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6. THE IMPERATIVES OF RESOURCE CONTROL IN NIGERIA

Peter A. Essoh

1.1 Introduction

Resource control is a politico-economic concept grounded on the fact that land, labour, capital and entrepreneurship are factors of production. Adam Smith, a classical demographer/economist, expatiated upon this in the *Wealth of Nations* (1776) and admitted that just as the price of labour is wages, capital has interest, entrepreneurship is driven by profit while rent and royalties are rewards for land ownership. Rent is the return for the use of the original and indestructible properties of the soil. Whoever owns a land expects some form of compensation from those hiring this very important factor of production.

Resource control therefore, as defined in a Communiqué issued at the end of the 3rd Summit of the 17 Southern Governors in Benin City, is

“the practice of true federalism and natural law by which the federating units express their right to primarily control the natural resources within their borders and make agreed contributions towards the center” (17 S. Govs. 2001)

Sagay (2001:3ff) outlines three major components of Resource Control viz:

- (a) the power and right of a community or state to raise funds by way of tax, on persons, matters, service and materials within its territory,
- (b) the exclusive right to the ownership and control of resources, both natural and created within its territory and
- (c) the right to custom duties on goods destined for its territory and excise duties on goods manufactured in its territory.

He concludes that resource control in certain circumstances can be referred to as fiscal federalism (in a federation) and goes hand in hand with true federalism. This, was recognized and implemented faithfully in the Independence and Republican Constitutions of 1960 and 1963 respectively.

Federalism is a political arrangement in which each region or state of a nation (country) exercises some measure of internal autonomy. However, according to Ukpong (1984), it

is possible to have either a federal system with a strong central government or a federal system with a weak central government. Whichever is the case, Fafunwa (1998) holds the view that weak or not, the nature of federal system is that each state should have considerable autonomy. Akpan Ekpo (2001:3) in agreement with Smith (1968) conceptualizes federalism to

“... Constitute a variable response to opposed demands for the dispersal and concentration of power. More precisely, federalism constitutes a variable response to opposed demands for the centralization and decentralization of power on a specifically territorial basis”.

One agrees here with Bassey (2000:5) that the principles of federalism represent a response to the challenge of pluralism, which obviously recognizes the rights of component ethnic nationalities or regions or states of a federation to self-determination. An important feature in the federalist matrix is structural decentralization and constitutionally guaranteed autonomy of component units of the federation. As noted by Schmitt (1996).

“Federalism involves the linkage of individuals, groups and polities in lasting but limited unions, in such a way as to provide for the energetic pursuit of common goals while maintaining the respective integrities of all parties. Federalism means the juxtaposition of two levels of power, there is on the one hand a central state (called federal state) and there are on the other hand member state (called federated states)”.

If one considers the above conceptualizations, one readily agrees that Nigeria under the 1999 Constitution does not meet the criteria to qualify as a federal system because of structural defects and the experience of her component units e.g. states of the Nigeria Delta region.

II The History of Resource Control:-

Going by historical antecedents to the struggle for resource control, it becomes evident that as a disadvantaged people, the inhabitants of the Niger Delta region have always been struggling to survive even in the face of unconscious fight for their own renewable and non-renewable natural resources. From the 14th to 19th centuries, at the peak of the infamous trade in humans (slave trade), the people of the Niger Delta who were the worst affected, struggled for survival.

Besides wanting to supervise the quantity and quality of humans traded, they attempted to resist the monopoly in the trade by the white slave traders. This attempt or resistance

resulted in the banishment of King Jaja of Opobo from his kingdom. When Lord Mansfield passed the famous judgement banning (i.e. outlawing) the continued trade in humans in 1807, the diversion of energy and resources to trade in palm oil (now legitimate trade) saw the Niger Delta being at the receiving end, as they struggled against traders from other cultures wanting to dictate the pace in the resources gotten from their lands.

Then from 1956 when crude oil was "discovered" in Oloibiri, Bayelsa state till date (2003), the people of the Nigeria Delta have been having running "battles" with the central government and operating oil firms to control their resources. This development turned the Niger Delta region into "the baking oven of the National Cake" – the Punch (2001:2). To achieve this, respective laws were enacted. These laws vested the control and appropriated the proceeds from oil mined in the region to the central government. Initially, they were ignorant and so tried to survive in a harsh and deteriorating environment. When the veil of ignorance was removed from their eyes, the cry for a safe, protected and preserved environment became evident. In 1966, soon after the military take over, Isaac Adaku Boro moved by a deep seated concern over the plight of the neglect suffered by people in the Niger Delta attempted to excise the area from the Nigerian Project. Although he failed, he left a landmark imprints in the minds of many youngstars

In 1993 till 1995 when he was executed by hanging, Ken Saro-Wiwa struggled with compatriots from ogoniland to ensure control of the resources of the Niger Delta by people of the region. So also have been the case amongst the Egbezu Boys (i.e. the Ijaw Youths), Urhobo, Itshokiri, the Ikoto Boys of Ibeno and Afid Iwaad Ekid (i.e. Eket Youth Movement) joined Paripasu by the Mboho Mkpawara Ibibio all in the Niger Delta region.

III The Imperatives for Resource Control

Radical scholars in the social science community in Nigeria such as Akpan Ekpo (2001:5), Davidson (1995), Eme Awa (1976) and Claude Ake (1993) accept the fact that disputes between the Nigerian federal Government and its constituent states have been common since the period of colonial administration. These conflicts and disputes often reach dimensions which call to question the very basis of the Nigerian federation. The minority groups found themselves struggling to resist various attempts by the central government to ROB them of the very resources with which their regions are endowed for their own sustenance and survival. They fall back on the principle of federalism which posits that

... Beyond size, territoriality and constitutionality, the plurality and heterogeneity of the federal constituents must be recognized. By implication, the relative autonomy, independence and self-determination of these units must be

appreciated and guaranteed in clear terms" (Davidson 1992)

Implicit in the above principle is that, according to Awa (1976), the general welfare of the constituents must always be assured.

As can be noticed over time, the Nigerian federation is a captive state that is dominated by powerful ethnic social forces constantly in conflict over material reward of state power. As the minority groups housed in the South-South (i.e. Niger Delta) struggle for the control of the resources with which nature (God) endows upon their land, the ethnic majors (Hausa – Fulani, Yoruba and Igbo) struggle for the control of political power with the aim of control and management of the resources of the minorities. It thus becomes obvious that the struggle for power in Nigeria is the struggle for resource control.

Arguably, applying the Hegelian dialectics as a methodology for analyzing the politics of resource control in Nigeria is critical to the understanding of the dilemma of the people of the Niger Delta especially the oil producing communities. Regrettably, resource control is the basis for the apparent unending conflicts and disputes between the petroleum oil producing/bearing areas and the federal government as well as with petroleum firms. It is unfortunate also to note that due to the way our Nigerian type of federalism is run tends constantly to negate the aspirations of the petroleum oil producing/bearing minority states found in the Niger Delta region, in terms of sustainable development of the region.

Instead of being blessed with development, the region is confronted with environmental degradation, mass poverty, oppression by security agents as well as other forms of human rights abuses/denials. Fiscal federalism as practised in Nigeria is antithetical to the development needs of the people of the Niger Delta. The revenue allocation formula, rather than being based on the principle of derivation has been doctored and greater weights assigned to the equality of states, land mass, absorptive capacity and population. In so doing, the formula has denied the people of the region substantial sums that could have been used to alleviate the deteriorating quality of life they experience and for which their degraded environments render them an endangered species. This approach which has brought about fiscal centralization which leads to financial hegemony of the center and fiscal incapacity of the states, has created two effects viz.

- (a) the re-enforcement of the structural vulnerability of the states with adjoining localities or communities and
- (b) the intensification of the pressures among the populations and the administrations for federal economic patronage.

Ekpo (1994) and Basse (2000) are of the view that when the overbearing domination of the central government and its control of fiscal resources continues, the state and local governments would become mere conduits for the dissemination of federal resources to sub-national populations. The above scenario have clearly painted the following consequences on the people of the Niger Delta.

- (a) ecological devastation of the Niger Delta without much efforts at its replenishment due to petroleum oil exploitation,
- (b) conscious and systematic obliteration of the principle of derivation by successive military and civilian regimes in Nigeria.
- (c) denial of the Niger Delta people of their natural rights to ownership and control of their land and resources through instrumentality of undemocratic state legislations e.g Land Use Decree (Act) of 1978, petroleum Decree of 1969 and 1991, the Land (Title Vesting, etc) Decree No. 52 of 1993, etc
- (d) deterioration in the quality of life of the people due to neglect and marginalisation by the central government
- (e) Sustained underdevelopment of the Niger Delta region

When a student of the social sciences with a bent on the political economy of development and underdevelopment, or put otherwise on the sociology of Development, considers the realities of the above fact and the immediate need to address or reverse them, one sees the imperatives on the part of the people of the Niger Delta region being consistent in their agitations for self-determination and true federalism through resource control.

Resource Control and Economic Development in Nigeria

As pointed out in the theoretical framework, the study of the different patterns of human behaviour and how these behaviour affect others in the society is where sociology is anchored. It is a truism that it is the natives of the Niger Delta who actually bear the brunt of gas flaring business even though Ime Okopido maintains that this ugly feature of the Niger Delta has been nibbled in the bud within the first four years of democratization (1999-2003) (a n Express, Breakfast Television, NTA, 7 – 4 – 03)

The people of the Niger Delta are unhappy for various reasons which among others include the fact that operating oil firms do not build roads, provide pipe borne water and electricity. They are bitter about the non-employment of indigenes to occupy key positions in the petroleum industry (except for the most recent appointment of Mr. Udom Inoyo as Gen. Manager – External Relations in Exxon-Mobil in Akwa Ibom State).

Zinc roofs are corroded and perforated by acid from gas flares. Example abound in the experience of the Iko, Okoroette, Mkpanak and Upenekang people of Eastern Obolo and Ibeno Government areas as well as buildings so affected in Eket, Uyo and the State Housing Estate in Uyo all in Akwa Ibom State. The adjoining villages are not spared this "carnage" which are also replicated in the other oil producing areas of the Niger Delta region.

Again, the economic life of the people has been affected adversely consequent upon the destruction of the marine and aquatic lives in which the people make their living. This also is not oblivious of devastation of farmlands. The multimillion naira question now arises viz:

What happens to the economy of the Nigerian federation if the economy of one or more federating units falters or dwindles?

In my thinking, the simplest answer to the above poser is that a substantial proportion of Nigeria's economic development would be affected and therefore not feasible. The people of the Niger Delta region are very conscious of the huge economic drainage from their land hence the struggle for the control of their natural resources. This struggle, in my thinking, is a just cause as this, if granted, will enable the endangered species among them to have the opportunity and wherewithal to manage their resources. Plan on ways of improving their environment and execute same – Anietie Akpan (2002: 10)

This is a just call because in the 1950s and 60s, Nigeria derived her revenue from (1) Groundnuts (2) Cocoa (3) Hides and skin (4) Cotton (5) Rubber (6) coal (7) Palm produce

The 1960 and 1963 constitutions made such provisions as in section 140 and 136 (1) which made the central government pay a sum equal to 50% of the proceeds of any royalty received by the federation in respect of any minerals extracted in that Region. The revenue so accrued to the regions were to develop those regions which made the Western part with its cocoa and the North with its cotton, Groundnuts and hides and skin to have developed at their own rates. But under the 1999 constitution of Nigeria, instead of the central government abiding religiously by section 162 (1) of the constitution which touch on resource control, the central government sought Supreme Court interpretation of what constitutes the littoral states in a bid to denying Court judgment of 5th April, 2002 is now history for the social science community.

Implications

The struggle for resource control is a reality that should not be wished away. This reality suggests that Nigerian leaders should come to terms with issues which students of the Niger Delta Question agree with Paul Baran's (1968: 3-4) well articulated view that

Economic development has always been propelled by classes and groups interested in a new economic and social order, has always been opposed and obstructed by those interested in the preservation of the status quo, rooted in and deriving innumerable benefits and habits of thought from the existing fabric of society, the prevailing mores, customs and institutions. It has always been marked by

more or less violent clashes, has proceeded by starts and spurts, suffered setbacks and gained new terrain – it has never been a smooth, harmonious process unfolding placidly over time and space”.

As Akpan Ekpo (2001:8) puts it, it is crucial that the people of the wealth producing areas perceive economic development as Baran states above, to be able to manage the economy of the region sustainably. An outstanding issue in the sustainable economic and socio-political development of the Niger Delta region is that it is the people of the region who must carry out such development. If the development of the Niger Delta region is people oriented and focused, then the economy will be managed in the interest of the majority of her people. This will definitely check mate the emergence and declarations of such youth activist movements as the Ogoni Youth Movement (OYM) and Ijaw Youth Congress (IYC) among others within the Niger Delta which seek to change the status quo

For instance, in 1990, the OYM enacted a 20 points Ogoni Bill of rights, among which were:

- (i) That in over 30 years of oil mining, the Ogoni nationality have provided the Nigerian nation with a total revenue estimated at over N40 billion or \$30 Billion
- (ii) That in return for the above contribution, the Ogoni people have received NOTHING
- (iii) That the search for oil has caused severe land and food shortages in Ogoni – One of the most densely populated areas of Africa (average 1500 per square mile, national average. 300 per square mile)
- (iv) That neglectful pollution laws and sub-standard inspection techniques of the federal authorities have led to the complete degradation of the Ogoni environment, turning out home land into an ecological disaster
- (v) That the Ogoni people lack education, health and other social facilities
- (vi) That it is intolerable that one of the richest areas of Nigeria should wallow in abject poverty and destitution
- (vii) That successive federal administrations have trampled on every minority rights enshrined in the Nigerian constitution to the detriment of the Ogoni and has by administrative structuring and other noxious acts transferred Ogoni wealth exclusively to other parts of the republic
- (viii) That the Ogoni people wish to manage their own affairs

Besides, the various Ijaw Youth groups under the canopy of the Ijaw Youth Congress issued the Kaima Declaration (CRP), 1999, which among others, included the following points.

- (a) That it was through British colonization that the Ijaw nation was forcibly put under the Nigerian state.
- (b) That the political crisis in Nigeria was about the struggle for the control of mineral resources which account for over 80% of GDP, 95% of national budget and 90% of foreign exchange earnings, out of which 65%, 75% and 70% were derived from the land of the Ijaw.
- (c) That despite these huge contributions, our reward from the Nigerian State remains avoidable deaths resulting from ecological devastation and military oppression.
- (d) That all land and natural resources (including mineral resources) within the Ijaw territory belong to the Ijaw communities and are the basis of our survival.
- (e) That we cease to recognize all undemocratic decrees that rob our people/communities of the right to ownership and control of our lives and resources, which were enacted without our participation and consent. These include the Land Use Decree and the Petroleum Decree, etc.

As are now of public knowledge, the aftermath of the Ijaw youth declaration was the issuance of an ultimatum by the Ijaws to all oil companies to vacate their land. This was a prelude to the determination of the issue of resource ownership and control through the instrument of a sovereign national conference, where the various ethnic nationalities that make up Nigeria would decide how to relate with one another in a genuinely constituted federal republic. The points to note is that both the Ogoni Bill of Rights and Ijaw Youth Declaration emphasize approximately the same issue which reveal the claim of the Niger delta people to ownership and desire to control the petroleum oil located in the continental shelf, seaward and lands of the Niger Delta area of Nigeria.

But all the submissions above, notwithstanding, findings from a survey conducted on this paper topic show that the people of the Niger Delta are not against the production of petroleum oil in their area. As shown in Table 2, 73.8% of respondents support continued oil production in the Niger Delta. Majority of the respondents also agreed that the oil companies do compensate the people for environmental degradation problems, but that the compensation is not sufficient.

However, not all compensations do actually get to the people. Majority of those sampled (93.1%) suspect that the compensation is often tampered with by some people/group of people in transit to the communities so affected. The people (75.1%) support the call for communal ownership and control of resources. But there is the fear that the elite in the Niger Delta may hijack the management of the resources thereby further subjecting the less privileged to emasculating degree of poverty. It is for this reason that about 25% of those surveyed rejected the call for resource control but rather prefer a favourable federal policy that seek the sustainable development of the region

In essence therefore, the main issue responsible for the call and clamour for resource control and the crises in the Niger Delta region of Nigeria is that of socio-economic and political development of the area. So if greater attention is paid to the developmental plights and aspirations of the Niger Delta region, the clamour and the spate of crises shall have been mitigated. The upsurge presently witnessed in Warri (Delta), Odi (Bayelsa), Ogoni (Rivers) and Ibeno (Akwa Ibom) States would have been mitigated reasonably.

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