

Land Wars:
The Political Economy of Nigeria's Displacement Crisis

by

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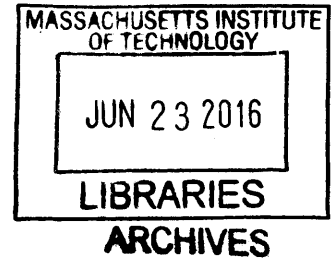
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Submitted to the Department of Urban Studies and Planning on May 19th, 2016 in partial fulfillment of the requirements for the degree of Master in City Planning at the Massachusetts Institute of Technology.

Thesis Advisor: Balakrishnan Rajagopal, Associate Professor of Law and Planning

Abstract

“They were burning our houses in the night. We lost everything. Then the policeman came, and the people thought they were here for our security. Until they started shooting.”

- Resident of Ilu Birin, Lagos, Nigeria. Evicted to make room for a luxury high-rise.

By all accounts, the world has entered a modern displacement crisis. Unprecedented millions have been uprooted from their homes by armed conflict, disaster, and land grabs. The traumatic impact of forced displacement is well documented. Yet the initial displacing event is typically only the beginning. Once displaced persons are forced out, they encounter a maze of institutional arrangements that will determine their fate. National and state borders, decades-old international conventions, land and property regimes, and the varied logics of humanitarian response all circumscribe the experience of displacement. These institutions govern assistance allocations, the prospects for legal redress, and even who lives and dies. With the stakes so high, we are compelled to ask: do these existing mechanisms correctly identify and protect the most vulnerable?

In this thesis I examine Nigeria's forced migration epidemic as an illustrative case. Nigeria faces twin displacement crises. The Boko Haram insurgency in the northeast has displaced more than 2.3 million people, both internally and across national borders. Meanwhile, development projects have displaced another estimated 2 million. The conflict-induced migration is well-documented in secondary literature. This study complements it through fieldwork in ten communities displaced by development projects in Lagos, Port Harcourt, and Ogoniland. Victims of land grabs and forced evictions in Nigeria face violence, homelessness, joblessness, family separation, food insecurity, increased disease morbidity, and disruptions to children's education. Through a comparison of the institutional responses to this crisis, I interrogate existing displacement governance regimes, and begin to evaluate possible alternatives.

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Since then, MIT DUSP Professor Balakrishnan Rajagopal has shaped my thinking about displacement issues tremendously. Throughout coursework, collaboration in the Displacement Research and Action Network, and as advisor to this thesis, Professor Rajagopal has taught me to view displacement as part of a system of both local and global actors. He has encouraged me to adopt a critical perspective on this case that typifies the International Development Group at MIT DUSP, and helped equip me to develop it in depth.

Several other faculty members heavily influenced my thinking in this thesis. I'm grateful to Professor Gabriela Carolini for her mentorship, feedback, and reminders to re-politicize seemingly objective technical knowledge. Likewise, Professor Deborah Stone provided me with fantastic feedback on both substance and style in the early phases of this project. Miloon Kothari provided me with deep instruction in human rights and displacement, and Professor Karen Jacobsen at the Fletcher School of Law and Diplomacy walked me through the intricacies of international law and institutions surrounding forced migration. Two graduate student colleagues, Isadora Cruzen and Jenna Harvey, were instrumental throughout the process, providing endless feedback, motivation, and emotional support.

It is impossible to overstate how grateful I am for the support of my wife Katelyn, who has put in as many hours listening to me talk about this research as I have doing it. Even in conducting the research itself, she supported me as a co-interviewer with expertise in trauma and maternal and child health, as a superior field note-taker, and by arranging our just-in-the-nick-of-time travel and Nigerian visa details.

Most importantly, I need to thank JEI for facilitating this fieldwork, and the displaced community members for trusting me with their stories. Megan Chapman, Olusola Babalola, Rasheed Shittu, Andrew Maki, and Professor Maurice Fagnon (Center for the Defense of Human Rights and Democracy in Africa) all modeled dedication to this work, and were responsible for making our trip possible. They helped with everything from introductions and translation to logistics, enabling us to get a tremendous amount out of a short time.

The internally displaced community members I met with shared deeply personal and traumatic stories of violence and forced eviction. Their courage and determination to advocate for their rights has been remarkable and deeply moving. No academic thesis can do justice to the lived experiences of those displaced and dispossessed. Instead, I aim only to represent the members of these communities—in both their full dignity, and in the urgency of their circumstances.

I. Introduction: Governing the Displaced in Nigeria

Background and Research Questions

In the aftermath of World War II, the 1951 Refugee Convention aimed to codify protection for those fleeing Eastern Europe. The 1967 Protocol to the Convention would broaden the treaty to include those impacted by displacement events elsewhere. Yet under the current classification scheme, other “involuntary migrants”, as some scholars have labeled them¹, are denied the protections of refugee status either because of their geographic location or the nature of their displacement. Ostensibly, the existing refugee definition aims to assist those who have “lost the protection of their state,” and border crossing is considered a primary measure of this. Unfortunately, this measure is far from perfect. Internally Displaced Persons who have lost the protection of their state are excluded from this initial sorting, falling into a gap in the international protection regime. Arguably, crossing an international border is more a measure of a migrant’s *success* in fleeing, rather than validity of their motive for doing so.

Refugee classification excludes those who it deems insufficiently persecuted to qualify for protection, including those fleeing generalized violence, famine, natural disaster, climate change,² state-led community demolition, and economic crisis.³ The Internal Displacement Monitoring Center estimates that there are more than 30 million IDPs in the world today, roughly triple the number of refugees.⁴ Clearly, the differential treatment is

¹ Turton, “RSC Working Paper No. 12: Conceptualising Forced Migration.”

² Hummel, Doevenspeck, and Cyrus Samimi, “Climate Change, Environment and Migration in the Sahel.”

³ Castles, “Towards a Sociology of Forced Migration and Social Transformation.”

⁴ “IDMC: Global Figures.”

not for lack of magnitude. Yet strangely, the response to disasters and emergent crises are comparably well-resourced, and arguments for burden-sharing in these instances often face an easier political battle. Ostensibly, state and NGO funding and operational efforts to address human suffering are based on a commitment to human dignity. But if that's the whole story, then what explains the tremendous variation in support for comparably vulnerable and disadvantaged displaced populations? And what are the ramifications of this variation?

The refugee-IDP protection gap is paralleled by the split between humanitarian relief and development assistance. The Sphere Project, which aims to set minimum standards for humanitarian response based on the ethos of humanitarian intervention, makes the notable exception that "In situations where the vulnerability of local populations to disaster is high or where there is widespread poverty or prolonged conflict, it can be the case that the Minimum Standards exceed normal everyday living conditions."⁵ Somehow, the suffering of those facing acute or emergent situations, or displacement *events*, is more worthy of alleviation than those facing worse situations in the status quo, who might benefit from development programming instead. Likewise, humanitarian interventions follow a "back-to-baseline" logic; if a community already lived in abject poverty with poor mortality and nutrition indicators before the "humanitarian crisis", humanitarian intervention only aims to return them to their prior condition. In both this case and the protection gap scenario, distinctions in who is worthy of assistance seem arbitrary at worst, and politically motivated at best.

⁵ Project, *The Sphere Handbook 2011*. p 14.

Assistance for the displaced is arguably inadequate for nearly *all* forcibly displaced communities and individuals. But need is certainly not the primary metric that determines who among them receives protection and humanitarian or development aid. Instead, resources are distributed based on where one falls among three categories: internally displaced by development processes or political structures, internally displaced by acute conflict or natural disaster, and those displaced across national borders who legally qualify for refugee status. These distinctions are the main determinants of which displaced persons receive humanitarian aid or legal protection, and how much they get.

For those facing displacement by development projects, protection functions differently. Rather than needing assistance in the face of disaster or conflict, development-induced IDPs are often evicted *by the state itself*. Planning, economic development, and land use policies serve to forcibly evict residents from indigenous communities, slums and informal settlements, and even formalized title-holding neighborhoods. In these cases, development-induced displacement becomes a planning and development problem as well as a humanitarian one. How ought our understanding of displacement change when states can control if, when, and how it happens? Does it matter if a family is displaced by an earthquake, flees violence across a border, or has their home burned down or farms seized in the name of “highest and best use” land and natural resource planning?

There are four primary actors and mechanisms that constitute this network of displacement intervention: the state, humanitarian and development organizations, displaced persons and communities, and the international legal regime that prescribes state obligations. Understanding how the protection gap operates and is navigated in

Nigeria requires an in-depth case study tracing how the gap operates across all four. Two questions drive the central research agenda of this project.

Question 1: How do the impacts and institutional responses differ across categories of displaced persons in Nigeria, especially for those displaced by development projects? *What struggles does each group face? How do they compare? What type of institutional response, support, or antagonism do they receive? How does this compare?*

Question 2: What logics underlie the institutional responses to displacement, for both the Nigerian Government and global actors? *Are they evolving? If the protection of human dignity isn't the prevailing logic that guides displacement policy and planning in Nigeria, what is? In what ways do Nigeria's politics and history, alongside the institutional politics of UNHCR and other international bodies, shape the response? How do development and humanitarian practitioners delineate an obligation to intervene, and how does the state? How do narratives of victimhood and agency shape the distribution of aid to displaced persons?*

Deconstructing the role of property, notions of altruism, sovereignty, the development/relief divide, and the diverging implications of human rights law and humanitarian law are fundamental here. Territoriality also plays a pivotal role, as it can serve to privilege jurisdiction over justice. Through this comparison and deconstructive approach, I aim to shed light on the symbolic discourse of intervention and to better understand how states and international agencies construct the moral argument for intervention and protection, and how they justify its absence. If political humanitarianism is the prevailing rationale for state and agency response, is this unspoken or openly acknowledged?

Here, I hypothesize that there may be an ideological disconnect between many humanitarian professionals and the organizations they represent. While agency staff might be involved because they care deeply about human dignity, which displaced groups receive aid is more likely to be a function of the political landscape, history, and state or funder interest. This presents a potential challenge to the reliability of state and agency representatives interviewed in this study. It is important to acknowledge that what officials are willing to say on record likely paints their organization in a favorable light.

Likewise, I want to explore how perceptions of the agency or victimhood of aid recipients influence community outcomes. Current scholarship has focused on refugee agency, largely excluding the agency of IDPs. Nonetheless, existing studies are instructive. Bram Jansen has tackled Kenyan refugees' negotiating strategy directly, finding that many "negotiate vulnerability" and assertively navigate the protection and assistance mechanisms, sometimes even exaggerating vulnerability to qualify.⁶ Lucy Hovil explored self-settled refugees in Uganda, investigating how some refugees choose to forego refugee status and its benefits (equated with camp settlement in this context) to gain more control over their lives.⁷ Their work sets the stage for another type of comparison: what strategies do displaced communities employ to advance their interests? Do tactics differ when they aim to influence the state compared to humanitarian and development actors? To whom do they wish to appear assertive, and to whom do they wish to appear vulnerable? Does conflict-induced displacement lead to different strategies and mobilization narratives than development-induced displacement? I am particularly interested to see how vulnerable

⁶ Jansen, "Between Vulnerability and Assertiveness."

⁷ Hovil, "Self-Settled Refugees in Uganda."

and displaced communities engage in traditional political “venue shopping”⁸, and how this process is shaped and mediated by their displacement status. A comprehensive assessment of IDP venue shopping is outside the scope of this study. However, by examining the political contestation and resistance practices of displaced communities in Nigeria, we can begin to trace the contours of the hero-victim narrative in displacement response.

Case Selection and Methodology

Since Boko Haram’s resurgence in northeastern Nigeria in 2010, the number displaced by the conflict exceeds 2 million, nearly 1% of the country’s total population.⁹ Today, Nigeria has more IDPs than any other nation on the African continent, as an unprecedented number of people have fled the group’s violent presence to other parts of the country and neighboring nations. So far, the state has struggled to contain the threat, and the scale of the unrest is widely considered the country’s greatest contemporary challenge. But meanwhile in Abuja, Lagos, and Port Harcourt, a comparable number have been displaced by a completely different threat.¹⁰

Al Jazeera described a 2012 confrontation that led to the displacement of more than 100,000 in only 72 hours, explaining that “men in speedboats were sent to destroy their houses”, “men armed with machetes and power saws descended on the shantytown,” and that “community chief Timothy Hunpyanwha” was “shot dead.”¹¹ Yet, unlike in the northeast, the displacing force was not a religious extremist group. It was the state itself.

⁸ Baumgartner and Jones, “Agenda Dynamics and Policy Subsystems.”

⁹ “IDMC: Global Figures.”

¹⁰ “IDMC » Nigeria: Multiple Displacement Crises Overshadowed by Boko Haram.” | More than 2 million have been displaced by development projects and forced evictions since the year 2000.

¹¹ “Nigeria Forces Thousands from Floating Slum - Al Jazeera English.”

According to the Internal Displacement Monitoring Center (IDMC), government-led efforts to force informal slum dwellers from their homes have nearly matched the displacement caused by Boko Haram's religious violence, all in the name of economic development on the already-occupied lands. Clearly, not all displaced persons in Nigeria are treated equally by the state and international actors, but in what ways, and on what grounds? And more importantly, how do these distinctions shape the lives and mobilization strategies of displaced persons themselves in this historical moment? The convergence of these multiple sources of displacement within the jurisdiction of a developmentalist Nigerian state, and the rights-based social movements that have sprouted up in response make it an ideal research site for examining these questions.

There is substantial documentation of the events of the conflict and surrounding displacement, and relatively little about those displaced by development. In light of this, interviews and site visits were conducted across ten development-induced displacement sites in Ogoniland, Lagos, and Port Harcourt, complemented with interviews with staff at international agencies involved in the response, many of whom are based regional in Dakar, Senegal.

To document the extent of the disparity at the displacement sites I visited, I conducted key informant interviews, focus groups, and participant observation in legislative hearings and community meetings. Interviews were semi-structured, including prompts for general reflection from participants, and questions derived from a Multi-Sector Rapid Assessment (MIRA) survey using the Kobo tools humanitarian evaluation platform. An explicit objective of this study is to examine the development-induced displacement through the lens of humanitarian impacts and response; MIRA-inspired questions help facilitate this

comparison. Throughout July and August 2015, I directly interviewed about 40 respondents in communities, international agencies, and government. Justice and Empowerment Initiatives, a community legal empowerment organization based in Lagos, facilitated my access to the communities, and was instrumental in providing introductions, background, translation, and logistical support. I was accompanied on interviews by a U.S. social work graduate student, who helped conduct interviews, generate questions, prepare notes, and communicate with displaced women about their experiences.

While conducting this research, I worked to remain aware of my own positionality. I entered these communities as an outsider, for a very limited research engagement. By using an organization to help me gain access to the communities, I was introduced to people by a trusted partner; this is different from being trusted myself. Interviewees were in an extraordinarily vulnerable position as a result of their displacement, and I made sure to explain that I had no material assistance to offer. As a result, most interviewees requested that I record their responses in writing or video as a “statement”, akin to a legal testimony. To that end, I have tried to present their words as faithfully as possible, using their descriptions of the displacement events and their impacts. I have aimed to present their subjective experiences here, but I have my own subjectivity as well. My sympathies are strongly with the displaced communities, who I have seen face numerous human rights violations. One community asked me to testify to that effect in a Lagos state assembly hearing, so the government might know that researchers from the U.S. were watching their case; I gladly obliged. Since these opinions may have shaped how I interpreted my data, I disclose them here. Nevertheless, I have sought to produce a fair picture of the displacement crisis in Nigeria.

Academic Discourse: From “Refugees” to “Forced Migrants”

Existing literature in the field provides a helpful framework for addressing the lack of protection for internally displaced persons. The arbitrary nature of the protection gap has led to the development of a distinct school of thought in refugee research. Over the past 20 years, “forced migration studies” has emerged as an area of inquiry, pushing back on the exclusionary nature of “refugee studies”. UNHCR policy advisor and migration scholar Jeff Crisp has written on the wide variety of migrants excluded from the traditional refugee definition.¹² Steve Castles has defended this shift, calling attention to the distinct characteristics and needs of forced migrants.¹³ David Turton has defended on the basis that “the reason for separating out forced migrants from the wider category of migrants is that *forced migrants* make a special claim on our concern. They require us to consider issues of membership, citizenship and democratic liberalism.”¹⁴ From an advocacy perspective, this discursive shift works to further the cause of oft-overlooked IDPs. Missing from this analysis, however, is that fact that “issues of membership, citizenship, and democratic liberalism” are at stake in *all* migration, regardless of where it sits on any spectrum we invent to measure what constitutes *forced*.

Critical legal scholar B.S. Chimni offers an alternative perspective on these developments in the discourse. While not opposing them outright, he offers the view that forced migration studies still legitimates what he calls a “political humanitarianism”- a neo-

¹² Crisp, “A New Asylum Paradigm? Globalization, Migration and the Uncertain Future of the International Refugee Regime.”

¹³ Castles, “Towards a Sociology of Forced Migration and Social Transformation.”

¹⁴ Turton, “RSC Working Paper No. 12: Conceptualising Forced Migration.”

colonial attempt to prop up an imperial-humanitarian world order.¹⁵ Chimni also identifies “muscular” and “market” humanitarianisms as part of this complex. He elaborates:

Humanitarian organizations have become, as Donini et al. note, ‘a largely owned subsidiary’ of dominant states, subjecting them to their political and security interests (2004: 260). Bilateralization of aid, earmarking of funds, and control over budgets by states are among the instruments of control (2004: 262 ff). This understanding has, in the words of Barnett, ‘swept them...’, into the world of politics. Humanitarian agencies and states began to share agendas’ (Barnett 2005: 724).

Chimni’s research interrogates the motives for intervention that underlie the categories of forced migrant and humanitarian assistance. However, Chimni’s stance demands a moral purity for intervention that is analytically fruitful, but politically unrealistic, limiting its usefulness for incremental inclusion of IDPs in the protection regime. States and international aid actors will naturally continue to act in their perceived self-interest. Nevertheless, his call for an honest assessment of Western countries’ motives for intervention provides an important lens for explaining gaps in protection, and potential avenue for establishing limits on the self-interest of states. This field research aims to build upon Chimni’s historicization of forced migration studies’ emergence as a field of inquiry. Specifically, how have the processes he traces left their mark upon the lives of displaced persons in different contexts?

¹⁵ Chimni, “Birth of a Discipline.”

II. The Boko Haram Insurgency: CIDR in Nigeria

The conflict in northeast Nigeria has exacted an enormous human toll. The nature of the organization, and its particular threat to the Nigerian state shapes the political context for humanitarian response efforts. We must examine the details of the conflict between Boko Haram and the state to understand the backdrop of the displacement crisis, to which the narrative surrounding relief efforts is inextricably linked. Compared to the development-induced displacement crisis, the conflict's details and consequences have been relatively well-documented. The nature of the conflict-related displacement, its scale, and the level and type of humanitarian response all serve as key points of comparison to understand Nigeria's DIDR crisis.

Boko Haram and Nigeria in Conflict

One evening in April of 2014, Islamist militant group Boko Haram attacked the town of Chibok in Borno state, Nigeria. Insurgents kidnapped nearly 300 girls from a school during their final exams. For a group whose name translates roughly to "Western education is forbidden", the attack had both human and symbolic significance. The severity of the attack, coupled with the activism of the #BringBackOurGirls campaign, catapulted Boko Haram into the headlines of Western media outlets. But in Nigeria, the threat posed by the group was nothing new, even if this latest violent act had been particularly brutal.

Though the group formally began in the 2000s, N.D. Danjibo and Aliyu Musa trace their origins to a predecessor group.¹⁶ In the 1980's, 5,000 Nigerians in the north were killed in the violence instigated by the Yan Tatsine group, a radical Islamist organization.

¹⁶ Musa, "Socio-Economic Incentives, New Media and the Boko Haram Campaign of Violence in Northern Nigeria."

Both organizations gained traction through their economic complaints, not just their religious grievances. Also like Boko Haram, the leader's death during the violence that followed only served to catalyze further attacks. While the government was ultimately successful in wiping the sect out, some scholars view the Maitatsine riots as the initial rift that Boko Haram would later grow to exploit.¹⁷ In 2001, Ustuz Mohammed Yusuf settled in Maiduguri and formed the Yusufiyya, beginning the process of recruiting and radicalizing followers.¹⁸ By 2002, he would go on to found the Boko Haram organization, though its major conflicts with the state would come later.

By 2009, the group had become increasingly militant in nature, prompting the government to begin investigations. Following a confrontation with police, Boko Haram acted drastically, beginning the six-year conflict that continues today. The organization targeted security forces in Maiduguri and began a riot in the city that killed more than 800 people.¹⁹ In December 2010, Boko Haram reemerged, striking directly at a symbol of Nigeria's authority as a legitimate government. Daniel Agbiboa explains the raid that marked the group's return: "A group of Boko Haram gunmen free over 700 inmates including over 100 sect members from a prison in Bauchi. Four people including a soldier, one policeman and two residents were killed in the raid."²⁰ This time, the pattern of violence would not be slowed. In early December, at least 86 people were killed by attacks in Jos and Maiduguri. Gunmen went on to kill 8 more in Maiduguri in following days, expanding their violence to political targets as well.

¹⁷ Ibid.

¹⁸ Ibid.

¹⁹ Agbiboa, "Peace at Daggers Drawn?"

²⁰ Ibid.

On May 29 2011, Goodluck Jonathan, a Christian from southern Nigeria, was inaugurated as president in his own right, after finishing the term of the previous president who died in office. But Jonathan's ascendancy further complicated the northern violence, particularly since he inherited the office from a Muslim president. As former U.S. Ambassador to Nigeria explains, "it was an event that highlighted the increasing bifurcation of the country on regional and religious lines."²¹

The violence in Maiduguri served as a constant reminder of their presence, but its distance from the capital still gave the problem a regional character. An attack in August 2011 changed that. A suicide bomber at the UN compound in Abuja, Nigeria's capital, left 23 dead and expanded the range of the conflict. The roots of the conflict may have been in Maiduguri, but its effects were felt across Nigeria. In the coming years, Jonathan's government would assemble a Joint Task Force with militaries in the region to fight the group. Some of their early efforts were praised as a success, as Boko Haram moved much of its operations to rural areas. Emmanuel Onah describes the insurgents' position as "entrenched"²². But the Chibok attack and massacres of villages suggest a more intentional shift. By March of 2015, Boko Haram announced its allegiance to ISIS, which ISIS accepted. Boko Haram now controls sizable territory in Borno state, and has morphed from a violent agitator towards a quasi-state itself. In the wake of growing frustration with President Jonathan's response, Muhammadu Buhari, former military leader of Nigeria, was elected to the Presidency. The present-day conflict is primarily between the latest manifestation of Boko Haram, and the efforts of Buhari's government.

²¹ Campbell, "Nigeria Security Tracker - Council on Foreign Relations."

²² Onah, "The Nigerian State as an Equilibrium of Violence." p. 71.

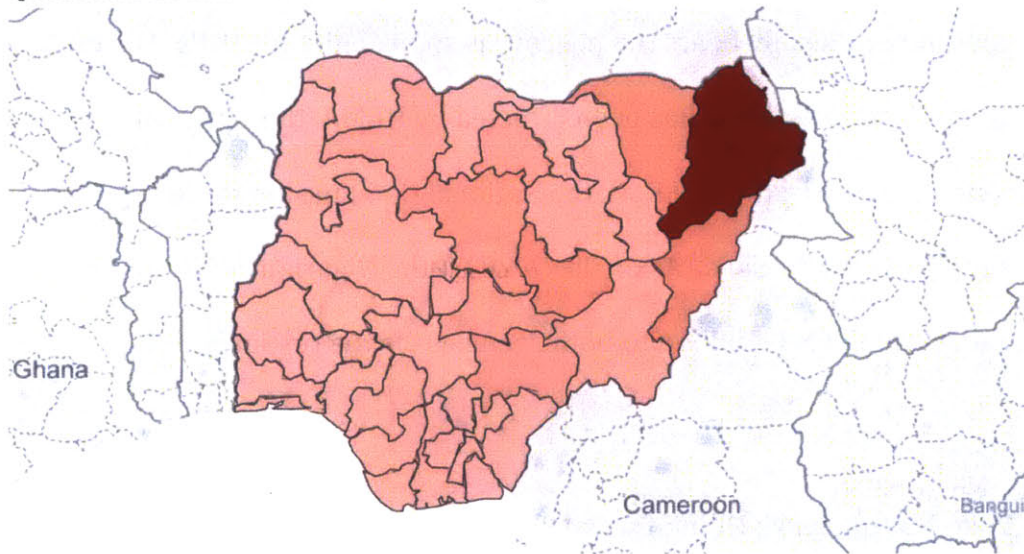
There are three key takeaways from the Boko Haram story that help illuminate the displacement response. First, the conflict had a distinctly transnational character. Many displaced persons were pushed across Nigeria’s borders, inviting the involvement of UNHCR, and destabilizing the entire region. Simultaneously, Boko Haram’s allegiance to ISIS elevated the significance of the conflict among Western nations. Next, the large scale and sensationalistic nature of the violence generated widespread media coverage; the crisis was not hidden by any means. Finally, Boko Haram’s activities expanded beyond the mass casualties of terror attacks. The group also controls territory, forming a quasi-state within Nigeria and posing a direct threat to Nigerian sovereignty. These circumstances surround the conflict-induced displacement crisis, providing a political context for assessing the interventions.

Map Source: CFR ²³

Map: Deaths by State

The map depicts deaths by state. Nigeria’s northeastern states have been hit the hardest. Borno is the epicenter of Boko Haram related violence with over 14,000 media-documented deaths.

Date
May 2011 to October 2015



Deaths
8 23,206

Notes

²³ Campbell, “Nigeria Security Tracker - Council on Foreign Relations.”

Funding the Response: Refugees and Conflict-Induced IDPs

During this crisis, more than 2 million people have been uprooted by the same displacing force. They have not received the same levels of support, however. The Boko Haram insurgency has created large refugee populations in Niger, Cameroon, and Chad, with recent estimates putting the total above 200,000.²⁴ As expected, UNHCR has taken the lead role in managing the response, and coordinating funding. Refugee camps, like the 55,000-person Minawao in northern Cameroon, have been the primary aid delivery vehicle.²⁵

In April of 2015, UNHCR launched a major funding appeal, requesting \$174.4 million to provide food, housing, shelter, and water to an estimated 192,000 refugees, or about \$908 each.²⁶ For 2016, their annual request totaled \$198.7 million, of which half had been pledged by donors as of February 2016.²⁷

Although UNHCR does fund IDP-related activities in Nigeria, it does so on a much smaller scale (just over \$1 per displaced individual in 2015)²⁸. Within Nigeria's borders, the Nigerian federal government legally bears the primary responsibility for IDPs. The bulk of the Nigerian government's IDP response has been directed by NEMA, the National Emergency Management Agency, and the NCFRMI, the National Commission for Refugees, Migrants, and Internally Displaced Persons. As of March 2016, the Nigerian government announced an annual allocation of N3.4 billion to both agencies for the response, while

²⁴ Section, "UN News - Nigeria."

²⁵ "Refugees Fleeing Boko Haram Spark Humanitarian Crisis in Cameroon."

²⁶ UNHCR, "Aid Agencies Urgently Appeal for USD 174 Million to Help Nigerian Refugees in Cameroon, Chad and Niger."

²⁷ "UNHCR Regional Update - Nigeria Situation #21."

²⁸ "UNHCR - Nigeria." [From West Africa Budget, "IDP Projects Pillar 4, 2015"]

lawmakers acknowledged that the funds were inadequate.²⁹ In USD, this amounts to about \$17 million.³⁰ With IDP counts north of 2 million people, that leaves under \$9 per IDP. NEMA alone claims to directly service 1.9 million of Nigeria's IDPs through assistance in camps, host communities, or satellite camps. The IDP response, while it certainly receives attention, is far outfunded by the refugee response on a per capita basis. Additional funding commitments may yet come from other federal agencies or new programs, but if they are of a similar magnitude, they will do little to close the gap.

This gap persists even once we take into account bilateral aid. The United States recently announced an additional \$40 million, bringing their total support to more than \$200 million in the past several years.³¹ A map of their interventions is provided on the following page.³² Other donors, including the EU, Japan, and the UK have contributed as well, but not in a large enough amount to make the IDP response comparable to the refugee response figures.³³ It is important to acknowledge that many donors have not publicly disaggregated between IDP and refugee funding. It is beyond the aim of this study to create a comprehensive accounting of all funds spent during the crisis, but the overall pattern is clear. Even with ten times as many conflict-induced IDPs as there are refugees, financial support for them does not come anywhere close to meeting their needs, or matching the per-person funding level of their transboundary counterparts.

²⁹ Ugonna, "2016 NEMA Budget."

³⁰ As of April 26, 2016.

³¹ U.S. Agency for International Development, "Lake Chad Basin Complex Emergency Fact Sheet #6."

³² USG RESPONSE TO LAKE CHAD BASIN REGION.

https://www.usaid.gov/sites/default/files/documents/1866/lake_chad_map_03-31-2016.pdf

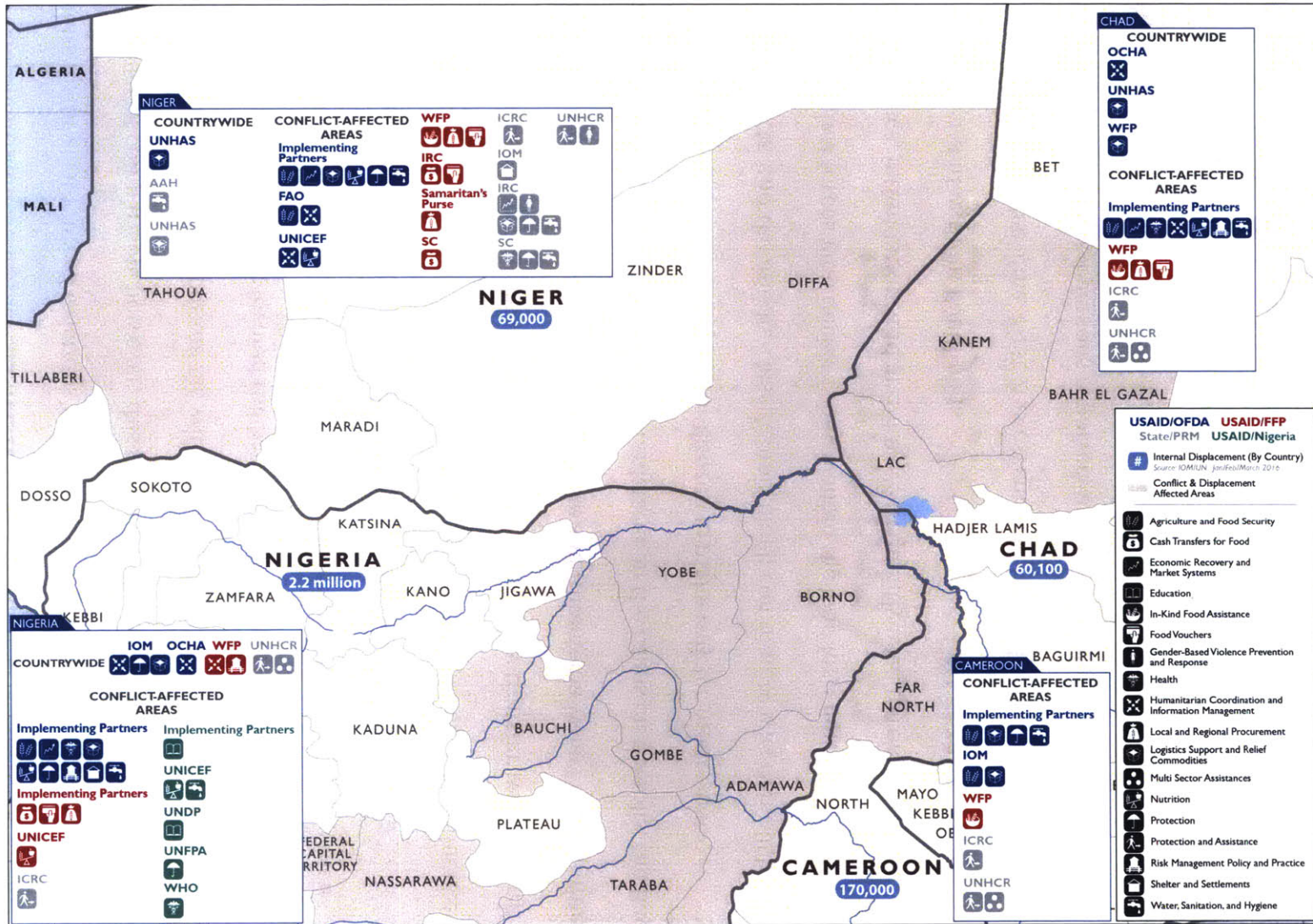
³³ "European Commission- Nigeria Fact Sheet."

Needless to say, the impact on those displaced by this conflict is tremendous, no matter which side of the national border they are on. It would be unfair to depict any of the victims as receiving *adequate* support. Still, differences in support exist across categories of displacement. This conflict is illustrative of what forced migration scholars have called the *IDP protection gap*. While voluntary standards exist, relief for internally displaced persons is left to the politics and capability of their state. In this case, the Nigerian government, along with the donor community, have made a concerted effort to assist IDPs displaced by the Boko Haram conflict. But when it comes to the two million people displaced by development projects, the same cannot be said.



USG RESPONSE TO LAKE CHAD BASIN REGION

Last Updated 03/31/16



The boundaries and names used on this map do not imply official endorsement or acceptance by the U.S. Government

III. A Hidden Crisis: DIDR in Nigeria

Development-induced displacement is nothing new in Nigeria, and much could be said about its history with forced evictions and land grabs in both urban and rural settings. For the purposes of comparison, however, this chapter will examine recent and ongoing DIDR cases that are contemporaneous with the Boko Haram CIDR crisis.

The ten communities that formed the basis of this fieldwork faced a variety of displacement circumstances. Three of them, on the rural lands of the Ogoni indigenous group, lost their homes and farmland to a banana plantation project started by a multinational Mexican firm. Government authorities used bribery, along with influence over a powerful local family and several gangs, to coerce property transfer without any compensation. In urban Port Harcourt, the Njemanze and Abonnema Wharf communities were forcibly evicted to make room for an oil tank farm. In the Lagos metropolis, the Badia East and PURA informal settlements were bulldozed to make way for modernist development projects, and the middle-class Atinporomeh community was demolished with hours notice by police forces who decided they wanted the land for a new barracks. Police and military violence, intimidation, and arson were frequently used to render tens of thousands homeless and without livelihoods.

This chapter has three aims. First, it is essential to faithfully document the stories that displaced and dispossessed persons reported, especially in their own words where feasible. These are stories that deserve to be told, without the subjectivities of an outside researcher intervening. As a result, I have tried to separate my own descriptions and analysis, presenting it after the reports on each community. In choosing what interview material to include, I aim to represent the firsthand experience of these displacement

events as they were described to me, while highlighting reported impacts and government responses. Next, I look toward patterns found across communities, and their collective and separate efforts to resist and reclaim their agency and citizenship. Through this analysis, we can begin to examine the relationship between DIDR IDPs, the Nigerian state, and the donor community.

Assaulting Indigenous Rights in Ogoniland

Communities in the Niger Delta have long faced conflict over their land and natural resources. From the perspective of the state government and its business partners, the Niger Delta has been blessed with abundant agricultural land and oil wealth. To many members of the Ogoni ethnic group, however, this has been more like a curse. The story of the Ogoni people's struggle for their land goes beyond a fight for livelihood. It is closely intertwined with a struggle for civil and political rights.

One of the most famous cases came to a head in 1990, when Ogoni activist and writer Ken Saro Wiwa formed the Movement for the Survival of the Ogoni People, MOSOP. MOSOP organized against Royal Dutch Shell, whose drilling was responsible for widespread environmental degradation in Ogoni lands. A charismatic leader and staunch advocate of non-violence, Saro Wiwa's peaceful opposition continued until 1995, when he was hanged by the Nigerian government, to widespread condemnation.

Twenty years later, Ken Saro Wiwa's legacy of resistance is alive and well in Ogoniland as communities grapple with the latest state-sponsored land grab. Beneath a poster of Saro Wiwa, the chief of Luusue Sogho village, along with Ogoni human rights activist Aluzim Emmanuel, fondly called "the spirit of Ogoniland" for his fiery speeches, shared the details of the deal. Over the past 4 years, Ogoni lands had forcibly seized by the

Rivers State government for the benefit of a foreign investor looking to establish a 2,000-hectare banana plantation. As part of this fieldwork, I visited four villages impacted by the recent land grab. Through interviews, site visits, and focus group discussions in the four communities, we can begin to understand the political contexts, impact on livelihoods, and levels of violence and coercion connected to the plantation's development.

Ueken

"We have been peaceful. This land has been ours from the beginning of time. It belongs to us as a community. Now everything has been destroyed."³⁴

We made our first Ogoniland site visit in the village of Ueken. With help from Megan Chapman from JEI, we held a focus group with eight participants about the details of the displacement. As one participant explained, the village first learned that their land would be taken in 2011. As Godfrey Kpoobee explained, unfamiliar trucks, owned by San Carlos, a Mexican multinational firm, showed up one day on the village farmland to seize it, escorted by a military presence. The villagers were caught off guard; Godfrey explained that they "were given no information, and had no awareness." Focus group participants recalled being uncertain and afraid of what might come next. In July 2012, the village sued to halt the seizure, without success. The villagers had no money to continue litigation.

The consequences were disastrous. By the end of 2012, the villagers' entire crop had been destroyed by the company to make room for a banana plantation, and the villagers "were told not to step onto the farm again."³⁵ The Ueken farmland provided the primary

³⁴ Godfrey Kpoobee, interview.

³⁵ Ueken residents focus group, interview.

source of income and subsistence for the village, and the community struggled to cope with their dispossession, which the group members said left no villager unaffected. As one focus group participant described, “we cannot live in this condition—this is a violation of our human rights”.³⁶ All members of the focus group emphasized that it had become hard to even survive. Beyond the loss of their entire agricultural productivity, they no longer had land to support domesticated animals and livestock. Others highlighted the impacts on water availability—the placement of the plantation disrupted their access to waterways and ability to fish. Other participants reported their houses being demolished.

The land grab had long-term impacts on the community as well. Since their farmland was destroyed, Ueken villagers also could not teach their children how to farm. Without an income, most families could no longer afford school fees, so any other education essentially halted. Food insecurity had dismantled the community and separated families, as “children ran away and left the village because of the hardship”³⁷, and villagers died of poor health and nutrition.³⁸

From the perspective of Ueken residents, the government was unapologetically complicit in their suffering. When the land acquisition first took place, they were told that the government owned the land and had transferred it, which directly contradicted their understanding of the situation. Ueken residents had all inherited their land from ancestors, and the land was held on an individual basis. The community used a “living fence” to demarcate ownership; plant life and natural features were used to clearly delineate who exactly owned what. According to the Rivers state government, however, the chief of

³⁶ Ibid.

³⁷ Ibid.

³⁸ Pornubari Ozokpe, interview.

Ueken had signed over the rights to the land. Of course, the chief does not own the land in Ueken, as the community insisted. Villagers also understood that no part of the Nigerian Land Use Act entitled the chief, who was widely believed to have been bribed, to make such a transfer. They demanded that the state provide proof that the chief owned the land; the state countered by demanding proof that he did not. The government offered a small compensation at one point, but it never materialized.

Understandably, the process left the villagers with little faith in the government or judiciary. Ueken residents' assessments of the situation emphasized the lack of accountability to the law: "Because the case is against the state, the state court will not protect its citizens", "There was no MoU [memorandum of understanding] and no due process, the judge will always be against you", and "No one in government represents us, so women were asking for God to help them" serve as a few examples.³⁹ As legal scholar Balakrishnan Rajagopal explains, domestic courts are often inclined to rule in favor of the state's authority over territory, upholding the legality of displacement by mega-projects.⁴⁰

As a result, the villagers sought ways to go around the state. First, they dissolved the village chieftainship in late 2014, an almost unheard of move in Ogoniland. They tried to protest and contact the media, but lacked the funds to mobilize media coverage. Finally, they shifted strategies to begin making human rights-based claims. As one resident explained, "In 2012 we started to think about human rights because Nigerian policy is different than human rights. Nigeria doesn't have justice."⁴¹ By appealing to international

³⁹ Ueken residents focus group, interview.

⁴⁰ Rajagopal, "Limits Of Law In Counter-Hegemonic Globalization: The Indian Supreme Court And The Narmada Valley Struggle."

⁴¹ Ueken residents focus group, interview.

notions of justice that transcend the state, they hope to circumvent a state that has only worsened their situation. But whether or not this shift will pay off remains to be seen. Unlike in the case of the conflict- induced IDPs and refugees in Nigeria’s northeast, there has been no international outcry or major shows of financial support.

Zor Sogho, Luusue Sogho, and Teka Sogho

“The government said they will take this land by force. Either in peace, or in pieces.”
*-Chief Friday*⁴²

The San Carlos plantation’s impact reached far beyond Ueken. Three nearby communities, Zor Sogho, Luusue Sogho, and Teka Sogho, also faced forcible displacement as a result of the development. As with Ueken, villagers reported serious impacts on livelihoods and food security. But these three villages were marked by an additional feature: the pervasive use of violence and intimidation to suppress any resistance to the seizure.

We began by meeting with Mbale Saturday and Maanyie Beegaa Nathaniel, men from Zor Sogho, who witnessed the violence first hand. In Ueken, the village chief had been suspected of selling out the community to the government. Here, a local prince and royal family, with palace along a nearby road, worked with the state government to suppress community resistance. According to one resident, the Prince and his family, backed by the state government, sent armed men to the site.⁴³ Unaware of this, some members of the community had decided to stand their ground and continue to farm. According to Mr. Saturday’s description, events unfolded in a similar manner to Ueken, but with a violent

⁴² Chief B. Friday, interview.

⁴³ Mbale Saturday, interview.

twist. In May of 2011, he found out that the community would be forced off their land: “All the people who would force us out came. The military came. There was a lot of destruction everywhere. They want to force us all out of the land, but it belongs to us.”⁴⁴ By the end of the year, the entire community had been occupied by armed forces, touching off a period of violence and coercion. Mr. Saturday summarized the feeling at the time: “The people said ‘We don’t want this.’ We can’t benefit from the plantation. But if you say no, where will you hide?”⁴⁵

The evictions throughout Sogho were brutal. Mr. Nathaniel shared his recollection of the events with us. He began by showing us a picture of his son, who had been killed by armed forces during the evictions:

When we found out that the land was going to the plantation, people were upset. People would not accept it. We cried over our land, across the entire Sogho. Where would we get food to eat? Then, it was the 27th of June. They started action [on the land] again. My son went there. They shot him, and his body was carried away. I went to the police. After I made my statement, I told them that if I left the station, they would try to kill me. The police said no, I should go. I begged them to remain...they pushed me out. I reported to the criminal investigation department, I told them that my son was taken. We stayed away for a few weeks, and my property was looted. All of our properties.⁴⁶

Following these events, the violence worsened. According to the residents, and as documented in the testimony submitted to the National Human Rights Commission, more than 30 people were killed directly by the armed forces during the evictions.⁴⁷ Individual homes and businesses were looted, and in some cases, blown up using dynamite. Another twenty-two were killed indirectly—elderly residents who were left behind when the

⁴⁴ Ibid.

⁴⁵ Ibid.

⁴⁶ Maanyie Beegaa Nathaniel, interview.

⁴⁷ “Ogoni Petition to NHRC Sept 25 2013.”

people of Zor Sogho fled, individuals who had health complications from the crisis, and those who died while fleeing. After the killings and forced disappearances, some family members reported receiving harassing phone calls about their missing relatives, designed to terrorize them, like “Your boy tastes sweet” or being told that their relatives had been buried alive.^{48 49} The violence and terror had the intended effect, and the residents of Zor Sogho were forced to flee the town for more than 6 months. Today, many of the residents have returned, but continue to live in fear of retaliation for reporting these crimes. When residents’ reports were ignored by law enforcement, they went to the courts. As in Ueken, the lower courts declined jurisdiction, and the process has been stalled since. Also like Ueken, the media showed little interest unless the community was able to pay them.

Like Zor Sogho, neighboring Tekka Sogho and Luusue Sogho were embroiled in the regional conflict over the land. Conversations with chiefs the Sogho communities, along with local activist Aluzim Emmanuel, offer a picture of the institutional dynamics at play in the displacement. Chief Friday, a former police officer, reiterated the early history of the deal, and the community’s opposition to it. Early on, Chief Friday was invited to a conference with the local Prince, who would later mobilize some of the armed groups to work alongside the military in the eviction.⁵⁰ The Chief tried to negotiate compensation, but the best offer he could manage was a flat 300,000 N rate per owner (about \$1,500), regardless of plot size and land value, which he found completely unacceptable. As Chief Friday explained, the negotiations were not really about compensation for the farmers. Instead, he learned that the Prince would be given a senior government position if he could

⁴⁸ Ibid.

⁴⁹ Maanyie Beegaa Nathaniel, interview.

⁵⁰ Chief B. Friday, interview.

deliver the land. When the crisis broke out, the Prince's family was provided with transportation and lodgings outside the region. Chief Friday recounted that he was threatened, told that "The government will take this land by force. Either in peace, or in pieces."⁵¹ As part of the deal, he was offered a sizeable bribe, which he declined: "They offered me millions of naira to forget this case. But this case is my future. We must work together for our future". Several months later, the police and army arrived to seize the land— "They invaded the land. They shot people and they lost their lives. They bombarded this community, looted properties, bombed houses. Soldiers and mobile policemen were used."⁵² After the evictions, Chief Friday brought in investigators, whom the police tried to stop. Chief Friday needed to involve the state police commissioner just to get the investigation completed.

Aluzim Emmanuel translated another interview we held with the chief of Luusue Sogho, often interjecting his own thoughts on the situation. Aluzim first emphasized the extractive nature of the land grab: "The community did not receive one penny from this land. We were not paid, no negotiation. We were just told that the company is coming."⁵³ He further explained that intra-community conflict emerged, between those who wanted to resist the development, and those who insisted that resistance would be futile. He and the Chief elaborated, saying that the state exploited this division in the community. By hiring "cultists", or local gang members, to instigate violence, they fanned the disagreement into a low-scale violent conflict. According to Aluzim, the state came in, using the conflict as

⁵¹ Ibid.

⁵² Ibid.

⁵³ Aluzim Emmanuel & Luusue Sogho Chief, interview.

pretense, and seized the local school to use as a military compound for over a year, further militarizing the evictions process:

When the military was here many married people divorced one another. Because this military took some of the women by force. Then they forced our people to give them food and money. They would threaten and maim you, until you would not be a normal human being again. They would say 'Give me 20,000 Naira. Are you ready? Or I will shoot your leg. I will punish you.'⁵⁴

Women were especially effected by the occupation, suffering both sexual violence and social repercussions for that violence. Aluzim described the new reality for Luusue Sogho villagers, where “people have nothing to eat, and it has become survival of the fittest.” Aluzim discussed how the water sources had been polluted, and how there had been a serious impact on children’s access to primary and secondary school. With no money for transport, and no food to send with them, families could no longer send their children to school, and “primary school is now a thing of the past”.⁵⁵

Some limited assistance has come from the Susan Brown Foundation, a philanthropic organization based in Rivers State. The organization has provided some nutritional assistance, but it had been limited to children under age ten. The state has provided no assistance, and the courts have provided no relief. Likewise, international agencies have largely ignored the crisis. But for activists in Ogoniland, the land grab is about more than just material well-being. It is a question of self-determination. As Aluzim succinctly phrased it, “We should rule ourselves.”

⁵⁴ Ibid.

⁵⁵ Ibid.

Informality and Oil Extraction in Port Harcourt

Elsewhere in Rivers State, informal urban communities were facing a different variety of displacement. In Port Harcourt, one of the oil capitals of the African continent, the long-standing Abonnema Wharf and Njemanze communities were demolished to make way for an oil tank farm. The evictions scattered residents across the city, upended livelihoods, and dismantled families and kinship networks. Through site visits and interviews with residents and legal advocates, we can begin to construct a picture of the experience of DIDR in informal Port Harcourt.

Abonnema Wharf

“They come and demolish us. They sell all of our places and they run away. It’s the Governor that keeps us homeless. They don’t care about our suffering.”

-Gloria, Former Abonnema Wharf Resident⁵⁶

Jim Tom-George, a legal advocate with JEI and resident of the community, provided a clear history of the evictions on Abonnema Wharf.⁵⁷ The wharf housed a waterfront community, living on land that the residents reclaimed from the water themselves. While they lacked formal title to the land, much of it hadn’t even existed before their reclamation efforts. Abonnema Wharf was largely a community of fisherman and timber movers, whose livelihoods were closely tied to the river. The community dated back to in 1970s, when people came to settle on the river after the civil war. Over time, the residents started building concrete buildings and structures.

⁵⁶ Gloria, former Abonnema Wharf Resident, interview.

⁵⁷ Jim Tom-George, interview.

In 2007, the Rivers State government announced that it had acquired all the buildings. The state government said the land would house an Integrated Cultural Center and removed everything along the waterfront for their project, which they described as “for the public good”. However, after acquiring the land under this stated objective, they later transferred the land to a private sector enterprise. By August of 2009, the government slowly started forceful evictions, but by 2012 they intensified the efforts. Residents reported that bulldozers arrived in June 2012, levelling their homes and possessions. As in Ogoniland, residents charged that the government organized criminal activity against the community, sending local cultist gangs to intimidate residents with “sporadic gun firing in the air”. By the end of the summer of 2012, the government would make their major violent push, despite the fact that litigation on the matter was pending before the courts:

The government sent their security men to surround the whole community, restricting people from moving in and out ... They rounded up over 120 innocent young men and young girls. Tortured them, drilled them, tied them like crocodiles, their hands to their bodies... they put them into the gunboat and took them to another barracks... Now these people Government came with army, navy, SSS, and hired criminals, “cult boys”, to supervise the bulldozers... they stood with their guns in case anyone would resist. There were no notices, no court order, knowing full well that there is a pending case in the court. Only two buildings were left behind... 26 of the 120 people they charged with armed robbery and possession of firearms. They were later released for lack of evidence.⁵⁸

The Abonnema Wharf evictions displaced over 23,000 families, many of them scattered across the cities. Mr. Tom-George also described how many of them lost their livelihoods and died. As in Ogoniland, education was interrupted for the displaced children, and parents had no funds to send them back. The government has not compensated the displaced. But even if they did, Mr. Tom-George pointed out that relocation to other land

⁵⁸ Ibid.

would be of little help, since the community consists of fisherman and boatbuilders who need access to the waterfront.

Before the demolition, residents had been able to manage, and had a number of community assets. The community was located close to the seaport and oil industry job opportunities. The wharf also had churches and a mosque, along with daily and weekly markets. Mr. Tom-George also stated that the community had adequate road, water, and sanitation access. In 2001, the Rivers State government requested that they register as a community. They complied, and received formal certification as a community with a valid Community Development Committee. Nevertheless, the evictions proceeded without any form of compensation. At first, the government claimed that there would be alternative relocation site with housing. Then, the government sold that plot to a private company for 50 million naira—in Jim Tom-George’s estimation, “It doesn’t matter if the poor man is dying or not.”⁵⁹ The residents took the matter to court with no results, and their case remains pending before the National Human Rights Commission.

The Abonnema Wharf residents looked for help from the NGO community, and found more of it than those in Ogoniland did. In addition to the Nigerian community legal empowerment advocates like JEI, which assists all the ten communities in this study, a few international organizations including Amnesty International and UN Habitat advocated on the residents’ behalf. Their involvement took three main forms: advocacy to the government, press releases and pushing for media attention, and attempting to document the crisis. UN Habitat produced a report from a joint fact finding mission they conducted, and Amnesty International is partnering with JEI to conduct a survey on outcomes for the

⁵⁹ Ibid.

displaced. Despite these interventions, however, those displaced from Abonnema Wharf still have not received *financial* or *material* assistance.

Njemanze

Elsewhere in Port Harcourt, the Njemanze community had also been demolished to make way for an oil tank farm. At the time of the August 2015 visit, the eviction site lay completely empty. Nothing had been developed there at all. Nevertheless, residents had all been forced out, made to leave behind their homes and possessions. Njemanze Chief Brig explains:

Before the demolition, we had a sound community. We had businesses, and governed ourselves. People had jobs as sanitation workers, servicemen. They were businessmen, traders, fisherman, also landlords and tenants. We had a rich cultural life. If you were meeting us in Njemanze, we would have greeted you and hosted you. We would have performed a cultural display to welcome you. But all our homes, all of our drums, our masks have been destroyed, and we have nothing.⁶⁰

Like in some of the Ogoniland cases, Njemanze community members were given no information about the eviction beforehand—landlords had even collected rent from their tenants for the month. Then, the government forces arrived and bulldozed the community. Immediately after, the residents were rendered homeless, “sleeping on the roadside, babies and children out in the rain.”⁶¹ Chief Brig reported that some residents died from health complications following the eviction. He also described the widespread destruction of family life, with his children in one place, him in another, and his wife somewhere else entirely. As in Abonnema Wharf, residents reported violence and intimidation from the army as the eviction was carried out. Focus group participants stated that “there was

⁶⁰ Chief Brig, formerly of Njemanze, interview.

⁶¹ Focus group of former Njemanze residents, interview.

flogging and violence, as if we are animals, as if we are living in the zoo” and that “many were wounded, and some were killed while fleeing.”⁶²

Women members of the group highlighted the challenges children face, specifically malnutrition and protein deficiency. Residents also commented on the major livelihood disruptions they faced, with one describing “We’d been living in Njemanze since we were children. I am trying to sustain myself, but it is difficult to make a living. I no longer have a job. I am living by the grace of God.”⁶³

As part of their involvement in the Port Harcourt riverfront demolitions, Amnesty International also involved themselves in the Njemanze case. They sent activists to take photos, though the government interfered and had them arrested. As in Abonnema Wharf, their primary involvement was to generate publicity and to help with advocacy. According to Chief Brig, no other new source would get involved to take up the story. Today, JEI continues to help them with litigation and the formation of community savings groups. Because clearly, funding won’t be coming from anywhere else.

High Rises, Police Violence, and Human Rights in Lagos

In Lagos, one of Nigeria’s major commercial centers, large informal communities along with rapid urban development have combined into widespread development-induced displacement. The waterfront residents of Ilu Birin have been displaced eight times in recent years, with increasingly grave violence. PURA, the Progressive Union Residents Association, have lost homes and livelihoods, and been criminalized by the state.

⁶² Ibid.

⁶³ Ibid.

Even middle-class Atinporomeh, with titled property and major commercial activity, has not been immune to forced evictions without notice or compensation. To examine these cases, we performed site visits, conducted interviews, held focus groups, and participated in a Lagos State Assembly hearing on evictions.

Ilu Birin

“They were burning our houses in the night. We lost everything. Some policeman came, and the people thought they were here for our security. Until they started shooting.”⁶⁴

For the residents of Ilu Birin, life has become increasingly uncertain—and unsafe. According to Professor Maurice Fagnon, a human rights scholar who works with the residents and introduced us to community members, the current people residing in Ilu Birin Current have been displaced *eight times* in the past several years.⁶⁵ Primarily a fishing community, luxury high-rise development has been encroaching on their homes. Professor Fagnon explains that “they have been here for 100 years, but now they keep being pushed back.”⁶⁶ During community focus group interviews, residents emphasized the community’s longevity, and their ties to the land.⁶⁷ Residents mentioned that they had been there for generations, with the displacement starting in the parents’ days. Ever since, they have been pushed closer and closer to the water with each subsequent wave, until they have almost no land remaining.

⁶⁴ Focus group of Ilu Birin residents, interview.

⁶⁵ Professor Maurice Fagnon, interview.

⁶⁶ Ibid.

⁶⁷ Focus group of Ilu Birin residents, interview.

The residents live with constant uncertainty, and justified fear. As one resident described, “it never stops, everyday people come and ask us to move by force.” Those continuously displaced in Ilu Birin have lost their homes, possessions, and community school. But what worried respondents most was the nature of the evictions. “The KAI task force came and beat people and shot people,” one resident explained. “It’s a real war,” said another. Residents reported being given no notice before an eviction takes place, stating that often, police will arrive one day instructed people to move. The most recent wave of evictions began in 1996, and residents responded that their houses had been bombed and people killed since, including an early incident where the police killed four people in one day on the expressway.⁶⁸

Like other displaced communities in Nigeria, Ilu Birin’s people sought legal remedy, pursuing the case before the National Human Rights Commission. In their case however, the government’s response was explicitly retaliatory. Shortly after open the case, the task force returned, asking community members why they were brought before the NHRC, and began arresting people. Their legal efforts have proved largely fruitless, since the new President Buhari removed the chairman of the NHRC, presumably to minimize its influence. As Professor Fagnon explained, even if the NHRC ruled in their favor, the government can ignore the ruling.

Community members reported feeling trapped in by the luxury high-rises and the high speed road that encircles their new space, which several residents have been killed trying to cross. Others stated that when they tried to talk to the management of the project,

⁶⁸ Ibid.

in response, the task force “would come and kill one or two people”. Residents of Ilu Birin described part of the recent history of brutality against their community:

Three years back the task force came to attack us. They came first, second, third, four times. The fourth time was the worst. It was on a Sunday. The KAI force attacked us during one of our contribution [community fund] meetings. Christof Agbodjou was carrying the collected contributions. Some came by boat; some came by bridge. They hired hoodlums, and had broken glass bottles. People started running helter-skelter, many people into the water. The force started beating them, dragging them to the shore... Christof was carrying N400,000 and 50CFA, all of our money. They were beating him. He was struggling with them. Then he died. And the force left the body there. We are petitioning the government to bring this to the police commissioner, but there was no action taken. ⁶⁹

According to Professor Fagnon, human rights advocates, like himself and JEI, have tried to publicize the community’s plight, but still no action has come of it. If anything, the violence has only increased since then. Residents recounted an attack in February 2015, six months earlier, in which everyone went into the water to hide when they heard commotion: “From the water, we could hear there was trouble. They were burning our houses in the night. We lost everything, no one was able to pick anything from their house.” ⁷⁰ During the burning, the demolition force started to fire shots into the houses as well. Eventually the police came, and some residents were relieved at first, thinking they were there to help. But then, the police force starting shooting too. As Professor Fagnon explained, “They were there to scare them, not help them.” ⁷¹ After the raid, residents reviewed what little they had left. A few houses that they would all share. Materials to build new homes were taken, along with “all their goods, pig, fowl, and fish”. For those who live in Ilu Birin, there is no other option.

⁶⁹ Ibid.

⁷⁰ Ibid.

⁷¹ Professor Maurice Fagnon, interview.

As one Ilu Birin fisherman said, “Our community is strong and brave, because we have nowhere to go. We have to summon courage.”⁷²

Progressive Union of Residents Association (PURA)

“I had to go and borrow money to survive. I used to have a shop, now I have nothing. We are citizens of this country. We should not have to suffer.”

-David Yussufa, former PURA resident ⁷³

In August of 2008, another informal waterfront community, organized as the Progressive Residents Union Association (PURA), was demolished by the state government. We spoke a variety of actors involved in the PURA displacement: displaced persons trying to make a new living since the eviction, community leaders, security forces for the developer, and briefly, the police. The community had been cleared to make room for the Eko Atlantic, a luxury city unto itself that would be built on the old PURA site and reclaimed land. The reclaimed land will form a peninsula attached to Victoria island, with significant luxury real estate for both commercial and residential use. As the developers sell it, Eko Atlantic aims to be “the new financial capital of Africa”, ostensibly housing a quarter million people and 150,000 jobs. ⁷⁴ But for those who lived in the PURA community, the Eko Atlantic project has destroyed both their housing and employment.

A PURA community leader and key informant, Abigail, introduced us to many of the IDPs evicted by the project. One woman, a small business owner named Islamia Adegoke, explained how the displacement had taken her home and self-sufficiency. Islamia relocated

⁷² Focus group of Ilu Birin residents, interview.

⁷³ David Yussufa, interview.

⁷⁴ “Prime Real Estate Lagos Nigeria - Africa - Eko Atlantic.”

about a ten minute walk from her old home, and now sleeps on a bench near her shop stall.⁷⁵

Ms. Adegoke described how she “used to do good business, we had no problem. Everyone did fine. I used to sell water, fish, minerals, and general goods”, but after the Port Authority forced everyone out, she “lost everything.” Islamia described how the community lived on the site for 15 years before deciding to form a residents’ association to help one another, “PURA”. She said that one day, the government showed up, and told them they had 24 hours to leave and take everything. But before the 24 hours were up, “people in uniform came and set fire to the pier. People died. Everyone lost their property.”⁷⁶ Ms. Adegoke also explained that the community has cultural ties to the water, so many keep returning to the site. Since their homes were burned to the ground, they now sleep under umbrellas on the beach where the buildings used to stand, until they are forced away again. Some PURA members stayed nearby and have tried to return, while others left the area, and with their livelihoods destroyed, were forced into begging elsewhere.

According to Abigail, who has worked closely with JEI on the details of PURA’s case, up to 80,000 people were affected by this one displacement.⁷⁷ Like in Ilu Birin, many residents fled into the water when the fires were lit, fearing for their lives. Abigail said that there was some reporting of the events in a local newspaper. A former lifeguard in the community shared his perspective, which had a slightly different timeline than Islamia’s, but had the main points in common. According to him, they were a community of many fisherman and fisherwomen, and “when the government talked to us, they said we’d have

⁷⁵ Islamia Adegoke, interview.

⁷⁶ Ibid.

⁷⁷ Abigail, former PURA resident, interview.

one week to one month—instead they came that night and lit everything on fire.”⁷⁸ He described people being hit by cars as they fled the scene and others being taken into police custody. Finally, he highlighted their continued harassment by the police, stating “people are still terrorized up until this point.” David Yussufa, a car repairman who lived in PURA for 18 years and lost his business in the eviction, described having no money to survive, and emphasized that without livelihoods “many people have died.”⁷⁹

During a visit to the former PURA site, we witnessed the relationship between the community and security forces firsthand. While examining the area with two guides from the community, we were apprehended by a man in a large 4 x 4 vehicle heavily armed with what appeared to be an automatic weapon. He screamed at our group from a distance to stop, and came to interrogate us. It turned out that this was the Chief of Security of the project. He gestured threateningly at us, and shouted at our guides, “Criminals! The blood of Christ is upon you!”, and spat in the face of one of our guides. He detained us for questioning for several more minutes, and involved the police to chase down our guides, who had left the scene. In retaliation for the visit, he approached several armed local gang members, or “area boys”, and instructed them to go disperse any community members sleeping under umbrellas at the beach by force. They complied. We later learned that thankfully, no one was hurt in the incident. After we were released, PURA residents explained to us that this treatment is a daily reality for them, whether they have outside visitors or not.

⁷⁸ Focus group of former PURA residents, interview.

⁷⁹ David Yussufa, interview.

Atinporomeh

“We have spent millions of Naira battling this. We have had to borrow money. We can no longer afford to pursue this case. The police know this; that is why they delay.”
-Chairman Adu, Atinporomeh⁸⁰

Development-induced displacement in Nigeria is not restricted to indigenous and informal communities. As the case of Atinporomeh in Badagry, Lagos demonstrates, middle class communities, and property owners who hold title to their land are not immune. The details of this case came primarily from a hearing I attended before the Lagos State Assembly on the matter, from interviews with community members, and a Chairman Charles Adu, a leader in the community.

As Chairman Adu explained, in December 2013, police forces unexpectedly showed up in Atinporomeh with bulldozers, levelling the community’s expensive homes, businesses, and schools, and taking those who resisted into custody.⁸¹ad The Assistant Police Commissioner claimed that the land had been given to them by the state government, showing a certificate giving them rights to demolish. But according to that same certificate document, the police had been given rights to build a new barracks in Agemowo/Agelado village, not Atinporomeh, which sits more than two kilometers away. Former residents showed us pictures of their multi-million naira homes and businesses, and copies of their land titles and bills of sale. According to Chairman Adu, the police were acting without legal authority because the land in Atinporomeh was valuable, and there was little the community could do to respond.

⁸⁰ Chief Charles Adu, interview.

⁸¹ Ibid.

The impacts of the forced evictions were reminiscent of other cases in Nigeria, causing widespread homelessness, poverty, and loss of livelihood and property. Estimates of the number of people displaced range from ten thousand to twenty thousand.^{82 83} But the community's relative affluence before the eviction lent them a social capital that sets this case apart. The residents were successful in getting widespread media coverage, and sustained the attention through protests even a year after the eviction. Chairman Adu and his lawyers have saved dozens of newspaper articles spanning the year and a half following the displacement. The Atinporomeh residents managed to leverage multiple institutional and government mechanisms to air their grievance. First, they found early success in court. Able to access credit to hire legal representation, the residents managed to get a quit notice served by the court against the police.

But even with the courts on the residents' side, the police were uncooperative. They ignored each court summons, and continued to demolish and build despite the quit notice. When one resident tried to tell the demolishing force that the case was in court and demolitions had been ordered to halt, she was shot.⁸⁴ It was clear that the Nigerian judiciary had no means to compel the police to comply with a court order, and the illegal demolitions continued.

Thanks to additional pressure from the community and sustained media interest, the Lagos State House of Assembly held a public hearing to address the issue in August of 2015. The Chief Whip of the assembly led the hearing, and expressed his sympathies to the displaced. At the same time, he expressed uncertainty about what could be done to end

⁸² "Lagos Ruthless Bulldozers Roll into Badagry, Leave 10,000 Homeless."

⁸³ Abiodun, "Demolition."

⁸⁴ Chief Charles Adu, interview.

police impunity, especially since “This matter is already in court, so it may not be appropriate for the House to intervene”.⁸⁵ Throughout the hearing, members of the community presented testimony and documentation to attest to the illegality of the eviction and its impacts on them. Meanwhile, the police commissioner’s office had again ignored the summons. The developer of the site sent a clerical worker to represent them, and she was unable to answer any of the whip’s questions. The only substantive argument from their side came from the Assistant Director of Physical Planning, who argued that under the Land Use Act of 1978, which had been implemented during military rule, the government could seize land as it saw fit—whether or not Atinporomeh was the actual community given to the police or not was immaterial, if they wanted it. The whip and the community’s lawyers all balked at this interpretation of the statute, and at the police’s refusal to obey a court order. Nevertheless, it was clear that even if the police’s behavior was not authorized, neither the courts nor the legislature had the means to prevent it. Even for a middle-class community like Atinporomeh, with a court order behind them, there was nothing that could be done to stop forced land grabbing.

⁸⁵ *Public Hearing, Ad-Hoc Committee on Badagry Demolitions.*

Donor-funded Displacement in Badia East, Lagos

Badia East

Since the eviction, we have had to sleep on the ground, where it is damp. My sister became sick from it, and she died. I was in poor health, and I lost my baby. Now, I have developed the same cough that she had.

-Badia East resident, August 2015⁸⁶

To say that no international donors have been involved in development-induced displacement in Nigeria would be untrue. But instead of *assisting* DIDR IDPs, some donor projects have *created* them. In February 2013, a World Bank-funded development project prompted forced evictions in Badia East, Lagos. The community was demolished as part of the World Bank's urban renewal project, the Lagos Metropolitan Development and Governance Project (LMDGP). The Lagos State government served as the project implementer, and decided to evict the residents of Badia using the KAI task forces. About 10,000 individuals were evicted during the first few months of the project.⁸⁷ An Amnesty International Report on the case detailed how "none of the legal and procedural safeguards that are required under international human rights law and standards in relation to evictions were observed".⁸⁸

Bimbo Osobe, a longtime resident of Badia, and a trained community paralegal, gave us a tour of the site, introduced us to former residents, and provided her own account of the evictions. According to Ms. Osobe, despite lack of access to formal infrastructure and services, Badia East was a vibrant community and hub of local commercial activity.⁸⁹ While

⁸⁶ Badia East resident, interview.

⁸⁷ Akinwotu, "The Forced Evictions of Badia East, Lagos."

⁸⁸ "At the Mercy of the Government: Violation of the Right to an Effective Remedy in Badia East, Lagos State, Nigeria."

⁸⁹ Bimbo Osobe, interview.

many want to halt the development altogether, from her perspective, it would even be a victory if the displacement process had been humane, with adequate notice, resettlement options that consider livelihoods and education, and health care and social amenities. The Lagos state government did none of these.

However, given the World Bank's involvement, the community had some success pressing for compensation. Under the World Bank's social safeguards and involuntary resettlement policies, project-affected persons (PAPs) are entitled to compensation and resettlement assistance. After significant protesting and pressure from the Bank, the community managed to secure some compensation from the state for those who lost their homes. This marked a major departure from the other DIDR cases in Nigeria, which typically received no support at all.

But it was a shallow victory. The compensation amount, about 90,000N for each resident, came long after the eviction took place and was insufficient to meet their housing needs, replace livelihoods, or pay eviction-related healthcare costs, especially as many had gone into debt after the eviction to survive.^{90 91} It is important to note here that this payment was meant to be compensation for damages, not outright assistance. Eventually, demolitions were halted, leaving some of Badia intact, but it would be only a temporary reprieve. In October of 2015, demolitions began again, displacing thousands more, and they continue to the present.⁹² As in the other cases of development-induced displacement in Nigeria, interventions were woefully inadequate.

⁹⁰ Ibid.

⁹¹ "At the Mercy of the Government: Violation of the Right to an Effective Remedy in Badia East, Lagos State, Nigeria."

⁹² "Anguish, Sorrow, Tears as Lagos Descends on Badia East Again, Brutally Evicting Residents."

IV. Agents, Subjects and Victims: Deconstructing the DIDR Protection Gap

Displacement, and questions about how to respond to it, is fundamentally about which people belong to what place, and on what basis. The perceived agency of displaced persons is a crucial determinant of how they are treated by governmental and non-governmental institutions. For the Nigerian state, questions of territorial sovereignty and bodily control of its subjects can explain much of the variation in displacement response. For donor institutions, three primary explanations emerge. The history of international refugee law helps us understand why transnational displacement response is privileged over internal displacement response. The preference within international aid for CIDR IDPs over DIDR IDPs is largely a function of geopolitical interests in state and regional stability, as well as the aesthetic logics of philanthropic intervention. But each of these can only be understood against the backdrop of DIDR IDPs claims for self-determination and what they represent: that they are neither convenient subjects nor convenient victims.

JEI: Building Agency in Displaced Communities

Before trying to unravel the nature of the protection gap and motives of the state and international donors, it is essential to understand the agency of residents of these communities. While part of this study aims to understand the different ways states and donors *act on* displaced persons, these people make daily decisions to advance their survival and maintain their dignity. The communities' partnerships with JEI, SERAC, and Professor Maurice Fagnon's Center for the Defense of Human Rights and Democracy in Africa. were built around this premise, and they worked together to build capacity and

voice among development-induced IDPs. Since my access to the community members was primarily through JEI's relationships with them, it is through the lens of their work that I examine questions of agency and capacity building. As discussed later in this chapter, agency stands in stark contrast to the obedient subjects the Nigerian state would like to see, or to the images of helpless victimhood that typically motivates donor dollars.

Justice and Empowerment Initiatives began working with these communities, and many others in similar situations, taking up litigation and human rights advocacy on their behalf. Their work quickly involved into something more. JEI's involvement would shift from litigation to encompass democratic capacity building, centered on a philosophy of "community legal empowerment".

Some scholars have called for researchers to cogenerated knowledge with the communities they study on ethical grounds, and JEI's partnership with the displaced communities largely aligns with these prescriptions. For example, Arjun Appadurai argues that research should be considered a right, calling it "essential to claims for democratic citizenship".⁹³ For Appadurai, knowledge production is dominated by elites, subverting democracy and ignoring the lived experience of those on the margins. Likewise, Boaventura de Sousa Santos argues for "global cognitive justice", the end of "epistemicide" and the acknowledgment of parallel valid ways of knowing.⁹⁴ In *Seeing Like a State*, James Scott traces how states have erased embedded local knowledge, which he labels as Aristotle's "metis", in order to subjugate communities. For these scholars, cogenerated knowledge with communities pushes back against epistemicide, and is grounded in a

⁹³ U.S. Agency for International Development, "Lake Chad Basin Complex Emergency Fact Sheet #6."

⁹⁴ Santos, *Another Knowledge Is Possible*.

profound respect for what local people already know. Likewise, we can understand JEI's efforts as an attempt to build agency by advancing communities' ability to articulate their lived experience. In many of JEI's partner communities, the state has asserted that the demolished communities never existed to begin with, or were much smaller and less permanent. A core component of efforts in these communities has been to amplify the voices of DIDR IDPs.

There are several generative components to JEI's work today. First, JEI gathers testimony from communities about their displacement experiences to use in the human rights advocacy process. This early approach may not have been participatory in nature, but it did privilege local knowledge. More recently, the cogenerative approach has moved to the forefront. JEI has trained community members to advance their own agendas through their community paralegal training program. Each is entitled to have one man and one woman trained in legal advocacy and techniques to document their displacement. Following a "train the trainer" model, these community paralegals are then encouraged to train others in their community, and some are formally employed by JEI to lead research and advocacy efforts in their own communities.

Members of these communities have engaged in knowledge generation in four major ways. First, JEI has supported them in constructing their own narratives and cases to present to legislative and judicial bodies. Next, the organization has partnered with communities to form the Nigeria Slum/Informal Settlement Federation. After initial training in organizing from JEI, the Federation has become an alliance of communities who have been displaced or face prospective displacement. Community members run the meetings, developing new methodologies to document the conditions where they live

before and after displacement. They use survey and interview methodology to document living conditions and assets, creating community profiles. Federation members also use Geographic Information Systems to map the boundaries of their settlements and land. Since many government bodies have denied the very existence of the communities they have razed, these processes of research and documentation have allowed those with insecure land tenure to codify their knowledge and formalize it. These activities have captured the contextual information that would be missed by outsiders (or outright denied by them), and enabled Federation members to advance their own learning agendas in pursuit of their right to research.

Simultaneously, JEI's efforts helped build a social movement and produce new collaborative knowledge through intersubjectivity. Intersubjectivity, as elaborated by Jurgen Habermas, forms a cornerstone of participatory action research (PAR), an academic research model that resembles JEI's work. Stephen Kemmis operationalized Habermas' concept for PAR practice, explaining that a critical PAR process opens new communicative space, allowing access to the truth that exists *between individual subjectivities*. For the Federation and JEI, this materialized formally through community mediation training. As part of the paralegal training program, JEI offered instruction and role play simulations to train community members as mediators. Typically, mediator training embodies many of the principles of Habermas's intersubjectivity, and this was no exception. Participants were instructed in creating new communicative space, maintaining neutrality, and coaching parties in a dispute to unearth new areas of agreement beyond their initial positions. This training process did more than simply create space for intersubjectivity, it equipped people facing displacement with the tools to create such spaces themselves.

Meetings of the Nigeria Slum/ Informal Settlement Federation were another clear site of intersubjectivity. Seated around the meeting room in a circle, participants came from a range of circumstances and ethnic groups, including those who had been displaced for years and those who feared that their neighborhood would be next. At the start of each meeting, the facilitator (from one of the communities, not necessarily JEI staff) would check in regarding the first languages of those in attendance, prepared to translate between English, Yoruba, and Igbo as necessary after each speaker. The meetings had a loose agenda and no defined end time, moving flexibly between action items and group discussion. All participants were permitted to stand and speak at any time, provided they weren't interrupting someone else. As each participant stood to speak, they would first call out "*Agbajowo!*", to which the audience would respond "*Lafinsoya!*", which together translates to "unity is our strength".

Though the meetings fell short of full gender parity, about one third of the participants were women, several of whom participated vocally and served as meeting facilitators. Community facilitators used icebreaker exercises to maintain an open atmosphere for dialogue and keep all Federation members engaged. Most importantly, these inter-community dialogues had the clear effect of generating new knowledge, and leaving participants with different understanding of their circumstances than when they began. The aim of these organizing efforts was to build democratic capacity in communities by equipping them to generate their own knowledge, and it was largely successful in doing so. While some Federation members choose the call-and-answer "*Agbajowo-Lafinsoya*" as their introduction, others ask the crowd "*Information?*", and are greeted with the emphatic response "*Power!*".

Through the Federation and JEI partnerships, displaced communities have pressured the state on several fronts. In Ogoniland, where residents were shot and killed to intimidate them to concede their land, they have pursued action from the national human rights commission. In urban Port Harcourt, large scale surveying is underway to document the losses due to displacement and provide evidence for legal and political advocacy. The former residents of Atinporomeh in Lagos has successfully lobbied for hearings at the state legislature, pressuring a commission to investigate the police's extralegal forced eviction and demolition. Residents of Badia East successfully lobbied for settlement money and the halting of demolitions. When the government broke their agreement in October of 2015, they protested along with Federation members, earning attention from international news outlets.⁹⁵ Finally, as part of their membership in the Federation, each community has begun a savings group to strengthen their collective financial position.

DIDR IDPs in these communities articulate their claims on the state along themes of justice, dignity, human rights, and a desire for self sufficiency. The right to livelihood emerged as a core concern for displaced persons, many of whom just wanted to provide for themselves again, not receive cash assistance. As one Abonnema Wharf evictee explained,

I used to do business in Abonnema Wharf. I didn't depend on anybody. Since the demolition, I now have to depend on somebody. I don't have any home of my own, I have to stay with somebody... We want to come back to our land. I want to get my life back, start a business again. People used to depend on me. I would help families in the community, their children, paying school fees, feeding them. A lot of people were feeding from my kitchen. But now, even me, it is hard to take care myself.⁹⁶

⁹⁵ "At the Mercy of the Government: Violation of the Right to an Effective Remedy in Badia East, Lagos State, Nigeria."

⁹⁶ Focus group of Abonnema Wharf residents, interview.

Another former resident of the waterfront linked livelihood deprivation with notions of democratic citizenship, reiterating that community members lost their businesses and means of survival with no notice, adding “They say this is a democracy. It’s time for us to fight for what is ours.”⁹⁷ In Ilu Birin, a resident framed the problem as a failure of the government to uphold a social contract: “I am a Nigerian man... We people pay taxes. We pay the government’s salaries. Then the police come here and burn our homes, steal our chickens and pigs, and destroy our school. The government knows the right thing to do... but still we are suffering.”⁹⁸ An auto mechanic for PURA expressed a similar sentiment: “We are not slaves. We are Nigerian citizens. We are Lagos citizens... But they just punish us, suffer us for nothing. We don’t have government in this country. There are rights a citizen is supposed to enjoy.”⁹⁹ Through these claims on citizenship, rights, and justice, community members retain agency and refuse to compromise their dignity. Unfortunately, this has not proven a convincing enough argument for the Nigerian state or international donor agencies to protect or support them.

Justifications for the Gap: The Role of the Nigerian State

To understand the Nigerian government’s actions during the forced evictions crisis, it is important to interrogate what the state gains and loses from displacement. We can describe three distinct groupings of development-induced displacement circumstances among the cases considered in this study, each with a different relationship to state power. First, there are indigenous communities, primarily in rural areas, with long ancestral

⁹⁷ Ibid.

⁹⁸ Papa Awelu, interview.

⁹⁹ Focus group of former PURA residents, interview.

heritage in their lands. These would include all the Ogoniland cases, Ueken, Zor Sogho, Teka Sogho, and Luusue Sogho, which I will classify as *Type I DIDR*. Informal, untitled, or squatter settlements form another grouping, or *Type II DIDR*. This grouping could arguably include Abonnema Wharf, Njemanze, Ilu Birin, PURA, and Badia East. Finally, Atinporomeh is a formalized, fully titled community whose residents have extensive proof of legal ownership, so I will classify them as *Type III DIDR*. All three groups make claims to international human rights law to resist government eminent domain, but each presents a different type of challenge to manifestations of Nigerian sovereignty.

<i>Type I DIDR: Indigenous</i>	<i>Type II DIDR: Informal tenure</i>	<i>Type III DIDR: Formal tenure</i>
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Notably, Nigerian state actors displace communities across all forms of tenure without any compensation. Vulnerability varies across categories, with Type III DIDR without any compensation being the least common occurrence. Nevertheless, the policy prescriptions of pro-titling advocates like Hernando de Soto would do nothing to prevent state actors from forcibly evicting residents if they saw sufficient benefit.

State control over territory has always been a fundamental component of Westphalian sovereignty, but Nigeria's Land Act of 1978 spelled out just how deeply that control extends, replacing precedents established under customary land tenure, English common law and several older statutes.¹⁰⁰ Although it was created during Olusegun Obasanjo's tenure as Nigeria's military Head of State (twenty years before his election as President), it stayed in force when democracy was restored, and has remained so. The Land Use Act vested extraordinary power over territory with the governors of each state

¹⁰⁰ Olong, *Land Law in Nigeria. Second Edition.*

declaring in Section 1 that “subject to the provisions of this Act all land comprised in the territory of each state in the Federation are hereby vested in the Governor of that State and such land shall be held in trust and administered for the use and common benefit of all Nigerians in accordance with the provisions of the Act.”¹⁰¹ Under the Land Use Act, the state governments, and local governments in rural areas, have sweeping eminent domain authority, and broad discretion over the amounts and recipients of any compensation for takings.

Of course, as the cases reviewed here demonstrate, government actors seize land by both legal and extralegal means. Some forced evictions are carried out under the auspices of the act. But for communities with formal tenure like Atinporomeh, evictions were still carried out by police forces with the support of the judiciary or legislature. In essence, it *doesn't matter* what type of tenure people have; state actors are displacing communities with all forms of property arrangements.

The most obvious justification for this displacement is in notions of “development”. In all cases, communities were cleared with for a new project or structure, in the name of “common benefit of all Nigerians” or “for residential, agriculture, commercial and other purposes”, as authorized by the statute.¹⁰² For state and local governments, these evictions further the projects of Nigerian modernity and economic development.

Yet the nature of the Land Use Act, and the types of communities targeted by the majority of development projects, suggest an alternative logic to displacement: the assertion of sovereignty. First, it is important to understand the political backdrop of the

¹⁰¹ Laws of the Federation of Nigeria 1990, *Land Use Act*.

¹⁰² *Ibid*.

statute. After the conclusion of the Biafran War in 1970, Nigeria was ruled by a military regime, and would continue its pattern of coups, counter-coups, and assassination as the mechanisms of political transition. The Land Use Act came just a year before the first peaceful transition to democratically elected civilian rule, ending a decade long process of nation-building. If we read the act as part of the political project of nation-building after a civil war, it prompts serious examination of the territorial construction of sovereignty in Nigeria.

Control of Spaces, Control of Bodies: Producing Territory and Subjects Through Displacement & Conflict Response

How do different circumstances of IDPs intersect with Nigerian sovereignty, and in what ways do they challenge it? Using Weber's understanding of sovereignty, we can trace each type of displacement against the state's territorial supremacy and its monopoly of violence. Here, I argue that the Nigerian government's handling of development-displaced persons, conflict-displaced persons, and insurgent actors themselves all constitute and sustain Nigerian sovereignty. By examining how the state wields power in displacement crises, we can begin to see displacement and response as tools for the production of territory and the production of subjects.

The Nigerian government's response to the Boko Haram conflict demonstrates a territorial struggle that parallels what's at stake in forced evictions. Boko Haram operates differently in urban and rural settings—since they are an insurgent group, their tactics illustrate the areas where the Nigerian state's territorial control are weakest. In Maiduguri, capital of Borno state, accidental explosions of homemade explosives demonstrate that

their hideouts are in the city's outskirts and informal neighborhoods.¹⁰³ These are consistent with findings in other cities in conflict: visibility begets governability, and therefore, security.¹⁰⁴

Likewise, after the attack in Chibok, Boko Haram used another ungovernable space to hide, this time in a rural area. In Maiduguri, the cover of informality, population density, and the boundaries with the natural environment enable attack-and-vanish tactics. In the Chibok case, however, the small town provided no built form for withdrawal with nearly 300 captives. In this instance, the nearby Sambisa Forest served the same purpose, providing refuge for Boko Haram, and a chance to again go off-grid. In urban areas, Boko Haram has remained a loose criminal network in informal areas, but in rural areas where the territorial power of the state capitals is weakest, they have become quasi-state holders of territory themselves. In response, the Nigerian government has responded with military force in these areas, the ultimate assertion of sovereignty. As Emmanuel Onah argues, these conflicts and the "equilibrium of violence" actually *sustains the Nigerian state*.¹⁰⁵

This undermining of the government's territoriality in informal and rural spaces offers a new lens to examine forced evictions and land grabs. On the surface, the two groups could hardly be more different. But both are on the receiving end of the government's use of force. If we take Type II (Informal) DIDR as an example, this angle complicates the purely economic explanation for displacement. If informal spaces present a governance challenge, or undermine the Nigerian state's territorial sovereignty, then we

¹⁰³ Agbibo, "Peace at Daggers Drawn?" p. 45.

¹⁰⁴ Samper, Jota, "The Role of Urban Upgrading in Latin America as Warfare Tool Against the 'Slum Wars.'"

¹⁰⁵ Onah, "The Nigerian State as an Equilibrium of Violence."

can read the violent displacement in Ilu Birin as a war for control, not just extraction. Informal communities exist as a state of exception to the state's authority, so regularizing them accomplishes two sovereignty-related goals. First, it accomplishes the intended aim of the cadastral projects described by James Scott in *Seeing Like a State*—it renders land legible, taxable, and governable.¹⁰⁶ Second, it disciplines evictees themselves, solidifying their role as subjects, even without charging them with a formal crime. It serves as an example of anthropologist Sally Merry's "spatial governmentality", a form of state control "based on the governance of space rather than on the discipline of offenders or the punishment of offenses."

This same dynamic is at play in Type I DIDR in Nigeria. The indigenous Ogoni people have long represented a threat to federal authority, for their claims of ancestral entitlement to land and resources, their political activism, and allegations of separatist sympathies. Furthermore, much of Ogoniland is rural; its distance from the seat of state power make it less legible and governable. Indigeneity itself can be problematic for state and federal governments, since it rationalizes devolution of power. From a sovereignty perspective, the state benefits whenever it seizes territory or exerts force against the people of Ogoniland.

Even by assisting conflict-affected IDPs, the Nigerian government declares its sovereignty. Boko Haram's insurgency discredits the legitimacy of the state. By providing services to those displaced by the group, the state reasserts it. As Ananya Roy describes, through "civic governmentality," governments can control their subjects *by including them*.¹⁰⁷ Through assisting CIDR IDPs, Nigeria reissues the social contract. This is an

¹⁰⁶ Scott, *Seeing Like a State*.

¹⁰⁷ Roy, "Civic Governmentality."

important departure from the spatial governmentality through which DIDR IDPs are disciplined. In their case, there is no effort at *inclusion*, instead the effort becomes *dispersion*, but with similar results. The very name of the force used to enact development induced-displacement in Lagos reveals its true purpose—KAI is an acronym for “Kick Against Indiscipline”.¹⁰⁸ Both helping CIDR IDPs, and displacing DIDR IDPs, serve to affirm the sovereignty of the Nigerian state.

International Interventions and the Hierarchy of Displaced Persons

In the world of international humanitarian assistance for displaced persons, development-induced IDPs receive little to no attention. There are several explanations for donors’ privileging of transnational and conflict-induced displacement. For bilateral donors or agencies concerned with regional stability and order, humanitarian response is not just a generous act, it is also a strategic one. Other explanations are less obvious. The data and visibility gap, the history of refugee law and the institutional mandates that surround it, and the aesthetics and politics of philanthropy all play a role. Given limited awareness about development-induced displacement, the wrong global institutions to handle it, and the moral shortcomings of aid motivated by sympathy rather than justice, much work remains to be done to ensure the dignity of all displaced persons.

¹⁰⁸ The “Kick Against Indiscipline” is the spiritual successor to the “War Against Indiscipline”, a widely-condemned government morality program and penal code. The program was initiated in the 1980’s under the military rule of Muhamaddu Buhari, who now serves as the democratically-elected president. May, “NIGERIA’S DISCIPLINE CAMPAIGN.”, New York Times. August 1984.

The Hierarchy of Displaced Persons Under International Law

As Nigeria's case demonstrates, there is a clear hierarchy of displaced persons in humanitarian response. International legal instruments are a major source of this disparity. The roots of the protection gap can be traced to 1951, when the the formal global response to forced migration reached its watershed moment. World War II had left widespread population displacement in its wake, and post-Holocaust and early Cold War migrants presented a statelessness problem on an unprecedented scale.¹⁰⁹ In an effort to build global consensus around a coordinated response, the 1951 Convention relating to the Status of Refugees was approved at a United Nations conference in Geneva. With its enactment, the word "refugee" lost its colloquial sense. The world of the forcibly displaced was divided into those with formal refugee status under the convention, and everyone else.

The Convention was established at the height of a wave of burgeoning international humanitarian and human rights law that traced its origins to the first Geneva Convention of 1864, on the humane conduct of war. The immediate aftermath of the second world war saw the establishment of the fourth Geneva convention, the formation of the UN, and birth of the Universal Declaration of Human Rights. It was in the context of this global institutional change that the 1951 Convention was enacted, and it too marked a departure from earlier approaches to refugee assistance. Before the convention, no general definition of refugee existed in international law. Instead, forced migrant groups of concern were identified and provided for in response to specific incidents, mostly through individual multilateral agreements. There were no generalizable conditions that indicated refugee

¹⁰⁹ Goris, Harrington, and Köhn, "Statelessness."

status. During the League of Nations period, refugees were “defined according to ethnic or national groups, rather than according to their individual characteristics.”¹¹⁰

The birth of the 1951 convention changed all that, introducing a narrowed global definition of refugee around three major themes: cause for fleeing, geography, and timing. To be classified as a refugee under the new regime, a person had to be fleeing targeted persecution, from a European state, and fleeing due to events occurring *before* 1951. These guidelines manufactured a new category of refugee centered around these three criteria, though it would prove too narrowly defined to remain useful over the next two decades. The 1967 Protocol to the Convention broadened the scope of the international refugee regime, eliminating the time and regional restrictions in the previous convention. There have been no substantive changes to the convention’s definition of refugee since.

The original convention definition identified a refugee as any person who “as a result of events occurring before 1 January 1951 and owing to well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country.” The 1967 amendment left the core distinguishing factor intact— “well-founded fear” of targeted persecution along ethnic, political, or religious lines. IDPs on the other hand, remain excluded from legal protection. The UN and other organizations have developed voluntary guidelines to shape their treatment, but without enforceability or widespread adoption, and certainly not in the Nigerian DIDR cases examined here.

¹¹⁰ Walker, “Defending the 1951 Convention Definition of Refugee.”

Invisibility and the Data Gap

Statistics have proven a major battleground for the classification scheme. By measuring refugees annually, the office of the UN High Commissioner on Refugees (UNHCR) has further cemented the boundaries of the conventional definition. With each release of their annual statistical report, they reaffirm who does and does not count as a refugee. But over the past 20 years, advocates for the internally displaced have pushed back. Organizations like the Internal Displacement Monitoring Center have used their own statistics to legitimize IDPs' struggles¹¹¹. CIDR IDPs outnumber refugees three to one, and the IDMC notes that there is not even sufficient data to *count* those displaced by development projects. For development-induced IDPs, not only are they unprotected, but they are not counted as anything at all. Perhaps this type of displacement is so widespread and decentralized that it is difficult to measure. Or perhaps states have little to gain (other than calls for accountability) by collecting such information. Either way, people who are displaced by development are rendered statistically invisible by the existing displacement governance regime. In either case, by increasing visibility of IDPs, these advocacy organizations built enough pressure to gain them "person of concern" treatment from UNHCR.

It's Always About Sovereignty

For those who have been classified as refugees, the clearest benefit stems from the institutionalization of *non-refoulement*. Outlined in Article 33 of the convention, the principle of non-refoulement restricts states from sending refugees back to their country of

¹¹¹ "IDMC: Global Figures."

origin while the fear of persecution remains well-founded. Due to the peculiarities of “customary” international law, the principle of non-refoulement governs refugee relations in countries that have not signed the convention. Jordanian non-refoulement of Syrian refugees is a prominent current example. Yet operationally, the law’s ability to dictate who is and is not a refugee is limited, even among its signatories. Compliance only requires that signatories *establish a body* to make the classification using domestic legislation. Each country establishes its own guidelines, with wide variety among them. It would not be a stretch to call the law weak in the formal sense. Its strength lies in its ability to mobilize consensus, not compel state action—a fact that UNHCR knows well. UNHCR advisor Jeff Crisp has gone so far as to acknowledge that “states and other actors have always been prepared to violate the laws and norms of refugee protection when it suited them to do so.”¹¹² These modern-day limits help illustrate the underlying rationale of the convention; it is primarily about citizenship and state obligation, not addressing human suffering.

This is why the 1951 Convention’s refugee definition is so narrow—it relies on a consensus among self-interested states attempting to resolve the problem of statelessness while protecting their sovereignty. It does not, however, construct a positive obligation for addressing human need. Therein lies the fatal flaw of the 1951 Convention and subsequent Protocol: its classification of refugee status had to be narrow enough for states to see a benefit in ratifying it.

This more cynical view of the convention supports what scholars like Nevzat Soguk have argued is the true driving force behind these agreements.¹¹³ Statelessness can be

¹¹² Crisp, “A New Asylum Paradigm? Globalization, Migration and the Uncertain Future of the International Refugee Regime.”

¹¹³ Soguk, *States and Strangers: Refugees and Displacements of Statecraft*.

viewed as a threat to legitimacy of nations. The modern nation-state rests on its ability to account for the global population under banners of citizenship. When a citizen has lost the protection of a state, it undermines the global order, especially in early days of decolonization after WWII. The convention stands in contrast to the regional refugee agreements of the African Union or in Latin America, where states' incentives were different.¹¹⁴ In those instances, the motivation was to form a political bloc, and states agreed to be more generous in their refugee policies towards one another. Instead of defending the superiority and legitimacy of the nation-state, these refugee agreements aimed to define membership on a regional scale.¹¹⁵ This still falls short of a commitment to displaced persons themselves.

Locating Human Rights in International Displacement Law

Much of the criticism leveled against the refugee regime is that it excludes those who face human rights violations. Therefore, to accurately assess the convention as a humanitarian or human rights tool, it is essential to locate its place within the legal traditions of humanitarian and human rights law. Though often conflated, these two traditions reflect vastly different concepts of victimhood and accountability. Humanitarian law, traced back to the Geneva Conventions, is the *law of the humane conduct of war*. Human rights law, on the other hand, is the *law defending the dignity of all humans*. Refugee law is not officially a part of either tradition, but is related to each. The following chart illustrates the important differences between the two, including how we might expect refugee law to look if it followed from each tradition.

¹¹⁴ Turton, "RSC Working Paper No. 12: Conceptualising Forced Migration."

¹¹⁵ Stone, *Policy Paradox*.

	Humanitarian Law	Human Rights Law
Purpose	To establish the criminal law of war; treatment of non-combatants	To establish dignity of all humans
Global enforcement mechanisms	Stronger	Weaker
Who counts as a victim?	<i>Protects a person by virtue of being conflict-affected</i>	<i>Protects a person by virtue of being a human being</i>
Who is held responsible?	Violating party	Citizen's government
How might this tradition define refugee protections and entitlements?	Narrowly	Broadly

How did these narratives play into the drafting process of the convention? A series of recorded minutes on the drafting meetings, the *travaux preparatoires*, give us a glimpse at the recurring themes throughout the drafting process. As legal scholar Kristin Walker asserts in her defense of the 1951 definition, the *travaux preparatoires* “reveal the States' dual concerns with the humanitarian goal of assisting refugees on the one hand and protecting refugee-receiving states from an influx of refugees on the other.”¹¹⁶ Walker’s analysis intends to refute the idea that state interests were the only thing at stake for the drafters of the 1951 Convention, and the documents support her claim. What Walker leaves out, however, is the aforementioned distinction between *humanitarian* and *human rights* legal protections and interventions. It is fair to claim that the drafters considered humanitarian interests—by tying refugee status to conflict and targeted persecution, they built the

¹¹⁶ Walker, “Defending the 1951 Convention Definition of Refugee.”

convention on the foundation of humanitarian law. But humanitarian law is the law of war, not of preserving human dignity writ large.

The convention and protocol therefore serve as prime examples of treaties that further the humanitarian agenda, but not necessarily the human rights agenda. While the Universal Declaration is the vision for human rights worldwide, two treaties form its legal pillars, the 1966 International Covenant on Civil and Political Rights (ICCPR) and the 1966 International Covenant on Economic, Social, and Cultural Rights (ICESCR). These two conventions map onto the general division in human rights discourse between civil and political rights (e.g. right to freedom of speech and religion) and economic, social, and cultural rights (e.g. right to adequate housing, right to freedom from hunger, right to an adequate standard of living). The Universal Declaration lists these principles together, and insists on their “indivisibility” and “equal protection” under all of them. In practice, however, political support for each Convention has differed and they have been pulled into distinct categories of rights (the United States, a notable example, has never ratified the ICESCR, despite its strong support for the ICCPR).

The refugee protection system reflects the same division. The 1951 convention enshrined protection for those fleeing civil or political rights infringement, but excluded those fleeing economic, social, and cultural rights infringement. Just three years after the Universal Declaration and its principle of indivisibility bound these rights together, the architects of the international refugee regime severed them. At the same time, they moved the humanitarian agenda forward substantially, expanding the field’s protection of “non-combatants” to include those who have crossed national borders. Yet from the perspective of IDPs in conflict situations, the law falls short even as a humanitarian instrument. If the

aim of humanitarian law is to protect conflict-affected civilians, the exclusion of IDPs in conflict is, if not arbitrary, then solely political. The balancing act between state interests and humanitarianism that Walker demonstrates was resolved at the expense of IDPs in conflict. And that is to say nothing of the millions of IDPs displaced by development.

UNHCR's Mandate: Towards A Global Displacement Agency?

The classification system that privileges refugees over other forcibly displaced persons reveals the weakness of relying on a humanitarian legal instrument to address human suffering. There is little ambiguity on the limitations of this kind of intervention—a 2009 report from the Humanitarian Policy Group declared authoritatively: “Threats to international peace and security – not the right of humanitarian intervention or the ‘duty to interfere’ – remain the principal international legal basis justifying humanitarian intervention.”¹¹⁷

UNHCR finds itself working from within this uncomfortable formulation of the obligation to assist. Unquestionably, their primary mandate has been refugee response. But over the past several decades, that role has shifted, and UNHCR increasingly finds itself engaged in IDP situations. Scholars like Elizabeth Ferris, the co-director of Brookings' IDP project, has critiqued the inconsistencies of refugee and IDP protection in examples like displacement in Iraq and New Orleans after Katrina.¹¹⁸ While Ferris has argued that states to do more to help the displaced, rather than leaving the work entirely to humanitarian agencies, she maintains that “ for UNHCR to meet the challenges of future displacement, it

¹¹⁷ Collinson et al., “Realising Protection: The Uncertain Benefits of Civilian, Refugee and IDP Status.”

¹¹⁸ Ferris, *The Politics of Protection*.

should reposition itself as primarily a displacement agency rather than a refugee agency.”¹¹⁹

But there are potential trade-offs to such a move as well. UNHCR relies upon the legitimacy of its refugee assistance mandate to hold states accountable and access vulnerable refugee populations, a challenging proposition already. As we have seen, other displaced persons find themselves on the wrong side of state sovereignty. What might be the consequences if the global champion for refugee were to wade into such a political battle? Robert Muggah, who articulates many of the similarities across all groups facing forced displacement, nevertheless raises this question as well:

The United Nations High Commissioner for Refugees (UNHCR), for example, developed an interest in working with IDPs in the early 1990s in order to ensure “preventative protection” and contain would-be refugees. This has carried a cost. UNHCR has been criticized for straying from its principle objective of ensuring protection for refugees. It is argued that attention to IDPs potentially dilutes the agency’s mandate and legitimacy.¹²⁰

When, then, does UNHCR decide to intervene in internal displacement cases? What logic or operating principle enables the agency to determine which people it will help, and which it won’t?

Frameworks to understand and compare displacement events exist, like Michael Cernea’s “Impoverishment Risk and Livelihood Reconstruction” model, or the Housing and Land Rights Networks’ “Forced Evictions Loss Matrix”. However, no such calculation seems to go into UNHCR’s decision making on this issue. Instead, the agency looks for guidance in its original mandate. As one UNHCR staff member working on the Nigeria response explained to me:

¹¹⁹ Ibid.

¹²⁰ Muggah, “A Tale of Two Solitudes.”

For Nigeria, we have about 1.4 million displaced persons of concern... We are working with IOM and NEMA at the state level to try to track and register them. We have national human rights commissions to work with on the protection of IDPs...Anything related to protection they report to us. Government capacity is relatively strong, so we work closely with them... It is not really our role in the international community to work with IDPs, but when the government is incapable or unwilling, we have to assist. But we also can't violate their sovereignty if they don't want us to intervene. The time when it becomes hard is if an IDP community has a protection issue. That's when we have a responsibility to intervene... We build up the capacity of national human rights commissions to do "protection monitoring" for us, so we can be notified of these issues.¹²¹

If and when UNHCR strays outside refugee response, it is often explicitly to assist communities that have lost the protection of a state. When asked about how that determination is made, UNHCR West Africa staff indicated that they hold meetings with a protection sector working group, headed by the government. The working group develops the IDP protection strategies with government involvement. Certainly, the overt violence and human rights violations carried out against the DIDR IDPs in Nigeria constitute a protection issue. As Atinporomeh Chairman Adu very directly explained, "What they are doing to us is a crime against humanity. As I speak, my life is under serious threat. I have been begging international human rights organization to come to our aid, to find a way to give us some protection... we need their help."¹²² And that is to say nothing of the poorer communities with both direct and indirect loss of life from forced evictions.

The more likely reality is that UNHCR means "protection" in the technical sense that humanitarian professionals use it. "Protection" is a cluster of agencies and responses that can be activated by the United Nations within a humanitarian crisis. UNHCR is the lead organization for the protection cluster, but the UN Office for the Coordination of

¹²¹ Regional protection officer, UNHCR West Africa, interview.

¹²² Chief Charles Adu, interview.

Humanitarian Affairs decides whether there is a humanitarian emergency to begin with, not the cluster lead agencies. Once something is declared a humanitarian emergency, which notably excludes long-term displacing processes like development, climate change, or poverty, only then are the individual clusters activated. In order to think seriously about what the future of UNHCR in internal displacement might be, we will have to reconsider what constitutes a humanitarian crisis, liberating the term from its roots in the formal laws of inter-state war.

“Hero Philanthropy” and the Aesthetics of Helplessness

While the ten communities I met with during this fieldwork are still searching for justice, they are anything but helpless. Throughout my interviews and the federation meetings it was clear that these were people seeking agency, making rights-based claims on their state, and clamoring for democracy and accountability. Time and again, respondents stated that they simply wanted their self-sufficiency and independence back. Unfortunately, in an aid industry that responds to images of helplessness and sensational violence, centering dignity is unlikely to mobilize funds.

Denis Kennedy explores the complexity of humanitarian compassion in an article on the “governance of compassion in the human imaginary.”¹²³ In “Selling the Distant Other,” he puts it bluntly:

Humanitarian organizations use imagery to bridge distance, to bring the distant victim to donor publics...one of the results of these marketing acts is the veritable commodification of suffering. Humanitarian fundraising appeals derive emotional force through their reliance on human misery; suffering is, in this sense, one of the principal currency earners for humanitarian organizations. Agencies use their

¹²³ Käpylä and Kennedy, “Cruel to Care?”

moral and expert authority to define and sell, through images, the humanitarian project.¹²⁴

Under fire here are not necessarily the intentions of humanitarian response organizations, but the effect this representation of others' pain has on their work and their beneficiaries. Aubrey Graham, who has studied the way displaced persons have learned to demonstrate and perform their vulnerability for aid photographers, echoes this sentiment, "For over a hundred years, such images have motivated western financial donations while also contributing to a systematic means of understanding the regions they depict and determining what becomes visually imaginable and what is rendered invisible".¹²⁵ It is this point—what is rendered invisible in the international aid project—that sheds another light on why development induced displacement has been ignored.

Of the UNHCR and U.S. officials I met who were working on the Nigerian displacement crisis, none with were familiar with the 2 million DIDR evictees. And if they did, what would they do? Each have audiences accustomed to a narrative of gratuitous violence, villainous armed groups, and victims of circumstance needing a hero from the developed world. The experiences of DIDR IDPs in Nigeria do not fit into so neat an imaginary. They aren't looking for a hero; they are looking for dignity (though the same could be argued for other displaced groups). Their adversary is not a violent terrorist organization, it is a state that exports oil around the world, and manages Africa's second largest economy. Their displacement didn't come from a natural disaster or unlucky natural circumstance, it came in service to an extractive development model, or modernist urban renewal vision that doesn't see them as part of an investment-grade city.

¹²⁴ "Selling the Distant Other."

¹²⁵ Graham, "One Hundred Years of Suffering?"

This mirrors the split between development assistance and humanitarian relief. If international aid relied only on moral justification, the relief-development divide would not exist. Instead, a notion of the *moral aesthetics* of aid offers two ways to understand the divide between humanitarian and development assistance: aid as self-fashioning, and aid as optics.

To respond to suffering caused by acute events and humanitarian crises is to offer help to those whose suffering *the donor has no hand in creating*. When the cause of a crisis is outside of the responders' control, like with a natural disaster or internal conflict event, the responder can play the role of benevolent outsider. Since this involves a voluntary transfer of benefit, such interventions are an act of going above and beyond conventional international laws and obligatory norms. As such, humanitarian intervention is a tool for fashioning the self (or the state) as morally righteous and magnanimous. Responses to natural disasters, in particular, are constructed as noble, rather than obligatory. Like in a contractual "Acts of God" clause, the seemingly random distribution of suffering from natural disasters frees actors of any *liability* to intervene. As a result, these voluntary transfers are interpreted as generosity instead.

To respond to suffering caused by systemic inequality or dispossession and land grabs, on the other hand, is to acknowledge one's participation in human-created economic systems which advantage richer nations. Development-related interventions aim directly at uneven distributions of growth or long-term conditions of human suffering; the intervening state can only help because it is better off than the beneficiary. If distributional injustice counts as harm, then the lopsided distribution of child mortality, acute malnutrition, and gainful livelihoods are a clear violation of the "do no harm" principle. Poverty, deprivation,

and vulnerability to forced evictions are not randomly distributed, they are clustered based on history and continuing structures that enable and support the status quo. Unlike humanitarian intervention, development typically begins with the acknowledgement that this situation invokes a higher level of moral obligation, as some development actors like the UK's DFID openly state¹²⁶.

As long as humanitarian response continues to be motivated by compassion alone, it is unlikely to serve DIDR IDPs. Compassion in such a situation is as much about the giver as the recipient, and unfortunately, there are less complicated interventions that better fulfill the imaginary of a compassionate humanitarianism. For humanitarian response to serve forced evictees, it would need to be predicated on notions of justice and dignity. Either donors' understanding of what constitutes a humanitarian crisis needs to change, or their level of engagement in protection issues outside of the existing relief framework must.

¹²⁶ "The Department for International Development (DFID)."

V. Conclusion: Opportunities and Limits of Assistance, Protection, and Prevention

Mobilizing Assistance: Humanitarian Response and Relief

As interviews across displaced communities in southern Nigeria show, there is a demonstrable material assistance gap for DIDR IDPs. Badia East residents received modest compensation, before facing a second demolition in late 2015, and the Susan Brown Foundation helped feed some of Luusue Sogho's children. To call these responses inadequate would be a tremendous understatement. Yet no other material assistance was mentioned by any of the DIDR IDPs I interviewed in this research.

We can see that the Nigerian state deepens its control over space and over citizens through its response to multiple forms of displacement. Unless some political configuration makes it advantageous for the state to offer assistance to DIDR IDPs, there is little reason to believe that they will do so. For donors on the other hand, the story is more nuanced. Narrative plays a major role in shaping what interventions donors deem worthwhile. Projects that are perceived as high-impact, high-need, or morally urgent are more likely to be funded, as are those that offer a potential success story for donors' stakeholders. Here, there is room for displacement advocates to strategically engage the philanthropic community. Here, organizations like JEI can leverage the stories, facts, and survey figures that document existing need for displaced communities. The challenge, however, is how to mobilize assistance dollars without commodifying the pain of displaced persons—or at least to present them in their full agency and humanity, not just as victims.

Breaking the Vulnerability-Viability Divide: Realizing Prevention and Protection

At the same time, we must ask whether the humanitarian frame is the right one. The system is designed to be reactive, not proactive—risk and resilience programming remains a development activity. Development-induced displacement lands squarely in the middle of the humanitarian-development divide among international affairs professionals. The humanitarian world doesn't read the situation as a true crisis, while the development world is looking elsewhere for opportunities to drive growth, or in some cases is actually funding the displacement. As one industry professional explained to me, "Development looks for *viability*, relief looks for *vulnerability*". Communities displaced by development have aspects of both.

On one hand, we could expand the notion of what constitutes a humanitarian response. Currently, the humanitarian architecture is primed to respond to events, like conflicts or disasters, not processes, like trends in urban and rural development and land use. If humanitarian actors looked at these situations, they would find a strong case for protection activities.

In reverse, development actors could start taking prevention more seriously as a planning activity. Social safeguard policies are a good first step, but we can look beyond them to consider *risk*. Here, tools like Michael Cernea's Impoverishment Risks and Reconstruction model or Housing and Land Rights Network's Eviction Loss Matrix are instructive. As part of the pursuit of progress, development actors and state planning agencies should identify communities whose wellbeing are at risk due to forced evictions. Development and planning actors should imagine, what if a single, cost-effective

intervention could simultaneously improve joblessness, homelessness, poverty, mortality, wealth and service provision, strength of social and kinship networks, interruption of children's education, food insecurity, and disease morbidity? Forced evictions worsen all of these; preventing forced evictions prevents setbacks across all these indicators of wellbeing.

Rights-based or legal appeals to protection are not promising in the Nigerian context. At the time this fieldwork was conducted, President Buhari had suspended the activities of the NHRC in an organizational reshuffle.¹²⁷ Even with a favorable ruling, laws from the military regime era, like the Land Use Act, provide such sweeping powers to the government that there is little to be done, even since the return to democracy. Even if the law were changed, Atinporomah's extralegal eviction demonstrates that there is no guarantee evictions would stop. Against a Nigerian state with so much authority, human rights serve as a rallying call for mobilization, not a credible legal threat. Centering the agency of displaced communities, organizing around human rights, and pressing for political recognition remain the most viable path for communities to resist displacement.

In a world of limited assistance resources, managing the negative consequences of displacement doesn't need to be a fight over which displaced communities get what. *Not displacing people at all* is an inexpensive option to help communities maintain their homes and livelihoods. Where resources are available, in-situ upgrading and programs to formalize slums and informal communities while retaining current residents might be helpful interventions.

¹²⁷ Megan Chapman, JEI founder, interview.

Yet for those already displaced, the path forward must include recognition of harms already inflicted. An adequate response would consider restoration of property and quality of life, and protection against further evictions and violence. Forcibly displaced persons in Nigeria have called for visibility from the media and accountability from the state. Looking outward, they've requested assistance from "organizations across the world that hate injustice, to come to our aid."¹²⁸ But as they organize and fight for their human rights, as they insist on their citizenship and dignity, and as their homes are demolished and communities set ablaze, the world has left them waiting.

¹²⁸ Chief Charles Adu, interview.

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