

## Governance and the People's Mandate: The Niger Delta Development Commission (NDDC) Revisited, under the Change Agenda

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### Abstract

The Niger Delta region of Nigeria has become a paradox of poverty, underdevelopment and neglect in the midst of wealth. The region is endowed with rich deposits of crude oil, but its people are suffering from excruciating poverty, environmental degradation and policy neglect. Through historical survey method, the paper explored the earlier cases of agitation for attention before the attainment of independence, and the empirical cases of the regions concerted approach to cry out because of abandonment, policy inconsistencies and a near neglect of the region. The paper explored the subject in terms of government efforts at obviating their palpable efforts at failure, the irresponsibility of the oil exploring and processing companies and the very hazardous cases of environmental degradation. The paper makes a case for the fact that giving attention to the region must become a mandate for every regime, since it has become a policy trust. It went on to alert the present government that the NDDC has a clear mission for the development of the region. And that their renewed hope agenda does not have to look too far. It went further to aver that adopting the polycentric approach to policy making, stakeholders, governments, the communities and the people in the region would become the better for it.

**Keywords:** Governance, development, NDDC, policy, agenda

### Introduction

Governance can best be understood when considered against the backdrop of a means to exercise political power to manage the affairs of a nation. It covers both the measurable aspects of service delivery and the more fundamental aspects of political responsibility. This implies that there should be improvement in public policy outcomes and that policy implementation by all stakeholders conforms with a set of principles and processes by means of which appropriate public policies are designed and put into place for the sake of all and sundry (Mukoro, 2008).

The main elements of governance according to Mukoro (2013) are "rule of law, freedom of expression and association, electoral legitimacy, accountability and transparency and development oriented leadership". While governance should be seen as concern over the effectiveness of a state's institutional arrangements, decision making process and capacity for implementation, democracy expresses popular sovereignty, equality, and representativeness. In this regard, it can be argued that good governance among other things allows for participation, transparency, accountability, efficiency, equality and the rule of law. It assumes that political, social and economic priorities are based on broad consensus in society and that the voices of the poorest and the most vulnerable are heard in decision making (Mukoro, 2013).

Good governance is a function of good leadership. Good leadership translates into a government that promotes equity, fairness and development. It is based on these requirements that this paper is premised. It asserts that good leadership translates into good governance, which in turn brings about development, promotes peace and ensures egalitarianism based on respect for the social contract (Mukoro, 2018). Ordinarily, a government is supposed to be put in place to help the people, and not to make the citizens' lives more difficult. The Niger Delta people fought with their tears and blood for the Niger Delta Development Commission (NDDC) to be established (Mukoro, 2010). This struggle should automatically become a contract between the people and their leaders. This is what has built up to inform the mandate of the people, which must not be betrayed by their leaders.

### Literature Review

#### The Mandate Revisited

Even before independence in 1960, there has always been injustice against the Niger Delta people. For example, in 1958, the Willinks Commission was set up for Ecological reasons. The commission recognized the ecological peculiarities of the Niger Delta region, which demanded for special attention. The recommendations of the commission prompted the central government to establish the Niger Delta Development Board (NDDB) in 1962. The revolt of Isaac Adaka Boro of 1966 was another case in point against the oppression of the people of the Niger Delta. This Twelve Day Revolution of Boro came with a prize of lost of lives. MOSOP and Ken Saro Wiwa paid the supreme prize in 1995 because of their struggle against environmental degradation carried out by oil prospecting companies.

In 1976, the River Basins Development Authority was created and the Niger Delta got the Niger Delta Basin Development Authority (NDBDA). This River Basins Development Authority made very little or no impact on the lives of the people and by 1984, it became extinct. An account by Adagbabiri and Osumah (2008), has it that of the early

1980's, there was an increasing tempo of agitation in the Niger Delta owing to the poor state of development, which led to the establishment of the Presidential Task Force (PTF) that administered 1.5% of the federation account for the development of the region. This task force was dissolved in 1984 along with the River Basin Authorities. Still unable to ameliorate the lingering problems of the Niger Delta, the Oil Mineral Producing Area Development Commission (OMPADEC) was established in 1992. The OMPADEC was expected to mediate between the oil companies and the communities as well as receive and administer the monthly allocation from the federation account in accordance with confirmed oil-producing ratio in each of the Niger Delta States. The OMPADEC performed unsatisfactorily and the agitation from the people continued (Akinwale, A.A and Osabuohien, E.S.C, 2008).

The logic of recurrent agitations, violence and militia movement derived from the lingering deprivation of the Niger Delta people. During various constitutional conferences prior to 1960, the Niger Delta was recongnised as an area for special development. The pre-independent constitution provided a special right for areas with oil/gas resources and spelt out that 50% of the royalty derived from oil/gas exploration should be paid to oil/gas producing areas. Subsequently, Nigeria government modified the constitutional provisions, discontinued royalty payment and adopted the derivation principle. The 50% derivation principle was dropped to 20% in 1975, 1.5% in 1982 and later raised to 3% in 1992 (Mukoro, 2021). A close scrutiny of the dialectical interplay of the Niger Delta region proves that the oil wealth is not a curse in itself, but the duality and reality of wealth and misery that pervades the region calls for deeper search of what has to be done urgently. This is where we can say that the extant policy for the birth of the Niger Delta Development Commission (NDDC) came forth (Aghalino, 2008). The NDDC was established in December 2000 after the people from the region had been involved in a protracted conflict with the federal government in which lives and properties were lost. States that made up the commission were Abia, Akwa-Ibom, Bayelsa, Cross River, Delta, Edo, Imo, Ondo and Rivers State. The establishment of the NDDC rest on the fact that Nigeria's position as 8th largest producer of crude oil and the 5<sup>th</sup> largest reserve of natural gas globally, cannot be compromised (Barrett:2008). The fact has been established that over 90% of the national revenue comes from sale of oil produced from the Niger Delta but the States and Local Governments in the region received very little revenue allocation (Definone, 2007).

### **The Mission Statement of NDDC as Mandate of the People**

It would be expedient to state without inferring to any form of negative connotation, that it is the continuous and concerted agitations put up by people of the Niger Delta that provided vent for the mission statement of the NDDC as at then. It has been argued that previous interventionist agencies has failed in the Niger Delta region because of poor funding, public service profligacy, inauspicious political climate and will of the leaders, lack of adequate planning etc, which left a lot of projects and policies uncompleted and unattended to. Following this, the then President Olusegun Obasanjo forwarded a bill to the National Assembly for the creation of the NDDC in December 2000. The NDDC act of 1999, section 7 made bold to assert a master plan for physical and social development of the region to achieve speedy and global transformation of the Niger Delta into a region of equity, prosperity and tranquility (Emerhi, E.A, Nicholas, P.K. and Wolf, C.P., 2001). The presentations of the Mission Statement are: Formulate policies and guidelines for the development of the Niger Delta Area Conceive plans and implement projects and programmes for sustainable development of the Niger Delta Area in the field of transportation, including roads, jetties and waterways, health, education, electricity and telecommunications. Survey the Niger Delta region in order to ascertain measures, which are necessary to promote its physical and socio-economic development.

Prepare master plans and schemes designed to promote the physical development of the region and the estimates of the cost of implementing such master plans and schemes. Implement the measures approved for the development of the region by Federal Government and member state of the commission. Identify factors inhibiting the development of the Niger Delta region and assist the member states to formulate and implement policies to ensure sound and efficient management of the resources of the region Assess and report on any project being funded or carried out in the region by oil and gas producing companies and any other company including non-governmental organizations, as well as to ensure funds released for such projects are properly utilized. Tackle ecological and environmental problems that arise from the explorations of oil mineral in the Niger Delta region and advice the Federal Government and member states on the prevention and control of oil spillages, gas flaring and environmental pollution. Liaise with the various oil minerals and gas prospecting and producing companies on all matters of pollution, prevention and control. Execute such other work and perform such other functions, which in the opinion of the commission are required for the sustainable development of the Niger Delta region and people. Drawing from the above mission statement, politics or allegiance should not come to play in the execution of this mission. What should stand uppermost in the heart of commissioners/members should be first and foremost, the spirit of patriotism (Mukoro, 2010). The NDDC has become a building block with which the people identify for a brighter future. And nobody should therefore become the instrument for its destruction.

### **The Renewed Hope Agenda, NDDC Mission Statement and Mandate of the people**

The mission statement of the NDDC which aims to facilitate the rapid, even and sustainable development of the Niger Delta into a region that is economically prosperous, socially stable, ecologically regenerative and politically peaceful is in sync with the people's desires to be emancipated. They protest because of marginalization, exploitation, environmental degradation, and backwardness, injustice etc. and to draw attention to the plight of the people and necessarily effect a change in the environmental practices of the oil firms. This is where the mandate of the people becomes a social contract with the leaders. We have to understand that government is an institution functioning under the general will of the people. Leaders are therefore the trustees for the execution of policies and programmes (Mukoro; 2008). The citizens have entered into a contract to stop protestation and revolt by putting the natural/brutish state to an end. In this wise, the leader should also become part and parcel of the contract, which in this case is the mandate. The consent of the people forms the basis of the government and of governance. Leadership is the acceptance of

responsibility to manage, to build and to be accountable. The state of being in a society is the brain child of some contract because the consent of the people gives impetus to the existence of democracy in the sense that the government in this respect is in place as a trustee that can be depended on.

When considered seriously, the renewed hope agenda cannot, and should not detract from the aspirations of the people. There is clearly a relationship between the people and the state in terms of right, goals and aspirations. A government is put in place for the basic reasons of protection, service delivery, freedom, the right to property and egalitarianism. These are the reasons why these basic requirements are enshrined in nation's constitutions, to show that the people are the source of sovereignty. By implication, any leader that fails to shoulder these responsibilities will incur the revolt of the people and changes become inevitable. The renewed hope agenda of the present government must not detract from the demands of the people, which constitute their mandate on leadership and on the government. Government cannot live or act in isolation of the people. There will always be reaction and counter reaction.

### **Some Identified Problems and Possible Solutions**

The business of governance always requires funding. This is where the issue of funding always becomes a problem. Poor funding has always plagued most of the development agenda that government has often chosen to alleviate the sufferings of the people. The absence of serviceable infrastructure, poverty, insecurity and ecological problems are some identifiable socio-economic problems plaguing the region (Mukoro, 2011). This has reared its head right from colonial times, even with the setting up of the Willinks Commission of 1958 over the ecological peculiarities of the Niger Delta region.

Ethnic allegiance and sentiments have always affected policy making and implementation in Nigeria, as the Niger Delta region is considered as a minority which is at the periphery and not at the centre, like the other major tribes/ethnic group in the country. Being a minority ethnic group with multiple languages has often accentuated internal strife, malice and disagreements, which has led to the marginalization, distancing from the centre and internal strife among the people. The very difficult ecological terrain of the region has often constituted major challenges, as it requires far more commitment and funding for projects to be properly and successfully executed in the region. This is unlike other upland and pliable communities up north, in the west and also in the east. The south/south region has major ecological problems that require major and urgent attention. The non-delivery of bodies like the NDDDB, the River Basins, OMPADEC, NDDC, Amnesty etc can partly be traceable to the problems of the terrain and its ecology. The upsurge of internal insurrections, militancy, rent seeking, agitations etc, has not helped the region in the long run.

Lack of master plan for developmental agenda for the region has often been a problem. Most responses to problems affecting the areas are ad-hoc and uncoordinated. Another very major problem that cannot be ignored is that of official profligacy. This is perpetrated both by people from the region and mostly and especially by people from other geo-political zones and even from outside the country. The use of draconian federal might to quell protest against environmental degradation and development backwardness are cases in point. The clampdown on Isaac Adaka Boro, the hanging of Ken Saro-Wiwa and eight other Ogoni environmental right activist, the raid on Odi Community by the Obasanjo Administration and other atrocities perpetrated against the people of the Niger Delta region are all negative cases in point.

The change in the pattern of Revenue Allocation to the region has all along constituted major problems. From the formulae of 50% derivation to the principles of other exigencies that brought it down to 15%, 3% and the current unsubstantiated 13%. The attendant problems that go with this mindless device are legion. The issue of land ownership in the Niger Delta has become a festering sore in the tripartite relationship between the government, the oil-producing communities and the oil firms (Aghalino, 2008). The manner land is acquired, owned, used and transferred is a complex issue in Nigeria. The land use Act of 1978 redefined the legal position of land ownership in Nigeria. The land use Act has impacted on the people of the Niger Delta negatively. They have lost their right to question the incursion of the government and the oil firms on their land. This is a matter that requires serious urgent attention.

Another dimension to the land issue is the 1969 petroleum Act which vest the ownership of all known oil deposits in the Nigeria states on the federal government. It also vest the powers to grant Oil Exploration License (OEL) on the federal government. This is the reason why you see majority of the oil wells being owned by people outside the Niger Delta Region (Refer to the Kaiama Declaration of December 1998). The Skewed Nigerian Federal structure has to be re-visited to address cases of injustice, oppression, usurpation of the people's powers etc. The issues of Revenue Allocation, land ownership, dispensation of justice etc has to be revisited. Respect for the Quota System, Federal Character Principles, Merit System has all become anathema to the system. They all have to be revisited (Mukoro, 2013).

The clamour for resource control and land ownership has to be critically looked into for the sake of justice and equity. This will work to the advantage of all the geo-political regions of the country, since virtually all the states are endowed with very rich deposits of mineral and other assets. Objectively speaking, the theory of political economy posits that land, capital and entrepreneurship are factors of production owned by individuals. They should therefore be controlled by them. In any case, economic knowledge has shown that property right provide the foundation for efficient use of resources, rapid economic growth and sustainable development, since it provide sufficient incentive to minimize the environmental impact of resource exploitation under proper cost accounting methodology. It has to be well established that all rivers do not form Delta, and only a number of deltas have petroleum reserves. In any case, oil mineral do not need to be deposited in a marine environment for crude oil to manifest. Oil can be found in various areas of different hydrological variations from the deep sea in the Niger delta to the desert area of Saudi- Arabia, and in dry regions of Taxes in USA (Aghalino, 2008).

The government at every level should employ the polycentric approach to policy making and implementation. Polycentric because several interest are consulted and taken into considerations before actions are contemplated, taken and implemented. This will provide a sense of ownership, patriotism and allegiance amongst the stakeholders

(Mukoro, 2020). History has it that the NDDC master plan was designed by GTZ of Germany and patterned after Alaska and Alberta and was scheduled for implementation in different phases (Akinwale A.A. and Osabuohien, E.S.C, 2008). The master plan was principally designed to develop rural communities in phases and reduce rural-urban migration (2006-2010), the expansion phase (2011-2013) and the consolidation phase (2016-2020). Please take a good look at the master plan and see the ingeniousness in it. But has it worked according to plan? What is responsible for its not working? The leadership of NDDC is chanelled to revisit this master plan, take a genuine look at it and critically evaluate if it can be revived. Ironically, the master plan was designed to fall in line with Nigeria's "Vision 2020" and the millennium development goal- MDGS. Tragically, what is its present state?

## Conclusions

Research has proven that the Niger Delta region is the treasure – trove of Nigeria. Its possession of abundant oil and gas resources accounts for over 80% of Nigeria's foreign exchange earnings and about 90% of her national Budget Funding. Typically, the Niger Delta region in Africa is like what the Middle East is to the world. That is the reason why any attempt to endanger the flow of its oil has always been met with brute force. Even when internal insurrection has brought about the policy that gave birth to the NDDC, the master plan for its creation has been jettisoned. The NDDC master plan is adjudged the first integrated development plan driven by stakeholder participation in Nigeria. The master plan covers different sectors, including health, education, transportation and agriculture. Its objectives embraced economic growth and industrial development. According to Akinwale, A.A and Osabuohien, E.S (2008,), the NDDC major goal is to reduce poverty, induce industrialization and ensure social economic transformation of the area. It is believed that the master plan would be the means of solving problems such as unemployment and violence in the area. President Umar Musa Yar' Adua endorsed this master plan as the policy frame work for the Niger Delta development. This write-up also has christianed the NDDC master plan as the mandate of the people of the Niger Delta. For this reason, the leadership of NDDC should go back to visit the master plan put in place by GTZ of Germany. In Canada and U.S.A that this master plan took after, special funds were provided from Royalties for the development of Alberta and Alaska respectively. This has to critically be looked into, as well as counterpart funding from oil and gas prospecting companies. For the benefit of hindsight, both the government and oil companies should pay what is due to the communities their fare share, instead of picking a few individuals to pay money to which eventually leads to divide and rule and foment internal strife and squabbles amongst families.

NDDC should involve the tactics of always and regularly involving the people in the form of bottom-up approach to issues of development and problem solving at the communities and grassroots levels. The attitude of top-down approach to policy making and implementation and problems solving must be discouraged. Stakeholders must be involved and they should take ownership of what concerns them. There is nothing wrong if the leadership of NDDC learn to copy from how such interventionist agencies have worked in other climes. After all, it is said that experience is the best teacher. The problem of Energy (electricity), Education, infrastructural development, communication e.t.c. should be given top priority. An enlightened mind defeats all odds. An exposed personality embraces progress and abhors retrogression. An environment that is enabled generates further wealth. Repression is not the answer. Stealing of public funds only diminishes the people and subjects them to penury. Enlightenment is the key to prosperity. The Niger Delta people have spoken. They have toiled and they have lost lives and properties. Now is the time to stand up, unite, fight and crush the enemy in its entire guise.

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