

A Review of Emerging Issues on Urban Land Management Policy in Nigeria

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Abstract

Urban expansion has created a structural and ecological modification of the urban fabric, thus leading to complex interactions between land change and land cover. Land is essential for peace and human survival. However, various challenges must be addressed to ensure effective land management in urban areas. Several policies have been formulated to mitigate the effects of unplanned urban settlements in order to boost economic activities. This paper reviewed all the land-related policies in the past three decades and extricated the inherent environmental, agricultural, and economic implications of the policies in cities of Nigeria. Urban land management was conceptualised, while the systemic review was adopted as a methodology. Remarkably, the study revealed that: there are challenges to the documentation of rights to property on land-related disputes; unauthorised land development and inadequate access to developable land for housing led to slum formation and land use conflict; frequent flooding contributed to environmental degradation while rising land insecurity is limiting the achievement of sustainable development goals (SDG 1.3, 2.3, 5.6, and 10). The paper concluded that urban land management policies could not be effective without the comprehensive and interactive processes involving policy makers, urban planners, real estate developers, farmers; land-holding families; land speculators, decision-makers, and researchers while adaptation of modern technologies in land management, sustainable land use control policies on documentation of property rights, access to developable land for housing and open-grazing, mitigation policies on carbon emissions, physical environment, water and air quality were recommended.

Keywords: Land policy, urban land management, urban expansion, sustainable development goals, Nigeria

Introduction

Cities are growing all over the world at a rapid rate. As of 2000, approximately half of the world's population lived in cities, while it is estimated that about 60.3%, two-thirds of the world population, will reside in urban areas in 2030 (UN World Urbanisation Project Report, 2005). UNWUPR (2005) further stated that the world population is growing at 78 million a year, a bit less than the total population of the Republic of Germany. The world population's likelihood of hitting 8.9 billion people by 2050 is also posited (UNWUPR, 2005). Presently, more than 95% of the population growth occurs in developing countries, Nigeria inclusive. According to Magel and Wehrmann (2002), accelerated urban growth naturally arises from population growth and increasing rural-urban migration occasioned by the pull and push factors such as infrastructural facilities, education, employment opportunities, and other social services.

This phenomenon has put much pressure on the available land resources and, consequently, increased ecological problems, including land degradation, desertification, flooding, erosion and many others (Stewart et al., 2015).

Rapid urbanisation has also increased the demand for food, water, energy, shelter and livelihoods. Urban expansion has led to the structural and ecological modification of the urban fabric and edges, creating a complex connection between urban change, spatial development and urban governance (Bloch et al., 2015). In addition, it has created an overlap between various administrative boundaries (e.g., local and state) that fuels communal crises (Bloch et al., 2015). Managing urban land to ensure adequate documentation of property rights will minimise land-related disputes. This requires effective land management and administration system (Adjekophori et al., 2020) with a coordinated multidisciplinary

approach to benefit all. Such a strategy will amply lessen potential land use problems such as rising cost of land, unauthorised development leading to urban slums, lack of accessibility to housing, land use conflict, flooding, and increasing insecurity. Additionally, it will facilitate achieving the Sustainable Development Goals (SDG), specifically safety and health, across the cities in Nigeria (Aribigbola, 2008).

In Nigeria, several policies have been designed to mitigate the effects of unplanned urban expansion. Over time, policies that have an impact on urban land management have been established and implemented; among them is the Land Use Act of 1978, the Urban Development Policy of 1992, the Urban and Regional Planning Act of 1992, and the Housing and Urban Development Policy of 2002 (Adeyeye, 2010). Despite these policies, there has been continuous growth in urban land management problems in Nigeria. Therefore, this article discusses some of the emerging issues related to urban land management in Nigeria with a view to improving land use planning and urban development.

Conceptualising Urban Land Management

According to Barnet (2004), urban land management is historically traced to the practice of zoning in the United States of America in the late 19th and early 20th centuries to protect the interests of property owners. The Supreme Court decision of *Village of Euclid v. Ambler Realty Co.* in 1926 found the operationalisation to be constitutionally sound. It was not far from this that the Standard State Zoning Enabling Act gave authority to the states to regulate land use (American Planning Association, 2011).

Urban land management typically encompasses zoning, which can be defined as the regulation of different types of activities that can be accommodated on a given piece of land, as well as the amount of space devoted to those activities and the ways that buildings and other physical, structural developments may be situated and shaped (Barnet, 2004). Going by the definition of urban land management, urban settings are expected to be well-planned and integrated. This can be achieved through succinct land policy formulation and operationalisation. Despite the established land policies, Nigerian settlements are still confronted with land degradation, desertification, flooding, erosion and many others due to uncontrolled population expansion. These led to the manifestation of urban slums, ghettos, unauthorised development,

land use conflict and many other more, which is contrary to the American Planning Association's (2011) suggestion that the goal of land management is to further the welfare of people and their communities by creating convenient, equitable, healthful, efficient and attractive environments for present and future. More so, Nigeria's urban settlements contradict the expectation that efficient urban land use management should bring about environmental conservation, restraint of urban sprawl, minimisation of transport costs, prevention of land use conflicts and reduced exposure to pollutants.

Planners assume that regulating the use of urban land management will change the patterns of human behaviour and be beneficial. The first assumption that land use regulation will change human behaviour is widely accepted. In contrast, the beneficial changes are contested and depend on the location and regulations being discussed (American Planning Association, 2011). These assumptions are not evident in the suburb of the major cities in Nigeria due to insufficient and virtually lack of approved layout plans. Population pressure, coupled with competitiveness in the major cities of Nigeria, pushes many people to the outskirts resulting in unapproved development and consequently leading to the manifestation of slum settlements.

According to Bahl and Linn (1992), urban land management responsibility in African cities is saddled on urban physical planning, urban administration, and social services provision. This represents several areas of responsibility, which form the basis for the critical administrative departments. Wekwete (1992) expressed that the main stakeholders in urban land management include central government, local government, non-governmental agencies, private sector businesses, planners, relevant professionals, urban households, and the various segments of civil society. These groups have interests in how land is managed and create a dynamic environment of competing and complementary interests. Traditionally, local government represents the public interest and, in particular, the management of externalities created due to the operations of the different interest groups. Like the central government, the local government aims to maintain public interest and regulate activities to ensure free and fair competition. The intention is to provide a restraint on the operation of

land use to serve private interests and to ensure the protection of all interest groups in society.

Urban land management has continued to address problems of land, environment, infrastructure, poverty, and finance, which are the traditional domains of city and town management. A typical municipal/city government operates based on departments (e.g., health, town planning, engineering) responsible for providing and maintaining services. These departments are usually linked to the operations of those central government ministries responsible for managing cities. Nevertheless, the major trend in most towns and cities of Nigeria has been an increasing crisis in terms of failure to provide facilities, amenities and services that will make land management's policy actualise the planners' assumptions of changing patterns of human behaviour and be beneficial. Advocates are made by planners and other relevant professional bodies in Nigeria for improved urban land management and building up capacities at local and national levels.

Methodology

The study is based on secondary desk research. The methodological approach used is systemic review whereby secondary materials and information on urban land management policy studies were systematically reviewed, assembled, critically appraised and synthesised. At the same time, relevant findings and conclusions were drawn based on the report. The study adopted Eykelbosh and Fong's (2017) steps in a systematic review of literature, which include: developing a research question; identifying keywords; identifying databases and sources of information; constructing search queries; documenting search results; identifying the relevant papers and; repeating searches.

Journal articles, reports, book chapters, and online publications relevant to urban land management policy were reviewed, critically appraised and synthesised to arrive at the study's findings and conclusions. However, caution relating to publication bias, database bias, source selection bias and paper selection bias in the literature search was considered. Multiple sources of secondary data and information were used as a control against these biases in order to ensure logical findings and conclusions. This was carried out by triangulating and substantiating analysis from multiple references.

Extant Policies and Laws on Urban Land Management in Nigeria

According to Berstein (1994), the majority of developing countries face the challenges of land crises due to inefficient land policies, secure tenure systems, and sustainable land management capacity. Before promulgating the Land Use Decree 1978, Nigeria had no consistent land use policy. The Land Use Act was enacted to achieve several objectives but majorly to: (i) solve the challenges of lack of immediate availability of land for use when it is required by interested persons and (ii) curb the activities of land speculators. In summary, the law was designed to remove the barriers associated with land use in the nation; streamline and simplify the management and ownership of land; assist the citizens irrespective of social status and enable the government to bring under control the use of land in all part of the nation (Aribigbola, 2008).

Challenges of Urban Land Management in Nigeria

According to Karlenzig et al. (2010), urban land management systems should involve the ability to plan integrative mechanisms that optimise transportation, the built environment, and other supporting resources, including energy, water, and natural systems. As the urban areas in developing countries expand, it is essential to adopt a regional management and coordination approach to mitigate unregulated land uses such as slum settlements and automobile-dependent sprawl. Effective management strategies can instigate new sustainability ideas, methods, and knowledge to enhance decision-making and reviews (Karlenzig et al., 2010).

As population and income grow, it will reach a point where the amount of land to meet the needs of future generations may not be available unless technological capacity growth is proportional to the demand for land. The United Nations has estimated that the world's population will reach 9 billion by 2050, with an attendant increase in food production by approximately 70% to meet the demand for food (UNWUPR, 2005). As a result, family trusts, investment advisory firms, banks, and countries like India, Qatar, Egypt, and China have begun investing in farmland in developing countries at vast rates, a term referred to as land grabbing. At the same time, there has been more emphasis on land for food production and other human use as the available land continues to diminish. Therefore, managing urban land has been complicated since there is a need to balance numerous objectives and make necessary

decisions to put land resources to productive use. Urban land management should be seen as creating and implementing decisions necessary to maximise land use in order to achieve productivity, environmental and social goals (Barlowe et al., 2013).

Bako et al. (2017) describe land management as managing the use and development of land resources. Effectively managing land in Nigeria involves organising, controlling and coordinating the resources to attain optimal societal benefit. It is observed that land is a significant factor in the social and economic development of every nation where every human activity takes place. It is further argued that proper documentation and registration must be realised to achieve the full potential of the land. An effective land management policy that encourages good and effective land registration will benefit both the present and future generations. The process provides the appropriate machinery for controlling the right to possess and use land. It is also an instrument to ensure the accessibility of land by stakeholders within the policy structure of a nation and also to determine how the government offer the security of tenure, regulate land markets, implement land reforms, protect the environment and levy land taxes to enhance the use and value of land.

Environmental Implication of Land Management Issues

The rapid increase in urbanisation is a major public health challenge for the 21st Century (UN-HABITAT). In Africa, urbanisation does not translate to economic growth and better welfare for the citizens. Of 20 countries of the world, 19 of which represent 90%, were identified by the United Nations to have the lowest human development index in the year 2005 (UN-HABITAT, 2005a). It is reported that about 50% of the population in Nigeria lives in urban areas (UN-HABITAT, 2005a). This has led to a high rate of environmental deterioration in the cities, making them among the lowest liveability index in the world.

Environmental problems in Nigeria can be classified as ecological, poaching and habitat loss, desertification, and soil erosion. These environmental problems can be further subdivided into pollution, deforestation, global warming and slum development (Ohwo & Abotutu, 2015). Areas located in the coastal region of Nigeria experience extensive

contamination from petroleum exploration, including gas flaring and oil spillage. Poor living conditions in urban areas in the country are inimical to human dignity. Pollution from oil activities should be given equal priority as other environmental and ecological problems. Activities such as deforestation due to capital projects, farming, dam construction, logging and mining constitute the greatest threat to a sustainable environment (Mba et al., 2004).

According to Hales (2000), rapid population growth, overcrowded settlements, and over-exploitation of land resources have resulted in changes in the ecology of the urban environment. The growth rate and magnitude surpassed the capacity to maintain acceptable environmental safety standards and sustainable economic growth in developing nations. Factors responsible for most of the environmental problems are traced to the colonisation in Nigeria, the high rate of urbanisation, the negative psychological orientation, and poor environmental management practices (Agukoronye, 2004).

Furthermore, it has been established that most urban areas in the country have exceeded their environmental capability and existing infrastructure. From the 2006 National Population Census data, it was discovered that most of the urban areas with smaller expanses of land have the capability of increasing their population already exhausted or limited. Currently, the population of Nigeria exceeds 140 million and with 924,000 km² of land mass, it was revealed that approximately 10% of the land is already occupied by 28% of the nation's population figure. This, however, implies that there is an imbalance between the environment and the population. This has caused congestion in the urban areas and thus led to poor living conditions and a low liveability index of urban areas in the country (Taylor, 2000; Federal Republic of Nigeria, 2007). Consequently, Acho (1998); Danish International Development Agency (2000); Kjellstrom and Mercado (2008), cited in Daramola and Ibem (2010), argued that environmental problems are caused mainly by actions of development and the effects can be felt locally, regionally and globally. These effects can injure humans, livelihoods, animals, and plant lives presently or later in the future.

According to Anih, 2004; Mba, 2004; Ojeshina, 2005; UNHABITAT, 2005b cited in Daramola and Ibem (2010), the environmental problems identified

in this article that are related to human activities include:

- **Slums Developments:** The development of slums and squatter settlements in urban areas is linked to increased population, rural-urban migration and uncoordinated physical development. This has led to an increase in the rate of degradation of the environment, insecurity and other social vices that constitute serious health hazards.
- **Urban Sprawl:** Urban sprawl is also associated with population growth, the absence of updated master plans, and uncoordinated urban development. The outcome of urban sprawl has ignited air pollution and traffic congestion. The open spaces and green areas are being exhausted, resulting in biodiversity loss.
- **Pollution:** Land, water and air pollution are caused by poor waste management practices. Activities such as gas flaring, industrial plants, bush burning, and indiscriminate dumping of refuse aggravate the rate of pollution. Weak institutional frameworks and regulatory mechanisms are challenges to curbing the rate of pollution. Pollution exposes humans and other land and aquatic lives to health risks. Pollution gives rise to infectious diseases: air pollution leads to acid rain that destroys people's properties and infrastructure; air pollution also causes the depletion of the ozone layer by contributing to global warming. Oil spillage in the oil-producing regions has also contaminated the waters in the area endangering the lives of aquatic animals, hindering adventures enjoyed from the water like swimming, making the water undrinkable, and reducing economic livelihood.
- **Flooding:** Urban flooding is common in areas where physical development encroaches on natural flood plains and non-adherence to physical development regulations, especially in low-lying cities like Port Harcourt, Lagos and Bayelsa states. Also, discharge systems for stormwater are inefficient, and extensive impervious surfaces. Flooding has led to the destruction of lives and properties, including public infrastructure and economic losses.

Agricultural Implications of Land Management Issues

New roads and highways are constructed as residential, commercial and industrial activities expand outward. This typically increased competition

and demand for land for different purposes. The expansion of urbanised areas as human activities encroach on land preserved for agricultural purposes, reducing the land required for farming and food production (Barlowe et al., 2013; Aribigbola, 2008). The importance of land management to a nation cannot be overemphasised. Effective land management that ensures the sustainable use of advanced farming techniques can produce sufficient food for the growing population. In order to ensure food security and sustainability, the land for farming must be productive and environmentally secure. However, for a farm to be sustainable, the land must possess organic nutrients to support crop yield (Philip, 1996). Agricultural land in Nigeria is faced with several problems affecting the production of food as well as people's livelihood. There are several problems affecting the agricultural land in Nigeria. They are pollution (air, water and land), mining activities, oil spillage, unsustainable soil management, global warming, and land grabbing.

According to Swati et al. (2014), land pollution occurs from wrong farming techniques, industrial waste, mining and war. Another primary source of land pollution is oil spillage. Examples can be found in the Niger Delta region, where lands are contaminated and rendered unproductive. Water pollution occurs when water quality is degraded when decayed chemicals and physical or biological materials are washed into the ocean waters. Other causes of water pollution include pesticides, untreated sewage from oil and gas chemical industries, and high absorption of nutrients in coastal waterways due to farming runoff (Swati et al., 2014). Unsustainable soil management activities like bush burning cause land degradation. Osuji et al. (2019) opined that clearing portions of land might be cost-effective. However, it destroys the structure and texture of soil and also exposes the land to erosion. Grazing has also been identified as an agent of land degradation through pugging, compaction and erosion, which make the land vulnerable to erosion (Osuji et al., 2019).

Global warming is one of the environmental issues in Nigeria. Global warming is the increasing cluster of atmospheric greenhouse gases in the air. These gases are emitted into the atmosphere causing greenhouse effects. Also, burning fossil fuels, transportation emissions, and cattle grazing contribute largely to greenhouse gasses, leading to atmospheric heat

(Angela, 2009). Global warming causes an increase in seawater levels, drought, and flooding, as well as influences the average weather pattern, which weakens the ecosystem.

Olujimi et al. (2011) said that mining is another human activity that degrades the land and causes biodiversity loss. Mining can be described as excavating the earth's surface in search of mineral resources. Intensive mining has resulted in the degradation and desertification of agricultural lands and the genetic loss of important plant species (Olujimi et al., 2011). Angela (2009) posited that rapid population growth has led to an exponential increase in the production of goods and services, establishing industries and thereby increasing the amount of waste generated.

Land Grabbing

Land grabbing is also one of the issues challenging land management in Nigeria. According to (Biney, 2009), land grabbing meddles with the utilisation, appropriation, and ownership of land. In simple terms, it is the acquisition of a large land expanse for personal investments against the interest of a community, state or country (Ojo & Offiong, 2018). The shrinking of arable lands in developed countries due to an increase in competing needs for land has resulted in developed countries under the guise of investment in Africa to guarantee food security (Prascova, 2012). Incidents of land grabbing are widely reported in countries like Kenya, Zimbabwe, Ethiopia, Tanzania, South Africa, and Nigeria, among others, without regard for the sustainability of the residents (Mbwadzwo-Siangombe & Uzodike, 2014). Most of the land deals are to export the final product to the investors' country, leaving the host countries to battle food insecurity (Oviedo, 2011).

Akanle (2017) affirms that the increase in land grabbing in Africa is caused by factors referred to as background drivers. These factors include the following: economic, demographic, political, technological, climate change, institutional, agricultural extension, infrastructural extension, tolerant, divided and politicised communities. In addition, land grabbers can be local, state-led, community or international-driven with different objectives. Land grabbers should be seen as different organisations with various motives but adopting the same land-grabbing approaches.

The availability of arable lands in Nigeria has led to increasing interest in land grabbing for agricultural

and industrial use. The actors capitalise on vast landmass not being used by the respective governments and people of the affected countries (Akanle, 2017). The weakness of the Land Use Act 1978 in Nigeria, which vested all land in the territory of each state solely with the state governor, is also responsible (Federal Ministry of Land and Housing, 1978). This instrument gave unchecked access to lands without consultation with the traditional owners. Issues of land grabbing are obvious in Lagos and Kwara States (Akanle, 2017).

The Lagos State land is highly valued and demanded locally, nationally and globally. Places like Lekki Free Trade Zone (LFTZ) belonging to ten communities (Idasho et al.) are typical urban management defects. Similarly, in Kwara State, the Shonga commercial farm by Shonga Farm Holdings Limited (SFHL) is mainly referred to as "A Farm for Africa". The land grabbing in Shonga affected many villages because of the hectares of land involved; about thirty-three farming villages were affected by the allocation of Shonga farms. Notably, there is an incompatible agricultural system between the original owners and the new farms; however, this incompatibility leads to exclusion as most of the original owners lack the skills and capabilities to perform effectively in the new agricultural system (Akanle, 2017).

Conclusion and Recommendations

Land is essential for human survival. However, various challenges are hindering its effective management in Nigeria. It is concluded that for urban land to be effectively managed for the productive use of the present generation and prosperity, there is a need for sustainable land use control policies that can solve the issues of mismanagement of urban land in Nigeria. Sustainable land management policies are relevant to the environment in developing human settlements and agricultural use for productivity and economic prosperity. Such policy should ensure the control of open land grazing, carbon emissions, and improved water and air quality. Renewed knowledge in the exploitation of modern technologies that could guarantee sustainable land management needs to be identified, documented and evaluated in a comprehensive and interactive process and implemented for society's common use and benefit. This will involve collaborating with land users, farmers, decision-makers and researchers (Osuji et al., 2019). The government at different levels, the

citizens and every stakeholder in land administration must create the enabling environment for a seamless, coordinated approach to effective institutionalising laws, tenure systems, and the provision of basic infrastructure.

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