



Restructuring in Nigeria: Resources control as a panacea for reducing militancy in the Niger delta region

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Abstract

The issue of resource control is an integral component of federalism/true federalism. Since Nigeria operates a federal system, it should be restructured along this line. The purpose of this research paper is to investigate the issue of resource control as a panacea for reducing militancy in the Niger Delta region of Nigeria within the context of federalism which is a fundamental principle for resources control. The methodology adopted for the study is the qualitative techniques to generate relevant data for the research. The paper also examined a brief analysis of the shift in policy derivation and militant agitations as a strategy for resource control in the Niger Delta. This is so because several attempts by successive Nigerian government to pacify the people of the region through various intervention programmes did not yield the needed result including the recent introduced Presidential Amnesty Programme (PAP) has not lived up to its expectations as the exploitation, deprivation and environmental degradation with the emergence of militant activities persist as the agitations for resource control continued in the region. Therefore, the paper recommend that the only way to resolve resource control issue amicably is for Nigeria to be restructured to guarantee fair and equitable distribution of resource that is allowed to benefit all. Since resource control can only be achieved via constitutional amendment.

Keywords: agitation, constitutional amendment, federalism, militancy, resource control

1. Introduction

Restructuring Nigeria has become one of the national issues of discourse in the country. Nigeria practices a federal system of government, it has thirty six (36) states with the Federal Capital Territory (FCT) and with a bicameral legislature that consist of a one hundred and nine (109) Senate members and three hundred and sixty (360) members House of Representatives. The Nigeria federal structure is therefore modeled after the United States federal system hence, it is stipulated that the nation (Nigeria) restructuring is operated along federalism.

The word “restructuring” means different thing to different people in Nigeria and there have been calls from different sections of the country and from well meaning Nigerians in the South-West, South-East, South-South and the Northern part of Nigeria. To some, it is the devolution of powers, to others it is the creation of states/state police but to the people of the Niger Delta restructuring is the complete ownership of resources (resource control) that is embedded in federalism/true federalism including the running and management of their God given mineral resources where taxes are being paid to the centre or federal government by each federating units for the good and benefit of the people (*The punch newspaper*, 2017).

Worthy to mention is that a well operated federal system has the principle of resource control entrenched in it. The US and Canada operates a federal system where the states exercise ownership, exploration and right over the natural resources located within their respective borders with agreed payment of taxes to the central government. Although, resource control give emphasis to state/communities the right and power to control and manage the resources within it sphere. It is also

about equity and fairness on how mineral resources are equally shared and distributed, it allocation and utilization instead of mere derivation formula. Whereas resource control is a fundamental and integral part of federalism which is being practice as a model or concept in the above mentioned countries, while it is a struggle and agitation in Nigeria (Osazuwa *et al.*, 2010)^[13].

It is true that the agitation for resource control in Nigeria has been on for many years. Since the 1950s, when cash crops were mostly exported as a means of foreign exchange the Northern part of Nigeria insisted that it was the only condition for them belonging to and participate in the entity called Nigeria. The Northern majority championed this cause in the 1950s because of the groundnut amongst others where the revenue sources to Nigeria. As the agitation continued, the federal government then approved fifty (50%), twenty (20%) and thirty (30%) revenue allocation formula to the producing states, federal government and the distributive pool respectively. Ironically, when oil took over as the major mainstay of the Nigeria economy in 1960s, the derivation funds was reviewed and presently what we have is fifty four (54%) to the federal government while the oil producing states get thirteen (13%) (*The Punch newspaper*, 2017). This marked the beginning of an increased degenerating policy in the Nigerian federalism at a time when the Southern minorities in the Niger Delta ought to have benefited from the previous formula from which the Northern counterparts had benefitted. The sudden shift change of the goal post at the middle of the match is fundamental to provoke the agitation for resource control in the Niger Delta region of Nigeria (Osazuwa *et al.*, 2010)^[13].

Since then, there have been different agitations on the issue of

resource control from individual, groups and notable Nigerians in the Niger Delta. These struggle and agitations continued in the 1990s with protest and mass demonstrations with violent attacks on individuals and oil companies which led to the Niger Delta crisis that became volatile leading to the emergence of several militants groups in the region. The militants engaged in pipeline vandalization, kidnapping, oil theft and other criminal activities amongst others. This is because of the continue exploitation, environmental degradation, deprivation, unequal and unfair distribution of oil and gas as the people in the Niger Delta are left to deal with the consequences of explorations. Therefore, they are sad to see that behind their houses are oil wells full of petroleum in billions of barrels, yet they go to bed without eating as the owners are now made to beg for what ordinarily had been given to them by nature (Dudu and Imongan, 2017) ^[6].

In the midst of all these problems, attempts were made by Nigeria government in setting up several intervention agencies to pacify the Niger Deltans and to curb the militancy activities in the region yet, the agitations for resource control have continued to increased. This paper seeks to look at restructuring in Nigeria with the aim of investigating the issue of resources control as a panacea for reducing militancy in the Niger Delta region within the context of federalism/true federalism which is a fundamental principle for resources control.

2. Methods

2.1 Research Design/Sampling Methods

The methodology adopted for this research study is the qualitative techniques. This includes the use of key informant interview to generate relevant data for the research. The study took place in three (3) Local Government Areas of Rivers state due to the militants activities experienced over time in these LGAs such as Okrika, Gokana and Obia/Akpor, LGAs. The research study took place from February 2016 to August, 2016. The sampling method adopted was the systematic sampling method conducted for the interviews. The study began with contacts visitation to relevant stakeholders and authorities to take permission and informing them of the purpose to start the study. These include –Youths leaders, community leaders, social activists, traditional rulers, ex-militants and relevant government authorities as regards the subject matter.

2.2 Data Analysis

For the purpose of the data analysis, the data for the study was analyzed qualitatively in order to achieve the main objective of the subject matter. Useful observations were carefully carried out on the objective of the research study as regards the location of interviews. The observations were made by participants during the key informant interview.

2.3 The key informant interview

The key informant interviews were conducted with different stakeholders on the subject matter with each community/ward making contribution during the interview. In conducting the key informant interview, three key informants were interviewed, one each in Okrika, Gokana and Obia/Akpor the headquarters of Okrika, Kpor, and Rumuodomaya LGAs

respectively. Also, one of the major inclusive criteria was that participant must be an opinion leader in their community and must be an indigene who must have lived in the community for at least 5 years.

3. Analysis of a shift in policy derivation

One of the major features of federalism is the method of sharing revenue between the central government and the components units. In the first republic between 1960-1966 the revenue of Nigeria was shared based on the principle of derivation. In the process, 50 per cent of the revenue of the federation from natural resources goes back to the region where the mineral were extracted, 30 per cent was kept in the distributive pool which was shared among the region including the producing region while the remaining 20 per cent went to the federal government (*The Vanguard newspaper*, 2014). During this period, crude oil was of no significance in the country as a means of foreign exchange. The mainstay of the nation's economy were export produce of cocoa from the West (Yoruba), Palm oil from the East (Ibo) groundnuts, cotton, hides and skin from the North (Hausa/Fulani) as Nigeria's means of foreign exchange from the region. More so, the government of the day did not complain due to the fact that it was very convenient for these majority groups of the hausa/fulani in the North usually in control of the federal government to emphasize derivation, hence its strong presence in the 1963 constitution.

According to Aladeitan (2013) ^[4], the federal government promulgated the Petroleum Decree (No 51) of 1969 and vested all lands and mineral resources be it oil and gas in, under and upon the land, on the Federal military Government. Therefore, with the 1969 petroleum Act, knowing fully well that crude oil was becoming the major source of Nigeria's foreign exchange in large quantity they later changed from derivation to the federal government exclusive ownership (Agbaeze, 2015) ^[1]. With these, it means that the Niger Delta people were not only deprived but that their God given wealth was transferred through underground pipeline to the majority tribes in the North. It is important to say that the environmental degradation, infrastructural decay, poverty, growing unemployment are still visible with the people of the minorities (Niger Delta). Hence, the shift in policy deprivations was never a mistake neither did it happen by accident but by deliberate acts of impunity.

At present, 13% of total resource derived by the federation account from a particular state is given back to the oil producing state as monthly royalty. This is done irrespective of the normal share of such a state based on other sharing conditions such as population, landscape amongst others. The un-equitable distribution of resource has brought dissatisfaction, perceived injustice and continuous agitations that led to the struggle of resource control by militants therefore, the resources control struggle did not start today.

A key informant interviewed in Okrika local government area of Rivers state was of the opinion that "*The Nigerian federalism should be restructured so that we in the Niger Delta region can manage and control our resources to bring about meaningful development to the region.*" Another key informant in Rumuodomaya, in Obia/Akpor local government area of Rivers state was of the view that "*the only solution to*

the resurgence of militancy in the Niger Delta region is for the Nigerian state to commence an over-all restructuring of the Nigerian federalism to accommodate resource control by the various states or region in Nigeria". However, from the above statement made by the key informants, it is believed that the only solution to the resurgence of militancy in the Niger Delta is restructuring the Nigerian federalism to accommodate the practice of resource control by the various states/regions in Nigeria in order to give room for meaningful development of the regions.

4. Militants agitations as a strategy for resource control in the Niger delta

The confrontations and agitations in the Niger Delta came up as a result of the continuous inequality in the distribution of resources which became a problem in Nigeria federalism. At the centre stage of the agitation for resource control are the Niger Deltans of the minorities' nationalities. It's clear that Omuta (2014)^[12] stated that with the discovery of oil in the Niger Delta, the region has become the hub of economic activities where the Nigerian government and other countries depend on the resources for their continue existence whereas they are at the disadvantage. He argued that oil which is the mainstay of the country is also of great importance to Nigeria economy. It can be best appreciated by the fact that by early 2000, oil and gas accounted for about 98% of all export earnings, 83% of federal government revenue, 95% of foreign exchange earnings and more than 14 per cent of its Gross Domestic Product (Omuta, 2014)^[12]. It is of interest to know that the region is made up of about 70 per cent of the national wealth and about 40% of the oil wells, which are off shore the coastal area. Most on shore facilities are located within the region (Ikelegbe, 2010)^[9]. Thus, the region has long been neglected, deprived with the destruction of farm land including the pollution of water without compensation.

The Agitations in the region was informed with the agitations for resource control without the benefit of the people. The continued environmental degradation and exploitation that eventually brought the feeling of injustice and agitations such as the Adaka Boro's struggle in 1967 followed by mass protest in the 1990s with increasing violent attacks on individual, oil facilities and many others (Tonwe & Aghedo, 2013)^[18, 3]. This was heighten as the Niger Delta youths who travelled to Abuja for the ten million man march were exposed with the reality that they were deprived seeing the massive infrastructural development in the Federal Capital Territory (FCT), as many wondered if there were in Europe using their oil resources to develop other parts of the country while they were been impoverished (Saheed, 2016)^[19]. Upon their return, the youths decided to take their destiny in their hands and took to militancy. Most of them adopted the armed struggle approach to the realization of resource control. With these, different militia groups now emerge such as the Movement for the Survival of the Ogoni People (MOSOP), the Niger Delta People Volunteer Force (NDPVF), the Movement for the Emancipation of the Niger Delta (MEND), and the Ijaw Youths Council (IYC) agitating for the ijaw people to manage and control their natural resources leading to the establishment of the kaiama declaration among other things. All these, brought about militants activities in the

region (Aghedo, 2013)^[3, 18]. This marked a turning point in the history of resource control agitation in Nigeria.

With the resurgence of militia activities in the region, the unemployed youths were into all forms of criminal activities such as; oil theft (bunkering) armed robbery, sea piracy, bombings, pipeline vanderlization and kidnapping. Kidnapping of expatriates for ransom became rampant as it is now one of the fastest and quickest ways for the youths to become millionaires (Aghedo, 2013)^[3, 18]. With these developments, Kidnapping for ransom is not only a common trend in the Niger Delta region but has now become a widespread activity in Nigeria. Apart from kidnapping, crude oil theft popularly known as "oil bunkering" has also increased. It is reported that petroleum product worth millions of naira were stolen daily in large quantities. In recent times, the figure rose to 7,244,171 barrels per day while in 2013, oil theft, pipeline vandalization and other related activities associated with oil bunkering were rampant as the Nigerian government and some oil servicing companies had lost over N100 billion, this amount were lost to fraud and illegal oil bunkering annually (Falobi, 2014)^[8].

Also, some criminals bore holes on oil installations scup fuel others tap from well heads leading to oil spills and in most cases disrupt the flow of petroleum products. Recently, the JTF spokesman confirmed that it has destroyed about 308 illegal refineries, 30 barges, 115 smuggling boats, 20 tankers trucks, 566 surface tanks, 275 drums of illegal refined petroleum products, 273 pumping machines and 2 outboard engines in the process while some suspects were arrested in connection with crude oil theft (Odiegwu, 2014)^[11].

The Nigerian water ways are not left out it's a major risk of sea piracy and other form criminal activities. Most importantly, in Robot creeks in Nembe, Bayelsa State a gang of oil sea pirates fled with various degrees of injuries as a result of gunshots from soldiers patrolling the creeks in the region. Also, in Okpoko Creeks in Delta State, 9 Cotonou Boats with stolen crude oil were recovered from sea pirates, 7 speed boats loaded with 75 jerry cans containing illegal refined Automated Gas Oil (AGO) and 5 pumping machines were recovered (*The Nigerian times*, 2014).

Agreeably, there have been several attempts by the Federal Government to appease the Niger Deltans by putting several measures to address the challenges such as: Setting up several intervention programmes notably, the Niger Delta Developmental Board (NDDDB), Niger Delta Basin Development Authority (NDBDA), Oil Mineral Producing Areas Development Commission, (OMPADEC) and the Niger Delta Development Commission (NDDC) (Jack-Akhigbe, 2013)^[10]. All these invention programmes did not achieve the needed result. Only recently, the Federal Government introduced the Amnesty Programme (AP) entailing among other things the pardon for militants that have been involved in the Niger Delta crisis with the disruption of oil installations (Agbebedia, 2014). The amnesty failed to live up to its expectations and could not curb militant activities because the programme was mere a palliative measure as the federal government took amnesty as an end in itself rather than a means to an end. This generated tension since the reasons which led to agitation were left unattended to, hence it continued with the emergence of the Niger Delta Avengers

(NDA) (Dudu & Odalonu, 2016) [7]. The new militant group (NDA) had also continued with its criminal activities in the oil-bearing region as efforts by the current administration of President Mohamadu Buhari for the NDA to come to the negotiation table proved abortive leading to economic downturn (Amaize *et al.*, 2016) [5]. Therefore, virtually all the people of the Niger Delta including political, religious and traditional leaders have embraced the struggle for resource control. More interesting is that progressive leaders of thought across Nigeria now lend support to the struggle for resource control as a panacea for reducing militancy in the Niger Delta.

5. Conclusion/Recommendation

The question of resource control has been a major problem in Nigeria. Therefore, the purpose of the research study is on restructuring in Nigeria with the aim of investigating the issue of resources control as a panacea for reducing militancy in the Niger Delta region within the context of federalism/true federalism which is a fundamental principle entrenched in the constitution. The only way the government of Nigeria can resolve resource control issue amicably is for Nigeria to be restructured to guarantee fair and equitable distribution of resource that is allowed to benefit all. Since resource control can only be achieved via constitutional amendment/review, there is urgent need for the Nigerian government, individuals and relevant stakeholders in the society to place more emphasis on constitutional review as resource control is the panacea for reducing militancy in the Niger Delta.

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