

## **LAND GRABBING: IMPLICATIONS OF 1978 LAND USE ACT ON RURAL LIVELIHOOD SUSTAINABILITY IN CROSS RIVER STATE, NIGERIA**

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**ABSTRACT:** *Land grabbing is an unprecedented phenomenon affecting rural areas and their livelihood. Land grabbing and or rush has been observed to an aged long practice by the feudal lords, big investors and the elites in several areas and communities. The present study examined the impacts posed by the 1978 Land Use Act (LUA) on livelihood sustainability options of the rural dwellers. Data were gathered through the administration of 100 structured questionnaire copies to rural dwellers mainly chief council, youths and women of Ekong Anaku, Mbarakom in Akamkpa L.G.A and Ibogo community in Biase L.G.A. Similarly, 40 oral interviews were conducted across the sampled communities. Results obtained revealed that land grabbing was in existence in Cross River State and had had substantial influence on the livelihood of rural dwellers. This observation on land grab was necessitated by the 1978 land-use act which gave the state government the absolute right to own and administer resources without recourse to free prior information consent (FPIC). The act was observed to bring about land loss and food security issues in the area. Based on the result, it was recommended that grabbed lands should be reallocated back to the communities or a fresh memorandum of understanding re-entered between the companies, government and the impacted communities.*

**KEYWORDS:** Land grabbing, 1978 Land Use Act, Rural livelihood & Cross River State.

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### **INTRODUCTION**

Land grabbing and or rush have been observed to an age long practice by the feudal lords, big investors and the elites in several areas and communities. Land grabbing simply has to do with heavy land take by an individual (s) for purposes of personal investments as against the general interest of the community, state or country. Besides the critical issue of land grabbing, another serious issue is the domestic food security. While most land deals aim to export produce to the investor's home country, many states hosting the investments suffer from food insecurity. Tanzania, Kenya, Ethiopia, Mozambique and other target countries are among those with the highest rate of undernourished people worldwide (Mann & Smaller 2010). Some of the host countries suffer from regular food crises and receive food assistance by the WFP, such as Sudan and Cambodia (GRAIN 2008); Tanzania is also among these 9 recipients (Spielloch & Murphy 2009). Daniel and Mittal (2009) argue that 1.5 billion small-scale farmers worldwide depend on access to land for their own food security. If they are forced to leave their land or to become plantation workers, they will lose their direct source of food security. Water insecurity is another critical issue related to land deals, as investors often acquire water use rights associated with the land. "In practice, such water rights appear to come free, or close to it, in the valuations given to the land in investment contracts" (Mann & Smaller, 2010). It is also worthwhile to mention that in most cases even when the investors promise to offer employment to the local people whose lands have been grabbed; it is usually

seasonal in nature, lowly paid and offer poor working conditions as the case of plantation workers in Mali (Oviedo, 2011).

Often, host governments do not have the prerogative to compel foreign investors to adhere to their promises (Morges, 2010). In addition, for some local people, it would be very difficult for them to easily adapt new strategies in order to take advantage of the opportunities provided by investment in the grabbed lands. This could mean that, the livelihoods of such people will become very precarious. Opponents of land grabbing, however, hold the view that land grabbing benefits or opportunities as argued by the proponents are needless, considering the challenges that the land acquisitions present to people's livelihoods. Andersen (2010) for example, believes that, if the risks associated with land acquisition are not properly handled, it would not bring the desired development opportunity to the host countries. These risks are natural resource degradation, loss of traditional farming techniques and increasing food insecurity. Andersen (2010) further stressed that, even though many of these land-lease agreements make provisions for investments in rural development; they are usually not made on equal terms between the investors and local communities, which in several instances have threatened rural livelihoods such as farming and livestock rearing.

Theting (2010) opined that recent studies conducted in some Eastern African countries like Kenya, Tanzania and Mozambique revealed that, the large scale agricultural investments of grabbed lands failed to fulfill the promise of building infrastructure, and creation of jobs. Kachika (2010) adds that, even in situations where farmers were employed, the conditions contained in the contracts were not favorable and the number of workers was much reduced due to the mechanized nature of the farm. In terms of productivity, studies have shown that, the yield or output from large scale agricultural projects on grabbed lands is not greater than small holder farms which have received enough investment to improve their productivity. Family-operated farms can be economically more efficient than big farms or plantations operated by wage labour (Tran-Nguyen, 2010). Similarly, the Pesticide Action Network, Asia and the Pacific (PANAP, 2010) argues that land grabbing undermines and ruins small-scale and backyard farming that is otherwise built on local, indigenous and gender-based knowledge, often times employing biodiversity based techniques. Big investments in grabbed land may induce land-use changes to the disadvantage of food security because high quality land may be diverted from local food production, livestock grazing, and income generation activities previously undertaken by 26 rural communities. As a consequence, smallholders may have no other option but to seek a living on marginal lands (Action Aid International, 2008). It succinct that, the global land grab will have the effect of encouraging the dominance of the state to the disadvantage of the original owners and occupants (Borras and Franco, 2010).

Foreign large scale agricultural investments on grabbed lands could in theory contribute to global food security; but it could also create problems of food sovereignty in the host countries due to heavy exportation (Jägerskog, Harsmar and Kim, 2012). The National Association of Professional Environmentalist (NAPE, 2012) for instance, revealed that people living on Bugala Island in Uganda used to grow beans, yams, peas, maize, and bananas some of which were supplied to other communities; but today, the island has to import almost all its supplies of bananas, rice, beans and maize flour due to land grabbing activities in the area. Makutsa (2010) addressing the effects of land grabbing on livelihoods indicates that there will be severe food deficit in the Tana delta in Kenya, a home to many

land grabbing cases, if all the proposed agricultural investments on all grabbed lands take off in the region.

Due to the huge capital investment in grabbed lands, local subsistence farmers and pastoralists are now taking interest in casual paid jobs which are lowly paid. Evidence from plantation workers on grabbed lands in Mali and Sierra Leone, shows that seasonal workers in Sierra Leone, for example, are paid approximately USD 2.25 a day, while workers in Mali receive even lower wages of USD 0.60 to USD 1.20 a day (Oviedo, 2011). Against this backdrop, it could be argued from the literature that, food security in developing economies will be a mirage since many subsistence farmers are converting into casual paid workers on foreign invested lands. Hence, local communities in developing nations will become less able to afford that food, even though it grows in their own country (Christiane, Timo, Knoblauch and Krista, 2011).

A major effect linked to the acquisition of vast tracts of land is the potential loss of residential-based assets. Such effects may be, especially worsened when the land is acquired forcefully without any form of negotiation and also accompanied by forced evictions of affected population and livelihood assets (Milimo et al, 2001; cited in Cotula, 2012, Alison, Sylvain, Rolf and Sofia, 2011). Land grabbing, instead of facilitating rural development, rather deprives the host country the natural resources that constitute the assets upon which rural livelihoods are drawn. Not only does land grabbing mean that farmers will lose their livelihood assets, but also these assets will be transformed from smallholding into large industrial farms, mainly meant to produce for the international markets (GRAIN, 2008).

The land use Act (LUA) of Nigeria as enacted by the Federal Government in 1978 by the then head of State, General Olusegun Obasanjo was done in a good spirit and intention. The crux of this act was premised on the overriding public interest which was geared toward the development of infrastructural facilities without much stress of encumbrance's base on land acquisition issues. Invariably, having implemented land use act in Nigeria, land became the sole responsibility of State Governors to administer. This in present day Nigeria have become a thing of worry to the rural dwellers as their land is being collected an

d reallocated to the multinational companies against the involvement of the rural persons due to the disregard of the customary land rights, which predates the land use act. Therefore, while the customary land rights allowed land and land resources to be governed and administered by the communities who own it, LUA seems to deprive them. However, this form of governance had allowed rural livelihood sustainability options ranging from clean water from streams and springs, edible leaves, nuts and spices/forest snacks, bush meat/snails, land for farming and settlement expansion and so on. But with the poor management of the land use act by the administration as observed in three forest communities namely: Ekong Anaku, Mbarakom (Akampkpa LGA) and Ibogo (Biase LGA) which have large Greenfield oil palm plantations belonging to Wilmer PZ and Real oil plantations etc. From the foregoing, the communities which are agrarian and rural, had over the years been depending on forest resources for their livelihood, are now displaced thereby causing food security issues and lack of space for further settlement expansion as a result of large land taken for oil palm cultivation. Therefore, it is against this background that the study seeks to investigate the impact of the land use act which has suddenly become a veritable for land rush/grab on livelihood sustainability of the rural dwellers in the study area. In the light of these, the following specific objectives are stated as follows: to examine LUA impact on the community people and their livelihood, purposes of land grab and its resultant effects on

livelihood. However, an hypothesis was postulated as there is no significant relationship between land grabbing and rural livelihood sustainability option in the study area.

## **MATERIALS AND METHOD**

The study adopted the survey design which aided the development of the framework through which data was collected. Data for the study was collected from a smaller unit of the socio-economic and cultural environments over varied numbers of variables.

Furthermore, the types of data for the study were as follows:

- a. Data on land resources governance.
- b. Data on land use act and its effects on the people.
- c. Data on land rush and grabbing.
- d. Data on land acquisition.

Invariably, the sources of data were mainly primary. Data was collected from the rural dwellers of Ekong Anaku, Mbarakom in Akamkpa L.G.A and Ibogo community in Biase L.G.A. The sample population was mainly the Chief Council, youths and women in the area. The main instrument that was used for data collection was the questionnaire. In the same vein, the focused group discussions (farmers, Chief Council, forest resources (NTFP's), gatherers/collectors), oral interviews through the use of semi-structured questions, key informants and participatory rural appraisal (PRA) were also adopted for the study.

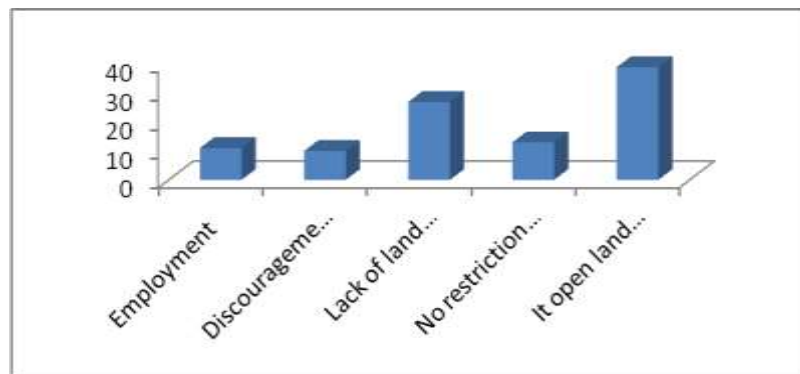
Purposive, systematic and random sampling techniques were adopted for the study. Purposive sampling was used in the selection of communities to be sampled based on the presence of Wilmer PZ plantations. Systematic sampling was used in determining the sample size, questionnaire administration pattern, while random sampling was used in the administration of questionnaire among women, youths and community elders. However, a total of 100 questionnaires were administered across the three communities as follows: Ekong Anaku 30, Mbarakom 35 and Ibogo 35, which gives a total of 100 questionnaires. Similarly, a total of 40 oral interviews were conducted across the sampled communities. Data was analyzed using simple descriptive statistics such as tables, chart, graphs, percentage, frequencies and pictures to bring the study to a more clear perspective.

## **DATA ANALYSIS AND DISCUSSIONS**

### **Land Use Act impact on community people**

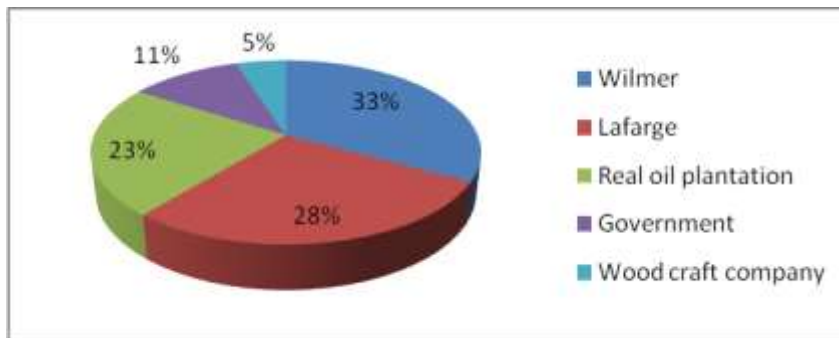
In relation to land use act (LUA) of 1978, as duly enacted the indigenes of the area are familiar with the act but do not really know the full details and implications of the LUA on their livelihood sustainability. Hence, from the total responses from respondents, it was noticed that 61 percent of the respondents claimed that they were aware of the existence of LUA, but knew that people say land belongs to government. On the other hand, 39 percent laid claim to not being aware of the existence of the LUA.

Invariably, with the introduction of LUA in Nigeria, the Governors of the States became more involved and in-charge of land allocation especially to multinational companies and other big industries. In specific terms, the LUA impact in the rural surveyed communities was observed to be on the negative side. This is consequent upon the fact that it has led to massive land take by government to the multinational companies like Wilmer PZ, Real oil and others without recourse to the inhabitants consent. That is there is none application nor consideration of free prior information consent (FPIC). Therefore, this pattern of land acquisition and allocation have brought about indiscriminate entry into contiguous community lands without due consultation as the option had the highest value of 39 percent. Again, there has been lack of control over the land which was referred to by 27 percent of respondent. However, there is lack of restriction on land intake, lack of farm expansion and unemployment which have given arise to imminent threat of serious food security in the area. This is highly a problem of serious concern as communities do not partake on the memoranda of understanding (MOU) which has left the people out in collective bargaining. Again, LUA implementation has made most companies to encroach and grab lands from communities viz-a-viz displacing them from their own lands without any form of compensation.



**Fig. 1 Land rush/grab in the area**

On the issue of land rush and grabbing in the study area, it was discovered that the land belonging to the community were largely handed over to Wilmer PZ as 33 percent of the respondents said so. Again, Lafarge Africa and Real oil Plantation were also seen as those who have large expanse of land especially around the Ekong Anaku area indicated by responses of the respondents as 28 and 23 percent respectively. On the other hand, the community people during interviews expressed that Lafarge Africa amidst other companies have shown some faith of good hope to the community, though minimal. Significantly, land grabbing is viewed as a boon to any society or community because of its huge positive benefits to the indigenous people as highlighted by the World Bank report of (2010), to include but not limited to the followings; farm and off-farm jobs, and the construction of rural infrastructure including schools and health posts for the poor rural dwellers. But strongly opposed by Anderson, (2010) work because he sees land grabbing negativity as the overwhelmingly phenomenon as against its positive impact which could be seen in the case of the study area. In terms of the promises often made by investors such as the provision of social amenities and economic infrastructure, it has been reported, notably by the World Bank, a proponent of land grabbing that, these benefits usually do not materialize in several instances or at least are very slow to come (Morges, 2010).



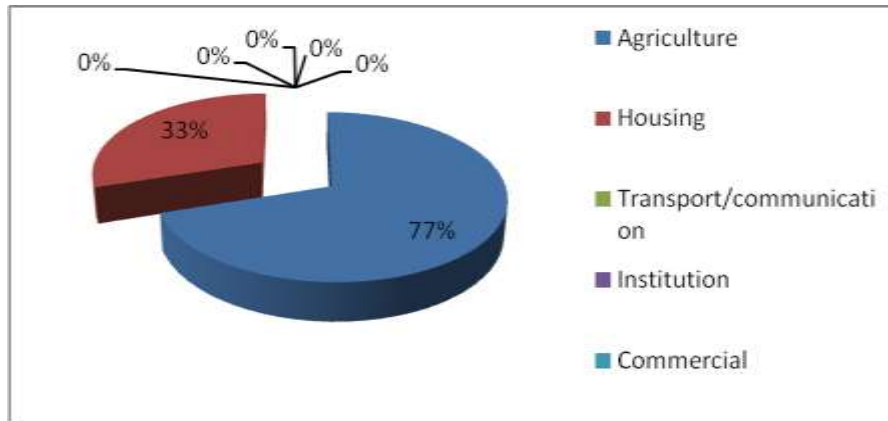
**Fig.2 Land grabbing in the area**

### **Purpose of land grabbing**

In investigating the rationale behind land grab and rush in the area, it was mainly noted that this lands are used for agricultural purposes. This is mainly Greenfield plantation in the area that they have assessed. This is informed through the data pattern from the field as the option had the value of 77 percent. Only about 23 percent of the land is used for housing.

However, this study finding is in agreement with Braun and Ruth, (2009), Haralambous, Liversage and Roman, (2009) study on the potential benefits arising from land deals or grabbing which include resources for new agricultural technologies and practices as well as future global price stability and increased production of food crops that could supply local and national consumers in addition to foreign consumers. In their study findings, it was also discovered that land grabbing leads to increased investments in food and agro-fuel production flows to rural areas of developing countries, which could present essential benefits and opportunities for promoting the livelihoods of poor rural communities. Such investments have the potential to boost the agricultural sector, promote its modernization and stimulate rural economies by the development of processing industries, livelihood diversification and employment generation; increased agricultural productivity through the provision of improved seed varieties, know-how and new technologies; low cost of production and higher returns for the farmers, provision of facilities such as roads, ports, schools, health centers and water services. Similarly, their findings are also in line with Sheppard and Mittal, (2009) work which says that large scale land acquisitions can be a “win-win” deal. Investing grabbed lands in agriculture can be a growth opportunity. This is because increasing the size of land under agricultural production and improving productivity through the application of modern farm techniques and economies of scale will benefit the country of the investors as well as the host country financially. Again this background, the world bank (2010) report on land grabbing highlights that, in countries where there are large tracts of suitable farmland coupled with a greater percentage of smallholders with very low productivity, the inflow of foreign investment and technology could provide large benefits to local populations. From the perspective of the World Bank, local communities can learn new production methods from foreign investor’s expertise and capital in order to utilize their own resources more efficiently and become more productive. But in the study area of this work, the rural dwellers are marginalized by other companies except Lafarge who shows little concern and as such, no provision of processing industry and other social amenities has been made to improve the

economy status of the area as well as promoting the living condition of the people as seen in the research finding.



**Purpose of land grab**

**Test of hypothesis**

There is no significant relationship between land grabbing and rural livelihood sustainability option in the study area.

$$n(\sum x y) - (\sum x) - (\sum xy)$$

$$\sqrt{n \sum x^2 - (\sum x)^2} \sqrt{n \sum y^2 - (\sum y)^2}$$

S/N	X	Y	X <sup>2</sup>	Y <sup>2</sup>	XY
1	77	24	5929	576	1848
2	33	28	1089	784	924
3	0	9	0	81	0
4	0	20	0	400	0
5	0	10	0	100	0
6	0	3	0	9	0
7	0	6	0	36	0
	Ex=100	Ey=100	Ex <sup>2</sup> =7018	Ey <sup>2</sup> =1986	Exy=2772

Substituting into the formula

$$n(\sum x y) - (\sum x) - (\sum xy)$$

$$\sqrt{n \sum x^2 - (\sum x)^2} \sqrt{n \sum y^2 - (\sum y)^2}$$

$$= 7(2772) - (100) - (100)$$

$$\sqrt{7x 7018 - (100)2} \times \sqrt{7x 1986 - (100)2}$$

$$r = 0.76$$

From the correlation above the correlation coefficient (r) value of 0.76 was obtained which is an indication of a strong correlation between land grabbing and rural livelihood sustainability options of the rural dwellers in the study area. In other words, land grabbing has totally restricted rural livelihood sustainability of the local people. Given this scenario, a coefficient of determination of 60 percent was obtained. This implies that about 60 percent of land grabbing is related to the rural livelihood sustainability options problems of the rural dwellers.

To test for the significance of the correlation coefficient, the researcher went further to validate the (r) value to see whether it occurred by chance or not by adopting the students' distribution test. To this end, a hypothesis was stated thus:

H0: The strong positive correlation coefficient occurred by chance

H1: The strong positive correlation coefficient did not occur by chance

The formula is given as

$$t = r \frac{\sqrt{N-2}}{1-r^2}$$

$$t = 0.76 \frac{\sqrt{7-2}}{1-(0.76)^2}$$

$$t = 2.61$$

Therefore

$$t \text{ calculated} = 2.61$$

$$\text{Significance level} = 0.05$$

$$\text{Degree of freedom} = 5$$

$$t\text{-tabulated} = 2.57$$

**Decision:** Since the t calculated value of 2.61 is greater than the t tabulated value of 2.57, the researcher therefore accepts the alternate hypothesis and rejects the null hypothesis that the correlation coefficient occurred by chance.

## CONCLUSION AND POLICY DECISION

This paper has explored the implications of land rush on local communities dependent on land that has impacted rural livelihoods and rising food prices in Cross River state. The companies' interest that is mainly for profit is in sharp contrast to that of the local communities whose agency to protect their land remains weak. The ultimate goal of local



food production for securing food for the local people remains the viable means. However, oil palm plantations serve other external purposes that do not address the food needs of the people. What needs to change requires that local farmers are not dispossessed and displaced by an obnoxious law in the form of the Land Use Act of 1978 which seem to be moribund in the current realities of land hunger, food insecurity and rising poverty in the study area. This makes it imperative for a review of the law in ways that expresses local agency in forests and natural resource management.

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