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Decentralised Land Tenure, Governance Frameworks, and Rural Development Outcomes: A Technical Review of the Land Use Act (1978) in Nnobi, Nigeriay

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ABSTRACT

This study is concerned with the effects of Land Use Act on rural land development in Nigeria with reference to Nnobi as a rural area. Obviously, the law was enacted barley 30 years ago but seems to be a recent innovation to many Nigerians especially in rural areas. The Act conflicts so much with the traditional land proprietary structure in the Southern Nigeria in particular which was predominantly owned by communities. It introduced more controversies and fear from most Nigeria than any previous Act. The importance to the profession of Estate Management of such a radical piece of legislation as the Land Use Act cannot be over emphasized. It is true that laws are for the judiciary to make and interpret, but laws and policies affecting land are also matters in which profession Estate surveyors and valuers as experts on land matters ought to take the front row in offering the benefit of his expertise. Questionnaire and interview methods were mainly used. The purposive sampling technique was used and one hundred twenty (120) respondents. Personal observation was also used to complement the information gathered. The result shows that people especially those living in rural areas are mostly not aware of the Act let alone its provisions on rural land as an avenue for rural land development. This wide ignorant of the Act, by the people has completely retarded the pace of development in our rural areas as well as the socio-economic conditions of the people. After examining the effects of the Act on rural land development in the area concerned and other allied issues, recommendations were made based on the findings for efficient and effective implementation of the Act in rural areas cum rural Lands of Nigeria and if strictly adhered to will go a long way to achieving overall objectives for which the Act was enacted.

Keywords: Land, Rural Land Development, Estate Management, Nigeria

INTRODUCTION

Land is one of the most controversial assets of nature, a resource of primary importance upon which the whole economy of any nation hinges; hence any policy on land affects the economy of the nation positively or negatively depending on whether a right or wrong policy is initiated (Nwamekwe & Igbokwe, 2024). Land is said to be fragile and scarce. This implies that it is not enough and difficult to acquire and also human activities can damage or destroy the land resources. It is short in supply and needed to be effectively utilized in order to satisfy the aspiration of those who acquired it. Land is the basic necessity of life which provides food, shelter, and Livelihood to man (Okpala et al., 2025; Igbokwe et al., 2025; Okafor, 2018). The important insight is that humanity realized and to decide how negotiable the organizing principles of linkage between society and landscape are. It provides that economic, social and environmental future of our country depends on the wise use of land (Ezeanyim et al., 2025; Okpala et al., 2024; Nwamekwe et al., 2024).

It is construed that no development can be effective without land. Thus, land without dimension of tenure is meaningless concept. So, in using the expression land use Act, it is usually concerned with the legislation that provides the right to use of land in both urban and rural areas of Nigeria (Nwamekwe et al., 2020; Igbokwe et al., 2024; Okpala et al., 2025). The right includes the rights of occupation and development; alienation and many privileges

associated with land. Therefore, this chapter elaborate on the following subheadings below that provides the fundamental issues of this research work (Okeagu et al., 2024; Onyeka et al., 2024, U-Dominic et al., 2025).

Virtually, every nation of the world relies on land, all human activities are carried on land which is the basic factor of production. The need to acquire land by man has tremendously increased over the years. Prior to the promulgation of land use Act, Land is completely owned by individuals, families and communities with the head who hold the land in trust for the use of the entire people. But the advancement of land use Act of 1978 altered the existing land tenure and vested all lands in the government (Nwamekwe et al., 2025; Vitalis et al., 2024; Emeka et al., 2025).

Having observed all these in recent years, it is clearly understood that these goals has not in any way comes to reality rather the Act has been used to achieve personal goals and objectives by various past administrators and government of various levels (Nwamekwe & Nwabunwanne, 2025).

Another issue in this study is that major objectives and purposes of the land use Act of 1978 has been seriously deviated from, the aim of the land use Act was to solve the diversified land policies in Nigeria and ensuring an easy accessibility of all Nigeria to land but in today's concept, land has been shared among highest bidders and buyers (Nwamekwe & Chikwendu, 2025; Ezeanyim et al., 2025).

The present condition of our rural land developments in Nigeria has been a cause for concern in this study. The major problem facing our rural land development is the negative effects which have come with introduction of Land Use Act, 1978 in Nigeria (Nwamekwe & Igbokwe, 2025; Okpala et al., 2025).

The problems become explicitly clear if one takes a look of the provisions of the Act as regards to rural land. These problems are below:

1. Our rural areas are left behind in terms of development and this posed a lot threat to our socio-economic condition in the country.
2. The people living in rural areas are in doubt of the existence of the Act.
3. The act of vagabondism and hooliganism is in increase in our rural areas and this posed a great security risk.
4. The activities of speculators who are into land business emerged to become questionable as they can sell one parcel of land to different buyers and that becomes a problem.
5. The difficulties experienced in land acquisition in rural area as a result of tenure arrangements by developers.

METHOD

This study has essentially been designed as a descriptive survey. Descriptive survey was considered suitable as the study and at describing the existing condition in rural areas of Nigeria precisely Nnobi into effect.

The purposive sampling techniques were used in this study. The participants were selected having clear and definite purpose of obtaining relevant information that will guide in answering the questionnaire provided for this work. The technique used also allowed to choose an elementary unit in such a way that each unit in the population has an equal chance of begin selected. A total of one hundred and fifty (150) questionnaire was administered, 120 were collected back while thirty (30) were no returned (Nwamekwe et al., 2024; Chidiebube et al., 2025; Nkemakonam et al., 2025).

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Tables were used to explain the response by respondents to all questions asked which were analysed in percentages while the responses from the questionnaires distributed were presented in table and pie chart.

The interviews conducted among the residents both indigenous and non-indigenous resident of Nnobi were discussed and the opinion reached form part of the conclusion and recommendations on this study.

Table 1: Administration of Questionnaire

Zones	No. of administered	No. of not returned	No. of returned	Percentage of returned
Ebenesi	60	15	45	37.5
Ngo	50	10	40	33.33
Awuda	40	5	35	29.17
Total	150	30	120	100

Source: Field survey 2025.

RESULT AND DISCUSSION

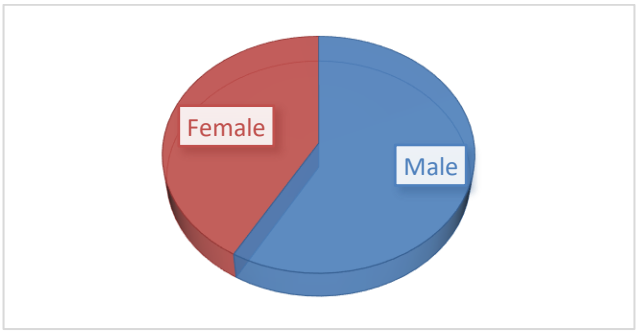


Figure 1: Sex Distribution Respondents. (Source: Fieldwork 2025).

60 respondents which represent 50% are rural areas while 40 and 20 which represent 33.33% and 16.65% represent Age between 25-50 years and Above 50 years respectively.

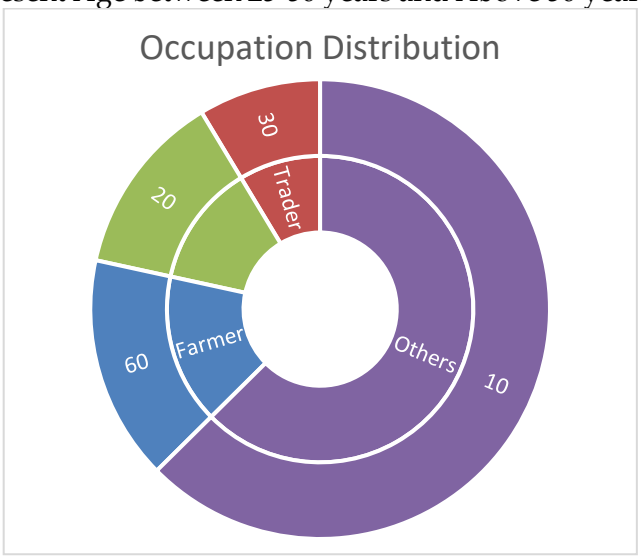


Figure 2: Occipation Distribution

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The Figure shows that people of the area are mainly farmers which has number of 60 representing 50% while 30 representing 25% were traders, 20 representing 16,65% were civil servants while others are 10 representing 8.33%. This shows that the most occupation of the people of this area in farming.

The figure shows the number of respondents to be 50 representing 41,67° while Secondary level 40 representing 33.33%, Tertiary level are 20 respondents representing 16.67 and None are 8.335.

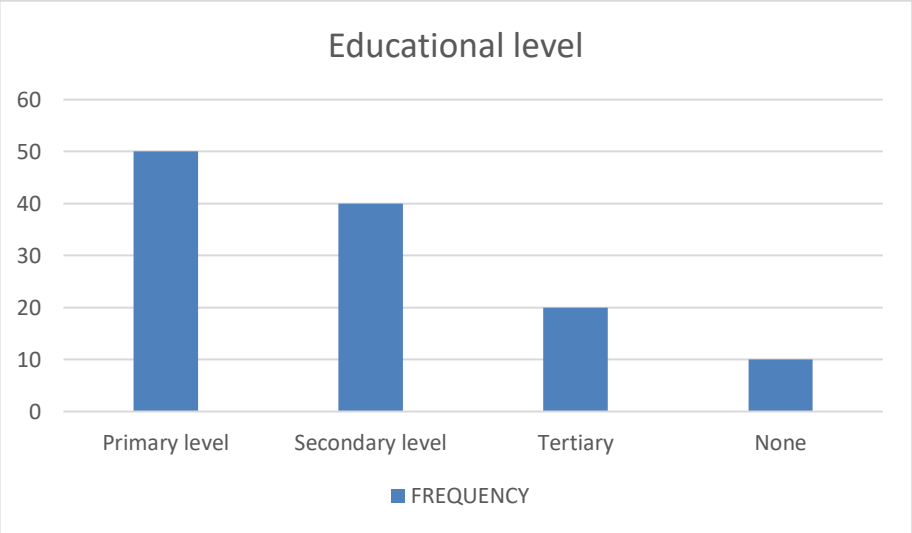


Figure 3: Educational level (Source: Field Survey 2025.)

The above figure shows to level of education in the area. It indicates that 150° attended up to primary level, 120° secondary level, 60° tertiary and 30° did not attain any level of education.

Figure 5 show, yes responses represented 66.67% and No responses represented 33.33%. This shows that indigenous people are mostly found in the area.

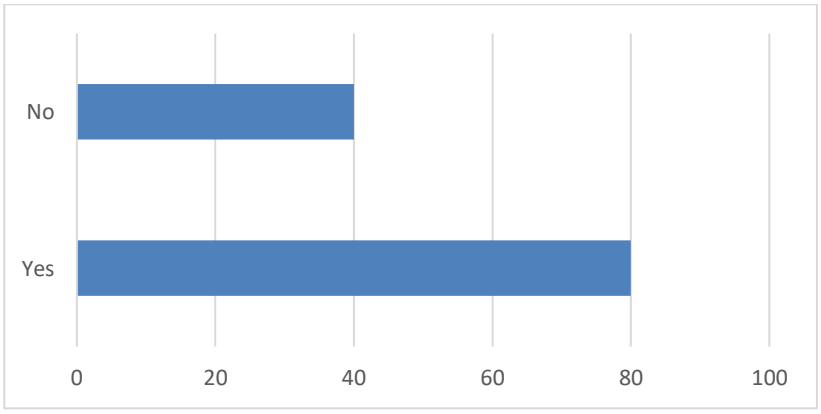


Figure 4: Are you an indigene of Nnobi? (Source: Field survey 2025).

.The Figure 4 shows that 41.67% were residents of Ebenesi, 33.33% were in Ngo and 25% were resident of Awuda, Nnobi. This shows that all the respondents are not from the same part of the village thus views may vary and the average response is authentic.

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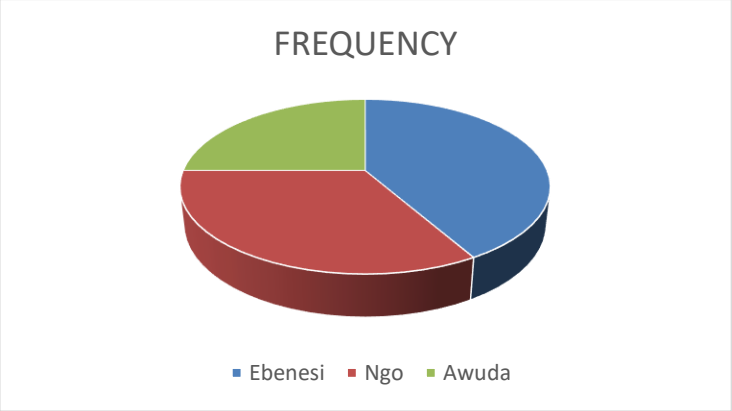


Figure 5: Location of residence within Nnobi

The Figure 5 shows that 40 respondents representing 41.67% were single while 70 respondents representing 58.33% were married in this area. This shows that majority in the area are married.

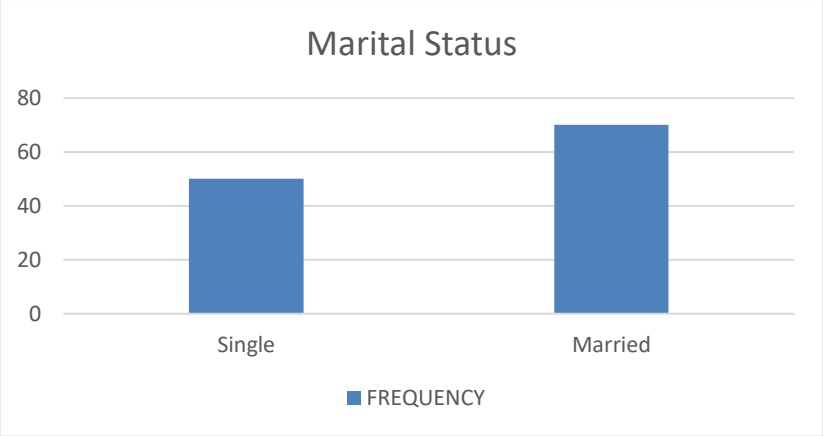


Figure 6: Marital Status (Source: Field Survey 2025).

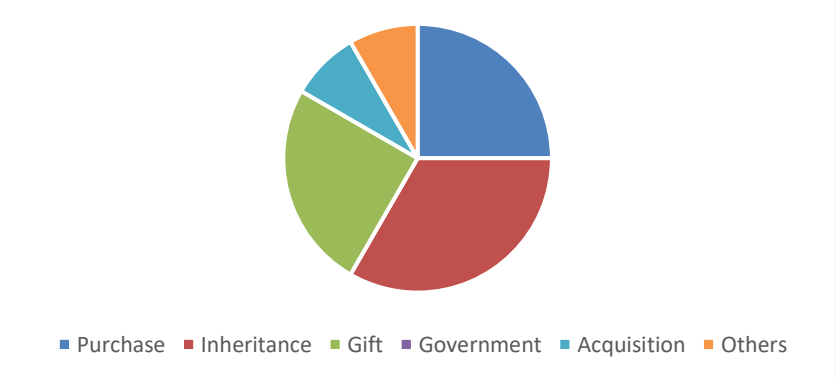


Figure 7: Responses on the question "If yes, how do you acquire it?"

From the above Figure 25% represented acquisition by purchase, 33.33% by inheritance, 25% by gift, 8.33% by government and 8.33% by other means of land acquisition. It indicates that land is mainly acquired in this area by inheritance followed by purchase and gift and rarely by government and other methods.

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Table 2: Responses on the question "What ownership is prevalent in Nnobi?"

Responses	Frequency	Percentage
Communal	50	41.67
Family	40	33.33
Individual	20	16.67
Certificate of occupancy	10	8.33
Total	120	100

Source: Field survey 2025.

The indication above shows that ownership by community takes 41.67%, family 33.33%, individual by 16.67% while certificate of occupancy is 8.33%. Therefore, ownership in this area is dominated by communities followed by families, individuals and lastly through certificate of occupancy.

Table 3: Answers to "What is the predominant motive of Land ownership in rural area?"

Responses	Frequency	Percentage
Farming	60	50
Investment	30	25
Development	10	8.33
Others	20	16.67
Total	120	100

Source: Field survey 2025.

The above table shows that 50% of the land in rural area is owned faming, 25% for investment, 8.33% for Development, 16.67% for other motives. It implies that land ownership in rural areas is mainly for farming motive, followed by investment and other motives.

Table 4: What are the problems of land acquisition in Nnobi?

Responses	Frequency	Percentage
Customary tenure	50	41.67
High purchase price	40	33.33
Problem of C of O	10	8.33
Others	20	16.67
Total	120	100

Source: Field survey 2025.

In the table above problems of land acquisition is mainly by customary tenure which represented 41.67%, High purchase price represented 33.33%, problems of certificate of occupancy represented 8.33%, and other problems represented by 16,67%. This implies, that landowners in this area do not give out their land out or sell it mostly due to the custom. The people that had responses on high price of land are the non-indigenous of the area that finds it difficult to buy land due to high purchase price.

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Table 5: Answers to "Has government recently provided any public or private development in Nnobi?"

Responses	Frequency	Percentage
Yes	10	8.33
No	80	66.67
Not quite sure	30	25
Total	120	100

Source: Field Survey 2025.

In the table above, it shows that 8.33% respondents on knowledge of government acquisition while 66.67 responded No, while 25% responded that they are not quite sure of any government recent development.

Table 6: What is the mostly recent land development in Nnobi by both private and public developers?

Respondents	Frequency	Percentage (%)
Agricultural	10	8.33
Residential	30	25
Institutional	10	8.33
Commercial	50	41.67
Others	20	16.67
Total	120	100

Source: Field survey 2025.

In the table above, 41.67% represent the most recent development in the area which is commercial, 25% represent residential, 8.33% represent Agricultural as well as institutional while 16.67% represent other type of development recently made in the area. This indicates that commercial has the highest percentage, followed by residential next is agricultural and institutional development by both private and public developers.

Table 7: Answers to "How has the Land Use Act affected the people of the area?"

Respondent	Frequency	Percentage (%)
Positive	20	16.67
Negative	100	83.33
Total	120	100

Source: Field survey 2025.

The table above shows that the Land Use Act has not affected the people, positive respond percentage is 83.33% while the negative affected percentage is 16.67%. It shows that the people of the area have just been affected slightly by the act.

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Table 8: Answers to "What contribute to rapid land development in rural areas?"

Responses	Frequency	Percentage
Implementation of Land Use Act	5	4.17
Geographic factor	10	8.33
Economic factor	30	25
Social factor	20	16.67
Location factor	40	33.33
Cultural factor	20	16.67
Others	5	4.17
Total	120	100

Source: Field survey 2025.

The table above shows that location covers the highest most rapid development in the rural area and it was represented by 33.33%, while other factors are Land Use Act - 4.17%, Geographic factor - 8.33%, Economic factor 25%, Social factor 16.67%, Location factor 33.33%, Cultural factor 16.67% while represented by other factors were 4.17%.

Table 9: Answers to "How easy is it to acquire land and procure customary right of occupancy in Nnobi by both private and public developers?"

Responses	Frequency	Percentage
Very easy	20	16.67
Not easy	100	83.33
Total	120	100

Source: Field Survey 2025.

The above table shows that 16.67 responded that, it is very easy to acquire land and obtain customary rights of occupancy by developers in the area, while 83.33% represented responses that said it is not easy to obtain such certificate.

Table 10: Answers to the question "After the purchase or acquisition of land in Nnobi, how easy is it to procure customary right of occupancy?"

Responses	Frequency	Percentage
Very easy	10	8.33
Quite easy	30	25
Not easy	80	66.67
Total	120	100

Source: Field Survey 2025.

From, table 10: It shows that majority of the respondents numbered 80 representing 66.67% said it is not easy to acquire customary right of occupancy while 30 and 10 representing 25% and 8.33% responded that it is quite easy and very easy respectively.

Table 11: What are the best possible measures you think will ensure efficient and effective implementation of the Land Use Act as regards to rural land development in Nigeria and Nnobi in Particular?

Responses	Frequency	Percentage (%)
Proper orientation of the people on the Land Use Act provisions on rural land	40	33.33
Establishment of Land Advisory Committee in every Local Government as provides by the Act	40	33.33
Inclusion of professional & Estate surveyors in each Local Government for proper implementation of the Act	40	33.33
Total	120	100

Source: Field survey 2025.

The percentage responses are represented by 33.33%. The table above shows that the respondents suggested on equal basis the above measures to ensure effectiveness of the Act in rural areas.

CONCLUSION

Having examined the responses to the research questions this study discovered the issues that are problematic in the implementation of Land Use Act provisions on rural land, the following findings have been revealed.

6. Although the land use Act provides that "all lands in rural areas, be under the control and management of the Local Government, within the area of jurisdiction of which the land situated, which implies that there will be no more open market transaction, yet this is still in practice in the area.
7. The Land Use Act which was promulgated barely 30 years ago seems to be unknown to the rural people. Despite provisions in section I, people in the rural areas still have more power than government in matter concerning use and occupation of land as well as other transactions on land.
8. The Land Use Act is legislation enacted to control land administration within the urban and Rural Areas. But the study has shown that this has not been implemented in the area. The certificate of occupancy is. an instrument provided under section 9 of the Land Use Act, showing the type of interest which an individual has in land. But in the area, the certificate of occupancy is only a title document existing in the paper.

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