

RESOURCE CONTROL AND INTER-GROUP RELATIONS: AN ISLAMIC PERSPECTIVE

HADI ATANDA MOSHOOD

Introduction

The issue of efficient resource allocation has been an unending feature of the Nigeria federalism. Arising from the submissions from various interim the country to the Okigbo Presidential Commission on Revenue Allocation, Ikoprukpo identified four schools of thought on the issue of access, Viz.

- (1) The producing areas should have an exclusive right to petroleum resources
- (2) The Federal Government should have an exclusive right;
- (3) The producing areas should have more than the Federal Government and other non-producing areas;, and
- (4) The Federal Government should have more right than the producing areas.

These positions were divided into two extremes by Adenikinju, thus: complete resource control by the resource owners or complete federal control. The advocates of the first viewpoints he pointed out based their argument on the past and continued exploitation of the oil producing areas. They argued that the core producing area, the Niger Delta, has also been the least developed part of the country. This school, he continued also contends that prior to the discovery of oil, the natural resources of the country were exploited for the producing areas therefore they could not find any reason why this must change with the emergence of petroleum. Proponents of this school therefore concludes that the existing arrangements under which the producing areas have no control over and very little access to the resource, is unfair and unjust and tantamount to the exploitation of the minority ethnic groups using the coercive powers of the state.

On the other side of the spectrum according to our source, are those who contend that the oil resource should be centrally administered and uniformly allocated to every unit of the Federation by the Federal Government. Their main contention he continued, is that oil is a gift of nature that the oil producing areas did not influence. They also argue that the infrastructural facilities provided to the producing areas by the oil company are enough compensation. They also conclude that in order to foster unity and stability through uniform development, all parts of the country should have equal access to the resources.

The above divisional analysis by Adenikinju provides a convenient starting point for us to really begin this paper. The paper attempts to trace the genesis of the problem, and examine the issue critically within the frame work of Islam with a view to suggesting workable solutions to unending inter-group conflicts arising from uneven distribution of the country's resources.

Resource Control: the Nigeria Experience

Nigeria got her independence as a Federation from the British Colonialists In 1960. Unadulterated federalism presupposes the sharing of powers between Federal or central authority and the component units in such a way that each unit, including the central authority exists as a government separately and independently from the others, operating directly on persons and properly within its territorial area, with a will and apparatus of its own for the conduct of affairs and with an authority in some matters exclusive of all others. In a federation, each government enjoys autonomy, a separate existence and independence of control of any other government. Each level of government exists, not as an appendage of another government, but as an autonomous entity in the sense of being able to exercise its own will in the conduct of its affairs free from directives from any other government. Adenikinju captured the very essence of federalism thus: By the

federal principle I mean the method of dividing powers so that general and regional government are each, within a sphere, co-ordinate and independent.

"In adopting this arrangement, the founding fathers of Nigeria were motivated by the country's heterogeneity. It was thought and rightly too, that federalism offered the greatest prospect for enhancing the democratic consolidation of the young nation, and for facilitating socio-political and economic co-existence of her diverse peoples, while at the same time creating unique divergence, which would subsequently facilitate the process of nation building as well as development". Much more pointedly, Elaigwu observes that the federal arrangement was retained at independence out of psychological fears of political and economic domination. The North feared southern domination of the economy and the public service as a result of the latter's edge in western education, while southern leaders feared political domination by the North as a result of its large population and expansive land mass"

Until the intrusion of the military into governance, Nigeria continued to run a near "perfect" federal system. The independence constitution of 1960 and the succeeding republican constitution 1963 provided for weak center and powerful and effectively autonomous regions. The 1963 constitution provides specifically in section 140 that:

There shall be paid by the Federal Government to a region, a sum equal to fifty percent of any royalty received by the federation in respect of any minerals extracted in that region and any mining rent derived by the Federal Government from within any region.

Some students of Nigerian history insist that Nigeria fared better in terms of development during that era. The arrangement engendered a spirit of healthy

competition among the various regions with each striving to have a dominant revenue yielding products. Reference is still being made to the legendary groundnut pyramids in the Northern Region and the flourishing Cocoa and oil palm industries in the Western and Eastern Regions respectively. The financial autonomy granted the Regions enabled them to retain a significant chunk of the revenues from these products. The legacies derived from the healthy competitions amongst them in terms of delivering development goals are still reference points. Adejoh stresses this point when he says

...the various Regions of the Federation generated economic gain that ushered in industrialization and massive investment in education. This progress was made not because of natural resources but because of the competitiveness which caused the leaders in the 60's to become creative and rigorous in public choice making. There was a steady progress, especially between 1956 and 1966 before the military intervened in politics, and oil assumed the position of the largest single foreign exchange earner.

The steady progress was however rudely upset by the military in January 1966. General Aguiyi Ironsi who took over the reigns of power after the controversial Nzeogwu coup overthrew the democratic government and promulgated Decrees 33 and 34 that abolished the Federal system and effectively turned Nigeria into a unitary State. Although the succeeding government of General Yakubu Gowon later reversed this decision after a counter coup in July of the same year, Nigeria's federalism has suffered progressive distortions and subversions that today it remains so only in name. These distortions are amplified by the noticeably endemic centralizing trends in the nation's federal system. Babatunde argues that these centralizing trends in Nigerian federalism have manifested themselves in diverse ways. The first of these is the gradual but

consistent accumulation of power by the central government at the expense of the Regional/State Governments. The second is the increasing monopolization of functions, which previously belonged to the Regional/State government by then successive central governments. The third is the progressive reduction in the coercive and administrative resources of the Regions/States and the geometric increase in those of the centre." Today, the States have literally been reduced to mere administrative units taking orders and depending on financial handouts from the center.

One interesting example of the several effects of the unitarization of Nigeria or what Ihonvbere calls the defederalization of Nigeria is the consistent subversion of the derivation principle enshrined in the aforesaid constitutions. The derivation principle has changed from 100% (1953), 50% (1960), 45% (1970), 20% (1975), 2% (1982), 1.5% (1984), 3% (1992) to the present 150. In place of derivation, the Federal Government introduced equality of States and population as basis for allocating funds from the nation's Distributable Pool Account. In a bid to find an avenue for the centralization of revenues the Federal Government extended its activities to areas of expenditure that were once reserved for the States, first by the process of encroachment and later by legislation-backed take over. For example the Federal Government became directly involved in primary and basic education, agriculture, banking, industry, and commerce just to mention a few.

Different explanations have been given for the seeming aversion to federalism by successive governments in Nigeria. Dominant among these is the long period of military rule in the country. The contention is that unitarism is most suitable to the military because of its command structure. As Oyerinde puts it:

The fiscal and administrative centralism foisted by the military was squarely in alignment with the absolute centrality of command inherent in it. As it is

well known, the military is institutionally monolithic and organizes everything, from procurement, doctrine, training to records, transport and ordinance, centrally.

A more robust explanation according to Adejoh," it is the emergence at the center stage of oil and the contestation by the power elites of the various ethnic nationalities to feather their nests and that of their ethnic folks. Better put, the defederalization of Nigeria is simply a concomitant of the contestation for the Oil wealth by the power elites of the various ethnic nationalities for its control and appropriation. Saro Wiwa said this much "oil is not only money it has also been at the federalism for a long time with the Federal Government reserving for itself a huge chunk of the oil revenue 12 Oyerinde in Adejoh captures it more graphically:

Elites of the dominant nationalities did not find the principle of derivation (which is what has remained the most contested subject under Nigeria federalism) attractive, invariably because they wanted a tight reign over royalties other forms of revenues generated within the region. Significantly, in spite of the squabble among the elites of the big three, they were always (and some say eternally) united in the offensive against derivation and other concession to minority nationalities.

Ihonvbere contends that with the enormous power and resources now at the disposal of the center, its control soon became subject of intense competition, conflict and struggles among the factions and fractions of the power elites. Access to State power soon became a door way to unlimited personal booties and as well as the basis to enthrone group hegemony and dominance. Experience shows that only the constitution and client of those who control state power actually have access to state resources through patronage.

We must add here that in the battle to capture and monopolize the state, the minority ethnic nationalities have been gravely disadvantaged. It is argued that the power elites of the three major groups in the country -the Hausa/Fulani, the Ibo and the Yoruba or what has come to be known as the tripod of the Nigerian federation, have effectively monopolized and ethnicized the state, determining in the process who gets what and when, with the minority tribes living literally on crumbs from the tables of these imperial overlords, bereft of a voice and effective representation. The preponderant population of the majority ethnic groups over and above the minorities has made this possible among other factors. Of course among these big three, cut throat competition is equally rife, as they battle to outwit one another in the quest for the control of the state, and quite frequently too, their minority counterparts are accommodating in the spirit of pacifism.

The above analysis clearly presents issues surrounding resource control as they affect federalism in Nigeria. There is no doubt that resolving the resource allocation issue in Nigeria is critical to socio-economic development of the country. While some efforts have been made in the recent past as accounted for above especially through the 13% derivative formula and the establishment of NDDC and of recent the establishment of council on Niger-Delta development to cater for the special interests of the oil producing communities, the fundamental issue of resource ownership remains to be resolved.

Resource Control: Islamic Perspectives

Allah is the only real owner, As for man, he is not more than a vicegerent. He can only manage what he owns within certain limits, specified by Allah. The Quran says:

And to Allah belongs the dominion of the heavens and the earth; and to Allah is the final goal (of you all). (Q24:42) To Him belongs the dominion of the heavens and the earth, and all affairs are referred back to Him.(Q57:5) And certainly you have come to Us alone as we created you at first, and you have left behind your backs the things which we gave says: you, and we do not see with you your intercessors about whom you asserted that they were (Allah's) associates in respect to you certainly the ties between you are now cut and what you asserted is gone from you. (Qur' an 6:95).""

All these verses are pointers to one fact that human beings wholly belong to Allah, including the mineral and material resources they exploit. Man is only a trustee (Khalifah) over all the resources he acquires. Man brought nothing to this World and when he shall depart, he will not go with anything. This is a divine trust given to man by which he is accountable to Him on the Day of Judgment. Man has natural, instinctive need which must be met, and under no Circumstances can he be deprived of this right. The Qur'an has made it clear that it does not like a society wherein national wealth remains concentrated in a few hands instead of circulating round the entire social organism and enriching all its parts like blood in a man's body. Again in earmarking portions of *fai'* (i.e booty surrendered by non-believers at war without fighting), the orphans, the needy and the wayfarer are considered. For instance, Allāh says:

And whatever Allah has given to His Messenger as spoils from them, is of Allah's grace. You urged neither horse nor camel for that, but Allah gives authority to His Messengers over whomsoever He pleases, and Allah has power over all things. Whatever Allāh has given to His Messenger as spoils from the people of the towns, it is for Allah and for His Messenger and for the near of kin and the orphans and the needy and the wayfarer, in order that

it may not circulate only among those of you who are rich. And whatever the Messenger gives you accept it, and whatever he forbids you abstain there from; and keep your duty to Allah. Surely Allāh is severe in retribution. (Q59:7-8).

The Qur'ān has made it clear that people who have become economically helpless through no fault of their own are entitled to a share of the national income which they can religiously and legally claim from the people on individual charity. This fact is corroborated by a Hadith of the Prophet which says:

Allah, the Exalted and Mighty, looked at the wealth of the well-off. And He looked at the destitute. He ordained a portion from the wealth of the rich to be delivered to the poor to satisfy them. If it had not satisfied them He would certainly have increased their share.

In Islam, ownership in various forms is lawful including individual communal and state ownerships as established in *fiqh* (Islamic Jurisprudence) and Islamic legislation. The method of gaining money, property and economic resources are restricted to certain laws as Islam puts restraints on any tendency of greediness or other unscrupulous motives including exploitation. Islam according to al-Balāgh Foundation adopts two important methods to tackle this critical point to frustrate the urges of greediness and exploitation. They are:

- (i) Rearing and cultivating Muslim individuals and society both morally and spiritually, in a way that promotes virtuous aspirations that steer clear of greediness and selfishness and present the reality of wealth as being only transitory aspects of a temporary life on earth. It is a life that belittles so much attention being paid to competition and making material gains

merely for their own sake as man's existence has much greater goals to be achieved for his salvation.

Islam turns its attention to the process of upbringing and focuses its attention on developing the spirit of thrift, innovation and productive goals in line with its cultural values and guidance. Man is advised to shun the fierce rat race, which is merely for grabbing more wealth and warns him not to drown himself extravagantly and excessively in lusts and sensual pleasures.

Islam calls on man to vie with his brothers to create good and give up apart of his property if able in favour of others in need. Man is spurred on by Islamic teachings to shun any method of amassing wealth and property which pollute the spirit, kill the conscience and draw man to the wrath of Allah. In return, man's reward is ensured in the Hereafter. Undesirable and unproductive ways of accumulating wealth such as usury, hoarding, cheating and other unprincipled methods are forbidden by Islam. (Qur'ān 59:9; 10:58).

- (ii) Laws are the second method employed by Islam to limit ways of accumulating riches and prohibit amassing of wealth through unlawful means that do great harm to the community and feeds on the blood of the impoverished social class. It is the state that takes the responsibility of achieving economic Justice as it is responsible for justice in every social realm. That is why laws strictly forbid usury, hoarding, cheating and manipulation of prices, just to mention a few. The state's responsibility is to protect and enforce laws and also to prevent such unlawful practice.

Islamic law lays down the principle of reciprocal social responsibility on spiritual and moral grounds to implement such concerned behaviour. By so

doing, Islam builds up a strong, tenacious society, in which the individual shoulders his duties by identifying with his suffering brothers. The holy Prophet to prevent such unlawful practices is quoted to have said:

Never does he believe in me who goes about with full stomach while his neighbour is hungry. Never shall Allah on the Day of Judgment look with favour at the people of a place who pass their night satisfied but among them is a hungry one.

From the foregoing analysis, it is quite clear that in Islam real ownership belongs to Allāh, and man is entrusted to make use of it, and be accountable to Him in accordance with rules clearly laid down in the Sharī ah and principles enunciated in the Qur'ān. Individuals and groups in the spirit of brotherhood are enjoined to co-operate with one another in patterning life on earth in accordance to the will of Allah, according to Hegazy:

Economic development efforts are material and social, they should aim at the maximization of benefits from all resources on earth, so that an equitable distribution of commodities and services between all is ensured according to their efforts, participation and needs. Economic development should depend on the principle of participation of wealth and manpower on a co-operative basis without prejudice to any group."

Islam thus stresses the fair distribution of wealth and income through the system of remuneration for work on the one hand and the sharing of wealth by inheritance on the other. The real challenges in Islam rest upon the principle of sharing and sacrifice on an individual and collective basis.

Conclusion

The resources with which God has endowed this world is abundant and sufficient enough to cater for the well-being of all, if used efficiently and equitably. To expect that man should be left to carry out his economic activities out any form of control or ethical code is to create chaos in the society. This is because man is incurably selfish with inordinate ambition to want to maximize even if that will bring hardship unto his fellow human-beings in the society. Man therefore should learn to use God's given resources in such an efficient and equitable manner that the well being of all is ensured. This is possible only if the resources are used with a sense of responsibility and a constraint determined by Divine Guidance. It will also be possible if man remembers that he is not the primary owner of all resources at his disposal. He is Just a trustee.

Looking at economy this way will enable man to cultivate some ethical trait which would make it impossible for him to engage in such obnoxious practices such as excessive profiteering, dirty monopoly as well as hoarding. It will also promote sanity and discipline in the society as people will live in a less acrimonious and chaotic environment. Further to that, people will become their brother's keepers and the problem of insecurity will not arise. It is a common fact that people feel insecure in the contemporary world partly because of Monopoly of God's given resources by a very few privileged individuals.

Recommendations

In order to foster unity and protect the corporate existence of this country, it would not be good enough to allow for full control of resources by producing areas; rather, what is being suggested here is 50% derivation instead of the 25% derivation recommended by the technical committee on the issue.

To arrest the problem affecting some States, especially the oil producing region, the Commission (NDDC), should be saddled with more specific or specified functions and be placed under the Presidency rather than the present effort at creating the Ministry of Niger Delta. An ethnically or regionally based Ministry according to Olatawura is against the letters and spirit of the constitution of the Federal Republic of Nigeria.(Sections 13,14,15,16 &17,CFRN, 1999).

The NDDC should involve all the stake holders in the Region through regular dialogue to know what the people actually need and what they are lacking. Moreso, through the budget allocated to them, the peoples' need should be met in an open and transparent manner. The Federal Government allocation of 80 billion naira to NDDC and the new Ministry of Niger Delta may be insufficient since NDDC alone was allocated the same amount in the 2008 budget. One would have expected that the vote for NDDC be increased to 100 billion naira while that of the Ministry of Niger Delta to be around 150 billion naira. Similarly, 400 billion naira was voted for security alone for the Niger Delta in 2008 budget, while there was no provision for this purpose in the 2009 budget. Considering the dicey situation in this Region, the issue of security should nothave been neglected.

More job opportunities should be provided for the restive youth in the Region. The Companies operating in the area should be made to sponsor youth for study in the relevant fields, like Petroleum Engineering, Industrial Chemistry Just to mention a few, while such people should be given automatic employment upon the completion of their courses.

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