 for instance, an American traveller, Robert Campbell, noticed in Ilorin, the increasing power and influence of the Balógun. He reported how one of the *Balógun* (Inakoju Ali Alanamu, then the leading figure in Ilorin) openly threatened to remove the Emir and his supporters from power. Indeed, this struggle between the two groups dominated Ilorin's political economy as from 1870 as contained in the accounts recorded by a number of authors on Ilorin history. (Campbell, as cited in Smaldone, 1977, Danmole, 1980, Toyin Falola & Robin Law, 1992).

Colonial policies and the Commercialization of Land

The colonial government instituted varied land laws and regulations, land expropriation, labour and migration regulations to support their economic policies in different colonies. For instance, in settler Africa colonies, mostly in southern, Eastern and Northern Africa, lands were acquired for commercial agriculture. In these places, large farming schemes and mass movement of Europeans into African territories was a common feature, which infringed on the customary rights of the indigenes. There was thus the increasing conversion of customary farming lands to individual leasehold. Colonialism was partly used as a mechanism for the introduction of general laws of capitalist development to Africa. From the early 1990s, several countries in West and East Africa have pursued land registration to create land market thereby acquiring lands previously held by the communities under the customary right. The implication is that there are no more free lands.

In Nigeria for example, the land Use Decree of 1978 gave all lands in the country to government. In addition, the law allows government to acquire any lands for use, under what it termed "over-riding public interests" even if such lands belong to a family, clan or a community.

Fief Holding under the British and its Economic Implication

Ilorin was one of the first provinces to adopt in its administration, the district system under resident District Headmen. However, this system was not satisfactorily established due to certain problems. In the first place, the new system ran counter to the political instinct of the emirs and the established customs of the peasantry. "There has been some slight difficulties, writes Lord Lugard in 1906-07 in the re-arrangements of the District Headmen, as the fief holders have not yet entered into the spirit of new method of collection; but this will be satisfactorily adjusted. Again in 1907-8: the institution of resident District Headmen had at last been achieved after much difficulty". (Hermon- Hodge, 1929, p. 164)

One immediate result was the movement of considerable bodies of people, the followers of the chiefs so appointed and former idlers in Ilorin town, out to the sparsely populated country districts, to the benefit and increase of agriculture (Perham, 1960). One of the resolutions of the British authority was that District Headsmen be resident in their areas of operation unlike the old practice in which *Babakekere* were in charge, who, themselves, appointed representatives in the areas under them.

In 1916, the colonial authority carried out further reforms in the district administration of Ilorin Emirate; a move, which had some far-reaching economic implications for the emirate. For instance, after the colonial authority's reforms of the District Administration in 1916, the powers of the native authority became drastically reduced as they were being strictly monitored through a number of proclamations (NAK ILO PROF. No 702/1912). They no longer wielded the unrestricted powers of the pre-colonial days; thus, their economic power also became curtailed. Indeed, apart from other conditions, colonial agents were expected to cooperate with the village and District Heads to ensure that agriculture, trade and commerce were promoted; maintenance of law and order was ensured and that taxes and other colonial exactions or levies were duly collected from all taxable adults resident in these districts and promptly sent to the provincial headquarters for the effective running of the administration. (Banwo, 1998, p. 217)

As the colonial authority continued to increase taxation, there followed spontaneous reactions from the people, particularly from the metropolitan Ilorin. These reactions became heightened when the colonial authority began to arrest tax evaders, which eventually culminated in the tax riot of 1913 (NAK ILO PROF. 767A/1912).

Classification of Lands in Ilorin after Independence

Independence ushered in a new era in land administration in Ilorin with significant implications.

This study classifies lands in Ilorin into three broad categories. These are:

i. Public Lands: these are lands owned by local, state and federal governments.
ii. Community Lands: these refer to lands owned by the communities based on family heritage or similar community interest- Customary Land Ownership.
iii. Private Lands: these are lands acquired legally by private individuals through purchase or other forms of legal transfer.

Under the first category, colonial land policies left a legacy that favoured the commercialization of land. The Kwara State Government embarked on the acquisition of lands from customary landowners for various developmental purposes as the need arises. Such lands are acquired for infrastructural development, the establishment of Government Reserved Areas for residential purposes, administrative structures and offices, schools, hospitals and other health care facilities, sports complexes, shopping malls, markets, recreational centres and public needs.

Such lands are opened up through the provision of layout, road networks and urban planning with all the features that make them attractive for investment. Indeed, all necessary documents are provided to the buyers to strengthen the ownership. This category of land usually supported by a Certificate of Occupancy (C of O) through which government guarantees the holder legal recognition of ownership of his parcel of land.

Under this category, some local governments within the Ilorin metropolis have also targeted the sale of lands as one of their formidable sources of revenue generation. For the record, the Ilorin metropolis is made of four local governments. Namely, Asa, Ilorin West, Ilorin, East, Ilorin South. These local governments also acquire and allocate (sell) lands to people for various purposes at the payment of prescribed fees. Leading the pack in this regard are Ilorin West, Ilorin East and Ilorin South due to their closeness to the seat of government and higher demands for lands in the areas. Like the state government, the local governments also issues Registration of Occupancy (R of O) to their land occupants on temporary basis. Indeed, to underscore the high rate of commercialization of lands by the local government, the local governments usually give a timeline or window period to land allotees.to either develop their allotted plots of lands or risk forfeiting them to more willing prospective users. The Ilorin city being the state capital and the seat of government has continued to attract people from different parts of state, leading to increasing pressure on government needs for land for public use. Thus, the state government's acquisition of lands from traditional landowners has been on the increase. The recent establishment of the Second GRA at Budo-Osho Area, Ilorin, exemplifies this. The Kwara State Government conceived the idea of a new GRA in 2008 due to increasing population of the Old GRA and the need to open up the state capital's infrastructure. This has contributed to the commercial value of land in the Ilorin metropolis.

Establishment of Markets

Trade and commercial activities are important factors of economic development and social relations. The increasing number of residents in Ilorin has placed a corresponding pressure on markets to access items of needs. Markets have continued to emerge across the city ranging from those noted for general goods such as Oja-Oba, Ago, Ipata, Oja Tuntun, and Mandate to specialized markets in charge of specific goods such as those found at Taiwo Road, Murtala Road, Obo Road, Agaka, Ita-Amodu, Sawmill and Ipata Oloje concentrating on items ranging from electrical appliances, building materials, cars, fashion item, cosmetics and spare spare parts. Apart from old community markets located in specific communities for easy access, which were conceived as part of communal development, Ilorin has been witnessing an upsurge in the founding of new markets as the city is expanding. Newly developed communities, usually known as new sites, are making continuous addition to established traditional markets. A recent dimension to the market directory in Ilorin, specifically since the country's return to democracy, has been the emergence of corporate shops and shopping malls equipped with facilities like rest-room, lobby and warehouse. These corporate shops

and malls are usually located in strategic areas of the city particularly within the zones inhabited by the elites. In Ilorin, corporate shops and malls are common in the GRA, Fate Road, Taiwo Road, Unity Road and Asa Dam Road.

The local and state governments also establish markets within the Ilorin metropolis to boost their revenue generation. For instance within in Ilorin East examples are the Ipata Market and the Oke-Oyi Cattle Market are important; in Ilorin West, the Oja-Oba Market, the Ago Market, the Oja-Tuntun Market and the Mandate Markets are important in revenue generation for both local and state governments. (Mallam Isiaka Zarumi, 2025). Government presence is quite visible in some of the markets through the provision of modern stalls, police security posts, toilet facilities, motorized boreholes and tarred roads. In turn, state and local governments draw revenue from these markets.

Establishment of Schools

Lands are also continually been used to establish schools to meet the education need of the increasing population in the Ilorin metropolis. Indeed, this tradition started since the colonial period with the arrival of the British in Ilorin. Examples of government establishment using community lands are the first primary school in Ilorin and Kwara State, Okesuna Primary school, founded in 1915 and Alore Primary School, 1948. Others are Ansarul Islam Primary School, founded in 1967, (though established by private individual, Sheik Muhammad Kamaludeen, was later taken over by the Kwara State Government through the Education Act of 1974, which declared the takeover of all private primary and secondary schools in Nigeria) (Federal Government of Nigeria, 1974). Government Secondary School GSS, Ilorin established in 1915 by the Colonial Government. This was followed by the establishment of community secondary schools by government in various communities across Kwara State beginning from 1980. The goal of establishing these schools was to bring education closer to the communities. Indeed, the schools contributed to the socio-economic development within their locations and the environs as commercial activities and social relations among the natives of their host communities. The Ilorin metropolis had a good share of these community secondary schools.

Establishment of Residential Quarters

In the bid to meet up with the increasing demand for shelter within Ilorin city, government has embarked on the establishment of housing estates at different levels of government. For instance, the Federal Housing Authority was established vide a legal instrument known as decree. No. 40 of 1973 revised as CAP 136 Laws of the Federation 1990 and now CAP F14 Laws of the Federation 2004, (Federal Housing Authority, 1973) with the mandate to execute housing programmes for Nigeria. This move produced the Federal Residential Housing popularly known as Oloje Federal Estate in Ilorin. The Kwara State government also embarked on housing projects such as the Mandate Estate, Irewolede Housing Scheme, the Harmony Estate Housing Scheme and the sales of various lands to individuals for residential purposes.

The second category comprises traditional titles on lands otherwise known as customary lands. The Ilorin traditional authority divided the city into different hierarchy of administration after the establishment of the emirate system. Precolonial Ilorin emirate comprised the capital and the adjoining territories, which included communities that were conquered during the wars of expansion. The acquisition of lands for economic and material

gain was a major motivation of the Ilorin wart leaders (*Baloguns)* as they profited immensely the lands and people under them through conquest. Even though the colonial land policies reduced the powers and influence of the Ilorin land Bourgeois, land sales remained a major source of revenue through outright sales, leasehold, and commercial partnership on land estates investments.

Under the third category, private land entrepreneurs acquire land for commercial purposes. Since the colonial period, investment on land has surged due to certain factors such as urbanization, infrastructural development, population increase and greater investment in estate and land enterprises. The emergence of new residential areas in and around the Ilorin metropolis is stimulating greater investment in land business. Unlike the precolonial and postcolonial periods which had limited population, and had lands plentiful, with less number of houses, the Ilorin metropolis is expanding to new areas. This underscores the emergence of new residential communities popularly known as new sites with varying names under independent community settlements.

All these have contributed to the commercialisation of land in Ilorin metropolis making it a good store of value. Indeed, due to rapid urbanization, some real estate entrepreneurs consider land acquisition as safe, cheap and a profitable investment in the contemporary period.

Emerging Issues on Land Commercialization

The increasing commercial value of land has brought new challenges in social and economic relations among the people of Ilorin emirate. These include family and communal conflicts over ownership of lands, farmer-herders clashes, land accumulation by some wealthy aristocrats, increase in the cost of lands leading to a decrease in access to land, and housing deficit particularly in the metropolitan areas of the Ilorin emirate, which form the state capital. Another associated challenge in recent time has been the emergence of land grabbers, marauders and touts in construction sites. (Mallam Yinusa Ahmada, 2025). There is mutual suspicion and tension on land issues, particularly because Ilorin is a multi-group society.

The challenges highlighted above have had negative impact on the erstwhile peaceful relations among Ilorin emirate's diverse groups. The more the commercial value of land was increasing, the higher the tendency for conflicts as more interest groups emerged claiming ownership of same parcel of land. This trend has been quite prominent in the Ilorin metropolis where scores of family members often facilitate the sale of family lands without due consultation with the entire interest members of the family. This trend often results in protracted court cases with devastating consequences.

Conclusion

Ilorin as the state capital with speedy urbanization and increasing population has continued to experience surge in the prices of land due to commercial enterprise. Apart from government acquisition of land from the customary right holders, there are now land entrepreneurs, who engage in land business for various purposes including residential houses, markets and shopping mall, hotels and tourism, schools and educational services, corporate shops, motor packs and travel terminus. All these contribute to the commercialisation of lands in Ilorin in the post-colonial period.

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