
EFFECT OF 1978 LAND USE ACT ON LAND OWNERSHIP DISPUTE IN ANAMBRA STATE, NIGERIA

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Abstract: The study examines the effect of Land Use Act of 1978 and its effect on Land Ownership dispute in Anambra State, Nigeria. The study also examined the inherent problems of Land Use act as well as importance of the act since its inception. The economy of a country also depends on land for its survivor. To make land in Nigeria available to all and to ensure that land is acquired and put to a proper use for the needed development, governments during and after colonial period enacted the Land Use Act to govern the use or administration of land in Nigeria. Land policy affects the economy of a nation either positively or negatively depending on how effectively the policy is implemented. The Land Use Act was enacted in 1978 with the aim of improving economic development by ensuring effective and equitable utilization of land and land resources in the country. However, achieving this objective has been hampered by two major obstacles. The study adopted survey research method, the study adopted system theory. The findings revealed inherent contradictions and defects in the law, and the second is institutional weakness and lack of political will to implement the Act fairly and equitably. However, the Land Use Act of 1978 (LUA) has failed to achieve some of its objectives. The failure is ascribed to problems inherent in the Act and poor implementation. To secure economic development and easy access to land by both government and the citizens, the study recommend the amendment of certain provisions of the Act as well as government to implement the amended version of the Act in a fair and equitable way.

Keywords: Land ownership, dispute resolution, 1978 Land Use Act

Introduction

Land is one of the most controversial assets of nature, a resource of primary importance upon which the whole economy of any nation hinges; hence any policy on land affects the economy of the nation positively or negatively depending on whether a right or wrong policy is initiated. Land is said to be fragile and scarce. This implies that it is not enough and difficult to acquire and also human activities can damage or destroy the land resources.

The Land Use Act of 1978 is a law that regulates the ownership, use, and management of land in Nigeria. It was introduced to address the challenges of land tenure and to provide a framework for land administration in the country. Anambra State, located in south eastern Nigeria, is one of the states in Nigeria where the Land Use Act has been implemented.

The Land Use Act has had both positive and negative effects on land use and dispute resolution in Anambra State. On the positive side, the Act has helped to simplify the process of land acquisition and registration, as it requires that all land in the state be registered with the government. This has reduced the incidence of multiple sales of the same land and has made it easier for individuals and companies to acquire land.

Additionally, the Land Use Act has made it easier for the government to acquire land for public purposes such as roads, schools, hospitals, and other infrastructure. This has helped to promote development in the state.

However, the Act has also led to several challenges in land dispute resolution in the state. One of the challenges is the fact that the Act vests all land in the governor of the state, making it difficult for individuals to have secure tenure on their land. This has led to conflicts and disputes between the government and landowners, as well as between different communities and individuals.

Another challenge is the fact that the Act has not been effectively implemented in the state. The process of land registration is still cumbersome and bureaucratic, leading to delays and inefficiencies. The lack of effective implementation has also made it difficult for the government to resolve disputes and conflicts between landowners.

The Land Use Act of 1978 has had both positive and negative effects on land use and dispute resolution in Anambra State. While it has simplified the process of land acquisition and registration, it has also created challenges in land tenure and dispute resolution. To address these challenges, there is a need for the government to effectively implement the Act and also engage with stakeholders to ensure that the Act is implemented in a way that promotes development and protects the rights of landowners.

Land is a valuable resource that is essential for human survival, economic growth, and social development. However, the ownership, use, and management of land in many parts of the world, including Nigeria, have been plagued by several challenges such as insecurity of land tenure, land grabbing, and conflicts over land ownership. To address these challenges, the Nigerian government enacted the Land Use Act of 1978, which regulates the ownership, use, and management of land in the country. Anambra State, located in south eastern Nigeria, is one of the states in Nigeria where the Land Use Act has been implemented. This essay will examine the effects of the implementation of the Land Use Act of 1978 on land use and dispute resolution in Anambra State, highlighting both the positive and negative impacts of the Act.

It is short in supply and needed to be effectively utilized in order to satisfy the aspiration of those who acquired it. Land is the basic necessity of life which provides food, shelter, and Livelihood to man (Oxford Advanced Learner's Dictionary 2006; and Omeje, 2008). The economic, social and environmental future of our country depends on the wise use of land. It is construed that no development can be effective without land. Thus, land without dimension of tenure is meaningless concept. For available land to be equitably managed among the people and promote maximal use of it by prospective resource owners, there is need for a worthy land policy to be in place for effective control and management of land in order to witness the desired development in Nigeria. Prior to 29th March, 1978 when the Land Use Act was enacted, there were land laws which governed land tenure systems in Nigeria. These laws were in use in the country and were later found

to be substandard because despite their existence, the problems of land tenure continued in Nigeria. One major problem was the difficulty in obtaining land by the government in major urban centers for national development because of land speculations, racketeering and high cost of compensation usually demanded by the land owners whenever government acquired land to execute its projects (Public land decree, 1976). Against this background, the Federal Government in a deliberate effort to unify land tenure, streamline and simplify ownership of land in Nigeria, set up the Land Use Panel in 1977 with certain terms of reference (Ojigi, 2012). The references were considered and adopted by the government which promulgated the Land Use Act, 1978. Land use Act is usually concerned with the legislation that provides the right to use of land in both urban and rural areas of Nigeria. The right includes the rights of occupation and development, alienation and many privileges associated with land. Virtually, every nation of the world relies on land, all human activities are carried out on land which is the basic factor of production. The need to acquire land by man has tremendously increased over the years. Prior to the promulgation of land use Act, Land is completely owned by individuals, families and communities with the head who hold the land in trust for the use of the entire people. But the advancement of land use Act of 1978 altered the existing land tenure and vested all lands in the government. Having observed all these in recent years, it is clearly understood that these goals has not in any way comes to reality rather the Act has been used to achieve personal goals and objectives by various past administrators and government of various levels. Another issue is that major objectives and purposes of the land use Act of 1978 has been seriously deviated from, the aim of the land use Act was to solve the diversified land policies in Nigeria and ensuring an easy accessibility of all Nigeria to land but in today's concept, land has been shared among highest bidders and buyers (Okafor and Nwike 2016). Damilola (2020) stated that the Land Use Act in Nigeria is one of the important laws that need to be understand either as a land-owner or land-owner to be. Activities of land grabbers, scam agents and the number of professionals required are some of the biggest challenges in legitimately and successfully acquiring a land in Nigeria. The Nigerian Land Use Act 1978 is the principal legislation that regulates contemporary land tenure in Nigeria. Upon its enactment, the law brought about radical, if not revolutionary, changes in the erstwhile land tenure systems in the country (Land Use Act, 1978). The law was aimed, among other things, at reducing unequal access to land and land resources, a situation that had caused a great deal of hardship to the citizenry. Massive and unfettered access to land and land resources by the citizens could stimulate the needed economic growth in an economy that depends heavily on agriculture and mineral resources. The Land Use Act was equally targeted at reducing the high cost of land required for industrial estates and mechanized agriculture. For these reasons, the law appeared to nationalize land when it placed it in the hands of the government as a custodian, to hold in trust and administer for the use and common benefit of all Nigerians.

However, after more than three decades of the operation of the law, it is apparent that most of the problems it sought to cure have resurfaced and certain provisions of the law have themselves worked hardship on the citizens and tended to impede economic development, which the Act initially sought to stimulate(Nwocha, 2016). This paper examines Land Use Act and its impact on economic development in the country.

Objectives of the Study

The General objective of this study is to examine the effect of 1978 Land Use Act on Land Ownership in Anambra State, Nigeria. The specific objectives includes the following:

1. To assess the effect of land use act of 1978 on land acquisition/Ownership in Anambra state
2. To ascertain whether the implementation of land use act of 1978 has reduced land disputes in Anambra State

Conceptual Review

i. Concept of Land Use Act:

The Land Use Act has been praised for its potential to simplify the process of land acquisition and registration, reduce the incidence of multiple sales of the same land, and make it easier for individuals and companies to acquire land (Adesina, 2018).

The Land Use Act is a Nigerian law promulgated in 1978 that vests all lands within the territory of Nigeria (excluding lands vested in the Federal Government or its agencies) in the Governor of each state, who holds the land in trust for the people and is responsible for granting statutory rights of occupancy (Igbuzor, 2016). The Act was designed to regulate land ownership, use, and management in Nigeria, and to promote equitable and sustainable land use.

The Land Use Act of 1978 is a major legislation that governs land use and ownership in Nigeria. The Act was passed by the Nigerian National Assembly in March 1978 and signed into law by the then-president, General Olusegun Obasanjo, on 29 March 1978. The primary objective of the Act was to reform and simplify the land tenure system in Nigeria and to provide a uniform framework for the management and allocation of land across the country.

In Anambra State, the implementation of the Land Use Act has had both positive and negative impacts on land use and dispute resolution. One of the positive impacts is the simplification of the land acquisition and registration process, which has reduced the incidence of fraudulent land transactions and multiple ownership claims (Adebayo, 2019). However, the Act has also been criticized for making it difficult for individuals and communities to secure tenure on their land, as all land is vested in the governor of the state (Edeh, 2016). This has led to conflicts and disputes between landowners and the government over land use, as well as between different communities and individuals (Mengistu, 2019). Furthermore, the implementation of the Act has been hampered by bureaucratic inefficiencies, corruption, and lack of effective dispute resolution mechanisms (Adekunle&Odufuwa, 2019).

ii. Objectives of the Land Use Act

Nwocha, (2016) stated that the Land Use Act aims principally at the effective and sustainable management and control of land in Nigeria particularly in a manner that gives government sufficient powers over the acquisition, transfer or otherwise assignment of land and land resources. There are a number of objectives, which the Act sought to accomplish, and these may be encapsulated for the sake of clarity. First, the Act was intended to curb land speculation, which accounted for the astronomical rise in land values especially in urban areas. It

was believed then that once ownership of land was vested in the government, speculators would be forced out of business and government would then be able to stabilize the value of land.

Second, the Act IJESC, June 2021 was intended to assist the citizenry irrespective of their social status to realize their ambitions or aspirations of owning the place where they and their families would live a secure and peaceful life. Third, investing ownership of land in government sought to remove the difficulty which government encountered in acquiring land for public purposes. Fourth, the Act intended to harmonize the tenure systems throughout the country especially in the southern part of the country which lacked a coordinated and formalized tenure arrangement as was the case in the North under the Land Tenure Law 1962 (Land Tenure Law, 1962). In most parts of the South, the situation gave rise to multiple and endless litigations, which hampered economic development especially as it concerned the location of industries, the siting of infrastructural projects such as hospitals, schools, and the operation of mechanized agriculture. These problems, among others, were expected to be eliminated or at least drastically reduced by the enactment of the Land Use Act. Ega (1985) stated that the primary objective of the Act is to facilitate rapid economic and social change in the country through efficient land use. The immediate aims include prevention of land concentration in both the rural and urban sectors of our economy, control of land transactions, land prices and land speculation, and the facilitation of access to land for the state as well as private individuals and thereby remove a cause of socio-economic inequality. The Land Use Act was enacted to satisfy the need for larger areas of land for agriculture and non-agricultural purposes; end racketeering and the unending litigations in land transactions due to rising demand for land; checkmate traditional land ownership that had constituted barrier to national development programmes; prevent a situation where on the death of a land occupier, inheritance problems arose in the form of excessive subdivision of holdings; cater for the need for sustained security of rights to land in matters of duration, compensation and alienation of rights in land and sharpen governments sensitivity to a system in which only the rich, powerful and influential own land (Anyanwu, Oyefusi and Oaikhenan, 1997).

iii. Land Matters in Anambra State

Anambra state, located in the southeast region of Nigeria, have been a source of concern for many years. The state has experienced various land-related conflicts, including land grabbing, boundary disputes, and inadequate compensation for landowners. These conflicts have been attributed to factors such as population growth, urbanization, commercial agriculture, and inadequate land-use planning and management.

According to a report by the World Bank, land governance in Anambra state and other parts of Nigeria is characterized by weak institutional frameworks, limited transparency and accountability, and inadequate access to justice for affected communities. The report recommends the need for improved land governance systems that are participatory, transparent, and accountable to ensure sustainable land use and management.

In addition to the challenges highlighted by the World Bank report, land matters in Anambra state and other parts of Nigeria are also affected by issues such as inadequate land documentation and registration, conflicting land laws and policies, corruption, and weak enforcement of land laws and regulations.

Furthermore, customary land tenure systems that have traditionally governed land ownership and use in many parts of Anambra state have been eroded by modernization and urbanization, leading to disputes over land ownership and use rights.

To address these challenges, there have been calls for the government to implement policies and laws that protect the rights of landowners and ensure sustainable land use practices. This includes the need for comprehensive land-use planning, effective land administration systems, and improved access to justice for communities affected by land-related conflicts.

iv. Concept of Land Ownership

Land ownership disputes are common in Anambra State, often due to overlapping claims, inadequate documentation, and rapid urbanization. The lack of a robust land registration system has contributed to these disputes, leading to instances of double allocation and fraudulent land sales.

The Land Use Act of 1978 vests all land within the territory of each state of the federation in the governor of that state. This Act has implications for land ownership and has sometimes led to conflicts between customary land rights and statutory provisions.

In recent years, efforts have been made to improve land administration and address land ownership issues in Anambra State. The state government has initiated programs to streamline land registration processes, promote land titling, and resolve land disputes through alternative dispute resolution mechanisms.

However, challenges remain, including corruption, inadequate infrastructure, and limited awareness of land rights among the populace. Addressing these challenges requires a multi-faceted approach that involves collaboration between the government, traditional institutions, civil society organizations, and the private sector.

Land ownership in Anambra State is a complex issue influenced by historical, cultural, and legal factors. Efforts to improve land administration and address land ownership disputes are ongoing, but more needs to be done to ensure secure land tenure rights for all residents of the state.

Land dispute refers to conflicts or disagreements arising from competing claims to ownership or use of land, including boundary disputes, ownership disputes, and disputes over the use of land. Land disputes are common in many parts of the world and often lead to insecurity, conflicts, and displacement (Ikechukwu&Ogbonna, 2017).

Land dispute refers to conflicts and disagreements that arise between two or more parties over the ownership, use, or control of land. Land disputes can involve individuals, communities, or organizations, and can occur for a variety of reasons, including conflicting land claims, boundary disputes, land grabbing, and access to natural resources (Ifeoma&Nwakaego, 2019).

A dispute, as defined by sociologists, is a social fact in which at least two parties are involved and whose origins are differences either in interests or in the social position of the parties (Imbusch, 1999). Consequently, land conflict can be defined as a social fact in which at least two parties are involved, the roots of which are different

interests over the property rights to land: the right to use the land, to manage the land, to generate an income from the land, to exclude others from the land, to transfer it and the right to compensation for it.

A land conflict, therefore, can be understood as a misuse, restriction or dispute over property rights to land (Wehrmann, 2005). The dimensions of land disputes vary significantly. Banette and Jan (2008) observed that a difference is found in the identity of the actors involved. They stressed that some of them being legitimated to Act in the way they occur, others are not. They further noted that land disputes are found in the land itself which are mostly on the basis of ownership such as state, private or commonly owned land. Understanding the specific nature of the land dispute is a vital step in knowing its effects on the growth and development of the affected area.

Empirical Review

Otty, Nwosu, & Alexander (2021) carried out their study on the Critique of Nigerian Land Use Act of 1978. This study critically examines the Nigerian Land Use Act of 1978 and its impact on economic development in Anambra state. The study also examined the inherent problems of Land Use act as well as importance of the act since its inception. The study revealed that Land policy affects the economy of a nation either positively or negatively depending on how effectively the policy is implemented. The Land Use Act was enacted in 1978 with the aim of improving economic development by ensuring effective and equitable utilization of land and land resources in the country. However, achieving this objective has been hampered by two major obstacles. The first is the inherent contradictions and defects in the law, and the second is institutional weakness and lack of political will to implement the Act fairly and equitably. However, the Land Use Act of 1978 (LUA) has failed to achieve some of its objectives. The failure is ascribed to problems inherent in the Act and poor implementation. To secure economic development and easy access to land by both government and the citizens, the study recommend the amendment of certain provisions of the Act as well as government to implement the amended version of the Act in a fair and equitable way.

Okafor and Nwike (2016). Who carried out their study on the effects of Land Use Act on rural land development in Nigeria with reference to Nnobi as a rural area in Anambra State. Questionnaire and interview methods were mainly used. The purposive sampling technique was used and One hundred twenty (120) respondents. Personal observation was also used to complement the information gathered. The result shows that people especially those living in rural areas are mostly not aware of the Act let alone its provisions on rural land as an avenue for rural land development. This wide ignorant of the Act, by the people has completely retarded the pace of development in our rural areas as well as the socio-economic conditions of the people. After examining the effects of the Act on rural land development in the area concerned and other allied issues, recommendations were made based on the findings for efficient and effective implementation of the Act in rural areas cum rural Lands of Nigeria and if strictly adhered to will go a long way to achieving overall objectives for which the Act was enacted.

Akinlade (2016) carried out his study on "Land disputes and the role of customary courts in Nigeria: A case study of Ogun state" The study aimed at examining the role of customary courts in resolving land disputes in Ogun state, Nigeria. The study used a qualitative research design, employing in-depth interviews and focus

group discussions with customary court officials and landowners. The study found that customary courts are important in resolving land disputes in Ogun state, as they are accessible and familiar to local communities. However, they face challenges such as lack of funds, inadequate training, and limited powers. The study recommends that customary courts should be strengthened and supported to enhance their capacity to resolve land disputes effectively.

Theoretical Framework

The theoretical framework of a research study is a conceptual framework that provides a basis for understanding the research problem and guiding the research design and analysis. In the case of a study on the implementation of the Land Use Act of 1978 and land dispute resolution in Anambra State, Nigeria, one possible theoretical framework is the systems theory.

Systems Theory.

Systems theory is the interdisciplinary study of systems, i.e. cohesive groups of interrelated, interdependent components that can be natural or human-made. Every system has causal boundaries, is influenced by its context, defined by its structure, function and role, and expressed through its relations with other systems. A system is "more than the sum of its parts" by expressing synergy or emergent behavior.

Changing one component of a system may affect other components or the whole system. It may be possible to predict these changes in patterns of behavior. For systems that learn and adapt, the growth and the degree of adaptation depend upon how well the system is engaged with its environment and other contexts influencing its organization. Some systems support other systems, maintaining the other system to prevent failure. The goals of systems theory are to model a system's dynamics, constraints, conditions, and relations; and to elucidate principles (such as purpose, measure, methods, tools) that can be discerned and applied to other systems at every level of nesting, and in a wide range of fields for achieving optimized equifinality.

General systems theory is about developing broadly applicable concepts and principles, as opposed to concepts and principles specific to one domain of knowledge. It distinguishes dynamic or active systems from static or passive systems. Active systems are activity structures or components that interact in behaviours and processes or interrelate through formal contextual boundary conditions (attractors). Passive systems are structures and components that are being processed. For example, a program is passive when it is a disc file and active when it runs in memory. The field is related to systems thinking, machine logic, and systems engineering.

Systems theory is a theoretical framework that views complex phenomena, such as land governance and management, as systems composed of interrelated subsystems. The subsystems interact with each other and with the larger environment in which they operate, and changes in one subsystem can have ripple effects throughout the entire system. Systems theory seeks to understand these interactions and relationships and to identify ways to improve the overall functioning of the system.

The framework of analysis for systems theory includes four main components:

Input: This component refers to the resources, information, and energy that are input into the system. In the context of land governance and management, examples of inputs include land laws, policies, regulations, and institutional frameworks.

Process: This component refers to the internal workings of the system, including the interactions between the subsystems and the feedback loops that result from those interactions. In the context of land governance and management, examples of processes include the legal and administrative mechanisms for registering and transferring land ownership, resolving land disputes, and managing land use.

Output: This component refers to the results or outcomes of the system, including the tangible and intangible benefits that are produced. In the context of land governance and management, examples of outputs include sustainable land use practices, reduced land-related conflicts, and increased economic opportunities for landowners.

Feedback: This component refers to the information and signals that flow back into the system from the outputs, which can influence the inputs and processes. In the context of land governance and management, examples of feedback include the impacts of land use decisions on the environment, communities, and economies, which can then inform future land use and management decisions.

By analysing these four components of a system, systems theory provides a useful framework for understanding and addressing complex challenges in land governance and management. It can help us to identify the key drivers of land-related conflicts and to develop more effective policies and strategies for ensuring sustainable land use and management.

Methodology

Research Design

This study adopted a survey research design where data were collected and analyzed from a sample selected to represent a large population. The survey approach were considered appropriate for this study since the study collected information from a representative category of people in Anambra state, Nigeria, on the effect of 1978 Land Use Act on land ownership dispute resolution in Anambra State.

Data Presentation and Analysis

Results and Discussion

Out of the 400 copies of the questionnaire distributed, 375 were returned while 25 were not returned thus forming the basis of analysis.

1. Table 1: the effect of land use act of 1978 on land acquisition/Ownership in Anambra state

Variables	Frequency	Percentage (%)
Agree	159	42.4
Disagree	144	38.4
Undecided	72	19.2
Total	375	100

Sources: Field survey, 2024

The respondents were asked if the effect of land use Act of 1978 has significantly improved the process of land acquisition/ownership in Anambra State. The response shows a diverse range of opinions among respondents. Out of 375 participants, 42.4% (159 individuals) agree that there are significant challenges affecting land acquisition/ownership in Anambra State. This perspective suggests that a notable portion of the population recognizes obstacles that may include issues such as insufficient data, lack of public awareness, inadequate funding, or regulatory enforcement challenges.

Conversely, a closely comparable 38.4% (144 individuals) of respondents disagree with the notion that major challenges are hindering smooth process in land acquisition/ownership in Anambra State. This group's stance might reflect a belief in the adequacy of current efforts or perhaps a lack of direct experience with the challenges identified by others. Their disagreement suggests that, from their perspective, the Act is either sufficiently effective as they stand or that any existing challenges are not significant enough to severely impact the process.

The undecided segment, constituting 19.2% (72 individuals) of the total responses, indicates a substantial portion of the population is either unaware of the specifics regarding the Act implementation. This uncertainty could stem from a lack of clear information or visible evidence regarding the effectiveness of land Use Act of 1978.

Table 2: There is significance relationship between land use act of 1978 and land acquisition/Ownership in Anambra state

Variables	Frequency	Percentage (%)
Agree	216	57.6
Disagree	135	36
Undecided	24	6.4
Total	375	100

Sources: Field survey, 2024

The responses on the significant relationship between land use act of 1978 and land acquisition/Ownership in Anambra state. The respondent reveal a clear tendency among respondents towards agreement on the effectiveness Act. Out of the 375 respondents, a majority of 57.6% (216 individuals) agree that the Act have been effective in improving Land Acquisition/Ownership. This indicates a positive reception and recognition of the Act impacts among the majority of the surveyed population.

On the other hand, 36% (135 individuals) of the respondents disagree with the statement, suggesting that a significant portion of the population either has not observed positive changes or believes that the Act have not been effective enough in addressing Land Ownership Dispute. This group's perspective is crucial for policymakers to consider, as it highlights areas where improvements are needed or where the implementation might be falling short.

The undecided respondents, making up 6.4% (24 individuals) of the total, represent a smaller but notable portion of the population that might be unsure about the Act impacts due to a lack of information, awareness, or directly observable changes in their immediate environment. This group's indecision could also point to the need for more effective communication and education regarding 1978 Land Use Act and the intended benefits.

Table 3: The impact of 1978 land use act on land disputes resolution in Anambra State

Variables	Frequency	Percentage (%)
Agree	219	58.4
Disagree	126	33.6
Undecided	30	8
Total	375	100

Sources: Field survey, 2024

The survey data on the influence of 1978 land use act on land disputes in Anambra State presents a significant leaning towards agreement among respondents. With 58.4% (219 individuals) in agreement, the majority view is that the Land Use Act of 1978 has positively impacted the resolution of land disputes in Anambra State. This indicates a recognition among a substantial portion of the population that the Land Use Act efforts are translating into tangible improvements in Land dispute resolution, which is essential for stakeholders and land uses.

However, 33.6% (126 individuals) of the respondents disagree with this statement, suggesting that a considerable number of people have not perceived a significant influence of 1978 Land use act and dispute resolution. This divergence could be due to various factors, including differences in local enforcement effectiveness, awareness levels of the Act itself, or personal expectations regarding what constitutes adequate enforcement.

The undecided group, making up 8% (30 individuals) of the responses, represents the smallest segment. This low level of indecision may indicate that most respondents have a clear perception of the Act impact on dispute resolution/ownership, whether positive or negative. Nonetheless, the existence of this group highlights the need for further information dissemination and engagement to help more residents form informed opinions based on the Act.

Table 4: There is no significance relationship between 1978 land use act and land disputes resolution in Anambra State

Variables	Frequency	Percentage (%)
Lack of due process in land dispute resolution	210	56
Inadequate monitoring and enforcement mechanisms	105	28
Resistance from local communities	60	16
Total	375	100

Sources: Field survey, 2024

The analysis of survey data concerning the implementation of 1978 Land Use Act in Anambra State. The data reveals significant insights into the obstacles impeding effective implementation of the Act. From the total 375 respondents, the data indicates a clear perception of the predominant challenges.

The most substantial challenge, as identified by 56% (210 individuals) of the respondents, is the "Lack of due process in land dispute resolution" This highlights a critical issue in the enforcement of the Act, emphasizing that lack of due process in land dispute resolution are major barriers.

The second challenge, "Inadequate monitoring and enforcement mechanisms," is acknowledged by 28% (105 individuals) of the participants. This suggests that even when policies are in place, the mechanisms for ensuring compliance might be insufficient. Weaknesses in monitoring and enforcement can lead to gaps between policy and practice, where standards are not consistently applied or maintained, undermining the policies' intended outcomes. Lastly, "Resistance from local communities" is identified as a challenge by 16% (60 individuals) of the respondents. This points to social and economic factors that may hinder the enforcement of the Act. Resistance can stem from a lack of awareness, understanding, or perceived economic implications of complying with the standards. Such resistance highlights the need for more effective communication, education, and possibly incentive mechanisms to align the rural communities.

Summary of findings:

This study primarily focused on the analysis of the effect of the Land Use Act on land ownership/disputes in Anambra State, Nigeria.

1. The Land Use Act of 1978 has not enhanced land acquisition for land ownership. It has rather impeded growth of real land ownership by imposing difficulty on the process of acquiring land by an ordinary.
2. The process of accessing land is characterized by procedural delays and red tapism. The process of obtaining access to land beginning from the identification of acceptable site through obtaining Governor's consent down to the issuance and collection of certificate of occupancy is cumbersome and therefore very expensive. Some times it may take up to two years to achieve; leading to the abandonment of the effort.
3. Based on the cumbersome process of land acquisition, people tend to resort to informal land market which doesn't guarantee security of title to land and which also encourages fraudulent dealings on land.
4. Landowners no longer enjoy security of ownership of land in the sense that some mischievous state governors may under section 28 of the Act revoke the right of occupancy of any person under the guise of "public purpose".

Conclusion:

The study carried out investigation collected and analysed the data leading to the decision that the Land Use Act of 1978 has retarded the rate of land ownership in Nigeria.

In spite of the sentimentally packed concept in the preamble to the Act to the effect that it is in the public interest the rights of all Nigerians to use and enjoy land in sufficient quantity to enable them to provide for their families was dashed to the ground.

The Nigerian citizens still find it as difficult as before to access to land on which they can erect their shelter. The vesting of land to the hands of the governor has also created insecurity for title to land which also limit the level of land acquisition for a common citizen. It is conclusive to say that the attainment of the co-operate goals of the Act through property provision may never be possible if the operations of the Land Use Act are not committed to proving well planned procedure for their ministry of Lands.

There is undue delay in obtaining consent before ones interest in land can be alienated. These shortcomings and many others incorporated in the Act do not augur well, especially for private property developers. Therefore, the operators of the Act should sincerely ensure that the right of every Nigerian to shelter is assured, protected and preserved.

Recommendations:

In order that the problems imposed by the Land Use Act of 1978 on the rate of land ownership can be solved, we recommend as follows:

1. There is need for statutory reshaping of the Act to promote people's access to Land Rights, so as to improve access to land and guarantee effective land ownership.
2. Some stipulations of the Land Use Act need to be re-visited for a review so as to eliminate ambiguity of expression, resentment as well as rivalry and conflict of authority which causes serious obstruction to the implementation of the
3. The Act should expressly provide for all the requirements – ownership, control, management, nature of use, and manner of distribution of land among the
4. Direct State allocation is recommended such that the Act should guarantee access to developable land for those citizens deprived of theirs through the process of revocation of land for public.

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