

Reforming Land Governance: The Imperative of a Programmatic Framework and True Stewardship

by

Professor Chibueze A. Ogbonna,

(Ph.D., M.Sc., B.Tech., PGDE, ANIVS , RSV , MNIM, MCPN, FNAE, CFPM)

Dean, School of Environmental Sciences,

Babcock University, Nigeria.

+234(0)080 397 58689 ✉ ogbonnac@babcock.edu.ng

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The Landscape

- ▶ Introduction
- ▶ Land and Land Reform
- ▶ Land Governance
- ▶ Programmatic Framework- framework?
programme?
- ▶ Stewardship
- ▶ Summary and Conclusion

Introduction-1

- ▶ Land reform
- ▶ not entirely a new/recent phenomenon
- ▶ Land Use Act of 1978
- ▶ land reform
- ▶ a distinct watershed in land governance in Nigeria
- ▶ severally criticized
- ▶ criticisms remain valid

Introduction -2

- ▶ This paper
- ▶ looking forward
- ▶ how- 'rear view' mirror [Movies: "The Day After" vs. 'The Day Before'].
- ▶ Context Land Use Act of 1978
- ▶ 2 Fundamental things about LUA
- ▶ Content

Context-LUA 1978

- ▶ Embedded in 1979 Constitution of Nigeria.
- ▶ 2 more fundamental things
 - ▶ -the **conceptual basis** of the Land Use Act,
 - ▶ -**institutional and human capacity** for its implementation
- ▶ Our focus- governance reform concept/framework
 - ▶ - Current concept hints at short-termism
 - ▶ - **Need- more wholistic, long-term, programmatic framework**
- ▶ Our thesis: land reform= not a sprint but a relayed ultra-marathon run on a web of tracks

Government/Land Governance

- ▶ - Major function of good government - protection of citizens' lives and property.
- ▶ One way of protection= good land governance
- ▶ Land governance

Land-1

- ▶ *Origins: creationists view: “Let there be dry land...”- [King James Version, Genesis 1: 1;11-12] vs. evolutionists’ uncertain “big bang” [Lemaître, 1927]*
- ▶ *Viewing frames: dimension/natural space, beliefs, human interaction, and production [Hubacek and van den Bergh, 2006]*
- ▶ *‘Land’ equation: human life + civilization
terra firma ‘land’ + associated/relevant climate*
- ▶ *Has multiple use theories + assumptions [de Jong et al, 2021; Liu, 2023; Hull et al’s, 2019]*
- ▶ *Theories: mostly parallel; multi-faceted; contextual*

Land-2

- ▶ Most conflicts in history : control of ownership, use of, and rights, over land (Ssekandi,).
- ▶ *Need/usage - derived* [Gwamna et al, 2015]
- ▶ *Is the major/most critical production factor* [+ labour, capital and entrepreneurship] [Doughan,2020]
- ▶ *Need/usage is derived* [Gwamna et al, 2015]

Land-3

- ▶ a special type of good
- ▶ - location-specific
- ▶ -immovable
- ▶ -a total fixed amount
- ▶ is inextricably linked to man's entire life
- ▶ basis- the 17 SDGs (United Nations, 2024)
- ▶ Land/property = 40 to 60 % of household assets generally (*Klaus & Goyal, 2024*)
- ▶ Need: effective + efficient land governance policies +practices

Land-4

- ▶ **Ownership challenges:** Terra nullius (no body's land) - colonizers' expropriation *strategy*[Mark, 2023 ;Benton & Straumann ,2010; S.A.History Online]
- ▶ Reminder: “I want to know who owns the land” [Papa's Land-by Sunny Okosun-Nigerian singer during Apartheid S.A.]
- ▶ Land as spirit: can't be owned by a human (native South Americans in Mark [2023])

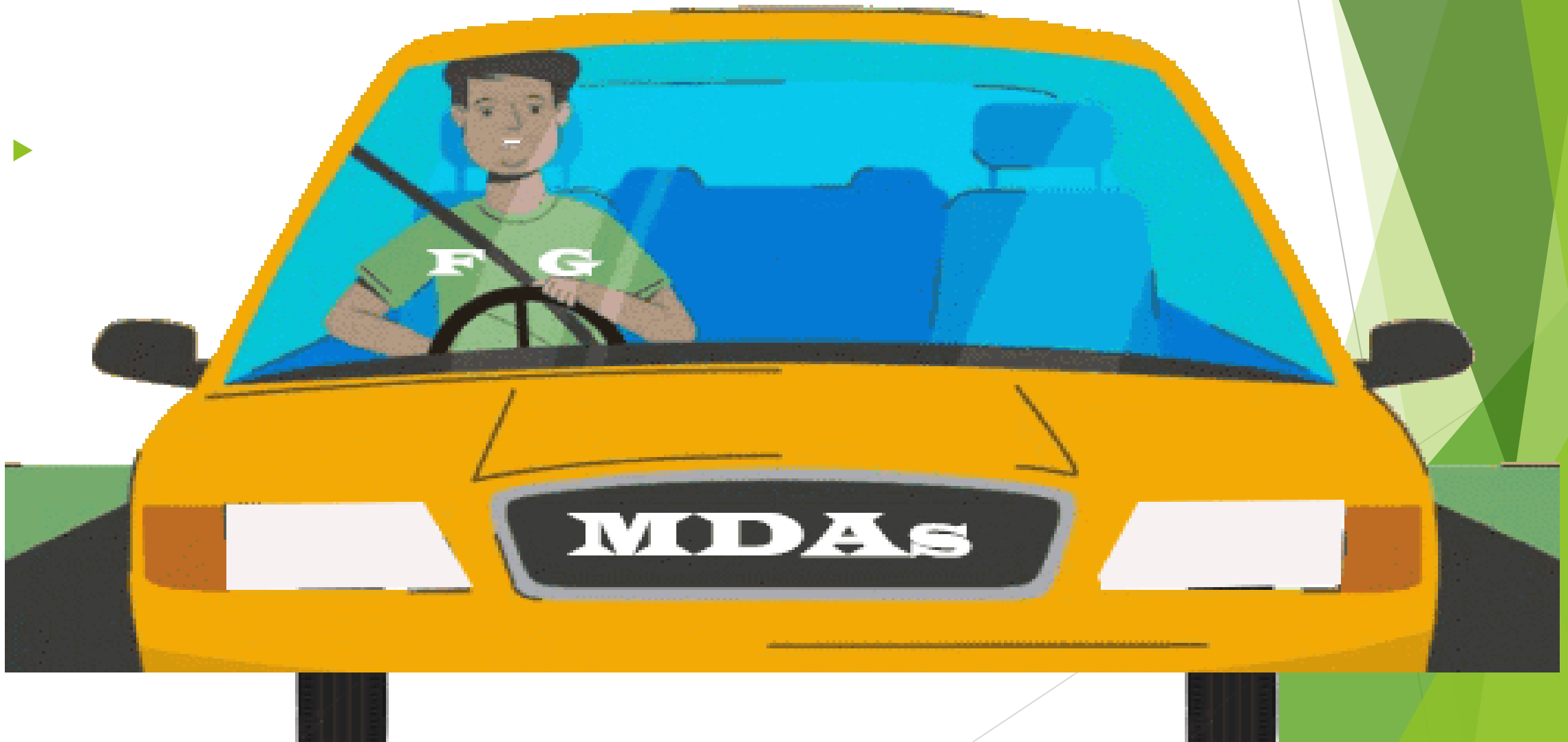
Other challenges: tenure, laws/policies, governance framework, political will, collaboration and cooperation [Larbi,2015]

- ▶ **Our focus: governance design/concept framework + stewardship**

Reform/Repair the Reform

- ▶ Reform: mechanism to improve system performance
- ▶ Importance: linked with the economy
- ▶ When required: fast track, jump start ,consolidate, etc.
- ▶ Major challenges : poor design,wrong perception of intent, commitment, competence, etc
- ▶ Various types
- ▶ Every reform is unique
- ▶ Every unique one-time change-driven endeavor of significance = Project
- ▶ Reform: connotes system inadequacy/under-performance
- ▶ Need: modifications/changes
- ▶

Reform/Repair the Reform



Land Governance-1

- ▶ Defn- Land governance is a
- ▶ -multi-faceted concept referring to a broad range of factors integral to efficiently and effectively managing land issues.
- ▶ - “the rules, processes, and structures through which decisions are made implemented and enforced, the way that competing interests in land are managed.” (Palmer et al., 2009: 9)
- ▶ entails putting in place some standard concepts[common understanding] & operating policies[basis/structure to function/work], procedures[prescribe how/process] , programmes[directed activities] (SCOPPPs) = sustainable development

Land Governance-2

- ▶ - contested process,
- ▶ - institutional factors = key reasons why non-indigenous models fail
- ▶ - policy inertia[**don't assume MDAs' true stewardship**]
- ▶ - **Implementation** requirements
- ▶ -a degree of technical capacity within all stakeholders [OURS-support ourHCD],
- ▶ -technical capacity = education, skills, and relevant infrastructure],
- ▶ -administrative/financial capacity

Land Governance-3

- ▶ Good land governance
- ▶ - 3 main aspects:
- ▶ access to land; decision making on land; treatment of competing land interests]
- ▶ Advs.
- ▶ Preventing corruption (all forms, levels, settings) ;
- ▶ Promoting/enforcing non-discrimination (laws + polices)
- ▶ Policy and institutional coherence

Land Governance-3

- ▶ Rule of law
- ▶ Effective, accountable and transparent institutions
- ▶ Effective use of public resources
- ▶ Responsive, inclusive, participatory and representative decision-making
- ▶ Sustainability- people-centred, age- /gender-responsive/integrated approaches/equal justice access

Programmatic Framework ?-1

- ▶ Framework- an essential/fundamental supporting development structure
- ▶ Major characteristics- concept/design, boundaries, process, tools, meanings/codes, and best practices
- ▶ Rationale
- ▶ land reforms need to be sequenced appropriately + match local realities(political, economic social, capacity, etc.). ***Resnick and Austen Okumo (2016).***
- ▶ Many LG donor programs (Nigeria)= five-year cycle+ implementing SLTR at
- ▶ LG Literature = 10 to 15 years (see Ali et al. 2015)

Programmatic Framework ?-2

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- ▶ LG Literature = 10 to 15 years (see Ali et al. 2015)
- ▶ Therefore: run as a programme

Programmatic Framework ?-3

- ▶ Project- a **consciously contemplated** and
- ▶ **initiated once-in-time** configuration of a
- ▶ **reasonably-finite** set of
- ▶ **activities related** by a group of
- ▶ prioritized **specified or specifiable objectives** that are
- ▶ quantitatively or qualitatively **constrained** pursuant to delivering
- ▶ a **significantly unique product, service or result/outcome** using the responsibility and authority of an individual(**project manager**) or a small group of people (**project management team**)

Programmatic Framework ?-4

- ▶ Advs. of Projectization
- ▶ lower costs
- ▶ competitive advantage
- ▶ organizational rigor
- ▶ greater efficiency/stakeholder satisfaction
- ▶ Classical example: The 1st /best land governance reform on earth
 - Duration 6 days
 - 6 time-chained activity blocks
 - 6 equal activity durations
 - Lessons learned:
 - ✓ no scope creep, time/cost overruns, climate-responsive,
 - ✓ met all specifications, etc. [Google it : Genesis 1: 1-31]

Programmatic Framework ?-5

- ▶ Our Rationale
- ▶ Land governance reform-not a sprint, but a relayed ultra-marathon run on a web of tracks
- ▶ Programme : *a group of related, inter-dependent projects* which must be managed in a *coordinated way* to achieve specific *strategic objectives*
- ▶ *Strategic objectives typified by factors as below* (Source: Krawchenko & Tomaney, 2023)

Programmatic Framework ?-

INSTITUTIONAL FACTORS

Spatial and Land-use planning

Building code regulations

Environmental regulations

Regulatory governance

Public finance and taxation

Sectoral policies

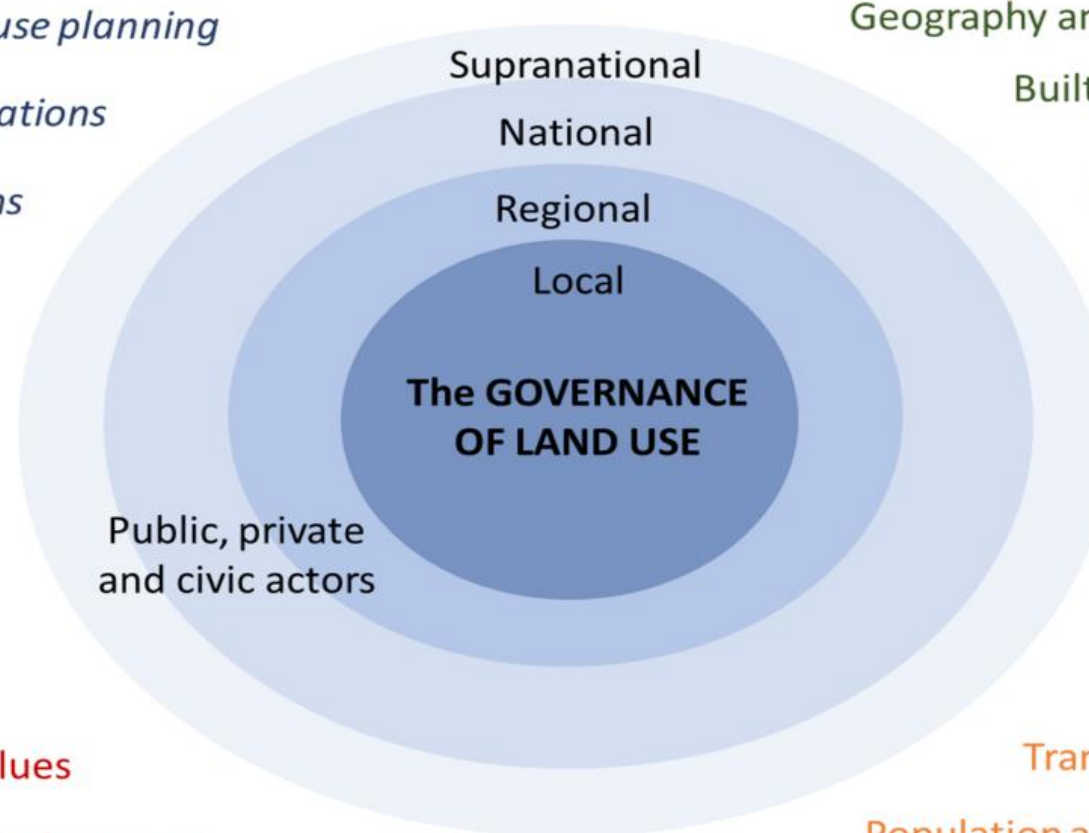
Environmental values

Public attitudes

Social values

Belief systems

SOCIAL/CULTURAL FACTORS



ENVIRONMENTAL FACTORS

Geography and land base

Built environment

Resource endowments

Soil, water air

Climate factors

Natural habitats

Industry

Economy

Infrastructure

Transportation

Population and demography

Accessibility and connectivity

STRUCTURAL FACTORS

Culture

Stewardship-1

- ▶ Defn.: **acting beyond self-interest to protect**, restore or sustainably deploy/use an entrusted resource (land) towards, & prioritizing long-term org. objectives
- ▶ Simplified defn. : wise or responsible use of natural resources (*Enqvist et al., 2018*)
- ▶ Different types: here- land or 'earth stewardship' (*Chapin et al., 2011*)
- ▶ Man's solid land use/stewardship = $\frac{3}{4}$ of earth's ice-free surface [*Pongratz et al, 2021*]
- ▶ ↑ attention + investment in environmental stewardship [*Bennett et al., 2018*]

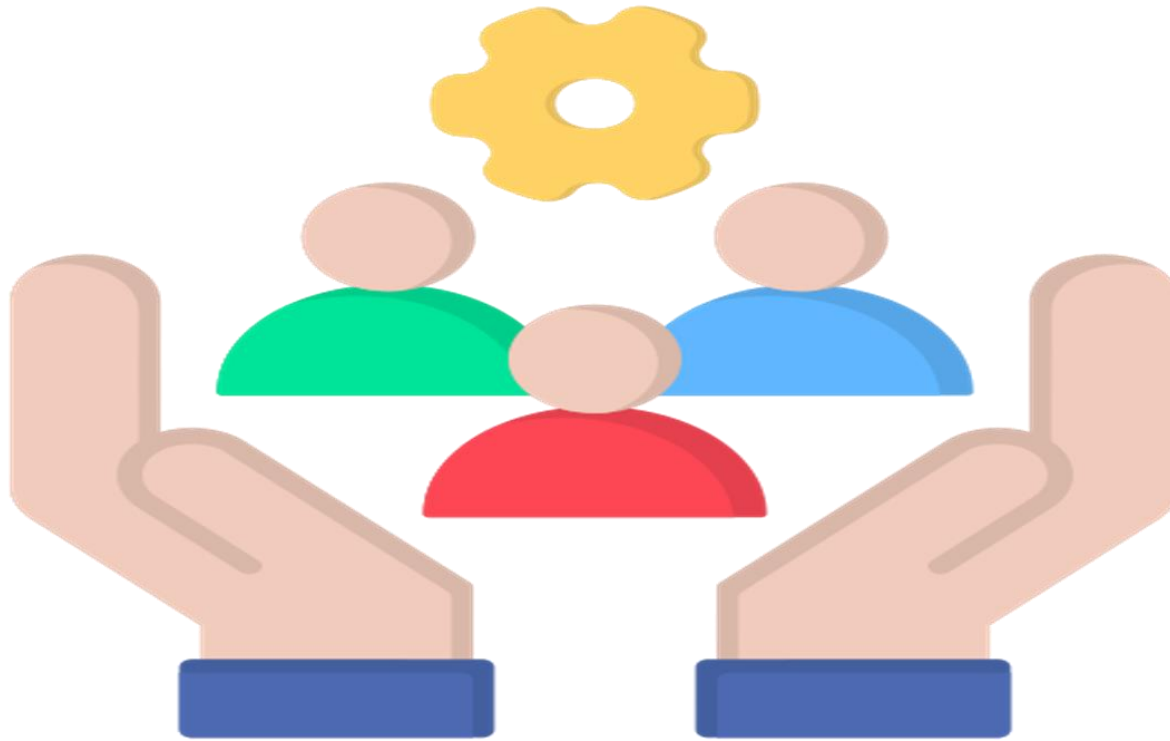
Stewardship-2

- ▶ Many public services/land governance- by MDAs [*Schillemans & Bjurstrøm, 2019*]
- ▶ Major MDA Xtic: semi-autonomous
- ▶ man's solid land use/stewardship = $\frac{3}{4}$ of earth's ice-free surface[Pongratz et al, 2021]
- ▶ Other interpretations: ethic, motivation, action and outcome (Enqvist et al., 2018)
- ▶ Ours-quadruplex: knowledge, care, agency and response/responsibility
- ▶ Ours: CaRrKS (careful responsive/responsible knowledge-based service)

Stewardship-3: Typical Principal-Agent relationship



Stewardship-4: Typical + Principal relationship



Stewardship-5

- ▶ Utility value of concept: guidance for productivity and sustainability
- ▶ Types: individual, group, or partnerships
- ▶ Sxs factors: motivation, capacity, circumstance, etc.
- ▶ Action types differentiation: formality, complexity, size/coverage, etc.
- ▶ Target results: social, cultural, economic, health, physical or governance-related

Stewardship-6

- ▶ Influencers: incentives, social norms, resources (levels of dependence ,access and rights)
- ▶ Stewardship Sxs Metrics:
 - ✓ consequences (Larrosa et al. [2016](#))
 - ✓ extended/extra benefits (Courtney et al. [2013](#))
 - ✓ costs and benefits spread (Pascual et al. [2014](#))
 - ✓ impacts of initiatives

Summary & Conclusion-1

- ▶ Govt's major function = protection of life+ property on 'land'
- ▶ Good land governance policies + institutions(MDAs) + stewards(MDA personnel) are important
- ▶ The free market is inefficient in- land governance/resource allocation
- ▶ MDAs are govt. agents/stewards and should use land policies/practices to deliberately/positively influence land use
- ▶ Land governance : impacts land use efficiency, equity & climate change and vice versa & life generally
- ▶ Land reform is a long-term endeavor = conceptualize as a programme(many intersecting/inter-dependent projects)
- ▶ Institutionalize NILGOR for sustainability/capacity development

Summary & Conclusion-2

- ▶ Our call :
- ▶ Conceptualize land reform as a programme= many projects
- ▶ Govt. land MDAs to deploy:
best practices/contemporary digital technology for more effective/efficient /optimal land stewardship
- ▶ Deploy a multi-disciplinary, multi-pronged, multi-level & multi-stakeholder approach
- ▶ *Govt. land MDAs should serve more as stewards not just agents.*
- ▶ *Institutionalize National Institute for Land Governance & Research(NILGOR) on PPP-basis = long-term land research/advisory + capacity development(private sector stake)*

I hope I was a good steward

