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Policy Brief

Access To Land and Violent Conflicts in West Africa: The Case of Lagos, Nigeria


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CONTENTS

- 04** EXECUTIVE SUMMARY
- 06** KEY POINTS
- 07** INTRODUCTION
- 08** CAUSES OF VIOLENT LAND
CONFLICT IN LAGOS, NIGERIA
- 11** IMPACT OF LAND CONFLICT
- 13** CONCLUSION
- 13** POLICY RECOMMENDATIONS
- 15** ACKNOWLEDGEMENT
- 16** REFERENCES

EXECUTIVE SUMMARY

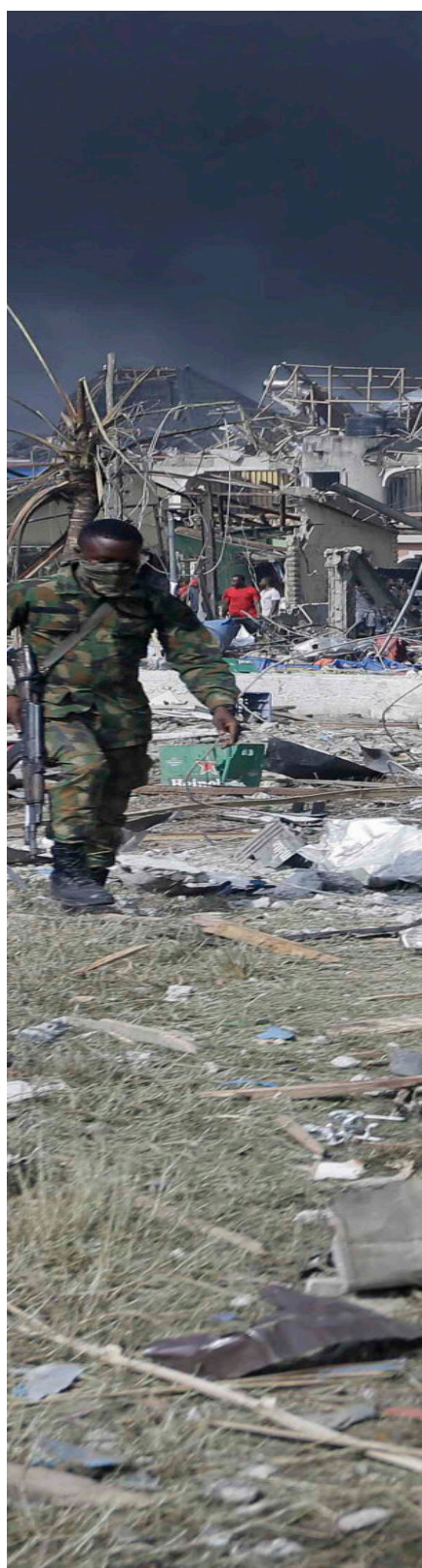




Land attracts wealth and investments. This fact is what makes it a social and cultural asset, and which is why people have deep attachments to it. This can be attributed to the economic and social good of land, coupled with its fixed supply. These three factors among many others is the reason why it is heavily contested for in both rural and urban areas in Africa, especially in Lagos, Nigeria, West Africa's primary economic centre. Land conflicts result in the destruction of economic resources and loss of human life, social and political instability, and undermines productive investments. This brief examines the causes and impacts of violent land conflicts driven by access to land. This is with a view of providing an alternative policy option targeted at addressing violent land conflict. Lagos was selected as a case study based on its economic status in West Africa. Data collected was through interviews with twenty-three (23) representatives of indigenous land holding families (ILFs) in the five administrative divisions of Lagos State, and 19 officials from Government Offices Providing Land Delivery Services (GOPLDS). The main causes of land conflict discovered include; inadequate and non-payment of compensation for land compulsorily acquired by government, weak land governance, poor organisational structure of the customary land delivery institution, among others. These are issues that can be observed in other parts of West Africa and perhaps the continent at large, and it requires urgent attention within the context of regional integration and the African Continental Free Trade Area (AfCFTA). The policy recommendations made to address land conflict and allow peaceful access to land includes: the adoption of intergenerational compensation, institutionalising the organisational structure of the landholding families, adopting good land governance, and leveraging alternative dispute resolution approach to prevent violent conflicts.

Key Points

- The land-population ratio imbalance in Lagos drives unhealthy competition for land. This has proven to be a conflict driver which has led to the destruction of economic assets and loss of human life. As a result of this, the social and political stability of Lagos is also affected.
- The unhealthy competition and land-population ratio imbalance results in violence due to: inadequate compensation -payment for land compulsorily acquired by the government, weak land governance, poor organisational structure of the customary land delivery institution, ineffective institutional framework for conflict management, and non-enforcement of land law.
- Through the conflict prevention lens, the following are recommended: adoption of intergenerational compensation, institutionalising the organisational structure of the landholding families, enhancing good land governance and leveraging alternative dispute resolution approaches to prevent violent conflict.



Introduction

On 19th June 2020, armed men stormed the compound of the Nigerian High Commission in Ghana and destroyed some buildings under construction over ownership claims.ⁱ Similar cases of forceful dispossession of lawful owners from their landed properties and associated land conflicts have also been reported in Nigeria. In a particular land conflict in Lagos Nigeria, more than 400 properties were destroyed over land ownership disputes.ⁱⁱ The Nigeria Watch database noted that there were 2,846 violent deaths resulting from land conflicts from 2006 to 2014 across various states in Nigeria.ⁱⁱⁱ Land conflicts are also a major cause of unrest in Angola, Côte d'Ivoire, the Democratic Republic of the Congo (DRC), Liberia, Sierra Leone and Kenya. For instance, the disputed 2007 Kenyan elections, which resulted in the deaths of more than 1,100, with 3,500 injuries minimum, and destroying at least 115,000 homes were fuelled by unresolved land related grievances.^{iv} This example also shows how land conflicts, which are primarily economic in nature, can be weaved into the political context of African countries.

Sustainable development cannot be realised without peace and security. Specifically, Goal 16 of the United

Nations Sustainable Development Goals (SDGs) is a worthy reference.^v Achieving this goal in a city like Lagos is partly hinged on promoting peaceful access to land, as violent land conflict has become rampant within the last two decades. It is also worthy to note that land disputes constitute a considerable number (30%) of total cases in the formal court system in Lagos^{vi vii}. In Lagos, many people have been killed, maimed and or rendered homeless as a result of land conflicts in the state. For instance, in 2017, Lagos State recorded 1,200 cases of land conflict in nine months, with only 250 resolved.^{viii}

Land conflict ranges from mere dispute or misunderstanding over land ownership claim between two people or families to full-blown conflict involving disparate communities, either interstate or intrastate secessionist conflicts.^{ix} Given the increasingly high demand for land which supply cannot meet, particularly in urban centres like Lagos, competition is inevitable. Weak land governance in this context is proven to encourage violent conflicts.^x Herdsman-farmer crises, banditry, boundary and border disputes, and resource control are a testament to this fact.^{xi} The importance of land as

an economic and social good, coupled with its fixed supply, makes it an object of constant contestation and conflict between people and sometimes institutions [including state actors].^{xii} Furthermore, the emotional attachment people have to land may readily incite violence. Courts sometimes grant injunction on the use of the disputed land until the matter is disposed of, making it unavailable for use. Meanwhile, despite the frequency and significant costs of violent land conflicts, efforts to address the problem are often reactive and not effective, rarely addressing the underlying causes.

Examining the causes of violent land conflicts driven by access to land in Lagos, Nigeria, with a view of providing an alternative policy option targeted at addressing them and recommending a pathway to peaceful land access is at the nexus of this brief. Thus, a qualitative research approach involving semi-structured interviews was undertaken on representatives of indigenous land holding families in Lagos State, Nigeria and key informants from Government Offices Providing Land Administration Services in Lagos State¹. Views of the participants were sought on their experience with violent land conflicts in the city. Information collected was analysed using thematic analysis to provide answers to the research questions of the study accordingly.

Causes of Violent Land Conflict in Lagos, Nigeria

The causes of violent land conflict in Lagos, Nigeria discovered from field survey are:

a. Inadequate and non-payment of compensation for land compulsorily acquired by government

Across African cities, land acquisition results in conflicts as a result of inadequate or non-payment of compensation. In Tanzania, compensation disputes in land acquisition accounts for about 19% of land-related disputes.^{xiii} This is also the

¹ The policy brief is a part of a broader doctoral research on the nature and effectiveness of land delivery system in Lagos State, Nigeria. A total of twenty-three (23) representatives of indigenous landholding families (ILFs) in the five administrative divisions of Lagos State and 19 officials from Government Offices Providing Land Delivery Services (GOPLDS) participated in the research and were interviewed. Details of the participants and interview transcripts are contained in Olapade (2021).

case in Ghana^{xiv}, Ethiopia^{xv}, Nigeria^{xvi} and many other countries in Africa.^{xvii} When land is compulsorily acquired by the government without the payment of adequate compensation, the erstwhile owners of the land will feel cheated and will foment trouble. Such unresolved grievance is an exploitable vulnerability that may result in violent conflicts with the right trigger. In Lagos, Nigeria, a recent case that attracted media attention was the violent conflict that resulted from the inadequate compensation for the acquisition of land for the Lekki Free Trade Zone. The land conflict resulted in deaths and destruction of properties including an official of Lagos State Government.^{xviii}

b. Feud among members of the landholding families

Disputes among members of landholding families can result in land conflict. Such disputes can be internal or external in nature. Internal dispute arises when members within a landholding family quarrel among themselves. This could be as a result of unauthorised sales of family land by member(s), land encroachment or internal wrangling on the membership of family council. External dispute relates to

situations where the feud is between two or more different landholding families. Such disputes can be as a result of counter ownership claims, land encroachment, or violent land grabbing. Irrespective of the type of disputes among the landholding families, violent conflicts may become inevitable. For instance, members of a landholding family could engage the services of *ajagun gbale*, a non-state actor to dispossess their rival off their land and lay claim to the land. The *ajagun gbale* which are described as warlords waiting to be hired by anyone who can pay for their services to take over land by force^{xix}, employ violence to dispossess a person/family off their land rights.

c. Non-enforcement of land laws and other institutional framework

The non-enforcement of extant laws that aim to promote peaceful accessibility of land is another contributory factor to land conflict. In Lagos, Nigeria, there are various legislation for land governance such as the Land Use Act of 1978, and the Lagos State Property Protection Law 2016 among others. These legislations among other objectives are to prevent land conflict and allow peaceful access to land.

However, the applicable legislations are not properly enforced thereby resulting in people adopting a self-help approach, which usually results in land conflicts. The lack of implementation of these laws is associated with a lack of appropriate mechanisms for enforcement of the law. For instance, the Office of Taskforce on Land Grabbers which is charged with the enforcement of Lagos State Property Protection Law 2016, lacks the mechanism and capability to function efficiently. Information from the field survey shows that by the year 2020, the office had received a total of about 3,500 petitions relating to land conflict and have only been able to resolve 1,500 (42.86%) of such petitions. Although this is below and close to average, this Taskforce needs to be strengthened.

d. Defective Institutional Framework for Conflict Management

When land disputes are well managed through an effective dispute resolution approach; it will not likely degenerate into violent conflicts. iv Meanwhile, the formal institutional framework for conflict management in the study area espouses the adversarial system of dispute resolution that involves the

formal judicial system of using the courtroom; which might not be the best mechanism for resolving land conflict. The non-recognition of the non-adversarial dispute resolution techniques such as the customary arbitration system, allows land disputes to linger for long thereby resulting in violent conflicts. For example, in Lagos State, it takes an average of 447 days and around 42% of the value of a claim to resolve a dispute through the courts.^{xx} Meanwhile, land disputes represent about 30% of total cases in the formal court system^{xxi}, and most land conflict cases take longer than five years to resolve.^{xxii} Although the establishment of the Citizen Mediation Centres (CMC) and Lagos Multidoor Courthouse (LMDC) encourages the use of mediation and arbitration for resolving land disputes; however, information obtained from the field survey reveals that their adoption for land conflicts is still low.

Impact of Land Conflict

The following are impacts of land conflict:

a. Physical Injuries, Psychological Trauma and Deaths

Violent land conflicts lead to physical injuries and deaths. During land conflicts, dangerous weapons are sometimes employed by the parties involved and, in some cases, some non-state actors popularly referred to as *ajagun gbale* in Lagos are engaged to perpetrate violent acts. Other cases of violent land conflicts resulting in physical injury and death are recorded all over Nigeria. For instance, the Nigeria Watch database reported that land conflicts accounted for 1094 violent deaths in Nigeria in the year 2022.^{xxiii} While there were no documented actual figures of violent deaths from land conflicts in Lagos as at the time of our survey, most of the participants attested to the fact that land conflicts in their communities have resulted in the deaths of many victims. Apart from physical injury, land conflicts can lead to psychological trauma for individuals and communities affected by the conflict, such as: feelings of loss, displacement, and

fear. This has a long-term effect on the mental health and quality of life of community members even after peace has been restored.

b. Destruction of Properties

When there is land conflict, destruction of properties is rife. Buildings and other properties of the opposing party are usually destroyed as a show of force. Such destruction can amount to the loss of millions of dollars. For example, over 400 properties were destroyed in a land conflict in the Lekki area of Lagos in 2019. Again, properties worth several millions of Naira were recently destroyed in Lagos as a result of land conflict over ownership claims.^{xxiv}

c. Hinders Socio-Economic Activities of People

Land conflicts can hinder the socio-economic activities of people by reducing their economic opportunities. This is because land conflicts disrupt social and economic systems, leading to increased poverty and unemployment. For instance, tourism to an area can be discouraged as a result of land conflict, thereby leading to

economic losses for local businesses and those dependent on these businesses within the communities.

d. Hinders Community Development

Land conflicts can cause delays in development projects thereby hindering the progress and economic growth of a community. Since all physical development projects take place on land, land conflict can prevent the commencement of a project and also extend the duration period of a project. For example, the Lekki-Free Trade project in Nigeria was stalled for many months because of land conflict ^{xv} Similarly, there are cases of delays in projects across cities in Africa due to conflict arising from inadequate compensation during land acquisition.^{xxv}

e. Discourage investment in real estate

Businesses and investments avoid areas affected by conflict. This is to avoid a loss of investment. Investments in real estate are discouraged as a result of land conflict, because such investments are land dependent and cannot readily be moved from one location to another. When investors are not

guaranteed investment returns due to land conflict, they are discouraged from investing.^{xxvi} In the case of Lagos, information from the landholding families reveals that investors are wary of investing in customary land as a result of conflicts associated with such land.

Conclusion

Considering the importance of land as an economic and social good, there is a need for consensus efforts from the land delivery stakeholders to take a conflict prevention approaches to violent conflicts resulting from land dispute. The current policy of addressing land conflict through adversarial and formal judicial systems need to be complemented with alternative policies that will address the causes of land conflict such as: adoption of intergenerational compensation, institutionalising the organisational structure of the landholding families, adopting good land governance, and the use of alternative dispute resolution approach. Land conflict could result in the loss of life and properties, and also lead to social unrest with consequential destabilising effects on the entire society. It also affects the economic growth, private investment in the property market, and socio-political stability of a nation. While the focus of the study was narrowed on land conflicts between individuals when accessing land rights, conflicts involving communities either interstate or intrastate secessionist conflicts have not been considered. There is therefore a need to further the conversation and the author invites experts to engage the subject matter at various levels of analysis for policy audiences.

Policy Recommendations

- **The Use of Alternative Dispute Resolution and Conflict Management Approach:**

Proper adjudication goes beyond the adversarial and formal judicial process, but includes the use of alternative means of dispute resolution, especially the customary arbitration system which will allow speedy resolution of disputes and prevent it from degenerating to violent conflict.

- **Adoption of Intergenerational Compensation Strategy and Prompt Payment of Adequate Compensation**

Land conflict can be prevented by the adoption of intergenerational compensation strategy on land compulsorily acquired. This strategy relates

to the extension of compensation benefits from one generation to another wherein the community can benefit beyond a one-off payment either through staged payment into the future or other non-one-off payment strategies. This will likely prevent future generations of the ILFs from laying claim to land acquired by the government on the excuse of inadequate compensation. The current Excision Program being undertaken by the Lagos State Lands Bureau where the government grants excision to a community whose land is acquired for a government project is an example of Intergenerational Compensation. The process involves excising part of the land initially acquired back to the original family/community, and issuing a formal title on the excised land. However, the current practice in the State where such project-based excision is done in place of monetary compensation leave so much to be desired as the determination of the size of grant. Also, such procedures are not transparent. Since dispute from land acquisition and compensation accounts for a large percentage of land conflict in the study area and across Africa, such a policy direction offers hope to curb the menace of land conflict.

- **Institutionalisation of the Organisational Structure of the Landholding Families**

In addition, proper institutionalisation of the organisational structure of the landholding families will curb the problem of recurrent feuds among members of the landholding families which is born out of the weak organisation structures of the landholding families. Such institutionalisation will include the formal recognition of the administration of customary LDIs by way of standardising their organisational structure and land delivery practices. There is also the need for incorporating the customary LDIs into the formal system as it is the practice in some African countries like Ghana. Such a policy will also allow the public to know the extent of landholdings of each family and those who can act on behalf of the family. This will curb the problems of internal disputes on the membership of family council, counter ownership claims, and land encroachment which usually lead to the invitation of the Ajagun gbale and subsequent violent land conflict that follow.

- **Proper Enforcement of Extant Land Laws and the Adherence to Good Land Governance Principles**

Finally, there is a need for proper enforcement of extant land laws and the adherence to good land governance principles to curb land conflicts. Land laws such as the Land Use Act of 1978, the Lagos State Property Protection Law 2016 and others enacted to promote peaceful accessibility of land and tenure security should be enforced. This is because the proper enforcement of laws serves as a deterrent to future violation of law. Without strong institutions to enforce property rights through the enabling of laws, there will be no end to violent land conflict. For instance, the office Taskforce on Land Grabbers, which is charged with the enforcement of Lagos State Property Protection Law 2016 needs to be strengthened for better efficiency. Similarly, the Land Use Act should be well implemented by activating Section 46 of the Act that enables the National Council of States to make regulations to carry the Act into effect including matters relating to the method of assessment of compensation, transfer by assignment, and other matters. This, therefore, calls for the presentation of such regulation for consideration by the Council of State.

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References

- i. The Cables (2020). Armed men break into Nigerian High Commission in Ghana, demolish apartments. Available on <https://www.thecable.ng/armed-men-break-into-nigerian-high-commission-in-ghana-demolish-apartments>
- ii. Hanafi, A. (2019). Terror tactics of Lagos, Ogun notorious land grabbers. Punch Newspaper. Available online at <https://punchng.com/terror-tactics-of-lagos-ogun-notorious-land-grabbers/>
- iii. Conroy, S. (2014). Land Conflicts and Lethal Violence in Nigeria: Patterns, Mapping and Evolution (2006 – 2014). IFRA-Nigeria working papers series, No. 38. Available online at <http://www.nigeriawatch.org/media/html/WP9ConroyV5Final.pdf>.
- iv. Hazen, J. (2013). Survival at stake: Violent land conflict in Africa. In LeBrun, E., Macdonald, G., Alvazzi del, A., Berman, E., and Krause, K. Small Arm Survey 2013: Everyday Dangers. Cambridge University Press. Cambridge. Pp. 103-132.
- v. Bouzar, K. (2021). No peace, no sustainable development: A vicious cycle that we can break. Available at <https://www.un.org/en/chronicles/article/no-peace-no-sustainable-development-vicious-cycle-we-can-break>.
- vi. Adeniyi, P. O. (2018). Implementing land reform in Nigeria: The PTCLR's Experience. Paper presented at the National Stakeholders' Dialogue on Land Reform in Nigeria held at Sheraton Hotels and Towers, Abuja June 4-7, 2018.
- vii. Olapade, D. T. (2021). A Study of Land Delivery System in Lagos State, Nigeria. Ph.D. dissertation submitted to the Department of Estate Management, Obafemi Awolowo University, Ile-Ife.
- viii. Akintola, L. (2018) Why Land Grabbers Are On the Prowl. Independent Newspapers Nigeria, 15th December, 2018 available at: www.independent.ng/why-land-grabbers-are-on-the-prowl/ accessed on 30/09/2023

- ix. Hazen, J. (2013). Survival at stake: Violent land conflict in Africa. In LeBrun, E., Macdonald, G., Alvazzi del, A., Berman, E., and Krause, K. *Small Arm Survey 2013: Everyday Dangers*. Cambridge University Press. Cambridge. Pp. 103-132.
- x. Langdown, I., & Domingo, P. (2021). Why land is important in understanding violent conflict. Available online at <https://www.odi.org/en/insights/why-land-is-important-in-understanding-violent-conflict/>
- xi. Osinbajo, Y. (2018). Speech at the National stakeholder dialogue on land reform in Nigeria. Held at Abuja, 4th June, 2018.
- xii. Wehrmann, B. (2017). *Understanding, preventing and solving land conflicts: A practical guide*. Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ). Bonn
- xiii. Komu, F. (2016). Real estate economics and expropriation solutions to land policy problems. Paper presented at the FIG Working Week 2016 held at Christ Church, New Zealand, 2-6th May.
- xiv. Anim-Odame, W.K. (2011). *Compulsory Acquisition and Compensation in Ghana: Principles & Practice*. Paper presented at the American Real Estate Society Conference in Seattle-Washington, USA, 13 -16 April 2011.
- xv. Alemu, B. Y. (2013). Expropriation, valuation and compensation practice in Ethiopia. *Property Management*, 31(2), 132 – 158.
- xvi. Olapade, D.T., Ojikutu, O., and Aluko, B.T. (2022). Forestalling conflicts in compensation of compulsory acquired customary land: the intergenerational payment option. *Journal of African Real Estate Research*, 7(1), 38-55. <https://doi.org/10.1007/s12132-022-09463-x>.
- xvii. Food and Agriculture Organization of the United Nations (FAO) (2012). *Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security*. FAO, Rome
- xviii. Tagliarino, N.K, Bununu, Y.A. Micheal M. O, De Maria. M. and Olusanmi, A. (2018). *Compensation for Expropriated Community Farmland in Nigeria: An In-Depth Analysis of the Laws and Practices Related to Land*

- Expropriation for the Lekki Free Trade Zone in Lagos. *Land*, 7 (23), 1-38. Doi:10.3390/land7010023
- xix. Hanafi, A. (2019). Terror Tactics of Lagos, Ogun Notorious Land Grabbers. *Punch Newspaper*. Available online at <https://punchng.com/terror-tactics-of-lagos-ogun-notorious-land-grabbers/>
 - xx. World bank (2021) Doing Business 2019 Report in Nigeria Report. Available online at www.doingbusiness.org/data/exploreeconomies/nigeria/
 - xxi. Olapade, D. T. (2021). A Study of Land Delivery System in Lagos State, Nigeria. Ph.D. dissertation submitted to the Department of Estate Management, Obafemi Awolowo University, Ile-Ife
 - xxii. Adeniyi, P. O. (2013). Improving Land Sector Governance in Nigeria - Implementation of the Land Governance Assessment Framework (Synthesis Report). Abuja, World Bank
 - xxiii. Nigeria Watch (2022). Twelfth report on violence in Nigeria 2022. Available at www.nigeriawatch.org/media/html/2022_Annual_Report.pdf
 - xxiv. Joseph, T. (2023). Property Worth Millions Destroyed in Lagos Land Tussle. *Independent Newspaper*. Available online at <https://independent.ng/property-worth-millions-destroyed-in-lagos-land-tussle/>
 - xxv. Agboola, A. O., Amidu, A., Olapade, D. T., and Odebode, A. A. (2023). Transnational large-scale land investments in developing economies: What role do formal institutions play. *Land Use Policy* 134 (2023) 106924, 1-10.
 - xxvi. Olapade, D. T., and Aluko, B.T. (2022). Tenure Insecurity in Informal Land Delivery System of Lagos State, Nigeria: Causes and Manifestations. *Urban Forum*. <https://doi.org/10.1007/s12132-022-09463-x>

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