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## Governance and Oil Politics in Nigeria's Niger Delta: The Question of Distributive Equity

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**KEYWORDS** Petroleum Resources. Benefits. Fair Share. Minority Groups. Niger Delta. Nigeria

**ABSTRACT** Nigeria's Niger Delta is the storehouse of petroleum resources, which accounts for more than 80 percent of Nigeria's revenue and more than 90 percent of the total exports. Unfortunately, the producing region remains poor, ecologically disabled and infrastructurally underdeveloped giving rise to various forms of violent conflicts, kidnappings and restiveness. In this study, we employ the concept of governance to see how oil benefits are distributed as well as its overall impacts on the development of the region. The paper mostly uses statistics from secondary sources to support arguments. The outcome shows that the real oil benefits do not trickle down to the Niger Delta region in a significant amount. We observed that several factors including politicization of benefits, revenue and infrastructural distribution; wrong policies; ethnic domination and absence of transparent and accountable leadership are real deprivers and captors of oil benefits, which continues to keep the region perpetually poor and underdeveloped. Addressing these issues requires thorough understanding of the fundamental questions of governance in Nigeria.

### INTRODUCTION

The area referred to as the Niger Delta region was limited to the geo-political zone occupied mainly by the minorities of southern Nigeria, which currently comprises the six states of Akwa Ibom, Bayelsa, Cross River, Delta, Edo and Rivers. In recent years, the region was politically redefined and enlarged to include all the nine contiguous oil-producing states, which incorporates new states such as Abia, Imo and Ondo. Currently, the Niger Delta forms the largest group amongst the ethnic minorities spread over the south-south geographical zone of Nigeria (Fig. 1).

It has a population of over 45 million people distributed in over 1600 communities (NPC 2006). The Niger Delta has some unique characteristics, which tend to make development difficult. It is, for instance, one of the largest wetlands in the world. It covers an area of 70,000 square kilometres and is noted for its sandy coastal ridge barriers, brackish or saline mangroves, freshwater, permanent and seasonal swamp forests as well as lowland rainforest. The whole area is traversed

and crisscrossed by a large number of rivers, rivulets, streams, canals and creeks. The coastal line is buffeted throughout the year by the tides of the Atlantic ocean while the mainland is subjected to regimes of flood by the various rivers, particularly the river Niger. By this, the Niger Delta region is the second largest delta in the world and the largest wetland in Africa. The delta is home to an extraordinary variety of people, mostly fishermen and farmers with a proud history and cultural heritage. The Niger Delta is also the main centre of oil production activity and therefore the centre of Nigeria's economy, accounting for more than 90 percent of Nigeria's foreign exchange earnings and more than 80 percent of government revenue (CBN 1981). The major oil companies operating in the Niger Delta are as summarised in table 1.

Petroleum was discovered by Shell-BP in 1956, following half a century of exploration. Oil production became important in the 1960s, but the Biafra conflict and the civil war between 1967 and 1970 delayed further expansion. The main reservoirs are located in and around the Niger Delta, in both on-shore mangroves and shallow off-shore basins, and since 1990 exploration has increasingly moved to deep, offshore areas. Unclear boundary demarcations in the Niger Delta have caused disputes relating to several strategic areas. Wunder (2003) observed that Cameroon and Nigeria both claim zones on and off the Bakassi Peninsula and ownership of the

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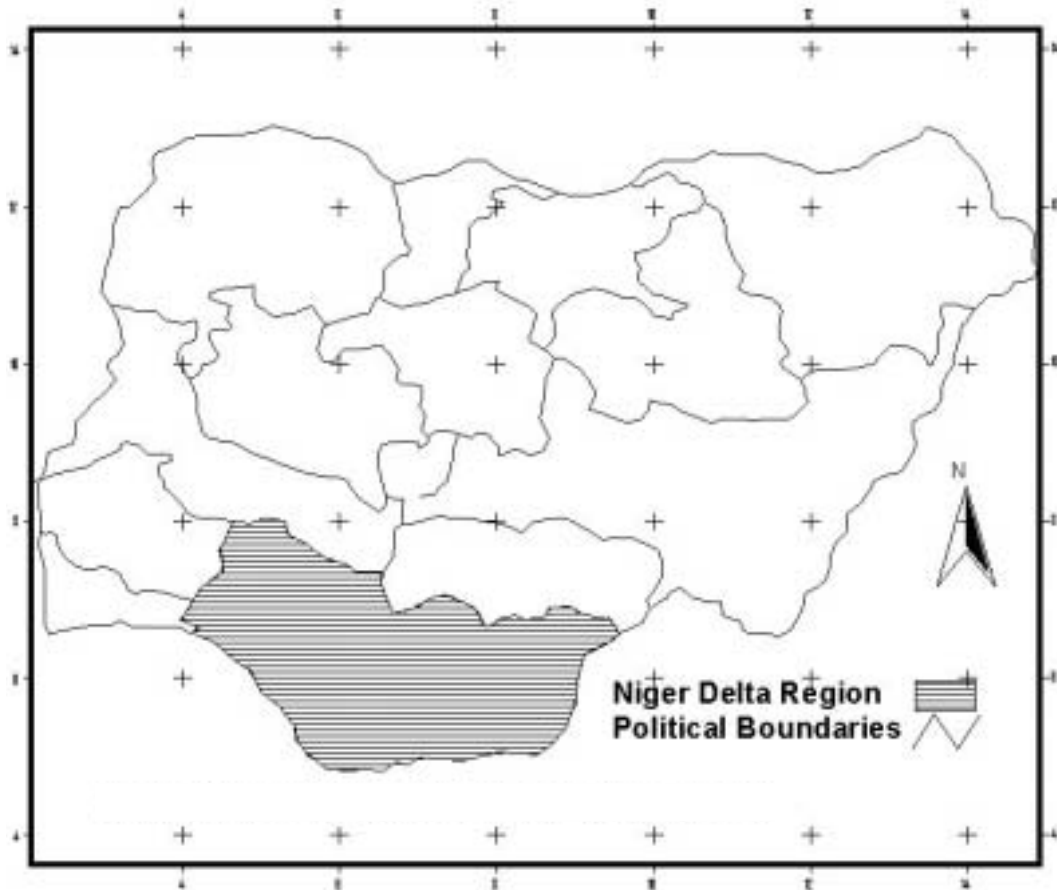


Fig. 1: Map of Nigeria showing the Niger Delta

Zafiro oil field is disputed with Equatorial Guinea. Shell continues to be the most important company, but it has been joined by a series of other multinationals over the years (Table 1).

Despite being the richest geopolitical region in terms of natural resource endowment, Akpan and Akpabio (2003) observed that the Niger Delta's potential for sustainable development remains unfulfilled, and is now threatened by environmental degradation and worsening economic conditions. In this study, we are trying to look at how governance plays out in the distribution of oil wealth and benefits in the Niger Delta. We have organised the study into segments. Immediately following the introductory segment, we discuss two critical concepts namely: governance and equity. These two concepts are interrelated in the context of this study and are very important

in understanding the decision-making industry especially as it concerns who gets what and how? The third segment is more analytical and examines the various governance issues as they affect the distribution of oil benefits in the Niger Delta. This is followed by concluding remarks.

#### Discussion on Relevant Concepts

Two key concepts are central in this discussion. The concepts include governance and equity. The degree to which the governance system is able to address the question bordering on equity is vital in enhancing the understanding of the oil politics in the Niger Delta. Governance as a concept has evolved through various forms of contestations over the years. According to the UNDP (2001), governance is the exercise of

**Table 1: Players in Nigeria's oil industry**

<i>Consortium</i>	<i>Shareholders</i>	<i>Joint venture operator</i>	<i>Production barrels/day (2003 estimates)</i>	<i>Production (%)</i>
Shell Petroleum Development Company of Nigeria Ltd	NNPC (Nigeria, 55%) Shell (Dutch/British, 30%) Elf (France, 10%) Agip (Italy, 5%)	Shell	950 000	42.20%
Mobil Producing Nigeria Ltd	NNPC (Nigeria, 58%) Mobil (USA, 42%)	Mobil	500 000	21.20%
Chevron Nigeria Ltd	NNPC (Nigeria, 58%) Chevron (USA, 42%)	Chevron	485 000	18.60%
Nigeria Agip Oil Company	NNPC (Nigeria, 60%) Agip (Italy, 20%) Philips (USA, 20%)	Agip	150 000	7.50%
Elf Petroleum Ltd	NNPC (Nigeria, 60%) Elf (France, 40%)	Elf	145 000	6.10%
Texaco Overseas (Nigeria) Petroleum Company	NNPC (Nigeria, 60%) Texaco (Nigeria, 20%) Chevron (USA, 20%)	Texaco	55 000	2.70%
Other Producers	Ashland (USA) Deminex (Germany) Pan Ocean (Switzerland) British Gas (British) Sun Oil (USA) Conoco (USA) BP (British) Statoil (Norway) Conoil (Nigeria) Dubri Oil (Nigeria)	Various	35 000	1.70%
Total		2320 000	100%	

Source: Idemudia and Ite (2006)

economic, political and administrative authority to manage a country's affairs at all levels...it comprises the mechanisms, processes and institutions through which citizens and groups articulate their interests, exercise their legal rights, meet their obligations and mediate their differences. Governance relates to the broad social system of governing, which includes, but is not restricted to, the narrower perspective of government as the main decision-making political entity. According to Rogers and Hall (2003), there is no single definition of governance and different approaches may be followed. The authors observed that some may see governance as essentially preoccupied with questions of financial accountability and administrative efficiency. Others may focus on broader political concerns related to democracy, human rights and participatory processes. There are also those who look at governance with a focus on the match and mismatch between the politico-administrative system and the ecological system or in terms of operation and management of services.

Governance involves the manner in which allo-

cative and regulatory mechanisms are exercised in the management of resources (natural, economic, and social) and broadly embraces the formal and informal institutions by which authority is exercised. The new term for discussing this combination of formal and informal institutions is distributed governance (Kooiman 1993). There is a profoundly political element to governance, which involves balancing various interests and facing political realities (Rogers and Hall 2003). This implies that politics defines the agenda and prioritizes issues. In all ramifications, this is very important for economic, social and environmental outcomes. These are key elements that matter most in a given society and the degree of inclusiveness, accountability, transparency, predictability, responsiveness and participation determines whether the governance system is good or bad.

According to Rogers and Hall (2003), poor governance leads to increased political and social risk, institutional failure and rigidity and a deterioration in the capacity to cope with shared problems. Some analysts have shown that there is a

strong causal relationship between better governance and better development outcomes such as higher per capita incomes, lower infant mortality and higher literacy (Kaufmann et al. 1999). Effective governance is thus essential to poverty reduction as it can help the poor to help themselves. Poor governance is a barrier to development and hurts the poor through both economic and non-economic channels, making them more vulnerable and unable to adapt to changes.

Current question that governance attempts to answer border on whether a society can co-ordinate and manage itself. This is the essence of distributed governance. It looks at co-ordination and the various forms of formal and informal types of State/society interactions and the role of civil society and policy networks. This according to Rogers and Hall (2003) is more society-centred and less “Statist”, with governance systems providing the power balance, recognising of course that political power are derived essentially from economic resources and instruments.

Strongly related to this question and concern is the sub-question of equity. Equity questions are always framed around the broader question of justice. To conceive of a just society is to conceive of two key principles namely, need and equality (see Engeset 2007). The need question border on basic and inexcusable human needs (UN-WWAP 2003; UN 1977). The principles of equality demands that people must be treated as equals in a political community in their position as citizens and they must have equal political, legal and social rights. The equality principle are mostly entrenched in constitutional provisions and it is very important if the minority question is to be effectively addressed in development and resource allocation (Miller 1999: 250).

HDP Health Equity and Inter-programmatic Group (1999) further distinguishes between vertical and horizontal equity. This distinction relates to two broad issues namely, the universality of needs (horizontal equity-that is everyone needs a particular basic necessity at some point); and special or targeted supplies (vertical equity-for example targeting a specific supply to the needs of a special group such as the poor). Vertical equity has a higher potential for redistributing resources, and therefore often faces more political obstacles. Such political obstacles are much pronounced where the voice and numerical strength are weak and it is often a strong political determination and ‘will’ that can overcome such obstacles.

Issues of equity are broadly located in resource management and development. Of recent, emphasis on sustainability has become the key word with respect to intragenerational, intergenerational and distributional equities (Haughton 1998). According to the Brundtland Commission (WCED 1987: 43), sustainable development is development which meets the needs of the present without compromising the ability of future generations to meet their own needs. Its concerns for the right of future generation is widely understood as the intergenerational equity principle while its emphasis on meeting the present needs through elimination of poverty is understood as intragenerational equity. The third issue, a recent concern, border on dis-tributional or geographical equity (Haughton 1998). Bullard (1990, 1993 cited in Haughton 1998) looks at geographical equity as the way in which the location of communities and their proximity to non -desirable land uses, such as toxic waste incinerating plants, landfills, and sewerage works, is not randomly configured but instead tends to link to social equity concerns about who lives and works in the most environmentally dis-advantaged areas. Haughton looks at geo-graphical equity in a broader perspective, not just in a way in which environmental “dis-amenities” such as pollution are distributed, but also environmental assets, in particular the issue of inequitable access to environmental resources. Haughton went further while quoting Curran (1997) by saying “geographical equity is also used here as a term which embraces consideration of how structural geographical inequities are constructed, including the use of national political boundaries and bounded legal systems to restrict legitimacy to those outside these boundaries. The resultant entrenched processes of political, economic, and social exclusion are profoundly important in devising policies for sustainable development as trans-boundary environmental issues rise to the fore, raising issues of reciprocal rights and obligations for people impacted on by distant decision making processes” (Curran 1997). When sociological issues such as race, ethnicity, class, culture, and political power on resource allocation decision making are brought in, geographical equity then becomes much more relevant and related. This is because certain groups tend to be disadvantaged in terms of resource allocation decisions and policies. To underscore this point, the 1996 Report of the United Nations Development Programme states

that distributional equity is at the heart of economic development (UNDP 1996). Unequal access is not only inequitable; it can also do tremendous damage to national integration and unity.

With respect to Nigeria, Abumere (1998) has observed that distributional inequity is taken to mean differential availability of the fruits of economic development among populations in different Nigeria's areal units. In the Nigerian context, the fundamental questions remain as follows: who gets what amount of environmental resources and why? Which region or section should have access to how much resource in a given time? These and related questions are very crucial in daily governance decisions bordering on allocation of oil benefits and wastes and equally concerns with the issue of the "fairness" with which rules, regulations, and assessments are made and enforced (Haughton 1998). This paper attempts to address these issues with respect to governance in relations to benefit sharing of oil resources and the rules used in the Niger Delta, with a view to seeing how equity question is handled.

Compiling this paper was, by no means, an easy task. The most important problem encountered relates to data. Frequent political delineation of State boundaries over the years has distorted the Niger Delta boundary as some parts of southwest (e.g., Ondo) and south-east (e.g., Abia and Imo) have been integrated in the region for political reasons which may have to do with redistributing the benefit of the oil resources as well as weakening the struggle of Core Niger Delta Communities for self-determination. These frequent boundary readjustments seem, in most cases, to distort available data as well as masking the reality of issues for the region. Most available national level statistics do not include some States in the region. For instance, when the statistics for the distribution of school facilities by States in Nigeria (1978/79-1980) from Rural Infrastructures Project Field Survey was assessed, a key state in the region namely Rivers was conspicuously not available. Some data were highly generalised for Nigeria, e.g., Human Development Index. Most data are highly classified, e.g., employment distribution by States at Federal government ministries, departments and units, and could not be assessed. We, however, had to rely on some clear available secondary data as well as some examples of government development

approaches for discussion purposes. We believe this study offers very important foundation which we intend to follow up with more data in the nearest future when the Freedom of Information Bill (FOI), currently with the National Assembly, would have been passed and effective.

### **The Niger Delta and Oil Benefit Distribution**

This section discusses how Nigeria's oil wealth is distributed with particular emphasis on how the Niger Delta region has been factored into the benefit sharing equation. Discussion will focus on the general investments and distribution of infrastructures accompanying oil booms and busts; the politics of development agencies and revenue sharing; the impacts of oil related policies on oil wealth distribution; the general leadership problem as it affect oil benefit distribution. These are issues relating to general governance and are discussed as below.

#### **a. Oil and Public Investments/Infrastructure Distribution**

The importance of petroleum oil has spanned well over 3 decades, significantly dictating Nigeria's economic growth. By 1970, petroleum exports had assumed up 58.1 percent of the country's export value. Oil revenues jumped from 1.3 billion naira in 1973 to 3.9 billion naira in 1974. After a slight drop in the late 1970s, they rose back to a peak of 4.9 billion naira in 1980. Until 1983, real revenues then dropped to less than half their value (2.0 billion naira). The oil price had slackened, but even more importantly, Nigerian production quantities almost halved due to insufficient previous exploration (Oyejide 2000: 420-424). However, after the bust in the 1980s, production resumed at previous levels of around or above 2 million barrels per day throughout the 1990s. Petroleum's share of exports was 96.9 percent in 1980, 93.6 percent in 1990 and 95 percent in 2001 (UNCTAD 1999: 128; Mbendi 2002). In other words, oil exports boomed in 1973-81; fell off in the 1980s but resumed high levels in the 1990s. Incidental to Nigeria's oil wealth and revenue, Wunder (2003:304) had classified public-spending priorities as follows:

- i. Investment in infrastructure (physical and social);
- ii. Prestige projects;
- iii. Investments in "modernization" and "indigenization";

- iv. Public salaries;
- v. Military expenditure.

Investment in infrastructures happens to be one of the topmost priorities and this has been handled largely by the federal government which has the largest share of oil revenue. It is with the oil, and lately gas resources of the Niger Delta that important national projects have been executed, including the Third Mainland Bridge in Lagos (South-west), the building of a new multi-billion dollar Federal Capital Territory; the construction of a multi-billion dollar stadium; and the Kaduna Refinery, among several costly projects. Headquarters of most oil multinationals (e.g., Exxon Mobil, NNPC) are sited in far away Lagos (South-west) which means the company tax are paid to Lagos State. Sadly, this significant contribution to national revenue by the oil-bearing communities in the Niger Delta region has not meant anything in terms of socio-economic and physical development.

The Willinks Commission report of 1958 captured the current state of the region in relations to other regions of Nigeria as follows: "the Niger Delta is poor, backward and neglected". In terms of poverty head count, available statistics in Akwa Ibom state alone, for instance, show that 72.3% of its population is poor (Umoh 2002). This is higher than the Nigerian average of 70.7%. The World Bank (1995, cited in Aaron 2003) added the ecological aspects when it observed that the ecological devastation unleashed on the region is life-threatening.

The inflow of oil revenue in the early 1970s further led to an unprecedented boom in the economy and created opportunity for the State to pursue indigenization policy in the economy by introducing limiting quotas for expatriates, minimum purchase requirements of Nigerian goods, increase Nigerian ownership, among others. Public wages also rose sharply. For instance, in 1975 alone, average public wages were doubled in an attempt by the government to buy political support from key stakeholders (Ezeala-Harrison 1993:199). Where did these investments and public spending go and who benefited most? While major investments in public infrastructures went to the major ethnic groups who control the power equation in the country, the seat of oil producing region (the Niger Delta) was left unattended to in many areas, including employment, infrastructure development and provision, investment activities and many other develop-

**Table 2: Transport development in the Third National Development Plan, 1975-80**

<i>Region</i>	<i>Total capital (N million)</i>	<i>Allocation to road sub- sector</i>	<i>Road as % of total capital pro- grammes</i>
North East	990.408	155.532	16.7%
North West	1719.928	240.837	16%
North Central	1099.986	183.212	16.7%
South West	3278.04	603.323	17.4%
South East	1103.977	215.018	19.5%
South South	491.038	45.630	9.2%

*Source:* Computed from Onakomaiya 1983

ment programmes of the country. A look at the transportation programme of government in the Third National Plan (1975-80) shows highly skewed allocation with the Niger Delta region receiving only 9.2% (Table 2).

In table 2, while other regions had high allocations for road development ranging from the least of 16% to the highest of 19.5%, the south-south (Niger Delta region) had the worst allocation of 9.2% of the Federal budget for road development for the period spanning 1975-1980. The indigenisation strategy in the economy could not also work in the advantage of the people in the Niger Delta since most top government and company employees were dominated by workers from the north, south-west and east. Unequal distribution of infrastructures, employments and investments accruing from oil wealth in Nigeria has often been used to explain the perpetual conflicts and restiveness in the region over the years.

## **b. The Politics of Development Agencies and Revenue sharing**

The peculiarities of the Niger Delta problem attracted the developmental attention of governments from colonial periods to period of Independence. In the colonial days, Her Majesty's Government set up the Sir Henry Willink's Commission to recommend the best strategies for the development of the region which has the most difficult terrain in the country. When the commission turned in its report in 1958, it specifically recommended that the Niger Delta region deserves special developmental attention and should, therefore, be made a special area to be developed directly by the Federal Government. This was before crude oil became the mainstay of the Nigerian economy. The recommendation of the



reports gave birth to the Niger Delta Development Board (NDDDB) in 1960 to cater for the unique developmental needs of the area. The NDDDB was moribund before the outbreak of the civil war seven years ago. After the civil war, the River Basin Development Authority was established to promote regional development for which the Niger Delta region was to benefit. Akpan and Akpabio (2003) see this gesture as a negation of the developmental ideas for the Niger Delta as contained in the Willink's Commission's report. As a consequence, the people continued to agitate for the restoration of the Willink's Commission's dream by requesting special attention to be paid to their developmental needs. This later led to the setting up of a presidential Task Force which devoted 1.5 percent of the Federation Account to the development of the Niger Delta Region (NDDC 2001). The impact of this was minimal on the region and could not settle the growing restiveness and developmental needs of the people. Following the recommendation of the Belgore Commission set up by the Babangida regime, the Oil Mineral Producing Area Development Commission (OMPADEC) was established in 1993. However, OMPADEC could not make any significant progress in the development of the region due to several factors namely: lack of a master plan, inadequate funding, and official corruption. The failure of these development interventions prompted the establishment of the Niger Delta Development Commission (NDDC). The NDDC Act provides several sources of funding. These include:

- (i) Federal government contribution, which shall be equivalent to 15% of the monthly statutory allocations due to member states of the commission from the federation account.
- (ii) Oil and Gas processing companies' contribution of 3% of their total budget.

- (iii) 50% of the ecological fund allocations due to member state.
- (iv) Proceeds from other NDDC assets; and
- (v) Miscellaneous sources, including grants-in-aid, gifts, interests on deposits and investments, loans by federal and state governments and any local or foreign bodies, donations, etc.

Amendment to this was later effected to make all the member-states contribute 10 percent of their monthly statutory allocation to the commission. There is no clear provision holding the FGN exclusively responsible to the NDDC, other than contributions drawn from statutory revenues of the Niger Delta states and the ecological fund. The arguments here are two-fold. First, the development of the Niger Delta region deserves very special attention since the FGN has control of its resources. Second, there is absolute need to separate: 1.) ecological problems from infrastructural provisions; 2.) general state revenues from special and dedicated funds for the NDDC. The implication of the above arrangements is that the Niger Delta states and ecological funds have been indirectly used to fund the NDDC, while the FGN tactically dodges its developmental responsibilities to the region.

This, in essence, tantamounts to playing politics with the development needs of the Niger Delta. A look at the history of fiscal revenue allocation formula in Nigeria from 1954 to date shows that the Niger Delta region has not received its fair share of developmental "dividends" of the FGN (Table 3).

In table 3, population and equality are the major criteria for resource allocation in Nigeria. Other criteria, though of lesser importance, are land size, internal revenue effort and social development. Derivation was 100% between 1954 and 1959 and was suspended from thenceforth.

**Table 3: Criteria for revenue sharing among Nigerian States (1960-1999)**

Criteria	Shares (%)			
	1954-59	1968-80	198-89	1990-99
Population	-	50	40	30
Need	-	-	-	-
Balance Development/equality	-	50	40	40
Derivation	100	25	1.5	13
Land area	100	-	-	10
Social Development	-	-	15	10
Internal Development	-	-	5	10

Source: Adapted from Ikporukpo (1996); Aaron (2003) and cited by Akpan and Akpabio (2003)

Derivation principle in resource allocation resurfaced in 1999 when 13% was inserted to cater for resource endowed areas. The politics in this is that regional control over resources in the Niger Delta was strong (100%) when groundnuts, cocoa and palm oil became the mainstay of the economy. These three resources came from the three main ethnic regions of Nigeria namely the north (Hausa); the southwest (Yoruba) and the southeast (Igbo). When oil was discovered in the 70s as the life wire of Nigeria's economy, regional control over resources was de-emphasized. For instance, in 1977, Obasanjo as Military ruler reduced regional control of resources to 25 percent. Subsequent Military government further reduced it and eventually to 1 percent. With the agitation of minorities from the oil region, it has since risen to 3 percent and then to 13 percent as approved by the 1999 constitution (Adenikinju 2002). Even with this, there is still politics surrounding the 13 percent constitutional provision to states in the Niger Delta. The introduction of onshore/offshore oil revenue dichotomy has been politically used to further reduce the constitutional 13% to 7.5% (Aaron 2003). For instance from January 2000 to April 2002 the Federal Government of Nigeria released about N215.6 billion to the government of the South-South states in terms of revenue derivation from oil production. This represented 60 percent of the total revenue accruable to the states (Newswatch, May 5, 2003). What happened to the remaining 40 percent or N143.74 billion of the derivation fund not released? Compared to pre-1954 whereby regional governments had autonomy over their resources, the current arrangements only serve to alienate the Niger Delta region from having the

full benefits of their resources giving rise to inequities and the cry of marginalization among the people.

The Niger Delta is also entitled to a 2 percent ecological fund from the Federation account (to respond to the ecological problems of the entire country) of which 90 percent should be channelled to address the ecological problems in the region. However, these funds have not been fairly utilized to reflect the mounting ecological problems in the region and which is mostly a result of oil exploration. The south-south peoples' conference (an advocacy group for the Niger Delta region) also noted as follows:

'.....in the disbursement of ecological funds for example, the Lagos Bar Beach Project and the Ogunpa rechannelization project both in the south-west alone have taken more than what has been disbursed to all the projects in the whole of the south-south' (Newswatch, May 5 2003: 24).

The important point is that Nigeria's power equation has not, in any way, favoured the Niger Delta region from Independence to date (Table 4).

In table 4, it is seen that while all other regions in the country have produced the Country's president since 1960, the column for the South-south remains zero. The question of who gets what depends on the level of political power a region commands and this has not been the case with the Niger Delta region.

### c. Oil Related Policies and Wealth Distribution

The emergence of the Niger Delta region as an oil producing area within the Nigerian nation led to some policies primarily aimed at giving the central government considerable amount of

**Table 4. Nigeria's serving Presidents by regions (1960-Date)**

<i>Region</i>	<i>Serving Presidents and Dates</i>
North-West	i. Alhaji Shehu Shagari (Oct 1, 1979-Dec 31, 1983) ii. Gen Muhammadu Buhari (Dec 31, 1983-Aug 17, 1985) iii. Gen Murtala Muhammed (Jul 29, 1975-Feb 13, 1976) iv. Gen Sanni Abacha (Nov 17, 1993-June 8, 1998) v. Alhaji Umaru Musa Yar' Adua (May 29, 2007-Date)
North-Central	i. Gen Yakubu Gowon (Jul 29, 1966-Jul 23, 1975) ii. Gen Ibrahim Babangida (Aug 27, 1985-Aug 26, 1993) iii. Gen Abdulsalam Abubakar (June 9, 1998-May 29, 1999)
North-East	i. Alhaji Tafawa Balewa (Oct 1, 1960-June 15, 1966-Prime Minister)
South-West	i. Gen Olusegun Obasanjo (Feb 14, 1976-Oct 1, 1979) ii. Chief Ernest Shonekan (Aug 29, 1993-Nov 29, 2007) iii. Chief Olusegun Obasanjo (May 29, 1999-May 29, 2007)
South-East	i. Dr Nnamdi Azikiwe (Oct 1, 1960-June 15, 1966-President) ii. Gen Aguiyi Ironsi (Jan 15, 1960-July, 1966)
South-South (Niger Delta)	Nil

controlling power over resources. One of such policies is the Land use decree of 1978, which vests the ownership and control of all land in Nigeria on the Federal Government. Although the Land use Decree succeeded in unifying the law relating to land tenure system in Nigeria, the timing of its emergence has raised some questions of security of tenure especially when the 'minority issue' is raised in a multi-ethnic society such as Nigeria. It has been argued that the transfer of property right to the government by virtue of section 1 of the Act has placed limits on communities' abilities to make decisions about their surroundings (Oyeshola 1995: 66). According to the World Bank Report (1990) 'without tenure of security, resources are overused or overdeveloped leading to environmental degradation and rural impoverishment'. Today, the fundamental questions on the Land use Decree borders on the justice surrounding its present day relevance, in the face of persistent environmental degradation occasioned by petroleum exploitation in the oil rich region. Following Article 1 of the Geneva Convention on territorial sea and the contiguous zone (1958), it would appear that oil spills from offshore drilling and which causes damage and destruction that affects the territorial sea is the exclusive business of the FGN (Ndukwe 2000:109) by the land use Act. In this matter, the coastal inhabitants are the direct victims in many ways. They suffer the loss of fish, which may not only be the basic source of their food but of their livelihood. In the same vein, oil spills that destroy crops on land will raise the question as to who has the radical title, whose enjoyment of land is being interfered with? Is it the Governor that claims for his fellow citizens as a constructive trustee or must the affected people show a statutory or customary right of occupancy as an evidence of interest in land? The decree itself is oppressive and cannot in any imagination be said to further the cause of empowering the people in the region as the interests and concerns of the oil producing communities are placed beneath those of oil corporations and the Nigerian treasury (Oyeshola 1995: 66). Politically, this is one of the instruments of ethnic domination and disempowerment given the fact that the decree was brought into being when oil started becoming the mainstay of Nigeria's economy. Other oppressive decrees that have been used against protests and opposition in the region include the detention decree, treasonable offence decree and many others. The treasonable offences decree

was effectively used in executing Ken Saro Wiwa and eight other activists for championing the resource control and environmental justice cause on behalf of the Niger Delta people. Even at the dawn of democracy in Nigeria, these decrees and laws have not been repealed as the total number of Representatives of the region at the National Assembly cannot constitute a simple majority to counter the prevailing ethnic politics and domination by other regions. The problem now is how to control the massive consciousness of the people and the calls for 'resource control', which in most cases have degenerated into violent conflicts.

#### **d. Leadership and Corruption**

The role of government in promoting good governance and ensuring effective distribution of wealth in the Niger Delta anchors on the overall quality of leadership. Over the past three decades Nigeria has passed through cycles of leadership changes and challenges, with the military dominating the scene. The command style and characteristics in the military worked against the emergence of democratic governance founded on public participation and individual/ institutional accountability. Consequently, there was massive corruption and suppression of genuine protests especially bordering on the Niger Delta "question". Such state of irresponsible governing system culminated in the execution of Ken Saro Wiwa along with eight other Niger Delta activists by the late General Abacha in 1995 for protesting against governmental and oil company neglects of the numerous ecological problems incidental to oil exploration in the region. While the military regimes lasted in succession, there was absence of enabling environment for the development and maturation of efficient public institutions that were truly sensitive to the Niger Delta problem.

A sigh of relief was to come on May 1999 when Nigeria transited to a democratically elected system of governance. This period coincided with the cry over persistent marginalization and subsequent demand for resource control by the people. The period is best captured by NDDC (2001) as follows: "the long years of neglect and deprivation, coupled with the insensitivity of some previous government and oil companies as well as the failures of previous development intervention agencies, had created by the late 1990s a volatile atmosphere characterised by protests, agitation

and communal conflicts. By 1998, the Niger Delta region had become a lawless zone, where youths disrupted oil production activities at will and communities frequently engaged, with little provocation, in destructive inter and intra-community strife" (NDDC 2001). During his first campaign visit to the region, Olusegun Obasanjo (then presidential candidate) made a promise that when he became president, he would establish a programme that would deal urgently and fundamentally with the developmental needs of the region and bring sustainable prosperity and peace to the area. Following his election and inauguration as president in May 29, 1999, he made good his promise, and within two weeks of his inauguration, he sent to the National Assembly, a Bill to establish the Niger Delta Development Commission (NDDC) as the agency to implement a programme for the sustainable development of the region.

Nine years after, the Niger Delta region could not move beyond decades of developmental neglects and backwardness, both in terms of infrastructures and the general well-being of the inhabitants. Throughout the period of Obasanjo administration, there were numerous leadership questions bordering on transparency and accountability in managing the Nation's oil revenue as well as the necessary political commitments to the development of the region. In the first instance, the President personally and unilaterally presided over the Ministry of petroleum resources as against the normal practice of being headed by a cabinet Minister. Consequently, there were accusations and counter-accusations in the presidency bordering on misappropriation, misapplication, embezzlements, bribery, running of secret and illegal accounts and poor accounting procedures in the oil sector, in total disregard of relevant rules, regulations and standard practices. These were variously captured in Newswatch January 28, 2008 in relations to Petroleum Trust Development Fund (PTDF) as follows:

".....one area which created immediate suspicion was the PTDF account. Under the Act, one percent of all payments from oil block sales were supposed to go for PTDF activities in manpower development for the petroleum and gas sector. Newswatch, however, gathered that Obasanjo did not allow all accruals from the one percent to be paid to PTDF but rather pegged it at \$100 million per annum. He never sought the

approval of the National Assembly to divert the excess from the one percent to other matters" (Newswatch, 28 January, 2008: 20).

In another dimension, the Magazine reported as follows:

"One notable feature of the Obasanjo's administration for which it was roundly condemned was the keeping of some secret accounts which simply became honey pots for personal enrichment of key officials. A case in point was the PTDF account which was a subject of open dirty name-calling between Obasanjo and Atiku Abubakar, his deputy. The office of the vice-president originally supervised PTDF before Obasanjo stripped the then vice-president later in a letter to the National Assembly that accused his deputy of mismanaging the funds.....but Abubakar fired back. He said the culprit was his boss who had taken over control of the place and actually bought a brand new car for a female friend from PTDF money. The excess crude oil account operated by Obasanjo's administration wears another source of abuse. The account was opened when the price of crude oil hit the roof at the international market far beyond the benchmark upon which Nigeria's budget was predicated. The Revenue Mobilization and Fiscal Allocation Commission, RMAFC, has not been comfortable with the running of 'special accounts' by the federal government" (Newswatch 28 January, 2008: 21).

Leadership corruption in Nigeria has manifested in various forms at high and low places. It is not even different within the Niger Delta Development Commission (NDDC) which was set up to specifically respond to the developmental needs of the people. Few months ago, the chairman of the NDDC was suspended for alleged involvements in a whopping 800 million naira juju scandal to retain his seat and command supports at higher hierarchies of power (Daily Trust 19 August, 2008: Suspended NDDC boss charged over 800 million naira theft). The implication of these is that the total revenue accruing from oil for the developmental needs of the region is not always properly accounted for. Few people in the ruling class control the oil wealth while the greatest number does not enjoy the benefits but ecological degradation. As oil is the mainstay of the Nigerian economy, the impact of poor leadership translates to wide ranging poverty in the oil producing regions as every act of leadership corruption tends to capture and deprive the people of the benefits of resource exploration.

### CONCLUSION

In the study, it is observed that while the Niger Delta region remains the engine of Nigeria's economy, it however suffers infrastructural and ecological neglects. Its "minority status" has systematically marginalised and disabled its influence in the overall national politics which is characterised by ethnic domination. Oil wealth in Nigeria has become synonymous with poverty in the producing regions. These are fundamental issues of governance and the question of "ethnic minorities" factor in resources sharing. Different models, theories, assumptions and information are often used to proffer solutions to the Niger Delta problems. These do not often work owing to failure in governance. The rising cases of violence, kidnapping and conflicts in today's Niger Delta explain the incursion of wrong policies as well as absence of "fair shares" and "fair play" in the distribution of their "God-given" resources. Who are those making decisions for and on behalf of the Niger Delta people? What are the contents of such decisions and in whose interests are such decisions and decision-makers advancing? These are all political questions on environmental and developmental decisions and are at the root of the Niger Delta problem. For solutions to be achieved, the Federal Government of Nigeria (FGN) must demonstrate clear sense of political commitment and inclusive politics aimed at total infrastructural development and capacity building of the teeming unemployed youths in the region. This may be one of the ways of compensating the region for the long years of neglects.

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