

**ASSESSMENT OF RECORDS MANAGEMENT IN THE SETTLEMENT OF LAND
DISPUTE BY STAKEHOLDERS IN TARABA STATE, NIGERIA**

BY

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DECLARATION

I **Jibaniya Danjuma** declare that this research dissertation titled “Assessment of Records Management in the Settlement of Land Dispute by Stakeholders in Taraba State” was conducted by me and in the Department of Library and Information Science Ahmadu Bello University, Zaria. To the best of my knowledge, no part of this thesis has been presented anywhere for the award of Bachelor Degree or Master Degree in any institution of learning. All sources of information, materials and quotations used for this study have been dully acknowledged in the reference.

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CERTIFICATION

This is to certify that this research work was carried out by JIBANIYA DANJUMA with the registration number P16EDLS8834, and has been carefully assessed and approved for meeting the requirements for the award of Masters of Achieve and Records Management (MARM) in Library and Information Science Department, Ahmadu Bello University, Zaria.

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DEDICATION

This dissertation is dedicated to my Late Father Danjuma Tanko and my mother Christiana Danjuma, my wife Christy Jibaniya, my children Wama Jibaniya, Wasassauma Jibaniya and Attayi'mi Jibaniya and to the Almighty God the creator of the universe and lover of mankind.

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LIST OF ABBREVIATIONS

FCE	=	Federal College of Education-	-	-	-	-	iv
1DP	=	Internally Displaced Person	-	-	-	-	3
MARM	=	Master Degree of Archives and Records Management				-	64
NCE	=	Nigerian Certificate in Education	-	-	-	-	45
PPMC	=	Pearson Product Moment Correlation		-	-	-	38

Abstract

This study assesses records management in the settlement of land dispute by stakeholders in Taraba State. In order to achieve this, four research questions were raised and answered. The research questions sought to find out the: causes of land dispute, creation of land records, storage of land records and settlement of land disputes in Taraba State. The researcher adopted survey research method. The population of the study was made up of all the district leaders and staff of Land and Survey Departments in Ibi and Wukari Local Government Areas. The total population was two hundred and thirty (230), out of which one hundred and forty four (144), was sampled using Proportionate Random Sampling technique. A closed ended questionnaire was designed and used for data collection. Data related to the research questions were analyzed using mean and standard deviation. The finding show that boundary issues which have the highest mean of 26.0 were the major cause of land dispute in the study areas. Reasons were given as lack of proper and official boundary demarcation with genuine records. On land records creation, the study found out that recording right of land either in the form of registration of deeds or the registration of title was the major way through which land records are being created. It was recommended that presentation of land records document should be done to the authorized body that is responsible for the registration, recording and authentication of the land records so as to reduce the number of land dispute cases in the communities.

CHAPTER ONE

INTRODUCTION

1.8 Background to the Study

Land is vital natural resources that hosts and sustains all living things namely; plants, animals, and man. It is a fixed socio-economic asset that aids production of goods and services and hosts virtually all activities that take place on earth (Magel, 2001). The nature of land and types of its components dictate what must exist on it. Land influences climate and dictates life styles of settler across the globe. Land host houses and towns where origin of a man is traced (Albert, 2011). This is because all communities are located on land and their territories are defined by it. Given that, the sovereignty of a kingdom is a function of the area of land it occupies. This is an indication that territorial defense is with the purpose of securing or retaining a certain piece of land (Ayo, 2002).

Land therefore, is central to continuity of life, indispensable in physical development and complex in social relations of production in the economic world. In other words, to every land, there are socio-cultural dimensions to it. As a result, dispute over land is often combined with strong economic, spatial, cultural and emotional values. Even more, there are indications that man's complex socio-economic, cultural and physical attachments to land have placed land in a sensitive and unique position. The significance of land among the Jukun people is graphically presented by Awudumanu in 1965. According to him, land means many things to Jukun people. It is the domain of the earth – goddess, a burial place for the ancestors, a place to live on and make a living as well as a precious commodity on which all our existence depends. Land is

therefore the most important asset to the people. It is a source of security which is emotionally protected from alienation. It is believed that people cannot have too much land and that no opportunity to acquire rights in land should be lost.

The scenario presented above by Awudumanu (1996) of Jukun people is true of many parts of Nigeria and indeed, the Africa continent. It explains the preponderance of dispute over land among neighboring communities. Part of the solution to the social malaise of land dispute therefore lies in the recognition of the cultural dimension to land conflict and their antecedents.

A dispute over land among communities to conserve socio-economic resources and carry out physical development activities and practice customs and traditions on land has given birth to untold crises over the ages. This has resulted in disputes that have affected millions of people and resulted in loss of opportunities in terms of social disorder, economic depression and destruction of housing and basic infrastructure in the physical development of communities. In the society, disputes often arise over range of issues and can involve farmers, civil servants, partners, land owners, business and even government etc. (Angaye, 2003).

Land dispute is a disagreement over the existence of a land duty or right or over the extent and kind of compensation that may be claimed by the injured party for a breach of such duty or right (Abengunde, 2010). Land dispute occurs when two separate entities feel like they both have a legal claim to a piece of property (Gakumzi, 2005). This may be a disagreement about property license or even a clerical error that created two rightful owners, if the matter cannot be settled civilly, it is brought before a judge for a final determination. Both sides will plead their case regarding the land dispute and eventually a verdict will be given. Resolving a dispute can take

considerable amount of time, effort and money that would be better used to operate, manage, or grow the communities (Sultan, 2003). It is preferable to resolve disputes as cost effectively, with a little damage to the relationship as possible. Dispute resolution is the process of resolving dispute between parties (William, 2000). Dispute resolution processes fall into two major types; adjudicative process and consensual process. Adjudicative process such as litigation or arbitration in which a jury or arbitrator determines the outcome and consensual process such as collaborative, law, mediation, cancelation or negotiation in which the partiers attempt to reach an agreement.

Disputes resolution is an important requirement in international trade; negotiation, mediation, arbitration and legal action. The legal system provides resolutions for different types of disputes. However, some disputes will not reach an agreement through collaborative processes hence, the conceive power of the state to enforce a resolution. More importantly, many people want a professional advocate when involved in a dispute and perceived legal rights, legal wrong doing or threat of legal action against them. The most common form of judicial dispute resolution is litigation. Litigation is initiated when one part files suit against another. The proceedings are very formal and are governed by rules, such as rules of evidence and procedures which are established by the legislature.

1.9 Statement of the Problem

In recent times, land disputes in Taraba State has become unprecedented to the extent that it has triggered large scale crises leading to death and the rise in Internally Displaced Persons (IDP) fleeing for safety in the neighboring State of Benue and Nasarawa (Saidu, 2015). For instance,

the crises between Jukun and Tiv nations has become a re-occurring decimal having a record of not fewer than 5000 people who lost their lives and many displaced in 2001-2002 (Trevor and Barbara 2002). From 2010 August to date, Wukari and Ibi local government areas of Taraba State had witnessed more than twenty (20) crises with each having different degrees of destruction that attracted national attention (Awudu, 2015). According to him, the spate of killings and destructions in these areas has been spreading rapidly to the villages leading to unimaginable blood bath and scores of houses and farms, set ablaze. The cause of these crises is generally tied to land and land related issues.

To reduce the prevalence of the violence from land disputes, scholars have approached the problem from the causes to the ways of settling these disputes. These include psychological approaches called ripeness which is the process of allowing a situation to linger for a long period of time thereby developing modality of resolving itself, (Awudu, 2015, Zaitman, 1997). However, the problem still persists. Mukaila (2016) observed that most of the land had been encroached by famers and other users due to depletion of the existing arable land. Moreover, land encroachment can result from costly and incomplete enforcement of common land boundary. In fact Martin, (2014) opined that land encroachment is the illegal occupational and cultivation of common and private land. Therefore, land encroachment is only possible where there are no records of land ownership. Could these deaths from land disputes be as a result of improper land records management?

It is against the foregoing that this research is intended to assess the management of records in the settlement of land related disputes. Because of the importance of land to man, the growing

quest for it among individuals and communities is on the increase; hence the escalating rate of land disputes. In Taraba State, land dispute among farmers, family members, etc. is rampant. The general questions is, do these disputing parties have the record of the land under disputes? Have the records been useful in settling the disputes? Can records of land ownership be important in settling land disputes in the future?

1.10 Research Questions

The study addressed the following questions:

1. What are the causes of land dispute in Taraba State?
2. How are land records created in Taraba State?
3. How are land records stored in Taraba State?
4. How are land disputes settled in Taraba State?

1.11 Objectives of the Study

The following are the objectives of the study;

1. To examine the causes of land dispute in Taraba State
2. To determine how land records are created in Taraba State
3. To determine how land records are stored in Taraba State.
4. To ascertain how land disputes are settled in Taraba State?

1.5 Significance of the Study

The study is significant to the communities in Taraba State because it provides analysis of land records management and demonstrates the shortcomings of current land records keeping practice. Also, it creates room for identifying the flows in records keeping culture in terms of

dispute resolutions. This therefore helps in creating records that are relevant for settlement of land dispute in Taraba State.

Similarly, this dissertation will be of help to those researchers especially in the field of Records and Achieves Management and History in corroborating oral and secondary sources when accessing or examining land disputes in Taraba State and Nigeria at large. This study also unravel other strategies in effective utilization of records in the settlement of land disputes.

1.6 Scope of the Study

The work was centered on the assessment of Records management in the Settlement of Land Disputes by stakeholders in Taraba State, Nigeria. In this study, records management refers to land records creation and land records storage. The study covered two Local Government Areas in Southern part of Taraba State namely Wukari and Ibi Local Government Areas. This is because they have experience much land disputes in the state. However, due to the cumbersome nature inherent in the study of land disputes in Nigeria and in Taraba State in particular, this work focused mainly on all the district leaders and staff of Land and Survey Departments in Ibi and Wukari Local Government Areas

1.7 Operational Definitions of Terms

Assessment: the act or instance of determining records and its usefulness.

Certificate of Ownership: Evidence by title to land which is generally directed to the mode of ownership or acquisition title to land.

Dispute: Disagreement over the existence of land duty or right over the extent and kind of compensation that may be claimed by the injured part of a breach of such duty of right.

Land: The solid part of the surface of the earth; also a corresponding part of celestial body. It can also mean the surface of the earth and its natural resources distinguishable by boundaries or ownership.

Legal Values: The usefulness of records as evidence supporting an organization, transactions, activities, claims and litigations.

Records: Information of any kind and forms either originated or received by an organization which include; papers, correspondence, forms, books, photographs, films, sound recordings, maps, drawings and other documents.

Right of Land Ownership: The document that proves the right owners of the land which includes documents like extract of cadaster, building permit and occupation permit.

Records Management: records creation and storage.

Stakeholders: Districts leaders and land and survey staff

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CHAPTER TWO

REVIEW OF RELATED LITERATURE

2.1 Introduction

This chapter reviews literature that are related to the research topic. The reviews are organized under the following sub-headings:

2.2 Causes of Land Disputes

2.3 Land Records Creation

2.4 Land Records Storage

2.5 Land Disputes Settlement

2.6 Summary of the Review

2.2 Causes of Land Disputes

It was realized that because of population growth, economic growth and advancement in technology, the traditional rulers and the customary trustees of land were unable to protect and control the use of land under their care properly. This lead to the practice of dividing land among families allocating land in fragments and customary tenancy coupled with lack of respect to the Land Use Act in Nigeria which have made land to be inadequate for the people. There seem not to be a given land without title. Dispute over farm land, reserved zone, and inter community boundaries are common but unexpected, since the promulgation of the Land Use Act. In a situation where land for settlement and agriculture is in abundance in comparison to land fragmentation and hoarding, dispute overland boundaries are not issues, and dispute overland properties are minimal (Mudenda, 2006). However, with the current rise in population, it is becoming clearer that overlapping interest on land and its resources have been generating dispute

among residents. These have overtime, negatively impacted the socio- economic development and physical environment in affected communities.

There are two principal factors that cause disputes. Adeeyi, (1999) states that individuals or groups of individual have different values, needs and interest. Secondly, most resources are not available/unlimited qualities therefore; access to them must be controlled and fought for. Either from the individual or any factor, above all, lack of records to the claim of ownership of land is the greatest reasons for land disputes.

All types of dispute on land entail significant private and social costs in human environment. The disputes used in this study refer to conflict, disagreements, quarrels, struggles, fights, and wars between individuals, groups, or communities. They may be short or long in tenure, but impact on residents and their environment is usually in a direct or indirect way (Angaye, 2003). Such dispute may sometimes be advantageous to a group or affected parties. However, experiences in African nations have shown that the negative effects of dispute war outweigh their merits (Colleta, Kostner and Wiederhofer, 1996; Bisnwanger, Klaus and Gershon, 1996; Shah, 2003; Salim, 2004). Nnoli, (2003) wrote that the term dispute means clash, contention, confrontation, a battle, or struggle, controversy or quarrel. While Mohammed (2014) sees disputes as a clash of two opposing view. Thus, dispute is any form of disagreement that results from differences in opinion, perception or irreconcilable aspiration. Experience has shown that frustration, tension, argument, disagreement are always presented whenever two or more people interact over a period of time. In view of the above, Nnoli (2003) pointed out the characteristics of dispute as a situation in which two or more party are involved and engage in mutually opposing actions or

view, they also coercive behavior designed to destroy, injure, toward or otherwise control their opponent.

Dispute in community are in different forms/types, these are: inter-communal dispute which is the type of dispute that occurs between two or more communities e.g. ethnic dispute, religious dispute, boundary dispute, political disputes, dispute over farmlands and grazing area. Also there is intra communal dispute which occur within the community, which include; chieftaincy crisis, especially successors, religious disputes, political representation, native versus settler syndrome, land issues etc. and lastly, is the national dispute which is globalization of inter and intra communal dispute (Dunmoye, 2003). Other causes of land disputes can also include:

Land Alienation – Land alienation is a cause of land dispute. In ancient times, land alienation was not in practice because it was believed that land was held by the present owners in trust for future generations. The attachment to land was so strong that ownership was not parted with, rather only occupational rights were granted (Nlerum 2011). Presently alienation of land which may take different forms such as sale, absolute gift, conditional gift, land borrowing, pledge etc is a practice in many communities (Nlerum 2011). Alienation of land through sale involves the transfer of permanent rights over land for a monetary consideration and the transfer of the totality of the interest of the vendor. The effect of an absolute gift is the same as a sale. Under conditional gift, only occupational title is granted and in land borrowing, the duration of interest granted is computed by reference to the purpose for which the grant is made. A pledge is created when an owner of land transfers possession of his land to his creditor as security or as consideration of a loan (Nlerum 2011).

Insecurity of Title - One of the factors responsible for land disputes is insecurity of titles to land resulting from the absence in most cases of documents evidencing such titles. A grant of an interest in land must be made by deed or in writing but historically; customary law being unwritten did not require writing for transactions in land (Etajat 2007). Evidence of title usually consisted of oral traditional history handed down from generation to generation or of acts of ownership with living memory. From the point of security of title, these types of evidence are unsatisfactory because two or more families with equal honesty may claim ownership of the same piece of land (Ugwunze 2008). Presently, purchasers of land insist on a written document evidencing the sale or transfer of land. Writing provides an unequivocal evidence of the transaction. Some purchasers also insist on survey plans which have the special value in imparting greater certainty to the title by providing precise description of the boundary of the land. The land is also registered by the purchaser. Registration of the land makes it admissible in evidence in a court of law if there is dispute and litigation over such land (Yusuf 2007). In *Salami v. Lawal*, the Supreme Court stated the five ways of proving title or ownership of land. They are by traditional evidence, by production of documents of title duly authenticated and executed, by acts of ownership extending over a sufficient length of time numerous and positive enough to warrant the inference of true ownership, by acts of long possession (Ndukuba 2007). Lastly, enjoyment and by proof of possession of connected or adjacent land in circumstances rendering it probable that the owner of such connected or adjacent land would in addition be the owner of the land in dispute (Idundun 2011).

Boundary Issues – Boundary issues are a cause of land dispute. Often the dispute about the boundary may arise where parties indisputably own adjoining lands. Boundaries give rise to

frequent disputes because generally they are fixed with reference to natural objects like trees, hills and ditches etc which are capable of being confused with one another. It is possible that after a long time, parties are likely to disagree as to the particular one that marked the boundary. Probably, the older persons who knew the boundary may be dead leaving younger ones who may identify the boundary with a different object. It is in this state of uncertainty regarding titles and boundaries that many transactions in land are carried out. An intending purchaser in this circumstance may have no means of verifying conclusively the truth of the traditional story upon which the vendor's title is founded. Even when the traditional story is supported by acts of ownership, this may be inconclusive since there may also be acts of ownership on the part of the rival claimant (Yusuf 2007).

Land Inheritance - land which may be inherited either testate or intestate is sometimes an issue of dispute. An owner of land or any interest has the freedom to dispose of his property by will. If there is no will or any expression of how property should be distributed at death, the property of the deceased including his interests in land devolves on his heirs. The problem of establishing the heir in respect to land depends on which system of law governs a given case. In the case of non-natives, the applicable law is English law with statutory modifications. As regards natives, the applicable law is customary law except where the application of customary law is ousted. The application of customary law of succession is complicated by the fact that there is no single system of customary law for the country. Succession under customary law is essentially intestate succession and applies only to the estate of a person subject to customary law (Yusuf 2007).

Land disputes may also arise within families over the inheritance of land as ethnic composition of villages' changes e.g. families may increase and even grow larger leading to scarcity of resource and consequent land dispute or they may split leaving those with weak tenure rights.

Family Distribution System - In most systems of customary law, the family head plays a vital role in family affairs. He is charged with the administration of the partitioned family property and with the power to make vital decisions including the mode of distribution of property when there is a dispute. The selection or appointment of a family head is therefore a consensus of opinion because on the death of a founder or head, thus the proper person to succeed becomes a cause of dispute. The court in *Lewis v. Bankole* held that the proper person to head the family is the Dawodu or eldest surviving son (Sule 2006). It is after the death of the Dawodu that we begin to find several variations. For example, the other sons of the founder of the family begin to take in turn and then the sons of the Dawodu and other son's sons- the headship being kept in male line. In Lagos State, it is the eldest child whether male or female who becomes head after Dawodu (Danmole 2009). In Taraba State, the eldest male child is mostly recognized. The mode of distribution in the systems of customary law in which the children succeed to the exclusion of other relations is through per stripes (*idi -igi*) and per person (*ori-ojori*) in Yoruba (Idi-Igidi 2011). These recognized modes create problem when there is no consensus within the family.

Loss of Title to Land – Loss of title to land leads to dispute. Title to land may be lost in certain circumstances e.g. by act of the parties or by operation of law. The rights of persons enjoying permanent occupational rights in land may be extinguished by forfeiture upon misconduct, abandonment or extinction. A customary grantee of land is only entitled to occupy the land during his good behavior unless the grant is an absolute one (Idi-Igidi 2011).

Natural Resources – The existence of natural resources on land is a cause of land dispute (Isaac2006). Natural resources such as oil and gas, coal, tin, diamond, cash crops etc. are very valuable sources of wealth and as a result, has attracted many communities to lay claim to lands belonging to other communities. This type of claim leads to disputes that sometimes claim lives and properties and leads to distortion of traditional history. Ownership of natural resources in Nigeria has led to several disputes and litigations e.g. the ownership of oil and gas led to the dispute in which the Supreme Court was called upon to determine its jurisdiction as well as the seaward boundary of a littoral state for the purposes of calculating the revenue accruable to such state from the resources of its area (which will also accrue tax payment) in accordance with section 162 of the 1999 Constitution (Donald 2002).

Discrimination in Land-Use - The Jos Crisis- This crisis is attributed to the entrenched division between the people considered primarily indigenous and those regarded as secondary. Most times, these secondary persons are discriminated against and denied full access to land, commercial opportunities, employment, education and succession rights (Ben 2010). As a result, there is a vicious cycle of revenge attacks happening in Plateau State which has culminated in the massacre of several lives and destruction of houses. These disputes and crisis led to the deployment of military and paramilitary personnel and the imposition of curfew to forestall further escalation of the violence.

In another development, Jahun and Bauchi Emirate (2015), asserts that the causes of land disputes may be due to many factors some of which are; population pressure, multiple users, rural-urban migration and minor/gender issues. Undefined or improper delineation or description

of land also leads to ambiguities resulting to disputes. Faulty land transfers especially when done through private conveyance method also contribute to land dispute. The process of land acquisition when faulty would result in complicating land ownership. The common form of acquisition of land is either by purchase, leasing, adverse possession, inheritance or donation (Jahun and Bauchi Emirate, 2015).

They further opined that land disputes arise as a result of land limitation and driven by legitimacy as perceived by two or more claimants. In addition, the interdependency of the claimants having almost equal power also contributes to sustain the disputes. The causes of land disputes can also be related to either positional, territorial, resource or cultural origin, the way and manner land is demarcated can give rise to dispute. For example, if a boundary is marked by temporary features it is more susceptible to dispute than the one marked by permanent features such as rivers, mountains or roads. Territorial boundaries are such boundaries which are being claimed by long occupation or historical reasons but are being challenged by other groups. This type of dispute can trigger some level of animosity among the people. The resource type of land dispute is usually on scarcity of water, or presence of oil, or absence of food or struggling for one type of recourse or the other. The cultural type is the one in which legitimacy or superiority complex to dominate on religious, ethnic, political or linguistic basis. Land disputes relating to any of them are difficult to resolve due to personal and value issues involved (Jahun and Bauchi Emirate, 2015).

2.3 Land Records Creation

Reed, (2005) states that, records are subset of information with unique characteristics in relation to other forms of information. Records are results of transactions and must be kept reliable and authentic as evidence of the particular transaction (Duvanti, 2001; Reed, 2005). One of the characteristics of records is the requirement of preservation, where the authenticity and reliability must be maintained (Erik, 2013). Records are always transactional bounded and should be able to be used as evidence. For example, if records cannot be used as evidence, accountability is not assured (Reed, 2005). The evidential value of records can only exist if the content, structure, and context are created for its purpose (Cox, 2001). The context therefore is the link between different records that belong together and also to the process where the records was created. The records relation to transactions is what makes records different from information in general and what enables the evidential functionality of records (Reed, 2005).

The term records means all media that contain language, numeric, graphics or other information that are created or received by an organization. The media include, but are not limited to correspondence, memoranda; forms, reports, cheques, legal instruments, magnetic media such as tapes, disks, diskettes and voice recording as well as copies of the foregoing made by copiers, duplicators, printing presses, carbon paper or any other means (Adikwu, 2013). Records are a subset of information with unique characteristics in relation to other forms of information (Reed, 2005), Records are results of transactions and must be kept reliable and authentic as evidence of the particular transaction (Duranti, 2001, Reed, 2005). Records are physical, have content, a structure/form and are created in a context (Hofman, 1998). Records are evidence of actions and transactions (Reed, 2005). Records are process-bound information, i.e. information that is generated by and linked to work processes (Thomassessn, 2001). Records should support

accountability, a principle that individual, organizations, and the community are responsible for their actions and may be required to explain them to others (International Standards, Organization, 2001). Records are part of the organizational memory and are used to support operational management (Cox, 2001).

Records have different importance, one primary and another one secondary; the different values consider different purposes of use. The primary value is to serve as evidence and support business activities (Thomassen, 2001) while the secondary value is evidence supporting research, i.e. records serve as evidence of the past (Thomassen, 2001) and are by tradition used for example by historians. Information is created, received, and maintained as evidence and information by an organization or person, in pursuance of legal obligations or in transaction of business. The solution to every dispute resolution requires the involvement of all the functions of their records. That is why Williams (2000) asserts that records are those materials made or received by institution in pursuance of legal obligation or in conduct of functions and preserved as evidence because that data is useful.

From the foregoing, land records creation connotes the general systems by which matters concerning ownership, possession or other rights in land can be generated and recorded (usually with a government agency or department) to provide evidence of title, facilitate transactions and to prevent unlawful disposal (Adashu, 2003). The information recorded and the protection provided will vary by jurisdiction. It is the function of Governmental activities by which the ownership of estates, interests and rights in land are recorded and indexed. This requires confirmation of evidence of title by proof of ownership. The ultimate goal is to ensure

transparent land administration system. Land records creation aimed at achieving a more flexible system of recording and administering land information (Muhammed 2009). In view of the above, UNFIG (1999) defines land records creation as the process of recording rights in land either in the form of registration of deeds or the registration of title to land and adjudication as the process whereby the ownership and rights in land are officially determined. Title registration systems is “an authoritative records, kept in a public office, of the rights to clearly define units of land as vested for the time being in some particular person or body, and of the limitations, if any, to which these rights are subject.

In the view of the above, Mustapha (2010) states that land records creation is a process by which proof of ownership of real property is filed in the appropriate county office or court to allow purchasers, creditors, and other interested parties to determine the status of the property interests therein. Land records are kept by the land registry primarily for the purpose of facilitating property transactions. For every land transaction, it is important to ascertain who the registered owner of the property is and what encumbrances, if any, are registered against it (Kwadza, 2007). It further connotes any writing authorized by law to be recorded on paper or in electronic format that the clerk records affecting title or real property, including but not limited to instruments, orders, or any other writings. The process of land records creation begins when a duly executed, acknowledged, and delivered document is brought to the recorder's office for filing in the records books in the county where the property is located. The recorder's office also keeps a set of indexes containing information about each document so that the document can be discovered by a title search (Raphael, 2010).

Stephen (2003) classified the types of Land records creation to include:

Land Register: A register showing the ownership particulars of each property and any encumbrances registered against the property, e.g. Legal Charge, Agreement for Sale and Purchase, Court Order, etc.

Memorial: In the form specified by the Land Registrar, it contains the essential particulars of the accompanying document lodged for registration.

Memorial Day Book: A records of all the memorials of the relating documents lodged for registration each day with the essential particulars of each memorial.

Government Lease: A lease of land granted by the Government including any instrument whereby the term of a lease may be extended or the provisions thereof varied, and any agreement for a Government Lease such as New Grant, Conditions of Sale, Conditions of Grant, Conditions of Exchange, etc.

Block Government Lease: It contains the lease conditions and a schedule showing the name of owner, area, class, annual rent, etc. of each plot

Land records are the earliest, largest, and most complete type of records in Nigeria which began when the colonist settle the land to show legal proof of ownership. McKinsey, (2002) opined that, with the opportunity of expansion and nature of the rural of Nigeria before 1960, 90% of men owned land, making the possibility of finding an ancestor in land records very high. In Nigeria, land is acquired either from government, organization or and individual. The first sale of land from the government to a person is called a grant. Thereafter, the sale of that land from person to person is recorded in a deed. Thus this means that land records can be found at different government levels, including federal, state and local levels. A deed is a written legal document

transferring ownership of a property from one person to another (Adashu, 2003). He further says that, deeds were usually written up by a lawyer, a justice of a peace or someone else familiar with the needed legalities of a deed. The person selling the land and two witnesses needed to be present at the time the deed is written. It was the buyers who paid the recorded fee thus keeping the original document.

The part of the deed includes:

- The types of legal instrument it is (warranty deed)
- The date of the sale
- Name of the grantee (buyer) and the grantor (seller)
- The country, state, and local government of residence
- The amount of the money for the sale
- The property description (which could be metes and bounds or ownership and range)
- The nature, conditions, and considerations (such as an acknowledgement that the seller has paid, a statement that the property can be sold or inherited: a statement that the title on the land is valid, a recital clause stating how the seller got the land, a warranty cause that the seller will be liable to the buyer in case of later problems with the land).
- Signatures
- Names and signature of witnesses (Adashu, 2003).

In the light of the above opinions of scholars on land records creation, it is germane to note that land records creation primarily deals with the process of documenting all issues concerning land

to determine ownership and right. This is done to prevent unlawful interference or abuse of the property.

2.4 Land Records Storage

According to Adashu (2003) Land records storage ought to be taken as a vital responsibility by societies because of the indispensable role records play in the effective day-to-day affairs of mankind. In order to make decisions on both short and long term policies, society and governmental authorities rely on information that are on records and stored. However, most societies do not have a good culture of records keeping. The few records that are kept are usually not properly stored, thus creating the problem of retrieval to users when needed. The few societies that have adopted the records-keeping practice in the record management system of their institutions have risen above such problems of storage and retrieval, as proper record storage affords the opportunity to have a quick and easy view of all the records available (Osakwe 2012).

To Akpohonor (2007), land records storage refers to the housing of land records when they are semi-active or inactive, but must still be retained. Cox (2001) further asserts that a land records storage programs will be able to handle all records of land, to provide the appropriate environment for all lands records, to ensure complete security, and to provide a full reference Centre. He further argued that limitations of funds, space, personnel, equipment, or expertise often require that a less than ideal land records storage programs be established. According to Reed (2005), land records storage must be retained for occasional reference, for auditing, or for legal or archival reasons.

In the view of Hussein (2000), the objectives in creating and operating a land records storage Centre are to:

- Achieve economy and efficiency in the storage, retrieval and disposition of semi-active and inactive records.
- Secure against both unauthorized access to land and destruction of these records in keeping with its obligations to its customers.
- Protect stored records against the risk of natural disaster such as fire, flood, earthquake, etc.

A good indication that an organization has an effective records management program in place is that it stores and maintains its records securely. Secure storage system that provides quick and rapid retrieval will help ensure the ready availability of records in case of litigation, as well as for future reference purpose. Noris (2003) opined that a good storage programme has the following in place:

- Vaults are used to store records
- Electronic data backup procedures are in place and are routinely followed.
- Fire prevention systems are in place in storage areas.
- Adequate environmental control exists in storage areas.
- Security rules and procedures are in place and followed.

Storage is one of the principles in the management of records and information. It is important in the effective management of land records. Diebold, (2005) asserted that, one of the basic functions of an organization is the storage of information for future use. They are determined by the need to protect records against:

- Loss through careless handling

- Damage by tramping under foot
- Loss by fire or water
- Deterioration through dust and dampness
- Prevention of theft or unauthorized access misuse and abuse

The information on land records stored in poor conditions may be lost and therefore, not available when an individual or organization requires it (Archives New Zealand, 2007). It further stressed the criteria for the implementation of the storage standard which enable effective management of storage activities. They include:

- Undertaking appropriate authorization process for storage areas and facilities.
- Inspection of storage areas, facilities and records in storage as part of an ongoing monitoring process.
- Conducting risk assessment and mitigation to ensure that storage areas and facilities are inappropriate locations.
- Development and implementing sufficient systems and procedures to facilitate effective and efficient identification and control of records in storage.
- Ensuring that appropriate security measures are in place to protect the records.
- Implementing endorsed disaster preparedness, management and recovery programme (Archives New Zealand, 2007).

Summarily land records storage is the process of keeping all records of land in safe hands to retain its value and avoid distortion by any person, agent or factor. Storage accommodation for land records should therefore be clean, tidy, secure, and prevent damage to the records.

2.5 Land Disputes Settlement

Dispute settlement refers to any reduction of dispute or mitigation of its underlying causes. It may entail de-escalation of an overt struggle. Mitchell (1981) defined dispute resolution as an activity in the part of one or more third parties wishing to affect some ongoing, manifest dispute, and bring it to some conclusion by changing the behavior, attitude or goals of the adversaries. Therefore, dispute settlement is aimed at altering dispute behavior (stopping) the violence and coercive strategies or achieving some of temporary tussles; and parties make “Fan” sacrifices of some of the goals in dispute in order to achieve others. There are many ways to resolve disputes, these includes; sundering, running away, over powering the opponent with violence, filling a law suit etc. Primary dispute can be resolved using two basic approach namely; peaceful negotiation or arbitration and force. Resolving a dispute by force is generally adequate and can make the dispute part rated and difficult to manage.

Social psychologists have long been interested in the role of social contact and communication. In the resolution of dispute, research by Echezona (2001) has shown that these procedures help to alleviate mild dispute but may be worse than useless in service dispute allowing arguments fight to develop. Isaac (2006) found that a better way to reverse escalation in his camps was to get the boys to cooperate on super ordinate (i.e. shared) goals. The values of these techniques have been confirmed in other settings. Zaitman (1997) taking a psychological approach, argued that severe dispute is most likely to be resolved when both sides become motivated to escape the dispute, a condition he called ripeness. He finds that supper ordinate goals are (mutually enhances opportunities) seldom under the ripeness international disputes, conflict and civil war. Rather, ripeness is usually produced by mutually hurting stalemate; in which the parties find that

they are enduring unacceptable costs in a struggle they cannot win, sometimes argument by the perception of an impending catastrophe if dispute continues.

Utsesa (2008) expressed that optimism can develop in a number of ways. Sometimes one of the parties' takes unilateral conciliatory initiatives which are effective when they are noticeable and unexpected, are fully explained and cannot be construed as a trick or sign of weakness. In the case of a severe dispute, optimism more commonly, arises out of intervention by intermediaries. Sometimes the psychological and social distance between adversaries is so great that a chain of two or more intermediaries is necessary to bridge the gap.

Depending on the types of land registration system adopted by any country, which include private convergence registration of deeds, title registration system (Dale et al, 1999), land records are viewed by different researchers as proof of ownership or use right in land property (Dale et al; Zevenbergen, 2002). The content of land record within the new land administration as highlighted by Williamson et al (2010) provided information about land value, land use and land development. During dispute, good land records play a great role in different domain as described in Dale et al (1999), Todorovski et al (2012) and Augustinus et al (2007). These roles include:

- Guarantee tenure security
- Resolve dispute over land
- Protect land owners toward land evictions
- Intervene during property restitution of people who stayed in the country and returnees (IDPs refugees) in case of illegal occupation of someone's land.

- Provide statistics of registered land for further planning
- Facilitate transactions
- Save evidence establishing title to land if clearly, the records remain up to date
- Protect vulnerable groups
- Facilitate the post disaster recovery in land reallocation and restitution
- Provide information about the history of tenure occurred on land
- The records in its contents define the land parcel (spatial extent) and describe the attributes attached to its non-partial data.
- Facilitates post dispute state building
- Evidence/proof of land right including the transaction of the parties involved and of the land involved by the acceptance by the community
- Decrease some of the dispute over land by increasing predictability. The land records themselves would contribute to better local dispute resolution in general.
- An index linked to the names of the parties, which will facilitate ease of access to information, etc.

Even though land records supports land administration, during dispute, (Augustinus et al; 2007), states that researchers have continued saying that not all of them have legal evidence and completeness (Van Der Molen et al; 2004). Similarly, land records may be ransacked, manipulated or not even available as it is the case in most communities and states (Zevenbergen et al; 2010). For countries with no land records, the reconstruction of land administration might be done gradually during the adjudication process while recognizing all sorts of document capable to elicit the relation between people and their land. In addition to this, countries might

take into account all types of tenure and information evidences attached to them as recognized by citizens themselves from informal to formal land records because the trust they attribute to their customary or informal tenure helps while upgrading land administration in post dispute situations.

2.6 Summary of the Review

From the literature reviewed on the causes of land dispute, most of the literature indicated that rise in population, land alienation, insecurity of title, boundary issues were the major causes of land dispute. In the case of land records creation, most of the literature showed that, land records creation is a process by which proof of ownership of real property is filed. Also, land records storage should be kept when the land records is still in semi-active or in-active to retain its value and avoid distortion by any person, agent or factors. In settlement of land disputes, bulk of the literature focused on a group running away, or over-powering the other party with violence, peaceful negotiation and use of brute force.

However, from the entire literature reviewed, none of them focused on records visa-vis their utilizations in the settlement of land dispute. This is a gap that this study has addressed.

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CHAPTER THREE

RESEARCH METHODOLOGY

3.1 Introduction

This chapter is presented under the following sub-headings:

3.2 Research method adopted for the study

3.3 Population of the study

3.4 Sampling techniques and sample size

3.5 Instrument for data collection

3.6 Procedure for data analysis.

3.2 Research Method Adopted For The Study.

For the purpose of this research, survey research was employed. The use of survey design can be justified due to its suitability in unraveling events in descriptive research. Survey research allows for thorough and deep study of a phenomena which may eventually lead to uncovering problems hidden therein and may be promptly applied for the solutions of research problems. It also enable reliability and validity due to the rigourity of the process and provides avenue for quantification and measurement. Statistical analysis no doubt, enhances the validity of research.

3.3 Population of the Study

The population of the study comprises of two local government areas in Taraba State, namely Ibi and Wukari. The target was district leaders and staff of land and survey department. Ibi Local Government had twelve (12) districts with sixty five (65) district leaders and Wukari Local Government had fifteen districts (15) with ninety six (96) district leaders. The second category of

the population was the staff of land and survey department in Ibi and Wukari Local Government areas. The total number of staff was twenty seven (27) and forty two (42) in Ibi and Wukari. The target population of the study was two hundred and thirty (230). The breakdown of the population is presented as follows:

Table 3.3.1 Population Distribution of Districts, Land and Survey Department in Ibi and Wukari Local Government Area of Taraba State

S/No	Districts in Ibi	Number of District Leaders	Districts in Wukari	Number of District Leaders
1	Ibi District	06	Wukari District	06
2	Bakin kwata District	07	Avyi District	05
3	Ando-manu District	04	Tsokundi District	06
4	Nwunyo District	06	Nwokyon District	05
5	Dampar District	07	Rafinkada District	07
6	Bola District	04	Kente District	07
7	Sarkin kudu District	06	Jibu District	06
8	Gindin-wayo District	05	Gidan Idi District	07
9	Rimiuku District	06	Arufu District	07
10	Gazor District`	05	Akwana District	05
11	Bakyu District	05	Matar–Fada District	07
12	Ba’azaga District	04	Bantaje District	10
13			Chonku District	05
14			Chinkai District	05
15			Assa District	08
16	Ibi Land and Survey Staff	27	Wukari Land and Survey Staff	42
	Total	92		138
	Grand Total	230		

Source: Wukari and Ibi Traditional Council/Land and Survey Department, 2016

3.4 Sample Size and Sampling Techniques

Sampling is the process of selecting sufficient number of element from the population, so that by studying the sample and understanding the properties of the characteristics of the sample objects, the researcher may be able to generalize the characteristics of the population element (Borden, 2002). According to Krejcie and Morgan (1970) if a population size (N) of a research is two hundred and thirty (230), the sample size should be one hundred and forty four (144). Adopting the above position, this study therefore uses proportionate random sampling technique to determine the sample size (s) from the general population of two hundred and thirty (230). Ibi Local Government has a total of twelve (12) districts with sixty five (65) district leaders. Three (3) respondents were randomly selected from each of the twelve (12) districts given a total of thirty six (36) respondents from the district leaders. The Local Government also has twenty seven (27) staff of Land and Survey out of which Twenty (20) respondents were selected.

Similarly, Wukari Local Government Area has a total of fifteen districts with ninety six (96) district leaders. Four (4) respondents were randomly selected from each of the fifteen (15) districts given a total of sixty (60) district leaders. Wukari Local Government also has forty two (42) Staff of Land and Survey which is the second category of the population. Twenty eight (28) staff was randomly selected as the respondents.

In sum , from the two categories of the population (district leaders and staff of land and survey), Ibi Local Government has a total of fifty six (56) respondents and Wukari Local Government Area eighty eight (88) respondents. Therefore the total number of respondents sampled are one hundred and forty four (144).

Table 3:4.1 Sample of District Leaders and Land Survey Staff Selected.

S/N	Local Government Areas	Respondents	Numbers
1.	Ibi	Number of District Leaders	36
		Number of Staff of Land and Survey	20
2.	Wukari	Number of District Leaders	60
		Number of Staff of Land and Survey	28
Total			144

3.5 Instrument for Data Collection

The instrument used for collecting data in this survey research was questionnaire. As a valuable research instrument, questionnaire is commonly used in studies that the respondents can easily be reached. Nworgu (1991) posits that questionnaire is the most frequently used instrument of data collection. One set of questionnaire was constructed and administered to all the districts leaders and land and survey staff. The type of questionnaire adopted was close-ended which gave the respondents the opportunities to choose from the available options that seem appropriate to them. This is for easy analysis and uniformity of answer for those who have the same opinion. The questionnaire is divided into two sections. Section A; contains the personal information or the bio-data of the respondent while section B comprises of items relating to the research questions.

3.6 Validity of the Instrument

In order to ascertain the validity of the instrument, the researcher subjected the instruments to research experts, colleagues and supervisors for validation. The corrected instruments and comments of the supervisor improved the items' structure and format. Contents validity was adopted to validate the instrument.

3.7 Reliability of the Instrument

To ensure reliability of the instrument, pilot study was conducted. This helped to reveal areas of difficulties inherent in the research instruments. The researcher carried out the pilot study in Donga Local Government of Taraba State using ten copies of the Questionnaire, and split half reliability in order to get the reliability index. Pearson Product Moment Correlation (PPMC) was used, and the researcher subjected this index to Spearman Brown Formula where the final reliability co-efficient of 0.75 was obtained. This means that the instrument is reliable and it can be used for the main study.

3.8 Procedure for Data Collection

The researcher with the help of two research assistants in each Local Government visited the two Local Governments and administered the questionnaire. The questionnaire were administered to the respondents in each ward and collected after completion. The questionnaire were also distributed in two of the Land and Survey Offices in the two Local Government Areas under study. The duration for administering and collecting the questionnaire was two weeks.

3.9 Procedure for Data Analysis

The data collected was sorted out according to variables. For the response rate, gender, age and qualification of the respondents, frequency and percentage were used. However, the data

collected from the four (4) research questions was analyzed using mean and standard deviation. The cut-off point or bench mark was taken while considering the variable with highest and lowest means. This is because a standard like liker scale was not used to guide the instrument construction.

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CHAPTER FOUR

DATA PRESENTATION, ANALYSIS AND DISCUSSION

4.1 Introduction

This chapter is presented under the following sub-headings:

4.2 Response Rate

4.2.1 Data Analysis of the Respondents

4.3 Descriptive Statistical Analysis

4.2 Response Rate

A total of one hundred and forty four (144) copies of the questionnaire were administered to the respondents. However, the sum 139 (96.5%) were duly completed, returned, examined and found useful for analysis. Table 4.1 presents the distribution of the response rate.

Table 4.1: Response Rate

S/N	Local Governments/Respondents		Number of copies of Questionnaire Distributed	Number of copies of Questionnaire Returned	Percentage (%) of Questionnaire Returned
1.	Ibi Local Government	District Leaders	36	34	94.4
		Land Survey Staff	20	20	100
2.	Wukari Local Government	District Leaders	60	57	95
		Land Survey Staff	28	28	100
Total			144	139	96.5

From table 4.1, a high response rate of 139 (96.5%) was obtained. The high response rate was achieved due to the fact that the researcher and the research assistants administered and collected the questionnaire. In addition, good relationship was established between the researcher, the research assistants and the respondents which led to on-the-spot completion of the questionnaire by most of the respondents.

4.2.1 Demographic Analysis of the Respondent

This section of the analysis presented the demographic information of the respondents which include the gender, age and qualification of the respondents.

4.3. Gender Distribution of the Respondents

The respondents in this study comprised of both male and female. The female respondents were found only in the Land Survey Departments of the local government studied. None of the district leaders was a female. The inclusion of gender as a variable in this study is very important because it will make the study free from gender bias. The distribution of the gender of the respondents was presented in table 4.2.

Table 4.2: Gender of the Respondents

S/N	Gender of the Respondents	Local Governments								Total	
		Ibi				Wukari					
		District Leaders		Land Survey Staff		District Leaders		Land Survey Staff			
		F	%	F	%	F	%	F	%	F	%
1.	Male	34	24.5	15	10.8	57	41.0	24	17.3	130	93.5
2.	Female	0	0.0	5	3.6	0	0.0	4	2.9	9	6.5
Total		34	24.5	20	14.4	57	41.0	28	20.1	139	100

Table 4.2 shows that 130 (93.5%) of the respondents were male. On the female part, 9 (6.5%) represent their number. The reasons for the higher percentage of the male respondents was that all the district leaders in the study areas were male and majority of the land survey staff were also male. This signifies that more male respondents were involved in the study than their female counterparts.

Table 4.3: Age of the Respondents

S/N	Age of the Respondents	Local Governments								Total	
		Ibi				Wukari					
		District Leaders		Land Survey Staff		District Leaders		Land Survey Staff			
		F	%	F	%	F	%	F	%	F	%
1.	18-30 years	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
2.	31-40 years	0	0.0	5	3.6	2	1.4	2	1.4	9	6.5
3.	41-50 years	3	2.2	4	2.9	8	5.8	7	5.0	22	15.8
4.	51- above years	31	22.3	11	7.9	47	33.8	19	13.7	108	77.7
Total		34	24.5	20	14.4	57	41.0	28	20.1	139	100

Table 4.3 presented the age of the respondents. From the table, it was revealed that 108 (77.7 %) of the respondents were within the age bracket of 51-above years. However, 9 (6.5 %) of the respondents were within the age bracket of 31-40 years, while none of the respondents was within the age bracket of 18-30 years. The reason for the highest percentage of the respondents falling within the age bracket of 51-above years is that majority of the district leaders in the study areas were elderly people. This signifies that the leadership in the districts of the study areas was governed by the elderly and experienced people.

Table 4.4: Qualification of the Respondents

S/N	Qualification of the Respondents	Local Governments								Total	
		Ibi				Wukari					
		District Leaders		Land Survey Staff		District Leaders		Land Survey Staff			
		F	%	F	%	F	%	F	%	F	%
1.	Primary School Leaving Certificate	3	2.2	0	0.0	9	6.5	2	1.4	14	10.1
2.	NCE/Diploma	21	15.1	9	6.5	29	20.9	17	12.2	76	54.7
3.	First Degree	4	2.9	7	5.0	11	7.9	6	4.3	28	20.1
4.	Higher Degree	6	4.3	4	2.9	8	5.8	3	2.2	21	15.1
Total		34	24.5	20	14.4	57	41.0	28	20.1	139	100

Table 4.4 Shows that majority of the respondents represented by (76: 54.7 %) are NCE/Diploma holders. However, (14: 10.1 %) of the respondents have Primary School Leaving Certificate. This implies that many of the district leaders as well as land survey staff were educated for the fact that they attended tertiary institutions where they obtained their NCE/Diploma qualification. On the other hand, few of the district leaders and the land survey staff have basic education at primary level.

4.4 Data Analysis

The data analyzed was collected using the four (4) research questions. Mean and standard deviation were used in the analysis. Tables 4.5, 4.6, 4.7, 4.8 and 4.9 presents the analysis in this section.

Table 4.5: Causes of Land Dispute

S/N	Causes of Land Dispute	Local Governments				Total	Mean	Standard Deviation
		Ibi		Wukari				
		District Leaders	Land Survey Staff	District Leaders	Land Survey Staff			
1.	Population growth	18	11	41	19	89	22.3	12.9
2.	Natural Resources	27	14	40	22	103	25.8	10.9
3.	Advancement in technology	2	11	23	7	43	10.8	8.9
4.	Different values and interest	29	5	40	12	86	21.5	15.9
5.	If there is fault in land transfers	29	17	34	20	100	25.0	7.9
6.	Insecurity of title	28	6	29	7	70	17.5	12.7
7.	Boundary issues	21	14	46	23	104	26.0	13.9
8.	Land inheritance	28	5	41	12	86	21.5	16.2
9.	Family distribution system	11	14	39	21	85	21.3	12.6
10.	Loss of title of land	17	15	36	21	89	22.3	9.5
11.	Discrimination in land-use	7	14	47	8	76	19.0	18.9
12.	When there are multiple users	30	6	33	18	87	21.8	12.3
13.	Rural –urban migration	20	15	38	21	94	23.5	10.0
14.	If there is land limitation	20	14	42	21	97	24.3	12.2
15.	Land alienation	5	9	34	16	64	16.0	12.8

Table 4.5 clearly shows that boundary issues were the causes of land dispute in Taraba state with the highest mean of 26.0%. This finding agrees with the submission of Yusuf (2007) who showed that boundary claim between the neighbors of a particular land always leads to the land dispute in the communities. The implication of this finding is that lack of proper and official boundary demarcation with genuine records on peoples' land will continue to ignite the dispute between the neighbors who possess the land. Also the table reveals that Natural resources on land such as oil, cash crops, and gas can also cause land dispute with the mean of 25.8%. This finding agrees with the submission of Isaac (2006) who observed that natural resources are valuable sources of wealth and as a result, has attracted many communities to lay claim to land belonging to other communities. The implication of this finding is that lack of genuine land records also leads to land disputes. The table also presented that faulty land transfers which has mean of 25.0 also causes land dispute. The finding agrees with Jahun and Bauchi Emirate (2015) who indicated that faulty land transfers especially when done through private conveyance method also contribute to land dispute. The implication of this finding is that the process of land acquisition when faulty would result in complicating land ownership. On the other way, advancement in technology with mean score of 10.8 was the cause of land dispute representing the least number of respondents.

Table 4.6: Creation of Land Records

S/N	Creation of Land Records	Local Governments				Total	Mean	Standard Deviation
		Ibi		Wukari				
		District Leaders	Land Survey Staff	District Leaders	Land Survey Staff			
1.	By writing matters concerning ownership	18	20	49	14	101	25.3	16.0
2.	By providing of title	27	15	35	22	99	24.8	8.4
3.	Filling of proof of ownership of real property	5	17	23	9	54	13.5	8.1
4.	Through land registration	25	5	30	12	72	18.0	11.5
5.	Through memorial day book	28	15	34	23	100	25.0	8.0
6.	Recording rights of land either in the form of registration of deeds or the registration of title	31	18	51	23	123	30.8	14.5
7.	Opening of land register by constituted authority	31	10	36	17	94	23.5	12.1
8.	Records of all the memorials relating to documents lodged for registration each day with the essential particulars of each memorial	23	5	41	16	85	21.3	15.1

Table 4.6; reveals that recording rights of land either in the form of registration of deeds or the registration of title was the major way through which land records were created. This finding is represented by 30.8% mean score. The finding agrees with that of Nnoli (2003) who reported that recording the land ownership is a good way of creating land records. The implication of this finding is that registration of land with an approved body will reduce the land dispute among the

owners of the land. It is also followed by writing matters concerning ownership which had the mean of 25.3%. The finding agrees with the opinion of Adashu (2003) who observed that land records creation connotes the general systems by which matters concerning ownership, possession or other rights in land can be generated and recorded. The implication of this is to ensure confirmation of evidence of title by proof of ownership. The ultimate goal is to ensure transparent records administrative system. The Memorial Day book had the mean of 25.0%. The finding also agrees with Adashu (2003) who states that Memorial Day book is a record of all the memorials of the relating documents lodged for registration each day with the essential particulars of each memorial. The implication of this finding is that, it deals with the process of documenting all issues concerning land to determine ownership and right. This is done to prevent unlawful interference or abuse of the property. However, filling of proof of ownership of real property with mean score of 13.5 was the way through which land records are created; thus, it have the least number of the respondents. This showed that filling of proof of ownership of real property has little help in creating land records.

Table 4.7: Storage of Land Records

S/N	Storage of Land Records	Local Governments				Total	Mean	Standard Deviation
		Ibi		Wukari				
		District Leaders	Land Survey Staff	District Leaders	Land Survey Staff			
1.	Housing of land records when they are semi-active or inactive	23	20	51	18	112	28.0	15.5
2.	Providing appropriate environment for a land records to ensure complete security in the state	21	19	37	10	87	21.8	11.2
3.	By providing vaults	10	20	23	11	64	16.0	6.5
4.	Providing adequate environment control in the storage areas	31	9	28	13	81	20.3	10.9
5.	Undertaking appropriate authorization process for storage areas and facilities	3	11	33	16	63	15.8	12.7
6.	Conducting risk assessment and mitigation within the state to ensure that storage areas and facilities are in appropriate location	18	20	35	10	83	20.8	10.4
7.	Implementing and endorsing disaster preparedness, management and recovery programme in the state	13	14	31	19	77	19.3	8.3
8.	Providing appropriate environment for all lands to ensure complete security and to provide a full reference centre	21	9	31	11	72	18.0	10.1
9.	Protecting stored records against the risk of natural disaster such as fire, flood, earthquake, etc.	19	18	35	14	86	21.5	9.3

Table 4.7 shows that respondents were of the opinion that storage of land records would be easily done when they were semi-active or inactive; this was the major way through which land

records were stored. This finding is represented by 28.0% mean score. The finding agrees with that of Zevenbergen and Burns (2010) who found out that storage of land records permanently whether they are current or not is an evidence for the possession of a particular land. This implies that land records need permanent storage and preservation because of the evidential value they have. Protecting stored records against the risk of natural disaster such as fire, flood, and earthquake had the mean of 21.5 which is the second highest mean; This finding agrees with Cox (2001) who asserts that a land records storage programmes will be able to handle all records of land, to provide the appropriate environment for all lands records, to ensure complete security, and to provide a full reference. The implication of this finding is that it secures land records against both unauthorized access to land and destruction of these land records in keeping with its obligations to its customers. This is followed by conducting risk assessment and mitigation within the state to ensure that the storage areas and facilities are in appropriate location have the mean of 20.8. The finding agrees with that of Archives New Zealand (2007) who stressed that criteria for the implementation of the storage standard which enable effective management of storage activities include: conducting risk assessment and mitigation. The implication of this finding is that, it ensured that proper storage areas and facilities are in appropriate locations to prevent land records from damage. On the other hand, undertaking appropriate authorization process for storage areas and facilities with mean score of 15.8 was the way through which the land records are stored. This showed that undertaking appropriate authorization process for storage areas and facilities has little help in storage of land records

Table 4.8: Settlement of Land Dispute

S/N	Settlement of Land Dispute	Local Governments				Total	Mean	Standard Deviation
		Ibi		Wukari				
		District Leaders	Land Survey Staff	District Leaders	Land Survey Staff			
1.	Through peaceful negotiation	33	9	28	13	83	20.8	11.6
2.	By land sundering	19	19	37	10	85	21.3	11.3
3.	Through arbitration and force	12	20	23	9	64	16.0	6.6
4.	Presentation of land records document	24	20	51	20	115	28.8	14.9
5.	By using traditional institution	5	11	33	14	63	15.8	12.1
6.	Filling a law suit	18	23	35	10	86	21.5	10.5
7.	Escaping the dispute i. e. land ripeness	20	14	31	19	84	21.0	7.2
8.	Intervention by intermediaries	25	9	31	11	76	19.0	10.7

From table 4.8, with the highest mean of 28.8% reveals that presentation of land records was the major way through which land disputes could be settled. The finding agrees with that of Dunmoye (2000) who reported that land dispute can be settled through presentation of land records document. This implies that the creation and preservation of land records are central to the settlement of the land dispute in the communities. Filling a law suit has mean of 21.5 which is the second highest mean. The finding agrees also with William (2000) who opined that dispute resolution processes fall into two major types; adjudicative process and consensual process. Adjudicative process is litigation or arbitration in which a jury or arbitrator determines the outcome. The implication of this finding is that it involves a perceived legal right and the

proceedings are very formal and are governed by rules, such as rules of evidence. The person that has the genuine records of land will own land. Byescaping disputes with the score mean of 21.0. The finding agrees with that of Awudu (2015) who pointed out that one of the methods of settling disputes is by allowing a situation to linger for a long period of time thereby developing modality of resolving itself (ripeness). The implication of this finding is that when dispute takes a longer period of time, there will be no food, money etc. and everyone will get tied, that will end the dispute. However, using traditional institution with mean score of 15.8 was the way through which the land dispute can be settled. This indicates that traditional institution has little effort in the settlement of land disputes in Taraba State.

CHAPTER FIVE

SUMMARY, CONCLUSION AND RECOMMENDATIONS

5.1 Introduction

This chapter is presented under the following sub-headings:

5.2 Summary of the findings,

5.3 Summary of the major Findings,

5.4 Contribution to the body of knowledge,

5.5 Limitation of the study,

5.6 Conclusion,

5.7 Recommendations

5.8 Suggestion for further research

5.2 Summary of the Study

This study focused on the “assessment of records management in the settlement of land dispute by stakeholders in Taraba State, Nigeria”. In order to carry out this study, four (4) research questions were raised. The research questions sought to find out the causes of land dispute, the creation of land records, the storage of land records, the management of land records and the settlement of land dispute. The research design adopted was survey. The population of this study comprised the entire District Leaders and Land Survey Staff of Ibi and Wukari Local Governments in Taraba State. The total number of these was two hundred and thirty (230). Thus, the Simple proportionate random sampling technique was employed. The sample size of the

study was one hundred and forty four (144) while the data was analyzed using mean and standard deviation.

5.3 Summary of the Major Findings

The following were the major findings of the study based on the data collected and analyzed:

1. The findings revealed that boundary issues were the major causes of land disputes in Taraba state.
2. The findings showed that recording of rights of land either in the form of registration of deeds or registration of title was the major way in which land records were created.
3. The findings also revealed that land records were stored when they were semi-active or inactive.
4. The findings revealed that presentation of land records was the major way through which land disputes were settled.

5.4 Contributions to the Body of Knowledge

The following contributions to the body of knowledge were made:

1. The study revealed that housing of land records when they are semi-active or inactive is the major way through which land records are stored in Taraba State;
2. The study revealed that boundary issues were the major cause of land dispute in the study areas. Boundary claim between the neighbors of a particular land always leads to the land dispute in Taraba State;
3. The study showed that presentation of land records document was the major way through which land dispute can be settled in Taraba State.

5.5 Limitation of the Study

Hardly can any survey research work be conducted without experiencing challenges. During the field work, the researcher and the research assistant encountered series of difficulties in approaching some major stakeholders in land related issues such as the Traditional Rulers and the Land and Survey Officers. Wukari and Ibi Local Government Areas are located in the Southern part of Taraba State and the various wards and districts where data is generated are scattered hence, locating them was a challenge due to poor road network. It took a time to cross rivers in a bid to look for some districts. Even though care was taken in administering and collection of data for analysis, not all copies of the questionnaires were recovered. Time factor in the administration of questionnaire, collection and analysis of data was also a limiting factor in carrying out this research.

5.6 Conclusion

From the analysis and summary of the findings of this study, it was concluded that the land records are important documents that can be used in the course of the settlement of land dispute. The land records that are created maintained and preserved are the sources of evidence showing clearly the genuine owner of a particular piece of land that two or more parties are claiming the ownership which in turn leads to the dispute between or among the parties. The people who own land with genuine certificates of ownership and other relevant documents tend to face little challenges concerning the dispute on the issue of land ownership in any community in the World.

5.7 Recommendations

In line with the findings of this study, the following recommendations are hereby made:

1. Since the major cause of land dispute was boundary issues, the leaders in the study areas should make it mandatory for all the owners of the land to receive a certificate from an authorized body that clearly indicates the boundary of the land to every owner in the communities.
2. As the land records were being created through recording rights of land either in the form of registration of deeds or the registration of title, the government should make it mandatory for the people to register their land as soon as they acquire such lands.
3. The storage of land records when they are in the semi-active state or inactive should be maintained in order to ensure the acquisition of full evidence about the ownership of the lands by the owners.
4. The presentation of land records document should be done to the authorized body that is responsible for the registration, recording and authentication of the land records so as to reduce the number of land dispute cases in the communities.

5.8 Suggestion for Further Research

Based on the findings and conclusion of this study, the following are suggested for further researches:

1. Assessment of the Acquisition and Preservation of Land Records among Rural Dwellers in Taraba State.
2. Management of Land Records in the Ministries of Works and Housing in the North-eastern States in Nigeria.

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APPENDIX I

QUESTIONNAIRE

ASSESSMENT OF RECORDS MANAGEMENT IN THE SETTLEMENT OF LAND DISPUTE BY STAKEHOLDERS IN TARABA STATE, NIGERIA.

Department of Library and
Information Science,
Faculty of Education,
Ahmadu Bello University,
Zaria.

Dear Respondent,

I am a Master's student in the above named department conducting a research titled:
“Assessment of Records Management in the Settlement of the Land Disputes by stakeholders in
Taraba State, Nigeria” as a partial requirement for the award of Master Degree of Archives and
Records Management (MARM).

Please read the statement contained in the questionnaire and tick appropriately.

All information given will be treated confidentially.

Thanks for your cooperation.

Yours faithfully,

JibaniyaDanjuma
P16EDLS8834

APPENDIX II

INSTRUCTION: Tick [✓] the appropriate option below

SECTION A: Personal Information

1. Gender:
(a) Male ☐ ☐
(b) Female ☐ ☐
2. Age:
(a) 18 – 30 years ☐ ☐
(b) 31 – 40 years ☐ ☐
(c) 46 – 57 years ☐ ☐
(d) 58 years and above ☐ ☐
3. Qualification:
(a) Primary School Leaving Certificate ☐ ☐
(b) Secondary School Certificate ☐ ☐
(c) Certificate Course ☐ ☐
(d) NCE/Diploma ☐ ☐
(e) Degree ☐ ☐
(f) Ph.D ☐ ☐
(g) Others ☐ ☐

SECTION B: Tick the appropriate statements that explain your understanding of the questions.
Multiple choices in each question are allowed

. Causes of Land Disputes in Taraba State

4. What are the causes of land disputes in Taraba State?

Causes of Land Disputes	
Population Growth	
Economic Growth	
Advancement in Technology	
Different values & interest	
Land Alienation	
Insecurity of Title	
Boundary Issues	
Land Inheritance	
Family Distribution system	
Loss of Title of Land	
Discrimination in land-use	

When there is multiple users	
Rural-urban Migration	
If there is land limitation	
If there is faulty in land transfers	
Others (specify):	

Creation of Land Records in Taraba State

5. How is Land records created in Taraba State?

Land Records Creation	
By writing of deeds	
By providing of title	
Filling of proof of ownership of real property	
Through Land Registration	
Through Memorial Day Book	
Recording rights of land either in the form of registration of deeds or the registration of title	
Opening of land register by constituted authority	
Record of all the memorials of the relating documents lodged for registration each day with the essential particulars of each memorial	
Others (specify):	

Storage of Land Records in Taraba State

6. How are land records stored in Taraba State?

Land Records Storage	
Housing of land records when they are semi-active or inactive	
Providing appropriate environment for a land records to ensure complete security in the State	
By providing vaults	
Providing adequate environment control in the storage areas	
Undertaking appropriate authorization process for storage areas and facilities	
Conducting risk assessment and mitigation within the State to ensure that storage areas and facilities are in appropriate location	
Implementing and endorsing disaster preparedness, management and recovery programme in the State	
Providing appropriate environment for all lands to ensure complete security and to provide a full reference center	
Protecting stored records against the risk of natural disaster such as fire, flood, earthquake, etc.	
Others (specify):	

Settlement of Land Disputes in Taraba State

7. How can land disputes be settled in Taraba State?

Settlement of Land Disputes	
Through peaceful negotiation	
Filing a law suit	
Through Arbitration and force	
Presentation of land records document	
By using traditional institution	
By land sundering	

Escaping the dispute i.e. land ripeness	
Intervention by intermediaries	
Others (specify):	