

Influence of Actors on the Development of the Extractive Industry Sector in Nigeria

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Abstract

The Nigeria's extractive industry is governed by a complex network of actors, each with varying degrees of power and influence. This study examines the key stakeholders and the attributing factors that impact resource governance in the extractive sector. Government agencies, multinational corporations, local communities, civil society organizations, and international business entities play significant roles in shaping policies and regulations within the industry. This paper employs a qualitative approach to data collection and examines the interplay between these actors to define their level of influence in different spheres of interest within the extractive industry in Nigeria. The study discovered that while the Nigerian government has considerable authority through regulatory frameworks and licensing agreements, corruption and politically motivated conditions often hinder its effectiveness in enforcing these regulations. Conversely, private entities also have dominant influence on the market which include, price mechanism and control over demand. Nigeria's abundant natural resources attract multinational corporations and exert considerable influence through investment capacity and technological expertise. However, there is no balance between actor's engagements as it affects employment creation and value addition process. Local communities affected by environmental degradation and socio-economic inequalities, increasingly lack greater participation and benefits from resource extraction activities. Despite challenges in reconciling competing interests and power dynamics, inclusive and participatory approaches are needed for effective resource governance in Nigeria's extractive industry. The study recommends that Civil Society Organizations and international bodies should progressively advocate for transparency, accountability, and sustainable practices, acting as watchdogs to pressure government and corporate actors to comply with best practices.

Keywords: Actor's influence, Interest, Regulators, Extractive Industry Sector

Introduction

The extractive industry in Nigeria is a significant sector with a vast array of natural resources, but achieving sustainable development and effective resource governance requires understanding the power dynamics and interactions among stakeholders. The federal government's regulatory framework, by the provisions of the Nigerian Mineral and Mining Act 2007 and 2009 as amended grants exclusive rights of all resources to the federal government of Nigeria. Government institutions and agencies play a vital role in regulating activities in the extractive sector. Multinational corporations (MNCs) are the end users of these minerals with access to international capital and technology, giving them an advantage in setting prices or demand for mineral commodities. Local communities, civil society organizations, traditional rulers, community leaders, and landowners also have a crucial role to play in resource governance.

The ultimate aim is for resource governance processes to lead to the development of Nigeria's extractive sector. Conflicts may arise between stakeholders, and understanding

power dynamics and interactions is crucial for achieving effective resource governance that drives sustainable development. The government should prioritize the public interest, individuals, and groups to operate with the understanding of promoting the essentials of creating sustainable development.

Participation can also be referred to as interest in political dynamics. Political participation refers to attempts to influence others any powerful actors, groups, or business companies in society and their decisions that concern social issues (Talò & Mannarini, 2014). Local communities living in areas where extraction activities occur have a stake in resource governance. They often advocate for their rights to land, compensation for environmental damage, and a share of the revenues generated from resource extraction. Civil Society Organizations (CSOs): Non-governmental organizations and advocacy groups play a crucial role in monitoring extractive industry activities, promoting transparency, and holding government and corporations accountable for their actions.

Nigeria's extractive industry is highly endowed with natural resources, which are governed by a regulatory framework that gives the federal government exclusive rights. These rights are exercised through relevant agencies such as the: Ministry of Mines and Steel Development (MMSD); Mining Cadastral Office (MCO); Nigerian National Petroleum Company Limited (NNPCL); and Nigerian Extractive Industry Transparency Initiative (NEITI) amongst other key actors. Other notable stakeholders include MNCs, local communities, civil society organizations, and international organizations. Understanding power dynamics and interactions among stakeholders is crucial for achieving sustainable development and effective resource governance in Nigeria's extractive industry.

Cochran, (1974) opined in the direction that elaborates on the consensus that regulators should be concerned with serving the public interest, understood as "conflict and accommodation of interest". Benditt, (1975) states that, both individuals and groups of individuals who enter the political arena to further their interests. In this political process, they can receive attention and, in some cases, satisfaction. These groups of actors compete with each other and are guided by diverse interests which to a large extent determine their decisions. Therefore, government decisions and actions by actors occur along different lines promoted by these industry stakeholders' interests. Understanding the interactions and power dynamics among these actors is essential for effective resource governance and sustainable development in Nigeria's extractive industry.

Theoretical framework

State capacity theory is adopted as the theoretical framework of this study. Weber, (1999) States the theory-specific features to explain the superiority of bureaucratic organization compared to the typical administrative framework of traditional domination (such as the separation of the means of administration from bureaucrats, mandatory professional qualification, and meritocratic recruitment).

Evans (1993; 1995) opined that state capacity does not only derive from the state's machinery characteristics but also from the relation between state and social structures. Thus, state capacity theory implies the existence of organizations that can bring incentives for influencing their bureaucrats to meet collective goals and assimilate external information, amplifying state intelligence and not only independence (autonomy) to make decisions.

Evans, (2011) also argues that the effectiveness of public policies in a democratic state would demand more embedded. Nevertheless, it would be useless to tie the state's machinery to a set of fragmented social actors without any representativeness and interlocution of interest in politics. Because of this, the embedded autonomy concept is dynamic and relational. Fukayama (2013) recently associated the concept of governance with

the idea of state capacity theory, discussing the measurement of the quality of the executive branch's administrative machinery.

State capacity theory suggests that the level of state capacity, which refers to the government's ability to implement policies and enforce laws, plays a crucial role in determining the influence of actors in the extractive industry sector. In countries with weak state capacity, actors such as multinational corporations may have more power to shape policies and regulations in their favor. On the other hand, in countries with strong state capacity, the government may have more control over the industry and be able to enforce regulations more effectively. This theory highlights the importance of building state capacity as a means of promoting more equitable and sustainable development in the extractive industry sector.

Empirical Review

Nastase, Chasovschi, Popescu, and Scutariu, (2010) conducted empirical research that examined cross-national studies of the importance of stakeholders and policy influence enhancing the innovation in nature-based services: Greece, Finland, and Romania were case studies. The study adopted a qualitative approach; the research studied the cooperation relationship between nature-based entrepreneurs and their key stakeholder groups in innovation practices.

The cases are designed as innovation cases on an enterprise level. The empirical data consists of case studies from four different European countries, providing a representative collection of cases, each representing a different institutional setting about access to forest land, innovation support systems, and forest ownership. The study's conclusion identified tourism development as an alternative to traditional natural resource-based economic development, such as timber production, agriculture, and mining among others.

Viveros, (2016) conducted an empirical study underpinned by a qualitative approach that examines mechanisms that stakeholder groups use to influence corporate social responsibility and their involvement in the Chilean mining sector. The finding shows that the influence wielded by stakeholders to drive mining companies to act more responsibly is founded on five principal mechanisms: demands, communication, counselling, control, and engagement. How stakeholders use these mechanisms varies across stakeholder groups. From a dichotomized perspective, the paper also identifies that stakeholders utilize these mechanisms considering active (for groups such as government and media) and passive involvement (in the case of communities and unions).

Msweli and Wushe, (2014) carried out empirical research using mixed methods in which they analyzed corporate community engagement in Zimbabwe. A notable conflict in the extractive industry is a clash in competing interests. A desire to address this conflict has resulted in the development of corporate social responsibility (CSR) theories. The study provided an in-depth understanding of factors that have a significant impact on positive corporate community engagement, by focusing on the engagement aspect of CSR.

The study centred around three questions (i) How should corporates engage with local communities to ensure positive engagement outcomes (ii) what is the role of communities in corporate engagement practices, and (iii) what are the key components of corporate community engagement?. Empirical data was generated from five communities near platinum and diamond mining companies in Zimbabwe. The study concludes by considering corporate best practices that lead to enriching understanding.

Ranangen, (2015) researched advancing CSR in the mining industry: a stakeholder and management approach. The research brought the concept of corporate social responsibility (CSR), its interaction with stakeholders, and the need to be implemented in every organization if it is to have any meaningful impact. The research focuses on stakeholder management within the context of management system thinking. It explores how

the extractive industry in general and companies in the metal and mining industry in particular practice CRS and how this management could be developed. Key informant interview (KII) was adopted in data collection, and a management system approach that is supported by numerous scholars has been suggested for the 'integration of social and environmental concern' and stakeholders management for the 'interaction with stakeholders'.

Ortega, Molina, and Gonzales, (2019) conducted an empirical study on stakeholder perceptions of the mining industry in Peru: community involvement in decision-making and their causal conditions. The paper studies the community involvement in decision-making on corporate social responsibilities (CSR) investments in the mining firms in Peru. To this extent, KII was administered to community members, NGOs, and consultants. The focus was on various causal conditions in which stakeholders: (a) explain community needs, (b) recognize the investment made by companies, (c) believe that mining benefits are not what they expected, (d) declare the cost generated by this activities, and (e) point out that dialogue is the solution. Collected data were processed via content analysis followed by a qualitative comparative analysis (QCA). The outcome of the finding suggests further understanding to all parties and may help companies to improve their performance. One of the notable limitations of this study is the absence of government representatives at local and state levels.

Stockholm Environment Institute: SEI, (2008) conducted an empirical study on stakeholder engagement. Adopting a qualitative approach, the working paper captures lessons on stakeholder engagement and participation, in particular from SEI's diverse project experience working on environment and development issues around the world. The working paper reviews SEI's experience in engaging stakeholders with a particular focus on participatory approaches and contextualizes this about current debates and innovations in the field of participation and stakeholder engagement. SEI's mission is to support decision-making and to induce change towards sustainable development around the world by providing integrating knowledge that bridges science and policy in the field of environment and development.

Methodology

This study adopts the qualitative approach within the interpretivist paradigm. The use of key informant interview (KII) was scheduled for two groups, regulatory agencies, and both state government and federal ministries respondents were interviewed. Focus group discussion (FGD) was conducted for two separate groups, one of the groups is from Wase Local Government Area (LGA) while the other is from Jos South Local Government Area (LGA) respectively.

The interview considers two main groups that are engaged in mining activities, the regulating agencies which include: (i) the Plateau State Ministry of Environment and Mineral Development (PME &MD); (ii) the Ministry of Mines and Steel Development (MMSD); (iii) Nigerian Extractive Industry Transparency Initiative (NEITI); (iv) Mining Cadastral Office (MCO).

Industry actors include those that are categorized under the regulated, they are; (i.) Foreign Mineral Exporting Company (FMEC); (ii) Tin Shed Operator (TSO); (iii) Mineral Buying Centre (MBC); (iv) Land Owner(LO); (v) Traditional Leader (TL) from Kuru, District in Jos South LGA; (vi) Youth Leader (YL) from Zurak, in Wase LGA. In addition, two groups of artisanal miners, comprising of eight discussants (FGD) held in Jos-South and Wase Local Government respectively (Crewell, 2014). All are drawn based on the World Economic Forum (2017) specification which classifies stakeholders' type, influence, and effect. They constitute the actors in the extractive industry sector in Plateau State which is the scope of this study. Purposive sampling methods were used for the procedure to identify and reach the participants.

All the interviews were guided by questions reflecting the main theme of the study – which focused on the influence of actors in the extractive industry sector, and how it affects development expectations in the sector. The study experienced saturation before the interviews were concluded with the 12 categories of actors that were identified in Alder and Alder's study (as cited, in Creswell, 2014) as responses on the issues gravitated towards similar perceptions and perspectives, they were all interviewed (Faulkner & Trotter, 2017).

Results

Perceptions of regulators on actors' influence

The government official (PME& MD) noted:

“.....when it comes to actors in the extractive industry first we have the federal government, traditional rulers, then the state ministry, followed by land owners and then the community”

“.....in the ranking of things we are local...but we get to hear about price from big directors within the sector...may be they have access to international market price because most of them have foreign companies that they work for....so they are very influential because price of any product is not determined even by the federal or state government..” (Tin Shed Operator)

“....the person in charge here are the land owners... they are the owners of the farm, as you are seeing us here we put money together and pay for the mining pit we dig... sometimes we pay money directly to the land owner or we give him some percentage at the end of what we get” (FGD-Jos-South-LGA)

“.....for notable actors... we have the federal government, the local government categories of miners and the traditional institution.....” (MMSD)

“.....I see a direct converse relationship between actors that influence resource governance process and the factors that shape resource governance of the extractive industry. Whether actors at federal level, state government, local or foreign companies etc. It is their actions that eventually to be the factors. Because any action taken by any actor has the capacity of influencing the industry either positively or negatively” (NEITI)

“....When it comes to price, the big companies are those that set the price, it is a network but it is the Chinese that have the power to determine the price because 90% of what is mined here goes to them” (FGD-Wase-LGA)

“....there are directors that have different prices, so i think they are connected to companies that buy in large quantities and they are the once that give the price There are companies that export after collecting from their different supply channels, They have the dollars buying price that guide them in fixing the price when it comes to buying with the local currency” (FGD-Jos-South-LGA)

“.....When it comes to actors influence in the market, usually as a mineral exporting company, prices are determined from the end user abroad. We check with them on the price on a daily basis, they are in full control of the prices which is set per kilogram” (FMEC)

“...Our function is to grant license to interested company, but it has to come after fulfilling the requirements which include the consent letter that must be issued by land owners and the community before exploration license will be

granted. The company must state clearly what its program on land reclamation after exploration, and the community development agreement, these are important aspect that must be complied with” (MCO).

“....basically, all we do is to buy and sell. We dress the material to remove the impurities then supply it to our buyer. We also pay tax to mines ministry and local government agents sometimes ...” (Mineral Buying Center)

“....This is land is a family land and all the people you see here are trying to make a living, we pay for security against any attack, and those miners pay us sometimes in cash or give us a percentage of what they get at the end of their work.” (Land Owner)

The traditional leader in Kuru community also affirmed their role as actors in the extractive industry sector:

“.....If the government were to operate this mining as a federation, then we should have a recognized roleas cultural custodians which our land is part of it we certainly have an important function.....you must have gone around and see that our people don’t have more opportunities than this mining in order to train their children and for their livelihood”

Federal and State government staff, traditional and youth leaders, the tin-shed owners, foreign mineral exporting companies, landowners, mineral buying centers, and the artisanal miners from respective mining sites concurred that there are various actors in the extractive industry. They also agreed to the existence of different degrees of influence which are guided by respective spheres of interest. What kept reoccurring in the dialogue was the issue of price setting. In determining the prices for mineral commodities it is out of the purview of both federal and state governments, and it also excludes any local company. This is enjoyed by foreign mineral exporting companies (MNCs) and leveraged as a mechanism instrument.

Perception of regulator’s influence by actors in the industry

Although both the regulating government agencies and private business entities are actors or stakeholders in the extractive industry sector, however, their distinctive role differs significantly as well as their influence which depends on the function that an actor performs. A Tin Shed Operator (TSO) captures his view about the regulating agencies when asked, he stated that:

“.....In our business we don’t always break even, there are challenges of high risk associated with this business. You can invest in a mining pit and be told that they didn’t get anything from it, so what will you do? Government only see it from the point of revenue generation, they must come here to remind us to pay but you won’t see them when you need funding to get supplies or when you need to buy an important machine for your work and it is very discouraging” (TSO)

“....as you can see, this is our livelihood. But you can see police and the ministry people harassing us like thieves, if they don’t come today you will see them tomorrow. So it doesn’t help us at all....” (FGD-Jos-South-LGA)

Another Focus Group Discussant from Zurak, in Wase local government area (LGA) gave his view on the regulating agencies influence as he stated that:

“.....the common challenge faced here is between the owner of the land and the miners and it is because of payment arraignmentsBut the government people are only friendly to big companies, especially the Chinese. I don't know how a foreign company will be preferred over a struggling citizen...it is clear that if you are small the rules are for you (FGD-Wase-LGA)

“....as a foreign mineral exporting company we regularly pay our royalties to the ministry of mines and sometimes the state government officials.” (FMEC)

A traditional leader from Kuru District also gave his view as he said that:

“...all we know and always hear about is our people being chased away by ministry officials...it shows that there something seriously wrong...as you can see majority if not all people here are economically disadvantaged , I mean very poor, so how do you want them to fend for themselves and survive? ”

A youth leader from Zurak, in Wase local government area (LGA) also corroborated the traditional leader's view as he opined that:

“.....they only come for the federal government interest which is money, when you see them is payment. It is rare to see them monitoring what the big company is doing whether it is right or wrong, it is difficult to see them trying to find out if our community is adequately cared for....you won't see them doing that.

“.....as land owners we face challenges. The main thing is for us to survive, be carried along and not to be treated in an improper way. I know why all this keeps happening is because everything belong to the federal government and that is not rightit is depriving us of our inherent rights as a people.” (Land Owner)

A Mineral Buying Centre (MBC) gave his opinion as he stated that:

“...there are no friendly incentives to start with....it is sad that we keep grappling with this condition from year to year. It is a mere show of power because how can you manage resources from the top?.....”

Mining activities on the Plateau are predominated by artisanal miners, with very few of small, medium, and big mining companies that are mostly of foreign origin. However, the artisanal mining operations also serve the multinational companies that are the buyers of the mineral products being mined. There is uniformity in the pattern of opinion from the respective perception of the regulators' influence.

Dominant opinion indicates wielding overwhelming influence on the part of the government agencies, the federal government focuses on revenue collection and lacks any form of technical support, or financial incentives. There is the experience of constant harassment by government officials, and it recognizes government policy as “unfriendly to the citizen and favourable to foreign companies”.

Degree of exerted influence

An official of the Plateau State Ministry of Environment and Mineral Development (PME&MD) further explained as he stated that:

“...the federal government are enabled by existing law which gives them total and exclusive control of natural resources...others include traditional leaders, state ministry, land owners, and the community which have no influence compared to the federal government ” (PME&MD)

“...when it comes to influence of actors in the sector, we have the federal government, categories mining companies, and the traditional institution...” (MMSD)

A respondent from NEITI further aligned with the previous opinion as he stated that:

“...it is either the federal government, the state government, foreign companies, local companies ...etc.any action taken by any actor has a capacity of influencing the industry ...either negatively or positively...” (NEITI)

An official of the Mining Cadastral Office (MCO) acknowledged the influence of actors in the sector, and said:

“...actors exhibit influence but we have procedure before license can be given...i said before that ‘consent letter’ must be obtained from the community before a license can be issued ...we have experienced a situation where community resisted a mining company in Wase LGA, and license was not issued

The views gravitated with similarities as a Tin Shed Operator opined that:

“....as you are aware, only the federal government have the right to do whatever they feel...usually they call it government policy and no one goes against it even if it is not favourable...” (TSO)

“...the federal government in Abuja controls everything....state government and local government only follow whatever the federal government says”. (FGD-Jos-South-LGA)

“..power is with the big companies, foreign company have all what they want, whatever they want here is given to them...they are very powerful”...(FGD-Wase-LGA)

There was a consensus of respondent’s views about varying degree of power as it was stated by another interviewee as they said that:

“..as you can see...our focus is to be legitimate in all we do...the federal government set the rules for us to abide to ...so we have to comply...sometimes local government officials show up and we have maintained a cordial relationship with all of them”(FMEC)

“...my experience as a traditional leader...there is a limit to what i can do...not even the state government can counter the federal government ...so the system is not structured in a proper way considering all of us as a people and equal partners ...” (TL-Jos-South LGA)

Further view corroborated previous opinion on this section, response from another interviewee stated that:

“...this sector is under the control of the federal government...anytime you see a foreign company here you will hear that they are from Abuja...so we have nothing much to say even as a community..... (YL-Zurak, Wase-LGA)

“...it has been challenging as a land owner, we have experience harassment that by law enforcement and ministry agent ...they will warn you that there is a policy from federal government on mining...some people mining will be arrested and we will have to plead and negotiate for their release even as land owners ...so I don't know this kind of state were what you have does not belong to you...and there is nothing you can do about it...” (L.O Jos-South-LGA)

“..as a mineral buying centrewe buy remove impurities and the supply it...so it is difficult to say we have any level of authority or influence...we are between the demand and supply line ...and the government agency visit us for what belong to them which we pay..” (MBC)

Appertaining the level of actor's influence in the extractive industry sector, the federal government of Nigeria has been mentioned to be the most influential, especially in terms of policy, implementation, supervision, and revenue generation. Similarly, the market mechanism is in the control of private foreign business companies. They control the demand for the minerals as well as the price setting. This is what can be seen as a parallel line of influence on policy on the side of the federal government, and the market mechanism on the part of the foreign mineral companies.

Development Expectation

When it comes to extractive industry contribution to employment opportunity the respondents have this to say.

...extractive industry contributes to employment, covered entities account for 25,618...with expatriates totalling 596 of the entire number... (NEITI)

...I have employed 18 staff directly working in the shed... (TSO)

... We have 21 persons working here, and more that are our suppliers that we buy materials from them... (FMEC)

...it is common to see people in large numbers venturing into mining... often than not it is a regular activity that the people are engaged in... (PME & MD)

...there are those working directly here digging pits... and most that sell food...clothes and other things here...making a living (L.O -Jos-South LGA)

...as a mineral buying centre we buy from different people... most of which are from communities... and this is what is sustaining them (MBC)

...in our group...we are family men and the women there are also students...this is the work that put food on our tables... (FGD-Wase-LGA).

...as you can see ...we have been working closely for more than 4years...we survive by what you see us do here...(FGD-Jos-South LGA)

A saturation point was attained as respondent's views indicated that the extractive sector provides employment opportunities. On the value addition component of the development expectation, this is what respondents have to say:

...to be honest with you the level of technological transfer is very low...and value addition is very low ...less than 5% if at all there is any...(MMSD)

...what we do is to clean up the material...removing impurities that are a waste before bagging it for export... (FMEC)

...as a tin shed we have not received any technical assistance...we don't have the capacity or knowhow for adding value (TSO)

...value addition requires a process ...we don't have such technology or information to carry out such task... (MBC)

Discussion

The assessment carried out by this study examined issues about the influence of actors, and the perception of both the regulators and private entities (the regulated) that constitute the stakeholders in the industry. Attention was paid to the two major components with broad effects on development; these are employment and value addition to mineral resources. In ensuring development the conditions that address community needs, the type of investment made by companies, and the expected benefits are key to development (Ortega & Molina, 2019). Development must also reflect the quality of output and market base as a result of production for domestic use and export (Florence & Chukwuemeka, 2020). Empirical findings from this study do not align with postulations that guarantee or qualify for attaining sustainable development.

Major findings point to the trajectory of the sphere of actors influence as regulators differ significantly from the private entities and companies that operate in the extractive sector. The enabling laws confer the right to control all minerals and related matters to the federal government. Private entities also exert market influence and enjoy control of price mechanisms in the extractive sector. The study acknowledges the influence exerted by actors in the sector. Such influences are guided by interest (Viveros, 2016) or preferences of goals and objectives. A notable conflict in the extractive industry is the clash of interests (Msweli & Wushe, 2014), these interest has no significant contribution to value addition process and employment. The need for stakeholder engagement and participation is important (Stockholm Environmental Institute, 2008).

Conclusion

In conclusion, providing a guiding mechanism of engagement between the industry's actors is imperative, this requires an actionable plan with an avenue for feedback, and reviewing exchanges between the industry's actors. Cullet, (2003) asserts the condition for sustainable development which necessarily must imply changes in human and material activities. The identified components of employment and value addition remain ineffective in initiating actions that can drive the sustainable development of the extractive sector in Nigeria.

Recommendations

- i. The study recommends a comprehensive policy action plan that will address the non-transparency of industry actors, strengthen the accountability process in terms of policy and how operational action by industry actors and initiate a reform that tackles the existing resource governance framework.
- ii. Other aspects that the framework should encompass include, designing a process of host community benefits, improved community engagement process before producing a community development agreement, and also ecological consideration. These are the causal factors which impact either drives or retard sustainable development.
- iii. Civil Society Organizations and international bodies should progressively advocate for transparency, accountability, and sustainable practices, acting as watchdogs to pressure government and corporate actors to comply with best practices.

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