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Evaluation of Equity in Informal Land Development Systems in two Nigerian Cities

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Abstract

The informal land development system in Sub-Saharan Africa (SSA) is perceived to promote equity and could be leveraged to support sustainable urban development and management. However, scanty empirical evidence exists on the extent of the system's provision of equity to support policy formulation and practice in the region. Based on stakeholder workshops, focus group discussions and questionnaire surveys, this study analyses the system's provision of equity in Nigeria. The study finds all categories of people undertake informal developments. Consistent with literature, this finding reflects wide patronage of the informal land development system and its relevance. Nevertheless, contrary to the existing perception, the system's provision of equity is low. The study recommends for the institution of pro-poor and gender sensitive land development and management policies and programmes to increase the levels of equity

25 to support the achievement of the country's sustainable urban development and
26 management agenda.

27 **Keywords:** Equity, informal development, Nigeria, participation, Sub-Saharan Africa

28 **Introduction**

29 Exceptional failings of Nigeria's urban land, planning and management system are well
30 known (see Ogbazi, 2013). These are evident in the several urban environmental
31 outcomes, such as massive disregard for planning and development regulations,
32 proliferation of slums, inadequate infrastructure and services, traffic congestion and
33 poor housing conditions (Gandy, 2005; Egbu et al., 2008; Ogbazi, 2013). These urban
34 challenges are compounded by rising levels of urbanisation, poverty and informality.
35 According to the World Bank (2017) 48% of the country's population resides in urban
36 areas and this population is growing at an average rate of 4% per annum. However,
37 the present levels of urbanisation and urban growth have outrun the capacities of
38 national and urban governments to leverage them for socio-economic development
39 but rather worsen the poor urban environmental outcomes (Baffour Awuah, 2018).

40

41 Several recent and past initiatives have been instituted at both the federal and the state
42 levels of government to help redress urban problems in the country including the
43 challenges of informal developments. These initiatives include: (1) Urbanisation and
44 Infrastructure Research and Evaluation (UIREM) Programmes; (2) Evaluation of
45 Nigerian Infrastructure Facility (NAIF) I and II Programmes; (3) the Growth and
46 Employment in States (GEMS) Project particularly the third phase that focused on land
47 administration - Systematic Land Titling and Registration Project; (4) the formulation

48 of Vision: 2020, which is a federal government policy to transform and recommend
49 strategies to develop smart and functional cities for rapid economic growth, and
50 promotion of good governance in the country's planning system; (5) the promulgation
51 of a National Urban Development Policy in 2012, and (6) the adoption of the
52 Sustainable Cities Programme by the Ibadan, Enugu and Kaduna states. These initiatives
53 are fundamentally aimed to achieve sustainable urban development and governance,
54 as well promote equity in urban development and management.

55

56 Literature often equates informal land developments to slum developments and are
57 perceived to be mostly patronised by people in the low-income bracket who
58 predominantly earn their livelihoods from occupations, such as small-scale trading,
59 farming and other artisanal works, and have minimal or no formal education (Lamond
60 et al., 2015). However, advocates (UN-Habitat, 2014) suggest insights could be drawn
61 from the informal land development system to spur the country's quest to achieve
62 sustainable urban development and promote equity. Yet the notion of the capability of
63 the informal land development system to provide insights to drive equity in urban
64 development is largely based on perception as there is a lack of empirical evidence on
65 the extent of provision of equity under the system. Although some studies, such as
66 Ikejiofor (2006), have examined equity under the informal land delivery system, these
67 studies have focused predominantly on women and the urban poor's access to land.
68 Besides, the studies were predominantly descriptive. This implies a lack of tangible
69 evidence based on which policy makers and practitioners could formulate far reaching
70 policies and strategies to support the pursuit of equity and sustainable land
71 development and management.

72

73 This study investigates equity in the informal land development and management
74 processes within two Nigerian cities of Minna (central Nigeria) and Enugu (southern
75 Nigeria), the Niger and Enugu states' capital cities respectively. The aim is to analyse
76 the extent to which the system promotes equity to provide input for policy formulation
77 and practice. The study is based on two informal communities namely Nyikangbe in
78 Minna and Ugbo Odogwu in Enugu as case studies. The rest of the paper is organised
79 as follows: the next section examines the concept of equity and how it can be measured.
80 This is followed by a discussion on the informal development system with emphasis on
81 Nigeria noting comments from the literature on the prevalence of equity within the
82 system to further contextualise the study. Additionally, a discussion on the application
83 of equity within urban development and how it can be measured from the literature
84 standpoint is provided. Thereafter, description of the methodology and data
85 employed, and discussion of results are presented before conclusions for the study are
86 drawn.

87

88 **Concept of Equity**

89 Equity has re-emerged as an important concept of urban policy especially in relation to
90 the pursuit of sustainable urban development and management in the developing world
91 (UN-Habitat, 2013; Baffour Awuah, 2016). This stems from the notion that formal
92 urban policies particularly around planning, development and management over the
93 years have further marginalised and worsen the conditions of vulnerable groups, such
94 as the poor and women (UN-Habitat, 2013).

95 Equity is often used interchangeably with fairness and justice although there could be
96 some nuances among them (Deakin, 1999). Equity is largely defined as the need for
97 fairness (Lucy 1981; IIED, 2015). The UN-Habitat (2013) professes equity is a branch of
98 law that emphasises law should not be all about unthinking application of existing rules,
99 but it should also be steeped in the spirit and habit of fairness, justness and right dealing.
100 This presupposes there is some form of consensus that equity could be equated to justice
101 and fairness, and a further implication to examine justice and fairness for in-depth
102 understanding of the concept of equity.

103 Justice and fairness' is an elusive concept and may have several definitions (Deakin,
104 1999; Alterman, 2013). Deakin (1999) first, based on a renowned (USA) legal scholar,
105 Benjamin N. Cardozo's definition explained justice as impartiality where there is a basis
106 in law, and established rules and procedures are followed to produce impartial
107 outcome. Deakin (1999) premised on the long tradition of Anglo-American
108 Jurisprudence further acknowledged that justice does not always mean treating
109 everybody equally. Rather, it is imperative that the law considers context and evaluate
110 circumstances in the interpretation of facts and that where blind or rigid application of
111 rules questions the sense of justice, equitable doctrines should step in to ensure justice.
112 In addition, Deakin (1999) broadens the meaning of justice using Rawlsian two
113 principles of justice, the first of which supports Cardozo's definition. The second
114 principle posits that social and economic inequalities are just if they result in
115 compensating benefit for everyone especially for the least advantaged ones in society.
116 This suggests any actions, which result in benefit to everyone in society especially the
117 least advantaged ones, could be judged as just and fair (Alterman, 2013). However,
118 fairness and justness of such actions are often determined by the process for, and the

119 outcomes of instituting those actions (Deakin, 1999; Faistein, 2010; Alterman, 2013;
120 UN-Habitat, 2013). The focus of this study is on both the process and outcome for
121 implementing action(s) that result in benefit to everyone in society particularly the least
122 disadvantaged ones. Having explained the concept of equity, the paper now turns its
123 attention to the informal land development system.

124 **Informal Land Development System**

125 Like most Sub-Saharan African (SSA) countries, the informal land development system
126 in Nigeria is regarded as the alternative arrangement to the formal land development
127 system through which land is acquired for development (Rakodi, 2007; Lamond et al.,
128 2015; Baffour Awuah, 2016). However, this development system in Nigeria is usually
129 equated to the customary land development and management arrangements (Ikejiofor,
130 2006). Although Nigeria is made up of numerous ethnic and land-owning groups with
131 several customary practices, studies such as Ikejiofor (2006, 2009), Onyebueke and
132 Ikejiofor (2014) and Lamond et al. (2015) give some insights into the mechanics of the
133 operations of the informal land development system. Before opening discussions on the
134 operation of the system, it is important to first detail the land administration regime in
135 Nigeria.

136

137 Literature on land ownership and administration practices in Nigeria is often categorised
138 into three epochs namely: pre-colonial, colonial and post-colonial eras (Adeniyi, 2013;
139 Lamond et al., 2015; Oluwatayo et al., 2019). Prior to the colonisation of present-day
140 Nigeria, lands in the country were held under communal and family ownership
141 (Adeniyi, 2013; Oluwatayo et al., 2019). Traditional rulers and family heads were, thus,
142 vested with the right and authority to administer and manage lands for the benefit of

143 their people. Land administration and management during this period were based on
144 political, socio-economic, cultural and traditional norms and practices that existed and
145 individual community and family members were granted use rights whilst the absolute
146 ownership or interest in the lands were vested in the community and family heads
147 (Lamond et al., 2015; Oluwatayo et al., 2019). Land use patterns and development
148 outcomes also reflected the political, socio-economic, cultural and traditional norms
149 and practices that existed at that time. Lamond et al. (2015), for example, observes the
150 configuration of settlements manifested the major considerations that informed their
151 developments noting settlements such as those that clustered around the Oba's (king)
152 palace like the Benin City, those that reflected Muslim customs and traditions like Kano
153 and Zaria, and those started as war camps like Ibadan.

154

155 The colonial period saw the introduction of formal land administration and
156 management predominantly by British colonialists (Lamond et al., 2015; Oluwatayo et
157 al., 2019). This period was therefore characterised by the transfer of British land tenure
158 systems and practices to Nigeria. This was done through the promulgation of several
159 land and land use legislation (Adeniyi, 2013; Oluwatayo et al., 2019). For example,
160 although the land tenure system based on the Muslim Maliki Law that conferred
161 ownership and control to the ruling class had replaced indigenous land tenure system
162 in Northern Nigeria by 1804, the British colonial administration passed the Land and
163 Native Proclamation Ordinance to change this arrangement (Adeniyi, 2013; Lamond et
164 al., 2015). Indeed, the passage of the said ordinance converted all lands in Northern
165 Nigeria into public lands and were held and administered by the colonial governor for
166 the benefit of the natives (Lamond et al., 2015). Thus, a trust land administration system

167 was created giving rise to two forms of ownership namely legal ownership, which was
168 vested in the colonial governor and equitable or beneficial ownership that was enjoyed
169 by the natives. Lamond et al. (2015) further note that unlike Northern Nigeria, lands
170 held under the ownership of families and lineages in Southern Nigeria were maintained.
171 However, their acquisition by outsiders required the sanction and approval of the
172 colonial governor. Several other laws bordering on land administration during this
173 period were passed. These included Treaty of Cession (1861), Land Proclamation
174 Ordinance (1900), Land and Native Rights Act (1916), Public Lands Acquisition (1917),
175 State Land Acts (1918), Town and Country Planning Act (1946) (Lamond et al., 2015;
176 Oluwatayo et al., 2019) and Ordinance No. 9 (1914), which was passed to enable the
177 colonial government to undertake compulsory acquisition of land for public purposes
178 (Lamond et al., 2015).

179

180 The post-colonial epoch relates to land administration and management practices after
181 Nigeria gained independence in 1960. Two major laws namely Land Tenure Law of
182 Northern Nigeria (1962) and Land Use Decree (now Act) (1978) have been passed since
183 the country's independence, which have defined land administration and management
184 until date (Oluwatayo et al., 2019). According to Oluwatayo et al. (2019) the land
185 tenure law of Northern Nigeria empowered the minister responsible for lands to
186 administer and manage all native lands implying such lands were vested in the minister
187 and that the minister was the only person that can make lawful grants. The law has
188 since been repealed following the passage of the Land Use Act (1978), which sought to
189 unify land policies in Nigeria, curb land speculation in urban areas and promote
190 agricultural investment through secured land rights (Adeniyi, 2013; Lamond et al.,

191 2015). Thus, Land Use Act (1978) is now the basic framework for land administration
192 and management in Nigeria (Butler, 2009; Aluko, 2011; Lamond et al., 2015).

193

194 An important feature of the Land Use Act (1978) is its classification of lands in Nigeria
195 into urban and rural lands and the vesting of the former with state governors and the
196 later with local governments (Butler, 2009; Birner and Okumo, 2012). One of the
197 implications of this arrangement by the Act is that administration and management of
198 lands in Nigeria are fundamentally vested with state and local governments and that all
199 land transactions in Nigeria are subject to ratification by the state authorities (Lamond
200 et al., 2015). This is despite the broad ownership categorisation of lands in Nigeria into
201 public or state, private and communal lands with the meaning of public lands being
202 lands owned by government consisting of federal, state and local governments and
203 their agencies (Adeniyi, 2013; Lamond et al., 2015). Private lands are owned by private
204 individuals, families and lands under customary tenancies whilst communal lands are
205 those owned by communities (Lamond et al., 2015).

206

207 Land administration and management responsibility of state and local governments
208 require the establishment of elaborate bureaucracy to make land allocations, give
209 consents land transactions and issue certificate of occupancy or register land transactions
210 amongst others (Butler, 2009; Lamond et al., 2015). Thus, there are ministries involved
211 in land administration with bodies such as the Department of Land Services with
212 divisions for: acquisition, allocation, valuation, land use and housing; a surveying and
213 mapping department; and a deeds registry in some of the states (Lamond et al., 2015).
214 Regrettably, inadequacies of the above formal arrangement have led to informal land

215 acquisition and development system (see the next sub-section for discussion of some of
216 the inadequacies).

217

218 *Informal Land Acquisition and Development Process*

219 There are two main forms of informal land acquisition in Nigeria (Adeniyi, 2013). These
220 are commercial and non-commercial grants. Commercial grants occur where customary
221 land-owning groups such as families, stools or communities sell lands to developers.
222 The sale of land is usually undertaken by the leaders of these groups (Adeniyi, 2013;
223 Lamond et al., 2015). Conversely, non-commercial grants refer to a situation where
224 land grants are made often to members of land-owning groups not on commercial
225 basis, but as of right. There is, however, a third category of disposition (Adeniyi, 2013;
226 Lamond et al., 2015). This is predominantly subsequent transactions from initial land
227 grants where a grantee of the two previous land disposition arrangements transfers his
228 or her land to another person either as a gift or on commercial basis (Adeniyi, 2013;
229 Lloyd-Jones et al., 2014; Lamond et al., 2015).

230

231 Although there is a recent emergence of large-scale real estate development and
232 developers within the system, informal urban land grants and developments in Nigeria
233 occur mainly on a small-scale (Ikejiofor, 2006; Onyebueke and Ikejiofor, 2014). Land
234 developments take place usually on incremental basis. Apart from usual customary
235 practices, several activities are sometimes undertaken in connection with land grants,
236 developments and their management. These activities include land owning groups
237 engaging their consultants, such as surveyors, land administrators/valuers, planners and
238 lawyers who ensure lands are somewhat surveyed, demarcated and planned prior to

239 grants and necessary land transfer protocols followed (Ikejiofor, 2006, 2009). There
240 are also middlemen or agents who provide information about availability of lands and
241 facilitate land transactions at a commission. However, these functions are sometimes
242 performed by friends and family members. Further, there are arrangements for
243 resolving grant and management issues, such as dispute over land ownership (Lloyd-
244 Jones et al., 2014; Lamond et al., 2015).

245

246 Planning consultants engaged by the land owning groups especially those with large
247 tracts of land prepare some form of planning schemes over the land. Where such
248 consultants are not engaged the land-owners undertake their own planning based on
249 common knowledge (Ikejiofor, 2009; Lloyd-Jones et al., 2014; Lamond et al., 2015).
250 Upon acquisition of land, the purchaser could commence development immediately or
251 within a few weeks by engaging his or her artisans, such as builders, welders, painters
252 and labourers. However, there have been instances where communities, such as those
253 in Enugu State through their youth groups collaborate with government and local
254 government institutions, particularly planning authorities, to ensure that there is some
255 form of planning schemes over relevant lands and that developers obtain permission
256 from planning authorities before development commences (Ikejiofor, 2009;
257 Onyebueke and Ikejiofor, 2014). Developers are also made to pay youth development
258 fees before they commence development (Ikejiofor, 2006; Onyebueke and Ikejiofor,
259 2014). Infrastructure and services' provisions are often an afterthought and are usually
260 provided upon completion of developments or alongside the construction of
261 developments. Provision or access to infrastructure such as electricity is sometimes
262 through illegal connection from public mains (Rakodi, 2007; Lamond et al., 2015), and

263 collective action, such as community self-help (Ibem, 2009; Abubakar, 2014). The
264 management of developments and by extension informal communities are undertaken
265 by the leaders of the communities in collaboration with their elders using local norms
266 and practices. To facilitate effective and efficient management, community heads
267 sometimes set-up various committees, which undertake periodic inspection of
268 communities to ensure developments conform to local norms and practices, address
269 issues relating to infrastructure and service provision, and liaise with formal government
270 agencies regarding challenges of the communities (Baffour Awuah, 2018).

271

272 Land developments that emerge from the informal urban development system in
273 Nigeria like many others across SSA cities are often criticised as sub-standard, not
274 provided with basic infrastructure and services, and do not comply with formal
275 development regulations among others (Lamond et al., 2015). However, these
276 developments provide housing and accommodation for several activities, such as offices
277 and shops for most urban residents in the country (Rakodi et al., 2004; Lamond et al.,
278 2015). Indeed, informal developments constitute the largest proportion of urban
279 developments in SSA cities and it is estimated between 50%-80% of new developments
280 in the region's cities are informal (Rakodi, 2007; Nkuranziza, 2008). Some of these
281 developments are good and they are in areas covered by some form of planning
282 schemes and are provided with basic infrastructure (Lamond et al., 2015).

283

284 The system is also perceived to have simple and less costly processes and procedures, as
285 well as promotes quick and easy access to developable land even for the marginalised,
286 such as the poor (Ikejiofor, 2006). Access to land by the marginalised is further

287 accentuated by the system's flexibility in terms of being able to offer smaller sizes of
288 land for development, which are often unacceptable under the formal system. In
289 addition, although women access to land either through inheritance or purchase and
290 participation in land administration and management particularly in the south-western
291 part of the country was not allowed, the situation currently seems to be improving
292 (Lamond et al, 2015). The informal land development system is thus perceived to
293 promote equity. These run contrary to findings from several conventional studies on
294 the inadequacies of formal land administration and planning systems in Nigeria (Egbu
295 et al., 2008; Akingbade et al., 2012). These studies, although not focused on equity
296 issues, partly reflect the existing system's discrimination against low income
297 communities and the poor. It is argued from a number of these studies that the existing
298 formal system's restrictive requirements and their associated costs and inconveniences
299 such as delays with land allocation processes tend to serve the interest of the elite and
300 affluent. For example, it is noted that the poor's access to formal urban developable
301 lands is limited, if not non-existent (Baffour Awuah, 2018).

302

303 Baffour Awuah (2018) further notes government is unable to provide adequate
304 developable lands, and applicants of formal lands must submit their applications to
305 government allocation committees and meet requirements, such as filling application
306 forms, showing evidence of the financial ability to develop the land and submitting
307 designs for proposed developments. The study also revealed applicants must pay some
308 statutory fees and, whilst a few applicants obtain allocations easily and within a
309 comparatively short period, it takes ages for most people to get allocations due to
310 inadequate human and material resources, the irregular meeting times of the

311 committees and manipulations of the elite. This besides corruption with allocation
312 processes particularly extra out-of-pocket payments to public officials, and follow-ups
313 to government departments to facilitate the application process. That said, a recent
314 World Bank (2019) *Doing Business Indicators 2019* also established that it takes 12
315 procedures and 105 days to register a land or property in Lagos State with a cost of
316 11.1% of the property compared to those of Kano State, which are 11, 47 days and
317 11.8% respectively. Although the situation is better in Kano State and even compared
318 to that of SSA (53.9 for number of days) in terms of number of procedures and days
319 for land registration, there is more room for improvement. This is very evident when
320 the above statistics are compared with OECD high income countries figures of 4.7
321 procedures, 20.1 days and 4.2% of the property value as the cost of registration. The
322 situation is not different regarding quality of land administration where equal access to
323 property rights is a key component. Indeed, on a scale of 0-30 with 30 signifying the
324 best quality, Lagos and Kano States were rated 8.0 and 4.5 respectively whilst SSA was
325 rated 8.8 and OECD, 23. The cumulative effect of the failings of the formal land
326 administration results in gaps in the provision of developable lands and make such lands
327 inaccessible to most of the people who resort to the informal system for provision.
328 Nevertheless, the idea of the informal land development system being perceived to
329 promote equity needs also to be examined in the context of local nuances as regards
330 inheritance, marriage and settlers as against indigenes, amongst others.

331

332 In broad terms, many studies have not been conducted on equity in Nigeria land
333 administration and urban development. For the formal urban development system,
334 two studies namely Adeniyi (2013) and Ogbazi (2013), are worthy of note. Adeniyi

335 (2013) examined urban land governance in Nigeria and sought to evaluate equity using
336 data solicited by questionnaire, which was based on a Likert scale. The questionnaire
337 focused on issues, such as land registration rate, land registration process, access to lands
338 for development, public land acquisition and compensation, land dispute and access to
339 land information based on the World Bank's Governance Framework. The study found
340 land governance in the context of the afore-mentioned issues is largely weak and
341 inadequate. Conversely, Ogbazi (2013) using the (U.N-Habitat/UNEP) Environmental
342 Planning and Management Process examined the Sustainable Cities Programme (SCP),
343 which was adopted by Ibadan, Enugu, Kaduna and Kano states to determine the level
344 of participation/inclusiveness in urban planning and management processes. The study
345 found progress is being made in areas, such as broad-based inclusiveness and prioritizing
346 issues, building consensus and preparing cities' profiles, but institutionalisation of the
347 common components of the process was low, amongst others.

348

349 For the informal land development system, the few existing studies tend to focus on
350 the effect/impact of land development norms and practices relating to access to land
351 for development by the marginalised, such as women and the poor. Two key studies
352 are Rakodi and Leduka (2004), and Ikejiofor (2006). The two studies focussed on
353 Enugu and used mainly focus group discussions to evaluate the urban poor and women
354 access to land for development. Findings from these studies established there are
355 restrictions against women's access to land and that the increasing urbanisation and
356 commodification of land is depriving the urban poor of land for development. It is
357 important to state these studies noted the problem with definition and identification of
358 the poor for discussions, as limitations. More recently, Lamond et al. (2015) focused on

359 both the formal and informal systems, used interviews of key stakeholders in urban
360 development found access to land by the poor under the informal urban land, planning,
361 development and governance processes is becoming difficult due to rapid urbanisation
362 and commodification of land. Further, the study recorded mixed outcomes regarding
363 women's access to land under the informal system. For example, the study noted
364 affluent women are often able to easily access land for development. There is,
365 therefore, a need for more studies to be carried out into equity related issues within the
366 informal land development system particularly to analyse the extent of provision of
367 equity within the system to provide tangible evidence to inform recent initiatives in
368 Nigeria to achieve sustainable urban development and management. It is, therefore,
369 within the foregoing context that this study is fashioned.

370

371 *Measuring Equity in Urban Development*

372 Urban land development and management before formal regulation of property
373 markets were predominantly managed by socio-cultural and political norms, as well as
374 market forces. However, in developing economies, such as those of SSA, socio-cultural
375 and political norms were the main management tools (Alterman, 2013; Baffour Awuah,
376 2013). Both socio-cultural and political norms, and market forces created adverse
377 externalities, such as incompatible land uses, environmental degradation and non-
378 provision of public goods. This meant the outcomes of these management tools created
379 some form of inequity and injustice to sections of society especially the disadvantaged
380 and partly necessitated a need for intervention through formal land development
381 policies (Adams, 2008). These formal land development policies appear to have proven
382 inadequate to promote equity in developing economies. Strikingly, socio-cultural and

383 political norms and practices under the informal land development system are now
384 perceived to promote equity in urban development and that they could help facilitate
385 the sustainable urban development and management agenda in the region (UN-
386 Habitat, 2014; Baffour Awuah, 2016). However, the idea of a system promoting equity
387 or not depends among other things on the operating norms and practices in the system,
388 and most importantly the stakeholders in the system, their interaction with each other
389 regarding their roles, rights and privileges, amongst others, relating to issues and
390 resources within the system (Harley, 1991). The norms and practices, for example, could
391 prescribe roles as well as processes by which the roles should be performed and
392 ultimately help to assess the prevalence of equity.

393

394 The informal land development processes is made up of several stakeholders such as
395 landowners, community leaders and elders, landowners' family members, landowners'
396 consultants, community members and residents, intermediaries and agents,
397 infrastructure and service providers, and government institutions, amongst others. All
398 these stakeholders perform roles, have interests and relationships regarding the land
399 development processes as well as access to resources and benefits, recognition etc. As
400 pointed out earlier, it is within these roles, interests and relationships particularly the
401 power struggles that equity can be examined. It is also within that, that indicators can
402 be developed to measure equity. However, in this study, the stakeholders considered
403 are landowners and their family members, community leaders and their elders,
404 community members and residents, which include the poor and women within the case
405 study communities

406 Measuring equity could be as complicated as the meaning of the concept itself. For
407 example, Lucy (1981,) in an analysis to determine equity in the spatial distribution of
408 services and facilities identified five distinct sub concepts of equity namely equality,
409 need, demand, preference and willingness to pay based on what planners in nine large
410 local jurisdictions in the USA propose, often spring up. However, apart from
411 acknowledging the sub concepts are not necessarily exhaustive, she notes not all the
412 concepts can be achieved at the same time. Nevertheless, the discussions so far
413 demonstrate equity largely could be determined by two main pathways. These are the
414 process and the outcomes from instituting actions, in this context, land development
415 and management policies, whether formal or informal, pathways.

416 Previous discussions also noted that it is within land development stakeholders' roles,
417 interests and relationships particularly the power struggles that equity can be examined
418 and measured. The land development particularly the urban planning literature shows
419 that the process pathway is predominantly driven by new planning and governance
420 theories, such as the collaborative or communicative planning models (Harley, 2003;
421 Agger and Lofgren, 2008) and the Just City (Fainstein, 2010). Previous studies, such as
422 (Huxley and Yiftachel, 2000; Flyvbjerg and Richardson, 2002) criticised the
423 communicative planning model as not providing answers to unfair or destructive use
424 of power in the planning and land development process. Some commentators even
425 note the subject planning model does not solve the problem of power struggles or
426 stakeholders/actors in the planning and land development process who act strategically
427 (Flyvbjerg and Richardson, 2002). Other studies (Harley, 2003; Innes, 2004) have
428 challenged these assertions and re-stated the position of communication planning
429 model. However, Sager (2006) particularly demonstrates the link between equity and

430 the communicative planning model regarding the planning and land development
431 process. Using insights from economics theory of transaction cost, the study notes there
432 are political and economic transaction costs in the planning and land development
433 process. There are also actors in the process who wield a lot of economic and political
434 power who seek to manipulate the process to their advantage and, in doing so
435 disadvantage deprived actors as well, as work against public interest. Accordingly, the
436 study professes that the application of communicative planning model should seek to
437 achieve equity through applying cost-raising strategies to such powerful actors in the
438 planning and land development process whilst lowering transaction costs for the
439 deprived actors whose interests are often ignored, without necessarily sacrificing the
440 contribution such powerful groups could make towards the achievement of public
441 interest or good.

442

443 Cost-raising strategies for the powerful actors and cost-lowering strategies for the
444 deprived actors are embedded in the extent to which democratic credentials are
445 included in the planning and land development process. This is based on inclusiveness
446 of and participation in urban land, planning, development and governance processes
447 by citizens, interest groups, private sector, (NGO/CBOs) and other stakeholders
448 (Harley, 2003; Alterman, 2013). However, to achieve inclusiveness, participation and
449 all the other democratic credentials in urban development and governance processes,
450 there is a need for deliberative tools that ensure and improve communication, listening,
451 responding, sharing knowledge, openness, respect, trust, relationship and consensus
452 building. This is supposed to prevent intimidation, misinformation, and manipulation
453 and distrust (Ogbazi, 2013).

454

455 Actualising such deliberative tools is often difficult. Even more difficult is how to
456 evaluate the success or otherwise of inclusiveness and participation in the urban land,
457 planning, development and governance process (Agger and Lofgren, 2008; Ogbazi,
458 2013). Ogbazi (2013) recognises not many works have been undertaken in this area,
459 but notes a few examples, such as Innes and Booher (2002) and Laurian and Shaw
460 (2009). Even so, there is a lack of consensus among these studies due to the varying
461 perspectives and interpretation of participation (Ogbazi, 2013). For example, some
462 studies evaluate the success or otherwise of participation relating to balances of
463 exchanges between agencies and citizens, and power sharing, whilst others argue that
464 success should be established first and then explanatory variables found for it. An
465 evaluation criterion that seems to be gaining recognition is the one based on the goals
466 of participation in the urban land, planning, development and governance process
467 (Ogbazi 2013).

468

469 The outcome pathway focuses on the effect or impact of urban planning, development
470 and governance policies on especially the achievement of the often-cited reason for the
471 introduction of formal land development policies and processes. It is a traditional
472 criterion to evaluate equity and fairness (UN-Habitat, 2013). This fundamentally relates
473 to distributional equity, which in this context seeks to improve the conditions of those
474 who will suffer deprivation without the intervention of formal urban development
475 policies and processes (Alterman, 2013). Nevertheless, it is also known the formal
476 processes also create gains and losses. For example, as noted by Alterman (2013) a
477 cardinal function of planning regulation is allocation of development rights for different

478 land uses. Some of these land uses maybe lucrative to landowners, such as housing and
479 commercial, but others like protected agricultural zone do not allow development may
480 not be. Similarly, regulation determines land and properties that will benefit from
481 positive externalities and those that will suffer from negative externalities. The question
482 remains whether those who suffer the effects of formal policies and their processes
483 should be compensated. Furthermore, since justice does not always mean treating
484 everybody equally there are often questions as to whether implementation of formal
485 policies and processes should follow the same standard for everyone. For example,
486 should the urban poor and the rich pay the same fee for land administration service,
487 such as land title formalisation? The foregoing shows that the determination of the
488 extent equity in urban development and management is not a straight forward issue.

489 Different actors and stakeholders may perceive and measure equity differently. Indeed,
490 a recent study carried out on equity relating to the conservation of Bwindi Impenetrable
491 National Park (BINP), located in Southwest of Uganda by IIED (2015), found that
492 Uganda Wildlife Authority, local government officials, communities and
493 conservationists perceived equity differently. Based on Adeniyi (2013), IIED (2015), the
494 democratic credentials professed by the communicative planning model and the
495 outcomes from the stakeholder workshops and the focus groups discussions, a set of
496 indicators were developed to analyse equity in the case study communities. The set of
497 indicators derived from the literature is as shown in Table 1. This set of indicators
498 together with the others obtained from the stakeholder workshops and the focus group
499 discussions were used in the questionnaire survey – refer to the section on research
500 methodology for details.

501

502 **Research Methodology**

503 The primary motive of the study was to analyse the provision of equity within the
504 informal land development and management process. In doing so, the idea was to
505 identify a set of suitable equity indicators and examine the extent of their provision or
506 availability under the informal land development system. This was particularly so given
507 the elusive nature of the concept of equity in urban development and management, as
508 well as the fact that different urban actors may perceive equity differently. These
509 required a pragmatic approach based on multiple philosophies, strategies, and data
510 collection methods, as well as analytical tools to implement the research. A mixed-
511 methods research methodology was, therefore used to deliver the research. The use of
512 the mixed-methods methodology also provided a platform for a better understanding
513 of equity in urban development and to build a robust evidence base to address the
514 fundamental aim of the research (Johnson and Onwuegbuzie, 2004; Ogbazi, 2013;
515 Creswell,2014). The insights from the literature review in terms of indicators for
516 measuring equity and those from the stakeholder workshops and the focus group
517 discussions were combined to develop a comprehensive set of indicators, which was
518 used in the questionnaire survey to obtain data – refer to Table 1

519 Two informal communities in Minna and Enugu (see Figures 1 and 2), the capital cities
520 of the Niger and Enugu states, respectively, were used as case studies. The informal
521 communities were Nyikangbe and Ugbo Odogwu (see the findings for their profile).

522

523 ***Data and Analysis***

524 A literature review was conducted to identify the extant knowledge and provide the
525 study context. The literature review was followed by one-day city-wide stakeholder
526 workshops in Minna and Enugu with urban sector stakeholders – such as legal
527 practitioners, estate surveyors and valuers, planners, officials from Nigerian Security and
528 Civil Defence Corps, Environmental Protection Agency, Electricity Distribution
529 Company, National Emergency Management Agency (NEMA), Fire Service and
530 academia. The workshops were organised with the help of the Federal University of
531 Technology (FUT), Minna and NEMA.

532 The workshops provided further contextualisation of the research and together with
533 the literature review helped to identify indicators for measuring equity under the
534 informal development system. They also provided useful information that enabled the
535 choice of suitable case study informal communities and the design of the data collection
536 instruments. Further, they helped to identify useful informants and uncover data
537 sources, which were leveraged to obtain data to deliver the research.

538 Focus group discussions, as well as questionnaire surveys, were thereafter carried-out
539 with members of the case study communities. The focus group discussions preceded the
540 questionnaire surveys. The focus group discussion sessions in Nyikangbe Community
541 took place on March 22, 2016 at the forecourt of the Community Chief's Palace.
542 Participants who took part in the discussions were drawn from the leadership of the
543 community, the elderly (men and women), and the youth. Given the lack of a reliable
544 sample frame, the selection of participants was based on purposive and convenience
545 sampling techniques. A total of 42 people participated in the discussions. The
546 participants were divided into four groups as: (1) FG1 (the women group), (2) FG2 (the
547 elderly men group), (3) FG3 (the elderly men and youth group) and (4) FG4 (the youth

548 group). This was to facilitate coherent and useful discussions, as well as the analysis of
549 the outcomes from the discussions. Based on the customs and traditions of the
550 community, the women were not grouped with the men. Thus, a separate group was
551 created for the women. Prior consultations were held with the community leaders and
552 elders to identify marginalised individuals and ensure they were included in the groups
553 to participate in the discussions. The proceedings at the workshop were recorded in
554 notebooks and with the help of recorders. The recordings were later transcribed for
555 analysis.

556 The focus group discussion session in Ugbo Odogwu took place on May 21, 2016 at the
557 Scripture Union Church Hall. The organisation of the discussion sessions and the
558 recordings of the outcomes followed the same format as that of Nyikangbe. Thirty-
559 seven participants took part in the discussions. They were also drawn from the
560 leadership of the community, the elderly (men and women) and the youth based on
561 purposive and convenience sampling techniques. The participants were divided into
562 three groups. However, for consistency a separate group was also created for women.
563 The participants were divided into three groups as follows: (1) FGG1 (men), (2) FGG2
564 (women), and (3) FGG3 (the youth). The discussion sessions were organised with the
565 assistance of NEMA. The focus group discussions, thus, predominantly explored equity
566 and helped to revise and expand the indicators for analysing equity in the case study
567 informal communities (see table 1 below).

568

569

INSERT TABLE 1 HERE

570

571 Questionnaire surveys were undertaken between June and August 2016. The
572 questionnaire covered issues, such as background of respondents, and equity in the land
573 development and management processes in the case study communities. The questions
574 relating to equity were designed using Likert scales. The questionnaire was pre-tested
575 prior to its administration. This was to ensure that it passed face and content validities
576 tests. Eight questionnaires were sent to residents within the Nyikangbe Community to
577 evaluate the questionnaire with respect to whether it covered what it sought to achieve,
578 and the effectiveness of how the research variables were to be measured. The outcome
579 of the pre-test showed the research variables were appropriate and that the questions
580 set for the survey were clear and understandable. The questionnaires were self-
581 administered (face-to-face questionnaire administration) with the help of a team of
582 academics/researchers from the FUT who were recruited and trained for that purpose.
583 The questionnaire administration in Ugbo Odogwu was carried-out with the assistance
584 of the NEMA office in Enugu.

585 A set each of 120 questionnaires were administered to the respondents in both case
586 study communities based on a systematic sampling procedure with development
587 patterns in the communities as guides. Thus, proceeding from one end of the various
588 development patterns encountered in the communities, the first house was selected,
589 and the questionnaire(s) administered to suitable occupant(s) of the development. This
590 was then followed by the selection of every third development for the questionnaire
591 administration. The stakeholder workshops, and the focus group discussions and the
592 interview surveys held prior to the questionnaire administration helped to sensitise the
593 respondents about the research and the questionnaire survey. This partly facilitated the
594 smooth administration of the questionnaires as the respondents had already become

595 familiar with the research. Nevertheless, the questionnaire administration team got in
 596 touch with the communities' leadership who in turn informed members of the
 597 communities about the questionnaire administration. Response rates of 72.5% and
 598 83% were obtained for the questionnaire administration in Nyikangbe and Ugbo
 599 Odogwu, respectively.

600 Discussions at the stakeholder workshops were recorded in noted books and later re-
 601 written in a clearer and organised manner. This ensured that agreements and
 602 disagreements were noted. The focus group discussions were analysed using the
 603 thematic analysis procedure.

604 Questionnaire survey data were first entered in Microsoft Excel spreadsheets and
 605 thereafter coded and transferred to (SPSS). Descriptive statistics - mean, median and
 606 percentages were predominantly used to analyse the data on the background of
 607 respondents. The data on equity within the land development and management
 608 processes were obtained based on a five-point Likert scale and using the equity
 609 indicators (Table 1). Details of the Likert scale were: (1 = Very low, 2= Low, 3=Quite
 610 low, 4=High and 5=Very high). The responses were analysed with the
 611 consensus/agreement around the mean analytical framework identified by Tastle and
 612 Wierman (2007), and subsequently modified by Tastle et. al (2009) to allow for
 613 consensus around a given target. The target used in this instance was five, the highest
 614 score on the Likert scale. The formula used is as follows:

$$\text{Agr} (X|5) = 1 + \sum_{i=1}^n p_i \log_2 \left(1 - \frac{|X_i - 5|}{2} \right)$$

617 Where:

618 Agr = The level of agreement on evaluation of an attribute;

619 X = The scores;

620 5 = The highest score;

621 X_i = Each score; and

622 d_x = The range of X ($d_x = X_{\max} - X_{\min}$)

623

624 The above formula is designed to cater for the ordinal nature of the Likert scale scores,
625 and it ranges between zero and One. One signifies complete agreement. Conversely,
626 zero indicates a complete lack of agreement. Thus, the measure in this research calibrates
627 the extent of the respondents' agreement towards the last option on the Likert scale (5
628 on a scale of 1-5). Given that five was the highest and the target score, if all the
629 respondents, for example, rated their feeling of inclusion in the land development
630 processes in their communities very high by selecting five on the Likert scale, then the
631 consensus measure will result in one. However, if they rated it very low by choosing
632 one on the scale, then the consensus measure will be zero.

633

634 **Research Findings**

635 Findings from the empirical section of the study are divided into three parts. These are
636 outcomes from the stakeholder workshops, and findings from the focus group
637 discussions and the questionnaire surveys. However, prior to detailing the findings it is
638 imperative to profile the two informal communities used for this study.

639 *Profile of Nyikangbe and Ugbo Odogwu*

640 Nyikangbe is located within Chanchaga Local Government Area. It is within the south
641 western region of Minna, less than 28 kilometers away from the Minna-Bida Road axis
642 with a geographical coordinate of 6 30' 25'' E, 9 35' 45''N. The settlement shares a
643 common boundary to the west, east, north east and south with Gbarako River and
644 Gidan Mangoro, Dutsen Kura, Kpakungu and the Bida-Kwarankota Road, respectively.
645 Nyikangbe covers an approximate land area of about 3.81 square kilometers. Discussions
646 with the community leader established that the community is predominantly a Gbagyi
647 settlement, which has been in existence for centuries. Originally, a farming community
648 founded by a single family with two structures, it has turned into a settlement
649 characterised by thousands of people, likewise thousands of structures developed
650 without direction from formal planning. Although the people in the area were
651 predominantly Gbagyis, with the rapid growth and development of the core area
652 (Minna), which have had influence in the area, the ethnic structure of residents has
653 become diversified, and now comprise Yorubas, Igbo, Tiv, Fulani and Nupe among
654 others. Similarly, there has been a diversification of the nature of occupation of
655 residents, which used to be predominantly farming and fishing, to include service
656 provision –, such as mechanics, other forms of artisans, crafting and formal sector
657 occupations. Figure 1 is a map of Minna showing the location of Nyikangbe.

658 INSERT FIGURE 1 HERE

659

660 Ugbo Odogwu is an informal settlement with a population estimation of 7100 people
661 at the maximum, an average household size of 10 and room occupancy ratio of 6.2

662 (Ezenwaji and Nwafor, 2018). The community is an escarpment on the Udi Hill and it
663 is located in Enugu-East Local Government Area, along the Enugu Expressway, which is
664 close to the Ekulu River (Ejidike et al., 2006). Residents are mainly former coal miners,
665 railway workers, and farmers who migrated from different places in south east Nigeria
666 and formed a very strong farming community (Ejidike et al., 2006). However, there
667 are other forms of occupation, such as crafting, mechanic and other artisan works, as
668 well as public and civil service occupations (Ejidike et al., 2006, Ezenwaji and Nwafor,
669 2018). As an informal settlement, the community is characterized mainly by unplanned
670 houses, poor medical and social facilities, lack of access roads and irregular supply of
671 electricity, as well as poverty. Nevertheless, there are few amenities including two
672 missionary centres that provide primary school education (Ejidike et al., 2006). Figure
673 2 is a map of Enugu showing the location of Ugbo Odogwu.

674 INSERT FIGURE 2 HERE

675

676 The case study sites were chosen because although they are all informal settlements they
677 manifested varying dynamics of land ownership as evidenced by socio-economic and
678 cultural mix, which allowed for robust analysis and bringing different perspectives to
679 bear.

680

681 *Outcome from the Stakeholder Workshops*

682 Although the outcomes from the workshops held in Minna and Enugu showed
683 agreement on the meaning and coverage of equity there were variations in opinions

684 on prevalence of equity and recommendations for its improvement in the informal land
685 development system (see Table 2).

686

687 INSERT TABLE 2 HERE

688

689

690

691 *Findings from the Focus Group Discussions*

692 Similar findings in terms of the meaning of equity were obtained from the focus
693 discussions. These findings were also similar across the study communities. However,
694 mixed outcomes were recorded for prevalence of equity within the land development
695 system of the study communities (see Table 3).

696

697 INSERT TABLE 3 HERE

698

699

700

701 *Findings from the Questionnaire Surveys*

702 Responses were obtained for 87 out of the 120 questionnaires administered to
703 land/property owners and residents of Nyikangbe. This represents 72.5% response rate.
704 One hundred questionnaires were completed in Ugbo Odogwu, which is 83.3% of the

705 120 questionnaires administered. The response rates compare favourably with studies,
706 such as Aribigbola (2007) and Egbu et al. (2008). Further, for Nyikangbe, a total of
707 97.7% of the respondents were male compared to 2.3% who were females. The
708 striking difference between the male respondents and their female counterparts
709 stemmed from the rather low level of female land ownership rate in the community as
710 well as the fact that custom required that men who were mostly heads of households
711 in the communities responded to the questionnaire. Although this is a possible limitation
712 to the study as it may affect the generalisation of the results, it reflected the situation in
713 the community in terms of who is in an advantageous position amongst men and
714 women when it comes to decision-making as reported during the focus group
715 discussions. This partly corroborated the state of equity in the land development
716 processes in the community.

717 The educational level of the respondents ranged between primary and tertiary levels
718 of education. Most respondents, however, had post-secondary level of education
719 (52%). This was followed by primary and secondary/technical/vocational levels of
720 education (10.3% each), Junior Secondary School (J.S.S)/Elementary and tertiary levels
721 of education (8% each), and other forms of education, such as Quranic education
722 (3.4%). For Ugbo Odogwu, 82% of the respondents were male compared to 18%
723 who were female. Also, respondents with tertiary and secondary/technical/vocational
724 levels of education had the highest frequency (25% each) compared to (9%) who had
725 no formal education. Further, 20% of the respondents had post-secondary level of
726 education, whilst 13% and 8% had primary and (J.S.S)/elementary levels of education
727 respectively.

728 Figures 3 and 4 present the occupation details of the respondents from Nyikangbe and
729 Ugbo Odogwu, respectively.

730

731 INSERT FIGURES 3 & 4 HERE

732

733 A total of 32.2% of the respondents were employed as civil servants compared to 6.9%
734 of them who were in other forms of occupation in Nyikangbe. Twenty-three percent
735 of the respondents were public servants whilst trading, farming and artisanal works
736 constituted 12.6% each of the occupation of the respondents. For Ugbo Odogwu, 44%
737 of the respondents were engaged in trading compared to 5% who were artisans.
738 Further, 18%, 14% and 8% of the respondents were civil servants, farmers and public
739 servants, respectively, whilst 11% of them were engaged in other forms of occupation.

740 Most of the respondents in Nyikangbe (64.4%), on average, earned an income of N
741 (Naira – the Nigerian currency)80, 000 per month, compared to only 6.9%
742 respondents whose monthly average incomes were between N20, 000 and 39,000,
743 and 28.7% who earned between N40, 000 and 79,000. For Ugbo Odogwu, 44% of
744 the respondents, on average, earned N80, 000 or more per month compared to 7%
745 who earned between N60, 000 and N79, 000 per month, on average. Eighteen percent
746 of the respondents earned, on average, a monthly income of below N20,000, whilst
747 20% and 21% earned between N20,000 and N39,000, and N40,000 and N59,000,
748 respectively.

749

750 *Extent of Equity in Land Development and Management*

751 Tables 4 and 5 provide details of the scaling and the ratings of the provision of equity
752 in the two communities respectively. The results show that except for the indicator –
753 the presence of and the degree of conflicts in land development and management
754 activities, which the respondents rated high or very high (Agr|5 = 0.72) in Nyikangbe
755 all the other equity indicators were rated very low or low (Table 4). The rating of the
756 presence of and the degree of conflicts in land development and management activities
757 high or very high even somewhat reinforce the overall finding as it could suggest the
758 presence of dissatisfaction from some of the actors in the land development and
759 management processes. The outcomes from the ratings of the equity indicators in Ugbo
760 Odogwu were predominantly like findings on Nyikangbe. Indeed, the extent of the
761 provision of all the indicators in the community was rated very low or low (Table 5)
762 meaning the provision of equity in land development and management process in the
763 communities is low or very low. Ordinarily, the disaggregated results based on
764 respondents' background variables, such as gender, educational level and occupation
765 should have been reported. However, the results reflected the same outcome as the
766 overall results. Therefore, they were not striking to merit additional attention.

767

768

INSERT TABLES 4 & 5 HERE

769

770

771

772 Discussion of Findings

773 Contrary to the literature, findings from the questionnaire survey highlight that informal
774 land developments are not the preserve of a specific group(s) of people as previously
775 mentioned. Rather, informal urban developments are undertaken by all categories of
776 people including those from low, middle- and high-income groups, as well as those
777 with different levels of education, and engaged in both formal and informal sector
778 employment. For example, it was found that most of the respondents (Nyikangbe
779 (64.4%) and Ugbo Odogwu (44%)) earned, on average, N80, 000.00 or more a
780 month. This implies most respondents were in the middle-income category or above
781 (Robertson et al. 2011). It was also found that 32% and 23% of the respondents were
782 civil and public servants, respectively, in Nyikangbe. Further, most of the respondents
783 (59.8%) had a post-secondary level of education in Nyikangbe whilst 25% of Ugbo
784 Odogwu respondents had tertiary level of education. The foregoing reflects the
785 relevance of informal developments and the informal land development system in
786 Nigeria in terms of provision of developable lands and systems to address the housing
787 needs of all categories of people. This resonates with the existing knowledge that the
788 informal land development system provides accommodation for most of the urban
789 population not only in Nigeria, but across the SSA region (Rakodi, 2007; Lamond et
790 al., 2015).

791 Literature highlights equity in land development and management is very elusive to
792 determine. Nevertheless, the findings demonstrate it was predominantly perceived in
793 terms of access to land and other resources, as well as participation and inclusion of
794 community members and stakeholders especially the marginalised, such as the poor and
795 women in the land development and management processes. The survey results largely

796 corroborate with the outcomes of the stakeholder workshops and the focus group
797 discussions that the provision of equity under the system is low or very low. The findings
798 highlight unequal access to land and other resources, as well as a lack of participation
799 and inclusion of community members in land development and management processes,
800 with the poor and women mostly being at a disadvantaged position, which corroborate
801 what exists in the literature. In Nyikangbe, the discrimination against women was both
802 in terms of access to land and participation in the land development process particularly
803 with respect to decision-making, whilst that of Ugbo Odogwu was in relation to
804 participation in the land development process. Although discrimination against women
805 in land acquisition was not clear from the focus group discussions in Ugbo Odogwu,
806 literature makes it clear that such discrimination exists in Igbo land (Ikejiofor, 2009).
807 Literature further shows the discrimination against women in land acquisition and the
808 development processes are steeped in cultural practices in both Igbo and Gbagyi
809 (Lamond et al., 2015; Baffour Awuah, 2018). Indeed, it came to the fore in the
810 Nyikangbe focus group discussions that access to land through sharing of family
811 properties or inheritance does not favour women as the prevailing customary norms
812 and practices give men precedence over them. That said, it is clear from the focus group
813 discussions in both study communities that women groups lament greatly about the
814 discrimination against them. Therefore, a different result was expected from the
815 questionnaire surveys given women constituted a comparatively small proportion of
816 the samples that were drawn (2.3% in Nyikangbe and 18% in Ugbo Odogwu).
817 However, the survey result corroborated the findings from the focus group discussions.
818 From Sager (2006) transaction cost analysis, the findings suggest that the cost-raising
819 strategies for the powerful actors, such as the community and family heads, elders and

820 men household heads, amongst others, in the land development processes under the
821 informal development system are not working and that these actors are rather
822 incentivised by low economic and political costs not include the marginalised, such as
823 women from the development processes. Notwithstanding the foregoing, it needs to
824 be recognised that the formal law court system under the present legal pluralism is
825 promoting women access to land and other rights by curtailing the excesses of the
826 customary practices under customary law, although it has also in certain cases fostered
827 through statute law gender inequality as for instance in the area of land grabbing
828 (Nwapi, 2016).

829 Although some focus group respondents in Nyikangbe noted equal opportunities for
830 land purchases, they also recognised one needs to have the financial resources to utilise
831 such opportunities. This means that the poor cannot access such opportunities.
832 Discrimination against the poor in land acquisition was also echoed in Ugbo Odogwu
833 where some respondents even observed the poor are not respected. Indeed, the survey
834 results show most people who patronise the informal land development system are
835 mostly middle to high income households (64.4% of the respondents on average,
836 earned an income of N80,000 per month or more in Nyikangbe and 44% of the
837 respondents, on average, earned N80,000 or more per month in Ugbo Odogwu with
838 a further 7% earning between N60,000 and N79000 per month). As noted previously,
839 discrimination against the poor is also found in participation of the land development
840 process. These findings are corroborated by studies, such as Ikejiofor (2006) and
841 Lamond et al. (2015), which noted among other issues the increasing commodification
842 of lands under the informal urban development system is reducing the urban poor's
843 access to land for development. The foregoing runs contrary to the perception that the

844 informal urban land development system promotes equity. This requires immediate
845 redress given the system's relevance and, as the results show, the elite and the affluent
846 are increasingly patronising it signifying that the poor and the disadvantaged are being,
847 or may be, priced out.

848

849 **Conclusions**

850 This study analysed the extent to which the informal urban development system
851 promotes equity in Nigeria based on two informal communities - Nyikangbe in Minna,
852 the Niger State capital city and Ugbo Odogwu in Enugu, the capital city of Enugu State
853 as case studies. Based on a combination of literature review, stakeholder workshops,
854 focus group discussions and questionnaire surveys, the study found that informal urban
855 developments are undertaken by all categories of people including those from low,
856 middle- and high-income groups, as well as those with different levels of education,
857 and engaged in both formal and informal sector employment. The results reflect the
858 increasing participation of the elite and affluent in informal development activities. This
859 signifies wide patronage of the informal urban development system and its relevance.
860 Further, contrary to the perception that the informal urban development system
861 promotes equity, this study found the system's provision of equity is low or very low.
862 Findings imply that informal developments and the informal urban development
863 system are relevant. Thus, they cannot be discounted in any current and future policy
864 debate to achieve sustainable urban development and management. Further, given that
865 equity is a core component of any meaningful sustainable urban development and
866 management agenda, there is a need for an immediate redress of the low or very low

867 provision of equity under the informal urban development system to spur the country's
868 sustainable urban development and management efforts. These findings provide useful
869 contribution for local urban planning practice in terms of the need to revise its
870 operations to be more receptive and responsive to local needs particularly the inclusion
871 of women and the poor in planning and land use decision making and planning and
872 urban development standards. Therefore, as emerged from the stakeholder workshops,
873 it is recommended that pro-poor and gender sensitive land development and
874 management policies and programmes should be instituted. This should aim to improve
875 access to land by the poor, the removal of customary limitations on women regarding
876 sharing family properties and the inclusion of all interest groups in land development
877 and management processes. In addition, the policies and programmes should promote
878 accountability and ensure community members benefit from the proceeds of their land
879 resources.

880

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882

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889 **Data Availability Statement**

890 a. Some or all data, models, or code generated or used during the study are available
891 from the corresponding author by request (raw data from respondents, which were
892 used for the analysis).

893

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