



Synopsis: Subnational variation in policy implementation: The case of Nigerian land governance reform

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RESEARCH OVERVIEW

Improved land governance is critical to improving agricultural productivity, attracting investment, and raising government revenue. Yet, implementation of land governance reforms has proceeded to very different degrees across and within African countries. This study focuses on differential implementation of Systematic Land Tenure Regularization (SLTR) across Nigerian states in order to understand the set of conditions that are more likely to facilitate reform.

Geographically, the study focuses on six states: Cross River, Jigawa, Kaduna, Kano, Katsina, and Ondo between 2012 and 2016. Methodologically, process-tracing was combined with a comparative analysis across the six states based on semi-structured interviews conducted with more than 90 stakeholders between July and October 2016. The comparison reveals that Kano has demonstrated the most progress at implementation, while Katsina demonstrated the least.

To explain variation in implementation, four variables are explored: the role of advocates, the autonomy of bureaucrats, donor diversity, and political will. The comparative analysis reveals that a combination of the latter three variables is most conducive to land governance implementation.¹

BACKGROUND

Land governance has long been viewed as a major hindrance to Nigeria's growth and development potential. Only approximately three percent of land in Nigeria is registered with a Certificate of Occupancy (CfO). The country's late president, Yar A'dua, made land governance reform one of his priorities in his 2007 Seven Point Agenda election campaign. After being elected, he established a

nine-person President's Technical Committee on Land Reform (PTCLR), which was charged with advising the government on a plan for registering landholdings. Sporadic titling has been the main approach for registering landholdings, meaning landholdings are only registered when an individual specifically requests a title. The PTCLR instead recommended that a Systematic Land Titling and Registration (SLTR) approach be adopted in Nigeria

SLTR involves verifying parcel use and boundary demarcations in a systematic manner to build a registry database of the distribution of ownership and the boundaries of land parcels for the country. Dispute mechanisms are built-in ex-ante, because owners are confirmed via engagement with neighbors, and community leaders are brought in to resolve problems when they emerge. The approach requires using general boundaries, defined by natural features, rather than fixed boundaries that are measured more precisely by surveyors. As a result, the approach is less expensive and more timely than the sporadic approach that is generally used. Since 2009, several of Nigeria's 36 states have expressed interest in SLTR. Yet, actual implementation of the steps needed to roll out SLTR has varied considerably.

RESEARCH APPROACH AND RESULTS

To examine reasons for this variation, we focused on six states and conducted interviews with more than 90 stakeholders at the state and federal levels, spanning government actors, civil society, donors, the private sector, and traditional authorities. Table 1 reveals the variation in implementation across the states based on these interviews.

¹ A detailed discussion of this research can be found in NSSP Working Paper no. 46, *Subnational variation in policy implementation: The case of Nigerian land governance reform*. <http://ebrary.ifpri.org/cdm/ref/collection/p15738coll2/id/131439>.

Table 1: Status of Systematic Land Tenure Regularization (SLTR) implementation across select Nigerian states

Indicators of implementation	Cross River	Jigawa	Kaduna	Kano	Katsina	Ondo
Geographic Information System (GIS) set up	Yes	Partially	Yes	Yes	No	No
Land records digitized	Yes	Partially	Yes	Yes	No	Yes
Certificates of Occupancy titled	Yes	Yes	Yes	Yes	No	Yes
Certificates of Occupancy issued	Yes	Yes	No	Yes	No	No ^b
Budget line for SLTR	Yes	Yes	No	Yes	No	No
Continued cash release for SLTR	No	Yes	No	Yes	No	No
SLTR still ongoing? ^a	Partially	Yes	No	Yes	No	No

Source: Fieldwork interviews. Notes: ^a As of December 2016. ^b Only three CfOs were issued in Ondo.

To explain this variation, we pursued four main hypotheses. First, policy advocates can be pivotal in pushing a policy onto the agenda. They typically have strong coalition building skills, credibility, and rhetorical skills. Secondly, bureaucrats require necessary autonomy from political interference in order to implement policies according to their specialized knowledge and awareness of local conditions. Thirdly, despite donor efforts to segment their interventions in the wake of the Paris Declaration, there may be benefits to donor multiplicity in some sectors, such as simply ensuring the availability of more funding resources. Finally, political will, driven by electoral considerations, concern with party legacy, or politicians' time horizons, can determine whether commitment to policy reform emerges and is sustained over time.

We found that three of the four hypotheses were responsible for higher progress in Kano, followed by Jigawa and Cross River, than in the remaining states. Namely, states with better implementation tended to respect bureaucratic autonomy and expertise within Ministries of Land. Even if internal capacity is low, creating new agencies or ceding functions to consultants undermines the long-term sustainability of reforms such as SLTR. A second factor is long-term political will shaped by the continuity of the same political administration over time. For instance, in Kano state, this lengthened

the time horizons of politicians involved in SLTR, giving them a bigger stake in its outcome. Thirdly, Kano's higher levels of implementation were partially attributable to the fact that it was the only state to receive funding from more than one donor. This latter point suggests that in a place as vast and politically fragmented as Nigeria, donors should not spread their resources so thin if sustainable implementation of land governance is their main objective.

CONCLUSIONS

In recent years, many international initiatives have emerged to address land governance challenges, including the FAO's Voluntary Guidelines (VGs) on the Responsible Governance of Tenure, the African Union's Land Policy Initiative (AULPI) and the World Bank's Land Governance Assessment Framework (LGAF). At the same time, strengthened land rights has been proposed as one of the United Nations' Sustainable Development Goals (SDGs). However, despite this international attention, little is still known regarding why African governments have had differential progress in implementing reforms. Using a subnational perspective, this study begins to address this gap and hopefully show where mistakes can be avoided and where entry points can be found for institutionalizing sustainable land governance reforms in Nigeria and elsewhere.

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