

## FISCAL FEDERALISM AND THE DELTA QUESTION: PROSPECT FOR RESOURCE CONTROL IN NIGERIA

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**ESIERE Emuesiri Joshua**

Delta State University, Abraka, Delta State, Nigeria.  
[esiere-emuesirijoshua@delsu.edu.ng](mailto:esiere-emuesirijoshua@delsu.edu.ng)

**EFEBEH Vincent E.**

Delta State University, Abraka, Delta State, Nigeria.  
[vinefebeh15@gmail.com](mailto:vinefebeh15@gmail.com)

**SANUBI Franklins**

Delta State University, Abraka, Delta State, Nigeria  
[fasanubi@delsu.edu.ng](mailto:fasanubi@delsu.edu.ng)

*Abstract: Resentment over resource control has frequently turned into militancy and violence in Nigeria's Niger Delta. Even if the demand is based on the transfer of ownership, management, and control of the processes of extracting crude oil, which is abundant in the area, the agitators are unaware of the exact parameters of the demand. Nigeria's many possibilities for resource control were examined in this study. In particular, it argued that constitutional modifications, the full repeal of the onshore/offshore dichotomy abrogation statute, and other actions may achieve resource control. The study adopted the historical research design and the qualitative method of data analysis. It is anchored on the frustration aggression theory and recommends that; lawmakers and the government should reorganize the economy so that the communities who produce oil have authority over their resources. In addition, restructuring should be done to return these oil-producing villages to the 1953– 1959 period, when they received 100% of the earnings instead of the current 13%. Two examples of legislation that should be abolished because they give the federal government authority over the entire nation are the Petroleum Act and the Territory Use Act*  
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### **Introduction**

Many militant/militia groups in the Niger Delta now base their operations on the fight for control of resources in the Nigerian body polity. Resource control has been seen by these parties as the core of their conflict. The problem of resource management in the Niger Delta has been used by gangs and other criminal forces to carry out illegal activities under the pretense of regional insecurity. The conflict in Nigeria's Delta region has taken on a new dimension in relation to state repression and violations of human rights and the region's youth ethnic associations have been at the front position of the violent conflicts, using violence as a way to express their demands and vent their rage (Faga and Ngwoke, 2021). According to Ikelegbe, (2006), the relationship between oil states and oil communities, oil companies and host communities, multinational oil corporations and host states, and finally between oil producing and oil importing/consuming states is what leads to the militarization of the Niger Delta region. In the fight for justice, equity, and control over resources, militants in the Niger Delta region target the military and multinational corporations. Locals' opposition to the Nigerian government's and the oil firms' ongoing

marginalization, land confiscation, and general disregard has, ironically, resulted in further government subjection and power politics. The militancy was made possible by the government's continual lip service to their demands. Following that, the militant attacks on the government and oil firms progressed into a stage of rebellion with the goal of stopping and disrupting oil exploration in order to eventually compel the government to address the issues facing the local population (Ikelegbe, 2005).

The Niger Delta's first oil or resource control war started in 1967 and flared up again in 2004 when the Ijaw ethnic minority launched an uprising fueled by oil-related grievances. An Ijaw youth organization called the Niger Delta's Volunteer Force (NDPF) fought with the Nigerian government. The federal administration then announced that it had identified 16 ethnic militias in the area, with proof connecting some of the organizations to both internal and external partners who were sustaining regional instability (Obi, 2011). First, dissatisfaction with the Nigerian government and multinational companies (MNCs) served as the foundation for the regional conflict.

Second, it involved agitation based solely on political demands and developmental issues. For instance, Bajzikova (2007) called for a restructuring of the federal system, a boost in the revenue allocation among the federation's component units from 13% to 100% in favor of the Niger Delta region, and other resource control issues. "We cease to recognize all undemocratic decrees that rob our peoples/communities of the rights to ownership control of our lives and resources, which were enacted without our participation and consent," (Raji, Grundlingh, and Abejide, 2013)). Obi (2010) claims of the Ijaw Youth Council, a civil society organization that took up the fight for resource control in 1997. The Niger Delta people's attitudes started to change as a result of the rise of these civil societies in the area and the ensuing challenges to the policies of the government and multinational oil companies. In 1990, the Movement for the Survival of Ogoni People (MOSOP) was established as a means of interacting with the state and multinational corporations (MNCs) as their demands and grievances started to spread beyond the community to the ethnic group, state, and region (Ikelegbe, 2006). The "Kaiama Declaration" of the Ijaw people, which was formed on December 11, 1998, contains the most profound and dedicated struggle for resource sovereignty by the people of the Niger Delta. "All land and natural resources within the Niger Delta communities belong to the Niger Delta," the treaty states. This proclamation was founded on the Ijaws' allegations against the federal government, the violent and unrepentant efforts of multinational oil companies to plunder the Niger Delta's resources, and the murder of poet Ken SaroWiwa, the MOSOP leader (Tamuno, 2001).

When Nigeria went back to civilian rule in May 1999, there were great hopes that the democratic government would support the country, demilitarize the area, reduce poverty and tension, and provide the people with the "democracy dividend" (Obi, 2008). The fight and agitation for resource control has seen a dramatic change over the last ten years, from an elitist movement to one driven by militant youth, which has exacerbated the region's oil wars. In the Niger Delta, not every conflict can be directly traced back to agitation for control of resources. A group's classification as militant or not depends on the reason behind its acts of violence (Ako, 2011).

### **Statement of the Problem**

The Lasswellan crisis of "who gets what, when, and how" is the result of Nigeria's natural resource endowment being unequally distributed among its constituent regions. Nigeria's

economy still relies heavily on the commercial production of crude oil, which is primarily located in the Niger Delta region. This suggests that Nigeria's golden egg is laid in the Niger Delta, which also experiences environmental damage as an effect of the oil extraction process. However, the protest for resource control is sparked by the lack of appropriate recompense. After military action was taken to quell the discontent, it escalated into violence through pipeline destruction, the kidnapping of government officials and largely foreign oil workers, and bold attacks on oil and gas setting up owned by oil firms. Even though the Movement for the Emancipation of the Niger Delta (MEND) halted its offensive after the 2009 Amnesty Deal, the Niger Delta's agitation to control its resources has recently resumed with a ferocious intensity, forcing many oil companies to shut down operations in response to the Niger Delta Avengers' (NDA) demands that the oil companies leave the Niger Delta or face destruction and annihilation. The statement of this problem therefore is what are the issues responsible for the protest for resource control and what are the prospect for its effectiveness in the Niger Delta region?

### **Conceptual Review Federalism**

One idea that is difficult to define in a way that is universally accepted is federalism. This is due to the fact that different academics have diverse opinions about it. Wheare (1953) defined federalism as a constitutional framework that distributes responsibilities among the several tiers of government so that each is autonomous and coordinated within its own areas of authority and responsibility. Wheare claims that situations where people are willing to give up only a few powers and want to keep other, more restricted powers that can only be used by a coordinated group of authorities are what give rise to this constitutional system. He went on to say that a fundamental tenet of federalism is still the coordinated dominance of all governmental levels with respect to their individual functions. Accordingly, federalism has become a specific type of functional arrangement between states for coexisting and cooperating on a national level while maintaining a degree of individual individuality (Wheare,1953).

### **Resource Control**

Resource control, according to Ogag and Idris, (2023), refers to the independence of local governments and people to develop and use natural resources that are situated within their borders without interference from the federal government. According to Adeyeri, (2014), resource control is the idea that each federating unit should have the authority to govern itself. It is the responsibility of the whole nation to assist them in exercising their rights without interference. Accordingly, resource control is a manifestation of the units' self-determination, and it imposes a cooperative obligation on other regions of the nation to help the units achieve this goal (Ibeanu and Luckham,2006). The federal government receives the bulk of the nation's income, which counteracts the benefits of the present global federalism trend (Ekwuruke, 2005).

### **Nigeria's Fiscal Federalism**

According to Tarila and Idongesit (2022), the controversy surrounding Nigeria's fiscal federalism stems from the country's founding; therefore, one of the primary motivations for the colonial government's 1914 amalgamation of Northern and Southern Nigeria was to enable it to reduce its subsidy on the colony of Northern Nigeria by using up the

surpluses from Southern Nigeria, even though the derivation principle was popular prior to the 1914 amalgamation of Nigeria. The primary sources of income for each region's internal resources include agriculture, cash or export crops, import and export taxes, and excise charges (Awa, 1996). However, Nigeria's history of fiscal federalism became evident in the 1940s, and from 1948 to the present, nine commissions, six military decrees, one legislative act, and two Supreme Court rulings have been used to define and alter the fiscal relationships between the federation's constituent parts (Egwaikhide & Isumonah, 2001). Statistically, the 1981 Act, which was signed into law and later used to allocate revenues in 1982 and the remainder of the second Republic, gave the federal government 55% of the vertical allocation, leaving the states (19) and (589) local governments with 35% and 10%, respectively. Therefore, it is not an exaggeration to say that the federal government has always taken the "lion share" of the vertical allocation to itself and delegated more constitutional functions to the states. President Obasanjo changed the formulas in 1999 so that the federal government would receive 56% and the state and local governments would share 44%. According to political analysts, the federal government receives the majority of the nation's income, which goes against the current global federalism trend. (Suberu, 1998).

There is a general call for a return to "true federalism," which was foiled in 1967 with the creation of 12 states, but under current arrangements, state governments cannot be seen as cooperating with the federal government. Additionally, this high concentration of federal wealth on the federal government has led to the elimination of the only true principle of federal fiscal operation, the principle of derivation, because it takes a significant amount away from the people from whose land these resources are derived (Tanzi, 2003). This high percentage of the federal government's revenue is not only the primary source of injustice but also the primary cause of corruption, alleviation, marginalization, instability, and reckless agitation for restructuring in the nation (Peel, 2005).

The first stage of Nigeria's fiscal federalism development took place between 1948 and 1952. This stage was characterized by a centralized financial structure whereby surplus funds from the national government's budget were distributed to local governments using the derivation principle. Therefore, the federal government's spending requirements came first. Along with the implementation of the derivation principle for the distribution of federally collected revenue, the second phase (1952– 54) saw the introduction of autonomous revenue and tax jurisdiction for the regional administration. The third phase (1954–59) retained the fundamentals of the second phase. The emphasis on the derivation principle in the distribution of federally collected money was a key characteristic that set this phase apart (Ali, 2003).

Due to the increase in their export commodities— coconut in the West and cotton and groundnuts in the North— both the North and the West were happy about this. The application caused dissatisfaction in the Eastern Region, whose primary export crop, palm oil, was struggling in the international market. Generally speaking, state centered fiscal federalism prevailed throughout this time. Proponents of resource control or a greater emphasis on derivation, particularly those who are minorities in the oil-producing region, continue to use it as a benchmark. Resource control proponents even go so far as to compare it to 100% derivation. Independent politics produced the fourth phase (1960–1966), which continues to be the primary tenets of fiscal federalism today. Based on the

derivation concept, this phase aimed to lessen the prior emphasis on regional financial independence (Akinsanya, 1997).

It was maintained that regional stability depended on the federal government's financial stability. This was followed by provisions for 50% derivation of revenue from all minerals in the 1960 and 1963 constitutions. The Distributable Pool Account, which served as the model for the current federation account, was established during this time. The federal government paid certain tax revenues into this account before allocating them to the regions in accordance with the following standards: continuity of public services. Each government's minimum duties should be determined by the region's population and the federation's balanced development (Tanzi, 2003).

As the states have grown more reliant on the center, the fifth phase, which started in 1966, has been marked by growing centralization. The military's dominance over Nigerian politics has mostly corresponded with this time. Intergovernmental fiscal connections were impacted by the military's centrist command structure. The centrist inclination of military rulers was promoted by taking advantage of several historical occurrences and events. The creation of the state and the civil war were the most significant of these. The creation of states from the regions and the continued separation of states from the regions promoted a concentration of budgetary authority at the center. Additionally, the state lost its jurisdiction and tax authority as a result of several decrees that were made (Akinsanya, 2000).

### **Oil and Gas production in the Niger Delta Region**

Since Nigeria's formal independence from its colonial overlords in 1960, this area has continued to be the backbone of the nation's economy due to Nigeria's gradual shift toward a single crude oil commodity market. Although the Nigerian Bitumen corporation, a German corporation, made the first commercial discovery of oil in 1908 in the then Southern Protectorate of Nigeria, it wasn't until 1956 that the commodity was discovered in large quantities. Nigeria's economy was based on agriculture prior to this period. Nigeria, for example, had a thriving agroeconomic that included cocoa, oil palm, coal, and fish in the south and groundnut pyramids, beans, and millet in the north. In 1960, Nigeria was the world's largest exporter of cocoa (UNDP,2007).

However, some contend that the emergence of the petroleum industry actually hurt Nigeria's fortunes, despite the enormous opportunities the nation had to diversify its economy following the discovery of crude oil. This is a classic example of the curse that comes with a nation producing a lot of oil. In addition to ignoring other profitable areas of the economy in favor of focusing only on oil earnings, it is also argued that the oil industry actually signaled and has maintained the massive administrative and political decadence that has consistently slowed down the nation's progress and obstructed its development. At least three quarters of Nigeria's oil production comes from the 1,500 communities that make up the whole Niger Delta land mass, which is now covered in oil fields (Azaiki,2003). The Nigerian state has benefited from this in billions of dollars since gaining independence in 1960. About 2 million barrels of crude oil are thought to be extracted from the Niger Delta every day, providing the US government with \$20–100 million every day. The delicate Delta ecology is home to roughly 159 oil fields and 275 flow stations that are owned by Shell Petroleum alone (Tamuno, 2004). It is estimated that more than 5,000 oil wells have been dug in the area, covering over 31,000 km<sup>2</sup> of land. Because to Nigeria's

excessive reliance on oil production, the product now dominates the country's economy, accounting for 40% of GDP, 90% of foreign exchange earnings, and over 80% of government revenues. Therefore, oil profits are essential to the operation, expansion, and advancement of every aspect of the Nigerian nation (ANEEJ, 2004).

Indeed, Nigeria's progress since the 1970s has been mostly dependent on oil money. Notwithstanding the advantages of producing crude oil, the area that does so continues to be the most underdeveloped in the nation, and its residents live in extreme poverty. The region is plagued by "administrative neglect, crumbling social infrastructure and services, high unemployment, social deprivation, abject poverty, filth and squalor, and endemic conflict," according to the United Nations Development Programme (UNDP) (Tamuno, 2004).

### **Origin of Resource Control Struggle in Nigeria**

Any element found in the natural environment that can be used for human advantage is referred to as a natural resource (Faniran & Ojo, 1981). Since its discovery at Oloibiri, Bayelsa state, in 1956, oil—the backbone of Nigeria's monoculture economy—has regrettably become a source of enduring animosity, inconsistencies, and crises. Nigeria's resource control problem has a complicated past. The people of the Niger Delta fought for active participation in regional trade, particularly palm oil, and self-government in the late 18th and early 19th centuries. The opposition displayed by King William Koko of Nembe, King Jaja of Opobo, and King Nana Olomu of Itsekiri land most exemplifies this propensity for self-assertion and a wish to avoid being controlled by any "foreign" organization or authority. Due to a variety of factors, such as military conquests, British indirect rule, the cancellation of the Royal Niger Company's charter, and Christianity and western education, which resulted in the rise of a new traditional elite, the fight for involvement and control in the palm oil trade ultimately failed (Faga, & Uche 2019).

Concerns over resource control during the colonial era were typified by ethnic minorities' worries of dominance by the main ethnic groups, especially in the Niger Delta. These minority groups called for the creation of additional states, and as a result of their agitations, a number of political parties were formed, including the United Middle Belt Congress, the Borno Youth Movement, the Midwest State Movement, the Calabar – Ogoja River States Movement, the Benin and Delta Peoples Party, and others (Ali, 2003).

The need for direct control over revenue accruable from resources within their domain, which would be made possible within the context of their own states, was the ethnic minorities' real reason for demanding more states, despite their citing concern for an effective federal structure. Isaac Adaka Boro, a former police officer and chairman of a student union, attempted to create the Republic of Niger Delta in the immediate post-independence period. This came after the 1957 Constitutional Conference failed to find a solution to the minority issue (Ibaba, 2017).

Instead of resolving the issues, the conference sent them to Sir Henry Willinks' Minorities Commission. The panel opposed the concept of establishing additional nations at the time, even if it acknowledged the reasons behind minority fears. Rather, it suggested a plebiscite on the future of Ilorin and Kabba Provinces in the North and special councils for the Calabar and Midwest regions to oversee the operations of regional administrations (Ali, 2003). Despite being put down by federal forces in a matter of days, the Adaka Boro led uprising in 1966 was a precursor to the deadly role that minority agitations would play in

the decades that followed. The Movement for the Survival of Ogoni People (MOSOP), headed by Ken SaroWiwa, called for the Ogoni people to have self-determination and sovereignty over their resources through the Ogoni Bill of Rights in 1990 (Tarila, and Idongesit,2022).

Two years later, the Ogbia people of the central Niger Delta issued their charter of demands. The most incisive depiction and articulation of resource control, however, can be found in the Kaiama Declaration of December 11, 1998. The Ijaw people established, refined, and popularized the phrase "resource control" with that pronouncement, laying the foundation for the contemporary discussion of the topic (Douglas, 2001). Numerous proclamations, bills of rights, resolutions, and charters of demands from different Niger Delta ethnic nations, including the Itshekiri, Ibiobio, Egi, Oron, Ikwere, and Urhobo, have since followed the Kaima Declaration. In general, there are two main stages to Niger Delta agitations for self- determination and resource control: (i) the period of nonviolent protests and externalization of demands, and (ii) the rise of military conflict (Adeyeri, 2014)

### **The Niger-Delta Agitation for Resource Control**

Given the physical condition of the Niger Delta, it is important to highlight how the extreme poverty, backwardness, and particularly the policies and attitudes of the government toward the area have created the conditions for popular demands for economic autonomy, which occasionally result in intermittent armed conflicts and other types of violence. Several other significant factors for the instability and unrest in the Niger Delta are provided, in addition to the extreme poverty and harmful practices related to oil exploitation that were previously mentioned. For example, the region's unemployment rate is a serious issue that has significantly harmed peace and stability. Only 35,000 people are directly or indirectly employed by the oil business as a whole due to inadequate management, particularly in the downstream sector. 45 of these, less than 5% are Niger Delta residents (Faga and Ngwoke, 2021).

The gradual decline in the amount of money given to the Niger Delta from the extraction of crude oil after independence is another factor contributing to the people's annoyance and, consequently, discontent. It should be mentioned that between 1953 and 1959, nearly all of the oil earnings were returned to the producing regions. Before the Gowon administration lowered it to 30% in 1970, the 1960 Constitution set it at 50%. The amount refundable was then lowered by 5% by the Abovade Technical Committee during the Murtala/Obasanjo administration, 20% during the Shagari administration, and as low as 1.5% during the Buhari military regime. According to some authors, derivation actually fell to its lowest point ever—0%— before the Babangida administration raised it to 1% and then to 3%, where it stayed until the Federal Republic of Nigeria's 1999 Constitution went into effect (Ikelegbe, 2006).

The government's confiscation of their lands, which not only characterized their lifestyle and culture but also served as a source of cash, further exacerbated the Niger Delta's declining oil resource earnings. In the eyes of the local populace, land ownership entails leaving behind everything related to it, including any natural resources that may be found there. In fact, despite the state's statutory ownership of natural resources, this explains their cooperation with the Nigerian government and Multinational Oil Corporations (MNOCs) before the Land Use Decree 1978 was passed (Faga and Ngwoke, 2021).

Their involvement in the land management and control process shown enough interest in crude oil development to satisfy environmental justice goals. In other words, communities owned the land beneath which the resources were located and thus reserved a number of beneficial rights, including the right to directly negotiate with oil companies regarding land use issues like rent, lease, tenure, and compensation, even though the federal government owned all of the oil. The "most dramatic of the barrage of pro-oil statutes" is how one characterizes the Act. A tripod trajectory can be seen when examining the agitation pattern in the Niger Delta critically. In what is commonly referred to as the "resource control struggle," independent federating units (states) in the area are agitating against the federal authority. Second, the local populace is agitated against the federal government and its oil interest in the area (Ologbenla, 2007).

This agitation manifests itself in militancy, which is frequently escalated into an insurgency, a small-scale conflict involving various acts of sabotage, guerrilla warfare, asymmetrical methods, and demands for self-determination. Third, the people of the region are agitating against MNOCs that operate there for environmental justice, human rights protection, and livelihood protection, and this agitation has gone beyond national remedial enforcement procedures. Isaac Adaka Boro's failed effort to break away from Nigeria and establish the Niger Delta Republic in 1966 marked the beginning of the Niger Delta region's fight for "resource control." Since the uprising was put down, the goal of each subsequent agitation movement in the area has changed from gaining political and sovereignty to pursuing internal economic autonomy and participatory self-determination (Ologbenla, 2007).

The creed or charter statement of each of the main ethnic groups in the area provides information on this. "All lands and natural resources (including mineral resources) within the Ijaw territory belong to the Ijaw communities and are the basis of our survival," for example, according to the 1998 Kaiama Declaration issued by the Ijaw nation. We no longer acknowledge any undemocratic laws that were passed without the involvement or approval of our peoples or communities and deprive them of the right to own and manage our lives and resources". The people of the Niger Delta are therefore at the forefront of the struggle for resource control, as evidenced by the widespread participation of regular Deltans in the various ethnic affiliates that adopted the declarations. These include the Land Use Decree, 1978 and the Petroleum Decree of 1969 and 1991, the Lands (Title Vesting, etc.) Decree no.52 of 1993 (Osborne Land Decree), the National Inland Waterways Authority Decree no.13 of 1997, etc.

Though with a significantly different objective, the elites/elders and local/state authorities in the area later appropriated the resource control agenda, turning the agitation into a more juridical and constitutional matter. The lack of clarity surrounding the definition and nature of the phrase is the issue with the resource control argument. Through a number of declarations, the Niger Delta's residents have articulated their interpretation of the phrase, which states that all natural resources, including land and minerals found on or beneath the land, must be fully controlled and managed by the people or communities whose land the resources occur. —Resource control means that if I as a Bini man go to Kebbi state and find gold, the resource should belong to me and not the state or the federal government, said a former governor of one of the Niger Delta states, for example. I only owed taxes and royalties to the federal government. If a Kano man finds oil in Edo, Delta, or Bayelsa, the same idea ought to be applicable. He solely gives the federal or state governments taxes



and royalties ‘‘. The statement that "the benefit of resource control should accrue to the individuals and not the state, following the principles enunciated by Adams Smith in the Wealth of Nations" was made by Chief Obafemi Awolowo, one of the country's founding fathers (Watts, 2005).

Therefore, the fight for resource control, which started as a populist movement for polity reconstruction, was taken over by the political elite after 1999, transforming the momentum into a constitutional periphery centered fight for autonomy, true federalism, and the devolution of political and economic power. "The practice of true federalism and natural law, in which the federating units express their right to primarily control the natural resources within their borders and make agreed contributions towards maintenance of common services of sovereign nation state in which they belong" is how the governors of the south zone (Niger Delta states) defined "resource control" during a heated conflict. The Federal Republic of Nigeria is the sovereign state, while the 36 states make up the federating units in this instance (Tarila, and Idongesit, 2022).

### **Era of Peaceful Demonstrations and Externalization of Niger Delta Agitations.**

Even though they were a minority under colonial rule, agitations for self-determination and resource management during this period were characterized by a strong sense of confidence and reliance on peaceful means of achieving justice. As was already indicated, testimony was given in 1957 to the Willink Commission of Enquiry into the problem of minority anxiety in the newly established Nigerian state. Numerous protests and demands for justice and equity that followed failed. Similarly, people in areas with abundant resources often resorted to litigation, which usually produced negative rulings (Jimoh 2008).

Letters about the Niger Delta problem were also written to Nigeria's colonial and post-independence governments. Following the failure of this tactic, the agitators went one step further and called on all governmental levels to improve the efficacy of their letters. However, aside from the warm greeting and vacuous promises, most cases did not show any significant progress (Saliu, 2008). In order to further raise awareness of the growing issue in the area, protests were held during this time in the Niger Delta and other locations, with banners and leaflets being exhibited. To pique the interest of the government, letters were handed in Abuja and Lagos, the capitals of the impacted states. The growing centralization of oil ownership and control, as well as the federal government's politicization of the income allocation system to the detriment of the minority oil producing states, were major factors in the externalization of Niger Delta agitations that quickly developed (Adeyeri, 2014).

According to Obi (2008), in an attempt to finance the war and find money for economic management, the federal government—still dominated by the now reformed Northern and Western factions of the ruling class—mandated through decrees that oil profits be collected and distributed to itself. Nigeria became totally reliant on oil revenue, and the hegemonic forces of the majority in the country now controlled the state budget to the exclusion of the oil minority. Nigeria's petroleum resources were fully owned by the federal government by Decree 51 of 1969, which goes directly against the principles of fiscal federalism. Furthermore, by granting the federal government total control over all revenue accruable from offshore oil wells in the coastal waters adjacent to them, Offshore Oil Revenue Decree No.9 significantly decreased the oil minorities' access to direct oil revenue and increased the dependence of the majority groups for a share of the oil wealth. The

conflict between the oil minorities and the Nigerian state, which attempted to exploit and control them along with their strategic resources through its excessive concentration of political and economic power, grew more intense as a result of the oil minorities' estrangement from their own goods. Additionally, the federal government abandoned the principle of Derivation as the basis for revenue allocation, which had profited the major ethnic groups within the days of cash crop exports, in favor of fairness and state population in reaction to the country's wealth changing from agriculture to petroleum and the desire of the majority nationalities to sustain their dominance over national revenue (Obi, 2000). Odia Ofeimum's comment relating to the derivation principles erratic and declining fortunes in Nigeria's revenue allocation system is enlightening. He asserted that between 1951 and 1960, it fell from 100% in 1946 to 50%. Within General Gowon's rule, it fell even lower to 45% by 1970, and within the Murtala/Obasanjo administration, it varied between 20% and 25%. The Buhari Idiagbon administration moved it down to its lowest point of 1.5%, while Shehu Shagari's government substantially reduced it to 5%. Only after significant agitation did the current 13% emerge (The Guardian, 17 July, 2005).

As a result of the federal seizure of oil control and the rejection of the Derivation principle, the minorities in the Niger Delta grew increasingly resolute against the dominance of the major nationalities and devised new strategies to externalize their complaints and demands against the Nigerian government. A powerful organization and an apparent national aspiration were formulated at the well-known level by protest movements like MOSOP, Ijaw Youth Congress (IYC), Ethnic Minority Rights Organization of Africa (EMIROAF), and Chikoko. Above all, noteworthy environmental threats presented by oil mining companies and the underrepresentation of the Niger Delta peoples through a series of international bodies and conferences, Mosop, IYC, and Chikoko successfully advanced the Niger Delta case to the fore of global discourse (Obi, 2000). When the Abacha administration detained and killed Saro Wiwa and eight of his Ogoni compatriots in 1995, the public was outraged and the pathetic situation of the people received much international attention. Asuni, 2009) (Adeyeri, 2014).

### **Emergence of Armed Struggle in the Niger Delta**

The Adaka Boro uprising in 1966 was the first significant instance of armed force being used in Niger Delta unrest. Until the 1990s, when ethnic militias started to come into view and violent protests against the federal government's economic and political exclusion ensued, nothing like this occurred again (Asuni, 2009). The present surge in violence can be credited to two events: the Odi massacre, which was carried out during the civilian government of Obasanjo, and the longstanding intolerance for public debate by the regimes of Gen. Babangida and Abacha. The nature of the regimes, particularly Babangida and Abacha, led to the visibility of ethnic militias, which made the problems and discrepancy of the Nigerian state worse.

In reaction, the Niger Delta's populace strengthened their militancy and resorted to bloody violence adventure to hold the government and the oil companies accountable. Notably, ethnic militias are the most radical form of ethnic agitation for self-intent because they adopt a militant image before transforming into militia groups, each with its own ethnic character and goal to act as a channel for the satisfaction of the dreams of its people. Agbu (2002) asserts that these ethnic movements are typified by their use of violence,

associations with ethnic identities, youth preponderance, and popularity as movements seeking to drastically alter the existing quo. (Watts, 2009).

Among the most well-known ethnic militias in the area are the Niger Delta Liberation Army (NDLA), Greenlanders, Egbesu, Ijaw National Congress, Urhobo National Union, Martyrs Brigade, Niger Delta Peoples Volunteer Force (NDPVF), Niger Delta Vigilantes (NDDV), Chikoko Movement, Coalition for Militant Action in the Niger Delta (COMA), Joint Revolutionary Council, and, of course, the Movement for Emancipation of the Niger Delta (MEND). According to a current study, there are at least 48 ethnic militant organizations in Delta State alone, with over 25,000 members and a military stockpile of about 10,000 firearms, though it is difficult to pinpoint the exact number of members in the Niger Delta. All of the organizations' efforts to stop the federal, state, and oil industries from exploiting their region are indirectly supported by the local populace. Additionally, some groups use political patronage to harass and threaten their opponents, while others count on military officers and politicians to help their illegitimate businesses, such as oil bunkering and weapons trafficking. Furthermore, the total number of armed rebels in the Niger Delta is thought to be around 60,000 (Asuni 2009).

Recall that the Niger Delta area erupted in protests in 1988 when AIG of Police Alhaji Bukar Ali a Northerner, succeeded Professor Eric Opia of Delta State as head of the Oil Mineral Producing Areas Development Commission (OMPADEC). The fact that the Abubakar regime afterwards reversed the decision and relieved Bukar Ali with Delta State Rear Admiral Preston Omatsola is a poignant example of how the Nigerian government cannot treat oil minorities fairly without causing them great upheaval. Consequently, decades of peaceful protests have given way to violent militancy. The more extreme and violent agitations of the last few years have included calls for self-determination and outright secession.

On November 8, 1999, the Egbesu assassinated a police officer in Odi, Bayelsa State, after their youths kidnapped and murdered police officers in retaliation for the deaths of their members. The town was later demolished by government-sent soldiers. On April 25, 2003, Ijaw militiamen attacked the Army and Navy at Warri, Delta State, killing ten people. The terrorists also managed to intercept radio transmissions from the Army and Navy. Prior to the security forces intervention, an Ijaw militia raid on an Itshekiri hamlet claimed the lives of five women. On May 1, 2003, Ijaw militiamen assaulted government troops and oil facilities in Opumani, Tanke farm, Okerenkoko, Delta State. Effurun witnessed a similar incident the next day.

At the start of 2004, Mujahid Dokubo Asari's Niger Delta People's Volunteer Force swore to break up the Nigerian State and launch a complete conflict against the state governments, the federal government, and the oil companies. Following Dokubo Asari's incarceration on treason charges in September 2005, other militias came into view, particularly MEND, which is known for its intelligent strategies and well-considered ideas as well as its derision for the conservative local leaders it considered to be traitors to the Niger Delta cause. In February 2006, MEND embarked on a disruption of attacks against oil installations to highlight its demands for Dokubo Asari's release, compensation for environmental harm, and local control over oil earnings. This led to a 25% reduction in Nigeria's oil production. It also kidnapped nine foreign oil workers, who were let go in March, and threatened fresh violence against oil setups. On April 19, 2006, it detonated a

car bomb in a military barracks in Port Harcourt, Rivers State, killing two people and seriously injured six more (Watts and Ibaba, 2001).

MEND has employed advanced media and technology to achieve its goals more than any other terrorist group. Its email-based threats of attacks caused crude oil prices to soar to \$70 per barrel. The group's first urban invasion, the Port Harcourt truck bomb, was set off by cell phones. Due to the high rate of youth unemployment in the Niger Delta, the accessibility of weaponry, and the persistent discontent with the federal and state administrations, MEND and other militias have found an easy source of freshmen to support their militant request and moves. For example, on January 15, 2006, the Martyrs Brigade attacked the Benisede Flow Station of Shell Petroleum Development Company (SPDC), murdering five army guards and nine others. (Omotola, 2006).

In June of that year, the Niger Delta Liberation Army threatened to assassinate Nuhu Ribadu, the former head of the Economic and Financial Crimes Commission (EFCC), for continuing to hold former Bayelsa State Governor Diepreye Alamieyeseigha, who was charged with corruption and money laundering. In a similar vein, the Coalition for Militant actions in the Niger Delta disbanded the Joint Revolution Council in July, claiming it was too lenient and supportive of Nigeria's leadership. The group then threatened to begin capturing captives once more, this time including notable Nigerians and local officials in addition to outsiders. Since potential victims now include foreigners, Nigerian state officials, children, and even the elderly, nobody is totally safe from the menace.

It is important to remember that hostage kidnappings have recently grown in scale and scope to an unimaginable degree. (Watts,2009). In 2008, the late President Umaru Yar'Adua made an additional effort to address the unique needs of the oil-producing states by establishing a Ministry. Legislative and judicial techniques have also been used to address resource control issues in addition to the institutional approach of creating commissions and the like. Among these is the National Assembly's sponsorship of bills that touch on resource control issues. For instance, in 2001, Hon. T. Harriman sponsored a bill to revise the harsh Petroleum Decree 51, which would have given towns, local governments, and oil producing states ownership and authority over the resources located inside their borders. Unfortunately, a Northern majority in the House of Representatives defeated the bill in a motion of 81 against 64, effectively killing it in its tracks. Stakeholders have also been outspoken in their calls for a change to the current revenue sharing model. For instance, Prof. Nimi Briggs has demanded that the current derivation formula be increased from 13% to 50%, that the government take possession of all assets and natural resources that include them, and that the land use decree be revoked (Ibeanu and Luckham, 2006).

### **Theoretical Framework**

Aggression is always the result of frustration, according to the main tenet of frustration aggression theory. If the necessary circumstances are met, a person whose basic desires are denied and who subsequently feels extremely angry and dissatisfied is likely to respond to his situation by acting aggressively toward the thing that is thought to be the cause of the desires being denied or a stand-in. The more thorough the checking and the more important the want is viewed as, the more forceful the reaction (Hann and Feagen, 1973).

The idea of relative deprivation, which is defined as a mental condition in which there is a gap between what men seek and what appears achievable, is a second variation of the

frustration aggression theory. Their rage and violent tendencies increase with the size of the disparity. Gurr concurs that we are prone to become angry when we are denied our desires, and that the most fulfilling natural reaction to anger is to attack the cause of the frustration (Gurr, 1970). "If the mobilization of discontent is correlated with the extensiveness of inequality, such that when inequality is pervasive, some mobilization is almost bound to occur, then the relationship between inequality and political violence should be positive and curvilinear, i.e., positively accelerated.

The insurgency and the region's demand for self-determination were supported by the theoretical considerations mentioned above, which shows how the people of the Niger Delta region are being denied their fundamental socioeconomic and political rights. As a result, the oil bonanza in the area has turned into a nightmare for the locals, and the Niger Delta has become the pinnacle of poverty, starvation, and injustice as a result of decades of neglect. Ten million people in the region are hence impoverished, with over 14 million of them residing in rural areas where they are living in extreme poverty (Udonwa, 2004). The remarkable rise in the country's GDP has not improved people's quality of life or contributed to a decrease in poverty in the area (Saliu, 2007). Although the area or communities did not gain much from exploitation, they did bear the externalities and risks of it. Unemployment, land degradation, deforestation, pollution of farm areas and fishing streams, and the loss of the people's source of income are only a few of the unimaginable suffering and destruction caused by this. The region is still incredibly underdeveloped in spite of its natural resources (Agbonifon, 2011).

The Niger Delta's environmental degradation, poverty, and alienation, however, are the root causes of the region's ongoing civil disturbance since the people there are unable to endure their depressing circumstances. Because their fundamental means of subsistence (human security) in the Niger Delta are gravely threatened, they turn to hostage taking and other militant acts against the government and international oil companies.

### **Prospects for Effective Resource Control in Nigeria**

Nevertheless, notwithstanding the degree of bias in Nigerian resource control, significant reforms are possible if they are carefully thought out and carried out without taking into account the arbitrary interests of those in positions of authority. These opportunities can be attained by doing the following:

Recourse to True Federalism: It should be mentioned that Nigeria adopted "neo-federalism" in 1954. The Lyttleton Constitution allowed the regions the freedom to enact laws on their own issues and contribute significantly to their own development. The ability to manage and control local resources while giving the federal government a fixed amount was one of the freedoms granted to the regions.

Over the course of time, the nation's infrastructure and economy both saw rapid improvements. For instance, there were accomplishments in the shape of significant infrastructure supply, regional collaboration, particularly in investments, etc., even if the Western area dominated the production and exportation of cocoa, cotton, and rubber. In addition, enterprises such as the Nigerian Water Resources Development Company (1959), Nidogas Lagos, Nigersol Construction Company (1959), and Nigerian Plastic Company (1954) were established in Western Nigeria (Oni, 2011). Based on the aforementioned, true federalism should permit states to exert authority and control over their resources, guaranteeing that development is carried out by and for the people. Development is closer

to the people when the government is closer to the people. While a portion is provided to the federal government as compensation, states should be granted the majority of sovereignty over their resources (Tarila and Idongesit, 2022).

### **Amendment of the Constitution**

To lessen federal interference in state matters, certain parts of the constitution ought to be changed. The constitution's provisions regarding the roles and duties of the several branches of government are of utmost importance. Specific functions for the Federal Government and State Governments were established in the exclusive and concurrent lists, respectively, by Section 6(2) of the Federal Republic of Nigeria Constitution. According to the arrangements, the federal government has more authority on 68 issues in terms of law and control. Although the states are intended to enact laws on 31 different topics, the federal government retains legislative and superseding authority over 19 of those topics, allowing the states to continue to have unrestricted autonomy over 12 of them.

Similar to the petroleum industry, the states have voiced their dissatisfaction with the federal government's intrusion into their affairs in an attempt to control their resources and influence their decisions in the agricultural and industrial sectors. The federal government's authority over state issues should be curtailed in order to preserve a balance in resource control and provide the states more flexibility to allocate their resources for their own growth. With this in place, resource management will adopt a new perspective.

### *Total Abolition of the On - shore/ Off - Shore Dichotomy Abrogation Bill*

The Abrogation Bill of 2004, an amendment to the Onshore/Offshore Dichotomy Abrogation Bill, was introduced by the federal government in 2004 in response to demand from state governments. This bill was more of an act of sympathy for the littoral governments, allowing them to receive a portion of the profits from offshore resources. According to the bill, the littoral states could profit from resources located inside their borders that are less than 200 meters deep (Oyesfusi,2007). The premise is that separating the ownership of coastal regions and waterways from the landed domains of the states is a geographical error. Given that the rivers are their physical surrounds, the littoral nations ought to be the owners of the riverine environment. Evidence from federal states like the United States of America supports the state's ownership and control over these regions, even though there is no international legislation to back up the aforementioned assertion. In accordance with the American Riparian Law, for example, "Land below the low water mark on navigable rivers belongs to the state governments," Therefore, the resources inside these navigable riverine borders should be under government control (Tarila and Idongesit, 2022).

### **Discussion of Key Findings**

The study was able to establish the following findings.

#### *Oil reliance*

The absence of alternative competitive industries in the nation has led the state and its administrators to rely mostly on oil as their source of foreign exchange profits. Income from oil, is virtually the only source of revenue for the Nigerian government. oil and gas from the region accounts for about 50 percent of Nigeria 's national GDP, 80 percent of

total government revenue and 97 percent of foreign exchange. Nigeria is abundantly rich in solid minerals that exist in virtually all the states of the federation or even wake up the agriculturally based economy of the fifties and sixties but rather stick to the production of only oil and gas which is the reason for the much pressure on the people and environment of the Niger Delta region.

#### *Marginalization*

In the framework of the Nigerian Federation, the Niger Delta is underrepresented in terms of political representation, resource distribution, and control. The Nigerian Federation's power dynamics and budgetary relationships are prone to injustices and imbalances due to the peculiarities of Nigeria's federalism. One of the most important aspects of the Niger Delta conflict is the region's seeming marginalization and estrangement from Nigeria's federalist ties.

#### **Conclusion**

This paper examines the agitation for resources control with the objective of proposing its prospect in Nigeria. The initial conflict in the Niger Delta was based on inadequate compensation as well as developmental and employment neglect. The initial response strategy was litigation and later peaceful demonstration. Currently, the response strategy has assumed the form of militancy. The current conflict for resource control is attributed to the failure of the state to effectively use the enormous oil resources generated from the oil producing states to ensure their socio-economic wellbeing. This was further aggravated by the states and oil companies' insensitivity to the people's environment which has been polluted and degraded in their reckless pursuit of capital accumulation. The people's survival is threatened by high level of pollution and deprivation hence the demand to reclaim their right to their own resources.

#### **Recommendations**

It is crucial that the government and policymakers reorganize the economy such that the communities that produce oil have authority over their resources. Additionally, restructuring should be carried out so that these oil producing villages return to the time between 1953 and 1959, when they received 100% of the money, or even better, 50% of the revenue instead of the current 13%. The government should start a large scale infrastructure development project. More intervention organizations should be established and funded by the government to handle the sociopolitical and economic growth of the oil-producing region or towns. Instead of becoming a security risk in the area, the government should hire and teach the young of these communities in occupations that would enable them to become self-sufficient and self-sufficient. Additionally, the government ought to prioritize the security issue. People's lives and property in relation to oil.

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