

# SOCIAL STRUCTURE AND LAND USE IN BENIN CITY

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## **Abstract**

Land use determination in any community is based on the socio-economic and public interests structures existing in the community. These structures have affected land use in Benin City. This study examines the two most important social structures (the government and her agencies group and individual homeowners/small business group) affecting land use market and how they determine land use in Benin City. It also looks at the influence, power and organizational structure possessed by the groups. Appraisal method and field observation are used in this study for gathering information. Library research provided literature and some pertinent information too. The study shows that other social structures (big industries/liabilities/businesses and real estate) are also affecting land use determination and market in Benin City. But in all, the government and her agencies as a group uses its power and has become the major social structure affecting land use. The individual homeowners/small business group is a lot of impact on the land use market but has lost to government after the Land Use Act. There is therefore the need to find out the contributions of other social structures to land use market and determination in Benin City.

## **Introduction**

The consideration of Land Use determinants in any community is always based on three major factors namely: public interest, social and economic perspectives. Among the three factors, economic perspective has dominated the other two. In most cases, social considerations are relegated to the background. People see social perspective as the least land use determinant. This view that social perspective plays the least role in the determination of land use is occasioned by the fact that it is very difficult to differentiate between social and economic determinants. Hawley (1944), favoured the idea of using social realities as land use determinant than the use of classical economic models. But one notes that the three factors are in constant interaction as well as complexly interrelated. Hence, it is difficult to separate or measure their effects individually.

Social scientists, including town planners, have increased their attention to this slighted role of social perspective and structure determinant of land use. Hence, the need to derive a satisfactory theory of land use change becomes pressing for planners, ecologists, sociologists and other social scientists. It is upon this that ecological processes appeared and became the most dominant aspect of the subject matter but it tilted towards social analysis of economic behaviour. At this point, it tilted towards social analysis of economic behaviour. Therefore, there is the need to convert the ecological premises to sociological verification of land use determinants.

This study is concerned with the understanding and appraisal of the social determinants of land use pattern in the ancient traditional capital of Edo State - Benin City. This is one of the Nigerian cities undergoing serious transformation.

## **Objectives**

The objectives of this paper are as follows:

- To identify the social forces/groups that makes up the social structure in Benin City. Determine the place of such groups structure in the existing land market; and discuss the two most important of such structures operating in the city; and
- To determine the implication of such structure for a theory of urban planning and ecology, with respect to Benin City.

## **Social Structural Pattern**

The most important issues in social structural pattern are to identify, determine and analyze the social forces/groups operating in any urban land market which determine the land use. This is followed by the understanding of the roles of the social structure in land use determination. Urban land market is highly organized and dominated by different organizations taking part. These organisations in most cases are formally put together because of their understanding of what is at stake. Form (1973), identified these groups as social structure congeries that determine land use in

cities of United States of America. He classified these social structures into four categories namely:-

- The Real Estate and Building Business,
- The large industries, Business and Utilities
- The individual homeowners and other small consumers of land, and
- The local government and her agencies.

According to Form, the study of these groups exposes one to the parameters of ecological behaviour, relationship between the groups, pattern of land use and the institutional pressures which maintain the ecological order. He demonstrated how the above social structures influence, control, determine and change in land uses.

Chapin (1978), discussed socially rooted values and land use planning as determinants of land use. In Chapin's study, the processes of aggregation, social behaviours of man with respect to ideals, customs, traditions, economy, politics, technology and the physical environment were fully considered as part of human basic drives for survival, thereby determining and affecting land use. These values and ideals are the products of human experiences which are reflected on the landscape as development and land use activities. Land use planners must try to understand interpret, harmonize and predict these mass values and behaviours in a community.

Firey (1947), in the study of "Land use in central Boston", pointed out that space is a productive agent as well as a symbol, and people or group choose locations not only in relation to market considerations but also in response to social values and ideals. He identified three kinds of influences that are values and ideas exert on land use. These are "retentive, recuperative and resistive". Firey, concluded that values and ideals are indeed self-sufficient ecological forces which have very real causative influence upon land use.

### **Social Structures in Benin City**

Some social structures have been identified in Benin City. These structures include individual homeowners; small businesses, big industries, utility companies; big businesses, government and her agencies; market associations; building and real estate agents; and cultural groups. These groups were categorized and grouped inline with Form's social structure groups that determine land use in any city with little modification. These groups are: -

- Individual homeowners/small businesses group;
- Big industries/businesses/utilities group
- Real estate and building industries group and
- Government and her agencies group

Among these groups, the individual home owners/small businesses and government groups have been identified as the major land use determiners in Benin City. The big industries/businesses/utilities group members were found to be in most cases former government establishments by the colonial master as well as Nigerian government after independence. It was of recent that indigenization and privatization policies reduced government participation in those establishments. But land allocation to this group still rests on government or its agencies. This is with regards to the provision of land use law and Nigerian Urban and Regional Planning Law (NURPL). Even, the real estate/building industry group -Edo Development and Property Authority- that is existing in Benin City was established by the then Midwestern State Government. This is a well-known governmental agency in the city. Hence, governmental group and individual homeowners/small businesses groups are seen to be dominating land use market in Benin City. Therefore this paper focuses on governmental and individual homeowners groups.

### **The Elements in the Analysis of Social Structure and Land Use in Benin City**

The establishment of social structure pattern and dimension existing in the city brings to bear the nature of social relationship among and between the organizational groups involved in land use actions. The basic element in the analytical framework adopted here is appraisal of the relationship among the land consuming groups with the aim of establishing how much influence they potent on the land use decisions. Considerations were given to the amount, types of economic resources and power each group possesses to support its land use decisions and claims. Equally, the groups' components, organizational structure, roles, and behaviours were considered.

## **Government and Her Agencies Group**

Government and her agencies as a group means government at all levels federal, state, local, city, communities, wards, parastatals, ministries and individuals licensed by government to represent her. Considering this group as a land use determiner was viewed from the amount and type of resources available at her disposal, and the power, functions, internal organization, image and relationship between and among the agencies and other groups involved in land use determination. This organizational complex is loosely knit internally, but its segments often function at cross-purposes.

The segments' relationships to other groups in the city vary with current political issues as well as the use of big governmental power. An important fact to mention is that government is the sole custodian of the land in Nigeria, in keeping with the Land Use Decree of 1978. The decree vested the right to land to the Government and her organs. But before the decree, government had been involved in land use in Nigeria since 1902, with the vesting of "the right on land into the hands of the British Administrators in the Northern part of this country" (Udo, 1990). This was against the customary right to land which was practiced before the colonial masters came into Nigeria. The land tenure practiced in both the Northern and Southern parts of this country varied up to 1962 even with the attempts to unify it with the land law and tenureship practice.

The Customary Right to land attests that land is owned by communities, families, and powerful indigenes in most communities. This provided for the right to occupy and determine the use of a piece of land. The governmental group applies laws and power to appropriate land. The government and its agencies after appropriating of land by law provide "certificate of occupancy" and not ownership for customary and statutory rights to land. The customary right is the right for an indigene to occupy and use land without any time limitation. But the statutory right provides right to occupy and use land for a period of ninety-nine (99) years. Both rights can be revoked by the government and her agencies if need be as contained in the Nigerian Constitution and the Nigerian Urban and Regional Planning Law (Federal Republic of Nigerian, 1992). Government made it clear that she has the responsibility to see to the proper planning and use of the land in the country according to the Land Use Act. In practice, the governmental group made and are still making a lot of input in land use market as powers to expropriate land in their name and in the names of any interest/beneficiaries which can control the land.

Government uses her powers to zone land for different uses. She declares "planning and improvement areas" at different locations in Benin City and its environs. Government expropriated land to the big industries/businesses/utilities companies such as all governmental offices, the breweries, markets, Power Holding Company of Nigeria (PHCN), Nigerian National Petroleum Corporation (NNPC) and her subsidiaries and former United African Company (UAC) and her allied companies and subsidiaries. These companies occupy strategic locations in Benin City along Sapele, Akpakpava, Mission, Oba Market, Agbor, Auchì, Ogba, Dawson and Uselu-Lagos roads/streets. In most cases, the land these companies or services occupy is in excess of what they need and they have enough resources and capital to protect it. The land is given to them to attract their tax resources. Again, the location and activities of these companies dominate the landscape where they occupy as well as generate other activities like housing, transportation, and provide some services (Murphy 1974). Moreover, the government and her agencies have the power to control all the land uses as well as mediate if there is conflict over a piece of land.

The Town and Country Planning Ordinance No. 4 of 1946 provision for replanning, improvement, and development of different parts of the country by means of planning schemes by the planning authority is still there in the Nigerian Urban and Regional Planning Law (NURPL) Decree 88 of 1992. Obialo (1983), recounted government involvement in the determining and use of land when the Town and Country Planning Law was widened in scope to "Regional Matters".

In 1969, [he then Mid-Western state which later became Bendel state, now Edo State and Delta State with Benin City as capital, established a "Development and Property Authority". Presently, this authority is known as Edo Development and Property Authority (EDPA). The EDPA is a government agency functioning as Real Estate and Building Industry. EDPA has been very functional and organized since its inception. The authority as a real estate company has the visions of expanding city and market; increase in property value and income; planning ahead, control and stabilization of market. This authority's major functions up to date are planning and development of urban and rural centers in the state and Benin City and her environs in particular. It provides some

systematic and coordinated planning, improvement and development services which include acquisition and disposal of land for different planning schemes, housing, operation of mortgage loans, property management, preparation and execution of plans which are contained in the Edict No.3 of 1959 establishing the authority.

EDPA's vision of expanding the city, market opportunities, and plan ahead has led to the city's expansion spatially and by population. Spatially, the city has expanded from nine hundred and forty-nine (949) hectares in 1952 to twenty-five thousand (25,000) hectares of land in 1991. It has also grown from a population of 53,700 to 709,700 people at the same period (Ogu, 2000). This growth is witnessed in the city on the physical landscape along the major arteries into or out of the city. Equally, the former green areas within the city's original plot layouts have been filled as was observed during field inspection. This spatial growth has engulfed the smaller communities surrounding the city such as Ekosodin, Isibor, Etete, Ekae, Evbuotubu, Ogida, Ugboyoko, Aduwawa and Eyea.

Population wise, Benin City has continued its growth considering the population figures between 1952 and 1991. This is a population increase of 1,221.60% in 39 years. Using the World Health Organisation (WHO) 2000 yearly growth figures of 2.5% for Nigeria to estimate Benin City's population, the population should be about 950,000 people in year 2005. This growth is related to the geographical location, functions as a state capital, major city in its region, the services provided and the expanse of land surrounding the city. This is a conservative estimate.

The above facts are what EDPA envisioned and planned ahead as a government agency. EDPA involved all other groups in the land market as it provides governmental assurance and security. It provided the lead for other real estate and building industries existing in Benin City today. The functions of EDPA are related to the provisions contained in the NURPL.

The NURPL contains pertinent information regarding government and her agencies' involvement in land use matters. It states in Section 75.1 that:

where it appears to the Commission, the State Board or the Local Planning Authority that it is necessary to obtain any land in connection with planned urban or rural development in accordance with the policies and proposal of any approved plan, any right of occupancy subsisting on the land shall be revoked on the recommendation of the appropriate authority".

Section 75.2 states "Any right of occupancy held in pursuance of Subsection (1) of this Section shall be revoked in accordance with the relevant provision of the Land Use Act.

This law is applicable to Edo State and Benin City in particular as the State capital and the largest urban center in the State.

In the NURPL, government vested the physical development plans for the towns, rural, local, urban, cities, and subject plans in the hand of government agencies. In Benin City, these agencies subdivide any land declared as a "planning or improvement area", extend some services and amenities in the area extended before the sales or allocation of plots by the government. Finally, government through its agencies applies development controls in the area to protect and promote public interest, health, safety, and well being of the people. Some of the agencies involved are Planning Office, EDPA, Department of Land and Survey, Ministry of Works and Housing, and individuals/firms licensed by the government to control the orderly growth and land use in the city. In most cases, problems are created between government agencies and the other groups whose right to the land is denied. The agencies in trying to mediate in land use problems at times take over the piece of land and dictate its use. By so doing, the problems remain unresolved as the right to the use of some land in Benin City is mainly rooted in social and economic values (Mabogunje, 1974).

Institutionally, land use in Benin City is entrenched in the traditional customary rights of ownership. Land belongs to the community and the trust and control of the use of land is vested in their leaders - Odionweres, chiefs and the Oba who has the final say. Before the Land Use Decree of March 29 ' 1978, the application for land ownership in Benin Kingdom by any group or individual was routed through the communities' leaders to the Oba (Adagbasa, 2004). The Oba as their leader grants freehold to the applicants through the community leaders. Hence, there existed different land tenureship in Benin City. These include the public, family/individual and the unallocated jointly owned lands by the community. Hence, all the land in Benin Kingdom is owned by someone. The vesting of land into the hands of the government created more problems as a lot of resistance had been encountered. The application of both the statutory and customary right to the use of land by the government created confusion and made the matter worse. Till date, government has not addressed the issues. This has aided and abated government and those in government to grab more land for themselves from the

communities and jointly own land. The Land Use Act is being applied the way it will favour those in government and not the general public. It is an indication that the Land Use Decree is dead. Individually, one who purchases land through the statutory rights in the city or its environs and does not have the customary rights to the same land ends up losing the land. Hence one must procure both the statutory and the customary rights to land in the city before one claims the ownership.

Government and her agencies use zoning, land subdivision, 'power of eminent domain' and other tools available to dictate and direct the use of land. This is applicable nationwide. Again, community governments around Benin City attract some government agencies or the general public and allocate land to those who would help them in developing their communities. Government has also used the "power of eminent domain" to take over some community and private lands for public interest. In many cases parts of the land are converted to private use by those in government. Examples are the land meant for 'Industrial Development Centre' along Upper Owina Road, Evbuotubu; Ewonara Industrial Layout; Library site opposite the Oba Market; and land for the New Stadium Complex in Etete all in Benin City. This is an abuse of the provision of the power of 'eminent domain' and taking over of land for public interest by those in government. All the above show the roles of government and its power in land use market and determination in Benin City.

### **The Individual Home Owners/Small Businesses Group**

This group is very important in land use determination in Benin City and throughout Nigeria. It is the most prominent of all the consumers of land as well as the group that fills the gap and purchases individual plots which other groups have left or want to sale. In most cases, this group is the final consumer of land and really determines land use in Nigeria and particularly in Benin City. Even the government and her agencies rely on this group to take over and purchase the land after the layout or subdivision has been completed and sale of plots commences.

This group is seen as having the least organized economic resource base, but they act individually. The purchase of land by this group is with respect to the desire and economic power of the individual members. The group has at the back of its mind the economic gains and security of their land investment. The group's attachment to its neighbourhood is seen as a tool of remaining within it and making sure that it prevents encroachment from other activities unless it will be in its own favour economically. Under such conditions, the people concerned would like to take advantage and make more economic gains. This is exactly what is happening in the central area Benin City recently. Some of the old residential buildings are sold for much gain to those who want to buy them. Most of these activities are haphazardly carried out without zoning, hence mixed land use is obtained. The control mechanism is not applied properly due to lack of manpower, poverty and the Nigerian factor - bribery and corruption.

The individuals while trying to protect their investments become conservative to land use change. Thus, they prevent encroachment of other land uses that will be inimical to their property, while allowing those activities that will make their property values appreciate. In Benin City, the group members are after the enhancement of their investment and personal wellbeing, which is the bottom line of their interest.

It is noticed that members of this group cleave to themselves socially by desiring to acquire land and live within one's own ethnic group, socio-economic status similar to one's own and household of similar characteristics such as education, income, employment and age of family. The other factor of importance is segregation or ethnicity dimension in Benin City which reflects on social area analysis. In the City, people speaking the same language - Igbo, Yoruba, Hausa/Fulani - cluster together or purchase land next to each other. The Igbo's dominates the New Benin area and Ikpoba f-IMI-Agbor Road area. The Binis dominate the City core, while the Moslems (Hausa/Fulani) group cluster next to the Central Mosque, Lagos Street area and along Auchu Road. The elite are found in the Government Reserved Area (GRA) and around the University of Benin Main Campus - the Ugbowo area and some newly developed housing estates. The residential parts of the city may be partitioned on social characteristics of the population or land use with respect to individual and small business groups.

These groups also cleave to governmental agencies, larger industrial, businesses and utilities, transportation, and facilities to locate and purchase land. The other groups provide them incentives for locating around them. The government and her agencies provide services/facilities as well as utilities, while industries and businesses provide job opportunities to assure that individual homeowners are protected and satisfied. Equally, the homeowners/small businesses group provides

some services to (he governmental and big industries/businesses/utilities groups in the form of labour and housing. Therefore, the change in the social system is as a result of individual and group actors setting their own criteria for actions seen among the social structural groups acting in the urban land market.

In Benin City, the individual homeowners/small businesses depended on customary right to secure land for development until the Land Use Act of 1978. Land was easily secured through the customary rights. But the Land Use Act and the application of statutory right by the government made it difficult for the group to secure land in the city. The Act brought in some confusion as government directives and implementation are not clear and are being contested by the original land owners -landlords. This is why the customary rights of land are still very effective in Benin City.

This group views (he city as its own neighbourhood, which should be protected, beautified and admired. It is their homes, hence services such as streets, drainage, safety, health, transportation^ water, telephone and fire protection should be provided. Also, beautification of the environment is a crucial aspect that should be provided. These items affect both physical and psychological aspects of individuals and groups, Hence the provision of rules, policies regulations, standards, and planning to protect man from hazardous environment is very necessary.

### **Planning Implications of the Study**

The aim of any land use study in an area is to plan for the future. Man has continued to influence and change the land use pattern in the urban area rapidly in order to satisfy his needs, wants and innate behaviour. Most of these needs, wants and behaviours are difficult to identify, analyze and keep tab on because of their complexity within an urban area. Planners, city administrators, politicians and the general public, have different views with regards to land use in their community even when there is an existing land use development plan. The land use development plan in most cases is long-ranged intent for the future, but it is not adequate to accommodate all land use- oriented behaviours.

In Benin City, zoning is not effective, and is not practiced or adhered to even when government and her agencies zone land for particular use. It is those in government and her agencies that violate the zoning. Moreover, in a developing nation like Nigeria where mixed land use is practiced every group or social structure and individuals are on their own organizing the land use that will benefit them. Studying the social structures helps planning to focus attention on the other slighted considerations and technical procedures for determining land use. Also, it helps in highlighting and indicating the need for potentialities of fitting plan effectuation activities and instruments which will be more successful and meaningful to land use practices. Therefore land use practice must go beyond the existing practices of the groups considered while studies should focus on the public interest considerations such as safety, health, convenience, amenity, political future and economy in the city to understand what is presently determining land use in the city. Planning should equip and arm itself with tools, personnel, and knowledge of land use process beyond the present practices to be able to control, influence, and encourage meaningful and successful land use development in the traditional expanding city undergoing transformation. These tools should include effective zoning, subdivision, regulations, standards, monitoring and implementation machinery; public information; manpower training, proper and adequate use of police power and power of eminent domain, and a check on the excesses of political office holders with regards to the use of dedicated lands.

### **Conclusion**

The study shows clearly that the social structure of any urban area determines largely the land use pattern that exists on the landscape of such a place. The four structures - government and her agencies; individuals/homeowners and small businesses; larger industries, businesses and utilities; and real estate and building businesses - are exerting a land use decision according to their economic resources, political power, latent function in the land market, internal organizational structure, their views concerning the city, orientation and relationship with other levels of the structure. Again, the four groups or levels do not represent all the social structures in the city determining the land uses. But they are the major ones. The government and her agencies and private homeowners/small businesses dominate land use market in Benin City, while the large industries, businesses and utilities follow. The real estate and building businesses agent exerting some influence on land market is the Edo Development and Property Authority. This is an arm of government mandated to perform such a function. The other real estate and building businesses are still struggling and trying to organize

themselves in order to make some impact on the land market and determination of the use of land in Benin City.

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