



## LAND TENURE SYSTEMS AS A POLICY INSTRUMENT FOR LAND REGULATION IN SELECTED NIGERIAN URBAN AREAS; A COMPARATIVE STUDY OF NSUKKA (ENUGU), SABON GERI (KANO), AND ETCHE (RIVERS)

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### ABSTRACT

*Land tenure systems significantly influence land use, investment, agricultural productivity and sustainable urban development in Nigeria. This study remains land tenure as a policy tool for effective land regulation in three diverse Nigerian urban centres: Nsukka in Enugu state (South-East) Sabon Geri in Kano State (North-west) and Etche in Rivers State (South-South). Using a survey research design, data were collected from 300 stakeholders (land owners and Local government officials) across the three locations via structured questionnaires. The Taro Yomane formula was applied to determine a sample size of 171, with a 90.6% response rate achieved. Data were analysed using descriptive statistics (frequencies and percentages). Findings reveal that customary/communal tenure dominates in Nsukka and Etche, while a mix of customary and Islamic (Sharia-influenced) tenure prevails in Sabon Geri. Major challenges identified include insecurity of tenure, bureaucratic bottlenecks in formal registration, rising land speculation and weak enforcement of land use regulations, the study shows a nexus between secure land tenure, improved farm management practices and higher crop productivity, particularly in Nsukka and Etche. Respondents across all allocations expressed preference for a hybrid tenure system that blends customary rights with formal statutory protection. The paper recommends urgent reform of the Land Use Act 1978 to accommodate regional variations, strengthening of customary land administration institutions, and the establishment of a national digital land registry to reduce disputes and encourage investment. These measures would enhance land regulation effectiveness and support sustainable development across Nigeria's diverse cultural landscapes.*

**Keywords:** land tenure, Land Use Act, customary tenure, land regulation, Nsukka, Sabon Geri, Etche, Nigeria.

### Introduction

Land remains a critical asset for livelihood, food, security and economic development in Nigeria and across Africa. It serves as the foundation for housing, agriculture, commerce and infrastructure. However, the multiplicity of land tenure systems-customary, statutory and land often creates conflicts, insecurity of tenure and inefficient land use, particularly in rapidly urbanizing areas (Kironde, 2019; Bugri, 2020).

Nigeria operates a plural land tenure regime influenced by colonial legacy, the Land Use Act of 1978, and diverse customary practices. While the Act nationalized land and vested it in state governors, customary and communal systems continue to dominate in many communities. This study focuses on three contrasting urban areas:



**Nsukka** (Enugu state) with strong Igbo communal/family land systems: **Sabon Geri** (Kano State) influenced by Hausa-Fulani and Islamic land governance and **Etche** (Rivers State) characterized by Niger Delta customary practices often affected by oil-related land issues.

Despite the Land Use Acts intention to streamline land administration, persistent challenges such as land disputes, speculative hoarding, delayed titling and unequal access continue to hinder effective land regulation. These issues manifest differently across geo-political zones due to cultural, religious and economic variations. There is limited comparative research on how land tenure systems function as policy instruments for land regulation in these diverse contexts

The aim of the study is to examine land tenure systems as a policy instrument for land regulation in Nsukka (Enugu), Sabon Geri (Kano), and Etche (Rivers) Urban areas.

To identify prevailing land uses and livelihood options in the three study areas.

To examine how communities access land under various tenure arrangements

To ascertain community perceptions of different tenure systems and their preferences.

To compare the effectiveness of land tenure systems across the three locations in supporting sustainable land regulation

### **Conceptual Framework**

Land tenure refers to the legal or customary relationships that determine how land are inherited, used, transferred and transacted (Bruce 2018), Garvelink 2012). It encompasses a bundle of rights'' including access, use, control, exclusion and alienation.

### **Key Forms of Land Tenure Identified**

. **Customary/Communal Tenure:** Dominant in Nsukka and Etche: land held by families or communities under traditional rules.

. **Statutory/Freehold and Leasehold:** Governed by the Land Use Act 1978

. **Hybrid Systems:** Emerging blends of customary and statutory right.

### **Theoretical Framework;**

This study is anchored on two theories:

**Property Rights Theory.** (Jongwook & Mahoney, 2025): secure property rights incentive investment, productivity, and sustainable land management.

**Farm-System Theory** (Dillon, 2012): Views farming as a goal-oriented system influenced by tenure security, inputs and market access.

### **Research Methodology**

. **Nsukka Urban, Enugu State** (South-East): Academic and agrarian community with strong communal land systems.

. **Sabon Geri, Kano State** (North-West): Peri-urban area with mixed agricultural and trading activities under Hausa customary and Islamic influences.

. **Etche, Rivers State** (South-South): Oil-belong community with customary tenure affecting environmental and compensation issues.



### Population and Sampling

The target population comprised 300 stakeholders (200 land owners and 100 local government revenue/officials) across the three locations.

Sample size was determined using Taro Yamane’s formula at 5% margin of error, yielding **n=171**. Questionnaires were administered proportionally across the sites. A total of 155 questionnaires (90.6%) were retrieved and analyzed.

### Data Collection and Analysis

Primary data were collected through structured questionnaires, oral interviews and personal observation. Secondary data came from textbooks, journals and government records. Data were analysed using simple frequencies and percentages presented in tables.

### Results and Discussion

#### Study Areas (n=55)

##### Tenure system

Customary /Communal/Family  
 Statutory Right of Occupancy  
 Leasehold  
 Hybrid (Customary + Statutory)  
 Islamic Sharia Influenced

##### Nsukka Enugu and Etche

48 (92%)  
 4 (8%)  
 0(%)  
 0 (0%)

##### **Total**

**52**

Field survey

### Modes of Land Access under various Tenure Agreements (Objective 2)

Table 2.: Methods of Land access by respondents (n-155)

| Method of Access           | Nsukka (%) | Sabon Geri |
|----------------------------|------------|------------|
| Inheritance                | 65         | 38         |
| Purchase/Outright Sale     | 15         | 42         |
| Lease/Rental               | 8          | 15         |
| Gift from Family/Community | 12         | 5          |
| <b>Total</b>               | <b>100</b> | <b>100</b> |

### Key Findings:

- . Customary tenure remains the most prevalent system (68% in Nsukka, 55% in Etche, 42% in Sabon Geri).
- . Land access is primarily through inheritance (Nsukka & Etche ) and purchase/lease (Sabon Geri).
- . 72% of respondents reported increasing land speculation and rising prices, especially in Nsukka.
- . Perception: 60% preferred a hybrid system combining customary rights with formal certificates of occupancy.
- . Challenges: Delayed consent from governors, high registration costs and frequent boundary disputes were common across locations, though more pronounced in Etche due to oil-related claims.



**Discussion:** The findings confirm the nexus between secure tenure, better farm practices, and productivity. Regional variations underscore the need for context-specific land policies rather than a one-size-fits-all approach under the Land Use Act.

## **Summary, Conclusion and Recommendations.**

### **Summary of Findings.**

The study revealed that land tenure systems in Nsukka, Sabon Geri and Etche are predominantly customary with varying degrees of statutory influence. Access methods differ by culture, while perception favours hybrid models. Insecurity of tenure and weak regulation hinder sustainable land use.

### **Conclusion**

Land tenure remains a critical but under-optimized policy instrument for land regulation in Nigeria. A comparative approach across diverse regions reveals both common challenges and unique contextual factors that must inform future reforms.

**Recommendations** Amend the land Use Act 1978 to recognize and strengthen customary land rights while providing pathways for formal titling.

Establish functional Customary Land Secretariats in Nsukka, Sabon Geri and Etche with digital record-keeping.

Introduce affordable, fast-track land registration processes tailored to each geo-political zone.

Intensify public enlightenment on the benefits of secure tenure and discourage speculation land hoarding.

Encourage research into hybrid tenure models that respect cultural diversity while meeting modern development needs.

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