

Access to Land for Urban and Peri-Urban Agriculture in Kano

By

Adamu I. Tanko, PhD, FRGS, Department of Geography
Bayero University, PMB 3011, Kano, Nigeria
e-mail: aitanko@buk.edu.ng, Phone: +234-802-303-4819

Introduction

Since the 1960s, a dramatic acceleration in urban growth, combined with surging levels of grinding poverty in most African cities have heightened concern for the 'urban crisis'. Kano is a city in northern Nigeria with a population of between 2.5 and 3 million, which makes it the largest city in the Region. Studies have previously established the significance of urban and peri-urban agriculture (UPA) in the area as it improves towards city nutrition, household food security, employment etc. (see Binns and Fereday, 1996; Binns et al., 2003 for instance). Despite the obvious gains resulting from the practice, it does not presently appear to be officially recognized. Of course, it is tolerated only as an important response to the economic and social conditions faced by many poor individuals (Binns et al., op cit.). As Lynch et al. (2001) suggest, the promotion of an 'enabling environment' in which UPA is encouraged and supported remains crucial, especially in terms of how agricultural activities fit in with urban structure, urban problems and the lifestyles and livelihoods of individual actors in the peri-urban interface. Above all one key issues are of primary concern today is the land tenure arrangement, which does not, as at today, encourage full participation in the UPA.

A study conducted (Olofin et al, 1996) found that UPA in Kano was not a new phenomenon as it began over 30 years in some parts of urban Kano. The practice became widespread since the general economic downturn that started in the late 1980s. It is obvious that the popularity of the practice is a response to rapid inflation and a general lack of employment opportunities in the formal sector of Nigeria. For this reason, urban people turn to horticultural crop production on open sites as a direct means of improving their livelihoods. The farmers, the study (op. cit) found to be relatively homogeneous groups: mostly males, with little formal education, resource poor and with few other income-earning opportunities.

The activities of the farmers are predominantly in the dry season. In the wet season staple crop production takes place mainly on upland plots. During the dry season, subject to the availability of water, irrigated horticultural production can be found on the flood plains, low terraces and depressed uplands in and around Kano. A wide range of the crops is grown, including indigenous vegetables. Most water is sourced from open water sources, e.g. drainage channels and ponds, and most of these are highly polluted with household and industrial effluents.

Agricultural plot sizes varied depending on the season and location. During the dry season, sizes varied from 0.1 - 0.5 ha. Wet season plots are larger and range in size from 0.2 - 3.5 ha. Generally, the plots in the peri-urban locations are larger than those in the urban Kano. Of course the land holdings are fragmented, with many of the farmers having different plots at different locations - some irrigated and some rainfed. One aspect that has influenced the pattern of the production and the holding sizes is the land tenure system.

Land Tenure Arrangements in Northern Nigeria

A variety of land tenure arrangements are common for the UPA in Kano. These range from personal or family ownership (where tenure is secure) to permitted and illegal squatting (where tenure is insecure). In some locations, farmers utilize open land adjacent government undertakings as railway lines, and some government offices. Most of the farmers feel that they 'own' their plots in the sense of having user rights over them. This I believe is borrowed from the pre-colonial (and pre-Islamic) idea when land tenure arrangement was purely communal, in which case individual members had the right to any land. Once an individual used any particular piece of land; he had the right of occupancy by exclusion of any other member of the community. The land reverts back to the community only when he ceased to use it. Thus, Ega (1987) views rights to use land, at two levels. That the community had right over all unclaimed land, and individual had complete control over his holding. It is a fact too that during that period, entitlement to land was exclusively through kinship and membership to the community.

Colonial rule, from 1900, came with changes in land administration in Northern Nigeria. The first proclamation immediately the colonial rulers arrived took over all forms of control of land from the Sokoto Caliphate and vested it in the hands of the British government. Land in the Region came to be classified into 'Crown land' and 'Public land', that; "whereas Crown land was vested in the Governor in trust for Her Majesty, public land was vested in the Governor in trust for the people" (Tanko, 2003, 4). Indeed, the most significant event was that all lands in northern Nigeria became public land; private land holdings came to be abrogated.

With the attainment of Independence in 1960 the critics of the Land and Native Rights Ordinance became very popular. They expressed opinion that necessitated a reexamination. The most prominent of the argument against the Ordinance were that it represented the nationalization of land of the Protectorate of northern Nigeria, meaning that land in the Protectorate ceased to be 'owned' by communities, village, towns or families which altered the preexisting law considerably.

It was in 1962 that the Land Tenure Law of Northern Nigeria was promulgated. Analysts pointed out that the legislature submissively adopted substantial part of the Ordinances, affecting only a brief cosmetic face-left (Aboki, 2003). With this, the problem of land tenure and administration persisted and defied concrete solution. There came problems of land speculations, racketeering, faulty and skewed distribution, monopoly and exorbitant demands for compensations whenever the government demanded land for development. Thus, land tenure became the most complex and most delicate of problems facing agriculture (at all levels and at all locations) in Nigeria.

The period between 1975 and 1978, was the time when an attempt at having a sense of national purpose and well being was made with the promulgation of the 1978 Land Use Decree No 6, which was, with the taking up of the civilian administration, subsequently re-titled the Land Use Act (1979).

By the provision of the Act, all lands within the territory of each state are vested in the Governor of that State and such land is held in trust and administered for the use and common benefits of all Nigerians. The Act heralded many policies, which may be seen to impede proper utilization of land for efficient eradication of conflicts and poverty.

The major constraint of the Act on UPA has to do with the insecurity of tenure. By the provision of the Act all lands in 'urban areas' are primarily for residential, and other urban land systems (excluding agriculture). Thus, no provisions can be made for agricultural purpose. Ideally farmers would like to obtain access through a formal system, e.g. ownership, rent/lease, permit, etc. In the case of urban Kano currently, it is difficult for the farmers to have this desired access, owing primarily to their economic and/or educational status. However, it would be useful to point out that, provisions are made for tracts of land that are not suitable for urban structures, such as flood plains, are demarcated for UPA, and as such allocated formally to the farmers for such use only.

Although the UPA is not new, the observation that the practice has developed under a range of policy environments (from active support to active discouragement) is very accurate and true. In Kano, institutional support at national and local levels has mostly been very weak in addressing the key problems of the participating farmers. Of course, urban managers are faced by immense pressure of insatiable land demand for urban structures. This may explain the existing informal or semi formal and uncoordinated efforts at addressing the myriads of problems being faced by the farmers. Indeed, some of the problems faced by the farmers are similar to those of the rural farmers, especially with regards to cost and access to inputs especially fertilizers and lack of credit facilities.

Currently, the UPA is suffering from informal definition of farming system, strategic technical support in the areas of input provision and extension services etc., and significantly, in the areas of environmental concerns over the impact of pollution on the farmers and consumers. It is important to call for institutional involvement where there should be formalized and coherent participation by farmers, which may have to be facilitated through non-governmental and community-based organizations.

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