

TOWARDS RESOLVING THE NIGER DELTA DEBACLE: GOVERNMENT INTERVENTIONIST AGENCIES IN PERSPECTIVE, 1960-2012

Nwachukwu J. Obiakor

Department of History and International Studies
Nnamdi Azikiwe University, Awka
Email: nj.obiakor@unizik.edu.ng

Abstract

This paper studies various efforts and interventions of various government of Nigeria towards resolving the Niger-delta question since independence through 2012. Given the view that the Niger-Delta question has continued to defy all measures intended for its resolution, there arises the need to move beyond the rhetoric of marginalization of the region and people to an examination of the causes of the region's economic backwardness and the consequent social unrest. This seemingly intractable volatility in the region can best be explicated within the purview of the imbalance in Nigeria's fiscal federalism. This study employed the thematic and analytical methods of historical research. The themes studied herein are presented in chronological order. The inter-disciplinary approach was utilized in the collection data. This study assessed the functionality of these interventionist agencies of government, viz; NDDB, OMPADEC, NDDC and the Ministry of Niger-Delta Affairs, as regards pacifying the oil bearing states, otherwise referred to as the Niger-Delta states of Nigeria. Despite these interventions, the crises are yet to abate. It was observed that Nigeria fiscal structure is at the root of the Niger-Delta debacle. It does appear that Nigeria's fiscal systems have been a tool used by the dominant ethnic groups for expropriation of allocable resources against the interest of the minority groups whose lands produce the mineral wealth, hence the crises in the Niger-Delta. This study frowns at the quick-fix mechanism of the Federal government, and thus recommends the restructuring of Nigeria's fiscal regime to accommodate equitably the interests of all the federating units.

Overview

The place of the Niger Delta region in Nigeria is explicable for the commotion in the region and the inherent attention garnered therein. This explains why many commissions have been created and even a full federal ministry to attend to the Niger Delta question¹. It must, however, be noted that the Niger Delta question predated the exploration of oil in the region. C.E. Ezeugwu contends that the Niger Delta question was first given official recognition by the colonial government who recognized the growing fears of neglect of the minority ethnic groups in Nigeria. These minority ethnic groups in the Niger Delta were known to have made a delegation to the colonial Government demanding special legislative protection against discrimination and marginalization². This ostensibly explicates the clause in the 1958 constitution which reads thus;

"To allay the fears of the minority of the indigenes of the Niger Delta, and address the development needs of the peculiar terrain of the Niger Delta, the British Government had proposes that the Niger Delta be granted a special territory status even before independence³. In this regard, C.E Ezeugwu argues that "there was already a Niger Delta problem prior to independence⁴.

The discovery and exploration of oil in the region appeared to have amplified the Niger Delta problems; coupled with the injustices of the multinational oil firms who care less about the plight of the indigenes in the light of the environmental hazards occasioned by the oil exploitation activities. The sum total has been widespread poverty, excruciating hardship, grossly inadequate basic infrastructure, plundered environment and high rate of unemployment. This vexed situation engendered protests, youth restiveness, pipelines vandalization, hostage-taking, armed activities which tended to put on hold the continued exploitation and production of crude petroleum⁵.

Yet, for the continued survival of the Nigerian Federation, the oil from the Niger Delta is a *sine qua non*. Therefore, in the face of these protestations and activities which were hostile to the operations of Nigeria's oil trading partners; many Federal regimes that were encumbered with the Niger Delta debacle had tended to create what in their opinions were the solutions to the very question of the Niger Delta. While events have revealed that these measures were but palliative in nature. This study therefore, contends that the ultimate solution to the Niger Delta question lies in restructuring Nigeria's Fiscal relations both vertically and horizontally; such that states would be able to control the use of resources that are found within their geographical territories. To demonstrate the validity of this contention, this paper shall underscore the measures that have been put in place by the Federal government at solving the Niger Delta question, albeit, without meaningful success.

It remains an obvious fact that the Niger Delta question predated the exploitation of oil, as Sir Willinks Commission had as early as 1956 described the region as "poor, backward and neglected"⁶. Consequent upon which the Niger Delta people had variously agitated for governmental attention for their myriad challenges and problems. Conversely, the various governments of Nigeria, both civil and military, have waded into the Niger Delta question and have been seen to contrive policies and strategies which they felt would assuage the agitations of the people of the region. In this regard, we have witnessed the establishment of various development boards and commissions or the region which this paper will study herein.

The Niger Delta Development Board (NDDB)

By 1960, when Nigeria gained her independence, crude oil was gradually taking its pride of place as one of the most crucial export commodities of the Nigerian state, though, no one would argue that oil had displaced agricultural produce as the mainstay of Nigeria's economy. Indeed, Nigeria's economy was essentially agrarian by 1960⁷. What is perhaps safer to say is that the income that was accruing was irreconcilable with quality of life in the Niger Delta. Thus, efforts to improve the quality of life and enhance the basic infrastructure in the Niger Delta moved the Nigerian Federal government to establish the Niger Delta Development Board. This governmental agency was entrusted with the task of managing the development needs and the challenges being engendered in the oil and gas sector in the region⁸. The implication of this, according to the Niger Delta Regional Development Master Plan, is that "Nigeria emerged as an independent state with the Niger Delta issue starring her in the face"⁹.

The new managers of the Nigerian Federation were propelled to give the people of the Niger Delta a sense of belonging and allay the fear of domination by the majority ethnic groups hence, the justification for NDDB. The Niger Delta Development Board had jurisdictional operation in the provinces that were then known as the Niger Delta and these include: Yenagoa province, Degema province, the Ogoni Division of Port Harcourt province and the Western Ijaw Division of Delta Province¹⁰.

In its seven years of operation, the Niger Delta Development Board (NDDB) could not make any meaningful impact on the lives of the inhabitants of the Niger Delta. This was due chiefly to lack of sufficient fund. More so, the military coup of January 1966 and the subsequent counter coup of 29 July of the same year, coupled with the attendant Nigeria-Biafra war dealt a final blow to the Niger Delta Development Board¹¹. The whole idea of a developmental board for the Niger Delta region never survived the war.

It is pertinent to state that the Niger Delta region never fared any better with the so-called oil boom of the mid 1970s. Hopes for improved infrastructure for the Niger Delta people were dashed when the successive military regimes refused to pay any attention to the plights of the Niger Delta, notwithstanding the huge wealth that accrued from the export of crude oil occasioned by the world oil crisis of 1973. It is in the light of the fore-going that one would understand A.I Moro's assertion that:

Those at the helm of affairs in Nigeria did not respect the right of Niger Delta people to their land as naturally owned by them. However, if the continued underdevelopment of the Niger Delta is questioned after the post regional structure of administration in Nigeria, the answer could easily be provided. The

same majority ethnic groups with the connivance of ambitious minority ethnic groups, military rulers from the North made anachronistic and feudal laws to govern the Niger Delta. These laws divested the people of the Niger Delta of valuable resources they would have used to develop themselves, and the unfriendly terrain that was neglected and marginalized during the era of regional administration¹².

Elsewhere, R.C. Nwokedi sums the whole argument and posited that one important factor which is unique to Nigeria's Federation is that its "oil resources were mostly within the small states with the ethnic minorities which lack the political and economic clout to push through their demands against the wishes of the bigger states with majority ethnic communities who constantly dominate the Federal Government"¹³. The import of the on-going has received ample commentaries in the previous chapters, suffice it to say that it has been responsible or the half hearted approach of the Government to the development needs of the Niger Delta and this has had reflections on the working of the myriad of development board and commissions set-up to assist the people of the Niger Delta.

Oil Mineral Producing Area Development Commission (OMPADEC)

Environmental concerns for the Niger Delta took another twist when the late activist, Ken Saro Wiwa began to invest thoughts and resources on resuscitating environmental activism sequel to Jasper Isaac Adaka-Boro's movement. In the light of this renewed agitations by the Ogoni people, the military regime of General Ibrahim Babangida decided to do something which would appease the agitators and others of their ilk in the Niger Delta. In line with this, Emofe Akerewe observes that the Oil Mineral Producing Area Development Commission was created in 1993 by the Babangida regime as a retribute for the long years of neglect and underdevelopment of the Niger Delta region¹⁴. The creation of OMPADEC was meant to assuage the excruciating hardships fostered on the people whose land bears the oil upon which the financial/fiscal well-being of the entire Federation relies. It was also to see to the remediation of the despoliation that the ecology vegetation of the region had suffered owing to the many decades of exploitation of crude petroleum which had adversely impinged on sources of economic livelihood of the people¹⁵.

The Commission was charged with the responsibility of rehabilitating and developing the oil producing areas, and to liaise with the oil companies on how best to tackle ecological problems that have engulfed the region as well as on matters of pollution control¹⁶. The announcement of the establishment of OMPADEC was greeted with happiness and joy in some quarters, while in other quarters it was greeted with scorn and derision. Those who were jubilant believed that it was time to experience real and visible development¹⁷. Others, however, averred that the problems of the region were too numerous to be effectively tackled within the rubrics of any federal development commission. These dissenters therefore advocated for an upward increment of the statutory allocations to the mineral producing areas from the obtainable three per cent (3%) to ten per cent (10%) of the Federation account of federally collected mineral revenues¹⁸.

The Oil Mineral Producing Area Commission was provided with an executive chairman, who was appointed by Armed Forces Ruling Council. It also had a board of directors. The report card of OMPADEC vis-à-vis its operations and activities appears very poor, as the Commission was beset by countless problems which clearly made it a lame duck from the onset. Foremost among the challenges of OMPADEC was what experts and stake-holders referred to as lack of Master Plan to define its developmental objectives. The Commission was variously likened to a ship on the wide contours of an ocean without a compass to guide its course.

Another big problem that was antithetical to the acceptability of OMPADEC as a fulcrum for development of the Niger Delta was its warped formula for distributing development projects among the oil producing communities. The formula prescribed that each community's share of the developmental project sponsored by OMPADEC would be tied to the volume of oil exploited from the community¹⁹. The implication of this skewed distribution formula was that communities which had

suffered environmental hazards and other concomitants of crude oil exploitation and production for decades, which nevertheless no longer produce oil in appreciable quantities would receive little or nothing from the coffers of OMPADEC. Such communities like Oloibiri and Degema, which used to be major oil producers were under this formula made to receive very little, if anything at all²⁰. This distribution formula found no justification under any human philosophical, legal and economic contrivances.

The Oil Mineral Producing Areas Development Commission was cursed by official profligacy; officials of the Commission saw in it a cash cow that could nourish their corrupt and dubious tendencies²¹. The commission was characterized by massive corruption and mismanagement, and wastefulness of the highest order. In less than ten years of its existence, OMPADEC was re-constituted three times²².

The total lack of commitment and vision from both the Federal Government and the OMPADEC leadership vis-à-vis the development of the Niger Delta became clearly demonstrated with the appointment of Professor Eric Opia as the chairman of the Commission. Eric Opia was known to have developed an agenda that was completely at variance with the statutory mandate of the Commission²³. These faltering hence appeared to have justified the position of the critics who maintained that the establishment of the commission was a diversionary attempt to pre-empt the claim of the oil bearing communities to exclusive control of oil rents and royalties²⁴. The late activist, Ken Saro-Wiwa was crucial in this regard. He furiously lambasted the Commission as illogical, an insult and an injury²⁵. He questioned the rationale behind the government's setting up of a commission to control other people's money. Saro-Wiwa declared OMPADEC as a bait to destroy the people's wit to resist injustice²⁶.

OMPADEC eventually turned out to be a nightmare to the people who were already neck deep in poverty, social and economic malaise²⁷. It was an anti-climax of measures which further brought the Niger Delta people into the abyss of neglect as well as mental and material helplessness.

The Niger Delta Development Commission (NDDC)

With the advent of the fourth Republic and the enthronement of the new democratic ethos on 29 May, 1999, hopes were high not only among the Niger Deltans who have been made to put up with many years of neglect and deprivation coupled with the insensitivity of past regimes as well as the oil companies. Again, the brutal execution of the Ogoni born environmental activist, Ken Saro-Wiwa, had set agitations for justice in the Niger Delta on an irresistible course.

It was thus, in the light of these antecedents that during the electioneering campaigns that ushered in the new democratic era in 1999, that political parties that fielded candidates for the presidency had the Niger Delta question as an agenda in their manifestos. The Niger Delta question was at this time a cardinal feature of the politics that heralded the Olusegun Obasanjo presidency.

Soon afterwards, with the emergence of Chief Olusegun Obasanjo as Nigeria's new Head of State, a Bill was sent to the National Assembly for an Act to establish the Niger Delta Development Commission (NDDC). The NDDC was contrived for the implementation of the programme for sustainable development of the region²⁸. This Bill was the second Bill to be sent by the presidency to the National Assembly.

The Bill for the establishment of the NDDC was subsequently passed on 21 December, 2001²⁹. Accordingly, the Niger Delta Regional Development Master Plan notes that the NDDC was established "to offer a lasting solution to the socio-economic difficulties of the Niger Delta and a mission to facilitate the rapid, even and sustainable development of the Niger Delta into a region that is economically prosperous, socially stable; ecologically regenerative and politically peaceful³⁰. In tandem with the above, Onyema Ugochukwu, a onetime chairman of the NDDC, explicates the rationale for the inauguration of the commission. He notes that:

The NDDC was created largely as a response to the demands of the population of the Niger Delta, a populous area inhabited by a diversity of minority ethnic

groups. During the 1990s, these ethnic groups, notably the Ijaw and the Ogoni established organizations to confront the Nigerian government and multinational oil companies such as Shell. They justify their grievances by reference to the extensive environmental degradation and pollution from oil activities that have occurred in the region since the late 1950s. However, the minority communities of oil producing areas have received little or no fund from the oil industry while environmental remediation measures are limited and negligible. The region is highly underdeveloped and is poor even by Nigeria's standards for quality of life.....the NDDC is a result of these concerns and is an attempt to satisfy the demands of the Niger Delta population³¹.

The NDDC Act provided for generous funding sources which include: Federal Government Contribution which was to be equivalent to 15% of the monthly statutory allocation due to member states of the Commission from the Federation Account, oil and gas processing companies contribution (which must not be less than 3% of their total annual budget); 50% of the Ecological fund Allocations due to the member states; proceeds from NDDC assets and miscellaneous sources, including grants-in-aid, gifts, loans and donations³².

The Act also provided for a Governing Board of twenty members. Ten of the members are to be appointed by the Federal Government, (The presidency) including the chairman, the MD/CEO, the two Executive Directors, three representatives of non-oil producing states, one representative each from the Federal Ministry of Finance and the federal Ministry of Environment and one representative of the oil companies. Each of the nine oil producing states appointed one member while all the oil companies appointed one member to represent them³³.

The commission's initial task was to review and complete some of the abandoned/unfinished projects of the defunct OMPADEC and embark on some new ones whilst preparing a comprehensive master plan for the development of the Niger Delta region. To achieve its mandate, the NDDC Board identified the following areas of focus; Development of social and physical infrastructure³⁴, technology, Economic Revival and prosperity, Ecological and Environmental remediation as well as Human Development³⁴.

The NDDC was reported to have received a total of two hundred and ten billion from the federal government from 2001 to 2002³⁵. The NDDC thus, recorded some achievements in the areas of road construction, rural electrification, provision of Pipe-borne water, building of schools and health centers, micro credit scheme for farmers as well as scholarships for students, and so on³⁶. The Niger Delta Development Commission has offices in each of the nine oil producing states and during the first three years of its operations /existence (January 2001 to January 2003), the NDDC received 47 billion naira from all its funding sources. It awarded about 700 Contracts of which 358 was completed within the deadline. The NDDC had also undertaken the construction of 40 road projects, 90 water projects, 129 electrification projects, 47 shore protection/jetty projects, 50 health centers, 205 new blocks of six classrooms each³⁷.

What is more, the Board of the NDDC understood that the challenges in the region cannot be tackled by the NDDC alone in the absence of co-operating and collaborating sectors. Thus, myriad of partners were made to key into the commission's vision and mission. These partners included the United Nations via its development agencies like UNDP and UNICEF, the World Bank, the European Union, USAID, FAO and the ADB. The United Nations, for example, has had a long association with the Niger Delta. It partnered with the NDDC through its Subsidiary agency the United Nations Development Programme in the provision of basic health centres, bore holes and qualitative educational facilities, Eight communities in each of the nine states of the region benefited from these projects³⁸. The UNDP also trained some of the youths of the region and equipped them with skills and micro financing of their businesses. The world Bank and USAID have also been actively participatory in the Niger Delta issues³⁹.

These partnerships and networks of collaboration notwithstanding, the NDDC cannot be said to have eradicated or even largely attempted to mitigate the sufferings of the people of the Niger Delta. In tandem with the on-going, Harry Peters submitted that:

The level of development recorded by NDDC since its establishment is not enough to douse the clamour for resource control. Years after the NDDC was established, the level of development in the Niger Delta remains abysmal, in spite of the lip service paid to it by people that set it up⁴⁰.

The fact remains that the problems that led to the failure of the earlier commissions established by the government to solve the problem of the region infected the commission. The commission allegedly, characteristically awarded contracts to members of staff and their relatives, duplicated projects with their partners especially, the oil Companies. The commission has been under suspicion and scrutiny from the general public because the management team has been accused of embezzlement and siphoning of funds meant for development purposes. Thus, the NDDC has been viewed as a locomotive of corruption and prebendalism⁴¹. This explains why J.S Omotola in an assessment of the impacts of OMPADEC and NDDC on lives of the inhabitants of the Niger Delta declares that even though the responses of the OMPADEC and NDDC have moderated the crisis, "they remain inadequate and ineffective, epitomized by increasing environmental degradation, excruciating poverty, rising tension and general underdevelopment"⁴². Omotola observes that the failure of these developmental paradigms for the Niger Delta "may not be unconnected with political influences, corruption, ineffective representation, and other underlying structural problems that render them cosmetic"⁴³. This research, nonetheless tend to disagree intellectually with Omotola on the way forward out of the Niger-Delta imbroglio. Whilst J.S Omotola advocates more and better equipped institutional responses, which should, however, be closely linked with grassroots organizations such as non-governmental associations, community-development associations and rural empowerment schemes, this study advocates the erection of a true federalist system for Nigeria which anchors on positive equalizations of the fiscal processes as well as control of mineral resources found within the communities, local governments and states. The federal government would be made to receive tax for the export of these resources.

Ministry of Niger Delta Affairs

By 2003, the situation in the Niger Delta vis-à-vis the discontent, angst and disappointment with the Nigerian state had become a keg of gunpowder which only needed a spark to snowball into a horrendous crisis, and thus it was soon after the 2003 elections. Recall that in Rivers, Bayelsa and Delta states, gubernatorial aspirants in the 2003 elections began by courting the various ethnic militias that littered the region in the desperation to win elections by all means. These politicians were reported to have bought huge and strategic weapons for these groups whom they depended on to win elections. At the end of the polls, which was allegedly characterized by rigging and thuggery it was hard to disarm the various thugs who had been instrumental to the electoral successes of the governors. These thugs and hooligans began to use these weapons to terrorize the inhabitants until a connection was made with their suffering to the wealth of the oil companies. With this revelation, attention was shifted to harassing the oil companies in the region⁴⁴. In line with the fore-going, Kenneth Aniakor observes that:

stunning revelations show that some state governors of the Niger Delta region who wanted to remain in power at all cost, were said to have mobilized the militant sea pirates with money, arms and ammunition to muzzle the opposition. In Bayelsa state, the pirates claimed that the governor armed them. They revealed that the arms and ammunition imported into the country by the Bayelsa state government as well as army uniforms were disguised as government supplies. These according to them were brought into Yenegoa, the state capital in 12 containers delivered by six trucks and driven straight into the Creek Haven Government House at about 5:30pm, escorted by heavily armed policemen⁴⁵.

A greater impetus came, however, after the 2007 elections. These militant groups having learnt from their mistakes in the 2003 elections became strengthened after 2007. This post-election crisis only found anchor in the disappointment over the several years of unheeded peaceful engagement. The youths of the Niger Delta got fed up with waiting for promises that would never materialize. This situation led to the birth and growth of many armed groups operating under many names and toga in the region. These included: The Niger Delta Peoples Volunteer Force (NDPVF); Niger Delta Vigilante (NDV); Movement for the Emancipation of the Niger Delta (MEND); Niger Delta Strike Force (NDSF), Peoples Liberation Force among others⁴⁶.

By 2007 when the late Umaru Yar'adua assumed Nigeria's Presidency, these militants and their operations had reached an alarming proportion which had culminated in unprecedented level of insecurity of lives and property. These militants made the entire region unsafe for any meaningful economic activities to thrive by raising resistance against the federal government. The crisis in the region brought dwindling economic fortunes for the country by crippling oil exploration activities in the region, on account of premeditated attacks launched on the equipment and installations belonging to major multi-national oil firms operating in the region. Recall that oil production in the region had, because of the activities of militant organizations, reduced to an all time low of 700,000 barrels per day; a development that tended to cripple the macroeconomic stability of the country as well as the running of governmental business, since oil exportation is the life-line of the nation's economy.

President Umaru Musa Yar'adua's Administration, in order to placate the grievances of the Niger Delta people announced on September 9, 2009 that a full Federal Ministry had been created to cater for the socio-economic needs of the region. He declared that the Ministry would go by the name "Ministry of Niger Delta Affairs"⁴⁷. Another response from the Federal Government which was engineered to foster relative peace in the region was the proclamation of amnesty for militants who were willing to lay down their arms. Whilst the full impact of the amnesty programme is outside the scope of this study, suffice it to observe that as a result of the amnesty programme, more than 26,358 militants left the Creeks of the Niger Delta to surrender their arms and ammunition after accepting the amnesty offer of the Federal Government⁴⁸. Thus, the amnesty programme of the ministry of Niger Delta Affairs is explicable in the relative peace being enjoyed in the region which has led to the increase in oil output from 700,000 bpd at the height of the restiveness to over 2.5 million *bpd*⁴⁹.

The creation of the ministry of Niger Delta Affairs was expectedly greeted with mixed feelings. Some hailed the move as the right decision bearing in mind the difficult terrain, and the multitude of socio-economic problems that challenge the region which as a matter of moral imperativeness require a special attention such as a full Federal Ministry would bestow; others, however, saw nothing crucial in the creation of a ministry of Niger Delta Affairs. The group that shared dissenting view, argues that the creation of the ministry would unnecessarily slow down the pace of development because of bureaucratic bottlenecks⁵⁰. Those who held the latter view felt that since the creation of the ministry was a mere political gesture to placate the people of the region, its operations would be bedeviled by the bureaucratic hiccups that usually trail government establishments...⁵¹.

There is yet a third view, this group does not view the creation of the ministry as inherently negative, they however, opine that the ultimate solution to the Niger Delta question relies not on placation initiatives but a total ownership of the resources by its true owners. This appears to be in concord with the thrust of this study. We shall thus analyze the impact of the ministry of Niger Delta Affairs to buttress the views of these various positions.

The Ministry of Niger Delta Affairs is structured like all existing Federal Ministries. It has a minister in-charge of the development of the Niger Delta area and a minister of state in charge of youth empowerment. The existing Niger Delta Development Commission became a parastatal under the ministry⁵². At inception, the Ministry of Niger Delta Affairs had the mandate to coordinate all the efforts at ensuring speedy infrastructural development, environmental protection and youth empowerment in the region. The Ministry appeared very eager in its task and began by embarking on various lofty

projects in a bid to hasten its mandate and silence the myriad of critics who saw its creation as another wrong step in the “wrong” direction. Thus, the Ministry began the construction of the totally dissipated 337 kilometer East-West route which traversed the whole region and linked the South-South to Western Nigeria. The Ministry also embarked on various land reclamation and shoreline protection projections, building of skill acquisition centres across the oil-producing states; various housing, water and rural electrification projects were reported to have been initiated by the ministry. Between 2009 and 2011, a list of 311 itemized projects were claimed to have been embarked upon by the ministry. These inter alia included:

17 road projects some of which have 2012 completion dates are between 1.5 to 60.59% completion; 27 skill acquisition centres spread across the nine oil-producing states, most of which are meant to be completed in the year, 2012 have reached between 5- 70% completion stages; 40 units of 1,2 and 3 bedroom bungalows in each of the nine oil producing states are still between 12-72% completed; 4 water projects in Akwa Ibom, Imo, Cross River and Ondo have reached 40% completion; while four electrification projects in Rivers, Bayelsa and Cross River at about 40% completion stage⁵³.

It would, however, appear that most land reclamation, shoreline protection and canalization projects embarked by the ministry are still at the consultancy stages with millions of naira budgeted, while construction of jetties, dredging and seaports development, as well as conservation and development of coastal ecosystems in seven states are yet to take off but have been budgeted for⁵⁴.

In the area of skill acquisition, over 34,004 youths were shortlisted for training in ten identified sectors ranging from oil and gas to maritime, but only 701 youths were sent to India, Benin Republic and Israel to be trained in just three out of 10 sectors, namely agriculture (90 youths), oil and gas (341 youths) and maritime (270 youths)⁵⁵.

The Ministry of Niger Delta Affairs seemed to have started well but the problem, as was with others before it, was sustenance and consolidation. Multaire Ikpen reports that stakeholders are irked that there has been no significant infrastructural facility in the region. To worsen issues, there has been a sudden lull in project implementation by the Ministry⁵⁶. Even if the creation of the Ministry of Niger Delta Affairs were to be taken as a substitute for resource control and ownership of the oil of the region by the indigenes, the insincerity of the Federal Government in disbursing funds to the ministry leaves much to be desired. It indicates that just like the critics aver, the creation of the Ministry is nothing other than placatory move and not a sincere, proactive measure to solve the problems of the Niger Delta. The dwindling of the budget of the Ministry since 2009 justifies this position. Recall that in a highly publicized outing, the late President Yar'Adua inaugurated the ministry and stated that its budget for that year would be a whopping sum of 96 billion naira, although, only N94 billion was eventually released, leaving a shortfall of N2 billion⁵⁷.

It turned out to be that this huge allocation was like a bride price for the ministry as the story was not the same the following year. In 2010, N145.2 billion was budgeted for the ministry and defended at the National Assembly but only N58 billion, leaving a whopping shortfall of N86.3 billion⁵⁸.

Observe that budget of the Ministry progressively continue to dwindle, what is even more perturbing is that not only did the budget continue to shrink; the Ministry has never really received all the money meant for it in any fiscal year. This is because the deficit was repeated again in 2011 as N35.6 billion was released out of an approved budget of N52 billion, forcing a shortfall of N16.3 billion. In fact, from 2009 to 2011, there has been a cumulative shortfall of N104 billion. This development leaves projects already plunged into begging for progress and completion⁵⁹.

It is pertinent to observe that in the fiscal year, 2012, out of an approved budget of 52 billion, not more than 28 billion was released to the Ministry as at July, 2012⁶⁰. Could it be that in a bid to square up to the task of mooting criticism and placating the people of the Niger Delta, the Ministry of Niger Delta

Affairs had bitten more than it could chew? This question becomes more apropos when we note that aside the welcome achievement in youth training, no capital project was ready for commissioning by the ministry despite the billions of naira allocated to the ministry since its creation⁶¹. There is a concern that the economic empowerment programmes which are highly desirable for the development of the Niger Delta region are marred by the continuous shortfalls of the Ministry's appropriation. Recall that early in the year, 2012, the Minister of Niger Delta Affairs revealed that "not less than 25 on-going community projects designed to hook the region to the national grid would be discontinued, due to never ending shortfalls in the money released for the actualization of the planned development of the region"⁶².

More vexing than the deficit budgetary allocations and the shortfalls in releasing the funds to the Ministry, are the alleged mismanagement, misapplication and corruption in the Ministry. A detailed and critical study of the expenditure of this Ministry reveals how the ministry has mismanaged and further pauperized the people of the Niger Delta.

In 2009, a projected figure of ₦51,000,000,000.00 (Fifty-One Billion Naira) was budgeted for the Ministry by the Federal Government. Out of this, local Travels and Transport was given ₦122.1 Million, while International Travels and Local Transport were allocated ₦100 million. In the same year, the projected expenditure for local training was ₦98 million, security services and Allied Matters ₦710 Million, Niger Delta coastal Roads ₦300 million, peace and security, Employment Corps ₦500 million. The East-West road gulped the sum of ₦28 billion that year⁶³.

For the 2010 Federal Appropriation (Amended Act), the Niger Delta Ministry got an estimate of ₦86.2 billion, with ₦205 Million budgeted for travels and Training, ₦175 Million for Maintenance (General), ₦162.8 million for Training (General), Security and Allied Matters ₦700 million, Sea Boat Fuel ₦34million, Generator Fuel Cost ₦25 million, Refreshment and meals ₦30 million, New Town/Industrial Park Development got ₦1.9 billion. The East-West Road again gulped ₦30 billion in 2010⁶⁴.

In the 2011 Appropriation (Amended Act), a total of ₦55.2 Billion was allocated to the Ministry. From that amount, the Ministry's overhead for the said year was put at ₦2.4 Billion, while Travel and Transport (General) was allocated ₦250 million. Training (General) was allocated ₦1 Billion. Roads got ₦4.5 Billion. Refreshment and meals got ₦12 million. Erosion and Flood control ₦5.2 billion, research and Development ₦1billion, with an allocation of ₦1 Billion as "fund for Economic Empowerment, Training and Post Training. Recall that there was also ₦975 Million as fund for Economic Empowerment in 2010⁶⁵.

In the 2012 budget, the sum of ₦52 Billion was allocated to the Ministry of Niger Delta Affairs. Out of this amount over, ₦449 Million is for Travel and Transport. Overhead expenditure of this Ministry for 2012 is projected at ₦1.7 Billion. Further, maintenance of office furniture for 2012 is projected at ₦118.5 Million. Expenditure for security services is projected at ₦371 Million, Refreshment and Meals ₦31.9 Million⁶⁶.

It does not take some tutorial in statistics to observe that there is more than meets the eye in the expenditure of the Ministry of Niger Delta Affairs. Take for instance in the 2012 budget, ₦4.2 billion was allocated for Research and Development and elsewhere another allocation dubbed "computer software Acquisition gulped ₦700 Million⁶⁷. Moreover, what was the ₦1 billion allocated for Research and Development in the 2011 budget used for? What is this computer software that would cost more than ₦700 million?

Curiously, there is another ₦547 Million for ICT networking and Connectivity for the office of the Ministry in the nine states, meaning that, over a billion naira would be used for ICT and computers by this Ministry in 2012. If the Ministry does not already have internet access, how come ₦20 Million was allocated for internet access by the Ministry in 2009? What also did the Ministry spend the ₦431 Million for ICT Connectivity Centre for in its 2010 Budget? Is this not fiscal indiscipline and an assault on the suffering people of the Niger Delta?

Between 2009 and 2011, over ₦12 Million in aggregate had been allocated to feeding alone to this Ministry. If the projected estimate of ₦31.9 Million for feeding and refreshment as captured in the 2012 Budget proposal is given a legislative bite, then this Ministry alone would be spending over ₦150 Million for feeding and refreshment within a period of four years, when over a million people or more cannot afford a square meal daily in the Niger Delta the ministry was created to develop.

There is also about one Billion Naira expended by this Ministry on training from 2009 to 2011, which is also outside the ₦1 Billion for Non-Militant training and sensitization. These figures are enough to train hundreds of our young people in the Niger Delta and with additional incentives like revolving (monetary) grants for capacity stabilization⁶⁸. For now, only the Ministry can explain what derivable gains these figures have added to human capital development within the Niger Delta. There was another ₦1 Billion as fund for economic Development, which was allocated in 2011. Therefore, if the ₦449 Million was allocated for training in the 2012 budget is allowed to go. Then close to about ₦3 Billion would be expended by this Ministry at the end of 2012 Budget circle on training alone⁶⁹. Commenting on the fore-going George Hill Anthony and Tina John argue that:

At a time when Defence budget is taking a huge chunk of Nigeria's budgetary provision, it is sad and totally unacceptable to see government ministries competing with security agencies for security line budgets that are directly expended by the MDA themselves. Between 2009 to 2011, the Ministry of Niger Delta Affairs had appropriated a total of ₦204 Billion for Security alone. If the ₦371 Million projected for 2012 is added, close to ₦2.4 Billion shall be expended on security. At the same time, the state Governments, Local Governments, Oil Companies budgeted millions daily for security in the same region⁷⁰.

The question begging for answer here is; Why is the Federal Government and the Ministry spending Billions on security in a region where government is spending so much on the Amnesty Programme? Is this huge security expenditure for crime suppression, economic exploitation or for provision of stable social environment and peace? What also did this Ministry spend the ₦50M allocated for study, design and Technology Centre in 2009? One is interested to know where the Technology Centre is located within the nine states in the Niger Delta.

It is commendable to see that this Ministry's expenditure on "Generator Fuel Cost' reduced from ₦32 Million in 2009, ₦25 Million in 2010 to about ₦5 Million in 2011. But how come separate ministries in the same secretariat seem to be maintaining their own generators in a federal secretariat that is supposed to be centrally powered? Let us now take a look at this Ministry's capital projects for 2012. Built in the 2012 Capital expenditure of the Ministry is the Idoro-eastern-Itam Water Project for ₦400 Million. There was already a ₦50 Million allocated for this same project in 2011. What was the ₦50 Million allocated in 2011 used for?

The Owerri Urban Water scheme is another fiscal setback. In 2010, the project was allocated ₦292 Million. In 2011, another ₦50 Million was allocated and another ₦500 Million was projected for this project in 2012⁷¹. This shows that from 2010 to the 2012 fiscal year, over ₦842 Million was projected for this single project at Owerri urban. Other water projects include the Ubane Uranga Water project in Cross River State, which was allocated ₦150 Million in 2009, ₦195 Million in 2010 and ₦50 Million in 2011 with another ₦516 Million projected for same project in the 2012 Budget⁷². That brings it to a total ₦911 Million within four years. Where are the huge sums previously allocated for this project? Same applies to Ukparam Water Project in Ondo State. That project got ₦100 Million in 2009, ₦97 Million in 2010 and ₦50 Million in 2011, with another ₦177 Million projected for in 2012⁷³. Cumulatively in four years, this project has gulped ₦424 Million Naira. Moreover, Niger Deltans are curious to know which Community (Isiokpo?) in Ikwerre Local Government benefited from the ₦195 million (2010) and another ₦50 Million in (2011) and (Ibaa) in Rivers State 2011⁷⁴. A Community like Alesa in Eleme Local Government has suffered rolling and duplicitous allocations of huge sums for project(s) the people never saw, or heard of⁷⁵. For this, one demands that Ministries, Departments and

Agencies should pin point the exact location of any project, the clan and local government of where such project are located. The Niger Delta Ministry's budgetary provision of ₦100 Million in 2011 for the Eleme Water Project without any clear location is questionable.

On Electricity, a project for Khana Local Government Area of Rivers State was allocated ₦200 Million in 2009, ₦263.2 Million in 2010, ₦50 Million in 2011 with another ₦200 Million projected for it in the 2012 Budget, which would bring it to over half a billion (that is, over ₦700 Million) within the period. This should interest the people of Khana and the Local Government Authority there⁷⁶. Erei Electrification Project in Cross River State was allocated ₦100 Million in 2009, ₦97 Million in 2010, and ₦50 Million in 2011 with another ₦200 Million allocated to same project in the proposal for 2012. For the Peremabiri-Ogbokiri Electrification Project in Bayelsa State, ₦200 Million was allocated in 2009, ₦195 Million in 2010, ₦50 Million in 2011, with another ₦400 Million projected for same project in the 2012 Budget proposal. This adds up to a total single expenditure projection of ₦845 Million by 2012⁷⁷.

One wonders why this Ministry is indisposed to holding Town Hall Meeting(s) within the region, but would rather continue with allocating figures to many of the projects that do not exist? The excuse(s) of lack of AIEs releases from the Budget Office of the Federation (BOF) does not appear to hold water, since the Federal Ministry of Finance has not been releasing MDA by MDA disaggregated Budget Performance reports to Nigerians⁷⁸.

By 2009, several Billions were allocated to Skill Acquisition Centers by the Ministry as chain figures. ₦2.7 Billion was in 2009 Budget as a line item. There was also another allocation of ₦200 Million for a Skill Acquisition Centre in Akoko-Edo State, ₦127 Million Mosogar Skill Acquisition center, ₦200 Million for Oguta, Imo State and ₦300 Million for Ikwerre in Rivers State, ₦800 Million, for Technology Centre in Eleme Local Government Area, excluding design and prototype which was allocated ₦50 Million that year. In 2010, a lumped sum of ₦8.7 Billion for the same Skill Acquisition centers was proposed. By 2011, another ₦2.5 Billion was allocated for the same set of Skill Acquisition Projects, with ₦5 Billion also projected for the same projects in 2012. Cumulatively, about ₦11 Billion would be expended on this set of projects if the allocation for 2012 is allowed. There is need for an investigation⁷⁹. For other Road projects, the 21.9 kilometres Ekparakea-Ukanafun Iko Ubo-Aba Road was allocated ₦500 Million in 2009, ₦975 Million in 2010, ₦100 Million in 2011 with another ₦900 Million projected for this same road in the 2012 Budget. Still on Roads, Omelema-Agada Road in Rivers State was allocated ₦100 Million in 2009, ₦975 Million in 2010 and ₦200 Million in 2011, with another ₦900 Million for same road in the 2012 proposal. Why are huge sums given one single project year in and year out?⁸⁰.

The essence of the Medium Term Sector Strategies and MTEF has been rubbished and the whole National Budgeting Framework turned up-side down? We can go on and on and mention so many Road projects that have appeared and reappeared in this Ministry's Budget from 2009 to 2012. The point is, where is the money going? If these figures are actually for capital projects within the region, there could have been massive construction projects going on at the same time in the region⁸¹.

It is, therefore, without subjectivity that the present writer herein submits that the creation of the ministry of Niger Delta Affairs has not made and may not make any desired impact on the lives of the people in the region. It is still within these same trajectories that the researcher further submits that the establishment of the Ministry of Niger Delta Affairs cannot be an alternative for the demands of resource control by the people of this greatly pauperized environment. What is more, the ineptitude, dubious duplication of projects, bureaucratic red-tapism in the Ministry has but magnified and transposed the urgency of Fiscal restructuring of Nigeria's federalism. The current fiscal structure of the Nigerian state is totally antithetical to the well being of the Niger Delta. In tandem with this, B.O Nwabueze has warned that in any progressive federal system, "the power sharing arrangement should not place such a preponderance of power in the hands of either the national or regional government as to make it so powerful that it is able to bend the will of others to its will"⁸². In the case of Nigeria, the

central government is so strong and powerful that it can snuff the life out of any state that it so wills. This may be pardonable by other regions of the federation. But the inhabitants of the Niger Delta demand true federalism and resource control.

Lopsided Fiscal Federalism in Nigeria and its implications on the Niger Delta Question

The implication of the continued lopsided fiscal federalism for the Nigerian state is evident in this study. Here, an attempt is made to highlight these implications. It is pertinent to begin by restating that federalism is a dynamic and never a static phenomenon. It therefore follows that fiscal federalism which is a major hub of federalism is also dynamic. This explains why B.A. Akinyemi, P.D. Cole and W. Ofonagoro, who brought together many scholarly views of the leading scholars in comparative federalism held among other things, that "One of the things which was stressed by several participants from other countries (aside Nigeria)... was the fact that several federal states are either engaged in, or about to begin, the process of reviewing their federal systems in order to retain their relevance to their societies"⁸³.

It was on this note that Kunle Amuwo and Georges Herault observed that "the need to review each Federal System (FS) is not seen as a sign of weakness or something to apologize for". In any case, Nigeria's federal structure and system is long overdue for a restructuring. B.O Nwabueze's illuminating conceptualization of federalism becomes very interesting here:

Federalism is an arrangement whereby powers of government within a country are shared between a national, country- wide government and a number of regionalized (i.e. territorially localized) governments in such a way that each exists as a government separately and independently from others; **operating directly on persons and property within its territorial area.**⁸⁴... (Emphasis mine).

Additional impetus for 'reworking' Nigeria's fiscal federalism *vis a vis* the Niger Delta question derives from the fact that many policies have been tried without success. Restructuring the fiscal system of the country thus, becomes the last and the inevitable option.

Re-jigging Nigeria's fiscal federalism should not be misconstrued to suggest confederation. In fact, myriads of scholars and experts still maintain that federalism is best suitable for Nigeria. F.E. Onah notes that "it may be necessary to observe that given the territorially-based diversity and cleavages abounding in Nigeria and the historical legacy of divisions among its ethnic groups, regions and Sections, the federal imperative has for so long been recognized as fundamental that even military governments attached importance to the continuation of a federal System"⁸⁵,

The importance of federalism for a multi-ethnic state like Nigeria cannot be over- emphasized. This is because, federalism inter alia, enables several weak and fragmented entities to become powerful enough to deter or ward off external aggression and or to prevent aggression or wars among them. In this regard, federations has been known to foster peace by preventing wars and fears of wars.⁸⁶ Federal systems promote economic prosperity by removing barriers to trade among federating units and enhance economies of scale. More so, federalism promotes cooperation, justice, and other values among sub-units as well as their constituent units.

Nevertheless, if the Nigeria state wishes to continue to enjoy these advantages of federalism, a restructuring of the powers and fiscal structure of its federalism has become critically imperative. The continued lopsided fiscal system has had the tendency of pitching the masses of Nigeria in a dialectical struggle against the members of the ruling class. N. J Obiakor and A.A. Ugwuja, et al observe that:

An examination of the country's federal system reveals that the Nigerian federalism has become huge and systematic in which the ruling classes are ferociously entangled in a desperate struggle and competition over national resources. In this deadly contest, the citizens are always at the receiving end. The (s)elected ruling-elites do not give a care for the welfare of the people as they are ever horn-locked in the appropriation of the resources of the state⁸⁷.

The lopsided nature of Nigeria's fiscal relationships has continued to ensure that the majority of Nigerians are ostracized from the decision-making processes which albeit, affect their lives in no small a measure. This is because too much fiscal leverage is reserved for the central government.

What is more, it is clear that the threat of Nigeria's disintegration looms large and to avert this risk, Nigeria's federalism must be engineered to conform to the tenets of true federalism, one that anchors on resource control and fiscal autonomy for the federating units. Nigeria cannot be seen as a democratized state until the Voice of the minorities are not only heard but heeded. Until Nigeria becomes a democratized state excuses will still be made for those who take up arms against her internally. Indeed, they may have to be seen as freedom fighters.

A great state is so because it is able to muster and bond many patriotic sentiments to forge a common identity and prosperity. Nigeria's lopsided fiscal system has, on the other hand, tended to erode any feelings of patriotism from many regions of the country. The implications of these for Nigeria's national integration efforts become very disastrous for more than five decades since Nigeria's national integration has continued to be elusive. And as such, development has tended to be illusory and a mirage.

In the comity of states, Nigeria is seen as a rogue state, especially by the Western nations. This is largely as a result of the inability of Nigeria to meet the aspirations of her teeming masses who therefore do all sorts of things for survival. Nigeria's international prestige and reputation has continued to deflate, a restructuring of the country's fiscal system based on resources control will undoubtedly make the masses stay closer with those who control their resources and in any case of mismanagement, they would be held accountable. This is a plausible rationale for restructuring of Nigeria's fiscal structures.

Conclusion

The Niger-Delta question is as old as the Nigerian state. This hinges on the minority question and the inherent fear of domination that greeted the inclusion of the Oil Rivers protectorate in the union that gave birth to Nigeria. This area is a land flowing ceaselessly with oil. In other words, the history of the Niger Delta revolves around oil, which has been the major revenue earner for Nigeria.

The fiscal imbalance in the Nigerian state has resulted in the loss of unquantifiable human and material resources. The spate of kidnappings, killings and vandalization of oil facilities by irate youths of the region in protest against marginalization, environmental pollution, mass misery, impoverishment and retardation of their development was quite alarming. This adversely affected foreign investments in the region in particular and Nigeria in general.

Various governments have put up temporal measures to assuage the yearnings of the people. These measures began with the recommendations of the Sir Willink's Commission which stipulated that the region be given special development attention, then other committees, board, commission and later a full-fledged ministry; to attend to the development needs of the Niger-Delta people. These include the Niger-Delta Development Board (NDDB), Oil Minerals Producing Area Development Commission (OMPADEC), Niger-Delta Development Commission (NDDC), and the Ministry of Niger-Delta Affairs. Aside these, the government of the late President Umaru Musa Yar'adua also granted amnesty to all repentant militants willing to hand in their guns to the state. These ex-militants were to get trained in different skills within the country and abroad. Despite all these measures, the Niger-delta debacle remains unresolved.

The skewed fiscal structure of Nigeria's federalism accounts for the above scenario. This study observes that the lopsided fiscal structure of Nigerian federation is a bane to national integration. This has attracted the rogue state status for Nigeria in the comity of nations. The short term measures that have been applied by the government in solving the Niger-Delta question cannot yield permanent fruits, rather a reversal to the basic tenets of the federal system as regards the fiscal relations is the sure bet to permanently solving the question that has subsisted for decades.

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