Compulsory Acquisition Of Private Lands In Nigeria: The Roles Of Ngos In Reducing The Negative Impacts On Affected Communities

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NGOs have played major roles in Nigeria. For example, they have been at the forefront of promoting human and environmental rights amongst others. This paper will focus on the roles NGOs are playing in Nigeria in ameliorating the negative impacts of government or public acquisition of lands in Nigeria. Compulsory acquisition of land can be defined as “the process by which local and national governments obtain land and premises for development purposes when they consider this to be in the best interest of the community. It is the power of the government to acquire private rights in land without the willing consent of its owner or occupant in order to benefit society” (Otubu 2012: 7). For example in the oil and gas industry in Nigeria, section 28 of the Land Use Act permits the compulsory acquisition of land for oil and mining exploration. The Governor of a State is permitted under section 28(1) to revoke a right of occupancy for overriding public interest. ‘Overriding public interest’ in section 28(1)(b) is the requirement of land by the government and under section 28(2)(c) of the Act it is “the requirement of the land for mining purposes or oil purposes or for any purpose connected forthwith”. Thus, state governors in Nigeria have the authority to acquire any land for overriding public interest. However, this paper will focus on compulsory acquisition of land in Lagos State of Nigeria.

Lagos state government in Nigeria has compulsorily acquired many private lands in the guise of social and infrastructural development. This acquisition has had negative consequences on such communities in Lagos state. Most of the extant literature on compulsory acquisition of private lands by the government in Nigeria is focused on the oil and gas industry and the implications for the Niger Delta environment (Ako 2009). Also, there appears to be neglect of the roles of NGOs play in mitigating the impacts of such acquisitions in urban cities such as Lagos in Nigeria.

The methodology in this paper will be qualitative in nature. Interviews will be conducted on NGOs and members of the communities. I have made contacts with two major NGOs in Nigeria and they are willing to be interviewed on their activities in public acquisition cases in Lagos state. This paper will rely on Beer’s et al (Beer et al 2012) conceptualisation of the roles of NGOs in international governance. They argue that NGOs play three major roles in international governance, and they are; advocacy, service provision and regulation via the instrumentality of their activities. The contention of this paper NGOs activities in Nigeria in mitigating the consequences of compulsory acquisition of private lands is akin to the aforementioned roles as elaborated by Beer et al. One example of an NGO initiative in Lagos state is the building of a ‘floating school’ in Makoko (a riverine community) in Lagos state by the United Nations Development Programme (UNDP) and NLE Works (a Nigerian NGO) to improve access to basic education by the community (Vanguard Newspaper 2013). The Lagos state government had earlier demolished some structures in the Makoko community.
This paper will conclude that NGOs have played major roles in the reduction of the negative externalities of compulsory acquisitions of private lands in Nigeria and that the idea inherent in international governance wherein NGOs are major players can be localised in the Nigerian experience.

References