‘I AM HERE UNTIL DEVELOPMENT COMES’: DISPLACEMENT, DEMOLITIONS, AND PROPERTY RIGHTS IN URBANIZING NIGERIA

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ABSTRACT

Government demolitions have displaced hundreds of thousands of people in Abuja, Nigeria’s Federal Capital Territory, over the last decade. This housing insecurity is not simply the result of urbanization, population growth, or wealth disparities. We attribute it instead to a property rights regime that perpetuates discrimination by providing special land rights for the area’s early inhabitants. Laws accenting differences between “strangers” and indigenes, and migrants’ social coping mechanisms that reinforce ethnic identities, should exacerbate the conditions for conflict. However, as indigenes have been short-changed by policies to relocate and compensate them, their interests have aligned more closely with migrants seeking improved housing security. Strategies to achieve this have shifted from judicial appeals and confrontational protests to government engagement. By pursuing the shared goal of housing rights for migrants and indigenes alike, new multi-ethnic coalitions have helped defuse tensions over land that have proved to be conducive to conflict elsewhere in Nigeria.

Nigerians praise Abuja, the Federal Capital Territory (FCT), for its clean city streets, relatively reliable electricity, and large middle class. Abuja serves as a source of national pride and symbolizes cultural unity in one of the world’s most diverse countries. However, many Nigerians experience the city through crowded slums, discrimination, and forced evictions. According to estimates by NGOs, government demolition of housing displaced between half a million and 1.2 million people between 2003 and 2007.1 In

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this article, we explore tensions inherent in these dual realities. We describe
the origins of Abuja, identify the roots of contemporary housing insecurity in
land laws and inconsistent policies, and describe emerging grassroots stra-
etgies for challenging housing demolitions.

Abuja is the fastest-growing city in West Africa, and several factors
account for its population increase over the last decade. Nigeria’s relatively
small formal private sector enhances the allure of government jobs or posi-
tions in the service sector. In 2009, at least 60 percent of all government ac-
tivity throughout the country was carried out in the capital. The provision
of public goods in Abuja adds to its lustre because social services have not
kept pace with population growth in other cities. As the national population
increased from 97 million in 1991 to 138 million in 2006, the United
Nations Development Programme (UNDP) estimated that the number of
people with improved sanitation increased only 5 percent and the percent-
age using improved water actually declined. Internal displacement also sig-
nificantly contributes to the city’s growth. The National Commission for
Refugees estimates that natural disasters, militant violence, and other
factors created 3.2 million displaced persons between 2003 and 2008.
Recent attacks by Islamic militants in the north have also contributed to an
exodus of Christians heading south. These northern conflicts have made
Abuja ‘a safe haven’, concluded a MacArthur Foundation conference.
Finally, Abuja’s growth is also characteristic of broader urbanization trends.
Only about 20 percent of Nigeria’s population lived in cities in 1970
but the UNDP predicts the figure will reach 56 percent by 2015. This
combination of migration, urbanization, and nationwide population
growth during democratization has contributed to an acute housing
shortage affecting everyone except for a tiny elite.

However, the housing crisis is not simply a matter of market forces, with
newcomers increasing demand. We argue that shifting government policies
towards the area’s original inhabitants and laws governing the FCT’s 8,000
square kilometres perpetuate social inequality and discrimination. Such
legal distinctions between indigene and settler have been blamed for thou-
sands of deaths since the reintroduction of multi-party democracy in
1999. In Abuja, legally designated indigenes use their protected status to

29 January 2009.
3. Blessing Mberu, ‘Multiple forms of mobility in Africa’s demographic giant’, Migration
2012.
5. Kole Shettima and Amina Salihu, 30 Years of Nigeria’s Federal Capital City, Abuja (Yaliam
6. Aaron Sayne, ‘Rethinking Nigeria’s indigene–settler conflicts’ (United States Institute of
Peace, Washington, DC, 2012); Human Rights Watch, ‘Post-election violence killed 800’
enter into “land use” agreements with recently arrived “strangers”. The result is a property rights regime that empowers a special class of citizens to profit from the public domain. Yet Abuja’s “sons of the soil” are increasingly frustrated with government plans to resettle them, and the informal nature of the rental contracts simultaneously puts millions of tenant migrants at risk of housing demolitions.

Such demolitions are not unique to Abuja: the Centre on Housing Rights and Evictions (COHRE) estimates that over two million people have been evicted forcibly across Nigeria since 2000. According to Amnesty International, the destruction of housing in Port Harcourt to make way for a shopping complex in 2010 left 200,000 people homeless, while slums in Lagos are regularly demolished by an opposition governor who otherwise enjoys a reputation as a progressive.7 Nor are demolitions unique to Nigeria: informal housing settlements in the large cities of Kenya, South Africa, Ghana, and other African countries have experienced forced evictions for decades.8 But the scale of Abuja’s housing demolitions is striking: in late 2013 the government announced plans to destroy over 100,000 allegedly illegal structures.9 In the light of its growing housing rights movement, its unusual property rights regime, and the potential for unrest in response to massive demolitions, Abuja’s expansion warrants greater scholarly attention.

We examine these issues through primary source materials and field research that involved two dozen semi-structured interviews with activists, government officials, traditional rulers, and ordinary victims of housing demolitions. A pilot study in 2011 identified potential research sites where either demolition has been a recurring challenge, or, conversely, this risk appeared to be mitigated. The study also focused on one predominantly Gbagyi area to see if attitudes there differed from more multi-ethnic neighbourhoods. Formal interviews were carried out in March 2012. Although our sample is relatively small, it reflects a balance between men and women, Christians and Muslims, and dominant and minority ethnic groups. Most subjects were ethnic Igbo or Gbagyi, and future research will incorporate more Yorubas, who have strong hometown associational ties. We chose not to include large developers in order to limit our focus to the perspectives of Abuja’s poor and examine variations in their grassroots organizing.


Drawing on this empirical foundation, the article unfolds in four stages. First, we describe the origins of Abuja in the years after the civil war when the policies of successive Nigerian military regimes sought both to integrate the nation and to insulate the government from popular pressure. Second, a literature review relates issues from urban studies to research on civil society, property rights, and civil conflict. This interdisciplinary perspective helps shed light on the persistence of a seemingly inefficient (and arguably unjust) land law. More importantly, the cooperation we documented runs counter to the expectations of social conflict anticipated by some of this research. Third, we describe how various governments adopted policies that generate incentives for indigenes to refuse resettlement, and to profit from migrants. Fourth, we outline residents’ strategic repertoire for responding to housing demolitions and the rise of new multi-cultural housing rights networks based on an alignment of interests between indigenes and migrants. Rather than simply being landlords and tenants, respectively, they have come to share a common narrative of victimhood stemming from Abuja’s housing laws. In the conclusion, we argue that insecure tenancy gives Abuja’s poor no incentive to improve properties and note with concern the role of large estate developers. In the words of indigenous activists, ‘When development comes’ it brings displacement and disempowerment.10

**Understanding Abuja**

It is important to understand the origins of Abuja to appreciate contemporary developments because the social and legal bases for housing insecurity have deep roots. Properties occupied by local indigenes, colloquially referred to as “Gwari”, are spared from government demolitions in line with policies enacted in Abuja’s early years. This has produced an unsustainable equilibrium based on the indigenes’ stake in the status quo, the government’s commitment to rational planning, and a growing influx of poor migrants treated as a subclass of citizens with few legal protections.

As early as 1972, when Nigeria was recovering and rebuilding in the aftermath of the Biafra civil war, the military ruler, Yakubu Gowon, began floating the idea of moving the capital inland from the south-western coastal city of Lagos. A new military government set up a commission that recommended moving the capital to what is now Abuja.11 In 1976, it established the Federal Capital Development Authority (FCDA) with the responsibility of planning and building the city, and subsequently managing the greater FCT.

10. Interview, Clement Gaza Wasah, Director, Aluburi People’s Rights Initiative, Abuja, 28 February 2012.
Studies of the public policy decision to move the capital typically emphasize the drawbacks of Lagos, including crime, congestion, inhospitable weather, and the high cost of living. The new location also had symbolic value. Placing the capital in the precise geographic centre of the country ensured that all Nigerians would travel comparable distances to get there, and that it would no longer be associated with any particular ethnic group. ‘After the civil war we thought [we] should bring everybody together,’ said Gowon. ‘Everyone was looking outwards’, but, in a united country, ‘the states should be looking inwards to the federal government and to the centre’. Military considerations also figured prominently in site selection. A 1973 editorial noted: ‘Lagos, being a seaport, is too vulnerable to attack in times of war.’ Gowon agreed: ‘The initial idea of Abuja was for the conventional defence of the capital after the experience of the civil war.’ Military governments also sought to insulate themselves from protests concentrated in the south-west. Abuja was thus born of contradictions. It is a city built to facilitate regional accessibility, economic integration, and national identity. But its location also stems from insular strategic calculations.

When choosing the site, Garth Myers notes, the government manufactured the myth that the area was ‘virgin land’. But it soon had to decide what to do about the people already living there. The designation of the FCT’s inhabitants as indigenous was not entirely obvious from an archaeological perspective. The earliest evidence of human activity in the area dates to 500 BCE, the dawn of Nok culture, which disappeared in 200 CE. From there followed centuries of apparently brief settlements. Mass movement into the area and the formation of Islamic emirates started after a jihad by the Fulani people conquered a key Hausa Emirate in 1804. Gade, Koro, and Gwari peoples subsequently borrowed from Hausa administrative traditions. As northern Hausa-Fulani emirates spread southward in the nineteenth century, resistance by these groups resulted in discontiguous territories that posed governance problems for the Sokoto Caliphate, based in the north-west.

This history may account for the origins of the term “Gwari”, which etymologically derives from a demeaning word in Hausa for an “unintelligent” person. Some Hausa folklore uses it to describe a person who is not of the faith, or Bori Gwari to describe a form of hallucination.20 Others trace the meaning to an early nineteenth-century Hausa belief system rendered in dance performance and spirit possession.21 The rejection of the Gwari label today, in favour of the more precise (and polite) term “Gbagyi” can therefore be understood first within historical Islamic administration to refer to “others” who lack access to government, second within a contemporary context of a contested legal status, and third in terms of migration and cultural intermingling. Gbagyi language, for example, borrows heavily from the Nupe.22

Regardless of the basis for indigeneity, the government acknowledged the inhabitants’ cultural attachments to the land and declared its intention to mitigate the injustices of displacement. In the 1970s, this took shape in a three-tiered policy of compensation for displacement, resettlement to new housing, and special property rights while the indigenes waited for resettlement. Resettlement policy stumbled from the start when a government commission underestimated the necessary settlements. The military head of state informed indigenes that if they left before resettlement for their area was complete, they would thereby forfeit any claims against the government.

By 1978, a new dictator, Olusegun Obasanjo, decided that resettlement would be too expensive. Instead, his administration adopted a policy of integrating the indigenes – but they were unprepared for such a dramatic transformation, so the policy failed. For example, restrictions on economic resources and activities are unfamiliar to Gbagyi culture.23 ‘They didn’t get educated, there was no special programme so that they can transform from being farmers,’ said an indigenous activist from the Aluburi People’s Rights Initiative (APRI).24 After a transition from military dictatorship to multiparty democracy in 1979, Nigeria’s democratic regime quickly reinstated the policy of resettlement.

During the early 1980s, many indigenes began allowing others to use their land, which served as a gateway into the cash economy. According to

APRI, most indigenes therefore welcomed migrants. A leader of the Greater Gbagyi Development Initiative (GGDI) explained that the Gbagyi started to offer ‘short-term leases to non-indigenes to enable them to have enough resources to send their children to school’. Igbo, who constitute a large portion of Abuja’s migrants and tenants, generally confirmed the friendly relations during Abuja’s early years. One chief from Enugu State commented that many indigenes were afraid of newcomers ‘because they had seen so little civilization’. Describing the predicament when he arrived in 1983, Chief Vincent Ogbu from Imo State said that the Gwari treated the Igbo fairly. ‘We had to endure because we were strangers,’ he said. That was the year that Ibrahim Babangida’s military government officially declared Abuja the capital, and ordered 200,000 civil servants to move there from Lagos. Foreign embassies, bilateral agencies, NGOs, and a new wave of migration soon followed. After a national census recorded the city’s population as 378,671, the government once again abandoned resettlement in favour of integrating the indigenes in 1992.

The next wave of migration was precipitated by the democratic transition in 1999 and brought population growth that far exceeded planners’ projections. In 2006, a census reported Abuja’s population as 778,567. Yet even this figure – which suggests the population had doubled since 1991 – constitutes a gross underestimation, resulting from the political sensitivities of Nigeria’s population counts. Because an elaborate revenue-sharing system centralizes the country’s massive oil earnings and then redistributes the revenue based in part on state populations, taking a national census is hugely controversial; reporting the true population of Abuja could divert federal funds from other states. In 2002 the Federal Minister for Abuja estimated the city’s population was in reality in excess of 4 million. President Olusegun Obasanjo responded to this new wave of migration by reinstating a policy of resettlement for the indigenes and, in 2003, reintroducing the city’s master plan. This indicated that traditional pastoralists and recent migrants living in informal settlements both had to make way for new housing developments.

25. Interview, Prince Gimba Gbaiza and Chief John Nji, leaders of the Greater Gbagyi Development Initiative, Abuja, 28 February 2012.
26. Interview, Chief Ezeeawsli (surname withheld), Abuja, 5 March 2011.
27. Interview, Chief Vincent Ogbu, Abuja, 9 March 2011.
28. Interview, Francis (surname withheld), secretary of an Igbo development union, Abuja, 6 March 2011.
Despite such efforts to control the city’s population growth and deter new informal housing developments, Abuja continued to grow in every respect. In 2006 the National Population Commission estimated Abuja’s annual growth rate as a staggering 9.3 percent. Instead of spreading southward throughout the FCT area illustrated in Figure 1 (see inset), showing road infrastructure plans, migrant populations intermingled with the Gbagyi and often settled in states around the FCT. Plans announced in late 2013 to build a new centennial village within the FCT, at an initial estimated cost of 3.2 trillion naira ($19.6 billion), will further expand the city and add to demographic pressures.

**Literature review**

African cities will soon have seen a tenfold increase in population since 1920, and over half of the West African population is now moving out of rural villages into urban areas. A robust literature explores Africa’s cities in terms of planning and architecture, analysing the impact of different modalities of urbanization on development, civil society, and political organizing. Richard Stren and Dickson Eyoh, for example, investigate how urban growth in West Africa leads to the formation of politically decentralized networks and civic associations. Sandra Barnes and Margaret Peil find that urban associations in Ghana and Nigeria performed similar functions to help migrants adapt to city life. Across Africa in general, Josef Gugler argues, they build community and psychologically transcend geographical distances. Many such prominent comparative studies devote little attention to Abuja, even though it has a lively associational life. Garth Myers points out that it also possesses some common post-colonial features. He compares Abuja’s experience to Lilongwe, Malawi, where demolitions and planning in an effort to overcome colonialism’s shadow paradoxically reproduced its mechanisms of social control. He also compares it to Dodoma, where Tanzania’s President Julius Nyere shared Gowon’s view that a national vision should begin from the capital and flow outwards.

We strive to situate Abuja between urban studies and other literatures for a number of reasons. For a start, Abuja has many ethnic organizations involved in self-help activities. Civil society research has long warned against the dangers of reinforcing within-group identities. But AbdouMaliq Simone’s findings from South Africa, Cameroon, and Senegal suggest that communities sharing common developmental challenges have powerful incentives for multi-cultural organizing across ethnic groups. Paul Lubeck and Bryana Britts report similar findings within Nigeria’s predominantly Muslim northern cities, where non-exclusive economic and social networks form to address broader community needs. The civil society organizations involved in Abuja’s local life (rather than its national politics) have attracted little attention from researchers, and it is not clear whether they conform to the more cynical view of ethnic organizing, or are more consistent with the hopeful findings of Simone and similar scholars.

We also draw on property rights research, which can shed light on the emergence of Abuja’s land laws and the social problems to which they have contributed. One set of themes in this literature suggests that ambiguous or exclusionary citizenship relates to conflict by perpetuating legal or social distinctions between indigenes and perceived outsiders. Such definitions are arguably at the heart of conflicting land claims in the Democratic

Republic of the Congo, Côte d’Ivoire, Liberia, and Kenya. This creates potential for serious violence: possibly as many as one third of all civil wars around the world since 1945 actually originated in localized clashes where migrants were legally and socially perceived as “strangers” by the indigenous “sons of the soil”.

Within this growing literature, explanations for conflict relate to broader debates over informality, economic development, and Africa’s states. Robert Bates, for example, attributes land conflicts to entrepreneurs in violence who capitalize on weak state capacity. On the basis of research in Ghana, Uganda, and Kenya, Sandra Joireman counters that the efficiency of property rights enforcement – rather than the provider – influences the likelihood of conflict. Her findings thus emphasize legal pluralism and the role of customary authority in Africa’s cities. And 30 rural case studies persuade Catherine Boone to share Joireman’s scepticism in considering the effects of African state capacity on conflict.

Another set of themes in the property rights literature emphasizes the adverse effects of poorly specified property rights on development. Hernando De Soto argues that formal titling in urban slums removes barriers to economic growth. But even if the state provides contract enforcement, private property rights are never fully delineated since the government also has a stake in federally controlled land, complicating any neutral transfer of rights or use regulation. Yoram Barzel argues that this creates a surplus in the public domain, and individuals will therefore attempt to appropriate this surplus by treating public property as private property. In fact, African elites often prefer poorly specified property rights, argues Kwamena Onoma, who finds that elites in Botswana, Ghana, and Kenya opt for informal institutions over more predictable, formal institutions. They do so because such informal practices often enable discretionary control and indirect profits. Property rights in Africa are thus at the centre of debates over economic development, civic violence, and

political legitimation, since people often opt for enforcement through informal institutions rather than the state.

Studying Abuja contributes to each of these literatures. Its civic associations link identities and political loyalties to geographically distant villages, a theme in many urbanization studies. These organizations in Abuja reinforce parochial identities that civil society scholars often associate with tension. In addition, indigene/settler tensions have led to significant violence in Nigeria and in many parts of Africa, making Abuja an important case for the conflict literature. Abuja contributes to broader understandings of property rights by clarifying how a combination of the vulnerability of its migrants and the frustration of its indigenes has mitigated the conditions for similar communal conflagrations. This research also extends our understanding of how an inconsistent rights regime generates insecurity for the poor and uncertainty for investors, thus undermining equitable urban development overall.

Explaining Abuja’s inconsistent property rights

When newcomers arrive in the FCT, they encounter a housing shortage rooted in a property rights regime that explicitly reinforces distinctions between migrants and “sons of the soil”. As Francis lamented, ‘I am a stranger here, even after 20 years.’48 These distinctions create incentives for exploitation by Gbagyi landlords and reproduce citizenship inequalities that have precipitated violent conflicts elsewhere in Nigeria. At least three factors shape the legal framework governing property rights and tenancy in the FCT.

First, as in the rest of the country, land ownership is regulated by the Land Use Decree of 1978,49 which vests all land in the territory of each state in the governor (previously, it was the military administrators), who holds it in trust for the common good. This authority adds to the patronage tools available to governors, who already manage huge federal grants through the revenue allocation system, since it gives them wide latitude for issuing certificates of occupancy. The Decree also regulates customary terms of ownership, reflecting inheritance or personal transfer of land. However, these authorities differ in the FCT: the 1976 Federal Capital Decree authorizing the creation of Abuja required a complete evacuation of the area – at least in theory – meaning that no such authority for certificates of occupancy was necessary. For the same reason, the personal transfer and inheritance provisions are essentially absent for indigenes, thus providing their customary land practices with less protection than in other states today.

48. Interview, Francis (surname withheld).
Second, the 1999 Federal Constitution incorporates the above decrees as legislative acts. In an attempt to be consistent with the Land Use Act, Section 297 of the Constitution expressly provides that all land in the FCT is vested in the federal government, thus implying that the President acts as a governor regarding land transactions. A third factor concerns how these laws protect the original inhabitants’ property rights as they await their presumed relocation. In an attempt to be sensitive to the difficult transition facing the indigenes, a grandfather clause in the Land Use Act exempts land previously used for farming. A further complication is that title gives a right of occupancy, but not necessarily individual, private ownership. A former Minister of the FCT relied on these provisions to argue that no one can remain in the FCT and claim to be an indigene – a legal rationale that complements the doubts instilled by the region’s history of migration and cultural intermingling.50

For Abuja’s indigenes the property rights regime protects their rights to live in designated settlements and practise their traditional lifestyle, though they enjoy few practical opportunities to do so. However the regime also imposes limits on their rights; as one housing demolition victim explained, ‘No chief has the right to sell the land that belongs to the federal government.’51 For millions of Abuja’s poor migrants, the laws therefore mean that a federal bureaucracy acting with the authority of a governor gives them virtually no legitimate means to buy or rent land. The unsurprising result is widespread squatting: a government geographical survey in 2004 identified 2,412 hectares of such settlements within the FCT.52

Within the FCT’s settlements, this results in property use agreements negotiated between migrants and indigenous landlords. As COHRE puts it, the Land Use Act is so inefficient that it pushes people into acquiring land through the ‘informal market’.53 The agreements that result from these transactions are technically illegal since the indigenes are not permitted to rent out property for housing or development purposes, and the migrants are not entitled to certificates of occupancy. In our interviews, both landlords and tenants disputed the word “lease” to describe the agreements. When the federal government declares the structures illegal, the chiefs either deny the existence of a lease, or say they agreed to allow use of the land to farm but not to build houses.

Tenants and landlords alike rationalize the transaction based on the Land Use Act’s grandfather clause for farming, admitting there is neither a

50. Business Day [Nigeria], “‘There are no indigenes in FCT’, says ex-minister’, 1 February 2012.
51. Interview, name withheld, Abuja, 7 March 2010.
53. Interview, Sunday Eyong, programme officer, COHERE, Abuja, 29 February 2012.
formal agreement to rent nor permission to build. The ruse is painfully exposed when government bulldozers arrive to demolish the housing. A community leader in Idu, 19 kilometres west of Abuja’s business district, recalled that in 2006 ‘the FCDA asked the chief why he let people develop the area and he said the land was sold for farming’. A neighbour of his admitted that his rental is illegal, too. These conditions make it impossible to stay anywhere for long. In the absence of a certificate of occupancy and therefore of a legal lease, the residence is doomed to demolition.

This legal predicament generates four perverse outcomes. First, neither renters nor landlords have any incentive to improve upon the property, and this ironically contributes to the perpetuation of slums. As COHERE explained: ‘for the non-indigenes, no matter how much you invest in building and developing the land, you stand to gain nothing’. Meanwhile indigene landlords are effectively prohibited from property improvements since federal policy dictates that they will eventually be resettled. ‘I am where I am until development catches up with me,’ explained an activist from APRI. For indigenes, “development” brings disempowerment. A Gbagyi chief in Old Karmo agreed. ‘At first we were glad that the FCT was brought to Abuja,’ he said, ‘but shortly thereafter things began to change and we were no longer happy. The development we thought would come, came with destruction.’

Second, both parties also benefit from the rental agreements, since migrants require housing and the indigenes – who entered the formal economy suddenly and with huge economic and social disadvantages – require cash. This creates a stable but inefficient equilibrium that enables ongoing housing demolitions, providing neither landlords nor tenants with secure contracts enforceable by law. Third, landlords and renters have come to appreciate the mutual benefits of a stable, reciprocal agreement. But many of our interview subjects argued that allowing Gbagyi houses to avoid destruction is part of a government “divide and conquer” strategy to undermine inter-ethnic solidarity that results from these reciprocal exchanges. In Chika and other neighbourhoods, ‘The residents came together without anybody thinking about tribe, religion, state of origin and what have you to defend their community,’ said APRI. ‘Creating a problem between indigenes and settlers’, explained a leader from the GGDI, reduces residential interference with the city’s master planners. According to the Women Environmental Programme (WEP), a civil society group that organizes against housing demolitions, dividing the indigenes among themselves is

54. Interview, president of an Igbo development union, Idu, Abuja, 6 March 2012.
55. Interview, Sunday Eyong.
56. Interview, Clement Gaza Wasah.
57. Interview, Chief Alhaji Suleiman Adoja, Abuja, 4 March 2012.
58. Interview, Clement Gaza Wasah.
59. Interview, Prince Gimba Gbaiza.
also part of this strategy, since it allows the FCDA to collaborate with developers building large housing estates.60

Finally, there is a distortion in property values because the government generates scarcity through housing demolitions. The government, rather than providing third-party enforcement for the property use agreements clearly understood as contracts, effectively destabilizes individual property rights. The combined result of these four processes is an uneasy matrix of demographic tensions and policy inconsistencies, including indigenes who profit from the status quo, a government committed to social control, and millions of poor migrants with very limited formal access to lawful tenancy. In the next section we describe the existing remedies to this potentially combustible situation, and outline creative new solutions emerging from the grassroots.

Resisting Abuja’s housing demolitions

To maintain Abuja’s aesthetic appeal, manage population density, and adhere to the city’s master plan, the government has bulldozed thousands of homes and small businesses. The first FCT Minister following the 1999 transition, Ibrahim Bunu, evicted Gbagyi people and ordered the demolition of settlements in Kado, Garki, and Wuse in 2001.61 A presidential panel in 2001 listed plots to be seized by the federal government – not even sparing those (improperly) held by military officers.62 In 2003, a particularly aggressive FCT Minister, Nasir Ahmad El-Rufai, began demolition of over a thousand churches and mosques.63 By the time his tenure ended in 2007, forcible evictions had displaced at least 500,000 and possibly as many as 1.2 million people.64 Most of those affected are migrants from surrounding states or Igbo from eastern Nigeria, and the vast majority are poor. According to a survey of nearly 6,000 people in Abuja’s surrounding areas, residents paying less than 50,000 naira per year (about $310) constitute 63 percent of renters in Lugbe and Mpape, 65 percent in Karu, and 50 percent in Dutse.65 These areas and others discussed in this article are illustrated in Figure 2.

60. Interview, Priscilla Achakpa, Abuja, 28 February 2012.
64. Women Environmental Programme, Beyond the Tears and Rubble, pp. 39–41; SERAC, Pushing out the Poor, p. 5.
What redress do Abuja’s working poor have? Despite some democratic progress since 2007, elected officials have not been much help: 60 percent of urban Nigerians in 2008 expressed doubt that their National Assembly representative would listen to their community’s concerns. One evident response is the emergence of social coping mechanisms. In the face of tremendous social insecurity and the perpetual threat of forced eviction, millions of Abuja’s slum dwellers have turned to creative social institutions for collective survival. These coping mechanisms resemble the social networks documented by Simone in South Africa and Cameroon, and they aim to mitigate risks rather than to transform property rights. One mechanism described by several (anonymous) interview subjects is a black market for property rights: migrant tenants pay indigene landlords to deceive the FCDA by painting the word “Gbagyi” on houses. In Karamajiji people allegedly paid 25,000 naira (about $155) for this protection against demolition, while residents paid twice that near Maraba and Masaka, which are closer to Abuja. COHERE describes this as ‘selective demolition’, because it gives Gbagyi chiefs a second source of profits from migrants, in addition to the rental agreement.

Hometown Associations (HTAs) constitute another common coping mechanism. Membership in these voluntary organizations is based on ethnic ties to very specific rural communities. They offer social safety nets for migrants moving to the city, helping newcomers find employment, paying school fees for children whose parents have lost a job, and attending to funeral rites. HTAs also fund small-scale development projects in members’ hometowns. Some scholars worry that these HTAs potentially undermine national integration and federal citizenship, since membership criteria entail exclusion. ‘The associations play an important role in political life of Abuja’, but ‘they may offer an obstacle to the development of civic responsibilities because of their strong allegiance to their ethnic origins’. Other studies, however, claim these functional boundaries insulate HTAs’ role in community development from divisive political partisanship that could undermine their efficacy. Another concern is that their ethnic-based membership could cultivate bonding social capital more conducive to social tension than social trust. But as the MacArthur study notes and as we explore in the conclusion, little inter-ethnic or inter-religious conflict has been documented in Abuja’s densely populated multi-cultural neighbourhoods.

Several legal and administrative tools also offer potential mechanisms to protect property rights or challenge demolitions. The Federal Constitution (under Section 43) guarantees the right to own and acquire immovable property, as does the Land Use Act (Section 28). Both laws also contain protections for people displaced or adversely affected by government action. If a governor revokes the property right of any person on grounds of an ‘overriding public interest’, that person is due compensation and entitled to address grievances through courts or legal tribunals. The Act further grants the governor or the local government discretion to offer resettlement or a reasonable alternative accommodation in lieu of compensation. If the Land Use Committee (created by the Act) fails to resolve any dispute concerning compensation, the matter can go to the High Court of the FCT.

Even though the nature of their leases offers migrants little legal recourse, they are entitled to adequate warning before a demolition. The Urban and Regional Planning Act provides for the service of at least three notices before their housing is destroyed by the Development Control Department. Aggrieved persons with credible claims who are served demolition notices may choose either to approach the FCT Urban and Regional Planning Tribunal

or the High Court of the FCT. Among our interview subjects, indigenes, migrants, and activists all complained that the government routinely failed to provide adequate notice. ‘Communities are not given adequate time when the notices for demolition are served,’ according to Community Action for Popular Participation (CAPP), an NGO that works in affected communities.71 ‘The FCDA marks the buildings with red paint asking you to quit,’ explained one victim of the Idu demolition, ‘but you do not know the time and day.’72 In Lugbe, one of the most densely populated settlements in the Abuja area, residents were given only 24 hours warning.73 Members of the Federation of Urban Poor (FEDUP), a new network of NGOs across the FCT, repeatedly told similar stories. According to one activist from Jiwa, ‘They don’t even give notice anymore.’74 Another added that his neighbour died during a demolition because he was too ill to evacuate.75 In 2012, police settled out of court after killing a 20-year-old girl during a demolition in Apo.76

The special tribunals created by the Land Use Act, its provisions requiring compensation for displaced people, and laws mandating alternative housing for demolition victims, have done little to help Abuja’s poor. Compensation for displaced residents or the construction of alternative housing as required by law has been inadequate to non-existent. Demolitions frequently begin before resettlement sites are even completed.77 When victims of demolitions in Idu and Karmo moved to a housing site at Pegg after paying a fee of 21,000 naira, the Social and Economic Rights Action Centre (SERAC) found that the area had ‘little or no provision for infrastructure and services’. Worse, the fee secured the residents a ‘Letter of Intent’ with dubious legal status rather than a Certificate of Occupancy.78 In effect, this means that if a victim of a demolition is lucky enough to have somewhere to move, they still face legal limbo.

Indigenes and migrants alike have had little success using the courts as an avenue to air their grievances. In 2012, the courts threw out a civil suit filed by Gbagyi people demanding compensation for demolitions.79 As APRI’s

71. Interview, Kyauta Giwa, acting executive director, Community Action for Popular Participation, Abuja, 27 February 2012.
72. Interview, member of an Igbo hometown association, 6 March 2012.
74. Interview, Salaam Tanko, member, Federation of Urban Poor, Abuja, 1 March 2012.
75. Interview, Pastor Sebastian Sousou, member, Federation of Urban Poor, Abuja, 1 March 2012.
78. SERAC, Pushing out the Poor, p. 41.
director said, ‘the best way now is to mobilize the people themselves’. An Igbo elder who lives near Idu explained that even though the indigenes are not authorized to sell or lease the land, ‘People were not annoyed with the Gwari, only with the federal government who did not give notice for the demolitions.’ After their housing was destroyed, he said, no one bothered with the courts or land tribunals ‘because they knew they were living there illegally’. One chief agreed that going to the courts is pointless: ‘People have no legal backing since the lease is illegal, and people know this even though it is honoured between the Gwari and the tenant."

In the face of such disenfranchisement and frustration, demolition victims first responded with dramatic protests that challenged authorities, according to participants. As housing insecurity increased and anger mounted, all sides began to re think their strategies. By the end of President Obasanjo’s second term in 2007, the FCT Minister Nasir El-Rufai expressed some regrets about the demolitions. Umar Musa Yar’Adua, the new President, proclaimed that demolitions would continue but they must have a ‘human face’. CAPP, FEDUP, COHRE, and Gbagyi leaders all identified 2006–7 as a turning point when strategic dialogue started to replace confrontational protests and supplant the seeming hopelessness of litigation. Not only did new organizations form to engage the government over housing policy, but a variety of multi-issue organizations – such as the African Network of Economic and Environmental Justice, Stolen Wealth Coalition, Nigeria Network of Civil Society on Water and Sanitation, Women’s Network in Nigeria, Africa Network of Peace Builders, and Abuja NGO Forum – all identified Abuja’s demolitions as a serious problem with national implications.

New international contacts were one of the main reasons for this shift in grassroots political strategy, as these groups signed on to Libération Afrique, a sub-Saharan joint communiqué in 2006 calling on international bodies to support cessation of Nigeria’s demolitions. WEP organized a delegation to slums in India, South Africa, and Ghana, leading FEDUP to conclude that engaging the government works when popular pressure backs their demands. WEP also affiliated with Slum Dwellers International, which has facilitated information exchanges about housing rights. These global relationships promoted a shift in discourse as activists referred to demolitions as ‘forced evictions’, thus invoking international human rights agreements. Leaders from CAPP and FEDUP argue that grassroots mobilization has offered a more

80. Interview, Clement Gaza Wasah.
81. Interview, Igbo elder, Abuja, 6 March 2011.
effective strategy than litigation. ‘One person going to court was becoming
difficult, so there was a need to bring all of them together to engage the gov-
ernment,’ said the executive director of CAPP. COHRE agreed: ‘This
dialogue approach has worked.’

Another reason for the strategic shift had to do with changes in the inter-
ests of the indigenous community. Though Gbagyi had long expressed frus-
tration with the government, organizations such as APRI and GGDI began
mobilizing with migrants as their interests began to find common ground.
Whereas migrants face the constant threat of demolition, indigenes feel
betrayed and abandoned by the resettlement policies. ‘They are refusing to
resettle us’ said the Hakimi of Idu, a senior traditional ruler. When the Apo
housing complex was completed, indigenes rejected the units so universally
that it is now used for housing police. COHRE, GGDI, and other organiza-
tions insist that relocation consultations are never adequate. An APRI leader
said ‘the government has never used any of the known good practices in re-
settlement’. Abuja’s housing laws have reached a point where neither indi-
genues nor migrants see them as serving their interests.

Unlike coping mechanisms, strategic engagement seeks to change Abuja’s
property rights regime by challenging demolitions and offering alternatives.
For example in Gwagwalada, at the heart of the FCT, the Abuja master plan
called for building housing units, so the FCDA scheduled a demolition. But
instead community leaders and NGOs persuaded the government that it is
pointless to forcibly evict people in order to build housing when the same
people were likely to live there anyway; more than 5,000 homes were saved as
a result. The Lugbe Community Development Association (LCDA),
active in a slum with an estimated 700,000 people, has adopted similar
tactics. When some Lugbe residents sought to litigate against demolitions,
the LCDA persuaded them to work with WEP to create a team of engineers,
urban planners, and other professionals to develop an alternative housing
plan. Operating like a cooperative, through its membership requirements the
scheme would limit neighbourhood growth endogenously, and membership
benefits would improve the quality of life.

For politicians and corporate land developers seeking privileged access to
land, cooperation between migrants and indigenous landlords presents an
obstacle. Implementing the master plan is therefore often accompanied by
divide-and-conquer strategies in the slums in order to undermine grass-
roots multi-ethnic mobilization. This form of organizing across cleavages in
the face of a legal regime that reinforces discriminatory distinctions

85. Interview, Kyauta Giwa.
86. Interview, Sunday Eyong.
87. Interview, Ishaq Ibrahim, Abuja, 4 March 2012.
88. Interview, Clement Gaza Wasah.
89. Interview, Sunday Eyong.
between “stranger” and “indigene” is good news in a country known for ethnic and religious violence. In Abuja’s densely populated slums, evidence of this inter-ethnic political mobilizing amidst social coping mechanisms such as HTAs that reinforce discrete identities challenges popular ideas from the literatures on civil society and ethnic conflict. However, such “good” news is tempered by our findings that the strategic shift among Abuja’s slum dwellers essentially followed failures of the state: the working poor see the National Assembly as unresponsive, the courts as inefficient, and policies for developing the city as unjust and inapplicable to its rapid growth. The alternative of multicultural mobilizing was a product of shifting circumstances, as the indigenes gradually lost control of what the property rights literature characterizes as privileged access to public lands, and they therefore have come to share in the cruel uncertainty experienced by migrants for decades. This convergence of interests may constitute the terms of a lasting truce between tenants and landlords, but it does not provide a guide to sustainable development that reconciles Abuja’s multi-cultural hopes with the realities of urbanization.

Conclusion

Growing numbers of migrants fleeing insurgent violence in the north, unsettled by recent floods and natural disasters, or simply seeking economic opportunities, have virtually no access to lawful tenancy when they arrive in Abuja. They become trapped in a discriminatory property rights regime and a city plan that accentuates ethnic cleavages. Unless underlying tensions behind the housing insecurity are addressed, the FCT’s melting pot could boil over and manifest itself as indigene/settler violence. ‘The peace is fragile,’ says Chief Ogbu, while another Igbo chief complained that ‘we are tenants and the indigenes take advantage of people’. 90

Abuja’s experience illustrates how various fields and literatures fruitfully intersect with urbanization research exploring social control, associational life, and the post-colonial state. The property rights literature revealed how Abuja’s indigenes seize surplus generated from federal lands by exploiting legal loopholes permitting the ongoing use of land for farming, in a process similar to that described in Barzel’s work. We also saw how this opportunity to profit from “strangers” does not resolve the injustices against Abuja’s “sons of the soil”; for Gbagyis development has meant either repatriation into undesirable settlements or cultural attrition. This steered us toward the conflict literature, where ambiguous citizenship rights contribute to discrimination and land disputes that account for a surprisingly large share of

90. Interview, Igbo chief from Enugu State, Abuja Life Camp, 5 March 2012.
local violence in Africa and beyond. In Abuja, though, we have demonstrated how indigenes and strangers are forming strategic alliances motivated by their shared frustrations with the property rights regime: indigenes want culturally sensitive resettlement, and migrants want the right to live where they choose in their own country.

For civil society literature highlighting “bonding” social capital and the hazards of reinforcing the salience of ethnicity, such collaboration seems unlikely. But, like Simone in South Africa and Cameroon, we found that such organizations facilitate collective action for social insurance and community development. It also appears that Abuja’s inter-ethnic networks, engaging the government on demolitions, have led to a division of labour between these self-help organizations and housing rights networks defending the rights of citizens of all origins. Our research thus answers a call from Anne Pitcher and Martin Murray to move research on Africa’s cities beyond ‘distressed urbanism’, where slums are studied as chaotic landscapes rather creative arenas for constructive collective action. In densely populated neighbourhoods such as Idu, Karmo, Old Karmo, and Lugbe (all roughly 10 km west of the Abuja city centre), Christians and Muslims live in close quarters with very low levels of inter-religious violence. According to WEP, Muslims constitute 26 percent of the population in Lugbe, 29 percent in Karu, and 42 percent in Dutse (with virtually all others identifying themselves as Christians). Notably, organizations such as LCDA and FEDUP are led by mixtures of Muslims and Christians. At least for now, inter-ethnic coalitions provide a bulwark against urban unrest. The FCT’s housing rights movement is perhaps indirectly accomplishing what numerous government agencies since the civil war struggled to achieve: multi-culturalism and coexistence amidst Nigeria’s diversity.

Many organizations such as COHRE and SERAC see repeal of the Land Use Act as the most urgent reform. The Act creates disincentives for individuals to invest in long-term development and it facilitates injustices for indigenes and migrants alike. However, its repeal would be extremely difficult politically, since control over land transfers gives governors a powerful patronage tool. The recent establishment of the Abuja Geographic Information System is promising in that it provides the technical geospatial data for a land registry. But it could also simply reduce the information costs associated with the FCDA’s demolitions as it can now more efficiently identify structures lacking a Certificate of Occupancy. The FCDA’s recent public–private partnerships pose similar risks for the poor, since they allocate large parcels of land to corporate developers at subsidized rates. As the Hakimi of Idu said, ‘The main problem we have now is the estate developers

who have taken over the demolished areas. Further research is urgently
needed to address the role played by large developers, and could also study
rates of contract compliance in the land-use agreements as informal institu-
tions. We also seek more systematic conflict data to test the impact of diver-
sity and density on neighbourhood harmony more accurately.

Research and reforms need to acknowledge both the social realities of
Abuja’s expansion and the inconsistency of its property rights regime.
Identifying creative solutions, such as those in Lugbe, and reaching the pol-
itical compromises necessary to implement them on a larger scale, require
engagement with Abuja’s new activists. These citizens both protect com-
munity interests and hold the potential to preserve the city’s promise as an
African urban jewel.

92. Interview, Ishaq Ibrahim, Abuja, 4 March 2012.