Agricultural Lands Cadastre Provisions and Management: A Suitable Means for Poverty Eradication and Youths’ Empowerment in Delta State of Nigeria

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Key words: Agricultural Lands Cadastre; Poverty Eradication; Youths’ Empowerment.

SUMMARY

Agricultural Lands Cadastre (ALC) in Delta State of Nigeria is not well articulated and defined in General Cadastre Land Administration System (GCLADS) spectrum. Presently, GCLADS is basically focused on parcels titling and land ownership for residential and commercial purposes. Certificate of Occupancy (C of O) for farmlands are restricted and uncommon particularly within low income group of farmers. Agricultural Lands Cadastre is within the purview of native land law and custom for the peasant farmers and individual plantation ownerships. Due to lack of serious commitment by government for ALC, documentation in terms of boundaries delineations on Survey Plans to be used as schedules for titles and rights are not popular among the poor and peasant farmers. Corporate and big time farmers relatively enjoy government supports with easy access to land since the Land Use Act vested state land under the care of the State Governor. Compensations for acquisitions from the peasants by government are usually poor, cumbersome and corruption laden.

The aim of this paper is to discuss the needs for creation of Agricultural Lands Cadastre System (ALCS); which will holistically encompass the provisions and management of the Agricultural Lands titling and ownership as a veritable means for poverty eradication and youths’ empowerment. Delta State Government (DTSG) is capable and this initiative is feasible using integrated management system for the State’s Ministry of Environment, Ministry of Agriculture and Natural Resources (MANR) and Ministry of Lands, Survey and Urban Development (MLSUD). There is need for viable inter play between the State Ministries; the Federal Ministries; the communal societies; farmers and youths associations with other stakeholders for this initiative to have positive impact on all and sundry.

1. INTRODUCTION

Land Administration System (LAS) in Delta State of Nigeria is purely and absolute state government affairs. Delta State is one of the 36 federation states of Nigeria in the southern edge of the country; it is a state with geographical location of having its boundaries to make it look like an enclosed island by the coastline of Atlantic Ocean and River Niger Delta drainage system. The state has 25 Local Government Areas. By the physical situation of the state; the land mass can be easily divided into: LAND, SWAMP and MARINE. These three geographical entities as physical environments have not been accommodated in any cadastre data management and development in Delta State. Cadastre Activities and Land
Administrations relationship in any place is like living cell and its nucleus. Cadastre Working Tools in Delta State can be defined as rudimentary, manual and evolving. (Dabiri 2014).

ALCS in terms of the Provisions and Management can be administratively linked with the States’ Ministry of Environment, Ministry of Agriculture and Natural Resources and Ministry of Lands, Survey and Urban Development. The three ministries are not integrated for any cadastre purpose. It is relevant to state that the State Government has in place several other policies in place for poverty eradication and youths’ empowerment. Those ones the government runs now are Small and Medium Entrepreneurs Loan Scheme for artisans and cooperatives with political undertones and exigencies. Private bodies like Rotary International, Oil Companies, Politicians, Foundations, Missionaries, World Bank and others have their massive contributions to poverty eradication and youths’ empowerment in the state running to millions of US Dollars with little or no impact on the targets. The dilapidating effect of poor management and lack of focus for holistic approach can be the major factor for the poor results and positive impact on the people.

1.1 PROVISIONS AND MANAGEMENT

Hernando de Soto, an author and Peruvian economist extols the value of empowering the poor through property ownership. Poverty reduction, gender equality, and social justice are important for sustainable growth. The philosopher author also shows how securing Land Tenure and managing the use of Land can transform society for good (Dangermond 2010).
Figure 2: A Sign board showing WORLD BANK Assisted Project in Patani Local Government Area of Delta State of Nigeria with little or no ALCS Provisions and Management.

Jack Dangermond, President of ESRI opined that Land is not just the earth that people walk on. It is fundamentally the way people think about place. Thus, land administration is not just about land – it is about people. Land Administration for Sustainable Development explores why it is imperative for society to build the capacity to manage land for the public good. It presents ten principles of land administration, along with a toolbox of best practices for realizing the land management paradigm of land tenure, land value, land use, and land development. Finally, it points the way toward meeting the challenges that land administration systems face to ensure the vision of economic development, social justice, environmental protection, and good governance.

ALCS Provisions as related to Delta State of Nigeria can easily be categorized into:

- The Humans in terms of their culture and customs.
- The Legal and Fiscal issues as provide by the constitutional Land Laws.
- And the Physical Environment.
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Figure 3: A picture of peasant female farmer and her children with stems of cassava for planting on their hand cart with drudgery and little return from farming; without any Agricultural Land Cadastre in terms of rights, ownership or title registration in Okpe Local Government Area of Delta State of Nigeria.

ALCS management can be applied from the pyramidal three groups of farmers in the state:

- CORPORATE FARMERS
- COMMERCIAL FARMERS
- PEASANT FARMERS

Figure 4: A pyramidal distribution where the base of pyramid is bigger with many peasants toiling daily to make little or nothing. The apex is where you have few corporate farmlands with more money and power over land.

Corporate farmers are the Limited Liability Agricultural Companies with hundreds of hectares of land; with multi million US Dollars capital base; with shares quoting in Capital Markets; with partnership with state government and legally backing land ownership. They are not many in the state; they deal mainly in monoculture cash crops like Rubber and Oil Palm. Some are also into poultry and cassava plantation.

Commercial Farmers are privately owned with tens of hectares of land; with small capital base of few thousands of US Dollars; with little or no legally backing land ownership; land ownership at this level can be customary and communal; with fisheries, poultries; piggeries and fruits plantation like pine apple, banana; in some cases rubber and Oil Palm plantations.
Peasant farmers are subsistence with little or no capital base; leaving from hand to mouth; with no legal title on the farmlands; workforce are usually women and children. In some cases, farmland can be destroyed by open grazing by cattle herdsman from northern part of the country or urbanization or any of the other two groups can take over such peasants lands in course of big farm business without adequate or no compensation.

Figure 5: A picture of cattle grazing across the country without any legal rights or restrictions. Herds of cattle graze by trekking over 1000 kilometers across the country looking for green pastures and destroying peasant farmers’ crops leading to bloody communal war and bloodbath.

1.2 MANAGERS

The major challenges facing Land Administration System Managers in the state are lack of adequate funding; budgetary indiscipline; lack of political will; insecurity; corruption and political instability; lack of will to break from bureaucracy and tendency of high cost of land administration using old and outdated tools. (Dabiri 2014).

ALCS in view of the three categories of the farmers can be better managed when the governmental Ministries can work as partners and as a formidable team for sustainable governance. The THREE MINISTRIES we linked for the ALCS management are here under highlighted with their duties as spelt out by law of the state. Sources – www.deltastate.gov.ng

- **MINISTRY OF LANDS, SURVEY AND URBAN DEVELOPMENT (MLSUD)**

The ministry is given the task of taking up responsibility for all form of land policies within
the state. It gives advices to the government on land tenure issues, and also manages government land and properties. The MLSUD is also tasked with administrative rights to land use decree, urban development, town planning, city and town rejuvenation.

Some of the **Parastatals** in the ministry include:

- Urban planning Board
- Land Use and Allocation Committee
- **Office of the Surveyor-General with responsibility for:**
  - Boundary Surveys
  - Mapping and Geo-Informatics
  - Cadastral and Special Surveys

**MINISTRY OF AGRICULTURE AND NATURAL RESOURCES (MANR)**

The state ministry of Agriculture and Natural Resources is tasked with the responsibility of all Agricultural services. It is posed with the duty to carry out inspections on produce been produced and all livestock matters. It has the obligation of carrying out veterinary services and fisheries and also undertakes special agricultural projects.

The several Parastatals existing within the Ministry are:

- Agricultural Development Programme;
- Delta Agricultural Procurement Agency;
- Tree Crop Unit;
- Tractor Hiring Unit;
- Communal Farms.
Figure 6: A Specimen copy and State Government advert for the advent and introduction of new Certificate of Occupancy with effect from 1st of September 2014.
MINISTRY OF ENVIRONMENT

The Ministry of Environment was created in 2001 to handle pollution and related Matters that affect the living environment in Delta State. The State Government approved the assignment of responsibility for all matters relating to ecological problems to the Ministry of Environment.

It is charged with the obligation of developing and creating environmental policies, environmental protection and control, environmental technology including efficient implementation of Research and Development. The clearing of existing drainage systems to solve ecological or environmental problems, sewage or the construction of drainages as part of measures to control effluent discharge, Waste or environment degradation (Whether caused by flood and/or erosion) falls within the purview of the Ministry of Environment.

The ministry also carries out different task of Planning, Designing and Constructing of Ecological and environmental facilities, environmental sanitation and urban waste disposal and management and the Provision of Natural Preservation which includes Forestry, Conservations, Ecology, and Sanitation. It also supervises the activities of Delta State Environmental Protection Agency (DELSEPA), Waste Management Board and takes the responsibility for liaising with Oil Companies on Pollution and Environmental Matters.

The assigned responsibilities to the Ministry of Environment include:

1. Environmental Policies
2. Environmental Protection and Control
3. Environmental Technology including initiation of policy in relation to environmental research and technology
4. Environmental Sanitation and Urban Waste Disposal and Management
5. Planning designing and construction of ecological and environment facilities
7. Provision of Sanitary means of human disposal
8. Liaising with oil companies on pollution and Environmental Matters
9. Supervision of Delta State Environmental Protection Agency (DELSEPA)
10. Forestry
11. Soil and water conservation
12. Wild life Preservation
13. Botanical Gardens

2.0 INTEGRATED MINISTARIAL MANAGEMENT APPARISAL

ALCS in Delta State of Nigeria like any other part of the world is government based paradigm. It requires good policies formulations and executions with required stringent follow up for good target attainment. In a developing economy like ours as it is in other successful developed economy, isolation of various components, ministries, parastatals and departments is the major problem. This is generally known as the problem of “silos” (Williamson et al
2010. The National problem of Nigeria today after poverty induced insecurity is high rate of unemployment among the teeming youths. The level of hopelessness is so high and this has created insecurity at all levels of government. Using ALCS for poverty eradication and youths’ empowerment in Delta State is achievable if state government can face these challenges as itemized hereunder and go at full blast to tackle all of them for the common good of the weak and poor in the society. (Dabiri 2014)

- Very porous and poor Legal Framework.
- Frustration of Legislations on Land Administration System.
- Poor and slow justice delivery system.
- Corruption and lack of will to change for good.
- Poor capacity building and unstable educational system.
- Land related Professionalism intra and inter jealousy.
- Land registration not of effect.
- Cadastral maps not in place.
- Poor mapping culture.
- Poor governmental Funding.
- Professional Institutions and Associations lack of vision.
- Government lack of awareness.
- Lack of transparency in Governance.
- Taxation and Apathy to pay tax due to poor governance.
- Over delayed Certificate of Occupancy processing: FIVE MONTHS and above.
- Cumbersome title and deed registration system.

The peasant farmers are usually the women who are caught up in the cobwebs of marital adventure and arrested by customary marital laws. Financial support from their husbands is usually meager; the women and their children use subsistence manual farming for survival. Governmental and Non Governmental institutions will eradicate poverty faster and easily if viable ALCS can be built and sustained for the good of the farmers. Dwindling Oil Prices is making revenue accrued to the state government from the centre to be dropping every day. The State Government can easily look inward and build a viable ALCS using the ministries integration and holistic approach devoid of high corruption and silo syndrome. The Appraisals shall be expected to focus on the abundant tools we readily have in Delta State. When one looks at the challenges as narrated; the bottom line of the challenges can be reduced to these: (Dabiri 2014)

- FUNDING AND LACK OF FISCAL DISCIPLINE
- BUREAUCRACY AND POOR MANAGEMENT
- POOR AND POROUS LEGAL FRAMEWORKS AND CONFLICTS THEREIN
3.0 CREATION OR ADOPTION

Creation or Adoption of any Land Administration System (LAS) like ALCS and the implementation of it without proper feasibility studies usually brings serious consequences of creating more problems and frustrations. When inappropriate tools have serious consequences: at best, poor and fragile LAS will result. At worst, the end result will compromise the system that existed at the start. Unfortunately, since 1975, cadastral, land titling, and land administration projects have produced more failures than the rare successes. The past decade has seen more successful implementations as the international community has come to better understand the complex issues involved in building LAS and their relationship with good governance in general. (Williams et al 2010).

Poverty eradication is a good attribute of any good governance and sustainability. One of the major and viable platforms to reach out to the poor is via good ALCS. Creation or adoption of a system has to be holistic and masses friendly. Land Ownership with the Rights, Restrictions and Responsibilities (RRRs) need to be well defined with good legal framework. In Delta state: Land Use Act of 1999 as amended with its inadequacies can still be used when there is political will and sincerity on part of the government.

Figure 7: Please Note that P is Provision; M is Management and H is Holistic Approach: the figure is showing the need for proper funneling of the three parameters for a good ALCS creation.
4.0 CROSSING THE THRESHOLD

Crossing the threshold is the start off point from the present state of things: the PAST, the PRESENT and the FUTURE of the people particularly the weak and the poor must fully considered in designing any form of system. The country just witnessed an uncommon historical and political change after the general election. CHANGE is the common political slogan in Nigeria now. All and sundry expectations are very high for good governance particularly after the general election of 28\textsuperscript{th} of May 2015. ALCS is an important initiative that DTSG can easily embark upon for good governance sustainability.

No ALCS can be started off without putting in place CADASTRE ADMINISTRATION SYSTEM starting with the simple rudiments of cadastre data acquisition, collation, presentation, storage, adaptation and utility. The Investments on the CADASTRE is a fundamental issue and cannot be compromised. Poor Investment on CADASTRE translates to POOR GOVERNANCE and POOR PEOPLE.

When the Land Administration is not under proper management definitely the revenue earnings of the government will be limited and corrupted.

Cadastre Survey is the pivot of all Land Administration System all over the world and in Delta State of Nigeria; it is the centre of all actions on land matters. But our Cadastre Level
Rating (CLR) is very low and it needs to be turned around for good.

Figure 9: The Cadastre Survey Record Copies heaped on bear floor and dust cupboards in the MLSUD. Manual and slow management of data need to be changed for creation or adoption of a good ALCS.

To have a good ALCS in place be it by creation or adoption: The following milestones have to be studied and work with (Dabiri 2014)

1. Automate and enhance the Delta State Cadastre Survey Plans Registration System based on the available survey laws and departmental instructions that Survey Plans are necessary article for production of all title in the state.

2. Develop an information utility to manage the survey plans registration databases starting with the certificates of occupancy in the MLSUD.

3. Develop Delta State Cadastre Map using Local Government Area as units of the map system.

4. Market cadastre products, systems and applications to other states and within the data users to serve as a base for research and development.
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Figure 10: Cadastre Data kept in cartons is inimical to any form of ALCS.

5.0 CONCLUSION

The contrast between rich and poor nations is readily apparent from a land administration perspective (De Soto 2000). Poor Countries need more, not less, comparative land management capacity. While titling land can retrieve the lost capital of the poor, integration of the land administration functions in organized Land Administration System is essential to accommodate planning and other issues experienced by poorer nations (Williams et al 2010).

The view as opined above has been the fundamental components of any good governance. Delta State People and Delta State Government will need to work hard to provide and enhance ALCS for the good of the people that have high expectation with the wind of change blowing due to emergence of the country for a new political dispensation.

REFERENCES


BIOGRAPHICAL NOTES

Before then he has served as Projects Surveyor for major oil servicing companies in Niger Delta and beyond for Right of Ways and Oil facilities Engineering Survey support services. In 1993/1994 he started Private Practice as Principal Partner for Geocore Surveys: a personnel supplying contracting company to Chevron Nigeria Limited and Shell Petroleum Development Company of Nigeria. In 2001, he formed Hydroark International Limited. He is the Chairman and Managing Director of the company since then till date. Hydroark is one of the leading Survey company with wide diversity into hydrographic survey, property, cadastre management and investment monitoring; he is a viable member of FIG Commission 7; a Paul Haris Fellow of Rotary Club International; National Treasurer of Association of Private Practicing Surveyors of Nigeria (APPSN) since 2013 till date. He became FELLOW of Nigerian Institution of Surveyors 2015. Married with children

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