

Analysis of Public Lands Acquisition in Akwa Ibom State, Nigeria

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ABSTRACT The Landuse Act of 1978 provides for compulsory acquisition of land by the government for public interest. Although, the Act has facilitated massive land acquisition by the government since its promulgation, it nevertheless, suffers strong criticisms on many grounds. This is because the problems the Act has created seem to outweigh its gains. Thus, this paper is a further examination of the Landuse Act using public land acquisition policy in Akwa Ibom State as a framework. Theoretical and empirical approaches were employed to collect data on hectares of land acquired and developed by Akwa Ibom State government for various uses. Using interview design as a tool for data collection, relevant data were obtained from officials of the Ministries in charge of land acquisition in the state. The findings indicate that between 1990 and 2005, Akwa Ibom State Government acquired 10747.6 hectares of land out of which 4621.7 hectares (43%) have been developed for various uses. Further analysis of the data reveals spatial and temporal dimensions, with regression correlating weakly hectares of land developed with the years of acquisition ($R = .559$ and $R^2 = .312$) while sectoral allocations indicate strong positive relationship between hectares acquired and hectares developed ($R = .914$, $R^2 = .835$). The paper finally highlights some implications of compulsory acquisition policy, investigates low development of acquired land and recommends measures to attenuate the socio-economic dislocations of land acquisition policy of government.

1. INTRODUCTION

Prior to the promulgation of the Landuse Act of 1978, Nigeria experienced a tremendous growth in population and urbanization, which resulted in increased demand for land for developmental purposes. During this time, the idea of using land as an investment came to the forefront. Many self-made millionaires started purchasing large tracts of land where development opportunities had not yet arisen. This was with the intent to hold on to it until such a time as it is profitable to sell it to others for more than was initially paid. Thus, land became increasingly popular as an investment due to the benefit of its being a tangible asset as opposed to shares or bonds. This development sky-rocketed the cost of acquiring land from landowners. Before the promulgation of the 1978 Landuse Act, land banking in Nigeria was the preserve of the landed gentry who engage successfully in land acquisition. However, the customary practices were not favorable to the government, hence land acquisition by the government was frustrated by customary practices (Uchendu 1979). This antecedence brought pressure on the part of government to re-examine the land tenure system (Omotola 1980, 1985). Thus, the promulgation of the Landuse

Act was a major step in land reform, aimed at making land easily available for development purposes (James 1987; Ajayi 2001). However, Ilesami (1988) observed that the major justification for the Landuse Act was to cut down the amount of money government pays as compensation in the event of compulsory acquisition of land from landowners. The promulgation of the Landuse Act vested all lands in each state of the federation in the governor of the state in trust for use and common benefits of all Nigerians. In this sense, the government is empowered by the Act to acquire land for development purposes without the complex and time wasting processes of the past. By the provision of the Act, the state governor replaces the individual, family head, community head or any other traditional ruler as the trustee of land. Today, the government has acquired land in the interest of the public at will without justifiable reasons (Udo 1990; Oyesiku 1997). Thus, in both urban and rural areas, the problems of land acquisition for public interest are varied and complex.

In Akwa Ibom State, the story is not different from other parts of the country. Land is acquired compulsorily while the landowners are compelled by law to surrender ownership of the land together with rights and privileges attached to it

in favour of the government. In most instances, prior consent of the landowner is not sought. The consequences of government actions manifest in severe hardship arising from total extingishments of means of livelihood. More depressing is the fact that the compulsorily acquired land is not fully developed thereby questioning the utility of government acquisition policy. Uncontrolled compulsory acquisition of land by the government has led to deprivation of farmland and other means of livelihood and has been contributory to the food crisis (James 1987). Accordingly, Udo (1990) observed that since the promulgation of the Act, government has embarked on massive acquisition of land for the purpose of development but most of the acquired land remained undeveloped while original landowners look for land to farm, build houses and do other businesses. Against this background, this paper analyses the extent to which the government of Akwa Ibom State has acquired public land as well as the level of development. The factors inhibiting full development of the acquired land are examined while implications of compulsory acquisition policy are discussed and useful recommendations offered.

The "Akwa Ibom State" designate on which this study is based is one of the oil rich states of the Niger Delta region of Nigeria. It has 31 Local Government Areas with Uyo as the state capital. The State lies in the southeastern part of Nigeria. Akwa Ibom State has a landmass of 6187km² and a population of 3920208 persons during the 2006 census. It is one of the most populous regions of the country ranking 4th in population density of 634 persons per kilometer square (Federal Government of Nigeria 2007). According to the 2006 census, a majority of the population in the state is rural (87.9%). In this sense, the state is basically a rural economy where land is a critical factor, which coupled with the high population density calls for proper and efficient land administration.

2. RESEARCH APPROACH

Both theoretical and empirical research designs were adopted in this study. While the theoretical design relates to collection of relevant information from journals, textbooks and government gazettes relating to the subject matter, the empirical design enables the collection of facts by interviewing the officials of Ministries of Land and Housing at the State and Federal

Levels. On the whole, the bulk of the data used in the analysis were obtained from the official records of government establishments. Further analysis of the data was facilitated using linear regression and percentage statistics.

3. FINDINGS

The government of Akwa Ibom State acquired 10747.6 hectares of land between 1990 and 2005 as shown in table 1. A total of 4621.7 (43.0%) hectares of the acquired land were developed for various uses while 6125.9 (57.0%) hectares were left undeveloped. The annual rate of land acquisition stood at 671.7 hectares with a standard deviation of 639.7 hectares. It is also observed that 1996 recorded the highest hectares of land acquired with a total of 2651.4 hectares representing 24.7 percent while the year 2004 had the least. Ironically, the year 2004 recorded no development of the acquired land. Full development of the acquired land was however observed in 2003. In terms of sectoral allocation of acquired land, table 2 shows that the education sector has the highest hectares of acquired land (3736.5 hectares) This is followed by housing (2716.9 hectares), industrial (1599.5 hectares) and agriculture (1509.5 hectares) sectors which have substantial land allocations while open space had the least (910.3 hectares). In terms of level of development, open space recorded 100

Table 1: Yearly acquisition of land in Akwa Ibom State (1990 -2005).

Year	Hectares acquired Variable 1	Developed Hectares Variable 2	Undeveloped Hectares variable 3
1990	1108.1	599.6	508.5
1991	645.0	507.7	137.3
1992	458.0	315.8	142.2
1993	766.0	288.2	477.8
1994	1044.7	424.0	620.7
1995	112.7	73.4	39.3
1996	2651.4	309.2	2342.2
1997	628.2	505.0	123.2
1998	575.1	217.2	357.9
1999	1383.8	583.4	800.4
2000	687.2	352.8	334.4
2001	123.1	74.1	49.0
2002	40.1	12.3	27.8
2003	359.0	352.0	0.0
2004	80.6	0.0	80.6
2005	84.6	0.0	84.6
Total	10747.6 (100%)	4621.7 (43.0%)	6125.9 (57.0%)

Sources: Akwa Ibom State Ministry of lands and Housing (2006) Federal Ministry of Housing and Urban Development, Uyo (2006).

Table 2: Land acquisition by sectors in Akwa Ibom State

<i>Sector</i>	<i>Variable 1</i>	<i>Variable 2</i>	<i>Variable 3</i>
Health	178.1 (100.0)	53.8 (30.2)	124.3 (69.8)
Housing	2716.9 (100.0)	1274.1 (46.9)	1442.8 (53.1)
Agriculture	1509.5 (100.0)	969.1 (64.2)	540.4 (35.8)
Recreation	224.5 (100.0)	146.5 (65.3)	78.0 (34.7)
Education	3736.5 (100.0)	1076.5 (28.8)	2660.0 (71.2)
Road	138.4 (100.0)	14.0 (10.1)	124.4 (89.9)
Commercial	35.8 (100.0)	25.8 (72.1)	10.0 (27.9)
Industrial	1599.5 (100.0)	909.2 (56.8)	690.3 (43.2)
Open space	10.3 (100.0)	10.3 (100.0)	0.0(0.0)
Administration	598.1 (100.0)	142.4 (23.8)	455.7 (76.2)
Total	10747.6 (100.0)	4621.7 (43.0)	6125.9 (57.0)

Sources: Akwa Ibom State Ministry of Lands and Housing (2006) Federal Ministry of Housing and Urban Development, Uyo (2006)

percent in its land development while the commercial, recreation, agriculture and industrial sectors recorded more than 50 percent in their development. The housing sector performed slightly below average in terms of land use development but the health, education and administrative sectors however recorded marginal performance rates. The least developed sector is the road network as only 10.1 percent of the acquired land is developed.

Further analysis of the data using regression (Table 3) revealed that there is a weak positive relationship between hectares of land acquired over the years. This agrees with the data presented in table 1 where the proportion of hectares developed correlated weakly with the years of acquisitions. This is contrary to the relationship between sectoral land acquisition and land development which shows strong positive correlation. For instance, the education sector had the highest hectares (3736.5) of land acquired followed by Housing (2716.9), conversely, these sectors had the highest levels of development of the total acquired land in the state. From table 3, the level of development is explained by about 31.2%

Table 3: Regression coefficient

	<i>Yearly acquisition</i>	<i>Sectoral allocation</i>
Regression coefficient	.559	.914
Coefficient of Determination	.312	.835
Direction of influence	.175	.514
Partial coefficient	.559	.914

Table 4: Analysis of Variance (ANOVA)

<i>Model</i>	<i>Sum of squares</i>	<i>df</i>	<i>Mean2</i>	<i>F</i>	<i>Sig</i>
Regression	201794.1	1	201794.1	6.35	.024
Residual	444646.8	14	31760.5		
Total	646440.9	15			

(coefficient of determination = .312). In other words, about 68.8% of the observed relationship is not explainable by the selected indicator of total yearly acquisition. On the other hand, 83.5% of the level of development is explained by sectoral allocation (coefficient of determination = .835). The sign of the partial regression coefficient for the variable is positive (.559) which indicates positive relationship while the direction and magnitude of influence of the relationship is low (.175). The unselected indicators could possibly be environmental, political and socio-cultural factors, which are also important in explaining levels of development of the acquired land. The significance of the regression model is illustrated in table 4 where the regression model yields an F-ratio of 6.35 which is significant at 0.5 level of confidence.

It is observed that Ediene Ikot Obio Imo had the highest hectares of land (33.7) acquired for the University of Uyo Teaching Hospital. These hectares were acquired in 1992 but presently, only 19.8 hectares have been developed. A total of 12 comprehensive health centers were planned for development in 12 Local Government Areas and land was acquired for this purpose. However, only 3 have been developed and commissioned in Abak, Ini and Okobo Local Government Areas. A total of 178.1 hectares of land were acquired in Ikot Ekpene for developments in the health sector but only 30.2 percent of the acquired land is developed. In the housing sector, land was acquired in all the Local Government Areas in the year 2000 to develop a 50 unit medium income-

housing scheme in each local government area. However, the earliest land acquired in the sector was in 1988 shortly after state creation in 1987. This was for the development of Ewet Housing Estate, which at present has over 3,000 units of low-density housing. This accounts for 10.3 percent of 2716.9 hectares acquired for this sector. Although, the 281 hectares acquired for Ewet Housing Estate is fully developed, only 1274.1 hectares (46.9%) in the housing sector have been developed. In terms of agricultural development, land was acquired for rice cultivation in 2004, for cassava plantation in 2003, NYSC Farm in 1991, Akwa Palm Plantation in 1993, Basin Development Authority activities in 1998 and a massive land in Itiam Etoi in 1994 for agricultural activities. Although a total of 1509.6 hectares were acquired for agricultural development, only 969.1 (64.6%) have been fully developed. Onna had the least hectares of land (80.6 hectares) acquired for rice cultivation but recorded zero percent development. A total of 244.5 hectares of land were acquired for tourism development. Of this total, 188.7 hectares representing 77.2 percent was for the development of a Five Star Hotel at Nwaniba (Uruan). On the whole, only 144.4 hectares or 59.1 percent of total acquired land in this sector has been developed. Education is the life wire of any society. In this sense, the government has acquired enormous land for education than for any other sector. A total of 3736.5 hectares of land were acquired while only 1074.5 hectares (28.8%) have been developed. The University of Uyo permanent site at Nsukara/Use Offot accounted for 2727.1 hectares (73.0%) of total land acquired in 1996. This was followed by 440.7 hectares in Ikot Akpadem in 1999 for development of Akwa Ibom State University of Science and Technology in Mkpato Enin. Because of the vital role of education in promoting productive citizenship, self-development and economic well-being, education is the only sector where all the communities from whom land has been acquired had parts of the acquired land developed. Land acquired for open space development is the least of all the sectors as only 10.3 hectares was representing 0.1 percent of the 10747.6 hectares acquired in the state. Table 2 shows that this sector has experienced full development of its acquired land. The development in the road sector accounted for 43.5 hectares. All the hectares of lands were acquired between 1999 and 2002. Although most of the roads were opened, they are

left unpaved and thus accounts for 31.0 percent of developed roads. It is hoped that the government will concentrate more to pave the roads than acquire new land for road development. Land acquisition by the government for commercial activities in Akwa Ibom State started between 1994 and 2000. Within this period, a total of 35.8 hectares have been acquired while 25.8 hectares (72.1%) have been developed. The development in this sector was planned for only 4 local government areas of Uyo, Itu, Obot Akara and Oron respectively. The major projects are timber markets, motor parks and conventional markets.

In terms of industrial development, a total of 1599.5 hectares were acquired and 909.2 hectares developed. Seven hundred and forty-five hectares (64.5%) were acquired in Ikot Abasi in 1999 for Aluminum Smelter Company of Nigeria (ALSCON). Land for independent power Plant

Table 5: Spatial perspective on public lands acquisition in Akwa Ibom State

L.G.A	Hectares	Developed	Undeveloped
Uyo	5247.3	1638.8	3608.5
Ikot Ekpene	358.8	201.2	157.6
Abak	217.4	82.4	135.0
Ikot Abasi	1027.2	340.8	686.4
Eket	86.5	62.4	24.1
Ini	20.0	17.7	2.3
Itu	81.0	40.2	40.8
Ika	18.9	10.4	8.5
Ibiono	24.5	11.5	13.0
Ibesikpo	381.3	371.4	9.9
Ibena	811.9	667.7	144.2
Okobo	18.7	16.2	2.5
Nsit Ibom	28.4	13.7	14.7
Urue Offong	13.6	1.3	12.3
Mbo	25.4	17.5	7.9
Easter Obolo	19.3	7.8	11.5
Nsit Atai	385.2	268.2	117.0
Uruan	387.5	199.5	188.0
Onna	196.2	85.1	111.1
Etinan	138.8	8.3	130.5
Ikono	213.8	7.3	206.5
Oron	229.2	46.9	182.3
Ukanafun	214.1	190.0	24.1
Oruk anam	11.2	9.2	2.0
Esit Eket	7.9	7.9	0.0
Nsit Ubuim	11.4	11.0	0.4
Essien Udim	8.0	7.9	0.1
Ndung Uko	11.3	10.3	1.0
Mkpato Enin	539.8	132.1	407.7
Etim Ekpo	7.0	6.8	0.2
Obot Akara	6.0	5.2	0.8
Total	10747.6	4621.7	6125.9

Sources: Akwa Ibom State Ministry of Lands and Housing (2006) Federal Ministry of Housing and Urban Development, Uyo (2006)

(86.3 hectares) and Refinery Project (210.3 hectares) were acquired in 2000 in Ikot Abasi. Quo Iboe Terminal and Mobil Aviation Annex both in Eket accounting for 558.2 hectares were acquired in 1997. On the whole 43.2 percent of the acquired land in this sector is left undeveloped. The land acquired by the government for various administrative buildings accounted for 598.5 hectares out of which only 142.3 hectares (23.8%) have been developed. Major projects in this sector include custom offices, secretariats, police stations, State Security Service offices, Fire Services Stations, and Road Safety Offices. The low level of development in this sector (23.8%) reflects government's insensitivity regarding welfare issues of public office holders. The spatial perspective of government land acquisition policy revealed that Uyo Local Government Area had the highest acquired land as a total of 5247.3 hectares representing 48.8 percent were acquired with 31.2 percent of it developed. This is expected considering the status of Uyo as the seat of government of Akwa Ibom State. This is followed by Ikot Abasi with a total of 1027.2 hectares (9.6%) of acquired land and a recorded development of 33.2 percent as a result of its status as aluminum smelter city (Table 5). Mkpato Enin and Uruan Local Government Areas came third and fourth respectively in terms of levels of land acquired owing to their choices as university sites (see Table 5).

4. UNDEVELOPED ACQUIRED LAND

Field investigation revealed that the massive acquisition of land in Akwa Ibom State may be primarily to provide a land bank that will be developed over time, that is, the acquisition of land by the government may not be for immediate usage. Building reserves of land for future development eliminates the complex and time wasting processes associated with compensation and which in turn result in delays in project executions. Also, inexhaustible improvements (developments) on land such as buildings, farms, economic trees, open space and cultural artifacts for which compensation are payable appreciate yearly in value and as such, government tries to avoid future higher values that would accrue to such developments by acquiring land at present face value of developments. Thus, the large proportion of undeveloped acquired land is indicative of this fact. Although, land banking is

advantageous on the part of the government, however, considering the high poverty profile of the people, future acquisition of such land would translate to higher land values and thus, of positive impact in the lives of the affected families and communities. Besides, it is anti sustainability to deny the people access to land at present only for the purpose of reserving it for future usage. According to Abia et al. (1995), resources need to be managed in such a way that the present needs of the people are met while making it possible for the future generations to meet their needs. This is the concept of sustainable development. Sustainable land acquisition and management is therefore required as a strategic component of sustainable development and poverty alleviation. There are currently only a few communities in the state that still have spare land resources to meet the needs of their expanding population. It, therefore, demands a careful, planned and prudent use of land resources such that we conserve it as much as is practicable only. In other words, prudent land administration must guarantee adequate quality of life for the present society without jeopardizing the capacity of future generations to meet their needs.

Another factor, which explains the low level of development of acquired land borders on compensation. There are cases where the affected communities resist development of acquired land due to non-payment of compensation. For instance, Anua and West Itam communities strongly resisted development of their land until full compensation was paid. This explains why the acquired land in the communities remained undeveloped for over 10 years after acquisition. This similar resistance is reported of communities in Okobo Local Government Area where the state government acquired massive land for road construction and Airport projects.

Non-commitment on the part of the government is another factor. There is no political will by the government to develop the acquired land even in the face of strong indication for such development. This clearly points out government insensitivity to development issues. The corruption driven character of governance in Nigeria does not give room for capital development projects to be undertaken. Above all, some of the proposed development projects do not rank high in the priority needs of the communities where land is acquired. This is the case in Akwa Ibom State. Political leaders have used the Landuse

Act to acquire land for selfish interest. In this sense, the acquisition of land for public interest is a device to acquire land cheaply from political enemies in order to reward party royalists. Thus, there is politics in the government land acquisition policy. The entire state can at best be described as a rural economy. The agricultural and industrial sectors are not developed to play complementary roles that are characteristics of modernized economy yet the acquired land is not maximally developed to transform the economic landscape of the state.

5. IMPLICATIONS OF COMPULSORY LAND ACQUISITION

Land plays a vital role in the socio-economic development of any nation because of its critical role in human settlement development (Ekop 2002). In this sense, James (1987) asserts that land cannot be treated as an ordinary asset, controlled by individuals and subject to the pressures and inefficiencies of the market. Investigation has revealed that there is conflict between individual need and community need in the management of land. While an individual may prefer to utilize a piece of land to the utmost, the community would rather prefer that such be used for overriding public interest. The reason is not far fetched as there must be roads, drains, water and electricity lines, schools, hospitals, industries etc. to serve the needs of the community as a whole. Accordingly, Emeka (1992) observed that large-scale agricultural and industrial activities provide employment opportunities to the people as well as food and income to farmers but without compulsory acquisition of land by the government, such development cannot be achieved.

Compulsory acquisition has its other side. For instance, the landowner is compelled by law to surrender the land together with all rights and privileges attached to it, to the government. Thus, apart from dispossessing the owner, it also imposes very severe hardships on the original landowners in the form of total extinguishment of means of livelihood (Omotola 1980). In some instances, it results in increased dispossession and displacement of people. Although, government pays compensation to original landowners for crops, economic trees and buildings, compensation has been inadequate and more often characterized by considerable delay with inflatio-

nary losses owing to devaluation. Omotola (1980) further identified other problems to include the following:

- § Inaccurate enumeration of assets
- § Lack of clear definition of assets for payment of compensation
- § Inadequate and untimely compensation
- § Difference in compensation for annual versus perennial crops
- § Non-compensation of acquired land with access to adequate land elsewhere.

The conflicts that have emerged in many parts of the state are rooted in violation of the rights of the people to land and have inevitably led to greater poverty and landless groups of people whose sustenance as peasant farmers have been adversely affected. In Akwa Ibom State, one of the causes of communal conflict is land dispute and the protraction of conflict situations have negatively affected community resources use and development (Akpaeti 2005). Since the creation of Akwa Ibom State in 1987, several bloody communal clashes have occurred in Akwa Ibom State in Oku Iboku, Mbiakong, and Afiayong Usuk in 2003, Ngura and Ikot Uno Essien in 1996/1997, Ikporon in Ini Local Government Area in Akwa State and Edem Aban in Abia State, among others have affected land and other environmental resources hence, reducing the livelihood and development of the people. Land acquisition by the government creates artificial scarcity and thus engenders conflicts or struggles among parties in order to appropriate to them the parcels of land that guarantee self or group survival. Thus, the hardship that large-scale government acquisition of land imposes on some individuals and communities is enormous. The consequence of such acquisition is social dislocation or socio-economic disconnect arising from loss of land, occupation and lifestyle. In many cases, farmers give up farming for low paying urban service jobs. This development breeds social injustice and ultimately social break-down in society.

6. CONCLUSION

The compulsory acquisition of land by the government for public interest has in no doubt facilitated massive acquisition of land for development in Akwa Ibom State between 1990 and 2005. However, today over 50 percent of the acquired land is left undeveloped due to factors ranging from land banking to lack of political will

to develop acquired land. Although, the extent of development of the acquired land has spatial and temporal dimensions, analysis of the data using regression shows that the proportion of hectares developed correlates weakly with the years of acquisition but rather strongly with sectoral allocations. Thus, in line with the result of the study, this paper recommends measures that will eliminate attendant socio-economic dislocations associated with land acquisition policy of the government.

7. RECOMMENDATIONS

The essence of land acquisition by the government is for spatial development but where the acquired lands are left to lie fallow is of a serious concern to many people. It is therefore recommended that the large hectares of acquired land left undeveloped should be speedily developed by the government in order to bring development to the affected communities, and thus, justify the reason for such acquisition. There is also the need to review the Landuse Act to conform to the yearnings and aspirations of the Nigerians. For instance, the courts have been restrained by the Act (section 47) from determining any matter relating to the amount or adequacy of compensation paid or to be paid to affected land owners (Federal Government of Nigeria 1979). This is out-rightly unethical and inequitable. It can be interpreted as a deliberate attempt to cheat on landowners with respect to payment of compensation. In this sense, there is the need to review the Landuse Act in the spirit of equity, justice and in accordance with the tenets of true democracy. The findings of this study indicate that land is acquired in all the 31 local government areas in line with planned urban and rural development of the State. However, against the attendant problems of increased dispossession of land, displacement of people, particularly small scale farmers as well as increased pressure and intensified fragmentation of landholdings, the paper recommends that undeveloped acquired land be allowed usage by their original owners until the commencement of their respective developments. In this sense, only non-perennial crops and non-capital assets should be permitted on such acquired land. It is also observed that spatial variation occurs among the 31 Local Government Areas in terms of land acquired and extent of development. In this regard,

spatial inequality in development is further enhanced. Thus, this paper recommends that the government embark upon selective development of acquired land in order to reduce spatial inequality in development terms in the state. Investigation also revealed that certain factors exist as impediments to the full development of the acquired land. The issues involved are critical and should be addressed by policy makers and other stakeholders in order to facilitate physical development in the state. Above all, there is the need to conduct development needs assessment survey in order to determine the nature of development project that is community friendly and for which land owners will freely give out their lands. This will eliminate the resistance to land acquisition.

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