



Emerging Issues in Land Administration in Post Conflict Communities of Bauchi State, Northern Nigeria

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ABSTRACT

Issues related to inequality in access to land, compensation and land use administration often become difficult to tackle especially in post conflict situations where settlers and the indigenes live in disharmony breeding further grievances that eventually lead to more conflict. This study examined issues related to settled land for resettlement scheme and compensation to native of a community in Bauchi State of Northern Nigeria. The study used descriptive and inferential statistics to analyse 350 questionnaires administered. The findings of the study revealed that 65.7% of the displaced persons settled on land not officially allocated to them while over 70% of the natives indicted that they were not satisfied with the compensation exercise. The study recommended among other things that land belonging to a community should not be allocated to settlers from other communities for resettlement purposes as this breeds further conflict and where land is compulsorily acquired for overriding public interest it should be adequately compensated.

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Introduction

In much of Africa, colonization imposed formal institutions for land administration that define access and nature of ownership on traditional organizations without clear delineation of responsibility which by implication tends to lack social legitimacy. Oosterberg (2002) reported that in much of the African countries, formal tenure cover significantly less than 10% land holding, implying that more than 90% of land is held under forms of customary tenure without full legal recognition. People with insecure rights are often indiscriminately or forcibly removed from their land. In many countries, rural dwellers with weak tenure are pushed off their lands without fair compensation or due process. To move forward with state development plans in China, entire villages have been forcibly relocated without fair compensation in the case of the Three Gorges Dam project (USAID, 2004). Tenure insecurity has been part of the dynamics of violence in many places including Uganda, Angola, Rwanda, Burundi, Tajikistan, Kyrgyzstan, Papua New Guinea, urban Peru, and the Amazon River regions in Brazil and Colombia. Whenever evictions occur, violence is commonly used for both enforcement and defense (Daudelin, 2002; Deininger & Castagnini, 2006; Baranyi & Weitzner, 2006; Kagwanji, 2009). It appears even good intentions to improve land tenure in few cases may have resulted in increased conflict and social polarization instead of providing the basis for sustained growth as reflected in some East African countries particularly Uganda and Burundi.

Also, one of the most permanent features of human development has been that boundaries have to keep changing and generally expanding as human communities continue to assert the right of members to some land for use. Consequently, as level of awareness or consciousness about the value of land continues to gain ground among communities, there is an increasing demand for more land. In an attempt to secure land for certain settlers against the interest of other competing

groups, clashes between communities for the use of land have embarked on a steeper frequency, especially in recent years. Classical examples include but are not limited to the Palestinian and Israeli land dispute which had been on-going since the late 1960's till date; and land clashes between various ethnic groups in eastern Ghana.

In Nigeria, communal clashes have since the 1980s, increased in frequency and are now more widespread and more violently destructive of life and property. They constitute an indication of failures to tackle and peacefully resolve the current manifestations of those old-age problems of relationships between public safety, identity, the boundaries of the community, the basis of citizenship rights and socio-economic and political progress. Some of the known incidents of violent communal clashes in the country are Maitatsine insurrections which took place in the northern cities of Kano, Maiduguri, Kaduna, Gombe, Yola and Funtua between 1980 and 1993; the Kasuwar Magani conflicts, 1980, in Kaduna state, the Ife-Modakeke conflicts in April, 1981; Hausa/Fulani and Sayawa in Tafawa Balewa in Bauchi State, 1991, 1995, 2001 and 2003; Hausa and Kataf, 1992; Hausa and Berom in Jos, 1994, 2001, 2003-2012; see table 1 for details (Bako, 1994; Institute for Peace and Conflict Resolution, 2003; Mohammed, 2004; International Displacement Monitoring Centre, 2008).

Communal conflicts lead to population flights from areas of more intense fighting or areas where the outbreak of violence is expected. Hampton (1998) reported that people displaced by violent conflicts worldwide were put at between 20-22 million and 470,000 of them were Nigerians. In 2002, almost 34.8 million people across the world were forced to seek asylum in countries other than their own or within their national borders due to violent conflicts (USCR, 2004). 25 million people were displaced in 2004 (UN-HABITAT, 2005), many within its own country (IDMC, 2006). By cutting off large numbers of people from economic opportunities, internal conflict can lead to a

vicious cycle of displacement and household poverty from which it is difficult to escape. This is made worse by the destruction of social networks and the consequent depleting of important elements of the social, economic and political capital of the poor. Refugees from conflict areas and displaced populations are found amongst those living under the most difficult forms of socioeconomic exclusion and deprivation (Chronic Poverty Report, 2004-05).

People are often displaced in the wake of conflicts and many wars in ancient and recent history can actually be partly traced back to previous forced migrations or separation from the rest of a given community. Unresolved consequences of "exogenous" (i.e. non land-related) conflicts include the return of refugees or internally displaced persons forming new occupiers. This often sows the seeds for a new violent conflict. Where such displacement is not appropriately addressed, taking into account the interest of the original returnees or the settled most often than not, sparks off violence in greater proportion as "today's grievances become tomorrow's conflict." Theron (2009) highlighted land-related conflict in post-conflict environments, showing how in Burundi (former refugees and displaced people) face challenges in reclaiming and securing their land rights. The source argued that if a large number of returnees are unable to reclaim their land and other properties, their frustration could lead to violent conflict.

In many countries, government sponsored resettlement schemes have led to conflict among the "settled" as well as between the settled population and the original inhabitants. These types of conflict have occurred in Tanzania, Mozambique and Angola. In the cases of Mozambique and Angola, forced settlement schemes led to the wars for independence and also contributed to the civil wars following independence. It is not uncommon in Nigeria for government to allot internally displaced population land in a given community. This is seen in the case of displaced persons from Jos, Plateau State being apportioned land for settlement in Boto and Maraban Liman Katagum in Tafawa Balewa and Bauchi Local Government Areas of Bauchi State respectively. This may lead to violent conflict in the event where the host communities need more space for socio-economic expansion. This study attempts to examine issues in land administration arising from communal clashes in settled areas of post conflict zones.

Methodology

The study is an empirical research carried out on a community South-East of Bauchi State in Northern Nigeria. The study administered 470 questionnaires using random sampling technique, out of which 350 were retrieved and found useable. Simple descriptive statistics and inferential statistics were used in analyzing the data.

Results and Discussion

Table1 shows the state of origin of those who settled at Maraban Liman Katagum community in Bauchi after the series of violent ethno religious conflicts in Jos the capital of Plateau State, Tafawa Balewa series of ethno religious fracas and the violent ethnic conflict in Taraba State in the North-Eastern Nigeria. It shows that displaced people from Plateau State constitute the highest number of people who relocated to Bauchi State and settled at Maraban Liman Katagum with 48.6% followed by the indigenes of Bauchi State with 37.1% mostly people displaced from Tafawa Balewa Local Government Area a result of series of violent ethno religious conflict in the local government. Settled people from Taraba State recorded 5.7% as

a result of ethnic conflict between the Tiv and Jukun; while Jigawa, Kaduna and Kano States together recorded the smallest number of settled people at Mararraban Liman Katagum in Bauchi State with 2.9%. The high number of settlers from Jos, Plateau State in the study area is due to the preponderance of violent ethno religious conflicts in Jos in recent time which include the 2001, 2003, 20008-2012 conflicts. The Tafawa Balewa ethno religious conflicts of 1991, 1995, 2003 and series of recent violent conflict form 2009-2012 forced people to relocate from Tafawa Balewa Local Government Area in Bauchi State to Mararraban Liman Katagum in Bauchi Local Government Area which is the capital of the state.

Table2 shows the occupation of the settlers before and after displacement. Farming and rearing of livestock are the major occupations of the people mostly in North-Eastern Nigeria. The table shows that before displacement, the major occupation of the people was livestock rearing (45.7%) followed by farming (25.7%) and trading (22.9%) in that order. The result in table2 is quite revealing in that it shows how displacement as a result of violent conflict affects occupation of the displaced. There is a significant change in farming occupation of the settlers from 25.7% to 48.6% which shows that more agricultural land is given to settlers and it adds to more farming activities of the indigenes. Animal rearing which had taken preeminence before displacement experienced drastic decrease from 45.7% to 20% after displacement. This change in animal rearing occupation is as a result of impact of the violent conflicts that caused most flocks to be deserted while others were used as means of sustenance by people displaced without food in bushes. However, there is a corresponding increase in trading occupation among the settlers as clearly observed in the community as a result of increase in population. Trading occupation among the settlers, increased from 22.9% to 31.4%; while fishing (2.9%) was not prominent among the settlers before displacement. The settled community showed no evidence of fishing occupation.

Table 3: Response of Settlers to official Land Allocation

		Frequency	Percent
	Yes	120	34.3
	No	230	65.7
Total		350	100.0

Table 3 shows that only 34.3% of the displaced persons have formal land allocation while 65.7% have no formal allocation. This by implication shows that majority of the settlers live on informal land. Table4 reveals other means by which settlers acquire land. Majority of the settlers got land through gift from the indigenous people (14.3%), those who purchased land (11.4%), rent (2.9%) or lease (2.9%) from the natives of the community. Table5 reveals level of satisfaction of the settlers with the process of land allocation even though only few benefitted. Majority of the settlers indicated that they are satisfied with the land allocation procedure while 17.6% were not satisfied with allocation procedure.

The Land Use Act of 1978 provides that all lands in any state are vested in the governor of the state for the benefit of all Nigerians. However, where there is legitimate improvement on the land or where there exist on the land economic trees, government is to pay compensation to the land/property owners. Table6 shows 25.7% of the indigenes were compensated whereas 2.9% were not compensated for their land takenfor resettlement purpose.

Table 1. Appendix A Communal Conflict Profile

State	Conflicts	Year
Kaduna	The KasuwarMagani conflicts	1980
	The Maitatsine uprisings	1982
	The communal clashes of Kafanchan, Kaduna and Zaria	1986, 1987; 1988
	The conflict in ZangonKataf and other parts of the state	1992
	The conflict in the Kaduna Metropolis	2000&2012
	The conflict in Gwantu	2001
Bauchi	The conflicts in TafawaBalewa and other parts of the state	1991, 1995, 2000, 2001, 2003;2007;2011 & 2012
Taraba	The communal clashes at Wukari, Takum and other parts of the state and Benue state	1990-1992 & 1999-2003
	The conflicts in Karin Lamido L.G.A	1996-1997
Bayelsa	The conflict in Bassambiri, Ogbolomabiri, Okpoma& Brass,	1990s
	The clashes in Nembe and Kalabari	1996-1999
	The conflicts in Sagama, Soku and Olusiri	1993-2001
Rivers	The conflicts in the Andoni and Ogoni	1993-1994
	Communal clashes in the Ogoni and Okrika	1994-1996
	The conflicts in Sagama, Soku and Olusiri	1993-2001
Delta	The conflicts in Warri and its environs	1997-2000
	Conflicts in Burutu LG.A	2000-2001
Lagos	The conflicts in Mushin, Ajegunle, Ketu and Agege and other parts of the state	1999-2000
Kano	Maitatsine uprising	1982
	The conflict in Kano city and other conflicts	1999-2000; 2007&2012
Ogun	The conflict in Shagamu and other parts of the state	1999-2000
Osun	Conflict in Ife-Modakeke	1981;2000-2001
Ondo	Conflicts in the Okitu papa area	1998-2000
Anambra	The conflict in Agoleri and Omuleri areas	2001
Gombe	The conflict between Billiri and Kaltungo	1999/2000

Table1: State of Origin

	Frequency	Percent	Valid Percent
Bauchi	130	37.1	37.1
Jigawa	10	2.9	2.9
Kaduna	10	2.9	2.9
Kano	10	2.9	2.9
Plateau	170	48.6	48.6
Taraba	20	5.7	5.7
Total	350	100.0	100.0

Table 2: Settlers' Occupation Before and After Displacement

	Before	Frequency	Percent	After	Percent
	farming	90	25.7	170	48.6
	Trading	80	22.9	110	31.4
	Rearing	160	45.7	70	20
	Fishing	10	2.9	0	0
	Total	340	97.1	350	100
Missing	System	10	2.9	0	0
Total		350	100.0	350	100.0

Table 4: Other ways of Acquiring Land

		Frequency	Percent	Valid Percent
	purchased	40	11.4	36.4
	rented	10	2.9	9.1
	leased	10	2.9	9.1
	gift	50	14.3	45.5
	Total	110	31.4	100.0
Missing	System	240	68.6	
Total	350	100.0		

Table 5: Level of Satisfaction with the Allocation Procedure

		Frequency	Percent	Valid Percent
	Satisfied	280	80.0	82.4
	Not Satisfied	60	17.1	17.6
	Total	340	97.1	100.0
Missing	System	10	2.9	
Total		350	100.0	

Table 6: Compensation to Indigenes

		Frequency	Percent	Valid Percent
	Yes	90	25.7	90.0
	No	10	2.9	10.0
	Total	100	28.6	100.0
Missing	System	250	71.4	
Total		350	100.0	

Table 7: Response to Valuation Involvement in Compensation

		Frequency	Percent	Valid Percent
	yes	10	2.9	12.5
	No	70	20.0	87.5
	Total	80	22.9	100.0
Missing	System	270	77.1	
Total		350	100.0	

Empirically, the researcher gathered that the majority of those who did not indicate whether they were compensated or not (71.4) were not satisfied with the compensation given to them. This also reflected in table7 showing inference to the valuation involved (77.1)

Table7 shows the indigenes response to the credibility of the compensation. From table7, out of the people compensated for resettlement purpose, 20% indicated that there was no formal valuation exercise to determine adequacy of compensation while insignificant number (2.9%) acknowledged that valuation was carried out for the compensation. This left the compensation exercise with many things to be desired.

Conclusion and Recommendation

The study examines access to land, resettlement, and compensation in post conflict area in Mararban Liman Katagum of Bauchi State, Northern Nigeria. Land plays a significant role in socioeconomic attainment of any society. Its possession stands as a status symbol and heritage kid in much of Africa's society. Any unresolved dispute on land has potential tendencies to escalate in the nearest future as noted-"today's grievances, tomorrow's conflict". Most government in developing countries of Africa, Nigeria in particular compulsorily acquires and from natives for resettlement purpose without adequate compensation and follow up program to ensure that the indigenes and the settled are living harmoniously. Most often, resettlement scheme leaves the community in disharmony as issues related to access to land, compensation and complimentarity of land uses are not well administered. This paper bears the responsibility of making a clarion call on authority concerned, in Nigeria's context the government and its agency to ensure displaced persons are adequately settled while land belonging to natives of a community is not allocated to settlers in post conflict era as this may engender future violence.

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