

Examining the Effectiveness and Challenges of Compulsory Land Acquisition Process in Abuja, Nigeria

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Abstract

In spite of the statutes guiding Compulsory Land Acquisition and Compensation (CLA&C) procedure in Nigeria, the outcomes of the process are nonetheless filled with problems and lingering disputes between the acquiring authorities and the affected communities. This study, therefore, examine the effectiveness and challenges of compulsory land acquisition process in Durumi District of Abuja. Data for the study were sourced from the local inhabitants and officials of the Federal Capital Development Authority involved in the CLA&C exercise. The data retrieved from these respondents were analysed by descriptive methods while the challenges encountered during the exercise were analysed using factor analysis technique. Findings indicate that the respondents adjudged the reconnaissance survey, service of notice and publicity and time given for relocation as effective. While enumeration and assessment, payment of compensation as well as change of ownership were determined ineffective and they expressed low level of satisfaction with the exercise. Three (3) main factors; institutional, claimants attitude and sentimental value attached to land were identified which account for 75.1% of the total variance of the challenges affecting CLA&C in the study area. The study recommends a policy response from the relevant authorities (Federal Government and the acquiring authorities) in terms of evolving a sustainable process for CLA&C exercise where the stakeholders are actively involved.

Keywords: Compulsory Land Acquisition, Compensation, Effectiveness, Process, Challenges

INTRODUCTION

Globally, urban areas are the hub of economic, social and political activities. They are mostly the seat of administration and typically accord residents access to some level of quality of livelihood that otherwise they could not access within other non-urban areas. They also present greater opportunities and economic way out attracting continual rural-urban migration that immensely increases the urban population. As a consequence, the requirement for expansion leading to the provision of public goods and services and other projects of both economic and social value to the general public becomes pertinent. Hence, more space will be required to meet the emerging demands of which the constitutional responsibility of the government under this circumstance comes to bare. Government has to acquire suitable land at suitable locations for particular purposes in order to sustain the growing urban demand.

The acquisition of land to meet the urban space requirement for growth and expansion by the government is compulsorily made in response to the exigencies. Thus compulsory acquisition in this case refers to the power arrogated to the government to acquire private property interests in land irrespective of whether the owners or occupants consent to it or not, in order to benefit the entire society (FAO, 2008). Ordinarily individual land owners within urban areas or communities within the suburban areas may not be willing to yield up their rights and

possession at certain point in time, not even in return or exchange for financial benefits. However, compelled under the law, they are left with no credible option than to surrender their rights and possession. Therefore, compulsory acquisition involves the coercive taking of private lands or estates and interests in the lands for public purposes (Umeh, 2007; Ndjovu, 2010).

The powers of compulsory acquisition are often contentious and its implementation marred by controversies. In developing countries, the powers are susceptible to abuse by corrupt governments. Nevertheless, Evans (2004) opined that though the powers of compulsory acquisition are unusual in some developed countries, they are generally acceptable in some democratic societies, especially those where the government deemed it essential as a matter of policy that its social benefit on implementation and use outweighs its social cost. In England and Wales, Plimmer (2007) remarked that the use of the powers of compulsory purchase is unpopular. While the legal acceptability of the powers has remained wide, the social acceptability has continue to generate contentions and no matter what good intentions the public purpose might be, landowners are always apprehensive, reluctant and often unwilling to give up their rights. This is for fear that their land will be taken away without due process and payment of compensation; sometimes even when compensated (Martin, 2010; Ndjovu, 2016). In Nigeria, distrusts and uncertainty arising from government antecedents often results in conflict whenever there is or would be compulsory purchase (Kakulu, 2007; Thomas, *et al.*, 2010).

The Land Use Act remains the main policy instrument that prescribes the procedures for the execution of compulsory purchase and compensation as well as provides a framework for the resolution/settlement of disputes arising from the exercise (See sections 28, 29, 31-33). It is also backed by the Constitution of the Federal Republic of Nigeria, 1999 under sections 43 and 44. Having this legal status, the expectation is that the execution of the Compulsory Land Acquisition and Compensation (CLA&C) process should be transparent in order to ensure credibility of the exercise. However, it is often not the case as the defective manner the exercise is undertaken in most cases in Nigeria tends to undermine the objective or purpose it seeks to achieve.

Abuja, the nation's Federal Capital Territory (FCT), is developing and expanding rapidly and has witnessed several land acquisition exercises. While some have been executed successfully, others ended a stalemate. In 2005, the Federal Capital Development Authority (FCDA) under the Resettlement and Compensation Unit revisited the CLA&C exercise in Durumi District which was initiated but abandoned. After the enumeration of assets of the affected communities, it was determined that they will be resettled in another development area. The offer was not the community's preference as other resettlement schemes like Kubwa, Apo, Jikwoi, Dei-Dei, Ushafa among others could not meet some of the specific housing needs of the resettled. Their claims were nonetheless, submitted for payment of compensation on their unexhausted improvements but the value of compensation offered by the government was not adequate. Hence, the claimants resorted to litigation challenging the level of transparency in the procedures involving enumeration of assets and assessment for compensation. They also contended that the compensable items (assets) were not clearly known by them, indicating lack of awareness on those assets they were being compensated for and as such rejected the payment. These issues led to an order of stay of execution and prevented FCDA from taking effective control of land in the district. This is one of the few scenarios in Nigeria that has validates the assertion that, irrespective of the availability of statutes guiding the land acquisition process, outcomes are usually marred by a plethora of challenges emanating from the issuance of notices, enumeration and valuation for compensation to inadequate and delay

in payment of compensation (Otubu, 2012; Iroaganachi & Gambo, 2012; Udoekanem, 2013; Deeyah & Akujuru, 2016).

In view of the foregoing, this study aims at examining the effectiveness and challenges of the process of CLA&C exercise in Durumi District (Phase 1 and 2), Abuja. The study objectives are to; examine the land acquisition procedures, assess the satisfaction level of the affected community as well as identify the challenges constraining effective land acquisition exercise in the study area. The justification for the study is stemmed from the revelation that, several studies have been conducted relating to issues of compulsory land acquisition and compensation but mostly focused on assessing the adequacy of compensation arising from inappropriate valuation approach, low assessment rate for crops and economic trees. Very few dwell on examining the effectiveness of the processes involved in the exercise especially in Nigeria. This aspect is often overlooked but very significant to building the confidence and satisfaction level of the dispossessed communities or persons as it will ensure the credibility of the exercise.

The enactment of the Land Use Act of 1978 (LUA) began major changes or modifications in the structure of interests and rights exercise in land. Ownership became absolute to the government and exclusive to the citizenry (Ezenwa, 2009). The LUA further provides procedures and methods of interaction between the government and those with exclusive (leasehold) interests. This also includes the procedures on the exercise of the power of eminent domain (i.e. CLA&C) by the government which is inevitable in Nigeria especially in the FCT. However, of significant value to the in exercise of this statutory mandate is the effective manner the process commencing from the reconnaissance survey and issuance of notices to change of ownership and actual possession.

The Process of Compulsory Land Acquisition in Nigeria

Compulsory land acquisition and compensation (CLA&C) in Nigeria involves sequence of activities provided by statute that are undertaken at any time the need is required. The first procedure is the identification of suitable site for the intended project as the case maybe. In some instances, acquisition may be for the purpose of infrastructure provision, urban renewal or expansion. Nevertheless, for either of the intents, a reconnaissance survey and detail inspections are conducted with meeting schedules between the property owners and the acquiring authorities. This procedure is preceded with the service of notice which is expected to be explicit on government's intention or reason for the acquisition pursuant to Section 28 (4) and (6) of the Land Use Act of 1978. The notices can be in government gazettes, published in national dailies, pasted on buildings or trees (Ibagere, 2010; Iroaganachi & Gambo, 2012).

The next procedure in the CLA&C exercise is the enumeration, assessment and compensation which is an intricate procedure that requires a good level of expertise to execute. Enumeration of assets involves identification of properties/land which includes property rights, boundaries and ownership. Customarily, joint tenancy and tenancy in common exist and parties involved are clearly identified and documented for the purpose of payment of compensation. The assessment for compensation is carried out in accordance with provision of Section 29 (4) Paragraph a, b & c of the LUA. The section provides for compensation for land, buildings, installations or other improvements thereon as well as crops which includes economic trees. The main strife at this stage is the valuation procedure and methods for assessment and compensation as well as rates applicable in cases of crops and economic trees (Udoekanem, 2013). Submission of claims (valuation report) and payment of compensation follows as soon as the assessment and determination of compensable amount is completed. This procedure most

times generate a lot of anxieties, it represents the commitment on the part of the government to fulfil her share of the transaction. Nevertheless, issues of inadequacy of amount payable or value/quality of resettlement offered and non-payment of compensation arises. The LUA under Section 29(4b) provides for payment of compensation as assessed using the prescribed methods and assessment determined by the appropriate officer. Subsection 4(b) also provide for payment together with interest at the bank rate in case of delayed payment of compensation.

At the successful execution of the assessment and payment of compensation stage, the procedure for change of ownership and relocation commences. Timelines are mostly specified by the government for the relocation process that will yield vacant possession for the government's intended use. However, when there are skirmishes arising from dissatisfaction and complaints from the dispossessed, this stage of the CLA&C exercise becomes the most delayed in the entire process. Petitions and complaints are entertained and Section 30 provides for reference to the Land Use and Allocation Committee (LUAC) for resolution. Experiences under this circumstance have shown that most petitions and complaints end up in court rather than the committee as provided by the Act. Lack of trust and confident in the government and its antecedent makes the dispossessed defiant of any government set machinery for post CLA&C conflict resolutions. Therefore, the effectiveness in the conduct of the process of CLA&C is very significant to the success rate of the entire exercise. Though easier said than done, dissatisfactions, lack of transparency and government bureaucracy usually made the exercise very intense and sometimes vulnerable to violence especially where rural agricultural lands are involved.

Overtime, the focus of a substantial number of studies has been on the issue of assessment and compensation. These studies basically examine the methods, standards and the procedure for valuation of assets and adequacy of compensation. For instance, Kakulu (2007) reviewed the process of valuation for compensation and found the existence of distinct methods, standard and procedures in the process. This led to the conclusion that the variations in the methods and standards of assessment are responsible for the inconsistencies in the outcome of the amount of compensation payable that is usually inadequate. Udoekanem (2013) presents a similar case of inadequacy in the amount of compensation payable arising from the valuation methods prescribed by the LUA. The study compares outcome of compensable amount as determined using appropriate market-based methods and those determined by the techniques or methods provided by statute. It was found that the compensable amount determined by the market-based valuation approach was significantly higher than the case with the prescribed methods by the LUA. Several other studies including those of Chan (2003) in China, Sifuna (2006) in Kenya, Kombe (2010) in Tanzania as well as Sule (2014) in Nigeria all dwelt on the assessment and compensation issue in relation to applicable statutory provisions. The general consensus from their findings also indicates inadequacy in compensation payable as provided for by the applicable laws guiding the exercise in the respective countries. This justifies the need for other areas of inquest relating to the issues of compulsory land acquisition exercise.

While the significance of the assessment and compensation procedure in the entire CLA&C exercise is unquestionable, the psychological impact the exercise creates due to displacements or relocation of affected communities is also worth taken into consideration. The satisfaction in the manner the process is undertaken leading to payment of compensation and relocation is also critical. This is because if the enumeration of assets is not properly conducted and ownership not properly established among persons, it will result to problems even if the amount compensable is deemed to be adequate. Deeyah and Akujuru (2016) assessed the existing practice of CLA&C in Nigeria with its adherence to international best practices using evidence from a road construction project in Rivers State. They found issues such as poor service of

public notice, inadequate time given for relocation and lack of transparency in the exercise to be inappropriate and amounting to non-adherence to international best practices.

The question of satisfaction of individuals or communities with any CLA&C exercise is also important. It may serve as a cushion factor on the impact the physical and psychological change may have on the dispossessed especially where sentimental value is strongly attached to the current estate. Although much attention have not been drawn to this area especially in Nigeria and other developing countries, a few studies have attempted to explore this aspect of the problem. Iroaganachi and Gambo (2012) believed that a cordial relation should exist between the superior landlord (interest holder) and their leaseholders and suggests the development of an effective communication as being critical. Their study focused mainly on the effectiveness of service of notice in public land acquisition and tenancy as a tool for national peace. The outcome indicates that the issuance of notices is significantly poor and improper leading to dissatisfaction among affected persons in Abuja, Nigeria. Ndjovu (2016) asserted that dissatisfaction in the land acquisition exercise is a worldwide experience. This is due to the statutory nature and approach adopted for the exercise and where most of the terms of engagement are predetermined by the government leaving landowners with insignificant input to make.

In some cases, the process is beclouded by inconsistencies and unclear to the affected landowners thereby creating gaps in understanding the purpose and scope of the exercise. For instance, the issue of non-adherence of the CLA&C procedure to international best practices was also assessed by Gyamfi (2012) in Ghana and the outcome indicated that the conduct of the land acquisition exercise did not adhere to the rules and procedures as provided by the law regulating the compulsory purchase or expropriation of private property rights.

In summary, the non-adherence to standards and norms, poor service of notices, ineffective enumeration, assessment and payment of compensation creates dissatisfaction that often results to loss of confidence and trust in the government and heightened apprehensions. Ironically, this acts overtime generates challenges and conflicts that negatively impacts on the success rate of the exercise irrespective of the significance of the intended projects.

METHODOLOGY

Durumi District is one of the 5 districts under the phase 2 of Abuja, the Nigeria's Federal Capital Territory (FCT). The district is divided into 3 development phases with Phase 1 abutting Garki district, Phase 2 abutting Gudu district and Phase 3 bordering Kaura district respectively (figure 1).

Reconnaissance visit to the study area to ascertain the characteristics of the land owners in terms of number of households and their literacy level was conducted. This was meant to enhance an understanding of the structure and demographics of the residents that will in turn, determine the appropriate techniques for sampling and data collection. Apart from the areas already acquired and developed by the government, the original landowners settles in clusters of family units interspersed by economic trees and farmlands occupying the remaining landmass. This settlement pattern and the composition of the population into family units made it suitable for the adoption of a non-probably sampling technique. Following that there were no specific records of the number of households as at the time of the field survey, a convenience of 400 respondents made up of household's heads, other grown up members who hold the right of farming and planting of economic trees as well as widows. A well-structured questionnaire was administered with the support of two field assistants who understood the local language to

enhanced effective communication and data collection. Interviews were also conducted on 2 available officials of the FCDA under the Resettlement and Compensation Unit, who participated in the exercise.

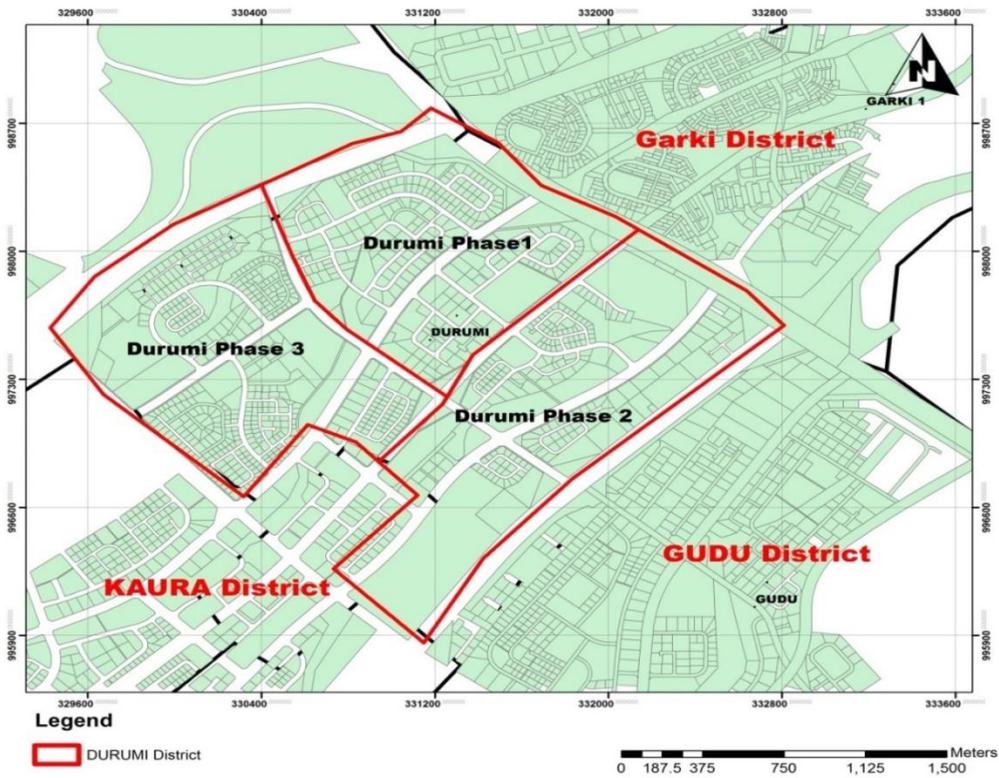


Figure 1: Durumi District and its development Phases

The use of a quantitative methodology was adopted using a 3-point Likert scale designed to measure the land owners’ perspectives of the effectiveness of the process of the CLA&C exercise and their satisfaction levels. While a 4-point Likert scale was used to measure the challenges. Analysis was carried out with the use of descriptive statistics, the development of indexes to measure satisfaction levels and factor analysis technique to ascertain the main challenges affecting the effectiveness of the exercise. A reliability check of the variables generated through the use of Likert scale was conducted using Cronbach Alpha (α) technique. The outcome indicates that for effectiveness of the compulsory land acquisition process, the coefficient was calculated at 0.830, satisfaction level of respondents at 0.792 while challenges affecting CLA&C = 0.890. These results have indicated the dependableness of the responses for analysis following that the α -Coefficients are at an acceptable level of reliability which is above the minimum recommended level of 0.60 for social sciences researches (Sekeran, 2003; Park, Heo & Rim, 2008).

A test to ascertain the suitability of the data set for the adoption of factor analysis (FA) technique was also conducted and the Kaiser-Meyer-Olkin (KMO) test was used. The result shows that the value of the KMO measure of sampling adequacy was calculated at 0.784 which is greater than 0.6 marginally acceptable levels (Hair *et al.*, 2006), hence, it suggests a satisfactory sample size. Meanwhile, Bartlett's test of Sphericity has a *P*-value of 0.0001 ($p < 0.5$) indicating that the data set meets appropriate criteria for FA.

In measuring the satisfaction levels of the respondents, the Satisfaction Index (SI) for a specific item in the CLA&C procedure say CA, is measured as;

$$SI_{ca} = [\sum(\mathcal{V}_1R_1 + \mathcal{V}_2R_2 \dots + \mathcal{V}_nR_n) \div \mathcal{V}_h N] \times 100 \tag{1}$$

Where SI_{ca} is the Satisfaction Index for an item of the procedures of CLA&C;

$\mathcal{V}_1 \mathcal{V}_2 \dots \mathcal{V}_n$ indicates the values representing levels of satisfaction scaled while

$R_1 R_2 \dots R_n$ represents the actual score by respondents on the \mathcal{V}_n variable,

\mathcal{V}_h is the maximum possible score that \mathcal{V}^{th} variable could have on the scale used, while N is the number of respondents under ca . meanwhile, the overall satisfaction index for the entire CLA&C exercise is computed as follows;

$$TSI_{ca} = [\sum(\mathcal{W}f_i) \div \sum(TN_i + T\mathcal{V}_i)\mathcal{V}_h] \times 100 \tag{2}$$

TSI_{ca} is the total or overall satisfaction index with the CLA&C exercise. While $\mathcal{W}f_i$ = total weighted frequency of all items in the CLA&C process, TN_i = total number of respondents and $T\mathcal{V}_i$ = the number of variable being scaled under the CLA&C process.

Further, analysis conducted using factor analysis technique is targeted at ascertaining the key challenges affecting the CLA&C exercise in the study area.

RESULTS AND DISCUSSION

The residents of Durumi have predominantly male household heads made up of 93.75% and female 6.25%. Majority of them are married (94.75%) and basically farmers while 8% are under government employment (civil service).

Table 1: Demographic characteristics of the Respondents

Items	Description	Frequency	%
Gender	Female	25	6.25
	Male	375	93.75
	Total	400	100
Marital Status	Married	379	94.75
	Single	10	2.50
	Divorced	3	0.75
	Widowed	8	2.0
	Total	400	100
Primary Occupation	Civil Service	32	8.0
	Trade/Business	74	18.50
	Farming	279	69.75
	Retired from Service	15	3.75
Total		400	100

The Table 1 above has also shown that the respondents depend extensively on land as their means of livelihood. About 69.75% engage in farming activities and in addition those on retirement from public service who are also relying on agriculture for sustenance. The implication here is that, with the acquisition of their land, most of the members of the community may be without a reliable means of livelihood.

The Effectiveness of CLA&C Process

A measure of the effectiveness of the processes of land acquisition exercise was carried out and is presented in Table 2 below. For ease of interpretation of results, a hypothesized mean or benchmark was computed as $3 + 2 + 1 = 6$ ($6 \div 3 = 2.00$) and used to determine the significant level of the effectiveness of the process (Ikediashi, Ogunlana & Boateng, 2014).

Table 2: Effectiveness of the land acquisition exercise in Durumi

Process	3	2	1	W _{fx}	Mean	MD
Reconnaissance Survey	0.195	1.870	0.000	826	2.065	0.065
Service of notice	0.233	1.845	0.000	831	2.078	0.078
Enumeration & assessment for compensation	0.030	0.480	1.183	677	1.693	-0.307
Submission of Claims	0.090	0.870	0.535	598	1.495	-0.505
Payment of Compensation	0.000	0.260	0.870	452	1.130	-0.870
Treatment of petitions	0.000	0.120	1.383	601	1.503	-0.497
Procedures for change of ownership	0.000	0.255	1.310	626	1.565	-0.435
Time given for relocation	0.245	0.755	1.130	852	2.130	0.130

3=Effective; 2=Less Effective; 1=Not effective; MD=Mean Difference

The result has shown that the conduct of the reconnaissance survey, service of notice and time given for relocation has mean values that are 0.065, 0.078 and 0.130 higher than the hypothesized mean of 2.000. This indicates that the 3 procedures were considered effective. However, enumeration of assets, submission of claims, payment of compensation, treatment of petition and procedure for change of ownership are considered ineffective. The difference in the mean values computed against the hypothesized mean under these items shows negative outcomes hence, indicating that their effectiveness is statistically insignificant. Thus, out of the 8 procedures undertaken during the CLA&C exercise only 3 are adjudged to be effective. The other 5 which may be considered more critical procedures are determined to be significantly ineffective. The outcome varies on the procedure of the issuance of public notices to the findings made by Iroaganachi and Gambo (2012) and Deeyah and Akujuru (2016) but agreed with the later on the other procedures such as enumeration and assessment for compensation, payment of compensation as not meeting best practices.

Claimants’ Satisfaction with CLA & C Process

The satisfaction level of the households (claimants) with the outcome of the land acquisition exercise was also measured using the equation 1 and 2 above in which individual items and overall satisfaction indexes were determined. The result shows that the claimants’ overall satisfaction index is computed at 0.452 indicating that they expressed a satisfaction level of 45.2% with the land acquisition exercise. This overall satisfaction level is considerably low as it falls below 50% and also affirms the findings that the procedures were not effectively executed. The item by item level of satisfaction as determined is further shown in Table 3 below.

On the item by item measure of satisfaction, the result has shown that the households expressed significant low level of satisfaction on how most of the activities in the exercise were conducted. Although they indicated otherwise for the mode of service of notice (70.8%) and the timing of the process (58.2%) respectively with the items satisfaction levels above 50%. Aside from these 2 procedures, the households were not satisfied with the manner their assets were enumerated (40.4%) as well as their non-involvement in important decisions (37.5%) as

the exercise progressed. The adequacy of compensation offered (32.1%) was the least satisfied item in the process and one of the most contended issues in the entire CLA&C exercise.

Table 3: Claimants’ level of satisfaction

Item	Sum	Wfx	Mean	SI	%
Mode of service of notice	400	1416	3.540	0.708	70.8
Timing of the process was sufficient	400	1164	2.910	0.582	58.2
The assets were enumerated accurately	400	808	2.020	0.404	40.4
Level of involvement in decisions	400	750	1.875	0.375	37.5
Satisfaction with the items to be compensated	400	792	1.980	0.396	39.6
Favourable resettlement sites	400	750	1.875	0.375	37.5
Adequacy of compensation offered	400	641	1.603	0.321	32.1

Wfx = Weighted frequency; SI = Satisfaction Index

Challenges facing effective land acquisition exercise in Durumi

In view of the foregoing results, analysis of the challenges affecting the effectiveness of the CLA&C exercise in the study area was made. A descriptive statistics of the identified challenges shows the mean values of the items ranging from 3.550 (introduction of fictitious claimants) to 3.865 (high cost of building construction).

Table 4: Descriptive statistics of challenges facing land acquisition in Durumi

Challenges	4	3	2	1	Sum	Wfx	Mean
Difficulty in identifying claimants	318	54	21	7	400	1483	3.708
Inaccurate enumeration of assets	305	88	7	0	400	1498	3.745
Uncooperative attitude of the people	293	80	20	0	393	1452	3.695
Low assessment rate for crops and trees	334	66	0	0	400	1534	3.835
Introduction of fictitious claimants	228	19	48	7	302	1072	3.550
Refusal to accept compensation	291	53	6	6	356	1341	3.767
Late payment of compensation	337	53	0	0	390	1507	3.864
Lack of fund	311	79	0	0	390	1481	3.797
Government unwillingness to pay claimants	320	80	0	0	400	1520	3.800
Land belongs to forefathers and inheritance	339	61	0	0	400	1539	3.848
Lack of transparent conducted by government	333	67	0	0	400	1533	3.833
Greed on the part of the part of claimant	318	61	21	0	400	1497	3.743
Inadequate payment of compensation	339	61	0	0	400	1539	3.848
High cost of building construction	346	54	0	0	400	1546	3.865
Quality delivery of resettlement housing	325	75	0	0	400	1525	3.813

4 = strongly agree, 3 = Agree, 2 = Disagree, 1 = strongly disagree

The use of Principal Component Analysis (PCA) based on the Kaiser’s criterion produced an extraction of 3 components which accounts for a total of 75.099% variation in the challenges that affected the effectiveness of CLA&C exercise in the study area. The first component has an eigenvalue of 8.362 and variance of 55.747%, the second has an eigenvalue of 1.546 and variance of 10.304% while the third, 1.357 and variance of 9.048%.

The result shows that factor 1 has 10 variables with significant correlation loadings; factor 2 has 4 variables loaded while factor 3 has a single variable loading. These factors are identified to have significant effect on the effectiveness of the compulsory land acquisition exercise in

Durumi District, Abuja. These are; institutional factor, claimants' attitudes and sentimental value attached to land.

Table 5: Factors affecting the effectiveness of compulsory land acquisition

Factors	Components	Eigenvalue	Var (%)
<i>Institutional factor</i>	1	8.362	55.747
High cost of building construction	.873		
Introduction of fictitious claimants	.869		
Late payment of compensation	.862		
Lack of funds	.820		
Government unwillingness to pay claimant	.790		
Inadequate compensation	.781		
Quality delivery of resettlement housing	.771		
Low assessment rates for crops and trees	.758		
Lack of transparent conduct by government	.748		
Inaccurate enumeration of assets	.493		
<i>Claimants' attitude</i>	2	1.546	10.304
Difficulty in identifying claimants	.887		
Greed on the part of the claimants	.831		
Uncooperative attitude of people	.599		
Refusal to accept compensation	.535		
<i>Sentimental value attached to land</i>	3	1.357	9.048
Land belongs to forefathers and inheritance	.829		

Institutional challenges or factor are those created by the government as the acquiring authority which tends to undermine the credibility of the exercise. The exercise as conducted ended up in disputes leading to a prolonged litigation. The community petitioned that they were unjustly treated following the improper manner the acquisition exercise was conducted. As a result, they refused to relinquish possession of their land. Some of the other issues identified that resulted to the impasse on the land acquisition exercise were poor enumeration of assets and low assessment rates that were used for the valuation of crops and economic trees. The assessment rates attached to crops and economic trees are determined by the government which largely does not reflect current market prices.

The offer of resettlement as another form of compensation was made but not accepted by the community. They contended that government's unwillingness to pay adequate compensation and in due time has always been one of the major problems. They also advanced reason for the rejection of the offer of resettlement that it will not address properly the issue of cost and quality of building materials for the development of new homes. This is because the offer included compensating them for unexhausted improvements, the value of which could leave them worst off than prior. Drawing inferences from other cases where government had to develop the resettlement area, the contractors appointed mostly engage in sharp practices by delivering poor quality housing in order to maximise profit. Sometimes the design of such resettlement homes does not meet the needs (sociocultural) of the community. Furthermore, the community's petition over the exercise was to be handled by the government as provided for under Section 30 of the Land Use Act of 1978, but they fear that their interests will not be properly protected and became more frustrated with the entire land acquisition exercise.

The second factor relates to attitudes of the claimants, they often put up uncooperative attitude and remained defiance towards the acquiring officers and the entire process. Findings here affirm to this assertion. Although the claimants' reaction under this circumstance may be understandable considering that their means of livelihood is being taken away from them, this attitude resulted in difficulties in identifying the real claimants. Some of them put up certain acts of greed by going into liaison with some corrupt government officials to create fictitious assets and owners. In some unusual circumstances, the community leaders also gave in to these corrupt practices for personal aggrandisement.

Sentimental attachment to land is a character every community exhibits especially the rural ones. Land is seen as an inheritance from the forefathers and a link to ancestral lineage. Hence, the expropriation of communal rights and interests in land would amount to a loss of their cultural values and heritage and also it will obliterate part of the community's history. This factor was also identified to contribute significantly to the challenges affecting the CLA&C at Durumi District and serves as a portent for resistance to improper handling of the compensation exercise. Thus, this derailed the entire land acquisition exercise and disputes arising have lingered for a long time now. Following the poor satisfaction level the claimants expressed regarding the conduct of the procedure for the acquisition exercise, they resolved to remain in possession of their rightful property while litigation goes on. They also believed that with the involvement of the court, their interests will be adequately protected and their concerns addressed appropriately.

Responses from the acquiring Authority - FCDA

The outcome from the interview conducted on the officers involved in the compulsory acquisition exercise under the Resettlement and Compensation Unit in the FCDA revealed the followings;

The government conducted the acquisition exercise in the district and assessment was made and claims submitted. The government at some point became overwhelmed by the total value of claims submitted for compensation and became unwilling to make adequate payments.

Resettlement was offered as alternative to cash but was rejected by the community. Reasons advanced were that, the government might take them where there will not be much land for farming and abandoned them; they might not be given enough money to construct their homes.

Those that were earlier compensated and relocated under the Phase I complained of unfair treatment and negligence by the government which has further convince the remaining families to remain resolute on staying than accepting payment and relocation.

Change in the administration of the FCT could not ensure continuity as subsequent administrations rescaled their priorities and the exercise was temporarily abandoned. The current FCT Administration does not have enough funds to go back through the exercise particular the payment of compensation. Moreso, the value of earlier claims submitted cannot be used since it has taken a while and the claimants have gone ahead to carry out new improvements in the area.

CONCLUSION

The study examined the effectiveness of the compulsory land acquisition and compensation exercise carried out in Durumi 1 and 2, with specific objectives of examining the effectiveness of the process, satisfaction of the outcome by the community and the challenges that were

encountered that affected the exercise. Analysis and outcome has led to the conclusion that, the process involved in the compulsory land acquisition exercise in Durumi district was not effectively conducted leading to dissatisfaction among the community whose land were affected. The effectiveness of the process and largely the entire exercise was inhibited by three key factors identified as, institutional factor basically relating to government actions as the acquiring authority that are non-effective and irresponsible to their statutory functions, unbecoming claimants' attitudes and sentimental value attachment to land.

Recommendations

The study recommends a policy response from the relevant authorities (Federal Government and the acquiring authorities) in terms of evolving a sustainable process for CLA&C exercise where the stakeholders are adequately involved. The government should also improve significantly in the transparency of standards involved in the process of land acquisition as this will ensure best practices that will enhance community's satisfaction. This can achieve by proper enumeration of assets, assessment and determination of true values for crops and economic trees.

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