"AGRICULTURAL LAND CRISIS IN NIGERIA: A CASE STUDY OF IDAH LOCAL GOVERNMENT AREA OF KOGI STATE."

BY

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JUNE, 1993.

DECLARATION

I hereby declare that this thesis was written by me and that it is a record of my own research work. It has not been presented before in any previous application for a higher degree or reputable presentation elsewhere. All borrowed ideas have been duly acknowledged by means of references and quotation marks.

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CERTIFICATION

This thesis entitled "Agricultural Land Crisis in Nigeria: A Case Study of Idah Local Government Area of Kogi State" by Ukwuteno S.O. meets the regulations governing the degree of Master of Science of Ahmadu Bello University, Zaria, and is approved for its contribution to scientific knowledge and literary presentation.

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DEDICATION

Dedicated to my Son

Adukwu

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ABSTRACT

Agriculture and land are quite inseparable. Land is an important resource and a factor of production to the extent that without land there can be no agricultural growth or development.

Land crisis is a phenomenon which in recent years has brought about an unprecedented problem and hardship to many inhabitants of Idah Local Government Area (L.G.A.) and indeed Nigeria as a whole. The topic "Agricultural Land Crisis in Nigeria: A Case Study of Idah Local Government Area of Kogi State" is an investigative research which seeks to identify and describe the evolution and factors responsible for land crisis in Idah L.G.A. and assess its effect on agricultural land use and productivity in the area.

The tools of analysis used in this study were simple descriptive statistics, capitalization techniques and regression analysis to determine relationship between and among variables.

A total sample of 150 respondents - farmers, leaders and educated persons from Akpanya, Idah, Iyano, Odeke and Uchuchu were interviewed with structured questionnaires to obtain information. The courts were also visited with copies of questionnaire to obtain information on their role in settlement or otherwise of land dispute matters. The information collected were analysed using the tools

of analysis specified. The t-values and F-statistic values are significant at 5 per cent level of significance.

The study noted that land is being made artificially scarce due to crisis over land which in some cases have resulted in disputes, violent clashes, abandonment of cultivable or agricultural land and destruction of lives and property.

Factors identified in the study to be responsible for land crisis include: (a) selfishness and greed (b) craze for material wealth and pride and (c) civilization and/or awareness.

Population factor has no empirical evidence to show its effect on land use. There exists however, speculative evidence and this has given rise to speculation in land by the people.

Furthermore, nominal land rent has not been found to be statistically significant. However, the economic land rent has been found to be of statistical significance. Also, the Land Use Act of 1978 seems to constitute a core problem in the current agitation.

Given the scope and complexity of land and agricultural development, one cannot attempt to cover the whole field. The author has therefore focused on land as a basis for agricultural development. It is hoped that this study will provide the basis for policy that would

safeguard the interest of the people in the rural areas. Also, the study will indicate areas where further research would be needed for the transformation of agriculture from its present poverty position or state to a much more modernized agriculture which alone can move the nation to an enviable position both in political and economic sphere.

It is observed that self-sufficiency and self-reliance in food production is still the basis for political and economic stability of a nation. This can only be achieved when the utilization of land and its resources can be maximized. Under land crisis, the attainment of this goal may never materialize in any society.

CHAPTER ONE

1.1 INTRODUCTION

The economies of all countries, no matter their levels of development depend on land, for no economies exist without the exploitation of land directly or indirectly in one form or another. Famoriyo (1979), observed that the direct exploitation is even more in Nigeria where at least 70-80 per cent of the working population rely on agriculture for their livelihood. This shows the importance of land and indeed agriculture in developing economy such as Nigeria. Therefore, the importance of land and indeed agriculture cannot be over-emphasized.

The Third National Development Plan (1975-1980), shows that Nigeria has a total land area of 98.3 million hectares (or 356,670 sq miles, or 923,775 sq. kilometres). Of this, 34 million hectares, about one-third was under cultivation of crops. There was a total cultivable land of 71.2 million hectares. Less than half (50%) of this was actually being cultivated. Presently, uncultivated land can still be found lying waste in Nigeria.

According to Famoriyo (1981), Nigeria is made up of hundreds of ethnic groups. Ownership of land depends on being a member of land owning group or community. Since there is no Nigerian who does not associate with a group, he argued, it follows, at least in theory that there

should be no landless Nigerian. He noted that it would be right to say that "there is no land in Nigeria without owners". One cannot but agree with this assertion particularly with regards to agricultural land.

As the land value continues to appreciate, while the Nigerian society becomes more complex both in organisation and in the visible manifestation of effects of modernization or economic development, frictions and sometimes violent clashes on land issues arise between communities, families and individuals throughout the country.

According to Barlowe (1978), the traditional concept of free simple ownership under which owners were free to use and abuse their property with little regards for others is now out of place. Individual owners in using their property must consider the impact of their action upon others and upon society in general. The old doctrine of laissez faire is giving way to a doctrine of savoir faire. Land ownership is becoming a public trust under which private owners enjoy certain usufructuary rights on their property which they must exercise in a manner commensurate with public interest.

The concept of land crisis may be described as the relentless struggle by people to take possession of land through claims and counter claims over ownership rights in land including the use of force for its occupation and use or control. This takes place among communities and

between individuals within communities that had been living together in harmony over the years. This was usually done at the expense of the rightful owerner(s) particularly owners of agricultural or cultivable land.

The distinction between crisis and dispute in this context, is that crisis starts when there is a move to claim arising from time of difficulty while dispute results when there is a counter opinion or claim. Although disputes lead to crisis, this does not follow in all cases. It must be pointed out though that it is dispute that is usually first noticed because conflict is associated with it while crisis may not necessarily be so. In other words, crisis marks the turning-point in time of difficulty expressed in anticipated future while dispute refers to controversy arising from conflicting views or disagreements. Land crisis therefore becomes a dimension of more serious magnitude than just land dispute.

Land crisis in Nigeria cannot be divorced from land tenure system. As noted earlier, there is no apparent shortage of land in Nigeria, though shortages and surpluses could be found in some localities. But what is currently being witnessed or experienced in land use and occupancy calls for an indepth investigation as to what is the core of the crisis which has often led in most cases to disputes.

The crucial issue in land ownership is the rights and interests that are exercised in land. These rights and interests have constituted a key factor in determining who owns the land and what he is free to do with it.

Agricultural development is a planned process which involves structural changes in existing structures and institutions. This has to do with firm commitment of policy formulators and executors to direct the available resources in a manner that is consistent with the set objectives. However, under land crisis situation, the objectives may never be realised due to incoherent and erratic changes in plan and action.

A comprehensive assessment of land crisis in Nigeria as it relates to agricultural development, must involve a critical study of land tenure arrangements in the nation as a whole and indepth study of specific areas. For this purpose, Idah Local Government Area has been chosen for the study.

1.2 PROBLEM STATEMENT

Since Nigeria came into being as a country (nation), emphasis has been on self-sufficiency and self-reliance in food and other aspects of agricultural production. For the realization of this objective, the utilization of land resources needs to be optimized. In recent years, Idah Local Government Area and indeed Nigeria, has been

witnessing land crisis particularly in areas of land use and occupancy, some of which have resulted in disputes leading to violent clashes with the attendant loss of lives and property. This sometimes has resulted in abandonment of land in some areas thereby making agricultural development to suffer.

The purpose of this study is to investigate, identify and describe the various factors which have been responsible for the claims and counter claims of ownership rights on land which have disrupted the peaceful coexistence and production process in Idah L.G.A. It is hoped that the study will provide the basis for policy that would safeguard the interest of the people in the rural areas. Also, the study will indicate areas where further research is needed for the transformation of agriculture in Nigeria. In view of the foregoing circumstances, the following questions may be asked.

1. What factors are responsible for the land crisis in Idah L.G.A.?
2. How did the land crisis evolve in the area?
3. What is the nature and magnitude of the land crisis in Idah L.G.A.?
4. To what extent would land crisis affect agricultural land use in Idah L.G.A.?
5. How can the problem of land crisis be minimized in

Idah L.G.A.?

1.3 OBJECTIVES OF THE STUDY

The broad objective of the study is to identify and describe the evolution of land crisis and factors responsible for land crisis in Idah Local Government Area and assess its effect on agricultural development and productivity in the area.

The specific objectives are:

1. to identify and describe factors responsible for land crisis in Idah L.G.A.
2. to identify and describe the evolution of land crisis in Idah L.G.A.
3. to assess the effect of land crisis on agricultural land use in the area.
4. to make policy recommendations for the overall objective of promoting increased agricultural productivity and optimum utilization of land resources in the area.

1.4 JUSTIFICATION OF THE STUDY

The study could be seen as timely, especially as the various governments and administrations in the past have focused efforts at increasing agricultural productivity and output with emphasis on self-sufficiency and self-reliance in food and other aspects of agricultural

production.

The promulgation of the Land Use Act was to ease land acquisition by governments for public purposes and allocation of land to agriculture for increased productivity. However, despite the existence of the laws and efforts by successive governments and administrations, agricultural productivity seems to be on the decline and agricultural production output has not been able to keep pace with population growth considering the soaring food prices. This coupled with the recent crisis on land which has generated tension and sometimes violent clashes in some areas, abandonment of cultivable or agricultural land and destruction of lives and property, and therefore calls for an indepth investigation.

The proposed study covers Idah Local Government Area and it will be organised into the following five chapters.

1.5 ORGANIZATION OF THE THESIS

The thesis is divided into five chapters. Chapter one, the introduction, contains the statement of objectives and justification of the study. Chapter two gives a review of relevant literature on land matters. Chapter three deals with the methodology of the study and a brief description of the study area. Chapter four

deals with the discussion of results and findings. Chapter five gives the summary of findings of the study and conclusions.

CHAPTER TWO

2.1 INTRODUCTION

Land resources and real estate are of great importance in modern world. This is because they provide man with essential raw materials to satisfy his numerous needs. Specifically, man depends upon the land resources for food, physical environment, clothing, fibres, manufactured goods, research, recreation, scenery for tourist attraction and building sites.

From the origin of man, he has always had greatest regards for land. Man has regarded land as "Mother earth" (Barlowe, 1978; Famoriyo, 1983). The average farmers live in close association with the land. Nations have fought battle in order to take possession of land, [illegible] instrument of power and exploitation. Land is a stock of wealth and a major asset. Land is the basis for the transformation of societies socially, economically and politically in all human societies, whether such societies are predominantly agrarian or industrial societies (King, 1973; Famoriyo, 1983). Internecine and inter-tribal wars have been fought to regain lost territories or to capture new ones. This behaviour has become intractable problem up to the present time.

The important aspect of land is not just its physical existence or possession but the rights that are

attached to it. These rights according to Famoriyo, (1975), determine who owns it and what he is free to do with it. These rights, he noted, constitute a key factor in determining socially, economically and politically the status of an individual. The classical economists and political thinkers considered land as an important factor of production hence they were very pre-occupied with the relationship between land, man and food supplies. The relationship between man and land is too important that it is difficult to imagine the existence of man and his continued civilization without land (Barlowe, 1978; Famoriyo, 1981).

There are many countries of the world today that depend on the rich land resources, e.g United State of America (USA) and Canada. There is considerable thinking today that the greatest need of man is to find ways of increasing food production. It is said that about 20 per cent of the world population suffer from hunger (Famoriyo, 1981). Even then, this figure could rise under persistent violent land crisis. This means that there is a need to develop new agricultural land and improve the existing ones. However, there are many concepts of land.

2.2 LAND CONCEPTS

According to Famoriyo (1979), people differ in the meaning attached to the word "land". It depends on the individuals' liking as well as their thinking or vocation. Consequently, there has been many concepts of land. Within the complexity of what constitutes land, are the following concepts: (1) Physical concept (2) Spiritual concept (3) Socio-political concept (4) Economic concept (5) Legal concept and (6) Abstract concept.

The Physical concept: This describes the physical expression of the nation-state. That is, land includes the physical soil, water, trees, plants and animals, rocks (minerals), fixed structure and space above the land.

The Spiritual concept: Thes spiritual concept sees land as having spiritual or religious values. The attachment of these values or beliefs is more pronounced in the rural areas in Nigeria. The rural dwellers recognise the existence of a deity in land that serve to protect man and land. The deity it was said, must be constantly appeased to avoid its vengeance (Famoriyo, 1979).

The Socio-Political concept: This refers to a group of people or community having common socio-cultural or political ideology. Thus the expression like "Yoruba

land", "Ibo land", "Hausa land" or "Igala land" etc. would refer to the people in a particular geographical location rather than just the physical land itself.

The Economic Concept: The economic concept recognises land as the source of human wealth, the natural source of raw materials required by man for the production of goods and services. However, there is lack of consensus among economists about the rationale for making distinction between the physical land as a factor of production and that which has been admixed with it in form of human labour and capital. For example, while some regard land as just a factor of production, others define the conomic concept of land as "the sum total of natural and man-made resources over which possession of the earth's surface gives control" (Barlowe, 1978) The broad concept of land as clearly stated by Barlowe, include "all of the earth's surface, water and ice as well as ground. In addition, it includes building sites, farm soil, growing forests, mineral deposits and water resources. It also involves such natural phenomenon as access to sunlight, rain, wind and changing temperature and location with respect to market and other areas. Moreover, it includes all those man-made improvements that are attached to the surface of the earth that cannot be easily separated from it". This definition reflects a concept of land that is more than just a factor of

production.

Legal Concept: From a legal standpoint, land or real estate refers to any portion of the earth's surface over which ownership rights might be exercised. These rights relate not just to the surface area but also other improvements attached by man and object of value that lie either above or below the surface.

Abstract Concept: The abstract concept of land derives from the nature of land itself. The unique quality of land is that it is static (immobile). This affects how decisions on its use are taken. He who owns interest in land must either go to the land to work it or give authority for others to do so. The authority to take decisions on land is in form of property rights. This hitherto has been granted and sanctioned by the existing laws. The property rights and the physical area of land constitute decision-making unit. These, Denman (1972) cited in Famoriyo (1979), has called "the proprietary land unit". The proprietary land unit considers land as a natural resource combined with all efforts of man at a particular point in time. The proprietary land unit is therefore defined as "an area of land used as a single entity and co-extensive in its physical dimensions with vested rights of property to use, to dispose and to alienate" (Famoriyo, 1981).

The various concepts of land described above, show that land is an important basic resource for man. The meaning attached to it depends upon the context it is being used as well as the individual's liking or vocation. However, interest in land in Nigeria is basically due to the fact that agriculture is the dominant occupation, and that the life-style of Nigerians has generated a demand for more land.

The various concepts and ideas built around land have a profound influence on the social, economic and political life of the people in many communities in Nigeria. As levels of awareness and consciousness about the value of land continue to grow in the Nigerian society, individuals can be expected to demonstrate this awareness as they increase their demand for more land.

2.3 CURRENT LAND CRISIS

The current land crisis in Nigeria may not have been rooted in the inadequate availability of land for farming and other uses. It might be right to adduce some other reasons. One factor which has been prominent in the crisis is ownership rights and interests in land, the bulk of what constitute "Land Tenure".

As noted earlier, Nigeria has a total of 98.3 million hectares of land area of which 71.2 million hectares are cultivable. Out of this cultivable one,

only one-third was being cultivated. Even a casual look shows there are areas which are not being cultivated and may never be cropped because he who has the capacity to crop it may not have ownership or usufructuary right of occupancy.

Famoriyo (1983), observed that in countries where majority are engaged in agriculture, like Nigeria, there is a strongest desire to associate with a group to whom land ownership is a heritage or hereditary possession. In other countries, there could be a strong desire to acquire absolute titles to land. This desire is to be expected because ownership of land by an individual or group is often a source of security as well as food. The fact is that it has provided excellent means of survival for all members of land owning community. It has also promoted family solidarity over the years.

The point at issue may be an attempt by some powerful and rich individuals to use their position to expropriate land from poor farmers and appropriate same to themselves, thereby creating absentee landlords thus leading to the emergence of landless labourers.

In a study carried out at Kadawa and Bakalori, Oculi (1979), reported that a phenomenon was already emerging by which urban-based officials, businessmen and local officials were hiring farms from peasants, a phenomenon which the officials (Irrigation Authority) claimed they

could not prevent the peasant farmers on irrigated land from doing.

The phenomenon of elites restricting access of small poor farmers in recent years of Nigerian history was noted as part of the new political rhetoric of some State Governors and some legislatures.

It should be noted however, that in order to forestall the above phenomenon, the Land Use Act of 1978 was promulgated. It is however, sad to note that despite the existence of the Act, the procedure to effectively allocate or acquire land has been combersome. To be able to address this crucial issue, it might be in order to examine the land tenure systems among some communities or groups in Nigeria.

2.4 LAND TENURE SYSTEM IN NIGERIA

According to Barlowe (1978), "some of our most important real estate (land) resource problems stem directly from the arrangement under which people hold and share property rights". These problems provided the subject matter of land tenure, a concept that involves the many relationships established among men that determine their varying rights to control, occupy and use landed property. Land tenure concerns the many ways in which people, corporate bodies and governments share in the bundle of property rights.

In Nigeria, two types of arrangements may be recognised viz: (1) customary right of occupancy and (2) statutory right of occupancy. "A customary right of occupancy is the right of a person or community lawfully using or occupying land in accordance with customary laws and includes a customary right of occupancy granted by a local government in respect of land in rural areas while a statutory right of occupancy is a right of occupancy granted by the Governor or arising in an urban area by the operation of the Land Use Act" (Adeniji, 1981).

Under the customary land tenure systems in Nigeria, land is owned and used by the community. He who belongs to the community has a right to use it. A stranger must associate with a community in order to have a use right. These systems have existed for centuries as part of traditional agricultural economy. The customary land tenure system was established in order to protect the "territorial sovereignty" of the village land and to demarcate them from adjoining ones. In establishing the system, the issue of community defence was of vital importance (Famoriyo, 1979). The village that could not defend herself was susceptible to enemy incursions and hence subjugation.

The need to satisfy food requirements of the family and village communities were met through the provisions of the customary tenure system. Sources of food supply

included hunted animals, staple foods grown in the soil, fruits picked from trees and fish caught from rivers, lakes and ponds. As development progressed, an "aspect of culture change" brought by the influence of the commercial economy of Western Europe on African society created impact on land tenure system. These changes have continued to progress, although there are some communities still sticking to the culture of limited alienation or strict non-alienation of interest in land.

Statutory right of Occupancy: This is usually granted to the individuals, corporate bodies or group by government under the existing laws. For instance, under the Land Use Act, individuals could be allocated up to 500 hectares for farming purposes, and 5,000 hectares for grazing purposes though with the consent of the Governor of State. Even then, this size of land area may be hard to come by in contiguity. Under this condition, agricultural development or modernization may never materialize since it will not be profitable to mechanize.

The principles of land tenure arrangements in Nigeria as demonstrated by various writers showed that they are basically similar. Land belongs to the community or family. Individuals have or exercised varied rights and interests in land. However, there exists variations in the modus operandi due to differences in socio-political and cultural factors among

communities.

For example, Goddard (1973), recognised a double ancestry in Hausa land tenure system, viz: (1) traditional African concept of communal ownership and (2) Islamic Land Laws which recognises individual tenure. Oluwasanmi (1957), observed that in areas of high population densities, most farmers operated holdings that were too small to maintain them and their families or permit the introduction of innovating techniques which alone could improve agricultural output and the "living standard of farmers". In the context of high population densities, the possibility of rotating land in agriculture had encouraged a trend towards individualization of land tenure. This was expressed in considerable degree of permanance in the pattern of holding.//

In the early Nineteenth century when the Hausa rulers were overthrown by the Fulani, the Sultan became the head of the Fulani empire. There were emirates under the Sultan's rule. Each emir distributed lands to the people under his emirate. In all Moslem areas, the Sultan's authority over land could be considered as a trusteeship with a hierarchical structure. At the top of this hierarchy was the Sultan while the Chief of the village was at the bottom.

According to Ega (1979), the security of land acquired under customary land tenure was assured. In a study he conducted in three Zaria villages, he noted that farmers in the area believed that their capacity to use land was unlimited. This was because their title to land was virtually permanent and their children and descendants held an ascertainable inheritance rights of infinite duration. The farmer, he noted had or exercised de facto ownership rights in holding, that is, he had almost full decision-making rights over the land except that of alienation whereas the government had de jure decision-making rights.

Famoriyo (1979), quoting Chubb had suggested two phases in the development of land tenure arrangements in the Tho community. Firstly, there was the pre[illegible] or original phase. In this phase, matchet was used as tool for development. Secondly, the community phase. This phase entailed the settlement of community in a virgin country (land). This phase he noted was the most difficult phase. This was because the community had to battle it out against the attacks by wild animals, insects and deadly diseases in order to establish themselves in the virgin land. Population factors he noted was crucial at this stage because it created competition among members who established farms and farm boundaries. The intensive cultivation of land equally

made the land to be more valuable.

The expression "bad bush" dennoted land which in ancient times was set apart and used as repository for dead bodies of criminals and other abominable citizens. The control of "bad bush" was usually in the hands of the Chief priest of the deity to which the "bad bush" was dedicated. However, with the increasing need to widen the expense of food production, more people resorted to bringing more "bad bush" to effective use.

Rights could be exercised in family land by members of an extended family. Land acquired or inherited by an individual, was under the sole control of the individual. It was not subject to debate by members of the family but was inherited by the son of the individual or his brother. However, during his life-time, he was free to give to whoever he wanted (Famoriyo, 1979).

Sales of land had become part of Ibo land tenure arrangements. An individual could acquire unfettered rights to land by paying cash for it. The sales were followed by the killing of a cock or any other accepted sacrificial animal whose blood was sprinkled on the land to mark the sales transactions.

Under the Ibo land tenure, individuals could exchange plots of land among community members as well (Famoriyo, 1979). Such exchanges he noted, was necessitated in cases where farmers had hitherto acquired

scattered holdings for the purposes of contiguity of plots, particularly for farming.//

In Ibo land tenure too, land could be pledged (a kind of indigenous mortgage) or leased. The arrangements were closedly tied to the social and political organisation of the people. Famoriyo (1979), noted two elements in the arrangements. These were, vertical and horizontal elements. The vertical elements were characterised by kinship or family ties and the horizonal elements were made up of associations of people who were not necessarily of the same kins or families.

The core element in the socio-political organisation lied in the extended families. // An extended family referred to a group of families with close (blood) links who lived closely together and had a single head. The families could belong to one or more generations. They had common characteristics such as mode of worship and common ancestry. The head of the extended family was called the "Okpara".//

The Ibo society was essentially decentralized and basically democratic and authority was based on performance and personal traits of leadership to a greater extent than on mere rights based on age or office.

// Again, indigenous Yoruba land tenure according to Famoriyo (1979), considered land ownership upon the

principle that God (Creator) had given land to man for his use, this use should also be extended to posterity and no one should interfere with the time honoured arrangement. Thus, the often quoted assertion of the Yoruba Chief that "it is the conception among the Yoruba that ownership of land belongs to a vast family, many members are dead but few are living yet countless members are still unborn" (Elias, 1953; Famoriyo, 1979; Adigun, 1981).

In Yoruba land tenure arrangements, every individual member of a land owning family was entitled by birth to a stake in family land. There existed what could be regarded as permanent or perpetual interest in land. An individual family member could exercise control over the use of land so long as he ploughed, except that he would not alienate it without the consent of the land owning group. Right of use of an individual could be transferred if he did not put it to good use or abandoned it for a number of years.

An important individual in the land tenure arrangement was the Chief. Although the Chief's right of use was not more than any other individual, still the Chief had additional rights by virtue of his position as administrator of the village and the people. Specifically, the role of the Chief was like that of a trustee of the land of the community or family. Any

individual who wished to use family land was expected to seek the consent of the Chief.

Furthermore, the Chief had the function of redistributing lands. He acted as arbitrator on certain occasions. The Chief also acted as a Custodian of land by preventing wanton alienation of vacant lands. He could also grant leases to strangers with the consent of senior members of the land owning group. In return, the customary tenants were expected to make regular payments in respect of the use of land. The payments varied and were in addition to the customary tribute offered to the Chief. The payment known as "Isokale" was a trifling one which merely served to remind the cultivator that the property was not his and never could be, had been converted into de facto rents by being called upon to bear a heavier annual obligation (Driesen, 1971). All pretence has been dropped and a payment openly referred to as rent has been demanded. Besides, there were usually areas of land attached to the Office of the Chief.

In Yoruba land tenure system, rights of use in land were acquired basically through pioneer clearing, inheritance and gift inter vivos (that is, exchange of gift among the living persons) (Famoriyo, 1979).

2.4.1 Land Tenure Among the Igala

Although not much had been recorded on land tenure system among the Igala, according to Obayemi (1980), it had been due to the nature of their history which only came into lime light between 18th and 19th Centuries.

In a short account of land tenure by Temple (1965), the organisation of land tenure administration in Igala land followed the tribal organisation which appeared to be simple. All land in Igala area was vested in the Office of Ata-Igala, and a land tax was the only tax raised. The Ata acted as the political head and the custodian of land and culture of the people in his Kingdom. The Ata could however, demand produce or stock, but for the consumption of himself or his family only. He also received half of the meat of game killed as a hunt, and half of the quantity of fish caught.

Chiefs who held their titles from the Ata, were subject in addition, to a death duty of half their property. These Chiefs had little authorty outside that possessed as a head of a family. The "family" included all blood relations (blood brotherhood also was recognised), male and female with their followers and slaves. The Chiefs nowadays however, are expected to pay the Ata, an annual homage by which tributes/royalties are brought to the Ata.

Any man might take and farm any uncleared land, though the land remained under the control of the Ata. The produce from the land would remain the possession of the occupants. A female shared this right, but she only inherited failing male heirs.

The right of inheritance to all property, passed, on a man's death to: (1) his eldest living brother, (2) eldest living uncle (3) the eldest son of his eldest uncle. The heir had to settle all debts of the deceased before his burial.

Earlier study carried out by ByngHall (1903), seemed to agree with Temple's findings. The major point of departure seemed to be on the pattern of "ownership rights". While ByngHall recognised individualized ownership of property (land), Temple, on the other hand, favoured the collectivization of ownership of property which had its root in communal or family ownership of land. The argument in favour of Temple could be found in the allegiance of members to the family head which was absolute and total. There was however, a gradual change toward individualized ownership right. The evidence of this could be found in the fact that individuals not too infrequently adjudicate over ownership right of property. The individual ownership right was recognised based on the first to clear a virgin forest (Pioneer Clearing). This nowadays, are being inherited by the individual's

direct heirs who are male or brothers. The land however, remained the property of the community or family.

Assessing closely, the Igala land tenure arrangements in relation to land tenure arrangements in Nigerian communities, showed that there were not much variations among communities. Relating Nigerian system in the context of African land tenure, showed that the systems of land tenure are basically similar. Territorially, there could be variations for the purpose of administrative convenience.

Podedworny (1974), quoting Meek had said that African people had no conception of land ownership in the European sense. This was because land belongs to God, and its utilization was vested in the people who occupied and use it collectively. His argument was based on the recognition by the Africans the existence of a deity in the land. Again, he observed that individuals or group of people could have various rights to the same piece of land, e.g. right of cultivation, hunting, herding after harvesting or the right to trees. This seemed to be correct in the African mode of land utilization. However, this seemingly flexible system still has problems because ownership of land has collective vested interest. The perpetual interest in land by the community or family has made the issue of complete or outright alienation difficult and therefore not

sanctioned by the people.

Sales of land had not been part of traditional African land tenure system. However, this is fast gaining ground in most African societies. The communities were consistent on the issue of outright alienation of rights and interest in land as no communities sanctioned it. Also, all communities welcome strangers and even give them land to farm and build houses. However, in all groups examined, no community(ies) allowed for a stake or share of property rights with strangers or tenants over land, only use rights were being granted as deemed fit by the community. Furthermore, property inheritance was/is recognised by both the government and the people in Nigeria.

2.5 CURRENT LAND CRISIS AND THE LAND USE ACT.

The then Federal Military Government in 1977, observed that there was problem in land tenure arrangements, in its acquisition of land for her development projects, and in resolving various litigations resulting in social unrests. Because there were no effective plans and control over land use in Nigeria, there arose the following problems:

1. "Rising urban land prices following increased demand for residential, commercial and industrial land.

2. Combination of demographic and ecological factors causing "land starvation" and resulting in further land degradation.
3. Incidence of land grabbing in many parts of Nigeria through the activities of wealthy individuals and absentee landlords (landowners).
4. Problems encountered by Federal and State Government in their efforts to acquire lands for social and economic development.
5. Problems related to issues of compensation such as fraud, duplicity of rights in land and the ubiquitous land speculators"

In an attempt to find a solution to these numerous problems, the Federal Government proceeded on the 16th of May, 1977 to establish a Land Use Panel with the following terms of reference (Olawoye, 1981; Famoriyo, 1983):-

(i) "to undertake an indepth study of the various land tenure, land use and conservation practices in Nigeria and recommend steps to be taken to streamline them;

(ii) to study and analyse the implications of uniform land policy for the country;

(iii) to examine the feasibility of a uniform land policy for the entire country, make necessary recommendations and propose guideline for their

implementation; and

(iv) to examine steps necessary for controlling future land use and also opening and developing new lands for the needs of the government and Nigeria's growing population in both urban and rural areas and make appropriate recommendations".

Although the Panel was charged with the responsibility as stated above, it was observed that the Land Use Panel did not visit the rural areas (Igbozurike, 1981). This was a major fault and it was safe to add that most people in the rural areas were unaware of a policy that purportedly changed the basis of land ownership in Nigeria. Therefore, the Act essentially could be regarded as an Urban Land Policy.

In accepting report of the Land Use Panel, though, the Federal Government issued a "White Paper" which stated inter alia: "While government does not intend to dispossess any Nigerian of his acquired property, which is being lawfully and optimally used, government cannot remain indifferent to the problem of land litigation which is widely acknowledged as an obstacle to rapid national development. A situation whereby government, public institutions and individuals encounter serious problems in acquiring land for development should no longer be allowed to continue in the overall public

interest. Henceforth, ownership of all land in the country will be vested collectively in all Nigerians and the rights of individuals will be guaranteed".

The above recommendations are quite impressive. In all, the Act seemed not to have infringed on the people's rights. However, there still lies the problem of inappropriate definition and interpretation of terms. In other words, the ideas contained in the Act were good, only operational procedures seemed to be ineffective.

The objectives of the Land Use Act as promulgated, 1978, included the following:

1. Lands existing within the physical confines of any state belong to all Nigerians and should be used for the common benefit of all Nigerians though its trusteeship would be in the hands of the Governor of that state.
2. The Act makes it possible for all Nigerians desirous of using land to obtain statutory right of occupancy in urban land and customary right of occupancy in respect of land in rural areas. The provisions made it possible for government or corporate bodies to acquire land for public purposes.
3. In legal terms, the provisions of the Act sought to stem speculation in land and abolish landlordism which means no individuals could be described any longer as land owners.

4. To prevent incidence of land grabbing by wealthy citizens.
5. To control rising urban land prices and
6. To prevent disputes as to the amount of compensation payable under the Act in respect of improvements on land (Land Use Act, 1978).

The objectives contained in the Act in intent were quite impressive. However, the administrative practicality of the Act has been questioned (e.g Igbozurike, 1981; Famoriyo, 1983). A number of loopholes were identified. The loopholes included the following:

1. The Land Use Panel did not visit the rural areas.
2. The vital information needed such as a complete records of land ownership rights, cadastral surveys unmistakably showing farm boundaries, and records of authenticated titles were not available.
3. There was no clear definition of the amount payable on improvements made on land as per item as compensation and
4. The law did not take full cognisance of the levels of social and economic development of the country.

These seemed to have been responsible for the ineffectiveness of the Act including cumbersome operational procedure.

2.6 LAND CRISIS AND AGRICULTURAL DEVELOPMENT

The bulk of agricultural activities in Nigeria is carried out in rural areas. It is worthy of note that the Land Use Act gives the Federal and State governments adequate legislative powers to enable them acquire land in any part of the federation.

The point at issue however, is that the use of such powers often threaten the continued security of the farmers. More so, if it is understood that farmers have no alternative occupation to turn to immediately (Olayide et al, 1980).

According to King (1973), "development is achieved by people able and willing to take advantage of new opportunities to participate in the nation-state economy". Further, he noted, "what constitutes development for a nation-state should not be defined by a powerful few who either hope or require that people agree. It is the participation of the people which shapes the development process and substantially defines development of the nation-state".

Agricultural programme must enjoy the willingness of the people to participate for it to progress. The failure of most agricultural development programmes in Nigeria, has been due to lack of appropriate definition and willing participation by the people. For the majority of people in developed countries of the Western

World, the state provided the certainty of expectations needed for active and willing participation in development process. Property rights gives individuals or group of individuals the immunity against claim from other persons, be they private individuals or public officials.

The key to the creation of property rights in land according to King (1973), " is the commutation of indefinite obligations into fixed rents and taxes, which guarantee that the property holder can use the residum of his opportunity from rights in land for his own benefit. The property holder has the power to enlist the state on his behalf if others attempt to infringe on his rights". This is because land gives the owners more than just producing power. It gives them the bargaining power to increase exchange value. The importance of building on, generalizing and transforming the customary working rules and institutional arrangements when a new system of land tenure is to be established is examplified in most successful land reform programmes. This is because a good land reform measures will guarantee effective agrarian reform. In African/Nigerian condition, the view expressed may not necessarily follow since there are no rigid rules governing land tenure rights. However, for an effective agrarian reform, transformation of the customary working rules and institutional arrangements is

a necessity.

The necessary conditions for carrying out an agrarian reform is a firm commitment at the highest levels of government. Unless the peasantry can effect a land reform itself, no administrative structures and strategies will successfully implement land and agrarian reforms in the absence of firm central political commitment to the reforms (Cummings Jr., 1978).

Cummings Jr. (1978), noted that those land reforms which had been considered relatively successful were carried out in circumstances where the normal political process was suspended either by direct intervention of outside political and/or Military rulers, (e.g. Japan, Taiwan, South Korea), by a Strong Monarch or Military ruler, (e.g. Iran, Peru), by a thorough socialist revolution or by the exposition of peasant unrest which threatened the political and social order (e.g. Bolivia, Mexico).

Agricultural development involves a structural transformation of the existing structures or institutions. It is a planned process consistent with the conception of a purposeful and consistent attampt to marshall and direct all the available resources of the community in order to attain certain objectives in the shortest time and at a minimum cost. The question of whether or not the current trend in land crisis in Idah

Local Government Area and indeed in Nigeria, can move the nation (Nigeria) towards agricultural revolution, is a matter for consideration. Even the Land Use Act which should have served as a preamble to land and agrarian reforms has not been able to effect any remarkable changes due to some attendant problems and high levels of corruption observed in the administration of land use in Nigeria.

The literature review has provided an insight into earlier studies. Consequently, it will be the basis for further development of this study. The methodology of the study will now be considered.

CHAPTER THREE

3.0 METHODOLOGY

3.1 The Study Area.

Idah Local Government Area (L.G.A) of Kogi State with its headquarters in Idah town is chosen as the study area. The areais chosen because it is the seat of Igala people and people in the area have in recent years been involved in land disputes. It is located on the Eastern bank of the River Niger. Specifically, it is located between latitudes 6.5^0N and 7.5^0N (i.e 6^0,30' North and 7^0, 30' North) and longitudes 6.5^0E and 7.5^0E (i.e. 6^0,30' East and $7,^0$30' East). It is bounded to the West by the River Niger which separates it from Edo State, to the South by Anambra State, to the East by Enugu State and to the North by Ofu and Olamaboro Local Government Areas of Kogi State.

Idah L.G.A. has eleven districts and many villages. It has a population of 214,785 inhabitants (1991 census, Idah L.G.A.) though this is being contested. It covers a land area of about 1,080 square kilometres (Km^2) or 108,000 hectares.

Agriculture is the principal means of livelihood; over 80 per cent of the working population are farmers engaged in crop production (Field Survey, 1992). This shows the extent to which the people are dependent on land for their livelihood. Farming is the traditional

occupation with main emphasis on cultivation of food crops and keeping of small stock (sheep and goats) and poultry (fowls and ducks) on free range basis.

Idah L.G.A. has fertile soil which supports a variety of crops which ranges from annuals to perennials. Important crops being grown in the area include yams, maize, rice, cassava, groundnut, bambara nut, sorghum, tomato, pepper, melon, cowpea, beniseed, millet, mango, citrus, oil palm, plantain/banana, cashew and sugar cane.

Only recently grazing of cattle was being practised during dry season by Fulani cattle rearers. Other occupations of the people are fishing and trading. Fishing is embarked upon mainly by people along the bank of the River Niger and the hinsterland. Trading is carried out in the entire L.G.A. with more women participating.

Land tenure arrangement in Idah L.G.A. is mainly communal/family system of ownership in which ownership by inheritance predominates. The tenants acquire holdings by rent and/or royalty or offer labour services or both depending on the arrangement with the landlord. Tenancy is renewable on an annual basis. For farming purposes, pioneer clearing is recognised where virgin land is found. Land allocation is practised among land owning community.

There are two seasons in the area: the dry season

and wet (rainy) season. The wet (rainy) season begins in March or early April to October, that is, it lasts for about 7-8 months, while the dry season (Harmattan period) starts in late October to March, that is, about 5-6 months.

In this study, both primary and secondary data sources were used. Primary data are the information obtained by direct response of the respondents while secondary data are those kept in record book which pertains to the study and were extracted by the investigator.

3.2 SAMPLING TECHNIQUE

The samples chosen for the study were first stratified. The stratification grouped the respondents into three main categories, viz: the leaders, the educated persons (leaders, farmers and non-farmers alike) and the farmers. The respondents were then selected using either purposive or random sampling techniques or both. The selection of the leaders for interview was purposive. In the case of farmers, the respondents were randomly selected. (Farmers refer to bonafide farmers who engaged in crop production while educated persons refer to literate persons who are able to read and write freely with minimum assistance. These included farmers and non-farmers alike).

A total of 150 respondents were interviewed in four villages and Idah town. The selection of these villages and Idah was purposive. A break-down gave 30 respondents per village and Idah town. The selection of the 30 respondents in each village and Idah was as follows: five leaders, ten educated persons and fifteen farmers. For the purposes of effective information collection, two sets of questionnaires were used, i.e. leaders' and farmers' questionnaires. Either of the questionnaires was used for educated persons.

Besides, a separate questionnaire was administered to gather information from courts. (Area Courts, Magistrate's Court and High Court of Justice). This was to examine the role of the judiciary in the current land crisis in Idah L.C.A.

3.3 TYPES OF DATA

Both primary and secondary sources of data were used for the study. The types of data collected for the study were information on:

(i) Personal data such as age of the respondents, family size, occupation (major and subsidiary), approximate annual income, length of stay in the area as well as rank.

(ii) Land holding: Size of holding, area cultivated (farm size), land being used for projects other

than agriculture (in hectares or local units such as Ego, Udogba, etc. to be converted to hectares. One standard Ego refers to an area of land approximately equal to one acre or 0.40 hectare. One standard Udogba is defined as an area of land that can accommodate 400 heaps of yam at a spacing of 2.50 metres apart or 0.25 hectare). Evidence of land ownership and method of acquisition as well as land inheritance.

(iii) Land tenancy: Information was sought and collected on rental/tribute payment, who are entitled to payment, how much was being charged per hectare and general reactions on what was taken as rent/tribute. Six years rent/tribute collected was obtained from leaders, i.e. 1986 to 1991 (where produce was used, it was converted to its Naira equivalent as appropriate for the study. Market price, 1992 was the basis for the conversion).

(iv) Land transfer: Information was sought and collected on land being used by other persons, the security of his rights over this land.

(v) Loss of title: Information was sought and collected on when the land was given out, evidence of the transaction.

(vi) Dispute over land: Information was sought and collected on evidence of dispute over land, cause(s), settlement and solutions to land disputes.

(vii) General effects of land crisis (disputes). Information was sought and collected on the effects of land disputes on the life of the citizenry and farming activities, benefits if any, effects on agricultural development.

(viii) Costs associated with land disputes (crisis). Information was sought and collected on the nature of costs, value of cost in financial terms.

(ix) Economic returns on land. Information was collected on economic returns on land apart from food crops grown on land, other benefits which accrue to land owners.

(x) General information on land crisis. Information was sought and collected on the awareness about the Land Use Act, 1978, understanding of its provisions, land administration, sales of land, changes in land administration, compensation related issues on land compulsorily acquired, the rights of a leader in community/family land.

(xi) Attitude towards strangers and government on land use and occupancy.

(xii) Crop grown. Major crops grown, yield, land under cultivation/fallow.

(xiii) Information was sought on problems of agriculture in the area.

(xiv) The Court: Information was sought and collected in court on such things as average number of cases per month, number of land cases, duration of land cases, any appeal, criteria for the determination of ownership rights in land, fine/fee (Details are found in the questionnaires, Appendix 1 (A-C).

3.4 METHOD OF DATA COLLECTION

Two sets of structured questionnaires were administered to 150 respondents grouped into three categories. These were four clan/family heads, one village head-leaders, fifteen bonafide farmers randomly selected and ten educated respondents in a village, one of them was a headmaster/the most senior teacher of a school. In the case of Idah town, the traditional rulers, district heads as well as other categories of respondents mentioned earlier were interviewed. This was augmented by oral interviews especially where the information so required did not fit into the structured

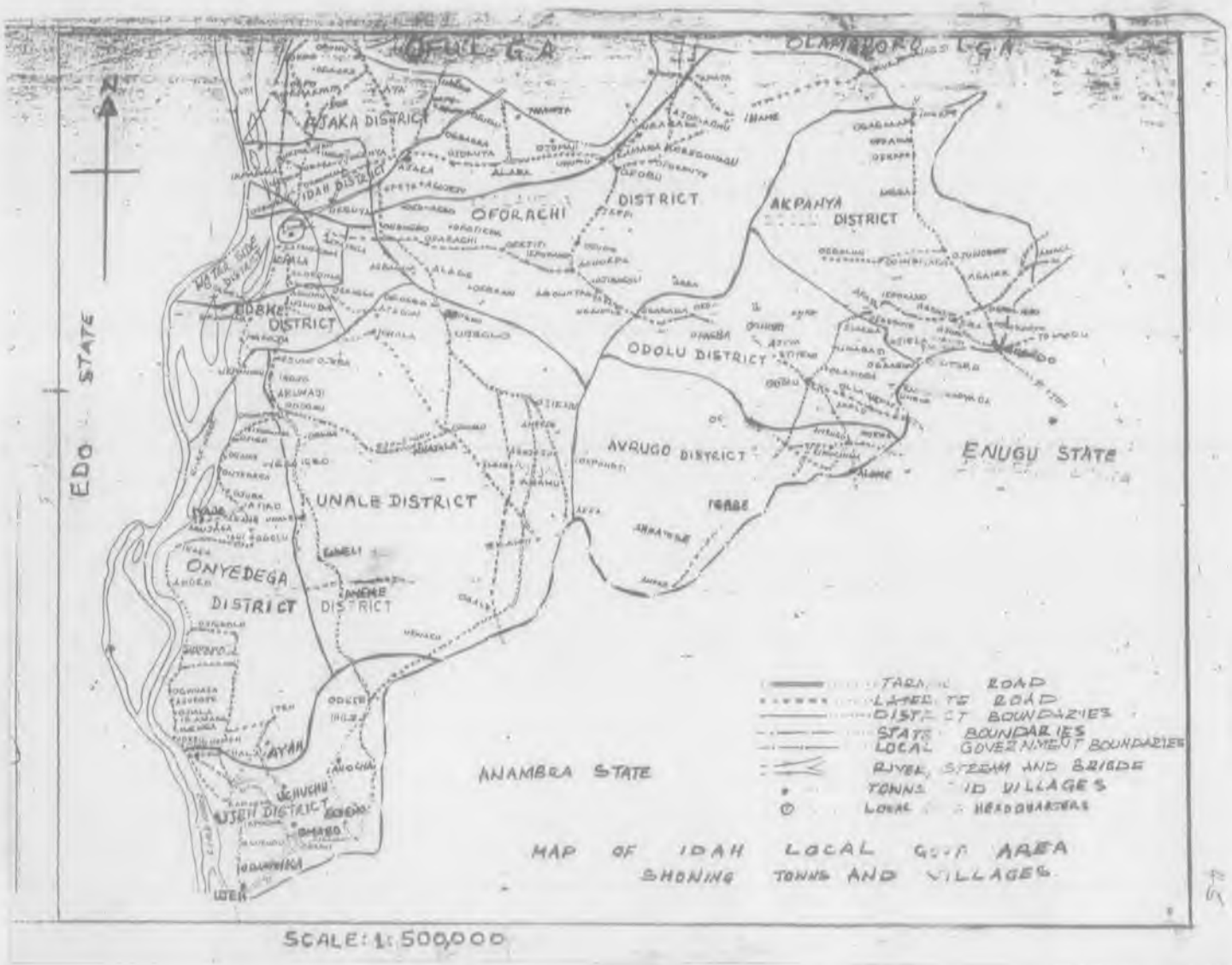
questionnaire. Where there were many clans in a village, the major ones were identified and each of their leaders visited was interviewed based on the content of the questionnaire.

The villages selected for the study were located as follows: (1) Akpanya in Akpanya district (2) Iyaño in Onyedega district (3) Odeke and (4) Uchuchu in Ujeh district. Idah comprises Idah Native town and Idah Waterside districts respectively (See Map of the Local Government Area). The villages and Idah town were selected based on their historical background and evidence of land crisis in the area.

Besides, a different set of questionnaire was administered in Area courts, Chief Magistrate's Court and High Court of Justice at Idah and one Area Court at Akpanya to obtain information on the role of the judiciary in settlement or otherwise of land dispute matters. The administrative head in the court, the Registrar was asked to respond to the questionnaire. This was augmented by oral interview (Details are found in the questionnaire, Appendix 1C.

3.5 ANALYTICAL TECHNIQUES

The tools of analysis that were used in this study include:



MAP OF IDAH LOCAL GOVT AREA
SHOWING TOWNS AND VILLAGES

SCALE: 1:500,000

(a) Simple Descriptive Statistics

(b) Capitalization Techniques and

(c) Regression Analysis and Analysis of Variance.

3.5.1 (a) Simple Descriptive Statistics

Simple Descriptive Statistics such as meean (average), range and percentages were computed to describe such parameters as age of the inhabitants (respondents), length of stay, pattern of ownership of land, Area cultivated (farm size), Court cases, etc. They were computed to describe the general land crisis situation and were used to identify some of the factors and effect of land crisis in the area. The objective two was achieved through careful analysis of the response by respondents and assessment of the trend of events on land crisis in the area.

3.5.2 (b) Capitalization Techniques

This is specified as

$$V_i = A_1(1+r) + A_2(1+r)^2 + \ldots\ldots + A_i(1+r)^n \ldots\ldots\ldots (1)$$

In general, it is specified as

$$V_i = \sum_{i=1}^{n} A_i(1+r)^n \ldots\ldots\ldots\ldots\ldots\ldots\ldots\ldots\ldots (2)$$

Where V_i = Value of the property (land)

A_i = the expected average annual land rent (where produce was used, it was converted into its Naira equivalent based on its current market price, 1992).

r = Capitalization interest rate

n = number of years

$\sum$ = summation sign.

Information on the variables used in this model was obtained from clan/family heads. It covered a period of six years i.e. 1986 to 1991 from available records or information.

Capitalization formula is sound for property valuation. It can be used to determine the present value (V) of property or their future values. This is done by either discounting to their present values, future series of payments using the formula

$$V_i = \sum_{i=1}^{n} \frac{A_i}{(1+r)^n}$$ or compounding to their future values (V_f), series of payment receipts now or earlier made using appropriate discount or compounding factors.

Since land value appreciates, it could be a measure to spur people in struggling for more land. Therefore, capitalization model was used to verify the effect of land rent on land crisis. To achieve the aobjective, the nominal land rent was considered with the economic rent (value) of the land which accrued to the land owners in

order to determine its statistical significance. Information for this was obtained through leaders' questionnaire.

Also, since differences exist in people's valuation of property, a capitalization interest rate of 27 per cent was used for the study. This being the current prevailing average interest rate under the deregulated national economy (Average of twelve banks, 1993).

3.5.3(c) Regression Analysis and Analysis of Variance

A regression model shows a relationship between the dependent variable, Y and the independent variable(s), X. The analysis of variance was used to determine the F-ratio. The F-ratio shows the overall effect of all the individual t-values combined for the test of statistical significance of the variables, that is, how the independent variables, Xs jointly as a group explained the variation in the dependent variable. In this study, the method of Ordinary Least Squares was used. The choice of the model was informed by the fact that:

1. the computational procedure of Ordinary Least Squares (OLs) is fairly simple as compared with other econometric techniques and the data requirements are not excessive.
2. the Least Squares Method has been used in a wide range of econometric relationships with fairly

satisfactory results.

3. despite the improvement of computational equipment and statistical information which facilitated the use of other more elaborate econometric techniques, Ordinary Least Squares is still one of the most commonly employed methods in estimating relationships in econometric models.
4. the mechanics of Least Squares are simple to understand and interpretation is easy (Koutsoyiannis, 1973).

In order to achieve the objectives set out, both linear and non-linear (quadratic) models were used to test the relationships among the variables. The data were fitted to these functions to examine their best fit or explanatory powers. The equation with the highest R^2 (Coefficient of Multiple Determination) value explains the variation best and is regarded as a better fit. t-values are significant up to 5 per cent level of significance. This was used to verify the effect of population and litigations on agricultural land use, including the optimum land use in the area.

3.5.3.1(a) Linear Model

The linear model specifies that the relationship among the variables is linear.

The model is specified as:

$$Y_i = a_0 + a_1x_1 + a_2x_2 + a_3x_3 + a_4x_4 + a_5x_5 + u_0 \ldots . (3)$$

where Y_i = Total size of land holding by household farming (Ha).

x_1 = family size

x_2 = area cultivated (Ha)

x_3 = cost of litigation (=N=)

x_4 = produce value (=N=)

x_5 = area of land being used but not for agriculture (Ha)

a_0 = intercept (constant) term

$a_1 - a_5$ = regression coefficients to be estimated.

u_0 = random disturbance term.

(a_1 & $a_2 < 0$, $a_3 \neq 0$, a_4 & $a_5 > 0$).

The above function was used to examine the effect of each independent variable on available land as to how they have individually or jointly as a group contributed to land crisis. On an a priori, it is expected that the coefficient of x_1, family size be negative if population is to be a factor. X_2 is expected too, to have a negative coefficient as size of available land (holding) and hence cultivated land diminishes as population increases and so greater efforts will be required to increase the size of cultivated land. The coefficient for X_3 could be either negative or positive. This is because a positive coefficient will indicate a gain (successful means of acquisition or retrieval of land)

for the litigants while negative coefficient will indicate loss and this could deepen bitterness and aggression. X_4 is expected to have a positive coefficient because more gains call for greater efforts at expanding production. X_5 too, is expected to have a positive coefficient as well because it competes for available land for cultivation of crops. This was used to test the statistical significance of the independent variables (X_1-X_5) on the available land.

3.5.3.2(b) Quadratic Fuction

The quadratic function is specified as:

$$Y_i = b_0 + b_1x_1 + b_2x_2 + b_3x_3 - b_4x_1^2 - b_5x_2^2 - b_6x_3^2 + b_7x_1x_2 + b_8x_1x_3 + b_9x_2x_3 + b_{10}x_1x_3 + u_0 \quad .....(4)$$

Where Y_i = Total size of holding/household (Ha)

x_1 = Family size

x_2 = Size of cultivated land (farm size)/household (ha)

x_3 = Produce value (=N=)

b_0 = Intercept (constant) term

B_1-b_{10} = Coefficients to be estimated

U_0 = random disturbance term.

The above function was used to determine the optimum land size to be cultivated and employment of land resources among users. This also made it possible to ascertain whether or not population has been a factor in the current land crisis.

The objective was achieved by taking the first order partial derivative of the function and setting each equal to zero.

This was then formed into matrix of coefficients. By system of simultaneous equation using Cramer's rule, the values of the variables were determined.

CHAPTER FOUR

DISCUSSION OF RESULTS

4.1 LAND TENURE AMONG THE IGALA

In the whole Igala Kingdom of the then northern region, the land tenure arrangement has been much influenced by kinship affiliations and cultural heritage. The entire land in Igala Kingdom however, is vested in the office of the Ata-Igala who is resident at Idah. He holds the land in trusteeship for all Igala people. He gives usufructuary rights to communities that settled first in a particular environment. Such communities are grouped together following their cultural background and location and are formed into villages. Many of such villages are grouped together to form districts. The District heads and some traditional chiefs are appointed by the Ata (Ayegwenefu, 1972, Oral evidence).

The Ata acts as the political head and the custodian of the land and culture in his Kingdom. It is simply considered unthinkable that any person or group should take possession of any portion of his land by the use of force. This fact was demonstrated when the then Ata, Ayegba Om'Idoko had to give up his daughter, Inikpi in an atonement to avoid the invading Jukun from Wukari from taking possession of his land. Each community pays him homage by direct visit or through the district-head by bringing him some tributes (royalties) on an annual

basis.

The settlement of a community in a virgin land subjects members of that community to a relentless struggle against attacks by enemies, wild animals, insects and deadly diseases. The earliest Igala settlers used matchets and hoes as tools for agricultural revolution in their early stages of settlement. Spears, bow and arrows, dane gun and clubs were used for hunting and defence. Farming has been the major occupation usually augmented by hunting, fruit gathering and fishing.

The unit of each community is the extended family which grows into what is called clan. Many such clans make up a village community. Each clan has its head and land which she administers to members, except the clan or community that arrived late to the settlement that did not have land of her own as property. This is however, jointly defended by the village community in the event of an attack by enemies. Every member of the community is entitled to a share of farm land. However, whatever that is earned either as tribute or proceeds from the land belongs to the land owning group (Field Survey, 1992).

Land Taxes (Udu-ane) were imposed on adult members of the community who live on the land and were engaged in either productive or non-productive ventures by the Ata. Members of a community, clan/family bear allegiance to

their head and have more regards for him than any other leader elsewhere. The collection of tax was done by the District Head through village heads. With the advent of colonial administration, the District Officers (D.Os) became a dominant factor in tax collection in the area.

All members of the land owning community(ies) have use-rights but do not possess rights of alienation. Specifically, no one possesses rights of alienation except the Ata who had the rights. These rights of alienation constitute a core issue in land tenure arrangements in Igala-land. Individual ownership right is recognised based on the first to clear a virgin forest (Pioneer Clearing). This is inherited by the individual's heirs who are male. Land could be given as a gift especially when the King's daughter (Princess) was being given in marriage, and was assumed that the groom had not got adequate rights to landed property. This guesture was even extended to friends including the appointment of friends as caretaker of distant land in full trusteeship. An individual could lose his use-right if he does not put his land under cultivation three years or more. This is especially true of those who acquire land not through pioneer clearing of virgin forest. Also rights could be lost if a piece of land is given to relative(s) who have had more than five successive cultivations on the piece of land. Although such land

could be retrieved, it was usually done with difficulty.

4.2 SETTLEMENT OF STRANGERS

Settlement of strangers is usually effected through friendship. Usually, they are introduced to the clan/family head whose consent in consultation with the elders is sought for possible settlement and allocation of land for farming purposes. He is normally provided with accommodation first and later given a plot to build his own. His communication with the entire community is through his clan/family affiliate. He could participate in almost all activities of the community except in the share of property rights. The tribute or royalty he pays is dependent on his participation in the community development efforts. Any stranger who attempts to dispossess them of this inalienable rights shall be prepared to go to battle with them. Also, in the event of departure, he cannot claim ownership rights on his economic trees. These automatically will be possessed by the landowners. At best, it/they will be taken over by the friend who brought him to the community. Of course, he has no right of possession over economic trees which are found on land allocated to him.

Sometimes some communities come to settle on land which belongs to other community. Under such circumstance, the settler community enters into a tenancy

agreement with the settled community on a term which must be agreed to and sanctioned by all parties to the agreement. Factors which usually necessitate settlement of a community on land which belongs to other community were identified as:

(1) uncertainty due to war-fare by neighbouring community(ies) (2) defence and (3) farming. For example, Omabo people were said to have originally settled at a place call Umubo but were forced to migrate due to incessant attacks by the neighbouring Ibo communities. This made them seek protection and settlement from Uchuchu people. This request was however granted. Before now, such agreements were reached by the parties based on mutual trust which usually was not codified. This trust was validated by certain traditional rites (oath) or a form of blood brotherhood (oath of blood) could be established. Of course, certain tributes/royalties are paid on an annual basis by the tenant community to the land owning community. The amount and items of tribute/royalty varies from one community to another.

Any gigantic project which is to be embarked upon by the settler community must be sanctioned by the land owners. The usufructuary right over land could be increased or decreased depending upon the community's respect for the agreement entered into. Obviously, the

more loyal a community (tenant), the more freedom it has. The main distiction between the tenants and the land owners was the right of possession of fishing ponds, lakes or rivers and economic trees/tree crops. While the landlords had property rights over these trees and fishing waters, the tenants can only use them on request and permission (Field Survey, 1992).

In recent years, the Ata and his other traditional Chiefs have introduced the use of beads to recognise landowners. That is, those entrusted with land by the Ata. It is called "Oka-Onunane". Under this dispensation, only the Ata and the Achadu have the authority to entrust land onto other community leaders. Any other beaded chief could recognise some other community leaders by the use of beads not for entrusteeship of land but for honours. He could do so only if he considers that the land entrusted to him is in excess. It must however, be pointed out that not all beads given by the Ata or Achadu are for land. Some are for honours and recognition of achievements or contributions to the entire community. The main distiction between these beads is that when the Ata-Igala or the Achadu beads an individual by prerogative of being a family/clan or village head-Community leader (Onu), lawfully having land as property, such beaded chief is entrusted with land. Any other use of beads outside this

is for honours.

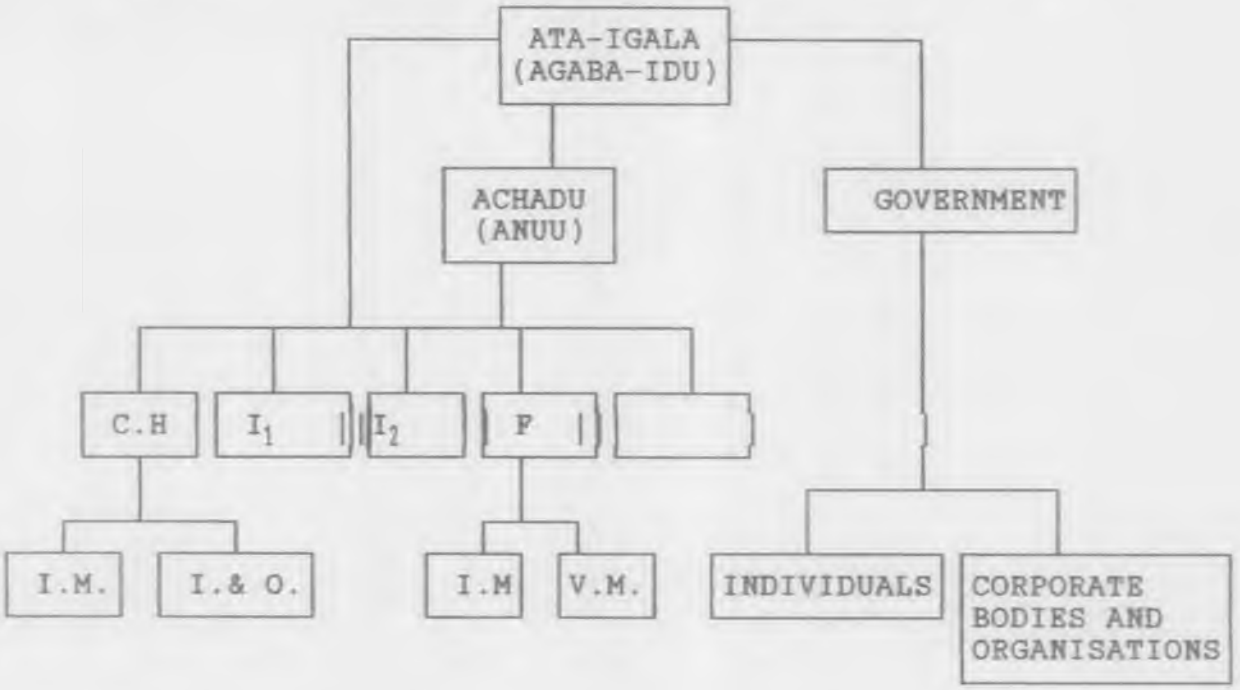
Occasionally, however, there has been a misapplication of the use of beads by the Ata and his other chiefs to recognise community leader(s). This had often generated rancour and social unrest among communities and sometimes violent clashes erupt. It might be right to point out that those recognised by the use of these beads by law are expected to pay mandatory annual homage to the Ata or Achadu or both as the case may be. This entailed bringing tribute/royalty on an annual basis to the Ata or Achadu (Field Survey, 1992).

Figure II below shows the organisation of operational land administration in Igala-land. The Ata-Igala is at the top echelon of the administration while the individuals are at the bottom. In other words, the institution of Ata is still a dominant factor in administration of land tenure in Igala-land.

Although the Ata consults with his other Chiefs in taking decisions on land matters, the Ata seemed to have exercised de facto ownership rights in land despite the existence of the Land Use Act. The trusteeship conferred on the Ata-Igala seemed to connote ownership rights of property.

Figure II

The Operational Organisation of Land Administration in Igala-Land.



where: C.H = Community Head (Onu)

I_1 = Institutions

I_2 = Individuals

F = Family

I.M. = Individual Members

I.& O. = Institutions and Organisations

V.M. = Village Members.

The Ata and Achadu are addressed as Agaba-Idu and Anuu respectively.

Source: Field Survey, 1992.

However, ownership of land holding is validated by government issuance of Certificate of Occupancy to genuine owners. Community(ies) that have excess land could give out of their share to others who have less or none.

4.3 LAND TENURE AND THE LAND USE ACT.

With the promulgation of the Land Use Act of 1978, land is now owned by both community and Government. Communities own their land through acquisition and inheritance (Customary right of occupancy) while government acquires the land from communities who originally possessed the land in consultation with the Ata but pay little compensation on economic trees/tree crops and inexhaustible improvements on land. The individual who suffers loss of physical land also gets compensation. Individuals get allocation of government land through application and payment of certain fees. This may be followed by an individual obtaining Certificate of Occupancy (Statutory right of Occupancy, C of O) on such land to be developed within a given period of time. Already developed plots within government acquired land, the individual in question is expected to obtain a Certificate of Occupancy on it.

Concerning the issue of availability of land for government projects, all communities visited expressed

their willingness to release land for such project(s). However, it is possible for government to encounter problems of land acquisition for projects where it embarks on concentrating development projects in already congested areas rather than spreading such development projects evenly all over the country.

The response of about 74.67 per cent of the respondents however, indicates that people are still acting on the speculative existence of the Land Use Act especially in the rural areas. This shows that the Act is not effective and the people (both the landowners and the tenants) seem not to bother about the Act.

4.4 COMMUNAL OR FAMILY ACQUISITION OF LAND

In Igala-land, community/family acquires unfettered rights and interest in land, when they settle first in an area. Usually, the nuclear family settles in the virgin forest in form of farmstead (Odoko). Such community has to defend itself against enemy's incursion and wild animals, diseases and insects. The Community(ies) acquire(s) consolidated holding through local reconnaissance survey and farming. The settlers exploit the area under their jurisdiction if it remains undisturbed. If they remain and establish themselves, the territory so occupied becomes their own. Should any person or group of persons who have interest in

neighbourhood appear, then, boundaries are demarcated based on the understanding that none of the parties will violate the boundary accord reached. Usually, boundaries were made using valleys or land marks that do not easily disappear.

After some period of living in close association, some form of blood brotherhood (oath of blood) is established with the stipulation that they would not attack each other but each would exploit his territory. They could come together to form a village community with each clan/family holding its land intact.

There could be occasional violation of this treaty. This often results in a war in which the survivor/victor takes all. Should it result in a draw, every one reverts to his former territory and blood brotherhood is then established. The settled community reserves the right to refuse or accept any new community settlement in its territory. New communities are accepted with the stipulation that such communities do not claim property rights over the land within their territory. Also, they do not own interest in land. Conditions for their settlement and living are stipulated in the treaty though not codified but witnessed.

Just like the community or family ownership rights described above, the individual could acquire unfettered rights and interest in land, if he occupies the land

through survey and farming of virgin forest land. An individual should have the capacity to preserve and defend his territory.

The Individual might cultivate very little of the land. However, through local survey, he is able to discover a number of things of interest in the land. These include lakes, rivers, river-course(s) and economic trees/tree crops such as Invingia sp (Oro aikpele), Raphia palm, oil palm, Iroko tree, etc.

Although at the early stages of development, land value though could be said to be low, its importance was recognised. Hence the early settlers were pre-occupied with the development of property rights and interest in land.

4.5 DEVELOPMENT OF PROPERTY RIGHTS AND INTEREST IN LAND

The early settlers recognised the importance of land as they increased their improvements of facilities for maximum exploitation of land. Items on which improvements are carried out include fishing waters and economic trees/tree crops within their territory. The improvement could be made either by the individuals or community.

Fishing waters could exist under natural course or are man-made. On the natural waters, extra vigilance is the major work done with regular fishing and visit being carried out on the river or lake by the owners. The

owners usually discover these waters through local survey. On the rivers or river courses, such fishing operations as erection of Weirs, Night fishing using palm branch mats and baskets with nets (Umodu), the use of castnet, linenet and dragnets as well as hooks and lines of various forms are used for its exploitation. Hand nets are equally used in open ponds.

In some cases, the land owners construct Moats (Uko) on a river course or in marshy area (Echa). This is usually loaded with dead woods and logs for effective fish habitation and maximum fish harvesting. The Uko is usually drained before fish harvesting except during illegal fishing in which hooks and lines could be used or the use of chemical poison on the fish. Where Moat is not loaded with logs and woods, dragnet or handnets could be used as well.

One feature of this system however, is that a non-member of land owning group does not go into this fishing without first obtaining permission. Also, no tenants are allowed to make one or carry out any improvement of this nature on land to benefit them except for that of the cultivation of crops. In this case, the length of time spent staying in the area as tenant is immaterial. Should he (tenant) go there to fish and he is caught, first his fishing gears are seized in addition to the fines he pays as penalty for operating illegally.

Where prospect for fishing is not bright as was observed at Akpanya, improvements carried out were on economic tree crops such as oil palm trees (Ekpe-Ekpo), coconut trees, oranges, mango, Invingia sp and banana/plantain.

Either individuals or community attach great importance to Invigia gabonensis (Oro aikpele), Oil palm trees (Ekpe Ekpo) and Raphia palm (Ofolo) where they are found. This perhaps is because these trees could thrive in both wild and cultivated state and their utilities are high.

LEADER: Although the rights of a clan/family head are in no way superior to that of any other member of the land owning community, he however, enjoys additional privileges by virtue of his position. These are:

1. During the local festivals (Eka), clan members and those resident within his domain are expected to pay him homage. In some cases, some festivals are arranged in honour of the head (Eka-Onu/Okpala). During such festivals, adult members of the clan are expected to contribute yam tubers, cola nuts and wine toward the celebration of the festival.
2. Besides, before fishing activities are allowed to commence in earnest, he orders people to carry out special fishing for him in the rivers/lakes. In the case of Uko, Umodu or the erection of weirs (Egba),

selected numbers of fish are given to him. This is called fish for the landlord (Eja onu ne ane).

3. He could give permission on a small scale to people who desire to fish in the rivers. They could pay either in cash, fish or with both, though with the knowledge of the elders.
4. Where fishing water is sold, certain percentage of the proceeds from the sale is given to him.
5. When land is rented out for farming purposes, an amount is set aside for the leader-Onu or Okpala.
6. An area of land may be specified or some fishing waters are set aside for specific exploitation of a leader.

The issue of land is usually discussed with the committee of elders who would mandate a group of members to oversee allocation or through a caretaker appointed when the land is far away from the community and the people (tenants) resident there.

Although the leader enjoys the privileges enumerated above, he has the responsibility of settling disputes among members. He also welcomes strangers/visitors on behalf of members.

Although the individual acquires rights in family or communal land through pioneer clearing of virgin forest, he does so with the knowledge of the elders i.e landowners. Land so acquired by the individual in the

past, was inherited by the most senior member of the extended family. However, such land nowadays is inherited by direct heirs who are male or brother(s). Those who could farm on their own get automatic inheritance right upon death of the individual acquisitor.

4.6 RECOGNITION OF LAND TYPES IN IDAH L.G.A.

Land in Idah Local Government Area exists under two conditions: (1) It may exist under forest condition (Ugbo). This means that such land exists either under a virgin forest or regrowth forest condition. (2) As grassland (Egbili). In this case, forest trees have virtually disappeared leaving mainly grasses with fewer and scattered trees.

Based on location and the nature of the soil, land is categorised as follows:

1. Ane-Ojoke/Ane-Ojuwo - Upland or hilly land. It refers to land that is not subject to frequent flooding. On this type of land, residential houses are built and cultivation of specialized crops e.g. cassava, wateryam, maize, etc. are made.
2. Ukata - Residential plot. Residential houses are built. A male individual who alienates this land by sale is considered a failure in the community. It is a subject of regular intra or inter family dispute matters.

3. Ane-Ọgọ (Fadama) - Lowland area. Intensive cropping is usually done in the area. Flooding helps the area to replenish its lost nutrients.
4. Aruwa - Alluvial soils. Land formed by alluvial deposits due to river flooding. This is usually found along the basin of the River Niger. Most fertile soil but subject to frequent flooding. Suitable for the production of early yam, sweet potato and vegetables.
5. Opata - An almost perpetually waterlogged environment in the forest area. Suitable for rice production.
6. Echa - Waterlogged environment along a river course always covered with water weeds (Acquatic weeds). Fishing and rice farming are the major uses of this land.
7. Ewu-Fallow land or farmland under cultivation at which time (period) grasses have been allowed to grow on it.
8. Ane-elifor or Ane-ina - Land preserved for or dedicated to the deity. No farming activities may be carried out in this area. However, it has the advantage of preserving medicinal plants. Specialized functions are performed in this area.

4.7 GOVERNMENT ACQUISITION OF LAND FOR PROJECTS

In the case of government acquisition of land for projects, where it involves compulsory acquisition, dispute often followed due to the manner in which compensation is paid. While land is being expropriated from a group of people, in most cases, compensation is paid to them through a representative who is usually referred to as their attorney. The money paid sometimes may never reach the people whose farmlands are physically acquired. The consequence is that they start violent protest which very often lead to destruction of lives and property. A typical example was a case of Federal Polytechnic, Idah versus Ichala Community in Idah Local Government Area where the Ata-Igala gave acquisition right (order) to the Polytechnic Authority on land occupied by Ichala people while compensation was to be paid to the Ata-Igala. The people of Ichala of course, could not hold it but went to court. This type of action is often a cause of problem associated with land acquisition either for private use or public purposes.

4.8 THE EVOLUTION OF LAND CRISIS

Land crisis dates back to pre-colonial era when man began a quest for settlement (Ayegwenefu, 1972, Oral evidence). This resulted in the olden days tribal wars. At that time, people of the same ethnic background tried to live together to possess land and have common

boundaries. Even then, people of the same ethnic group, communities that were weak militarily, were dispossessed of their land by a stronger and more militant community(ies). Example of this could be found in the case of Ayah people versus Adagwo people in Ibaji-Idah L.G.A. Because of the small size of population of Adagwo community, Ayah people were able to dispossess them of their land and Adagwo people are now tenants in Ayah land (Adinor Ikemu, 1972, Oral evidence). In some cases, some communities were forced to go into extinction, example was the case of Ayah community versus Itane community in Idah L.G.A. Ayah people had to exterminate the Itane community in order to take possession of their land through the military assistance of Nzam people (Adinor Ikemu, 1972, Oral evidence). As a result of this action, some communities were made tenants in other community's land. Of course, failure of such tenant communities to accept their status would lead to their possible eviction or extermination depending on the substance of the case.

There were some others who lost their land through incessant attacks by neigbouring community(ies) and had to find alternative settlement in an area which had already been occupied for settlement. Such group had to enter into tenancy agreement with the community(ies) that had already settled and taken possession of the land in the area before they would be allowed to settle, e.g.

Omabo and Echeno communities were settled in Uchuchu community's land (Onu-Uchuchu, 1992, Oral evidence).

The idea of the use of force was on until the arrival of the colonial masters (authorities) whose coercive powers became greater than that of the indigenes. This lessened the bahaviour to mere skirmishes and litigations over farmland, fishing waters or community boundaries (Field Survey, 1972).

Although land crisis is a phenomenon which man has lived with from time immemorial, it seems to have assumed an unprecedented dimension in recent years of Nigerian history. The promulgation of the Land Use Act of 1978, seemed to have created a new lease of life for the hitherto tenants to emancipate themselves of what they considered subjugation and evil magination of landlords. They saw it as an opportunity to expand and take possession of the land, 65 per cent of the cases emanated from this action (Field Survey, 1992). The premise being that land belongs to government. The tenants no longer saw reason why individuals or groups should claim ownership of land and demand any form of rent or tribute/royalty. As a result, the hitherto tenants no longer wanted to pay the usual rent or tribute/royalty. This of course, angered the landlards. Table 4.1 below presents some of the land crisis which occurred in the area under study between 1986 and 1992.

Table 4.1: Summary of reported cases of Land Crisis in Idah L.G.A 1986 - 1992.

NATURE	AKPANYA	IDAH	IYANO	ODEKE	OCHUCHU	TOTAL	PERCENTAGE
Conflicting claims - Individual of ownership rights	13	24	19	23	28	107	61.50
- Communal	3	2	3	4	5	17	9.77
Threat of seizure - Communal	1	2	2	3	3	11	6.32
Loss of boundary - Communal	-	-	1	1	1	3	1.72
Skirmishes - Communal	1	7	2	5	21	36	20.69
Total	18	35	27	36	58	174	100.00

Source: Field Survey, 1992.

Table 4.1 shows the distribution of the types of land crisis in Idah L.G.A. From the table, there is evidence that conflicting claims over ownership rights had been the major cause. Loss of boundary seem not to be significant considering the percentage it constitutes. The above instances are just a few in the study area. Elsewhere in Nigeria, instances of this nature abound especially skirmishes or violent clashes. States in Nigeria which had witnessed violent clashes include Anambra, Benue, Cross-River, Osun, Edo, Enugu, Plateau and Taraba. People in these areas had managed their affairs before the promulgation of the Land Use Act of 1978 with minimum violence.

Threat of seizure is recognised when the ownership right is not in dispute but the tenants dare the land owner(s) even the right of usufruct. Land crisis

involving community, the magnitude not-withstanding has more devastating effect than that involving individuals.

On the other hand, landlords (landowners) did not see the Act as having stripped them of their property rights. During the survey, the argument was that if government had stripped them of their property rights by the Act, why should government again pay compensation for land acquired for projects. Besides, they argued, government demanded rent on land allocated to people, why should they too, not be paid their due by their tenants. Hence they demanded for their rent and/or tribute/royalty.

One factor which 96 per cent (or 144 out of 150) of the respondents cited as being responsible for the crisis had been the increase in population and "civilisation". The tenant communities in recent years it was observed, had grown in population to a reasonable size, in some cases more than the land owning community(ies). This had given rise to a sort of dissatisfaction by the tenants as to why they should continue to be tenants and paying rent and/or tribute/royalty to land-lords.

Table 4.2 below might illustrate the situation.

Table 4.2 Landlord/Tenant by size of population

Location	Landlord	Tenant
Akpanya	410	1,018
Idah	3,215	2,7278
Iyaño	328	1,221
Odeke	568	1,937
Uchuchu	885	2,174

Source: Field Survey, 1992.

The tenants being aware of the increasing value of land had increase their agitation to acquire and own land as property. They had coined "civilization" to mean awareness. These respondents said, had increased the tendency of the youth to question the rationale behind their continued existence as tenants in an environment where they had been living for so many years, even over a century. When would they have their own land?

While the tenants thought this way, some land owners thought of territorial expansion owing to their population, e.g. Ayah versus Uchuchu and Aguleri versus Odeke. The option used, was a master-minding of plan to take possession of other people's land. Some had succeeded through government instrument. Others were going through the judicial process by way of litigations and others through some powerful traditional rulers, the Ata-Igala and his other traditional Chiefs.

While 35 per cent of tenants saw landlords taking rent or tribute/royalty as usual and normal, 65 per cent others saw it as an instrument for possible future eviction from the land as population continues to grow. To be able to achieve their aim, they hid under the pretext that rent/tribute usually demanded by the landlords was excessive. Others even bluntly refused payment of rent and/or tribute/royalty. Of course, landlords tried to make them (the tenants) comply by all means as well.

An examination of the amount being charged as rent revealed that it varied from ₦40.00 to N200.00 depending on the size of the land and locality. This was paid per farmland which size varied between 0.80 hectare and 10.50 hectares per growing season. Although there is no basis to compare presently, perhaps if one considers the process of acquisition of land in terms of cost, then, one is tempted to think or feel it is not too much. However, this payment was being made based on the size/location and was irrespective of what was harvested.

However, 98 per cent (or 147 out of 150) of the respondents did not subscribe to the abolition of rent or tribute/royalty. These respondents observed that the abolition of tribute/royalty or rent would further escalate land crisis as landlords might not want to release their land to tenants. Alternatively, some

persons might see it that land is free for all and so could move into any vacant land they found available to cultivate. Of course, the property owner might not take it kindly with the trespassing tenants. The two parties might settle it either in the law court or it might result in violet clashes.

4.9 LAND TENURE PATTERN OF ACQUISITION AMONG COMMUNITIES IDAH L.G.A.

Land tenancy takes different forms. These could be lease-hold, free-hold, inheritance and share-crop tenancies. The pattern of acquisition common in Idah L.G.A., is presented in table 4.3 below.

Table 4.3. Land Tenure Pattern of Acquisition in Idah L.G.A.

	Frequency of Occurrence	Percentage of total
Inheritance	57	38.00
Gift/Allocation	30	20.00
Rented/Temporary lease	33	22.00
Permanent lease	21	14.00
Purchase	4	2.67
Pledge	5	3.33
Loan	-	-
Total	150	100.00

Source: Field Survey, 1992.

Table 4.3 shows the land tenure pattern of acquisition among communities in Idah L.G.A. From the table, it is evident that those who acquired their land by inheritance was highest with a frequency of 57 or 38 per cent of total. This was followed by rental or temporary lease. The least pattern was acquisition by purchase which was only 2.67 percent of total.

4.10 COMMUNAL LAND TRANSFER OR ALIENATION

A piece of land is transferred or alienated if it changes hand from the original user or owner to a new landlord or tenant. If such transfer is subject to certain restrictions, then, it is a temporary transfer on lease. If however, the transfer is not subject to conditions or restrictions by the owner(s), then, it is

to be regarded as gift.

The acquisition of the land was carried out by the settlement of the first settlers. Such acquired land was usually inherited by successive generations of the lineage. This was never to be alienated. Although such inalienable property (land) was being transferred or alienated by the community that owns it, it was usually done with certain restrictions. The restrictions include the following:

1. Non-alienation or seizure as property.
2. Subject to cultivation of food crops only.
3. Payment of tribute/royalty on an annual basis.

The transfer was usually based on request by the community or individual that needed the land at a point in time. It was given when such land was not being used by the owner(s). Such transfer in some areas had been on for over 50 years. However, the owners claimed that their rights of tenure are still secure.

One unique characteristic of the transfer to note is that most communities do not know the size of land which they own or transfer. This has been due to the absence of cadastral surveys. However, it is claimed by the owners that the natural boundaries are known. This may have equally given room for conflicting claims over land. The obvious thing to do now, is proper documentation of ownership rights on land. This will lessen unnecessary

conflicting claims on land which often is a source of dispute matters and litigations.

The individuals also do transfer land. However, such transfer is not to a community but to individuals. He too, could get tribute/royalty on a small scale based on the understanding that such tenant will continue to be loyal.

4.11 LAND CRISIS AMONG COMMUNITIES IN IDAH L.G.A

Communities visited in Idah L.G.A. do not seem to experience real scarcity or shortage of land for farming in terms of its availability. This was because uncultivated lands could still be seen lying waste. However, the nature of land crisis being experienced varies with the varying rights and interests that were exercised in land. Hence there are similarities and minor differences in terms of factors responsible for land crisis. The differences arise from variations in socio-economic activities prevalent in each locality in the area.

The predominant factor found to be a cause in the study area was conflicting claims over ownership rights in land or economic trees/tree crops therein.

At Akpanya for example, the major cause of land crisis was conflicting claims on economic trees. Such trees include oil palm trees (Elaeis guineensis),

Invingia gabonensis (Oro aikpele), oranges (Citrus spp), mango (Mangifera indica), cashew (Anacardium occidentale, guava (Psidium guajava), coconut (Cocos nucifera) and locust bean tree (Parkia clappertoniana). The property right to these trees constituted or connoted ownership right in land. These trees were so valued that any settler/tenant who attempted at their harvest could face possible eviction. Intra and inter-family crisis on land within Akpanya areas was on the claim of property rights on these trees. The crisis between Agbokete, a settler community and Akpanya community had been the claim onto these trees.

Also, an inheritance right being denied in a case, Isaac versus others, members of Aba family, was on these claims as well. It had generated tension and bitterness among members. Land for farming purposes, both tenants and the landlords had ascertainable usufructuary right of occupancy in the area.

At Idah, the conflicting claims were on the newly formed alluvial soil at the bank of the River Niger. People from Edo State had moved in to claim rights to the land and the lake so created. This resulted in skirmishes between the people of the two States between 1990 and 1991.

The intra and inter-family crisis within the community was as a result of illegal sales of residential

plots and trespass on farmland. This had resulted in endless litigations in the area. It had been a source of rancour and social unrest in the area. Also, the land owners were few relatively to the tenants. The landowners would not permit easy access to land and the fishing waters by the tenants. Land for farming purposes were being acquired largely through rental acquisition.

Land crisis among the Iyaño community has a slight variation. The variation stem from the fact that one of the three indigenous clans, the Alaja had become tenant due to carelessness arising from gift and/or abandonment. They were said to be more interested in leadership succession in the village while the other two clans, Itali and Iru took hold of the land and consolidated their holdings. The members of Alaja clan had tried to regain the lost land all to no avail. This had been the major intra communal crisis in land in the area.

Presently, land owners tried to subjugate those without land as property by imposition of rental charges of N120.00 or two basins full of rice per rice farm plot which sizes varies between 0.75 to 1.50 hectares in addition to the usual royalty of wine and colanuts during local festivals. Hitherto, it only attracted colanuts and wine. This has imposed restrictions on the use of land for cultivation unlike before.

The aspect of inter-communal land crisis was a case of Abujaga community and the Iyano community over ownership rights on fishing lake and the adjoining land. The conflicting claims on these ownership rights resulted in skirmishes in about 18 years ago. This has led to series of litigations which were later settled out of court.

Two other communities who settled in their land were trying to take possession of the land had threatened its seizure. This has generated tension and bitterness among members in the area. There has been series of inter-family litigations over land issues in the area. However, no real case of shortage of land was being experienced in the area.

At Odeke the major cause of land crisis had been a threat of seizure by one of the indigenous clans, the "Amomajonu" Clan in the village who had no land as property though fairly large in population. They had been threatening to seize or disposses the land owners, the "Agwohi" Clan of her land. This had been a subject of series of litigations since 1985 to date.

The pattern of settlement and ownership rights being exercised created room for the Ibo communities who lived in her land to try to dispossess them of their land. The community's settlement is located in a small area at the periphery of her land. The land owned could extend to

any length to which the natural boundaries are known. Land owners still have a stake in land transferred over 50 years which other communities had been living in. The land owners who tried to farm on the land recently were prevented from doing so by the tenant communities - the Ibo communities in the neighbourhood. This resulted in series skirmishes in the area which led to destruction of lives and property.

The threats had generated tension and bitterness among members to the extent that individuals wanting to build houses now have to pay cash called "Cola" for the plots as against earlier practice of just finding a suitable plot irrespective of which clan had the land. Request was made and authority to build was given only on presentation of colanuts and wine to the family/clan head. Land rent is currently being charged on land for farming purposes on those without land as property in the area. However, there was no evidence of shortage of farmland in the area though intra- and inter-family land disputes were common.

Land crisis at Uchuchu community stem from the pattern of settlement. The community had settled in a location that lies at the periphery of her land. Also, they had allowed a number of communities to settle in her land though on request, without any codified (documented) tenancy agreement. Lands for farming and other uses were

on permanent lease to these tenant communities. The tenant communities include Echeno, Ikah and Omabo. These communities had engaged in threat of seizure and conflicting claims over ownership rights in the land in recent years. Land in this context, refers to the physical farmland (soils), fishing waters and economic trees/tree crops therein. There had been series of litigations and violent harassments over these claims.

The threat eventually resulted in series of skirmishes between 1989 and 1992 which led to destruction of lives and property. The tenant communities had since then stopped the payment of the usual rent and tribute/royalty.

A dispute over loss of boundary resulted in another series of litigations and violent harassments over land and this eventually led to skirmishes between her and another neighbouring community, Ayah, in 1989 to date. These endangered the area in terms of farming and other activities in land including social and economic activities in the area.

An examination of agricultural land situation in the area, shows that there is no real shortage of farmland. This observation was further confirmed by respondents during the survey. It should be noted though that even within the village, both intra- and inter-family disputes over land were common. Presently, they are being

resolved in the village community Court. Apart from insecurity due to skirmishes, no shortage of physical farmland is being experienced in the area.

In these communities considered, apart from Akpanya where water for fishing was not common, all the other communities had more values for fishing ponds, lake/rivers compared to their value for economic trees before now. In this regard, attempt by any one to encroach on these lakes and rivers would attract severe reactions. Of course, trespass on farmland had been a source of intra- and inter-family crisis on land. This was being settled either in the law courts or the community courts.

On the whole, one cannot say that there is scarcity or shortage of farmland in Idah L.G.A. What is currently being witnessed in land matters could be attributed to lack of progressive thinking. Presently, Idah L.G.A. could be said to be crisis borne except that in some parts, the crisis had not deepened and it seems that land crisis grows in the area. The royal father, the Ata plays a singnificant role in the land crisis.

Under persistent land crisis, agricultural development could suffer an illusion. This is because under land crisis condition, no meaningful progress in development can be envisaged.

4.12 SOCIO-ECONOMIC APPRAISAL OF LAND CRISIS IN IDAH LOCAL GOVERNMENT AREA

Idah Local Government Area (L.G.A.) has been a centre of high social and economic activities in terms of trade and commerce in the past. This has fast faded away in recen years. Agriculture forms the principal means of livelihood of the people in the area. People along the bank of the River Niger and those who live in the hinterland engage in progressive fishing activities. Hunting also is carried out by hunters who use either gun or spear.

However, infrastructural development and social services are poor in the area. For example, infrastructural facilities such as motorable roads, health facilities, potable water schemes, communication facilities and schools are inadequate in the area. Of particular concern is the communication systems network. This is the most serious problem in the area. Communication facilities can be said to be almost non-existent in the area. There are few motorable roads, no telephone services and postal services are equally poor. This has hampered most economic activities in the area. Even the state radio and television services hardly reach most parts of the L.G.A.

Besides, access to established markets by the Local Government has been difficult in the area. This has subjected the inhabitants to a relentless struggle in

search of where their commodities could be sold. This coupled with lack of good roads has further compounded their problems which has often led to serious waste.

Although agriculture has been the principal occupation of the people in the L.G.A., the potential productivity of agriculture has never been realised. This has been due primarily to inadequate availability of facilities and natural disasters such as pests, diseases and abrasion particularly on the Niger basin in the area. In some cases, the facilities are completely absent. Such facilities as fertilizers, improved seeds (crops), agricultural chemicals, farm machinery such as tractor and its implements with the accessories and appropriate technology were lacking (Field Survey, 1992.) Where they are available at all, their costs are too expensive to buy or hire the service.

Besides, there are occasional flood disasters, pests infestation particularly the Quelea quelea birds and grasscutters and lack of storage facilities. This however, has never attracted government attention due to poor communication network. Very recently, violet clashes in the area, has further complicated the problems.

Given appropriate incentive and support, Idah L.G.A. has the potential capability to produce a number of crops which could make Kogi State at least self-sufficient in

food crop production. The crops currently being produced in commercial quantities though in the hands of small scale farmers include yams, maize, rice, cassava, beniseed, groundnut, cowpea, bambara nut, pigeon pea, millet, sorghum and cocoyam. The tree crops include oil palm tree which can be converted to a number of useful products such as palm wine, oil, kernel, broom, baskets, etc. Invingia gabonensis (Oro aikpele), oranges, coconut, cashew, mango, banana/plantain and guava. Also some vegetables, spices and fruits are produced. These include okra, tomato, pepper, egusi melon, garden egg, pineapple and pumpkin.

Unfortunately, due to lack of appropriate market, these items were usually disposed of in either Edo, Anambra or Enugu States, depending on the proximity of these states to the area at an increasing cost of marketing. This has sometimes made the producers not to realise the real value of the produce.

Over the years, people in the area had lived together in peace and harmony. But in recent years, the crisis has brought about a lot of social disharmony, economic and developmental stagnation. Where violence is experienced, farming activities have been brought to almost a standstill. Movement of people in the area and other social interactions have been paralysed. Ibaji area of the Local Government which is the major producer

of the total output of food crops before now, its production capacity has been drastically reduced in recent years due to violent clashes. The inaccessibility of the area due to lack of raods, has further been compounded by the recent crisis. People now live in fear as movement from one village to another becomes restricted. Development Associations have broken down, hunger, starvation and malnutrition now on the increase-witnessed.

In order to be able to appraise the root cause of the current land crisis, certain parameters such as hectarage, crop output, age of respondents, etc measured or observed were subjected to empirical analysis.

4.13 LAND HOLDING

Communal Land Holding: Communal land holding refers to land which has been acquired by a community, family/clan/village under customary rights of occupancy upon which property rights are being exercised by the community.

Individual Holding: The individual holding is defined as an area of land acquired by the individual under customary rights of occupancy through pioneer clearing and farming which his heir(s) can inherit and over which some measure of rights can be exercised by such individual(s).

All communities (landlords and tenants) put together cannot use up all the land available. Land holding by size in hectares by individual house-hold varies from 4-60, 2-50, 2-40, 6-32 and 3-65 at Akpanya, Idah, Iyano, Odeke and Uchuchu respectively. Even then, the amount of area that is cultivated is small.

While land for farming purposes can be acquired either by inheritance, allocation or rental/tribute payment by both landlords and tenants, the question of property rights seems to constitute a core problem. This is because even though a person may have stayed as tenant for so long a time (30 years) or more, he may never have the opportunity of acquiring land as property by customs and traditions of the area. This is expected to anger serious-minded individuals. However, the idea of the use of force, may compound issues and the dreams may never materialize.

4.14 THE MAGNITUDE AND EFFECTS OF LAND RENT ON LAND CRISIS

The approach used to achieve the above objective is the capitalization method of valuation. The land rent for six years, 1986-1991 collected from caln/family heads was computed for the five locations selected in the study area. Table 4.4 shows the average land rent at 27 percent capitalization rate. The rate being the average

interest rate charged by 12 banks as at April, 1993, on loan to customers under the deregulated economy. The appraisal was done using the present value formula given below.

$$V_i = A_1(1+r) + A_2(1+r)^2 + A_3(1+r)^3 + A_4(1+r)^4 + A_5(1+r)^5 + A_6(1+r)^6$$

where V_i = Value of property (land).

$A_1 - A_i$ = Average annual rent obtained in the five locations

r = 27 percent capitalization interest rate

$(1+r)^n$ = Compounding factor to determine the present value.

n = number of years.

Table 4.4: Average value per hectare per year of land rent at 27 per cent capitalization interest rate for six years 1986-1991 for the five locations of the study area.

	Location				
Year	Akpanya (N)/Ha/Year	Idah (N)/Ha/ Year	Iyano (N)/Ha/ Year	Odeke (N)/Ha/ Year	Uchuchu (N)/Ha/ Year
1986	83.08	503.45	102.19	59.93	46.44
1987	65.42	396.42	80.47	47.19	36.57
1988	51.50	312.08	63.35	37.15	28.79
1989	40.55	245.72	49.88	29.25	22.67
1990	31.94	193.53	39.28	23.04	17.85
1991	25.15	152.38	30.93	18.14	14.06
Total	297.64	1803.58	366.10	214.70	166.38

Source: Computed from Survey Data, 1992.

From table 4.4, it is evident that the magnitude of land rent/tribute has not been substantially significant to warrant the current land crisis. Its significance lies in the importance attached to it by the people, that is, the fact that one has to pay at all. Apart from Idah which can be said to generate appreciable amount, all the other locations have not been able to make or generate any appreciable revenue from land rent. On the whole, a total land area of about 4304 hectares were involved in the transactions. That is, 440, 1546, 429, 998 and 891 hectares at Akpanya, Idah, Iyaño, Odeke and Uchuchu respectively.

Considering the fact that the property (land) appreciates, the value after capitalization to the present value, does not seem to be a major factor

4.15 LAND RENT

The concept of rent. The average layman ordinarily thinks of rent as payment made to property owners for the use of their lands or buildings. In economic term, rent has a different meaning. The economists thinking in terms of returns to land resources have differentiated between three concepts of rent. These are contract rent, land rent and economic rent.

(a) Contract rent. This refers to the actual payment tenants make for their use of property of others.

This means almost the same thing with layman's definition of rent.

(b) Land rent. This is a more specialized concept. It represents the theoretical earnings of land resources. It is defined as the economic returns that accrues or should accrue to land for its use in production. In this concept, distinction can be made with respect to location or site. Land located close to market will earn more rent when put into production compared to land of the same quality-fertility but located far away from the market.

(c) Economic rent. This also is a specialized concept. This has a meaning more or less synonymous with the concept of land rent. However, if land is viewed as a form of capital, the term "economic rent" assumes the meaning as "the surplus of income above the minimum supply price it takes to bring a factor into production" (Robinson, 1933). Economic rent is now viewed largely as a short-run econoic surplus that a productive factor or an operator can earn because of unexpected demand or supply conditions. The surplus could disappear over longer periods when the demand and supply of the commodity come into balance. The concept of the classical formulations of Rent Theory is now considered.

The classical rent theory was usually associated

with the writings of a group of English economists at the conclusion of Napoleonic wars. This coincided with the time the British parliament considered the controversial Corn Law. The problem prompted several writers to publish their views regarding the nature of rent. One of the publishers of these views was D. Ricardo, the Ricardian Theory of rent. The Ricardian Theory of rent (1817), viewed lands as varying in their degrees of fertility. "That if all land had the same properties, if it were unlimited in quantity and uniform in quality, no charge could be made for its use, unless where it possessed peculiar advantages of situation. However, land is not unlimited in quanity and uniform in quality, and because population will continue to grow, land of inferior quality or less advantageously situated is brought into cultivation, that rent is ever paid for the use of it". The amount of rent that is paid depends on the differences in fertility (quality) of these two portions of land being used. The differences in labour and capital expended to bring crops to bear and market them when the crops are grown in the fields of varying degrees of fertility constitute the premium which he called the rent. In other words, the more fertile the soil (land) relatively to the poorer field, the higher the premium or rent.

For example, a farmer who grew his crops on more

fertile soils could sell at a lower price than others who grew their own on poorer fields and still not be worse off in terms of premium. If the supply of the crops grown on a fertile soil could not match the demand, prices naturally would be raised. When the farmer who grew his crop on the rich fields sells at the same rate with farmers who grew their own crops on the poorer fields, he would as a consequence earn more than intrinsic value of the crop he raised. As a result, many persons will desire to obtain possession of the fertile fields. The varying fertility will give certain premium for an exclusive privilege to cultivate them. Rent is a medium by which the expense of cultivating soils of different degrees of fertility is reduced to a perfect equality.

Rent as a payment for the hire of land was not part of the traditional Igala land tenure system. In the past, dues could only be claimed by landowners where land had been put out on lease - permanent and temporary leases - and then too, the payment made was a trifling one which serve merely to remind the cultivator that the property was not his and could never be, without the legitimate owner's consent. This payment known as "ero ane" was thus a semi-feudal due, and in no way related to what normally constitute the description of rent. The concept of rent has fast gained ground in recent years.

Economic land rent in this context defines the value of property (land) excess of its nominal value. The items which least efforts are made to develop, exclusive of food crops produced which can be tapped for the benefit of man from land were considered. For this study, items considered in the evaluation include palm oil and kernel, fish, mango, oranges, Invingia gabonensis seed (Oro aikpele). For the purposes of its valuation, the model is specified thus:

$$\text{Economic Rent, E.R.} = \sum_{i=1}^{n} X_i \, P_{xi}$$

$$\text{i.e E.R.} = X_1 P_{x1} + X_2 P_{x2} + \ldots\ldots + X_n P_{xn}$$

where X_i = quantity of the item

P_{xi} = Unit market price of the item

n = number of items.

$\sum$ = summation sign.

In this case, the values of food crops produced and rent paid represent the nominal value of the land. The result is presented in table 4.5 at 27 percent capitalization rate in order to compare with the nominal land rent.

Table 4.5: Comparison of value of land rent and Economic rent of land exlusive of Food crops grown.

LOCATION	SAMPLE SIZE	LAND RENT (N)/YEAR	ECONOMIC RENT OF LAND (N)/ YEAR.
AKPANYA	5	11064.28	1529382.19
IDAH	5	235576.80	11307331.87
IYAÑO	5	13269.39	773731.20
ODEKE	5	18103.60	1825028.06
UCHUCHU	5	12524.27	2621156.68

Source: Computed from Survey Data, 1992.

From table 4.5, an examination of the value of land rent and the economic rent of land (i.e produce derivable from land such as fish and fruits) will reveal that the importance of land to the people lies not in the land rent but in the economic rent of land. For example, while land rent is only N11064.28 per year in Akpanya, the economic rent of land in the area amounted to about N1.5 million in a year. This shows an enormous difference and this can be observed for the different locations as shown in the table.

From this comparison, it can be asserted that to deprive a person of his land may automatically withdraw from him all these benefits. It is possible that tenants could become envious and hence are embittered about the wealth of the landlord. This is more so, if it is considered that the landlord collects and enjoys both the land rent and the economic benefits.

4.16 COST OF LAND CRISIS AND AVERAGE INCOME

Cost of land crisis describes the costs incurred by the individuals or group of individuals as a result of crisis on land. The cost is based on the estimated values of output expected from crops and livestock which could have been produced and physical financial involvements of the individuals or group in prosecuting the crisis such as cost of litigations, travels, medication and feeding. (For the computation of the cost, see appendix 4).

The average income for this study, is defined as an average income earned per household in a year. The per capita income is defined as the amount of money income which is available to the individual members of the household to spend in a year. Table 4.6 presents the summary of the costs incurred as a result of land crisis and the average income.

Table 4.6: Comparison of Average Income with Approximate Average Costs of land crisis per household.

LOCATION	SAMPLE SIZE	AVERAGE AGE OF RESPONDENTS (YEAR)	AVERAGE INCOME PER HOUSEHOLD/ YEAR (N)	APPROXIMATE AVERAGE COST OF LAND CRISIS/ HOUSEHOLD/YEAR (N)	PER CAPITA INCOME (N)
ARPANYA	30	46.62	5043.58	22940.00	468.85
IDAH	30	42.21	15778.11	67536.82	1443.75
IYANO	30	42.46	10072.46	28011.41	878.60
ODEKE	30	49.50	7416.22	99297.41	635.68
OCHUCHU	30	45.81	10900.62	23158.64	1093.59

Source: Survey Data, 1992.

Table 4.6 shows the comparison of average income with approximate average cost of land crisis and the per capita income of the people in the study area. The table also shows the average age of the respondents. The average age of the respondents as was observed, varies between 42 and 50 years. This shows that there were fewer elderly people in the area including farmers.

In the five villages selected for consideration, apart from Iyaño which for a long time had been having land crisis, the other villages started about 13 years ago. Although the crisis had been at Iyaño over the years, it has never resulted in violent clash except for some minor skirmishes between them and the Abujaga people. However, evidence abound in the area that the crisis has led to series of court actions which left the crisis unresolved. A resolution was reached only on the advice by the supreme court in Lagos that the matter be settled out of court (Madaki-Itali, 1992).

Considering the costs incurred in the current land crisis, the average income and per capita income of the people, it is obvious that the crisis could be having adverse effects on the inhabitants. This will entail some adverse effects on the standard of living of the people.

An examination of the average income and hence the per capita income generally shows they are low for all the villages considering the high cost of material goods

and living in the country. Viewing the above situation in relation to agricultural development generally, the investment in the crisis seems to have overshadowed other economic considerations to make agricultural development worthwhile. For instance, in Odeke where the average income is about N7416.22, the approximate average cost of crisis is over N99297.41 while the per capita income is only N635.68. Under the present circumstances, agricultural development cannot be feasible. Persistence of the crisis seems to mean a constant lowering of the individual's welfare and hence economic development. This is because people are always pre-occupied thinking of how to manage the crisis.

4.17: AVAILABILITY OF LAND AND THE CURRENT LAND CRISIS

From a purely analytical view point, one cannot say that there is a scarcity or shortage of land in the area under consideration. In the survey conducted, 81 out of 150 respondents who were farmers - farm families - with a total of 1827.48 hectares as holdings, the results showed that only 34.74 per cent (or 635.80 hectares) was being cultivated on the average annually. A breakdown is given in table 4.7 below. The computation was done as follows:

$$\text{Size of Holding (Hectares, Ha)} = \sum \frac{\text{Area available/cultivated by size in Ha}}{\text{Number of Household}}$$

Table 4.7: Summary of Area of Land Holding and the Area cultivated (Farm size) per household.

LOCATION	Number of Respondants	Average Holding Per Household (Ha)	Average Area Cultivated (Farm size)/ Household (Ha)	Percentage Area cultivated (%)
AKPANYA	16	37.52	8.56	22.68
IDAH	17	16.67	6.80	40.50
IYAÑO	13	22.11	8.45	38.22
ODEKE	18	17.53	7.36	41.98
UCHUCHU	17	20.04	8.57	42.76
TOTAL	81	1827.48	634.80	34.74

Source: Survey Data, 1992.

From the table, it shows that there is no real shortage of land in the area under consideration. Besides, of the 108000 hectares available in the L.G.A., 98,225.80 hectares were cultivable. Of this cultivable land, only 49,798.80 (or 50.70%) was being cultivated. However, the question of availability of land for farming becomes relative if it can be understood that people even though cannot cultivate land which is available to them, still adjudicate over land for farming purposes and may even prevent anyone who may desire it at all costs.

Although these respondents argued that no persons or group would want to fight over physical land per se, the variability in the productive capacity of the various soils for different crops had made it imperative for occasional skirmishes over physical farmland. This has led to a situation where there are congestions of farming

populace here and there in some localities. The situation is better appreciated if it is realised that farm supplies for improving the productivity of soil are inadequate.

4.18 THE ROLE OF THE JUDICIARY IN THE LAND CRISIS

The judiciary has vital role to play in the settlement of dispute matters. Hence in most cases people go to court for redress. In the survey conducted, there was substantial evidence that people actually take land cases to court. Table 4.8 below shows a summary of average number of cases per month in some courts and how many are land cases.

Table 4.8 : Summary of Cases Taken to Court: 1986-May, 1992

LOCATION AND DESIGNATION OF COURT	AVERAGE NUMBER OF CASES IN COURT/MONTH	LAND MATTER	PERCENTAGE (%)
High Court of Justice, Idah	32	23	71.88
Chief Magistrate's Court, Idah	30	6	20.00
Upper Area Court, Idah	40	15	37.50
Grade II Area Court, Akpanya	12	4	33.33

Source: Survey Data, 1992.

Resolving issues in dispute to the satisfaction of both parties has been the case in point. The study revealed that the High Court of Justice, Idah, had a

total of 472 land cases on appeal between 1986 and May, 1992. A breakdown showed that 240 (or 50.85%) of the decisions were upheld (i.e confirmed) while 232 (or 49.15%) were reversed. This leaves doubt as to the credibility of lower courts in handling land cases. However, it should be noted that some court officials were sincere to say that they were uncertain as to whether or not their verdict always achieved the desired objective of bringing about lasting peace. Though, in some cases, it was said, court has been able to maintain peace.

The study also revealed that communal land dispute matters are not easily settled in court. Settlement it was noted, actually lies in the desire by the parties to the dispute for settlement and lasting peace. This explained why no fines were imposed on losers of a case. However, it was revealed that fines were imposed on cases of criminal trespass on land. The amount involved however, would depend on the magnitude of the offence. Although in deciding land cases, the court relies on facts in evidence before it, what constitute facts in evidence are matters of opinion. In other words, sometimes facts in evidence may not be real facts due to possible connivance. The study noted that everyone desires for peace. However, where avenues for such peaceful settlement (resolution) of dispute matters have

failed, people often resort to violence especially in the process of adjudication.

Land dispute matters between two families as noted during the survey often resulted from trespass and conflicting claims. Among all the respondents, it was noted, will seek first harmonious settlement, where this fails, then court actions are taken. In the event that court judgement has failed through perversion of justice, the use of force was advocated. The fact is that court decisions in some cases are influenced by the use of money particularly in land cases.

In a case, O. Ekualor versus Onu Omabo in which a suit was instituted by Ekualor in 1991 at Grade I Area Court, Idah, it was not given a hearing, instead it was consistently adjourned. In 1992, the Onu Omabo instituted a counter suit on the same matter in the same court at Idah. In another case, F. Unane Vs Onu Omabo, High Court of Justice, Idah, 1992. Judgement delivered at a lower court, was to be sent on appeal within one month of judgement. This rule was violated as Onu Omabo who was to appeal against the judgement did not do so within the stipulated period. The appeal however, was rejected at the first instance but later, it was to be accepted at the second instance after some consultations with the Judge in the same court. This is often viewed as efforts to frustrate the parties. The rightful

owner(s) may view the situation as possible connivance to expropriate his/their land. The point is that people are intricately connected with the land and anything that affects the land invariably affects their lives.

4.19 THE EFFECT OF LAND CRISIS ON AGRICULTURAL DEVELOPMENT AND LAND USE POLICY IN THE AREA.

Land crisis seemed to have created era of idle resources and hence enormous wastes. The survey showed that farmers in villages had before now been living together in farmstead in cluster association i.e mixed population of now warring factions. They were helpful to one another and assisted one another to get farm inputs and discussed relevant issues of economic progress. Land could be given to people desirous of land irrespective of village origin or community affiliation on lease for farming. People from different villages within the vicinity of available land could have farms with common boundaries. This made possible social interaction and economic progress.

After violent clashes, what was noticed was rancour and eviction of current tenants especially those from other communities. This has given rise to a state of insecurity, suspicion and fear. This seems to be having adverse effects on the pace of agricultural development in the area.

Investment in farm growth has become static. By the

current crisis, attitude of land owners seemed to have changed considerably toward tenants. There was considerable scepticism on their willingness to release land to tenants even in areas not affected by violence. The old policy of the "haves" helping the "have nots" is fast fading away as it affect land use in the area.

Besides, there was the migration of able-bodied young men who were farming from the area. In some instances, they had abandoned farming for other crafts or trading in merchandize. Furthermore, there was the use of less fertile soil for cultivation of crops bearing in mind that fertilizer is hardly available. The conflict often resulted in the displacement of people from fertile land (soils) where they originally farm. For instance, no less than 200 farm families (Households) were displaced from their hamlets and farm-steads as a result of the crisis in the area. Instances which currently abound in the area included Bredidi, 40, Aneidu, 20, Ugwaya, 50, Ere-Agwu, 100, Agwenya, 120, Ọdọma, 15 and Ebafulu, 10 farm families. Sometimes, late cropping was done which led in most cases to low yield or even complete crop failure. This in effect, has further decreased productivity and production of agricultural commodities and potential expansion of farm size has been difficult.

If this trend is allowed to continue unabated, the

situation might be that land owners may tighten up their hold on land such that tenants might have none. Alternatively, land acquisition by tenants might become too expensive. This may mean that small farmers with little capital might find it difficult to acquire land and so subsist. Even government acquisition of land for projects could encounter some difficulty if such project does not have direct benefit for the inhabitant communities.

Besides, the study showed that production could have decreased to less than half of the usual production capacity due to the current land crisis. This is because farmers now cultivate less than half of their usual farm size and yield equally is low. Although decrease in product output could be caused by other natural causes such as drought, flood, pests and diseases, the proportionate decrease in production output due to a decrease in farm size, is a clear manifestation that output could not have decreased had the farm size not decreased. This effect can only be attributed to the land crisis. The summary of the farm size and produce value is presented in table 4.9.

Table 4.9. Summary of the Area cultivated (Farm size) per Household and the corresponding produce value during communal land crisis and crisis-free periods respectively, 1992.

LOCATION	AVERAGE FARM SIZE (Ha)/HOUSE-HOLD CRISIS-YEAR	PRODUCE VALUE (N)	AVERAGE FARM SIZE (Ha)/ HOUSEHOLD CRISIS-FREE YEAR	PRODUCE VALUE (N)	AVERAGE FAMILY SIZE (HOUSE-HOLD)
AKPANYA	1.40	3070.70	8.56	28,826.25	12
IDAH	2.46	4911.82	6.80	27,768.61	11
IYAÑO	1.55	4477.20	8.45	26,285.76	9
ODEKE	2.00	9316.25	7.36	52,105.77	12
UCHUCHU	2.27	10955.75	8.57	55,440.42	10

Source: Computed from survey Data, 1992.

Table 4.9 shows that an average household in Akpanya could cultivate as much as 8.56 hectares to earn about N28826.25 in a year when there is no communal land crisis. However, under crisis, an average household can only cultivate about 1.40 hectares and earn only about N3070.70. The trend can be observed for the other locations selected for the study in the table. This shows that there is gross under-utilization of land resources during crisis period. Therefore, no significant progress can be expected in agricultural development in the area.

4.20 RELATIONSHIP AMONG VARIABLES USING LINEAR AND QUADRATIC FUNCTIONS

The data were fitted into Linear and Quadratic functions in order to examine empirically the relationship or the explanatory powers of the variables

as specified in the model and defined. The results in Table 4.10 shows the values of the coefficients and t-values for the different functions and locations for the linear functions. In the table, X_1 to X_5 are the independent variables as defined earlier for the Linear function, i.e family size, Area cultivated, Cost of litigations, produce value and area being used but not for agriculture respectively. The t-values are shown in the bracket.

The values of R-square and the Adj. R-square i.e the Coefficient of Multiple Determination (R^2 & Ad[illegible] are equally shown on the table for the different lo[illegible]ons in the study area. These were calculated from the analysis of variance. Also shown are the values of Durbin-Watson (D.W.) statistic calculated for the test of auto- or serial correlation.

The results (equations) of Multiple Linear Function

AKPANYA

$$Y_1 = 8.0 + 1.25X_1 - 1.54X_2 - 0.00461X_3 + 0.000142X_4 + 52.0X_5.$$

IDAH

$$Y_2 = 1.39 - 0.068X_1 + 2.47X_2 - 0.000032X_3 - 0.000005X_4 + 0.46X_5.$$

IYANO

$$Y_3 = -1.04 + 0.162X_1 + 2.20X_2 - 0.000033X_3 + 0.000158X_4 - 6.98X_5$$

ODEKE

$$Y_4 = -4.35 + 0.586X_1 + 2.04X_2 + 0.000106X_3 - 0.000066X_4 - 1.07X_5$$

UCHUCHU

$$Y_5 = 5.86 + 0.198X_1 + 0.866X_2 - 0.000101X_3 - 0.000032X_4 + 4.30X_5.$$

L.G.A.

$$Y_6 = 10.80 + 1.13X_1 - 0.306X_2 - 0.000212X_3 + 0.000032X_4 + 8.10X_5.$$

All variables are as defined earlier.

The results show a satisfactory performance in general terms if one considers the R-sq. and the Adj. R-sq. values as shown in Table 4.10. Again, as noted on an a priori, the signs for the various regression coefficients seem to suggest that the current land crisis may not be due to population factor, for only Idah seems to have effects of population as predicted on an a priori by having a negative sign. The positive sign of the coefficient of X_1, family size, which is a measure of population that will cultivate the land, holding by households suggests that population has not yet grown to a point that will set in diminishing effects on available land. In the case of area cultivated, X_2, the negative signs shown by the coefficients at Akpanya and L.G.A. suggest a measure of statistical significance. It has an effect of diminishing the available land. However,

excessive fragmentation could have similar effects. Apart from the location at Akpanya, all the other locations have X_2 with positive coefficients suggesting no serious effects on available land per household. However, the t-values are statistically significant at 1% level of significance. Also the negative sign shown by the coefficient of X_1, the cost of litigations in locations 1, 2, 3 and 5 in general terms indicate that litigations actually generate bitterness which has helped to deepen the current land crisis. It could have effect of diminishing the available land. This is because serious-minded individual farmers could be prevented from cultivating an available piece of land for fear of litigation. In other words, this measure could cause artificial shortage of land.

The individual t-values have not been shown to be of any appreciable statistical significance. A few of them however, have been found to be significant at 1% and 5% levels of significance as shown in the table.

The F-ratios have been found to be generally statistically significant at 5 per cent level of significance and their respective degrees of freedom. The values are shown in Table 4.10. This shows that the variables cannot on individual basis explain the variation in land availability but as a group they can jointly do so. The Durbin-Watson (D-W) statistic

calculated also suggests that the data are not plagued with any serious problem of serial correlation. Thus, the coefficient of the regression can be said to be reliable.

Table 4.10: Regression Coefficient of the linear functions.

LOCATION	Statistics	Constant term a_0	X_1	X_2	X_3	X_4	X_5
AKPANYA	Linear t-values F-ratio =	8.00 4.85**	1.25 (1.20) R-Sq =	-1.54 (-0.90) 0.729	-0.00461 (-1.73) Adj.R-sq. =	0.000142 (0.41) 0.579 D-W =	52.0 (4.49*) 1.89
IDAH	Linear t-values F-ratio =	1.39 9.88*	-0.068 (-0.16) R-sq =	2.47 (4.68*) 0.818	-0.000032 (-0.86) Adj.R-sq. =	-0.000005 (-0.28) 0.735 D-W =	0.46 (0.36) 1.51
IYAÑO	Linear t-value F-ratio =	-1.04 10.14*	0.162 (0.33) R-sq =	2.20 (5.22*) 0.822	0.000033 (1.10) Adj.R-sq. =	0.000158 (1.12) 0.741 D-W =	-6.98 (-1.39) 1.94
ODEKE	Linear t-value F-ratio =	-4.35 6.04*	0.586 (1.66) R-sq =	2.04 (4.94*) 0.733	0.000106 (1.57) Adj.R-sq. =	-0.000066 (-1.05) 0.611 D-W =	-1.07 (-0.29) 1.89
UCHUCHU	Linear t-value F-ratio =	5.86 3.60**	0.198 (0.41) R-sq =	0.866 (2.14** 0.624	-0.000101 (-0.81) Adj.R-sq =	-0.000032 (-0.36) 0.44 D-W =	4.30 (2.84** 2.26
L.G.A	Linear t-value F-ratio =	10.80 2.36**	1.13 (1.70) R-sq =	-0306 (-0.40) 0.212	-0.000212 (-1.11) Adj.R-sq.=	0.000032 (0.31) 0.122 D-W =	8.10 (3.04*) 2.27

Source: Computer print out of Survey Data, 1992

* Significant at 1% level of significance

** Significant at 5% level of significance

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QUADRATIC FUNCTION

4.21 Results (Equations) of Quadratic Function

AKPANYA

$$Y_1 = 90 - 9.07X_1 - 7.4X_2 - 0.0208X_3 + 0.086X_1^2 - 0.024X_2^2 + 0.000X_3^2 + 1.18X_1X_2 + 0.0298X_1X_3 + 0.0038X_2X_3 - 0.000604X_1X_2X_3$$

IDAH

$$Y_2 = 2.5 + 0.61X_1 - 1.53X_2 - 0.0002X_3 - 0.048X_1^2 + 0.202X_2^2 - 0.000X_3^2 - 0.193X_1X_2 + 0.000379X_1X_3 + 0.000078X_2X_3 - 0.000053X_1X_2X_3.$$

IYAÑO.

$$Y_3 = 51.6 - 11.2X_1 - 3.89X_2 - 0.00097X_3 + 0.088X_1^2 + 0.22X_2^2 - 0.000X_3^2 + 0.87X_1X_2 + 0.000402X_1X_3 + 0.00016X_2X_3 - 0.000038X_1X_2X_3.$$

ODEKE

$$Y_4 = -84.8 + 8.29x_1 + 7.61x_2 + 0.01x_3 - 0.191x_1^2 + 0.152x_2^2 - 0.000x_3^2 - 0.664x_1x_2 - 0.00102x_1x_3 + 0.000052x_1x_2x_3.$$

UCHUCHU

$$Y_5 = 0.2 + 0.05X_1 + 2.04X_2 - 0.00007X_3 - 0.093X_1^2 - 0.192X_2^2 - 0.000X_3^2 - 0.461X_1X_2 - 0.00003X_1X_3 + 0.000028X_2X_3 - 0.000006X_1X_2X_1$$

L.G.A.

$$Y_6 = 24.10 - 3.54X_1 + 0.02X_2 - 0.00027X_3 + 0.198X_1^2 + 0.303X_2^2 - 0.000X_3^2 - 0.272X_1X_2 - 0.000127X_1X_3 - 0.00005X_2X_3 - 0.000007X_1X_2X_3$$

The quadratic functional forms shown above can show diminishing and even negative marginal land use. Also, there is a technical optimum beyond which the total land available for use will diminish. In the equations above, the coefficients of X_1, X_2 and X_3 measure the direct effects of levels of population (family size), area cultivated and produce value on the total land available. On the other hand, the coefficients of X_1^2, X_2^2 and X_3^2

measure the rate of change in the slope of the response curve. The interaction between the three variable factors occurs in the last four coefficient terms of the equations.

The interaction between the factors at locations above generally shows positive effects. The negative signs of the direct effects of coefficients of X_1, X_2 and X_3 in the equations for Akpanya, Idah and Iyano show the effects of fragmentation which drastically diminish productivity of land. Odeke and Uchuchu on the other hand, the direct effects show that there is increasing marginal productivity of available land in the area.

The rate of change in the slope of the response curve shows that the productivity of land is still increasing in general terms but value productivity is diminishing and in some cases are negative.

R-sq. and Adj. R-sq. values presented on Table 4.11 generally show goodness of fit. The t-values generally are not statistically significant at 5 per cent level of significance while the F-ratios are generally statisticaly significant at 5 percent level of significance.

Table 4.11. Regression Coefficient of quadratic functions.

LOCATION	Statistics	Constant term b_o	X_1	X_2	X_3	X_1^2	X_2^2	X_3^2	X_1X_2	X_1X_3	X_2X_3	$X_1X_2X_3$
AKPANYA	Quadratic	90.00	-907	-7.40	-0.0008	0.086	-0.024	0.000	1.18	0.00298	0.0038	-0.000604
	St. dev. S_b		(5.377)	(15.61)	(0.0342)	(0.23)	(0.309)	(0.000)	(0.868)	(0.002)	(0.0036)	(0.00024
	t-values		1.69	-0.44	-0.61	0.37	-0.08	0.32	1.36	1.46	1.06	-2.47**
	F-ratio = 30.32*		R-sq. = 0.987		Adj. R-sq. = 0.954							
IDAH	Quadratic	2.50	0.61	-1.53	-0.0002	-0.048	0.202	0.000	0.193	0.00038	0.000078	-0.000053
	St. dev. S_b		(3.524)	(2.383)	(0.00148)	(0.198)	(0.1063)	(0.000)	(0.167)	(0.0005)	(0.000085)	(0.000055)
	t-values		0.17	-0.64	-0.13	-0.24	1.90	-1.43	1.16	0.75	0.92	-0.97
	F-ratio = 7.29*		R-sq. = 0.924		Adj. R-sq. = 0.797							
IYĀNŌ	Quadratic	51.60	-11.25	-3.89	-0.00097	0.088	0.220	0.000	0.870	0.0004	0.00016	-0.000038
	St. dev. S_b		(10.56)	(7.936)	(0.0015)	(0.105)	(0.2385)	(0.000)	(1.293)	(0.00039)	(0.00033)	(0.000049)
	t-values		-1.07	-0.49	-0.64	0.84	0.92	-0.77	0.67	1.03	0.49	-0.79
	F-ratio = 4.47**		R-sq. = 0.882		Adj.R-sq. = 0.685							
ODEKE	Quadratic	-84.80	8.29	7.61	0.010	-0.191	0.152	0.000	-0.664	-0.00102	.....	0.000052
	St. dev. S_b		(3.977)	(4.854)	(0.0049)	(0.1258)	(0.1865)	(0.000)	(0.3618)	(0.00057)	(.....)	(0.000031)
	t-values		2.08**	1.57	2.05**	1.52	0.82	-2.23**	-1.83	-1.80	.....	1.68
	F-ratio = 5.35*		R-sq. = 0.873		Adj. R-sq = 0.710							
UCHUCHU	Quadratic	0.20	0.058	2.045	-0.00007	-0.093	-0.192	0.000	0.461	0.00003	0.000028	-0.000006
	St. dev. S_b		(7.245)	(8.171)	(0.0021)	(0.192)	(0.214)	(0.000)	(0.957)	(0.00024)	(0.0002)	(0.000024)
	t-values		0.01	0.25	-0.03	-0.48	-0.90	-0.14	0.48	0.12	0.14	-0.25
	F-ratio = 2.29**		R-sq. = 50		Adj. R-sq. = 32							

Source: Computer print out of Survey Data, 1992.
* Significant at 1% level of significance.
** Significant at 5% level of significance.

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Table 4.12: Comparison of Potential and Current Per Capita Utilization of Land in Idah L.G.A

LACATION	Current Per Capita land utilization (Cu) Ha	Potential Per Capita land availability for utilization (PU) Ha
AKPANYA	0.73	2.21
IDAH	0.74	1.82
IYAÑO	0.75	1.95
ODEKE	0.65	1.50
UCHUCHU	0.95	2.23

Source: Computed from Survey Data, 1992.

NB. Computation,

$$CU = \sum \frac{\text{AREA CULT./HOUSEHOLD}}{\text{INDIVIDUALS/HOUSEHOLD}}, \quad PU. = \frac{\sum \text{LAND HOLDING/HOUSEHOLD}}{\sum \text{INDIVIDUALS/HOUSEHOLD.}}$$

Table 4.13: Summary of optimum levels of population, Area cultivated and yield (N) for effective utilization of land in Idah Local Government Area.

LOCATION	Optimum Population X_1	Optimum Area Cultivation (Ha) X_2	Yield (N) X_3
AKPANYA	2	3.91	1379.10
IDAH	1	9.46	2420.80
IYANO	2	11.24	4718.18
ODEKE	10	3.62	6817.79
UCHUCHU	1	5.50	14918.32

Source: Computed from the Quadratic Functions, 1992.

Table 4.12 presents the potential per capita land available for exploitation and the current per capita land utilization in Idah L.G.A. The potential figures

were obtained by dividing the total land holding per household by the number of individuals in the household. How much of this land that was being cultivated or used by the individual constitute the current land utilization. From the table, it is evident that land is grossly being under-utilized. Considering the fact that during crisis period, farm sizes could be reduced to about half or even less, it is obvious that fuller utilization of available land and its resources may never be realised. For example, while the potential per capita land available is 2.21 hectares at Akpanya, only 0.73 hectare was being used or exploited on per capita basis for agriculture. This can be observed in the other villages considered in the study.

Again, Table 4.13 presents the quadratic solution for technical optima. Columns X_1, X_2 and X_3 show optimum number of persons (population), hectares to be cultivated and the yield in Naira expected respectively. From the table, it is evident that optimum exploitation of available land for agriculture will only result when two persons are able to cultivate 3.91 hectares or 1.955 hectares per person. However, with primitive tools being used with human labour, this will mean that full and effective utilization can never be achieved. Obviously, considering the availability of labour and capital, effective exploitation is not feasible. Even then, an examination of the crop yield will show that yields are quite low. This is particularly so in locations where there are many hectares to fewer person as can be

observed at Idah and Iyaño respectively. This means that for any increase in crop production to occur, there must be a reduction in the amount of money currently being invested in crisis management so that such money can be diverted to production of crops.

In the area of labour supply, the most dominant labour being used was the family labour. This was usually augmented by hired labour. This is hardly adequate to cope with its demand. At the peak of labour demand, where hired labour was available, it was often too expensive to hire. This posed a severe limitation on the problem of agricultural development in the area. Labour availability, farm supplies, farm machinery and appropriate modern technology seem to constitute a major problem as against availability of or access to land. Consequently, income generally has been low. This has further compounded their capacity to improve and expand agricultural activities and hence boost agricultural production.

CHAPTER FIVE

5. SUMMARY AND IMPLICATIONS, POLICY RECOMMENDATIONS AND CONCLUSIONS

5.1 SUMMARY OF FINDINGS.

From the study, there was evidence that people in Idah L.G.A. now in land crisis have been living together for so many years and were relatively peaceful. From the study too, one cannot say that there is scarcity or shortage of land in Idah L.G.A. The question of scarcity or shortage is relative. This is because the physical existence of land does not determine its "availability". For such land is usually owned. The owner may not require its use now but may never give it out to be used by any one who needs it.

The study also showed that land crisis could be caused by a number of factors. Some factors had been considered to be instrumental to the current land crisis. Prominent among them could be grouped into the following:

1. Population increase
2. Civilization and/or awareness
3. Selfishness and greed
4. Craze for material wealth and pride.

A brief explanation will make things clear.

1. Population increase. Population increase has given rise to growing speculation that there might be shortage of land in the future. Although no empirical evidence for this speculation, the tenants seemed to foresee a time that land owners might deny

them of land to farm. In some cases, land owners tried to expand their holdings so that "future generations can inherit". Hence they were preoccupied with the thinking of how to own land to themselves or more land now in the case of some land owners.

2. Civilization and/or awareness. Modern Civilization and/or awareness has given rise to youths questioning the rationale of the elders living on land for so many years without land of their own. This coupled with the promulgation of the Land Use Act of 1978, which is considered an evolution of a new order, had prompted the current agitation.

3. Selfishness and greed. Selfishness and greed particularly on the part of some traditional rulers, those in position of authority and some land owners in the area had through their various activities contributed to the promotion of land crisis. People who knew what could have resolved dispute matters never revealed such facts. While those who had no property rights over land tried to acquire one through any means, there were yet others who owned land but tried to expand their holdings though not for farming per se. Also, no consideration was given to one's harvest or size of the farm land on rent charged. Some traditional rulers and those in position of authority often supported those who gave them tribute/royalty irrespective of what it might

result since they live on this. This was a case in point at Idah.

4. The craze for material wealth and pride. The craze for material wealth and pride attached to landed property has led to apparent lack of conscience, social justice and the fear of God among people. What was observed was connivance by some wealthy persons, traditional rulers, those in position of authority with Court Officials and the law enforcement agents to seize people's land through false information and reporting. The point at issue may be the pride associated with a group who owned land and the right to give authority for its usufruct. This has led to frequent cases of trespass, false ownership claims on land and its resources, illegal adjustment of boundaries and manipulation of situations to take undue advantage. There were instances of secret sales of land particularly plots for buildings in urban areas and these were gradually extending into rural areas. This had often resulted in endless litigations. In the event that the owners could not cope, they might resort to very often violent clashes.

   There were instances or occasions also where the tenants actually wanted to become landlords. This apparent lack of sincerity (trust) on the part of tenants has been part of the rhetoric in recent

years. Examples of Akpanya-Agbokete, Uchuchu-Omabo and Ife-Modakeke situations are cases in point. The situation however, seemed to have emanated from the provisions of section 36 of the Land Use Act of 1978. This has given rise to an apparent contradiction between the landlords and the tenants. While the tenants would want to recognise the existence and workability of the Land Use Act, landlords on the other hand, do not see it that way. One finding was that length of stay was almost synonymous with the age of the respondents. Length of stay has no relevance with access to land as property. This is because "once a tenant, always a tenant". Continued occupation of land for farming was dependent upon ability to respect laid down rules and payment of land rent and royalty. This however, does not connote ownership rights.

According to 45 percent of the respondents, they held the view that land rent and/or tribute/royalty demanded by the landowners were excessive. Apart from the tenants' refusal to pay, they tried to seize the property rights of the owners after years of occupation. This angered the owners since most people (communities) owned their land through inheritance.

It was argued by about 96 percent of the respondents that there had been a sharp increase in the population of people that had taken to farming

in recent years. However, only about 18.38 percent of the respondents attributed the current land crisis to this rise in population farming. Inspite of the population increase, there was no empirical evidence of inadequacy of land for all purposes now. In other words, population has not yet over- grown the available land.

From the study too, people's perception of land had been varied. Some had perceived land as property which must be owned even if not for any uses. Others considered ownership of land as a mark of prestige. This was the view of 135 out of 150 respondents (or 90 percent of the respondent(s). Hence people were preoccupied with this thinking and so they struggled relentlessly to take title to land through forceful occupation and use or control. Except in areas where statutory rights of occupancy are being granted, under customary land tenure rights in the area, land belongs to community or family through inheritance within which individuals could acquire rights through pioneer clearing and farming of virgin forest.

Land rent charged so far has not been significant enough to warrant the current land crisis. The significance of land rent lied in the dissatisfaction of having to pay and values attached to it under customary land tenure laws of the area.

The most probable reason for the current land crisis could be found in the land tenure arrangements under customary rights of occupancy.

Also, apart from customary laws on land tenure and the Western colonial laws, no religious laws seemed to have made any significant impact on land tenure in the area.

5.2 EMPIRICAL RELATIONSHIP AMONG VARIABLES.

The results of regression analysis showed that there were no significant effects of population on available land. Population coefficients are not statistically significant at 5 per cent level of significance. Also, the signs of the coefficients as were postulated on an a priori had been shown to be the contrary in most cases. The R^2 and Adj. R^2 (Coefficient of Multiple Determination) values have been significantly high, showing that the explanatory variables have been able to account for their effects on the dependent variable which gives the equation the goodness of fit.

The Durbin-Watson (D-W) statistic calculated for the linear functions did not show the effects of multicolinearity. This means that the application of the regression coefficients based on the Least squares estimates has to be used but with caution as the variance could be large. The F-ratios of the various locations are however statistically significant at 5 percent level of significance.

5.3 THE IMPLICATIONS OF THE STUDY

This study has so many implications. The implications can be considered in terms of its effects on agricultural development efforts and rural life in general. From the study, it can be inferred that if this trend is allowed to continue unabated, future agricultural development efforts may be jeopardized.

1. This is more so if it is understood that the bulk of agricultural production is in the hands of small scale farmers.
2. That the individuals who had attempted on the foreceful seizure of some one else's land, if the attempt is unsuccessful, the owner(s) may refuse him or his associates any portion of his land even on request in future. This may also mean high cost of rental charges on acquisition of land of which only the highest bidders might gain. This might lead to a further smaller holdings by small scale farmers. This is especially true if it is realised that the Land Use Act is not in force i.e. has no significant effects on land use in the area.
3. Population at present, has not been shown to constitute a core problem. However, this might be so in the foreseeable future.

On rural development, the crisis could have serious consequences on both the life of the citizens and their welfare. The capital investment on the current land

crisis could have been chennelled to other development projects which alone could have brought about some improvements on rural life. It has however, alerted land owners to take proper grip of their property instead of the current laissez faire attitude.

Also, government acquisition of land for public purposes could face severe limitation as landowners could tighten up their willingness to release land. This may entail higher demand for compensation on land especially if such project(s) does/do not have direct benefits for the community members.

5.4 POLICY RECOMMENDATIONS

From the study, the following recommendations may be made:

1. The Land Use Act should be amended such that
   a) Section 1 which vests land in the hands of the Governor of a state be repealed but powers of compulsory acquisition of land for public purposes by government be strengthened.
   b) Section 36 of the Land Use Act should be completely repealed or amended. This is because the provisions of the section seem to have created enabling rights for people to make claims on land which do not belong to them; and this has been the situation in the rural areas. In particular, section 36(1)(2)(...) relates:

(1) "The following provisions of this section shall

have effect in respect of land not in an urban area which was immediately before the commencement of this Act held or occupied by any person. (2) Any occupier or holder of such land, whether under customary rights or otherwise howsoever, shall if that land was on the commencement of this Act being used for agricultural purposes as if a customary right of occupancy had been granted to the occupier or holder thereof by the appropriate Local Government and the reference in this subsection to land being used for agricultural purposes includes land which is, in accordance with the custom of the locality concerned, allowed to lie fallow for purposes of recuperation of the soil". Subsection (3)(4) empower the Local Government at its discretion to issue Certificate of customary right of occupancy consequent upon the production of a sketch map or diagram of the area by the occupier or holder whether such land is developed or not developed.

2. A clear demarcation of communal boundaries should be urgently undertaken by Federal, State and Local Governments. It might be expensive but as a necessity should be done. This may involved cadastral surveys.

Before the promulgation of the Land Use Act,

there should have been cadastral surveys showing ownership titles, inequity and distribution, areas developed and areas not developed. These are necessary for effective judicature.

3. Any law which is intended to affect the status of all Nigerians should be given adequate publicity. For example, the Land Use Act was not accorded the publicity it deserves, this has been part of the problem. The idea that ignorance of the law is no excuse, is alien especially if Nigeria's level of literacy is considered.
4. Where compensation is involved for any acquired land, the actual beneficiaries should be involved directly instead of through an attorney. This will give satisfaction to the affected community members.
5. There should be more involvement of the land owning community(ies) in any land transactions.
6. Any allocation of land by government agency should ensure equity, social justice and fairplay in its dealings with the public. High levels of corruption often observed among government agencies had always raised some doubt about the credibility of such agency. This has often led to some laws not being effective, e.g. the Land Use Allocation or Advisory Committee (LAUC) under the Land Use Act.
7. Tenants should be able to recognise their customary status for the purpose of peaceful coexistence. They could discuss issues through dialogue instead

of attempts on forceful seizure of people's land. This will not ensure ownership rights as they might suppose.

8. For any land matter taken to court, efforts should be made to settle it speedily.

5.5 LIMITATIONS OF THE STUDY

This study has been limited by the fact that:

a) there was a dearth of information due to lack of adequate record keeping.

b) there was also the problem of inadequate mobility as the area was only fully accessible during the dry season and became less so during the wet (rainy) season. The data collection was carried out between the months of May and August, and later in October, 1992.

c) there was some difficulty in getting accurate information from the court due to the suspicion that such information could be transmitted to the outside world. This fear was allayed after proper introduction.

d) there was also lack of adequate financial support; the high cost of transport fare coupled with financial problems imposed a severe limitation on the extent of travels in order to obtain further information. Friends and other well-wishers who supported in this case had been fully acknowledged.

e) of crucial importance was a communication barrier

between the researcher and the people in one of the areas selected for the study, Akpanya. This has entailed a burden of requiring services of someone else to assist in the interpretation during the survey. This actually increased cost.

f) a severe limitation was the fact that the investigation had to be carried out in an area where in some parts people were engaged in skirmishes. This had limited the extent of movement and interaction.

g) another severe limitation was the attitude of some respondents in Idah town who withheld information. Of particular note was the attitude of law enforcement agents who considered investigators as investigating their activities.

5.6 CONCLUSIONS

In this study, the issues involved in land crisis have been considered. It has also been noted that population has not constituted any threat at present to warrant the current struggles.

Also, a consideration has been given to issue of land rent. From the study too, it is evident that land rent alone cannot be responsible for the current land crisis. What seemed to be significant from the study, was the value of products derivable from land (economic rent of land). This seems to be crucial as one of the causes. The tenants it appears, tend to envy landlords

for the collection of rent and tribute/royalty and enjoy the benefits. This was because the agitation was not on availability of land for farming but a claim of ownership (property) rights over land.

Although there is the Land Use Act, the Act seems not to be effective anywhere around the area. The Act should either be amended to make it effective or be completely repealed so that we revert to the old systems of land tenure laws. Inspite of the existence of the Land Use Act, incidence of land sales has been common, particularly plots for residential buildings. However, sales of farm land have not been sanctioned by the people.

If the nation anticipates to realise her dream of self-sufficiency and self-reliance in food and other aspects of agricultural production, specifically, increased productivity of agriculture, then, government should take bold and decisive step to remedy the situation.

It should be realised that no nation can achieve agricultural development under a land crisis; and a nation that cannot feed her population will always live on dependency syndrome. With the resource of nature endowment in Nigeria, its people cannot continue to live in abject poverty because people have deserted the voice of reasoning for a craze for wealth, selfishness and greed. A situation where people use and abuse privileges and opportunities should be checked if the nation must

attain any height. Unless government is seen to play leading roles through practical examples devoid of questionable intentions, no laws may succeed in Nigeria.

Finally, from all intent and indications, the current land crisis cannot lead to a revolution which might ultimately lead to economic progress. The whole idea about the current situation seems to be retrogressive. It imposes harsh economic conditions on members of the society.

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QUESTIONNAIRE

AGRICULTURAL LAND CRISIS IN NIGERIA: A CASE STUDY OF IDAH LOCAL GOVERNMENT AREA OF KOGI STATE

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INSTRUCTION: You will please TICK where options are provided and respond positively as appropriate where your comment is required.

APPENDIX 1A

QUESTIONNAIRE I

FARMERS QUESTIONNAIRE

PERSONAL DATA ON RESPONDENTS

1. Village .....Age .....

3. Marital Status (Married/Single/Divorced/Widow/Widower) (Tick).

4. Family size (Wife/Wives ..... No. of children ....

..... No. of relatives .....

Others .....) Total number .....

5. Occupation: (1) Major .....

(2) Others (Subsidiary) .....

6. Rank .....

7. Approximate annual income N .....

8. Length of stay in the village .....

9. Ethnic origin ..... 10. Place of

Birth .....

LAND HOLDING

1. Do you have any farm land? Yes/No

2. If no, why not? .....

.....

3. If yes, how many fields? .....

4. Are all your farms located within the village Yes/No

5. If no, how many farm(s) do you have outside the village? .....

6. How far is/are the farm/farms from here?

1).....

2).....

3).....

4).....

7. What is the total size of your holding?.....

8. How did you obtain the land?

1. Inheritance 2. Pledge 3. Purchase 4. Gift

5. Allocation by village head 6. Loan 7. Rent

Others (specify) .....

.....

9. From whom? (State relationship if any).

1. Father, 2. Uncle 3. Aunt 4. Brother

5. Sister 6. Nephew 7. Niece 8. Friend

9. Village/clan Head 10. Any others (specify).....

.....

.....

10. When was (were) the field(s) acquired by you?

.....

11. Any special reason for the transaction(s)? Yes/No

12. If yes, what is (are) the reason(s)? .....

.....

.....

13. Is there any evidence to support the transaction? Yes/No

14. If yes, what is the evidence?

1. Written contract 2. Witnesses

3. Court records 4. Others (specify) .....

.....

.....

15. Was it necessary to consult or secure approval of any one before the transaction? Yes/No

16. If Yes, Whom?

1. Village head 2. Relatives 3. Household head

4. Family head 5. Other (specify) .....

.....

.....

17. Is there any restriction on your use of the land? Yes/No.

18. If yes, what is/are the restriction(s)?

.....

.....

.....

19. Do you believe that your title to the land is secured? .....

.....

.....

20. If no, why not? .....

.....

.....

LAND INHERITANCE

1. How many fields did you obtain through inheritance?

.....

2. From whom did you inherit the field(s)?

   1. Father 2. Brother 3. Sister 4. Uncle

   5. Aunt 6. Nephew 7. Niece

   8. Any others (specify) .....

3. Who will inherit your farmland after your old age and death?

   1. My son 2. My daughter 3. My nephew

   4. My Niece 5. My Brother 6. My sister

   7. My most senior uncle

   8. Others(specify) .....

4. How will you ensure that your farmland will be inherited as indicated by you in question 3?

   1. I will let my relatives know

   2. It is understood, so special safeguard is unnecessary

   3. I will write it down in my will

   4. I will speak to the clan/village head

   5. Others (specify) .....

TENANCY

1. Do you hold any land under rental (tribute payment) arrangement? Yes/No.

2. If yes, how much do you pay for use of the land? (State the amount per hectare or if the payment is fixed amounts of the produce, state what proportion).....

   .....

3. Who determines the amounts? .....

   .....

4. Do you consider the amount reasonable? Yes/No

5. If no, is it too high or low? Too high/Too low

LAND TRANSFER

1. Do you own any land that is being used by another person at the moment? Yes/No

2. If yes, how many plots? .....

3. What is the size of the plots? .....

4. How did you obtain the land? .....

.....

5. Do you specify any restriction on the use of the land? No/Yes

6. If yes, what is/are the restriction(s) .....

.....

7. Do you have any special reason for giving out the land? Yes/No

8. If yes, what is/are the reason(s)?

   1. I cannot farm all the land
   2. The land is too far from me
   3. I am too old to farm
   4. Financial problems
   5. I will be moving to another place
   6. I want to quit farming for another occupation
   7. Others(specify) .....

LOSS OF TITLE

1. Have you ever lost right to any land? Yes/No

2. How many plots? .....

3. If yes, how many times? .....

4. How did you get the land? .....

   1. Inheritance 2. Pledge 3. Purchase 4. Gift

5. Allocation by village/clan/family head 6. Loan

7. Rent 8. Others(specify) .....

5. When was it given out? .....

.....

6. To whom? (State the name and relationship if any)

.....

7. Under what arrangement?

1. Pledge 2. Gift 3. Rent 4. Loan

5. Others(specify) .....

8 Any evidence of the transaction? Yes/No

9. If yes, what is the evidence?

1. Written contract 2. Witness 3. Court records

4. Others (specify) .....

10. Was it necessary to consult or secure the approval of any one before the transaction? Yes/No

11. If yes, Whom?

1. Village head 2. Relatives 3. Village elders

4. Others(specify) .....

PREFERENCES FOR TERMS OF HOLDING

1. Which methods of acquiring and transferring land do you consider proper for this village? (If more than one, indicate order of importance)

1. Inheritance 2. Gift. 3. Rent 4. Pledge

5. Purchase 6. Allocation by village head/elders

7. Loan 8. Others(specify) .....

.....

2. Can you give reason for each choice? .....

.....

.....

3. If you wish to dispose of your land (assuming non-interference), would you have preferences on whom to deal with?

   1. In case of selling Yes/No
   2. In case of renting Yes/No
   3. In case of loan Yes/No
   4. In case of pledging Yes/No
   5. In case of gift Yes/No

4. If yes, whom do you prefer and why? (State relationship if any)

   1. Relatives .....
   2. Friends .....
   3. Others(specify) .....

5. Do you subscribe to the idea of people selling land? Yes/No

DISPUTE OVER LAND

1. Have you ever been involved in dispute over land? Yes/No
2. If yes, how many times? .....
3. When (which time)? .....
4. With Whom? (State name and relationship of any) .....

   .....

5. What type of land was the source of the dispute? (Farmland, Building site or any other specify)

   .....

6. What caused the dispute?

   1. Undefined boundary
   2. Conflicting claims of ownership
   3. Confusion over terms of transactions (e.g whether the land was given as gift, pledge or sold)
   4. Others (specify).....

7. What claims do you have to the land?

   1. I inherited the land
   2. The land was pledged to me
   3. I bought the land
   4. The land was allocated to me
   5. The land was given to me as a gift
   6. The land was loaned to me
   7. The land was rented to me
   8. Others (specify) .....

8. What was the outcome of the dispute?

   1. Decided in my favour
   2. Decided against me
   3. Both of us lost the land
   4. Pending
   5. Any other (specify) .....

9. Who settled the dispute?

   1. Our family heads
   2. The village committee
   3. Customary Court Judge
   4. The Magistrate
   5. Any other (specify) .....

10. Do you consider the settlement of the dispute to be fair? Fair/Unfair

11. If unfair, why did you think so? .....

    .....

12. What were you using the land for? .....

    .....

13. What is the land being used for now? .....

.....

14. What is the size of the land? .....

.....

15. If you consider the settlement as unfair, what action do you intend to

    1. I shall appeal to a higher court

    2. I must recover my land through any means

    3. I leave the situation to God

    4. Others(specify) .....

HOLDING PATTERNS

SIZE IN HECTARES

1. Fields — Size in Hectares

	Uncultivated	Under cultivation	Being Used but not for farming
1			
2			
3			
4			
5			

2. If you leave a land to fallow, when do you usually return to cultivate it?

.....

3. Supposing you abandon a field, can you always return to it at will? Yes/No

4. If no, how long do you abandon it to lose the right?

.....

5. Who takes the land ? .....

DISTANCE OF FIELDS

1. Do you consider the field far from one another

Yes/No

2. Would you have preferred your farm in one place Yes/No

3. Why do you have your fields in separate place?

   1. Scarcity of land

   2. Variability in soil fertility

   3. Inherited land in different areas

   4. Easiest way to acquire holdings

   5. Others (specify) .....

4. If no to 2, why not?

   1. Insures against localize crop failure

   2. Insures against localize natural disaster such as drought

   3. Having fields in different areas ancourages diversification of crop

   4. Others (specify).....

AVAILABILITY OF LAND AND POTENTIAL FOR EXPANSION

1. Is your farm size adequate for you? Yes/No

2. Supposing you want more land can you easily get it? Yes/No

3. If no to 1, are you planning to acquire more land Yes/No

4. What is the easiest way to acquire land in this village?
   1. Rent 2. Buying 3. Pledge 4. Gift 5. Loan

   6. Allocation 7. Others (specify) .....

   .....

5. Have you ever tried to acquire more land? Yes/No

6. If yes, what was the outcome of your efforts? Sucessful/Unsuccessful

7. If no, what was your handicap? .....

.....

.....

GENERAL LAND TENURE ISSUES

1. Do you notice a change in the land tenure arrangement of this villages? Yes/No

2. If yes, what is/are the change(s)? .....

.....

3. Why is/are the change(s) occuring? .....

.....

4. Do you like the change? Yes/No.

5. If yes, why? .....

.....

6. If no, why not? .....

.....

7. Do you regard the present land tenure system as a constraint to your farming activity? Yes/No

8. If yes, why? .....

.....

9. Do you consider the existing land tenure administration in this village a problem? Yes/No

10. If yes, what is/are the problem(s)? .....

.....

11. Are you aware that Federal Military Government of Nigeria in 1978 promulgated a Land Use Decree? Yes/No.

12. If yes, do you understand the decree? Yes/No

13. If yes to 12, do you think it has changed land tenure arrangements? Yes/No

14. If yes to 13, what change(s) do you notice?

.....

.....

15. If no to 13, why not? .....

.....

16. Doy you support the idea that all unused agricultural land should be under government control? Yes/No

17. If no, whom do you think ought to control unused agricultural land?

1. The community through the village head

2. Community elders

3. The community through elected representatives

4. Others (specify) .....

18. How would individuals who need land obtain it under the arrangement proposed in 17? .....

.....

19. What would you say about the present land tenure arrangement? Satisfactory/Unsatisfactory

20. If you would like a change, what change(s) do you desire?.....

.....

GENERAL INFORMATION ON FARMER OPERATION

1. For how long have you engaged in farming on your own? .....

2. What implements do you use? .....

3. What is the source of labour you use on your farms? (Indicate all source if more than one in order of importance).

1. Family

2. Hired

3. Others(specify) .....

4. How many days in a week do you work on your farm?

.....

5. What do you do other days? .....

.....

6. What crops do you cultivate?

CROP	SOLE	MIXED	YIELD

7. How do you consider your yield?

1. Fairly good 2. Good 3. Very good

4. Not so good.

8. What do you think has been responsible for the yield of your crop?

.....

9. What are the problems you face in your general farm operations?

(a)

(b)

(c)

(d)

(e)

(f)

COST ASSOCIATED WITH LAND CRISIS

1. Money cost must have been incurred under the current land dispute matter in this village? Yes/No

2. If yes, can you quantify (give amounts) of what is spent? N .....

3. What is your share of the amount? N .....

4. Can you give a breakdown in financial values other costs incurred?

   i) Cost of travels N .....

   ii) Cost of living (Feeding/Medication N .....

   iii) Loss of Crop production N .....

   iv) Loss of livestock and poultry production N .....

   v) Others (specify) N .....

GOVERNMENT ACQUISITION OF LAND AND COMPENSATION

1. Do you have land that was compulsorily taken over by governments? Yes/No

2. If yes, did you receive any cash compensation Yes/No

3. What is the size of the land? .....

4. If you received cash compensation, how much was the amount? N.....

5. What did you use the money for? .....
   .....

6. Would you have preferred alternative land to cash compensation if you were given the option? Yes/No

7. What would be the reason(s) for your choice?
   .....
   .....

8. Would you consider the amount adequate or fair? Yes/No

9. If no, what amount would you have preferred? N .....

APPENDIX 1B

QUESTIONNAIRE II

LEADER QUESTIONNAIRE

1. PERSONAL DATA ON RESPONDENTS

(a) Village/Town .....

(b) Age .....

(c) Marital Status (Married, Single, Widow, Widower,Divorced).....

(d) Family Size (No. of Wife/Wives .....

No. of Children .....

No. of relatives ..... and others).....

(e) Occupation (i) Major .....

(ii) Others(subsidiary) .....

.....

(f) Rank .....

(g) Approximate annual income .....

(h) Length of stay in this village .....

(i) Place of Birth .....

Ethnic origin .....

LAND HOLDING

1. Does your family/clan have land? yes/No

2. If no, why not? .....

.....

3. If yes, is the land located within the village Yes/No

4. If no, how far is the land from here? .....

.....

5. How was the land acquired? .....

6. From whom and when? (Name, relationship and time)

---

7. Is the land in one place at a stretch? Yes/No

8. Do you farm within the land? Yes/No

9. What is the size of the land? (if known) .....

.....

10. Do you always crop all this land area? Yes/No

11. If no, can you estimate the size of the area that is cropped? (Fraction or percentage).....

.....

12. When was (were) the land acquired by your family/ clan? ....

13. Is there any evidence to support your rights of ownership? Yes/No

14. If yes, what is the evidence?

    1. Written contract 2. Witnesses

    3. Court records 4. Others(specify) .....

    .....

15. Is there any restriction to your use of land? Yes/No

16. If yes, what are the restrictions? .....

.....

17. Has there been any threat of seizure on this land of yours? Yes/No

18. If yes, who constitute this threat?

    1. Members of other clan or family in this village

    2. Members of a neighbouring community

    3. Individuals through court actions

    4. Others (specify) .....

19. If any of the above apply(ies), what is/are their reason(s) you are aware of

.....

.....

20. What is the situation now? Settled/Unsettled

21. If settled, who owns the land now? .....

.....

22. Is there any clan/ family or individuals that do not have title to land in this village? Yes/No

23. How long has such family/clan/individuals been living here?

less than 1 - 10 years ago

" " 11-20 " "
" " 21-30 " "
greater" -30 " "

24. How do they acquire land for farming and other uses?

.....

.....

25. How long do you think those without land can stay before owning one (as property right)?

1. 40 years and above

2. No further opportunities

3. Others (specify) .....

26. Is there any village community without land as property within this area? Yes/No

27. If yes, why is it so? .....

.....

28. How do they acquire land for farming? .....

.....

LAND TENANCY

1. Do you give out any land under rental (tribute

payment) arrangements? Yes/No

2. If yes, how much do you collect for use of the land? (State the amount per hectare or if the payment is a fixed amount of produce, state what proportion).

   .....

   .....

3. Who are entitled to payment of this rent/tribute?

   1. All persons except members of my clan/family

   2. People from other villages only

   3. Non-native of this area only

   4. Others (specify) .....

4. Who determines the amounts?

   1. Landlord, 2. Tenants 3. Landlord and Tenants
   4. Village head 5. Others (specify) .....

   .....

5. Do you consider the amount fair or unfair? (Fair/Unfair)

6. If unfair, why do you think so? .....

   .....

7. Can you give estimate (approximate figure) of what you took as land rent (tribute payment) for the past six years? e.g.

YEAR	NAIRA (N)	SACK	TUBER
1986			
1987			
1988			
1989			
1990			
1991			

8. Is there any record to show this figure? Yes/No

9. Have your clients (tenants) ever complained on what you collect as rent tribute? Yes/No

10. If yes, what aspect of rent (tribute payment) do they complain about? (State order of importance).

    1. Excessive demand by landlord

    2. Dissatisfaction associated with having to pay

    3. Reduction in amount paid

    4. Others (specify) .....

11. What adjustment have you made since then?

    .....

    .....

LAND TRANSFER

1. Do you own any land that is being used by another person at the moment? Yes/No

2. If yes, what is the size of the land?

    .....

3. How did you obtain the land? .....

    .....

4. Do you specify any restriction on the use of the land? Yes/No

5. If yes, what is/are the restriction? .....

    .....

6. Do you have special reason(s) for giving out the land? Yes/No

7. If yes, what is/are your reason(s)? .....

    .....

8. How secure do you consider your right over this land?
    1. Very secure 2. Secure 3. Not very secure

    4. Others (specify) .....

LOSS OF TITLE

1. Have your clan/family ever lost right to any piece of land? Yes/No

2. If yes, to whom? (State name and relationship if any)
.....

.....

3. Under what arrangement?

1. Pledge 2. Gift 3. Rent 4. Loan

5. Others(specify) .....

4. When was it given out? .....

5. Any evidence of the transaction? Yes/No

6. If yes, what is the evidence?

1. Written contract 2. Witnesses

3. Court records 4. Others (specify) .....

.....

DISPUTE OVER LAND

1. Have you ever been involved in dispute over land Yes/No

2. If yes, with whom? (State name and relationship if any)
.....

3. What was (were) the cause(s)? .....

.....

4. How long have you been involved? .....

.....

5. Is it resolved (settled)? Yes/NO
6. If Yes, who settled it?

1. Committee of village elders

2. Village head 3. Relatives 4. Friends

5. Court (designation)

6. Others (specify) .....

7. How fair do you consider the settlement? Fair/Unfair

8. If unfair, why do you say so? .....

.....

9. Has your clan/family ever been involved in land dispute matters? Yes/No

10. If yes, with whom? (state name and relationship)

.....

11. If no, are you aware of any family(ies) clan that has/have ever been involved in land dispute matters? Yes/No

12. If yes, what must have been the cause(s)? .....

.....

13. What in your opinion are responsible for general quarrels over land in recent years?

.....

.....

14. What would you suggest as possible solution(s) to land dispute matters?

.....

.....

GENERAL EFFECTS OF DISPUTES

1. Has land dispute affected your life as a farmer or citizen (resident) in this area? Yes/No

2. If yes, how has it affected you? .....

.....

3. What would you say has been the general effects of land crisis (dispute) on farming activities (farm businesses) in the area?

   1. Economic progress 2. Unfavourable (Harsh)

   3. Favourable 4. Economic retrogression

4. What special benefits (gains) do you think people get for engaging in land disputes?

.....

.....

COSTS ASSOCIATED WITH LAND DISPUTES

1. Do you incur any cost(s) on land dispute matters? Yes/No.

2. If yes, what is the nature of the cost?

   1. Material loss 2. Financial waste

   3. Time and Energy loss 4. 1-3 above

   5. Others (specify) .....

3. If no, are you aware of any one who is involved? Yes/No

4. Can you give the breakdown in financial values under the following?

Cost	Value
1. Litigation (hiring Lawyer Court fee/fine)	N.....
2. Travels	N.....
3. Living (Feeding/Medication)	N.....
4. Loss of crop production	N.....
5. Loss of livestock and poultry productions	N.....
6. Others(specify)	N.....

ECONOMIC RETURNS ON LAND

Apart from crops (produce mentioned earlier, what other quantifiable benefits you do derive from land that enables you attach so much importance to it at any given year or time? (Item envisage are)

Item	Basket	Highest	Lowest
Fish harvesting	"	.....	.....
Fruits (i) Orange	"	.....	.....
(ii) Mango	"	.....	.....

(iii) Invingia (Seeds) " ....

(iv) Palm Kernel " ....

(v) Palm oil Tin/Drum..... .....

(vi) Others(specify) ....

GENERAL INFORMATION ON LAND CRISIS

1. Land is the creation of nature (God), do you see any reason why anyone should claim its ownership? Yes/No

2. If yes, why? .....

.....

.....

3. If no, why not? .....

.....

.....

4. Are you aware that Federal Government of Nigeria, has in 1978 promulgated Land Use Decree? Yes/No

5. If yes, do you understand the provisions of the Decree? Yes/No.

6. If yes, to 5, do you not think that the current crisis is in contravention of its provision? Yes/No

7. If no, why do you say so? .....

.....

.....

8. Would you subscribe to the idea that land should be sold for all purposes?

1. Yes, because it gives better security

2. No, because it is a heritage

9. How is land administered to people in this village?

.....

.....

10. Is the administration uniform or varies from clan to clan? Uniform/Varies.

11. If it varies, what is the nature of variation?

.....

.....

12. Are there any changes in land administration in this village? Yes/No

13. If yes, what are the changes? .....

.....

14. If no, would you desire for a change? Yes/No

15. If yes, what changes would you want to see?

.....

.....

16. What benefits do you think people get for engaging in land disputes particularly violent clashes?

.....

.....

17. Do you think that population pressure has been a cause of the current crisis (dispute)? Yes/No

18. If no, what would you suggest?

.....

.....

19. How would the issue of compensation generate crisis?

.....

.....

20. What special rights do you have to land of the family/clan as a head (Leader)?

.....

APPENDIX IC

QUESTIONNAIRE III

Court Questionnaire

1. Rank .....

2. Location .....

3. Court (Designation) .....

4. What is the average number of cases you do have in your court per month?

   .....

5. How many of them are land matters? .....

6. What is the average length of time it takes to dispose of a land case?

   .....

7. What are the criteria used to shorten or lengthen any case in your court?

   .....

   .....

8. What effects does length of time have on cases particularly landcases?

   .....

   .....

9. Does your court entertain appeal cases on land matters? (a) Yes _____ (b) No _____

10. If yes in 9 above, how many of them have you had so far from 1986 to date?

    .....

11. (a) How many of them have been upheld? .....

    (b) How many of them have been reserved i.e set aside .....

12. Why do people bring land cases to court?

.....

.....

13. Does the court verdict always produce the desired effects in stopping land dispites (a) Yes _____

(b) No _____ (c) Uncertain _____

(d) Sometimes aggravate it ____ (e) Others (specify

_____

14. What grounds (criteria) does your court use in determining ownership of land?

.....

.....

.....

15. Can you succintly and lucidly assess the role of court in general land crisis (matters)

.....

.....

.....

16. Can you briefly assess costs involved in land crisis in this area, e.g.

Court fines/fees N _____

Cost of travels N _____

Loss of crop and livestock production N _____

Cost of living (feeding/medication) N _____

Items evaluation, Average Market Price, August, 1992.

Appendix 2.

	ITEM	AVERAGE MARKET PRICE
1.	Rice (Ochikapa)	N500/100kg Paddy rice
2.	Yam (Uchu)	N2.50/kg or N15/tuber
3.	Cassava (Abacha)	N0.83/kg fresh weight
4.	Maize (Akpa)	N340/100kg
5.	Palm Oil (Ekpo)	N30/Gallon
6.	Palm kernel (Uno)	N5.0/Mudu (Shelled nuts or seed)
7.	Groundnut (Opa)	N6.0/Mudu (Unshelled fresh weight)
8.	Fish (Eja)	N500/Basket
9.	Orange fruit (Alemu)	N50/Basket
10.	Mango fruit (Umagolo)	N25/Basket
11.	Invingia gabonensis, seed (Oroaikpele)	N75/Mudu
12.	Cowpea (Egwa)	N12.50/Mudu
13.	Egusi Melon (Api)	N13.00/Mudu

APPENDIX 3. Solution of Quadratic Equations

Equation: Akpanya

$$Y_1 = 90 - 9.07X_1 - 7.4X_2 - 0.0208X_3 + 0.086\ X_1^2 - 0.024X_2^2 - 0.000X_3^2 + 1.18X_1X_2 + 0.00298X_1X_3 + 0.0038X_2X_3$$

Taking the first order partial derivative we have:

$$\frac{dY_1}{dX_2} = -9.07 + 0.172X_1 + 1.18X_2 + 0.00298X_3$$

$$\frac{dY_1}{dY_2} = -7.40 - 0.048X_2 + 1.18X_1 + 0.0038X_3$$

$$\frac{dY_1}{dX_3} = -0.0208 - 0.000X_3 + 0.00298X_1 + 0.0038X_2$$

Matrix of coefficients

$$0.172X_1 + 1.18X_2 + 0.00298X_3 = 9.07$$

$$1.18X_1 - 0.048X_2 + 0.0038X_3 = 7.40$$

$$0.00298X_1 + 0.0038X_2 - 0.000X_3 = 0.0208$$

$$\begin{bmatrix} 0.172 & 1.18 & 0.00298 \\ 1.18 & -0.048 & 0.0038 \\ 0.00298 & 0.0038 & -0.000 \end{bmatrix} \begin{bmatrix} X_1 \\ X_2 \\ X_3 \end{bmatrix} \begin{bmatrix} 9.07 \\ 7.40 \\ 0.0208 \end{bmatrix}$$

Augmenting the original matrix and solving by Cramer's rule.

$$\begin{vmatrix} 0.172 & 1.18 & 0.00298 & 0.172 & 1.18 \\ 1.18 & -0.048 & 0.0038 & 1.18 & -0.048 \\ 0.00298 & 0.0038 & 0.000 & 0.00298 & 0.0038 \end{vmatrix}$$

Determine the Determinant of the original Matrix, A

$$|A| = [(0.172)(-0.048)(0.00) + (1.18)(0.0038)(0.00298) + (0.00298)(1.18)(0.0038)] - [(0.00298)(-0.048)(0.00298) + (0.0038)(0.0038)(0.172) + (-0.00)(1.18)(1.18)]$$

$$|A| = 0.000026724 - 0.000002057$$
$$= 0.000024667$$

Determinant of the minor by replacing the column S_{ij} by the Right hand side

$$|AX_1| = \begin{bmatrix} 9.07 & 1.18 & 0.00398 & 9.07 & 1.18 \\ 7.40 & -0.048 & 0.0038 & 7.40 & -0.048 \\ 0.0208 & 0.0038 & -0.000 & 0.0208 & 0.0038 \end{bmatrix}$$

$$= [(9.07)(-0.048)(0.00) + (1.18)(0.0038)(0.0208) + (0.00298)(7.40)(0.0038)] - [(0.0208)(-0.048)(0.00298) + (0.0038)(0.0038)(9.07) + (-0.00)(7.40)(1.18)]$$

$$|AX_1| = 0.000177064 - 0.000127995$$
$$= 0.000049069$$

$$X_1 = \frac{|AX_1|}{|A|} = \frac{0.000049069}{0.000024667} = 1.989 = 2 \text{ persons}$$

$$|AX_2| = \begin{bmatrix} 0.172 & 9.07 & 0.00298 & 0.172 & 9.07 \\ 1.18 & 7.40 & 0.0038 & 1.18 & 7.40 \\ 0.00298 & 0.0208 & -0.000 & 0.00298 & 0.0208 \end{bmatrix}$$

$$= [(0.172)(7.40)(-0.00) + (9.07)(0.0038)(0.00298) + (0.00298)(1.18)(0.0208)] - [(0.00298)(7.40)(0.00298) + (0.0208)(0.0038)(0.172) + (-0.00)(1.18)(9.07)]$$

$$= 0.000175849 - 0.000079309$$

$$= 0.00009654$$

$$X_2 = \frac{|AX_2|}{|A|} = \frac{0.00009654}{0.000024667} = 3.914$$

$$|AX_3| = \begin{bmatrix} 0.172 & 1.18 & 9.07 & 0.172 & 1.18 \\ 1.18 & -0.048 & 7.40 & 1.18 & -0.048 \\ 0.00298 & 0.0038 & 0.0208 & 0.00298 & 0.0038 \end{bmatrix}$$

$$= [(0.172)(-0.048)(0.0208) + (1.18)(7.40)(0.00298) + (9.07)(1.18)(0.0038)] - [(0.00298)(-0.048)(9.07) + (0.0038)(7.40)(0.172) + (0.0208)(1.18)(1.18)]$$

$$= 0.066519515 - 0.032501187$$

$$= 0.034018328$$

$$X_3 = \frac{|AX_3|}{|A|} = \frac{0.034018328}{0.000024667} = 1379.10$$

$$X_3 = 1379.10$$

ODEKE

Equation

$$Y_4 = -84.80 + 8.29X_1 + 7.61X_2 + 0.01X_3 - 0.191X_1^2 + 0.152X_2^2 - 0.000X_3^2 - 0.664X_1X_2 - 0.00102X_1X_3 - 0.000X_2X_3$$

First order partial derivative.

$$\frac{dY_4}{dX_1} = 8.29 - 0.382X_1 - 0.664X_2 - 0.00102X_3$$

$$\frac{dY_4}{dX_2} = 7.61 + 0.304X_2 - 0.664X_1 - 0.000X_3$$

$$\frac{dY_4}{dX_3} = 0.01 - 0.000X_3 - 0.00102X_1 - 0.000X_2$$

Matrix of Coefficient

$$0.382X_1 + 0.664X_2 + 0.00102X_3 = 8.29$$

$$0.664X_1 - 0.304X_2 + 0.000X_3 = 7.61$$

$$0.00102X_1 + 0.000X_2 + 0.000X_3 = 0.01$$

$$|A| = \begin{bmatrix} 0.382 & 0.664 & 0.00102 \\ 0.664 & -0.304 & 0.000 \\ 0.00102 & 0.000 & 0.000 \end{bmatrix} \begin{bmatrix} X_1 \\ X_2 \\ X_3 \end{bmatrix} \begin{bmatrix} 8.29 \\ 7.61 \\ 0.01 \end{bmatrix}$$

Augmenting

$$\begin{bmatrix} 0.382 & 0.664 & 0.00102 & 0.382 & 0.664 \\ 0.664 & -0.304 & 0.000 & 0.664 & -0.304 \\ 0.00102 & 0.000 & 0.000 & 0.00102 & 0.000 \end{bmatrix}$$

$$|A| = [(0.382)(-0.304)(0.00) + (0.664)(0.00)(0.00) + (0.000102)(0.0664)(0.00)] - [(0.00102)(-0.304)(0.00102) + (0.00)(0.00)(0.382) + (0.00)(0.664)(0.664)]$$

$$= 0 - [-0.0000000316]$$

$$|A| = 0.000000316$$

$$|AX_1| = \begin{bmatrix} 8.29 & 0.664 & 0.00102 & 8.29 & 0.664 \\ 7.61 & -0.304 & 0.000 & 7.61 & -0.304 \\ 0.01 & 0.000 & 0.000 & 0.01 & 0.000 \end{bmatrix}$$

$$= [(8.29)(-0.304)(0.00) + (0.664)(0.00)(0.01) + (0.00102)(7.61)(0.000)] - [(0.01)(0.304)(0.00102) + (0.00)(0.00)(8.29) + (0.00)(7.61)(0.664)]$$

$$|AX_1| = 0 - [-0.0000031] = 0.0000031$$

$$X_1 = \frac{|AX_1|}{|A|} = \frac{0.0000031}{0.000000316} = 9.81 = 10$$

$$|AX_2| = \begin{bmatrix} 0.382 & 8.29 & 0.00102 & 0.382 & 8.29 \\ 0.664 & 7.61 & 0.000 & 0.664 & 7.61 \\ 0.00102 & 0.01 & 0.000 & 0.00102 & 0.01 \end{bmatrix}$$

$$|AX_2| = [(0.382)(7.61)(0.00) + (8.29)(0.00)(0.00102) + (0.00102)(0.664)(0.01)] - [(0.00102)(07.61)(0.00102) + (0.00)(0.664)(8.29)]$$

$$= 0.000006772 - 0.000007917$$

$$= 0.000001144$$

$$X_2 = \frac{|AX_2|}{|A|} = \frac{0.000001144}{0.000000313} = 3.622$$

X_2=3.62 Ha

$$|AX_3| = \begin{bmatrix} 0.382 & 0.664 & 8.29 & 0.382 & 0.664 \\ 0.664 & -0.304 & 7.61 & 0.664 & -0.304 \\ 0.00102 & 0.000 & 0.01 & 0.00102 & 0.000 \end{bmatrix}$$

$$= [(0.382)(-0.304)(0.01) + (0.664)(7.61)(0.00102) + (8.29)(0.664)(0.00)] - (0.00102)(-0.304)(8.29) + (0.00)(7.61)(0.382) + (0.01)(0.664)(0.664)]$$

$$= 0.00399282 - 0.001838396$$

$$= 0.002154423$$

$$X_3 = \frac{|AX_3|}{|A|} = \frac{0.002154423}{0.000000316} = 6817.79$$

X_3 = 6817.79

APPENDIX 4

Formula for estimating Cost of Land Crisis.

$$\text{Cost of land crisis, C.} = \frac{\sum \frac{V_p+L+T+M+F+U}{\text{Household}}}{\text{Number of years}}$$

where V_p = value of expected output of crops and livestock (Estimated)
L = Cost of litigations in court
T = Cost of travels
M = Cost of Medication
F = Cost of feeding
U = Miscellaneous expenses.