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Democratic governance and the management of oil conflict in Nigeria's Niger Delta: Policy options and challenges

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Nigeria oil producing region has for long remains a site of contention between the state and local groups fighting for conscious environmental practice, resource control and development. During the long years of military rule, repression and military occupation were the core of state response to agitations and protests of the people in the region. The nation's returns to democratic rule spur hope that things will change for the better. Such enthusiasm was premise on the believe that democratic rule will facilitates dialogue, herald political accountability, stimulate good governance, promote sound management of the nation's resource and wealth and facilitate peaceful resolution of disputes under the spirit of democratic governance. This article assesses policy response to the Niger Delta debacle in the last ten years of democratic rule. It discusses the successes and challenges of resolving the crisis via institutional arrangement that characterize state response under the present democratic arrangement. It point out the imperative of democratic governance as the way for constructive resolution of the environmental insecurity and crisis of development facing the region.

Key words: Democratic governance, management of conflict, Niger Delta, resource control.

INTRODUCTION

The successful conclusion of the transitional elections of April, 1999 brought to an end the second phase of military rule in Nigeria. This phase lasted for close to sixteen years and is undoubtedly the worst years of governance in Nigeria's corporate existence since independence from British colonial rule in 1960. The period from 1983 to 1999 was marked by economic mismanagement, increasing poverty, high level of unemployment, falling standard of living, decaying infrastructural services, high level official corruption, bureaucratic inefficiency and general economic decline consequent on failed economic policies of the military regimes that ruled the nation in this era (Lewis, 1996). Highly disastrous is the human cost of corruption that became institutionalized under military rule. Despite earning more than 400 billion US Dollar in oil and gas revenues since early 1970s, majority of Nigeria's (140 million citizens) live without access to basic services like clean water, uninterrupted electricity supply and primary health care. The dearth of basic social services for it population made Nigeria to remain at the bottom in the

UNDP human development index (UNDP, 2006).

On the political terrain, the nation witnessed an unprecedented over centralization of power, wanton disregard for and abuse of human rights, suppression of organized opposition movements, increasing state violence, intra and inter -groups animosity and conflicts, two half-hearted attempts at democratic transition that gulp billions of dollar, attempts at self succession by sitting military dictators, the annulment of the 1992 presidential election adjudged as the most free and fair in Nigeria's electoral history and the near disintegration of the Nigerian state that followed in the wake of political uprising arising from the criminal annulment, among others. These are the major manifestations of the abysmal level that governance has fallen into under successive military regimes that governed Nigeria.

These manifestations of governance failure are more glaring in the Niger Delta, "the South-South geo-political zone", the region that produce the bulk of the revenue that has for long sustain Nigeria's federal arrangement from its huge reserve of crude-oil and natural gas deposit.

In the latter years of military rule, things had totally fallen apart in the Delta in particular and Nigeria in general. The Delta was boiling with varying degree of inter-communal and inter-groups conflicts, youth and communal protests against the Nigerian state and oil multinational corporations operating in the area. Instead of addressing the deepening crisis of environmental insecurity, rising poverty, the unfair laws governing oil exploration and relationships between the producing communities and the unholy alliance of the state and oil multinationals and stimulate a holistic regional development, the ruling military elites unleashes the coercive apparatus of the state on the hapless people of the region. The violent repression of the Ogoni's through the Rivers State Internal Security Task Force and the criminal hanging of MOSOP leader Kenule Saro-Wiwa and eight of his Ogoni kinsmen was the height of state excess in the Niger Delta under military rule (Human Rights Watch, 1995; Naneen, 1995; Osaghae, 1995; Welch, 1995). The failure of governance that was the hallmark of the second phase of military rule led to loss of legitimacy for the Nigerian state. The misrule also eroded the faith of many people particularly in the Niger Delta in the viability of the Nigeria project.

By the time the 'invisible hand of God' (Ibeanu and Luckham, 2006) removed Nigeria's maximum military dictator, General Sani Abacha from the political terrain in 1998, the military institution had been thoroughly discredited and its claim to rule totally with weakness. General Abdulsalam Abubakar, who succeeded the Late General Abacha disbanded the charade transitional process that would have led to Abacha self succession. His administration hurriedly put in place a new transition process that is expected to lead Nigeria back to democratic rule. Though faced with numerous challenges, the six months transition process, the fastest in Nigeria's political history, was successfully concluded with the conduct of series of elections that culminated in the presidential elections of April, 1999 and the inauguration of a new civilian administration under the Presidency of Chief Olusegun Obasanjo, a retired General in the Nigerian Armed Forces and a former Military Head of State.

Though majority of Nigerians were dissatisfied with the performance of the military while in power, yet the enthusiasm with which democratic rule was welcome went beyond the sense of disappointment with governance under military rule. The level of support for the transition to democratic rule was partly informed by the expectation of what democratic governance is all about and what it can produce for society in term of social and economic development. Such enthusiasm and expectations cut across states on the Africa continent as Lumumba-Kasongo (2005) noted. Given this, the transition to democratic rule in Nigeria was perceived by many as the dawn of a new hope for the country. The hope was premised on the notion that democratic rule will facilitates

dialogue, herald political accountability, stimulate good governance, promote sound management of the nation's resource and wealth and facilitate peaceful resolution of disputes under the spirit of democratic governance.

Hope was particularly high in the Niger Delta, the oil producing region which has for decades' remains a centre of agitations against the state and oil multinationals. The enthusiasm for democratic rule display by the people were not misplaced, given the electioneering campaign promises of Chief Olusegun Obasanjo, the presidential flag bearer of the People Democratic Party (PDP) to implement policies and programs that will fast track the socio-economic development of the Niger Delta, protect its fragile ecosystem and promote peace and dialogue between the people of the region and the state and within groups in the region (Isumonah, 2003). As such, expectation of many in the Niger Delta was that the inauguration of democratic rule in May, 1999 will herald the long awaited change in the region and the country as a whole (Human Rights Watch, 2002).

Given the background, this paper intends to examine the gains of democratic governance in Nigeria's first ever decade of democratic rule. In particular, it intends to assess the performance of the democratic state in resolving the complex oil crisis in the Niger Delta. The paper will look at extant policies that had been put in place by the federal government and make a critical assessment of their supposed strength in stemming the tide of violent anti-state protests in the oil bearing region. Has the policies statement and measures been match by the necessary resource that will ensure their success? Is there the needed political will on the part of the ruling elite to do all it take to resolve the socio-economic and political contradictions surrounding oil exploration in the Delta within the constraint of democratic rule and governance? These and related questions are the crux of this paper.

MANAGING CONFLICT IN DEMOCRACY: THE IMPERATIVE OF DEMOCRATIC GOVERNANCE

There is no doubt that democracy has gained foothold in many countries across continents in recent time. However, recent experiences have shows that the process of deepening democracy and making it work for people has barely begun particularly in new democracies. The waning of the euphoria that most often accompanied the return of democratic rule in third world states is most likely a matter of the perceived failure or at best the mixed results of governance under democratic rule. Many fought for and won the battle for democratic rule in the hope that it will herald greater social justice, broaden political participation and enhance peaceful resolution of violent conflicts. In general term expectation was that democratic rule will bring a more effective human development (UNDP, 2002).

Though there might not be a single answer to what

democratic governance is or what it means to promote good governance, however, recent debate has focused on what makes institutions and rules more effective especially in democracy. These includes: transparency, participation, responsiveness, accountability and rule of law all of which are important for human development. From human development perspective, good governance is democratic governance. The United Nations Development Programme, argues that democratic governance relates to the protection of human rights and respect for fundamental freedoms; active citizen participations in the making of decisions that affect their lives; accountability of political leaders to the people; the strengthening of institutions that govern social relations and interactions; gender equality in the process of governance and development; freedom from discrimination; the implementation of responsive and people oriented socio-economic policies that will promote prosperity, reduce poverty, facilitate peaceful resolution of conflict through dialogue and enhance sustainable resources management (UNDP, 2002: 51).

By all intent and purpose, the people of the Niger Delta in particular expect that democratic rule will enhance good governance and that this will change the development fortune of the region for the better. It was their believe that with holistic policies directed at enhancing human development in the region will come improvement in the living standard of the people in the region and by extension the nation in general. Their expectation was premise on promise of change by contenders for power in the run-off to the general elections that return the nation to democratic rule. While the military invasion of Odi town in Bayelsa state in 1999 (Courson, 2006; Albert, 2003, Effiong, 2002) and the public outcry that followed in its wake might be blight on the integrity of the newly inaugurated democratic regime, yet other policies measures that were announced were such that raised the hope of the people in the region.

The 12 point programme announced in November 2000 by President Obasanjo, which encompasses most of the expectations of the people in the region still remains the main policy thrust of the nation's democratic regimes. The programme which includes: the establishment of the Niger Delta Development Commission; eradication of gas flaring; rehabilitation of oil spill sites; crisis management programme; community participation programme; public/private sector partnership programme; integrated environmental management and development programme; massive provision of basic infrastructures; cottage industries development and support programme; support for agricultural development; community health enhancement and environmental protection programme (Isumonah, 2003) encapsulate the core of issues underlying oil crisis in the Niger Delta. The implementation of these policy initiatives will have demonstrated the importance with which the new democratic regime takes the development crisis facing the oil bearing region. It will

have gone a long way in assuring the deliverance of the dividends of democracy and enhance effective democratic governance, which the people had long yearned for.

Unfortunately, the lackluster and half-hearted attitude of government towards the resolution of the development crisis facing the oil region ends up creating a perception of governance failures in the mind of the people of the region in all levels of government according to the report of the United Nations Development Programme (2006) in the Niger Delta. With this perception, there come a general feeling of discontent and frustration against the state and the oil majors in the region. The feeling of frustration and anger has been express through heightening violent anti-state protests and increasing militant activities by youth militia groups in the area. The situation in Nigeria's Niger Delta vividly shows that the rituals of holding democratic elections cannot alone resolve lingering crisis. It is incumbent on democratic leaders to ensure that democratic rule translates to a more legitimate, inclusive and effective governance; that it encourage the management of conflict through political dialogue rather than through state repression; that it enhance accountability of political leaders to the people among other issues (Ibeanu and Luckham, 2006). This can only be accomplished by strengthening democratic institutions and promoting democratic politics that gives free reins to development policies. Notwithstanding, based on the present feeling of frustration with the democratic process in Nigeria the resolution of the oil crisis in the Niger Delta still lies with democratic governance.

MANAGING OIL CONFLICT IN THE NIGER DELTA UNDER DEMOCRATIC RULE: THE POLICY OPTIONS

State response to the contradictions surrounding oil exploration and the development challenges in the oil bearing region has for long been a mixture of peaceful strategy through policy measures and coercion (Omotola, 2006). Indeed, past approaches towards developing the oil region according to Isumonah (2003) has bordered more on appeasement than any fundamental and systemic attempt at resolving the development contradictions facing the region. Attempts at managing the challenges of development through state policy have mainly been through the setting up of development commission. This approach is what Ibaba (2008) refers to as management through the ideology of development commission. Indeed, the setting up of development commission on the Niger Delta dated back to 1958 when the departing colonial government set up the Willinks Commission to enquire into the fears of Minorities groups and the means of allaying them. A major recommendation of the commission was that a development commission should be set up for the riverine areas (Willink Commission, 1958)..

Since the setting up of the Niger Delta Development Board, the idea of a development commission has

become a recurring institutional policy measure for resolving the development challenges in the riverine region. While the setting up of development commission remains an important policy measure yet successive regimes have put in place other policy measures directed at managing environmental and other development crisis in the oil bearing region. That the crisis and contradictions revolving around oil exploration continues to manifest in raging conflict should not be interpreted as absence of policy measure. Indeed, democratic leaders since 1999 have put in place varying policies directed at addressing the conflict in the region. Prominent among these are the setting up of the Niger Delta Development Commission, the 13% derivation law, the creation of the Niger Delta Ministry, the empanelling of many committee among others. Discussion of these policy measures is given attention as thus explained.

NIGER DELTA DEVELOPMENT COMMISSION

Since the establishment of the defunct Niger Delta Development Board, the Nigerian state has responded to the crisis of environmental insecurity and development challenges arising from oil exploration in the Delta through institutional design via the establishment of development commission. To date, four commissions charged with the task of developing the region have been established at one point in time. While there are increasing but albeit genuine concerns over its efficacy and government political will to give the needed support to the commission, the present Niger Delta Development Commission by far remains the greatest and most significant attempt to grapple with the environmental and development challenges facing the Niger Delta in this present fourth republic (Isumonah, 2003).

In the bid to fulfilled the promise to give priority to the environmental and development challenges facing the Delta made during his campaign tour of the Niger Delta in 1999, President Olusegun Obasanjo after the inauguration of his administration in May 1999 sent to the National Assembly a bill for the establishment of the Niger Delta Development Commission to take charge of his regime development initiative for the region (Omotola, 2006). Though faced with stringent criticisms especially on the lack of consultation with the people of the region before the submission of the bill to the legislature by advocacy groups from the region, the bill was finally passed into law in 2000 (ICG, 2006). The first real test of federal government sincerity and political will on the establishment and support of the commission was the refusal of President Obasanjo to assent to the Bill establishing the commission as passed by the federal law maker. After series of amendments and political maneuvering the executive under the President finally signal it readiness and the commission eventual took off.

Though comprehensive, the basic mandate of the

commission was to address the environmental and development challenges facing the oil bearing region. Section 7 of the act establishing the commission stipulates that the NDDC shall formulate policies and guidelines for the development of the Niger Delta. The commission is also to conceive, plan and implement projects that are capable of fostering the sustainable development of the oil region in line with set rules and regulations. To aid it in the effective performance of its functions, the act establishing the commission stipulate in clear term the financial obligations of stakeholders including the federal government, the Niger Delta states and oil and gas producing companies. The act also put in place seemingly, stringent regulatory rules and mechanisms intended to dissuade corruption and ensure accountability and transparency in the activities of the commission (Omotola, 2007; Human Rights Watch, 2002).

Given the comprehensive and detailed nature of the Act, which establishes that the NDDC hope was high, particularly within the region, shows that unlike past development commissions, the NDDC will perform credibly well. Notwithstanding, the impressive statistics of projects so far, is executed by the commission, it is still glaringly clear that the environmental challenges and the crisis of underdevelopment facing the region are by no means fully address and taken care of via the NDDC. While the NDDC might have performed better than past commissions, the general opinion within the region was that the NDDC has indeed underperformed. Criticisms against the commissions were indeed varied. It ranges from accusation of underperformance, corruption, patronage networking and shoddy execution of projects among others. For instance, a spokesman for the Movement for the Emancipation of the Niger Delta (MEND), the umbrella body for militant groups in the region, said the following about the commission:

“NDDC is a channel for further looting of the meager sums allocated to developing the Niger Delta. Most of the contracts go [to] outsiders.....The so called representatives in these bodies are toothless stooges whose duties are to append signatures to agreements made in their absence (ICG, 2006: 19)”.

Despite the impressive statistics of projects pasted on its official website and those in paid advert in national dailies as executed by the commission, the popular verdict was that of underperformance. That the NDDC has failed to live up to the high expectation of the people of the region has been clearly echoed (Omotola, 2007; Ibaba, 2008; Ikelegbe, 2008).

While it might be tempting to put the blame for underperformance solely on the commission, yet it need to be noted that the reasons for the commission underperformance are many and varied. They range from the problem of funding in particular the failure of the

federal government to give to the commission in full and as at when due its statutory contribution as stipulated in the Act establishing the NDDC (Human Rights Watch, 2002). It is estimated that to date the federal government still owes the NDDC about 326 billion naira (ICG, 2009). This represents an enormous amount of money, which if available, would have gone a long way to ameliorate the funding problem of the commission. While the fact that the federal government owes the commission backlog of payment might be nauseating the current issue is that of dwindling funding of the commission by the present administration. For instance, in the 2008 national budget, the statutory transfer allocated to the commission was 40.6 billion naira by 2009, the statutory transfer initially announced for the commission was 34.9 billion naira (FGN, 2008). The shortfall to that of 2008 was in the range of 6 billion naira. This represents an important indication of the regime lackluster attitude to give the needed attention and importance that the crisis of development in the oil region deserves to it.

Aside the crisis related to funding another major reason for the perceive underperformance of the commission, is the issue of corruption. Most of the chairmen that have head the commission have been charged with varying degree of misappropriation of the commission fund and other forms of corrupt acts. At least 3 past chairman of the commission have been removed from office on corruption related charges.

THE 13% DERIVATION PRINCIPLE

The issue of revenue allocation between the federal government and constituent states remain a central issue in Nigeria fiscal federalism like most other federations. During the first republic when Nigeria operates a tripartite regional federal arrangement, derivation from mineral rents and royalties was an important source of fund for the three regional governments. Then crude-oil was less prominent as revenue spinner for the federation and the regional governments strongly push for and encourage derivation. Up till date, the collapse of the first republic derivation to the constituent regions was pegged at 50% of revenue from mineral rents and royalties (Philips, 1991). The exigencies and needs of the civil war period and the oil boom of the 1970s changed the fortune of derivation principle in Nigeria's revenue allocation formula. By 1975, the percentage of derivation revenue paid to state of origin was slashed to 20% and by 1979 when oil proceed have come to dominate federal revenue, derivation principle was totally abandoned in favor of a special account for mineral producing areas (Human Rights Watch, 1999).

Under military centralized federal arrangement, the fortune of derivation as an important principle for sharing federally collected revenue was eclipsed. This trend was to be reversed under the 1999 constitution that return the

nation back to democratic rule. Under the constitution, derivation principle was entrenched and 13% of mineral rents and royalties were to be return back to the states of derivation. The increase in the revenue allocation formula via the derivation principle since 1999 has meant that the oil bearing states in the Niger Delta has more revenue at their cover than their counterpart that are non-oil producing states. For instance, for half year 2007, statutory allocation to the four major oil producing states of Akwa- Ibom, Bayelsa, Delta and Rivers states amounted to #58.11 billion, #35.95 billion, #41.46 billion and #85.58 billion, respectively. While for non-oil producing states, it ranges from the low of #10.48 billion for Nassarawa state and #25.51 billion for Lagos state (CBN, 2007: 61-62). Accounting for the huge difference between the oil producing and non-oil producing states is the 13% derivation fund available to the oil bearing states.

While the arrangement might have created a semblance of fairness in the revenue allocation, yet call for increase in the derivation principle remains at core of agitation of people of the Niger Delta. Political leaders that are in control of the machinery of the states at the region who pose to benefit from increase in the derivation principle have been at the fore of the 'resource control struggle'. The federal government under the Presidency of Chief Olusegun Obasanjo tried to whittle down the percentage of derivation fund that reach the oil producing state through the instituting of the onshore-offshore suit at the Supreme Court (Isumonah, 2003). The call for increase in derivation has continued to come to the fore at national forum and in reports of committees set up by the federal government. The inability to resolve the issue of increase in the percentage brought the National Political Reform Conference of 2005 to a convulse end. The need for increase in the percentage was re-echoed in the report of the Ogomudia Security Committee on the Niger Delta of 2001 and was reiterated in the report of the Ledum Mitee Technical Committee submitted to President Yar'Adua in November, 2008.

While the call for increase in the derivation principle continued, many people both from within and outside the Delta are also concern about the issue of governance and proper utilization of revenue by sub-federal units (state and local government)] in the region. While corruption is a pervasive governance crisis ravaging the nation as a whole, the extent of corruption and governance failure in the Niger Delta is mind bulging (Ewerenmadu, 2008). Human Rights Watch (2007) document the extent of corruption and its challenges to governance particularly at the local government level using Rivers State as a case study. The problem manifests not only at the local and state level in Rivers State but across states and local government councils in the Niger Delta and the nation in general. Before any increase in the percent of derivation to oil producing states there may be the need to strengthen transparency and accountability in the use

of revenue accruing to the oil bearing states to ensure that they use such for the benefit of the people of the region.

NIGER DELTA TECHNICAL COMMITTEE

The inauguration of the administration of President Umaru Musa Yar'Adua in May 2007 after the highly controversial civilian to civilian transition general elections offered window of fresh opportunities for resolving the Niger Delta crisis. Indeed, the expectation of many was that with his supposed performance credential in Katsina state and having a Delta son, also a former governor of Bayelsa state as vice-president, the issue of the crisis in the region will be given utmost priority. Since its assumption of office, the administration initiatives and responses to the crisis in the oil region have been full of ambiguity and at times incoherent. Indeed, in some of its reports, the International Crisis Group (2008, 2007) warned that the regime is losing opportunities that come her way for resolving the Delta debacle. The regime seemingly failure to utilize such opportunities have resulted in continue violence and deepening criminality evidence of which is the escalation of attacks on oil companies installation and confrontations with the Joint Military Task Force by militant groups in the creek. The most symbolic of militant activities was the 19th June attack on the Bonga offshore facility, a 3.6 billion dollar floating production, storage and offloading vessel and deepwater sub-sea facility 120 kilometer off the nation coast (ICG, 2009).

It is on record that the Yar'Adua administration tries to demonstrate the importance of resolving the lingering crisis in the Delta in the regime list of priority by including it in the administration cardinal 7 point agenda. However, the failure to come out on time with policy measure and time plan, the "go slow approach to governance", have dampen people enthusiasm about the administration seriousness on the Delta issue and likewise on many other core national issues. An early attempt by the administration to convene a Delta summit was aborted due to local opposition that such summit might end up been a jamboree and theatrics road show (Komolafe, 2009). It was also reasoned that it will amount to an unwarranted waste of national resource and that what is needed on the Delta are already distilled out by various such efforts in the past (ICG, 2009). After a near eternity silence and 16 months after the idea of the summit was shelved Vice President Goodluck Jonathan inaugurated the Niger Delta Technical Committee represents the Yar'Adua administration first effort two years after it came to power.

The technical committee to develop a coherent, long-term policy strategy for resolving the conflict in the Delta. Launched on the 4th of September, 2008 by the vice-president, its members were drawn from credible people

across the nine oil producing states. The committee terms of reference were: to collate, review and distil the various reports, suggestions and recommendations on the Niger Delta from the Willinks Commission report of 1958 to the present day, and give a summary of the recommendations necessary for government actions; to appraise the recommendations and present detailed short, medium and long- term suggestions to the challenges in the Niger Delta, and to make recommendations that will help the federal government achieve sustainable development, peace, human and environmental security in the Niger Delta region (ICG, 2009; TELL, 2009).

While the government gave the committee ten days to complete its assignment, it took the committee three months before it was able to submit its report to the state. After its preliminary sittings, the committee break into sub-committee, accept submissions from the public and reviewed more than 400 reports, memorandums and other documents. Based on these consultations and sittings, the committee came up with its recommendations to the federal government. The committee report that was comprised a short, medium and long-terms recommendations were presented in three parts. The short term recommendations that the committee expect the federal government to implement and, as soon as possible, demonstrate its political will in resolving the region's crisis and assure stakeholder in the region of its sincerity, were the most controversial (TELL, 2009).

The compact that the short term recommendations refer to include, among other things: Immediate increase of derivation allocation to the oil producing states from 13 to 25%; complete initial steps to support a DDR process for militant youths inclusive of general amnesty within six months; improve operational integrity of security forces and the police in the Niger Delta to a level that assure communities and businesses of security and safety; establish by the middle of 2009, a direct labour youth employment scheme with a bid to aid job creation across the region; complete the East-West road dualisation from Calabar to Lagos by June 2010 with link to the coast for each of the coastline states; ensure a dedication of 5,000 megawatts of power for the region; establish by 2010 regulations that compel oil companies to have insurance bonds against environmental pollution and strengthen oversight on environmental issues; rehabilitate existing healthcare facilities in the region; rehabilitate and equip existing primary and secondary schools and staff them with trained teachers; to resettle all those displaced from Bakassi peninsula not later than December 2009 (ICG, 2009; TELL, 2009).

The second part laid out broad themes and roles for stakeholders in a regional transformation agenda running to 2020. The third part recommended the creation of institutions and mechanisms to guide the implementation of the report the most significant of which is the Niger Delta Special Infrastructural Development Fund, Niger Delta Futures Trust Fund and a Community Trust Fund

Scheme (TELL, 2009). The most novel idea of these schemes is the region future trust fund, which if properly conceived and supported, can become a stabilization fund from which the region can draw fund to finance important regional development projects that have direct bearing on the people of the region like the future fund for oil bearing region in Norway and Canada.

While the report of the committee did not address all aspects of the crisis, its proposals were sufficiently comprehensive to serve as a catalyst for a holistic development of the Niger Delta. While many in the region were skeptics about the sincerity and political will of the regime to implement any recommendations that may come forth from the work of the committee, yet many adopt a wait and see tactic preferring not to preempt the administration. People of the region become apprehensive that the administration might end up not implementing the key recommendations of the committee or at best implement those that are seen as been politically convenient when President Yar'Adua stated that his administration will implement those recommendations it found "acceptable" (ICG, 2009).

To further confirm the feeling of Niger Delta people that the Yar'Adua administration is not at all sincere on the crisis in the region is the near silence on the report by the administration after more than five month since the committee has turned in it. The disclosure by the senior minister in the Ministry of Niger Delta Affairs, Chief Ufot Ekaette that a white paper committee is being set up to review the report is a further source of worry for those that expect quick implementation of the recommendations of the Technical Committee report. Ledum Mitee, the Chairman of the Technical Committee and President of MOSOP also share this reservation when he was quoted as saying this about the supposed white paper committee to review his committee recommendations:

'I don't think that was the purport of the whole idea. The whole idea was, we think the answers are there scattered in different reports, can a group bring them together and let's work on it? I know after that committee another committee will be set up to review the committee's own recommendations and eventually the executive council will review it and so on....to infinity' (TELL, 2009).

The longer the administration keeps silent on what it intends to do with the report the more skeptics will the people of the region become about government sincerity. This has the tendency to further alienate the people particularly the youth and lead to increase in militant activities against oil facilities around the swamp and creeks in the Delta. The longer the peoples' doubts grow, the more difficult it will become to engage all stakeholders in an all inclusive and effective peace process that can steer the region out of the present quagmire. The question in the lips of many is why the delay in the

release of the white paper on the report? What has happened to the expression of urgency contained in the vice-president speech, while inaugurating the technical committee? The answers to these and many other questions on the regime silence on the report of the technical committee is the simple fact that the Yar'Adua regime like the past regimes, find it difficult to rock the boat on the issue of the Niger Delta. Resolving the development crisis facing the oil region will require a strong political will as issues underlying the crisis revolve around the national question. Yet the only way out of the Delta crisis is to muster the needed political will that will aid the implementation of a holistic development plan for the region. That is the only way by which the Yar'Adua administration can succeed where his predecessors have failed in resolving the environmental challenges and development crisis facing the Niger Delta.

THE MINISTRY OF NIGER DELTA AFFAIRS

Created on the 10th of September, 2008 barely a week after the inauguration of the Niger Delta Technical Committee, the ministry of Niger Delta Affairs represents another policy thrust of the Yar'Adua administration to tackle the crisis of environmental insecurity and underdevelopment in the oil region. The ministry was charged with the twin mandate, which revolve around infrastructural development for the region and youth empowerment. According to the government, the ministry is to be responsible for coordinating and executing federal development projects like roads construction, electricity and the provision of other social services previously executed by multiple ministries. The rationality is that such harmonization will lead to better focus and quick implementation of federal projects in the region (Taiwo, 2008).

The creation of the ministry not only drew reaction from other part of the federation, but also from the Delta region. Some in the Delta see it as a significant sign of federal government commitment to the crisis in the region while other urge caution arguing that it might end up becoming an avenue for corrupt enrichment, political patronage rather than serving the interest of the region. The prominent Ijaw Leader, Chief Edwin Clark, saw it as "a step in the right direction arguing that it is an evidence of the political will and sagacity of President Yar'Adua".

The Movement for the Emancipation of the Niger Delta (MEND), the umbrella movement for militant groups in the region warned, "the people of the region to receive the ministry with apprehension arguing that it might be another avenue for corruption and dispensing of political favoritism" (ICG, 2009: 10). Such was the mixed reaction surrounding government action with regards to the creation of the Ministry of the Niger Delta Affairs in the region.

Indeed, the creation of a special ministry for the Niger

Delta might end up raising more questions than it answer. To start with the announcement of the creation of the ministry did not result from consultation with stakeholders from the Niger Delta, the region that the ministry is to serve. The announcement of its creation coming closely on the heel of the inauguration of the Technical Committee on the Niger Delta is also wrong as such action pre-empt the committee report. There is also the issue of ambiguity with regards to the position and relationships of the new ministry with the Niger Delta Development Commission. This becomes problematic as the responsibilities of the two institutional mechanisms are virtually the same, 'to tackle the challenges of infrastructural development, environmental protection and youth empowerment in the region'. The mandate of the two bodies might end up creating conflict of interest, lead to unnecessary duplication of efforts and result in resource wastage. The issue of funding is another complication that might hamper the ministry. As it were, the federal government owes the NDDC billions of naira in backlog of payment. The argument is, would it not be more reasonable to pay the NDDC the statutory allocation that the federal government owes the commission and ensure regular funding than create an entirely new ministry? Aside all these, the creation of an entirely new ministry to take charge of development challenges in the Niger Delta might result in agitation for the creation of region specific ministries by other within the federation. The call in some quarters for the creation of Hydro-Electricity Commission for states that host the nation's hydro-electricity facilities is an indication that something of this nature might arise in the future.

Other issues surrounding the creation of the ministry relates to leadership, funding and approach to its mandate by the ministers. One, the appointment of Chief Ufot Ekaette, a former Secretary to the Federal Government under the civilian regime of President Obasanjo did not go down well with many in the region. Many have serious misgiving about Ekaette appointment to head the new ministry. Such reservation were premised on the fact that having serve for more than 30 years in the federal ministry, many argued that he will be too much a conservative bureaucrat and a federal establishment personality for that matter. Though a Delta indigene, many see him as someone that will represent the interest of the federal establishment than the interest of the people of the region. At 70 years of age many have reservation as to whether he has the energy to drive the change that the region needed.

The issue of funding for the ministry is also of concern for people of the region. The first budgetary allocation for the ministry put at 47 billion naira was seen as too small for a ministry charge with spearheading development challenges of the region that is indeed numerous. Aside this, much of the allocation were tied to existing projects been undertaking by the federal government like the East-West express road dualisation. The touring of the

region to solicit opinion on the way forward by Chief Ekaette also amount to waste of resource (TELL, 2009). The federal government is walking a tight rope by the creation of the ministry. If the ministry fails to deliver credible results and live up to expectation, the people of the region will add it to the list of institutions that the Nigerian state uses to hoodwinked the region (ICG, 2009). This can end up deepen the sense of betrayal, frustration and alienation and foster continued support for militancy and criminality in Nigeria's oil creeks and swamp. These among other issues are the challenges that may arise from the creation of a special Ministry of Niger Delta Affairs by the Yar'Adua administration.

CONCLUSION AND RECOMMENDATIONS

Attempt has been made in this paper to examine those policy options that have been put in place by succeeding regimes in this present democratic dispensation to arrest the deepening environmental insecurity and challenges of underdevelopment consequent on oil exploration in Nigeria's Niger Delta. The papers also discuss the politic, intrigue, optimism and fear spurred by these policies with particular reference to the yearning and aspiration of the people of the region. While the few policies assessed have fairly addressed some of the issues underlying oil conflict in the region, yet there are still much that need to be done if the crisis is not to get out of hand. In particular the silence of the Yar'Adua administration on the recommendations of the Technical Committee report is a serious cause for concern for those that hope the implementation of the recommendations might offers a way out of the deepening crisis and the increasing insecurity and criminality in the oil producing region. The sluggish, conflicting and incoherent approach of the present regime to managing the crisis might lead to increasing alienation and further slide the region into turbulence. To arrest the worsening trend of insecurity and growing disenchantment in the region, the paper proposed the following recommendations:

1. The federal government need to set in motion the necessary mechanisms to aid the implementation of the Technical Committee recommendations with all sense of urgency it deserves. Continued silence on the report can lead to increasing alienation and it might spur increase in people's support for militant groups thereby worsening the security situation in the region.
2. There is the need for the new ministry of Niger Delta Affairs and the NDDC to adopt the Niger Delta Regional Development Master Plan as the roadmap document for the integrated development of the Niger Delta sought by all stakeholders. There is also the need to set clear term on the relationships and delineation of responsibilities between the ministry and the NDDC to afford duplication of efforts, waste of resources and conflict of agenda.

3. The federal government must attach great importance to efforts that will build trust between stakeholders, in particular the unholy alliance of the state and oil companies on the one hand and the youth movements in the region. Without mutual trust and confidence, building every step by the state will be viewed with suspicion and skepticism by the youth, civil society groups and oil-bearing communities.

4. Working on all fronts towards resolving the Delta crisis requires strong political will on the part of the state. The federal government needs to assure other national stakeholders especially federating units from the north of the needs for massive state development efforts in the region in the interest of national unity, peace, stability and development.

8. Above all there is the need for greater transparency and accountability in the distribution of statutory allocation to sub-state units. There is also the need for transparency in the utilization of revenue on the part of the political leaders at the federal, state and local government levels particularly in sub-state units in the Delta and the federation in general. There is the need to deepen the political participation at all levels of governance. The way out of the present mess that we found ourselves as a nation is through greater fiscal transparency, accountability of political leader and the deepening of democratic governance.

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