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And Development Plan**

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The Case of Akassa Community Forests Management and Development Plan

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Introduction.

For over a decade, there are raging development crises revolving around environmental degradation, legal regimes and institutional frameworks governing oil and other natural resources all of which jeopardize the region's development. Policies regarding land tenure and resource access are of great significance for assuring the sustainable management and use of natural resources in the Niger Delta region of Nigeria where majority of the people still rely heavily on their natural resources to provide income, employment and livelihoods. Customary tenure systems remain the predominant means through which people manage and gain access to land and other natural resources. These systems are based on the values of the local people to the extent that these values confer legitimacy on the decision making process. The general characteristics of customary tenure systems include the inalienability of land so that families have secure and inheritable land holdings that cannot be traded freely on the market.

Inhabitants of the Delta depend on natural resources for livelihood, thus their main economic activities are fishing and farming. This means much dependence on productivity of land and water. In context, natural resources refers to any material in its natural state that when extracted has economic value. This include not only timber, land, oil and gas, coal, minerals, lakes and submerged lands, but also features which supply human need and contribute to the health, welfare and benefit of a community(Odje, 2003). Consequently, demand for resource control in the area is not limited to and synonymous with only oil and gas. It includes the ability to control, develop, explore and sell any natural resource located in the region.

Environmental problems in the Niger Delta are enormous and growing. Consequently, environmental concerns are serious issues that can yield substantial development dividend. Thus, there are emerging pressures for improved environmental management arising from public awareness of linkage between environmental issues and natural resource management. The belief among development practitioners is that improved community-driven natural resources management by decentralized institutional

structures could contribute to better resource governance and long-term poverty reduction. A successful management regime must derive from consensus among key stake holders and contending community forces, because governance failures in natural resources can lead to conflict and ultimately to violence.

Management of natural resources can be achieved and promoted through collaboration with international and national NGOs partners, governments, donors, private/public sectors and international organizations. The Akassa forest conservation project is an innovative collaboration involving oil multinationals, civil society, international NGOs and governments, and local communities. Emerging community-managed forests institutions via forests byelaws represent a unique model where communities manage their forests and benefits and learn complex processes of forests conservation, and develop pragmatic approaches to sustainable natural resource management. The Akassa forest management and development plan theoretically has a strong focus on creating and strengthening community governance structures at different levels. One of the elements of its acclaimed success is the participation of many sectors of the communities. Although embedded in participatory management is the principle of “Bottom-Top approach, in practice, “Top-Bottom approach is the norm”. The plan design process failed to undertake comprehensive stakeholder consultations that would have issues arising from the new forest byelaws. For instance, the byelaw was transplanted from Britain’s 1950 forests laws. Therefore, little power that has been decentralized has been transferred to local levels, contradicting the underlying principle of community-based management.

Expression of high level satisfaction with Akassa Development project which the forest conservation programme is a sub-sector is an initiative that has been replicated in other local communities in the Niger Delta, hence the motivation to investigate the authenticity or otherwise of its success claims. The study examines the dialectical relations between land, oil and resource dependence. Crucial to this arena of research is the history and contemporary configurations of land and oil politics, forest and local livelihood. Section 28 (2) of the land Use Act states that the right of occupancy can be revoked for requirement of land for mining purposes; section 28 (3)(b) gives the same conditions for revocation of a customary right of occupancy; while the Petroleum Act of 1969 made provision for acquisition of Right of Way (ROW) for oil pipelines. The land Use Act and Petroleum Act are thus instruments of land and resource dispossession. Evidence of this is increasing physical space occupied by multinational oil companies just as community space may shrink unabated. The combined effect of these laws in the Delta is the perception of transformation from foreign imperialism to local colonization. I argue that global Non-Governmental Organizations (NGOs), corporate and State inspired community-based conservation projects are to attenuate popular pressures over resource denial. Resource conservation then becomes a solution to livelihood problematic. Thus, the study uses predominance of oil in the political economy to show how oil shape forest resource management.

While Akassa development project has been applauded for adopting local solutions to solve local problems predicated on participatory approaches, I contend that the goal of the project is to mitigate discontent of local communities over development deficits,

which result in disruption of oil flows. Consequently, the study locates community-based resource conservation project at the conjecture of corporate development strategy dynamics and wider political-economic forces of State, and the possibilities this offers in fostering participatory development. The study uses corporate development strategy as an entry point to explore how corporate philanthropy shapes the possibilities of participatory development and, how community-based conservation project is a process for securing social license for multinational oil companies operations.

Management of natural resources is a realm of serious political power because it involves crucial economic and livelihood decisions (Feryetabend and Tarnowski 2005). An important challenge is how best to develop inclusive and conflict free resource management model. We use the theory of decentralization of powers as an entry point to explore how turnover of discretionary powers over resources from indigenous political leadership to lower levels forest institutions created and reinforced class hegemony.

The central objective of this research is to produce a coherent analysis and suggest program of action relevant to achievement of goals and draw attention to implementation and action that may allow policy makers and implementers make better judgment as to which course of action to follow. This central objective has been broken as follows: a) to show how agitations of decades of neglect, and environmental degradation associated with oil exploration and exploitation shape community development projects and are shaped by corporate development strategy; b) how practice of devolution of powers over resource management reinforced the hegemony of the ruling class; and c) donor dependent implications of Akassa conservation project.

The rest of the study is divided into six sections. Section 2 provides background to the study. It documents the history of oil and land politics and how this shape corporate development strategy in form of community-based conservation. Section 3 examines setting of the study. It shows extent of development break -down or lack of it; and how previous attempts at addressing development problems in Akassa clan failed and set in motion agitations against the State and oil multinationals; as well as natural resources stock/status. Section 4 dwells on research methods, while section 5 focus on findings. This section identifies motivations for Akassa conservation project tracing its inception to efforts by oil multinationals in collaboration with International Non-Governmental Organizations (NGOs) to attenuate popular pressures against the corporations and the state over environmental degradation and development deficits. It also describes how the project that is in theory based on principle of decentralization of management power over natural resource (Top-Bottom approach) was in practice, compromised by power centralization and reinforcement of dominant groups' hegemony. Section 6 is about policy outcomes. Since the notion of outcome is central to the study, this section shows the benefits that accrue from the project as well as the contradictions of decentralized forest management. The concluding section summaries the study and suggests solutions to some of the conundrums that Akassa forest management and development plan presents.

Context

The colonial State through the policy of Indirect Rule established territorial control by forming alliance with paramount chiefs in whom land ownership and authority were vested as instrument of colonial power. In practice, the powers exercised by customary authorities were often circumscribed by the colonial State via gazetting of forest reserves and establishment of mining concessions. Expectations that the end of colonialism in 1960 would lead to land restitution did not materialize. Rather independence resulted in emergence of an overbearing State that enacted laws that contradicted customary tenure systems for deciding how access to land and associated resources should be allocated. The land Use Act (otherwise known as the Land Use Decree) promulgated by the military government of General Obasanjo in 1978 remains one of the most controversial legislation made in Nigeria because it alienated indigenous people from land, a major means of livelihood. For example, the law vested all lands in Nigeria in the State, while section 43 of the 1979 Constitution vests all mineral wealth in Nigeria in the Federal Government (Dule and Nwankwo 2001).

Niger Delta's enormous crude oil and gas resources have been major attraction for multinational oil companies as the Nigerian state opens the region to foreign exploitation and did little to regulate relations between the multinationals and the people of the area in a manner that accommodate their aspirations towards control of economic activities. In 1937 an Anglo-Dutch consortium, Shell D' Arcy had the whole country as one concession. Between 1938 and 1939, the company drilled seven boreholes around Owerri without success. Shell however, in 1956 struck its first commercial well at Oloibiri in present day Bayelsa state; this discovery proved oil exploitation a commercially viable venture. A more competitive base for foreign penetration of the oil and gas sector was created through statutory relinquishment of the concession granted shell in 1958. Subsequently, between 1960 and 1963, Mobil, Texaco, Gulf (now Chevron) Agip, Esso, Philip and Safrap(now Elf) were allotted concessions including offshore blocks. This set the stage for large-scale expansion in oil exploration and production activities. These multinationals were joined in late 1960s by Japan Petroleum, Occidental, Deminex, Union Oil, Niger Petroleum and Niger Oil Resources(Onosode, 1999; Obasi,2007). At present the oil multinationals in Nigeria are operating over 159 oil fields and producing from over 1481 oil wells all of which is almost exclusively in the Niger Delta (Dule and Nwankwo, 2001).

Today, Shell's oil mining lease cover 31,103 sq kilometers, a little less than half of the 70,000 sq kilometers of the Niger Delta. Shell Petroleum Development Company(SPDC) also has 391 producing oil wells, linked by a net work of 4,786 km of field pipelines and 154 km of trunk lines to 87 flow stations all located in the same Niger Delta (Dule and Nwankwo,2001). The implication that flows from this is that more than ninety percent of SPDC's oil is pumped from on shore concessions, unlike the other oil multinationals that operate off shore or have relatively small on shore operations. It is thus evident that the oil industry's demand on land is immense. For most local people, seismic surveys means invasion of their communities because it entails clearing paths in forests for access and firing explosives. Impacts from drilling and field development include land take for access and locations and flaring of gas, disposal of wastes, chemicals and sludge and spills. "Spills are uncontrolled releases of any product including crude oil,

chemicals, or waste caused by equipment failure, operation mishaps, human error or intentional damage to facilities. The extent of damage depends on what, where and how much has been spilled and how long it remains there” (Dule and Nwankwo 2001).

Crude oil production in the Niger Delta runs at 2.18 million barrels per day, accounting for over 90 percent of Nigeria’s export earnings and 80 percent of revenues accruing to the federation account. A number of laws govern Land Use and oil production activities.¹ Prior to these legal regimes, oil multinationals recognized indigenous communities as land owners hence negotiated terms of payment of rent with communities on whose land they operate. The laws mean loss of revenue as oil multinationals ceased payment of rent to communities. Apart from loss of oil rent, communities suffer loss of economic activities emanating from pollution that affected traditional fishing and dislodgement from forests and land used for farming. Yet, these are not adequately addressed by either the compensation paid or the system of paying compensation. As unemployment accelerated, general standard of living began to decline significantly, and environmental degradation assumed epidemic dimensions, a crop of militant youths emerge to protest marginalization and poverty. The oil industry has been severely hit by this new wave of protest as vandalization of oil facilities, rig blockade, kidnapping of expatriate and national staff, and shut down of facilities are regularly carried out.

It is within this historical context that multinational oil companies embraced the concept of corporate social responsibility in dealing with “host community”.² The concept of Social Responsibility in business is now subsumed under sustainable development which has become a dominant discourse for anything remotely environmental. In response to their operational environment and as part of supposed policy transformatory process, multinational oil companies began to take responsibility for a wide range of social and economic needs through projects that aim to reduce hardship inflicted on humans, the environment and livelihood productivity (Peterside 2004). I contend that there is need to approach the study dialectically, situating our analysis in the broader conjecture of its intersection with political and socio economic pressures within the Nigerian state to illuminate the conflictual terrain that shape community-based conservation.

Case Study

Akassa is located in Brass Local Government Area of Bayelsa State. The State was one of six states created by the military administration of the late General Sani Abacha in October 1, 1996 from the old Rivers State with Yenegoa as the capital. Its name is an

¹ The Land Use Act of 1979, Petroleum Act of 1969, Oil pipelines Act, and Section 43 of the 1979 Constitution.

² Corporate Social Responsibility means that oil companies are responsible not just for the way in which they do business but also for the consequences of their business practice, where-ever they occur whether intended or not (Sklair 2003).

acronym of names of three of the then Rivers State's Local Government Areas (Brass, Yenagoa and Sagbama). It is located within latitude 04-15" North, 05.23" South and longitude 05.22" West and 06.45" East and the Atlantic Ocean on the West and South. Its population is estimated at about 2 million. It is culturally heterogeneous with the main cultural groups being Ijaw (Ijaw), Nembe, Ogbia and Epie-Atissa. Minor cultural groups include Urhobo in Ofoni and Isoko (Osekenewe) in Sagbama Local Government Area. The people of the State practice mainly farming and fishing, and Christianity, Islam and Traditional African religions.

Bayelsa State is essentially characterized by tropical rainforest traversed by big Rivers and bounded on the West and South by the Atlantic Ocean. In other words, a much bigger part of its land is swampy. The forests of Akassa is located on "three sand barrier islands" on the Bight of Bonny, and are separated from each other by substantial rivers especially Ohoniweitoru, Nun, and Brass. The clan territory spans an area of 450 km² at the base of the Niger Delta of Nigeria. The territory includes major estuaries of the River Niger from East to West: these are the Nun River, the Sangama River and the Fishtown River. It has an adjacent sea area within Nigerian territorial waters of approximately 9600 km² and runs inland from the Atlantic Sea board of three beach ridge islands between Brass Estuary and the Fishtown.

Akassa shares boundaries with other communities in the state such as Logbia (Lugubia) in Southern Ijaw Local Government Area to the North-East, Nembe in Nembe Local Government Area of Bayelsa State to the North, Lima and Egwema communities of Brass Local Government Area to the West, and the vast Atlantic Seaboard to the South (ACDP, NDWC and PNI 2005).

The people of Akassa like other Ijaw communities, practice mainly Christianity and traditional African religion. The main occupation of the people is subsistence fishing and rice farming, the latter is of recent origin. Fishing is carried out principally on the estuaries, creeks and adjoining ocean. Other significant economic activities include lumbering, canoe carving, firewood extraction, and harvesting of non-timber products such as snails, honey, ropes, palm wine (from which local gin is distilled), oil palm fruits, chewing- sticks among others. The family is major source of labour supply, division of labour is determined by gender and age. Although the family is the basic unit of production, labour is sometimes hired for fishing and related operations for which remuneration is either in cash (for boat building and bush clearing for farming) or on a shared basis (especially for fishing). The main family economic activities are categorized as "Men's Activities, Women's Activities, and Children's Activities (ACDP, NDWC and PNI 2005). The political system at both local and national levels failed to provide any form of sustainable development for majority of the population. Consequently, Akassa is characterized by either absence of essential infrastructure or mass of abandoned project- product of improper development planning. The clan is yet to be linked by road, railway or air travel just as telecommunications or functional postal facilities are not available. However, there is a postal agency that shares office building with the local police station, and a small private radio communication post located in the palace of the Paramount Ruler of Akassa clan. Other communication facilities in the area are owned and operated by Agip- a multinational oil company. To access medical facility, the people

had to do three to five hours journey by local transport boats to Brass- headquarter of the local government area.

Previous attempts by government to provide portable drinking water and electricity failed to bear desired fruits. Three abandoned water projects in Ereweibie and Erewei-Kongho and collapse of many electricity schemes(with 500KVA generating sets) with a distributional network that covered Erewei-Kongho, Ereweibie, Kotikiri and Bekekiri communities are cardinal evidence. Community -sponsored electricity projects, like their government owned counter parts, collapsed partly due to lack of logistic support from government and relevant stakeholders. The first primary school in Akassa, Bishop Crowther Memorial School was established in 1947 by the Church Missionary Society of the Anglican Communion, interestingly number of primary schools has increased through government efforts. There are two secondary schools in the clan. Both primary and secondary schools are “grossly under-staffed”, school enrolment and attendance rate is low because labour of children is required in house hold local production activities, while basic instructional materials and facilities for teaching of science and demonstration of scientific experiments are not available.(ACDP, NDWC and PNI 2005). This chaotic state of infrastructural development accounts for why Niger Delta’s huge oil and gas endowment is a very strong thread of attraction and contention between various interests. For example, in December 1998, youth drawn from over 40 Ijaw Subgroups met in Kaiama, Bayelsa State to proclaim what is now known as ‘Kaiama Declaration’. This declaration represents the beginning of concerted opposition to multinational oil companies and the Nigerian State whom the youth accused of Balkanization, political domination and internal colonization of the Ijaw.

Both customary and statutory tenure systems exist in the Niger Delta. The former is more functional in remote areas such as Akassa with a territory that spans an area of 450 meters at the base of the Niger Delta region of Nigeria. Akassa has vast natural resource base that include rainforest, mangrove swamp forests and brackish water/fresh water transition forests and associated flora and fauna. The forests have provided the base for lumbering, canoe carving and related crafts, traditional medicine, food and food additives, hunting and fibre-related gathering. Thus, livelihoods of the majority of the population will continue to depend on utilization of natural resources.

The main natural resources of the mangrove area are the mangrove trees that are seriously exploited as firewood for household use, commercial fish drying, and with cultivation of rice in recent times, the mangrove swamps have come under great threat. The forests presently exhibit symptoms of severe over-exploitation and thus close to passing into a state of terminal exhaustion. The considerable growth of population and advent of reliable technology (power saws), and attendant public commercial transportation systems encouraged massive exploitation of forest resources. Access to land and other renewable natural resources (such as forests) derives from membership in community usually defined in terms of kinship or derived rights,³ through

³ Kinship is a cultural system whereby social identity derives from membership of a group who trace their origin or descent to a common ancestor, and this membership or arrangement with members of a group provides access to land and resource.

arrangements with those holding primary rights. Consequently, lumbering and canoe carving rights are granted lumberjacks and canoe carvers by compound chiefs whose family forests they wish to exploit. Local women have free access to an array of natural fibers that they exploit for basketry and weaving; and to mangroves – the wood they use for cooking and fish drying. As timber and non-timber resources⁴ become scarce and hence more valuable, competition amongst users for access becomes inevitable. For instance, intensive use of timber conflict with the interests of canoe carvers who need fairly large trees for production. There is also conflict between these two uses of the timber and that of tala for palm-wine seasoning. Under this circumstance, it is important that there be a clear set of procedures and mechanisms by which such and related conflicts may be resolved to avoid long and protracted disputes capable of developing into violence in a conflict-prone environment. Intra and inter- communal conflicts associated with oil politics have devastated most communities in the delta leaving government, civil society and indigenous governance institutions in ruins. Interestingly Akassa clan has experienced minimal conflict over oil.

Research Methods

Although the research was scheduled to start in May-June period, it was conducted between November and December 2006 due to the heavy rainy season, which made fieldwork extremely difficult. Furthermore, the increasing spate of hostage taking and sea piracy made travels in the Niger Delta hazardous. Prior to the identification the study s

ites, the researcher held interviews with officials of Pro-Natura International (PNI) facilitator of the Akassa Development Project. The officials include Mr. Chris Alagoa who is currently the administrative secretary of Niger Delta Peace and security Project (Pass), and Chief Bill Knight, Director, Capacity Building & Strategic Development. Interviews were also conducted with some chiefs; youth and women groups; Brass Local Government officials; and members of Natural Resource Management Committees and some community members. Some interviews were recorded on tape and transcribed later. Archival materials and publications of Akassa Development Project (such as Angala and Atlantic Express Newspaper) were also consulted. These were important sources of information on socio-political organization of Akassa clan, and background of Akassa Development Foundation from the time the project started in 1997.

Following the selection of 12 communities as study sites, the principal researcher conducted structured and semi-structured key informant interviews at clan and community levels, including interviews with community people segregating the groups using stratified sampling technique according to gender and age differences. In addition, former members of forest management committees; traditional administrative authorities; and political elites were interviewed. The researcher also held meetings with Natural Resource officers of ADF (Patrick Nwangangi-VSO, Natural Resources

⁴ The forester for purposes of management, usually groups forests resources in to two categories, namely forest products (wood and timber) and minor forest product(all non-timber products). A major consequence of this classification is the tendency to confer lower status to non-timber forest products (Obot 2002).

Management Adviser; and Kelechi Eleanta-Programme Officer, Natural Resources Management). 120 household questionnaires were administered. There were participatory observation and interactive field trips to some forests for on the spot analysis of extent of timber logging.

Analysis

[1] Connections between land, oil politics and resource conservation

Management of forests and other natural resources is too often subject to poor governance, which contributes to resource depletion such as disappearing forests, which threatens livelihoods of rural inhabitants. This problem is particularly acute in the Niger Delta in which majority of the people are most dependent on their natural resource base. Failure of forest governance characterized by illegal logging undermines sustainable development of livelihood means, and environmental conservation. It puts at risk the neglected rural poor and forest –dependent populations, which rely on timber and non-timber forest products. Unlike other resources, forests provide a wide range of benefits when they are preserved. Thus, there is need for intervention to assure optimal and sustainable use of forest resources. This is the central focus of oil multinationals operating in Akassa, Bayelsa state when in collaboration with an international Non-Governmental Organization (NGO) established the Akassa Development Foundation (ADF) in 1997.

This initiative focuses on facilitating stakeholder dialogue and attenuating popular pressures against environmental harmful practices of oil multinationals, obnoxious legal regimes governing natural resources (land, oil mineral and gas) and development deficits in the region. The term natural resources as used here refers to any material in its natural state that when extracted has economic value. This includes land, oil and gas as well as other products of nature that have economic value. Access to land in the Niger Delta is predicated on customary tenure system that focused on families or lineages, and body of rules which govern access to land and the relationship between the holder of land and the community on the one hand, and/or that between the holder and another party. This implies that tenure defines what interests may subsist in land, the conditions under which the interests are held, the mode of acquisition and transfer as well as the rights and liabilities of holders of land. The general characteristic of customary system include inalienability of land, the head of the community, chieftaincy house or family holds land in trust for his people and his consent is essential to any disposition of land. Although the families have secure and inheritable land holdings, these cannot be traded freely on the market. These rules are not framed in abstract rather reflect the social and economic, sometimes political structure and perspective of communities. Reliance on customary practices suffer from vulnerability to abuse by more powerful groups in communities who more often ensure their preferential access to land. Other impediments of customary system are lack of coordination, and disruption of

evolution of vibrant, productive farm sector due to land parcelization. These are some of the problems the Land Use Act sought to solve.

Thus among the reasons adduced by the government in promulgating the Land Use Act was the expectation that it will curb speculation in land; eliminate difficulties which government experienced in acquiring land for public purpose/economic development; introduce formalized tenure arrangements for the south; and promote agricultural modernization. There exists gap between the expectations raised by the Act and achievements. The gap derives from conceptual inadequacies of the theoretical framework in which the provisions of the Act were enacted. The Land Use Act is antithetical to the objectives of economic and social development as espoused. The Act undermines the position of chiefs and family heads who prior to the enactment of the Land Use Act enjoyed a special position in relation to their people and are seen by their custom as trustees as regards land(Omotola,1982). State ownership of land under the Act was asserted in the following words:

Subject to the provision of this Act all land comprised in the territory of each state in the federation are here by vested in the Governor of that state and such land shall be held in trust and administered for the common benefits of all Nigerians in accordance with the provisions of this Act(Olawoye,1982:18).

Vesting⁵ of ownership in the state implies that the previous owners, communities, families or individuals are divested of the ownership of their land, whether occupied or unoccupied. Consequently, under this law, land in urban areas is under the control and management of the state governor; all other land falls under the control of the local government. The governor has absolute right to grant statutory rights of occupancy to any land, to issue certificates of occupancy, and to demand payment of rental for that land. Similarly, local governments have the right to grant customary rights of occupancy to land not in urban areas. Although the law is ignored in rural areas (particularly in non-oil producing areas), where inhabitants treat land as their own, any transfer of occupancy rights theoretically requires the consent of the governor or local government authority. The law empowers the governor to revoke a right of occupancy for reasons of “overriding public interest”. Overriding public interest is defined in section 28 of the Act to include:

The requirement of the land for mining purposes or for oil pipelines or for any purpose connected therewith (Section 28, Land Use Act).

The Act provides for payment of compensation to an occupier if land is acquired for mining purposes, such compensation if due to a community, may be paid to the chief or leader of the community to be disposed by him for the benefit of the community. However, the Minerals or the Mineral Oils Act (now the Petroleum Act of 1969) makes no provision for compensation to be paid for land acquisition. State control of mineral

⁵ Vesting of ownership implies that previous owners, communities, families or individuals are divested of ownership of their land, whether occupied or unoccupied. Hence the State is the unit for purpose of ownership(Olawoye,1982)

resources is a colonial legacy that vested ownership of mineral resources in the crown in England. Political independence resulted in replacement of the crown by the state that assumed sovereignty over mineral resources. The first legislation that asserted government control over mineral resources was the colonial Mineral Oils Ordinance of 1914, which was amended in 1925 and 1950. These laws vested the entire property and control of, all minerals and mineral oils in then colony. The Minerals Act of 1958 consolidated the law relating to mines and minerals; the 1963 Republican Constitution vested the Federal government with exclusive power to legislate on mines and minerals in Nigeria, including oil fields, oil mining, geological surveys and natural gas (Odje 2003). The Petroleum Act of 1969 re-echoed the provisions of the Minerals Act of 1958 by vesting the entire ownership and control of all petroleum in, under or upon any land within the country or beneath its waters in the state. Though the Petroleum Act requires the holders of oil exploration licenses, oil prospecting licenses or oil mining leases to pay “fair and adequate compensation for the disturbance of surface or other rights” to owner or occupier of any land or property, nothing is due for expropriation of the land itself (Human Rights Watch, 1999:76). Thus for natural resources acquired since the Land Use Act came in to effect rent is paid to the federal government only. In addition, the 1979 constitution lists mines and minerals, including oil fields, oil mining, geological surveys and natural gas under the Exclusive Legislative List and affirms ownership and control of mineral resources in the state in these words:

Notwithstanding the foregoing provisions of this section, the entire property in and control of all minerals, mineral oils, and natural gas in, under or upon any land in Nigeria or in under or upon the territorial waters and the Exclusive Economic Zone (EEZ) of Nigeria shall vest in the Government of the Federation and shall be managed in such manner as may be prescribed by the National Assembly(Section 44(3) of the 1999 Constitution).

Since oil is federal property, the people of the Niger Delta made land occupiers by state legal regimes are entitled to no royalties from oil extracted from their land. Consequently, land is acquired by oil multinationals operating in the area from the federal government on basis of obnoxious legal regimes, which in practice allow the state to expropriate land for the oil industry with no effective due process protections for rural inhabitants whose livelihoods may be destroyed by confiscation of their land. The Human Rights Watch captures the consequences of the Land Use Act and other laws governing natural resources thus:

Since the Land Use Act and other relevant law provides local communities with very limited rights over land they have traditionally used, both government agencies and private companies are largely able to ignore customary land use rights, in the oil areas as elsewhere. Because the government has complete control over land, it is easy for oil companies to ignore local concerns and to fail to ensure that local communities are fully consulted. Decisions relating to use of land are completely taken out of the hands of those who have lived on and used it for centuries. Moreover, whatever the total effect of land expropriations, the effect on individual landholders can be devastating, in some cases even destroying livelihoods, especially since there is heavy pressure on cultivable land across the oil regions. Community members also have a strong conviction, based on traditional land

use arrangements, that the community in general should be compensated for land take and disturbance caused by oil activities (1999:78)

These laws, which are instruments of resource dispossession, is the root of protest by ethnic nationalities and youth groups for control of oil resources. This made Niger Delta a classic case of contradiction of riches. It is characterized by increasing poverty amidst huge endowments in natural and human resources, and particularly since May 1999, huge allocations of oil-derived public sector resource flows, running into several billions of Naira monthly, all of which have not been adequately utilized to benefit the people of the area. Its GNP per capita is below the national average of US\$280. Owing to a glaring lack of potable drinking water, water-borne diseases, such as measles, malaria, pneumonia, tetanus, and dysentery, and tuberculosis are prevalent, accounting for about 80 per cent of illnesses in the area. To provide the socio-historical context for the contemporary political economy of the area, it is pertinent to point out that, several decades of neglect and poor development, dating back to the findings of the Willinks Commission of 1958, now account for the volatile and deepening combustible social and political crises in the Niger Delta. There is inadequacy of infrastructure, preponderance of unskilled youths, high unemployment and perception of past marginalization, all of which breed a lot of anger. Development efforts in the region have been impeded by intractable conflict of grave dimensions. This situation constitutes cause for concern for not only the Federal government and State governments of the Niger Delta, but also for the oil multinationals operating in the area.

Heavy presence of the oil and gas companies in the area demonstrates the geo-political significance of Nigeria in the international oil market. Associated with this presence is population surge from trans-regional migrations that exert pressures on the environment, social and physical infrastructure. Thus, there is increasing demand and effort at community development and promotion of activities that secure peoples' source of survival. The oil companies have responded to these challenges through corporate reengineering that resulted in embracing the philosophy of ideal corporate citizenship and sustainable development in dealing with host communities.

In 1998, oil multinationals operating in the region started a strategic review of their community development policy from community assistance to community development. This new corporate development strategy has given rise to investment in community development projects to reduce hardship inflicted on humans, environment and livelihood productivity. Project areas include vocational training, health care, educational assistance, youth training schemes and supply of planting materials to farmers. This expansion aims at empowering communities through capacity building to play leading role in decisions for their own development. This new development initiative places emphasis on partnerships with communities, government and strategic local and international development organizations to complement the companies' efforts in accelerating development and employment-generating opportunities across the Niger Delta. The approach which the oil multinationals claim is community driven involves NGOs working with the communities. Certainly, in part, driving the conflict in the Niger Delta historically has been lack of community participation in the development process.

Often times protests by community people disrupt oil flows and incurs security and reputational risk to companies, an indication that the companies welfare handouts are not proportional to irreparable environmental damages caused by oil exploitation. Hence the need for high-quality, frequent and meaningful engagement with host communities and relevant stakeholders in order to build relationship as a means of enabling business to become conflict sensitive. Corporate-private or civil society partnership was perceived an essential mechanism for attaining this objective. It is against this backdrop that the Akassa Community Development Project (ACDP) facilitated by an international NGO Pro Natura International (PNI), was conceived and funded by Statoil, in alliance with BP in 1997. Statoil's support for the project is an outcome of an Environmental Impact Assessment (EIA) conducted which identified Akassa clan as the community most likely to be impacted by oil spills from the company's offshore exploration wells. The aim of statoil is to gain reputation advantage as a good corporate citizen from the beginning to avoid attacks on its facilities and personnel by deprived communities that persistently demand a share in the oil wealth of the region and participation in development process. The ACDP has four components namely poverty alleviation, human resource management, natural resource management, infrastructure, and peace building/conflict resolution by developing institutions managing peace and involving youth in community development initiatives. Akassa Community Forest Management and Development Plan is a sub-sect of the natural resource management. Under this scheme, new forest byelaws for improved management of forest resources to avoid depletion of Akassa forests and ecological problems of the present and to establish institutions, values and practices that will safeguard forest resources for future generation were created. The underlying philosophy of the forest regulations is improved governance of forest by community people through transfer of management responsibilities and powers to local institutions created by ACDP as prerequisite for sustainable use of forest resources. The Forests of Akassa are sparsely located and isolated; the difficult working conditions that prevail in them should provide some degree of protection. However, the forests presently exhibit symptoms of over-exploitation, due to extraction of sawn timber and carving of canoe the lifeline of Akassa a predominantly fishing community. Why this is the case will be come more clear as the study progresses.

[2] Akassa Community Forests Management and development Plan as a process to shield multinational oil companies from negative forces in their areas of operation.

The oil industry culture in Nigeria seems to be founded on the assumptions that profit maximization is the only basis upon which a company can be run; so that any expenditure beyond what is required to get out oil is resisted; that a deal can be made with the state only; regardless of the state's legality or morality; regardless also of the wishes or need of the local people; that once an agreement has been reached with the state, a mining company can do what it likes in fact, to act as if it is an agency of the state(Ashton-jones&Douglas,1998). Unfortunately, neither the companies nor the state is willing to accept divergence from this culture which is reinforced with intimidation of the people of the region.

There is a long and terrible record of environmental degradation and human rights violations in the Niger Delta. The level of environmental degradation caused by oil exploration and production activities have gone on either unchecked or without fundamental remediation for decades. The oil multinationals apart from disregarding their responsibility towards the environment, have also failed to provide infrastructural facilities and employment for army of unemployed youths in their area of operation. Major oil companies in the region engaged in joint-venture operations with the state and are present in remote areas where government in strict sense is absent. Since the companies enjoyed privileged relationship with the federal government, they were perceived as quasi-state and put under pressure to perform (especially in terms of provision of social amenities) where government had failed. Within this scenario, the oil companies are confronted by increasing protests over their operational activities. The protests have become violent in recent times with emergence of ethnic militias protesting environmental damage and marginalization of their people regularly meet with military repression as state security forces easily called for protection by oil multinationals violate human rights of community people with impunity. The role of Shell in the Ogoni crisis by far received the most attention internationally.

Niger Delta has become aware of the urgent need to redress and resolve a sad paradox of having all the oil that oils the wheels of the Nigerian economy, yet looking helpless in the face of all ramifying impoverishment. The youths have been inexorably excited to protest marginalization, unemployment and inequality. For example, angry youths from Anglabiri in Bayelsa state on October 29, 1994 marched on two flow stations owned by Shell and Agip, seized them in demand for development projects from government and the companies and compensation for environmental hazards from oil exploitation. This situation of neglect applies to people of koluama clan in southern Ijaw Local Government council of the state, who for decades have lived with the deleterious consequences of oil exploration and production activities of Texaco Overseas (Nigeria) Petroleum Company unlimited that operated an offshore oil platform in their territory. The inhabitants of the communities claimed that their benefits from the company's operations include incessant oil spills, depleting fish resources and endangered ecosystem. To protest poverty, pain and privation, the people decided to hold Texaco accountable to global standards of corporate responsibility. Thus on march 10, 1998 youths of Koluama stormed Texaco Funiwa-5 flow station and shut it down, and blocked the air strip owned by the company with items such as planks. (Niger Delta, March, 1998).

On April 27, 1999 Ijaw indigenes who latter identified themselves as People of the Ark hijacked a barge and crude oil contents belonging to Dubiri oil company. During the hijack, the company's personnel and naval escort were kidnapped, beaten and tortured for some days before they were released. In June 1999, Texaco overseas suspended its operation in the Niger Delta owing to alleged attack on its facilities by militant youths in Bayelsa state. The youths demanded compensation for oil spill. In addition, five employees of Shell were kidnapped by suspected pirates who demanded payment of ransom before they would be released.

Shaken by the tragic execution of Ken Saro-Wiwa and eight other Ogoni activists; increasing violent activities of ethnic militias protesting marginalization of their people; land degradation; and expression of this discontent through violence and armed insurrection; including kidnapping of expatriate oil workers, transnational oil corporations operating in Nigeria's Niger Delta adopted theory of corporate citizenship to denote their commitment to host communities. The philosophical premise of this body of scholarship derives from the fact that those who own and control these corporate organizations are citizens who may be affected by the adverse effects of activities of the corporations. Thus, corporate citizenship connotes both a high level of morality and civic responsibility. Sklair (2001) argues that corporations are forced to be good corporate citizens because they operate within strict regulatory regimes imposed by local, national and international government authority. However, the mono-economy of the Nigerian State is largely under the sway of transnational corporations, which are for the most part more powerful economically than the State deploying their international power structure, which enable them to elude any effective State control and to circumvent or even neutralize domestic economic measures.

The Niger Delta situation has shown that while the oil multinationals may provide employment for some indigenes of the area, their business practices negatively affect human rights. The companies violate human rights through discriminatory employment practices, the manner in which their production processes impact on communities and the environment. Thus, community advocates have struggled to ensure that oil companies are brought within international operational standards and framework of international human rights rules. The climate of disillusionment, insecurity and political repression brought on by these significant struggles accentuate conflicts and poverty with negative consequences for multinational oil business and this has given rise to a new set of strategies that assumed the form of corporate philanthropy. The crux of this philosophy of development is an attempt to increase corporations' values by shielding them from a multitude of negative forces by engaging in local community development. As facilitators of ACDP put:

Statoil wished to establish a reputation as good corporate citizen from the very beginning and to avoid the unrest that had occurred in other areas of the Niger Delta where deprived communities that demanded a share in oil wealth of the region and a say in its development had taken to kidnapping oil workers and sabotaging installations. For these reasons it was prepared to take proactive action to support the project....(<http://www.pronatura-nigeria.org>)

While paradigm shift is a welcome signal of corporate commitment, it has proved insufficient. This study underscores its reputation management motive. Although Barnes (2005) contends that this new type of corporate social development should not be confused with old-style company philanthropy, which certainly continues yet, failed to show in what respect the new corporate philanthropy is similar or different from old style company philanthropy. For instance, in 1998, SPDC started a strategic review of its community development policy from community assistance to community development with the aim of empowering communities through capacity building to play leading role in decisions for their own development. The need for ensuring ownership and sustainability of projects executed under its Community Development (CD),

necessitated another major review of the CD in 2002. The review is to achieve the following aims, promote sustainable social and economic development of communities; work with government in its capacity building effort; partnerships with other corporate bodies and civil society organizations in developing communities and building capacity to deliver and sustain community development in the Niger Delta; and ultimately, maximize oil and gas revenues for the benefits of all. This New Sustainable Community Development (SCD) policy places emphasis on partnerships with communities, government and strategic local and international development organizations to complement SPDC's efforts in accelerating development and employment-generating opportunities across the Niger Delta.

To actualize SCD, SPDC entered in to partnership with two international development agencies. The first is a five-year \$20 million agreement with USAID to develop the country's capacity in agriculture, health and business enterprise, while the second is a three-year \$4.5 million partnership with Africare focusing on reducing deaths from malaria. The company through partnership with government agencies such as NDDC is building closer and supportive relationship with government in their role in providing basic infrastructure and services for the citizenry. Benefiting communities in the Niger Delta are encouraged to play leading role in decision and planning processes for their own development and ownership of the resultant projects and programme. Yet, cries of poverty intensify just as attack on oil multinationals facilities and kidnap of oil workers continue unabated due to lack of productive activities, constant environmental degradation occasioned by oil spills, gas flaring and heavy oil construction activities.

Oil multinationals as business concerns are interested in generating profits for their shareholders and loss of man-hours due to communal disruption of operations, incidents of sabotage to facilities, increasing compensation and mounting loss of production or actual products heat up the business environment. What emerged as new corporate development strategy is a stampede for survival by oil multinationals. Corporate-community partnership is thus a process to change mindset of communities against the companies, and reassure host communities that there is more benefit in collaborating which can only be actualized through peaceful co-existence. The corporate initiatives may be enough to convince the international public that oil companies are committed to public good, and in many cases, this may be all they are intended to achieve. The new buzzword called Sustainable Community Development (SCD) comes containerized complete with a Non Governmental Organization (especially foreign ones) band-wagon. However, neither SCD nor NGO band-wagon have changed the dependent status of Akassa or other Niger Delta communities. Of note however, is the phenomenon of corporate philanthropy intensifies local-corporate relationships. To some extent, it provides avenue for multinational oil companies to become integrated in to the civic and social fabric in which they operate. In this respect, Evans (2002) argues that creation of collaborative arrangements through State-civil society synergies possesses the potential for improved policy outcomes. This is achievable if there is commitment from parties or partners. The political leadership for lack of proper consultation did not sign on to the project. The commitment of the political leadership especially at Local Government level would have played a critical role in minimizing misconceptions about the value of the project to communities, and

provide a statutory foundation for its implementation. The study contends that it seems fashionable to engage international NGOs because it makes companies that engage them to look good in reports published for Europe or the United States of America. However, this can only be a temporary mileage because it does not really address the collapse of local economies.

[3] Resolution of the dilemma of ownership and control of natural resources through participatory management.

Theoretically, the beauty of the Akassa model lies in its policy of devolution of powers and responsibilities over natural resource management from indigenous political governance institution to lower levels institutions created by Akassa conservation project, through decentralization of forest management powers. We have shown under study setting that Akassa clan is composed of communities and compounds, while the traditional political governance institution is hierarchically organized. At the apex of the political structure (chieftaincy institution) is the Amanyabo who is a natural ruler. Next in the hierarchy are compound chiefs whose members trace their origin to a common ancestor. Ownership of land and other resource is vested in the family that has a chief as its head. The chief in consultation with elders of his compound administers the resource vested in him. Thus, logging and canoe carving rights are granted loggers and carvers by the compound chiefs of the families that own the land and other resources they wish to exploit. Devolution of power was achieved in theory through participatory management-a process through which different groups in communities influence and share control over their well being especially decisions over resources that affect them.

Agrawal and Ribot, 1999 argue that granting natural resources management powers and right to accrue benefits from such management to local communities is a complex task. The complexity emanates from the political, legal and institutional issues that should be addressed in order to enable the effective exercise of management powers by communities. Facilitators of the Akassa development project tend to solve this problem through baseline study or an inception phase to determine the socio-political configurations of the clan-and who to work with; Participatory Rural Appraisal (PRA) was employed to learn local knowledge-identify development needs, and community resources; the next is planning phase, wherein interest groups consider possibilities and strategies for providing the needs. Planning is done proactively with interest groups institutionalizing themselves into individual development organizations: cooperative of individuals, associations of youth and women, committees and councils to tackle different issues including natural resource management. An umbrella community-based organization known as Akassa Development Foundation (ADF) was created. ADF is composed of a general assembly with equal representation from all communities. There is a Board of Trustees and a constitution ratified by the general assembly. The clan was divided into ten development areas, each with its own Development Area Council to which representatives were democratically elected by community institutions. The forests were allocated to the Development Area Councils and each development area

has a Natural Resource Committee (NRC). Activities of the Development Area Councils Natural Resource Committee are in turn supervised by a central body, Akassa Development Foundation Natural Resource Unit.

New forestry byelaws were introduced, and for administrative convenience, the byelaws specified its scope to cover the rain forest area within the accepted boundaries of the clan whether such areas are privately, individually or communally owned or classified as clan forest. Settlements that fall within specified boundaries were identified. Consequently, those who invade forests belonging to other development Areas know they are doing so, and areas invaded can prove that they have been invaded. All forests were categorized in to two forestland zones. The first category comprises of community forestland within 2-kilometer radius of a settlement, and privately owned land within the same 2-kilometer radius. The second category comprise of forestland that is adjacent to and has been allocated to a development Area Council. In addition, The byelaws specified timber species preferred for exploitation, quantity and size of trees that can be fell or extracted from the two zones. Provision was made to check logging of immature or under sized trees, indiscriminate and careless logging of immature timber trees that can cause sever damage to or destruction of small growing trees at logging site and other harmful environmental practice.

Now we explore the practical political economy of the allocation of forest governance powers among actors at a variety of levels. The term practical political economy is used as an analytical concept to reflect contestation and negotiation of interest among and between stakeholders (Tsing, 1999). The forest laws integrated original forest owners in sharing of benefits accruing form forest resources. While all trees irrespective of their location and levels of ownership must be fell on issue of felling license by the Natural Resource Committee(NRC) of the Development Area Council(DAC) responsible for the area, permit to fell trees must be obtained from land owners. Distribution of proceeds from felling license is shared in recognition of levels of ownership of forests. If the tree is on clan land, one third of the fee goes to the Natural Resource Committee issuing the license, one-third to Akassa National Council of Chiefs, one third to Akassa Development Foundation. However, if the tree is on private land, half of the license fee goes to NRC issuing the license, and half to Akassa National Council of Chiefs.

Similarly, for fees derived from permit to fell trees on clan land, the entire fees goes to the NRC that issued the permit, while fees from permit to fell trees on community and private land are to be paid in full to ADF and the individual owner respectively. Furthermore, all power saws used within Akassa are required to be registered with DAC NRC within which the owner of the saw resides. Half of the registration fee is paid to Akassa National Council of Chiefs, and the other half to the NRC that registered the machine. All tress are harmer marked by the NRC responsible for the area in which the trees are cut and record of such transaction kept.

To accommodate individualization of tenure and commercialization of land, the Akassa byelaws provided for safeguarding of existing investments within clan forest without reference to the NRC in whose area such investments are situated. Investments referred to are ponds, small farms and permanent structures. Recognized safeguarding

activities include felling of trees endangering investments or unreasonably curtailing their proper use or function. To fell such trees however, license and permit must be issued, and obtained. Since majority of the population depend on forest resources for livelihood, there are no restriction of collection of minor forest products by indigenes. Cutting of live trees other than mangrove for fuel wood is prohibited. However, residents of communities far away from mangrove forests may be exempted from prohibition provided only species approved by the forest laws may be fell. Since majority of Akassa people depend on their environment for survival, felling of trees for carving of canoe is exempted from formal control. Consequently cutting under size trees as necessary extension for carving of canoe or building of boat may be allowed.

The power to resolve disputes over resources is one important aspect of participation. Independence and accessibility of adjudicating institutions or bodies is key. Thus, the byelaws provide opportunity for disagreements to be aired and rules to be clarified or adjusted through Akassa customary court, a local dispute resolution mechanism. This court has final jurisdiction on all matters referred to it by Akassa National Council of Chiefs. Cost of administration of justice under this system is affordable than State high courts. The new laws criminalise certain activities and stipulated penalties.

Akassa forest management and development plan is based on the ideology of decentralization and provides structural and operational arrangements for local governance of forest resources. Decentralization has been defined as a process of transfer of powers, responsibilities, and resources from the central state to lower territorial units and/or locally elected bodies and authorities (Mahwood, 1983; Ribot, 2002; Smith, 1985). Manor(1999) and Ribot(2003) presented democratic decentralization as the best form of decentralization since authorities or decentralized entities representing the local populations are elected by them. Proper allocation of powers within and between various levels of society is central to governance discourse. In the area of natural resource governance, such debate is dominated by an analytical dichotomy between centralization and decentralization. Although the merits of decentralization are now readily understood (Ribot, 1999; Agrawal & Ribot, 1999; Mandondo & Mapedza, 2003), there is need to critically consider the actual impact of decentralizing laws on community people's empowerment. Often times the letters of such laws reinforces centralization of power in traditional elite, contrary to espoused notions of community people empowerment. While participation in forest resource management is embodied in the principle of devolution of power, true participation remained limited in design and implementation, hence the failure of Akassa forest governance characterized by illegal logging and forest degradation. Landowners claimed they were sidelined in the process that led to formulation of the forest byelaws. Candid consultation of this vital stakeholder would have minimized resistance to the forest laws. Related to this, is the fact that the economic culture of the rural people has been to cut trees as a major means of livelihood. To change the trend requires consistent level of enlightenment on the long-term benefits accruing from forest conservation.

The Akassa forest byelaws was transplanted from the 1950 forest laws of United Kingdom though with little modification by Voluntary Service Overseas (VSO) attaché

to Akassa Development Foundation, instead of emanating from the people themselves. The ideas incorporated in the laws were far above local knowledge. For instance, the byelaws specified timber species preferred for exploitation, quantity and size of trees that can be felled or extracted from the forests as:

Timber of the equivalent of no more than 0.5 square meters basal area shall be felled in any 1 hectare block within any period of 1 year. No tree measuring less than 1.8 meters(6 feet) in circumference at breast height(1.3 meters) above the ground or above buttresses shall be licensed for felling unless the DAs NRC are satisfied that such felling is necessary and unavoidable...No tree growing 20 meters or less from a body of permanent running water(creek, river or stream) shall be licensed to be fell (Forest byelaws, PNI 2005).

Local people lack capacity and equipment for enforcing the foregoing laws. Since the forest laws were imposed by those the communities termed “outsiders” without consulting them the tendency for forest predation is high rather than conservation. Implication of transnational application of knowledge for Africa’s development had been captured by Ake thus:

Unless we strive for endogenous development of science and knowledge we cannot fully emancipate ourselves. Why this development must be endogenous should be clear for it is not a question of parochialism or nationalism. The point is that even though the principles of science are universal, its growth points, applications and the particular problems which it solves are contingent on the historical circumstances of the society in which science is produced. So, it may well be that scientific advances made in one part of the world may have little relevance to the needs of another part. This is specially so for the social sciences which deal with social life, a sphere in which uniqueness is so common-place that the transnational application of knowledge is all the more hazardous(Claude Ake, 1986)

Decentralized management of Akassa clan forests and forestry fees reinforced the hegemony of traditional ruling class and created a new form of local elite, members of Development Area Councils’ Natural Resources Committee (DAC NRC). We found that emergence of new forest elite that hitherto had no traditional mandate over forest management disabled existing indigenous system of social control. This was a major source of tension, which often times result in conflict between landowners and the new forest elite. The resulting conflicts have further endangered the forest as illegal logging persists.

Remoteness of the forests offers huge opportunities for illegal logging. Monitoring and surveillance are important tools in combating this problem. To this end, the byelaws provided for hiring of local people as forest guards for effective surveillance and detection of forest crimes. Monitoring is difficult and complex area that requires community’s commitment and funds. Since PNI facilitators of ADF rely on oil companies, local, state and international government sponsors implementation of programmes, forest laws enforcement and governance activities depend on magnanimity of donors. With limited funds and poor incentives, the project could not retain the forest guards thus the propensity for malfeasance and the incentive to collude in plundering of forests by them was clearly high. This brings to the fore a fundamental

challenge corporate –community collaboration, for the oil multinationals, the challenge is to be convinced that investing in the project offers more attractive returns than other available investment opportunities. Reaching that conclusion depends on the companies' comparison of potential returns against potential risks.

Policy outcomes

Central to this study is assessment of the policy implications of the Akassa forest conservation project especially in context of decentralization. Social and policy researchers studying decentralized management of natural resources around the world have identified five types of outcomes likely to be produced by decentralization processes (Manor, 1999; Larson, 2002; Ribot, 2002&2004). These outcomes are grouped into social outcomes (justice and equity), economic outcomes (wealth and human well-being), political outcomes (Local democracy), ecological outcomes (natural resource sustainability) and policy outcomes (relevant lessons from field initiatives and policy development). It is against this backdrop that we assess policy implications of Akassa decentralized forests management plan. The Akassa forest management and development plan focuses on strengthening natural resources management policies and institutions as vital development component. Analysis of the forest byelaws shows that forest resources are gifts that require proper management to provide sustained growth. Majority of the people embraced the notion that good governance is crucial in transformation of natural resources to community good.

Positive Outcomes

The Akassa development project, which the forest management and development plan, is a subset throws up the possibility of international national/regional governments, business community, NGOs and civil society synergy. For example, ADF was facilitated by PNI with support from Satoil(Nigeria)Ltd, Total Nigeria, The Bayelsa State Government, Chevron Texaco Nigeria, the French Government, the British High Commission in Nigeria, Shell International Ltd, the Mac Arthur Foundation, European Union(MPP3 and MPP6 programme for Nigeria), Sodexoho Multi services and Unilever Nigeria. Such synergy possesses potentials for integrating environmental concern in to development and poverty reduction strategies.

The innovation of disbursement of forestry fees to a broad segment of the community population rather than traditional ruling elite and landowners as was the case is a major achievement of decentralized management of community forests and forestry fees. This provided opportunity for those previously excluded to share in forest fees benefits.

Akassa Forests management plan design and implementation process created political space at the local level to address issues related to illegal and other forest crime in partnership with governments and other stakeholders from the private sector and civil society. For communities, the forest plan provided opportunity to develop skills, create more local employment.

Negative Outcomes

The forest plan had generated fundamental negative local level outcomes. The principle of decentralization of forest management that works with participatory management aims to reduce animosity between traditional ruling authority and the people and extend benefits to all. A basic tenet of participatory approach requires that all groups must be involved in all phases of decision-making processes to create a sense of belonging among community members that they are perceived as important stakeholder. But most land owners insisted they were not consulted by the facilitators of the forest byelaws to get their ideas on the best way to manage the forests. This is in contrast to democratic elements claim by the project via participation of local people and institutions in forest resource governance.

Natural Resource Management Committees are supposed to be constituted through elections. In practice, the democratic nature of the elections is impaired by the fact that most community people did not attach much significance to the elections. This lack of interest could be attributed to non-consultation of most forest owners, thereby compromised popular participation. Furthermore, the imposition of byelaws on the communities eroded their confidence on the good intentions of the forest management and development plan.

We have shown under the section captioned “study setting” that issue of forest resource and other natural resources management falls under traditional authorities such as paramount ruler, chiefs, family or lineage heads. Focus group discussions held in communities criticized the use of management committees. Creation of management committees creates the impression of alienation of indigenous authorities from power over nature and related benefits. This perception alienates the Natural Resource Management committees from their supposed constituencies. This was a potent source of tension between the committees and landowners in particular, and the rest of the communities. Interviews with landowners showed that the enforcement of the byelaws failed in part because they were critical of the management committee arrangement. Reports of illegal exploitation of timber in communities during the early days of introduction of the byelaws illustrate this point.

Enforcement of forest byelaws and governance process collapsed due to paucity of funds. Participants in our focus group discussions submitted that the forest governance process took off with support from international donor agencies that operate on fund circles, and often decide priorities without information to subsisting beneficiary institutions. Consequently, when funds were not forthcoming the facilitating NGO could no longer garner community cooperation, as well as continue engagement of forest guards. The implication that flows from this is clear-endogenous design and implementation of development is key element of full self-determination. Furthermore, for most community people, the new forest laws and ADF insistence on strict implementation were considered an unprecedented intrusion into community economic culture that they could not endure. Consequently, in violation of the forest laws, the people felled timber indiscriminately as they had always done.

Conclusion

Nigeria is the largest oil producer in Africa and the world's sixth largest crude oil exporter. Enormous wealth derived from oil is far from being equitably distributed, with the poor oil communities of the Niger Delta benefiting less from oil windfall and suffering more from land degradation, and increasing pollution related illness associated with oil exploitation activities. These socio-economic problems resulted in attacks on oil and infrastructure and personnel, and revenue accruing to the state from oil. As response to these attacks, oil multinationals shifted emphasis from previous policy of non-constructive engagement to assuming social responsibility in their dealings with host communities for a wide range of social needs. Akassa forest management and development plan a product of this new development strategy, was conceived as a vehicle to achieving sustainable development through resource conservation particularly timber and forest resources. This demands rational planning, allocation of forests, and sustainable utilization of forest resources.

The project throws up possibilities of corporate-community-civil society synergies in resolving Niger Delta development problematic. However, the process requires capacities-knowledge, skills, institutions, and resources rooted in communities' history and local conditions that can be put to use for the benefit of forest conservation. Although the conservation project was based on decentralization of the management of Akassa forests, policy outcomes show that forest laws were designed from the top thus criminalized everyday behaviour by making illegal a range of what community people called normal uses of forests. In addition, it comes out of the study that creation of Development Areas Natural Resource Management Committees and process of distribution of forestry fees created new elites, and reinforced traditional governance institutional hegemony over landowners. Since majority of the local population depend on rapid logging of forests for survival, the concept of sustainable management arouse less enthusiasm. It is only possible to combat illegal logging through comprehensive set of measures such as engagement on the part of state and local governments, corporate community, and civil society. The project's promotion of participatory management of forests constitutes an important achievement in widening the scope of democratic governance at the local level. However, participation encounters problematic situations that need to addresses urgently. A successful management regime should reflect a realistic consensus among key stakeholders, and have the institutional capacity to define an appropriate balance among contending forces and objectives. The project has certainly not resolved the institutional and structural problems, which remain daunting, but represents an improvement of the previous forest management situation.

Recommendations:

To address identified contradictions, we put forward the following recommendations:

- (i) In Akassa, forests are critical for rural livelihoods hence, their conservation requires provision of alternative livelihood means to curtail unsustainable exploitation by rural people.
- (ii) Creation of awareness on long-term benefits of forest conservation through enlightenment campaigns is a crucial preliminary step.
- (iii) While forest conservation intended sustainable forest resource use, the project is fruitless without government support. Consequently, State and local governments should take proactive action towards protection of forest resources. At the moment, Akassa forest management and development plan is the only one in the state.
- (iv) Adequate consultation of landowners is essential because it creates a sense of ownership in management process, no matter how limited. This will change the attitude of landowners who felt completely alienated.
- (v) There is need to facilitate bottom-up approach in design, planning and management of forests with active participation of local communities to ensure project's legitimacy, especially in the decentralized context. Lack of fundamental decision-making authority is a disincentive for effective participation.
- (vi) Although enlisting fund from community people for forest conservation is in itself practically difficult, guaranteed funding sources is necessary. State and local government should be facilitated to play this role through their budgets to sufficiently fund the project for an agreed period. The project should in turn be accountable to these levels of government.

Glossary

ACDP = Akassa Community Development Project.
ADF = Akassa Development Foundation.
ADP = Akassa Development Project.
CD= Community Development.
CDCs= Community Development Committees.
DAC= Development Area Council.
MNOCs = Multinational Oil Companies.
NDWC = Niger Delta Wetland Centre.
NDDC= Niger Delta Development Commission.
NGOs = Non-Governmental Organizations.
NRC= Natural Resource Committee.
PRA= Participatory Rural Appraisal.
PNI = Pro-Natura International.
SCD= Sustainable Community Development.
SPDC= Shell Petroleum Development Company.
VSO= Voluntary Services Oversea

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