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Land Tenure, Governance and Accountability in Nigeria: The Implications on Food Production to Feed the Present and the Future

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ABSTRACT

Land is very vital for agricultural production, and for any nation that wants to be self-food sufficient. Different land reforms have taken place in Nigeria since 1960 with the aim of facilitating access to agricultural land, and make the nation self-sufficient in food production, but little changes have only been recorded. Bureaucracy by approving authorities in practice in communities where land is situated still hinders land acquisition for agricultural investment. This study therefore analyzes land policy, governance and accountability and draw out some implications on food production in Nigeria. The percentage of arable land to the total land area was 37.3 percent by available data in 2013, which suggests that smaller area is only available for cultivation with little for agricultural expansion. There may likely be a great challenge in producing enough food to sustain the future population of Nigeria if issues on land tenure and governance are not addressed. Even though our finding revealed that Nigerians cultivate more land at present than ever before with a percentage increase of 19.2 percent in 2000 to 2010, much needs to be done considering challenges confronting agricultural investors. Some of the identified challenges in Ogun State include: the activities of nomadic, high cost of land acquisition, land grabbing which has dispossessed members of the communities of their large parcels of land, scarcity of labor in rural community due to youth rural-urban drift and high cost of modern agricultural input preventing them to adopt. This is a dangerous trend for the future considering the current food deficit problem in Nigeria. Transparency in land governance with customary laws can improve land access. Removal of gender biases in access to land, bureaucracy and cost of securing and perfecting title, short-term lease which cannot be used as collateral for agricultural loans in the Land Use Act need to be amended.

Keywords: Land use, land tenure security, land rights, land management, wicked problem

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JEL Classifications: Q15, Q18, Q24, Q58, R14, R52

1 BACKGROUND AND RATIONALE

Land is gradually being recognized as an important governance issue (FAO, 2009). In traditional Nigerian society, land is an indispensable factor of production and the source of all material wealth (Udoekanem et al., 2014). It is one of the three major factors of production in classical economics (along with labor and capital). Land includes other natural resources such as water and trees, and land use involves the activities of man on land which has a direct relationship to it. It is the sum of

land cover and land utilization (Di Gregorio & Jansen, 1998). Land use change results from conversion of natural ecosystems to permanent croplands; conversion of natural ecosystems for shifting of cultivation; conversion of natural ecosystems to pasture; abandonment of croplands; abandonment of pastures; harvest of timber, and establishment of tree plantations (Houghton, 1991). Issues on land are becoming progressively more complex as a result of the increasing monetization of the value of land due to urbanization (Kaag et al., 2011). Access to land and security of tenure are necessary for people to raise and stabilize their incomes and to participate in economic growth (Oxfam, 2007). Regulation of land is most critical to food production in Nigeria currently in food deficit (FMARD, 2016). Land is linked with so many things such as food insecurity, political instability, urban development, poverty, economic development and social progress. Food production, housing, industrial production and nature conservation are competing for the same land (Sayer et al., 2013). While conversion of farmland and forests to urban development reduces the amount of lands available for food and timber production; soil erosion, salinization, desertification, and other soil degradations associated with intensive agriculture and deforestation reduce the quality of land resources and future agricultural productivity (Lubowski et al., 2006). Nigeria land policy and governance can be described as wicked problems. It is a wicked problem because it a social or cultural problem that is difficult or impossible to solve for as many as four reasons: incomplete or contradictory knowledge, the number of people and opinions involved, the large economic burden, and the interconnected nature of these problems with other problems (Jon, 2012).

Land availability for agricultural production as reported by Adamu (2014) involves a complexity of interacting variables such as population, land tenure system, level of technology and the stage of the country's development. Out of these variables, the land tenure system puts serious limitation on the amount of land that is available for all categories of farmers. Land tenure system in Nigeria varies with tribes, clans, states and communities. However, land fragmentation follows as the population increases from generation to generation, leading to reduced land availability.

One of the key and complex issues in land acquisition in Nigeria is land title and tenure which defines the conditions and rules guiding the right to hold a piece of land for one purpose or another. Land tenure is an institution or the relationship, whether legally or customarily defined, among people, as individuals or groups, with respect to land while land governance is a range of political, cultural, institutional and administrative processes through which communities articulate and express their interests, ensure that their inputs are considered and integrated during implementation (Ukaejiofo & Nnaemeka, 2014). It involves formal and informal actors in the decision-making, the implementation of the resolutions and the establishment and management of necessary structures that should be in place for such purposes. Although customary tenure institutions have been weakened by the existence of the Land Use Act in Nigeria, many people still continue to rely on such arrangements for land delivery. These institutions maintain their traditional power and social responsibility for allocating the right to use land, resolve conflicts, and carry out overall management of customary land. Yet little attention has been paid to whether or not the activities of these indigenous institutions meet good governance objectives in land administration.

Land governance has to do with the rules, processes and structures through which decisions are made about access to land and its use, the manner in which the decisions are implemented and enforced, and the ways conflicting interests are reconciled (FAO, 2009). This implies that land

governance involves multiple stakeholders, it relates to diverse economic interests and the conditions of governance are set by the political system in which they operate (Hirsch & Scurrah, 2015). Good land governance allows for participation, fairness, decency, accountability, transparency, efficiency and value addition (Burn & Dalrymple, 2008). Accountability in land governance are the ways in which governing bodies and their representatives who are responsible for decisions concerning land claims, settling land disputes and drafting development and environmental plans for their territories (at national, regional and local levels) are accountable to the citizens they represent and serve (Kaag et al., 2011).

Study on land tenure, governance and accountability is therefore imperative in Nigeria going by the fact that about 97 per cent of the country's landmass is undocumented (Anyim, 2014). This implied that, only 3 per cent of the country's total land mass of 923,768 square kilometers is documented. It has also been reported that about 95% of agricultural lands are not titled, effectively therefore nullifying their capacity to be treated as collateral for financial transactions for either agricultural or other land use (Federal Ministry of Agriculture and Rural Development, 2016). These along with land conflicts, poor governance and accountability are some issues which have some implications on production of enough food to feed the future generation. The government of Nigeria like other Africa countries has made several efforts to solve the problem of land availability in order to boost agricultural production in a different manner compared to other Africa countries such as Kenya and Ghana. Nigeria land use decree of 1978 vested ownership of all lands in the country on the government and its agencies with the aim of ensuring ease of land acquisition by prospective farmers especially for large scale production. While this reform is yet to be abolished in Nigeria, countries like Kenya and Ghana land reforms are pivoted to address the weaknesses in the previous reforms (where land reform had an explicit redistributive focus and the state as a prominent actor) to transform agriculture by focusing on small holder landowners and producers.

Against this background, this study attempts to address the following specific objectives:

- i. Review Nigeria land policy changes and the implications on agricultural production
- ii. Examine the effectiveness of agricultural land allocation process in Ogun State, Nigeria ;
- iii. Identify the militating constraints / challenges facing agricultural land beneficiaries in Ogun State
- iv. Suggest the proper land policy and governance that guarantee food production to feed the present and the future.

Although the study is constrained by lack of relevant data on land governance and accountability in Nigeria and Ogun State in particular, findings from this study will add to the existing literature on land tenure/governance, accountability and how they are related to agricultural food production. In addition, the finding will inform the policy makers on the existing situation and voices of the people on land tenure, governance and accountability in the study areas and necessary actions that are needed.

2 THEORETICAL FRAMEWORK AND LITERATURE REVIEW

Land has constantly been a resource connected to survival and power. Weak land governance is a cause of many tenure-related problems. Access to and investments in land are regulated within a

legal pluralistic framework which involves customary, statutory and religious frameworks. The state's attempt to infiltrate and interfere with the legal pluralism is influenced by politics and power these are sometimes met with fierce resistance from the customary authorities (Aryeetey et al., 2007). Politics and power have a significant impact on the prospect of a nation to feed her population. In order to get a comprehensive view on the links existing between land tenure/governance, accountability and agriculture production, this study employs a composite of power, human right and access theory. Land reforms through land tenure system impact adversely on the poor and marginalized groups through the unequal power of those in charge of land governance. This interference eventually determines access to land at the expense of the majority and food production. Some people with power and resources, the institutional frame of the reform enhances easier access to land and to credit. Thus, people with power can influence access to land and their transaction costs in the reform processes and implementation may be low. Yet for others, mostly the poor with little or no power to influence decisions on access to land by those governing the land tenure compound their difficulties to accessing land (Narh et al., 2016).

There are mixed results in empirical literature, with some finding a positive link between land tenure/governance and agricultural production (Feder & Onchan, 1987; Deininger et al., 2007), while others report a negative link (Place & Migot-Adholla, 1998; Penda et al., 2006). Ojikutu et al. (2012) carried out an assessment of land acquisition in Nigeria, using national land-use policy as the primary source for assessment. The assessment was tested using a novel, but scaled down, application of the World Bank's Land Governance Assessment Framework (LGAF). The overall results show that Nigeria has scope for improving land governance. Using the adapted LGAF approach outlined, the policy document fulfilled only sixteen (16) of the forty-four (44) dimensions examined (36%). At a more descriptive level, the results suggest that Nigeria adheres to land governance indicators related to recognition of western style land rights, restrictions, and basic compensation.

Ojo (2008) examined the effects of land acquisition for large scale farming on the performance; productivity and technical efficiency of small-scale farming in Nigeria. The primary data for the study were collected from 200 small-scale farmers selected using the multistage sampling technique, from three local government areas in Ondo State, Nigeria. The farmers were grouped into Group A: farmers whose families donated land for large scale oil palm project and Group B: farmers whose families did not donate land for the large-scale oil palm project in the study area. The study revealed that farmers in group A had long distant farms that were in small highly fragmented holdings and produced mainly arable crops that yielded smaller revenue compared with the farmers in group B. It was further revealed that group B farms were more productive in the allocation of resources and overall production as measured by the decreasing positive elasticity of production of most of the variables involved in the production function analysis. The group B farms were also more technically efficient than the group A farms. The study therefore recommends that government should open up the lands on the highways that are not owned by any family for prospective large scale agricultural producers.

Birner and Okumo (2011) empirically studied the challenges of land governance in Ondo State, Nigeria. The empirical part of the study focuses on two cases of land registration and two cases of land acquisition. A participatory mapping method called "Process Net-Map" was used to identify the actors and the processes involved. The study shows that the costs of land registration are around

10 percent of the land value if landowners have access to intermediaries and if they can pay for privately provided land services in cash. Otherwise, landowners may incur much higher costs due to governance problems. In the case of land acquisition by the state, the study found that major problems do not arise because of a lack of land registration, but rather because of governance problems involved in the disbursement of compensation funds.

Okezie et al. (2012) in their study on exploring the link between land fragmentation and agricultural productivity. The study quantified the degree of land fragmentation and its consequences on arable food production using Cobb-Douglas and the Generalized Linear Model to explore the impact of land fragmentation on arable crop productivity. The estimates from the Cobb-Douglas model revealed that land fragmentation had a negative and significant impact on the crop production. The Generalized Linear Model confirmed the negative and statistically significant influence of land fragmentation.

Ghatak and Mookherjee (2014) address the question of how farmers who are displaced by acquisition of agricultural land for the purpose of industrialization ought to be compensated. Their findings showed that prior to acquisition, the farmers are leasing in land from a private owner or local government with a legally mandated sharecropping contract. Compensation rules affect the decision of the landlord to sell the land ex post to an industrial developer, and ex ante incentives of tenants and landlord to make specific investments in agricultural productivity.

Adamu (2014) carried out research to assess the problems associated with land acquisition and their effect on the type of crops cultivated. Multistage sampling technique was used for selecting 120 farmers for the study. The results showed that the methods of land acquisition were mainly through inheritance and there was significant relationship between method of land acquisition and types of crop cultivated. Most respondents were small scale farmers and could not increase their farm size due to financial constraints. Thus, the study recommends that farmers should be encouraged to cultivate bigger farm size and government should revisit the land tenure system and land use act to encourage acquisition of more land for agricultural activities.

3 MATERIALS AND METHODS

3.1 Agricultural Land Allocation in Ogun State

Ogun State is one of the six states in the South-West region, Nigeria with arable land of 1,204,000 ha (74% of total land area of the state) and cultivated area of 350,000 ha (29% of arable land area). The state was selected for the pilot study because of its Agricultural Land Acquisition and Allocation program to boost agricultural production and generation of employment through agriculture. The state currently has over 95,000 ha of agricultural land acquired across the 28 communities with Idofa/Aworo acquisition site in Imeko Afon Local Government having the highest acquisition land of about 28,000 ha. As of 2015, the state has allocated over 31,000 ha (32.6%) to various agricultural investors in the state implying that there still exist about 67.4% of un-used agricultural land sites.

3.2 Sampling Procedure and Method of Data Collection for the Pilot Survey

According to Ogun State Agricultural Development Program (OGADEP), there are four (4) agricultural zones in Ogun State. To ensure an even distribution of the sample for this study, a multistage sampling technique was employed for our pilot survey on effectiveness of agricultural land allocation and governance in Ogun State. The first stage involved selection of all the four (4) agricultural zones (Abeokuta, Ijebu-Ode, Ikenne and Ilaro). The second stage involved a purposive sampling of one (1) block from each of the four (4) agricultural zones (Ilewo in Abeokuta, Ala in Ijebu, Obafemi Owode in Ikenne, and Imeko Afon in Ilaro) based on the highest agricultural land acquired within the zone. Ilewo, Ala, Obafemi Owode, and Imeko Afon having approximately 5,000 hectares, 6,918 hectares, 10,950 hectares, and 28,000 hectares respectively. The third stage however involved random selection of two (2) communities from each of the selected blocks (Joga-Orile and Ilewo from Ilewo block, Aiyeye and Ibefun from Ala block, Soseri and Ajebo from Obafemi-Owode block, Idofa and Aworo from Imeko block). The last stage involved a random sampling of ten (10) agricultural land allottees (beneficiaries) from each of the selected communities, thus making 80 respondents (agricultural land allottees) for the study. The selected Agricultural Land allottees were interviewed on what they know about operations of land tenure system, land governance and accountability in their community. In addition, the view of community head from the selected eight (8) communities were sought through interview concerning their roles in governance and accountability of government acquired agricultural land, the challenges they often encounter and how such were resolved. Data obtained were analyzed using a simple descriptive analysis such as frequency and percentages.

4 RESULTS AND DISCUSSIONS

4.1 Nigeria Land Policy Changes and the Implications for Agricultural Production

Two principal legislations have been enacted to regulate land ownership in Nigeria since the independence in 1960. These are: (i) The Land Tenure law of 1962 (ii) The Land Use Act of 1978. In the land tenure law, land was not owned by any individual but was vested in the group, extended family, and the village or the community thereby denied a lot of people who have vested interest of getting land for agricultural production (Table 1). Under the tenure system, a piece of land which is communally owned cannot be used for collateral' to secure bank loans by farmers. The structure of land tenure made it virtually impossible for young farmers to mobilize their labor and capital as freely as they would like to because sales of land are rare, and thus the cultivator and his descendants are confined to family land. The Land Act nationalized land, placing ownership in the hands of the state governors "in trust" for the benefit of all the Nigerian people but the objectives appear not to have been met after 38 years of its enactment.

Table 1: Nigeria Land Policy Changes and the Implications on Agricultural Production

Types of policy	Description of Land Policies	Observations and implications for agricultural production
Land Tenure Law of 1962.	All lands in this region were declared to be "native land". The lands were subject to control and disposition of the commissioner charged with the responsibility for land matters/ /Governor	The law drastically reduced the volume of litigation on land in the law courts and remove the problem of multi-ownership which characterized land ownership in the south.

	<p>who holds the land in trust for the common benefit of all. The natives were conferred with customary right of occupancy while non-natives enjoyed the statutory right of occupancy.</p>	<p>The law laid down maxima of 1,200 acres for agricultural grants and 12,500 acres for grazing purposes</p>
	<p>Customary law was an overriding principle guiding land in the Western Nigeria. Under customary law in most communities in western Nigeria, a well-stratified hierarchy of authority and control over land developed. At the apex is the Oba, or <i>baale</i>, followed by the traditional chiefs, and then by family heads. One contemporary precondition for the sale of land under customary law, apart from payment of the price, is that there must be evidence of the "handing over" of possession in the presence of witnesses. Where a head of family dispossesses his family of property without the consent of the other principal members of the family, the sale can be made void by those members not consulted.</p>	<p>The customary tenure system was abused by traditional rulers who built financial empires for themselves out of previously communal land. All land used for or available for growing foods crops remained the collective property of the family.</p>
	<p>Customary system of land tenure governed land interest and land was owned by communities, families and individuals in freehold. Land was acquired either by inheritance, first settlement, conveyance, gift, outright purchase or long possession. There were also crown lands, which were acquired by the British Crown by virtue of treaty, cession, convention or agreement. When Nigeria attained independence, such crown land became known as state land.</p>	<p>It encouraged the practice of multiple sales of the same land to different buyers by land-owning families in the absence of titling and appropriate registration mechanisms for transactions in land. Increase in number of land speculators who purchase land which they do not intend to develop (immediately), hold on to them until development has substantially increased their market value and then sell at abnormal profits Poor farming families were encouraged to part with their land for relatively small amount compared with what the speculators made from laying the land out for sale. Exorbitant compensations were demanded by landowners.</p>
	<p>A dual tenure system of customary and non-customary tenures existed in the East.</p>	<p>Joint decisions are taken on which land to cultivate, which crops are to</p>

	<p>The customary land tenure system considers landownership in terms of communities, clans, hamlets, families, groups of individuals and at times individual. Land in this respect was regarded as property belonging to either the community or the family and was being held in trust by the chief or the community/family leader. The non-customary land tenure system is the English system of landownership. It facilitates commerce and enhances the property market. For example, under this system, rest the concept of “fee-simple” interest, which confers absolute ownership on the owner</p>	<p>be grown, the number of seasons during which the land is to be cultivated and the length of the fallow period.</p> <p>In many rural areas, outright purchase of such land was difficult; in a few, it was even prohibited by the lineage or clan.</p>
<p>Land Use Act (LUA) of 1978 to date</p>	<p>Formulated with the objectives of reducing land conflicts among citizens; unifying and simplifying land tenure concepts and land administration procedures throughout the country; achieving a more equitable distribution of and access to land rights for all citizens regardless of wealth or position; and facilitating greater government control over land use and development.</p> <p>The Act distinguishes between urban and non-urban (rural) land. In urban areas, land is under the control and management of the Governor. In rural areas, land fall under the appropriate local government.</p> <p>Rights of occupancy, replaced all previous rules of inheritance to land, and form the basis upon which land is to be held.</p> <p>The Statutory rights of occupancy is normally granted by the Governor with respect to urban areas while Customary right of occupancy granted by Local Government.</p> <p>Local governments were empowered to grant customary rights of occupancy to any person or organization for agricultural, residential and other purposes with the proviso that grants of land for agricultural or grazing purposes should not exceed 500 or 5000 hectares respectively without the consent of the State Governor. With the</p>	<p>Although the Act makes governments participation relevant whenever land is required, the law seems not to help government much at providing access to land for private entrepreneur who wants to establish a viable project. Government still continues to appeal to various communities to donate land for development purposes despite the fact that the arrogation of ownership and control of all land in the country.</p> <p>Land grabbing with communities being dispossessed of large parcels of land.</p> <p>The Act did not do enough ensure inclusion of women in agriculture. Women face more difficulty in accessing land than men.</p> <p>Current Land Use Act is not conducive for agricultural activities (e.g. short-term lease does not allow for agricultural loans, particularly small holder farmers)</p> <p>The Act negates the very essence of land ownership.</p> <p>The Act has created a kind of psychological constraints and</p>

	<p>minor exception of land subject to federal or state claims.</p> <p>The Act also empowered the local government to use and occupy for public purposes any land within the area of its jurisdiction and to revoke any customary right of occupancy on any such land.</p> <p>The approval of the local government was to be required for the holder of a customary right of occupancy to alienate that right</p>	<p>strains the relationship between government and individuals who own the land.</p> <p>The Act has not succeeded in removing the uncertainties in title to land. A certificate of occupancy can be revoked for “public purpose” or a contravention of the Act.</p> <p>Land allocation procedures are highly discretionary, creating opportunities for corruption on the part of state and local officials.</p> <p>Obtaining and registering occupancy certificates is time-consuming and costly.</p> <p>Governance with respect to management of land for farming versus grazing for nomadic cattle populations appears unclear</p>
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Source: Author's review outcome

4.2 Effectiveness of Agricultural Land Allocation Process in Ogun State, Nigeria

This study revealed that agricultural land acquired by the state government mainly for agricultural purposes are made available to investors irrespective of tribe or whether an individual or cooperation is resident in the state or not.

Ogun State government in 1984 established what it called state Agricultural Land Allocation Committee (ALAC) by the provisions of the land use decree for the purpose of opening up the rural areas for the development and also acquisition of land hitherto not un-utilized for allocation to genuine investors. The composition of ALAC in order to achieve the set objectives is in two parts. The first is the Cabinet Committee whose role is to take decisions on land to be acquired and to assess corporate applications to determine their suitability for land allocation and is headed by the state Commissioner for Agriculture. Other members include: the state Attorney General and Commissioner for Justice, the Director-General, Bureau of Land Survey; the Director of Planning, Research and Statistics, Ministry of Agriculture as the Secretary. The second sub-Committee has the responsibility of putting in place the processes of land allocation and considering the application of individual applicants.

An individual applicant could be considered for land of between 1-19ha, while a corporate body could be considered for 20ha and above. The Sub-Committee also undertakes the monitoring of parcels of land allocated and offer suggestions on problems arising from acquisition and report back to the Cabinet Committee, the sub-Committee is headed by the Director-General, Bureau of Lands and Survey while other members are Director of Agricultural and services, Ministry of Agriculture, Director of Land Services, the Survey General, the Director of Planning, Research and Statistics and the Ministry of Agriculture as Secretary. Besides, there is also what is known as

the Crop Enumeration Unit saddled with the responsibility of enumeration and valuation of economic crops found on the land acquired for siting with a view of paying crop compensation to the affected crops owners.

Agricultural land can only be obtained upon meeting certain conditions as indicated in Table 2. The land can be retained by the allottee (beneficiary) as many years as possible in as much the beneficiary continues to pay the annual ground rent every year. However, this contract is renewable after 45 years of initial allocation.

Table 3 shows the assessment of effectiveness of agricultural land allocation in Ogun State, Nigeria. About 68 (85%) of the respondent agreed that there is equity and non-discrimination in agricultural land allocation to investors. This implies that Ogun State Agricultural Land Allocation Committee (ALAC) discharges their duties without favouritism or political influence. This was further corroborated by positive responses from about 61 (76.25%) of the respondents on transparency and fairness at the interview stage.

Majority (82.5%) of the respondents confirmed that the process of government agricultural land allocation is cumbersome, this result was in consonance with earlier findings of Birner and Okumo (2011) which also confirmed that the process of getting agricultural land in Ondo State is tedious.

It was found from the assessment that institutional mandates on agricultural land administration in Ogun State, Nigeria are not clearly defined. With the exception of the role of Agricultural Land Allocation Committees (ALAC) well stated, all other mandated responsibilities of various authorities that are supposed to deal with agricultural land administration issues are not defined.

From the study, it was discovered that only 39 (48.75%) of the respondents support clarity of institutional mandate. In respect of timely allocation of agricultural land, about 73.8% confirmed that the process is too slow and thus hinder their production activities.

At a more descriptive level, the results suggest that the cost of survey is not bearable ranging from two hundred thousand to three hundred thousand naira per hectares depending on location. About 57 (71.3%) of the respondents revealed that the cost of survey within the state is not bearable. The study also revealed that high crop compensation and unbearable annual ground rent is being paid by the allottees (beneficiary). Presently a fee of five thousand naira per hectare is being paid annually by allottees. However, with respect to timely response of government agency in conflict and dispute resolution with the host community, only 50% of the respondent agreed that there is provision for timely dispute resolution between the investors and the host communities. In addition, the community leader interviewed suggests that there are many potential areas for improvement on conflict resolution. These include more flexible methods of acquisition by government, proper and constant awareness of existing acquisition in the affected communities, proper and timely compensation to the initial owner of the land before beneficiary (investors) moved to the farm site, enforcement of investor's rights on the said land.

Table 2: Requirements for Agricultural Land Allocation in Ogun State

S/No	Requirements
1	Letter of intent to the Hon. Commissioner Ministry of Agriculture by the applicant.
2	Collection of an application form. (a) Corporate Applicant (Greater than 20 hectares) (b) Individual Applicant (Below 20 hectares)
3	Submission of Document
i.	Current Ogun State Tax Clearance Certificate for three (3) consecutive years.
ii.	Ogun State Development Levy for three (3) consecutive years.
Iii	Current Bank Statement of Account
Iv	A detailed feasibility report on the proposed project.
v.	Certificate of Incorporation.
Vi	Company's Article of Association.
Vii	Personnel Profile of the Directors of the Company.
After meeting the above stated conditions the applicant will be interviewed by a panel after which allocation of land will be effected with the following fees paid.	
Viii	Premium fee
Ix	Annual Ground Rent :
x.	Crop Enumeration Service Charges
Xi	Cost of materials for crop enumeration exercise.
Xii	Crop compensation.
Xiii	Cost of Survey (Obtainable from Bureau of Lands & Survey.)

Source: Ministry of Agriculture Ogun State, Nigeria

Table 3: Effectiveness of Agricultural Land Allocation Process in Ogun State, Nigeria

S/ N	Validated Question	Yes	No	Indifference
1	Equity and non-discrimination in agricultural land allocation to Agricultural investors	68	12	0
2	There is transparency and fairness at the interview stage	61	13	6
3	The process of government agricultural land allocation is not cumbersome	13	66	1
4	Clarity of institutional mandate	39	38	3
5	Timely allocation of agricultural land to genuine investors	11	59	10
6	Cost of survey of agricultural land is bearable	21	57	2
7	Crop compensation charges is bearable	23	57	0
8	Bearable annual rent	28	52	0
9	Availability of adequate and reliable information on agricultural land policy in Ogun State	69	11	0
10	Timely response of government agency in conflict and dispute resolution with the host community	40	39	1
11	Proper procedures for registering allocated Land	78	2	0
12	High bureaucracy of government official	27	22	31

13	Government agricultural land allocated is more secure than private land	79	1	0
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Sources: 2016 Field Survey

4.3 Militating Constraints Facing Agricultural Land Beneficiaries in Ogun State

This study identifies some militating constraints faced by government agricultural land beneficiary within the state. The most commonly problems faced by the allottees presented in Table 4 range from bad road network to the allocated land, lack of basic infrastructure, farm distance from town, cost of land clearing, mechanization, and lack of proper care of the acquisition sites by government. Other problems include hostility from the host community, community cultural constraints, unstable government policy, and activities of the nomadic cattle herdsman.

Table 4: Militating Constraints Facing Agricultural Land Beneficiaries in Ogun State

S/N	Identify Constraints	Frequency	Percentage (%)
1	Hostility from host community	27	33.8
2	Poor and bad road network to the allocated land	70	87.5
3	Lack of basic infrastructure in the host community	61	76.3
4	Farm distance from the town	52	65.0
5	Community cultural constraints	13	16.3
6	Cost of land clearing	51	63.8
7	Inadequate farm mechanization	55	68.8
8	Farm distance from the off-takers and markets	63	78.8
9	Inadequate land for farm expansion	16	20.0
10	Unreliable source of water for proper irrigation	39	48.8
11	Unstable government policy on agricultural land	23	28.8
12	Inadequate care of the acquisition site by government	65	81.3
13	Unavailability of labor in the host community	17	21.3
14	Pilferage and Theft	9	11.3
15	Inadequate fund to cultivate the allocated land portion	40	50.0
16	Activities of the Nomadic Cattle Herdsmen	18	22.5

Sources: Field survey, 2016

Land use regulation is a contentious issue in many communities in Ogun State, Nigeria. Table 5 shows the differences between getting private land and agricultural land in Ogun State. Chiefs and land-allocation committees in most villages generally take decision concerning land allocation /acquisition and use of land.

Table 5: Differences Between Land Acquisition from Ogun State Agricultural Land Sites and Private Acquisition

Government agricultural land site	Private land
Cost of acquisition is cheaper	More costly to acquire
The process of acquisition is more cumbersome than private land acquisition	The process is less cumbersome

More secure	Less secure
Land acquired are mainly used for agricultural purpose	Land acquired are used for either agricultural production or other things such as residential or industrial
Land acquired cannot be tight down or abandoned indefinitely without usage	Land acquired can be tight down or abandoned after purchase or after securing the land title
High level of lobby is found to be involved in terms of area, size of land acquired	Less lobby or politics are involved
Conditions for acquisition more tedious	The condition is less tedious
The land is more or else in form of leasehold	It can be a leasehold or permanent land
Cannot be used as collateral	Can be used as collateral
It is not transferable to third party	Can be transfer / resell to third party
Price of land is fixed	Prices of land is negotiable

Source: Field survey, 2016

4.4 Land Governance and Accountability

Ogun State (our pilot state), the head of the family is accountable for family land while the community leaders are responsible for the community land. In some communities, land allocation committee are set up by the community leader to oversee allocation and other issues associated with community land with just a feedback to the community leader. On the other hand, individual who has evidence of ownership of the land either through receipts or evidence of title obtained through certificate of occupancy is accountable for such land while the state Agricultural Land Allocation Committee (ALAC) set up by the states is accountable for state agricultural land (Table 6).

Table 6: Agricultural Land Governance and Accountability in Ogun State, Nigeria

Types of agricultural land holding	Governance and accountability	Conflicts and other challenges of agricultural land	Methods employed to resolve conflicts
Private land ownership (Individual holdings/ family holding/ community holding)	Individual with title or any other evidence of ownership of land/ family head/ community head	i. Conflict as a result of leasing, free land or sale without proper consultation of other members of the family or community. ii. Conflict based on encroachment by others iii. Activities of the cattle nomadic	i. Legal action ii. Constitution of community allocation committee to look into land matter. iii. Calling of family meeting to settled grievances on land
Government Agricultural land	The state agricultural Land Allocation Committee (ALAC)	i. Conflict between government and members of the community as a result of encroachment on the acquired land.	i. Holding of stakeholders meeting with the community's head and youth leader. ii. Proper crop compensation to the

		ii. Hostility on the allotted land by the community youth. iii. Activities of the Nomadic Cattle. iv. High cost of survey plan v. Bureaucracy of government official vi. Bad road network to the allocated land. vii. Lack of integrity on the part of the community leader in disbursing accrue benefit from the company to the affected youth. viii. Some acquisition sites were not close to river thus making irrigation difficult. ix. Increase in annual land rent from ₦1,000 to ₦5,000.	existing economy crops/tree to the affected family. iii. Signing of Memorandum of Understanding (MOU) between the host communities and allottee (investors) to provide some basic social amenities and provide employment opportunity to the unemployed youth in the community. iv. Employment of members of the community to work on the farmland by the investor with good pay v. Government puts into consideration the type of farming systems investors wish to practice and allocate to the appropriate place
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Source: Field survey, 2016

5 CONCLUSIONS

This study contributes to the discussion in land policy, land use, governance and accountability in Nigeria by presenting micro-evidence using Ogun State, Nigeria as a case example. Good land policy, governance and accountability are vital for sustainable land management. The results from the case study clearly show that the current land policy in Nigeria is faulty capable of hindering the country to produce enough food that can feed the present and the future. Any land program in Nigeria should acknowledge that land continues to be held by the peasants, and regulated according to customary or traditional rules and mechanisms. While the current land policy (the Land Use Act 1978) has provided opportunities for some people and government to gain access to land, it has also allowed some to legitimize their land acquisitions by power or threat of the Act to intimidate peasant farmers and dislodge them from their lands. For proper land governance, procedures for acquiring land must be clear and open to all stakeholders.

Under the existing law, Governors and traditional rulers have used land to political advantage. There is need for land reforms that would impede or diminish the much authority and influence of Governors and traditional rulers. Chiefs and land-allocation committees should not take any unilateral decision concerning land acquisition and use. Decisions on how land is allocated and

used in the community must be made open to all stakeholders and community members should be allowed to present their views. Government could provide the necessary guidelines for regulation of customary activities to ensure that they adhere to the principles of good land governance rather than complete replacement of customary land laws with land Act. Gender biases in access to land, with women facing more difficulty accessing land than men should be abrogated.

The study in addition, recommends some alternatives to the Land Use Act that will assist at increasing security and productivity and improving agricultural performance without undermining the local social structure. These include development of socioeconomic classification system that distinguishes between peasant and commercial farmers, Families, communities, and other legally recognized bodies should be encouraged to register their land for titling purpose. Incentives can be provided by government to encourage the peasant farmers to do such registration of their land or register them free of charge. This may help to define all use rights associated with a piece of land, and assist people in getting agricultural loan from financial institutions. It will also prevent the land grabbers from acquiring land from peasants at ridiculously low rates knowing that they have few means to dispute the transaction. It will also make peasant production commercially viable.

Nationalization of land through the Land Use Act as the primary method of regulating land tenure, agricultural development, and resource management should be abrogated. A land policy that recognizes both the customary and the commercial (or freehold) land tenure systems is still needed. Government should recognize private individual, family, and community property and grant support to the existing social reality with regard to land rights.

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