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FEDERALISM AND THE NIGER DELTA STRUGGLE FOR RESOURCE CONTROL IN NIGERIA

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Abstract

Nigeria adopted federalism as a means of managing her diverse and often conflicting ethnocultural diversities. Without doubt, this may have resulted in some positive achievement. Over the years, the issue of resource control has been the major problem confronting the smooth practice of federalism. The prominence of Niger Delta in Nigeria is premised on its strategic relevance and resource endowment. Since the discovery of oil in large quantity, the region remains the preferred destination for foreign direct investment. The abandonment of true federalism in Nigeria has led to the neglect and marginalization of people of Niger Delta region of Nigeria and this led to the agitation for resource control. The secondary source was used to gather information for the study. The study reveals that from 1954 when Nigeria embrace

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federalism, the polity has been wallowing from one problem to the other, thereby making

national cohesion a mirage/ Nigerias federal system is highly centralized in all its ramifications.

The Nigeria federalism has refused sincere restructuring of the country along nationalities and

this has led to the consistent nationality question because the current arrangement lacks physical

equity. The study therefore suggests that, there should be massive state infrastructural

development of the Niger Delta area to reflect the magnitude of oil resource exploited from the

region by the federal government.

Keywords: Federalism, Niger Delta, Resource Control, Nigeria

INTRODUCTION

Federalism as a system of governance is pragmatic, dynamic, utilitarian and evolving. It

can only strive on consultation, negotiation, compromise, bargaining and agreement between the

constituent governments. It grows under a system of mutuality and interdependence (Fatile and

Adejuwon, 2009). Federalism represents a unique form of governmental arrangement. This

isbecause, it involves organisation of the state in such manner as to promote unity while at the

same time preserving existing diversities within an overarching national entity.

Nigeria is a country of extraordinary diversity and as such, one of extraordinary

complexities. This complexity is a reflection of the avalanche of ethno-cultural and religious

groups cohabiting the territory and the intricacies of interaction among them. Federalism was

adopted in Nigeria as a compromise device to help the country avoid the prospects of piecemeal

independence from the British. Some contend that it was a clever imposition by the British to

appease the reactionary North.

The issue of federal balancing in Nigeria since the country became a federation in 1954 till date continues to be a subject of discourse. Right from the time of amalgamation of Southern and Northern provinces in 1914, there have been cries of marginalization and domination from one section of the country to the other. The colonial masters have been blamed by some school of thought for this unfortunate situation. For this school, if the South had been left alone and vice versa, the current problem would not have arisen. However, the British did what was best for them at that time and not for Nigeria. (Ozoigbo, 2008 citrd in Abodunrin, Oloye and Alaba, 2019).

The prominence and relevance of the Niger Delta area in Nigeria is premised on its strategic relevance and resource endowment (Abodunrin, Segun, and Omole, 2017). With the discovering of oil in the region prior to independence, the Niger Delta remains the preferred destination for investors especially oil explorers and oil investors. By 1950, the Shell had already begun production at the rate of 5,100 barrels per day in the Niger Delta (Oromareghake, Arisi and Igho, 2013). The Mobil, Chevron, Texaco and other indigenous oil companies later in the 1960s and 70s joined oil exploration which led to the discovery of oil in commercial quantity in the Niger Delta. This has led to the increased output of oil production in the region and subsequently Nigerian reliance on the proceeds accruable from oil market. Petroleum exploration and production in the Nigeria Niger Delta region and export of oil and gas resources by the petroleum sector has drastically improved the nation s economy over the past five decades (Ite, Ibok, Ite, and Petters, 2013).

The Niger Delta is a vast coastal plain in the southernmost part of Nigeria, where one of West Africa's longest rivers empties into the Atlantic Ocean between the Bights of Benin and

Biafra, in the Gulf of Guinea. Estimated to cover about 75,000 square kilometres, it is the largest wetland in Africa and one of the largest in the world, supporting a wide range of biodiversity and an estimated population of 31 million people (Obi 2010: 222). The swampy terrain and fragile ecology pose several challenges, including land scarcity and supporting a high-level population density (Technical Committee on the Niger Delta, 2008: 6). The TCDN also stressed further that the livelihoods of the local people as farmers, fishers, traders, food processors and local manufacturers of items linked to the principal subsistence economies. The Niger Delta, given its centrality to Nigeria's political economy, has also been defined in geopolitical terms. In this regard, it is made up of nine states (out of Nigeria's thirty-six): Abia, Akwa-Ibom, Cross River, Rivers, Bayelsa, Delta, Imo, Ondo and Edo. In terms of oil production and petro-violence, three states are of key importance: Bayelsa, Delta and Rivers.

The Niger Delta region has been a theatre of conflict especially after the discovery of oil in commercial quantities in the area (Abodunrin, 2019). One of the reasons responsible for intermittent and simmering conflicts in the area is prolonged hardship experienced by the people in the region due to activities associated with oil exploration and neglect of the region as far as development is concerned (Abodunrin, 2019).

The crisis has had major implications for development and socio-cultural relations in the Niger Delta in particular and in Nigeria as a whole. (Abodunrin, Joshua and Omole, 2017). These adverse effects have been more of the lots of the people of the Niger Delta area since then until a time when it dawned on them that the government was not willing to yield to their demands for adequate attention to their polluted and depreciating environment. The persistent neglect was to result in unrests by the people of the area, which eventually almost got out of hand. Long years

of neglect and conflict have promoted, especially among youths a feeling of a bleak future, and thus see conflict as a stratagem to escape deprivation (Niger Delta Human Development Report, 2006). This resulted in the government cracking down with the strong support, active influence and connivance of the oil multinational corporations (MNCs), which reached a crescendo with extra-judicial hanging of Ken Saro-Wiwa and eight other kinsmen in November 1995, by the infamous government of the maximum ruler- General SaniAbacha (Oshionebo, 2009). The resultant effect was the outbreak of armed conflicts in the area, abduction and kidnapping of oil workers, especially the expatriates (Olubiyi and Olubiyi, 2012). Various governments have proffered different solutions to the crisis but all ended up as temporary palliative measures as the crisis did not have a permanent solution (Abodunrin, 2019).

This study therefore takes a critical look into federalism and the Niger Delta struggle for resources control in Nigeria.

Statement of the problem

The adoption of federalism in Nigeria is embedded with a lot of difficulties. "Nigeria has a unique problem not experienced by any state in the world past or present. The problem is that of achieving solidarity in action and purpose in the midst of hundreds of ethnic nationalities each exerting both centrifugal and centripetal forces on the central issue of the nation, bound in freedom, peace and unity where justice reigns" (Ojo, 2002:4-5). Over the years, the country has been faced with series of challenges ranging from pioeline vandalisation, militancy attack on government properties and host of others from the people of Niger Delta over the issue of being marginalized despite the immense contributions of the region to the economic development of the country as a result of fossil oil deposited in the region. Their perception of being marginalized led to their quest for resource control. It was believed that, despite the economic contribution of the region to the economic development of Nigeria, the region is still lagging behind. The intervention of the federal government with the creation of Niger Delta

Development Commission (NDDC) and the ministry of Niger Delta, it was believed that, it was just a mere cosmetic colouration. This paper therefore, takes a lok into federalism and the Niger Delta struggle for resource control.

Conceptual Framework

Federalism

Federalism is the bedrock of democratic edifice for a country of Nigeria's size and bewildering diversities (Ojo, 2010). Like India, also a federal state which has been rightly described as a land of "million mutinies" (Roy, 2002:2)Nigeria is a deeply divided and plural society. The polity is known to have many ethnic groups, which scholars have put at different figures (Kirk-Green, 1969:4; Attah, 1987:393-401; Otite, 1990:175-183; Suberu, 1993:39/1998:227). Nigeria is, one of the most ethnically diverse countries in the world with well over 250 ethno-linguistic groups, some of which are bigger than many independent states of contemporary Africa. As recalled by Onwujeogwu (1987, and 1995:60-76), at the beginning of the 1960s, there were over 3,000 ethnic groups (tribes) in the world, about 1,000 were represented in the geographical space called Africa and about 445 were represented in the geopolitical space called Nigeria .Former USSR had about 127 ethnic nationalities in it geo-political space; China and India each more than 40 ethnic nationalities.

The concepts of Federalism bristles with difficulties as there are quite a number of views or opinions trying to explain this elusive term (there is no unanimity of opinions). As Elazer (1992) observed, "there are several varieties of political arrangements to which the term is properly been applied" (Jinadu, 1980:26). William Ricker also pointed out that "an initial difficulty in any discussion of federalism is that the meaning of the word has been thoroughly confused by dramatic changes in the institutions to which it refers". The word Federalism etymologically has its root from the Latin word "Foedus" meaning compact or league. From the same Latin word "Foedus" the following English words "Federal, Federate," and the word

federation" came into existence and found their ways into the stream of English language, politics and law. In constitutional law the word "Federal" is commonly employed to express a league or compact between two or more states to become a United Nation under the central government called the "federal government."

According to K.C., Wheare, (1953:10) is the method of dividing powers so that central and regional governments are each, within a sphere, co-ordinate and independent. According to him, the characteristics of this federal principle are the division of powers among levels of government, a written constitution showing this division and co-ordinate, not sub-ordinate supremacy of the two levels of government with respect to their functions. Wheare's central argument is that federalism will be adopted if people in the constitutional units

Desire to be under a single independent government for some purposes at any rate and desire at the same time to retain or to establish independent regional government on some matter at least.(K.CWheare, 1963: 35-36).

Jega (1999) gave a seemingly elementary but useful definition of federalism, by saying a federal system is a government in which the written constitution or an inviolable statutory precedent specifies that certain fundamental authority adheres to a central government and that other fundamental authority belongs to smaller areas.

Geographical Location and the People of Niger Delta

The Niger River Delta, simply called Niger Delta region, is in the south-south geopolitical zone of Nigeria. It is richly endowed with crude oil deposits, on and offshore. Oil exploration began in 1956. Before 1958, the mainstay of the local economy was fishing and

farming. Environmental pollution, due mainly to the obsolete exploration technologies, coupled with the non provision of the basic needs of the host communities created the fault lines for perennial crises over oil in Niger Delta. The crisis has also engendered polarization within and between communities, dilating the conflict and occasioning cyclical violence. State-backed oil activities in the Niger Delta have impacted negatively on the psychological and physical environment, causing stress, violence and insecurity (Osita, 2007).

The Niger Delta has been defined by scholars, individuals, organizations and authorities from different perspective. The World Bank Report describes it as "one of the world's largest wetlands, and African's largest delta covering some 70,000km, formed by the accumulation of sedimentary deposits transported by the Niger and Benue Rivers (World Bank, 1993)". The Federal Government of Nigeria also sees the Niger Delta area as the Part of the Nigerian State situated in the southern part of Nigeria and bordered to the south by the Atlantic Ocean and to the east by Cameroon. It occupies a surface area of about 112,100 square kilometers and represents about 12% of Nigeria's total surface area of Nigeria having a population of 28 million inhabitants by the beginning of 2006. The region has nine of Nigeria's constituent states. Abia, Akwa-Ibom, Bayelsa, Cross-River, Delta, Edo, Imo, Ondo and Rivers (FGN, 2006).

Isoun (2001) identified three definitions of the area. These are the Scientific, Historical and Political definitions.

Scientifically, the Niger Delta, according to him, is that location associated with the lower Niger especially where the River splits into its major tributaries: River Nun and the Escravos. It starts from the Benin Basin in the West, goes up to Agbor in the north and then to the Imo River. Historically, the Niger Delta refers to the conglomeration of people who in 1958 canvassed for

special attention that led to the inauguration of the Henry Willinks Commission. It includes the Ogoni province, Degema province and so on. According to Isoun, the definition at the time even excluded the present Port Harcourt and Warri. The political Niger Delta is a recent phenomenon associated with proposed Niger Delta Development Commission (NDDC). Politically, the Niger Delta has been made to be synonymous with oil production. It is assumed that all oil producing communities are part of the Niger Delta.

According to the defunct Oil Minerals Producing Areas Development Commission (OMPADEC) has this to say about the Niger Delta: The River Niger disgorges its waters into the Atlantic Ocean through a large number of tributaries which form the Niger Delta. The area of the Delta is further enlarged by rivers other than tributaries of the Niger... Calabar River, Cross River and Imo River to the East, and Siluko River, Benin River, Escravos River and River Forcados, to the West (OMPADEC, 1993).

In the view of the OMPADEC, the River Niger, its tributaries and other rivers which have enlarged the area of the Niger Delta, defined the scope of the area. Accordingly, it posits that the Niger Delta is made up of, at least, 7 states Rivers, Bayelsa, Delta, AkwaIbom, Cross Rivers, Ondo and Edo states. Some of the ethnic groups in the Niger Delta include the Igbo, Ibibio, Annang, Efik, Itsekiri, Isoko, Ogoni, Urhobo, Ukwuani, Abua, Ijaw, Yoruba, etc. In all; there could be as many as 60 languages in the Niger Delta. The primary occupations and means of sustenance of the people consist of fishing, farming, trading, and forest product gathering. Despite the emergence and subsequent dominance of the hydrocarbon industry, over 80 per cent are still dependent on the traditional agrarian trade (Alamieyeseigha, 2005).

The Niger Delta region is embedded with wetlands and water bodies with creeks and rivers crisis-crossing the entire southern part. Indeed, it has been widely stated that the Niger Delta is one of the very few Deltas in the world. The region is endowed with enormous and rich natural resources. In addition to oil and gas, the NigerDelta is blessed with both renewable resources, including construction materials, wild-life, water resources, and abundance of non-timber resources as a source of food, spices, condiments and medical herbs, alongside great potentials for agricultural development.

Despite the high concentration of the natural resources in the region, the area is still confronted with the extreme situations of poverty and underdevelopment (Nwachukwu and Pepple, 2011). The Niger Delta is most significant and known for its large hydrocarbon deposits in oil and gas. The Niger Delta is indeed the epicenter of the West African belt and Nigeria's economic heartbeat. This has been so since the 1970s when oil became the major source of the Nigeria's economy. The country has over 20,000 million barrels of crude oil reserves, in addition to an estimated associated gas reserve of about 300 trillion cubic feet. All these are concentrated in the Niger Delta region (Nwachukwu and Pepple, 2011).

More worrisome is the fact that the influences of military-ingrained unitaryfederalism are manifest in Nigeria's contemporary governance structures, wheredevolution of power is considered an anathema. There is a constant state ofconflict in the power relations among structures of governance, with the federalgovernment jealously guarding its overarching authority in relation to the states, and the states acting similarly towards their local councils. While the federalgovernment attempts to fend off state-government-led agitation for resourcecontrol, the state governors in particular seem to have hijacked and personalizedthe

struggle. In this scenario, the ordinary person who is the most affected is marginalized and denied

active involvement both in the general political process and specifically with regard to the

resource control discourse. In the absence of a defined space in which to participate or have their

voices heard, it is not surprising that militants initially enjoyed considerable support from the

populace. Indeed, if the government's post-amnesty development planssucceed, the populace

will consider the violent militant approach to resource control more effective and beneficial than

the politicized version.

However, the challenge remains how to resolve the issues that contributeto agitation for

resource control, which have become a permanent feature of the instability in the region, leading

to hostilities and affecting the economic

well-being of the people (Ololajulo 2006). Certainly, Nigeria's federal structure must be

transformed to emphasize equal citizenship rights, equity and political accountability, which

imply good governance and participatory structures. Theimportant point to note with regard to

resource management, particularly in he Niger Delta, is the need to promote the inhabitants'

active participation in development/community governance, rather than their being simply

theirtargets.

Resource Control and Niger Delta

The agitation for resource control becomes the bedrock of activities for various groups

with different intents. These include militant/militia groups that initially conceptualized resource

control as the fundamental basis of their struggle. Gangs and other criminal elements have

opportunistically latched on to the rhetoric of resource control and operated within the pervasive sense of insecurity in the region to engage in criminal activities for personal gratification (Ako, .

Politicians from the Niger Delta have also taken advantage of, and co-opted the language of, resource control in legitimizing their leadership and facilitating access to political power and increased oil revenues. Politician's routinelyproclaim the benefits of resource control and restate their commitment to its achievement, even in the absence of any real intent or evidence on how the core essence of the concept – sustainable development of the region and its inhabitants – is to be attained.

The earliest form of violence-related resource control campaign in postcolonial Nigeria found expression in the Boro-led twelve-day revolution in 1966, which failed to establish a 'Niger Delta Republic'. Subsequent attempts to exert

pressure for 'resource control' till the 1990s were mainly political, with the elite engaging the federal government almost exclusively in the discourse through demands made by sociopolitical, states creation and ethno-cultural movements (Osaghae et al. 2007). MOSOP's entry into the resource control discourse in 1990 changed the face of the struggle. Although the organization employed peaceful means in its struggle to achieve its main objective of 'Ogoni control of Ogoniresources', the response of oil multinationals and federal government ranged from indifference at first to military repression. The region witnessed a period of state-sponsored terrorism as the crackdown on supporters of 'resource control'intensified and resulted in the 'judicial murder' of the 'Ogoni Nine' in November 1995. The high-handed approach adopted by the federal government paradoxically radicalized the Niger Delta youth to become more vocal and proactive in participating in the politics of resource control and local resistance (Ikelegbe,

2005a; Osaghae, 2007). The Kaiama Declaration and the activities of the IYC quickly caught on, with hitherto passive organizations and communities becoming belligerent (Ukeje, 2001a).

On a national level, the post-1999 democratic period deepened the 'militantization' of ethno-political groups and ethnic militia. They sought to assert their ethnic minority rights as the struggles against perceived federal exclusion andresources gained prominence (Obi 2006). This period witnessed a shift in the agitation for resource control from elitist organizations to militant youths, which contributed to the exacerbation of violent conflicts in the oil-rich region

The struggle for resource control also has a political dimension that has contributed to the violence in the Niger Delta. With the return to democratic governance in 1999, politicians have become primary drivers for governmentpolicies and activities. However, to gain access to political authority, politicians recognize the advantage in aligning with and arming youth organizations that are no longer apolitical and have gained prominence in their communities where they could influence the result of polls (Human Rights Watch 2007b).

The ways in which Nigeria's over-centralized federalism marginalizes the people of the Niger Delta, particularly denying them direct benefits from oil, is the underlying cause of petroviolence in the Niger Delta. The oil industry's regulatoryframework was developed mainly during military dictatorships, wherein the objective was to arrogate authority to the centre. Indeed, the control of oil resources and revenues played a significant role in the military's foray intonational politics and the desire to concentrate power at the centre (Ako 2008; Oyebode 2004; Soremekun 1995). The military's unitary style of governance, wherein excessive authority is vested in the federal government, permeates the constitution that the military bequeathed to the nation. Consequently, Nigeria has not had the opportunity to develop a constitution that

expresses the innate desires of its people. This point is better appreciated by highlighting theexample of the 'dictatorial' decision to append the controversial Land Use Act to the 1999 constitution. There is no gainsaying the fact that this law remains one of the main causes of violence in the Niger Delta (Ako 2009).

Struggle for Resource Control

The struggle for resource control is synonymous with the history of Niger Delta. First, after the abolition of slave trade in 1509 local traders engaged in resource control struggles to participate actively in the trade in oil palm. Similarly, resource control was one of the highlighter of the Ijaws representation of the Willink commission of enquiry into the fears of

minorities and the means of allaying them in 1957.

According to Ako (2012) resource control struggles in the post-crude oil era that began with the botched Boro-led attempt to create the Niger Delta Republic in 1966 has culminated in contemporary oil-related restiveness in the region. Since the Ijaw representatives failed to achieve their desired results to be left out of Independent Nigeria, or alternatively have a state created. However, the Ijaw's argument that the peculiar problems of those living in the Greek and the Swaps of the Delta was not understood and indeed were deliberately neglected by both the regional and federal government remains true till date and feeds into the resource control struggle. (Ako, 2012).

The contemporary notions of struggle for resource control have been characterized by both peaceful and violent activities, while the period when the Ogonis were at the forefront of the struggle was largely peaceful, the recent shift of focus to the Ijaws witnessed an escalation in

military and violence (Ako, 2012). The response of the federal government has typically included the creation of development boards, state creation, facilitation and more recently, the amnesty initiative. Therefore, the relative peace in the region and consequent increase in oil production figures is touted as evidence of the success of the amnesty initiative by the federal government. Barking in the emphasis of allegedly curbing the consequences of the malaise, the federal government has neglected no resolve the underlying issues that instigated and exacerbated the struggle for resource control and resultant restiveness in the region. Thus, while the government is spending billions of Naira in stipend payments as well as educational and vocational training for ex-militants, it has not invested any meaningful resources to remedy the root causes of the struggle for resource control. (Ako, 2012).

According to Adesopo and Asuju (2004) the agitation has become a major subject of debate today especially since the Supreme Courtsjudgment on the politicized onshore/offshore dichotomy. The standing, points of the Northern and southern regions on the subject of resource control have been different while the southerners, represented by their (17) governments are agitating for its enforcement, the Northerners also represented by their (19) government have strongly opposed the more. While the southerners agitation is guided by their realization of the need to practice true federalism (fiscal federalism) they are also of the view that the practice of highly centralized fiscal federalism is a feature of the military that has been enforced over the years by military coercion which is not relevant in a democratic set-up. That the core oil producing arrear are the lack developed part of the country is yet another reason. On the other hand, the northerners believe it will be a move reviewed disintegrating Nigeria. By this they differ in their definition of true federalism. They are of the belief that the two regions are interdependent and complementary, more so they have also contributed immensely to the

economic base of the country when the economy was agrarian in nature. On the whole, the move was described as unconstitutional as it could result in breaking up the country as some federating conies could become so powerful as to declare independence for themselves, thereby threatening the peace and stability of the country. (Adesopo and Asaju, 2004).

Under listed are some of the reasons for the struggle for resource control.

- ➤ The injustice and inequality that characterize the distribution of the revenue that accure from oil revenue.
- ➤ The jettisoning of derivation as a fundamental principle of revenue allocation which reduced the climax of funds joint to the pauperized oil producing areas of the Niger Delta.
- Lack of infrastructural development in the Niger Delta area.
- The introduction of sharia judicial system by some northern states which was seen by the southern states at a major text for me federal constitution. Deman for resource control is, therefore, an indirect constitutional cum economic response to the introduction of Sharia.
- ➤ The systematic distribution of the ecosystem in the oil producing areas which led to environmental degradation, pollution, acid rain and the attendance unemployment and mass poverty.
- ➤ Failure of the multinational oil companies to contribute to the social and economic development of the oil producing states.
- The activities of ethnic militancy made up of unemployed youths in the oil producing communities which spurred their traditional rulers and political leaders to necessary political actions.

➤ The new democratic dispensation which were violently suppressed under military rule.

Conclusion

It is believed that the present nature and structure of Nigerian states has not in any way

influenced federalism since it does not guarantee a just and equitable share of national power and

resources for all ethnic groups in the country. Thus is said that the conditions for a common

Nigeria identity do not exist.

Recommendation

The study therefore recommends that:

➤ Over dependence on oil revenue should be discouraged. The Nigerian stake should focus

on the need for diversification into other sources of revenue such as development of

agricultural sector and industrial sector by providing incentives such as tax concession,

provision of facilities needed by this seeker in other not to be affected by fall of oil prices

in the international market.

The Nigeria state should be restructured to reflect fiscal federalism in its character and

composition.

There should be massive state infrastructural development of the Niger Delta area to

reflect the magnitude of oil resource exploited from the region by the federal government.

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