

Donnish Journal of Political Science and International Relations
Vol 1(2) pp. 016-021 July, 2015.
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Original Research Article

Good Governance as a Panacea for Peace and Security in Niger Delta: Issues and the Way forward

Patrick Oromareghake

Department of Political Science, Delta State University, Abraka, Delta State, Nigeria.

Accepted 24th May, 2015.

The Niger Delta area is plagued with the lack of peace and security, ranging from the environment to lives and properties. This is associated with bad governance in the area. This in turn has led to various conflicts and insecurity in the area and the attendant response of government and concerned stakeholders by the establishment of institutional measures at various times that aggravated situations based on the unattended good governance requirements for peace and security. This paper is done with the use of secondary source of data and anchored on qualitative analysis in the examination of issues involved in good governance as a panacea for peace and security in the Niger Delta. The paper reveals that there are issues of resource control, participation in the oil and gas economy, transparency and accountability of oil revenue utilization, infrastructures, poverty eradication, unemployment, and Security. We recommend that the government at all levels and stakeholders should turn over a new leaf for good governance in addressing issues in the Niger Delta so that peace and security can be enthroned in the area.

Keywords: Good governance, Peace, Security, Niger Delta, Nigeria.

INTRODUCTION

Insecurities and conflicts in the Niger Delta have their root in issues related to governance and the attendant protests of the region's communities against their political, economic and environmental marginalization. The Movement for the Survival of Ogoni People (MOSOP) was the first to be launched in 1990, and also the first group to gain regional oil companies. Its goal included increased local control over resources and more equitable development. It sought the resolution of fishing and farming issues that arose from environmental effect of oil extraction, such as oil spills, acid rain and soil degradation, as well as protection of human rights became another demand, after peaceful protest by the Ogoni people were met with arrest, repression and violence from the government against the people.

The Ogoni movement inspired a host of similar organizations evolution and activities whose modus operandi generated insecurity and crisis in the Niger Delta region, particularly among the Ijaw. The centre of protest and political activism then shifted to the other states in the Niger Delta, particularly Bayelsa and Delta states where the Itsekiri, Urhobo, Ilaje and Ijaw communities began mobilizing over

boundary and resources issues. The Ijaw in particular demanded accountability from government and regional political officials and a greater voice in the region's affairs, this was outlined in the Kaiama Declaration, released in December 1998, which called for the immediate withdrawal of the military from Ijaw areas and cessation of oil production, if equitable control over these resources was not granted the oil-producing communities. Clashes between Ijaw groups and the Nigeria government led to the imposition of emergency rule in the late 1998 and early 1999. Tensions culminated in the Odi massacre in November 1999, in which the Nigerian military killed dozens of citizens from the area.

After a brief full violence, the conflict in the Niger Delta escalated in 2002 and 2003, particularly during and after the election process in 2003. Three over-arching and interconnected problems contributed to continued regional instability. These are lack of good governance, lack of social and economic development, and increased militarization.

The case of good governance and security in the Niger Delta has recently attracted the attention of scholars, politicians and public commentators. More disturbing, however,

is the issue of marginalization of the Niger Delta, which produces 90% of the national wealth and yet has little or no access to power over its own resources. It is often argued, therefore, that the so called federal arrangement in Nigeria is to the advantage of the major ethnic groups who, through a form of conspiratorial arrangement have continued to utilize the enormous resources of the Niger Delta to perpetrate their exploitation and domination of the former. This is what has been variously referred to as internal colonization (Frank, 1995).

CONCEPTUALISATION

Good Governance

Good governance is an independent term used in development to describe how public institutions conduct public affairs and manage public resources in order to guarantee the realization of human rights (Khan, 2004).

“Good governance is epitomized by predictable, open and enlightened policy-making, a bureaucracy imbued with professional ethos in furtherance of the public good, the rule of law, transparent processes and a strong civil society participating in public affairs. Poor governance on the other hand, is characterized by arbitrary policy making, unaccountable bureaucracies, un-enforced or unjust legal system. The abuse of executive power, a civil society unengaged in public life and widespread corruption”.

According to United Nation’s Committee for Development Planning (1992), good governance has eight characteristics. Good governance is consensus oriented, participatory, following the rule of law, effective and efficient, accountable, transparent, responsive, equitable and inclusive”. Greaves (2001) advises on five principles of good governance:

- i. Replace one man rule with the rule of law: The sharing of power with the elected legislature and co-equal independent judiciary, which our republican constitutions demand. Rule of law is a situation in which everyone, those in position of authority as well as those who are governed, respect the law and right of others under the law. The rule of law is the most fundamental requirement for state civil society.
- ii. Allow more self-government at the local level: “As the saying goes, all politics is local”. We need to strive at a position where people can feel some ownership over decision which immediately impacts their lives; the local people should be allowed to elect their chairman and councilors and not selected by the state or federal level.
- iii. Require increased financial accountability by those holding public disclosure of government spending by the public elected official to the public. The executive is held liable for priority decisions and implementation.
- iv. Vigorously uphold freedom of speech and freedom of the press: Competition is one way to keep power in check, the press has a very special role to play in this process. A free press is the conscience of the society, it is his job to question, to educate and to bring into the shining light of public scrutiny matters which people in authority might prefer, through fear or embarrassment, to sweep under the rug.
- v. Promote free enterprise as the primary engine of economic development: The principal obligation of a government is to produce wealth, educate citizens

and provide a free and secured environment in which each citizen can pursue happiness as he/she defines it.

The concept of “good governance” often emerges as a model to compare ineffective economies or political bodies with viable economies and political bodies. Because the most “successful” government in the contemporary world are liberal democratic states” concentrated in Europe and America, these countries institutions often set the standards by which to compare other states institutions. Because the term “good governance” can be focused on any one form of governance, aid organizations and the authorities of developed countries often will focus the meaning of good governance to a set of requirements conforming to the organizations agenda, making “good governance” imply many different things in many different contexts.

The analysis of good governance can look at any of the following relationships: between governments and markets; between governments and citizens; between governments and the private or voluntary sector; between elected officials and appointed officials; between local institutions and urban and rural dwellers; between legislature and executive branches, and between nation states and institutions.

The varying types of comparisons comprising the analysis of government in scholastic and practical discussion can cause the meaning of “Good governance” to vary greatly from practitioner to practitioner” (UNESCAP, 2009:16).

“Good governance is important for countries at all stages of development. Our approach is to concentrate on these aspects of good governance that are most closely related to our surveillance over macroeconomic policies-namely, the transparency of government accounts, the effectiveness of public resource management, and the stability and transparency of the economic and regulatory environment for private sector activity” (Camdessus, 1997).

Thompson (2008) sees good governance as a liberal democracy: a political system with strange checks and balances, a separation of branches of government, and an apolitical civil service, a strong central government that is able to meet the basic needs of its citizenry, and that operates on the principle of rule of law, due process, and the basic respect for human rights and fundamental freedom for all citizens, and a political culture in which resolving disputes occurs through non-violent means and transition of power is decided at the ballot box and not through the use of force.

Furthermore, Kabudi (2009), Faculty of Law, University of Dar es Salaam sees Good governance as a concept that has steadily entrenched itself in the political and development discourse. It has permeated all sectors and become part of the common shared principles and virtues of different countries in the world. It has attained universality as an indicator of adherence to democracy and the rule of law. There is a danger, however, that good governance has become a catchword and that few bother to consider its implications. Good governance is given a broad definition that encompasses an array of issues in the socio-political and economic order of a country”.

Good governance requires transparency and efficiency also in different government agencies. At the political level democratic practices, including transparency in policy making and administration, are important aspects of good governance. This is signified by a pluralistic political system that allows the existence of diversity in political and ideological opinions. No wonder that good governance is said to be more easily

achieved and guaranteed in a multi-party system than in a mono-party system. It also means the holding of regular elections, applying the principle of universal franchise. In order to qualify as democratic, elections must be free and fair.

Good governance deals with the nature and limits of state power. The doctrine of the separation of powers is, therefore, relevant in the establishment of whether or not a country has a political system that is responsible to good governance. The doctrine of the separation of powers is based on the acceptance that there are three main categories of government functions: legislative, executive and judicial. Corresponding to these are the three main organs of government in a state- the Legislature, the Executive and the Judiciary. Today the doctrine should be taken to mean checks and balances based on a constitutional scheme. What is important today is not the separation of powers in strict sense, but checks and balances. It is one of the functions of the parliament to check the Executive. This is done by various means, including the authorization of the budget, the scrutiny of government expenditure and the questioning of the government in parliament to account for its actions.

It is the duty of the judiciary to protect the constitution by seeing to it that laws of the country are not contrary to the constitution. The judiciary stands between the citizens and the state as a balance against the Executive as well as the legislature. This is why the Judiciary, as the custodian of the constitution, is empowered to declare an Act of parliament as unconstitutional and, therefore, null and void. It also has the power of finding government action to be an infringement of the constitution. This has been brought about by the incorporation of fundamental freedoms and rights of the individual popularly known as the Bill of Rights in the constitution. This has resulted in the constitution being supreme to the extent that the power of the Judiciary extends to examine the validity of even an amendment to the constitution, as it has been repeatedly held that no constitutional amendment can be sustained which violates the basic structure of the constitution. The structure of the constitution includes separation of powers.

Another equally important part of Good Governance is the promotion and protection of human rights. For this to be effective the rights and freedoms must be enshrined in the constitution. This covers political and civil rights, and they range from the right to life to freedom of expression. The courts of law should be independent, to be able to enforce the rights of the individual vis-à-vis the state. Currently the issue of good governance is widely regarded as one of the key ingredients for poverty reduction and sustainable development. It can be achieved in an enabling economic environment responsive to the basic needs of the people. It requires sound economic management and the sustainable use of resources as well as the promotion of economic and social rights.

Peace

Peace is generally defined as the absence of war, conflict, anxiety, suffering and violence and about peaceful co-existence. However, peace connotes more than a mere absence of war or hostilities because an absence of conflict is impossible. A glossary of terms and concepts in peace and conflict studies, therefore, defines peace as "a political condition that ensures justice and social stability through formal and informal institutions, practices and norms".

In the same vein, Howard (1987) defined peace "as primarily concerned with the creation and maintenance of a just order in society. Peace researchers have now come to

agree that peace has several meanings. Miall (2000) subdivided peace into six different meanings as follows:

- The absence of war (absence of direct violence)
- Justice and development (absence of structural violence)
- Respect and tolerance between people
- Gaia (harmony or balance in, and with, the ecosystem-ecosphere.
- Tranquility of inner peace (spiritual peace)
- 'Wholeness' and 'making whole' (being complete).

Galtung (1990, 1996) broadened the concept of peace by adding two more dimensions, namely, 'negative peace' and 'positive peace'. Negative peace is when the peace in existence includes only the absence of direct violence, war, fear and conflict at the individual, national, regional and international levels. On the other hand, peace is said to be positive, when the peace in existence, in addition to the above, also includes the absence of unjust structures, unequal relationship, justice and inner peace of the individual. This is the complete or real peace. According to Omotor and Efayena (2008), peace can be classified into the following levels:

Harmony: This can be defined as a relationship between communities and nations in which there are virtually no conflicts of interest or values.

Durable Peace: This is "lasting", "positive", or "just peace", which involves a high level of cooperation, at the sometime as awareness and pursuit of conflicting interests.

Stable Peace: or "cold peace" is a relationship of limited communication and cooperation within a context of basic order, mutual respect and generally, absence of violence.

Unstable Peace: or "cold war" involves palpable tension and suspicion among parties with sporadic overt violence, for instance, US/Iran conflict and the case of the Niger Delta and Federal Government along with oil multinational companies in the region.

Security

Security is the degree of protection against danger, loss and criminal. It can also be seen as a state or condition resistant to harm, from an objective perspective, it is a structure's actual (conceptual and never fully knowable) degree of resistance to harm. That condition derives from the structure's relationship (vulnerability distance, insulation, protection) to threat in its environment. The subjective meaning of security as "freedom from anxiety or fear" resonates in the origins of the word. Latin "Secura" means literally "without care", as in "carefree".

Security as a national condition was defined by the United Nations(1996) as a state at which countries think that there is no danger of military attack, political pressure, or economic coercion, so that they can develop and progress freely.

GOOD GOVERNANCE AS PANACEA FOR PEACE AND SECURITY IN THE NIGER DELTA: ISSUES

Nigeria, after nearly five decades of oil production, had by the early 1990s become almost completely dependent on petroleum extraction economically, generating 25% of its GDP (this had since risen to 40% as of 2000). Despite the vast wealth created by petroleum, the benefits have not been

shown to trickle down to the majority of the population, who since the 1960s have increasingly been forced to abandon their traditional agricultural practices. Annual production of both cash and food crops dropped significantly in the latter decades. In spite of the large number of skilled, well-paid Nigerians who have been employed by the oil corporations, the majority of Nigerians and most especially most people of the Niger Delta states have been made poorer since the 1960s.

Poverty and urbanization in Nigeria are on the rise, and official corruption is considered a fact of life. The resultant scenario is a situation in which there is urbanization but not accompanying economic growth to provide jobs. This had led to a section of the growing populace assisting in destroying the ecosystem that they require to sustain themselves (Wikipedia, the free encyclopedia, 2005).

Some of the contentious issues on good governance in the Niger Delta that need immediate resolution and the attention by the Governments and stakeholders are as follows:

First Issue: Resource control

The issue of resources and their control emanate as a result of the wrong application and practice of the federal system of government in variance with other climes like the United States of America, Switzerland, India and others in which the Federal Government handles resources of the Niger Delta states to the detriment of the area. Hence the issue of resource control can be linked to cede 100 percent "ownership" and "control" of the oil industry to the oil producing states/Local Governments and Communities in the short or medium term.

Second Issue: Participation in the Oil and Gas Economy

The control and activities in the oil industry is principally under the prerogatives of the Federal Government and her collaborators. We, however, acknowledge fact that the Federal Government has awarded some marginal field rights to companies owned by indigenes of the Niger Delta. To further strengthen such initiative, Oghenevo and Obaebor (2005) stated in their papers recommended that the Federal Government should reserve 20% of all marginal fields and new oil and gas blocks and licences to companies owned and controlled by Niger Delta indigenes. We further state that for good governance to be entrenched, the percentage of participation by the indigenous companies should be 40% to 60% in all aspects of the oil and gas industry, including: transportation, distribution, and all other oil downstream businesses.

Third Issue: Transparency and Accountability of Oil Revenue Utilization

Governance in the Nigerian nation as well as in the Niger Delta can be described as devoid of transparency and accountability in different government agencies. At the political level, democratic practices, including transparency and accountability in policy making and administration, are important aspects of good governance.

There is no form of transparency and accountability of government and its officials of oil revenue utilization to the people of the Niger Delta. Agencies established by the government for development purposes have been adduced as entrenched in corruption, as government officials see such agencies as opportunities /avenues for cutting their share of the national cake. Transparency and accountability are some of the hallmarks of good governance/ democracy. There is,

therefore, the need to entrench the culture of transparency and accountability in oil revenue utilization in the Niger Delta area through the setting up of a commission that will be a "watchdog" over all oil revenue received, to ensure that every naira/dollar of the oil revenue is accounted for and utilized judiciously for whatever it is meant for, to vet the plans/budgets and audit the accounts of all recipients of oil revenue to seal all leakages and to impose necessary sanctions where necessary.

Under this arrangement, all audited accounts must be published and posted online not later than 6 months into a new financial year. Furthermore, the commission will hold public forums/press conferences in all states and local governments to address issues of concern and officers found culpable made to respond to audit queries.

Fourth Issue: Infrastructure

Governance in the nation as well as in the Niger Delta is bereft of performance in terms of infrastructure such as good roads, pipe borne water, electricity, good health facilities and other basic necessities that make life and living worthwhile. The lack of these basic infrastructural amenities in the Niger Delta accounts for some reasons of crises anchored on the people's agitation for their provision. And this has resulted in the destabilization of peace and security in the area.

Roads – a team of transport planners and engineers must be set up to develop a modern transportation plan that will guarantee easy movement of people and goods in and out of the Niger Delta swamps and open the coastal area to tourism development. The suggestion of transportation plan must include: at least two east west federal super-highways and at least five north-south federal super-highways to form a grid network of road interconnectivity within the Niger Delta and the provision of inland waterways mass transit systems with modern jetties and waiting facilities in at least 500 riverine communities.

Water – a massive programme for the extension of pipe-borne water to all settlements in the Niger Delta is required for good governance. We are of the view that the joint action consisting of the three tiers of government should be inaugurated to ensure that every citizen of the Niger Delta region has equal access to potable water.

Electricity – there should be a federal policy that all communities within 70 kilometres of all the power plants scattered across the Niger Delta must be serviced with electricity before the plant is connected to the national grid. In addition, a community or cluster of communities with a population of 100,000 people should be licensed to own and operate an electricity and water company to be built by the Federal Government, in partnership with the Oil companies operating in such communities.

Health Facilities – The federal and state governments must see the provision of good health facilities as their responsibility to monitor any new diseases their citizenry is exposed to due to the petroleum industry. We suggest that a house-to-house health survey in the Niger Delta to identify any emerging health problems in the area and also health clinics, should be established in every community with more than 1000 persons and at least 100 teams of foot-doctors set up to service the clinics on a regular basis. Each team should consist of at least five medical doctors with an appropriate mix of specializations

and a pharmacist to service a pre-determined number of clinics and villages. Each team should be fully equipped and provided with at least two vehicles, one of which should be a well-equipped ambulance.

Fifth Issue: Poverty Reduction

Poverty is a common feature of life and living of the majority of people in the Niger Delta. Poverty, however, is a common feature of the Nigerian society in which the average income and earning of the majority of people is less than a dollar, according to the report of United Nations survey (2005). We are therefore of the opinion that each of the state and local governments as well as the Niger Delta Development Commission and oil companies must produce a 10-year result-oriented poverty reduction strategic plan. The oil transparency and accountability commission suggested above should monitor and evaluate the performance of the plans and provide technical assistance to ensure effective implementation.

On the other hand, the Federal Government should establish industrial parks in the Niger Delta communities, especially the large ones equipped with cutting-edge infrastructure and technological backbone facilities ready for immediate plug-in by specialized companies in the oil and computer industries be attracted to the area through specially packaged incentives. In this plan, twenty percent of each industrial park must be reserved for enterprising Niger Delta indigenes whose business proposals have been accepted by the Industrial Park New Business Incubation Committee for Funding and Mentoring.

Sixth Issue: Unemployment

There is no gain saying that Nigerian societies and the Niger Delta in focus are plagued with the problem of unemployment. A situation in which the vast majority of the youth and able-bodied are jobless due to failure of government and its policies to harness and utilize its workable and vibrant population for its development. Majority of youth and vibrant population are left roaming of the street with no daily job for their sustenance. This is regarded as a failure of government and governance culminating into jobless youth being used as agents in the hands of self-seeking politicians and trouble makers such as kidnappers, assassins, thugs, robbers and militants to perpetuate insecurity and threaten the peace. Various researches had shown that unemployment is a major threat to peace and security in the Niger Delta societies.

We are, therefore, of the view that the Niger Delta Development Commission, the Niger Delta Ministry and State Governments should implement massive youth employment schemes based on large infrastructure projects, road maintenance, low-cost housing construction, agricultural settlements, and support for small and medium enterprises. On the part of the oil companies, they should pursue an employment "affirmative" action targeting host/impacted communities for at least 20% of senior staff and 50% of junior/middle level employment (within 100 kilometres radius).

Seventh Issue: Security

The issue of security provision is a major duty and prerequisite of good governance, but the reality of things in the Niger Delta is the revised case. A situation in which the government and its agencies are unable to provide for the security of the people's lives and properties is observed. Cases abound of high rate of robbery, kidnapping, assassination, violent conflicts,

environmental hazards and others that are security threats to peace. In this regard, we are of the opinion that the federal and state Governments should establish and fund "community policing" throughout the Niger Delta. Personnel should be drawn from no more than a 50 mile radius of the communities where they will be deployed.

Also, government should increase the size of the Nigerian Police, establish more police posts and equip the police with good vehicles, motorcycles, speed boats and telecommunication facilities. The ultimate goal is to establish a rapid response police and rescue system in the region as well as public emergency phone system that will enable citizens to call for help and report criminal activities.

THE WAY FORWARD

Government and governance should be transparent and accountable with resources and oil revenue utilization and should make efforts to address rising violence, threats to peace and security in the Niger Delta region. The means to address unrest in the region is for Government alongside the oil and gas companies to focus on economic development and greater transparency. The keys to lasting peace in the Niger Delta region are to lay emphasis on reintegration, demobilize combatants successfully, engage and employ the youths.

The States and Local Government Area office holders in the Niger Delta must change their ways in terms of transparency and accountability to ensure that the vast amount of resources that flows into the Niger Delta region can be translated into improvement in the lives of citizens.

Mechanism and structures should be put in place for participants of communities, civil society organizations, professional groups and workers in decision making, women and youths organization. Finally, the root causes of the crisis must be addressed. The Federal Government should stop running a unitary type of Government and should stop interfering with state administration. Fiscal federalism should be practised. All the obnoxious laws that deny the Niger Delta people the ownership and control of the resources of the land, such as the 1999 Constitution and the Petroleum Act, must be amended. Every effort must be made to resolve the Niger Delta crisis peacefully, for those who make peaceful change impossible make violent change inevitable.

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