CREATION AND DEMOLITION OF ILLEGAL STRUCTURES IN NIGERIAN CITIES
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Abstract
The paper examined the issue of demolition of illegal structures in Benin City. The study revealed that the poor economic condition of the country forced many landlords in the city to restructure and convert their houses into mixed uses in order to make a living. In the process many illegal structures sprang up as many landlords were not enlightened enough on planning rules. The state government demolished the illegal structures in order to create room for the expansion of roads which were facing serious traffic congestions. The landlords therefore are to be blamed for erecting the illegal structures; the government is also partly to be blamed for the poor economic condition which forced the landlords to violate planning rules. The planning authority is also to be blamed for not living up to its responsibility. To avoid the reoccurrence of this, government should improve on means of livelihood of the people, planning authority should live up to its responsibility, and the public must be enlightened on the rules, and importance of physical planning.

Keywords: Structures, illegal, government, public, authority.

Introduction
Due to the increasing rate of urbanisation in developing countries illegal structures as a form of shelter are common place, (Attenkah, 2001). This has resulted to the development of slums in these countries. Weiner (2003) stated that millions of people in 3rd world cities lived in slum. It has also been predicted that by 2030, the number of slums will double if the current situation persists. This is the reason for the outburst exercise of demolition of illegal structures all over the world.

There have been many publication on the demolition of illegal structure in different parts of the world. For example, Will (1991) explained that a city had to pay a company thousands of dollars to tear down and haul away an illegally built second-story addition to a residence in United States of America.
Wan, Lo, and Young (1994) stated that in China the government’s planning department announced a policy to clear all illegal squatters from hill sides and rooftops, which made demonstrators block rush-hour traffic for an hour in protest of the government decision.
In Nigeria many publications have also taken place on demolition of illegal structures for example, Onyeose (2011) reported that Abuja Environmental Protection Board (AFPB) had carried out demolition and evacuation exercise in Nyanya and its environs. The News (2013) reported that demolition of illegal structure, by the state government in Sokoto and this will continue until the city is sanitized. Ogwuda (2013) reported that the Delta State governor ordered the demolition of illegal structures in Asaba especially those structure blocking natural waterways and drainage. Odogwu (2013) also reported that there was tension in Onitsha (Anambra State) when the state governor ordered the recovery of roads and streets encroached upon by illegal structures in Nkpor. These publications focused mainly on people’s reaction to the demolition and if there was to be compensation for them by the government. Many of these papers failed to examine how these illegal structures came about. This is the focus of this paper. The paper examines the issue of demolition of illegal structure in Benin City with the aim of finding out what gave rise to the creation and demolition of illegal structure in the city and who is to be blamed. The findings will help the public and policy makers to guide against the reoccurrence of such exercise in the future.

Methodology
Both primary and secondary sources of information were used in this study. Primary data were obtained by direct observation and informal interviews with the public, and the use of questionnaire. 300 questionnaires were distributed to the people randomly selected in the city. Each of the 3 local government areas that make up Benin City was divided into 5 parts and in each part 4 streets were randomly selected at random. On each street 5 houses were randomly selected for questionnaire administration on a member of each
household. Out of the 300 questionnaires administered 280 were correctly filled.

**Study Area**

The ancient City of Benin was the seat of the most powerful forest kingdom in West Africa, whose area of jurisdiction extended beyond the present day Benin City, (Omiunu 1988). Today Benin City is the capital of Edo State. The city has witnessed a tremendous growth in population, areal coverage and evolving pattern of urban landuse without adequate planning regulation. There has been proliferation of illegal structures in the city and this has affected the city environment. This has resulted to the demolition of illegal structures taking place in the city.

**The Origin of Creation and Demolition of Illegal Structures in Benin City**

According to Onakerhoraye and Omuta (1994) before the colonial administration, the morphology of traditional Nigeria towns reflected their social political and economic organisation. Generally, the main foci of the towns, Benin City in particular were the central market and the chief quarters or Oba palace are located. The extensive premises of the oba palace are thickly walled round with only one main gate connecting the public courtyard with the central market and the remaining part of the town. From the central area (made up of the Oba’s Palace, and the market), a number of wide roads emanate to the outskirts of the town and some other neighbouring towns. In Benin City, these major roads (like the Akpakpava, Sakponba, Mission and Ekenwa Roads) serve as ceremonial thorough fares for the annual festivals. Between the major roads, quarters of irregular size and shape surround the core, each of which was grouped around subchiefs. Another major feature of land use in Benin in pre-colonial period relates to the construction of rings of wall and ditches (moat). These were erected as defence works to ward off or minimize the risk of constant attacks. There were some unused spaces (open spaces) between the built up areas and the wall or moat surrounding it.

The intensification of land use in the built-up part of Benin during the pre-colonial period took place largely in the open spaces available in the area. The south western part of the town was reserved exclusively for the Oba’s palace. After the conquest of Benin in 1897, the palace was rebuilt and the remaining wide expense of land was released for other land-use development. Thus part of this land was used for administrative buildings while some portions were leased to European commercial firms to build wholesale and retail establishments. Other landuse activities apart from residential buildings also (such as schools, college, churches postal establishment, hospital, and banks) penetrated some parts of the built-up sectors of the town. Following the creation of the mid-west state in 1963, Benin City became the administrative head quarters of the new state. The new status granted the city not only administrative but also commercial and industrial significance unknown in its past history (table 1). Many commercial centres, such as banks insurance companies and super markets were established. Also many industries both private and government owned were established in the city.

Table 1: Concentration of industrial investment in Benin

<table>
<thead>
<tr>
<th>Size</th>
<th>No. of industries located in Benin city.</th>
<th>Total in State %</th>
<th>No. in Benin city As % of State total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 – 4</td>
<td>3,930</td>
<td>8,348</td>
<td>47.0</td>
</tr>
<tr>
<td>5 – 9</td>
<td>440</td>
<td>940</td>
<td>46.81</td>
</tr>
<tr>
<td>10 – 19</td>
<td>108</td>
<td>290</td>
<td>37.24</td>
</tr>
<tr>
<td>20 – 29</td>
<td>47</td>
<td>117</td>
<td>40.17</td>
</tr>
<tr>
<td>30 – 99</td>
<td>80</td>
<td>206</td>
<td>38.83</td>
</tr>
<tr>
<td>100 – 499</td>
<td>14</td>
<td>49</td>
<td>28.57</td>
</tr>
<tr>
<td>500 – 999</td>
<td>6</td>
<td>6</td>
<td>16.66</td>
</tr>
<tr>
<td>1000 &amp; Over</td>
<td>4</td>
<td>6</td>
<td>66.61</td>
</tr>
<tr>
<td>Total %</td>
<td>4,624</td>
<td>9,962(100)</td>
<td>46.42</td>
</tr>
</tbody>
</table>


The socio-economic and political institutions in the city represent the major centripetal forces which induced the migratory movements of population from the rural areas to Benin (Makinwa 1978). This has had much impact on the population of the city. According to Ogu (1996) the population of Benin rose steadily from about 5,753 in 1952 to 20,000 in 1972, to 709,870 in 1991. The population of the city rose to 1085676 in 2006 (2006 census). Accompanying this demographic trend has been the city areal expansion and evolving pattern of urban landuse. Ogu (1996) explained that the city had more than forty wards as far back as the 15th century. Prior to 1938, Benin City had a total built up-area of 384.2 hectares in 1938, the built up areas was 486.0 hectares. In 1952, the built-up area had increased to 949.5 hectares. By 1972, the total built up are had reached 3,000.00 hectares and in 1979, it has reached 7413.7 hectares. By 1991, the built up area had reached 25,000.00 hectares.

Up to the middle of 1980’s the neighbourhoods in Benin City had good environmental qualities unlike what obtains now. Since then there has been a chaotic and ugly environment that lacks orderliness in
arrangement of use of space in the city (Ogeah and Asikhia 2008). Since the middle 80s, the economic condition of majority of the people in the country has been very poor. Many people were either retrenched or untimely retired or do not have jobs. Even those who have jobs received meagre salaries and the retired ones hardly received their pension. The only option left for these people was to convert their houses into mixed uses (residential/commercial) in order to make a living (Table 2). In this process many illegal structures started springing up in Benin City. In some cases additional rooms were added to the buildings in the neighbourhood to provide accommodation for additional uses. In some cases, shops and kiosks were erected in front of the buildings, while in others total demolition and replacement of buildings were made. Most of these additional structures encroached on the right of way of not only the major roads but also on the access roads in Benin City.

Table 2: Nature of Modification of Residential Building

<table>
<thead>
<tr>
<th>S/N</th>
<th>Type of Modification</th>
<th>Frequency</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>No modification</td>
<td>200</td>
<td>40</td>
</tr>
<tr>
<td>2</td>
<td>Erection of Kiosk in front of building</td>
<td>160</td>
<td>32</td>
</tr>
<tr>
<td>3</td>
<td>Room portioning</td>
<td>35</td>
<td>7</td>
</tr>
<tr>
<td>4</td>
<td>Conversion of open space around building into workshop</td>
<td>30</td>
<td>6</td>
</tr>
<tr>
<td>5</td>
<td>Extension of building</td>
<td>39</td>
<td>7.8</td>
</tr>
<tr>
<td>6</td>
<td>Total demolition and replacement structure</td>
<td>36</td>
<td>7.2</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>500</td>
<td>100</td>
</tr>
</tbody>
</table>

Source: Ogeah and Asikhia (2008)

Outside these groups of illegal structure, some establishments such as banks and schools extended their buildings to the government right of way. Perhaps if the planning authority had lived up to its responsibility, the ugly situation in the city would not have arisen. There was no effective development control to regulate the erection and the use of buildings in the city and so what obtained was a chaotic situation where buildings were scattered everywhere in the city in a disorderly manner.

Effect on the City

The environmental condition of most of the neighbourhoods became very poor. This is due to the heaps of solid waste which emanate from the various commercial activities taking place in the neighbourhood. The streets were littered with waste from these activities and not much was done by various landlords or government to properly dispose them. Benin City became an ugly city because of the half hazard distribution of these facilities. In buildings where some restructuring had taken place, set backs of building were tempered with and this has lowered the quality of these buildings in addition to encroachment of some of these structures to government right of way. The city was fast becoming a stretch of shanty environment with only buildings with no open space to give life to the city. This was the scenario in the city until the present civilian government came into power in Edo State and decided to tackle the poor environmental condition and traffic congestion of the urban centres in the state. Benin City as the state capital received the highest attention of this treatment. The first step taken by the state government was the demolition of the illegal structures, on the major roads in Benin City. Among the roads affected are Airport Road, Akpakpava, Ugbowo/New Lagos Road and Sapele Road. With the demolition of the illegal structures, the government was able to expand the roads; this has reduced the traffic congestion that was a common feature on these roads as well as opened up the roads which were before these time congested with illegal structure. Though the government gave enough notice to the public before embarking on the demolition exercise, the public complained that the government was depriving them of their means of livelihood. This brings us to the question of who is to be blamed for the creation and demolition of these illegal structures.

Who is to blame?

Categorically the following groups of people are to be blamed for the creation and demolition of illegal structures in Benin City.

1. The public (Landlords): For erecting the illegal structures in the first place, the public is the major culprit, even though many of them were not enlightened on the planning rules, ignorance is not an exercise in law.

2. The Government: The government has her share of the blame. The poor economic condition of the country forced many landlords to convert their houses to residential/commercial uses in order to survive the harsh economy. In this way many illegal structures were erected in the city.

3. The Planning Authority: The planning authority also has her share of the blame. The 1946 landuse ordinance and the landuse Decree 88 of 1992 gave the planning authority power to approve any building plan before any structure was to be erected, and to demolish any illegal structure. How many people in the city knew about this power? Very few people
knew about this power before this time? Only 35.6% of the respondents from the questionnaire claimed to know about this law and power before this time. There was no effort by the planning authority to educate the public on the rules of urban planning. The unenlightened public therefore used the land the way they liked, without consideration of the environmental effects. As Weiner (2003) and Oduwaye (2006) succinctly put it if urban planning is to have any chance of successful implementation, it must be accompanied by efforts to educate the public as to its importance. If people understand the reasons for urban planning, they will be far less likely to violate legal construction standards and will likewise make objections known when their neighbours build illegally.

It is true that occasionally the planning authority did surveillance tour in the city to check illegal construction taking place in the city, this exercise did not achieve the desired effect, because of the corruption that had eaten deep in the Nigeria society. The planning authority did not ensure that there was no illegal construction taking place in the city.

Table 3: Public Opinion on who is to be blame for creation and demolition of illegal structures

<table>
<thead>
<tr>
<th>Who is to be blamed</th>
<th>Frequency</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>The landlords who erected the structure</td>
<td>125</td>
<td>44.6</td>
</tr>
<tr>
<td>The government for poor economic condition</td>
<td>80</td>
<td>28.6</td>
</tr>
<tr>
<td>The planning authority for not enforcing planning rule</td>
<td>75</td>
<td>26.8</td>
</tr>
<tr>
<td>Total</td>
<td>280</td>
<td>100</td>
</tr>
</tbody>
</table>

Source: Authors’ Field Work, 2012.

Now that the demolition exercise is taking place, it is the responsibility of the government to ensure that there will be no reoccurrence of this ugly exercise by improving the poor economic condition of the country through creation of more job opportunities and making sure that pensioners are paid. The planning authority should also live up to its responsibility by making sure that the public observe planning rules and standards. The public must be enlightened on the rules and importance of physical planning so as not to violate the rules in future.


References


Decree No. 88 (1992); Nigeria Urban and Regional Planning Law. The Nigerian Institute of Town Planners. Lagos.

The table shows that 44.6% of the respondents blamed the landlords who erected the illegal structure 28.6% blamed the government for the poor economic condition which forced many landlords to violate planning rules, 26.8% of the respondents blamed the planning authority for not living up to their responsibility. Now the demolition exercise is taking place, and the government is spending huge sum of money to demolish the buildings people spent their life savings to erect, a situation that would have been averted if the government had lived up to its expectation. Though, the government has not stated how much she has spent on the demolition exercise, experience in other countries shows that demolition of illegal structure of that magnitude is not a child play.

Conclusion

The 1946 land ordinance and the urban and Regional Planning Decree 88 of 1992 empowered planning authority to implement planning and zoning regulations and to demolish any unapproved structure which affects the aesthetics qualities of the environment. However, the public were not enlightened enough to observe this planning rules.

The poor economic condition of the country since the 1980s forced many landlords in Benin City to convert their houses into mixed uses (residential/commercial) in order to make a living. In this process many illegal structures sprang up in Benin City since many of these landlords were not educated on planning rules. There was no effective development control to regulate the erection and the use of building because the planning authority did not live up to their responsibility. This resulted to a chaotic situation where activities were scattered everywhere in the neighbourhood in a disorderly manner which affected the aesthetics qualities of the environment negatively. In essence, the landlords who erected the structures, the government that caused the poor economic situation as well as the planning authority that did not live up to their responsibilities shared the blame for the creation and the demolition of the illegal structures in Benin City.
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