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EVALUATING THE PROCESSES AND CONSTRAINTS OF LAND ADMINISTRATION SYSTEM IN DELTA STATE NIGERIA

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ABSTRACT: *Good administration and management of land significantly influences better land use planning and development. Despite the socio-economic benefits accrued to a well-developed Land administration system (LAS) in urban areas, studies attests that most LAS in developing nations still remains highly underdeveloped. This study evaluates the processes and constraints of land administration in Delta State Nigeria. The descriptive research design was used in this study. Primary data were obtained through the administration of well-structured questionnaire to 277 respondents across five urban centers in the study State. The sample comprised of 96 Estate Surveyor and Valuers, 168 Estate Agent/Private Property Developers and 13 Land Officers. Given the nature of the respondents; combinations of simple random and purposive sampling techniques were adopted in selecting the sample. In the same medium, data gathered were analyzed systematically by the adoption of descriptive and inferential statistical tools: mean score, standard deviation, Relative impact index, factor analysis and Pearson-chi square to achieve the desire objectives of the study. Findings revealed that land title registration and process standardization are the major requirements for land administration system, again, administrative, technical, financial, and market challenges were found to be major constraints to effective LAS. It was therefore recommended that a sound land administration system with a robust strategy be put in place to ensure long-term sustainable development in Delta State.*
KEYWORDS: constraint, land administration, process, estate management

INTRODUCTION

One of the most daunting challenges of urban dwellers today in developing nations is how to promote balance land use that will reduce conflict, abuse, misuse and chaotic location of activities, hence the need for effective land administration system (LAS) . Land provides a platform on which man's activities are predicated. It is however ironical that while the world population increases, the land in supply appears to be receding. Hence, land is never thought to be sufficiently available to meet the need of man in any society. There is general agreement (World bank, 1996; Desoto, 2000; Kalantari & Williams 2014; Emoh & Nwachukwu, 2016; Dawidowicz, & Zrobeck, 2017; Udo & Udoudoh, 2018; Betge, 2019) that individual and nation's wealth is contained in its real estate. Land protects its owner against future uncertainties. Efficient management of land therefore

will provide security to individual and facilitate growth. This can only be made possible by effective LAS.

There are numerous demand and use of land recourses ranging from agriculture, pasture, forestry, housing, urban regeneration, infrastructure amongst others. Obviously, most countries and societies have not been able to meet nor balance this ever increasing but conflicting demands and uses. These demands and uses has often create social upheaval and several efforts have been devoted to developing a system to administer land rights which can be refers to as Land Administration System (LAS) – a process of determining, recording and disseminating information about ownership, value and uses of land. (UNECE, 1996, 2005, Enemark, 2010; Emoh & Nwachukwu, 2016, Dawidowicz, & Zrobeck, 2017).

Most successful LAS provides the confidence and public face of land trading that in turn support highly geared trading process that accelerate creation of national wealth. Under functioning market, land will be allocated to the highest bidder and land use changes will be mediated by market–determined land prices (Lasserve , Lasserve & Selod, 2013). The role of government however is to ensure clarity of property right and enforce adequate measures to address externalities that are not internalized by land market. In many states in developing nations, Delta State inclusive, the stories are actually different, social, economic and political constraints, unclear land rights, insufficient land supply, weakness of land governance, dysfunctional land administration and unregulated land market characterized their LAS (Adjekophori, Egolum and Emoh. 2020).

Land administration in most African countries consists of the conventional land administration system based on land registration, customary and informal LAS. The vast majority of African countries populations use the customary LAS, especially in the rural area and about 30 – 80 percent of the cities in the urban centre's are still not using the formal land registration and administration system (UNCHS, 1990, 1999). The need and adoption of the formal process is therefore a big and missing link.

(Ogedengbe, 2016) emphasized that land administration has evolved from separate system to manage private rights in land and manage public land. Despite the provision of the Land Use Act, existing system of land administration in any state however, determines substantially the efficiency and effectiveness of land market in that state. This situation in Delta State resulted in unclear land right, dysfunctional land administration, weak land registration and information system, high land prices, unregulated land market, it is also fraught with limited information on the amount of land changing hand, the pattern of the distribution of land and land prices, ownership type and information on the volume of transactions amongst other challenges. (Adjekophori. Egolum and Emoh. 2019). Most of the land development activities there are unplanned, resulting in haphazard

development with insufficient infrastructure. This become worrisome considering the consequences it may have on real estate development in general. Besides, for an economic viable State with multiple ethnic groups, a study of her land administration system is imperative. Again, in order to develop a virile strategy that will enhance efficient and effective LAS in the State, there is need to evaluate and understand the process and constraints of her LAS and its future prospects.

LITERATURE REVIEW

The theoretical framework for all land administration system (LAS) all over the world is the delivering of sustainable development, this form the bottom line for economic, social and environmental development as well as good governance (Koroso, 2011). However, efficient socio-economic development and good government required judicious planning, design and implementation as well as rational use of land and its resources (Opaluwa, Adejare, Samila-Ija, Onuigbo, Nwosu & Idris, 2014).

LAS according to Udo and Udoudoh (2018), is concerned with approaches, programmes, policies and practices that seek to ensure that population growth is matched with access to land. Land administration is a system implemented by the state to record and manage rights in land, the major aspects of land administration system include the following; management of public land, recording and registration of private rights in land; recording, registration and publicizing of the grants or transfer of those rights in land through sale, gift, encumbrance, subdivision and consolidation (Ogedengbe, 2016). Ogedengbe further emphasized that land administration has evolved from separate system to manage private rights in land and manage public land. Ogedengbe also stated that in countries with a colonial background there is often a dual land administration system based on western model operate in western areas and areas formerly occupied by colonial land holders and customary system operate elsewhere. According to Bruce (2006), land law reforms activities in support of modern land administration systems are becoming increasingly necessary to keep up with the trend towards market liberalization and the demand for stronger private property rights in land.

Morenikeji, Ayorinde and Owoyele (2013), noted that prior to the promulgation of the land use decree of 1978 in Nigeria, there was no uniform land administration system. they further said that in northern Nigeria land was communally owned and vacant plots where allocated by the chief or the emir in whom the land was vested, no individual had absolute title to land, then in southern Nigeria, a kind of dualism existed in the ownership and control of land in which some parts or the land in a community were owned by individual families and others reserved was held in trust for the community and administered by the traditional ruler.

Williamson, Enemark, Wallace, and Rajabifard (2010), summarized the Process of land administration system to include:

i. Formally titling land
ii. Transferring land by agreements (buying, selling, mortgaging, and leasing)
iii. Transferring land by social events (death, birth, marriage, divorce, and exclusion and inclusion among the managing group)
iv. Forming new interests in the cadastre, generally new land parcels or properties (Subdivision and consolidation)
v. Determining boundaries

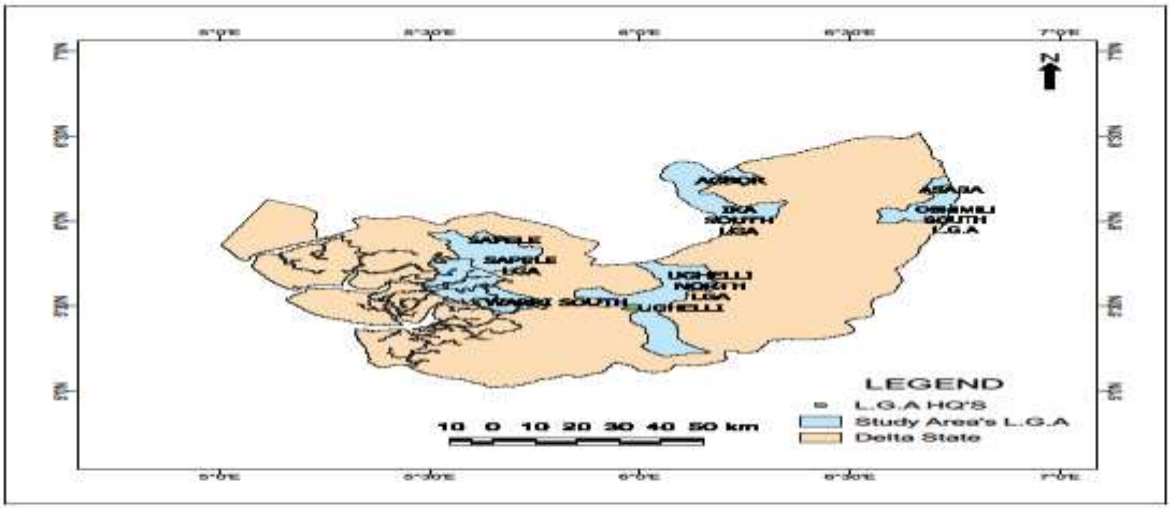
Payne (2012) identified some challenges of land administration, which includes security of tenure, regulatory barriers, land use planning, the rise of neoliberalism, and the political economy of land. Given the extent to which competition for land has intensified, it is inevitable that it now dominates public discourse and media attention globally. Morenikeji, Ayorinde and Owoyele (2013), assessed the problems of land administration in Oyo and Niger States, and discovered that there was cumbersome process of getting right of occupancy, frequent changing of public officers, poor record keeping and inability of government to pay compensation in respects of acquired land. Interests have become so intense that many of those campaigning on land rights have even been killed. Good administration and management of land significantly influences better land use planning and development for maximum revenues.

RESEARCH SETTING AND METHODOLOGY

The State (Delta) presently covers a landmass of about 18,050Km^2 of which more than 60% is land. The state lies approximately between longitude 5˚00 and 6˚45` East and Latitude 5˚00 and 6˚30`North. It is bounded in the north by Edo State and in the East by Anambra State, South –East by Bayelsa State and on the Southern flank in the Bight of Benin which covers about 160 kilometers of the State`s coastline. Delta State is generally low-lying without remarkable hills. The State has a wide coastal belt inter-lace with rivulets and streams, which form part of the Niger-Delta. Delta state is an oil and Agricultural producing state in Nigeria situated on the region known as south-south geopolitical zone with a population of 4,112,445 in 2006 census (Male:2, 069, 309, Female: 2,043,136). With annual projection of 3.5%. The environmental setting of Delta State has a very serious ecological setting such as erosion and flooding. Coastal and creeks erosion affect the coastal areas, resulting in loss of farm and residential land, and in some cases whole village such as Ogulaha and Ugborodo (Ibe, 1988). Flood is a widespread phenomenon in the State. The numerous rivers in the creeks flood their banks creating social and economic problems. Flash foods and flood poundage are the major features of dry lands, especially in the urban centers of Warri, Sapele and Ughelli. In recent times, oil exploitation and gas flaring have further aggravated the ecological problems, causing very serious environmental pollution. The consequences include the destruction of aquatic life and vegetation and red. Delta State was the major area for the study, but

the scope was limited to four (4) major cities namely Asaba, Warri, Sapele and Ughelli for data collection. The choice of these cities is premised on the fact that these cities are urban centers with high concentration of commercial and real estate activities as well as an active property market amongst other areas. Besides, they also represent the major ethnic groups in the state. This allow for comparison, contrasting and generalizing of data and results at the end of the study

Figure 1: Map of Delta State showing the selected areas of study



A descriptive research design was adopted. The survey was conducted in Asaba, Warri, Sapele and Ughelli in Delta State Thus, using questionnaire to elicit information from the respondents. Self-administered questionnaire with close ended questions suitable for quantitative analysis was the major instrument design and used for data collection. The questionnaire was structured on a 5-point likert scale and was distributed to 292 respondents out of the population of 787. Respondents were requested to indicate their perception on the subject based on their knowledge and experience. Respondents were carefully chosen, using a random and purposive sampling technique from all the categories of target population so as to ensure that the right respondent with relevant knowledge and experience on the subject matter of the study are adequately selected. 277 (which represents 95% response rate) questionnaires were duly completed and were used for the analysis. The Taro Yamane Sample size formula was used to determine the sample size at 95% confidence interval. The formula is a simplified formula for calculating sample sizes and is given by:

$$n = \frac{N}{[1+N(e)^2]}$$

Where N = Total housing unit in the area
n =Total housing units to be surveyed
e = Level of precision (Singh &Masuku, 2014)

Where: N = 787
e =5% = 0.05
n =?

Therefore: $n = \frac{787}{[1+787(0.05)^2]}$

n= 292

The study consist Respondents comprised of 102 Registered Estate Surveyors and Valuers, 177 Estate Agents/Private Developers and 13 Land Officer in the Ministry of Lands in Asaba. The choice of these categories of respondents is premised on the fact that they form the major key players in land administration and land market operations and can provide a reliable and adequate information towards achieving the study`s objectives. The data collected were coded and captured analysis with the aid of Statistical Package for Social Science (SPSS) version

RESULTS AND DISCUSSION

Table 1: Showing the Process /Requirements of Land Administration System in Delta State

Cronbach's alpha @0.98	N	Sum	Mean	RII	Std. Deviation	Chi.sq	p-value
Land Title Registration	277	1305.00	4.7112	.942	.61649	51.08	.000
Land Valuation	277	1179.00	4.2563	.851	.61214		
Land Use Planning	277	1243.00	4.4874	.897	.69991		
Cadastral Survey/Mapping	277	1229.00	4.4368	.887	.83002		
Land Computerization	277	1187.00	4.2852	.857	.86909		
Standardization Of The Process	277	1269.00	4.5812	.916	.92627		
Valid N (listwise)	277						

Source: field survey, 2019

The descriptive analysis of process of land administration system is presented in Table 1 the level of agreement to the process of land administration is measured on five point likert scale. The reliability test of responses is determined through cronbach's alpha test. The test measured internal consistent of the item (requirements), and the result of cronbach's alpha test showed that there is high level of internal consistent among the items at 98% (0.89). The relative important index (RII) revealed that all the requirements for effective land administration system were important and indispensable requirement for successful land administration. The result of chi-square statistic (51.08) at p-value (0.000) less than 0.05 level of significance revealed that the opinion of respondents are significantly related, in other word, the respondents strongly agreed to the process or requirements of effective land administration.

Table 2: Benefits of a Good Land Administration System

Cronbach's alpha @0.90	N	Sum	Mean	RII	Std. Deviation	Chi.sq	p-value
Guarantees Land Ownership & Security	277	1260.00	4.5487	.909	.58543	26.66	.000
Supports Land & Ppty Tax	277	1240.00	4.4765	.895	.69963		
Provides Security For Credits/Loand	277	1204.00	4.3466	.869	.80472		
Develops & Maintains Land Market	277	1189.00	4.2924	.858	.80603		
Protects State Land	277	1253.00	4.5235	.905	3.1617		
Reduces Dispute In Land	277	1170.00	4.2238	.845	.87253		
Facilitates Private Land Ownership	277	1217.00	4.3935	.879	.73748		
Enables Proper Recording Of Public Right In Land	277	1220.00	4.4043	.881	.67758		
It Develops Secured Fin. Sector	277	1193.00	4.3069	.861	.75402		
Improves Housing Development	277	1192.00	4.3032	.861	.79520		
Produce Statistical Data On Land Transaction	277	1241.00	4.4801	.896	.68403		
Valid N (listwise)	277						

Source: field survey, 2019

The descriptive analysis of benefits of a good land administration system is presented in Table 2 the level of agreement to the process of land administration is measured on five point likert scale. The reliability test of responses is determined through cronbach's alpha test. The test measured internal consistent of the item (benefits), and the result of cronbach's alpha test showed that there is high level of internal consistent among the items at 90% (0.90). The relative important index (RII) revealed that all the benefits for effective land administration system were important and indispensable benefits to be derived from good land administration. The result of chi-square statistic (26.66) at p-value (0.000) less than 0.05 level of significance revealed that the opinion of respondents are significantly related, in other word, the respondents strongly agreed to the benefits

of good land administration system. Guarantees land ownership and security is the most important benefit of good land administration.

Table 3: Challenges To Effective Land Administration In Delta State

Cronbach's alpha @0.86	N	Sum	Mean	RII	Std. Deviation	Hypothesis Testing	
						Chi.sq	p-value
Poor Awareness On Las Process	277	1252.00	4.5199	.903	.79204	27.22	.000
Unclear Lant Tenure/Right	277	1187.00	4.2852	.857	.76724		
Incompetency Land Administartors	277	1126.00	4.0650	.813	1.0228		
High Cost Of Land Registration	277	1241.00	4.4801	.896	.70490		
Inaccurate Valuation Opinion	277	1096.00	3.9567	.791	.96587		
Poor Demand For Land	277	991.00	3.5776	.714	1.2270		
Inadequate Supply Of Land	277	986.00	3.5596	.710	1.1070		
Lack Of Credit From Financial Institutions	277	1298.00	4.6859	.937	23.817		
Govt Regulations On land Matters	277	1162.00	4.1949	.838	.81087		
Insecurity Of Land Title	277	1131.00	4.0830	.816	.93074		
Weak Land Admin Process	277	1157.00	4.1769	.835	.81723		
Unregulated Land Title	277	1118.00	4.0361	.807	.93568		
Infromal Land Activities	277	1134.00	4.0939	.818	.87136		
Activities Of Land Grabbers	277	1174.00	4.2383	.847	.88930		
Land Speculation Problem	277	1172.00	4.2310	.846	.87479		
Location And Accessibility	277	1164.00	4.2022	.840	.83986		
Multiple Ownership Factor	277	1177.00	4.2491	.849	.85933		
Multiple Sales Of Land To Different Buyers	277	1180.00	4.2599	.851	.74036		
Cumbersome Procedures Of Land Registartion	277	1179.00	4.2563	.851	.76802		
Incompency Of Land Market Operators	277	1133.00	4.0903	.818	.95694		
Valid N (listwise)	277						

Source: Field Survey, 2019

The descriptive analysis of challenges to effective land administration and land market in Delta State presented in Table 3 revealed that there is high relative important index among the item, which indicates that all the challenges to land administration and land market are highly critical affecting effective land administration. The reliability test of responses determined through cronbach's alpha test revealed that there is high level of internal consistent among the items at

86% apha test. This indicates that the data is suitable for further analysis and the opinion of respondents is considered suitable and reliable. The result of chi-square statistic (27.22) at p-value (0.000) less than 0.05 level of significance revealed that the opinion of respondents on these challenges are statistically and significantly related in other word the respondent strongly agreed that land administration and land market is critically affected by these challenges. Lack of credit from financial institutions, and poor awareness on land Process are major challenges with highest relative important.

Table 4: Total Variance Explained on Challenges to land administration

Component	Initial Eigenvalues			Extraction Sums of Squared Loadings		
	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %
1	5.170	25.850	25.850	5.170	25.850	25.850
2	2.070	10.348	36.198	2.070	10.348	36.198
3	1.663	8.317	44.516	1.663	8.317	44.516
4	1.174	5.869	50.385	1.174	5.869	50.385
5	1.034	5.171	55.556	1.034	5.171	55.556
6	1.008	5.042	60.597	1.008	5.042	60.597
7	.904	4.522	65.120			
8	.890	4.448	69.568			
9	.799	3.997	73.565			
10	.742	3.712	77.277			
11	.659	3.296	80.573			
12	.607	3.034	83.607			
13	.570	2.851	86.458			
14	.484	2.419	88.877			
15	.478	2.390	91.266			
16	.446	2.229	93.495			
17	.409	2.047	95.542			
18	.368	1.842	97.385			
19	.276	1.382	98.767			
20	.247	1.233	100.000			

Extraction Method: Principal Component Analysis.

The cumulative variance of the five most correlated challenges to land administration and land market in Delta State is presented in table 4. The eigenvalue in the table, and the total under eigenvalue revealed the amount of total variance in the original variable accounted for by each of the components. The variance which is simply the ratio of variance accounted for by each of the component to the total variance of the variables. The analysis required the first five components to be extracted and the first five components form extracted solution and the most highly

emphasized challenges to land administration and land market in Delta State. The extraction of sum of the square loadings in the second section explained the variability in the original 20 variables. The extracted components explained 60.597% variability in the original variables. therefore this study considerably reduce the data by selecting the extracted components as the most emphasized factors or components with the minimum of 39.4% loss of information. This further indicates that the outlined challenges to land administration and land market in Delta State.

Table 5. Factor loading analysis of factors

Challenges	Factor loadings	Eigen value	% of variance
Factor 1: Market and technical challenges		5.170	25.850
Poor Demand For Land	.727		
Inadequate Supply Of Land	.724		
Infromal Land Activities	.646		
Weak Land Admin Process	.586		
Unregulated Land market	.610		
Factor 2: Market factors challenges		2.070	10.348
Land Speculation Problem	.784		
Activities Of Land Grabbers	.781		
Factor 3: Administrative challenges		1.663	8.317
Poor Awareness On Land Process	.810		
Unclear Land Tenure/Right	.673		
Incompetency Land Administrators	.548		
Factor 4: Cost and legal challenge		1.174	5.869
High Cost Of Land Registration	.827		
Multiple Ownership Factor	.586		
Factor 5: Bureaucratic challenge		1.034	5.171
Cumbersome Procedures Of Land Registration	.717		
Factor 6: Financial challenge		1.008	5.042
Lack Of Credit From Financial Institutions	.941		

Source: Field Survey, 2019

The result of analysis of challenges to land administration and land market as presented in table 5 revealed that the five factors loaded constitutes about 60.597% variance in the challenges of land market activities in Delta State. The cut-off point for this study is taken 0.5 and above as general

rule of thumb applied. The first (1) factor is Market and technical challenges which explained about 25.85% variance in the challenges to land administration and land market in Delta State and such Market and technical challenges such as poor demand for land, inadequate supply of land, informal land activities, weak land admin process and unregulated land market. The factor (2) is market factors and it explained 10.35% variance across 20 variables, this suggests that market factors such as land speculation problem and activities of land grabbers were major market challenges to effective land administration. Factor three (3) is named as administrative challenge, and it explained 8.317% variance in the determinant factors that influence land market activities. Such administrative challenge comprises of poor awareness on land process, unclear land tenure/right and incompetency land administrators were major administrative challenges to land administration and land market in Delta State. Factor four (4) is named as legal cost challenge, and it explained 5.926% variance in the challenges to land administration and land market. Such legal cost challenge comprises of high cost of land registration and multiple ownership factor. Factor five (5) is Bureaucratic challenge, and it explained 5.171% variance in the challenges to land administration and land market activities, such Bureaucratic challenge comprises of Bureaucratic challenge. Factor six (6) is financial challenge, and it explained 4.40%, financial challenge comprises of lack of credit from financial institutions.

POLICY IMPLICATIONS AND RECOMMENDATION

This research effort has been able to empirically investigate land administration system in Delta state, Nigeria, with a view to evaluating the process and ascertaining the constraints inhibiting effective land administration system in the State in order to propose a workable pathway towards improving the current situation of LAS in the State. The study provided practical inputs for policy makers in decision making process as it relates to building a sustainable land administration that will guarantee human and economic growth and development. The study also exposed the challenges associated with the current land administration system and in the State and this will help to re-directs research interest by both academics and industry-based researchers as it provide basic empirical evidence on the challenges of LAS and in the State. An effective land administration is a crucial component of any developed market economy, bringing a variety of advantages to people. The study revealed that land administration is still developing in the study state and that the current situation is not encouraging to make it a favorable avenue/environment for real estate development at a scale and affordable rate. The study revealed that the identified requirements for effective land administration system were important and indispensable. It was also discovered that land title registration and standardization of the process were two major requirements for successful land administration. It is evident that land administration in the study state is fraught with various challenges ranging from administrative and bureaucratic challenges, technical challenges, legal challenges and financial challenges. It was recommended therefore that

a sound land administration system with a robust strategy be put in place to ensure long-term sustainable real estate development, public-private-participation approach should be introduced to provide capacity and finance to support LAS process towards effective land access by all (poor and rich) in Delta state, Nigeria.

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