

THE INTERNATIONALISATION OF AN INTERNAL RESISTANCE
ETHNIC MINORITY CONFLICTS AND THE POLITICS OF EXCLUSION IN THE
NIGER DELTA

By

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As the Candidate's Supervisor I agree to the submission of this thesis

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Date

Declaration

Ideclare that

- (i) The research reported in this dissertation, except where otherwise indicated, is my original research.
- (ii) This dissertation has not been submitted for any degree or examination at any other university.

Signature of Candidate

Date

Acknowledgement

I am deeply grateful to God—the *source* and *summit* of all human knowledge—for the completion of this dissertation.

A special word of thanks goes to my sweet mother Mrs Esther Agbibo for her ineffable love and support throughout the course of writing this research project.

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Finally, the idea that gestated into the birth of this dissertation originated from my commitment to non-silence against the internal and external agents of violence and exclusion in Nigeria. It is my wish that Nigeria, for which it is written, will overcome its postcolonial tragedy and emerge like a Phoenix rising from the ashes.

The responsibility for any error of fact and/or interpretation in the work remains, of course, mine alone.

Abstract

While a lot of ink has been spilled and numerous papers devoted to the variegated causes of the Niger Delta conflict, what has been conspicuously moot in the literature is their integration into a sufficient explanatory system to facilitate the intelligibility of empirical data and support effective policy intervention. Also, while writers have investigated the internal dimensions of the conflict, little systematic attention has been paid to its international dimensions. The study proposes to fill these gaps in existing literature through a two-level analysis of the Niger Delta Conflict: (1) internal (2) international. The internal level is anchored on a four-dimensional explanation which argues that political and economic factors are the root causes of the Niger Delta conflict, with environmental and social-security factors as the proximate causes. At the international level, the study probes the role of the international community in the moderation of the Niger Delta conflict and concludes with an appraisal of the extent to which the internationalisation of the conflict engendered both attitudinal and policy shifts on the parts of key players. Problematizing the usefulness of majoritarian democracy for resource starved plural societies, the study canvasses, *inter alia*, the implementation of consociational mechanisms in the Nigerian political process as a more effective way of mitigating the seething cauldron of conflicts in the Niger Delta, and promoting inter-ethnic equity and amity in Nigeria as a whole.

Epigraph

Throughout the country... ethnic minorities are in ferment. They are striving to shake off age-long usurpations, to cast off the yoke of distant suzerains and to take their own destinies in their own hands. This ferment, which this nation can ignore only at its own peril, is what has been subsumed under the national question. It is real, and it is urgent. To pretend that it does not exist is to be deluded.

“Zangon-Kataf: A tainted verdict,” editorial in
The Guardian Newspaper, 9 February 1993

Dedication

Lovingly dedicated to the memory of my late father: Chief Fintan Agbibo
'Your candle burned out long before your legend ever did'

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Glossary

ACHPR	African Charter on Human and People's Rights
AFRICOM	US Command for Africa
AMOS	Association of Minority Oil Producing States
ASUU	Academic Staff Union of Universities
CAR	Central African Republic
CARIA	Cross River, Akwa Ibom, Rivers, Imo and Anambra
CDHR	Committee for Defence of Human Rights
CEHRD	Center for Environment, Human Rights and Development
CESCR	Covenant on Economic, Social and Cultural Rights
CIDA	Canadian International Development Agency
CLO	Civil Liberty Organisation
CNOOC	China National Offshore Oil Company
CNPC	China National Petroleum Corporation
COSEND	Consolidated Council on Social and Economic Development of Coastal States of the Niger Delta
CSO	Civil Society Organisation
DFID	Department for International Development
DPA	Distributive Pool Account
DPR	Department of Petroleum Resources
DRC	Democratic Republic of Congo
EBA	Egbesu Boys of Africa
EIA	Environmental Impact Assessment
EMIROAF	Ethnic Minority Rights Organisation of Africa
EMIRON	Ethnic Minority Rights Organisation of Nigeria
ERA	Environmental Rights Action
FAO	Food and Agriculture Organisation
FEWER	Forum on Early Warning and Early Response
FOEN	Friends of the Earth Nigeria
GDP	Gross Domestic Product
GoN	Government of Nigeria
HRVIC	Human Rights Violations Investigation Commission
ICSO	International Civil Society Organisation

IDEA	Institute for Democracy and Electoral Assistance
ILO	International Labour Organisation
IMF	International Monetary Fund
INC	Ijaw National Congress
INRPO	Ijaw Nationality Rights Protection Organisation
IODA	International Non-Governmental Organisation
IYC	Ijaw Youth Council
IYM	Isoko National Youth Movement
JVA	Joint Venture Agreement
KNPC	Korean National Oil Company
LGA	Local Government Area
MIPT	Memorial Institute for Prevention of Terrorism
MIPT	Memorial Institute for Prevention of Terrorism
MNCs	Multinational Corporations
MOSOP	Movement for the Survival of the Ogoni People
MPF	Mobile Police Force
MRG	Minority Rights Group
NANS	National Association of Nigerian Students
NBA	Nigerian Bar Association
NDDC	Niger Delta Development Commission
NDVF	Niger Delta Volunteer Force
NDW	Niger Delta Women
NLC	Nigerian Labour Congress
NNOC	Nigerian National Oil Corporations
NNPC	Nigerian National Petroleum Corporation
NPN	National Party of Nigeria
NPRC	National Political Reform Conference
NSO	Non-State Organisation
NUJ	Nigerian Union of Journalists
OAU	Organisation of African Unity
OBR	Ogoni Bill of Rights
OEL	Oil Exploration License
OEL	Oil Exploration License
OMPADEC	Oil Mineral Producing Areas Development Commission
ONGC	Oil and Natural Gas Corporation
OPEC	Organisation of Petroleum Exporting Countries
OPU	Ogoni Patriotic Union
OSSIWA	Open Society Initiative of West Africa
PDP	People's Democratic Party
PPMC	Pipeline and Product Marketing Company
RD	Relative Deprivation
SALW	Small Arms and Light Weapons

SAP	Structural Adjustment Programme
SINOPEC	China Petrochemical Corporation
SOS	Save Our Souls
SPDC	Shell Petroleum Development Company
SPDC	Shell Petroleum Development Company
UN	United Nations
UNDP	United Nations Development Programme
UNIFEM	United Nations Development fund for Women
UNMC	United Nations Minority Council
UNOOSAA	United Nations Organisation Office of the Special Adviser for Africa
UNOPS	United Nations Office for Project Services (UNOPS)
UNPO	Unrepresented Peoples Organisation
USAID	United States Agency for International Development
WCC	World Council of Churches
WWF	World Wide Fund for Nature

Chapter One

Background to the Study

1.1 General Introduction: Setting the Scene

After over five decades of political independence, many African states are engulfed by, or teeter on the brink of, open violence due to problems that are largely a colonial bequest. Composed of motley political entities with variegated degrees of autonomy, late precolonial Africa was an opaque and highly complex system of fluid polities and societies that were at once distinct and related. The advent of the colonial enterprise saw the establishment of ossified territorial and regional boundaries that cut across existing political, social, ethnic and religious borders. The West paid scant attention to issues of ethnic, cultural, social, economic, or political propinquity as they arbitrarily pencilled on to inexact maps the artificial boundaries of their claimed African colonial territories. It mattered little (if at all) to the metropolitan centers that the yoked entities were often made up of societies and cultures that harboured abiding historical rivalries or animosities towards each other. Predictably, postcolonial Africa has been enmeshed in a seething cauldron of ethno-religious turmoil that threatens to engulf her. This is despite the 1963 determination of the founding members of the Organisation of African Unity (OAU) not to meddle with the incendiary colonial borders; due to fear that this might spark new conflicts, in lieu of ending old ones (otherwise known as the principle of *uti possidetis*).

In the late 1970s, African leaders and development pundits were forced by the region's persistent social, economic, and political gridlocks to reflect critically on the nature and causes of the bedlam. The resulting scholarship, which was primarily directed at capturing the dynamics of the impasse of nation building, focused analytical attention on the excesses of the state and issues pivoting on ethnicity and class. Many of those preliminary analyses addressed questions that fell within the purview of state failures and intrastate cleavages from very parochial and deterministic perspectives, especially class or ethnicity (see, for example, Cartwright, 1983; Connor 1973, 1994; Diamond 1982, 1983; Falola and Ihonvbere, 1985; Graf, 1985; Joseph, 1983; Rothchild and Olorunshola, 1983; Sklar, 1979). In doing so, other useful explanatory angles such as internal and external influences (including corruption, incompetence, poor leadership, falling cash crop prices, and negative terms of trade) were de-emphasized (Uzodike, 2004: 289; Agbiboa, 2010: 474).

A key source of domestic tensions in Africa can also be traced to the production and exchange patterns that were entrenched under colonial rule. By linking economic

activities, transport networks, and physical infrastructure to the socio-economic needs of the metropolitan centers in lieu of the development imperatives of the local economies, colonialism created enduring distortions in the political economies of African states (Uzodike, 2004: 289; Agbibo, 2010: 474-509). The distortions were further exacerbated by other colonial policies, including:

the skewing of terms of trade in favour of the metropolitan centers, the focus on primary commodities and extractive industries, the competitive and negative positioning of subcultures under 'divide and rule' strategies, and deliberate alienation of native populations from land as well as meaningful educational and skills-development projects through a policy of importing a median layer of skilled labour (Uzodike, 2004: 289).

In the absence of financial resources, transcendent vision, and adequate managerial skills, post-colonial governments retained the inherited production and exchange patterns and some of the biases of its colonial progenitor (Uzodike, 1999: 69-74). Indeed, "as political competition was not rooted in viable national economic systems, in many instances the prevailing structure of incentives favoured capturing the institutional remnants of the colonial economy for factional advantage" (Annan, 1998: 4). The net effect for the post-colonial African government has been that the process of state building and the inculcation of the ideals of nationalism have proved a Herculean task in the face of rabid cultural diversity such as ethnic, religious, and regional differences. In particular, the intoxicating brew of diversity, pervasive resource scarcity and diversion, as well as the attendant problems of unequal distribution of whatever is available, has coalesced to produce and incubate tensions in many African societies. There is a tendency for such tensions to develop into open conflicts in countries when leaders fail to manage the problems passably and promptly before dagger-drawn opposition lines are established.

In contemporary times, the struggle for scarce resources has become the real stuff of African politics (Reno, 2003: 45).¹ This is evident in the fact that most conflict and wars tend to take place around resource-rich regions (Ikelegbe, 2005: 210). To corroborate this point, Keen (2003: 67) observes that the violent struggles in Sierra Leone occurred largely in the diamond rich areas. The same can be said of Liberia and DRC where the emergence of personal militias and armed networks is "underpinned by the struggle for control of external commerce and social and trade networks" (Ikelegbe, 2005: 210; Ellis, 1998: 161). In Nigeria, the oil-rich Niger Delta remains the site of conflict and spiralling violence. Elsewhere, I argued that the struggle for resources are directly linked to bad

¹ Ikelegbe (2005: 209) notes that "[t]his is what has led to the characterization of several wars, such as those in Angola, Sudan, Zaire (DRC), Liberia and Sierra Leone as resource wars, rebellion and insurgencies."

leadership, overcentralization of governance structures, corruption and lack of accountability, dearth of checks and balances, disregard for the rule of law, disrespect for standard human rights norms, or the affixation of leadership by circumventing democratic processes (Agbibo, 2011: 83; Ikelegbe, 2005: 209).

It is often said that individuals and groups who wield political power are well positioned to secure economic assets and the paraphernalia of development such as paved roads, potable water, good health facilities, adequate educational institutions, and job opportunities (Uzodike, 1999: 70). However, access in Africa has been crucial, and even decisive, frequently not only because of the enormity of resource starvation but also because the monopoly of political power often led (or was perceived as leading) to nepotism, endemic corruption and gross abuse of power. Not surprising, public participation in politics has tended to be hemmed in by discordant struggles among rival groups over power and resources (Sklar, 1986: 115). Fearing increased marginalisation, subordinated groups tend to rally around shared lines of affinity in an attempt to agitate vigorously for redress. As former U. N. Secretary-General, Kofi Anan (1998: 4) pointedly notes, “in extreme cases, rival communities may perceive that their security, perhaps their very survival, can be ensured only through control of state power.”

When the tensions are well managed, violent conflicts can be forestalled. However, with inept leadership, the tensions may not only snowball and culminate in economic decline but also is foredoomed to state failure. The experiences of countries like Liberia, Somalia, Sierra Leone, and Congo-Zaire during the 1980s and 1990s all serve as salutary reminders.

1.2 Nigeria’s Wealth: Serving the Few, Starving the Many

How else do you wake the sleeping elephant? Poke it with a needle? It will not feel it. A million needles will not rouse it from the sleep of three decades. Ever since Nigeria was born, it has been sleeping grandly. So much so that, as I say, flies, ants, maggots and all such agents of corruption have presumed it to be either dead or dying. To wake the big, bad beast from its stupor, a sledge hammer is needed (Saro-Wiwa, 1990: 166).

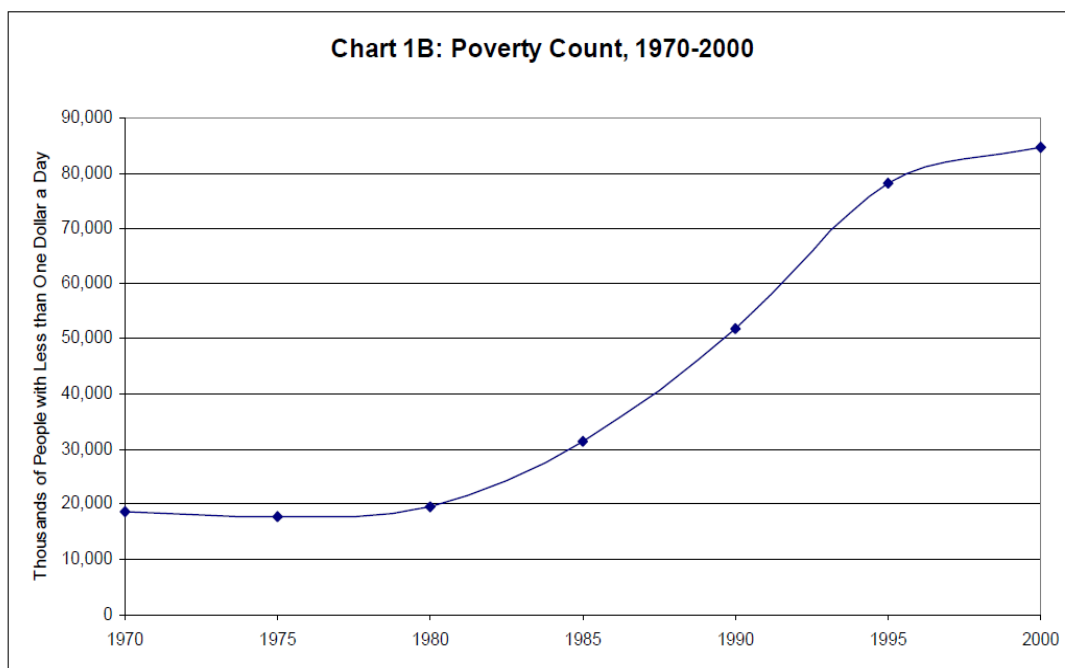
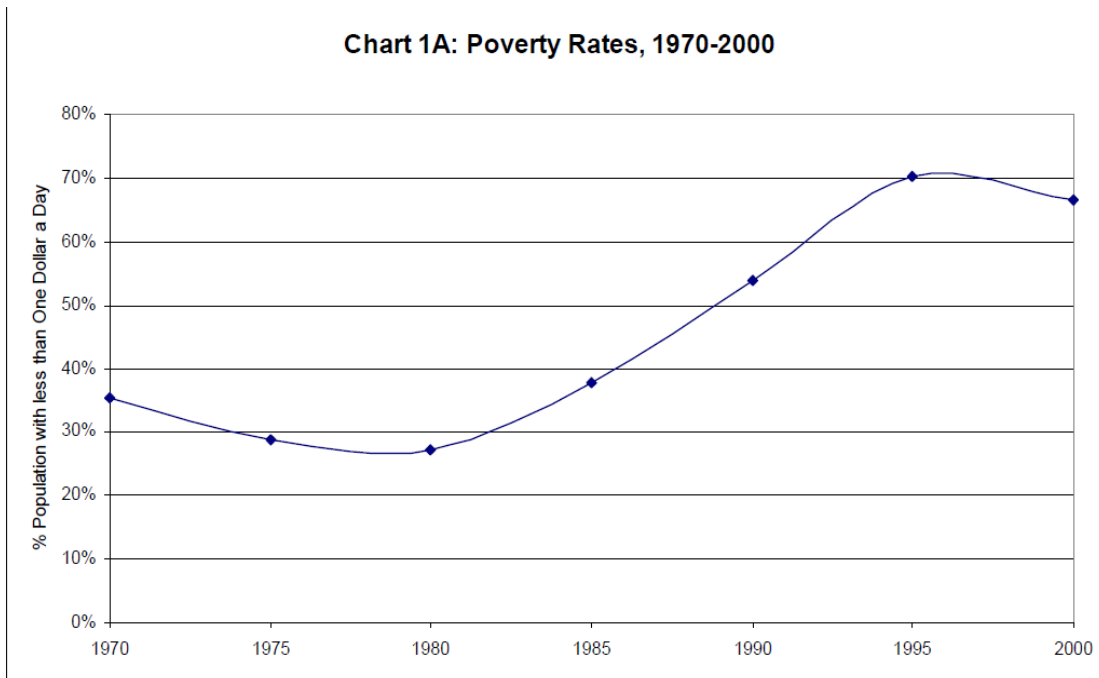
Nigeria is Africa’s most populous country and the jewel in the African oil crown. The country is also described as a Gulliver²; and its leaders have been compared to the

² “The British author and clergyman, Jonathan Swift, wrote his classic *Gulliver’s Travels* in 1726, as a satire of human frailty as well as his own era, in which Whig politicians were persecuting their Tory opponents. As part of Gulliver’s travels, he encounters tiny creatures in the land of Lilliput who end up behaving in a treacherous and cruel manner, tying up Gulliver, who appears to be a giant in comparison to them” (Swift, 1986, quoted in Adebajo, 2008: 1-2).

Lilliputians³ whose shenanigans have badly dented a country's huge potential for growth and development (Adebajo, 2008: 2). As Ali Mazrui (2006: 154) articulates, "the giant of Africa was in danger of becoming the midget of the world. Africa's Gulliver faced the threat of becoming the Lilliput of the globe." Other scholars have variously described Nigeria as a "crippled giant" (Osaghae, 1998: 1); a "sleeping elephant" (Saro-Wiwa, 1990: 166); a "giant with clay feet" (Adebajo, 2008: 2); "a colossal collection of impoverished masses [and] a crumbling Tower of Babel built on the rickety foundations of oil rents collected and squandered by its leaders" (Adebajo, 2008: 2). Despite its position as the world's eighth largest producer of crude oil in the world and fifth largest supplier of oil to the United States (Ebeku, 2007: 3), Nigeria still swims largely in the ocean of poverty. Adebajo (2008: 2) bemoans the fact that "Nigeria's corrupt leaders have failed spectacularly to diversify its economy to reduce its huge dependence on crude oil, which still accounts for over 95 per cent of foreign exchange earnings."

In the years between 1965 and 2004, annual per capita GDP in Nigeria dropped from \$250 to \$212 and between 1970 and 2000, the percentage of total population eking out a living on less than \$1 a day in the country climbed, rather astonishingly, from 36 per cent to a staggering 70 per cent, from a relatively low of 19 million to a high of 90 million (Higgins, 2009; Agbiboa, 2011a) (see chart 1A and 1B below). Available figures show that over "70 per cent of the Nigerian population survives on less than \$1 a day; life expectancy is also at a dismal 47 years, and the country ranked 159 out of 177 states on the United Nations Human Development Index in 2006," below Haiti and Congo (Adebajo, 2008: 2; *The Economist*, 2007: 46).

³ From the land of Lilliput, in Jonathan Swift's *Gulliver's Travels*, where the people are only 15cm high.



Source: Salai-Martin and Subramanian (2003). "Addressing the Natural Resource Curse: An Illustration from Nigeria," *IMF Working Paper* WP/03/159.

According to Adebajo (2008: 2), "Nigeria's leaders have clearly lacked a sense of *noblesse oblige* (obligation of ranks)." In lieu of been called leaders, they are better

described as “leeches” that have sucked the country anaemic (Agbibo, 2011a: 83).⁴ Between 1960 and 1999 alone, “Nigerian leaders siphoned over \$440 billion. This is six times the Marshall Plan, the sum total needed to rebuild devastated Europe in the aftermath of the Second World War” (Ribadu, quoted in *Agency News Blog*, 21 May, 2009).⁵ The sum of the stolen money also amounts to roughly “two-thirds of all the economic aid given to Africa during this period” (*The Economist*, 2007: 46, quoted in Adebajo, 2008: 2). To mention a few names, the regime of General Ibrahim Badamosi Babangida, which lasted from 1985 to 1993, failed conspicuously to account for “\$12.4 billion of missing oil revenues that were part of a windfall from the Gulf war of 1991” (Apter, 2005: 247, quoted in Adebajo, 2008: 2). Babangida’s military successor, General Sani Abacha, who ruled Nigeria from 1993 to 1998, was also guilty of corruption and frenetic looting. His family had to return \$700 million (out of a reported \$3 billion—more than a million dollars for every day in office, including weekends) in looted money after his death in June 1998 (Guest, 2004: 121; Adebajo, 2008: 2).

Between the early 1970s and 1998, Nigeria received some \$280 billion in oil receipts (Agbibo, 2011: 83). “Our problem is not money,” an overconfident Head of State, General Yakubu Gowon, once boasted, “but how to spend it” (quoted in Raji, 1998: 133). However, Nigerian leaders have squandered the whole lot through corrupt dealings and perfunctory investment. In fact, “since they borrowed billions against future oil revenues and squandered that money too, it is fair to say that Nigerians blew more than the country’s entire windfall” (Guest, 2004: 124). Thus, “by 1998, Nigerians were poorer than when the oil boom period began in 1974, and the country was saddled with debts of some \$30 billion” (Guest, 2004: 124). Income per head stood at \$345, less than a third its level at the peak of its boom in 1980 (*The Economist*, January 13 2000). In 2011, many Nigerians still bewail the wasted opportunities of the halcyon years of oil boom, “blaming unscrupulous leaders and self-serving ministers who were unprepared for the enormous windfalls of oil rents and revenues and became intoxicated by the power of the petro-dollar” (Raji, 1998: 132).

Following Nigeria’s return to democratic governance in 1999, many Nigerians expected the country’s perennial problem of corruption to plummet. However, such expectations have been largely dashed. Adebajo (2008: 12) contends that despite allegedly spending more than \$2 billion in reconstructing roads and over one trillion naira on the power sector, the civilian regime of erstwhile military leader, Olusegun Obasanjo (1999-2007), failed to revive the country’s dilapidated infrastructure and electricity sector, and

⁴ For a more detailed description of the corruption of Nigerian leaders, see the author’s recent publication (2011): “Leaders or Leeches? Corruption and the Cycle of Dysfunction in Nigeria,” *Loyola Journal of Social Science*, XXV(1): 83-102.

⁵ See, <http://loveworldnewsagencyblog.wordpress.com/category/african-news/page/2/>

“the country’s oil refineries were producing less when he left office in 2007 than when he was first elected in 1999.” In what seems senseless squandering of hopes, the Obasanjo regime also announced that it had lost \$4 billion in potential oil revenues in 2006 to incessant attacks on oil pipelines by armed militants in Nigeria’s volatile delta region (Odunfa, 2007: 24). As Agbaje *et al.* (2007: 79) aptly note:

Nigeria is a resource-rich country of poor people in which pathological substance often triumphs over sanitized form; institutional recession masquerades as institution building; endless new constitutions parade as substitutes for constitutionalism; and... performance is often in direct contrast to fervent declarations of intent and achievements.

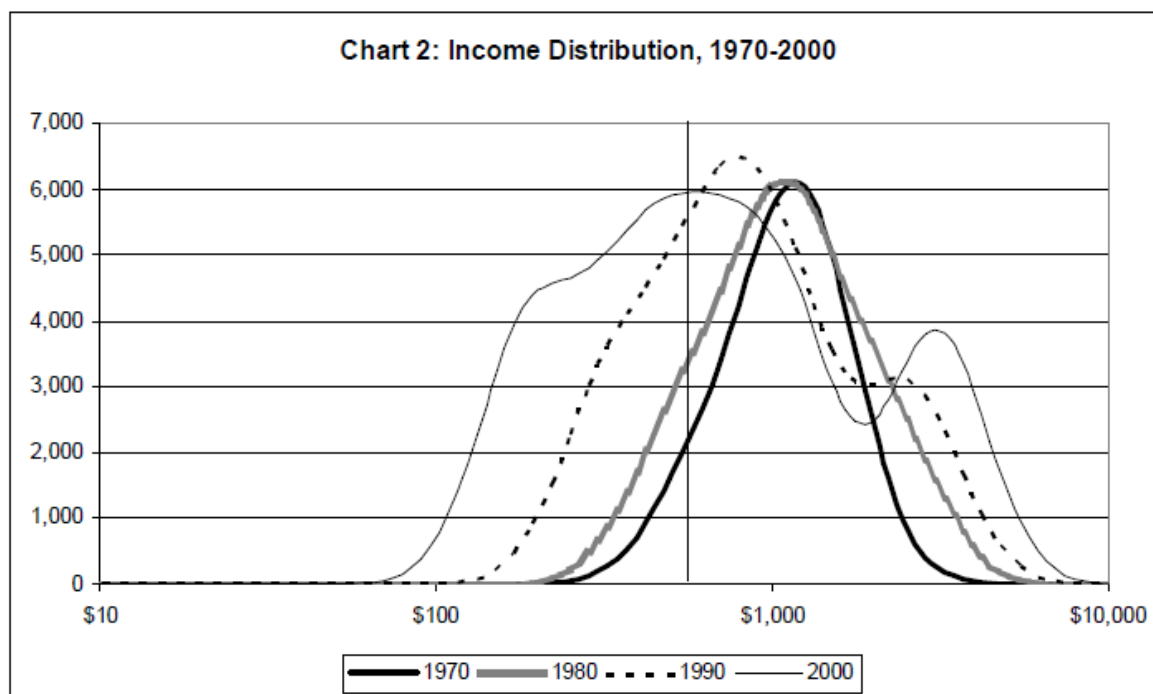
The extent of Nigeria’s failure is brought into bold relief when we juxtapose the country with Indonesia. At independence, both countries were nations of subsistence farmers. Both struck oil and were deluged with petrodollars. But this is how far we can go in drawing the parallels. While Indonesia is not exactly a model of good governance, the country’s average income rose nonetheless, from under \$200 in 1974 to \$680 in 2001, despite the Asian financial crash of 1997 (Guest, 2004: 124). The government of Indonesia made good use of its oil wealth and fuelled its industrialization policy that saw manufacturing export rise by 40 per cent, vis-à-vis less than one per cent in Nigeria (Guest, 2004: 124). According to Okonkwo (quoted in *Tell Magazine* November 2, 2009):

Indonesia had average gross domestic product, GDP, growth rate of 5.9 per cent between 1965 and 2004 whereas Nigeria recorded 3.5 per cent GDP growth. In Indonesia, Manufacturing value added increase from 8 per cent in 1965 to 25 per cent by 2000, but declined from 5 to 4 per cent in Nigeria. Similarly, the share of manufactured exports increased from 4 per cent to 57 per cent in Indonesia, but declined from 2 per cent to 1 per cent in Nigeria.

In 2002, the United Nations Development Programme (UNDP) reported that Nigerians are more than twice as likely as Indonesians to be illiterate or to die before the age of forty (UNDP, 2002: 151). Indonesia aside, another great lesson in development is Dubai. Dubai is currently ahead of most of its fellow oil rich nations in the world. With a population of 1, 422,000 and GDP of \$46 billion in 2006, Dubai has built a solid and fast growing economy on the back of its oil resources. Significantly today, revenues from oil and gas approximate to less than six per cent of its entire annual earnings (Adeyemo, 2008).⁶ Income distribution in Nigeria has also deteriorated markedly. Chart 2 (below) plots the distribution of income for four years, 1970, 1980, 1990, and 2000. A careful study of the chart shows that over time the two tails of the distribution have become fatter which suggests that people are increasingly been pushed towards poverty (the left

⁶ See, http://www.telling.com/news/articles/080210-5/news/50%20years_moneyprobs.html.

hand side of the distribution) and towards extreme wealth (the right hand side). Whereas in 1970 the top 2 per cent and the bottom 17 per cent of the population earned the same total amount of income, in 2000 the top 2 per cent had the same income as the bottom 55 per cent.⁷ Nowhere is the tragedy of development in Nigeria more eye-catching and poignant than in the Niger Delta.



Source: Sala-i-Martin and Subramanian (2003). “Addressing the Natural Resource Curse: An Illustration from Nigeria,” *IMF Working Paper* WP/03/159.

1.3 The Niger Delta of Nigeria: Paragon or Paradox of Development?

By way of a prelude, the Niger Delta—the delta of the Niger River—covers an area of circa 70,000 square kilometres, and is usually ranked among the ten “most important wetland and coastal marine [ecosystem] in the world and is home to some 31 million people” (Amnesty International, 2009: 9). The wetland area is comprised of “36,000 square kilometres of marshland, creeks, tributaries and lagoons, and is [teeming with] fish and wildlife resources, with a high biodiversity” and a miscellany of flora and fauna (Omotola, 2006: 1). According to Ojatorotu and Uzodike (2007: 92), the present geopolitics of Nigeria’s Delta region concerns nine states, namely (1) Abia, (2) Akwa Ibom,

⁷ See <http://66.102.9.104/search?q=cache:lmBO3mrQUbEJ:www.econ.upf.edu/docs/papers/downloads/685.pdf>

(3) Bayelsa, (4) Cross River, (5) Delta, (6) Edo, (7) Imo, (8) Ondo, and (9) Rivers (see chart 3 below). Ethnic minority groups⁸ such as “the Ijaw, Urhobo, Iteskiri, Isoko, Kalabari, Nokws, Ndom, Ogoni, Efik, Annang” and many others are, collectively, predominant in the region (Obi, 1999: 436). The geographical spread and population projection of the Niger Delta is tabulated below (see Table 1 below).

Table 1
Estimated Population of the Niger Delta

State	2005	2010	2015	2020
Abia	3,230,000	3,763,000	4,383,000	5,106,000
Akwa Ibom	3,343,000	3,895,000	4,537,000	5,285,000
Bayelsa	1,710,000	1,992,000	2,320,000	2,703,000
Cross River	2,736,000	3,187,000	3,712,000	4,325,000
Delta	3,594,000	4,186,000	4,877,000	5,681,000
Edo	3,018,000	3,516,000	4,096,000	4,871,000
Imo	3,342,000	3,894,000	4,535,000	5,283,000
Ondo	3,025,000	3,524,000	4,105,000	4,782,000
Rivers	4,858,000	5,659,000	6,592,000	7,679,000
Total	28,856,000	33,616,000	39,157,000	45,715,000

Source: Ibeanu, 2006, p.19.

Chart 3
Map of Nigeria numerically showing the states of the Niger Delta region

⁸ In a definition that adequately encapsulates the critical, numerical and relational properties of the concept, a United Nations source describes minorities as groups that: “...are numerically inferior to the rest of the population of a state, in a non-dominant position, whose members possess ethnic, religious or linguistic characteristics differing from the rest of the population, and who have, if only implicitly, a sense of solidarity directed towards preserving their culture (resources), tradition, religion or languages (Thornberry, 1980: 257). More will be said on the concept of minority in our literature review.



Source: *Wikipedia*, Available <http://en.wikipedia.org/wiki/File>. Retrieved on 16 May 2011. Notes: [1] Abia; [2] Akwa Ibom; [3] Bayelsa; [4] Cross River; [5] Delta; [6] Edo; [7]. Imo; [8]. Ondo; [9]. Rivers.

In Nigeria, ethnic groups are customarily divided into “majorities” and “minorities” (Mustapha, 2004: 3). The numerically preponderant and politically dominant groups in Nigeria are indubitably the combined northern Hausa-Fulani, the south-western Yoruba, and the south-eastern Igbo. These three predominant ethnic groups—sometimes dubbed the ‘big three’—are popularly referred to by the generic term “*wazobia*.”⁹ Afolayan (1978: 155) argues that these three hegemonic groups constituted 57.8 per cent of the national population in the 1963 census. Going by that census, the Hausa ethnic group was placed at 20.9 per cent, the Yoruba at 20.3 per cent and the Igbo at 16.6 per cent (Mustapha, 2004: 3; Jibril, 1991: 111). All the other ethnicities constitute varying degrees of “minority” status. There are “large minorities” like the Ijaw, Kanuri, Edo, Ibibio, Nupe, and the Tiv (Mustapha, 2004: 3). Afolayan (1978: 155) notes that eleven of such large minorities make up 27.9 per cent of the population in the 1963 census. Nonetheless, “since minority status is both a numerical and a political category, often underlined by administrative and economic disadvantages, the bulk of the over

⁹ “wa” in Yoruba, “zo” in Hausa, and “bia” in Igbo.

200-odd ethnic minority groups shade into different degrees of ‘minoritiness’” (Mustapha, 2004: 4).

Table 2
Ethnic and Regional Composition of Nigerian Population: 1952/3.

Ethnic group	Population	Percentage
Edo	468,501	1.5
Fulani	3,040,736	9.76
Hausa	5,548,542	17.81
Ibibio	766,764	0.25
Igbo	5,483,660	17.60
Kanuri	1,301,924	4.18
Nupe	359,260	1.15
Tiv	790,450	2.54
Yoruba	5,046,799	16.2
All Nigeria	31,156,027	100
North	16,835,582	54
East	7,967,973	25.6
West	6,352,472	20.4

Sources: compiled from GoN, 1952a, *Population Census of Northern Region of Nigeria 1952*; GoN, 1952b, *Population Census of Western Region of Nigeria 1952*; and GoN, 1953, *Population Census of the Eastern Region of Nigeria 1953* (reproduced in Mustapha, 2004: 4).

The exact percentage of each ethnic group in Nigeria is moot; more recent censuses are hotly contested. However, one can glean some indication of the size of nine ethnic groups in the population from the last colonial census held in 1952/3 (see Table 2 above). A perusal of the above figures shows that the three dominant ethnic groups constituted about 51.6 per cent of the national population in 1952/3. This appreciable upper-hand is further enhanced by the tripartite regional administrative arrangement of that period. In the Northern region, the Hausa constituted 32.6 per cent of the population. However, with the inclusion of the Fulani, the figure rises to 50.6 per cent. The Yoruba in the Western region constituted 70.8 per cent of the population, while in the Eastern Region, the Igbo constituted 61 per cent of the population (GoN, 1952a: 26; GoN, 1952b: 18; GoN, 1953: 36, quoted in Mustapha, 2004: 4). The foregoing demographic distribution was bolstered by colonial perceptions that “Nigeria falls naturally into three regions, the North, the West and the East” (Oyovbaire, 1983: 8). Thus, there is the numerical and political superiority of the three majority ethnic groups, in their respective regions, and in the nation taken as a whole. According to Mustapha (2004: 4), “the tendency of many minority groups to cluster—politically, linguistically and culturally—round the big three, has given Nigeria a tripolar ethnic structure which forms the main context for ethnic mobilization and contestation.” In 2011, the Nigerian

federation is a composite of 36 states, which are then informally subsumed into 6 zones (Mustapha, 2004: 4). Table 3 (below) indicates the zones-*cum*-states, and the distribution of ethnic groups within them.

The central place of crude oil revenues in the Nigerian economy began in the early 1970s, and oil revenues have continually accounted for 95 per cent of Nigeria's foreign exchange earnings annually since the 1980s (Omotola, 2006; Ogundiya, 2011). This fact has been reported by several scholars (Ikein, 1990; Khan, 1994; Onosode, 1998; Ross, 2003; Agbibo, 2010, 2011a, 2011b) and statistics from the Central Bank of Nigeria corroborates various research findings (Ebeku, 2007: 2-3). One Central Bank of Nigeria reported that Nigeria earned US\$2.9 billion from crude oil in the month of January 2006 alone (Central Bank of Nigeria, 2006, quoted in Ebeku, 2007: 3). This crystallizes the centrality of crude oil to the Nigerian political economy.

Table 3
Location of Ethnic Groups in Nigeria

States by Zones	Dominant Ethnic Groups	Number of Minority Ethnic Groups
<i>North West</i>		54
Sokoto, Kebbi+Zamfara	Hausa	12
Katsina	Hausa	1
Kano+Jigawa	Hausa	9
Kaduna	Hausa	32
<i>North East</i>		205
Borno+Yobe	Kanuri	29
Adamawa+Taraba	Fulani, Hausa	112
Bauchi+Gombe	Hausa	64
<i>North Central</i>		123
Old Kwara (+parts of Kogi)	Yoruba, Ebir, Igala	20
Old Niger	Hausa, Gwari	19
Old Benue (+parts of Kogi)	Tiv, Idoma, Igala	12
Plateau + Nassarawa	Birum, Angas, Yergam	72
<i>South West</i>		4
Oyo + Osun	Yoruba	-
Ekiti + Ondo	Yoruba	2
Ogun	Yoruba	-
Lagos	Yoruba	2
<i>South East</i>		1
Anambra, Enugu+Ebonyi	Igbo	1
Imo + Abia	Igbo	-
<i>South South</i>		59
Edo + Delta	Bini, Urhobo, Ijaw, Itsekiri,	13

	Igbo	
Rivers + Bayelsa	Ijaw, Ogoni, Andoni, Igbo	10
Akwa Ibom	Ibibio	7
Cross River	Efik	29

Source: Otite, 1990, p.57, reproduced in Mustapha, 2004, p.4.

From oil alone, Nigeria generated US\$300 billion between 1970 and 2002, amounting to 96 per cent of the country's foreign earnings (Okonjo-Iweala *et al.* 2003: 1). However, due to years of "authoritarianism, chronic opportunism and endemic corruption" (Omotola, 2006: 8), the potential benefits of oil have failed to trickle down meaningfully to the people.¹⁰ Informed by a World Bank report, Afiekhena (2005: 15) estimates that "about 80 per cent of Nigeria's oil and natural gas revenues accrue to one per cent of the country's population. The other 99 per cent of the population receive the remaining 20 per cent of the oil and gas revenues, leaving Nigeria with the lowest per capita oil export earning put at \$212 (₦28, 408) per person in 2004" (quoted in Obi, 2009: 124).¹¹ To make matters worse, the bulk of the wealth that accrues to the one per cent of the Nigerians (the ruling cabal) are stashed in foreign banks abroad. As Afiekhena (2005: 15) again notes, this time drawing on a UNIDO report: "Nigeria had an estimated \$107 billion of its private wealth held abroad" (quoted in Obi, 2009: 124). This suggests that "not only are most Nigerians and the Niger Delta people excluded from the benefits of the oil wealth, most of the wealth has not been invested within the country, contributing to most Nigerians living below the poverty line" (Obi, 2009: 124). After the discovery of oil in Mongolia, a local leader declared: "We do not want to become another Nigeria" (quoted in Watts, 2008: 43).

Most importantly, the "Niger Delta harbours Nigeria's crude oil reserves to the tune of 33 billion barrels, while the natural gas reserves are 160 trillion cubic feet" (Omotola, 2009: 36). Perhaps, this is why one Ijaw declared: "The delta is at the base of Nigeria and it's like putting a keg of gunpowder under Nigeria. If the delta explodes, Nigeria goes with it" (quoted in Maier, 2000: 113). The paradoxical reality, however, is that the Niger Delta region – the Goose that lays the golden egg – suffers from chronic underdevelopment and its indigenes remain one of the poorest peoples of Nigeria (Amnesty International, 2009: 9; UNDP, 2006: 15). According to Watts (2008: 44), "by any measure of social achievement the oil states [in Nigeria] are a calamity," characterised by "nestled shacks, broken-down canoes, and children who will be lucky to reach adulthood." In 2011, "what marks out the [Niger Delta] region is its chronic

¹⁰ This is in manifest contrast to a country like Indonesia that has capitalized on its oil fortune and fuelled its industrialization policy that saw manufacturing export rise to 40 percent compared to less than 1 percent in Nigeria (Usman, 2007).

¹¹ See, <http://www.foa.se/upload/projects/Africa/Obi%20Nigeria's%20Delta.pdf>.

underdevelopment, the jolting sense of neglect that engulfs the place and the general misery and violence that govern the lives of most of its inhabitants” (Osha, 2006: 17). As the 2005 Amnesty International report confirms:

In spite of windfall gains for the Nigerian government as global oil prices have more than doubled in the past two years, the inhabitants of the Niger Delta remain among the most deprived oil communities in the world – 70 per cent live on less than US\$1 a day, the standard economic measure of absolute poverty (quoted in Ebeku, 2007: 4)

Commenting on the state of uneasy stasis in the region, the report noted that

Niger Delta communities see little of Nigeria’s oil revenues. Vast stretches of the region have erratic electricity supplies, poor water quality, a few functioning schools, health care centers, post offices... The only visible government presence in many parts [of the region] is a heavily-armed security apparatus. The government provides very little infrastructure, public works or conditions conducive to employment (quoted in Ebeku, 2007: 4).

In 2006, a UNDP Niger Delta Human Development Report similarly commented on the fact that “the Niger Delta is a region suffering from administrative neglect, crumbling social infrastructure and services, high unemployment [rate], social deprivation, abject poverty, filth and squalor...” (UNDP, 2006: 15). The report added that “the prevailing situation not only explains the increasing waves of restiveness in the region, it also presages a grim future for the region and the country” (UNDP, 2006: 16). Interestingly, the tragedy of development in the Niger Delta appears to be consistent with earlier findings of several researchers in the field—thus, suggesting that the ‘curse’ of development in the region is both consistent and time-honoured.¹² For present purposes, however, suffice it to adduce two illustrative case-studies.

In the first case-study, conducted in the mid-1990s by the World Council of Churches (WCC), Geneva, the following was pointedly noted:

It is clear that the oil boom financed numerous capital-intensive projects, the expansion of the network of roads, and of course the development of the new capital city: Abuja. Most of this development took place in the non-oil producing areas. The oil-producing areas were, and still are, some of the least developed in the country. There is no electricity, running [potable] water, telephones, no good roads, poor health care facilities, etc. in Ogoniland, and other minority groups in the Niger Delta live in similar or even worse conditions. The revenues from oil brought incredible modernization and development to some regions of

¹² The fact that underdevelopment is a long-standing problem in the Niger Delta was acknowledged by the participants of the stakeholders meeting held on 5 April 2006 at which COSEND was established. See “Government raises fresh panel on Niger Delta” (The Guardian, 6 April 2006), available at: <http://odili.net/news/source/2006/apr/6/32.html.30/07/06>.

Nigeria, but have had little positive impact on the oil-producing areas (quoted in Ebeku, 2007: 5-6; Naanen, 1995: 46).

In the second case-study, which was released in 2000, the International IDEA [Institute for Democracy and Electoral Assistance] commented that

Although data are generally debatable... the Niger Delta, the treasure base of the nation, fares relatively poorly in three indicators of well-being [namely, access to safe water; access to electricity; and population per medical doctor]... Youth unemployment in the Niger Delta is estimated to be among the highest in the country... in terms of infrastructure, the Niger Delta lags behind enormously. Easily accessible drinking water is still a luxury in many communities, a condition that is worsened by the poor environmental practices of oil companies... Many roads are not motorable as oil companies only improve roads that support their activities. The East-West Road, which links the three oil-producing states of Delta, Bayelsa and Rivers, contrasts dismally with that which links Okene and Abuja [the new federal capital territory of Nigeria built entirely from oil revenues¹³] (International IDEA, 2000: 254, quoted in Ebeku, 2007: 6).

Against this backdrop of scarcity and surfeit, the oil-bearing communities in the Niger Delta area are gravely piqued by the inequitable neglect of their region which shoulders the burden of oil exploitation and extraction while developing other regions, like the north, with the revenues derived from oil (Kubeyinje and Neziyanya, 1999). Subsequently, in August 1990 the Chiefs and people of Ogoni¹⁴ in Nigeria met to sign one of the most important declarations to come out of Africa in recent times: the Ogoni Bill of Rights (OBR).¹⁵ "The OBR presented to the Government and people of Nigeria called for political control of Ogoni affairs by Ogoni people, control and use of Ogoni economic resources for Ogoni development, adequate and direct representation as of right for Ogoni people in all Nigerian national institutions and the right to protect the Ogoni environment and ecology from further degradation" (Saro-Wiwa, prelude to the Ogoni Bill of Rights, 1990: 1). In particular, the OBR bemoaned the following:

¹³ Until late 1980/early 1990s, Lagos was the capital territory of Nigeria. The new capital territory of Abuja, which is a show-case of a modern city, contrasts sharply with Niger Delta villages/communities from where the money used to build Abuja was derived (Ebeku, 2007: 6).

¹⁴ The Ogoni are a people of approximately 500 000, who live in Ogoni, a region in Rivers State, Nigeria. The region of Ogoni only has an area of 650 square kilometres, resulting in a very high population density. Despite this high population density, the extraordinary fertility of the Niger Delta has historically allowed the Ogoni to make a good living as subsistence farmers and fishing people. Currently, however, this lifestyle is being threatened. A MOSOP statement reads: "The once-beautiful Ogoni countryside is no more a source of fresh air and green vegetation. All one sees and feels around is death" ("Fact sheet on the Ogoni Struggle," see <http://www.ratical.org/corporations/OgoniFactS.html>).

¹⁵ The OBR was adopted by general acclaim of the Ogoni people on 26 August 1990 at Bori, Rivers State. Note that the Niger Delta people are not a homogenous ethnic group, but consists of different ethnic nationalities. Importantly, their development problems and demands for equity are generally the same.

1. That the Ogoni people, before the advent of British colonialism, were not conquered or colonized by any other ethnic group in present-day Nigeria.
2. That British colonization forced us into the administrative division of Opobo from 1908 to 1947.
3. That we protested against this forced union until the Ogoni Native Authority was created in 1947 and placed under the then Rivers Province.
4. That in 1951 we were forcibly included in the Eastern Region of Nigeria where we suffered utter neglect.
5. That we protested against this neglect by voting against the party in power in the Region in 1957, and against the forced union by testimony before the Willink Commission of Inquiry into Minority Fears in 1958.
6. That this protest led to the inclusion of our nationality in Rivers State in 1967, which State consists of several ethnic nationalities with differing cultures, languages and aspirations.
7. That oil was struck and produced in commercial quantities on our land in 1958 at K. Dere (Bomu oilfield).
8. That oil has been mined on our land since 1958 to this day from the following oilfields: (i) Bomu (ii) Bodo West (iii) Tai (iv) Korokoro (v) Yorla (vi) Lubara Creek and (vii) Afam by Shell Petroleum Development Company (Nigeria) Limited.
9. That in over 30 years of oil mining, the Ogoni nationality have provided the Nigerian nation with a total revenue estimated at over 40 billion Naira (N40 billion) or 30 billion dollars.
10. That in return for the above contribution, the Ogoni people have received NOTHING.
11. That today, the Ogoni people have:
 - a. No representation whatsoever in ALL institutions of the Federal Government of Nigeria;
 - b. No pipe-borne water;
 - c. No electricity;
 - d. No job opportunities for the citizens in Federal, State, public sector or private sector companies;
 - e. No social or economic project of the Federal Government.
12. That the Ogoni languages of Gokana and Khana are underdeveloped and are about to disappear, whereas other Nigerian languages are being forced on us.
13. That the Ethnic policies of successive Federal and State Governments are gradually pushing the Ogoni people to slavery and possible extinction.
14. That the Shell Petroleum Development Company of Nigeria Limited does not employ Ogoni people at a meaningful or any level at all, in defiance of the Federal government's regulations.
15. That the search for oil has caused severe land and food shortages in Ogoni one of the most densely populated areas of Africa (average: 1,500 per square mile; national average: 300 per square mile).
16. That neglectful environmental pollution laws and substandard inspection techniques of the Federal authorities have led to the complete degradation of the Ogoni environment, turning our homeland into an ecological disaster.
17. That the Ogoni people lack education, health and other social facilities.

18. That it is intolerable that one of the richest areas of Nigeria should wallow in abject poverty and destitution.
19. That successive Federal administrations have trampled on every minority right enshrined in the Nigerian Constitution to the detriment of the Ogoni and have by administrative structuring and other noxious acts transferred Ogoni wealth exclusively to other parts of the Republic.
20. That the Ogoni people wish to manage their own affairs” (excerpts from the OBR, 1990: 4-8; see Appendix 1 for the complete document).

Since the 1990s, strenuous efforts have been made by many scholars to dissect the causal basis of conflict and spiralling violence in the Niger Delta region. Some of the explanatory variables attributed to the Niger Delta conflict includes: the clamour for more oil revenue (Obi, 2001; Ross, 2003; Omeje, 2004); the broad context of oil extraction and the consequent disastrous effect on the environment (Naanen, 1995; Okoh, 1996; Onduku, 2001; Omotola, 2009); differences in perception and understanding of security by both the Nigerian state and the indigenous people (Obi, 1997; Ibeanu, 2000; Uzodike and Isike, 2009); lopsided federalism, underrepresentation and the politics of revenue sharing in Nigeria (Ikporukpo, 1996; Okoko and Nna, 1997; Ibaba, 2005; Uzodike and Allen, 2005; Uzodike *et al.* 2010); environmental injustices and human rights violation (Okonta and Oronto, 2001; Aaron, 2006); the failure of corporate social responsibility on the part of oil multinationals (Clark *et al.* 1999; Aaron, 2008; Ikelegbe, 2008); accountability and transparency failures in governance (Peel, 2005; Enweremadu, 2008; Agbiboa, 2010); hegemonic politics, depredation, a bloated *status quo* (Isumonah, 2005; Obi, 2009) and the laws that govern the oil industry (Ibaba, 2005).¹⁶

While a lot of ink has been spilled and numerous papers devoted to the variegated causes of the Niger Delta conflict, what has been conspicuously moot in the literature on the Niger Delta is the integration of these complex causal factors into a sufficient explanatory system to facilitate the intelligibility of empirical data and support effective policy intervention. Beyond this, it is often not clear if all the factors attributed to the conflict are causal or mediatory. It is also not clear which factors are trigger, pivotal, mobilizing or aggravating (Ibeanu, 2000). This obfuscation in literature makes conflict management in the Niger Delta an onerous task. In view of the foregoing, this study proposes a two-level analysis of the Niger Delta conflict: internal and international. At the internal level, the study will adopt an integrated four-dimensional approach to the Niger Delta conflict—one that draws profoundly on the relationships between political,

¹⁶ It is useful to underscore that the various authors are not necessarily presenting their cases in the form of single causality analysis. So, while suggesting a salient factor, they are not discounting the relevance of other factors.

economic, environmental and social-security factors often attributed to the conflict. Here, the basic postulate is that political and economic factors are the root causes of the Niger Delta conflict, with environmental and social-security factors as the proximate causes. The choice of a four-dimensional approach is informed by the conflict analysis and response definition endorsed by the Forum on Early Warning and Early Response (FEWER) which argues that

...there is no single cause of a conflict. Nor is there any single precondition for sustainable peace. Different factors vary in importance and reinforce or neutralize each other. The analysis of the situation must therefore include assessing the relative importance of the different indicators and their inter-relationship (FEWER, 2001: 7).

Further afield, at the international level, the study seeks to undertake an analysis of the mediative role played by the international community in the Niger Delta conflict and conclude with an assessment of the extent to which the internationalisation of the conflict brought about a constructive change in attitudes and policies on the part of key players. Particular attention will be paid to the Movement for the Survival of the Ogoni People (MOSOP) and the Movement for the Emancipation of the Niger Delta (MEND), since they were the first groups to draw the attention of the international community to the sufferings of the Niger Delta people. The paper will also examine the strenuous efforts of Ken Saro-Wiwa—the feisty and passionate MOSOP leader-writer—who first exposed the plight of the Ogoni to the United Nations Minorities Council (UNMC), “calling for the recognition of the Ogoni people as one of the world’s endangered minorities” (Soyinka, 1996: 2). According to Saro-Wiwa, winning the ethnic minority struggle in the Niger Delta is vital: “we either win this war to save our land,” he said, or we will be exterminated, because we have nowhere to run to.”¹⁷

The concluding chapter of this study is characterised by two fundamental assumptions. The first is that political exclusion and underrepresentation not only tends to flatten the vestiges of federalism and democracy in Nigeria, but also ‘oils’ the interests of the majority ethnic groups, while foiling those of the minority ethnic groups. The second is that unequal fiscal regimes tend to generate minority ferment in federations with multiethnic groups. Problematising the usefulness of majoritarian democracy for plural societies, the section canvasses, *inter alia*, the implementation of consociative mechanisms in the Nigerian political process as a more useful and intellectually satisfying way of ensuring inter-ethnic equity and amity in the country.

¹⁷ “Factsheet on the Ogoni Struggle,” see <http://www.ratical.org/corporations/OgoniFactS.html>.

1.4 Research Problem

This study seeks to understand why an initially peaceful internal resistance in the Niger Delta has become increasingly violent, with international consequences.

1.5 Research Hypothesis

The thesis of the study argues that the insensitivity of the Nigerian state to the plight of ethnic minority groups in the Niger Delta has been the basis of the persistent violence against the state and oil multinationals since the 1990s, and the subsequent internationalisation of the conflict.

1.6 Research Objectives

The study has the following five interrelated objectives:

1. To investigate the major sources of ethnic minority problems in the Niger Delta;
2. To discuss the strategies by which ethnic minority groups in the Niger Delta have sought to overcome their position as subordinate groups within Nigerian federalism;
3. To examine how an internal crisis has extended to the international arena;
4. To assess the nature, impact, strengths and inadequacies of past and present public policies on ethnic minority problems in the Niger Delta; and
5. To suggest alternative strategies for the creative, ordered and amicable management of ethnic minority problems in the Niger Delta, and Nigeria as a whole.

1.7 Research Questions

Five questions flow from the research problem and objectives set out above:

1. How can the conflict in the Niger Delta be appropriately situated?
2. Why has the conflict transited from a peaceful demonstration to a violent one, and from an internal struggle to an international one?
3. Why does the conflict continue to defy state and corporate responses?
4. Has the internationalisation of the conflict been a failure or success?
5. How can the conflict in the Niger Delta be sustainably resolved?

1.8 Theoretical Framework

Various theoretical approaches have been used to explain violent conflicts, especially in Africa. There is *neo-patrimonialism*, which finds its clearest expression in the works of Chabal and Daloz (1999). The theorists investigate “the use of disorder as an instrument of African political elites to undermine the state and pursue their personal interests, resulting in conflict, state failure and crises.”¹⁸ The *political approach* is another theory that has been used to explain the onset of conflict in contemporary Africa. It spotlights poor “governance” (World Bank, 1991; Fukuyama, 2004) and points to the weakness of political institutions (Jackson and Rosberg, 1982; Bratton and van de Walle, 1997). As stated by Christopher Clapham, the emergence of insurgency movements in West Africa in the 1990s can be ascribed to “the experience of post-independence government so bad as to lead... to resistance... and to the consequence of... immiseration, exploitation, and state decay” (quoted in Adibe, 2001: 28).

Another approach to conflict is the *resource or oil curse* thesis, which explains how “huge natural resource endowments can blighten [rather than brighten] the prospects for development by serving as a source of motivation for people either to struggle over scarce resources or form armed groups to engage in conflict in order to exploit the opportunity to loot” (Obi, 2009: 109). According to the *resource-war* proposition, that which motivates groups to engage in conflict is not grievance, but essentially economic agendas (greed) (Obi, 2009: 109). Thus, “issues of identity and self-determination are dismissed in favour of a focus on the role that resources, by and of themselves, play” in the onset of conflict (Obi, 2009: 109).

More recent studies focus on “the role played by scarcity or relative scarcity of resources as prime triggers of violence, both at the individual as well as the collective levels (resource-war thesis).”¹⁹ For example, Rupesinghe and Anderlini (1998: 32-33) consider factors that may act as triggers of violent conflicts: (1) stagnation and protracted income decline in poor and middle-income countries (for instance, the cases of Algeria, Sierra Leone, Liberia and Lebanon); (2) unequal growth and asymmetrical distribution of resources in cases of accelerated economic growth (for instance, Mexico and South Africa); and (3) structural adjustment policies and changing distribution of resources. Quite aside, development theory focuses analytic attention on the role that resources and societal development play on the onset of violence (Porto, 2002). In this respect, Ted Gurr (2000: 12) argues that “for the last half century at least, societies at low levels of development have suffered much more from societal warfare than

¹⁸ See, <http://www.ajol.info/index.php/ad/article/viewFile/57373/45753>.

¹⁹ See, <http://www.iss.co.za/PUBS/BOOKS/ScarcitySurfeit/Chapter1.pdf>.

prosperous societies.” A strand of the resource-war hypothesis has recently become known as the *greed theory* of conflict through the work of Collier and Hoeffler (1999). As Jakkie Cilliers (2000: 1) notes, this approach has been collated into that of “resource-wars” and is sometimes advanced as reflecting a “new” type of war. Collier (1999: 1) has lucidly captured the “greed hypothesis” with the following words:

... the discourse on conflict tends to be dominated by group grievance beneath which inter-group hatred lurk, often traced back through history. I have investigated statistically the global pattern of large-scale civil conflict since 1965, expecting to find a close relationship between measures of these hatreds and grievances and the incident of conflict. Instead, I found that economic agendas appear to be central to understanding why civil wars get going. *Conflicts are far more likely to be caused by economic opportunities than by grievance* (emphasis added).

Outcomes of a further research, *Breaking the Conflict Trap*, led Collier and others to adopt an economic approach to the causes of conflict. The crux of this approach is that “the key root cause of conflict is the failure of economic development” (Collier *et al.* 2003: 53). Stated more fully, the approach argues that:

countries with low, stagnant, and unequally distributed per capita incomes that have remained dependent on primary commodities for exports face dangerously high risks of prolonged conflict. In the absence of economic development, neither good political institutions, nor ethnic and religious homogeneity, nor high military spending provide significant defences against large scale violence (Collier *et al.* 2003: 53).

The economic approach aside, the *horizontal inequality-conflict* thesis is another approach which relates conflict to “the existence of severe inequalities between culturally defined groups as distinct from vertical inequalities, and the fact that they affect individual wellbeing and social stability in a serious way” (Stewart, 2002: 2). Thus, there is a tendency for disadvantaged groups to challenge an unsatisfactory *status quo* where there is a real or perceived sense of inequality in access to power and resources (Ostby, 2008: 143). This perspective draws on “the human motivation of participants engaged in violent conflict, particularly the role of political, cultural and economic factors in influencing and constructing group identities and mobilizing such groups to compete for power” (Stewart, 2000: 246-247). Stewart (2000: 247) makes the salient point that group identity is a product of “political leaders, who find group cohesion and mobilisation a powerful mechanism in their competition for power and resources, adopting a strategy of ‘reworking of historical animosities’ to engender group identity.” However, it is noted that shared group identities may not be enough to mobilise a group for conflict, except when the group has a sense of collective deprivation due to marginalisation (Obi, 2009: 111).

Though useful, the foregoing theories present the reader with some difficulties. Consider, for example, the neo-patrimonial approach and its emphasis on rapacious elites whose shenanigans lead to state failure. In lieu of blaming the many crisis in the state on the occasion of elite corruption, it would be more intellectually satisfying and analytically rewarding to attribute them to several complex factors including “the collapse of the post-colonial mode of accumulation that was in part linked to the pressures from globalisation, and the anti-state market reform agenda promoted by the IMF, World Bank and other donors” (Obi, 2009: 111). What about the resource-curse thesis? This approach largely fails to capture the “complex dimensions of the politics and international linkages” that underscore violent conflicts in resource-rich African countries (Obi, 2000: 47-62). Added to this, the approach is shockingly mute on why wars break out in resource-poor countries. Instead, “it exaggerates the role of a single factor, out of many, as the predisposing factor to violence” (Obi, 2000: 47-62).

The account given by the political approach to conflict remains unpersuasive. Bates (2008: 261) has asked a critical question: “How can one recognize which institutions are weak, which states fragile, or which governments ‘bad’ other than by the rise of political disorder?” Further, Bates (2008: 261) argues that “insofar as these ‘causal’ factors are characterized by their consequences, then they add little by way of explanation. They may highlight what has been observed, but they do little to explain it.” The political approach, therefore, “borders on tautology” (Bates, 2008: 261). Quite aside, the reductionist nature of the greed theory has also been criticised by Cilliers (2000: 2), thus: “...although war may have both *intended* and *unintended* economic consequences, any analysis that seeks to reduce the study of extensive social conflict to a single determinant should be treated with care.” Therefore, the resource-war theory, or greed theory, does not seem to leave an aperture for a comprehensive or robust understanding of contemporary conflicts.

On the economic approach, Bates (2008: 261) argues that the theory “fails to point to the mechanisms that link economic conditions to political outcomes. While pointing to a set of relationships between macroeconomic aggregates and political behaviours, it fails to specify the micro-level mechanisms that generate those relationships or the incentives that animate them.” Adverting our attention to those theories that dwell on the economic incentives for war, a cursory look at the roots of violent conflicts in Nigeria, Sierra Leone, and Liberia suggests several trends. For example, the many wars in Sierra Leone and Liberia were the result of a complex amalgam of historical, political, and economic factors as well as deep-seated crises that engulfed both countries (Zack-Williams, 1999; Abdullah, 2004). While the horizontal inequality approach suffices for understanding the root causes of inter-group conflict and violence, “it still faces

challenges in grappling with intra-group conflicts, measuring inequalities (sometimes represented statistically), and dealing with the factor of globalized pressures/actors that deepen existing contradictions and cleavages in some African societies” (Obi, 2009: 112). Despite its appeal, “the horizontal inequalities school of thought have been disputed by the new political economy/war economies perspective that endorses the view that inequality does not increase the risk of civil war” (Ostby, 2008: 143).

1.8.1 Relative Deprivation (RD)

The relative deprivation (RD)²⁰ approach furnishes a more useful analysis of internal conflict (especially collective violence) and is, thus, the preferred theoretical framework for this study. The concept of RD finds its clearest expression in the works of James Davies (1962: 5-19), Ted Gurr (1970), Oberschall (1969: 5-23), and Birrel (1972: 317-343). Tersely, RD describes the tension that “develops from a discrepancy between the ‘ought’ and the ‘is’ of collective value satisfaction” (Gurr, 1970: 23). This theory places the relative sense of deprivation as the main source of grievance and conflict behaviours among people. As Runciman (1966: 9) pointedly notes, “if people have no reason to expect or hope for more than they can achieve, they will be less discontented with what they have, or even grateful simply to be able to hold on to it.” According to Davies (1962: 5), “political violence results from an insupportable gap between what people want and what they get: the difference between expectations and gratifications. This discrepancy is a frustrating experience that is sufficiently intense and focused to result in either rebellion or revolution.” In his masterpiece *Why Men Rebel*, Gurr (1970: 24) argues that “the greater the deprivation an individual perceives relative to his expectation the greater his discontent; the more widespread and intense discontent is among the members of a society, the more likely and severe is civil strife.” In essence, what Gurr is saying is that collective disadvantage and relative deprivation underlie violent political mobilisation.

Obviously, no theoretical framework can claim to be infallible. As such, RD has attracted some criticisms. Gomes Porto (2002: 1-28) notes, for instance, that some scholars have commented on the fact that the reality of deprivation is not a guarantee

²⁰ Relative deprivation implies that “people become dissatisfied if they feel they have less than they should and could have. There are many different ways this can happen: members of a society or organization have decreasing amounts of what they previously possessed; improving conditions which then deteriorate; rising expectations, where people raise their expectations about what they could and should have” (Porto, 2002: 17). Furthermore it should also be pointed out that relative deprivation theories do not only refer to economic deprivation; it extends to the political level as well. Samuel Huntington, for example, “locates violent political action and revolution at the level of the political sphere: within a context of rapid socio-economic modernization, people are mobilized and induced to enter the political arena, and if their demands are not properly channeled, aggressive modes of behaviour may be taken” (quoted in Porto, 2002: 17).

that groups will seek to resolve their issues through violent means (Kopi, 1974: 1569-1578; Kriesberg, 1973). In fact, it has been argued that “severe deprivation may make people despair of changing the conditions and, as accommodation to such despair, even the self-recognition of collective discontent may not occur” (Kriesberg, 1973, quoted in Porto, 2002: 17). In any case, Porto (2002: 17) contends that RD’s focus on “distributional aspects” provides an “additional and plausible explanation as regards triggering mechanisms of violence.”

The assumptions of RD will be used in this study to make sense of the abiding grievances of the Niger Delta people with regards to their undue marginalisation within the Nigerian federation. RD will also help to crystallize the paradox of development in the volatile Niger Delta region. Finally, RD will help to shed light on how the failure of non-violent tactic such as “peaceful protests, media publicity, and litigation” (Omotola, 2006: 8), to achieve the desired result has warranted a pedagogy of violence. As Omotola (2006: 8) notes, “it is certain that the *sense of deprivation* shared by the [Niger Delta] people is deep-rooted, demanding more attention than is currently the case, before it degenerates into another Gulf war” (emphasis added).

Importantly, the *frustration-aggression* relationship provides the psychological dynamic for the proposed nexus between intensity of deprivation and the potential for collective violence. The most influential formulation of frustration-aggression theory was proposed by Dollard and his colleagues at Yale in 1939. The basic postulate of the theory is that “the occurrence of aggressive behaviour always presupposes the existence of frustration and, contrariwise, that the existence of frustration always leads to some form of aggression” (Dollard, 1939; see also Pear, 1950: 161-191; McNeil, 1959: 195-294; Yates, 1962). A later clarification of this hypothesis is offered by Miller *et al.* (1941: 339) who contend that frustration produces instigations to various responses, one of which is aggression. “If the non-aggressive responses do not relieve the frustration, the greater is the probability that the instigation to aggression eventually will become dominant so that some response of aggression will occur” (Miller *et al.* 1941: 339). The basic element that the frustration-aggression theory contributes to our understanding of human conflict, and specifically to our analysis of collective violence in the Niger Delta, is the principle that anger functions as a drive for violence.²¹

²¹ In the latter formulation of the theory by Berkowitz (1964: 257-272), “the perception of frustration is said to arouse anger. Aggressive responses tend to occur only when they are evoked by an external cue, that is, when the angered person sees an attackable object or person that he associates with the source of frustration.” See, also, <http://www.iss.co.za/PUBS/BOOKS/ScarcitySurfeit/Chapter1.pdf>.

1.9 Research Methodology

The qualitative method of data analysis is favoured by this study. In his work titled *Research Skills*, Alan Thomas (2004: 191) clarifies that “[p]rimary data have been constructed by the researcher in the context of his or her own research project. Secondary data have been constructed by others, who may or may not be fellow researchers, for purposes which may or not be research.” In line with this elucidation, this study prefers a secondary data analysis because of its capacity to facilitate a nuanced study and to employ broad-based interpretative practices to glean a better understanding of the area under discussion (Morse and Field, 1995: 2; Denzin and Lincoln, 2003: 4; Bryman, 2008: 22). The term *secondary*, when predicated of a data, may (mis)lead us to think that they are inferior to primary data. Yet, as Thomas (2004: 191) argues, “it is often possible to carry out original and important research project using ‘old’ data that have already been collected by others.” Working with such secondary data is known as secondary analysis.²²

For the most part, this research draws on data sourced from secondary sources. Secondary data on the Niger Delta conflict will be gleaned from various data retrieval techniques from scholarly sources, *viz.* textbooks, journals, magazines, newspapers, and governmental publications, *inter alia*. Punch (1998) has spotlighted several advantages of secondary sources. He notes, for instance, that “expenditure on obtaining data can be greatly reduced” and “data analysis can begin immediately,” thus saving time (Punch, 1998: 1). Beyond this, “the quality of some data may be superior to anything the researcher could have created working on his/her own” (Thomas, 2004: 6). Be that as it may, the secondary research methodology has its own caveats. Data that have been collected by others for their own purposes is often difficult to interpret, especially when these data are taken out of their *in situ* context. Besides, it is much more difficult to appreciate the weak points in data that have been obtained by others (Thomas, 2004). Lastly, “the data may only be partially relevant to the current research question.”²³

²² “Secondary analysis is any further analysis of an existing dataset which presents interpretations, conclusions, or knowledge additional to, or different from, those presented in the first report on the inquiry as a whole and its main results. Secondary analysis will thus include studies presenting more condensed reports...; more detailed reports (offering additional detail on the same topic); reports which focus on a particular sub-topic... or social group...; reports angled towards a particular policy issue or questions; analyses based on a conceptual analysis; and reanalysis which take advantage of more sophisticated techniques to test hypotheses and answer questions in a more comprehensive and succinct manner than in the original report” (Hakim, 1982: 1).

²³ See, http://ivythesis.typepad.com/term_paper_topics/2010/06/sovereignty-versus-individual-human-rights-in-the-case-of-north-korea.html.

1.10 Research Contribution

While many studies have made useful attempts to dissect the manifold causes of conflict in the oil-rich Niger Delta, only a modicum of studies have actually attempted to discern the root causes of the conflict from its proximate causes. Added to this, while researchers have investigated the internal dimensions of the conflict, there has been little systematic attention paid to its international or global ramifications. With the following caveats in mind, this study undertakes to fill the gaps in existing literature in order to facilitate the intelligibility of empirical data and to support effective policy intervention in the Niger Delta.

Chapter Two

Preliminary Literature Review: A Conceptual Exploration

2.1 Introductory Remarks

In any qualitative study such as this, we do well to clearly define our key concepts. “A lack of conceptual clarity can only lend ambiguity and, hence obfuscation, to one’s analysis.”²⁴ So conceived, this chapter reviews central concepts that are crucial to a proper understanding of ethnic minority conflicts in the Niger Delta. At the close of this chapter, the reader should have a passable understanding of such important concepts as: development, the oil-development-resource curse nexus, the Gulf of Guinea, the Nigerian state in perspective, security, ethnicity, ethnic conflict and minority problems, civil society, and ethnic militias-cum-resource control. Particular attention will be devoted to the issue of ethnicity, ethnic conflict and minority problems since they provide the benchmark for the key thematic concern of this study.

2.2 Development

‘Development’ is an amorphous concept that may be used in numerous contexts. In all these contexts, however, “it denotes some kind of change” (Dale, 2004: 21). As chronicled by Remenyi (2004: 25), the concept of development has evolved from “a relatively simple concern with industrialization along with increasing gross domestic product to a much more complex mix of quality of life, participation, empowerment and good governance—all of which have remained elusive to many of the world’s poor.” Remenyi (2004: 25) further notes that “growth towards self-reliance and contentment” underlies the concept of development. The opposite, de-development, is “when the capacity for self-reliance and contentment deteriorates, usually because the means to be responsible for one’s own livelihood, welfare or future has been [ceded] to war, civil unrest, natural calamity, or the [foisted] need to flee and adopt the life of a refugee” (Remenyi, 2004: 25). According to Adinkrah (1984: 67), development refers to “the conscious process of a country to seek a better life for its citizens.” This process, says Adinkrah (1984: 67), involves the steady expansion of a large number of non-revenue yielding services such as schools, hospitals, and communication systems, which are quintessential to long-term development. In line with Adinkrah, Seidman (1966: 999)

²⁴ Hussein Solomon and Sally Matthews, “Transforming Ethnic Conflicts,” *Centre for International Political Studies*, Available at, <http://www.cips.up.ac.za/files/pdf/uafspublications/TRANSFORMING%2520ETHNIC%2520CONFLICTS.pdf>. Retrieved on 6 June 2011.

opines that development refers to a country's deliberate attempt to ameliorate the living standards of its citizens.

Now, development is sometimes defined solely in terms of economic development (Seabrook, 1993: 8; Wallis, 1989: 22). Such a conception of development tends to exclude political development and the broader idea of social development which encapsulates both political and economic aspects of development. Moreover, it reduces the degree of progress and maturity in a society to be measured by the level of its production. In this regard, the definition of development proffered by the 1986 U. N. Declaration on the Right to Development is instructive. It sees development as “a *comprehensive economic, social, cultural and political process*, which aims at the constant improvement of the well-being of the entire population and of all individuals on the basis of their active, free and meaningful participation in development and in the fair distribution of benefits resulting therefrom” (quoted in Ebeku, 2005: 369-370, emphasis added).”

For Dudley Seers (1977), the concept of development transcends capital accumulation and economic growth to include the condition in which a country's population have access to adequate food and job opportunities and the income asymmetry among them is greatly reduced. In particular, development includes such core aspects of the quality of life as: social justice, equal opportunities for all, equitable distribution of income and the democratization of the development process (Agbiboa, 2010: 480). One reliable United Nations publication views development as a process that creates the environment whereby people can meet their aspirations and fulfil their potentials (Ebienfa, 2010; Ake, 1996: 125). Todaro (1982: 14) conceptualises development in terms of “multidimensional changes involving progress or improvement in structures, institutions, and general aspects of life of a given people that entail the acceleration of economic growth, decline of poverty, and the reduction of inequality.”

The South Commission Report shifts the focus of development to the human person when it notes that “true development has to be people centered” (Museveni, 1992: 9). To this end, the Commission defines development as

a process which enables human beings to realize their potential, build self-confidence, and lead lives of dignity and fulfilment. It is a process which frees people from the fear of want and exploitation. It is a movement away from political, economic, or social oppression. Through development, political independence acquires its true significance. And it is a process of growth; a movement essentially springing from within the society that is developing (quoted in Museveni, 1992: 9).

Continuing with the theme of people-centered development, Reidar Dale (2004: 21) uses the concept of development normatively in the context of human societies. So conceived, “development is viewed as a process of societal change that generates some perceived benefits for people, or as a state of perceived quality of life attained through such a process” (Dale, 2004: 21; see, also, Eggers, 2000a; 2000b; 2002). Dale (2004: 22-23) has suggested a general typology of dimensions of development which this study considers useful. A précis of the dimensions of development is given below:

1. *Economic features.* This involves income and income-related characteristics, expressed through phenomena such as Gross Domestic Product (GDP) per capita, income distribution, rate of employment, etc., at the macro or group level; and income, consumer assets, production assets, etc., at the level of the household or, less frequently, the individual.
2. *Social features.* This pertains to various aspects of social well-being, expressed through phenomena such as life-expectancy at birth, child mortality, school enrolment, etc., at the macro or group level; and health, level of literacy, social security, etc., at the level of the household or the individual.
3. *Dependent versus independent position.* This includes degree of bondage or, oppositely, freedom in making one’s own choices about aspects of one’s life or lives, expressed through features such as degree and terms of indebtedness, degree of struggle for scarce resources, degree of inequality or equality of gender relations, group relations, etc.
4. *Marginalised versus integrated position.* This pivots on the degree and terms of participation in markets, politics and social life, and type and strength of economic and social security networks.
5. *Degree of freedom from violence.* This concerns the extent to which individuals and groups may lead their lives without deliberate mental or physical maltreatment or fear of such maltreatment, within their family and in the wider society.
6. *Degree of mental satisfaction.* This refers to the degree of mental peace, and the ability to enrich one’s life through intangible stimuli.
7. *Survival versus development-oriented attitude.* This involves perception of one’s position, abilities and opportunities in the society, at the level of the social group, household or individual (Dale, 2004: 22-23).

For many Niger Deltans, the common belief is that development, as reviewed above, has resoundingly eluded their region. They are piqued by the fact that oil receipts are continually used to run the Nigerian state and develop areas occupied by the majority ethnic groups to the exclusion of minority groups, especially in the Niger Delta (Ebeku, 2005: 370). As Adewale (1995: 69) explains, “members of the [oil-bearing] communities have expressed the view that it is inequitable for the government to leave their communities underdeveloped and utilize the proceeds of the oil extracted from their communities for the rapid development of other parts of the country.” Ikein (1990: 39)

supports the Adewale's explanation when he attributes the developmental stasis in the Niger Delta to the fact that "their wealth is ripped away to benefit other areas." Even the former Nigerian President Olusegun Obasanjo agrees with the point made by Adewale and Ikein above. He frankly declares that "it is unfair for south-south [Niger Delta] states, the producers of the nation's wealth to languish in penury while the resources from their areas are used to develop other parts of the country" (*This Day*, September 10, 2002). Crucially, the major contention of community leaders in the Niger Delta, as noted by Adewale (1995: 69), is that development "should start from the oil-producing area and spread to other parts of the country and not vice versa."

2.3 The Gulf of Guinea

Since the late 1990s, the significance of the Gulf of Guinea has been underscored by its role as "an energy repository and a strategic supplier to the global oil market" (Onuoha, 2009: 245). This importance was given a fillip by the renewed worldwide interest in the region's resources due largely to the tragic events that occurred on 2 September 2001 in the United States, and the pressure to cut-back on global over-reliance on oil supplies from the volatile Middle East region by searching for other reliable sources of oil supply (Onuoha, 2009: 245). Thus, "the attempt to gain a strong foothold in the oil-rich West Africa by Europe and North America is linked to economic and geopolitical considerations."²⁵

On May 16 2001, the National Energy Policy Report noted that "Africa is expected to be one of the fastest-growing sources of oil and gas for the American market. Africa oil tends to be of the high quality and low in sulphur... giving it a growing market share for refining centers on the East Coast of the U.S." (Rozoff, 2011).²⁶ Similarly, in 2002, U.S. Congressman Williams Jefferson frankly stated that "African oil should be treated as a priority for U.S. national security post 9-11... our traditional sources of oil are not as secure as we thought" (Rozoff, 2011). The expectation is that the Gulf of Guinea will provide a quarter of the oil imports of the U.S. by the year 2015 (Kwaja, 2011: 1). This underscores the strategic importance of the region. Subsequently, the Gulf of Guinea has become increasingly crucial in issues that fall within the purview of global energy security (Onuoha, 2009: 245; see, also, Klare and Volman, 2004: 227). These unfolding developments hold profound implications for the region. Why? Because "global project

²⁵ See, "Oil and the Gulf of Guinea," Available at, http://www.nigeriafirst.org/printer_230.shtml. Retrieved on 12 July, 2011.

²⁶ Rozoff, R. (2011). "US Africa Command and Gulf of Guinea: Militarization of Energy Policy," Available <http://guineaoye.wordpress.com/2011/01/08/us-africa-command-and-gulf-of-guinea-militarization-of-energy-policy/>.

of securing the region is directed at controlling both the territorial space and the resources within it” (Onuoha, 2009: 245; Obi, 2005: 40).

The Gulf of Guinea is popularly referred to as a coastal belt which includes many “West-Central-Southern African countries. These include: “Angola, Benin, Cameroon, the Central African Republic (CAR), Chad, Cote d’Ivoire, Democratic Republic of Congo (DRC), Equatorial Guinea, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Nigeria, Republic of Congo, Sao Tome and Principe, Sierra-Leone, and Togo” (Onuoha, 2009: 245). According to Onuoha (2009: 245), the Gulf of Guinea produces approximately 5.2 million barrels per day and is estimated to hold as much as 50.4 billion barrels of oil in proven reserves.”²⁷ Rozoff (2011) has noted that “the Gulf of Guinea increasingly represent an important source of oil, with the U.S. estimating that it will supply over a quarter of American oil by 2015. It has already sent U.S. military trainers to the region to help local nations to secure shipping.”

The importance of the Gulf of Guinea is also underscored by other factors:

- (1) With the exclusion of Chad, all the oil exporting countries of the region are coastal states with veritable access to the sea.
- (2) The bulk of the region’s oil deposits are located offshore. This reduces, though does not entirely rule out, face-offs with indigenous communities and other restive elements, unless piracy such as that in the Gulf of Aden begins in earnest off the West African coast.
- (3) Given its low sulphur content, the region’s crude is *de lure* in the global energy market,²⁸ and with the emergence of technological innovations, such as the ultra-deep water machinery and 3-D seismic expertise, the extraction of previously unreachable deposits has now began in earnest (Onuoha, 2009: 245).

However, the Gulf of Guinea is home to some deep ironies. Most states in the region present (on the whole) one of the most despicable forms of underdevelopment and squalor. In a 2008 “Index of State Weakness in the Developing World” conducted by the Brookings Institute, in which the performances of 141 developing countries were

²⁷ “This is an approximation of crude oil production and proven oil reserves of oil producers in the Gulf of Guinea for 2008: Angola (daily total oil production: 2.014), proven reserves: 9.035 billion barrels) Cameroon (daily total oil production: 81.72; proven reserves: 0.200 million barrels), Chad (daily total oil production: 126.99; proven reserves: 1.5 billion barrels), Equatorial Guinea (daily total oil production: 359.20; proven reserves: 1.100 billion barrels), Gabon (daily total oil production: 247.85; proven reserves: 2.000) and Nigeria (daily total oil production: 2.168.86; proven reserves: 36.220 billion barrels)” (Energy Information Administration, 2008, quoted in Onuoha, 2009: 245).

²⁸ “Recent indications suggests that refineries in China and India are changing their crude oil diets from ‘sweet crudes’, and upgrading to process high-sulphur and less-costly sour Middle east Crudes which may likely remain the base load in their future energy projections. However, according to Kang Wu of FACTS Global Energy, China’s sweet crude imports will keep rising, but sour crude imports will rise faster because most of the country’s new refining capacity is designed to process sour crudes” (see Judy, 2009, quoted in Onuoha, 2009: 248).

assessed, it was discovered that “32 African countries were among the top 50 worst performers and 12 of those were oil producing states from Africa” (Rice and Patrick, 2008: 12). Closely following other African oil states in the Gulf of Guinea, the index ranked Nigeria 28th on the list of “critically weak” states (as a matter of interest), “falling within the bottom quintile on critical issues such as inflation, rule of law, control of corruption, conflict intensity, gross human right abuses, coups, political instability and absence of violence, child mortality, access to improved water and sanitation.”²⁹ The above brings into bold relief the *paradox of plenty* (Karl, 1997)—a phenomenon which has characterised most petro-states in the region, viz. Nigeria, Angola, Gabon and Congo-Brazzaville. Other new oil states—like Chad, Equatorial Guinea, Ghana, and Sao Tome and Principe—appear to be foredoomed to this fate too.³⁰ The paradox of plenty is crystallized in the oil-development nexus.

2.4 The Oil-Development-Resource Curse Nexus

One of the greatest paradoxes of Africa is that its people are for the most part poor while its land is extraordinarily rich

Nicholas Krislof, *International Herald Tribune*, May 27th 1997.

The linkage between oil and development is a contradictory one. In some countries, the oil resource has been the *cause* of development; in others, however, oil has been the *curse* of development. Oil-exporting Norway, for example, has used the benefits of its North Sea petroleum proceeds to attain the high place it presently occupies on the UNDP List of best social development performance. By contrast, other oil exporters like Nigeria and Angola poignantly lead from the rare (Karl, 2007: 2). Added to this, while oil has given a welcomed boost to development in most developed countries like Russia, United States of America, Canada, France, and Australia, the experience in most developing countries and the Third World fluctuate with the exception of countries like Libya, United Arab Emirate, Oman, Qatar, Bahrain, Kuwait and Saudi Arabia, where oil wealth is more efficiently utilized to diversify the economy and to better the lot of the citizens. Most exponents of oil-led development often draw attention to some of the prospective benefits ranging “from enhanced economic growth and the creation of jobs, increased government revenues to finance poverty alleviation, the transfer of

²⁹ C. Ukeje, “Oiling Regional Insecurity: The Implications of the Niger Delta Crisis for security and Stability in the Gulf of Guinea and West Africa,” Available at <http://www.garnet.sciencespobordeaux.fr/Garnet%20papers%20PDF/UKEJE%20Charles.pdf>.

³⁰ See, <http://www.hrw.org/reports/1999/nigeria/nigeria0199.pdf>.

technology, the improvement of infrastructure and the encouragement of related industries” (Karl, 2007: 2).

There is little doubt that the oil industry can be a potent source of huge revenues, if not mixed with corrupt practices engineered by unscrupulous and visionless leadership. Also, income derived from oil-related rents—such as “royalties, taxes, oil export earnings, interest on joint venture investments” (Omeje, 2007), often create the financial backdrop for the execution of impressive development programmes. This aside, oil fuels technological development in the sense that, as a source of energy, it encourages the technological production of goods and services which creates job opportunities in a country. Contrariwise, “the consequences of oil-led development can be negative, including slower than expected growth, barriers to economic diversification, poor social welfare performance and levels of poverty, inequality and unemployment” (Karl, 2007: 2).

Karl (2007: 2) has also noted that countries over-reliant on oil as the mainstay of development are often characterised by an “exceptionally poor governance and high corruption, a culture of rent-seeking, often devastating economic, health and environmental consequences at the local level, and high incidences of conflict and war.” Moreover, such monocultural economies also suffer from devastating economic, health and environmental degradation at the local level, and high incidences of conflict and war. The oil-development discourse has been largely informed by the *resource curse* thesis which has emerged strongly since the 1980s. The thesis demonstrates how natural resource abundance can be a curse to a country’s development (Auty, 2007: 207). In particular, it contends that wealth derived from oil usually brings out high levels of “corruption, profligacy, social crisis, poor governance, human right abuses and ultimately violent conflict” (Gary and Karl, 2003: 9). Thus, “enormous natural resource endowments blighten [rather than brighten] the prospects for development, paradoxically motivating people to struggle over scarce resources, breeding corruption, marginalization, and armed insurgency” (Gary and Karl, 2003: 9).

It is important to note that the idea of the resource curse is not novel. Auty (2007: 207) explains how imperial Spain “provides a long-recognized example of a country that failed to prosper from the gold and silver shipped from its New World colonies. In contrast, Spain’s beleaguered Dutch colonies were developing the economic dynamic that was to win them their freedom and make them the commercial model for Western Europe.” In his work *The Shackled Continent*, Robert Guest (2004: 63) argues that, “governments that depend on natural resources for most of their income are usually venal and despotic.” Indeed, most oil-rich Gulf States and African oligarchies such as

Nigeria, Gabon, and Equatorial Guinea have a wretched record. The case of Angola is illuminating.

Angola is the world's ninth-largest oil producer but most Angolans are poorer than they were when oil was first discovered off the country's Atlantic coast (Guest, 2004: 63). Sadly, "the [oil] industry [in Angola] accounts for over 90 per cent of Angola's export earnings but employs only 10,000 people" (Guest, 2004: 63). Angola's offshore wells disgorged 800,000 barrels a day in 2000. Half of the country's gross domestic product (GDP), as well as nearly all the taxes of the Angolan government, comes from oil. This notwithstanding, many ordinary Angolans do not even know that their country has oil. In Angola, "oil fuelled a civil war that left [the majority in the country] scorched and starving, while allowing a tiny elite to grow fantastically rich" (Guest, 2004: 63). Since the ruling government controlled the oil wells, it had more petrodollars to pay its troops and buy guns which in turn helped them to prolong the fighting and pillaging of resources. As Guest (2004: 67) notes, "The war gave the Angolan government an excuse ('national security') for secrecy, which made it easy to pocket huge kickbacks on arms deals, or simply to funnel oil receipts into offshore accounts." By one estimate, in the late 1990s between a third and a half of public spending in Angola was not properly accounted for (*Angola Country Report*, 1998: 16).

By parity with Angola, Nigeria represents the *ne plus ultra* (perfect example) of the resource curse: "the country is estimated to have absorbed oil rent in excess of \$300 billion during 1974-2004, averaging around an extra 23 per cent of non-oil GDP during 1974-81" (Auty, 2007: 208). Consequently,

these revenues transformed a dynamic and diversified economy, which grew by 7 per cent per annum during 1967-74 into a mono-product basket case with a per capita income by 2004 less than one-quarter of what it would have been if it had sustained its pre-oil boom growth rate (Auty, 2007: 208).

In the light of the above, oil in Nigeria can be described as a 'curse' rather than a blessing. Indeed, as one editorial in the *Guardian* puts it: "... it has been to our external shame that, unlike most other oil-producing countries, we have neither taken firm control of the industry nor have we reaped bountifully from the proceeds. That is why Nigeria is an unflattering example of the oil curse" (quoted in Obi, 2010: 443). In this regard, Obi (2010: 443) poses the germane question: "Is it not an irony that Nigeria exports crude oil, but imports refined petroleum products despite having four refineries?" Importantly, due to the mono-cultural nature of the Nigerian economy, other viable sectors of the Nigerian economy that formerly fuelled development has been

sidelined, “a classic symptom of the ‘Dutch disease’”³¹ (see, Auty, 1993; Collier and Hoeffler, 2004; De Soysa and Neumeyer, 2007: 202).³² For instance, the discovery of oil in Nigeria during the 1970s resulted, regrettably, in the gross neglect of the agricultural sector which was formerly the food basket of the economy. Available statistics indicates that “from less than 1 per cent in 1960, the contribution of oil to gross domestic product (GDP) rose to 14.6, 21.9 and 26-29 per cent in 1970, 1975 and 1979, respectively. By 1992, it had reached a height of 46.8 per cent” (Omotola, 2006: 8). The contribution of oil to Nigeria’s export earning has been much higher: “From 58.1 per cent in 1970, it rose to 95.6 per cent in 1979. Throughout the 1980s and 1990s, it remained very high, accounting for ₦210 billion or 96.1 per cent of total export earnings in 1996” (Omotola, 2006: 8). In 2011, the country suffers from severe shortage of agricultural goods to sustain its huge population; as a result, it depends on massive food importation.

It is quite illuminating to note that that initial research into the resource curse focused empirical attention on the mineral economies, which appeared to have performed especially poorly during the years after 1973. The macroeconomic response of six oil-exporting countries have been analysed by Gelb *et al.* (1988: 262-288). These countries include: Algeria, Ecuador, Indonesia, Nigeria, Trinidad and Tobago and Venezuela. The conclusion of their analysis shows that “most governments found it politically difficult to resist pressure to spend the oil wind-falls, so that the over-rapid domestic absorption of the oil revenues triggered patterns of consumption that sustained Dutch disease effects and proved difficult to cut back when oil prices fell” (Auty, 2007: 208). By contrast, Indonesia shows that “a growth collapse can be avoided if sufficient oil revenue is used to diversify the economy competitively” (Timmer, 2004, quoted in Auty, 2007: 208)

Part of the problem in Nigeria is the fact that the value system in the country has been devalued, so much so that public treasuries are unabashedly stolen by the same officials mandated to manage them (Agbibo, 2010, 2011). As Maria Costa pointedly notes, “between 1960 when Nigeria became independent and 1999 when Democracy was restored, a staggering sum of \$400 billion was stolen and stashed away by a generation of corrupt rulers. That is within a space of 39 years...” (quoted in Ajanaku, 2008: 36). Notably, Nigeria’s return to democratic rule in 1999 has done little to

³¹ ‘Dutch disease’ refers to “a process whereby new discoveries or favourable price changes in one sector of the economy—for example petroleum—cause distress in other areas—for example agriculture or manufacturing” (Karl, 1997: 5).

³² This situation, according to proponents of the rentier state thesis was due mostly to “the ready availability of rent revenue, and the fact that oil rents reduce the political and economic significance of the taxpayer, as it allows the state to be less dependent on taxation” (Idemudia and Ite, 2006: 396).

ameliorate the situation of pervasive corruption, looting, and rent-seeking activities in the country. In a show of shame, Nigeria has often led from the top in most Transparency International (TI) corruption rankings (see Table 4 below).

Against this backdrop, Babafemi Ojodu’s (*African Concord*, 1992: 8) caricature of Nigeria is well taken. He sarcastically articulates that “corruption has become the major export [of Nigeria] apart from oil.” It is useful to note, however, that there is a steadily improvement in Nigeria’s rankings in recent years. This may point to the fact that “the *on-going initiatives* to rein in corruption excesses in Nigeria seem to be making its inroads felt in the country’s political economy” (Agbiboa, 2010: 483, emphasis added).³³ Whatever the merits, the state of affairs in Nigeria remains so mangled that the simple task of maintaining existing infrastructures remains a resounding debacle. What is more, some contract figures are extra-legally inflated and those to whom they are awarded conceive them as an avenue to ‘cut’ their share of the ‘national cake’. This explains the many “white-elephant” projects that litter the country—an unflattering sign of growth without development (Agbiboa, 2010, 2011a). In the light of the above, it behoves us to ask: What is the trouble with Nigeria? According to Nigeria’s eminent writer and novelist, Chinua Achebe (1983: 22),

[t]here is nothing basically wrong with the Nigerian character. There is nothing wrong with the Nigerian land or climate or water or air or anything else. The Nigerian problem is the unwillingness or inability of its leaders to rise to the responsibility... of true leadership.

Table 4
Transparency International Corruption Rankings, 1998-2010

Years	Ranks
1988	5
1999	2
2000	1
2001	2
2002	2
2003	2
2004	3
2005	6
2006	17
2007	33
2008	134
2009	134
2010	134

³³ For a well-documented presentation of the impact of the on-going anti-corruption initiatives in Nigeria, see author’s earlier publication in 2010: “The Corruption-Underdevelopment Nexus in Africa: Which Way Nigeria?” *Journal of Social, Political and Economic Studies*, 35(4): 474-509.

Source: Adapted from, Agbiboa, 2010, p.483.

Achebe's quote is incarnated in the Niger Delta region. The plethora of natural resources in the delta should make it a region with huge potentials in terms of industrial development. Poignantly, however, these huge potentials have remained only on paper. The above paradox has led many Niger Delta inhabitants to view the oil resource as a curse rather than a blessing. Further, Nigeria has been described as a prime example of the *rentier* state (Kuru, 2002: 52). A rentier state is generally regarded as "a state reliant not on the surplus production of the domestic economy or population but on externally generated revenues or rents, usually derived from an extractive industry such as oil" (Kuru, 2002: 52; Karl, 2007). Frequently, a rentier state is "without a productive outlook in the sense that revenues from natural resource rents contributes a significant proportion of the GDP and dominate national income distribution, usually at the expense of the real productive sectors of the economy" (Kuru, 2002: 52). In other to appreciate the context in which Nigeria is being classified as a rentier state, it is useful to put the Nigerian state in perspective.

2.5 The Nigerian State in Perspective

Onuoha (2009: 248) has located the origins of the Nigerian state within "a colonial state structure that was dominated by the coercive designs of the British colonial enterprise." To be sure, colonialism left certain conspicuous marks on Nigeria. The first mark is that "the post-colonial Nigerian state (just like its colonial progenitor) remains a law and order state" informed by a pedagogy of force and violence (Omotola, 2006: 6). The untimely incorporation of the Nigerian state into global capitalism also rests on the country's colonial origins. This was done to realise the aim of colonialism—"exploitation of capital and surplus value" (Omotola, 2006). This is what Osaghae (1998: 19) referred to as the "extractive role" of the state. Soon, "the conception of the state as an instrument of accumulation and patron-client ties as the dominant mode of political relations" (Omotola, 2006: 7) gained currency in Nigeria.

Omotola (2006: 7) argues that in this complex nexus, "the state lacked autonomy because its apparatuses were not only underdeveloped, but also captured by the governing elite to advance their parochial interests." Consequently, the Nigerian state became privatised, seen by Ake (1996: 42) as the appropriation of the state to 'oil' private interests. In this regard, Wayne Nafziger (2003: 2) has noted that

these elites may not benefit from avoiding political decay through nurturing free entry and the rule of law and reducing corruption and exploitation. Instead, political leaders may gain more from extensive unproductive, profit seeking activities in a political system they control than from long-term efforts to build a

well functioning state in which economic progress and democratic institutions flourish (quoted in Omotola, 2006: 7).

Though Nigeria gained political independence in 1960, the same perception of the state has endured, even after the local elites took over from the colonialists. Such a perception holds serious security implications.

2.6 (In)security

Following the end of the Cold War, the concept of 'security' is back on the radar screen, this time with renewed academic interest. This allows writers in the field to think about security as something that transcends the customary notion of military defence of state interests and territory (Parris, 2001). Traditionally, security has been understood in the light of military threats to the de-emphasis of other security threats (Buzan, 1983; Cable, 1995; Mastanduno, 1998). As Baldwin (1997: 9) contends, "during the Cold War, security studies was composed mostly of scholars interested in military statecraft. If military force was relevant to an issue, it was considered a security issue; and if military force was not relevant, that issue was consigned to the category of low politics." For several decades, the predominance of the realist paradigm meant that security was subsumed under the rubric of power and the state (du Pisani, 2007: 15). As Tickner (1995: 176) notes, "conceptually, it was synonymous with the security of the state against external dangers, which was to be achieved by increasing military capabilities."

The scholar Barry Buzan (1991: 16-17) is in the vanguard of viewing issues of security in a new light. According to Buzan (1984), individual security, state security and the international system are inseparably linked. He argues that "security *cannot* be isolated for treatment at any single level" (quoted in Baldwin, 1997: 8, emphasis added). Further, Buzan (1991: 16-17) notes that the concept of security should be broadened to include military, political, economic, societal and environmental aspects. These are:

1. That human security is a universal concern. The notion of human security is not limited to the poor or rich countries. It recognizes that there are common threats to all peoples including unemployment, crime, pollution, drugs and human right violations.
2. That the components of human security are interdependent. There are no territorial limitations to the components of human security. Famine, floods, pollution, terrorism, ethnic disputes and social integration can no longer be conceived as circumscribed to national borders.
3. That early prevention is an easier way to guarantee human security than later through intervention. When weighted in the balance, the costs of preventive measure are less than the costs of dealing with the aftermath of a security breach. For instance, rather than trying to stem the tide of death and diseases

after a disaster, prior emphasis placed on primary health care may lessen the potential damage to the population.

4. That people are at the [epicenter] of human security. Human security deals with how people live and breathe, how they exercise choice, how much access they have to opportunities and whether they live in conflict or peace (Buzan, 1991: 16-17).

Human security is the most recent formulation in a general broadening of the concept of security that has gained momentum over the past three decades. Ojatorotu (2008: 39) argues that the human security paradigm is an inclusive conception of security that recognizes and accommodates a wider range of issues that borders on human concern such as security from poverty, disease, famine, illiteracy, environmental despoliation, and unemployment, which [individually or collectively] have contributed to the destruction of human existence. These are the stuff of crisis in the Niger Delta.³⁴ From a human security perspective, the security of the state is not an end in itself: “it is a means of providing security for people” (du Pisani, 2007: 18). As such, human security complements state security in four important respects:

1. Its concern is the individual and the community rather than the state.
2. Menaces to people’s security include threats and conditions that have not always been classified as threats to state security.
3. The range of actors is expanded beyond the state alone.
4. Achieving human security includes not just protecting people, but also empowering people to fend for themselves (UN Commission on Human Security, 2003: 4).

Most human security supporters share the idea that

the concept of security has for too long been interpreted narrowly; as security of territory from external aggression, or as protection of national interests in foreign policy... It has been related more to nation-states than to people... Nations have forgotten the legitimate concerns of ordinary people who sought security in their daily lives (Echeverri, 2010: 58).

Continuing with the theme of human security, the comprehensive report of the U.N. Commission on Human Security (2003: 2) reminds the reader:

Today’s flows of goods, services, finance, people and images spotlight the many interlinkages in the security of all people... The security of one person, one community, one nation rests on the decisions of many others—sometimes fortuitously, sometimes precariously.

³⁴ The shift from the authoritarian, state-centric view to the notion of human security is premised on the fact that people are the means and end of the development process.

According to the U.N. Commission on Human Security (2003: 2-4), human security “complements state security, enhances human rights and strengthens human development. It seeks to protect people against a broad range of threats to individuals and communities and, further, to empower them to act on their own behalf.” Further, the commission (2003: 4) adduces the following definition of human security: “to protect the vital core of all human lives in ways that enhance human freedoms and human fulfilment.” In practice, this means: “protecting people from critical (severe) and pervasive (widespread) threats and situations. It means using processes that build on people’s strengths and aspirations. It means creating political, social, environmental, economic, military and cultural systems that together give people the building blocks of survival, livelihood and dignity” (U.N. Commission on Human Security, 2003: 4).

The human security paradigm presents us with two important questions. The first question is: Security for whom? du Pisani (2007: 17) argues that the answer to this basic question is that human security is people-centered. He notes that “human security takes individuals and their communities, rather than territory, states, or governments, as its point of reference” (du Pisani, 2007: 17). The second question in respect of human security is: Security from what? Again, du Pisani (2007: 17) notes that “human security addresses threats to the survival and safety of people from both military and non-military sources.” The first category—military—includes, *inter alia*, “intra-state war, small arms proliferation, communal-based violence, insurgency, rebel activity, and civil war” (du Pisani, 2007: 17). The second—non-military—can include “serious human rights violations, famine, environmental degradation, violent crime, illicit drugs, economic collapse, infectious diseases, and natural disasters” (du Pisani, 2007: 17).

Onuoha (2009: 248) has noted that “Nigeria’s national interests include preserving its sovereignty, independence and economic security, and strengthening the institutions and frameworks for the realisation of these objectives.” As such, national security in Nigeria revolves largely around protecting these interests through the “optimum combination of sound military defence policies and a favourable foreign relations position, and an administrative capability to support these” (Onuoha, 2008: 248). At independence, Nigeria reproduced the marks of the colonial state—a state which was essentially authoritarian in nature with a security orientation that was best described as highly statist (Omotola, 2006: 8). As Ake (2000: 36) avows, “more often than not, the post-colonial state in Nigeria presented itself as an apparatus of violence, and while its base in social forces remained extremely narrow it relied unduly on coercion for compliance, rather than authority.” This aside, rent-seeking activities associated with Nigeria’s mono-cultural economy also underscore the perceptions of national security in

the country. As Onuoha (2009: 248) argues, “Nigeria’s excessive dependence on income from oil exports exposes the linkage between the rentier context of its economy and its national security.” To be sure, since the 1970s, Nigeria’s economic survival have been exclusively tied, like an umbilical cord, to oil rents as the oil multinationals became quintessential to the survival of the Nigerian economy (Onuoha, 2009: 248). Against this backdrop, any internal or external disturbance of oil production poses serious threats to Nigeria’s security interests.

The above context, says Onuoha (2009: 249), “reinforces the coercive approach to government which, in responding to internal legitimacy challenges, precludes more non-coercive and social-oriented approaches” (see, also, Imobighe, 1987; Nweke, 1988; Olukoshi, 1992), which in turn mirrors the manner in which the state relates with its local constituencies. According to Onuoha (2009: 249), the understanding of security was “largely characterized by the forceful repression of public discontent, the co-optation of local government officials in power and a system of top-down financial allocation.” Quite aside, the state security apparatuses, working in complicity with the private security forces of the companies, also play a crucial role (Isike *et al.* 2007). Through irresponsible practices, oil multinationals have unleashed severe havoc on the Niger Delta environment. Regrettably, the Nigerian military have shielded them from been held responsible for their environmental damage and human rights violations. The systematic neglect underlying the Niger Delta conflict has been described as a “matrix of concentric circles of payoffs and rewards built on blackmail and violence” (Ibeanu, 2002: 165), involving key players from the local and international scene. According to Ibeanu (2002: 165):

The closer a person is to the centre, the greater his/her capacity to blackmail oil companies and therefore the greater his/her payoff. In time, members of the raucous inner circle fade away in a wimper and silence as a new core of vocal community leaders emerge: more blackmail, more payoffs.

Another dimension to security challenges in Africa is the proliferation of small arms and light weapons (SALW). This alarming development calls for serious attention on the part of respective states in Africa as the proliferation of SALW tends to sustain tension as well as intra-state conflicts (Agbiboa, 2011b). More often than not, the currency of SALW in Nigeria has asphyxiated any efforts at ending the conflict in the Niger Delta region. The violent confrontations between the Ijaws and their immediate neighbours, the Itsekiri and Urhobos, all serve as salutary reminders (this subject will be taken up again later on in chapter three).

Crucially, two mutually exclusive conceptions inform the security situation in the Niger Delta. These two conceptions are supported by the two contending stakeholders in the

crisis—the Nigerian government and the Niger Delta communities. On the one hand, the Nigerian government, as well as the oil companies, endorse a traditional state-centric view of security. On the other hand, local people in the Niger Delta, as well as other stakeholders in the region, favour the human security conception (Uzodike and Isike, 2009). The conflict between these two conceptions of security in the Niger Delta is partly responsible for the pervasive tensions in the region since the 1990s. The traditional state-centric conception of security frequently favours the use of military force as a means of quelling dissent. The case of Umuechem (1990 and 1993) and that of Uwheru (2004) and Odioma (2005) are especially instructive in this regard (Uzodike and Isike, 2009).

2.7 Ethnicity, Ethnic Conflicts, and Minority Problems

So strong is... [the] propensity of mankind to fall into mutual animosities, that where no substantial occasion presents itself, the most frivolous and fanciful distinctions have been sufficient to kindle their unfriendly passions and incite their most violent conflicts. But the most common and durable source of factions has been the various and unequal distribution of property (James Madison, *The Federalist*, No. 10, November 24, 1787).

At different times, Africa's cultural diversity—especially its ethnic, racial, class, religious, and regional differences—has been her most abiding source of conflict in the postcolonial period. The issue of identity, especially why people see themselves and others as belonging to particular cultural groups, is beyond the immediate scope of this study. Nonetheless, I will like to draw the reader's attention to the opening quote of James Madison as a reminder about not only the time-honoured and nonspecificity of social differentiation but also its continued salience, resilience and persistence. Contemporary analysts of group strategy echo the sense in Madison's words. They contend that the theory of collective definition suggests that, under certain conditions,

subordinate groups will tend to insist on their own 'specialness' and thus reinforce the solidarity of their group... *the insistence on specialness occurs when economic mobility is unlikely and group members instead opt for an improvement in their lives through political action* (Blumer and Dustin, 1980: 211-238, emphasis added).

In recent times, understanding the *casus belli* for war and internal conflict has captured the interests of social scientists. But what do we mean by 'conflict'? Thomas Hall (2004: 139) defines conflict as "an immense category for human disputes that range from relatively mild disagreements, such as the meaning of words, interpretation of events, and so on, to extremely violent attempts to eliminate another person or group of persons." Further, Hall (2004: 139) notes that conflict comes in different ranges: "from blatant and overt, to very subtle and hidden." According to Francis (2006: 71), "A

conflict arises between individuals or groups with incompatible interests and objectives.” For Paul Richards (1996: xxiv), conflict is a violent attempt by belligerents “to ‘cut in on the conversation’ of others from whose company [they] feel excluded.” One recurring theme in all the adduced definitions is the point that conflict overridingly concerns incompatible interests and resultant violence.

There is a sense in which one can argue that conflict is endemic to human relationships and societies. Zartman (1991: 370) has noted that conflict arises from interaction among people; “an unavoidable concomitant of choices and decisions and an expression of the basic fact of human interdependence.” According to Coser (1956: 16), conflict emerges “whenever two or more people engage in struggle over values and claims to status, power and resources in which the aims of the opponents are to neutralize, injure or eliminate rivals.” Further, Coser (1956: 16) explains that “these perceived threats occur especially if both parties are seeking to expand into the same physical sphere or field of influence or activity.” In line with Coser, Stagner (1995: 5) contends that the occasion of “aggressive behaviour always suggests the existence of frustration which always leads to some form of conflict.” Hugh Miall (1992: 1) has outlined some key defining features of a conflict. These include:

- (1) Perception amongst parties that a conflict exists.
- (2) Incompatible views regarding interests, values, objectives or hostile interaction must lie at the root of a conflict.
- (3) The parties may be either states or non-state actors or sub-national groups within the state.
- (4) The outcome of conflict must be considered important by the parties (Miall, 1992: 1).

Ibeanu (2003) has identified three types of conflicts in Africa: (1) conflicts that arise as a result of struggle for political participation or over political space, (2) conflicts precipitated by the contest for access to resources, and (3) conflicts caused by the struggle over identity. To this list, Kahler (2002: 1) has added a fourth dimension when he alluded to conflicts caused “by persistent attachment to territory.” A regular type of conflict is armed conflict which describes a situation where “parties to a conflict engage in hostile interaction and use of force with the aim to control, injure or destroy the opponent” (Francis, 2006: 71). Peter Wallensteen and Karen Axwell (1994: 333-349) have both developed a causality criterion to categorize armed conflicts into three classifications³⁵:

³⁵ The classification of armed conflict into distinct categories is problematic when applied to contemporary intra-state wars in Africa for a variety of reasons. It is not only difficult to secure reliable statistics on battle-related causalities, but also these ‘civilian-based’ internal wars have induced starvation, disease and appalling human misery, resulting in deaths.

- (1) Minor armed conflict: where battle-related deaths during the course of the conflict are below 1000.
- (2) Intermediate armed conflict: where there are more than 1000 battle-related deaths recorded during the course of the conflict, and where more than 25, but less than 1000 deaths, have occurred during a particular year.
- (3) Wars: where there are more than 1000 battle-related deaths during the course of one particular year (Wallensteen and Axwell, 1994: 333-349).

In an edited work *Between Development and Destruction*, Luc van de Gor *et al.* (1996: 1-28) categorized the causes of conflict into four distinct areas:

- (1) The crisis of state formation and nation-building, in particular, the factors contributing to the failure and disintegration of the post-colonial state.
- (2) Cultural factors with a specific focus on the manipulation of ethno-religious and nationalist identities.
- (3) Socio-economic factors.
- (4) The availability and proliferation of weapons (van de Gor *et al.* 1996: 1-28).

According to Kenneth Waltz (1979: 8), the causes of conflict can be analysed at three levels: (1) individual, (2) the nation-state and (3) the international system. The individual level pivots on the “human nature and predispositions towards aggression; and on individual political leaders and their belief systems, personalities, and psychological processes” (Waltz, 1979: 8). Further, Waltz (1979: 8) relates the national level to “both governmental variables such as the structure of the political system; the nature of the policy-making process; and societal factors such as the structure of the economic system; the role of public opinion and non-economic interest groups; ethnicity and nationalism; and political culture and ideology.” The systemic level identifies the causes of conflict as involving “the anarchic structure of the international system; the number of major powers in the system; the distribution of military and economic power among them; patterns of military alliances and international trade; and other factors that constitute the external environment common to all states” (Waltz, 1979: 8). However, Clarence Tshitereke (2003: 83) has argued that an appreciable lacuna in Waltz’s level of analysis framework is that much of the theoretical outline does not seem relevant when dissecting African conflicts as most African conflicts are largely civil wars with only a modicum of interstate conflicts.

In the 1980s and 1990s, the political economy analysis of civil wars in Africa gained currency with especial focus on how the nature of domestic politics or prebendal³⁶ politics creates the sources for violent conflict in Africa. The most recent version of this analysis is the ‘greed and grievance’ thesis advanced by Paul Collier and others of his

³⁶ Prebend is a term coined by Max Weber to describe “personal benefits acquired from the appropriation of public office” (Gerth and Mills, 1958).

ilk as the *casus belli* for wars in Africa. The thesis supports the position that “economic considerations often shape the calculations and behaviour of parties to a conflict, giving rise to a particular war economy” (Collier, 2000; Berdal and Malone, 2000: 2; Obi, 2009: 108). However, as earlier noted, Collier’s thesis has come under the stick for simplifying the causes of conflict in Africa and, in particular, playing down the importance of deep grievances such as socio-economic inequality, political repression and social fractionalization of communities (Francis, 2006: 83). In the so-called proxy economies such as Sierra Leone, DRC and Angola, contrary evidence highlights the place of grievances as the root cause of conflict rather than ‘greed’. More so, the proclaimed link between greed and grievance is far more complex than merely financing, rent-seeking and predatory motivations of warlords, political leaders and warring factions (Ikelegbe, 2005: 159-177; Francis, 2006: 83).

An extensive corpus of work exists on ethnicity, ethnic conflicts and minority problems (Young, 1976; Amersfoort, 1978; Thornberry, 1980; Horowitz, 1985; Rupesinghe, 1987; Welsh, 1993; Naanen, 1995; Nagel, 1995: 443; Hall, 2001), on the problems and prospects of democracy in culturally segmented societies (Babushka and Shipley, 1972; Lijphart, 1977), and on the Nigerian experience with democracy, ethnic conflicts and minority politics (Steady, 1975; Sandal, 1976; Kopi, 1977; Nnoli, 1978; Osaghae, 1986, 1991; Diamond, 1988; Akande, 1988; Olowu, 1991; Uzodike and Allen, 2005; Uzodike *et al.* 2010: 160-185; Suberu, 1996: 3). Ethnicity and ethnic politics in Nigeria is also well documented (Anifowose, 1982; Nnoli, 1978, 1994, 1995; Otite, 1990; Ihonvbere, 1994; Osaghae, 1991, 1995a, 1995b, 1996, 1998; Adekanye, 1995; Soremekun and Obi, 1993b; Saro-Wiwa, 1989, 1992, 1994b). Attention has also been paid to ethnic minority politics (Osaghae, 1998; Kopi, 1977; Alagoa and Taman, 1989; Akinyele, 1990; Ihonvbere and Shaw, 1998; Suberu, 1993, 1996; Udogu, 1997; Obi, 1997a, 1998b, 1998c; Obi, 2001).

Two predominant scholarly approaches to ‘ethnicity’ can be gleaned from the literature. On the one hand, “ethnicity is considered a *primordial* group characteristic that some scholars would argue is biologically based” (Steady, 1993: 3, emphasis added; van den Berghe, 1981; Davies and Rothchild, 1996: 41-75). But what is ‘primordialism’? According to Sergey and Sokolovski (1996: 190-192), “primordialism is an ‘objectivist theory’ or ‘essentialist theory’ which argues that ultimately there is some real, tangible, foundation for ethnic identification” (Sergey and Sokolovski, 1996: 190-192). As Wsevolod Isajiw³⁷ writes (1992: 1), “[t]he primordialist approach is the oldest in

³⁷ Elsewhere, Isajiw (1992: 5) argues that “the most common approach in the literature is to begin with ethnic groups and see ethnicity as emerging from one’s relationship to a particular ethnic group.” He argues for this approach, thus: “First of all, the meaning of the concept of ethnicity depends on the

sociological and anthropological literature. It argues that ethnicity is something given, ascribed at birth, deriving from the kin-and-clan structure of human society, and hence something more or less fixed and permanent.” The two crucial factors in a primordialist perspective are underscored by this quote: (a) that ethnicity is something that is derived from birth (b) that the nature of ethnicity is fixed and permanent.

On the other hand, “ethnicity has been conceptualized as an instrument, a contextual, fluid and negotiable aspect of identity, a tool used by individuals, groups, or elites to obtain some larger, typically material end” (Porto, 2002: 1-28; Glazer and Moynihan, 1975; Rothchild, 1986; Brass, 1985). According to Sisk (1996: 12), instrumentalists argue that ethnic identities:

...wax and wane, contingent on a wide variety of variables, including the capacity and skills of political entrepreneurs who can effectively mobilize groups for collective aims and articulate beliefs about common ancestry and destiny...some instrumentalists (alternatively known as structuralists) suggest that ethnic identity is socially constructed, often created or de-emphasised by power-seeking political elites in historically determined economic and social arrangements.

Further, some scholars like Abner Cohen, Paul Brass and Ted Gurr have conceptualised ethnic groups as “a product of political myths, created and manipulated by culture elites in their pursuit of advantages and power” (Sokolovski, 1996: 190, quoted in Wan and Vanderwerf, 2009). In a similar fashion, Eghosa Osaghae (1995b: 11) defines ethnicity as “the employment and or mobilisation of ethnic identity or differences to gain advantage in situations of competition, conflict or co-operation.” Thus, the ethnic group is one “whose members share a common identity and affinity based on a common language and culture, myth of common origin and a territorial homeland, which has become the basis for differentiating “us” from “them,” and upon which people act” (Osaghae, 1995b: 11).³⁸

Nnoli (1995: 1) has argued that “ethnicity arises when relations between ethnic groups are competitive rather than co-operative. It is characterized by cultural prejudice, and political discrimination.” In line with this logic, ethnic identity becomes the umbrella under which the “game” of politics is “played” by ethnic group. In the words of Obi (2001: 12), ethnic identity becomes “the political key to the engine room of ethnicity as a mobilizing element for the capture of power.” Notably, ethnicity is not always a matter of

meaning of several other concepts, particularly those of ethnic group and ethnic identity. The concept of ethnic group is the most basic, from which the others are derivative” (Isajiw, 1992: 5).

³⁸ Osaghae (1998: 3) has noted that “minorities in Nigeria may be defined in contradistinction to the three major ethnic groups in the country—Hausa-Fulani, Yoruba and Igbo—as linguistically, culturally, territorially and historically distinct groups which have been subjected to subordinate political, social and economic positions in the federation and its constituent units.”

numerical calculations, “for it is possible for smaller ethnic groups through a combination of historical (and socio-economic) factors and mobilizational capacities and by their position in a given structure of power relations to dominate larger groups” (Obi, 2001: 12; Osaghae, 1998: 3; Oyediran, 1996). At the conceptual level, “there has been a discernible shift from the debates between those who viewed ethnicity as a paradigm for explaining politics in Africa, and those who viewed it as a disruptive or negative element which had to be transcended in any accurate analysis of African politics” (Obi, 2001: 12; Doornbos, 1998).

The concept of ethnicity can also be viewed from the lenses of class phenomenon, which emerged from the inordinate desire of the European to exploit their various colonies, especially in Africa (Anugwom, 2000: 64). Nnoli (1978: 5), for example, argues that “ethnicity in Africa emerged and persisted either as a mechanism for adaptation to the imperialist system or as an instrument for ensuring a facile and more effective domination and exploitation of the colonised.” This form of ethnic control is seen as leading to negative consequences in terms of distribution of national resources, ultimately resulting in ethnic tension (Anugwom, 2000: 64). The end of the colonial era, however, does not mean that the objective realities upon which ethnicity was constructed have disappeared—‘black faces’ have merely replaced ‘white faces.’

Beyond this, ethnicity in Africa has also played itself out in the entrenchment before the 1990s of one-party rule. After independence the new African leaders embarked on “the elimination of institutional checks and balances, and the centralization and concentration of state power in presidential offices, as well as the termination of open party politics and the regulation and confinement of political participation—usually within the framework of a single ruling party” (Jackson and Rosberg, 1982; 23-24). Often times, these leaders have justified single-party rule as crucial to the maintenance of national unity and peace within their countries (Mamdani, 2000: 228-231). The logic behind it is simple: one-party system yoked together groups that were otherwise separated by the centrifugal forces of ethnicity, thereby providing opportunities for their reconciliation (Uzodike, 2003: 292). As Nyerere argued regarding the Tanzania one-party state, “where there is one-party and that party is identified with the nation as a whole, the foundations of democracy are firmer than they can ever be when you have two or more parties each representing only a section of the community” (quoted in Wanyande, 2000: 108).

Following independence, majoritarian democratic political arrangements were replaced by one-party systems in several African states, including Cote d’Ivoire, Guinea, Malawi, Kenya, Senegal, Tanzania, Tunisia, Zambia, and Zimbabwe. As Jackson and Rosberg (1986: 54), Lofchie (1993: 436-446), Wanyande (2000: 108-119), among others, have

observed, single-party rule can be an important instrument of control and incorporation in many countries throughout the continent. For example, President Daniel arap Moi of Kenya created an ethnic electoral base anchored on the Kalenjin—an umbrella designation that refers to a diverse grouping such as Elgweyo, Kipsigis, Nandi, and Tugen—that excludes most Kikuyu, thus intensifying the relevance of ethnicity in politics and also the level of interethnic conflict (Uzodike, 2003: 292). Moreover, some African leaders have sought to consolidate power by using ethnic cleavages in other ways. Increasingly, the issue of citizenship has become crucial to the ethnicity-related conflicts in Africa.

Two strands of the concept of citizenship generate conflicts among groups on the continent (de Waal, 2000: 47). The first strand is the idea of an ethnically homogenous state. In such situations, as in Rwanda and Burundi, a particular ethnic group is systematically marginalised and deprived of basic human rights. The second strand appertains to the idea that citizenship is a privilege and not a right. Thus, the state arrogates to itself, through its officials in government, the exclusive right of awarding or withdrawing citizenship within the society. In Zambia and Cote d'Ivoire, for instance, rival presidential candidates have been prohibited by the rulers from contesting elections on the ground that they are not citizens of the country. In some instances, such as Burundi and Rwanda and, to some extent, in Sudan, ethnically based divisions may evolve over time to other forms of cleavages. For instance, in Burundi and Rwanda, ethnicity appears to have overlapped with social class. Furthermore, the numerically preponderant Hutu now share similar language and culture with the socially dominant Tutsi. Although the deep societal division and genocidal conflicts that are manifested today are not without pre-colonial historical contexts, they seem to have been accentuated by Belgian colonial policies that further distorted and entrenched aspects of the hierarchical arrangement (Uzodike, 2003: 293).

Ethnic conflicts have long been recognised as one of the core threats to institutional stability, political order and state cohesion in the multi-ethnic societies of the Third world (Diamond, 1987; Suberu, 1996: 4). In recent decades, ethnic conflicts and ethnic violence have been identified as the major sources of casualties in warfare (Gurr, 1993, 2000; Harff and Gurr, 1998; Hall, 2001). However, authors have differed in their interpretations or explanations of the sources and nature of these conflicts. In particular, ethnic conflicts have been variously attributed to: (1) the emotional power of 'primordial givens' or cultural ties; (2) the struggle for relative group worth; (3) mass-based resource competition; (4) electoral mobilization; (5) elite manipulation; (6) false consciousness; (7) defective political institutions and inequitable state policies (Suberu, 1996: 4; Diamond, 1987; Doornbos, 1991). According to Vincent Maphai (2000: 312),

competition for scarce resources like land, funds, aid or buildings fan the embers of ethnic conflict. In Africa, says Ake (1992: 4), “ethnicity is politicized, politics is ethnicized and ethnic groups tendentially become political formations whose struggles with each other and competing interests may be more conflictual for the exclusivity of ethnic group membership.” James Fearon (2008: 853) has noted that “ethnicity is *politicized* when political coalitions are organized along ethnic lines, or when access to political or economic benefits depends on ethnicity” (emphasis added).

Nagel (1995: 442-443) argues that where competition for resources and economic rewards is organized along ethnic lines, there is tendency for the following to happen: (1) ethnic identification; (2) racism and prejudice (against rival competitors); (3) internecine conflict; and (4) ethnic mobilization. This aside, Fearon (2008: 857) has noted that many different sorts of violent events may be referred to as “ethnic,” from bar fights to hate crimes to riots to civil wars. In general, a violent attack might be described as “ethnic” if either (a) it is motivated by animosity towards ethnic others; (b) the victims are chosen by ethnic criteria; or (c) the attack is made in the name of an ethnic group (Fearon and Latin, 2000).

One serious problem in understanding ethnic conflicts derives from efforts by some leaders to ‘ethnicize’ conflicts (Hall, 2001: 148). Indeed, social scientists contend that “ethnic identities and grievances are created, or at least made salient, by contemporary politicians with quite different, nonethnic agendas” (Roxborough, 2001: 340; see, also, Kakar, 1996; Kaufman, 2001; Sadowski, 1998). To corroborate this point, Franke Wilmer (2002) argues that conflicts in former Yugoslavia were not precipitated by ancient ethnic antagonisms, but in fact were “fomented by leaders who sought deeply emotional issues around which to mobilize their followers in order to maintain or enhance their political positions” (quoted in Hall, 2001: 148). In other words, what can be properly described as political conflicts took on the ethnic cloak. In Africa, a range of political problems such as inept leadership, non-delivery of services, lack of job opportunities in the public sector, maldistribution of resources and economic perquisites, and the abuse of power, are frequently given ethnic explanations. Not surprising, societal groups coalesce along ethnic lines to press for their own “share” of state benefits (Uzodike, 2003: 292). As such, many of Africa’s most serious tensions and conflicts have been (and are being) played out under ethnic banners. For instance, many serious national tensions and conflicts during the 1990s in many African countries such as Algeria, Angola, Burundi, Cameroon, Chad, Cote d’Ivoire, Democratic Republic of Congo, Ethiopia, Kenya, Liberia, Mali, Namibia, Niger, Nigeria, Rwanda, South Africa, Sudan, Tanzania, and Uganda, have seen the lifting of ethnic banners (Uzodike, 2003: 292). The consequences of such conflicts have been described by Horowitz (1985: 31):

When ethnic violence occurs, unranked groups usually aim not at social transformation, but at something approaching sovereign autonomy, the exclusion of parallel ethnic groups from a share of power, and often reversion—by expulsion or extermination—to an idealized, ethnically homogenous status quo alone.

What about the underlying and proximate causes of ethnic and internal conflicts? There has been an appreciable tendency for scholarly literature to focus on the underlying factors that make some places and some situations more prone to violence than others. In particular, scholars have pinpointed four main constellations of factors: (1) structural factors, (2) political factors, (3) economic/social factors, and (4) cultural/perceptual factors (see table 5). Three structural factors have been identified as key precursors of ethnic and internal conflict: (a) weak states (b) intrastate security concerns, and (c) ethnic geography (Zartman, 1995: 1-11; Helman and Ratner, 1993: 3-20). Four main political factors have become the cynosure of scholarly analysis of ethnic and internal conflict: (1) discriminatory political institutions, (2) exclusionary national ideologies (3) intergroup politics (4) elite politics (Pfaff, 1993; Rothschild, 1981; Horowitz, 1985; Tilly, 1973: 425-477; Coser, 1956; Newman, 1991: 451-478; Goldstone, 1980: 425).

The potential sources of ethnic and internal conflict have been variously subsumed under three broad economic and social factors. They include: (1) economic problems (2) discriminatory economic systems, and the (3) trials and tribulations of economic development and modernization (de, Samarasinghe and Coughlan, 1991; Woodward, 1995; Gordon, 1993: 66-87; Cohan, 1975; Huntington, 1968; Gurr, 1970; Conner, 1972: 319-355; Conner, 1994; Aya, 1979: 1-38). Economic and social factors aside, two main cultural and perceptual factors have been identified by scholars as sources of ethnic and internal conflict: (1) cultural discrimination against minorities (2) group histories and group perceptions of themselves and others (Eyal, 1989: 205-208; Osiatynski, 1990; Rosenfield, 1992).

Table 5
Underlying Causes of Ethnic and Internal Conflicts

<p>Structural Factors Weak states Intrastate security concerns Ethnic geography</p>	<p>Economic/Social Factors Economic problems Discriminatory economic systems Economic development/modernization</p>
<p>Political Factors Discriminatory political institutions Exclusionary national ideologies Intergroup politics Elite politics</p>	<p>Cultural/Perceptual Factors Patterns of cultural discrimination Problematic group histories</p>

Source: Miall *et al.* 1998, p.86.

While scholars have done a useful job of probing the underlying factors that make some situations particularly prone to violence, they have devoted less effort to analyzing the catalytic factors—the catalytic or proximate causes—of ethnic and internal conflicts (Brown, 2001: 218). As James Rule put it in his review of literature on civil violence, “We know a lot of things that are true about civil violence, but we do not know when they are going to be true” (quoted in Brown, 2001: 218). The result is that we know a lot less about the causes of ethnic and internal conflict than one would guess from looking at the rather massive corpus of work on the subject. A useful way to analyse the proximate or catalytic causes of ethnic and internal conflict is to draw a distinction between conflicts that are triggered by (1) elite-level (as opposed to mass-level factors), and (2) internal (as opposed to external development) (Brown, 2001: 219).³⁹ Conflicts can therefore be triggered by four different combination of factors: (1) by internal, mass-level factors (bad domestic problems); (2) by external, mass-level factors (bad neighbourhoods); (3) by external, elite-level factors (bad neighbours); and (4) by internal elite-level factors (bad leaders). These combinations can be depicted in a two-by-two matrix (see Table 6).

Table 6
Proximate Causes of Ethnic and Internal Conflicts

	Internally Driven	Externally Driven
Elite Level	Bad leaders	Bad neighbours
Mass Level	Bad domestic problems	Bad neighbourhoods

Source: Brown, 2001, p.219.

Crucially, one of the issues adding a further complication to the search for solutions to ethnic minority conflicts is the fact that the *casus belli* for ethnic conflicts are “diverse and complex ranging from cultural differences to minority politics to religion to territorial disputes” (Hussein and Sally, 2006: 1).⁴⁰ In many cases, the complex nexus of ethnic identities and class fan the flames of conflict. For instance, particular ethnic groups may feel excluded from the benefits of economic production. This is the case with many communities in the Niger Delta of Nigeria. Supporting this view, Richard Davies (quoted in Hussein and Sally, 2006: 1) argues that where inequalities “... result from ethnic

³⁹ Similar distinctions have been made by others. See Renée de Nevers (1990). *The Soviet Union and Eastern Europe: The End of an Era*, Adelphi Paper no. 249. London: International Institute for Strategic Studies, pp. 27-29; and Stuart J. Kaufman (1996). “An ‘International’ Theory of Inter-Ethnic War,” *Review of International Studies* 22(2): 149-171.

⁴⁰ See, <http://www.cips.up.ac.za/files/pdf/uafspublications/TRANSFORMING%2520ETHNIC%2520CONFLICTS.pdf>.

discrimination and also affect material interest, ethnicity provides a cohesive basis for mobilization because of the power of its subjective attachments.”

The above view is further supported by Rupesinghe and Anderlini (1998: 14) as they illustrated lucidly the vast and variegated variables fuelling the 1994 genocide:

... in Rwanda, one of the world’s poorest nations, a rapidly increasing population coupled with decreasing agricultural productivity, few opportunities and uneven government support for rural areas exacerbated social tensions. This, combined with a drop in tea and coffee prices in the late 1980s and structural adjustments policies implemented in 1990, led to even harsher living conditions and eroded the government’s legitimacy in the eyes of the people. These factors in themselves did not create sufficient conditions for the outbreak of civil war or the genocide of 1994. Within the wider context, however, they were instrumental in the build-up of tension and grievance in a country with a history of social and ethnic divisions and recurrent communal violence.

Other scholars also note the uniqueness of some variables exacerbating ethnic conflicts on the African continent:

... throughout the continent states preside over divided societies containing widely divergent ethnic groups. This has made it particularly difficult for post-colonial states to generate a moral basis for government which endows rulers with legitimacy or authority, rather than with the mere control of the state machinery... The weakness of the African state institutions and the fragile nature of its public acceptance provide a unique socio-political environment which encourages informal networks of personal relationship between powerful and well-placed individuals (patrons) and the rest of their ethnic communities (clients) (Poku, 1996 quoted in Hussein and Sally, 2006: 1).

If anything, says Hall (2001: 150), “ethnic conflicts will remain a major source of intergroup violence in coming decades.” So much for ethnicity and ethnic conflicts; what about minority problems? While a lot of conceptual and ideological confusion encases the term “minority,” most writers acquiesce that minorities are “culturally distinctive and relatively cohesive groups” which occupy a position of “numerical inferiority and/or socio-political subordination” vis-à-vis other cultural sections in the society (Suberu, 1996: 5; see, also, Amersfoort, 1978). According to one United Nations source, minorities are groups that are

numerically inferior to the rest of the population of a state, in a non-dominant position, whose members possess ethnic religious or linguistic characteristics differing from those of the rest of the population, and show, if only implicitly, a sense of solidarity directed towards preserving their culture, traditions, religion or language (quoted in Thornberry, 1980: 257).

Baldwin *et al.* (2007: 4) have argued that “a minority is often, but not always, defined as such with reference to their position within a country, but can also be defined with

reference to a wider area (e.g., regional) or narrower area (e.g., by province). What matters is whether the minorities lack power—i.e. the ability to affect the decisions that concern them.” Hans van Amersfoort (1978) contends that minority groups differ according to whether they are geographically concentrated or dispersed, whether they seek participation in, or isolation from, the wider political system, and whether the policies of the dominant groups are framed in such a way as to achieve the emancipation or continued subordination of such minorities (Suberu, 1996; Amersfoort, 1978: 228-232). In his work *The Multiple Character of Minority Problems in Nigeria*, Osaghae (1998: 4) advances the argument that

ethnic minorities are usually defined in contradistinction to major groups with whom they coexist in political systems, as groups which experience systemic discrimination and domination because of numerical inferiority and a host of historical and sociological factors, and have taken political action in furtherance of their collective interests.”⁴¹

Perhaps, the most compelling examination of ethnic minority issues is to be found in Ted Gurr’s *Minorities at Risk: A Global View of Ethnopolitical Conflicts*. The overriding argument of this work is that ethnic groups are “at risk” only to the degree that they are discriminated against economically, socially, culturally, or politically (Gurr, 1993: 5-11). Notably, Frances Stewart’s (2003: 38; 2005: 42) work on “horizontal inequality” has inspired research on how inequalities in economic and political resources between culturally defined groups may influence conflict (Mancini, 2005: 41; Ostby, 2006: 30).⁴² Reverting to Gurr (1993: 5-11), he adopts a broad definition of ethnic minorities. His major argument is that minorities are communal groups which experience systematic discrimination in a state, and have taken political action in support of their collective interests (Gurr, 1993: 6).

Evidence shows that “a significant number of people who belong to minorities across the world live in extreme poverty,” and that often “this poverty is directly linked to the discrimination and racism they face at the hands of majority communities and governments” (Minority Rights Group [MRG], 2010: 9). Roughly “370 million of the world’s population in Africa, the Americas, Asia, and Europe and the Pacific” (MRG, 2010: 9) are indigenous people. The MRG report states that “[indigenous people] are

⁴¹“ Almost as a rule, minorities which are not subjected to domination or discrimination, and instead constitute dominant and hegemonic groups, such as white colonial regimes in Africa and Asia, the Afrikaner whites in apartheid South Africa, the Tutsi in post-1994 Rwanda and the Fulani in Nigeria, are excluded from the category of proper minorities” (Osaghae, 1998: 15).

⁴²More precisely, high levels of inequality have two effects that are likely to contribute to grievances. First, high levels of inequality exacerbate the redistributive claims that minorities are likely to make on the central state. Second and consistent with current models of democracy (Boix, 2003; Acemoglu and Robinson, 2000), as the prospective costs of such redistribution climb, the central government may be less likely to meet them. Ethnicity is likely to accentuate these dynamics.

among the most impoverished and marginalized people in the world” (MRG, 2010: 9). Further, the MRG report (2010: 9) avows that

discrimination resulting in exclusion impacts on these groups’ ability to gain access to better educational opportunities, economic opportunities, health and well being, that often leaves them in a cycle of inter generational and chronic poverty, and has also been linked to conflict affecting these communities. Their lack of participation, or, more to the point, their lack of access to development policy discussions, means that international and national development strategies often fail to target them specifically.

Gurr (1993: 23) has highlighted several conditions that have had a snow-ball effect on the mobilisation of ethnic minority grievances since 1945. These conditions include:

1. Unequal treatment of minority communities by dominant or “mainstream” groups.
2. Competition with other groups for access to power in new states.
3. The contagious effect of ethnopolitical activism elsewhere.
4. Patterns of state building, political power and economic development that channel communal energies into either protest or rebellion.
5. The emergence of new ethnic minority elites who are willing to, and are adept at, mobilising their constituents in response to changing political developments, opportunities and resources (Gurr, 1993: 23).

Osaghae (1998: 4) have argued that in Nigeria, minority groups are frequently defined

in contradistinction to the majority ethnic groups—Hausa/Fulani, Yoruba and Igbo—as linguistically, culturally, territorially and historically distinct groups which, because of their diffusion, numerical inferiority and historical evolution within the modern Nigerian state, have been subjected to subordinate political, social and economic positions in the federation and its constituent units.

2.8 Civil Society

The concept of ‘civil society’ describes “the layer of voluntary, popular, public and social action of non-state actors that utilises social, cultural, political and ethnic networks and non-state activities, in pursuance of objectives, which are usually of a public nature” (Ikelegbe, 2001: 439; Young, 1992: 33-50; Makumbe, 1998: 305-317). A proper understanding of civil society should also include “the organisations of the professions, labour, youth, women, peasants, communal, social, cultural, neighbourhood, development, environmental and civil rights groups that build identities and platforms in respect of collective claims, civic actions and solutions” (Ikelegbe, 2001: 439). According to Bratton (1994: 2), civil society refers to “a sphere of social interaction between the household and the state which is manifest in norms of community cooperation, structures of voluntary association, and networks of public communication.

Bayart (1986: 112) has noted that the concept of civil society is “not necessarily embodied in a single, identifiable structure.” Informed by the above definition of civil society, Bratton (1994: 2-3) goes on to distinguish the institutions of civil society as:

- (1) *The norms of civic community.* The most important values for the construction of civil society are trust, reciprocity, tolerance, and inclusion. Trust is a prerequisite for individuals to associate voluntarily; reciprocity is a resource for reducing the transaction costs of collective action; political tolerance enables the emergence of diverse and plural forms of association. These values are promoted by citizens who actively seek to participate in public affairs. The presence of civil norms can be measured by sample surveys and public opinion polls and observed in voting, “joining,” and varieties of collective behaviour. These norms of civic community are taught not only in the family but also by civic organisations such as schools, churches, and community groups.
- (2) *The structures of associational life.* In order for civic life to become institutionalised, it must be expressed in organizational form. The most common organisational structure in civil society is the voluntary association, a grouping of citizens who come together by reason of identity or interest to pursue a common objective. There are various types of voluntary associations ranging from the localized, informal, and apolitical on the one hand to national, legally-registered, policy advocacy organizations on the other. While policy advocacy groups may have the largest and most direct impact on national political life, they do not exhaust the relevant organisations in civil society. Whether or not they are explicitly oriented to civil or political functions, all types of voluntary association help to populate and pluralize civil society.
- (3) *The networks of public communication.* In order to be politically active, citizens require means to communicate with one another and to debate the type of government they desire for themselves. Civil discourse can take place in various fora, the most important of which are the public communications media, both print and electronic. State or private monopolies of media ownership and public opinion are not conducive to civil society; civil society is always stronger where there is a diversity of media outlets and political views. New technologies of personal communication can strengthen civil society by empowering citizens to communicate independently of state supervision. A healthy civil society is a multi-stranded web of crosscutting channels of communication (Bratton, 1994: 2-3).

In Africa, “civil society activities have been characterised by popular mobilisation, social protests, opposition, advocacy and criticisms in favour of reform, change, accountability, control of state excesses and abuses, and have contributed immensely to regime and policy changes, democratisation, increased liberalisation and observance of civil rights” (Ikelegbe, 439-440; Bratton, 1992; Makumbe, 1998). Many scholars generally acquiesce that civil society has “broadened individual and group influence, access and participation, pluralised power relations, and enabled the emergence of a culture of engagement, protests, contestations, challenge and resistance against improprieties

and abuses of organisations and the state” (Ikelegbe, 2001: 439; Keane, 1988; Harbeson, 1992; Bratton, 1992; Grindle, 1996).

Crucially, civil society is often placed under threat by most African states. Indeed, “the tendency of the post-colonial state to dominate, subordinate, incorporate and suppress because of its hegemonical, personalistic, patrimonial, authoritarian and absolutist characteristics, and its prevalent abuse, lawlessness, predatoriness, ineptitude and corruption makes the state intolerant to autonomous, civil and popular actions” (Ikelegbe, 2001: 440; Callaghy, 1984; Chazan, 1988; Nyang’oro and Shaw, 1989; Mamdani, 1995; Ake, 1996; Ekeh, 1998). In addition, both “business and private corporations”—especially multinational corporations—tend to be also hostile civil society (Keane, 1988: 5; Makumbe, 1998: 305-317).

It is also important to mention the increasing tendency for social groupings to establish relationships beyond the borders of their countries with a view to internationalising the issues they seek to address. Granted that social movement activity transcends national boundaries, four modes of action define the overall character of these social networks: (1) movement diffusion ([that is] temporary interactions that generate similar movement in another state); (2) transnational issue networks (enduring information exchange between main actors within the social movement circle); (3) political exchange (the networking of social groupings in a number of societies); and (4) transnational social movements (interactions between groups with shared visions and ideals) (Ojakorotu, 2009: 1). This typology approximates the character of social movement activity in the Niger Delta. The emergence of social movements and the internationalization of their activities can be ascribed to a number of factors such as:

- (1) Democratisation: the ascendance of liberal ideological issues pertaining to the environment.
- (2) Human rights and minority rights.
- (3) The revolution in information and communications technology with its attendant integration of the world economies (Ojakorotu, 2009: 1; Ikelegbe, 2005).

The above variables have joined forces with local factors to bring about the formation and survival as well as the transnationalisation of social movements in Nigeria.

2.9 Ethnic Militias and Resource Control

According to Akaruese (2003: 218), militias are “properly armed group with overt or covert command structures, enjoying some forms of legitimacy and permanency; and capable of resorting to the use of arms in pursuance of their objectives.” For his part, Adejumobi (2003: 1) contends that “*ethnic militia* groups are essentially youth based

groups formed with the purpose of promoting and protecting the parochial interests of their ethnic groups, and whose activities sometimes involve the use of violence” (emphasis added). Falana (2003: 183) has argued that “such ethnic militias that make the liberation of their ethnic nationality its main pre-occupation may sometimes be described as a guerrilla movement.” Conceived in this way, Isaac Jasper Adaka Boro’s Niger Delta Volunteer Service (NDVS) becomes the first ethnic militia group in Nigeria. This was the precursor to the Egbesu Boys which in February, 1966 announced the secession of the Niger Delta region from Nigeria.

The rapid increase of ethnic militia groups in modern-day Nigeria is best situated within the skewed nature of the Nigerian political economy and decades of leadership failures (Agbibo, 2011). The first pertains to the violent character of the Nigerian state (Adejumobi, 2003) best exemplified by decades of military rule in Nigeria. As Ken Saro-Wiwa (1996: 43) noted during his farcical trial by the Abacha regime: “[t]he Nigerian military dictatorship survives on the practice of violence and the control of the means of violence” (quoted in Adejumobi, 2003: 3). In a similar fashion, Asobie (1990: 6) argues that military regimes in Nigeria

... breeds violence because they block all chances for peaceful change. The structural inequality that is intrinsic of the socio-economic system of a rentier capitalism state, like Nigeria is compounded by military rule and militarism. Military rule and militarism breed not just physical violence but also structural violence (quoted in Falana, 2003: 184).

As a result of the state’s appetite for violence as a negotiating tool, any peaceful demonstration by the people was often stamped out with violence. The state’s appeal to violence aside, most political society in Nigeria have often tilted towards the use of armed politics as one of the means for achieving political ends. Such inclination towards armed violence is a common trend that runs through most of the political parties in Nigeria right from the first republic in 1960. As Edwin Madunagu (2000: 1) puts it:

The nature of politics, whose ultimate form is the struggle for power, compels every political organisation at a certain stage in its development to acquire an armed detachment, or be militarised. Some political organisations, utilising their entrenchment in the state, use national armies, the police and other security forces as armed wings. *There should be no hypocrisy or self-righteousness or attempt at falsification of history here. All political formulations in our history, which had developed to the point of directly pushing for power as an immediate political project (not as mere distant hope), had been armed or militarised in one form or another...* it does not matter what you call the armed group: youth wings, thugs, intelligence officers or body guards (quoted in Adejumobi, 2003: 2, emphasis added).

The emergence of ethnic militias in Nigeria coincided with the brutality of military dictatorships in Nigeria, especially during the 1990s. A key background to the mushrooming of ethnic militia groups under the Babangida and Abacha regimes pivot on the phenomenon of relative deprivation that developed to its acme in the country—a harsh reality that was felt most by ethnic minorities situated the Niger Delta. The oil resource played a salient role in this development. Though the Nigeria economy depends largely on the exportation of oil which is derived from the Niger Delta region, the communities therein live under odious conditions, lacking elementary social amenities like “feeder roads, electricity, pipe-borne water, and cottage industries” (Adejumobi, 2003; Agbibo, 2011a). The general perception among minority groups in the area is that there is a nexus between their marginalisation and their minority status within the skewed Nigerian federation. The general claim is that the dominant ethnic groups use the resources gained from the oil producing areas to develop their own places (Adejumobi, 2003: 3) and to line their pockets.

Notably, a substantial body of work has been written on the travails of the Niger Delta people (Civil Liberties Organisation [CLO], 1996; Ekine, 2001; Obi, 2002; Human Rights Watch, 1999). In complicity with oil multinationals, the Nigerian state have always had an inordinate penchant for the use of military force to quell any form of dissent in the area (Omotola, 2009). Indeed, they have cordoned-off the environment by “stationing an ‘army of occupation’ in the oil producing communities that would keep at bay restive youths, and associations through the use of arms in order to ensure the uninterrupted flow of oil to the Nigerian state” (Adejumobi, 2003: 2). In the Niger Delta, it is not uncommon for several human/minority rights activists to be detained or put to death by the state without trial. Chagrined by the iron-fist approach of the state, some groups in those marginalised communities have also resorted to armed reaction ostensibly in self-defence.

Subsequently, the region witnessed the emergence of various militant youth groups and radical youth wings. At risk of oversimplification, the major objective of these groups was “to counter the violence of the state, and drive home their point of deprivation and marginalisation” (Adejumobi, 2003: 3). The extra-judicial murder of Ken Saro-Wiwa—the passionate leader of MOSOP—in 1996 increased the determination of those groups that only a resort to violence will protect them from the gross repression of the Nigerian state. Consequently, the Niger Delta people “reconceived and sharpened their demands from purely social and economic claims to political claims. Their demands were refocused on relative autonomy and self-determination for their ethnic areas within the context of the Nigerian federation” (Adejumobi, 2003). This is the only way they felt that their grievances could be heard and addressed.

Between 1990 and 1999, the Niger Delta region witnessed the rise of more than 24 ethnic based minority rights groups (most with radical bent) (Adejumobi, 2003: 3). Notable among these groups are: “the Egbesu Boys of Africa (EBA), Chikoko, Ijaw National Congress (INC), Ijaw Youth Council (IYC), Ijaw Peace Movement (IPM), Isoko National Youth Movement (IYM), Itsekiri Nationality Patriots (INP), and the Movement for the Survival of the Ogoni People (MOSOP)” (Adejumobi, 2003: 3).⁴³ The overarching reason for the existence of these groups is essentially *resource control*. Briefly put, the concept of resource control that is dominant in the Niger Delta has three main components:

- (a) The power and right of a community to raise funds by way of tax on persons, matters, services and materials within its territory
- (b) The executive right to ownership and control of resources, both natural and created within its territory
- (c) The right to customs duties on goods destined for its territory and exercise duties on goods manufactured in its territories (Osaghae *et al.* 2007: 8).

Thus, for minority groups in the Niger Delta, resource control would mean a favourable transition in their political and economic demands from “Fairer sharing to total control of the natural resources found in a state by the state for use in its development at its own pace” (Osaghae *et al.* 2007: 8).

Thus far, our discussion has focused analytical attention on a review of important variables that set the scene for a proper understanding of the Niger Delta conflict. Omotola (2006: 24) has noted that a crucial first step in addressing the crisis in the Niger Delta is a discernment of the underlying causes of the grievances felt by the people in the region. So conceived, the next chapter seeks to examine the root causes of conflict and spiralling violence in the Niger Delta with particular focus on its political and economic dimensions. At the close of this chapter, the reader should be *au fait* with key historical, economic, and structural factors that have contributed (and still contributes) to the frustration and aggression of the Niger Delta people.

⁴³ “The specific conjuncture for the rise of each of these groups differs. For example, while the militia groups in the Niger Delta emerged as a result of the peculiar problems in the Niger Delta, of environmental degradation and political insensitivity of the state, the OPC emerged as a consequence of the annulment of the 12 June 1993 presidential election won by a Yoruba man named Moshood Abiola. The perception from the Yoruba ethnic group of the annulment was that it was an ethnic agenda of the Hausa Fulani aristocracy to perpetually control political power in the country and to regard people from other parts of the country as ‘second class’ citizens. Further persecution of some Yoruba elite after the annulment by the Abacha regime reinforced the conviction of the Yoruba ethnic group that the Hausa Fulani oligarchy was out to ‘exterminate’ them. The resolve was to resist such through all means including formation of underground organisations and possibly an insurgency” (Adejumobi, 2003: 3).

Chapter Three

Root Causes of the Niger Delta Conflict

3.1 Introductory Remarks

This chapter seeks to explain the root causes of the Niger Delta conflict which it identifies as political and economic in nature. The chapter suggests that ethnic minority problems in the Niger Delta have their roots in complex historical and structural processes of pre-colonial and colonial incorporation of diverse ethnic segments, federal territorial evolution and re-organisations, revenue allocation, oil politics, and political representation. These processes have operated not only to foster and institutionalise the oppressive hegemony of the country's three major ethnicities—Hausa-Fulani, Igbo, and Yoruba—but also “to legitimize the inordinate expropriation of the resources of the oil-producing communities as part of an official strategy of centralized national ‘cake sharing’” (Suberu, 1996: xi).

3.2 Political Root Causes of the Niger Delta Conflict

The dawn of the 19th century saw the scramble for, and partitioning of, Africa by the West—an act which had profound consequences for the independent states of Africa. One major consequence of the faux boundaries was the creation of culturally diverse states and the forcible bringing together of strange ethno-cultural groups in single political entities. Modern-day Nigerian history can be traced to the amalgamation of two disparate regions of the Northern and Southern Protectorates by Lord Lugard on January 1, 1914. Nigerians sometimes refer to this act as “the mistake of 1914” (Guest, 2004: 122). It is important to note that the British were not completely blind to the rifts within their new colony. They did seek to avert religious strife by discouraging Christian missionaries from preaching in the Muslim north, but while this seemed wise at the time, it stored up problems for the future. Because the missionaries were effectively barred from northern Nigeria, they built all their schools in the south (Guest, 2004: 122). By 1950, there were thousands of university graduates in the south, but only one in the north (Mustapha, 2004: 4). Southerners dominated all the jobs in the civil service that required numeracy or literacy. Members of the south-eastern Igbo, owing to a long tradition of trading, dominated commerce in the north as well as in their own region. The Hausa and Fulani of the north felt excluded. But they had the edge in the army because the British thought them good soldiers (Guest, 2004: 122), which was to prove vital later on. Most importantly, the country was balkanized by the British into three regions of unequal sizes: the Western Region, the Northern Region and the

Eastern Region, with the perception that the West was mainly Yoruba; the East, Igbo; and the North, Hausa-Fulani (Ojakorotu, 2008: 24). This arrangement created a situation whereby other ethnic groups—popularly referred to as minority groups—were insulated from the Nigerian enterprise. A brief account of the political history of the Niger Delta people follows.

3.2.1 A Brief Political History of the Niger Delta People

Historically, the Niger Delta area “predates Nigeria’s emergence as a British Colony by at least a decade. British Niger Delta Protectorate and the Niger Delta Coast Protectorate were already well established by the mid-1880s and the late 1890s...” (Onduku, 2001, quoted in Ojakorotu, 2008: 28). A bulk of the communities that occupied this region had established their local leaders long before the Second World War. The reforms adopted by Arthur Richard in 1946 led to regionalism—a phenomenon which had serious implications for so-called minority groups in the South. The city-states of the Niger Deltans predate political independence in Nigeria. This city-states system refers to a confederation of houses, while the house system describes the grouping of people into households and wards (Ojakorotu, 2008: 28). Up until the 18th century, it would appear (according to oral tradition) that villages were founded upon the principle of wards and/or houses being politically equivalent. Government was largely in the hands of descendants’ group leaders while houses were founded on localized descent groups which were very homogenous in their composition, consisting mainly of descent group members, their wives and offsprings.

The Canoe House system was another key political system of the Ijaw people. As one Ijaw puts it, “Ijaw Canoe Houses were corporate organisations of kinsmen, strangers and slaves assembled for the purpose of successful participation in the overseas slave trade. To trade, a canoe house needed naval power. New canoe houses were established when a group which possessed a fleet of canoes separated from the parent house” (Ojakorotu, 2008: 29). The popular conception was that a new house is economically independent but subordinate, politically, to the mother house. Beyond this, there was a widespread belief among the communities in the Niger Delta that a visible demonstration of a man’s prosperity and strengths subsists in the number of canoes (Ijaw) or wives (Urhobo) he commands. Prior to the colonial era, many communities in the Niger Delta recognised their senior ward or house lords as superior ritual authority over others (Ojakorotu, 2008: 29). Upon the arrival of the colonialists, however, a man whom they dubbed ‘king’ became sufficiently powerful to become the “sole representative of his kingdom in commercial dealings with European merchants” (Ojakorotu, 2008: 29). Considerably enriched from his role as principal negotiator with

the Europeans, the political office of king developed and successors were provided by the royal lineage. Powerful house heads, even of slave descent, acted as kingmakers, choosing the new king from princely candidates (Ajayi and Crowder, 1976).

Another salient aspect of governance in the Niger Delta city-states was the secret societies. Ojakorotu (2008: 30) notes that in Nembe and Kalabari, *Ekine* was the most important secret society. Ekine was divided into sections, each of which produced its own masks and plays. Ekine had some executive functions in that “it brought together all important men whose decisions concerning Ekine were then executed by the society’s junior members” (Osaghae, 1998b: 3). The salience of Ekine subsists in the fact that its membership cuts across house divisions; thus, enhancing the integration of houses into a unified political entity—city-states. Beyond this, the Niger Delta was permeated by scores of segmented Igbo, Urhobo, Ogoni, Ijaw, Kalabari and other city-states with political organisation that were non-centralist in nature (Osaghae, 1998b: 3; Ojakorotu, 2008: 30).

Having experienced a decentralized and egalitarian system, the hopes of the Niger Deltans were tailored towards a state system that would protect their individual and collective rights, one of which is the right to ownership of property including natural resources within their domain. It is against this backdrop that the Niger Deltans began to challenge the Nigerian state in the light of dashed expectations. Now, the skewed nature of Nigeria’s federal system is central to the Niger Delta struggle and by extension the other *problematique* in the Nigerian state. The gaps in the Nigerian Federal system, exemplified for instance by the overarching power of the central government and the lack of real autonomy at the state level, have been an aggravating factor in the Niger Delta conflict (Suberu, 1996). Expected to give local governance structures and communities a measure of control over certain matters that affects them, the practice of true federalism has been a recurrent issue in the contestation with respect to the structure of the Nigerian state.

The next section(s) undertakes a theoretical exposition of the role of federalism in conflict management. Further, an exploration of the national question with regards to finding an appropriate revenue allocation formula and associated minority struggles in the Niger Delta is intended to illuminate the thematic concern of this chapter.

3.2.2 Federalism and Conflict Management

Since the end of the Cold War-era in the 1990s, how to contain conflict in internally divided states has topped the agenda of many Third World countries, not least Nigeria. While all these states are awash with unresolved issues about how to organise the

divisions of powers between tiers of government and how to achieve domestic peace, “policy makers... have turned to some form of federalism or decentralized governance as a means for managing conflict between the central government and subnational groups” (Bakke and Wibbels, 2006: 1). But what do we mean by federalism?

Conceptually, the idea of “federalism includes autonomy for a state’s subunits while leaving international borders intact” (Bakke and Wibbels, 2006: 3). Uzodike *et al.* (2010: 163) argues that “federalism refers to a system of government where sovereignty or final authority is divided between a national government and its constituent regional (state, provincial) units.” In his classic definition, William Riker (1964: 11) states that “a constitution is federal if 1) two levels of government rule the same land and people, 2) each level has at least one area of action in which it is autonomous, and 3) there is some guarantee (even through merely a statement in the constitution) of the autonomy of each government in its own sphere.” By combining regional self-rule and shared governance, “federalism may represent a compromise between regional groups that seek self-determination and/or protection of their rights and the central leadership of the state, which is reluctant to give up territory and power” (Bakke and Wibbels, 2006: 1). Uzodike *et al.* (2010: 163) notes that “federalism by its nature is meant to compel responsible relationship between the national government and its constituent units because such tier is forced by constitutional imperatives to act with due regard for the other.” Ever more, writers maintain that “federalism can peacefully accommodate heterogeneous interests by decentralizing key policies and thus providing a stake for decentralised elites in the maintenance of the existing state” (Bakke and Wibbels, 2006: 1). Given this context, the following sections undertakes to probe the origin of Nigeria’s federalism, its potential for conflict management, as well as its implication for ethnic minority groups in the Niger Delta region.

3.2.3 Nigeria’s Federalism: A Brief Explorative Study

In a recent article *The Nigerian Federal System: Performance, Prospect, Challenges*, Suberu (2010: 460) underscores six key phases in the development of Nigerian federalism:

[t]he late British colonial period (1954-1960); the First Republic (1960-1966); the first phase of military rule, including the civil war (1966-1979); the Second Republic (1979-1983); the second phase of military rule, including the abortion of an elaborate transition to the Third Republic (1984-1999); and the Fourth Republic (1999 to date).

In a combined work, Suberu and Osaghae (2005: 16) argue that the 1954 colonial institution of a tripod federal system “reflected the historic patterns by which the British

acquired and administered Nigeria as well as the country's tripartite major ethnic configuration, the three-region federal structure was inherently divisive, disintegrative and unstable." In particular, the tripartite federal structure (emplaced by the British) created a dominant Hausa-Fulani northern region, which officially comprised of "over half of the country's population and two-third of its territory; fostered ethnic majority chauvinism and secessionism by erecting the boundaries of the northern, western and eastern region around the identities of the major ethnic formations of Hausa-Fulani, Yoruba and non-Igbo and Igbo, respectively" (Suberu and Osaghae, 2005: 16). Beyond this, the tripod federalist set-up fuelled ethnic minority agitations due to the fact that

it denied the country's non-Hausa-Fulani, non-Yoruba and non-Igbo groups the security of their regions; and encouraged an enormous degree of ethno-regional polarization as the imbalanced tripartite ethno-region structure (which became even more structurally lopsided with the creation of the Mid-west region in the south in 1963) inexorably collapsed into a bi-polar north-south confrontation (Suberu and Osaghae, 2005: 16).

Further, Uzodike *et al.* (2010: 163) argues that "Nigeria's federalism basically sought to regulate the coexistence of the majority groups with little or no reference or concern for the minority groupings, which were subsumed variously under the not-so-protective umbrellas of the majority entities." Crucially, Nigeria's vast heterogeneity (especially its ethnic, linguistic, religious, and regional diversity) has been an abiding source of her societal tensions and conflicts. The mixture serves not only as a source of national strength and potential but also as a seam interminably threatening to tear at the core of national unity and prosperity. This has led to various conceptualizations of the Nigerian state as: the "conglomerate society"; a mere "geographic expression"; a "multi-national state"; a "vertical-horizontal mosaic; and "unity in diversity" (Graf, 1988: 29-30). More than anything else, Nigeria's diversity serves not only as the decisive factor that has shaped the high instability that characterises its political economy but also as the key factor that has rendered fruitless all efforts at institutionalizing democratic values within the country.

Since independence, Nigeria has also been plagued by primordial sentiments that, for a long time, were suppressed under colonial rule. The late Dr. Nnamdi Azikiwe (1961: 249), Nigeria's first president, was once quoted as extolling the virtues of his ethnic tribe by saying that "it would seem that the God of Africa has specially created the Igbo nation to lead the children of Africa from the bondage of ages. The Igbo nation cannot shrink from this responsibility." The incidence of primordial sentiments in Nigeria once led Justice Chukwudi Oputa, the Chairman of the Human Rights Violation Investigation Commission (HRVIC), to bemoan: "Where is Nigeria going? Indigenization politics didn't solve problems. State-creation did not solve anything. Everybody still clings to

his ethnic group. It is either you are Hausa or Kataf or Yoruba or Igbo. What will become of Nigeria?" (Akaruese, 2003: 217).

Arguably, the history of Nigeria's primordial sentiments, as well as its embedded structural inequalities, can be traced back to its federalist origins which are steeped in the colonial times. Nigeria's first post-colonial rulers inherited a state made up of three regional structures, which were configured by the British to use the majority ethnic groups as anchors for the regional governments: Hausa-Fulani in the north, Yoruba in the southwest and Igbo in the southeast. The vast territorial, population, and economic power disparities between these regions quickly proved politically damaging. Quite aside from the differences in the level of social and economic development of the ethnically based regions, there was an explosive contradiction between the political power of the Muslim Hausa-Fulani of the north and the socio-economic power of the Yoruba in the industrial southwest and the Igbo of the oil-rich southeast. Although this arrangement has turned out to be inherently problematic, it reflected British thinking that given Nigeria's ethnic makeup that regionalism should be emplaced as the organizing principle for the post-colonial state. The assumptions were simple and, as it turned out, inherently specious.

The first was the assumption that although the dominant ethnic groups in each region would dominate their respective regional governments; no ethnic group would be sufficiently powerful to dominate at the center. With about two-thirds of the land mass and over half of the population, the Northern Region dominated the center (Graf 1988: 29). The second was the belief that each region would develop a multi-party system, which would help to temper or prevent the possibility of parochial dominance at the center by any ethnic group. The actual reality was that the regions became one-party monoliths. The Nigerian People's Congress used its narrow ethnic majority in the north (16 million out of 31 million northerners were Hausa-Fulani) to control and dominate the entire country.

The third was that the constitutional machinery at the center would ensure the emergence of effective national governing institutions. The problem here was that the regional governments had advantages over the center due to established jurisdictional legacy. They not only preceded the federal government by more than a decade but also had established "Nigerianized" bureaucracies, self-contained economic systems with their control of the marketing boards, direct access to the international economic system, and residual powers through the Independence Constitution (Graf, 1988: 29-30). Finally, that there would be no discrepancy between political and economic powers that could not be easily tackled by the new federalism. A cursory examination of 1961 statistical figures on regional revenue and personal taxes demonstrate built-in problems.

For that year, the total regional revenues (exclusive of federal allocations) were accounted for by: the West – 58.5 percent; the East – 25.7 percent; and the North – 15.7 percent. In regard to national aggregate of collected taxes, the percentages were as follows: West – 67.7 percent; East – 27.2 percent; and North – 9 percent. These figures were supported by educational enrolment figures. In 1965, the North with more than half of the national population had 10 percent of the national total of all primary school population. For higher education in 1965, Northerners made up 8 percent of total student population compared 48 percent for the East, 5 percent for Lagos, and 39 percent for the West (Graf, 1988: 29-30; Mustapha, 2004).

Thus, the skewed federal structure in Nigeria combined with the equally problematic Westminster majoritarian model bequeathed by the British (complete with its winner-takes-all and dual executive arrangements), nurtured deep social and political tensions and grievances among *all* the ethnic groups in Nigeria. As Momoh (2002: 24) argues,

for the Niger Delta and oil producing minority, it is oil exploitation and environmental degradation; for the Igbo it is political marginalization; for the Hausa-Fulani it is uneven development (and the failure to have a perpetual and uninterrupted right and monopoly control of the federation); for the minorities of the north, particularly the Middle Belt it is one of internal colonialism (by the majority Hausa-Fulani); for the Yoruba it is power exclusion. Hence, everybody is demanding empowerment on the basis of one assumption-xenophobia.

In the absence of mediating influences (which the British provided as colonial overlord) and an enabling appropriate history and political culture, Nigeria gravitated rapidly towards political bedlam (1961-1966), coup (1966), counter-coup (1966), and civil war (1967-1970)—all these within ten years of independence. This is despite the efforts of several governments to address serious structural problems inherited from the British colonial government. Indeed, the defective structure of the immediate post-colonial state was a key factor in the prolonged political crisis and civil war between 1967-1970.

3.2.4 Nigeria's Federalism and Conflict Management

The genius of Nigeria's tripartite federalist system in mitigating conflict is reflected through the following five mechanisms (Horowitz, 1985: 602-613; Diamond, 1999: 152):

- (1) The partial compartmentalisation or decentralisation of conflicts in separate, multiple, sub-federal arenas (rather than a few large regional centres), thereby reducing the capacity of such conflicts to polarize or destabilize the entire federation;
- (2) The fragmentation and relegation of each of the three major ethnic groups into several states, thereby promoting the political accommodation and empowerment

of communities that were previously disenfranchised under the defunct regional structure;

- (3) The establishment of several more or less heterogeneous ethnic minority-dominated states thereby promoting the political accommodation and empowerment of communities that were previously disenfranchised under the defunct regional structure;
- (4) The moderation and sublimation of ethnicity through the promotion of intergovernmental alignments that cut across ethnic fault-lines as constituent states that are not exactly isomorphic with ethnic boundaries cooperate and compete along functional lines of interest, including issues of states' rights and constitutionalism; and
- (5) The promotion of some form of distributive justice through the devolution and redistribution of resources to multiple sub-federal jurisdictions as well as the representation of diverse sub-federal elites in national government institutions, as concretized in Nigeria's revenue sharing and "federal character" policies, respectively (Suberu and Osaghae, 2005: 20-21).

Whatever the merits of Nigeria's tripartite federalist system, the fact remains that it has been vexed by deep contradictions as corroborated by "the continuing acrimonious debates about the country's federal arrangements, the instability that has plagued both military and civilian governments since the civil war, and the loss of more than ten thousand lives in ethnic and religious violence since the restoration of democratic rule in May 1999" (Suberu and Osaghae, 2005: 21). The major shortfalls of Nigeria's post-civil war multi-state federalism can be effectively summarised as follows:

- (1) Nigeria's multi-state federalism has suffered enormous structural erosion both from the country's extended lapses into military rule and from the overwhelming dependence of sub-national state and local authorities on centrally collected revenues, which have accounted for over 80 percent of all government finances in the federation since the seventies. The economic over-centralisation of the federation, in particular, has explosively focused partisan, sectional, and factional political and economic competition in the country on the control of the central government, with devastating implications for national stability.
- (2) The centralized funding of sub-federal authorities has stimulated ethnic and sub-ethnic pressures for the formation of new sub-national units as an avenue for easy access to national oil revenues. Yet, the sweeping proliferation of states, now 36 in number, has simply compounded the syndrome of over-centralization since "the greater the number of states, the weaker and less viable individual states will become, with the direct consequence that the center [sic] would actually gather more powers" (Diamond, 1987: 211).
- (3) The proliferation of sub-federal administrative boundaries and identities, in a context defined historically by discrimination against settlers and non-indigenes, has led to a sharp contraction of the geo-political space in which a Nigerian can claim indigene status within a particular state and enjoy full citizenship rights. The Nigerian constitutions since 1979 have compounded the unfortunate dichotomy

between indigenes and non-indigenes at the state level by explicitly mandating the representation of an indigene of each state in the federal cabinet, and then defining an indigene genealogically (rather than residentially) as a person whose “parent or... grandparent was a member of a community indigenous to that state” (Federal Republic of Nigeria, 1999: 318). In essence, in several Nigerian localities and states considerable turmoil and violence, sometimes involving hundreds of fatalities, has resulted from attempts to exclude large, but ostensibly non-indigenous, resident communities from socio-economic and political opportunities, including land and placement in educational and politico-bureaucratic agencies, claimed or controlled by “indigenes” or local or state governments.

- (4) The proliferation of economically inefficient and dependent sub-federal jurisdictions, and the emphasis on the redistribution of opportunities among sectional constituencies or “indigenes,” reflect and reinforce the “ethno-distributive” nature of Nigerian federalism and “federal character.” This invariably involves the systematic subordination of principles of economic efficiency and viability to politico-distributive considerations, which nudges the federation towards economic stagnation and fiscal insolvency. At the same time, the fiscal crisis of the Nigerian federation has promoted the recruitment of economically disillusioned youths into violent ethnic movements (the so-called ethnic militias and vigilantes), while undermining the capacity of the federation to maintain ethnically neutral and professionally competent police and security forces that can prevent the escalation of sectional conflict into large-scale violence.
- (5) Nigeria’s distributive multi-state federalism, which is based essentially on the massive redistribution of resources from the oil-rich Niger Delta to the rest of the federation, has engendered violent struggles for local or regional “resource control” in the oil-rich sections. These economic grievances have persisted in spite of recent constitutional and statutory provisions that are designed to return at least 13 per cent of centrally collected oil revenues (including offshore oil revenues) to the oil-bearing states on a derivation basis (Suberu and Osaghae, 2005: 21-22).

3.2.5 Overcentralization and the Defective Federal State

As noted by Jonathan Rodden (2008: 358), “federations have a natural tendency to become either too centralized—perhaps even despotic—or so decentralized and weak that they devolve into internal war...” Thomas Jefferson, as cited in Rodden (2008: 358), feared a center that would accumulate too much power and run roughshod over the rights of the constituent units. Thus, “the task facing institutional designers is the creation of a central government that is simultaneously strong and limited: strong enough to achieve the desired collective goods, but weak enough to preserve a robust sense of local autonomy” (Rodden, 2008: 359). This was the nub of William Riker’s (1964) classic work on federalism. A decentralized federalism is thought to align the

incentives of political officials with citizen welfare by improving information and increasing competition (Rodden, 2008: 359).

Perhaps, the most lamented characteristics of the Nigerian federal system has been “the overcentralization of power and resources” (Suberu, 1996: 67). Various factors are blamed for this extreme centralisation:

- (1) The protracted periods of military rule.
- (2) The heavy reliance of the political economy on centralised oil revenues.
- (3) The popularity of centralist philosophies and strategies of development.
- (4) The weak commitment of key elites to the practice of democratic decentralisation (Suberu, 1996: 67).

Nigeria’s overcentralized federal system has led to the following problems:

The virtual abrogation of authentic federalist institutions and values, the destructive competition for the control of the central government machinery (especially the federal presidency), the loss of financial coherence and discipline at the federal level, the extreme dependence of the states and localities on federal developmental patronage and financial largesse and, consequently, the persistent communal pressure for new, federally-funded units of state and local government (Suberu, 1996: 67).

For the ethnic minority groups, especially in the Niger Delta, overcentralization has led to specific inauspicious outcomes such as:

- (1) The erosion of the autonomy and security that genuine federalist arrangements guarantee for minorities.
- (2) The inordinate appropriation by the center of the resources of the oil-rich Delta minority communities
- (3) The direct and often counter-productive intervention of central authorities in those local and regional issues, such as the determination of local government boundaries, that are best left to sub-national authorities or communities (Suberu, 1996: 67; *The Guardian*, 27 June 1994: 5).⁴⁴

A strong state apparatus is sometimes prescribed as a useful tool of intervention in order to check abuses of ethnic minority rights at the sub-national level (Suberu, 1996: 67). This view would appear to be supported by Nigeria’s experiences during the late

⁴⁴ MOSOP, for instance, purports that “the fundamental problem of Nigeria is the centralization of state and economic powers which has led to the abject marginalisation and impoverishment of minority groups and to some extent other non-ruling groups” (*The Guardian*, 27 June 1994: 5). Similarly, a communiqué issued during February 1994, by Ademota, Graham Douglas, Edwin Clark, George Innih and other prominent southern ethnic minority elites, generally opined that “repeated military intervention and dictatorship had fully established unitary government in Nigeria, which was exploited by the three largest ethnic nationalities to the utter neglect of the interest of the small nationalities, especially the Southern minorities” (*The Guardian*, 6 February 1994: A20).

sixties, when “the abrogation of the centrifugal regional system, and the consolidation of centralised federal powers, played a significant role in helping to secure the autonomy and dignity of Nigeria’s marginalised regional minorities” (Suberu, 1996: 67). This notwithstanding, the unchecked concentration of powers at the federal level exposed the political process to abuses which invariably have hurt politically excluded segments, especially the ethnic minorities in the Niger Delta (Suberu, 1996: 67). Given Nigeria’s relatively centralised ethnic structure (with three ethnic groups holding sway), it is no surprise that political processes at the federal level has revolved largely around the accommodation of the interests of the majority ethnic groups, at the expense of the interests of the more fragmented ethnic minority groups. According to Uzodike *et al.* (2010: 166), “the crux of the problem is that the national government [in Nigeria] has centralised the ownership and control of oil resources in such a way that nearly all component states and local government areas depend primarily on transfers.” Further, Uzodike *et al.* (2010: 166) contends that “many in the South, particularly the Niger Deltans, often adjudge the transfers to be done so unfairly that the North—with apparent control of political power and, as such, resource sharing power—is unduly favoured.”

The skewed nature of the relationship between the majority ethnic groups and ethnic minorities in the Nigerian federation prompted Ben Naanen (1995: 8) to argue that “in regard to oil producing minorities, and the Ogonis in particular, an appropriate conceptual framework to help explain the situation giving rise to their present struggle is that of *internal colonialism* (emphasis added).” According to Naanen (1995: 9), internal colonialism includes the manner in which majority ethnic groups have come to acquire political power on the basis of their numerical superiority, and the use of such political power to transfer resources from ethnic minority territories to areas controlled by ethnic majorities. Interestingly, evidence abounds to support the claim of internal colonialism. For instance, the gradual de-emphasis of the derivation principle of revenue (which stood at 50 per cent between 1960 and 1967 and fell to a low of 3 per cent in 1999) by the federal government is used to buttress this argument (Ogundiya, 2011). The foregoing has led to calls from Nigeria’s minority groups—especially the Niger Deltans—to address the *national question*.

3.2.6 The National Question

Throughout the country... ethnic minorities are in ferment. They are striving to shake off age-long usurpations, to cast off the yoke of distant suzerains and to take their own destinies in their own hands. This ferment, which this nation can ignore only at its peril, is what has been subsumed under the national question. It is real, and it is urgent. To pretend that it does not exist is to be deluded

“Zangon-Kataf: A tainted verdict,” editorial in
The Guardian, 9 February 1993.

Ethnic minority tensions and agitations form an important feature of the ongoing struggle to resolve the “national question” (Suberu, 1996: 1). According to Osaghae (1998: 315), the crux of the national question involves “how to structure the Nigerian federation in order to accommodate groups and guarantee access to power and equitable distribution of resources.” Osaghae’s avowal is informed by the perceived domination of some ethnic groups by the others “engendered by the structural nature of the Nigerian federation, the lopsidedness in center-state relations, and the growing impoverishment, frustrations and disillusionment of the people, which is viewed as a direct consequence of power structure and ruling class politics in Nigeria” (Adejumobi, 2000: 126).

As stated by Adejumobi (2000: 126), the basic issues involved in the national question are:

1. What should be the component units and tiers of government in the Nigerian federation?
2. How should they be constituted, based on ethnic contiguity or administrative expediency?
3. How should political power and administrative responsibilities be shared among the levels and tiers of government?
4. How should the ownership of economic resources be structured in the Nigerian federation?
5. What should be the acceptable formulae for sharing federally collected revenue?
6. What should be the nature of inter-governmental relations in Nigeria?

Against this backdrop, Adejumobi (2003: 175) advocates for a Sovereign National Conference where different nationalities can meet to discuss two pressing issues:

The first is the inter-group relations. That is, the tensions and contradictions that arise from this relationship dwelling on the issues of marginalisation, domination, inequality, fairness and justice among ethnic groups. The second... is the class dimension. That is, the exacerbation of class inequalities and antagonisms in society between the rich and the poor, the affluent and the underclass... The latter sometimes reinforce the former and do increase ethnic conflicts and antagonism in society (Adejumobi, 2003: 175).

Some attention has been paid to the above issues since independence with the establishment of a number of commissions to address them. For instance, priority was given to the principle of derivation by the Phillipson (1946), Hicks-Phillipson (1951), Chick (1953) and Raisman (1958) Commissions and later the Bimms (1964), Dina (1968), Aboyade (1977) and Okigbo (1979) Commissions (Ojakorotu, 2007: 56). Many

principles that were espoused by these Commissions could have helped to rein in the excesses of the Nigerian federation if adequately implemented. But the majority ethnic groups have manipulated state affairs to their own advantage thereby leaving the issues the Commissions tended to address worse than before (Ojakorotu, 2007: 56).

Ojakorotu (2007: 57) has argued that there is a sense in which the national question can be seen from its internal and external dimensions. The focus of this research, however, will be on the external dimension bearing in mind that the country's internal contradictions bear on the external dimension. The internal dimension appertains to the nexus between oil and the national question, which sheds some light on the struggles between ethnic groups and the government for the control and sharing of petrodollars (Agbu, 2000: 104). At the external level, the national question has assumed a transnational dimension with the sudden resurrection of ethnic minorities' agitation for self-determination and resource control. The demise of communism, coinciding with the gradual triumph and spread of Western-inspired democratic ethos throughout the globe, made this possible, as the clamour for self-determination and freedom by minorities received a welcomed boost (Ojakorotu, 2007: 57). These global trends have underscored the Niger Delta struggle as a critical aspect of the national question in Nigeria (Agbu, 2000: 104). For example, MOSOP was not only recognised by the United Nations as a representative of a marginalised ethnic minority group but also took on the Federal Government and the oil multinationals (led by Shell) that had pitched their tent in Ogoniland (Agbu, 2000: 104; Olukoshi and Agbu, 1995). The formation of MOSOP in the early 1990s therefore rekindled the agitation for the reconfiguration of the disfigured Nigerian Federation.

From the 1970s, following the end of the civil war in Nigeria, ethnic nationalism defined by the quest to gain political ascendancy and access to oil revenues formed a crucial part of the Niger Delta conflict. The increasing dependence of the Nigerian state on oil rents and the equation of oil-producing communities in the calculus, made them more assertive and vociferous. However, they were soon torn apart by land and oil contestations between themselves as each group sought to outdo the other through political stratagems (Olukoshi and Agbu, 1995). It was during this period that the Ijaws, for example, gained political ascendancy within the old Rivers state, controlling important crude oil reserves. Onosode (1993: 8) contends that the issues of deprivation, ignorance and poverty are central to the inter-ethnic/communal wars of the region since people fight their neighbours when they are poor and lack political consciousness. Farther afield, forces outside the Niger Delta region have been implicated as sponsors of violence, "given the frequency of the wars and the sophistication of the weapons used" (*The African Guardian*, 1994: 8).

Beyond this, the origins of oil as an issue in the national question at the external level can be traced to the creation of the Nigerian state in 1914, “when colonial legislation granted monopoly of oil concessions in Nigeria to British and British allied capital” (Agbu, 2000: 104). Shell maintained this monopoly until 1957 when other oil multinationals like Mobil, Gulf (now Chevron), Agip, Safrap (now Elf), Tenneco and Amoseas (now Texaco) also became major stakeholders in oil exploration and production in Nigeria. But since 1960, oil multinationals, acting in complicity with the Nigerian state to the exclusion of the local people, have dominated the oil industry. Hence there have been violent militant battles between the oil-bearing communities, on the one hand, and the state-oil multinational alliance, on the other.

It is important to note that the oil boom in the mid-1970s saw not only the devaluation of the traditional economic staples such as tin, groundnuts, cocoa and palm oil but also the exponential increase in the importance of petroleum as the fulcrum of the Nigerian political economy. The over-reliance on crude oil, which (unlike agriculture) requires less extensive administrative and managerial support system and labour input, has opened the floodgates not only for the centralised Nigerian government to foster the dependency of state and local governments on federal allocations but also to overlook the need and efficacy of rational and sustained economic planning and policy (Uzodike *et al.* 2010). The centrality of crude oil to survival of the Nigerian economy since the 1970s necessitated the problem of revenue allocation: what is the most equitable and acceptable revenue sharing formula?

Available sources indicate that the search for an appropriate revenue sharing formula, adjudged by all Nigerians as fair, has a long history. In fact, “several commissions/committees have addressed this issue [of revenue allocation formula] over the years and, yet, it remains controversial” (Ebeku, 2005: 380). This point is corroborated by the report of the Revenue Allocation Committee of the country’s Constitutional Conference of 1994-1995:

Besides politics, revenue allocation is about the most contentious issue in Nigeria. Thus, every constitutional development has with it a new fiscal relationship. Also at several other times when there were no constitutional arrangements, some revenue sharing schemes have been recommended for the nation. Consequently, several Revenue Allocation Commissions and/or Committees have been appointed in addition to several decrees on revenue allocation. The number and frequency of the commissions notwithstanding, no recommended formula met general acceptability. No sooner than some were recommended than they were found wanting (quoted in Ebeku, 2005: 381).

In 1987, similar observations were made by the Political Bureau emplaced by the federal government to “conduct a national debate on the political future of Nigeria” (Report of the Political Bureau, March 1987: 3) as follows:

Revenue allocation or the statutory distribution of revenues from the Federation Account among the different levels of government has been one of the most contentious and controversial issues in the nation’s political life. So contentious has the matter been that none of the formula evolved at various times by a commission or by decree under different regimes since 1964 has gained general acceptability among the component units of the country. Indeed, the issue, like a recurring decimal, has painfully remained the first problem that nearly all incoming regime has had to grapple with since independence. In the process, as many as thirteen different attempts have been made at devising an acceptable revenue allocation formula, each of which is more remembered for the controversies it generated than issues settled (Report of the Political Bureau, March 1987: 169).

For many years now, the principle of revenue allocation in Nigeria has “vacillated greatly—mostly on the principle of derivation” (Ebeku, 2005: 381). In an inaugural address to the 1994-1995 Constitutional Conference, the Nigerian Head of State General Sani Abacha noted that “since independence [in 1960], successive administrations have grappled with the question of an equitable statutory distribution of revenue from the Federation Account—the question was whether allocation should be based on derivation or on need” (Ebeku, 2005: 381).

A historical excursion into the annals of Nigeria’s pre-independence history shows that in the 1950s, prior to the discovery and dominance of oil as the mainstay of the Nigerian economy, derivation principle was emphasized to the point that it was at times 100 percent (Ikein, 1990: 29-30; Naanen, 1995: 56; Kaiama Declaration, 1998). During this period, Nigeria depended heavily on agricultural products such as cotton and granduts from the north, cocoa and rubber from the west, and palm oil from the east (Naanen, 1995: 56; Ebeku, 2005: 381). In the 1970s, however, when oil emerged as the mainstay of the Nigerian economy, the emphasis on the principle of derivation began to be de-emphasized. Informed by the financial statistics of Nigeria, Ebeku (2005: 381) argues that “before 1999 the percentage of revenue allocated on the basis of derivation principle plummeted as follows: 100 per cent (1953), 50 per cent (1960), 45 per cent (1970), 20 per cent (1975), 2 per cent (1982), and 1.5 per cent (1984).”

Writing on this issue of derivation, Obi (2009: 115) agrees with Ebeku that “the revenue allocation principle of derivation [in Nigeria] was progressively changed to reduce the share of oil producing states of the Niger Delta from 50 percent in 1966 to 1.5 percent in the 1990s.” Obi (2010: 115) describes the situation, thus:

The progressive reduction of the derivation principle—which provided for revenue allocation in proportion to the contribution to the federal purse by each state—and the introduction of the Distributive Pool Account (DPA) or federation account that emphasized the allocative principles of population size and need (and de-emphasized derivation), was viewed as an injustice by the ethnic minorities, particularly in the context of decades of marginalization and neglect of the Niger Delta by past governments. It was also strongly felt that the principle of derivation which gave 50 percent of revenues to the old regional governments controlled by the dominant ethnic groups was abandoned in order to enable these same groups to control the oil wealth produced from the oil minority states. Hence, the struggle between the oil minorities/states of the Niger Delta and the non-oil producing ethnic majority groups/states/federal government became the object of the politics of controlling revenue or resource control (Obi, 2009: 115-116).

Seeking to explain other possible reasons for the 50 per cent reduction in the derivation principle in the 1960s, Naanen (1995: 56) contends that “one important feature of this period was the beginning of the rise of petroleum in the Nigerian economy. Mining rents and royalties, instead of going back to the region of origin as before, were now to be shared between the region of origin and the federal government and other regions, on a 50-50 basis.” In the same vein, one commentator observed:

there has been disheartening contradictions and inconsistencies in Nigeria, a nation that recognized 100 per cent derivation as a basis for revenue allocation in 1950, but reduced it to 50 per cent at independence; to 45 per cent in 1970; 20 per cent in 1975; 1.5 per cent in 1982 and 3 per cent in 1992, as crude oil, found in the Ijaw country, became the main source of national revenue (*National Concord*, 11 December 1992: B2, see table 7 for states and federal share of petroleum proceeds).

The oil-bearing communities in the Niger Delta have linked the conscious and systematic obliteration or de-emphasis of the principle of derivation by successive Nigerian governments to their minority status in the Nigerian federation and their lack of political power to influence the state of affairs (Ebeku, 2005: 383). As Suberu (1996: 29) argues, the Niger Deltans view the change in the rules for allocating revenue as “a politically motivated assault by the majority nationalities on the economic rights of minority communities who are perceived as too small and weak to threaten the stability of the federation.” The level of unhappiness in the Niger Delta, as per the distortion of the derivation principle by the Nigerian Federal Government, is well captured in the statements of the first civilian Governor of Rivers State and the representatives of the Ijaw community:

Derivation as a revenue allocation criterion is not new in this country. It featured prominently when cocoa, groundnuts, etc, were the main sources of revenue for Nigeria. But it has continued to be deliberately suppressed since crude oil

became the mainstay of the country's wealth... simply because the main contributors of the oil wealth are the minorities (Okilo, 1980: 3, quoted in Suberu, 1996: 29)

In support of the above contention, Saro-Wiwa pointedly argues that “if the oil had been in any of the majority areas, in Hausa/Fulani country or Yoruba country, the federal government would never have seized the royalties” (Interview in *Tell Magazine*, February 8, 1993: 31). Saro-Wiwa's avowal is evinced by the following observation:

The oil producing areas of Nigeria are mostly inhabited by minority groups... These groups lack the power to make any political or economic decision in their favour. The balance of power in Nigeria is such that the national interest reigns supreme over local rights... There seems to be a direct relationship between revenue allocation and the exercise of political power; political decision-makers can apparently reverse at will the formulae for sharing national wealth. For example, prior to the oil boom, the formulae for revenue allocation were based on the derivation principle, where by the resource-producing region received the greatest share... (Ikein, 1990: 28-29).

Table 7
States and Federal Share of Petroleum Proceeds, 1953—Present

Years	Producing State (%)	Federal Account including DPA (%)
1953-1960	100	—
1960-1969	50	50
1969-1971	45	55
1971-1975	45 minus offshore proceeds	55 plus offshore proceeds
1975-1979	20 minus offshore proceeds	80 plus offshore proceeds
1979-1981	—	100
1982-1992	1.5	98.5
1992-1999	3	97
1999—	13	87

Source: UNDP, 2006, p.6.

The consequence of the power asymmetry in Nigeria is that “little regard is given to the need for equity in the distribution of oil revenue” (Ebeku, 2005: 384). This point is crystallized in the words of Ikein (1990: 38) who argues that “the method of revenue allocation that has been in force over the years has very little regard for the adverse consequences of the impact of the oil industry on the oil producing areas. Nigeria public policy toward the oil producing areas seems to support the questionable view that the national interest supersedes local rights.” It is important to clarify that the point been made here is not that national interest is immaterial, but that “equity demands fairness

to the indigenous people who suffer the adverse consequence of oil operations” (Ebeku, 2005: 384).

The Constitutional Conference of 1994-1995 played a significant role in bringing the principle of derivation back on the map as an important and equitable principle of revenue allocation in Nigeria. The Conference recommended “the adoption of 13 per cent derivation principle in any future revenue allocation formula in the country, and this was enacted in section 162 of the 1999 Constitution of the Federal Republic of Nigeria” (Ebeku, 2005: 385). The section provides in part:

1. The Federation shall maintain a special account to be called “the Federation Account” into which shall be paid all revenue collected by the Government of the Federation, except the proceeds from the personal income tax of the personnel of the armed forces of the Federation, the Nigerian Police Force, the Ministry or Department of Government charged with responsibility for Foreign Affairs and the residents of the Federal Capital Territory, Abuja.
2. The President, upon the receipt of advice from the Revenue Mobilisation Allocation and Fiscal Commission, shall table before the National Assembly proposals for revenue allocation from the Federation Account, and in determining the formula, the National Assembly shall take into account, the allocation principles especially those of population, equality of states, internal revenue generation, land mass, terrain as well as population density (Ebeku, 2005: 385).

However, it appears that the upward review of the revenue allocation formula has not resolved the issue of injustice felt by the Niger Deltans. Indeed, the people are still dissatisfied with the 13 per cent derivation principle (Ebeku, 2005: 386). According to Badmus (2009: 28), “the dissatisfaction of the minority groups with these revenue sharing formulas, and their ‘perceived’ deprivation resulted in the confrontations with the forces of transterritorial extraction, especially Shell, and the Nigerian state.” In 2005, the country held a National Political Reform Dialogue Conference. During the proceedings, Niger Delta representatives demanded an increase in the derivation revenue from the current “constitutionally prescribed 13 per cent to 25 per cent and gradually up to 50 per cent” (Ebeku, 2008: 27). But their proposal was strongly opposed⁴⁵ (especially by northern delegates) at a plenary session of the entire representatives and this led the Niger Delta representatives to walk out from further participation in the proceedings (Ebeku, 2008: 27).

Another issue that is in proximity with the issue of derivation is the problem of “onshore-offshore dichotomy” (Ebeku, 2005: 387). This dichotomy was put in place around 1971, “whereby offshore oil revenue is excluded from the principle of derivation on the basis

⁴⁵The Conference agreed only to an increase from 13 percent to 17 percent.

that such revenue exclusively belongs to the federal government under the International Law of the Sea” (Ebeku, 2005: 387). The Niger Deltans, however, see this as “yet another clever political device to deprive the oil producing states of additional revenue” (Report of the Political Bureau, 1987: 170). In their opinion, “the dichotomy between onshore and offshore in the allocation of revenue due to the oil producing states should be abolished, as it is oblivious of the tremendous hazards faced by the inhabitants of the areas where oil is produced offshore” (Report of the Political Bureau, 1987: 172). This issue is a subject for further study.

Having probed the political root causes of the Niger Delta conflict, with particular reference to the deep contradictions in Nigeria’s multi-state federalist system and the unresolved nature of the national question-cum-revenue allocation formula, it behoves us to now turn our attention to the economic root causes of the ethnic minority ferment in the Niger Delta in order to glean a more nuanced understanding of the causal basis of the conflict.

3.3 Economic Root Causes of the Niger Delta Conflict

The story of the Niger Delta is the story of a paradox, grinding poverty in the midst of vulgar opulence. It is the case of a man [sic] who lives on the banks of a river and washes his hands with spittle. It is the case of a people who live on the farm and die of hunger (Ekpu, 2004: 10).

The above quote brings into stark relief the banality of prosperity and the dramaturgy of surfeit and scarcity in Nigeria’s delta region. Economic factors intensifying the Niger Delta conflict can be conceptualized in terms of the political-economic nexus (Idemudia and Ite, 2006: 396). Such a nexus is perched atop oil revenue allocation (which we have already considered in the previous section), which accentuated the sense of relative deprivation among the people of the Niger-Delta. The bone of contention is that “the bulk of the oil revenues generated from the region should be returned back to the [Niger Delta] region on the basis of fairness, compensation and self-determination” (Ibeanu, 2000: 19-32; Obi, 1997). Put differently, the source of the frustration and aggression is that

[f]or fifty years, foreign oil companies have conducted some of the world’s most sophisticated exploration and production operations, using million of dollars’ worth of imported ultramodern equipment, against a backdrop of Stone Age squalor. They have extracted hundreds of millions of barrels of oil, which have sold on the international market for hundreds of billions of dollars, but the people of the Niger Delta have seen virtually none of the benefits (Ghazvinian, 2007: 16).

3.3.1 A Brief Economic History of the Niger Delta People

Before the colonial enterprise in the Niger Delta, the popular belief among Nigerian historians was that the region seemed to have been inhabited predominantly by the Ijaw people that engaged in farming and fishing and lived in small and scattered villages (Crowder, 1962: 79; Ojatorotu, 2008: 31). The slave trade era stimulated the growth of trading partners in the Niger Delta region, which invariably expanded versions of small Ijaw fishing villages that occupied strategic positions on the creek of the Niger Delta. Notable among these are Bonny, Owome, Okrika, Itsekiri, Brass, among others (Crowder, 1962: 79). The predominant activities among these communities were subsistence farming, fishing, hunting and gathering of the natural products of the deltas (Ojatorotu, 2008: 31). In addition, the people engaged in trade by barter with neighbouring delta communities. This relatively small barter trade was followed by “long-distance trade with the peoples of the delta hinterland, and also with the western delta” (Alagoa, 1971: 291-292). Ojatorotu (2008: 31) argues that “[f]or this purpose, large canoes were manufactured. The articles of trade were yams, slaves, cows, goats and sheep, and the manufacture of salt from seawater on the coast for sale in the hinterland.” The ignoble trade in slave which heralded the beginning of contact with the Europeans changed the pattern of trade between the Ijaw and their hinterland neighbours into centers of redistributions: collecting European merchandise for sale in the hinterland, and receiving hinterland produce for exports (Alagoa, 1971: 292).

One deducible point from the economic history of the Niger Deltans is the fact that people engaged in ventures that “impacted directly on their existence and well being” (Ojatorotu, 2008: 34). The people of the delta had a strong attachment to their environment which was their source of livelihood before the advent of the western merchandise. Even the dawn of the slave trade did not supplant local practices like farming and fishing. And with the abolition of the slave trade, the people reverted to the agricultural activities that they had previously engaged in. Following independence, the economic life of the people which had pivoted on farming, fishing and trading in agricultural produce, remained unaltered. Bearing in mind that every commodity was derived from land and resources embedded within its substructure as well as superstructure, one begins to appreciate the reason why the Niger Delta people are so attached to the land. Ojatorotu (2008: 33) notes that “this especially called for sensitivity in the use of land and its resources as well as the evolvement of measures to protect the environment.”

The discovery of oil had disastrous consequences for the stately environment of the Niger Delta environment which, in the view of the Niger Delta people, had not been adequately addressed by the Nigerian state and oil companies. The despoliation of the

environment by oil activities was therefore interpreted by the people as an affront on their economic well being, survival and posterity. It is within this context that one can locate the economic and environmental considerations that underscore the violent agitations of the Niger Delta people since the 1990s.

3.3.2 The Oil Industry in Nigeria

To state that oil is central to the violence in the Niger Delta is to restate the obvious. Ibeanu (2006: 21) argues that “understanding the persistence of conflicts in the Niger Delta necessitates a review of the historical development to the oil industry [in Nigeria].” Such a historical context makes for a varied and intriguing trajectory. In 1956, oil was discovered in commercial quantities at Oloibiri (Bayelsa state). Since then, the oil sector in Nigeria has experienced impressive growth and has assumed a high place in the country’s political economy. From 1970s, crude oil has totally eclipsed agriculture as the engine of the economy in all ramifications. For example, Omotola (2006: 8) argues that “from less than 1 per cent in 1960, the contribution of oil to GDP rose to 14.6, 21.9 and 26-29 per cent in 1970, 1975 and 1979, respectively. By 1992, it had risen to 46.8 per cent.” The contributions of crude oil to Nigeria’s export incomes have been much higher: “From 58.1 per cent in 1970; it rose to 95.6 per cent in 1979. Throughout the 1980s and 1990s, it remained very high, accounting for 210 billion naira or 96.1 per cent of total export earnings in 1996” (Omotola, 2006: 8). The pride of place that oil occupies in the Nigerian economy can be further gleaned from Table 8.

According to Obi (2010: 446), the oil industry in Nigeria has undergone three phases: “(1) the oil concession, (2) state participation, and (3) deregulation eras.” The earliest era had its roots in the first oil exploration work by the German Bitumen Company based on a 1914 colonial minerals oil ordinance granting the monopoly of oil concessions in Nigeria to “British or British-allied capital” (Obi, 1997: 140). Under this ruling, Ibeanu (2006: 21) argues that “the Anglo-Dutch group Shell D’Archy (later Shell-BP) got an oil exploration Concession covering the entire 367, 000 square miles of Nigeria in 1938.” Thus, “the stage was set for over six decades of dominance of the Nigerian oil economy by Shell (currently about 50 per cent of Nigeria’s total production and about 53 per cent of total hydrocarbon reserve base)” (Ibeanu, 2006: 21). In 1956, oil was struck in a commercial quantity in Oloibiri (Bayelsa state). The next year, oil MNCs, such as Mobil, Texaco, Esso, Agip and Safrap entered into the Nigerian oil sector to occupy oil acreages given up by Shell in 1958 (Schaltz, 1969: 3). In other words, “Shell ceded 95 per cent of its concession to other non-Nigerian companies, leaving itself prime 16,000 square miles” (Ibeanu, 2006: 21; see chart 4 for a depiction of the oil fields in Nigeria).

Table 8
Crude Oil and Non-Oil Export Earnings in Nigeria, 1988-1996

Year	Exports of goods and services	Oil (%)	Non-oil (%) including invisibles	Non-oil excluding invisibles
1988	31.7	89.5	10.5	8.8
1989	63.2	87.0	13.0	4.7
1990	120.1	88.8	11.2	2.3
1991	132.4	88.3	11.7	3.5
1992	226.9	88.8	11.2	1.9
1993	245.7	87.0	13.0	2.0
1994	215.5	93.2	6.8	2.5
1995	875.5	92.0	8.0	2.3
1996	1186.1	93.2	6.5	1.7

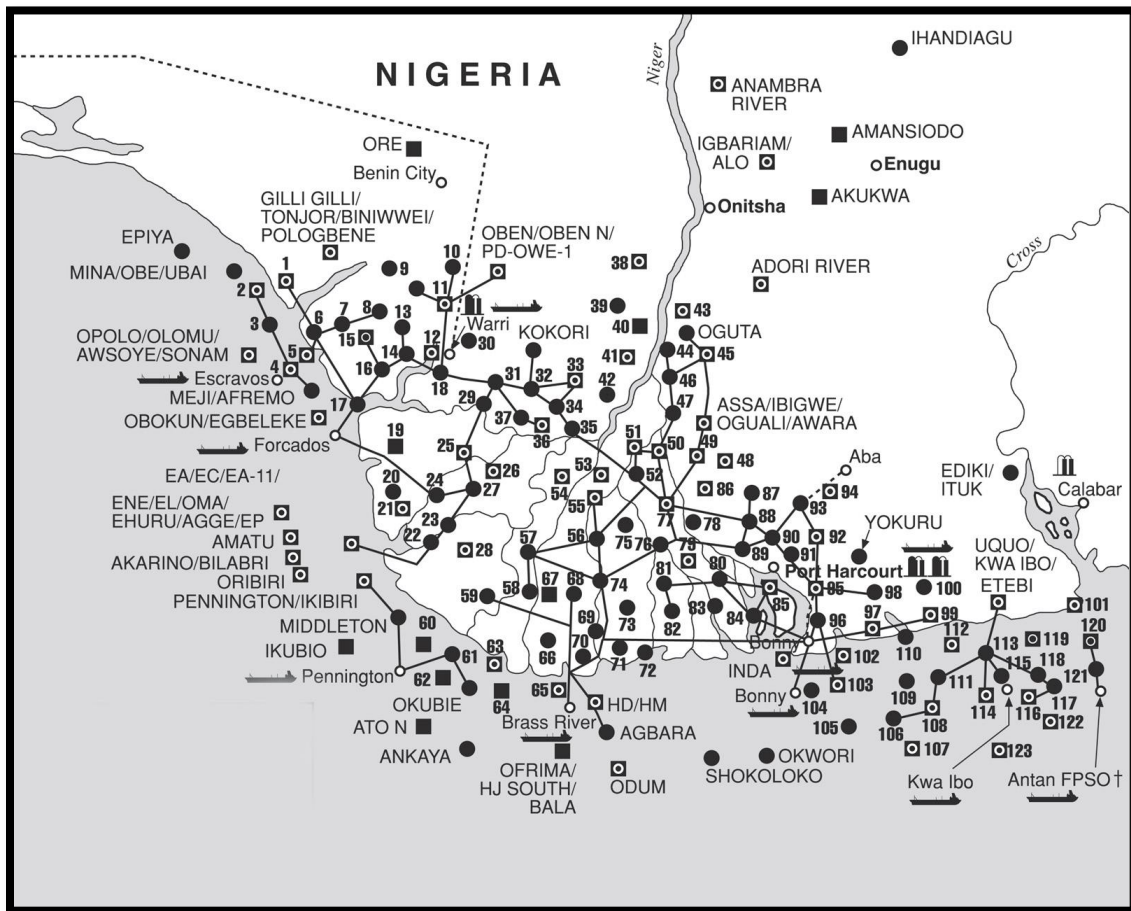
Source: These data are taken from the Central Bank of Nigeria, *Nigeria: Major Economic, Financial and Banking Indicators*, Abuja: CBN, 1997, p. 8; quoted in Omotola 2006, p.9.

By February 1958, Nigeria became an oil exporter with a production level of 6,000 barrels per day (Ibeanu, 2006: 21; Schaltz, 1969: 3)—although it was not until after the Civil War (1967-1970) that the country became a major producer on a global scale (Ibeanu, 2006: 21). Obi (2010: 447) notes that “the early era of the oil industry was marked by foreign control and non-participation by the state that simply collected rents and taxes.” However, by the 1970s, there was a change in the trend, owing to the following factors: (1) increased contribution of oil to national revenues, (2) the ‘OPEC revolution’ that led to the quadrupling of international oil prices, and (3) the economic nationalism of the Nigerian post-civil-war military government that embarked on the indigenization of the oil industry (Obi, 2010: 447). Notably, “Decree No. 51 transferred the entire ownership and control of all petroleum in, under, or upon any lands to the federal military government” (Obi, 2010: 447). What is more, the Nigerian state sought to gain greater control of proceeds of the oil exports. According to Ibeanu (2006: 21), the Nigerian government “passed the 1959 Petroleum Profit Tax Ordinance, which provided for 50/50 profit sharing between government and producers. This marked the early beginnings of a petro-rentier state.” Subsequently, the Nigerian National Petroleum Corporation (NNPC) was formed by the Nigerian government through a merger of the Ministry of Petroleum Resources with the Nigerian National Oil Corporation (NNOC) (Obi, 2010: 447). The growing interests of the Nigerian government in the affairs of the oil sector were represented by the newly formed NNPC,

“including its equity interest based on a 60:40 ratio in the downstream sector of the oil industry” (Obi, 2010: 447).

Unfortunately, this ratio was decided without consulting or involving the local oil-bearing communities (Pearson, 1970: 24-26). Ojakorotu (2008: 36) has argued that “the non-involvement of the local [Niger Delta] communities in fashioning this arrangement signalled the continuation of the alienation of the people of the Niger Delta.” He further noted that “it is an obvious fact that the exclusion of key actors from decision making processes inexorably undermine efforts at resolving problems that pertain to these actors” (Ojakorotu, 2008: 36).

Chart 4
Nigeria Oil Fields



Source: Isike *et al.* (2007: 38)

Three new refineries were built by the Nigerian state. The first was located in Warri (1998); the second in Kaduna (1980) and; the third in Port Harcourt II (1989). Obi

(2010: 447) argues that these refineries were built by the state in order to “ensure secure supplies of refined products for the burgeoning domestic market and provide revenue for government” (Obi, 2010: 447). Further, petrochemical plants were commissioned at Ekpan (near Warri), at Eleme (Port Harcourt II), and the Kaduna refinery. Obi (2010: 447) comments that “the expectation was that these refineries will use the feedstock from the refineries to produce raw materials for the manufacturing sector.” In the upstream sector, a 60:40 cost and profit sharing ration was at play. Following the nationalisation of the BP component in 1979, the formula used in the case of Shell Petroleum Development Company (SPDC) was thus: “NNPC 55 per cent, Shell 30 per cent, Elf (now called Total) 10 per cent, and Agip (ENI) 5 per cent” (Obi, 2010: 447). Government’s indigenisation policy enabled state incorporation into the transnational operations of the oil industry.

In 1977 and 1981, the global economy was hit with a sudden downturn in global oil prices. This reality had negative consequences for the Nigerian political economy. Nigeria’s mono-cultural economy nose-dived as revenues from the sale of oil shrank significantly, and by 1982, the country had entered discussions with the International Monetary Fund (IMF). In fact, “many companies were closed and workers were retrenched” (Obi, 2010: 447). To use the eloquent words of Ibeanu (2006: 21), “the silhouette had become a very clear picture and the Nigerian economy was already deep into a tailspin.” Ibeanu (2006: 21) lucidly describes the fiscal crisis in which the Nigerian economy was enmeshed:

Crude oil revenues fell from ₦201 million in 1980 to about ₦56 million in 1983, triggered by precipitous declines in world crude oil prices. Since public revenues were largely dependent on crude oil exports, the decline set-off a serious financial crisis that is clearly expressed in the sudden increase in import of capital, which rose by 280% between 1979 and 1981. In 1983, external debts stood at about ₦15 billion, with a ₦5 billion backlog of repayments, while internal public debt stood at ₦22 billion. Expectedly, the economy virtually collapsed. Industrial capacity utilization fell to only about 20%, there were massive layoffs of workers in the private and public sectors, inflation rose from 7.7% in 1982 to 23.2% in 1983, GDP fell by 4.4% in 1983 and GDP per capita fell from \$960 in 1980 to about \$300 in 1987.

At the time, the civilian regime of President Shehu Shagari tried to dissociate itself from the crises by blaming the difficulties on the sudden downturn in the world oil prices (Ibeanu, 2006: 23). For its part, the international financial institutions (IFIs) attributed the difficulties to “structural imbalances in the economy” (Ibeanu, 2006: 23). However, one can predicate the fiscal crisis on the effect of an entrenched *Dutch disease* (Karl, 1997: 5) described by Ibeanu (2006: 23) as “Nigeria’s inability over the years to creatively use oil money to develop the industrial sector and in tandem neglected the

agricultural sector of the economy, which sustained the country before crude oil exports became dominant.” As a result of the “fiscal crisis, pressures from IFIs, growing domestic discontent and decline in foreign investment in the oil sector, a reprisal for policies of the indigenization period” (Ibeanu, 2006: 23), the Nigeria National Petroleum Corporation (NNPC) witnessed a partial deregulation and commercialisation of its various operations.

We see a marked difference when we juxtapose the Nigerian petroleum legislation in the period before independence with what operated in other African countries like Algeria and Libya (Ojatorotu, 2008: 36). In significant aspects, the Algerian-French Petroleum Agreement of 29 July 1965 contrasted sharply with the Nigerian legislation. For example, a good level of cooperation existed between the oil company to be founded by the French and the Algerian states (Schatzl, 1969: 95-96; Ojatorotu, 2008: 36). Beyond this, “the legislation abolished the depletion allowances, the Algerian share of profit was fixed at 53 per cent and assessment of profits was made on the basis of fixed prices” (Ojatorotu, 2008: 36; Schatzl, 1969: 96). For its part, the Libyan Petroleum Legislation of October 20, 1965 also differs fundamentally from that of Nigeria in crucial aspects. Schatzl, quoted in Ojatorotu (2008: 36) observes that “the Libyan petroleum law complied with practically all the requests of OPEC in regard to the operation of oil multinationals in less developed countries.” Further, he noted that “petroleum legislations in Algeria and Libya guaranteed to the state a considerably higher share of petroleum profits than Nigeria under the Petroleum Profit Tax Ordinance of 1959” (quoted in Ojatorotu, 2008: 36).

In 2011, the oil sector in Nigeria is hobbled by elite corruption and remains the site of violence on the part of the three contending stakeholders in the industry: the oil multinationals, the Nigerian state, and the oil bearing communities. It is useful to note that the present ethnic minority agitations in the Niger Delta against their perceived marginalisation within the Nigerian federal system is partly rooted in historical factors and is therefore not a new phenomenon. In fact, it has been the case in the region prior to independence and throughout the post 1990 struggles. Broadly, the developmental hiatus in the Niger Delta is a consequence of a basic structural contradiction traceable to the dawn of the colonial enterprise and reinforced by the character of the Nigerian state. For instance, Jike and Okinomo (2008: 11) argue the following:

In juxtaposition with the other five geopolitical regions of Nigeria i.e. South East, South West, North Central, North West and the North East, the South-South or more appropriately the Niger Delta has a consistent history of being short changed and marginalised... the Niger Delta has often been at the receiving end of the exploitative tendencies of colonial and neo-colonial policies. The oil palm trade in colonial Niger Delta as well as the rubber and timber trades from which

the Royal Niger Company made enormous profits did not stimulate any discernible measure of multiplier entrepreneurship for the local people in the region. As oil palm mercantilism blossomed for the coloniser, the indigenous peoples, who sustained this trade, remained in relative poverty. Their life circumstances and chances revolved around primitive conditions. Without piped water, without energy supply, without a modern household and with little access to modern education, the colonised was essentially incapacitated and fatalistically resigned to fate in a better world hereafter.

In view of the foregoing, the next section identifies and disentangles the key grievances and demands of the oil-bearing ethnic minority communities in the Niger Delta.

3.3.3 Demands of the Oil-Producing Communities in the Niger Delta

The Nigerian economist Professor Milton Iyoha (2007: 4) has asked a critical question: “Where did Nigeria’s natural resource rents end up, if not as productive domestic investments capable of supporting economic growth?” Iyoha (2007: 4) notes that a possible answer is “capital flight”: it is no longer a news that nearly all the former military rulers amassed mammoth fortunes and stashed them away in foreign bank accounts (Agbibo, 2011a: 83-85). This aside, one can also argue that “the political environment of military rule rewarded rent-seeking activities, bribery and corruption” (Iyoha, 2007: 5). A final potential response is to argue that domestic investment, particularly by the public sector, was often highly inefficient and sometimes extraneous. Ethnic rivalries encouraged Northern political elites to ignore the Southern part of the country, where oil resources originate, in favour of developing the North.⁴⁶ This has irked the oil-producing communities and led them to demand various concessions from the Nigerian government and the oil multinationals in the area.

The overriding demands and grievances of oil-bearing communities in Nigeria’s Niger Delta may be subsumed under five broad themes: these pertain, respectively, to:

1. The disposition of mineral land rents.
2. The application of the derivation principle to the allocation of federally collected mineral revenues.
3. The appropriate institutional and fiscal responses to the ecological problems of the oil-producing areas.
4. The responsibility of the oil-prospecting companies to the oil producing communities.
5. The appropriate arrangements for securing the integrity and autonomy of the oil producing communities within the present federal structure (Suberu, 1996: 27).

⁴⁶ In pursuance of this goal, many costly mistakes were made regarding the location of investment projects.

Claims to mineral land rents remain the most forceful demands expressed by the oil-bearing states in Nigeria. For instance, Suberu (1996: 27) argues that, traditionally speaking, local communities in the Niger Delta were in control of land rights. However, the introduction of the Land Use Decree of 1978 meant that “ownership of land in any state of the federation is vested in the State Governor in trust for the people of the state” (Suberu, 1996: 27-28). The justification for the Federal Government’s action is the Petroleum Decree of 1969 and the relevant provisions of the 1989 Constitution which vest in the Federation “control of all minerals and gas in, under or upon the land and territorial waters of Nigeria” (Federal Republic of Nigeria [FRN], 1989: Sec. 42).

A perusal of these provisions indicates, however, that they “clearly refer to mineral wealth ownership and not land ownership which, under the practice of the constitution, remains vested in the states” (Suberu, 1996: 28). In essence, therefore, “the Federal Government’s retention of mineral land rents would appear to be unconstitutional since the states are clearly entitled to such rents as of right” (Suberu, 1996: 28; FRN, 1980: 93). Perhaps, a more complex issue pertains to “the attempt by elements from the oil bearing communities to juxtapose mineral rents and royalties as resources legitimately belonging exclusively to the oil-producing sections” (Suberu, 1996: 28). The following assertion by MOSOP is illuminating: “MOSOP insists that oil royalties and rents are the property of landlords and that the Federal Government must return to the oil-bearing communities all royalties and rents paid to it by the oil companies since 1958” (*The Guardian*, 17 March 1993: 9).

This notwithstanding, the constitutional position on the matter is unequivocal. Suberu (1996: 28) argues that “while rents are a tribute to the owners of land – in this case the state governments – royalties are levies on minerals, whose ownership remains in the hands of the Nigerian Federal Government.” The Pius Okigbo Commission on Revenue Allocation clearly states that

the owners of the minerals on which royalties are levied are indisputably, under the existing laws and under the Constitution, the Government of the Federation. It follows that the payment of a part or the whole of the revenues from this source to the state (or community) where the mineral is produced does not derive from a legal right but from political or other considerations. To transform this political act into a legal claim of right as the producing states seem to want is to do violence to reality (FRN, 1980: 93, quoted in Suberu, 1996: 28).

It is useful to note, *en passant*, that the ownership of natural resources is informed by the “Regalian Theory” and the power of “Eminent Domain” respectively (Ebeku, 2007). Briefly stated, the “Regalian Theory” or *jura regalia* “refer to royal rights, or those rights which the King [State] has by virtue of his [its] prerogatives” (Ebeku, 2007: 19). On the

other hand, the power of “Eminent Domain” is the power of the state to arrogate private property “for its own use without the owner’s consent (with or without payment of compensation to the owner)” (Ebeku, 2007: 19). Crucially, this power rests squarely on the dominion of its sovereignty over all lands within its defined territory (Ebeku, 2007: 19).

Shifting focus away from the ownership of land issue, the negative effects of oil exploration on the Niger Delta environment have been extensive. In particular, oil exploration has led to “the indiscriminate destruction of marine life by explosives used in seismic surveys; the pollution of water, land and vegetation by seepages and spills from oil wells, tankers and exposed high-pressure pipelines; and the devastation of crops and trees by the intense heat resulting from gas flaring” (Suberu, 1996: 31). All of this, of course, is compounded by the naturally difficult terrain of the oil producing communities. As the following quote indicates:

Like in many other oil-rich areas of the world, the regions where oil is found in Nigeria are very inhospitable; they are mainly in swamps and creeks. They, therefore, require massive injection of money if their conditions, and standards of living, are to compare with what obtains elsewhere in the country where possibilities of agriculture and diversified industry are much greater (Asiodu, 1993: 36)

Ikporukpo (2007: 27-31) has also noted that

[t]he complex networks of distributaries, creeks and extensive swamps making up the Niger Delta are awe inspiring to people, [governments and potential developers]... the area is usually described in geography and other related books and documents as a difficult environment... Being intimidated by the physical geography of the Niger Delta, the perspective that the area cannot be developed emerged very early in the history of Nigeria. For instance, this was apparent in the debates in the Eastern and Western Nigerian Houses of Assembly before and early independence. The common belief then was that an area (particularly the outer Niger Delta) where everywhere is water [logged] cannot possibly be developed. Request for locating infrastructural facilities in some parts of the Niger Delta were met by “are you going to put them on top of water?” responses (quoted in Ogundiya, 2011: 68-69).

Such perceptions, according to Ikporukpo (2007: 30),

... lingers to the extent that even such attempts to develop the region through Commissions such as the Niger Delta Development Board (NDDDB) in the early years of independence, the Oil Mineral Producing Areas Development Commission (OMPADEC) and the Niger Delta Development Commission (NDDC) have been largely unsuccessful (Ikporukpo, 2007: 30, quoted in Ogundiya, 2011: 69).

Against this backdrop of what Ogundiya (2011: 1) describes as the “Geography of Terrorism and the Terror of Geography” thesis, certain implications are deducible:

1. that the apparent prolonged neglect of the Niger Delta is perhaps non-intentional, but associated with the geomorphology and the topography of the region and the perception that the area is a difficult terrain naturally unsupportive of infrastructural development;
2. that the cost of development in the Niger Delta is probably unbearable to the Nigerian state because the cost of development in the Niger Delta is probably several times the cost in any other part of the country;
3. that the governments of the region (state and local) have apparently behaved not much differently from the Nigerian state (Ikporukpo, 2007: 32);
4. that the physical geography makes the area prone to diseases of all kinds which poses serious challenge to healthy living;
5. that there is a significant relationship between the ecology of Niger Delta and the prevalence of poverty in the region; and
6. that the oil companies, though not terrorized by the region’s geography when oil is being exploited, apparently get terrorized when it comes to being good corporate citizens (Ogundiya, 2011: 69-70).

Whatever the merits of the above contention, Ogundiya (2011: 70) contends that “[t]he terror of geography is superficial, and nothing but an attempt by the political elite [of Nigeria] to cover up their atrocities and further perpetuate underdevelopment in the Niger Delta.” The paradoxical reality is that, in the course of oil exploration and exploitation, most oil companies have managed to penetrate “the remotest swamps of the Niger Delta whose poor development has been predicated on the difficult terrain” (Ogundiya, 2011: 70). Moreover,

[t]he abundance of modern infrastructural facilities of electricity, water, housing, telecommunications, and recreation, even to international standards, around oil installations, sharply contrasts the dearth and decay witnessed in host communities, demonstrating the fact that communities could be better developed in spite of terrain constraints (Ogundiya, 2011: 70; Chokor, 2000: 63).

There can be little doubt that the most radical demand of the oil-bearing communities involves the agitations for a restructuring of the internal territorial configuration of the federation. Among the Ogoni community, for example, there have been demands for greater ethno-political autonomy in order to give to the Ogoni the “right to the control and use of a fair proportion of Ogoni economic resources for Ogoni development” (OBR, 1990: 4). On the other hand, the Ijaws have called for an autonomous Ijaw federation within a Nigerian confederation (*National Concord*, 11 December 1992: B2).

3.3.4 Government Policies towards Oil-bearing States in the Niger Delta

In line with Theodore Lowi (1964: 677-715) and Edmond Keller (1983), three manner of state responses to the demands and activities of ethnic minority oil producing communities can be pinpointed. These include: (1) redistributive (2) reorganizational and (3) regulatory state policies or responses.⁴⁷ Summarily explained, redistributive policies refer to “state decisions that consciously dispensed valued resources to one group at the expense of other claimants to state resources” (Suberu, 1996: 33). Reorganizational policies involve efforts by the state to reconfigure political institutions in order to accommodate group demands. Regulatory policies refer to the foisting of sanctions or restrictions on individuals or groups that are perceived to threaten state peace and equipoise (Suberu, 1996: 33). The next section focuses attention on the implementation and impact of each of these policy responses as per ethnic minority ferment in the oil-producing states of Nigeria’s delta.

3.3.4.1 Redistributive Policies

By way of response to the increasing tensions among the oil-producing communities, the government of Nigeria adopted a new policy in 1991. The aim of this policy was to address the development needs and demands of chagrined oil-bearing communities in the Niger Delta region. According to Suberu (1996: 36), “the policy required the Nigerian National Petroleum Corporation (NNPC) and its joint-venture multinational oil companies to allocate three per cent of their total capital investments to community development purposes.” This new policy marked an appreciable break from previous practice according to which the companies voted any amount as they deemed fit for developing specific projects in their communities of operations (*The African Guardian*, 16 September 1991: 35; Suberu, 1996: 36).

The most crucial redistributive policies that have been introduced to tackle ethnic minority ferment have, however, involved mainly revisions in federal revenue sharing arrangements. For instance, at its inception in August 1985, the Babangida regime was bequeathed a revenue sharing formula which allotted 2 per cent and 1.5 per cent of oil mineral revenues to the oil producing states. Subsequently, the allocation to the oil-producing states was reduced from 2 to 1 per cent. It appears that “this reduction was designed to release funds for the development of the new federal capital territory at Abuja, whose special allocation in the Federal Account was increased from 1 to 2 per

⁴⁷ The sub-headings for the various responses of the Nigerian state have been borrowed from Suberu (1996: 36).

cent of the Account” (Suberu, 1996: 36). However, hard-on-the-heels of forceful demands by the irked oil-producing states and their elected representatives and governments, the Federal Government in June 1992 announced the following revisions in fiscal and administrative arrangements for revenue sharing:

1. The statutory allocation to mineral producing areas was increased from 1.5 to 3 per cent of federally collected mineral revenues.
2. A statutory commission was established to administer this allocation, thereby putting an end to the practice of disbursing the mineral producing areas’ fund through an ad hoc presidential committee. Named the Oil Mineral Producing Areas Development Commission (OMPADEC), this 12-member agency has its headquarters in Port-Harcourt and state offices in Abia, Akwa Ibom, Cross River, Delta, Edo, Imo, Ondo and Rivers States. Ten of its members, including the chairman, Chief Albert Horsfall, are from the mineral producing states, while the remaining two sit on the commission as representatives of the non-oil producing states. [The main responsibility of the OMPADEC was “to address the difficulties and sufferings of inhabitants of the Oil producing Areas of Nigeria” (OMPADEC, Decree 203 of 1992)]
3. The statutory allocation for the amelioration of ecological problems throughout the federation was increased from 1 per cent to 2 per cent of the Federation Account.
4. The Government committed itself to the establishment of a new national body which will combine the administration of the ecological fund with the extant responsibilities of the National Emergency Relief Agency” (Suberu, 1996: 37).⁴⁸

Let us look a bit more closely at the formation of OMPADEC. The OMPADEC was established as a response to the grievances and frustrations felt by the Niger Delta people. The Commission, which had its headquarters in Port Harcourt, had the following objectives or functions, as stated in section 2(1):

- a) to receive and administer the monthly sums from the allocation of the Federation Account in accordance with confirmed ratio of oil production in each state—
 - (i) for the rehabilitation and development of oil mineral producing areas;
 - (ii) for tackling ecological problems that have arisen from the exploration of minerals;
- b) to determine and identify, through the Commission and the respective oil mineral producing states, the actual oil mineral producing areas and embark on the development of projects properly agreed upon with the local communities of the oil mineral producing areas;

⁴⁸ It is useful to note that the increases in statutory allocations to the mineral producing areas and the ecological fund entailed a corresponding reduction by 1.5 and 1 per cent, respectively, of statutory allocations from the Federal Account to the Federal and State Governments. This is in the nature of redistributive policies, which characteristically involve the gratification of some interests or demands at the expense of others.

- c) to consult with the relevant federal and state government authorities on the control and effective methods of tackling the problem of oil pollution and spillages;
- d) to liaise with the various oil companies on matters of pollution control;
- e) to obtain from the Nigerian National Petroleum Corporation the proper formula for actual mineral production of each state, local government area and community and to ensure the fair and equitable distribution of projects, services and employment of personnel in accordance with recognized percentage production;
- f) to consult with the federal government... and oil mineral producing communities regarding projects... (quoted in Ebeku, 2005: 404).

During the late 1994, OMPADEC made some laudable achievements which are evident in two developments:

The first was the decision of the Revenue Allocation committee of the National Constitutional Conference to recommend not only the retention of the Commission, but also the expansion of its financial allocations from 3 to 6 per cent of oil revenues in the Federation Account... The second was the vigorous and vehement opposition of many concerned indigenes, politicians and traditional rulers of the oil producing states to alleged clandestine moves by elements close to the Federal Government to have the commission abolished, reorganised or downgraded (Suberu, 1996: 39).

Despite its impressive achievements, a major reason why OMPADEC failed to achieve its intended impact was due to elite corruption which showed its ugly face in the misappropriation and embezzlement of funds. Omotola (2009: 43) argues that “in quick succession, the first two sole administrators of the OMPADEC, Albert K. Horsfall and Professor Eric Opia, were dismissed for corruption.” Opia lost his post in September 1998 due to his “inability to account for ₦6.7 billion, then worth US\$80 million” (Omotola, 2009: 43; Fynas, 2001: 38). Confirming the foregoing, Ebeku (2005: 407) contends that “members of the [OMPADEC] were accused of high level corruption mostly perpetrated in the inflation of contract costs, which were largely paid upfront.” This aside, the Commission also came under the stick for not “monitoring the performance of contractors, especially those they have paid ‘mobilization fees,’ with the result that several projects were abandoned” (Ebeku, 2005: 407).

Omotola (2009: 43) further contends that “[t]he Commission was also reputed for its undue politicization, which also manifested in frequent reorganisation and instability that characterized its management.” For many Nigerians, “OMPADEC was seen as merely another arm of the federal bureaucracy for the distribution of patronages” (Omotola, 2009: 43; Ovwasa, 1999: 81-98). One of the strong proponents of this view, Ken Saro-Wiwa, argued:

OMPADEC is illogical, an insult and an injury. If you have your own money, why should government set up a Commission to run your money? They are treating us like babies here... OMPADEC is [designed] to bait us and destroy us (*The News* 17 May, 1993: 25).

The formula used by OMPADEC to distribute development projects among the oil-bearing communities has also raised some eyebrows. According to Suberu (1996: 38):

This formula prescribes that each community's share of OMPADEC-sponsored development projects be tied to the size of its current contribution to the total volume of produced oil. Apart from the unavailability and unreliability of the required data, this requirement has the potential impact of marginalizing those communities, like Oloibiri, which were major oil producers in the past, but which no longer produce oil in appreciable quantities

Not surprisingly, OMPADEC was dissolved and substituted with the Niger Delta Development Commission (NDDC) in 2000. This was to fulfil the promise made to the Niger Deltans by President Olusegun Obasanjo during his election campaign in 1999. At this campaign, Obasanjo had vowed to tackle, if elected into office, the state of uneasy stasis and resultant tensions in the Niger Delta (Omotola, 2009). The NDDC was inaugurated on 21 December 2000. Its central plank the formulation of "policies and guidelines for the development of the Niger Delta and conceive plans and implement projects capable of fostering sustainable development of the area in line with set rules and regulations" (Section 7 of the NDDC Act, 1999, quoted in Omotola, 2009: 43). The NDDC Act was described as "an Act to provide for the repeal of the Oil Minerals Producing Areas Decree... and among other things, establish a new Commission with a re-organized management and administrative structure for more

In terms of funding and regulation, the NDDC fared better given the seemingly several viable sources of its revenues, monitoring, and evaluation. For instance, "the NDDC Act mandated the federal government to contribute 15 per cent of the total monthly statutory allocations due to member states of the commission from the federal account" (Omotola, 2009: 43). Oil-producing companies, including gas-processing companies operating onshore and offshore in the delta, were also mandated to pay 3 per cent of their total annual budget to the commission. The Act also funnelled ways to monitor and ensure accountability over the commission's finances.⁴⁹ Omotola (2009: 43) articulates that these concerns may have been informed by the woeful experiences of the OMPADEC and the need to forestall such a reoccurrence.

Despite the improved measures, the NDDC still failed to deliver as expected. There is a sense in which the NDDC can be said to have improved on the shortcomings of

⁴⁹See Sections 14 and 18 of the NDDC Acts for sources of funding and control respectively.

OMPADEC, “judging by the impressive number of projects it has executed in the region in the various sectors of the economy” (Omotola, 2009: 43). This notwithstanding, “a major allegation against the NDDC related to the impact of these projects on the lives of the Niger Deltans as well as its representativeness of the varied interests of the region across classes and groups” (Omotola, 2009: 43). In short, the problems that accounted for the fall of both OMPADEC and NDDC have been effectively summarised as follows:

1. The greedy and corrupt practices of the persons put on the helm of affairs in the institutions/bodies.
2. Faulty composition of the administrative boards of the institutions (members of the board were exclusively appointed by government, without regard for the need for genuine local representation).
3. Non-participation of the local people—there was no room for the participation of the local people in the planning and execution of project (Ebeku, 2007: 11-12).

3.3.4.2 Reorganizational Policies

The state has also responded to the unpleasant situation in the Niger Delta through constant “fragmentation of state structures, particularly to mollify ethnic minorities (Osaghae, 1999). From a federation of three regions in 1960, Nigeria is composed of 36 states and a federal capital territory in 2011. By way of emasculating the “secessionist Biafra,” the federal military government decided to woo the support of the Niger Delta, hitherto under the control of the Eastern region (Omotola, 2009: 44). Thus, “as Nigeria was transformed from four regions to twelve states in 1967, Rivers state was created in the Niger Delta” (Omotola, 2009: 44). Furthermore, the 1987, 1991, and 1996 period witnessed the creation of statutes for Akwa-Ibom, Delta, and Bayelsa, respectively (Omotola, 2009a: 129-147).

Other ways through which the state has sought to respond to the impasse in the Niger Delta is through “transitional justices and constitutional conference” (Omotola, 2006: 45). For the former, the most notable efforts remain the institution of the Human Rights Violations Investigation Commission (HRVIC). The sole *raison d’être* for HRVIC was the reconciliation of “aggrieved Nigerians for the violation of their rights under successive military regimes. Under an ideal situation, it was a step in the right direction” (Omotola, 2009: 44). Regrettably, HRVIC’s was poorly planned (on the part of the state) and, most notably, it failed to ensure the adequate involvement of major stakeholders, especially the ex-military head of states and the Ogoni people of the Niger Delta (Omotola, 2006). The lack of involvement, or refusal to cooperate, on the part of these key people dealt a fatal blow to the panel. Worse still, very little has been heard of the report ever since the panel “completed” its assignments in 2002. This aside, the other attempt to address the tensed situation in the Niger Delta was through the

National Political Reform Conference (NPRC). However, this chance was squandered and, up until now, no report has been issued from the conference (Omotola, 2006).

Following the glaring failure of its redistributive and reorganizational policies, however, the Nigerian government has resorted increasingly to repressive and violent strategies of ethnic minority containment. Suberu (1996: 1) has highlighted some of these repressive measures of the Nigerian state: the proscription of ethnic minority associations; the confinement, detention, arbitrary conviction and/or imprisonment of outspoken ethnic minority elites; the violent suppression, through the leviathan of military force, of protests, demonstrations and uprisings by ethnic minority communities; and the official declarations of ethnic minority agitations for autonomy or self-determination as a treasonable offence punishable with the death penalty! The following section looks closely at these repressive measures.

3.3.4.3 Regulatory or Repressive Policies

Reflecting the inadequacy and failure of its redistributive and reorganized policies, the Nigerian state resorted to regulatory/repressive measures of oil minority containment. These unenviable measures are well documented by Suberu (1996: xii)

the proscription or banning of ethnic minority associations; the confinement, detention, arbitrary conviction and/or imprisonment of outspoken oil minority elites; the violent suppression, by military force, of protests, demonstrations and uprisings by oil minority communities; and the official declaration of ethnic minority agitations for self-determination, or any disturbances of oil production activities for that matter, as a seditious or treasonable offence punishable with the death penalty!

Nigeria, for the past 39 years, has been a militarised state even when so-called civilian governments were in power. According to Ekineh (1997: 272), “[n]o other country in Africa or even in the whole world has been as coercively dominated for so long a period by their own military as the people of Nigeria.” Militarisation consists of the use of the threat of violence to settle political conflicts, the legitimization of state violence, the curtailment of freedom of opinion, the domination of military values over civilian life, the violation of human rights, extrajudicial killings and the gross repression of the people (Chunakara, 1994, Turshen, 1988: 7). The Niger Delta is a region that has been subjected to excessive militarisation for the past 13 years (see table 9), where violence is used as an instrument of governance to force the pummel people into total submission (Okonta and Douglas, 2001; Na’Allah, 1998). This is usually carried out via security agents, including the military to cage all forms of resistance in the Niger Delta. For example, in 1994, the Abacha regime came up with ‘Operation Order 4194’ meant ‘to restore law and order in Ogoni land’ as a response to the Ogoni uprising. The

operation consisted of about 406 police and navy officers, who effectively occupied Ogoni land (Roberts, 2000: 57).

Ekine (1997: 265) has noted that, as the leader of the Ogonis, “Ken [Saro-Wiwa] had been the sharpest thorn in the flesh of the military junta since Babangida’s regime. The military found him a much more principled fighter for what he believed to be right and just...” With this prelude in mind, on 21st of May 1994, during a meeting held surreptitiously by the Ogoni movement, four prominent Ogoni chiefs were brutally murdered. However, the military regime did not allow the state police to complete their investigation of the matter and refer it to the Ordinary Courts as was usual. As Ekine (1997: 265) observes, “even as the police were investigating the matter, the military government took it over. They cited the precedence for their action from a decree of General Obasanjo’s regime titled Federal Civil Disturbances Tribunal, 1977.”

Subsequently, in 1995, Ken Saro-Wiwa and eight other MOSOP members were arrested and charged with incitement to murder. As Suberu (1996: 44) contends, “the Government’s clampdown on Saro-Wiwa and other MOSOP activists is premised on the belief that they must have instigated some members of the military youth wing of MOSOP, the National Youth Council of Ogoni People (NYCOP), to kill the four ‘moderate’ Ogoni leaders.” According to the military administrator of Rivers State, Lt. Colonel Dauda Komo:

MOSOP activists carried out the action, after its leader, Mr. Ken Saro-Wiwa, had been politely turned down away from a privately convened meeting... The victims did not merit the fate that befell them since they were not against the ideals of MOSOP but against the way Saro-Wiwa has been handling the affairs of the body (*The News*, 6 June 1994: 8).

In any case, the arrested were later arraigned before a ‘special’ military tribunal, which sentenced Saro-Wiwa and eight others to death by hanging. The ‘specialness’ of the tribunal was underscored by that fact that “it was not to be bound by any rules of evidence or law whatsoever; and there could be no appeal against its decision, but the military must confirm any sentence passed by it” (Ekine, 1997: 266).⁵⁰ Eventually, the execution⁵¹ was carried out on 10 November 1995, despite all entreaties both from within and outside the country (Ojakorotu and Uzodike, 2007: 98). During his fathom

⁵⁰ As reported by the press, “many of the intended witnesses for the prosecution declined and asserted by affidavit that they had been promised money to give false accounts of what happened, but were disturbed by their respective conscience to withdraw. The accused themselves put up the defences of alibi. But all such defences were for a law court, not for the special military tribunal, in which the panel included some military officers of the rank of major” (Ekine, 2007: 266).

⁵¹ Ken Saro-Wiwa and eight other accused were hanged at Port Harcourt prison only fifteen miles from Ogoniland. As he was led to the gallows, Saro-Wiwa exclaimed; “Lord receive my soul and let the struggle for justice in Ogoniland continue and bear fruit” (quoted in Ekine, 1997: 266).

trial by the Abacha junta, Ken Saro-Wiwa noted that, 'the Nigerian military dictatorship survives on the practice of violence and the control of the means of violence' (Saro-Wiwa, quoted in Adejumobi, 2003: 2).

The Nigerian playwright, Wole Soyinka (1996: 152), opines that the immediate execution of Saro-Wiwa was to remove the pivotal figure of opposition around which a united Delta front could emerge. The 'trial' was thus a charade, in his eloquent words:

Ken Saro-Wiwa's fate had long been sealed. The decision to execute him and his eight companions was reached before the special tribunal was ordered to reconvene and pronounce a verdict that had been decided outside the charade of judicial proceeding. The meeting of the Provisional Ruling Council to consider the verdict was a macabre pretence, a prolongation of the cynicism that marked the trial proceedings from the outset (Soyinka, 1996: 152).

It is instructive to note that the chicanery and subsequent hanging of Saro-Wiwa was not so much a sign of disrespect for international opinion but "a sign to Nigerians themselves that there was no escape from the state's totalitarian apparatus and that nobody in the whole world could save them" (Na'Allah, 1998: 75). Such a model of governmentability runs athwart the "ludic" and "convivial" model Mbembe (1992: 22) proposes for the African post-colony. The travails of Saro-Wiwa and the Niger Delta people bear witness to the Nigerian government's long-standing perception of agitators for the rights of oil producing ethnic minorities as "misguided elements," "mischief makers" and "selfish miscreants" (Suberu, 1996: 46). In short, Saro-Wiwa's death represents the ultimate collapse of the elusive distinction between the Nigerian state and civil society, and the demise of effective citizenship. Ojatorotu and Uzodike (2007: 97) argue that the death of Saro-Wiwa "sounded the death knell of the Ogoni struggle... This was not only due to state repression but also to leadership bickering."

Clearly, the state's reprisals against Saro-Wiwa and MOSOP run athwart the broad sympathy which the Ogoni movement continues to enjoy both within the Nigerian civil society and internationally. For instance, in October 1994, Saro-Wiwa and MOSOP were named, along with two other organizations in India and Trinidad, as joint-winners of the 1994 Right Livelihood Award⁵², often termed the alternative Nobel Prize (Suberu, 1996: 46). The following month, in November 1994, the popular London-based human rights organization, Amnesty International, declared Ken Saro-Wiwa a "prisoner of conscience." Saro-Wiwa, Amnesty International declared, "is an internationally renowned writer, detained without charge or trial since May 1994, chained hand and foot for long periods incommunicado, and without medical care" (*Vanguard*, 11

⁵²This award, which is worth \$250 000, was established by a German-Swede in 1980 to honour and support those offering practical and exemplary answers to urgent social problems.

November 1994: 1). The Ogonis also received the special attention of Amnesty International which revealed that at least 50 people in Ogoniland had been killed and about 600 detained for months without charge or trial under inhumane conditions (*Vanguard*, 11 November 1992: 2).

Despite the fact that the Obasanjo-led government, which ruled from 1999 until 2007, was viewed as a transition to civilian rule, the level of violence in the region continued to spiral. Examples of this escalation include: intensification of the military option to control the oil fields and pipelines through the specially created Nigerian Military Task Force for the Niger Delta with specific orders to ‘shoot-to-kill’ protesting indigenes. In this way, Obasanjo demonstrated his propensity to use brute force to compel silence and acquiescence.

Table 9
Militarization of the Niger Delta, 1990-2006

Date	Place	Operating force	Action
October 1990	Umuechem	Security Protection Unit	<ul style="list-style-type: none"> ▪ Killed 80 unarmed demonstrators ▪ Destroyed 495 houses
1993	Umuechem		<ul style="list-style-type: none"> ▪ Razed houses and destroyed properties
1999	Odi	Army and mobile police	<ul style="list-style-type: none"> ▪ Razed the entire community as every house and property worth millions of naira were burnt down
January 2004	Uwheru	Operation Restore Hope	<ul style="list-style-type: none"> ▪ killed 20 persons ▪ Burnt down 11 houses
July 2004	Egbema	Operation Restore Hope Joint Security Task Force	<ul style="list-style-type: none"> ▪ Used gun-boats, military helicopters and bombs to destroy 13 communities ▪ Razed a total of 500 buildings ▪ 200 persons, mostly women and children, are feared dead and are still missing
August 2004	Olugbobiri and Ikebiri	State security operatives	<ul style="list-style-type: none"> ▪ killed sixteen youths for agitating for a better deal from multinational oil corporations
October 2005	Odioma	Joint Security Task Force	<ul style="list-style-type: none"> ▪ killed 77 persons, including youths

Source: Ikelegbe, 2003, p.219.

Cases of violent behaviours under the Obasanjo-led regime include: (1) the invasion of Odi Town on the direct orders of Obasanjo in retaliation for the murder of 12 policemen

by youths in the town in 1999.⁵³ Over 2000 people were killed, thousands displaced and properties razed; (2) brutal rapes of women and young girls by Nigerian Army personnel in Choba; (3) gunning down of unarmed youths who protested against unemployment in Bonny Island; (4) ravaging of communities in Ke-Dere in Rivers State for protesting unwanted and forceful return of Shell Oil to Ogoniland; (5) killings of women and children, burning and looting of property in Oleh town in Isokoland; and (6) the massacre on 17 October 2000 of 15 youth protesters in Tebidaba in Bayelsa State (Ijaw National Alliance of the Americas [INAA], 2000). This is what Ake refers to as the “militarisation of commerce” and “privatization of the state” (quoted in Rowel *et al.* 2005: 15). Edmond Keller (1983: 274) has noted that a reliance on intimidatory techniques not only presents the “image of a state which is low in legitimacy and desperately struggling to survive,” but also “in the long run can do more to threaten state coherence than to aid it.”

Thus far, this chapter has highlighted and critically discussed the root causes of ethnic minority conflicts and rising violence in the Niger Delta. The next chapter seeks to undertake an analysis of the proximate or catalytic causes of the ethnic minority conflicts in the Niger Delta. At the close of this chapter, the reader should be well acquainted with two important perspectives that are fuelling the conflict in the Niger Delta: (1) the environmental perspective, and (2) the social-security perspective.

⁵³ This military expedition has been described as the “largest deployment of troops since the Biafran war” (Saliu and Omotola, 2007)

Chapter Four

Proximate Causes of the Niger Delta Conflict

4.1 Introductory Remarks

This chapter will probe the proximate or catalytic causes of the Niger Delta conflict from two salient perspectives: (1) environmental (2) social-security. The environmental perspective exposes the vitiation of the flora and fauna of the Niger Delta environment as well as the decimation of the economic wellbeing of the people and the violation of their human rights. In particular, the chapter spotlights the irresponsible practices of the world's largest oil company (Shell) in the Niger Delta; it shows how such negligent practices have unleashed havoc on agricultural land and impoverished a whole region. The social-security perspective, on the other hand, argues that while arms proliferation is not directly the cause of conflict in the volatile Niger Delta, their stockpiles fuel wars and sustains violence. The section argues that the higher the insecurity in a region, the higher the recourse to internal arms race. The collapse of the social contract between the state and its citizenry has a hand in this perpetuation and is, therefore, illuminating.

4.2 The Environmental Causes of the Niger Delta Conflict

In terms of natural resources, the Niger Delta is easily one of the most blessed regions in the world. Besides its huge oil and gas reserves, "there are extensive forests, [a surfeit of] wildlife, and fertile agricultural land where rice, sugarcane, plantain, beans, palm oil, yam, cassava, and timber are cultivated" (Okonta and Douglas, 2001: 121).

The Niger Delta is also known for its fish resources. It has more freshwater fish species than any other coastal system in West Africa (Okonta and Douglas, 2001: 121). As a matter of fact, “three-quarters of the fish caught in the sub-region are bred in the mangroves of the Delta, which have been described as the third largest and the most discrete in the world” (Okonta and Douglas, 2001: 121). Mangrove trees, which grow tall and healthy on the creeks and near riverbanks, provide protective barriers for the country’s coast and are also a source of medicine, fruit, and raw material for such cottage industries as weaving, wood carving, and rope making. The biodiversity of the Delta is enormous. The World Bank (1993) has drawn attention to its importance as home to a potpourri of threatened coastal and estuarine fauna and flora, and to the need for preservation of the biodiversity of the area because of its rich biological resources.

Appreciably, the people of the Niger Delta have always had a spiritual and symbolic connection to their land and resources. As the following quote corroborates:

To the Ogoni, the land on which they lived and the rivers which surrounded them were very important. They not only provided sustenance in abundance, they were also a spiritual inheritance. The land is a god and is worshipped as such. The fruit of the land, particularly yams, are honoured in festivals and, indeed, the Annual Festival of the Ogoni is held at the yam harvest. The planting season is not a mere period of agricultural activity: it is a spiritual, religious and social occasion. ‘Tradition’ in Ogoni means in the local tongue (*doonu kuneke*) the honouring of the land (earth, soil, water)... To the Ogoni, rivers and streams do not only provide water for life – for bathing, drinking, etc.; they do not only provide fish for food, they are also scared and are bound up intricately with the life of the community, of the entire Ogoni nation (Saro-Wiwa, 1992: 12-13).

In political parlance, this foundation account of an “original affluent society” (Sahlins, 1972: 1-39) serves as a charter for Ogoni ownership of the land, “a resource framed as a cultural and spiritual heritage which was later spoiled by oil and stolen by the state” (Apter, 1998: 124). According to the correspondences established in this vision, the devastation of land and water is tantamount to the destruction of tradition itself, one which sustained a harmonious balance between a natural ecology, economy and community. Only in this light can we begin to appreciate the agony of the Ogonis, and other Niger Delta communities, upon seeing the curse of oil in their ‘sacred’ land.

4.2.1 The Curse of Oil: Pollution and Human Rights in the Niger Delta

If you want to go fishing, you have to paddle for about four hours through several rivers before you can get to where you can catch fish and the spill is lesser... some of the fishes we catch, when you open the stomach, it smells of crude oil.⁵⁴

By the 1960's the rivers had been dredged to allow pontoons or even ships to enter our backyard. Shell BP had started to pollute the rivers, streams and farmlands with oil and flaring gas. Forests had been cleared by poachers and others to feed the African Timber and Plywood Company in Sapele. Streams and marshes dried up. Rubber trees were planted in a frenzy to make money and were soon tapped to death (Ojaide, 1994: 15).

Oil was first drilled in the Niger Delta at Oloibiri (Bayelsa state) in 1956. Since then, “over 1,481 oil wells [have sprouted like mushrooms] producing from about 159 oil fields. There are more than 7,000 kilometres of pipelines and flow lines and 275 flow stations operated by more than 13 oil companies” (UNDP, 2006: 156). The quotes above aptly describe the impact of oil exploration and extraction on the resource-rich environment of the Niger Delta people. The impact of oil exploration in the Niger Delta has been devastating for the Niger Delta people, their land, and their very survival and posterity. For one thing, “oil exploration has over the last five decades impacted disastrously on the socio-physical environment of the Niger-Delta oil-bearing communities, massively threatening the subsistent peasant economy and the environment and hence the entire livelihood and basic survival of the people” (Eteng, 1997: 4).

The nexus between pollution and human rights have is a time-honoured one. It was unequivocally noted, in a 1972 United Nations Conference on the Human Environment, that “man’s environment, the natural and the man-made, are essential to his well-being and to the enjoyment of basic human rights—even the right to life itself [sic]” (quoted in Amnesty International, 2009: 13). One of the salient factors in the violations of human rights is an unhealthy environment. In a report published by Amnesty International (2009: 13), it was explicitly stated that “the most common examples include pollution of water, soil and air, resulting in violations variously of rights to an adequate standard of living, to adequate food, to water, to adequate housing, to health and to life.” Perhaps, this was why Judge Weeramantry of the International Court of Justice once noted that:

The protection of the environment is... a vital part of contemporary human rights doctrine, for it is a *sine qua non* human rights such as the right to health and the

⁵⁴ Interview with local fisherman reported in Center for Environment, Human Rights and Development’s (CEHRD), *Report on the state of human rights abuses and violence in the Niger Delta region of Nigeria*, 2008. Available at www.cehrd.org. Retrieved on 2 May 2011.

right to life itself. It is scarcely necessary to elaborate this, as damage to the environment can impair all the human rights spoken of in the Universal Declaration and other human rights instrument” (quoted in Amnesty International, 2009: 12).

Crucially, the African Charter on Human and Peoples’ Rights [ACHPR], to which Nigeria is a party, equally states in Article 24 that all peoples have a right to a “general satisfactory environment favourable to their development” (ACHPR, 2001, quoted in Amnesty International, 2009: 13). Further, Article 24 of the African Charter “requires the State to take reasonable and other measures to prevent pollution and ecological degradation, to promote conservation, and to secure an ecologically sustainable development and use of natural resources” (ACHPR, 2001, quoted in Amnesty International, 2009: 13).

Poignantly, the human rights implications of oil pollution in the Niger Delta are “serious, under-reported and have received little attention from the Nigerian government or the oil multinationals” (Amnesty International, 2009: 9). Years of oil activities in the Niger Delta have precipitated an all-pervasive pollution caused by oil spills and gas flaring. In one extensive study conducted in 2006, it was noted that the Niger Delta is “one of the world’s most severely petroleum-impacted ecosystems” (Amnesty International, 2009: 13). The study further stated that, “The damage from oil operations is chronic and cumulative, and has acted synergistically with other sources of environmental stress to result in a severely impaired coastal ecosystem and compromised the livelihoods and health of the region’s impoverished residents” (Amnesty International, 2009: 13). The above has created a sense of environmental insecurity in the region. Here, we use the term *environmental insecurity* to mean the “non-military threats that emanate from the social contradictions embedded in the environment” (Obi, 2003: 167; see, also, Omotola, 2006). Accentuating the level of environmental insecurity in the region is the high rate of gas flaring in the region. A 1995 World Bank Study *Defining an Environmental Development Strategy*, shows that “76 per cent of all the natural gas from petroleum production in Nigeria is flared vis-à-vis 0.6 per cent in USA, 4.3 per cent in the UK and 21 per cent in Libya” (Na’Allah, 1998: 68) (see Box 1). Further, “at temperatures of 1300 to 1400 centigrade the multitude of flares in the Niger Delta area heats up everything, causing unimaginable emissions of poisonous gases. The flares release 35 million tons of carbon dioxide a year and 12 million tons of methane” (Na’Allah, 1998: 68). Omotola (2006: 25) has noted that “some of the gaseous pollutants released into the atmosphere such as carbon monoxide, chlorine, nitrogen oxides, sulphur oxides, acid aerosol, beryllium etc, are known for causing headaches, heart problems, irritation, oedema, dizziness, and gene or neuron problems, depending on the pollutants” (see, also, Kaladumo, 1996: 29). Following a tour of Shell’s

installations in Nigeria, an appalled Clive Wicks, the head of WWF-UK's international program, declared: "Travelling in the area is like flying over Dante's inferno. Wherever you look you see these goddamned flares" (*Independent*, 10 December 1995).

Apart from gas flaring, oil spills has also been a recurrent problem in the Niger Delta, with harmful consequences for environmental security in the region. The United Nations Development Programme (UNDP), in its Niger Delta Human Development Report (2006), has revealed, shockingly, that "a total of 1,100,000 barrels oil was spilled in the Niger Delta between 1979 and 2005" (UNDP, 2006: 184, quoted in Omotola, 2009). The breakdown is shown in Table 10 (see, also, Box two). However, the figures provided may not sufficiently capture the extent of the oil spillage, bearing in mind that the reporting of oil spills in the Niger Delta has been completely dysfunctional for decades (Amnesty International, 2009: 15). In particular, Rivers and Delta States suffer about 300 major oil spills a year which discharge about 2,300 cubic metres of oil (Na'Allah, 1998: 68). The most disastrous of such oil spills was that which occurred at Dere (Bornu Oil Refinery) in 1972. The damage of the spill was so extensive that, according to Ken Saro-Wiwa (1992), over 20,000 people lost their means of livelihood. Acid rain fell on the area for months following this and both children and adults coughed blood. To make matters worse, "a High Court presided over by a British-born judge awarded damages against Shell [to the paltry sum of] £168,468, thus pre-empting the imposition of fines of tens of millions of dollars agreed upon by a special governmental committee set up to investigate the matter" (Saro-Wiwa, 1992: 44, quoted in Na'Allah, 1998: 68).

Table 10
Summary of Some Oil Spills in the Niger Delta, 1979-2005.

Episode	Year	State	Quantity Spilt in Barrels
Forcados terminal oil spills	1979	Delta	570,000
Funiwa No. 5 well blow out	1980	Rivers	400,000
Oyekama spillage	1980	Rivers	10,000
System 2c Warri-Kaduna Pipeline rupture at Abudu	1982	Edo	18,000
Sohika oil spills	1983	Rivers	10,000
Idoho oil spills	1983	Akwa-Ibom	40,000
Jones creek oil spills	1998	Delta	10,000
Etiam oil spills	2000	Bayelsa	11,000
Ughelli oil spills	2005	Delta	10,000

TOTAL	1,100,00
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Source: UNDP, *Niger Delta Human Development Report*, Abuja, Nigeria, 2006, p.184.

Grievously, incessant oil spillages unleashed severe strains on the Niger Delta environment, thus negatively affecting the main sources of livelihood of the Niger Deltans, that is fishing and farming. In this regard, Omotola (2006: 10) argues that “oil spills have inflicted unimaginable levels of damage on farmlands and rivers such that they can no longer sustain oil nutrients and aquatic resources” (Omotola, 2006: 10). The latter, says Omotola (2006: 10), is “partly [responsible for] the high rate of unemployment that characterizes the Niger Delta since the people are predominantly farmers and fishermen.” Among the major crops grown in the Niger Delta are yam, cassava, cocoa, and pumpkins. The proximity of oil pipelines, among other oil infrastructures, to farmlands. Even if there were no oil spills, “the existence of such infrastructure within a relatively densely populated rural setting can cause difficulties for farmers” (Amnesty International, 2009: 39). The UNDP report on the Niger Delta notes that livelihood of over 60 per cent of Niger Deltans derives from the natural environment (UNDP, 2006: 74). For many in the oil-rich region, “the environmental resource base, which they use for agriculture, fishing and the collection of forest products, is their principal or sole source of food” (Amnesty International, 2009: 39). Environmental damage, therefore, belies human rights in the region.

What about the damage to fisheries? Tens of thousands of families in the Niger Delta rely on fishing – in inland rivers as well as offshore – for both income and food. Damage to fisheries remains one of the major impacts of the oil industry. The UN Food and Agriculture Organisation (FAO) has noted that “[f]or brackish-water resources, the state of the resources is deplorable. Fishing pressure is very high, arising from the lack of alternative employment for estuarine communities. Oil pollution further complicates the scenario, with the devastation of aquatic life in the area” (quoted in Amnesty International, 2009: 27). In fact, pollution results in the death and dearth of fishes; “it kills their food sources and fish larvae, and damages the ability of fish to reproduce, causing both immediate damage and long-term, cumulative harm to fish stocks.”⁵⁵ It is the case that “when oil and wastes are discharged into an enclosed body of water, fish are directly exposed to pollutants and can die” (Amnesty International, 2009: 27).

A résumé of the major human rights issues raised in the 2009 Amnesty International report on the Niger Delta include:

1. Violations of the right to an adequate standard of living, including the right to food—as a consequence of the impact of oil-related pollution and environmental

⁵⁵ See, http://www.amnesty.org.uk/uploads/documents/doc_19492.pdf.

damage on agriculture and fisheries, which are the main sources of food for many people in the Niger Delta.

2. Violations of the right to gain a living through work—also as a consequence of widespread damage to agriculture and fisheries, because there are also the main sources of livelihood for many people in the Niger Delta
3. Violations of the right to health—which arise from failure to secure the underlying determinants of health, including a healthy environment, and failure to enforce laws to protect the environment and prevent pollution.
4. The absence of any adequate monitoring of the human impacts of oil-related pollution—despite the fact that the oil industry in the Niger Delta is operating in a relatively densely populated area characterized by high levels of poverty and vulnerability.
5. Failure to provide affected communities with adequate information or ensure consultation on the impacts of oil operation on their human rights
6. Failure to ensure access to effective remedy for people whose human rights have been violated (Amnesty International, 2009: 10).

Box 1

Second Largest Gas Flaring Operation in the World

Gas flaring is a process whereby the associated gas from oil production is burned so as to dispose of it. The second largest gas flaring operation in the world, after Russia, occur in the Niger Delta; they are a significant source of greenhouse gas and particular matter emissions, exposing communities to a number of harmful pollutants including sulfur dioxide, nitrogen dioxide, and carcinogenic substances. A thorough study of the region has not yet been carried out, however, it is widely accepted that these pollutants are linked to a series of significant health problems (ERA, 2005). The exact percentage of associated gas that is flared is disputed. According to the NNPC, Nigeria flares 40% of its annual natural gas production (EIA, 2007). The World Bank estimates that the figure is closer to 75% (World Bank, 2005). Shell and other energy companies operating in the region attribute the extent of flaring in the Niger Delta to the lack of local and regional market for gas, as well as to the lack of adequate gas infrastructure.

Gas export is identified as the main solution to the problem and has become a central part of Shell's efforts to decrease its flaring operation (Shell, 2006). In 1996, the Nigerian government agreed to end gas flaring in the Niger Delta by 2008. However, the penalties imposed for flaring have been too modest to achieve this goal (ICG, 2006b). In its most recent annual report, Shell Nigeria has set a deadline. By this time the company states that it will have either found ways to gather associated gas, or it will shut in production from the fields were associated gas cannot be gathered (Shell, 2006). Chevron Nigeria is also working toward eliminating gas flaring from its operation but does not set itself a firm deadline. All new Chevron developments in the Niger Delta, however, are being designed as "zero flare" projects (Chevron Nigeria, 2007). The World Bank/UNDP 2004 Strategic Gas Plan for Nigeria identified the gas sector as an area of huge

In the statement published as a lead up to the 1992 Ogoni Bill of Rights, Leton (1992: 6-7) successfully confronts the world with the effects of environmental ruin. He states:

Lands, streams and creeks are totally and continually polluted; the atmosphere is forever charged with hydrocarbons, carbon monoxide and carbon dioxide; many villages experience the infernal quaking of the wrath of gas flares which have been burning 24 hours a day for 33 years; acid rain, oil spillages and blow-outs are common. The results of such unchecked environmental pollution and degradation are that: (i) the Ogoni can no longer farm successfully. Once the food basket of the eastern Niger Delta, the Ogoni now buy food (when they can afford it) (ii) Fish, once a common source of protein, is now rare. Owing to the constant and continual pollution of our streams and creeks, fish can only be caught in deeper and offshore waters for which the Ogoni are not equipped (iii) All wildlife is dead (iv) The ecology is changing fast. The mangrove tree, the aerial roots of which (sic) normally provide a natural and welcome habitat for many a sea food—crabs, periwinkles, mud skippers, cockles, mussels, shrimps and all—is now being gradually replaced by unknown and otherwise useless palms. (v) The health hazards generated by an atmosphere charged with hydrocarbon vapour, carbon monoxide and carbon dioxide are innumerable (Leton, prelude to the Ogoni Bill of Rights, 1990).

Box 2. **Oil Spills in the Niger Delta**

Between 1976 and 2001, a total of 6,817 oil spills have been recorded in the Niger Delta with only 70% of the oil spills being recovered (UNDP, 2006). This has had a huge impact on marine life with negative consequences for local livelihoods dependent on fishing and for human health consuming contaminated seafood (EIA, 2003). Decades of inadequate or non-existent environmental regulation have allowed oil companies to operate their facilities without incorporating the costs of environmental damage into their decision-making. Spills can occur for a number of different reasons. Shell measures the number of oil spills annually at its facilities along specific criteria: whether the spills were the result of corrosion, operational failure (machinery or human error), or sabotage. In recent years there appears to have been an increase in the number of oil spills caused by deliberate attempts to damage oil facilities. According to Shell, 69% of the 241 total oil spills incidents recorded in 2006 occurred as a result of sabotage.

4.2.2 Shell in the Niger Delta: A Symbol of Death?

I repeat that we all stand before history. I and my colleagues are not the only ones on trial. Shell is on trial here, and it is as well that it is represented by counsel said to be holding a watching brief. The company has, indeed, ducked this particular trial, but its day will surely come and the lessons learned here may prove useful to it, for there is no doubt in my mind that the ecological war the company has waged in the delta will be called to question sooner than later and

the crimes of that war be duly punished. The crime of the company's dirty wars against the Ogoni people will also be punished

*Complete Statement by Ken Saro-Wiwa to Ogoni Civil Disturbances Tribunal,
September 21, 1995.*

Shell multinational oil company has been described as a major polluter of the environment on the one hand, and a busy propagator and purveyor of technical fixes for its transgressions on the other (Enzensberger, 1996). It is therefore not always easy to penetrate the elaborate “environmental friendly” façade erected by the company's green lobbyists and spin doctors to the ogre that is polluting and despoiling the world's fragile ecosystems (Okonta and Douglas, 2003: 63). In the course of exploring for oil in the Niger Delta for over the past fifty years, Shell, contrary to what the propaganda that the company's public relations agencies have been feeding the international community, has not only radically altered the ecological equipoise of the Niger Delta, but through negligence has orchestrated a vicious ecological war—“one whose victims are a hapless people and the land on which they have lived and thrived for centuries” (Okonta and Douglas, 2003: 64).

Apter (1998: 127) has argued that “What Shell brought to Ogoniland was not profit but pollution, contaminating the mangrove swamps and farmland with seepage and spills while fouling the air with black smoke and lethal gases from flare-offs that burned day and night.” Growing discontent erupted in July 1970, when a blow-out in one of Shell's oil fields wreaked havoc on the surrounding villages. An entire village ecosystem was destroyed, prompting petitions to the military governor and protests against Shell-BP's ‘I-do-not-care’ attitude. One such letter from an Ogoni school teacher likens the horrors of the blow-out to the violence of the Biafran War:

We in Dere today are facing a situation which can only be compared with our experiences during the civil war... an ocean of crude oil has emerged, moving swiftly like a great river in flood, successfully swallowing up anything that comes on its way. These include cassava farms, yams, palms, streams, animals, etc. for miles on end. There is no pipeborne water and yet the stream, the only source of drinking water, is coated with oil. You cannot collect a bucket of rain water for the roofs, trees and grass are all covered with oil. Anything spread outside in the neighbourhood is soaked with oil as the wind carries the oil miles away from the scene of the incident... Thrice during the Civil war the flow station was bombed setting the whole place on fire... Now a worse fire is blazing not quite a quarter of a mile from the village... men and women forced by hunger ‘steal’ occasionally into the ‘ocean’ [of oil], some have to dive deep in oil to uproot already rotten yams and cassava. I am not a scientist to analyze what effects the breathing of dangerous gases the crude oil contains would have on the people, but suffice it to say that the air is polluted and smells only of crude oil. We are thus faced with a situation where we have no food to eat, no water to drink, no homes to live and worst of it all, no air to breathe. We now live in what

Hobbes may describe as a STATE OF NATURE—a state where peace or security does not exist ‘...and the life of man is solitary, poor, nasty, brutish and short’ (Reprinted in Saro-Wiwa, 1992: 58-59).

A disheartening account of the ecological war waged by Shell in the Delta is told by Kings, Chiefs and Community leaders of the Niger Delta during the report submitted to the World Conference of Indigenous Peoples on Environment and Development at the Rio Earth Summit in June 1992:

Apart from air pollution from the oil industry’s emissions and flares day and night, producing poisonous gases that are silently and systematically wiping out vulnerable airborne biota and otherwise endangering the life of plants, game, and man himself, we have widespread water pollution and soil and land pollution that respectively result in the death of most aquatic eggs and juvenile stages of life of finfish and shellfish and sensible animals (like oysters) on the one hand, whilst, on the other hand, agricultural lands contaminated with oil spills become dangerous for farming, even where they continue to produce any significant yields (quoted in Idoniboye-Obu, 1992: 59).

It is instructive to note that long before Shell’s activities in the Niger Delta made international headlines, officials of the Inspectorate Division of the Nigerian National Petroleum Company had raised an alarm over what the oil exploration activities of Shell and the other foreign oil companies were doing to the delta environment. According to one NNPC report:

We witnessed the slow poisoning of the waters of this country and the destruction of vegetation and agricultural land by oil spills which occur during petroleum operations. But since the inception of the oil industry in Nigeria more than twenty-five years ago, there has been no concerned and effective effort on the part of the government, let alone the oil operators, to control the environmental problems associated with the industry (quoted in Okonta and Douglas, 2003: 64).

Seventeen years after this report was made little has changed. If anything, the spate of environmental pollution in the region has continued unabated. In fact, the oil exploration and exploitation of Shell has intensified, pushing up its production target to one million barrels of crude oil a day.⁵⁶ In the process of extracting the oil, adequate consideration is not given to the over seven million people who live in the area, and the impact of the company’s operations on their environment and their way of life. In fact, since Shell set up its first oil rig in Oloibiri in 1958, not a single satisfactory Environmental Impact Assessment (EIA) has been conducted and made public in the Niger Delta before operations commence, to determine what potential harmful effects such activities are likely to have on the area and how to circumvent or at best minimize them (Okonta and

⁵⁶ See, http://www.indiana.edu/~workshop/seminars/papers/y673_spring_2003_pegg.pdf.

Douglas, 2003: 65).⁵⁷ All available evidence seems to lend evidence to the fact that Shell's destruction of the Niger Delta is informed by a cavalier attitude to the welfare of the local people (Greenpeace Nederland, November 10, 1996). Why else would the same company go to great lengths to conduct rigorous and extensive EIAs for its operations in Europe and North America and refuse to replicate the same in the Niger Delta?

Consider with me, for a moment, the following report on seventeen different EIAs that Shell conducted for a pipeline project in Scotland before a single hole was dug:

A painstakingly detailed Environmental Impact Assessment covered every meter of the route, and each hedge, wall, and fence was catalogued and ultimately replaced or rebuilt exactly as it had been before Shell arrived. Elaborate measures were taken to avoid lasting disfiguration, and the route was diverted in several places to accommodate environmental concerns (Shell International, 1992: 5, quoted in Okonta and Douglas, 2003: 66).

Clearly, what is good for the people of Scotland is not considered good for the communities of the Niger Delta, from whose land Shell has extracted billions of dollars' worth of oil since 1958. This is a prime example of double-standards in Shell's operations.

4.2.3 The Net Effect of Shell's Activities in the Niger Delta

The consequence of Shell's environment-destroying operations in the Niger Delta is "an ecosystem so mangled, raped, and denuded that the area has been labelled the most endangered delta in the world" (Idoniboye-Obu, 1992: 16). The damage is total and extensive: "high pressure pipelines that crisscross farmlands and even house backyards, well blowouts, and discharge of waste and flares that light up the skies 24 hours a day and poison the atmosphere with lethal gasses" (Okonta and Douglas, 2001: 66). David Moffat, an environmental consultant with the World Bank, estimated that since it began operations in the Niger Delta, Shell has destroyed a huge portion of the mangrove forests in Rivers and Delta states alone, in the process also exposing this

⁵⁷"Shell vigorously denies this, claiming that it has been conducting EIAs for its operations in the Niger Delta since 1982—but the juggernaut has not been able to corroborate its denial. The two EIAs that the company claimed were commissioned for a major pipeline project in the Delta turned out to have been conducted well after the project had commenced" (Okonta and Douglas, 2003: 66). According to the Environmental Resources Management report, "Both documents [the Shell-commissioned EIAs] refer to Shell's Oil Spill Contingency Plan as a major mitigative measure, but there is no clear indication that an effective contingency plan, customised to account for specific local environmental sensitivities, in fact exists." The report further added that "there is little evidence that SPDC have been involved in the EIA process, that they acknowledged the potential impacts of their pipeline operations, and that they have taken ownership of the mitigation measures necessary to minimize potential impacts" (*The Body Shop and Environmental Resources Management*, March 31 1994, quoted in Okonta and Douglas, 2003: 66).

otherwise discrete ecosystem to further degradation by hunters and loggers (Moffat and Linden, 1995: 531).

According to World Bank estimates, “oil companies in Rivers and Delta states spill about 9 000 cubic feet of oil in three hundred major accidents annually. On its part, Shell says it spilled an average of 7, 350 barrels of oil a year between 1989 and 1994, and that a total of 221 spills occurred in the course of its operations during the period” (Okonta and Douglas, 2003: 66). However, as Greenpeace (1996: 24) has noted, these figures excludes the large number of supposedly “minor” spills that takes place every day (but) which Shell usually did not take into account when making its estimation. Quite aside, the light nature of Nigeria’s crude, coupled with its ability to evaporate quickly, makes it intractable to assess the precise volume and spread of spills when they occur. The World Bank therefore argues that actual annual figures of oil spills in the Niger Delta are actually about ten times the officially released estimates (Moffat and Linden, 1995: 592; Okonta and Douglas, 2003: 66).

Now, the oil spills occur because the bulk of Shell’s pipelines through which the oil leaks are rusty, obsolete, and poorly maintained. The truth of the matter is that some Shell pipelines and sundry installations in the Niger Delta have not been replaced since they were emplaced in the 1960s (Moffat and Linden, 1995: 592). The result has been an increase in the rate and volume of oil spills as Shell accelerates production activities, subjecting old and decrepit pipelines to pressure they are no longer able to handle. They crack and buckle, spewing oil into the surroundings. The testimonies of Van Dessel, Shell Nigeria’s former head of environmental studies, best sums up this ecological apocalypse: “Wherever I went, I could see... that Shell’s installations were not working cleanly. They didn’t satisfy their own standards, and they didn’t satisfy international standards. Every Shell terrain I saw was polluted, every terminal I saw was contaminated” (quoted in Okonta and Douglas, 2003: 67). Van Dessel was so outraged at Shell’s official indifference to this shocking scenario that he submitted his resignation letter in December 1994, two years after he took up his post.

It is instructive to note that oil pollution clean-ups in the Niger Delta is frequently both slow and inadequate. By way of illustration, “at Ogbodo, where a massive oil spill occurred in 2001, clean-up of the site was delayed for months, and even then was inadequate” (Amnesty International, 2009: 20). Similarly, “the oil spill at Bodo was not stopped for more than two months. Eight months after the spill, no proper clean-up had been completed.... Fisheries have been devastated and the long-term impacts are probably incalculable” (Amnesty International, 2009: 20). Quite aside, the slowness or imperviousness on the part of the Nigerian government to “contain, cleanup and remediate oil spills” can heighten the danger of fires breaking out and causing damage

to life and property (Amnesty International, 2009: 20). Perhaps, the worst incident (on record) of fire outbreak is the Jesse explosion and fire of 1998 which claimed roughly 1,000 lives (Amnesty International, 2009: 20).

Unenviably, Nigeria notoriously leads the world (including all OPEC countries) in flaring gas brought up with oil in the drilling and extraction process. As previously noted, “the World Bank estimates, 87 per cent of all associated gas is flared into the Niger Delta atmosphere by oil companies operating in Nigeria, vis-à-vis 21 per cent in Libya and 0.6 per cent in the United States” (Greenpeace Nederland, 1994: 26). Shell officials claimed that the company flared an average 40 billion square feet of gas every year between 1991 and 1994, and according to these figures, the World Bank has estimated that 80 billion cubic feet of gas is flared in the Niger Delta yearly (Greenpeace Nederland, 1992: 27, quoted in Okonta and Douglas, 2003). According to Geoffrey Lean, the leading British environmental journalist, Shell’s operation in Nigeria makes the company one of the biggest contributors to global warming. The company’s gas flaring installations are like its pipelines—old, poorly constructed, and in some-cases ill-maintained—and as a result they emit “far more pollution than Britain’s twenty million homes combined” (Lean, 1995).⁵⁸ Strikingly, the percentage of gas flared in the Netherlands, where Royal Dutch Shell has its international headquarters, is zero (Greenpeace Nederland, 1992: 27).

In response to entreaties from concerned Nigerian scientists and conservationists, the World Wide Fund of Nature (WWF) have lobbied Shell for eight years to clean up its operations in Nigeria and ensure that the amount of gas flared in the course of its operations is substantially reduced. However, Shell consistently rebuffed these pleas. Faced with this obduracy, the WWF went public in December 1995, denouncing Shell’s operations in the Niger Delta. Quite aside, the process by which crude oil is found and put to commercial use undergoes several stages, each of them a lethal blow to the Niger Delta environment (Amnesty International, 2009). The following Ogoni song, composed in 1970, sums up the Niger Delta community’s experience with Shell:

The flames of Shell are flames of hell
We bask below their light
Nought for us serve the blight
Of cursed neglect and cursed Shell (quoted in Saro-Wiwa, 1995: 79)

⁵⁸According to Geoffrey Lean, quoting figures supplied by the World Wide Fund for Nature (WWF) “Annually the flares emit 34 million tons of carbon dioxide, the main cause of global warming, while the oil fields vent about 12 million tons of methane, which has even more potent effect,” (Lean, 1995).

Having examined the environmental proximate causes of the Niger Delta crises, our attention now shifts to the social-security proximate causes of the crises. In addition to exploring the phenomenon of small arms proliferation, and the associated human security threat, the next section discusses the responses of the oil bearing communities to the failure of state and corporate responses to address the state of uneasy stasis in their oil-rich region.

4.3 The Social-Security Causes of the Niger Delta Conflict

Remember your seventy-year-old grandmother who still farms before she eats; remember also your poverty stricken people; remember too your petroleum which is being pumped out daily from your veins, and then fight for your freedom.

Isaac Jasper Adaka Boro⁵⁹

One of the major security problems plaguing Africa, since the end of the Cold War in the 1990s, is the proliferation of small arms and light weapons (SALW) (Onuoha, 2011: 51; Agbiboa, 2011b).⁶⁰ This development has intensified intra-state conflicts that have scarred Africa since the end of the Cold War in the 1990s. In Nigeria, “trade in SALW has fuelled ethnic clashes in the Niger Delta,” especially between the Ijaws and their adjoining neighbours, the Itsekiri and Urhobos, as events in Warri have corroborated in recent times (Ojakorotu and Uzodike, 2007: 85; see, also, Agbiboa, 2011b). This situation adds a further complication to general insecurity in the Niger Delta, as the state struggles on grimly to resolve the impasse in the volatile region. This section delves into the currency of SALW proliferation in Nigeria and how the armed rebellion in the Niger Delta has been intensified through the use of arms that are primarily smuggled from countries such as Guinea-Bissau, Gabon and Cameroon (Agbiboa, 2011b: 16; Ojakorotu and Uzodike, 2007).

The proliferation of arms and the intensity of the violent conflicts in Nigeria’s oil-rich Niger Delta can be traced to two seismic events: the aftermaths of the end of the Cold War and the effects of globalization (Agbiboa, 2011b). Following the end of the hyper-

⁵⁹ “Isaac Jasper Adaka Boro in an address to his 59-man ragtag army before the first revolt against the oil multinationals and the Nigerian government in 1966”(Tebekaemi,1982: 117).

⁶⁰ The section adopts the definition of SALWs provided by the Economic Community of West African States (ECOWAS) Convention. “Small arms’ refers to arms used by one person, and which include firearms and other destructive arms or devices such as exploding bombs, incendiary bombs or gas bombs, grenades, rocket launchers, missiles, missile systems or landmines; revolvers and pistols with automatic loading; rifles and carbines; machine guns; assault rifles and light machine guns. ‘Light weapons’ are portable arms designed to be used by several persons working together in a team, and which include heavy machine guns, portable grenade launchers, mobile or mounted portable anti-craft cannons; portable anti-tank cannons, non-recoil guns; portable anti-tank missile launchers or rocket launchers; portable anti-aircraft missile launchers; and mortars with a calibre of less than 100 millimetres” (ECOWAS, quoted in Onuoha, 2011: 51).

militarization of the Cold War years, the fall of the Soviet Union and its snowballing effects on the states of the former Eastern bloc, state structures became dysfunctional which, invariably, forced the former East European countries to reform their security sectors and downsize their military profiles (Agbibo, 2011b). These compelling realities provided a significant social context for weapon proliferation⁶¹ to the Third World countries of which Nigeria is no exception. According to estimates, “more than 639 million of SALW were proliferating in the world in 2003 out of which 60 per cent of this arsenal was in the possession of the civilian population” (Small Arms Survey, 2003: 13), while a further estimate of, between seven and eight million, new weapons are added to the world stockpile every year (Badmus, 2010: 324). Bah (2004: 33) has noted that “of the approximately 500 million illicit weapons in circulation worldwide, it is estimated that 100 million of these are in SSA with eight to ten million concentration in the West African sub-region alone.” The number of small arms in circulation in Nigeria is placed at roughly one million to three million (Ebo, 2006: 1; Obasi, 2002: 69). According to one 2001 estimate, 80 per cent of the weapons in civilian possession had been obtained illegally (Obasi, 2002: 69), due to strict laws on civilian possession of arms. In turn, the illegality makes it a *Herculean* task to track flows and possession.

Crucially, weapons enter into the country across land borders and via sea ports. These weapons then make their way into the hands of “armed groups, national dealers, political and community leaders, and individuals” (Agbibo, 2011b: 22). Craft production in particular provides a domestic source of SALW. The key to understanding the trade in SALW is Demand: “as long as insecurity persists, and economic and political opportunities for benefits exist through the deployment of force,” demand for SALW will continue unabated (Weiss, 2003). Due to the lengthy and porous nature of Nigerian borders, “smuggling and cross-border trade [in SALW] are difficult to detect and monitor” (Agboton-Johnson *et al.* 2004: 21). Beyond this, the task of customs officials, the police, and the navy is further compounded by the lack of sufficient staff combined with the dearth of vehicles and resources (Agbibo, 2011b). While many are certain that SALW are alarmingly making their inroads into the country, as supported by the circulation of weapons made abroad, the exact entrance routes of these weapons remain largely *terra incognita*.

Some countries have been implicated as sources for the transferral of SALW. These include the neighbouring countries of Benin, Cameroon, Chad, and Niger (Ginger and Ismail, 2005: 6; Ikelegbe, 2005a: 228; Agbibo, 2011b), as well as Gabon and Guinea-

⁶¹ These weapons were given for free to many African states, especially conflict prone societies. Notably, “since 1995, the United States alone has given away nearly 3 million rifles, pistols, machine guns, and grenade launchers” (*Awake*, March 22 2001: 6).

Bissau (Ikelegbe, 2005a: 228; Ojudu, 2007). Other reported sources include Cote d'Ivoire, Liberia, South Africa, Turkey, and Ukraine, as well as Bulgaria, Kosovo, and Serbia (Hazen and Horner, 2007: 34).⁶² According to Agboton-Johnston, *et al.* (2004: 21), "there are three notorious arms smuggling frontiers in Nigeria, namely the south-west (Idi-Iroko in Ogun state and Seme in Lagos state), the south (the port city of Warri in Delta state), and the north-east at the border with Niger and Cameroon (Adamawa, Borno, and Yobe states)." Warri is usually referred to as the hub of the arms trade in the Niger Delta (Ojudu, 2007; Peel, 2005: 2); "its location in the delta, as well as the demand for small arms in that area of the country, make this a logical place for the reception of shipments" (Hazen and Horner, 2007: 34; Agbiboa, 2011b). A number of other towns are notorious for the availability of SALW, including "Asaba, Benin City, Warri, Aba, Onitsha, Enugu, Owerri, Awka, and Port Harcourt" (Small Arms Survey, 2007: 1).

Onuoha (2011: 51) contends that "the high rate of illegal procurement and use of small arms in Nigeria is indexed by the intermittent seizure of SALW's by security and border control officers, the frequency of deployment of these arms in conflict and crime scenes, and the level of human causality and material damage recorded in the aftermath of its use in the country." At Dabar Masara, Borno State, a woman named Lucy Danagana was intercepted in November 2010 while trying to try to smuggle 10 AK-47 rifles from Chad Republic into Nigeria. She made her way into Nigeria from Chad through Kofia in Cameroon with the help of a boat (Olugbode, 2010: 9). Around the same period, the police in Ibadan, Oyo State, intercepted a large cache of arms and ammunition from a suspected bank robbery squad. Onuoha (2011: 51) notes that "the seized arms and ammunitions included 47 rifles, 103 AK-47 rifle magazines, one assault rifle magazine, 2,540 AK-47 rounds of ammunition, 727 general purpose machine gun (GPMG) rounds of ammunition, three chain bullets, explosive materials, two GPMGs and one chisel (a tool with a characteristically shaped cutting edge)" (see, also, Bamidele, 2010: 6). In October 2010, a high-profile interdict was recorded when "a combined team of security agents impounded 13 containers loaded with various sizes of grenades, rocket launchers, explosives, assault rifles, heavy machine guns and ammunition at Apapa Wharf in Lagos, Nigeria" (Onuoha, 2011: 51).

This aside, a good picture of the level of SALW's circulating in Nigeria can be gleaned from the quantity of arms surrendered during the disarmament and demobilisation (DD) phase of the Amnesty programme for the Niger Delta militants in 2009. Onuoha (2011: 52) contends that "the Amnesty initiative saw over 15,000 militants surrender arms at

⁶² See, http://www.hei.unige.ch/sas/files/sas/publications/o_papers_pdf/2007-op20-Nigeria.pdf

the expiration of the DD phase of the Amnesty. Weapons recovered during the disarmament process included 2,760 assorted guns, 287,445 ammunitions of different calibre, 18 gun-boats, 763 dynamite sticks, 1,090 dynamite caps, 3,155 magazines and several other military accessories, such as dynamite cables, bulletproof jackets and jack-knives” (see, also, Agbiboa, 2011b). The popular belief was that only a modicum of arms were given up by militants during the DD phase, as most of them doubted the authenticity of the state’s commitment to the amnesty initiative.

The most prominent sources of illegal SALW in Nigeria, especially the Niger Delta, include “purchases from international and national arms dealers, sales and rentals by serving and retired security personnel⁶³, sales by returning peacekeepers, sales of recycled weapons from decommissioning exercise, oil-for-arms exchanges in the Delta region, and purchases of locally produced craft weapons” (Small Arms Survey, 2007: 16). Besides, “[unlawful] weapons are also obtained through thefts from dealers, armouries, and residences; seizures from security officials during robberies; and in clashes with other armed groups” (Small Arms Survey, 2007: 16). Weapons entering the South, especially in the Niger Delta area, appear to come through more direct channels, such as “cash payments or bartering oil for arms between armed groups and offshore ships” (Agbiboa, 2011b: 18).

Against this backdrop, it is not overstated to argue that the proliferation of SALW in the Niger Delta is partly to blame for the spiralling of violence in the region. According to Ojakorotu and Uzodike (2007: 88), the situation “informed the inauguration of the national committee on the proliferation and illicit trafficking in SALW in the year 2000 amid escalation in the volatile region” (Ojakorotu and Uzodike, 2007: 88). Quite aside, it is rather paradoxical that developed nations—who are known for belabouring the need for peace in Africa—usually serve as conduit for the importation of SALW to war-torn regions in Africa. The on-going supply of arms to Libyan rebels by France and the United States is a corroborating example to this contention. Table 11 below vividly illustrates the ample resources expended by states of West Africa on small arms with net effect of state militarization. Consequently, “like a chain reaction, this action of the states underlines militants’ proclivity to smuggle small arms from neighbouring states of West Africa in exchange for oil to prosecute their cause” (Ojakorotu and Uzodike, 2007: 88).

Table 11

⁶³ In addition to providing access to small arms, “serving and retired service personnel have also provided training to militants. The armed groups in the Niger Delta have shown superior strategies and tactics using better training and organization. The use of military trainers would explain how militants in the Niger Delta have developed organised and sophisticated tactics over the past years” (Von Kemedi, 2006: 3).

The Currency of SALW in West Africa

Importing ECOWAS Country	Main Exporting Countries (value in USD, years)	Comments on Types of SALW Traded
Benin	France: USD 10,900 in 1999-2001	Revolvers and pistols, sporting rifles, and shotguns from France.
Burkina Faso	Italy: USD 865,315 in 1999-2002 Czech Republic: USD 155,384 in 1999-2001 France: USD 75,982 in 1999-2002	Italy reported exports of mainly cartridges, but also revolvers and pistols and sporting rifles.
Cape Verde	Czech Republic: USD 27,595 in 2001	Reported imports of revolvers and pistols
Cote d'Ivoire	Spain: USD 76,391 in 2001 Italy: USD 60,550 in 1999-2001 US: USD 48,889 in 1999-2001 Czech Republic: USD 38,051 in 2001-2002 France: USD 27,886 in 1999-2001	Spain and the Czech Republic reported exports of only cartridges. Revolvers/pistols and shotguns reported from Italy. Military weapons and cartridges reported from the US. France reported exports of mainly shotguns.
The Gambia	UK: USD 449,145 in 1999 Czech Republic: USD 120,961 in 1999-2002 Russia: USD 31,134 in 1999 Poland: USD 28,107 in 2000	UK reported exports of parts and accessories of military weapons, cartridges. Reported imports of cartridges from the Czech Republic, Russia and Poland
Ghana	UK: USD 2,156,203 in 1999-2001 Cyprus: USD 2,093,385 in 1999-2001 Germany: USD 131,099 in 1999-2001 France: USD 52,909 in 1999	Spain's and France's reported exports consist of cartridges and the UK's of mainly cartridges US reported exports mainly of Shotguns, cartridges and military weapons Cyprus and Germany report exporting mainly shotguns.
Guinea	France: USD 3,342,698 in 1999-2001 Spain: USD 1,563,183 in 1999-2001 UK: USD 325,601 in 1999 Portugal: USD 231,845 in	France exported cartridges, sporting rifles, military weapons, shotguns, and parts <i>cum</i> accessories. Only cartridges exported from Spain and the UK. Portugal reported exporting cartridges and

	1999-2001 Czech Republic: USD 15,391 in 1999	shotguns. Only shotguns from Germany. Czech Republic reported exporting cartridges.
Guinea-Bissau	Portugal: USD 332,054 in 1999-2001 Spain: USD 168,912 in 2000-2001 France: USD 104,620 in 1999-2002	Portugal reported exports of cartridges, shotguns, revolvers/pistols, and sporting rifles. Spain and France reported exports of cartridges.
Liberia	Under UN embargo, no imports therefore authorized	
Mali	France: USD 72,327 in 1999-2002	France reported exports of mainly parts and accessories and
Niger	France: USD 92,134 in 1999-2002 Italy: USD 60,643 in 1999-2001	Reported imports of revolvers, shotguns, parts and accessories, and cartridges from France; France reported exporting sporting rifles, cartridges, and shotguns. Reported imports of shotguns from Italy; Italy reported exporting revolvers.
Nigeria	US: USD 246,007 in 1999-2002 UK: USD 90,953 in 1999-2002 Italy: USD 49,074 in 2001 Germany: USD 13,062 in 1999	US reported exporting mainly cartridges. Germany reported exporting revolvers/pistols UK reported exporting shotguns, cartridges and parts. Italy reported exporting revolvers and shotguns.
Senegal	France: USD 2,246,810 in 1999-2002 US: USD 959,420 in 1999-2002 Spain: USD 426,508 in 2000-2002 Italy: USD 232,992 in 1999-2002 Germany: USD 116,770 in 1999-2002 Czech Republic: USD 81,996 in 2001-2002	Only cartridges from Spain. Mainly revolvers and cartridges from Germany. Diversified imports from France, US and Italy. Cartridges, revolvers/pistols and shotguns from Czech Republic.
Sierra Leone (Only rebels are under	US: USD 29,542 in 2001 Spain: USD 13,398 in 2001 UK: USD 10,139 in 2000	US reported exports of parts and accessories. Spain and the UK reported exports of cartridges.

embargo)		
Togo	Spain: USD 41,212 in 2000	Spain reported exporting cartridges

Source: Cross *et al.* 2004, as reproduced in Ojakorotu and Uzodike, 2008, p.88.

4.3.1 Supply and Demand

Our basic postulate in this section is that a major reason why small arms are ubiquitous is due to a vibrant demand for them. People and armies seem to provide a flourishing market for licit and illicit supplies of SALW in both developed and Third World countries. Taya Weiss (2003: 5) has noted that “where there is a lack of human security, real or perceived, there is inevitably a surplus of guns in the hands of people who feel safer armed with the ability to protect themselves.” Various attempts have been made to stem the tide of small arms and light weapons proliferation from this relatively novel perspective. In one UNDP publication *Development Held Hostage: Assessing the Effects of Small Arms on Human Development*, Peter Batchelor and Robert Muggah (2002: 9) notes the following:

Narrow supply-side approaches that focus on the weapons and on ex-combatants are only part of the solution. Nor can the broad range of socio-economic impacts of small arms be dealt with in a framework that focuses exclusively on weapons reduction. Because small arms play a key role in undermining development gains in conflict-affected, post-conflict, and stable societies alike, they should be of concern to the development community rather than the exclusive preserve of the security and disarmament community.

Further, Batchelor and Muggah (2002: 9) consider the urgent need for a “preventive framework,” stating that “the development community has demonstrated the capacity to design and implement comprehensive, transparent, participatory and locally-appropriate responses to small arms issue.” A careful study of many local approaches to violence fuelled by firearms shows that they are mostly based on “demand-and-conflict-prevention” while national and global responses tends to be “emergency-triggered” (Weiss, 2003). This needs to change. Seen from a demand vantage point, weapons cease to be the overriding focus of intervention. In lieu of this, the spotlight is turned to gun-users and seeks to influence those who purchase these SALWs in the market, in addition to regulating suppliers and enforcing apposite laws. Weiss (2003) aptly notes that “by bringing demand-reduction measures to the fore, the problem of small arms proliferation can be debated in new fora. This brings gun-fuelled, conflict-related problems out of traditional defence and foreign affairs areas and brings them under the lens of traditionally ‘humanitarian’ policies.” What is more, “the burden of crime and violence prevention is lifted off the back of policing and brought to broader, more powerful levels of government control” (Weiss, 2003).

According to the United Nations Report of the Panel of Governmental Experts on Small Arms (UNRPGESA) (1997: 12), state-level failure to provide security is offered as the *raison d'être* of demand-based proliferation: "When the State loses control over its security functions and fails to maintain the security of its citizens, the subsequent growth of armed violence, banditry and organised crime increased the demand for weapons by citizens seeking to protect themselves and their property." Culturally speaking, the report maintains that "possession of military-style weapons is a status symbol, a source of personal security, a means of subsistence, a sign of manliness and, in some cases, a symbol of ethnic and cultural identity" (UNRPGESA, 1997: 16). This culture of weapons ownership and possession bolsters demand mostly "when a State cannot guarantee security to its citizens or control the illicit activities in which these weapons are utilised" (UNRPGESA, 1997: 16).

Despite the persuasive argument for the role of demand as a driver of arms proliferation, the report's recommendations to rein in the corrosive effect of small arms proliferation tilted toward supply-side measures (Weiss, 2003). These include "increased guidelines for arms transfers, adapting national laws and regulation, imposing licensing requirements, marking and safeguarding weapons, and restricting manufacture" (UNRPGESA, 1997: 21-23). By failing to underscore the centrality of demand factors in its recommendation clause, Weiss (2003) contends that "the Experts' Report set an example for the supply-side focus that has characterized every instrument since." In 2000, the Organization of African Unity (OAU) met in Bamako, Mali to develop an African Common Position on SALWs, in anticipation of the 2001 United Nations Conference. The Bamako Declaration—informed by the 1998 ECOWAS Moratorium and the 2000 Nairobi Declaration—revisited demand reduction strategies as a possible policy option. While unequivocally reaffirming the values of "sovereignty, non-interference, and the right to individual and collective self-defence," the signatories asserted that "the problem of the illicit proliferation, circulation and trafficking of small arms and light weapons... sustains conflicts ... promotes a culture of violence ... has adverse effects on security and development ... and is both one of supply and demand" (quoted in Weiss, 2003). The declaration makes some improvement (but barely enough) in suggesting that the conundrum should be approached not only from supplier's point of view, but also through

the promotion of measures aimed at restoring peace, security and confidence among and between Member States, the promotion of structures and processes to strengthen democracy, the observance of human rights, and economic recovery and growth, the promotion of conflict prevention measures, and the promotion of solutions that include both... supply and demand aspects (quoted in Weiss, 2003).

It is useful to note that availability has a snow-ball effect on demand. Besides, Small arms are extremely difficult to get rid of because they are sturdy, durable, and reusable: “once present in a country they tend to stay there, either fuelling crime or flowing over national boundaries to serve the needs of neighbouring conflicts” (Weiss, 2003).⁶⁴ According to Weiss (2003), “[i]n restive regions with bleak economic forecasts, former combatants have little hope of finding a job in civilian life. The option of keeping a gun and seeking mercenary work becomes [more beguiling] than turning over their only chance at earning a livelihood.” Added to this, “poverty, unequal access to resources, large youth populations with no access to education or jobs, and other socio-political factors contribute to instability, [but] it is the presence of guns that enables conflict to escalate into the type of violence that is beyond state control or mediation” (Weiss, 2003). As I argued elsewhere, “small arms proliferation precludes development and frustrates conflict resolution efforts, creates a fertile ground for war economies to flourish and become entrenched, and contributes to a growing number of refugees and internally displaced persons” (Agbibo, 2011b: 12).⁶⁵

Appreciably, arms reduction continues to present a major challenge to various national, regional, and international efforts to prioritise it. The prelude to the report on the conference *Shrinking Small Arms: A Seminar on Lessening the Demand for Weapons* has this to say on the matter:

The issue of the demand for weapons must be addressed, but as diplomats often note, this opens a whole new area of issues in conflict resolution, community development, justice reform, youth programming, postwar peace building and attitude change that is far beyond the experience of the ministries of defence and foreign affairs which normally deal with weapons control... Much [NGO-based] demand-side activity is not focused intentionally on weapons control, but is conducted to end wars, control violence, increase development or empower marginalized populations (Conference Report, 1999: 8).

Adverting out attention to Nigeria, especially the Niger Delta, the next section argues that it is the failure of the Nigerian state (especially under military rule) to meet the fundamental needs of the people – especially human security – that occasioned the collapse of the social contract, which eventually put the state and society at loggerheads. To properly understand this collapse and the emergence of what is generally dubbed the *Hobbesian Niger Delta*, it behoves us to search for its etiology within the context of both the endogenous and exogenous factors. This is because, as

⁶⁴“One of the purposes of demobilisation, disarmament, and reintegration (DDR) programmes is to confiscate and take small arms out of circulation following a conflict period, but arms caches are rarely effectively destroyed in the wake of fragile peace agreement” (Weiss, 2003).

⁶⁵ See, <http://www.issafrica.org/pubs/Monographs/N0116/Intro.htm>

Badmus (2010: 327) argues, “the international socio-political and economic contexts have overbearing effects on the local conditions especially in Nigeria’s oil basin.”

4.3.2 The ‘Hobbesian Niger Delta’ and the Collapse of the Social Contract

During the Cold War, especially in the immediate post-independence years, African states enjoyed economic buoyancy and this enhanced their ability to provide adequate social services to the populace. In addition, many African states received some financial assistance from the international financial institutions (IFIs), while the super powers were relentless in their pursuit of hegemonic interests and ideological supremacy, which saw the continent in a vantage position for financial and military aid from Moscow and Washington. These sources of aid enabled African governments to maintain peace “as a result of the state-driven expansionism in the socio-economic sector” (Badmus, 2010: 327). It is useful to note that much of what took place in Africa during the early period after independence can be characterized by “urban-biased” from the point of view of development. The marketing boards extracted resources from rural areas and used them for urban development under the development strategy which was then popular. Moreover, the kind of aid provided Africa during the Cold War had a devastating effect on the long term development of the country. Often, they ignored African ruling elites that were oppressing their people if the rulers were allies of either the U.S. or Soviet Union ideologically.⁶⁶

The economic prosperity of the late 1960s and early 1970s, started to show signs of depreciation by the late 1970s/early 1980s owing to a plethora of negative socio-economic factors. Eventually, Africa’s economic downturn ballooned into a full-blown economic crisis; thanks to the Arab-Israeli War of 1973 that made oil price rise and fluctuate (Badmus, 2010: 327). As a result of this economic crisis, the capabilities of many African governments to guarantee citizens’ welfare were greatly emasculated and their legitimacies eroded. In response to the dire situation, African states had little choice but resort to “borrowing from the Bretton Wood Institutions with the acceptance of the neo-liberal, anti-developmental Structural Adjustment Programmes (SAP) for the stabilization and recovery of their economies” (Badmus, 2010: 327). One notable point about SAP policies is the fact that they are anti-state in that they call for “neo-liberal market reform based on the belief that the state was blocking economic growth and development by spending too much on welfare benefits in health, education and other

⁶⁶ I thank the reviewer of one of my articles titled “Armed Groups, Arms Proliferation and Conflict in Third World Countries: The Niger Delta Perspective” (submitted to the *Journal of Third World Studies*) for bringing this information to my awareness.

subsidies” (Badmus, 2010: 328; see, also, Vasudevan, 1999: 11-28). The implementation of SAP became counterproductive as it further weakened the state’s legitimacy by adding a further complication to the pre-SAP social crisis. Added to this, the gap between the rich and the poor widened sharply, thereby reinforcing uneven development, which, in the words of Badmus (2010: 328), “matches up to clear regional and ethnic divisions in a manner amplifying political tensions.”

Quite aside, rural poverty had a snow-ball effect on the teeming populations of urban poor caused by rural to urban drift of people in search of greener pastures. To make matters worse, the resultant social instability created a fertile ground for the recruitment of marginalised and irked people into ethnic militia groups (Badmus, 2006: 270-291)—a reality which further deepened the general sense of insecurity in the region. The loss of control of the economies by the African government and the state’s inability to salvage its sapping population, apparently and interminably fractured the basis of national unity, put the state and the society at dagger-drawn opposition to each other, and above all, compelled the masses to look for alternative structures (constructed around ethnicity and religion), to re-strategize their options, and saw these new structures as workable mechanisms for coping with the worsening economic crisis, of which privatization of security (that is, acquisition of SALW for their own protection and as instruments of negotiation) is imperative (Jega, 2000). Against this backdrop, African states (Nigeria inclusive) “lost their power, legitimacy, and national cohesion since they failed to fulfil their own promises of the social contract” (Badmus, 2010: 328).

According to the social contract theory of arms:

citizens transfer the possession of weapons to a constituted authority (i.e. the sovereign and the state) with the agreement that the state will provide and guarantee people’s security (in all its connotations) while the ownership of such weapons is in the hands of the people which gives them (i.e. citizens) the opportunity to withdraw and reclaim self-defence when states fail to honour their own obligations of the contract (Badmus, 2010: 328).

In this context, ownership⁶⁷ of arms is exercised as “the General will” and not as “the Will of All,” (Badmus, 2010: 329) which appertains to the combination of sectional will that makes up the society. If violence and arms proliferation in the Niger Delta are the

⁶⁷ Ibeanu expatiates further on the similarities and differences between ‘ownership’ and ‘possession’ with respect to social contract theory of arms. According to Ibeanu (2005), “ownership and possession are related but distinct. The former refers to the right in the last analysis to decide the ends to which society’s instruments of violence are to be put legitimately. Possession on the other hand, refers to the capacity to actually put those instruments of violence to use. It is possession that government exercises through its coercive apparatuses. However, it is the citizens that are the owners of society’s instrument of violence, who confer possession on governments. Once citizens confer possession on government, it is sustained in so far as government incarnates.”

result of the breakdown/collapse of the social contract (and of arms in particular), then it follows that the task that awaits is to

reconcile differences in the possession of these instruments of violence between the state and the populace until the social contract is reconstituted or resumes proper functioning. In so far as the legitimacy of the state at the local, state, and federal levels remain contested by a vast majority of people in the Niger Delta, they will continue to contest the right of the state and its agencies to monopolize society's instruments of violence (Ibeanu, 2005: 53).

Needless to say, “small arms are lethal, but easy to use: A single rapid-fire assault rifle can fire hundreds of rounds a minute” (Ojakorotu and Uzodike, 2007: 91). Added to this, small arms are easily transported and concealed. But why does a poor continent have such a magnitude of stockpiled small arms? Perhaps, what explains this ambiguous situation between economic underdevelopment (poverty) on the one hand and proliferation of SALW and armed conflicts on the other is the “strongest expression of the injustice in the paradox of wealth that characterizes situations of conflicts in Africa—the fact that those who produce wealth are the poorest and those who are wealthy take the wealth by force” (Ibeanu, 2005: 37). Hence the main reason for people to arm themselves is not only predicated on their poor socio-economic conditions but also on their relative deprivation and exclusion from issues that directly affects them (Agbibo, 2011b). In such a situation, SALW serves two functions: “they abet in sustaining injustices and also offer hopes for redressing injustices” (Badmus, 2010: 325), thereby confirming Naylor’s avowal that the demand for SALW is a “surrogate for demand for social injustice, and the firearm is the capital good intended to bring that objective” (quoted in Dominick and Olonisakin, 2001: 16). Nowhere is this more conspicuous and poignant than in Nigeria’s delta.

4.3.3 Oiling the Guns and Gunning for Oil

Nigeria is among the developing countries where the proliferation of SALW is manifested in crisis proportions and “its society has become fully militarized and enmeshed in the culture of the gun” (Badmus, 2010: 325). This has been the tragic story of the Niger Deltans. Unhappy with the exploitative and heavy-handed nature of the Nigerian state, different oil-producing ethnic minority groups have united under various social banners to contest exploitation and as a result, “*oiling their guns as well as gunning for oil* in the region” (Badmus, 2010: 325, emphasis added), and fighting for a fair share in the natural resources found on ‘their’ land. The foregoing has led some scholars to describe the Niger Delta as a region that is both “ungoverned and ungovernable,” (Badmus, 2010: 325; Agbibo, 2011b) owing to the fact that the Nigerian government lacks the required gravitas and *savoir faire* to stem the rising tide

of conflict that has plagued the region in recent decades (Chatham House, 2006; Lubeck, Watts, and Lipschutz, 2007: 1; Watts, 2007). According to the United Nations Development Programme (UNDP), the growing unrest in the Niger Delta is one that “could tip towards outright warfare” (UNDP, 2006: 18).

Beyond this, “the increasing sophistication of organized piracy, oil-bunkering and hostage-taking in the oil producing Niger Delta region, [as well as] the region’s peculiar swampy geography and extensive access to international waterways combine to make the region an important distributional point for SALW proliferation in Nigeria” (Ogundiya, 2011: 64). The use of small arms by elements in the security services to seize power has spawned a “militarized national psyche and culture of violence” (Small Arms Survey, 2001: 3). Adding a further complication to the issue of SALW proliferation in the Niger Delta is the fact that it becomes intractable to draw a distinction between lawful and unlawful trade in arms because “weapons once officially sold to state statutory security forces are often stolen by military personnel only to re-appear on the black market as illegal weapons, thereby prolonging the intensity of conflict in the region” (Badmus, 2010: 326). In particular, the crisis in the Niger Delta has been aggravated by the militant approach of the Nigerian government to armed group activity while failing to seriously address any of the legitimate concerns of the irked population.

The grievances of those living in the Niger Delta are well founded. The population bears the brunt of environmental despoliation resulting from the irresponsible operations of oil companies. As we have previously stated, oil spills and gas flaring have dealt a fatal blow to fishing, farming, and the air quality in the region. In return, the population has received only a modicum of support from the Nigerian government, which benefits from the high revenues earned from the sale of crude oil. Grievously, the Niger Delta population have no control over the oil in their land,⁶⁸ and no claim to the associated perks that flows from its sale. Indeed, rather than serve as a tool for “social engineering,” law has been used as an “instrument of expropriation and denial” in the region (Agbibo, 2011b: 12). According to Amnesty International (2009: 9), “The [Nigerian] Federal Government allocates permits, licenses and leases to survey, prospect for and extract oil to the oil companies, who are then automatically granted access to the land covered by their permit, lease or license.” In particular, the provisions of the 1979 and 1999 constitutions and other legislations such as the Territorial Waters Act (1967), the Petroleum Act (1969), the Exclusive Economic Zone Act (1978) and the

⁶⁸Constitution of the Federal Republic of Nigeria, 1999, Clause 44 states: “...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 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.” The Petroleum Act of 1969, Clause 1 states: “the entire ownership and control of all petroleum in, under or upon any lands to which this section applies shall be vested in the State.”

Land Use Act (1978) served to firmly entrench the nationalisation policy which vested ownership and control of all land and the resources therein in the Federal Government. This contravenes the common law doctrine of *quic quid plantatur solo cedit* (“what is attached to the land accrues to the land and belongs to the owner”).

Though the percentage of oil-related revenue has gone up (in the Niger Delta) from less than 2 per cent (under military rule) to 13 per cent, the bulk of this funding ends up lining the pockets of many state officials, with little visible signs of growth and development in the area (Hazen and Horner, 2007: 18). Albeit “the incidence of poverty has declined since 1996 in the delta” (UNDP, 2006: 58), the lack of roads, health care and educational facilities, as well as the high level of unemployment in the region underline the insouciance and insensitivity of the Nigerian state and oil multinationals. Irked by the redundancy in the region and bent on drawing the world’s attention to their odious condition, the Niger Delta (since the 1990s) has witnessed the emergence of a plethora of armed groups.⁶⁹ According to one June 2004 anti-cult law in Rivers state, armed groups in the state number close to 100 (Best and Von Kemedi, 2005: 21-22).⁷⁰

The Niger Delta has since become a hot spot for the proliferation of SALW, which the militias have used to unleash terror in the country on various occasions (Omotola, 2006: 13). For example, armed groups have hatched various nefarious plans, including the use of violent tactics in the form of “kidnappings, battles with security forces, clashes with one another, and car bombs, which is a more recent tactic” (Hazen and Horner, 2007: 19). Increasingly, such groups are demonstrating sophisticated tactics and weaponry, raising concerns apropos of future violence (Hazen and Horner, 2007: 19; Fisher-Thompson, 2007). As previously stated, the Nigerian state has often had a flair for repressive measures as a means of interrogating the activities of ethnic militias in the oil-rich region. This includes the emplacement of draconian decrees such as the one promulgated by the Abacha regime prohibiting the Ogoni’s demand for the right to self-determination as articulated in the Ogoni Bill of Rights. The decree criminalized any disruptions of crude oil production activities as acts of treason attracting capital punishment (Ovwasa, 1999: 94-95; Omotola, 2006: 19). Noticeably, the militarization of the delta area has not helped matters. Instead, it has “solidified the resolve of the

⁶⁹Some of these agitate for change in the political situation and in the distribution of resources. In other words, it is a claim for resource control and financial revenue to be ceded to the oil-bearing states where decisions about distribution can be made, thereby taking this decision-making power out of the hands of the federal government.

⁷⁰The most prominent groups currently active in the Niger Delta is the Movement for the Emancipation of the Niger Delta (MEND)—some of the nefarious activities of MEND will be considered in chapter five of this study. Other groups include the Coalition for Militant Action in the Niger Delta (COMA), the Joint Revolutionary Council (JRC), the Niger Delta People’s Volunteer Force (NDPVF), and a number of cult groups, such as the Outlaws and Icelander (see Hazer and Horner, 2007: 19).

armed groups, encouraged recruitment, and heightened public support for some of these groups” (Hazen and Horner, 2007: 19).

4.3.4 Janus Unbound: Armed Resistance in the Niger Delta

By definition, violence refers to “the intentional use of physical force or power, threatened or actual, against oneself, another person, or against a group or community, that either results in or has a high likelihood of resulting in injury, death, psychological harm, maldevelopment or deprivation” (Hazen and Horner, 2007: 13). Specifically, the concern in this section is with armed violence, which, for the purposes of this study, is defined as the carrying out of a violent act with “any material thing designed or used or usable as an instrument for inflicting bodily harm” (Taback and Coupland, 2005: 20).

Since the early 1990s, resistance movements have sprouted like mushrooms in the Niger Delta region. Notable among these are “the Movement for the Survival of the Ogoni People (MOSOP), the Ijaw Youth Council (IYC), the Ijaw National Congress (INC), the Egbesu Boys of Africa (EBA), the Niger Delta Volunteer Force (NDVF), the Ijaw Nationality Rights Protection Organization (INRPO) and the Ogoni Patriotic Union (OPU)” (Ojakorotu and Uzodike, 2007: 95). These movements have emerged to challenge the excesses of the state-oil-multinational alliance. The recourse to armed violence by these groups is essentially due to their insufferable condition and the use of violence by the Nigerian state against them (Obi, 2001: 6). Obi (1999: 433) contends that these groups have attempted, with some level of success, to draw the attention of the national and international community to paradox of prosperity in their region, as well as their various political and economic demands (Obi, 1999: 433). The Ogoni and Ijaws are two major ethnic minorities in the Niger Delta. Subsequently, an analysis of the nexus between the Nigerian state and these two ethnic minority groups will furnish a useful illustration of state violence and armed local resistance by ethnic militia.

4.3.4.1 The Ogoni Resistance

MOSOP and Ogoniland must survive and flourish for the sake of us all. For better or worse, MOSOP and Ogoniland are the conscience of this country. They have risen above our slave culture of silence. They have found courage to be free and they have evolved a political consciousness which denies power to rogues, hypocrites, fools, and bullies. For better for worse, Ogoniland carries our hopes. Battered and bleeding, it struggles on to realise our promise and to restore our dignity. If it falters, we die (Claude Ake, quoted in Okonta and Douglas, 2003: 16).

Obi (2001: 9) has rightly noted that “The tag of oil minorities evolved after the civil war, and gained prominence by the late 1980s as a modality of identifying those minorities

which, despite their connections to oil – the very lifeblood of Nigeria – have found themselves marginalised at the national level in terms of class, state and power.” Nigeria’s ‘oil minorities’ are the ethnic minority groups, among them the Ogoni, who inhabit the Niger Delta, the principal oil-producing region of the country (Okonta, 2008: 118). Up until 1990, minority demands all across Nigeria were largely purveyed through delegations, petitions and meetings with state and federal authorities (Na’Allah, 1998: 69). A significant change in the approach was to take place in the case of the Ogoni with the formation of the Movement for the Survival of the Ogoni People (MOSOP) in 1990 with Dr. Garrick Leton as President and Ken Saro-Wiwa as spokesperson. This was the organization put together by Ken Saro-Wiwa and others of his ilk to mobilize their people in the struggle for better treatment by the oil companies and the Nigerian government (Na’Allah, 1998: 69; Ojatorotu, 2000: 81). In the words of Saro-Wiwa:

[The] Ogoni has offered Nigeria an estimated \$30 billion and received nothing in return, except a blighted countryside; an atmosphere full of carbon dioxide, carbon monoxide and hydrocarbon... a land of polluted streams and creeks of rivers without fish, and land which is, in every sense of the term, an ecological disaster (quoted in CDHR, 1994: 8, quoted in Na’Allah, 1998: 69).

Indeed, “[t]he Ogoni struggle typically exemplifies the nature and dynamics of the crisis as well as local resistance in the Niger Delta region” (Ojatorotu and Uzodike, 2007: 95). The formation of MOSOP could be said to have spelt a salient shift in Ogoni identity-formation when they were radically transformed, in the words of Osaghae (1995: 329), from an “ethnic group-in-itself” to an “ethnic group-for-itself.” In an important sense, the leaders of MOSOP had triggered the processes that Franz Fanon (1993) identifies in *On National Culture* as critical for the formation of coherent national and cultural identities: “There is no fight for culture which can develop apart from popular struggle.”

The first step in prosecuting a common struggle for MOSOP was the drawing up of the “Ogoni Bill of Rights” (OBR) in the later part of 1990. This was presented to the government of Ibrahim Babangida, the UN sub-committee on the Prevention of Discrimination against Minorities, the African Human Rights Commission, Greenpeace and Rain Forest Action Group among others (Na’Allah, 1998: 70). As can be gleaned from the OBR (see Appendix 1), the Ogoni people’s demands were four-pronged:

- a) the demand for a right to control their political affairs
- b) the control and use of a fair share of economic resources derived from Ogoniland
- c) the right to protect the Ogoni environment and ecology from further degradation
- d) Adequate and direct representation in all Nigerian national institutions (MOSOP, 1992; Na’Allah, 1998: 71).

To the above objectives the elders interpolated the following reassurance lines:

- a) We are Nigerians, proud to be Nigerians and would wish to remain Nigerians;
- b) We hold no malice to any group or groups in this country and especially the many ethnic groups that comprise Rivers State;
- c) We have no affiliation with any organization inside or outside Nigeria; and
- d) We speak as loyal and law abiding citizens of Nigeria and are here to fight for our rights, not by force of arm but through dialogue and persuasion (MOSOP, 1992).

In December 1992, MOSOP requested the all the oil multinationals in Ogoniland (including Shell and Chevron) and the Nigerian state to pay back “royalties and compensation within 30 days or quit Ogoniland” (Ojatorotu and Uzodike, 2007: 96; see, also, MOSOP, 1992). At the end of the ultimatum, roughly 300,000 people marched out in peaceful protest on 4 January 1993 to express their dissatisfaction with the status quo. Now, there are two ways in which this record protest by the Ogonis marked a watershed in their resistance campaign: “First, it transformed the Ogoni question into a national issue. Second, it attracted the sympathy and attention of the international community to the plight of the Ogoni people” (Ojatorotu and Uzodike, 2007: 96). This peaceful demonstration led to the arrest and detention (by the state security forces) of many MOSOP leaders. It is useful to note that “between January and December 1993, Ken Saro-Wiwa and other prominent Ogoni leaders were arrested and detained several times” (Human Rights Watch, 1995). Meanwhile, the Nigerian state tried to emasculate the Ogoni resistance through different various stratagems. For example, the Nigerian government “‘encouraged’ violent conflict between the Ogoni and their neighbours, which resulted in ethnic and communal clashes” (Ojatorotu and Uzodike, 2007: 96-97).

On 21 May 1994, violence erupted in Giokoo village during one of Saro-Wiwa’s campaign visit to the village. Reportedly, some chiefs (allegedly being sponsored by the Nigerian state) were surreptitiously holding a meeting. During the ensuing pandemonium, the four chiefs were brutally murdered⁷¹ (Na-Allah, 1998: 41; Ojatorotu and Uzodike, 2007: 97). This horrific incidence led to the arrest of Saro-Wiwa and eight other MOSOP members on the count of incitement to murder. Subsequently, a special military tribunal in Nigeria sentenced Saro-Wiwa and his colleagues to death by hanging (Ojatorotu and Uzodike, 2007: 97). The execution was carried out on 10 November 1995 despite all entreaties – both local and global – to the contrary. This development put a solid dent on the challenge posed against the state-oil alliance by MOSOP and sounded the death knell of the Ogoni struggle. The organization was further emasculated by fractional squabbles.

⁷¹A gripping description of the killing of these four chiefs is presented by Desmond Lera Orage, a son to Chief Samuel Orage who was one of the murdered chiefs. The piece is titled “The Ogoni Question and the Role of the International Community in Nigeria” in Na’Allah (1998: 41-48).

It is instructive to note that the totalitarian state apparatus in Nigeria has always shown an unenviable appetite for violence. The chicanery and subsequent hanging of Ken Saro-Wiwa was not so much a sign of disrespect for international opinion but “a sign to Nigerians themselves that there was no escape from the state’s totalitarian apparatus and that nobody in the whole world could save them” (Na’Allah, 1998: 75). Thus, the totalitarian regime was interested in showing their unquestioned power of life and death over its citizens. Such a model of governmentability runs athwart the “ludic” and “convivial” model Mbembe (1992) proposes for the African post-colony. In the words of Ken Saro-Wiwa: “To be at the mercy of buffoons is the ultimate insult. To find the instruments of state power reducing you to dust is the injury” (quoted in Na’Allah, 1998: 75). The general factors that accounted for the fall of the Ogoni resistance can be summarised, as Bob (2002: 395) suggests, in terms of the shrinking of domestic and international opportunities which had engendered the formation of social movements. These factors are outlined below:

1. The differences (between the radical and conservative wings) within the MOSOP leadership over the issues of organisational structure and strategies.
2. The activities of the conservative elite who bargained for and accepted political offices offered by the Federal Government as these frustrated MOSOP in its attempt to forge a cohesive front against the MNOCs and the government.
3. The withdrawal of the conservative elements within the MOSOP’s echelons vis-à-vis the boycott of the Presidential elections of June 12, 1993.
4. The failure of the international community to sustain its support for MOSOP in the aftermath of the internal crisis.
5. Increased repression of the civil rights movement in general by the Abacha regime (Bob, 2002: 395).

Following the implosion of the Ogoni movement, it fell to the Ijaw to carry out militant struggle against the state and oil companies in the Niger Delta. The eventual transition from military rule to civilian administration in 1999, couple with the interest of international community gave impetus to the Ijaw resistance.

4.3.4.2 The Ijaw Resistance and the Use of Deadly Weapons

The emergence of Ijaw struggles came on the heels of the decline of the Ogoni resistance following the execution of Ken Saro-Wiwa and direct state repression of the Ogoni. The Ijaw-state-oil companies face-off centered on years of injustice and socio-economic neglect of the oil-bearing Ijaw nation (Agbibo, 2011b). In August 1997, over 10,000 youth of Ijaw origin protested at Aleibiri village in Bayelsa state demanding an immediate end to Shell activities in the oil Delta. In particular, the Ijaw people vowed to liberate themselves from the bondage of exploitation. Appreciably, the Ijaw struggle

was perched atop the lessons from the MOSOP experience and upon its attempt to put an end to the divisions among the Ijaw in the Niger Delta. Besides, the Ijaw leadership “built its support from the grassroots and depended on the energy, vision and anger of the youth in the Niger Delta. It drew upon local symbols and metaphors at the community level to build pan-Ijaw neo-nationalism” (Obi, 2002: 16). Unlike the Ogoni, the Ijaws, under the aegis of the Ijaw Youth Council (IYC), were more militant in their approach to the demand for resource control. The group employed a series of measures to express the grievances of the Ijaws in forms of hostage-taking and violent confrontation with the military forces.

The confrontations were further aggravated (especially in Bayelsa state) due to negative consequences of oil exploration for the Niger Delta environment. In this regard, Shell, among other oil companies, was the common enemy. Badmus (2010: 342) contends that “between 1998 and 1999, the Ijaw youth became more restive and most of these agitations occurred in Bayelsa State and culminated in the first Egbesu⁷²war” (see, also, Ibeanu, 2005: 45). In the vanguard of these protests were the myriads clans of the Ijaws, a diverse and fiercely independent people who have made their living from fishing and trading from time immemorial. Their home region in the Delta is “a vast steamy maze of countless creeks and rivers feeding into what is reputedly the world’s biggest remaining area of mangrove” (Maier, 2000: 112). As the source of nearly half of the \$280 billion Nigeria has earned from petroleum exports in the past three decades, it also stands as a monument to the failure of the modern African nation-state to care for its people (Agbibo, 2011b).

One can trace the root of the Ijaw confrontation to extra-legal detention of Ijaw youth leader for distributing ‘seditious’ documents against the then Military Governor of Bayelsa State. By way of a reaction, the militant Egbesu Boys liberated their detained leader from the Government House in Yenegoa having disarmed the soldiers on sentry. According to Ibeanu (2005: 46):

The success of the first Egbesu war obviously enhanced the profile of the youths and cult, and encouraged more people, many of whom were unemployed, to join the protests. In a matter of weeks, the invincibility of the Egbesu had spread throughout Bayelsa State and beyond, and the success of the Egbesu youth in the ‘first war’ fed into wider demands by the Ijaw for more petroleum revenues.

Now, the death of General Sani Abacha in office in 1998 and the rise of General Abdulsalami Abubakar (1998-1998) impacted directly on the Ijaw wars. Shortly after General Abubakar assumed power, he embarked on reconciliatory agendas to resolve

⁷² Egbesu connotes the Ijaw god of war that protect them during armed conflicts and wars since the olden days.

the internal political deadlocks that marked General Abacha's dictatorship. In this context, says Badmus (2010: 348), "the already militarized and reduced political space opened up and people's fundamental human rights were guaranteed." In view of this development, the Ijaw youth furnished a more vigorous and assertive pursuit of their demands.

During the Ijaw Youth Convention in Kaiama town on 11 December 1998, a document, popularly known as the Kaiama Declaration, was addressed to the military government in which they requested for increased local control of oil revenues and better environmental practices. In the Kaiama Declaration, a deadline (of 31st December 1998) was given to the Nigerian government and oil companies to meet their various demands; otherwise the oil companies should close their operations and leave the Ijaw land and the entire Niger Delta region.⁷³ Shortly after the declaration, the Ijaw youth spearheaded a peaceful demonstration in Yenegoa to express their demands and also "during this demonstration they passed across their grievances to the Federal Government through the Bayelsa state government" (Badmus, 2010: 349). But the relatively peaceful demonstration ended in utter tragedy when Nigerian soldiers stormed the protest grounds killing scores of youths and leaving many badly injured (Ukeje, 2001). The Ijaw youth and the entire Ijaw nation interpreted this assault as an open declaration of war by the Nigerian government on ethnic Ijaw. So conceived, the Ijaws became more restive with consequential military build-up and arms proliferation which made the security situation to decline rapidly (Badmus, 2010: 343). The second Egbesu war was on the cards and eventually started when the state security forces clashed with Ijaw youth who were taking part in a cultural festival in Yenegoa. The clash left many dead and had huge cost on the Ijaw nation, especially in Yenegoa and Kaiama (Ibeanu, 2005: 47).

The dawn of the Nigerian Fourth Republic in May 1999—especially under Obasanjo's presidency (May 1999-May 2007)—seems to have lacked the required gravitas and *savoir faire* to check the spectre of conflict in the Niger Delta. This is supported by the military invasion of Odi town in Kolokuma-Opokuma Local Government Area of Bayelsa state in November 1999 (Badmus, 2010: 343). Perhaps, this is why Ibeanu (2005: 47) noted that the Odi incident "confirms the fears of human rights community that it will take some time before the vestiges of the rule of the militariat in Nigeria are eliminated." The proximate cause of the Odi massacre was the abduction and subsequent killings of

⁷³ See, <http://rsmag.org/wp-content/uploads/2008/06/multinational200802.html>

seven policemen (by some Odi youth) that were on intelligence mission in Odi,⁷⁴ the second largest town in Bayelsa state. The Obasanjo regime saw the killings of the policemen as Egbesu challenge to the Nigerian state. By way of a response, Obasanjo gave a two weeks ultimatum to then Bayelsa state Governor, Chief DSP Alamieyeseigha, to produce the culprits, the failure of which saw “the Federal Government ordered the Odi punitive military expedition (known as Operation HAKURI II) in which over 2000 people lost their lives, thousands displaced and properties destroyed” (Environmental Rights Action, 2002: 7). In his reaction to this particular incident, the IYC President, Felix Tuodolo declared:

It is clear to us that the whole operation was designed to instil fear on the Ijaw and stop the mass of our suffering people from continuing our peaceful struggle to end the degradation of our lands and creeks by transnational oil companies and the Nigerian state. We insist that oil companies should not continue to operate in our communities under the cover of soldiers of occupation (IYC Press Release, 1999, quoted in Ojatorotu, 2008).

The spates of hostage taking and oil bunkering⁷⁵ in the Niger Delta are clear indications that all is not well with Niger Delta, nay the Nigerian state. In 2011, the Ijaw resistance is spearheaded by such militant groups as the Niger Delta People’s Volunteer Force (NDPVF) led by Mujahedeen Asari Dokubo’s, the Niger Delta Vigilante (NDV) led by Tom Ateke, and the Movement for the Emancipation of the Niger Delta (MEND).” In particular, NDPVF and MEND (created in 2005) have proved deadly with increasing pipeline vandalism, kidnappings and taking over oil facilities in the volatile Niger Delta. Both movements purport that their activities are geared at a redistribution of oil wealth and increased local control of their natural resources (Agbiboa, 2011b). According to Badmus (2010: 343), “these groups are notorious for kidnappings of oil workers (especially expatriates) for ransom with negative effects on the Nigerian state since the deteriorating security has forced some oil services firms to leave the country.” (see Table 12 for select militant groups operating in the Niger Delta).⁷⁶ According to one United Nations (UN) Office for Coordination of Humanitarian Affairs report, in January 2007 alone, “at least 50 foreigners were taken hostage, two of who were killed. That

⁷⁴ The seven policemen were in Odi to uncover the plan of Ijaw youth to attack ethnic Yoruba in Lagos as a reprisal for the O’Odua People’s Congress’ (OPC)-a pan Yoruba ethnic militant organisation-attacks on Ijaw residents of Ajegunle Area of Lagos a month earlier.

⁷⁵ Omotola (2006: 22) argues that “the phenomenon of oil bunkering has also assumed the dimensions of a scourge. This has become so endemic that about 10 percent of Nigeria’s oil production is now said to be going into illegal bunkering controlled by local politicians who hire armed militias to look after their interests [and other shenanigans].”

⁷⁶ It should be stated here that the existence and activities of these movements are *sine qua non* for understanding the intensity of armed conflicts and arms proliferation in the region with their negative consequences on the Nigerian post-colony. But the scope of this study is limited to the Ogoni and Ijaw struggles within the contexts of MOSOP and INC.

compares to a total of around 70 foreigners snatched in the whole of 2006” (quoted in Obi, 2009: 104-105). In a serious bid to undermine the Ogoni and Ijaw quest for full citizenship in a more inclusive Nigerian ‘project,’ corrupt custodians of the post-colony tend to compromise the very basis of their tentative hold on power. Thus, as Okonta (2008: 116) says,

they foreclose the possibility of creating a state that is embedded in society and derives its *raison d’être* from the people, instead siring a pathological construct masquerading as a nation that is unable to project power and ambition beyond its shores, while exposing the Nigerian state and society to more determined, focused, and predatory international forces

Table 12
Select Militant Groups Operating in the Niger Delta

Group	Description	Activities
Egbesu Boys of Africa	<ul style="list-style-type: none"> ▪ Militant arm of the Ijaw youth Council ▪ Seeks justice and equity for the oil-bearing Ijaw communities in the Niger Delta ▪ Not a cohesive militant movement; members are active in other groups 	Egbesu involvement in Ijaw-Itsekiri conflicts (Delta); various kidnappings and attacks on oil installations.
Niger Delta Peoples Volunteer Force (NDPVF)	<ul style="list-style-type: none"> ▪ Led by Mujahedeed Asari Dokubo ▪ Founded in 2003 ▪ Members mainly Ijaw ▪ Demands more control over resources for the Niger Delta states ▪ Modelled on Isaac Boro’s Niger Delta Volunteer Force (1966) 	Declared all out wars vs. Nigerian government in 2004 and was subsequently outlawed; violent confrontations with NDV mid-2003 to late 2004; kidnappings and attacks.
Niger Delta Vigilante (NDV)	<ul style="list-style-type: none"> ▪ Led by Ateke Tom ▪ Members mainly Ijaw 	Violent confrontation with NDPVF mid-2003 to late 2004; kidnappings and attacks
Movement for the Emancipation of the Niger	<ul style="list-style-type: none"> ▪ Emerged December 2005 	Many of the recent hostage taking and

Delta (MEND)	<ul style="list-style-type: none"> ▪ Close links to NDPVF ▪ Demands: 100 % control of oil wealth; release of Dokubo; release of Alameiyeseigha ▪ Elusive leadership; Jomo Gbomo communicates with media 	attacks on oil facilities; armed clashes with security forces between 2005 and January 2006.
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Source: Ikelegbe 2000, p.219.

Irrespective of the differences in their background, leadership style, organisational profile, action plans and area of operations, social movements in the Niger Delta, according to Ikelegbe (2001: 457), have adopted such broad modalities as:

- *Advocacy and agitation* (intended to raise public awareness on the plight of the people of the Niger Delta through “press statements, interviews, conference communiqués, advertorials, commentaries and publicized meetings”).
- *Dialogue* (which has found expression in the call for meetings and consultation with a view to reconciling the communities and the oil multinationals).
- *Monitoring* (of MNOC and government activities in the Niger Delta especially in volatile communities where there is no love lost between the key players).
- *Popular action* (against MNOC and the state).
- *Litigation* (resort to the legal process to compel MNOCs for instance, to clean up oil spills and to pay compensation to affected communities).
- *Armed confrontation* (in extreme cases where all the other methods appear to have failed (Ikelegbe, 2001: 457-460)

Ikelegbe (2001: 460) further notes that there is some sense of understanding, support and congruence between the groupings and their *modus operandi*. As a matter of fact, “the methods used by the various groups have tended to be dictated by the expediencies of regime type, disposition, and international support” (Ikelegbe, 2001: 460). Thus far, our discussion in this chapter has revolved around the proximate or catalytic causes of the Niger Delta conflict. The next chapter moves further afield to explore the international ramifications of the Niger Delta conflict; it also assesses the extent to which the internationalisation of the plight of the Niger Deltans (especially by MOSOP and MEND) has affected policy shifts and attitudinal change on the part of key players in the region.

Chapter Five

The Internationalisation of an Internal Resistance

5.1 Introductory Remarks

The inclusion of the Ogoni resistance into the global rights agenda, its success in waging one of the most sophisticated environmental rights struggles in the 1990s was predicated not merely on the co-optation of the global rights discourse on the universalisation of human rights and freedom, but also a solid project of local popular empowerment under a conscious leadership. The social force of the Ogoni, empowered the case through, and in the global rights discourses, and won the attention and support of significant sections of global civil society to the cause of local resistance (Obi, 1998a).

This section unpacks the crisis in the Niger Delta with special focus on its international dimension by which is meant the involvement of international non-governmental organisations in the politics of local governance in Nigeria. It takes as its point of departure the seismic events in the 1990s (especially the emergence of organised pressure groups and their protestations against human rights abuses) that underscored the international community's engagement with an issue that could have been regarded as Nigeria's domestic affair.⁷⁷ In tackling its thematic concern, this section probes the extent to which the internationalisation of the crisis engendered both attitudinal and policy shifts on the part of key actors. At the onset, it is useful to bear in mind that very few scholars have actually explored the international ramifications of the Niger Delta conflict. Hence this section helps to advance a growing field of knowledge and to facilitate a more nuanced understanding of the Niger Delta conflict.

5.2 The Ambivalence of the International Community

The rethinking of development-related policies in the West was underscored by two salient factors: the end of the Cold-War era and the failures of structural adjustment programmes (SAP) to meet their intended results. The problem was that “structural adjustment programmes had not empowered the rural majority in Africa—ostensibly the target beneficiaries of the project” (Okonta, 2008a: 120). Instead, it had allowed autocratic leaders in Africa (the likes of Ghana's Jerry Rawlings, Uganda's Yoweri Museveni, and Ethiopia's Meles Zenawi) to profit inordinately from the contentious thesis of neo-liberalism which argued that structural adjustment policies can only operate under “a courageous, ruthless, and perhaps undemocratic government” (Clapham, 1996: 193, quoted in Okonta, 2008a: 122). Following the end of the Cold

⁷⁷ See, <http://www.afsaap.org.au/Conferences/2008/ANU/2008.htm>.

War in the 1990s, the linkage between economic development and 'good governance' began to crystallize among Western governments and disillusioned aid donors. No wonder the World Bank and the Western governments began to 'urge' African leaders to adopt the principle of 'good governance' in all their practices (Okonta, 2008a: 120; Ake, 2000: 128).

However, Nigeria's leaders frowned at the new political conditionality of 'good governance' as espoused by the West. Why? Because, as Okonta (2008a: 121) argues,

if 'good governance' had been translated into democratisation in practical terms, the concept would have had to create, in the Niger Delta and elsewhere in the country, an emancipatory project that would have been forced to engage seriously the demands of such groups as MOSOP for self-determination and a fair share of Nigeria's oil receipts, as contained in the movement's bill of rights. The Nigerian elite, yoked to a state whose politics still revolved around competition for spoils, could not afford to open up the political space to potential challenges such as MOSOP. It was, therefore, in the ruling elite's interest to suppress MOSOP, and the threat to the elite's sources of self-reproduction that the movement represented.

It is useful to underscore the opportunistic tendency for Western agencies and governments to foist a preferred system of government, such as electoral democracy, on post-colonial African leaders. Usually, such a 'suggested' system of government becomes a criterion for foreign aid and trade between both African and Western countries. On this note, Ake (2000: 129) has argued that these Western countries support electoral democracy of limited depth "which tends to see political pluralism and free and fair elections rather too ubiquitously." Elsewhere, Ake (2000) insists that 'established democracies' are not able to offer the developing countries clear and meaningful standards of democratisation to relate to. This is because they themselves have

no clear and meaningful standard of democracy, a condition arising from the growing alienation of the practice of democracy from the Western ideology of democracy and the concerted effort by powerful interests to deradicalize democracy by offering a profusion of definitions which trivialize it (Ake, 2000).

This aside, the duplicitous and quasi-democratic stance of the Western government and international agencies, "when confronted with the option of choosing between their strategic interests and whipping into line a regime that has been implicated in the gross violation of the human rights of its own citizens" (Soyinka, 2006: 496), is crystallized in the words of Okonta (2008a: 121):

The ambiguous stance of Western governments and international agencies to 'deeper' democracy – as represented by groups like MOSOP – which called on General Ibrahim Babangida (Nigeria's military ruler between 1985 and 1993) and his successor General Sani Abacha (1993-1998) to hold free and fair elections in Nigeria, while declining to sanction them when they came down heavily on grassroots democratic movements like MOSOP, is a function of the core need of these Western countries to continue to maintain an expedient institutional framework to protect their own parochial interests in politically volatile countries such as Nigeria.

Okonta (2008a: 123) further argues that

in condoning the excesses of General Abacha's corrupt military dictatorship in a Nigeria that was clearly unable to deliver social order and development to its people, these industrialized countries and the oil companies that service them collaborated to retard the emergence of a Nigerian state at ease with itself and enjoying the support and confidence of its citizenry.

Now, the institutional framework best suited to securing and exploiting the oil fields of the deemed to be a regime of political authoritarianism, epitomized in Nigeria by the military junta. Nnameka Achebe, an erstwhile director of Shell Nigeria noted candidly, if insensitively, in an interview with the *Irish Times* (February 2, 1996) two months after Saro-Wiwa was executed: "For a commercial company trying to make investments, you need a stable government. Dictatorships can give you that." This line of reasoning seems to resonate with the sole objective of colonial rule, which can be gleaned from its "laws, routines, and command relationship with civil society" (Okonta, 2008: 122; Ake, 2000: 114). In the same way that the colonialists, acting in tandem with collaborating local elites, worked to exploit the resources of peasant producers and to forcefully silence every dissenting voice, "so too did Shell and Western countries rely on General Abacha's military regime and—to a lesser extent— comprador elements and local notables in Ogoni and elsewhere in the country to [violently] contain MOSOP" (Okonta, 2008a: 122; Boele *et al.* 2001: 74-86).

The question of Nigerian featured prominently in the agenda of the Commonwealth meeting held in Auckland, New Zealand, in 1995. The strenuous efforts of Ken Wiwa—Saro-Wiwa's eldest son—were frustrated in Auckland when he attempted to urge the heads of states to take an unequivocal stance on the dreadful fate he told them was about to befall his father. Despite his appeal, "the official Commonwealth position, supported by former South African President Nelson Mandela, was that 'constructive engagement' and 'quiet diplomacy' were the best way to engage the Abacha regime" (Wiwa, 2000: 11, quoted in Okonta, 2008a: 124). In what with hindsight could only be considered to have been "an act of unprecedented political recklessness, and a diplomatic *faux pas*" (Uhomiohi, 2008: 239), the Abacha regime executed (on 10

November 1995) nine human rights activists from the Ogoni area, in the Niger Delta region of the country, including the author and human right activist, Ken Saro-Wiwa. This incident generated various reactions from the international community.⁷⁸

Uhomoibhi (2008: 239) notes that “the sheer bravado of committing an execution on the eve of the Commonwealth summit infuriated its leaders,” some of whom, most prominently South Africa’s Nelson Mandela, had pleaded with the government for a stay of execution. According to Ekineh (1997: 269), “no incident in Nigeria has shocked the outside world so horribly as the hanging of Ken Saro-Wiwa and eight other Ogoni leaders by the Nigerian military junta on the 10th of November, 1995.” Further, Ekineh (1997: 268) argues that

[m]any of the commonwealth leaders at their Auckland, New Zealand conference were horrified by the sentence of the tribunal. Even at that stage, Mr. Robert Mugabe of Zimbabwe demanded stiff measures against the Nigerian military government. In South Africa, Archbishop Tutu, in a powerful speech, urged the Commonwealth to expel Nigeria until democracy was restored. But as some of the leaders hesitated, Her Majesty, the Queen, in an unusual manner, implored the Commonwealth to be seen to have some moral values.

The first international body to respond to the execution was the Commonwealth of Nations. In the midst of the fury and rage caused by the incident, the Commonwealth was not prepared to listen to any justification, proffered by the Abacha government, that the activists had been tried and convicted by a court of law and had been duly punished for the crime of murder. In an emergency meeting convened in November 1995, at the Commonwealth retreat in Millbrook, New Zealand, Nigeria was suspended by the Commonwealth Heads of Government Meeting (CHOGM).⁷⁹ Uhomoibhi (2008: 240) notes that a committee—the Commonwealth Ministerial Action Group (CMAG)—was also set-up to monitor Nigeria’s implementation of the Harare principles and to work towards the country’s eventual return to the Commonwealth organisation. Further, CHOGM agreed that “... if no demonstrable progress was made towards the fulfilment of these conditions (democratisation and respect for human rights/release of political prisoners) within a time frame (of two years), Nigeria would be expelled from the

⁷⁸ The British Prime Minister, Mr. John Major, called the hanging “Judicial Murder” (quoted in Ekineh, 1997: 270).

⁷⁹ The organisation’s reaction was informed by the Harare Declaration of 20 October 1991 (Ojokorotu, 2008). By way of a brief background, at the Commonwealth Head of Government Meeting held in Harare, Zimbabwe in 1991, Commonwealth leaders had adopted a set of principles in a declaration in which they pledged to respect and uphold the values of democracy, ‘good governance’, and human rights. They also pledged to promote the observance of these principles in their respective countries as the basis for sustained economic and social development; and as “a catalyst for new forms of friendship and cooperation with all [nations], in the spirit of the Charter of the United Nations” (quoted in Uhomoibhi, 2008: 238-239).

association” (Uhomoibhi, 2008: 240).⁸⁰ At the meeting of CMAG, held in 23 April 1996, the organisation recommended measures to force the Nigerian government to change their heavy-handed ways. These recommendations include:

Visa restrictions on and denial of educational facilities to members of the Nigerian regime and their families, withdrawal of military attachés and cessation of military training, an embargo on the export of arms, a visa-based ban on sporting contacts, and the downgrading of diplomatic and cultural links (Human Rights Watch, 1999).

It was also recommended that a ban on air links and additional economic measures, including freezing the financial assets and bank accounts in foreign countries of members of the regime and their families, should be considered in consultation with the E.U., U.S. and other members of the international community (Human Rights Watch, 1999; Uhomoibhi, 2008: 240).

However, the above recommendations by CMAG fell largely on deaf ears. During the four years of Nigeria’s suspension from the Commonwealth, two dialogues were held in London and Abuja between CMAG and the Nigerian government. The chair of CMAG, Stanley Mudenge, Zimbabwe’s Foreign Minister at the time, visited Nigeria once to monitor developments in the country. However, “neither the dialogues nor the threats of sanctions against Nigeria approved by CMAG in 1996... had any positive effect on Nigeria-Commonwealth relations during this period” (Uhomoibhi, 2008: 240).⁸¹ Quite aside, following sustained international furore over the extra-judicial executions, “the EU tightened its arms embargo on the Nigerian regime, froze aid and extended visa restrictions to all Nigerian government officials” (Okonta, 2008a: 124). Former South African President Mandela backed calls for a regional summit to discuss punitive measures against the Nigerian junta, and to sanction Shell for not doing enough “to show its outrage about what was happening in Nigeria” (quoted in Mathews, 1995). But the EU refused to back calls for suspension of Shell’s planned investment of £2.4 billion in the LNG project. Brussels also rejected the suggestion, by Germany and Sweden, that an oil embargo be imposed on Nigeria, arguing that member countries of the EU

⁸⁰ See, Commonwealth Ministerial Action Group retreat, Millbrook, New Zealand, November 1995.

⁸¹ Improvements in relations only occurred after the sudden death of General Sani Abacha in June 1998 and the assumption of office by General Abdusalaam Abubakar. The latter paved the way for a *rapprochement* between Nigeria and the Commonwealth, through his successful conduct of a transition process that ushered in democratic rule in Nigeria in May 1999. In the words of Emeka Anyaoku, the Nigerian Commonwealth secretary-general: “The memorable day, 29th May, marked Nigeria’s full resumption of Commonwealth membership, to the enthusiastic acclaim of all its members. It closes an unhappy chapter when the Commonwealth was forced to act against the Abacha regime for its serious violations of Commonwealth fundamental principles” (see, “Nigeria regains full membership in the Commonwealth,” Commonwealth News Release, 1999, issued by the Information and Public Affairs Division, Commonwealth Secretariat, Marlborough House, London, 1 June, 1999. See also Emeka Anyaoku, 2004, “The Nigerian Crisis,” in *The Inside Story of the Modern Commonwealth* (London, Nairobi and Ibadan: Evans Brothers, pp.161-182).

imported only 30 per cent of Nigeria's oil and that the Europeans would need to discuss tougher measures with their partners, including the United States (Mathews, 1995). However, what the U.S. and the European community did do, by way of a response to the brutal execution, was to withdraw their ambassadors from Nigeria in a show of anger (Ekineh, 1997: 270). The action gladdened many Human Rights Activists around the world, albeit the withdrawal was only *pro tem*.

By the time the Commonwealth reconvened in September 1997, the industrialised countries, led by Britain, had toned down their harsh rhetoric against the Abacha regime, and were back to doing business with General Abacha. U.S. president Bill Clinton followed suit six months later when, during his tour of Africa in March 1998, he announced in Johannesburg (South Africa) that his government would not object if General Abacha ran for president as a 'civilian' (Clinton's aides later corrected this gaffe). But "the Abacha junta had neither improved its human rights record nor moved Nigeria any closer to democracy: the two benchmarks that the Commonwealth heads of government had agreed would be used [as a yardstick] to determine the country's fate in September 1997" (Okonta, 2008a: 124-125). Indeed, a profitable trade still existed between Western governments and the Abacha regime, while lip service was paid to the concerns raised by MOSOP and the increasing number of international environmental and anti-globalisation groups. By September 1997, Abacha was still firmly in power and was supported by a close group of collaborating elites at local, state and national levels.

The U.N. also responded to the execution of the Ogoni '9'. Its General Assembly adopted Resolution 50/199 on the precarious situation of human rights records in Nigeria on 22 December 1995. The gross violation of human rights by the Nigerian junta was strongly condemned by the international body and it recommended members of the body to impose individual sanctions on Nigeria (Ojatorotu, 2008: 218). The United Nations Secretary General sent a fact-finding mission to Nigeria in April 1996 for an on-the-spot investigation and it recommended, *inter alia*, that the Nigerian government establish "a panel of eminent jurists to consider financial compensation for the relatives of those hanged, and that a committee chaired by a retired judge and including representatives of the Ogoni and other minority communities make recommendation in connection with the economic and social conditions in those communities" (Ojatorotu, 2008a: 218).

Beyond the fact-finding mission, the U.N. Commission on Human Rights appointed a Special Rapporteur Commission—headed by Indian Attorney General Soli Jehangir Sorabjee—to assess the situation of human rights in Nigeria. However, the Nigerian government strictly opposed the commission's activities in Nigeria but they were able to

submit their reports based on the facts that they gathered outside Nigeria, that “the Nigerian legal system does not currently provide effective protection of human rights,” and that “the rule of law does not prevail in Nigeria,” as well as detailing a range of specific abuses (Ojakorotu, 2008: 218). Further, the reports confirmed that

- (a) the Government has failed to address the plight of the Ogoni people and to protect their human rights;
- (b) the recommendation of the Secretary-General’s fact-finding mission concerning the appointment of a committee for introducing improvement in the socioeconomic conditions of minority communities has been ignored (Ojakorotu, 2008: 218).

The reports concluded its findings by insisting that environmental contamination led by Shell has not received the required attention and that the Nigerian government has not paid sufficient attention to the development and environmental issues in the volatile region. In no different fashion, the United Nations Committee on Economic, Social and Cultural Rights in May 1998 “note[d] with alarm the extent of the devastation that oil exploration has done the environment and quality of life in the areas such as Ogoniland where oil has been discovered and extracted without due regard to the health and well-being of the people and their environment” (quoted in Human Rights Watch, 1999). Further, the reports asserted that “the rights of minority and ethnic communities—including the Ogoni people—should be respected and full redress should be provided for the violations of the rights set forth in the Covenant that they have suffered” (Human Rights Watch, 1999).

Importantly, many Human Rights and pro-democracy organisations also condemned the execution and demonstrated against the brutality by the Nigerian military. Notable among these organisations were “Anita Boddick’s Body Shop organisation, Amnesty International, The Greenpeace Movement and World Council of Churches (WCC) and Writer’s organisations” (Ekineh, 1997: 271). In January 1997, as a follow-up, the WCC published a report of the situation up-to-date in Ogoni, and it accused the military in Nigeria of “widespread oppression in oil-rich Ogoniland.” It also accused Shell “of causing environmental devastation in the region” (Ekineh, 1997: 271). Further, the report stated that

a quiet state of siege, even today (January 1997) on Ogoniland... intimidation, rape, arrests, torture, shooting and looting by soldiers continue to occur... it is no wonder why Shell has been the target of international sanction. Its environmental record in Ogoniland and other minority oil producing areas is distasteful (quoted in Ekineh, 1997: 271).

In spite of the international outrage over the extra-judicial killings, “the military junta did nothing to remedy the situation. Instead, they tried to mollify foreign governments and businesses with sweeteners of some sort” (Ekineh, 1997: 271). In its insensitivity to the Ogoni quest for citizenship and its rewards, and scheming with self-serving Western governments to sustain the political marginalisation of a constituent part of Nigeria, the Abacha regime had placed the legitimacy of the state, and indeed its sustainability, in question. Indeed, by reproducing the heavy-handed regime of political authoritarianism and material scarcity that colonial rulers had foisted on the ‘natives,’ “Nigeria’s governing elite created a congenial atmosphere for Shell and other multinational oil companies in the Niger Delta, which were thus freed from the checks and constraints to which an active and empowered citizenry could have subjected them” (Okonta, 2008a: 125).

It is important to note that the struggle of the ethnic minority groups in the 1990s witnessed a severe blow hard-on-the-heel of the death of Ken Saro-Wiwa, as this event scaled down the impact of international support for local resistance. Saro-Wiwa had personified the struggle and now he was no more. Most importantly, the division that his death caused bedazzled the international community and reduced its support for the struggle of MOSOP and other ethnic groups in the region. Besides, since the Nigerian state was undemocratic until mid 1999, the INGOs were forced to hold dialogue with the military. Unfortunately, a highly structured and commandist behemoth, practically unaccountable to the people, always prevaricated on the human rights issues which were prevalent in the Niger Delta.

5.3 The Globalisation of Local Resistance

Conceptually, ‘globalisation’ has been described as “a multicentric, multiscalar, multitemporal, multiform, and multicausal process” (Jessop, 2002: 97). The above description captures globalization’s polymorphous character—it means too many things in too many contexts. Perhaps, the term is best captured dialectically in the context of “growing trans-global enmeshment and interdependence among actions, organizations and institutions within different functional systems and the lifeworld that lies beyond them” (Jessop, 2002: 97). According to José Antonio Alonso (2001: 86), “globalisation represents a new era in the world system, one that is characterised by the dislocation of national economies and nation-states, and their re-composition on the basis of global relations, in accordance with what the market demands.” James Beckford (2003) has noted some of the basic contours of globalisation:

1. The growing frequency, volume and interrelatedness of cultures, commodities, information, and peoples across both time and space

2. The increasing capacity of information technologies to reduce and compress time and space (giving rise to notions such as the global village)
3. The diffusion of routine practices and protocols for processing global flows of information, money, commodities and people.
4. The emergence of institutions and social movements to promote, regulate, oversee or reject globalisation.
5. The emergence of new types of global consciousness or ideologies of globalism that gives some expression to this social interconnectedness such as cosmopolitanism (Beckford, 2003: 19).

Globalisation has evident implications for local politics. Obi (2009a: 469) argues that “in its drive to totalise the hegemony of global capital over society, globalisation integrates or subordinates other viable social systems, and drains democracy of politics, reducing it to the managerial enterprise for running the ‘new’ market society.” Subsequently, resistance politics becomes the hiding place for those who are excluded by capitalist social relations, and who seek to oppose the homogenizing agenda of globalisation. Depending on the specificities of each moment, the balance of social forces, and the organisational capacity of local social movements, these movements seek forcefully to reduce the inequities embedded in the imperatives of global accumulation. Crucially, the globalisation of local resistance derives from the various transnational networks used by local movements to gain access to the global stage in order to “voice their grievances, gain attention, and win international support for their struggles against the excesses of global-national actors embedded in their locale” (Obi, 2009b: 475).

The local struggle to gain access to the international arena rests largely on the shoulders of transnational social movements. According to Boli *et al.* (2001: 393), transnational social movements are the “Heroic Redeemers” of oppressed local communities. These transnational social movements are “impelled by considerations of equality, justice, liberty, autonomy, self-actualization, empowerment, cultural authenticity, and many other watchwords anchored in the global moral order” (Boli *et al.* 2001: 393). In short, according to Peter Willetts (1996), transnational social movements constitute the “conscience of the world.” Appreciably, the Niger Delta struggle was fundamentally framed by the social movements of the Niger Delta “in global discourses of social justice and human/environmental rights: self-determination and resource (oil) control” (Obi, 2009b: 475). The popular belief was that self-determination will provide them with the space and access to power that would enable them to reassert control over the highly prized oil resources of their communities, as well as force the oil multinationals to recognize and respect their rights. The human rights struggles in the Niger Delta revolved largely around exposing wanton rights violations by the state and the oil multinationals and on appeals to the international community for support in securing redress. Many of these struggles took the form of “popular protests, the

making of demands or declarations, or the presentation of bills of rights to the Nigerian government and the oil multinationals.” Prime examples of these include the Ogoni Bill of Rights (1990), Addendum to the Ogoni Bill of Rights (1991), the Aklaka Declarations of the Egi People, the Ogba Charter, the Isoko Youth Charter, the Oron Bill of Rights, the Warri Accord, and the Kaiama Declaration (1998) of the Ijaw ethnic minority group.

In 2000, the Niger Delta Congress – a coalition of oil minorities’ movements – sent the Niger Delta Bill of Rights to the U.N. Organisations like the Niger Delta Women for Justice (NDWJ) and the Environmental Rights Action/Friends of the Earth Nigeria (ERA/FoEN) have campaigned vigorously over the years against human rights violations by the Nigerian military and repeated oil spills by oil multinationals in the Niger Delta from the 1990s to the present. In the 1990s, challenges to transnational corporations on their socio-environmental record accelerated in pace with economic globalisation. As Boele *et al.* (2001: 122-123) notes:

Indigenous people, local communities, non-governmental organizations (NGOs), ethical investors, consumers and the general public started to question the behaviours of corporations and the economic paradigm they represented. Social movements, equally globalised and often using new global communication tools, identified these issues and repatriated them to the home countries of Transnational Corporations (TNCs).

The Ogoni resistance, in particular, was emblematic of how a transnational corporation’s unwillingness to recognize the emergence of powerful new forces in civil society on a global scale, and to adjust its corporate strategy to manage stakeholder interest, ultimately led to tragedy, eroded its image and social capital, and threatened its long-term profitability. Given the strategic importance of the Niger Delta, it was to be expected that the Ogoni resistance would capture the attention of industrialized countries whose leaders, in collaboration with Shell, would seek out local allies to mediate in the crisis and ensure that their interests were protected, and where possible, further enhanced (Okonta, 2008). The high level of articulation of the Ogoni situation in various position papers, speeches and interviews by MOSOP leaders, as well as the internationalisation of the Ogoni plight, turned MOSOP into the poster child of the struggle against the marginalisation, deprivation and dispossession of the oil-producing communities in the Niger Delta.

5.4 How MOSOP Engaged the International Community

It is important to recap that globalisation of capital has played a key role in the conflict between Shell and the Ogoni people of the Niger Delta. Shell is positioned at the hub of the “global structure of material accumulation which simultaneously concentrates wealth

and energy in certain locales” (Saurin, 1996: 42). The phenomenon of globalism had effectively excluded and marginalised the Ogoni community. Given this context, it is not surprising that local resistance occurred, because “it is clear that the very existence of the Ogoni came under serious threat. Their environment has been destroyed; their health endangered; they lost many of their sources of livelihood; they lack basic infrastructure; and they are subjected to brutal repression from both the multinationals and the government” (Isike *et al.* 2007: 32-33). To make matters worse, the Ogoni were deprived of their treasured land since it has been incorporated into globalised capitalist endeavours (Giddens, 1999: 18). This appears to reinforce the view that capitalist relations—with its individualism and materialism features—serves to exclude people who previously had communal attachments to factors of production like land, as was the case in pre-colonial Nigeria. Mabogunje (1999: 13-14) argues that “a price-setting and self-regulating market for land, labour, capital and entrepreneurship provides the most important integrative mechanism for a capitalist economy and for a capitalist society,” which he opines was used to incorporate Nigeria into the internationalist capitalist economy to achieve the “ultimate purpose of the colonisation of Nigeria.”

The setting up of the MOSOP became the frontier for the struggle not only in Ogoniland but also throughout the Niger Delta. Interestingly, its activities provided a reference point for many other similar demands across the country. According to Isike *et al.* (2007: 33), “The Ogoni struggle exemplifies the nature and objectives of the crisis and local resistance in the Niger Delta region. It is an ethnic struggle championed by MOSOP to protect the political, cultural, and socio-economic interests of the Ogoni ethnic group, and this pattern has begun to resonate throughout the region.” Further, Isike *et al.* (2007: 33) contends that “the insensitivity of the oil companies and the Nigerian state to the plight of the Ogoni, the urge for local autonomy or limited self-determination within the Nigerian federation, and the global support for environmental issues, human rights and democracy all combine to underscore the formation of MOSOP and its activism in the 1990s” (Isike *et al.* 2007: 33; Miller, 1995: 1-13). Claude Welch (1995: 635) lucidly captured the frustration of the Ogoni when he writes:

The Ogoni live atop some of the richest real estate in Africa... few Ogoni benefit from jobs, developments or amenities in the oil industry. Instead, they suffer environmental degradation that has polluted streams and fresh water sources, poisoned land through spills and blowouts and created an atmosphere fouled by decades of flaring natural gas.

The transnational nature of the Niger Delta conflict is partly a result of world publicity and efforts of renowned environmentalist and writer, Ken Saro-Wiwa. He drew the

attention of the world community to the plight of the Niger Delta; this paved the way for the region's entrance into the human rights debate and policy agenda of a large movement of NGOs and INGOs. It must be noted that modern information technology had a pivotal role to play in the internationalisation of the Niger Delta conflict. Quite aside, the involvement of INGOs was a sequel to the globalisation of the international system hard-on-the-heels of the collapse of the former Soviet Union. The intervention of these bodies has helped to exert some pressure on the oil companies and the Nigerian state. Isike *et al.* (2007: 37) argues that "by extending the Niger Delta human rights issues beyond Nigeria's borders to international organisations, international conferences, and the domestic politics of many influential countries, the alliances between INGOs and the NGOs, CBOs and social movements have greatly facilitated the globalisation of the struggle."

Under the dynamic leadership of Saro-Wiwa, MOSOP became the earliest minority resistance groups in the Niger Delta to tap successfully into "the dynamics of transnational support networks" (Bob, 2001: 312; Obi, 2009: 475). In its influential 1990 Ogoni Bill of Rights, MOSOP appealed to the international community to:

- a. Prevail on the American Government to stop buying Nigerian oil. It is stolen property.
- b. Prevail on Shell and Chevron to stop flaring gas in Ogoni.
- c. Prevail on the Federal Government of Nigeria to honour the rights of the Ogoni people to self-determination and AUTONOMY.
- d. Prevail on the Federal Government of Nigeria to pay all royalties and mining rents collected on oil mined from Ogoni since 1958.
- e. Prevail on the World Bank and the International Monetary Fund to stop giving loans to the Federal Government of Nigeria; all loans which depend for their repayment on the exploitation of Ogoni oil resources.
- f. Send urgent medical and other aid to the Ogoni people.
- g. Prevail on the United Nations, the Organisation of African Unity and the Commonwealth of Nations to either get the Federal Government of Nigeria to obey the rules and mores of these organisations, face sanctions or be expelled from them.
- h. Prevail on European and American Governments to stop giving aid and credit to the Federal Government of Nigeria as aid and credit only go to encourage the further dehumanization of the Ogoni people.
- i. Prevail on European and American Governments to grant political refugee status to all Ogoni people seeking protection from the political persecution and genocide at the hands of the Federal Government of Nigeria.
- j. Prevail on Shell and Chevron to pay compensation to the Ogoni People for ruining the Ogoni environment and the health of Ogoni men, women and children (OBR, 1990: 8, see appendix 1).

The strategies used by the MOSOP to globalize local resistance have been extensively explored and documented (Bob, 2001; Carr *et al.* 2001). Lobbying was a key strategy deployed by MOSOP to conduct its struggles. In this regard, the movement's activities entailed petitioning international organisations and foreign governments over the decimation of the Niger Delta ecosystem by multinational companies through their oil activities as well as the infraction on human rights by security forces. Crucially, lobbying extended beyond the personal level to the organisational level. Ken Saro-Wiwa's attendance at international conferences focusing on environmental rights issues afforded him the opportunity to meet and interact with rights activists as well as the international media in an attempt to sway international public opinion in favour of the beleaguered people of the Niger Delta. The import of such lobby was to influence the international community to exert pressure on the MNOCs to change their harsh policies and attitudes towards the crisis in the Niger Delta and the plight of people.

Saro-Wiwa's efforts in this regard were underscored by certain factors as attested to in his personal reminiscences. According to Saro-Wiwa:

Three events... encouraged [me] to... place the issue before the world: the end of the Cold War, the increasing attention being paid to the global environment, and the insistence of the European Community that minority rights be respected, albeit in the successor states to the Soviet Union and in Yugoslavia. What remain[ed] to be seen [was] whether Europe and America [would] apply in Nigeria the same standards which they have applied in Eastern Europe (Saro-Wiwa, 1992).

The global minority and human rights movements gave a welcomed fillip to the Ogoni cause by facilitating access to the global NGOs, transnational institutions, and media platforms and exposed their struggles to worldwide acknowledgement, including awards from prominent human rights bodies. On the other hand, they provided the medium for exposing the rights violations perpetrated by the oil multinationals and thereby called into question the reputation of the latter in Europe and North America (Fleshman, 2000: 181). Organisations like Human Rights Watch and Amnesty International promoted the MOSOP cause and are still very much involved in publishing reports about the poor state of human rights and inept governance in the Niger Delta region. In this way, these organisations have contributed towards the re-setting of the international agenda by forcing their concerns into the mix of issues and by insisting that "the international community has a collective and humanitarian responsibility to ensure that rights-abusing governments and multinational companies must be called into account for their behaviour towards fellow global citizens" (Isike *et al.* 2007: 37). In a study of transnational linkages in global support networks, Bob (2001: 317) attributes the

success of MOSOP to “direct lobbying of transnational NGO’s,” and “networking by the movement’s leaders at international conferences.”

It is instructive to note that MOSOP’s initial framing of its conflict around ethnic minority rights “left most of MOSOP’s initial contacts unmoved” until it strategically “reframed its grievances to highlight environmental problems caused by a Shell subsidiary,” and demonstrated its capacity for mass mobilization and grassroots legitimacy (Okonta, 2008b). These latter actions attracted the likes of Greenpeace, Sierra Club, and Friends of the Earth to rally around the Ogoni cause (Bob, 2001: 319). Some credit for the transnationalisation of the MOSOP struggle is attributed to the feisty Ogoni writer Ken Saro-Wiwa, who played a pivotal role in the strategy for “issue framing,” “networking,” using the global media to promote the Ogoni cause and using his resources and international contacts to maximum advantage (Bob, 2001: 319-321). Saro-Wiwa exposed the plight of the Ogoni to the United Nations Minorities Council, “calling for the recognition of the Ogoni people as one of the world’s endangered minorities” (Soyinka, 1996: 4). MOSOP also used the Internet, TV documentaries, publications, and public lectures to advance its cause.

Importantly, the activities of such trans-boundary allies, which centered on the global rights discourses, left a major dent on the image of oil multinationals in their home countries. Their activities included demonstrations, sit-ins, and consumer boycotts of Shell products, especially after the outrage caused by the hanging of nine Ogoni environmental rights activists in November 1995. In the same manner, the picketing of Shell offices and stations worldwide as well as a steady stream of complaints in the form of emails, faxes, and letters from all parts of the world placed Shell on the defensive, even if on some occasions it admitted its shortcomings. The same pressure from consumers and campaigners exerted pressure on Shell to admit that its environmental policies were a sham (Carr *et al.* 2001: 151-161). Among the INGOs that threw their weight behind the Ogoni cause included: Gaia Foundation, Body Shop, Human Rights Watch, Greenpeace, Friends of the Earth, Amnesty International, Pen International, and the Unrepresented Nations and Peoples Organization (UNPO). MOSOP and other local movements in the Niger Delta established branches in Europe, the USA, and Canada, from where they coordinated their global struggle (Obi, 2009: 476).

In particular, following a meeting with MOSOP delegates at a United Nations (UN) conference on indigenous peoples in Vienna, Austria, in July 1993, the Roddicks—then owners of The Body Shop⁸²—had developed a close networking relationship with

⁸² The Body Shop is a cosmetic chain with shops in major European and American cities specialising in ‘organic’ and ‘environmentally friendly’ beauty products. The Body Shop had been campaigning to

Saro-Wiwa and the movement he championed. The Body Shop was to establish the Ogoni Foundation in London in early 1995 in response to the human rights abuses in the Niger Delta. Albeit with varying degrees of success, the transnationalisation of local resistance hurt corporate oil interests, forcing them to respond to allegations that they are not meeting international health, safety and environmental standards and they are guilty of collusion with Nigeria's dictatorial state to violate the rights of the Niger Delta oil minorities. On a more critical note, the Ogoni struggle throws into bold relief the limitations of the "one issue" campaign of some of these international social movements that take on the cause of the "local people" (Okonta 2008b: 265). In particular, Okonta (2008a: 125-126) notes:

The Body Shop and Greenpeace – two leading international actors that took on Shell's dismal social and environmental performance in Ogoni – constructed and imposed a hegemonic 'civil society' discourse on an otherwise complex political problem that could have been better served by a more nuanced, balanced and realistic approach, informed by the specificity and historicity of the case.

Besides, as MOSOP and the Ogoni discovered after the tragic hanging of the 'Ogoni nine,' support from transnational advocacy networks that lack the necessary wherewithal and occupy the lower end of hegemonic global power relations is not sufficient to grant the forces of local resistance decisive victory (Obi, 2009: 477). In response to the protests and trenchant criticisms of MOSOP and other transnational advocacy groups, the oil multinationals framed their responses in the language of public relations and damage control (Obi, 2009b: 476). In particular, officials of Shell Nigeria and its parent body, Royal Dutch/Shell, met in the offices of Shell International Petroleum Company (SIPC) in Waterloo, London on 15 and 16 February 1993—five weeks after the Ogoni had organised a successful National Day march to protest the company's continuing devastating policies on their land—to discuss the Ogoni agony. Okonta (2008a: 270) contends that Shell in response to the criticism sought to protect its reputation by promising an environment-friendly approach to its operation in the Niger Delta. Shell's effort was also backed by a \$16 million advertising campaign.

While Shell took the trajectory of corporate image damage control measures, for its part, the Nigerian state combined greater state repression of the Ogoni with the use of foreign public relations (PR) consultants and lobbying firms to pass off MOSOP leaders to foreign governments and international organizations as self-serving agitators bent on destabilizing the country and disrupting the political economy. As Okonta (2008a: 126) comments, "the Nigerian junta hired nine American-based public relations and lobbying firms some of which had made their name laundering the image of dictatorships in such

highlight the travails of social groups that they described as "indigenous peoples" in South America for several years. The Roddicks were seeking to expand their campaign to Africa.

diverse countries as Burma and Iraq, to wage a disinformation campaign in the *New York Times* and the *Washington Post*.” Also, members of the Ogoni elite opposed to the Saro-Wiwa led faction of MOSOP were pressed into service to travel abroad to testify to the depredations of the Saro-Wiwa led group within MOSOP. As Obi (2009b: 476) contends, “just as MOSOP transnationalised its protest, the response by the Nigerian state also included the transnationalisation of the defence of its actions against the MOSOP-led resistance.” The Nigerian state also got some support from the MNOOC’s that had considerable influence with their home governments.

During the February 1993 meeting in London, Shell officials were able to recognize that the company would still be under pressure no matter what it did to improve public relations, until “the communities feel that their case is been heard and that real benefits start to flow from the 3 per cent Committee (the Oil Minerals Producing Areas Development Commission [OMPADEC])” (Okonta, 2008a: 127). In their public presentation of the Ogoni issue, however, Shell was eager to depict MOSOP as a “terrorist” organisation that was waging a violent war against the Nigerian state, and to legitimize its own business interests in Ogoni (Shell Petroleum Development Company [SPDC], *The Ogoni Issue*, 1995). The oil juggernaut also made efforts to explain away the issue of environmental crisis in the area and the extent of Shell’s involvement therein (an estimated 40 per cent of Shell’s oil spills occur in Nigeria, though it operates in over 100 countries) (Greenpeace International, 1994). Efforts were further made to pit the Nigerian government against MOSOP by alleging that the organisation’s leaders were pursuing a secessionist agenda. Saro-Wiwa, some officials purported, was cynically using the corporation to internationalise a campaign that was fundamentally ‘political’ (Greenpeace International, 1994).

The Body Shop campaign rested squarely on two planks: (1) widespread human rights collaboration of the Nigerian government; and (2) the horrific suffering endured by an ‘indigenous’ people in Africa at the hands of unscrupulous international oil interests (Okonta, 2008a: 127). Framed in this hegemonic narrative, the Ogoni issue was of necessity the only story in the Niger Delta, since to focus on the travails of other local communities in the area, who had similar complaints against Shell and other Western oil companies, could call into question the validity of the “indigenous” trope (Okonta, 2008a: 127). Unlike The Body Shop, the Greenpeace environmental group, in its Ogoni campaign, paid significant attention to the historicity of the Ogoni story, drawing attention to the coercive way in which the Ogoni had been co-opted into colonial Nigeria in the first decade of the twentieth century (van Gelder and Moerkamp, 1994: 40). Importantly, Greenpeace campaigners focused their energies on the environmental catastrophe in the Niger Delta and the irresponsibility of Shell in this regard. In a

November 1995 Greenpeace Netherlands report, attention was drawn to several *modus operandi* or codes of behaviour for multinational companies that it accused Shell of observing only in the breach (van Gelder and Moerkamp, 1994: 40).

Significantly, the Body Shop and Greenpeace's campaigns increased the world publicity of the Ogoni struggle, forcing Shell to defend itself through full-page advertisements in major newspapers in Britain, the Netherlands and the United States. But ultimately, despite The Body Shop's controversial claim on its website that, since the end of military rule in Nigeria in 1999, the company (in alliance with the Ogoni) had been able to achieve "a sustainable local environment and appropriate development for the people of the Niger Delta," these aspirations remain unrealised in the area (www.the-body-shop.com/global). Perhaps, "it is unfair to expect too much of international groups like The Body Shop and Greenpeace, with limited financial and human resources, and with no army of their own capable of intervening in Nigeria to resolve the Ogoni crisis" (Okonta, 2008a: 128). It is important to note, *en passant*, that some local groupings have joined the internationalisation campaign in the Niger Delta due largely to greed and their perceived need to position themselves for potential windfalls from activist activities.

The attempts by Ken Saro-Wiwa to seek the support of the international community can be said to have yielded some dividends for the Ogoni people. In 1992, the chair of the British Parliamentary Human Rights Group at the time, Lord Avebury, was in the vanguard of an attempt to get Shell to look into the complaints of the MOSOP leaders. Similarly, the Congressional Human Rights Caucus of the US House of Representatives had also petitioned the military leadership of General Abacha in May 1994, condemning its use of armed troops to quell dissenting voices among MOSOP (MOSOP, 1994: 13). The Influential Geneva-based World Council of Churches had thrown its weight financially behind MOSOP and sent an observer mission to Ogoniland. So too had the UN Human Rights Commission. In addition, International human rights organisations such as Human Rights Watch/Africa and Amnesty International played worth mentioning roles in internationalising the Ogoni struggle. Amnesty International had adopted Saro-Wiwa as a "Prisoner of Conscience" following his detention in the wake of Giokoo. The MOSOP leader was also among the three recipients of the Right Livelihood Award—described in some countries as the "alternative Nobel Prize"—in 1994 (Birnbaum, 1995). The internationalisation of the crisis has also helped in persuading both the Nigerian government and oil multinationals to moderate (at least somewhat) their high-handed approach to the crisis. Despite lingering problems, the general direction of the state and oil multinationals' approach has been based on a

human security perspective. To some extent, this perspective has helped to reduce repression and exploitation in the Niger Delta.

Although modest, the internationalisation of the Niger Delta crisis brought about some positive outcomes. These include: (1) an increase in government's allocation of funds for community development in the Niger Delta, (2) the establishment of the OMPADEC in 1992, and (3) Shell's incorporation of human rights in its operating principles—these principles informed its commissioning of the Niger Delta Environmental Survey in 1995 (Isike *et al.* 2007: 39). Beyond this, there was also the recognition of the human rights component of the Niger Delta conflict by General Abubakar, Abacha's successor, in 1998. While President Obasanjo's administration can be criticised (rightfully so) for violating human rights in the Niger Delta (as the Odi massacre corroborates), since 1999, the regime has also made some efforts to respond to the human security aspects of the crisis. For example, one of the first Bills it sponsored was the Niger Delta Development Commission (NDDC) Bill, which eventually established the body in 2000 and set up various committees to diagnose and recommend solutions on root causes of the conflict (Isike *et al.* 2007: 39). Government has also implemented the constitutional provision of paying 13 per cent derivation funds to Niger Delta states for community development—albeit the Niger Deltans are still unhappy with the upward review.

Compared to the pre-internationalisation period, one can argue that there have been some positive developments as a result of the internalisation campaign of MOSOP. Whatever the merits of these interventions, the reality in the Niger Delta remains highly unpalatable. For the vast majority of the Niger Deltans, living conditions remain unbearable and the causal factors of these insupportable conditions remain substantively unchanged (Isike *et al.* 2007). In the end, Okonta (2008: 133) argues that the international community failed MOSOP and the Ogoni on the two issues that mattered most: (1) prevailing on the Nigerian government to honour the rights of the Ogoni people to self-determination and autonomy; and (2) saving their leader's life when he sent out a desperate last SOS (Save Our Souls) plea to Commonwealth leaders in November 1995. In 2011, the Ogoni people are still enmeshed in a complex cocktail of authoritarianism, poverty, and spiralling violence.

The slowness or seeming imperviousness of successive Nigerian political and economic leaders to tackle the “national question”—seen by Osaghae (1995: 325) as dissatisfaction with the structure of power-sharing and resource allocation, and how the federation might be restructured “in a manner acceptable to the constituent sections”—is driven by the rentier mentality of the Nigerian state. Today, as ever before, the Ogoni demands for self-representation in key organs of policymaking in the Nigerian federation, and for a share of the oil receipts from their land, present the current

Goodluck Jonathan-led administration with a window of opportunity “to reinvent the social basis of the state; to include marginalised social and interest groups in a new drive towards democracy and development; and to deploy the dynamism, creativity and material productivity of an engaged citizenry” (Okonta, 2008: 134). As this paper argues in its concluding section, a consociational democratic arrangement, among other policy options, is a useful starting point for cleaning-up the inequities embedded in the Nigerian federal system.

5.5 How MEND Engaged the International Community: The Militarization of Local Resistance?

Following the eclipse of MOSOP and Nigeria’s return to democratic governance in 1999, it fell to MEND to develop a new strategy for engaging the international community with regards to the plight of the Niger Delta people. MEND’s strategy took a new form of the militarization of local resistance. The emergence and operations of MEND has negatively affected the global access to the oil in the Niger Delta, necessitating the securitisation of oil commerce in the context of the “global” energy interests of the world’s powers, spearheaded by the U.S. MEND’s emergence as a social force in the Niger Delta may be placed between late 2005 and early 2006. The organisation first made the headlines when it successfully attacked the EA oil field off the coast of the Niger Delta on 11 January 2006, and followed this with impressive attacks on Shell oil installations and contractors, and abducted some expatriate oil workers (Obi, 2008: 423). The origins of MEND can be traced to the Ijaw ethnic minority group that is dispersed across the coastal states of the Niger Delta. As Obi (2008: 424) comments, “MEND is a decentralized broad pan-Delta alliance of Ijaw resistance groups in the Niger Delta whose [overriding aim] is to wrest control over the oil produced in the Niger Delta from the state-transnational oil alliance, which it has targeted for attack.”

MEND have carried out disturbing attacks on oil installations, openly exchanged bullets with the Nigerian military force, and kidnapped many foreign oil workers. Unlike MOSOP, MEND’s leaders are unknown, as it communicates with the outside world through the means of a dedicated email address, with all its press releases signed by an unknown Gbomo Jomo. While MOSOP had taken to networking with transnational advocacy groups, the leadership of MEND have preferred to use the media to reach the international audience. The attacks of MEND have featured prominently in global media, and in some cases, the group has given information prior to attacks, possibly to demonstrate the inability of Nigerian security forces to stop either its attacks or sabotage of oil installations. MEND has drawn the eyes of the international community to the Ijaw plight through the taking hostage of foreign oil workers and the consequent

demand for ransom (Obi, 2009: 122). The UN Office for Coordination of Humanitarian Affairs documents that in January 2007 alone, “at least 50 foreigners were taken hostage, two of whom were killed. That compares to a total of around 70 foreigners snatched in the whole of 2006” (IRINnews, 2007).

The use of emails, photographs, and hostage-taking by MEND is a stratagem geared at focusing “the attention of Western governments and the world’s media on the Niger Delta, exploiting the blaze of publicity generated by hostage-taking to press their grievances and demands” (Junger, 2007). In particular, MEND has gained most attention globally by its threats to “cripple the Nigerian oil exports” (IRIN, 2006). Among the other strategies used by MEND to internationalise its plight includes the creative use of the Internet to send information to its supporters abroad and “effective dissemination of information and images of captives and well-armed fighters in real time” (Obi, 2009: 478). One theme that MEND often seeks to project is its capacity to hurt the economic interests of the state-global oil alliance and leave a solid dent on the transnational production of oil from the Niger Delta.

In response to the criminal attacks of MEND, the Nigerian state-transnational oil alliance has often walked the path of militarisation and securitisation of the Niger Delta. Three major considerations merit our attention. The first point is that the Nigerian government have tended to perfunctorily dismiss MEND as an opportunistic criminal group. The second point is that the post-9/11 global war on terror has tended to provide the background for the “labelling” of MEND as a “terrorist organisation with possible links to the other transnational terrorist groups targeting Western oil interests” (Obi, 2009). The third point concerns the risks to U.S. interests against the background of the increased profiling of West Africa in global security equations as an alternative to the volatile Arabian and Persian Gulf (Ianacone, 2007), as well as a site of increased global competition for hydrocarbons in the face of increasing demand and decreasing supply (Obi, 2009: 478). The latter informs Obi’s (2009: 478) contention that “the transnational alliance has increasingly privileged the security dimension of the extraction of oil from the Niger Delta, with local resistance now seen as a threat that has to be removed.” It is in this context that the offer of military support to the Nigerian government (in 2008) to “restore law and order” in the Niger Delta by the British Prime Minister (BBC, 2008) becomes intelligible. This was the *raison d’être* for the recently formed U.S. Africa Command (AFRICOM). AFRICOM has as part of its mandate the curbing of threats to U.S. interests on the continent, as well as enhancing the capacity of African militaries to ensure security and order within their territories (Obi, 2009: 478).

On countless occasions, MEND has been profiled by the Memorial Institute for Prevention of Terrorism (MIPT) (2006) as “an active terrorist group that uses violent

means to support the rights of the ethnic Ijaw people in the Niger Delta.” The report further notes that “led by a notoriously shadowy and secretive elite cadre, MEND’s ultimate goal is to expel foreign oil companies and Nigerians not indigenous to the Delta region from Ijawland. In the short run, the group wishes to increase local control over the money made from the exploitation of the region’s abundant natural resources” (MIPT, 2006). In its superficial focus on labelling MEND as a terrorist group that constitutes an imminent threat to Western energy interests, MIPT missed the more salient point of probing the circumstances within which MEND emerged and the content of its message(s). Okonta (2007: 7-11) provides a more nuanced view when he locates the emergence of MEND within “the lethal cocktail of economic deprivation, military dictatorship and worsening environmental crisis” in the Niger Delta, and its tapping into “the fifty year Ijaw quest for social and environmental justice in the Niger Delta.” Beyond this, while MEND has kidnapped foreign oil workers as part of resistance movement, “it has released all such hostages after a period, all unharmed, giving credence to the view that they are used to draw international attention to the injustice in the region, seen as an important aspect in globalising local resistance in the Niger Delta” (Obi, 2009: 123). MEND’s spokesperson, Jomo Gbomo, once enumerated the objectives of MEND in an interview with Brian Ross:

The Movement for the Emancipation of the Niger Delta (MEND) is an amalgam of all arm bearing groups in the Niger Delta fighting for the control of oil revenue by indigenes of the Niger Delta who have had relatively no benefits from the exploitation of our mineral resources by the Nigerian government and oil companies over the last fifty years (quoted in Obi, 2009: 123).

From the above, one can conclude—with a good degree of accuracy—that MEND’s anger is directed primarily at the Nigerian government and the oil multinationals, which, in tandem with the Oloibiri metaphor, are held culpable for decades of plunder and pollution of the oil-rich Niger Delta. Having probed the internationalisation of local resistance in the Niger Delta, with especial focus on MOSOP and MEND, the concluding chapter goes in search of solutions to the current impasse in the Niger Delta; it suggest alternative strategies for the creative, ordered and amicable management of ethnic minority problems in the Niger Delta, and Nigeria as a whole.

Chapter Six

In Search of Solutions

6.1 Introductory Remarks

After over 50 years of independence, Nigeria stands helplessly at a political crossroads as it struggles to emplace legitimate and accommodative instruments of governance. The country's cultural cleavages are not just severe and enduring; they have become its major Achilles heel. These cleavages are further exacerbated by the general sense among those who perceive themselves to be outside the corridors of power that their communities are poor and illiterate, lacking adequate social services, and without the accoutrements of development due to lack of adequate representation in government (Uzodike, *et al.* 2010: 175). This is brought into stark relief when we recall the many ethnic minority groups in the Niger Delta whose oil resources have served as cash cows for Nigeria's foreign exchange earnings for more than three decades. For such communities, "majoritarian democracy has served both to legitimize and to facilitate their political marginalisation and the associated economic exploitation, poverty and development" (Uzodike, *et al.* 2010: 175).

Spotlighting Africa, Ake (1996: 129) argues that the continent "requires somewhat more than the crude variety of liberal democracy that is being foisted on it, and even more than the impoverished democracy that prevails in the industrialised countries." Ake further avows that Africa needs a democracy that "puts as much emphasis on collective rights as it does on individual rights"—a form of democracy marked by "incorporation and *power sharing* which ensures as much participation, *inclusivity* and *representativity* as possible" (Ake, 1996: 132, emphasis added). Given the context of Nigeria's political processes and organisations as well as the severe structural segmentation of many of its ethnic groups, it seems plausible to work toward fashioning an instrument of governance that has the right ingredients for cushioning cultural cleavages while creating an enabling space within which political and economic development can blossom.

Assuming the highly contestable, albeit popular, view that democracy is the most suitable system of governance, this section proposes to revisit and offer the idea of consociational democracy⁸³ (or power-sharing) as a potentially effective long-term

⁸³The theoretical merit of consociationalism is reflected in the application of its tenets over the years in analyzing accommodation and power sharing in different countries. It has been used in the study of Austria (Powell, 1970; Luther and Muller, 1992), Lebanon (Dekmejian, 1978), Switzerland (Steiner, 1990; Lehmbruch, 1993; Linder, 1994), Belgium (Zolberg, 1977), Malaysia (Von Vorys, 1975; Zakaria, 1989),

formula for mitigating Nigeria's ethnic minority problems and the associated challenges that it poses to the country's development, especially in the oil-rich Niger Delta. The overriding position taken in this section is that the winner-takes-all format of majoritarianism is precisely why tensions have remained ubiquitous in Nigeria, despite the introduction of political liberalization and democratic politics. The section concludes by adducing some *other policy options* that may help to alleviate the simmering conflict in the Niger Delta, and Nigeria as a whole.

6.2 Consociational Democracy: A Viable Option?

In Nigeria, national integration and development involves complex and difficult choices by leaders. But because of the multiplicity of subcultures⁸⁴ and the lack of resources, those choices are often deemed to reflect sectional biases, especially by those on the losing side of the policy decision. Subsequently, policy outcomes may lead not only to a regime's loss of legitimacy in the perceptions of subordinated groups, but also may serve as primary causal basis of instability and repression. This often manifests itself in us/them perceptions within subcultures. The central aim of consociationalism is to mitigate the disadvantageous effects of majoritarian democracy on vulnerable ethnic minority groups (Suberu, 1996: 10). For the Nigerian state, this would mean that no cultural group would be excluded from the political system. The merits would be enormous. In the apt words of Rupesinghe (1987: 538):

Consociational democracy represents an alternative to what may be called a majority democracy where the individual citizen is the most important political unit, and political legitimacy is won on the basis of support for the majority of individual citizens. The starting point for a consociated model is groups, for example ethnic or religious ones. A consociated system of government means that political decisions are based on collaboration between representatives from these different groups.

The basic assumption of consociational democracy is that societal unity is possible despite diversity and cultural segmentation. Anchored on the works of proponents such as Arend Lijphart (1985) and Jurg Steiner (1974), the theory of consociational democracy pivots on a formula that seeks to brighten, rather than blighten, the

Netherlands (Daalder, 1989; Lijphart, 1969, 1989), Colombia (Dix, 1980; Hartlyn, 1988), Canada (Cannon, 1982), the former Yugoslavia (Goldman, 1985; Vasovic, 1992), and a host of other countries.

⁸⁴ Subcultures, as Robert Darl (1966: 371) has noted, "are distinctive sets of attitudes, opinions, and values that persist for relatively long periods of time in the life of a country and give individuals in a particular sub-culture a sense of identity that distinguishes them from individual from other sub-cultures." In the African environment, relative scarcities, social differences are amplified and demonized in absolutist fashion. As Claude Ake (2000: 61) notes, "the groups struggle on grimly, brutally, with little confidence in the possibility of resolving conflicts peacefully. This in turn exacerbates the problem of political instability for which Africa is deservedly notorious."

prospects for peaceful coexistence between people of different ethnic, linguistic, racial, regional, or religious subcultures within the boundaries or parameters of a state. Partisans of power-sharing assume that despite diversity and cultural cleavages, severely segmented societies can enjoy not only equal and extensive rights but also access to economic resources and power without having recourse to violence and other actions that dampen national development prospects (Lijphart, 1977). Put simply, consociational democracy advocates a broadly based coalition government.

Deduced from empirical evidence, consociational democracy seeks to explain how societies with varied subculture, like Nigeria, can establish peace and democracy. According to Lijphart (1977, 1990), consociational democracy is characterized by four basic elements:

- a. The participation of the representatives of all significant groups in the government of the country (also referred to as grand coalition)
- b. A high degree of autonomy for these groups
- c. Proportionality in resource allocation, political representation and bureaucratic appointments. Minority veto on the most vital issues (quoted in Suberu, 1996: 11; Uzodike, *et al.* 2010: 176).

Lijphart (1990: 503) has explicitly stated that “power-sharing is not complete unless all four (characteristics) are included, and it cannot work well—and certainly not optimally—if one or more are missing.” In other words:

...proportionality is especially important as a guarantee for the fair representation of ethnic minorities. But... minority veto – the fourth characteristic of power sharing – is the ultimate weapon that minorities need to protect their vital interests. Even when a minority participates in a power-executive, it may well be outvoted or overruled by the majority. This may not present a problem when only minor matters are being decided, but when a minority’s vital interest are at stake, the veto provides essential protection. The veto power clearly contains the danger that the entire power-sharing system can be undermined if one or more minorities overuse or abuse their veto power. It works best when it is not used too often and only with regard to issues of fundamental importance (Lijphart, 1990: 495).

Like any other constitutional arrangement, the consociational democracy framework will not work in situations where critical sections of the societal subcultures opt out of cooperative projects with rival groups (Uzodike *et al.* 2010: 176). Indeed, as Lijphart (1969a: 212) has articulated, the most crucial characteristic of consociational democracy rests on the “overarching cooperation at the elite level with the deliberate aim of counteracting disintegrative tendencies in the system.” Lijphart (1969a: 212) maintains that successful cooperation and harmonious living among subcultures rests on four quintessential pillars:

- a. Ability of elites to accommodate the divergent interests and demands of the subculture
- b. Ability of elites to transcend cleavages and to join in a common effort with the elites of rival subcultures
- c. Elite commitment to the maintenance of the system and to the improvement of its cohesion and stability
- d. The degree of elite understanding of the perils of political fragmentation.

Both Lijphart (1969b) and Steiner (1974) submit that the more political decisions are reached by amicable agreement in severely segmented political systems, the higher the probability that there will be low hostility between subcultural groups. Beyond this, Lijphart (1969b) acknowledges that there are particular environments which are most appropriate for consociational democracy: (1) a balance of power among groups; (2) the presence of cross-cutting cleavages; and (3) an overarching loyalty to the state. Subsequent developments of consociational theory, especially by John McGarry and Brendan O'Leary (McGarry, 2006; Mc Garry and O'Leary 2004a; 2004b; O'Leary 2005a; 2005b) have introduced an important modification. O'Leary contends that "grand coalition" (in the sense of an executive encompassing leaders of all significant parties and communities) is not a necessary criterion; rather, he demonstrates that what matters for a democratic consociation "is meaningful cross-community executive power sharing in which each significant segment is represented in the government with at least plurality levels of support within its segment" (O'Leary, 2005a: 13). For a more nuanced appreciation of the current state of consociational theory, it may be useful to examine John McGarry and Brendan O'Leary's *The Northern Ireland Conflict: Consociational Engagements* published in 2004. The arguments advanced in the stated work have also been rehearsed elsewhere (see McGarry and O'Leary, 2006a; 2006b). Crucially, these arguments are offered as a basis for a broad discussion among scholars on the merits of consociation (and other techniques of conflict settlement).

According to McGarry and O'Leary (2004b: 5), Northern Ireland and its 1998 Agreement "highlights six important weaknesses in traditional consociational theory." These include:

- (1) The neglect of external actors.
- (2) The trans-state nature of some self-determination disputes and the necessary institutional arrangements to address them.
- (3) The increasing complexity of conflict settlements in which consociational arrangements form an important element but require complementary mechanisms to deal with "the design of the police, demilitarization, the return of exiles to their homes, the management of prisoners, education reform, economic policy, and the promotion of language and other group rights" (McGarry and O'Leary, 2004b: 13).

- (4) Terminological and conceptual inaccuracies primarily associated with Lijphart's grand coalition requirement.
- (5) The merits of preferential proportional electoral systems.
- (6) The allocation of cabinet positions by means of sequential proportionality rules, for example, the d'Hondt mechanism (see Wolff, 2009: 8).

In dealing with these weaknesses, McGarry and O'Leary's observations on external actors bring consociational theory in line with an established debate in international relations on the role of third parties in conflict resolution (see, for example, contributions in Otunnu and Doyle, 1998; Walter and Snyder, 1999; Thakur and Schnable, 2001; Carment and Schnable, 2003; Weller and Wolff, 2008; Wolff and van Houten, 2008). Importantly, their exploration of the provisions in the 1998 Agreement that transcend domestic institutions and address the specific "Irish dimension" of the Northern Ireland conflict "reflects a growing awareness among scholars and practitioners of conflict resolution that many ethnic conflicts have causes and consequences beyond the boundaries of the states in which they occur and that for settlements to be durable and stable, these dimensions need addressing as well" (Wolff, 2009: 8).⁸⁵ This observation is clearly illustrated in the internationalisation of what may be properly described as local resistance in the Niger Delta region.

Perhaps, the most significant development in consociational theory subsists in McGarry and O'Leary's (2004b: 15) contention that the grand coalition requirement proffered by Lijphart is overstated, as "what makes consociations feasible and work is joint consent across the significant communities, with the emphasis on jointness." So conceived, they draw a distinction between "unanimous consociations (grand coalitions), concurrent consociations (in which the executive has majority support in each significant segment) and weak consociations (where the executive may have only a plurality level of support amongst one or more segments)" (McGarry and O'Leary's, 2004b: 15). Wolff (2009: 10-11), however, argues that the subsequent assertion that "consociations become undemocratic when elites govern with factional or lower levels of support within their segments" (McGarry and O'Leary, 2004b: 15) is not "fully convincing either theoretically or empirically." Theoretically, assuming that "support" means electoral support, "a

⁸⁵In the case of the 1998 Agreement for Northern Ireland, McGarry and O'Leary highlights three dimensions: "cross-border institutions which formalize cooperation between the Northern Ireland Executive and the Irish government (the so-called North-South Ministerial Council) and renew British-Irish inter-governmental cooperation (the British-Irish Inter-governmental Conference); the explicit recognition by the two governments of the rights to self-determination of the people in Northern Ireland and the Republic, i.e. the possibility for them to bring about, in separate referenda, a united Ireland if that is the wish of respective majorities; and new institutions of regional cooperation, incorporating the UK and Irish governments, and the executive organs of the other two devolved regions in the UK and its three dependent island territories in the Channel and the Irish Sea" (quoted in Wolff, 2009: 8).

consociation is democratic or not if its executive emerges in free and fair election, not if it fulfils certain numerical tests” (Wolff, 2009: 11). Further, Wolff (2009: 11) argues that

implicitly, what seems to be at stake is less the democratic credentials of the arrangement, but its consociational nature, especially the criterion of jointness, as jointness, more generally, implies equality and cooperation across blocs and some genuine consent among the relevant mass publics for a democratic consociation and thus excludes just any coalition, as well as co-optation of unrepresentative minority “leaders.” By extension, an arrangement in which elites govern with low levels of support from within their segments might also prove less stable compared to one in which an executive can rely on broader levels of support.

Coming to Nigeria, the fairly recent experiences of violence in the country are arguably the outward manifestations of its lingering inability to emplace and consolidate effective accommodationist strategies (Uzodike *et al.* 2010: 177). Though federalist in nature, Nigeria’s federalism is highly regimented and centralised in a number of crucial areas such as “generation and appropriation of government revenues, internal security, tertiary education, and the non-diffusion of political power” (Uzodike *et al.* 2010: 177). The by-product is that the Nigerian system largely enervates and asphyxiates initiative and effort at the state and local government levels where transformative regimes are most vital. In a serious bid to steer clear of the excesses of the inherited colonial political structures, the architects of Nigeria’s post-colonial federalism have sought to avoid entrenching the hegemony of ethnic majorities. Meanwhile, they have engaged in a balancing act of sorts both between ethnic majorities and between the notional North and South of the country. In effect, this has meant not only that the yearning of many groups seeking self-rule could not be easily met but also that few states outside of the majority-dominated ones are remotely close to being homogenous. As a result, most significant minority groups in Nigeria are deeply discontented with a *status quo* that they believe continues to marginalise and under-represent them in national affairs. For their part, many Nigerian leaders seem weary of encouraging a situation where citizens are less loyal to the constitution than to their ethnic groups. Consequently, the majority of political leaders who favour centralised federalism view ethno-regionalism as a mischievous brew by a motley group of ambitious political and intellectual elites in search of personal gain (Uzodike *et al.* 2010: 177).

However, the claim that an ethnically driven power-sharing arrangement is automatically parochial and in opposition to the desirable objective of developing a truly national society is, itself, fraught with difficulties. Agreed, consociational democratic arrangement may have the net effect of bringing about further homogenisation of existing societal lines of segmentation. Such homogenisation is quite strongly linked to

ineffective majoritarian models around the world where ethnic nationalisms have developed with political competition in marked contrast to the more fluid interactions that preceded post-colonial state structures. A cursory glance at the recent experiences of African countries such as Angola, Benin, Cameroon, Cote d'Ivoire, Democratic Republic of Congo, Ethiopia, Ghana, Kenya, Nigeria, South Africa, Sudan and Zimbabwe is quite illuminating. In Nigeria, for instance, "the Edo, Hausa, Ibibio, Igbo, Ijaw, Kanuri, Nupe, Tiv or Yoruba were never more conscious of their ethnicity than they have become as a result of Nigeria's post-colonial history, which was driven by the excesses and failures of Nigeria's majoritarian leaders" (Uzodike, 2004: 308).

In the absence of a political system that is well run with citizens that are truly at peace with each other, the homogenisation effect is bound to occur. This can happen as much under a majoritarian system as it would under a consociational arrangement. However, a salient caveat is that, unlike with the power-sharing model, "it would happen in a majoritarian system with an attendant destruction of social capital in the form of social cohesion, political stability, human lives and property" (Uzodike *et al.* 2010: 178). In essence, at the heart of the majoritarian democracy is the gamble that, as individuals and groups, people will transcend human predispositions and a long line of historical evidence to coexist peacefully, and in pursuit of common interests and objectives despite resource scarcities. On the flip side, the power-sharing democratic framework not only accepts the objective condition of societal segmentation but also proffers useful and intellectually satisfying ways of defusing the conflict-ridden aspects of human social and political interactions.

Subsequently, with individuals and sub-national groups coexisting peacefully, "cooperative behaviour, societal cohesion, and transformative developmental processes are more likely to occur and take root with a power-sharing arrangement" (Uzodike *et al.* 2010: 178) vis-à-vis an ineffective majoritarian system. In the long run, this will not only have a net positive effect of reducing inter-group tensions but also will serve to promote the desirable integrative attributes that can help foster a truly national society. In this way, a consociational arrangement will significantly ameliorate Nigeria's structural and administrative problems. It will not only effectively check the problem of under-representation but also will create the proper space within which the problems associated with the unfair distribution of resources and democratic deficit can be better addressed.

The assumptions and prescription of consociational engineering has, of course, not gone unchallenged. A major criticism levelled against consociational democracy is that it focuses primarily on elite behaviour or elite consensus (Seaver, 2000: 247). The model deems cooperation between the elite as sufficient to emplace stable democracy

in societies with several subcultures. The nub of the argument is that the emphasis on cooperative attitudes between elite ignores the centrality of the lower classes of society to sustaining political stability (Misir, 2003). Quite aside, critics of consociationalism argue that “the model is at best not sufficiently democratic and at worst not democratic at all” (Uzodike *et al*, 2010: 178). This is because of the emphasis that the theory places on deference to the elite, combined with the “secretive nature of elite decision making (which) seems to be at odds with normative democratic theory” (Seaver, 2000: 247). Also, some scholars suggest that consociational arrangements are inappropriate for less-developed countries (LDCs) because: (1) their leaders are primarily concerned with maintaining unity; (2) these states face substantial problems of economic scarcity; and (3) there remain unaddressed and significant intra-ethnic conflicts.⁸⁶

Lijphart (2002: 41) has come to the defence of consociationalism, pointing to its democratic credentials such as the “participation of representatives of all significant groups in political decision making.” Whatever the merits of the above criticisms, the crucial point remains that minorities are guaranteed representation under a consociational arrangement “while majoritarian arrangements deprive minorities of a political voice” (Seaver, 2000: 253). After all, “the fundamental characteristic of democracy... is the concession of the right of political expression of minorities” (Sartori, 1987: 320). Similarly, Lord Acton affirms that “the most certain test by which we judge whether a country is really free is the amount of security enjoyed by minorities” (quoted in Sartori, 1987: 320). It is on the basis of the above premises that the power-sharing arrangement is considered necessary for addressing the excesses of under-representation and marginalisation of minorities in Nigeria, especially in the volatile Niger Delta region.

In order to protect minorities against the abuse of powers by majorities at the state level or the level of self-governing entities, consociationalism offers two remedies: “(1) the replication of its core institutional prescriptions within the self-governing entity, and (2) the establishment and enforcement of strong human and minority rights regimes at both the state and substate levels” (Wolff, 2009: 13). Added to this, both the rights of minorities and majorities are best protected in a consociational system “if its key provisions are enshrined in the constitution and if the interpretation and upholding of the constitution is left to an independent and representative constitutional court whose decisions are binding on executive and legislature” (Wolff, 2009: 13; see, also, O’Leary, 2005: 55-58). At the core of consociational prescriptions is, therefore, the emphasis on the protection of self-determined (rather than predetermined) identity groups through

⁸⁶ See “Polyarchic Regimes: Consociational and Integrative Democracies,” http://www-polisci.tamu.edu/upload_images/109/312Lecture3ConsociationalDemocracy.pdf.

“ensuring both their representation and effective participation in decision making especially in the legislative and executive” (Wolff, 2009: 13). Underlying this contention is the assumption that representation and participation together will ensure that different identity groups recognize that their aims can be achieved, and interests protected, by political means and do not require recourse to violence (Wolff, 2009: 13-14).

Given the requisite conditions, consociational devices in Nigeria will guarantee not only political participation but also the representation of minority communities in crucial decision making structures, thus “fixing the democratic deficit” (Uzodike *et al.* 2010: 179) and bolstering the country’s federal system. This would lead to greater political stability and consequent peace and prosperity. Crucially, there is a powerful empirical motivation for the adoption of consociationalism to address the centrifugal tendencies inherent in the Nigerian state. Dix (1980) spotlights the success of consociational democracy in Colombia—an experiment that could well provide model for its implementation in Nigeria. Dix’s empirical study demonstrates that “Colombia (had) been a plural society that between 1958 and 1974 (and to a greater degree, beyond...) was successfully governed by inraelite agreement, (and) it has been a prime example of the operation of a consociational democracy” (Dix, 1980: 304-305, quoted in Uzodike *et al.* 2010: 179).

Findings from Dix’s study seem to suggest that a power-sharing arrangement in a country as divided as Nigeria would be less problematic vis-à-vis a majoritarian system. It is clear from the above that majoritarian system has no answer to the serious issues confronting ethnic minority communities in Nigeria nor has it been successful in resolving conflicts in the country. Indeed, as Uzodike *et al.* (2010:179) contend: “A majoritarian system is likely to further deepen the marginalised status of Nigeria’s minorities.”

6.3 Other Policy Options

Beyond the advantages of implementing consociative mechanisms in the Nigerian political process, there is a need for a fundamental change in approach in terms of responses to the Niger Delta crisis by the Nigerian state and the oil multinationals. This *volte face* (change in approach) is urgent because “as the oil-rich region is, it constitutes a serious security risk not only to Nigeria, but to the entire international system” (Omotola, 2006: 24). To this effect, seven policy options are considered imperative, as supported by Omotola (2006: 24-25):

1. In order to address the various environmental and developmental concerns of the Niger Delta region, this study recommends an increase in the financial allocation

to the Niger Delta. One way of realising this is through an upward review of the current 13 per cent derivation to at least 20 per cent. However, adequate regulatory measures should be instituted to monitor the use of such resources given the prevalent culture of political and bureaucratic corruption for which the area is notorious.

2. There is a need to regulate the concept and practice of corporate social responsibility through a legal framework and the oil multinationals should be enjoined to practice such in all their dealings along international minimum standards.
3. All stakeholders should eschew the violent option in their responses to the Niger Delta situation. As demonstrated so far in this study, such a pedagogy of violence only serves to exacerbate local resistance. Rather, nonkilling and democratic options such as “popular consultation, persuasion, discussion, and consensus building” (Omotola, 2006: 24) should be encouraged and given pride of place. This requires the mass media and civil society to do a great deal of social mobilisation at all levels.
4. Youth empowerment schemes are crucial to curbing the high rate of youth involvement in ethnic militia groups in the Niger Delta. Thus, this study recommends that issues such as youth forums, employment, education, capacity building, and related measures should be accorded the utmost priority by the Nigerian government.
5. The prevalence of poverty and squalor in the Niger Delta has fanned the embers of conflict in the volatile region. There is a need to thoroughly engage this through poverty eradication programmes. Omotola (2006: 25) has recommended that the National Economic Empowerment and Development Strategy (NEEDS) should be strengthened and employed in this regard.
6. Since much of the allocation and compensation money paid currently ends up in the private accounts of the state managers, there is an urgent need for the governmental and oil companies to devise a transparent regulatory means to ensure that allocations and compensations to the oil-bearing communities actually get to the people.
7. Beyond this, the over-reliance on the oil industry in Nigeria has resulted in a mono-focus that fails to realise the potential for other economic activities based on local assets. Thus, there is a need for Nigeria to intensify its ongoing efforts to diversify the national economy. According to Omotola (2006: 25), “this is the only option, which in the long run can reduce the country’s [excessive reliance] on oil, making it less sensitive to national income and development.” If this happens, associated tensions are bound to plummet. Countries such as Qatar, Kuwait, Saudi Arabia, Mexico, Libya, Iraq, Iran, Russia, Norway, Egypt, and Oman have used petrodollars to transform their economies to economic power houses and better the lot of their citizenry. Surely, Nigeria can emulate these shining examples.

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