

# The compensation process and claimants expectations in compulsory land acquisitions in delta state communities

## Abstract

This study evaluates the expectations of claimants regarding compulsory land acquisition and the effectiveness of the compensation process in Delta communities. A mixed-methods approach, combining descriptive and exploratory research, was employed. The study surveyed 128 practicing estate surveyors and valuers in Delta State, as well as 27 affected individuals, including women, youths, and farmers, through questionnaires and interviews. Data were analyzed using descriptive statistics for quantitative responses and thematic analysis for qualitative insights. The findings reveal significant disparities between the expectations of claimants and the realities of land acquisition and compensation. Timely and adequate compensation emerged as a primary concern, as insufficient payments, particularly for crop losses and livelihood impacts, exacerbate economic hardships. The diversity in demographic and occupational backgrounds influences compensation expectations, with younger individuals and farmers prioritizing the restoration of their livelihoods. Claimants expressed low confidence in grievance redress mechanisms, viewing legal processes as costly and ineffective. Additionally, while transparency in the compensation process is valued, it remains secondary to the necessity for financial adequacy. Key recommendations include implementing replacement cost valuation, enhancing grievance redress mechanisms, ensuring fair crop valuation, and increasing public participation in compensation decision-making. Addressing these gaps through legal and policy reforms can improve fairness in land acquisition and promote sustainable development in affected communities.

**Keywords:** compulsory land acquisition, compensation expectations, compensation process, stakeholder engagement, legal frameworks

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## Introduction

Land serves as a means of production, a source of income, valuable property, and a space for life.<sup>1</sup> Governments frequently utilize compulsory land acquisition to obtain land as necessary. In Nigeria, as in other countries, land has been acquired compulsorily since the colonial era for public infrastructure such as schools, hospitals, roads, railway tracks, and other facilities.<sup>2</sup> Compulsory land acquisition is a legal process through which the government or its agencies acquire privately owned land for public purposes, such as infrastructure development, urban expansion, or resource extraction, with compensation to the affected owners.<sup>3</sup> In Nigeria, the Land Use Act of 1978 vests land ownership in the government, allowing for compulsory acquisition while mandating compensation.<sup>4</sup> However, the fairness, adequacy, and timeliness of compensation remain critical issues, particularly in communities where land serves as both an economic asset and a cultural heritage.<sup>5</sup>

Delta State, situated in Nigeria's oil-rich Niger Delta region, has frequently experienced cases of compulsory land acquisition for purposes such as oil exploration, infrastructure projects, and urban development.<sup>6</sup> The government in Delta State has engaged in compulsory land acquisition from individuals, particularly targeting those classified as urban poor. For example, land was acquired for the construction of several roads, including Ughoto Road with a spur to Ugbokodo in Okpe Local Government Area (LGA), Odedogho Road off the Ughelli-Patani Expressway in Ughelli North LGA, Idumualadja Street off Udimurie Road in Okpe LGA, and the Uruevwere/Ophororo/Uvwriche/Ogode/Owarovwo/Agadama Road

in Ughelli North LGA. Unfortunately, the acquisition of farmlands and properties from the urban poor often occurred without providing proper compensation to the affected individuals (Dankani).<sup>7-10</sup>

Despite legal provisions for compensation, land claimants often express dissatisfaction, citing delayed payments, undervaluation of properties, and lack of transparency in the compensation process.<sup>11</sup> The expectation of claimants typically includes fair monetary compensation, resettlement provisions, and sustainable livelihood support to mitigate the socioeconomic impact of displacement.<sup>12</sup> Insufficient compensation imposes severe hardships on the urban poor, resulting in the loss of livelihoods and significant emotional distress. Affected individuals often find themselves in a vulnerable position, as the compensation provided is inadequate to restore their previous standard of living or secure alternative means of sustenance (Litchfield and Darin-Drabkin<sup>13-21</sup>).

The challenges associated with compulsory land acquisition and compensation in Delta communities are exacerbated by land tenure complexities, weak institutional frameworks, and socio-political influences.<sup>21</sup> In some instances, discrepancies exist between what affected persons expect and what they receive, leading to grievances, protests, and in extreme cases, legal battles.<sup>22</sup> This study seeks to evaluate the expectations of claimants in compulsory land acquisition and the effectiveness of the compensation process in Delta communities. It will explore the adequacy of compensation packages, stakeholder engagement strategies, and the extent to which existing legal frameworks align with best practices in land acquisition and resettlement.

Understanding claimants' expectations is critical in shaping policies that promote fairness, transparency, and social equity in land acquisition processes. This process must align with the Sustainable Development Goals (SDGs), particularly with SDG 1 (No Poverty), and SDG 10 (Reduced Inequality). By assessing the gaps in current practices, this study will provide insights into how compensation mechanisms can be improved to foster trust and social stability in affected communities.

However, the compensation process for those affected by land acquisition can be complex, and the expectations of claimants must be properly addressed to ensure social stability and promote sustainable development.

## Literature review

### Concept of compulsory land acquisition

Compulsory land acquisition, also known as eminent domain or expropriation, is the legal process by which the government or its authorized agencies acquire privately owned land for public purposes, providing compensation to the affected landowners.<sup>3</sup> The government's power to acquire private land rights without the owner's consent for the benefit of society is referred to as compulsory acquisition.<sup>23</sup> Shehu and Nuhu,<sup>24</sup> referencing Umeh (2002), describe this as the coercive taking of individual or communal land or property for public purposes.

In this process, as noted by Ndjovu,<sup>25</sup> individuals who are dispossessed are compelled to sell their properties against their will, transferring ownership from private individuals or communities to the government or its authorized organizations in exchange for compensation. This power is often crucial for social and economic development and environmental protection. Governments cannot rely solely on land markets to purchase land when necessary. According to Creswell and Miller,<sup>26</sup> reasons for governments to acquire land compulsorily include the need to provide social and economic amenities for society's overall benefit, perceived inefficiencies in the private market, and the need for public infrastructure such as hospitals, schools, police stations, and other facilities.

Compulsory land acquisition is frequently justified on the grounds of public interest, including infrastructure development, urban expansion, environmental conservation, and resource extraction.<sup>21</sup> While this process is an essential tool for economic development and national growth, it often raises concerns about fairness, adequacy of compensation, and the rights of affected individuals.<sup>5</sup>

In developed countries, compulsory acquisition is commonly used to protect natural environments such as forests, nature reserves, and water resources, as well as to provide public amenities like recreational centers and open spaces, and to prevent land-use conflicts.<sup>27</sup> In contrast, in developing countries, the concept is primarily used to develop facilities in the public interest and to promote equity and fairness between socioeconomic groups, particularly between the wealthy and the less privileged.

### Legal framework for land acquisition in Nigeria

Compulsory land acquisition in Nigeria is governed by a combination of legal statutes, institutional frameworks, and administrative processes designed to regulate land ownership, acquisition, and compensation. While these frameworks aim to balance the public interest with property rights, their implementation has often been criticized for inefficiencies, inadequate compensation, and lack

of transparency.<sup>22</sup> The legal framework governing compulsory land acquisition in Nigeria comprises several key legislations, including the Public Land Acquisition Act of 1917 (Cap. 167 of 1955), the State Lands Decree No. 38 of 1968, the Public Land Acquisition (Miscellaneous Provisions) Decree No. 33 of 1978, the Land Use Act (Cap. L5 LFN 2004), the Oil Pipeline Act (Cap. O7 LFN 2004), the Petroleum Act of 1967 (now Cap. P10 LFN 2004), and the Nigerian Constitution.

The Public Land Acquisition Act of 1917 (Cap. 167 LFN 1958) was the first comprehensive legislation addressing land acquisition and compensation in Nigeria. It grants the government the authority to acquire land for public purposes, contingent on the provision of fair compensation. The Act requires a minimum notice period of six weeks to inform all stakeholders, either personally or through their usual place of residence or business. Section 15 establishes compensation based on open market value, while Section 17 covers compensation for loss of rent and mesne profits. Additionally, the Act provides for compensation due to severance and injurious affection to property owners. In cases of disputes over compensation claims, the courts serve as the adjudicating authority. The Act is often regarded as having the most comprehensive compensation provisions in Nigerian history, as it addresses a wide range of compensation claims. However, its relevance has diminished following the enactment of the Public Land Acquisition (Miscellaneous Provisions) Decree No. 33 of 1976 and the Land Use Decree No. 6 of 1978.

The State Lands Decree No. 38 of 1968 sets out the framework for assessing compensation for resumed state lands, replacing the earlier State Lands Act (Cap. 45), which had been criticized for its inadequate and inequitable compensation provisions. Section 24 of Decree 38 provides for compensation when state land, previously sold or leased under the Act, is acquired for public purposes. Compensation for land is restricted to a refund of ground rent for the expired term, calculated at a nominal rate of N1 per annum. In the case of buildings and installations, compensation is based on the depreciated replacement cost, with interest at the prevailing bank rate applied for the expired term. For crops, compensation is determined based on their fair market value, taking into account prevailing economic conditions, as assessed by the Federal Ministry of Lands and Housing.

The Public Land Acquisition (Miscellaneous Provisions) Decree No. 33 of 1976 repealed both Cap. 167 and the State Lands Decree of 1968. This decree outlines the specific public purposes for which land may be compulsorily acquired and introduces revised compensation provisions. A key aspect of the decree is the establishment of fixed compensation rates for land based on designated zones.

Similarly, the Oil Pipelines Act (Cap. 338 of 1990, now Cap. O7 LFN 2004) empowers the Minister of Petroleum Resources to acquire land for petroleum-related activities and pipeline rights of way, with the condition that fair compensation is provided to affected landowners. The Act requires the licensee to give a minimum of 14 days' notice of their intention to use land for pipeline purposes to the owner of the property. Section 6(3) provides compensation for any damages incurred during the surveying of land under a permit issued in accordance with the Act. Additionally, Section 11(a) empowers license holders to enter, take control of, or use a strip of land not exceeding two hundred feet in width or as specified in the license.

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The Public Land Acquisition Act of 1917 (Cap. 167 LFN 1958) was the first legislation regarding land acquisition and compensation in Nigeria. It grants the government the authority to acquire land for public purposes, provided that fair compensation is paid to the affected parties. The Act requires a minimum notice period of six weeks to inform individuals with an interest in the land, either personally or via their usual place of residence or business. Section 15 outlines the principle that compensation should be based on the open market value of the land. Section 17 addresses compensation for loss of rent and mesne profits. Additionally, the law provides for compensation for damages resulting from severance and injurious affection to the landowner. Any disputes regarding compensation claims are to be resolved by the court under this Act. This law is often regarded as having the most comprehensive compensation provisions in Nigerian history, as it addresses various heads of compensation claims. However, it has become largely obsolete due to the Public Land Acquisition (Miscellaneous Provisions) Decree No. 33 of 1976 and the Land Use Decree No. 6 of 1978.

The State Lands Decree No. 38 of 1968 outlines the basis for assessing resumed state lands and replaced the earlier State Lands Act (Cap. 45), which contained compensation provisions that were viewed as neither free nor fair. Section 24 of Decree 38 stipulates compensation for state land that is sold or leased under the Act and subsequently acquired for public purposes. Compensation for land is limited to a refund of ground rent for the expired term, calculated at N1 per annum. For buildings and installations on the land, compensation is based on “an amount equal to the depreciated replacement cost with interest at the bank rate” for the expired term. Crops are compensated based on “an amount equal to fair market value (considering prevailing economic circumstances) as determined by the Federal Ministry of Lands and Housing.”

Section 3 of the Oil Pipeline Act grants the license holder the authority to “construct, maintain, and operate an oil pipeline.” Furthermore, Section 11(4) allows the licensee to excavate and extract, free of charge, gravel, sand, clay, or other non-mineral substances within the licensed area. Under Section 11(5), the license holder is required to “pay compensation to any person whose land or interest is affected by the exercise of rights under the license.” Disputes related to compensation fall under the jurisdiction of the court, as described in Section 19. The Act establishes the open market value as the basis for compensation assessment, while Section 20 empowers the court to determine just compensation for damages to buildings, crops, or profitable trees, as well as for any disturbances caused.

The Petroleum Act (Cap. 350 of 1990, now Cap. P10 LFN 2004) primarily addresses compensation for damages or disturbances resulting from oil well drilling. Section 36 mandates that “the holder of an oil exploration license, oil prospecting license, or oil mining license shall be liable to pay fair and adequate compensation for the disturbance of surface or other rights to any person who owns or is in lawful occupation of the licensed or leased lands.”

The Land Use Decree No. 6 of 1978 (now the Land Use Act, Cap. L5 LFN 2004) consolidated Nigeria’s dual land tenure systems into a unified framework. As the principal legislation governing land tenure and compulsory acquisition, the Act vests all land within a state under the control of the Governor, who holds it in trust for the people. Key provisions of the Act include:

Section 1 All land within a state’s territory is vested in the Governor, who is responsible for land administration.

Section 28: The Governor has the authority to revoke land titles in the interest of the public, including for infrastructure development, urban expansion, and natural resource exploitation.

Section 29: Compensation must be paid to landowners whose land is acquired, but this payment is only for unexhausted improvements such as buildings and crops, not for the land itself.

Despite its intent to streamline land administration, the LUA has been criticized for several limiting private land ownership rights and for centralizing land control in the hands of the government. Similarly, its Compensation is often considered inadequate since landowners are only compensated for developments on the land and not the land itself<sup>12</sup>.

The statutes clearly empower the Governor to compulsorily acquire land and authorize its use or occupation by public or private entities to promote the public good or welfare. According to Viitanen et al.,<sup>28</sup> communities are more likely to accept land acquisition when it is for infrastructure projects perceived to serve the public interest. In the Niger Delta, this resistance often manifests as physical denial of access to the land or demands for higher compensation. Communities, particularly women, frequently view compulsory land acquisition as a source of hardship, especially when large tracts of land remain underutilized by the government, and compensation is delayed or considered inadequate.

### Challenges in Nigeria’s legal framework for land acquisition

Despite the existence of laws governing land acquisition, several challenges persist:

- i. **Lack of clarity in compensation criteria:** The Land Use Act does not provide clear guidelines for determining fair market value, leading to arbitrary compensation.<sup>12</sup>
- ii. **Delays and bureaucracy:** The process of land acquisition and compensation is cumbersome, slow, and prone to corruption.<sup>21</sup>
- iii. **Limited public participation:** Affected communities often lack awareness and involvement in decision-making, leading to resistance and litigation.<sup>22</sup>
- iv. **Weak enforcement of compensation laws:** Many landowners struggle to enforce their rights due to weak institutional oversight and lack of accountability.<sup>6</sup>
- v. **Conflicts between customary and statutory land tenure:** Many communities in Delta State hold land under customary tenure, which is not adequately recognized by existing land laws, leading to conflicts and displacement.<sup>5</sup>

### Compensation process in compulsory land acquisition

Compensation in compulsory land acquisition is a critical aspect of the process aimed at mitigating the adverse effects of displacement on affected landowners and communities. In Nigeria, compensation is legally mandated when land is acquired for public purposes, but the adequacy and effectiveness of this process have been widely debated.<sup>3</sup> The compensation process involves valuation, payment, and dispute resolution, but challenges such as delays, underpayment, and lack of transparency continue to affect its implementation.<sup>21</sup>



In Nigeria, the process of Compulsory Land Acquisition and Compensation (CLA&C) adheres to a legally defined sequence of steps. It typically commences with identifying a suitable location for the intended project, which may include infrastructure development, urban renewal, or expansion initiatives. This acquisition process entails reconnaissance surveys, detailed site inspections, and scheduled consultations between property owners and the acquiring authority. As mandated by Sections 28(4) and (6) of the Land Use Act of 1978, the government must issue a notice outlining the purpose of the acquisition before proceeding. These notices are disseminated through postings on buildings or trees, publications in major newspapers, or inclusion in official government gazettes (Ibager, 2010<sup>29,30</sup>).

The subsequent phase of CLA&C involves the enumeration, assessment, and compensation of affected assets, a process requiring specialized expertise. Asset enumeration includes identifying the affected land and properties, determining ownership details, and delineating boundaries and property rights. In cases where ownership is shared through joint tenancies or tenancies in common, individual stakeholders must be identified and recorded to ensure fair compensation. Compensation is determined according to Section 29(4), Paragraphs (a)–(c) of the Land Use Act, which provides for payments related to land, structures, installations, improvements, and agricultural assets such as economic trees. The valuation process, particularly the methods used to determine compensation and the rates applied to crops and economic trees, is a frequent source of contention.<sup>31</sup> Upon completion of the assessment and determination of compensable amounts, claims (value reports) are submitted, and compensation is disbursed. However, this stage often raises concerns regarding the government's commitment to fulfilling its obligations, as issues such as inadequate compensation, poor resettlement conditions, and delayed payments frequently arise. Section 29(4b) of the LUA stipulates that compensation must be paid as assessed and in accordance with prescribed methods, with interest accruing at the prevailing bank rate in cases of payment delays.

Following compensation, the process of ownership transfer and relocation commences, with the government typically setting timelines for relocation to ensure the availability of the acquired land for public use. However, dissatisfaction among affected individuals often results in delays. In instances of disputes, Section 30 of the LUA permits affected parties to submit petitions to the Land Use and Allocation Committee (LUAC) for resolution. Nevertheless, many petitions end up in court rather than being addressed by the LUAC due to widespread distrust in government-led dispute resolution mechanisms. The effectiveness of the CLA&C process is essential to ensuring compliance and minimizing disputes. However, bureaucratic inefficiencies, lack of transparency, and inadequate compensation continue to make the process highly contentious, particularly when rural agricultural lands are involved, occasionally leading to resistance and violent confrontations.

### Expectations of claimants in land acquisition and compensation

Claimants affected by compulsory land acquisition often have high expectations regarding the compensation process, as it directly impacts their livelihoods, economic stability, and social well-being. These expectations are shaped by legal provisions, past experiences, and socio-economic conditions. However, in many cases, the realities of land acquisition and compensation fall short of these expectations, leading to dissatisfaction and disputes (Akinwale and Ogunleye, 2023).<sup>21</sup> These expectations are discussed as follows:

**Expectation of fair and adequate compensation:** One of the primary expectations of claimants is that compensation should be fair, adequate, and reflective of the true value of their lost assets. This expectation includes several key components: the compensation should account for the full market value of the land rather than just the value of improvements made to it; it should consider the future economic potential of the land, particularly for agricultural and commercial properties; and it should use replacement cost valuation instead of relying on depreciated values. This approach ensures that claimants can acquire similar properties elsewhere.<sup>5</sup>

However, in Nigeria, compensation is often calculated based solely on the value of improvements on the land, such as buildings, crops, and economic trees, rather than the land itself. This practice has resulted in dissatisfaction among claimants.<sup>6</sup>

Adequate compensation is essential to prevent further impoverishment of individuals affected by land acquisitions, in alignment with Sustainable Development Goal 1, which promotes the eradication of poverty. According to UN,<sup>32</sup> the compensation process should be designed to restore the financial stability of those impacted, enabling them to sustain their livelihoods and support their families. This could involve financial compensation or the provision of alternative land. Both options should aim to mitigate the loss of income and assets, protecting individuals from falling deeper into poverty.<sup>33</sup>

**Timely payment of compensation:** Claimants expect that compensation payments will be processed promptly to minimize financial and economic disruptions. Delays in compensation often lead to financial hardships, especially for those relying on land for their livelihood, inflation-related losses, where delayed payments become inadequate due to rising property values, and legal disputes as claimants seek redress for delayed or unpaid compensation.<sup>11</sup>

Despite this expectation, research shows that bureaucratic bottlenecks and funding constraints often delay payments, sometimes for several years.<sup>12</sup>

**Transparency and stakeholder engagement:** Claimants anticipate a transparent compensation process where the methods used for valuation and the criteria for compensation are clearly communicated. This transparency includes access to valuation reports to help claimants understand how compensation amounts are determined, public consultations to discuss land acquisition plans and the frameworks for compensation, and an inclusive approach that recognizes and compensates all affected individuals, including customary landowners.<sup>22</sup>

However, studies show that many land acquisition processes in Nigeria lack transparency. As a result, claimants are often unaware of how compensation is calculated or the timeline for payment.<sup>21</sup>

It is essential that the compensation process is equitable and aligned with the Sustainable Development Goal 10 (Reduced Inequality). This ensures that marginalized and vulnerable groups, such as women, youth, and indigenous people, are not overlooked or treated unfairly. These groups are often the most impacted by land acquisition, making it crucial to provide equal opportunities and address any existing systemic inequalities in access to compensation<sup>32</sup>. By ensuring inclusive participation and equal treatment in the process, we support the broader goal of reducing inequality within communities.

**Consideration of livelihood and social impact:** Beyond monetary compensation, claimants expect that the compensation process will address the broader socio-economic impacts of displacement,

including alternative livelihood support, such as job training or business grants for affected persons, resettlement assistance, including land-for-land compensation or access to new housing, and community development projects, such as infrastructure and social amenities to offset the loss of ancestral lands.<sup>6</sup>

However, in many cases, displaced communities receive only monetary compensation, which is often inadequate to sustain long-term livelihoods.<sup>5</sup>

**Access to legal remedies and grievance mechanisms:** Claimants anticipate a grievance redress system that is both efficient and accessible, enabling them to contest unfair compensation. Key components of such a system include alternative dispute resolution (ADR) mechanisms for the prompt settlement of compensation disputes, judicial recourse allowing claimants to seek legal intervention when compensation is insufficient, and safeguards against forced eviction to ensure that land is not expropriated until fair compensation is determined and disbursed.<sup>11</sup> However, legal proceedings are often costly and time-intensive, compelling many claimants to accept inadequate compensation due to limited access to legal support.<sup>12</sup>

**Recognition of customary and informal landowners:** In many communities, land ownership is based on customary tenure systems, where land is inherited or communally owned without formal title documents. Claimants expect that customary land rights are recognized in compensation processes, compensation is provided to both titled and non-titled landowners, and communal landowners receive collective compensation rather than individual payouts.<sup>3</sup>

However, the Nigerian Land Use Act of 1978 does not adequately recognize customary ownership, leading to the exclusion of many claimants from compensation payments.<sup>21</sup>

## Research methodology

The study will use both descriptive and exploratory research approaches. The descriptive approach will provide an understanding of the expectations of claimants in compulsory land acquisition and compensation practices. In contrast, the exploratory approach will allow for an in-depth examination of the challenges faced by

claimants and the effectiveness of existing compensation mechanisms. The target population for this study includes Estate Surveyors and Valuers, as well as individuals affected by compulsory acquisition cases in Delta State, which encompasses women, youths, and farmers. The sample size will consist of 128 practicing Estate Surveyors and Valuers in Delta State, along with twenty-seven affected individuals from compulsory acquisition cases (including women, youths, and farmers).

For the questionnaire administration, the entire population of 128 practicing Estate Surveyors and Valuers in Delta communities will be sampled to achieve a desirable level of accuracy. For qualitative research, the snowball sampling method will be used to select 27 respondents from the affected landowners. Additionally, a variety of documents will be collected and analyzed to gain insights into land ownership, acquisition processes, and relevant laws relating to compulsory acquisition and compensation in Delta State.

Data collected from the questionnaires will be analyzed using descriptive statistics, including percentages, means, and standard deviations. Thematic analysis will be employed to analyze qualitative responses.

## Results and discussion of findings

This section presents the questionnaire and interview findings as follows:

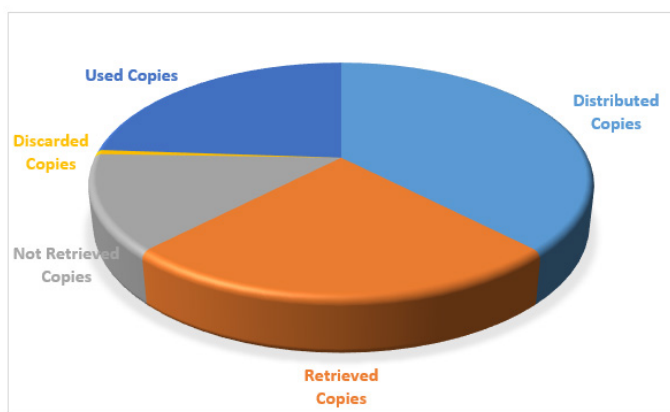
### Questionnaire administration

The data in Table 1 presents the response rate of the questionnaires used in this study. A total of 128 questionnaire copies, representing 100% of the study population, were administered. However, only 83 questionnaire copies, accounting for 64.8%, were returned by the respondents. Out of the 128 copies, 45 questionnaire copies (35.1%) were not returned, and 2 copies (1.6%) were discarded due to errors, resulting in 81 viable questionnaire copies (63.3%) for analysis. Bryman and Bell (2003) consider a response rate of 30-94% acceptable in organizational research. The data was subsequently entered into the Statistical Package for the Social Sciences (SPSS) software for further analysis (Figure 1).

**Table 1** The response rate of the questionnaires used in this study

| <b>NEW claimants' expectation in land acquisition and compensation</b>   | <b>SA</b> | <b>A</b> | <b>U</b> | <b>D</b> | <b>SD</b> | <b>Sum</b> | <b>Mean</b> | <b>SD</b> |
|--|-----------|----------|----------|----------|-----------|------------|-------------|-----------|
| Timely and adequate Payment of Compensation to minimize financial and economic disruptions                           | 41        | 21       | 7        | 6        | 6         | 328        | 4.05        | 3.73      |
| Determination of rates on the basis of life expectancy or economic life for crops                                    | 33        | 19       | 17       | 7        | 5         | 311        | 3.84        | 3.52      |
| Expectation of Fair and Adequate Compensation  | 35        | 21       | 15       | 7        | 3         | 321        | 3.96        | 3.61      |
| Replacement cost valuation instead of depreciated value, ensuring claimants can acquire similar properties elsewhere | 31        | 21       | 17       | 6        | 6         | 308        | 3.8         | 3.49      |
| Payment for relocation, loss of income source or means of livelihood, loss of access to communal resource or service | 35        | 25       | 11       | 6        | 4         | 324        | 4           | 3.65      |
| Payment for the land itself (Full market value of land)  | 23        | 17       | 19       | 16       | 6         | 278        | 3.43        | 3.16      |
| Claimants expect an efficient and accessible grievance redress system to challenge unfair compensation               | 18        | 19       | 17       | 17       | 10        | 261        | 3.22        | 2.99      |
| Transparent compensation process where valuation methods and compensation criteria are clearly communicated.         | 25        | 16       | 22       | 10       | 8         | 283        | 3.49        | 3.23      |
| Compensation provided to both titled and non-titled landowners.  | 18        | 13       | 16       | 19       | 15        | 243        | 3           | 2.83      |
| Public consultations to discuss land acquisition plans and compensation frameworks.                                  | 27        | 25       | 13       | 9        | 7         | 299        | 3.69        | 3.4       |

Source: Field Survey, 2025



**Figure 1** Distributions and retrieved copies of questionnaire.

Source: Research Survey, 2024

In terms of interviews, a snowball sample of twenty-seven (27) stakeholders was interviewed from the aforementioned group. All twenty-seven (27) interviewees, representing 100%, participated in the interviews.

### Claimants' expectation on land acquisition, and compensation in delta communities

This theme investigated claimants' demographic groups expectation on land acquisition, valuation and compensation procedures and practices in Delta State. Table 1 below provides an overview of the data collected in the survey on the expectations of the different diversity groups claimants regarding compensation for compulsory land acquisition in Delta communities. It shows the number of respondents (count), the most frequent value (top), and the frequency of that value (frequency) for each variable. Additionally, it calculates summary statistics such as mean, and standard deviation (std), for numerical variables.

The analysis of claimants' expectations regarding land acquisition and compensation reveals key concerns related to fairness, adequacy, transparency, and legal recourse. The Relative Importance Index (RII), mean scores, and standard deviations provide insights into the priority areas for claimants and the consistency of their responses.

The highest-ranked expectation, with an RII of 0.81 and a mean score of 4.05, is the timely and adequate payment of compensation to minimize financial and economic disruptions. This underscores the critical importance of prompt compensation in ensuring that affected individuals and communities do not suffer undue economic hardship. Similarly, the expectation for compensation to cover relocation, loss of livelihood, and access to communal resources scored highly (RII = 0.80, Mean = 4.00), reinforcing the necessity of a holistic compensation framework that goes beyond mere land valuation.

Fair and adequate compensation was another key concern (RII = 0.79, Mean = 3.96), aligning with the principle of equity in land acquisition. The preference for replacement cost valuation over depreciated value (RII = 0.76, Mean = 3.80) further supports the need for compensation that enables displaced individuals to acquire equivalent properties, rather than being left with insufficient funds due to depreciation-based valuation methods. Additionally, the determination of rates based on life expectancy or the economic life of crops was considered significant (RII = 0.77, Mean = 3.84), highlighting the need for compensation models that reflect the long-term financial impact of land acquisition.

While the expectation for full market value payment for land was acknowledged (RII = 0.69, Mean = 3.43), it ranked lower than compensation for economic and livelihood losses. This may indicate that claimants prioritize their financial stability and ability to sustain livelihoods over direct land valuation. The demand for a transparent compensation process, where valuation methods and criteria are clearly communicated, was moderately rated (RII = 0.70, Mean = 3.49), suggesting that although transparency is valued, it is secondary to the adequacy and timeliness of compensation.

Expectations regarding grievance redress mechanisms and legal protections scored lower, with the demand for an efficient and accessible grievance redress system receiving an RII of 0.64 (Mean = 3.22). This may indicate that claimants have limited confidence in legal processes or perceive them as costly and time-consuming. Similarly, compensation for both titled and non-titled landowners ranked the lowest (RII = 0.60, Mean = 3.00), which could reflect legal ambiguities or limitations in recognizing informal land tenure systems.

Public consultations on land acquisition and compensation frameworks were moderately ranked (RII = 0.74, Mean = 3.69), suggesting that while claimants value participation in decision-making, their primary concern remains the adequacy and timeliness of compensation.

Overall, the findings indicate that claimants prioritize timely and sufficient compensation over procedural aspects such as grievance redress and transparency. However, the relatively lower rankings of grievance mechanisms and legal protections highlight a potential gap in claimants' ability to challenge inadequate compensation. Addressing these issues through policy interventions, improved legal frameworks, and participatory approaches can enhance the fairness and effectiveness of land acquisition and compensation processes.

### Interview findings

When the respondents for interview were asked to state their expectations of the various stakeholder diversity group, all the respondents said People in all age groups expect market value as a part of their compensation. However, 60% said younger people tend to expect job training in addition to market value, while 40% said older people tend to value market value itself. On whether there is no significant difference in compensation expectations between genders, all (100%) respondents agree that both men and women expect market value as a part of their compensation. However, some (46%) said women seem to have a higher expectation for compensation that addresses the loss of livelihood, hence they might expect market value plus crop compensation. RESP 3 particularly said *"This unmet expectation is the cause of conflict in the acquisition process"* regarding the expectations of Educated diversity groups, respondents said people with higher education (University) tend to expect market value and livelihood support. People with lower education (Primary or None) tend to expect market value or compensation that reflects their previous use of the land in the form of crop compensation.

Among the Occupational diversity group, respondents noted that farmers tend to expect market value, payment for loss in value of a business displaced by the acquisition, relocation costs, costs of acquiring alternative accommodation which suggests that they need support to restart their business after losing their land. People with other occupations (Teacher, Trader, Housewife) have varying expectations, possibly reflecting the different ways their occupation is tied to the land.



When the 27 affected respondents were asked about their compensation expectations prior to the project, 46% expressed very high expectations, 42% had high expectations, and 12% reported low expectations. The primary reason for the high or very high expectations was the critical role that land plays in their livelihoods. Approximately 74% of the respondents emphasized that losing their land permanently would lead to long-term challenges related to their livelihoods and sustainability.

One respondent (RESP 15) stated:

“As you may have noticed, our lands and farms are our only means of survival. Additionally, we have large families to support, and this land is the only asset we can pass on to our children as a legacy. Losing it forever understandably leads to high compensation expectations” (an affected landowner, 2024).

When respondents were asked about whether their compensation expectations had been fulfilled—specifically concerning timely and adequate payment, as well as compensation for relocation, loss of shelter, loss of income sources, and restricted access to communal resources or services—only 22% indicated that their expectations were somewhat met. In contrast, 72% reported that their expectations were not met, while 16% expressed satisfaction with the compensation received. Regarding the overall adequacy of compensation, a striking 96% of respondents considered it inadequate, 4% described it as moderate, and none believed that the compensation provided was sufficient.

In terms of crop compensation, when asked about the adequacy of compensation for lost agricultural resources, 90% of the 27 community respondents expressed dissatisfaction, stating that the compensation was inadequate. Only 10% accepted the compensation despite finding it insufficient. Many respondents felt that the criteria used for determining compensation rates were flawed. They expect that compensation on crop should be determined on the basis of life expectancy or economic life of the crops. Supporting this claim, an interviewee RESP 18 said:

*“We believe that valuers should assess our crops based on their respective life expectancies. For example, the lifespan of a coconut tree exceeds fifty (50) years, while that of an orange tree is approximately thirty (30) years. This should be reflected in their valuations”*

Documentary sources reveal that poorly drafted laws and regulations can lead to confusion, errors, inconsistent outcomes, and the potential for abuse of power (FAO, 2010). Furthermore, these sources highlight that determining fair compensation is particularly challenging when individuals do not have clear legal rights to the land. The Asian Development Bank (ADB, 1998) identifies specific categories of losses that should be recognized and compensated. These include:

**Land-related losses:** Losses involving agricultural land, residential plots (owned or occupied), commercial premises (owned or occupied), access to forest land, traditional use rights, community or pasture land, and access to fishponds and fishing areas.

**Residential and structural losses:** Damages to houses, living quarters, other physical structures, and displacements from rented or occupied commercial properties.

**Income-related losses:** Loss of income from standing crops, rents or sharecropping, wages, business activities, tree or perennial crops, forest products, fishing areas, grazing land, and subsistence derived from these sources.

**Community and cultural losses:** Losses pertaining to schools, community centers, markets, health centers, shrines, religious sites, places of worship, sacred grounds, cemeteries, and other burial sites.

**Access-related losses:** Loss of access to food, medicine, and natural resources.

These categories highlight the importance of compensating for such losses to ensure that claimants receive fair and adequate compensation.

## Conclusion

The study highlights the significant disparities between claimants’ expectations and the realities of land acquisition and compensation. The findings underscore the critical need for timely and adequate compensation to minimize financial and economic disruptions for affected individuals. Claimants prioritize fair and comprehensive compensation, including payments for relocation, loss of income, and access to communal resources, over procedural aspects such as transparency and grievance redress mechanisms. However, the inadequacy of compensation, particularly in crop valuation, and the lack of an effective legal framework for challenging unfair compensation remain key concerns. Demographic and occupational diversity further shape compensation expectations, with younger individuals, women, and highly educated groups expressing a greater need for livelihood support in addition to market value payments. Farmers, in particular, emphasize the importance of compensation that reflects the economic lifespan of crops and the costs associated with business disruptions due to land acquisition. The study also reveals a general lack of confidence in grievance redress systems, with claimants perceiving legal processes as costly and ineffective. Transparency in the compensation process, while valued, is secondary to the demand for adequate financial compensation. The findings indicate that existing compensation policies do not fully align with international best practices, such as those outlined by the Asian Development Bank (1998), which emphasize the need for a holistic approach to compensation, including livelihood restoration and social support mechanisms. By addressing the expectations of claimants and incorporating livelihood restoration and social support mechanisms into the compensation process, Delta State can achieve not only equitable outcomes for its citizens but also contribute to the broader goal of sustainable development SDGs. To bridge these gaps, policymakers and relevant stakeholders must adopt a more inclusive and equitable compensation framework. This includes implementing replacement cost valuation, strengthening grievance redress mechanisms, ensuring fair crop valuation, and enhancing public participation in compensation decision-making. Addressing these issues through legal reforms and policy interventions will improve the fairness and effectiveness of land acquisition and compensation processes, ultimately fostering social equity and sustainable development in affected communities.

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## Conflicts of interest

The authors declare no conflict of interest in writing the manuscript.

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