



Militancy in the Niger Delta and the Deepening Crisis of the Oil Economy in Nigeria

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Abstract

The area known as the Niger Delta spans over 70,000 square kilometers. At the geographical and ecological levels, it is regarded as one of the foremost wetlands in the world, and rated as the ninth vastest drainage area in the world. In 1957, when oil was discovered at Oloibiri in today's Balyelsa State of Nigeria, the British enacted the Mineral Ordinance Act which vested all the minerals in Nigeria in the British Crown. This Act paved the way for the continued denial that has characterized the relationship between the oil-bearing communities and the central government of Nigeria, leading to the Resource Control agitation by the peoples of the Niger Delta. This article argues that the Nigerian state, true to its colonial origins tightened its grip on the instruments with which to allocate profitable opportunities in the burgeoning oil economy of Nigeria at the expense of the oil-bearing communities. This condition has led to complaints, agitations, and finally to militancy which is crippling the Nigerian economy. The article notes that the Nigerian state and elite forces within and outside the Niger Delta should be held responsible for the crises in the region and concludes that militancy is a product of frustration.

Keywords: militancy, Niger Delta, oil, economy, Nigeria, ecology, elite forces.

Résumé

La zone dénommée Delta du Niger s'étend sur plus de 70 000 kilomètres carrés couvrant des espaces tant géographiques qu'écologiques qui en font l'une des principales zones humides au monde, classée neuvième plus vaste zone de drainage au niveau mondial. En 1957, lorsque le pétrole a été découvert à Oloibiri dans l'État actuel du Balyelsa au Nigeria, les Britanniques ont adopté la Loi sur l'Ordonnance des Minéraux [Mineral Ordinance Act] qui a permis à la Couronne britannique de mettre toutes les ressources minérales du Nigeria sous coupes réglées. Cette loi a ouvert la voie à la négation continue qui a caractérisé les relations entre les communautés pétrolifères et le gouvernement central du Nigeria ;

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situation qui s'est soldée par des agitations des peuples de la région du Delta du Niger pour pouvoir prendre le contrôle des ressources. Cet article soutient que l'État nigérian, fidèle à son passé colonial, a renforcé son emprise sur les instruments lui permettant de s'arroger de plantureux avantages dans cette économie pétrolière en plein essor au Nigeria au détriment des communautés abritant ces gisements de pétrole. Cette situation a donné lieu à des plaintes, des agitations, et enfin à l'émergence d'un militantisme rédhibitoire pour l'économie nigériane. Le document souligne que l'État nigérian et les forces d'élites à l'intérieur et hors de la région du Delta du Niger doivent être tenus responsables des crises qui secouent la région et conclut que ce militantisme résulte de la frustration.

Mots-clés: Militantisme, Delta du Niger, pétrole, Economie, Nigeria, Ecologie, Forces d'élites.

Introduction

The crisis in the Niger Delta of Nigeria is one of the numerous intractable problems besetting the Nigerian state, and this has manifested itself in different dimensions with adverse consequences for the oil economy of the country. Initially, protest took the form of agitation, declarations, and campaigns in which the people of the area and their organisations asked for justice and equity in the sharing of the oil resources that drive the economy. These campaigns led to the formulation of the fiscal discourse of the nation. The idea of fiscal discourse resonates in the various debates about the way and manner in which the state allocates its resources to the various federating units in the country in a lopsided manner that allows the Federal Government to take 52.68 per cent (including special funds): states 26.72 per cent, while the Local Governments are allocated 20.6 per cent (Revenue Mobilization, Allocation and Fiscal Commission 2011).

Many of the federating units find this structure lopsided and inequitable, as it runs counter to the practice of federalism elsewhere in the world, as in the US and Switzerland. In the latter countries, federating units only pay tax to the central government for the resources exploited in their localities. The current practice in Nigeria is the source of tension and conflict which are manifested in many arenas, raising even the issue of citizenship rights, equity, fairness, and justice in the Nigerian polity as a whole (see Okonta 2008).

In this article, an attempt is made to locate the current crises of militancy within the general conflict situation that besets Nigeria. The nature of the Nigerian state is such that it is enmeshed in the struggle for accumulation and, in the process, loses legitimacy to intervene in their resolution. These crises erupt in various forms, such as the question of indigeneity, resource control and management, structural deformities, class and religious conflicts, inequality and injustice, leadership failure, etc. These constitute what has come to be known in Nigeria as the Nationality Question (Amuwo and Agbaje, et al. 2004; Adedeji and Otite et al. 1997; Nnoli 1981; Okonta 2008).

Today, as can be seen from the events that are rapidly unfolding in the Niger Delta region, the struggle for resource control and management has taken on a new dimension with the introduction of militancy and kidnappings by the various groups that have emerged in the politics of oil in the area. These burgeoning groups and their militant activities have become a source of worry and concern to all the strategic stakeholders within and outside the Nigerian economy. Since June 2006, violence in the Niger Delta has reduced Nigeria's total oil production by a quarter. It is important to note that Nigeria has a nominal output capacity of 3.2 million barrels per day but its actual production is running short of this level. This has grave implications for the Nigerian economy which depends heavily on oil.

The Historical Background of the Niger Delta

The area known as the Niger Delta in Nigeria spans over 70,000 square kilometres. According to Olorodo (2000), quoting Ogunbunmi (1999), at the geographical and ecological level, the Niger Delta is one of the foremost wetlands in the world both in terms of expanse and bio-diversity. It is also rated as having the ninth vastest drainage area in the world and the third largest mangrove forest (Oyerinde 1998).

As have been documented by Dike (1956), Ofonagoro (1979) and Okonta (2008), prior to the coming of the Europeans, the Niger Delta people were relatively successful as they engaged in trading activities amongst themselves and their neighbours. The area was known for its production of and trade in palm oil. No wonder that by 1889, the British colonial overlords renamed the area the Oil Rivers Protectorate. The Berlin Conference of European powers, convened in 1885 to divide sub-Saharan Africa among themselves, had effectively brought the Niger Delta zone under British suzerainty.

George Goldie, an English merchant attracted to the Niger by the booming palm oil trade had by 1884 bought out oil rival companies operating in the Niger Valley, including French competitors, amalgamating them into the Niger Company. Prior to this time, the Delta middlemen had been relatively successful in confining European trading firms to the coast. But as the competition intensified for the palm-produce trade, the trading companies began to put pressure on the consuls appointed by their home government to regulate trade and also to protect them from 'marauding natives', to intervene and remove all remaining obstacles on their path after the deportation of King Jaja of Opobo. As earlier noted, in 1889, Her Majesty's Government renamed the area the Oil Rivers Protectorate.

According to Perham (1937), by 1893, the Oil Rivers Protectorate was already paying its way, earning a customs revenue of £136,000 in that year alone. It was renamed the Niger Coast Protectorate the same year. In 1900,

the protectorate was amalgamated with the Royal Niger company territories in the Niger valley. In 1906, the protectorate of southern Nigeria amalgamated with the colony and protectorate of Lagos to become the colony and protectorate of Southern Nigeria, comprising three administrative provinces: Western, Central, and Eastern.

Oil Exploration and its Benefits

In 1957, oil was discovered at Oloibiri, in the present-day Bayelsa State. The first instructive thing the British did was to enact the Mineral Ordinance Act which vested all the minerals in Nigeria in the British Crown. This Act, in hindsight, paved the way for the continued denial that has characterized the relationship between the oil bearing communities and the central government of Nigeria. We must hasten to state that the resource control agitation by the peoples of the Niger Delta is linked within the matrix of the minority question and, by extension, the larger nationality question.

One outcome of the London Constitutional Conference of 1957 was the appointment of the Willink commission to 'investigate the fears of the ethnic minority groups in the country and the means to allay them' (Willink Commission Report 1958). The Willink Commission report had recommended the inclusion of a bill of rights in the independence Constitution. Accordingly, both the 1960 and the 1963 constitutions of the republic set out the fundamental rights of the Nigerian people. In addition to the incorporation of the said bill of rights, section 140 of the Republican Constitution provided for the establishment of the Niger Delta Development Corporation. The right to 50 per cent of the proceeds from mineral resources produced in every region was equally guaranteed in the constitution. But since the peoples of the Niger Delta, like all other minorities in other parts of Nigeria, were denied the right to a region of their own, they were subjected to utter neglect and complete marginalization in the first republic.

Again, in 1968, the Dina Revenue Committee Report centralized fiscal revenues, including oil revenue. The petroleum decree of 1969 (Decree No. 51), stated that 'the entire ownership and control of all petroleum in, under, or upon any lands to which this section applies', be vested in the state.

The Decree also applied to the land under the territorial waters of Nigeria, including its continental shelf. The complaints against the Dina recommendations compelled the Supreme Military Council (SMC) under the leadership of General Yakubu Gowon to reject the report. In November, the Federal Military government published the petroleum Decree of 1969. The centralization of oil revenues took several stages, and was driven by General Gowon's 'Super' permanent secretaries. In 1970, after the civil war when oil began to feature prominently in the economic and political equation of

Nigeria, the Gowon administration gave 45 per cent to the states. The figure was reduced to 20 per cent in 1975 when Decree No. 6 was promulgated during the short-lived regime of General Murtala Muhammed. By 1982, when a democratic government came into power, the allocation dropped to 2 per cent. In 1984, during the era of General Muhammadu Buhari, the figure depreciated to 1.5 per cent and later to 3 per cent during the time of General Ibrahim Babangida who had carried out a palace coup against his boss, General Buhari. The current 13 per cent was introduced during the regime of General Sani Abacha that began in November 1993, after Abacha had sacked the illegitimate interim government headed by Ernest Sonekan.

As can be seen from the foregoing, the central government from the war years on tightened its grip on power and the instruments with which to allocate profitable opportunities in the growing oil economy of Nigeria. As a result, access to important government offices became the all-important ticket to riches and various kinds of influence. As the forces that control the Nigerian state and the oil multinational corporations in the country continue to rake in petro-dollars, the oil-bearing communities of the Niger Delta suffer in want and are buffeted with all kinds of environmental and social problems arising from oil prospecting and production-related activities. In fact, their human ecosystem has suffered substantial damage through gas flaring and persistent oil spillage. This condition has led to reactions, complaints and agitation from the people of the region, leading to its being described as a 'boiling point' (Olorode 2000). We shall return to this presently.

The Nigerian State

Jean Jacques Rousseau's dictum, 'man is born free but is everywhere in chains' (1963) may seem axiomatic and compels attention when considering the set-up in societies and states like Nigeria. Society and its attendant government provide the fetters about which Rousseau laments. Nevertheless, society and government are both necessary for the procurement of human welfare and progress. On the one hand, society provides evolutionary and resilient institutions and rules for accommodating human and environmental inadequacies. On the other hand, government ensures that institutions and rules girding and facilitating mutual dependence and co-existence are upheld without incessant breaches by dissenting individuals and groups for the purposes of realising the goals of collective human welfare.

However, when government and society's constitutive rules and associated institutions seem to fail in significant respects, demands arise – directed at the state. It goes without saying that the duty of government is to ensure that institutions work and that rules are put in place for the realisation of the welfare of the people. When a government fails to discharge its duties to the citizenry creditably, as has been argued by Okonta (2008), they rebel.

Historically, the Nigerian state is a creation of colonial rule and it has continued to function as the instrument of economic accumulation and a key player in its distribution. Consequently, the battle to win control of the resources of the state and its revenue has been particularly fierce between contending political elites on the one hand and among various social groups and communities, on the other. This struggle for the 'spoils' has created considerable tension and controversy, leading Nigeria's Northern Region, for example, to threaten to secede from the federation in 1953; the Western Region in 1954; and the Eastern Region actually to attempt to secede in 1967, culminating in a civil war that was fiercely fought for three years, with dire consequences for the country.

The Nigerian state is thus involved as a participant in the accumulative processes and therefore is not neutral. This has created a major problem in the resolution of conflicts and, especially, those that are engendered by the competition for resources. The Nigerian state has not done away with its colonial character; and at every turn, when there is a conflict, it resorts to brutality and outright decimation of the people. As has already been stated, from 1968 onwards, the Nigerian state became the sole player in allocating the resources that accrue to the country. This it does, in conjunction with the oil multinationals, to the detriment of the oil-bearing communities. Its coercive monolithic character, as Ake (1990) has argued, gives it the impression of a strong state with immense penetrative capacity. Ake further writes:

In Nigeria, for instance, the state has little influence on the lives of the rural people. Much development that has taken place in rural communities has occurred not because of the state but in spite of it. To many rural dwellers, the state exists primarily as a nuisance to be avoided in their daily struggle for survival (Ake 1990:38).

The Nigerian civil war of 1967-1970 created the emergence of a new authoritarian state, centralising both administration and fiscal resources, and forcing the people, even more firmly, into subject status.

Resource Control in the Political History of Nigeria as it has Affected the Niger Delta

As we have seen, the demand for equity from the Niger Delta people is not new. Towards the tail end of the struggle for the decolonization of Nigeria, the minorities had expressed fears of domination and exploitation from the hands of those who were designed to inherit political power from the departing British colonialists. When the legitimate demands of the Niger Delta people for basic social and infrastructural developments were treated with contempt by the neo-colonial ruling class, the youth of the region began to revolt against the Nigerian state.

Thus, on 24 February 1966, Isaac Adaka Boro, an Ijo student at the University of Nigeria, Nsukka, led a group of armed young men and proclaimed an independent Niger Delta People's Republic, to assert the right of his people to self-actualisation. His 40-man Delta Volunteer Service blew up two oil pipe-lines belonging to Shell BP, ransacked police stations and engaged the police in a gun duel around Yenagoa (the present capital of Bayelsa State). Boro and his men were defeated, charged with treason, tried, convicted and sentenced to death by the Port Harcourt High Court. This amounted to judicial high handedness, and many saw it as unjust, especially as the recommendations of the Willink Commission Report were not implemented to the letter.

About two decades later, the Movement for the Survival of the Ogoni People (MOSOP) was formed to champion the struggle for the empowerment of the Ogoni to gain access to the resources which paradoxically had turned into a curse for their existence. The Ogoni Bill of Rights (1990) articulated the strategies with which MOSOP would employ and explore the building and reinventing the Ogoni nation. Other ethnic groups in the Niger Delta have also reacted in a similar vein as their Ogoni neighbours by setting up organisations with bills of rights, charters and declarations. The Kaiama Declaration, a product of the resolutions of All Ijaw Youths Conference held in 1998, was one of such numerous attempts by various groups within the Niger Delta region to make demands on the Nigerian state and the colluding oil multinationals in Nigeria.

As demands for justice and equity in the Niger Delta region intensified in the 1990s, violence against the people, their environment and their resources also increased. In 1990, as Akani (1992) has recorded, the Nigerian government in cahoots with Shell ordered the notorious Nigeria Mobile Police Force into Umuechem, in Etche community in Rivers State, on October 30 and 31, 1990. Umuechem youths had peacefully organized a protest against Shell over the latter's destruction and neglect of their land, leaving behind poverty and environmental pollution. Shell officials requested the anti-riot policemen to stop the protest, and the police killed about 80 people and burnt down an estimated 500 homes in Umuechem. After Umuechem, it was Ogoni where several villages were attacked, burnt down, and people arrested arbitrarily, while others were murdered in cold blood. In November 1995, Ken Saro-Wiva and his eight other Ogoni compatriots were hanged after a flawed judicial trial on the orders of General Sani Abacha.

Earlier in 1994, the Uzere community in Delta State was attacked. When Ijaw youths issued the Kaiama Declaration, they were met with violence for their peaceful campaigns for resource control. In November 1999, seven months after a new democratic regime under Chief Olusegun Obasanjo

came into power, the Odi community, in Bayelsa State, was invaded and close to 3,000 persons were killed. Choba in Rivers State, Odioma in Bayelsa State and several other Niger Delta communities also fell victim to state and corporate violence. This cycle of offences against the people and their natural resources has led to the present security dilemma arising from the state's attempt to secure the oil production which lubricates the Nigerian economy.

One Earth, Environmental Pollution and Resource Control

Clean water and clean air, safe living areas, and nutritive foods are necessary for healthy human communities. When the environment becomes degraded, the victims are usually human and other beings. Crude oil production pollutes the air and can spill over and harm the land. Without safeguards, oil production causes all kinds of environmental problems for neighbouring communities. Crude oil production therefore raises the question of a clash of rights between oil producers, the affected communities, and the oil revenue seeking propensities of the national regime. Environmental rights are an integral part of human rights, as Sonibare (2008) has pointed out. They are derived from a wide range of environmental laws and principles adopted over the past several decades. By the 1970s, international declarations and resolutions began to link environmental concerns explicitly to human rights.

At the 1992 'Earth Summit', governments adopted the landmark Rio Declaration. Its Principle 10 stresses that 'environmental issues are best handled with participation of all concerned citizens', while its Agenda 21 states that sustainable development is the way to reverse both poverty and environmental destruction. Achieving these aims will demand broad public participation in policy development, combined with greater accountability. Individuals, groups and organisations need to know about, and participate in environmental and development issues affecting their communities.

Similarly, Article 24 of the African Charter on Human and Peoples Rights states that all people shall have the right to a generally satisfactory environment favourable to their development. There are several other efforts both locally and globally being made to ensure that the earth is being exploited for human benefit in a sustainable manner. This means that people's environmental rights must be respected and negative impacts on the environment must be anticipated and prevented, and where they cannot be altogether prevented, remedial action is necessary. To ensure that environmental impacts are not distributed in a manner that unfairly discriminates against any person, particularly vulnerable and disadvantaged persons and groups, environmental justice must be pursued. In principle, the 1999 Constitution of the Federal Republic of Nigeria recognizes all these obligations, as can be seen in Section 20. This declares that 'The state shall protect and improve the environment and safeguard the water, air and land, forest and wild life of Nigeria'.

Basic human rights only become meaningful when it is accepted that people will have to work towards making them real and this is applicable to environmental rights. This means that on the one hand, the state must follow the principles laid down in the constitution. Citizens and communities, on the other hand, must demand that their rights be respected and must demonstrate that they take up the responsibilities associated with their rights.

In the course of oil exploration in the Niger Delta since 1956, the activities of the oil companies have disrupted the ecological balance of the area, leaving the inhabitants with poverty, disease, widespread water pollution, and soil and land pollution. It is very intriguing to note that in the process of extracting oil and the petro-dollars that come with it, adequate consideration is not given to the more than ten million people who live in the Niger Delta. The unconscionable business habit of the oil companies in the area runs counter to the ideals of One Earth with its guarantee that there are no national boundaries in the atmosphere.

Militancy in the Delta: Implications for the Nigerian Economy

Okonta and Douglas (2001) in their work *Where the Vultures Feast* catalogue the various environmental problems of the Niger Delta, concluding that the area is the 'most endangered delta in the world'. The World Bank estimates that oil companies in Rivers and Delta States spill about 2,300m³ of oil in 300 major accidents yearly (quoted in Okonta and Douglas 2001). As the oil companies, the Nigerian elites and the state appropriate the resources coming from the zone, the Niger Delta people sink further into poverty, hopelessness and despair. According to an editorial in the *Nigerian Guardian*, the UNDP is reported to have identified the Niger Delta 'as the poorest and the most backward oil-producing region in the world' (*The Guardian*, 15 July, 2008:18).

Successive Nigerian governments have paid lip service to the policy of developing the area, as their rhetoric is not translated into concrete action. It is therefore no gainsay that it was the chronic underdevelopment and environmental degradation of the area, which are the primary defining characteristics of the Delta, that gave birth to militancy and criminal activities in the area by various forces and organisations.

The struggle for resource control initially took the form of debates, campaigns, agitation and declarations, as the people used every available platform to ask for equity and environmental justice. In 1990, one of the ethnic groups in the Niger Delta founded a movement to actualise its dreams of controlling its resources, given the challenges confronting the region. That organisation was the Movement for the Survival of the Ogoni People (MOSOP). The organisation took the path of peaceful protest. It also demanded some form of economic and political autonomy within a new

Nigerian federation. Ken Saro-Wiwa, one of the leaders of MOSOP, in his introductory note to the Ogoni Bill of Rights, stated that 'the system of revenue allocation currently in force, whereby the natural resources of the minority areas in the Niger Delta are transferred to the majority ethnic groups is unjust, unfair and unethical, and a ready cause for dissension. Labouring under this catalogue of social injustice and open exploitation, there cannot be peace and stability – and therefore progress – in the Nigerian nation' (Ogoni Bill of Rights, 1990).

In 1992, there was the establishment of the Association of Minority Oil States (AMOS) comprising Delta, Cross River, Akwa Ibom, Rivers and Edo States. Their aims, amongst others, were:

- (i) To press for an increase in the 1.5 per cent federal allocation to oil mineral producing areas, as the allocation was inadequate to cope with the region's problems.
- (ii) To press for a more equitable revenue allocation, given the fact that Rivers, Delta and Akwa Ibom States produced over 85 per cent of total oil exported outside and consumed in the country.

There were also efforts by the then 17 southern governors of Nigeria to come together and speak with one voice on the issues of resource control.

These intellectual and non-violent efforts were spurned by the Nigerian state and its colluding oil partners. On 10 November, 1995, Ken Saro-Wiwa and eight other members of MOSOP were hanged after they were tried and convicted by a Military Tribunal for their alleged responsibility for the deaths of four Ogoni leaders on 21 May, 1994.

Since the killing of Saro-Wiwa and other members of MOSOP, the crisis in the Niger Delta has become very intractable, fuelling a jump in the prices of oil on the international oil market. Various groups and organisations have sprung up claiming responsibility for one sabotage action or another against the oil multinationals, including the kidnapping of their staff. Some of these groups include the South South Liberation Movement (SSLM); Federated Niger Delta Ijaw Communities (FNDIC); Niger Delta People's Volunteer Force (NDPVF); Movement for the Sovereign State of the Niger Delta (MSSND); Movement for the Emancipation of the Niger Delta (MEND); Reformed Grand Alliance of Niger Delta (RGAND); Martyrs Brigade (MB); Niger Delta Vigilante (NDV); Niger Delta Patriotic Force (NDPF), etc. These groups and others operate both secretly and openly in the Niger Delta, causing great security challenges to the Nigerian state. The cycle of violence and militant agitation for a fair deal, by the youths especially, is causing serious disturbances in the Nigerian economy which depends so heavily on oil rents. The Federal Government has established a military Joint Task Force (JTF)

to handle the situation but the militant activities of the fighting groups have continued, incurring casualties for both government forces and the militant groupings.

In the 2008 budget, the Federal Government proposed to allocate N444.6 billion for security in the Niger Delta. In the same budget proposal, the government set aside only N69 billion for development in the area, through the Niger Delta Development Corporation (NDDC), whose over N300 billion constitutional funds had been withheld by the same Federal Government from 2001 to date. It is true that the security challenge faced by the Federal Government in the region is indeed grave. Our contention, however, is that if serious efforts and commitments are made towards developing the Niger Delta area, militant activities will be greatly reduced – if not completely stopped. But with the way events are unfolding in the Niger Delta, the prospects for a resolution of the crisis look dim, with great economic cost to the nation.

Thus, the birth of militancy has given rise to criminality and banditry as some of the organisations and individuals who claim to be fighting for justice and equity are exploiting the crisis in the region for their own ends. They kidnap oil workers and engage in various forms of illegal bunkering. Even, government security chiefs are alleged to be involved in illegal oil deals. The current secret trial of Henry Okah in Jos, Plateau State of Nigeria, is informed by a conscious strategy of the Nigerian state not to allow some dirty deals of some Nigerian army generals to be made public to Nigerians and the world at large. In the meantime, the oil crisis in the Niger Delta has thrown up emergency 'small and medium scale' so-called business tycoons as bunkering and such other illegal activities continue.

Conclusion

The Nigerian state and the elite forces within and outside the Niger Delta must take much of the responsibility for the crisis in the region. The oil companies pay only lip service to environmental standards, since the results of their activities in the Niger Delta would never be countenanced in their own countries. A change of attitude on the part of the Federal Government and its colluding oil multinationals is urgently needed. Militancy is a product of frustration arising from poverty, environmental degradation, unemployment and other forms of denial suffered by the region's indigenes. Government needs to rethink its development strategy in the region as it is clear that previous efforts have failed.

It is obvious that implicated in the crises of the Niger Delta are the state, its colluding elite, and the multinational oil giants who seem concerned only with their financial interests. The challenge is for a reconfiguration of the

Nigerian federation in such a manner that issues of equity, fairness, and true federalism will become the basis for interaction among the federating units. The current crises in the Niger Delta raise fundamental questions bordering on the stability of the country, and the need for an urgent and immediate resolution of the self-imposed logjam.

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