

# **COMPENSATION DEFICITS: PUBLIC LAND ACQUISITION EXPERIENCES IN SOUTH-EASTERN NIGERIA**

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## **ABSTRACT**

**PURPOSE:** This paper aims to review and examine how affected claimants/groups achieve acceptable values for their lands during and after the compensation processes in selected communities in south-eastern Nigeria.

**DESIGN/METHODS FOLLOWED/APPROACH:** Both desk research and field survey approaches were adopted. Relevant data were retrieved from 27 key informants among the Estate Surveyors and Valuers and 104 affected claimants all within the 5 selected States in the South-Eastern Nigeria. Suitable sampling approaches were adopted in the study. All field data collected from both categories of respondents were processed and analysed using simple percentages, Pearson's moment of correlation, averages and land price index (LPI), and presented on suitable tables.

**FINDINGS:** The study revealed that some claimants/groups resisted public developments until more compensation was received, attempts were made to manipulate the existence of landed improvements, groups often forcefully demand ransom in cases where public estates are allocated for developments/investments, and initiate new negotiations with users before such developments could be allowed, Valuers lives and practice are highly threatened and often lose personal properties to compensation crises.

**RESEARCH LIMITATIONS/IMPLICATIONS:** Further research is required to broaden the scope of information on the extent of individual and community adaptations to land value negotiations and security of public development projects arising from compulsory land acquisition in Nigeria.

**PRACTICAL IMPLICATIONS:** The study gives insight into the worsening illicit approaches to recovery of fair claims to land values as initiated by affected individuals or group from such communities within the south-eastern region of Nigeria.

**ORIGINALITY/VALUE OF WORK:** The outcome of this study shall assist both the State governments and the land policy review committee in Nigeria to undertake further extensive researches into the plights and adaptations of the affected groups whose lands are yet to be acquired for overriding public purposes.

## Introduction

The understanding of land value as an economic variable is incomprehensible without consideration of land as a scarce resource and a factor of production. Historically traced, land within the global community encapsulates series of non-economic values that interplay at the time of decision making on land values under any circumstance involving alienation of rights. The multidimensional values of land therefore remain inestimable bond that ties bundles of rights (corporeal or incorporeal) to the holders (Adegoke, 2010). Ideally these values should not be neglected by investors and acquirers of terms of leases or whole land rights. According to Ogedengbe (2004), land value should be the product of the interaction of the market forces of demand and supply overtly (in a relatively free market) or covertly (as latent in a controlled society) and a good land policy accommodates this position.

Traditionally within the West African setting, it is common practice to find communal or family lands which through ages of fragmentation into lots have reduced landholdings to household or individual lands either by devolution or partitioning or native alienations. This impliedly strengthens the lower structure of proprietary rights with the ability to expressly utilize and develop such lands to the best of their ability. It even allows communities intending to hold individual autonomies to establish cordial relationships with neighbourhood communities. Ironically, this practice has been compromised with the enactment and enforcement of various national land policies that increased the powers of the governments to access, possess, utilize, control and manage all such lands in the interest of all her citizens; not the individuals or communities per se. These land policies were in most cases imposed on the people against the principles and guidelines for good land governance upheld by CFS & UNFAO (2013) and The World Bank Group (2014).

Good land policies not only focus on improving the wellbeing of people, but facilitate effective harnessing of the available lands for household and communal benefits (Eleh, 2009). In Nigeria, public land acquisition is accomplished through the provisions under the Land Use Act Cap 202 LFN 2004, and the provisions under the Oil Companies Act Cap 398 LFN, 1990, with both providing conditions for compensations. The former is the interest of this research. Whereas the former has denied the holders and community adequate compensation by depriving them of the land value, the later not only empowers the displaced households, but supports the community within which their facility will either run through, or be stationed (Akujuru, 2004). This scenario thus creates disparity among claimants of displaced lands sometimes from same neighbourhoods. The present-day land policy in Nigeria emanated thirty-seven years ago from the need to address the problems of inaccessibility of land for public developments, increasing land speculation arising from the implementation of previous land policies, and insecurity of tenure of land caused by fraudulent land transactions (Onokerhoraye, 2010). Compensation provisions under the prevailing land policy in Nigeria is clearly associated with unfairness and injustice as the money incurred in both the registration and purchase of bare lands is lost for the unexpired duration unexpired and hence a futile investment or savings.

Within the West African region, compensation provisions for compulsory land acquisition have varied between countries especially on the opinion of land value claims. The worst scenario is the Gabonese experience with no national land policy, where 85 percent of all lands in the country are title-less. No land compensation is received during compulsory acquisition following the modernized adoption of non-reviewed archaic land policies (Liz, 2012). In Kenya and Ghana, the various national land policies provided for fair compensation for land and land improvement claims (Sifuna, 2006; Ayitey, Kidido, & Tudzi, 2009). According to Ayitey, Kidido, & Tudzi, (2011) it is the Ghana Land Policy clearly specified the adoption of market value for land compensation even though this is not adequately observed (Ayitey, Kidido, & Tudzi, 2011). This is not the case in Nigeria which appears better than Gabon experience where compensation only excludes land. Thus the state and implementation of the various National Land Policies in the region has remained unfair in addressing compensation issues thereby setting back both the economy and the displaced households till date.

In Nigeria, studies by Umezuruike (1998), Akujuru (2004), Eleh (2009), Mabogunje (2010), Onokerhoraye (2011) and Eze (2010) established common corroboration on the point that the Nigerian land policy (the Land Use Act) has been greatly abused despite that the promulgation must have succeeded in granting the various governments access to land for her various public development projects. On this premise, some studies have examined the various sections of the Land Use Decree of Nigeria and the expected contributions to her real sector (Eleh, 2009, 2010; Onyike, 2009, Eze, 2010; Umezuruike, 2014); the problems with the Act and the earlier effects on the original owners (Nweke, 1998; Mabogunje, 2010). Divided in their views on the solution to adopt, the schools of thought have in their varied opinions, clamoured for its re-visitation, reformation, and its abrogation respectively. The Nigerian Land Use Act thus becomes a controversial piece of legislation with strong agitation by Academics and Practitioners in real estate for its re-visitation or repeal (Mabogunje, 2010; Nuhu, 2008). The notions were majorly propelled by its negative influences on security of title and urban housing developments and holders' access to credit (Eleh, 2010; Onokerhoraye, 2011; Eze, 2010).

So far substantial study have not focused on understanding the trend in societal adaptations to the inadequacy of compensations claims resulting from strict observation of the Act. Also unobserved is the claimants' evaluation of its futuristically prolonged negative impacts on household and developmental sustainability. This gap has fundamental implications to any reform that may be adopted today whether in lieu of the Act or as an amendment to the Act. Unless the curiosity of its influence on claimants' land decisions is apprehended the land value deficit problems could forestall healthy public real estate developments and investments in the near future.

This paper aims to review and examine how affected claimants/groups achieve acceptable values for their lands during and after the compensation processes in selected communities in south-eastern Nigeria. The study shall identify the land value deficit problems arising from inadequate compensation on compulsorily ac-

quired lands particularly within the Niger Delta region of Nigeria. It shall assess the adaptive measures undertaken by claimants and groups who fear the inability to secure another land with the compensated amounts. The local measures undertaken by the government to minimize the loss of actual value of lands acquired from communities shall also be investigated.

## **Design/Methods followed/Approach**

Both desk research and a field survey research design involving simple random sampling technique of affected claimants and Estate Surveyors and Valuers was adopted, to elicit the useful data from the firms of Estate Surveyors and Valuers, and claimants from the affected communities in the south-eastern region of Nigeria for purposes of this study.

**I. ESTATE SURVEYORS AND VALUERS:** A total of 27 firms of Estate Surveyors and Valuers were identified through a snowballing sampling approach and selected for the study. The key informant from each of the selected firms was interviewed. The reason for the approach was the need to interview only members of the firms that have engaged in valuation of community lands acquired within the last seven years within the selected States. This conforms to Kaplan's (2013) rule which recommends minimum of 15 key informants for survey of this nature. The co-researchers sampled the opinion of 27 Estate Surveyors and Valuers involved in recent public land acquisition and compensation activities in the selected south-eastern States in Nigeria.

**II. CLAIMANTS:** The claimants were selected through a multi-stage sampling procedure. At first, a simple random sampling technique was used to select five States out of the ten south-eastern states in Nigeria. The States that emerged were Abia, Anambra, Imo, Rivers and Akwa-Ibom. Subsequently, the Local governments where compulsory land acquisitions have taken place in the last seven years were purposively sampled sequel to information gathered from the State Ministries of Lands and from the members of the Estate Surveying and Valuation profession operating within each of the selected States. Subsequently, at least one Local Government Area with a cluster of affected communities from each of the selected States was selected from the identified communities based on judgement sampling technique. Their selection was justified by the fact that land acquisition has not exceeded seven years from the period of this field survey. The selected communities include Abia (Aba, Eheme), Akwa-Ibom (Eket, Ibom), Anambra (Ihiala, Ihembosi), Imo (Izombe, Awo), and Rivers (Alode, Ejama, Eleme, Onne, Eneka, Ban-Ogoi, Kpobio, Saakpewa, and Kono). A total of 104 claimants were randomly interviewed. The co-researchers sampled the opinion of 104 affected claimants.

All field data collected from both categories of respondents were processed and analysed using simple percentages, Pearson's moment of correlation, averages and land price index (LPI), and presented on suitable tables.

## **Findings**

The co-researchers findings from the results of field data retrieved from both the claimants and Estate Surveyors and Valuers interviewed in this study were discussed under the subheadings below.

### **1. Purpose of Public Land Acquisition**

Table 1: Purpose of Public Land Acquisition

| DEVELOPMENT PROJECT | CLAIMANTS RESPONSE PER STATE |           |            |           |           |            |
|---------------------|------------------------------|-----------|------------|-----------|-----------|------------|
|                     | Rivers                       | Abia      | Akwa- Ibom | Imo       | Anambra   | TOTAL      |
| Pipeline project    | 0                            | 0         | 0          | 14        | 0         | <b>14</b>  |
| Road project        | 0                            | 12        | 11         | 12        | 0         | <b>35</b>  |
| Electricity project | 36                           | 0         | 0          | 9         | 10        | <b>55</b>  |
| Secretariat project | 0                            | 0         | 0          | 0         | 0         | <b>0</b>   |
| Public amenities    | 0                            | 0         | 0          | 0         | 0         | <b>0</b>   |
| Others              | 0                            | 0         | 0          | 0         | 0         | <b>0</b>   |
| Am not aware yet    | 0                            | 0         | 0          | 0         | 0         | <b>0</b>   |
| <b>TOTAL</b>        | <b>36</b>                    | <b>12</b> | <b>11</b>  | <b>35</b> | <b>10</b> | <b>104</b> |

Table 1 presents a survey result on the purposes for which lands in the various states were compulsorily acquired. The result of claimants' responses reveals three major purposes: pipeline project (14 claimants), road project (35 claimants) and electricity project (55 claimants). The most affected among the sampled claimants are from communities where electricity installation projects were sited. It should be emphasized that lack of electricity has significantly contributed to neglect of intensive land developments/ investments in the region, just as road infrastructure influences the rural-urban linkages within the region till date (Alaka, 2013) and thus are necessary projects.

## 2. Land Title Identification

Table 2: Land Title Identification

| PROOF OF HOLDING                                  | CLAIMANTS RESPONSE PER STATE |                 |                 |                 |                 | CORRELATES |           |
|---|------------------------------|-----------------|-----------------|-----------------|-----------------|------------|-----------|
|   | Rivers                       | Abia            | Akwa-Ibom       | Imo             | Anambra         | Claimants  | ESV       |
| Native heads attestation to ownership             | 9 (25%)                      | 5(42%)          | 1(9%)           | 9(26%)          | 0(0%)           | 24         | 17        |
| Communal attestation to ownership                 | 3(8%)                        | 1(8%)           | 0(0%)           | 2(6%)           | 0(0%)           | 6          | 6         |
| Documented evidences of land purchase/inheritance | 24(67%)                      | 6(50%)          | 10(91%)         | 24(68%)         | 10(100%)        | 74         | 55        |
| <b>TOTAL</b>                                      | <b>36(100%)</b>              | <b>12(100%)</b> | <b>11(100%)</b> | <b>35(100%)</b> | <b>10(100%)</b> | <b>104</b> | <b>27</b> |
| Coefficient Of Correlation                        |                              |                 |                 |                 |                 | 0.999088   |           |

Table 2 exhibits the evidences of title to claimants land. Those that presented 'native head's attestation to ownership' consist of 25% claimants from Rivers State, 42% from Abia State, 9% from Akwa-Ibom State, and 26% from Imo State. Claimants that presented 'communal attestations to ownership' made up 8% respondents each from Rivers State and Abia State and 6% from Imo State. Claimants whose evidence of possession or ownership were 'documented evidences of land purchase/inheritance' consist of 67% respondents from Rivers State, 50% from Abia State, 91% from Akwa-Ibom State, 68% respondents from Imo State and all the respondents from Anambra State. A correlation of responses given by both the interviewed respondents and the Estate Surveyors and Valuers yielded approximately 1.00-value which indicates an absolute connection between responses from both groups. Table 2 therefore explains that although all the claimants had proof of ownership obtained from the three sources, majority of the affected claimants provided convincing documents of land purchase/inheritance to the Valuers for their compensation claims. This recent practice of lands transfer by purchase or inheritance suggests ignorance of the land value impact on the part of the inheritor. To the investors, developers or speculators, it implies huge futuristic gains. In both cases sudden dispossession in accordance with the provisions of the Land Use Act will strip the entire household of any mortgage protection, projected wealth storage, and security of capital already invested (in the latter scenario).

### **3. Modes of Acquisition on Claimants Affected Lands**

Table 3: Last Modes of Acquisition on Claimants Affected Lands

| Last mode             | Adoption of modes of acquisition |    |   |   |    | Mode impact<br>(fx) | Mode Ranking |
|-----------------------|----------------------------------|----|---|---|----|---------------------|--------------|
|                       | 1                                | 2  | 3 | 4 | 5  |                     |              |
| Communal property     | 0                                | 0  | 0 | 1 | 26 | 130                 | 5TH          |
| Inherited             | 27                               | 0  | 0 | 0 | 0  | 27                  | 1ST          |
| Pledge                | 0                                | 0  | 0 | 2 | 25 | 125                 | 4TH          |
| Open market purchase  | 9                                | 15 | 0 | 3 | 0  | 30                  | 2ND          |
| Exchange              | 0                                | 0  | 3 | 0 | 24 | 120                 | 3RD          |
| Accretion             | 0                                | 0  | 0 | 0 | 27 | 135                 | 6TH          |
| Auction purchase      | 0                                | 0  | 0 | 0 | 27 | 135                 | 6TH          |
| Government allocation | 0                                | 0  | 0 | 0 | 27 | 135                 | 6TH          |
| Other means           | 0                                | 0  | 0 | 0 | 27 | 135                 | 6TH          |
| <b>TOTAL</b>          |                                  |    |   |   |    |                     |              |

Based on the analysis result on the last mode of acquisition on the disposed lands from the various claimants (Table 3), the Valuers opined that most of the lands were last acquired by the dispossessed by ‘inheritance’ ‘open market purchase’, ‘land exchange’ and ‘land pledge’. The most affected are those who acquired lands by inheritance. They may find it very difficult to secure another land especially where the claimant’s household has very poor per capita income. Those who bought their lands recently may receive higher value from compensation per square metre of land acquired, compared with those who secured theirs either by inheritance or pledge. The reason is attributed to lack of documented evidence indicating the land value. This is unlike the inheritor who has to rely on mere improvements on land for compensation with little or no consideration for the use and value of land as ignored by the implementers of the Land Use Act. Since most of the interviewed respondents did not purchase the subject lands, it would be difficult for them to secure others land of similar sizes at apparently the same value within the same community or an adjoining community. Thus pressure of demand for available portions of land will increase. Higher competition between the dispossessed inheritors and their households, the land speculators, property investors and other property users will invariably cause a tremendous growth in land price index especially where the nature of public land development is a stronger economic stimulant.

#### 4. Trend in Land Prices in the Affected Communities in South Eastern Nigeria

Although the Land Use Act was based on the conception that land is a free gift of nature and thus never sold, in practice, the citizens presume every land is endowed with values that can be measured in financial terms as its actual price. Contrary to the application of the policy, land values have continued to respond to the market forces of demand and supply. Information from the interviewed Estate Surveyors and Valuers indicates significant increases in the land values within the affected communities sampled. The averages of land prices within six months before and six months after the compulsory acquisition was calculated and presented on Table 4 below.

**TABLE 4: TREND IN LAND PRICES IN THE AFFECTED COMMUNITIES IN SOUTH EASTERN NIGERIA**

| STATE     | LOCATION | LAND PRICES                     |                                | AVE. OF LAND PRICES             |                                | LAND PRICE INDEX<br>% | Δ LPRI<br>CE<br>N"000" |
|-----------|----------|---------------------------------|--------------------------------|---------------------------------|--------------------------------|-----------------------|------------------------|
|           |          | Before<br>Acquisition<br>N"000" | After<br>acquisition<br>N"000" | Before<br>Acquisition<br>N"000" | After<br>acquisition<br>N"000" |                       |                        |
| Abia      | Aba      | 800-1,100                       | 1,800-3,400                    | 950                             | 2,600                          | 173.7                 | 1,650                  |
|           | Ehere    | 600-650                         | 1,000-1,250                    | 800                             | 1,125                          | 40.6                  | 325                    |
| Akwa-Ibom | Eket     | 550-600                         | 800-1,400                      | 574                             | 1,000                          | 73.9                  | 426                    |
| Anambra   | Ihiala   | 800-780                         | 1,700-2,500                    | 790                             | 2,100                          | 165.8                 | 1,310                  |
| Imo       | Izombe   | 750-900                         | 1,750-2,300                    | 825                             | 2,025                          | 145.4                 | 1,200                  |
|           | Awo      | 560-800                         | 1,500-2,000                    | 680                             | 1,750                          | 157.3                 | 1,070                  |
| Rivers    | Ihembozi | 800-850                         | 1,600-2,000                    | 825                             | 1,800                          | 118.2                 | 975                    |
|           | Alaode   | 620-700                         | 1,200-1,455                    | 660                             | 1,327                          | 101.1                 | 667                    |
|           | Eleme    | 950-1100                        | 1,540-2,600                    | 1025                            | 2,070                          | 101.9                 | 1,045                  |
|           | Onne     | 750-780                         | 1,900-3,000                    | 765                             | 2,450                          | 120.3                 | 1,685                  |
|           | Eneka    | 500-750                         | 1,500-2,200                    | 625                             | 1,850                          | 196.0                 | 1,225                  |
|           | Ban-Ogoi | 500-650                         | 1,350-1,500                    | 575                             | 1,425                          | 147.8                 | 850                    |
|           | Saakpewa | 600-950                         | 1,200-1,500                    | 775                             | 1,350                          | 74.2                  | 575                    |
|           | Kono     | 450-650                         | 1,000-1,450                    | 550                             | 1,225                          | 122.7                 | 675                    |
|           | Elama    | 450-650                         | 1,000-1,450                    | 550                             | 1,225                          | 122.7                 | 675                    |

**Hint:**  $\Delta LPrice = \text{Change in Land prices and is calculated as average land value after compulsory land acquisition (ALVA) minus the average land value before compulsory land acquisition (ALVAA).}$

The land price index was calculated as  $LPI = \frac{\text{ALVA}}{\text{ALVAA}} \times 100\%$   
 Source: Land price survey data extracted from market survey records Estate Surveyors and Valuers during the Valuation for Compensation in the affected communities, and the period under this study.

The land prices in all the affected communities witnessed positively significant growth which varied between locations. An analysis of the field data retrieved from the interviewed Estate Surveyors and Valuers on the Land prices before and after the public land acquisition was achieved by calculating the change in land prices and the land price indexes within the selected locations. It is worthy of note that communities with predominantly rural settings have suddenly witnessed more than 40 percent increase in land prices in the least scenario and up to 196 percent increase in the most significant scenario. The result of the analysis from each State is discussed thus:

**ABIA:** The land value within the affected communities in Aba was averaged at ₦950, 000.00 per plot prior to the acquisition and increased to ₦2, 600,000 within a year after the acquisition giving a land price difference of ₦1, 650,000. This indicated a significantly higher land price index of 175%. It therefore becomes very difficult for dispossessed inheritors or acquirers to afford (if the compensation per plot is based on rebus sic stantibus principle, to the exclusion of a real value for land itself). Within Ehene communities, the average land prices was ₦800, 000 per plot before the acquisition but projected to ₦1,125,000 within a year after the acquisition giving a land price difference of ₦325,000 per plot. This sudden change in land price trend yielded a land price index of 40.6% which is a positive growth but at a moderate rate compared with the experience within Aba.

**AKWA-IBOM:** The Valuers records revealed that six months prior to the compulsory land acquisition in the affected community in Eket in Akwa-Ibom, an average open market value of ₦574, 000 per plot of land was determined. After one year, it increased by ₦426, 000 per plot to ₦1, 000,000 per plot in 2015. This change indicated a positive significant change in the land price index by 73.5percent. The index signifies an economic growth that do not correspond with the amount the claimants could afford with their compensations, should they decide to acquire equivalent amount of land within the affected communities in Eket Local Government area of Akwa-Ibom State.

**ANAMBRA:** In like approach, land values in the affected communities in Ihiala local government of Anambra State revealed a land price index of 165.8 percent with a ₦1, 310,000-change in land prices. This follows an increase in average land price from ₦790, 000 per plot before acquisition to ₦2, 100,000 per plot within one year, after the public land acquisition. Though this increase in land price reportedly improves the internally generated revenue of the State Government (Valuers opinion), it has further limited the ability of the displaced households to secure sizeable plots of land within their community.

**IMO:** The land price trends in three communities in Imo State (Izombe, Awa and Ihembosi) were analyzed in relation to the study. Before Acquisition in the selected communities in Izombe, the average land value was ₦825, 000 per plot but increased with a difference of ₦1, 200,000 to ₦2, 025,000 per plot in 2015. This returned a land price index of 145.4 percent per plot of land transferred by 2015. Within Awa, the land value before acquisition in 2014 was ₦680, 000 per plot and

increased with a difference of ₦1, 070, 000 per plot to ₦1, 750,000 per plot in 2015. It thus gave a land price index of 157.3 percent. Also at Ihembosi, the land price index of 118.2 percent was realized with a land value difference of ₦975, 000 per plot, pushing up the land values from ₦825, 000 to ₦1, 800,000 per plot from 2014 to 2015.

**RIVERS:** The land price survey in Rivers State was taken from eight communities being affected by a more recent compensation exercise in the location of the study. The location with the most significant change in land price was Eneka which had its plot prices increased by 196 percent with a change in land price of ₦1, 225,000 per plot from ₦625, 000 in 2014 to ₦1, 850,000 in 2015. The next is in Onne L.G.A. with price difference of ₦1, 685,000 and a land price index (LPI) of 120.3 percent, following the increase in average land values from ₦765, 000 per plot in 2014 to ₦2, 450,000 per plot in 2015. Other surveyed communities were found in Kono and Ejama (with LPI of 122.7 percent each and Δ LPrice of ₦675, 000 each), Eleme (with LPI of 101.9 percent and Δ LPrice of ₦1, 045,000); Alaode (with an LPI of 101.1 percent and Δ LPrice of ₦667, 000 per plot).

All the results from the selected States indicated tremendous increases in land prices. These signify rapid growth in land values at volatile rates that are obviously impossible for the claimants to afford with received claims. Therefore the claimants are obviously running financial deficits from the compensation and may not be able to meet their household needs.

### ***5. Dispossession effects on claimants***

A further investigation was conducted into the possible effects experienced by the claimants and their households as a result of the compulsory acquisition of their lands.

Table 5: DISPLACEMENT IMPLICATIONS

| DISPLACEMENT IMPLICATIONS   | CLAIMANTS RESPONSE |      |           |     |         | CUMULATIVE OCCURRENCE |
|---|--------------------|------|-----------|-----|---------|-----------------------|
|   | Rivers             | Abia | Akwa-Ibom | Imo | Anambra |                       |
| A Inconvenience of begging for accommodation  | 16                 | 6    | 7         | 15  | 5       | 49                    |
| B Turning the claimants into begging for food to sustain household and avoid abuses | 19                 | 7    | 7         | 11  | 3       | 47                    |
| C High insecurity of my family from abuses  | 17                 | 7    | 5         | 3   | 4       | 36                    |
| D High insecurity of personal but moveable properties                               | 11                 | 4    | 1         | 8   | 0       | 24                    |
| E Inability to measure up to my social status in town or village or both            | 28                 | 11   | 9         | 31  | 9       | 88                    |
| F Loss of business and goodwill was based on that property location                 | 19                 | 9    | 3         | 15  | 4       | 50                    |
| G The task of coordinating myself, work, and resettlement threats                   | 8                  | 2    | 4         | 19  | 0       | 33                    |
| H Psychological demoralization  | 30                 | 8    | 10        | 33  | 10      | 91                    |
| I I lost all i have   | 3                  | 6    | 4         | 7   | 3       | 23                    |
| J All except (h)  | 2                  | 0    | 0         | 3   | 0       | 5                     |

Findings from the claimants' reactions indicate that the major effect of the compulsory land acquisition is 'psychological demoralization' (91 responses) (Table 5). Problems which the poor displacement arrangement caused the affected claimants and their households include 'inability to measure up to social status in town or village or both' (88 responses), 'Loss of business and goodwill was based on that property location' (50 responses), 'inconvenience of begging for accommodation' (49 responses) 'turning the claimants into begging for food to sustain household and avoid abuses'

(47 responses) among other ordeals.

## 6. Possible undignified societal adaptations from land value deficits

Table 6: Claimants Adaptive measures

| NATURE OF ADAPTATION            | IDENTIFIED MANIPULATIONS   |
|---------------------------------|--|
| <b>Physical Manipulations</b>   | <b>Abia:</b> Fences standing on earth surfaces with no foundations. Others were graves (not real), shanty structures used as kitchens and restrooms and bathrooms, artificial ponds (with matured catfishes and fingerlings).<br><b>Akwa-Ibom:</b> Fake shrines, fake graves and ponds full of muddy waters.<br><b>Anambra:</b> Improvised (fake graves and shrines).<br><b>Imo State:</b> Some claimants improvised fake shrines, fake graves, and fake cemetery. The wealthier ones went as far as developing dwarf walls that represent buildings whereas the others whose buildings were uncompleted but roofed quickly covered the doors and windows with planks and created artificial tenanted accommodations. Boreholes improvised during the inspection period and inventory taking were also observed.<br><b>Rivers State:</b> A claimant created an artificial borehole in order to attract greater claim. Many manipulators of claims developed fake shrines and connived with member communities to agree on its potency and use. |
| <b>Documented Manipulations</b> | Some landholders attempted to present records of falsified payments made on existing fixed assets on the landed properties being the subjects of land claims. Some pressed to negotiate with the Valuers to accept documented inflations on the economic trees on ground, as well as to include fixed assets not found on ground even when it is real that they do not exist. This practice was mostly experienced in communities like Izomite (Imo State), Ihiala (Anambra) and in Rivers State (Saakpewa, Kono and Onne).  |

During the compensation process, claimants who are afraid they may receive very small amount as compensation for improvements on land undertook illicit measures to falsely inflate the compensable values to a fair amounts (Table 6). The adaptive measures took both physical and documentary dimensions.

### 6.1 Physical Adaptations:

During the inventory stages in Abia State the Estate Surveyors and Valuers identified fences standing on earth surfaces with no foundations, improvised graves, shanty structures used as kitchens and restrooms and bathrooms, artificial ponds (with matured catfishes and fingerlings). In Akwa-Ibom State, some claimants attempted to influence the compensable values by constructing fake shrines, fake graves and ponds full of muddy waters. Within the affected communities in Anambra State as sampled, most claimants attempted to increase the compensable values by improvising fake graves and shrines. Likewise in Imo State some of the claimants identified improvised fake shrines, fake graves, and fake cemetery. The wealthier ones went as far as developing

dwarf walls that represent buildings whereas the others whose buildings were uncompleted quickly roofed them and hanged the doors and windows with planks and created artificial tenanted accommodations. Boreholes improvised during the inspection period and inventory taking were also observed. Generally in Rivers State, some of the claimants constructed artificial borehole in order to attract higher land value claims, artificial ponds. Nonetheless, many manipulators of claims developed fake shrines and connived with member communities to agree on its potency and use.

After compensation stage, some of the Valuers reported that some claimants/groups resisted public developments until more forms of compensation were received. Also 7 interviewed Estate Surveyors and Valuers specified that in their experiences in the last seven years, there are cases after the compensation stages, where groups (mostly village youths) forcefully demanded ransom in cases where public estates are allocated for developments/investments, and initiated fresh negotiations with land developers/users before such developments could be allowed. A total of 19 key informants added that some hostile youths attacked them while 8 key informants (ESVs) reported that some of their colleagues were not only threatened but stripped of some personal properties like phones, work bags and even money during cases of compensation crisis in the field and shortly after the compensation.

#### *6.2 Documentary Adaptations*

Some landholders attempted to present records of falsified payments made on existing fixed assets on the landed properties being the subjects of land claims. Some pressured their Valuers to accept the documented inflation on the economic trees on ground, as well include fixed assets not found on ground. This practice was mostly experienced in communities like Izombe (Imo State), Ihiala (Anambra) and in Rivers State (Saakpewwa, Kono and Onne).

### **7. Government: Localized Measures Undertaken to reduce Land Value Deficits**

Considering the numerous unethical practices claimants employed to inflate the land values, many public development projects have been threatened. Some were often abandoned following the pressure from youths and claimants demanding for more value for their lands. Consequently localized measures are being adopted to resolve the land value deficit problems especially in the recent acquisitions. Findings from the key informants show that in a more recent case in Imo State, the government resolved to give the affected community 50 percent of the acquired land for resettlement of claimants and their households. In Abia and Akwa-Ibom States, the government released 20 percent of the acquired land to house the affected households in addition to the compensation claims for improvements on land. The interviewed Estate Surveyors and Valuers also indicated that there are some instances where more money was paid by the government to the claimants and the affected community off-record to settle the aggrieved youths obstructing development of the public projects for which the land was compulsorily acquired. There are also instances of litigation against the Government on issues of compensation.

## **Conclusion**

Public land acquisition remains the easiest approach by which the Nigerian Government has gained access to lands in various communities for developments of overriding public interests. These developments have become stimulants of values to land whether developed or underutilized. Ironically parallel perception between the government and the governed over the worth of land is widening the poverty line and has worsened the general condition of many households. The land price indexes from the various communities surveyed within the south-eastern Nigeria returned +40% to 196% growth in values. This indicates that notwithstanding compensation is paid to the claimants for their land titles, the open market values of these lands has experienced upward volatility. The trend was triggered by the forecasted dividends of new mega developments, leaving the displaced households at gross losses. Deficit in land values in Nigeria, arising from gross inadequacy of compensation for compulsorily acquired lands, is an obvious harbinger of the enormity of problems of the claimants' households. This has forced many affected claimants into adopting various illicit approaches both physically and documentarily to seek fair claims for the divested lands. Compensation valuation practice in the south-eastern Nigeria is becoming riskier as a result of the legally unavoidable exclusion of land as an asset with a price in compensation claims. Community members are forced by this unacceptable situation to adopt illicit ways to press their demands to the government during and after compensation. Although localized approaches have been adopted by some governments in the recent times to forestall the negative effects of poor compensation on proposed/existing public projects, the psychological and socioeconomic effects has become crucial matter especially in the south-eastern Nigeria. This must no longer be neglected especially during the considerations by the Land Policy Reform Committee.

## **Recommendation**

Sequel to the findings from this pilot survey on the problems arising from land value deficits in compensation for compulsorily acquired lands, the co-researchers hereunder advocate for extensive exploratory survey on the adversaries and negative multiplier effects of strict adherence to the stipulations of the Land Use Act as the basis for compensation of the claimants. This is with the view to identifying the indebt peculiarities of the communities' dissatisfaction and reactions to the claims, and its possible future implications to further national developments. Acceptance of a compensation or resettlement in lieu of the public land acquisition should be seen as sacrifices of household that should be marched with substantial appreciation. Therefore, the concerned Nigerian Government should endeavour to secure sufficient land during public land acquisitions such that adequate proportion will be set aside for resettling the directly affected families. Besides, poverty should be eradicated within the affected households by addressing their income status, training and employing the working-class households so that they would not suffer severe setbacks from land value deficits. The compensation from the government should be made attractive to the affected households such that other communities will be inspired to release more lands especially for projects of robust economic benefits to both the affected community and the entire region.

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