Evicting the Poor in the 'Overriding Public Interest': Crisis of Rights and Interests, and Contestations in Nigerian Cities.

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ABSTRACT

Forced eviction is unquestionably a global humanitarian crisis. Africa and, particularly, Nigeria bear a major brunt of this 'global epidemic', which carries enormous material and human costs. Yet, eviction is frequently hidden behind forms of displacements which operate within the law, and are justified on the basis of public interest rationales. Drawing on a research project into urban infrastructure-related displacement in Nigeria, , this paper explores the reported incidence, patterns and trends of urban displacements and their impacts in Nigeria over a period of six years (2010 – 2016). Through the prism of the holistic approach, it interrogates the conflicting 'publics' and 'interests' in the diverse displacement contexts, and argues that the 'public interest' behind official rationale for displacement is, in reality, a highly contested affair. The paper recommends that displacements, where unavoidable, ought to be planned with a human face.

Keywords: Forced eviction; displacement; demolition; public interest; urban planning; Nigeria

"Sometimes, when you want to do battle with the government, then you are in for a lifetime battle. ...we are taking it easy with them to see if the matter can be resolved amicably like a family. [...] if you want to fight it legally, you cannot trust lawyers all the time. Sometimes, you may think that their advice is in your best interest and favour, but the reverse is the case. He is looking for a job. Everyone prays for a successful outcome every day. Even a coffin maker prays for a profitable day. So, all these things are prayers. That's why, this one God, you have to pity Him sometimes" (An official of the Kenyatta Building Material Market Association).

Rising 'social pathology' and 'the new urban frontier'

Considering their growing frequency and scale across the world with attendant brutalities, forced evictions or displacements are foregrounded as a 'social pathology of development' (Cernea, 2007, p. 36), a 'humanitarian crisis' (Zetter & Deikun, 2010, p. 5), and lately, as the 'new urban frontier' beset with an 'invidious form of socio-spatial injustice' (Paton & Cooper, 2016, p. 2; Elliot-Cooper, Hubbard & Lees, 2019, p. 12). Forced evictions connote "permanent or temporary removal against the will of individuals, families and/or communities from the homes and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection" (ICESCR, 1997, para 3). Though often hidden behind non-threatening official tags like 'inner city regeneration', 'slum upgrading', 'urban renewal', etc. (Du Plessis, Acioly & Rollnick, 2011, p. 1). However they are referred to, these diverse forms of enforced or involuntary displacement, threaten and uproot numerous people daily from their homes, lands, and workplaces in cities (and sometimes, rural areas) across the Global North and South (Brickell, Arrigoitia & Vasudevan, 2017). Common causes of such removals include, but are not limited to, tenure insecurity, planning and urban development, large-scale infrastructure projects, climate change and natural disasters, mega sports/cultural events, and economic forces (COHRE, 2009). Regardless of the specific causes or contexts, evictees or displacees nearly always suffer

from what Zetter and Deikun (2010, p. 6) have aptly termed 'stress-bundles' or 'cocktails of multiple hazards', consisting of massive losses (physical, economic and socio-cultural), psychological and health burdens, as well as ruptured lives, family ties, and communities (Mohindra & Schrecker, 2012). Vulnerable groups (like informal traders, the working class, ethnic minorities, etc.) and the urban poor typically bear the greater brunt of evictions, and such discriminatory slants appear to be increasing public distrust of and apathy to urban planning along with urban activism (Kamete, 2012; Lees, Annunziata & Rivas-Alonso, 2018).

Current global figures on forced evictions are generally indicative and diffused, although commentators are unanimous that displacements are on the rise (Du Plessis, Acioly & Rollnick, 2011, p. 1; Kothari, 2015). Between the 1990s and 2000s, Cernea (2007) estimated the annual global growth of development- or infrastructure-related evictions at 15 million, which if aforementionded trends continued might add up to about 405 million affected persons by the end of 2017¹. If these 'development refugees' were a nation, it would be the third most populous country in the world after China and India with 1.4 and 1.3 billion people respectively (World Bank, 2017). Notwithstanding this global escalation, "official records of those affected and likely to be affected are few and far between", thus breeding a curious 'culture of silence' around displacements that has arguably "aided and abetted its growth and spread throughout the world" (COHRE, 2009, p. 7). Today, this general opacity around evictions has continued due to state authorities' active suppression of protests and records, compelling heavy reliance on anecdotal evidence and case-specific evidence (Paton & Cooper, 2016; Vasudevan, 2017, p. 197). With the waning of the inventory approach to displacement research - i.e., detailed sequential documenting of displacements on case by case basis³, the imperative to understand, to the fullest possible extent, the nature (incidence, patterns and trends) of displacements across cities and countries has become very compelling.

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¹ This figure even compares rather favourably with a certain World Bank 1994 estimate (which when projected to 2017 at its own rate would yield 420-430 million people).

² Du Plessis, et al. (2011, 1).

³ With the demise COHRE (Centre on Housing Rights and) in early 2012, the 'inventory' approach to displacement research suffered a huge set-back. The Geneva-based international NGO, founded in 1984 by Scott Leckie, popularised the approach in its *Forced Evictions Global Survey* series (Nos. 7 to 11) that published displacement registers in selected countries across the world between 1994 and 2008.

This paper draws on a study on urban infrastructure-related displacements in Nigeria undertaken largely in 2017, and is part of the larger UK DFID-funded Urban Research Nigeria Programme⁴. Its aims are, firstly, to evaluate the patterns and trends of reported displacement cases and their impacts across Nigeria; and secondly, using this extended or holistic approach to foreground that the public interest, which lies as official rationale for displacement, is in reality a highly contested affair. The current paper is significant for related reasons. One, it pioneers a detailed mapping of development-related displacement cases from 2010⁵ to 2016 in urban Nigeria with a view to unravelling its holistic extent, nature and damaging impacts. Two, the paper refocuses attention on the persisting 'displacement logic' in planning and urban development in the name of 'public interest', thereby deepening our understanding of this social pathology and possible corrective actions in Nigeria. A key finding of this research, corroborating other evidence, is the contested interpretation of 'public interest' and the complicity of the state and powerful players in its obfuscation at the cost of other 'publics' and interests of minorities, who are responding to this fuzziness through various forms of contestation (Ocheje, 2007; Maidment, 2016). Involuntary removal of people from their properties both violates human rights⁶ (Rubinson, 2013; Ssenyonjo, 2017) and breeds both contestations and 'anti-planning cultures' in Nigerian and African cities.

Evictions in the Context of Rights and Interests: Towards a holistic reading

Forced eviction or displacement is now a global phenomenon since it occurs, in one form or the other, in all regions of the world (Kothari, 2015; Brickell, Arrigoitia and Vasudevan, 2017). The prevalence – indeed upsurge – of displacements across the Global North and South stems from causes and origins connected to rapid urbanisation, infrastructure projects and mega sports/cultural events, for instance – all of which are either facilitated or compounded by

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⁴ Urbanisation Research Nigeria (URN) is a five year (2013-18) programme of the DFID-supported Urbanisation and Infrastructure Research and Evaluation Manager (UIREM).

⁵ As displacement advocacy and campaign are concerned, 2010 is remarkable year for Nigeria. It not only coincides with the 2010 Rio de Janeiro Declaration on Forced Evictions in Nigeria (IAI, International Alliance of Inhabitants, May 11, 2010), but it is also the year Dr Goodluck Jonathan, the then Nigerian President, received a letter of concern from COHRE letter (13th August, to be precise) abou the fate of estimated 350,000 Abonnema Wharf/Njemanze Waterfront displacees in Port Harcourt (Drakopoulosaug, August 2010).

⁶ Forced eviction negates several international and national human rights laws, e.g. the International Covenant on Economic, Social and Cultural Rights (ICESCR), African Union Convention for the Protection and Assistance of Internally Displaced Persons, among others.

⁷ From his study of Lagos megacity, Gandy (2006) interpretes this as public distrust and apathy to planning arising from antipathetic urban practices

widespread tenure insecurity as well as the impact of climate change and natural disasters on urban environments (Kothari, 2015). Sassen (2014, p. 1) captures this growing impulse as the 'new logics of expulsion', associated with the neoliberal economic order. The multiple causes and origins of displacement (connected to diverse policies, legal and institutional frameworks, and programme interventions) (Sassen, 2014, p. 77) arguably call for a 'holistic' view of displacement, that is, a view of displacement as transcending 'geographic and conceptual divides' (Brickell, Arrigoitia & Vasudevan, 2017, p. 2; see also Elliot-Cooper, Hubbard & Lees, 2019).

The call for situated and 'holistic' readings of displacement is echoed by critiques of the so-called 'compensation and resettlement school'⁸. The latter, which includes Cernea (2007), Ty, Van Westen & Zoomers (2013) and others, tend to clearly differentiate forced evictions from *involuntary resettlement* or *compulsory acquisition*, on the basis of their managed, formal process, involving compensation for those with legal or recognised customary claims. This distinction, however, is challenged by many based on the legitimacy of the process applied in practice. Such authors emphasise the contested interpretations of the formal legal process surrounding displacement occurrences (especially with regards to the timely management of displacement and adequacy of compensation) (Rubinson, 2013). Moreover and crucially, they put into question the validity of the public interest justification as a basis for displacement in many instances (Paton & Cooper, 2016).

Given the emphasis on the 'public interest' as key criteria for the legitimacy of displacement, and in fact "the fundamental justification for planning activities", it is noteworthy that the benefits, and costs, of displacement tend to be distributed unevenly across different 'publics' (Maidment, 2016, p. 366). There is virtual unanimity among displacement researchers both in the Global North and South that forced evictions often target the urban poor, poor renters, slum dwellers or residents of dilapidated neighbourhoods, ethnic or religious minorities, informal traders, indigenous people, nomadic people, etc. (O'Donovan, 2016; Paton & Cooper, 2016; LeVan & Olubowale, 2014; Kamete, 2012, 2018; Kothari, 2015; Brickell, Arrigoitia & Vasudevan, 2017).

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⁸ This implies a loose global network of academics, practitioners, policymakers, multilateral agencies (UN Habitat) and international financial institutions (International Finance Corporation, World Bank, African Development Bank, etc) that are working to develop, disseminate, and implement/enforce the displacement compensation/resettlement action plans.

Kothari (2015, p. 7) puts it succinctly: "As a general rule, forced evictions affect the poorest and socially and economically most vulnerable and marginalised sectors of society; they also intensify inequality and social conflict, contributing to segregation and the creation of 'apartheid cities'" (compare with Gandy, 2006, p. 385; Kamete, 2012, p. 67). Recently, Kamete (2018) has metaphorised forced eviction in some African cities as 'smaller variants and localised manifestations' of Zygmunt Bauman's gardening state in which undesirable 'weeds' are uprooted to preserve "desirable 'plants', usually with little or no recourse to meaningful engagement, accountable, and/or remorse on the part of responsible agents and policy makers (Roberts & Okanya, 2018; Isokpan & Durojaye, 2019).

The unequal experience of displacement hints at the abuse of its 'public interest' rationale, traditionally defined in planning as "the collective interest of the majority of citizens in a formal political and administrative jurisdiction" (Healey, 2007, p. 15). Given persisting definitional problems⁹, Rubinson (2013) has advocated public interest-driven eviction based on the principles of the International Covenant on Economic, Social and Cultural Rights, ICESCR (see Box 1). Notwithstanding that all, but six¹⁰, African countries have ratified this Convenant, it has had limited influence on 'economic, social and cultural rights' protection at both domestic and regional levels due mainly to its non-application to domestic courts (Ssenyonjo, 2017, p. 259). Absence of enabling covenants, laws and resettlement acton plans (at various levels) per se appears not to be the main problem, but their proper interpretation and effective implemention. Beyond the administrative, institutional finance and legal protections against displacements, the sheer numbers and sufferings of urban displacees is beginning to raise humanitarian concerns akin to war refugees (Zetter & Deikun, 2010, p. 7).

In Nigeria, the rising frequency and ferocity of evictions often leave in their wake massive ruins, ruptured lives, severed family ties, and shattered communities (Amnesty International, 2010, 2017). Taking a cue from the cries of one devasted Njemanze settlement displacee in Port Harcourt: "My wife is at home with our first [child] in the village. One child is with their uncle. They spread our family; the demolition make us separated, it made us to see [each other] once in

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⁹ Maidment (2016) has criticised Healey's popular definition, pointing to its inherent boundedness as regards how planning impacts diverse systems (activity, environment, and development) in time and space.

¹⁰ Botswana, Comoros, Mozambique, Sahrawi Arab Democratic Republic, São Tomé and Principé, and South Sudan.

a week, twice in a month." (Amnesty International, 2010, p. 27). Apart from highlighting resultant fatalities and anguish, contemporary displacement literature in Nigeria generally espouses the common thematic lietmotif of the inhumanity and illegality of evictions (public health concerns, security question, urban renewal/image-making, etc.), official impunity and neglect of displacees, inadequate or lack of compensations, etc. (see Fowler, 2008; LeVan & Olubowale, 2014 for example). In particular, a number of notable works explore issues as diverse as: urban planning complicity and the 'over-riding public interest' controvery (Agbola & Jinadu, 1997; Ocheje, 2007); legal rights empowerment through meaningful engagment (Isokpan & Durojaye, 2019); need for more inclusive urban development and planning (Roberts & Okanya, 2018, p. 12); as well as the often-overlooked post-eviction and poverty-ridden conditions of evictees (Roberts & Okanya, 2018; Omoegun, Mackie & Brown, 2019).

Something to reflect the above paragraph and the various lenses taken to address the issue of displacement in Nigeria, displacement scholarship scholarship in the country remains by and large constricted to singular city studies and the effects on over-particularised sub groups (such as street traders, slum dwellers, market women, etc.). Detailed and systematic mapping or study involving cross-group and -city analyses of displacements are severely lacking, with the exception of Agbola and Jinadu (1997) that attempted an eviction list from 1973 to 1995, specifying location, date of occurrence, number of persons evicted, motive given for eviction, eviction agent, and compensation or offer of an alternative site for evictees (p. 274-275). Besides the urgent need in Nigeria and elsewhere to build on this kind of holistic coverage of displacements, the link between displacements, public interest interpretation, and anti-planning in the country remains under-theorised (Gandy, 2006; Lamond, Lewis, Falade, Awuah & Bloch, 2015).

Infrastructure-related displacement in Nigeria – a note on methodology

The research on which this paper draws was conducted between 2016 and 2017. It focused on urban infrastructure-related displacements that occurred between 2010 and 2016 in Nigeria, a country of about 201 million people (UN-DESA, 2019). Our study followed two interrelated stages – a national scoping survey of reported infrastructure-related eviction cases and primary research into city-level cases in Enugu, the capital city of Enugu State and leading administrative

centre in the South East subregion since the late 1930s (Figure 1). The choice of Enugu city was based on its subregional importance and the researchers' familiarity with the city and case study sites, which typifies the major forms of displacements prevalent in the country.

[Insert Box 1 & Figure 1]

The scoping survey was based on publicly available information, including print media (hardcopy supplemented by online versions), government reports, legal reports (*LawPavillion*¹¹) as well as reports of CSOs/NGOs (Social and Economic Rights Action Centre, SERAC, Amnesty International Nigeria, etc.) and international finance institutions (World Bank and African Development Bank). Also, it allowed for some level of data triangulation and applicable quantative analyses, although in many cases 'official' (state) accounts of displacement for given cases were not available. While the vast majority of the reported displacements concentrated in State capitals, we adopted the geographical unit of the State to account for cases in secondary urban centres.

The city-level case studies, on the other hand, encompassed four selected forms of actual and threatened infrastructure-related displacements, namely: (1) a halted eviction at *Ugbo Okonkwo* informal settlement; (2) a compulsory housing aquisition at City Layout, Phase 2, for National Intergrated Power Project, NIPP; (3) the relocation of Kenyetta Building Material Market; and (4) a World Bank-assisted involuntary resettlement in Ninth Mile, Amaeke. A case study method was adopted since it deploys mixed methods approach (artifactual/documentary evidence, direct observation, as well as systematic interviews) in order to answer the 'how' and 'why' questions about a contemporary set of events over which the investigator has little or no control" (Yin, 2009, p. 13). In all, 24 key stakeholders (4 to 5 for each case) were selected for face-to-face interviews and conducted by the authors held in interviewees' residents, shops, and offices (Table 1). Interviewees also gave their verbal consents for discussion and permission to record the sessions with a digital recorder, and their names were pseudonymised in order to boost confidentiality. The main selection criteria for interviewees were leadership and/or significant

¹¹ LawPavilion is a private online law report of supreme and high-court cases managed by GIT Nigeria Limited. The time coverage of the search corresponds to the available subscription access from 1994 to 2014.

roles in the events and referrals from earlier interviewees. The semi-structured interviews lasted for an average of about two hours, and were guided by questions framed around three to four core issues: (i) event description and own role in relation to other players; (ii) motive and rationale for displacement; level of consultation and participation, if any; and (iii) different opinions of entitlements, rights, fair compensation, and project outcome (whether successful or not). The interview recordings were transcribed and analysed using both manual coding and Nvivo software.

Through serialised 'pattern-matching' of the stakeholder responses at the interview stage and subsequent 'explanation-building' with the interview transcriptions at the analysis stage, acceptable level of construct and content validity were consecutively ensured (Yin, 2009, p. 42). The trends or rates of occurrence of reported displacement cases across Nigeria were collated from the huge quantitative and qualitative outlay from the scoping survey, and analysed with exponential function¹² in Excel. The results on the nature of displacements coupled with subregional comparisons in urban Nigeria are presented in the next section.

[Insert Table 1]

Displacement Occurrences and Discourses in Nigeria

Incidence, Patterns and Trends of Evictions

Before proceeding, an important starting point is to note the key legal instrument of government for public acquistions and evictions. Section 28 sub-section 1 of the 1978 Nigerian Land Use Act (NLUA) prescribes that: "it shall be lawful for the Governor to revoke a right of occupancy for overriding public interest." Under this eminent domain power, the Governor is authorised to grant consent to alienation of land, and expropriate undeveloped land without payment of compensation, save for economic crops and 'un-exhausted development' on such lands. As earlier stated, it is essential to fill the research gap by expounding the nature of development-related displacements at the national level in the country. According to our study (for the detailed database, see Ujah, Onyebueke, Lipietz, Walker, & Ohaeri, Forthcoming), Nigeria witnessed approximately 370 cases of displacements in urban areas between 2010 and 2016 (see Table 2).

¹² The exponentail equation incorporated in the Excel sheet is: $y = a (1 + r)^x$ [where y = a = a Initial amount or value prior to growth; r = a growth rate; and r = a number of time intervals]

Only half of these reported cases gave estimates of the displaced or threatened population and/or affected properties.

[Insert Table 2]

If we take these estimates at face value, and on the basis that about half of the published sources analysed did not report assessed impacts of displacement, there were over 3 million project affected persons (PAPs¹³), (including 16 deaths) coupled with roughly half a million hectares of expropriated land and 320,000 structures (houses, stalls, or stores) endangered or demolished during the period. These astounding figures are based on our recordings of reported estimates in news media, World Bank Resettlement Action Programmes, legal report, and NGO reports (see Notes to Table 2). Although sensationalism and vested interest in some reportage sometimes lead to rather obvious overestimations, these reported national urban displacement statistics remain alarming. This is moreso with the United Nation insistence on comprehensive impact assessments prior to any displacement-prone project as a veritable alternative-seeking and damage-minimising measure (Kothari, 2015, p. 12), not to mention the SDG Goal 11 of inclusive, safe, resilient and sustainable cities and human settlements.

Another key finding from our research centres on the national pattern of reports of displacement relates to the comparatively lower displacement densities recorded in the northern part of the country¹⁴. As can be seen in Figure 4, there are strikingly lower reports of displacements in the North, with Kano State, the second largest city in the country reporting only 2 cases, and Yobe State without a single reported displacement case. However, Kaduna State remains a notable exception with a modest 13 cases. First of all, we observe that similar sub-regional disparities are implicated in access to public health services and school enrolments (Eboreime, Abimbola & Bozzani, 2015). By analogy, the lower evictions witnesses in northern Nigeria, as compared to southern Nigeria, might equally stem from the regions' contrasting socio-political and ethnoreligious experiences, which in turn shape the identity/loyalty structures and institutional set-ups (Osaghae & Suberu, 2005, p. 16). Clearly, the displacements (or displacement densities) in the

¹³ It is noteworthy that PAPs is used here to include both those displaced and those threatened with displacement.

¹⁴ This disparity was observed with concern at the early data collection stage. In order to eliminate possible biases in media reportage, we both relaxed previous criteria to stick only to newspapers with national coverage to include *Daily Trust* with wide coverage and circulation in Northern Nigeria.

rest of the States appear to correspond with the sizes of their capital cities with Lagos State and Abuja FCT having the highest incidence of 56 (15%) and 44 reported cases (12%) respectively. The special postion(s) of Abuja and Lagos as political and economic capitals respectively, strong government presence, fastest-growing cities in the region, severe housing deficits coupled with rapid slum proliferation are possible reasons (LeVan & Olubowale, 2014; Roberts & Okanya, 2018).

Drawing on our scanning database, we were able to identify four broad categories of public interest justification commonly invoked in cases of urban displacement (Figure 2). Arguably, these interventions approximate four distinct form of displacements, which to large extends, have their global cognates.

- City regularisation, through urban planning (modernisation and beautification) and development control, usually constituting eviction of residents or traders without formal property rights, or those who fail to confirm to planning norms of a modern city image. This is the most frequent reason given for displacement featuring in 48% of the cases. This rationale is sometimes captioned as urban renewal or master plan implementation, and typical cases tend to 'demonise' informal settlements as 'environmental nuisance' or informal traders as constituting a congestion problem (Figure 3). One remarkable example of forced eviction induced by city regularisation is the serial eviction (February, 2013 and September, 2015) at Badia East and West in Lagos that rendered 19,200 people homeless (Amnesty International, 2017). Essentially, this repressive form of displacement appears to taunt 'forced evictions as urban planning' 15, and is prompting assorted theorisations of urbanismin Nigeria (Ogunyankin, 2019) and the rest of the Global South (Watson, 2014).¹⁶
- The need for new infrastructure is in second place (43%) and refers to the need to clear land for new infrastructure, with transport infrastructure being the most

¹⁶ Watson (2014) highlights the appearance of displacement-ridden 'speculative urbanism' in many African cities

¹⁵ Rhoads (2018, p. 278).

that sacrifices human and social values at the the altar of 'urban fantasies' and modernist dreams. Arguing from the city of Ibadan, Southwest Nigeria, Ogunyankin (2019) called a similar modernist vision owambe urbanism- "a spatio-temporal neoliberal project concerning destination, departure, arrival, identity and place-making" (p. 7).

common type. With a rising modernisation agenda common among both national and state governments, displacements connected with new infrastructure abound in many Nigerian cities. An archetypal case is the compulsory land acquisition for the 38 Kilometre-Oron Pipeline Project, involving 25 metres right-of-way that criss-crosses 64 villages in four local governments (Esit–Eket, Urue Offong Oruko, Mbo and Udung Uko LGAs) of Cross River State that displaced about 5,100 people (Septa Energy Nigeria Limited, 2014).

- Clearing out 'undesirable' activities, persons and properties is a less common but nonetheless significant justification (about 7%) and refers to, for example, the demolition of 'baby factories' 17, brothels, and houses of alleged cultists and kidnappers (Ujumadu, 2014, 2015). These typify what Porteous' and Smith's (2001) termed 'domicide' "the deliberate destruction of home by human agency in pursuit of specified goals, which causes suffering to the victims" (p. 12). Conceived as a kind of 'naming and shaming' scheme, up to six States in the country (Abia, Anambra, Bayelsa, Edo, Delta, and Imo States) have given it a legal rubber stamp, to the disapproval of bar associations and civil rights groups (The Nation, November 3, 2013, np; Ujumadu, 2014, 2015).
- Protecting existing infrastructure was the least common rationale (8 times or 2.13%), and relates to matters of encroachment, environmental risks, and safety of lives and properties, for instance, evicting people who have settled on road rights-of-ways or watershed protected areas, or even under high-tension electric wires. For instance, in order to ease traffic flow and access during emergencies, the Lagos State Task Force on Enforcement and Special Offences has as at May 5 demolished 84 illegal street gates out of about 184 earlier marked with red 'X' (Alao, May 8, 2016)

[Insert Figure 2 & 3]

 $^{^{17}}$ Buildings housing adolescent girls and young women, usually operated under cover, with unlawful intent of inducing – or in some cases, compelling – them to bear children for commercial adoption.

Furthermore, the trend analysis based on Table 3, while further confirming the clear ascendancy of Abuja and Lagos over other Nigerian cities in terms of displacement rates as well as the North-South disparity on displacement register, also unpacks displacement occurrence rates in both national and subregional perspectives (see Figures 4, 5A, B & C and 6A, B & C). Cumulatively, reported cases of infrastructure-related displacements grew exponentially in Nigeria by about 28.15% between 2010 and 2016. It is then possible to specify that southern Nigeria surpasses its northern counterpart in both sheer numbers (80 as against 43 evictions, on the average) and annual increments (7% versus 3%). Prior to now, such specific trends were not known in Nigeria.

[Insert Table 3]

Competing Rationales for and Responses to Displacements

It is predominantly at the city city-level that troubling crisis of rights and interests occurs; and interestingly, this detailed nuanced discussion on the varied forms of responses is made all the more possible thanks to a holistic research approach. In line with the NLUA, legal precedents in Nigeria equate public interest not only with public use and ownership, but strict adherence by government to "the laid down procedure for acquisition of property" (see Goldmark Nigeria Ltd. and Others v. Ibafon Company Ltd. and Others, 2012, p. 17). In many instances, the exercise of authority supported by these public-interest arguments continues to be criticised, challenged, and on occasions, contested in court. People respond, one way or the other, to displacements whether actual or threatened (see Figure 7). Table 4 shows diversity of responses besides compliance by many PAPs to actual/threatened eviction in South East sub-region (Enugu State is in the shaded row). Beside compliance, these include: protest, prayers for divine intervention, litigation, mobilization; media campaign, advocacy/networks, political action/religious networks, and others, including public appeals, petitions, etc. Barring possible errors in reportage, at least three basic generalisations can be formed from these indicative reaction patterns: one, people often tend to comply with eviction orders (NR = 20), or are harassed, intimidated and/or battered into submission (Amnesty International, 2010, 2017; refer also to some accounts of interviewees,

below); two, post-eviction responses of PAPs often go unreported in both the dailies (NR = 20) and empirical research (Omoegun, Mackie & Brown, 2019); and three, apparent diversification in tactics of seeking redress, thereby extending the human agency dimension of struggle against eviction—a fact regularly over-generalised under the banner of 'resistance', 'protests' or, at times, 'peaceful protests' and related labels in displacement literature¹⁸ (see Amnesty International, 2010, 2017; Ogunyankin, 2019, for example).

[Insert Figure 7]

[Insert Table 4]

Displacements and Disjunctures in 'Public Interest' and 'Project Success'

The apparent value of the mixed method approach is the flexibility it offers to shift from a more holistic reading to specifics by zooming into details in a variety of cases from which inferences could be drawn. Based on the four case studies, we observed competing and changing perceptions of 'public interest' and contrasting criteria for 'project success' all through the cycle of planning interventions involving displacements—from pre-eviction/project initiation, mideviction/project development, and post-eviction/project completion stages (Interviewees 1-18). As expected, these interpretations oftentimes deviate from text-book definition of 'public interest' that signify "the collective interest of the majority" (Healey, 2007, p. 15). The imperative question is whose reality counts? Whatever the case may be, genuine public interest cannot be alienated from human rights, meaningful engagement and participation (Ocheje, 2007; Rubinson, 2013; Ssenyonjo, 2017; Isokpan & Durojaye, 2019). Is the non-recognition of diverse public interest interpretations (*public interests*) by planning officials in any way related to the pervading anti-planning ethos in Nigeria? Owing to limited space, only the responses of key interviewees vis-à-vis public interest and project success in the four cases are presented here.

• Pre-Eviction/Project Initiation Stage

At early project stages, public officials and planners regularly nurture an authoritarian and subjective interpretation of public interest relative to the project in question (Interviewees 19 and

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¹⁸ A noteable exception, however, is LeVan and Olubowale (2014), who considered changes in grassroots strategies for resisting housing demolition from judicial appeals, protests, to engagement with government, NGOs and international contacts.

20). Eminent domain instruments (like the Land Use Act) are often invoked to vacate marked sites without delay. In response to the question of the valid public-interest rationale for displacement, two top planning officers in Enugu State explained:

"There is no other basis for this acquisition except overriding public interest. Because, if we don't do this then we are not going to extend this road to the standard in which we want it. So, Opi-Nsukka road is the first instance I will give you [...]because that road is more important than what anybody can own there." (Interviewee 19)

Yeah. I mean, like we all know, after God is government. God takes care of all of us; but down the line, after God, it is government. God gives us life Government provides roads, government provides hospitals, government provides land for pipeline and various other services – airports, churches, and so on and so forth. (Interviewee 20)

On the contrary, most PAPs perceive 'public interest' to be best served from their peculiar circumstances. A community leader in *Ugbo Okonkwo* related it to 'due consultation and dialogue' with the land and/or property owners. He continued "not on a personal interest, ... [and] if on a group interest, then it will be known by all and sundry [...] and not when you want to jump in, the owners of the land will say no, the government will say 'they must'." (Interviewee 11). Yet, to others, the 'public interest' connotes 'timely compensation' and 'fair compensation' (Interviewees 1-4), as well as meeting short- and long-term interests of affected persons/communities (Interviewees 6-9, 11, 12, 15-18). In the words of one compensated houseowners in the NIPP-related compulsory land acquisition:

"They called me. I never went looking for... I never ever, I never looked for them. How they got my number, I don't know. I didn't even ask them. But they called me, in fact, they called me while they were there. They also called me when the money arrived [...] If people are properly compensated or even resettled, the resistance to such development will be less. People resist because they know that the government is dishonest. If my experience is replicated many more times, the resistance will disappear." (Interviewee 1)

As regards the World Bank-assisted resettlement action plan in Amaeke, a community leader adduced 'public interest' and 'project success' to community involvement and incentives:

"...on the contracts being given to people, don't we have contractors within this community? The Federal government wants to lift the lives of project affected persons, and you are going to bring suppliers [snapping fingers severally] from far and distant places. Have you not killed the motive? [...] You get somebody to supply stone, get somebody to supply sand, the person you gave sand will go to our land and pool sand and bring to you, thereby, devastating (worsening) the erosion. The income is going outside, but the sand is pooled from the community." (Interviewee 6)

Equally, the *Igwe* of an adjoining rural community that supplied the resettlement site for the Kenyatta Building Material Market, hinted on this need and the general lack of reciprocity and rapprochement on the part of government. The traditional ruler further elucidated:

"Despite the fact that the power (electricity) is in our village, we do not have constant power supply, but they took the light all the way to the UNTH [University of Nigeria Teaching Hospital] and other neighbouring communities. Our community, which is hosting the substation, got absolutely nothing from the all promises made to our community. This is because our community does not have a representative in Abuja. As I am talking to you, you cannot come into our community during the rainy season but look at our place and look at the government house over there." (Interviewee 18)

However, the caginess and techno-instrumental manner with which many projects involving evictions are executed have remained a constant sore point between government and PAPs (Interviewees 11, 13, 14 and 16). At the threat of eviction, people repeatedly resort to humanitarian entreaties, civil protests and defiance, soliciting for divine intervention etc. Most PAPs in Nigerian cities are afforded insufficient information, opportunity and time to prepare for contingencies or to engage meaningfully with government prior to eviction (Isokpan & Durojaye, 2019). It is at this point that government and displacement agents not only miss critical opportunities to embrace displacement impact analysis (Kothari, 2015), but appear to reinforce suspicion that "poverty and informal work are deemed 'out of place' and major contributors to the contamination of urban space" (Ogunyankin, 2019, p. 7).

• Mid-Eviction/Project Development

Achieving prompt and uneventful release of land and properties marked for acquisition, often compels government to mobilise all resources at its disposal – police power, the media, and other State apparatuses (Interviewees 17, 21 and 22). Local and international displacement literature is replete with reports of the flagrant abuse of these public privileges and associated grave consequences (Ocheje, 2007; Amnesty International, 2010, 2017; Rhoads, 2018). Arguing on the illegality of forced displacement, Ocheje (2007, p. 198), stressed that "the public show of force by governments and states during forced evictions dramatises the democratic deficit and leads to further losses in the legal and political systems." Rhoads (2018), however, takes a sterner stance, calling them 'state criminal practices', to reflect the scale of domicides, fatalities, and other losses involved. The PAPs are left with no other choices than to use the media, NGOs, rights agencies, legal action or whoever cares to listen to their own ends (Interviewees 10, 21 and 22)

and on occasions, resort to "demonstrating from here and there, carrying placards, going to the Government House", as the *Ugbo Okonkwo* community leader put it (Interviewee 11). The Chairman of an Enugu-based media association corroborated this fact:

"Most often, the moment eviction order or eviction notice is given to a particular community, it becomes a disturbing incident because the residents may not have alternative places to go to. And at such situation, they will begin to explore the options that are available and knowing the role of the media in the society as an umpire - an umpire between the leaders and the led, they run to the media on their own. They will [also] run to court on their own as also another set of umpire [...] they possibly take the government to courts to say reasons why they should not be evicted". (Interviewee 10)

As expressed earlier, PAPs place high premium on adequate compensation and/or resettlement action plans, community involvement/participation, and being able to hold government to account on project execution, hiring of community indigenes and to remain focused on original intention for site acquisition (Interviewees 1-18, 21, 22).

• Post-Eviction/Project Completion

Cognizant of the fact that media coverages hardly ventures beyond the sensation of mid-eviction scenes, coupled with persistent post-eviction gap in empirical enquiries (Agbola & Jinadu, 1997; Roberts & Okanya, 2018; Omoegun, Mackie & Brown, 2019), the latter part in the eviction story warrants greater attention. Our interviews probed further into some of these post-eviction incidents, revealing a broad disjuncture in expectation between government and project host communities. Whereas government expects the latter to 'own' and protect the public infrastructure from theft and vandalism, some community members expect to receive in-kind or in-cash compensation from government and/or project contractors (Interviewees, 6, 18-20). As one of the traditional rulers of an affected community explained:

"All the lands that belong to the Ugwuaji community, this Government House also belongs to our community, the location of the substation [...] you see what they are building, an [electricity] power project that will serve the whole of Southeast. We give them security, as the Chief [Igwe] of my community I ensure the security of the project". (Interviewee 18)

Based on the above, one can infer, with appreciable degree of certainty, the reality of multiple 'interests' and 'publics', and how these planning values change within space and time. In turn, it is this countervailing notion of multiple 'interests' and 'publics' that underlies the observed

nature and impacts of displacements, on the one hand, and the often divergent perception of what constitutes 'successful' eviction outcome by agencies/agents and PAPs. Interestingly, the NIPP eviction in City Layout (Phase 2) in our study appears to epitomise a middle ground position in our study, that incorporates due process that respects the rights of PAPs, participation, and proactive payment of 'fair' compensation can lead to 'win-win' outcomes, where displacements cannot be avoided (see Ocheje, 2007; Isokpan & Durojaye, 2019).

Concluding Section

Development-related evictions of people, in the 'public interest', from their homes, lands, and trading places have reached new heights and intensities across the Global North and South. This upsurge at global scale derive from of mutually related forces and the inner workings of neoliberal capital and its apparatuses in the developmentalist state directed 'towards pushing people out' (Sassen, 2014, p. 77). With the rising material and human costs of displacements, both scholars and policy makers are re focusing attention on the subject matter with the fresh mandate to overcome prevailing conceptual and contextual divides embodied in enduring atomistic framework replete with narrow thematic issues and case-restrictive analysis that focus on one or two cities (Brickell, Arrigoitia & Vasudevan, 2017; Elliot-Cooper, Hubbard and Lees, 2019).

In line with this 'holistic' view, the paper evaluated the nature of reported displacement cases with their damaging impacts across Nigeria. It also elucidated the underlying tensions at the heart of the meaning of public interest as well as their rights and urban planning implications. Specifically, our national scoping survey show that between 2010 and 2016, Nigeria witnessed a gross total of approximately 370 cases of reported infrastructure-related displacements associated with city regularisation, new infrastructure development/protecting existing ones, and *domicides* - clearing out 'undesirable' activities, persons and properties. The displacements were also reported to come with enormous material and material costs—3 million PAPs, besides 16 mortalities and numerous other losses. Another key finding with regards to the national pattern of reported displacement relates to its uneven geography. There is a significant gap in displacements, both in sheer numbers and annual increments, between northern and southern Nigeria with the former sub-regions and their six constituent states surpassing the former by far.

Whilst our study did not allow us to explore the causes for such a sharp gap in reported cases of evictions, divergent identity and loyalty dynamics vis-à-vis formal and traditional institutions in the two regions with sharply constrasting ethno-religious and socio-cultural histories may have a role to play (Eboreime, Abimbola & Bozzani, 2015).

Meanwhile, our Enugu city-level cases unpacked the diverse resistance tactics by which people confront evictions. Often, PAPs resorted to mobilisation, media campaigns, recourse to advocacy/networks, prayers for divine intervention, litigation, etc., that is tactics that signpost the inventiveness and resilience of human agency. Although limitations of under-reporting and/or non-reporting, which rule out any claims of comprehensive capture, also apply here, we believe the current research has added a new 'holistic' layer to displacement debate, extended the human agency dimension of 'emerging grassroots strategies' against evictions (LeVan & Olubowale, 2014), and deepening somewhat our understanding of planning failures in Nigeria. In the country, "urban planning authorities are often seen as 'alien' authorities by these communities rendering the communities unreceptive to modern planning arrangements such as redevelopment or renewal proposals" (Lamond, et al., 2015, p. 11). It is therefore recommended that displacements, where unavoidable, ought to be planned with a human face exemplified by meaningful engagement, effective participation and involvement, as well as proactive resettlement and/or payment of 'fair' compensation - democratic values critical to achieving 'win-win' outcomes.

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