



Oil and Security in Nigeria: The Niger Delta Crisis

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Abstract

This paper examines oil and security in Nigeria, with special reference to the crisis-ravaged Niger Delta. Its focus on the Niger Delta and its festering crisis stems from that region's critical importance to Nigeria. As the nation's treasure base, the Niger Delta provides over 80 percent of government revenues, 95 percent of export receipts, and 90 percent of foreign exchange earnings. Also, the bulk of Nigeria's bio-diversity and some of her best human resources are derived from the Niger Delta. This paper posits that beyond the well-known threats to the security of the Nigerian state, the lingering crisis in the country's oil-producing areas is a grave threat to human security in that region. Since poverty, environment and food security are key to national security, the ruthless exploitation and destruction of the natural environment upon which the inhabitants of the Niger Delta depend for their livelihood and sustenance pose major threats to human security in that region and, by implication, to the Nigerian state. The paper suggests that to resolve the crisis, government policy on petroleum should be more inclusive, taking into consideration the peculiar problems and needs of the oil-producing areas, as well as those of the Nigerian state and the oil industry itself.

Résumé

Cet article examine le pétrole et la sécurité au Nigeria, en mettant l'accent sur le Delta du Niger, une région ravagée par la crise. La référence au Delta du Niger, avec cette crise de plus en plus grave, s'explique par l'importance que revêt cette région pour le Nigeria. En tant que source de trésor pour le pays, le Delta du Niger fournit 80 pour cent des revenus du gouvernement, 95 pour cent des

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recettes d'exportation, 90 pour cent des revenus du commerce extérieur. De même, une bonne partie des ressources de la biodiversité du Nigeria et certaines de ses meilleures ressources humaines proviennent du Delta du Niger. L'article pose en principe l'idée qu'au-delà des menaces évidentes qui pèsent sur la sécurité de l'État du Nigeria, la crise persistante dans les zones pétrolières du pays constitue une menace sérieuse contre la sécurité humaine dans cette région. Étant donné que la pauvreté, l'environnement et la sécurité alimentaire sont des facteurs clés de la sécurité nationale, l'exploitation et la destruction sauvages de l'environnement naturel dont les habitants du Delta du Niger dépendent pour leurs moyens de subsistance constituent des menaces graves pour la sécurité humaine dans cette région et, par conséquent, pour la sécurité de l'État nigérian. Vu cette situation, l'article suggère, pour la résolution de cette crise, que la politique pétrolière du gouvernement soit plus solidaire, en prenant en compte les problèmes et les besoins spécifiques des zones riches en pétrole, de même que ceux de l'État nigérian et de l'industrie pétrolière elle-même.

Introduction

Oil is, undoubtedly, the major contributor to Nigeria's economic growth and development. At independence in 1960, Nigeria had become self-sufficient in the production of crude oil following its discovery at Oloibiri in the Niger Delta in 1956 (Watts and Lubeck 1983: 106). Since then, the country's fortunes have depended on the oil industry, which has effectively replaced agriculture in revenue yield. In fiscal terms, oil has also increased the strength of the federal government. In fact, oil revenues currently account for 80 percent of government revenues, 95 percent of export receipts and 90 percent of foreign exchange earnings (Douglas et al. 2003).

Although oil has brought significant expansion to Nigeria's economy, there has been no structural development; a situation which successive military administrations in Nigeria have worsened due to their inconsistency, languid enforcement, and implementation of oil policy. Today, the truth is that the oil industry is confronted with a crisis arising from the actions and inactions of the oil multinational corporations, with severe implications for Nigerian state security and that of the inhabitants of the embattled oil-rich region.

It is against this background that this paper focuses on oil and security, with particular emphasis on the ongoing crisis in the Niger Delta. In the light of the seriousness of the threats posed to the Nigerian state and the inhabitants of the region, in particular, it argues that there is a need for the Nigerian government to make its oil policy and legislation more responsive to the demands and peculiar needs of the oil-producing minorities of the Niger Delta. In this regard, oil policy and legislation, it is argued, should be inclusive enough so as to ensure that the people are encouraged to be more actively involved in the activities of the oil multinationals' operations in their communities.

The paper is structured into nine related sections. This introduction previews the general argument in the article. This is followed by a conceptual clarification of the term security. Next is a historical overview of the River Niger Delta. In the fourth section, the impact of oil industry operations on the Niger Delta is briefly examined. The fifth section examines the salient issues in the on-going crisis in the Niger Delta, while the sixth highlights the implications of the crisis for Nigerian security. In the seventh section, an attempt is made to situate the ongoing crisis in the Delta region within the broader context of the crisis of the nation-state project in Africa and the location of Nigeria within that context. The penultimate section of the paper highlights the need for an inclusive oil policy as a way forward in the resolution of the crisis. The ninth and final section sums up the argument in the paper.

Conceptualising security in the Niger Delta

Since the end of the Cold War, the scope of security studies has broadened considerably. Consequently, the concept of security is no longer defined in the conventional state-centric, realist fashion. It has assumed a more radical approach, which, incidentally, in the context of our study, offers a more expansive understanding of the concept. Indeed, it is now widely accepted that security is not only about defending the sovereignty of a state, but also protecting the human ecosystem from the destructive effects of economic development, for the benefit of both the present and future generations.

The significance of this approach lies in the fact that it focuses attention on sources of harm other than just military threats to states and their citizens (Griffiths and O'Callaghan 2002). States in the international system seek to promote economic development for the well-being of their population. Although economic development entails costs and benefits, the idea of sustainable development, for a long time, had been on the back burner of development discourses. An effect of this was that the international community took little notice of the relationship between the environment and economic development. This situation encouraged the multinational corporations to exploit the natural resources of Third World countries, without paying due regard to environmental protection and the need for sustainable development.

It was the United Nations, through its 1992 Conference on Environment and Development (UNCED), otherwise called the Rio Earth Summit, that championed the cause of promoting and operationalising the concept of sustainable development, thereby changing the way the international system looked at the relationship between the environment and development (Chasek, 2000:378). Griffiths and O'Callaghan (2002:291) have buttressed the inter-linkage between the environment, economic development and human security:

This more radical approach to the issue of human security reflects a more holistic concern with human life and dignity. The idea of human life invites us to focus on the individual's need to be safe from hunger, disease, and regression, as well as protected against events likely to undermine the normal pattern of everyday existence. It also implies a need for significant redistribution of wealth from the rich to the poor countries.

Subsuming the issue of human security under security studies offers significant insights into the ways the activities of other non-state actors in the international system can pose a threat to the security of human beings. In this regard, Scott Pegg (1999) has emphasised the role of multinational corporations as sources of direct security threats to the people. Security threats, he argued, come from multinational corporations through their close relationships with repressive state institutions.

Nigeria is such a country with repressive state institutions. And the Niger Delta is the theatre where these repressive state institutions, at the behest of the oil multinational corporations, inflict their obscene brutalities on the helpless inhabitants of the oil communities. It is fair to observe that the human security issue in the Niger Delta crisis is multidimensional and largely centres on the impact of oil industry activities on a people whose agro-based livelihoods are dependent on the environment. Ken Saro-Wiwa made the following cogent observations regarding the human security problem generated by the operations of Shell in his embattled community, Ogoni. According to him:

The Ogoni are embattled and imperilled. Since oil was discovered in the area in 1958, they have been victims of a deadly ecological war in which no blood is spilled, no bones are broken and no one is maimed. But the people die all the time. Men, women and children are at risk; plants, wild life and fish are destroyed, the air and water are poisoned, and finally the land dies. Today Ogoni has been reduced to a waste land (1995:131).

Indeed Saro-Wiwa's poignant observations bring into sharp focus the issue of human security in Nigeria's oil-bearing communities and their implications for the nation-state project in Nigeria. It is abundantly clear from the foregoing that Shell's activities actually pose serious threats to the very existence of the oil-producing communities. With polluted and degraded environment, farmers and fisher folk are facing an uphill struggle trying to eke out an existence. In these circumstances, Griffiths and O'Callaghan's (2002) assertion that human security entails 'an individual's need to be safe from hunger, disease and regression, as well as protected against events likely to undermine the normal pattern of everyday existence', lacks currency and meaning in the context of the Niger Delta. This is hardly surprising because, as Scott Pegg has noted, repressive state institutions are handmaidens of

powerful multinational corporations. A consequence of this, as events in the Niger Delta have shown, is that the Nigerian state is more concerned about the security of oil production and the safety of oil installations, than the security of the inhabitants of the region and their well-being. As a result, alienation by the government has only served to heighten the people's sense of insecurity, as threats to their sources of livelihoods intensify by the day.

Thus, frustrated by the indifference of the Nigerian government and the telling arrogance of the oil corporations, the oil communities embarked upon mobilising themselves for a non-violent showdown with the state and the oil multinationals operating in their region. The Government's response was, to be sure, heavy-handed; but this should come as no surprise. In the words of Owugah (2000:113), 'in its service to the oil companies to ensure a healthy economy, the Nigerian state has subordinated everything, including the lives and livelihood of the people as well as the environment'.

Owugah's remarks are better appreciated against the backdrop of endless violent (at times bloody) confrontations between the beleaguered inhabitants of Niger Delta and the profit-driven oil companies. In October 1990, for instance, the Umuechem community in Rivers State organised a non-violent protest against Shell's destructive activities in their environment. The company's response to that non-violent demonstration was to request the presence of the notorious and much-dreaded Mobile Police, better known as 'Kill and Go', under the pretext that it was under imminent attack. The Mobile Police team came and attacked the peaceful protestors with tear gas and gunfire. As if that was not enough, they returned the next day and laid the entire community to waste. Over five hundred houses were destroyed and more than a hundred lives were lost. A government-sponsored judicial commission of inquiry into the attacks was to later reveal that there was no evidence of any threat from the villagers. Submitting further, it stated that the Mobile Police had shown 'a reckless disregard for lives and property' (Manby 1999a; Pegg 1999; Okonta and Douglas 2001).

Although Shell claimed that it had learned a lesson from the Umuechem experience (see Manby 1999a), three years later, the company still provided transportation and field allowances for the army escort it had requested to provide security for Wilbros, a pipeline contractor working for the company in Ogoni. This happened three months after Shell had announced that it was officially pulling out of Ogoni. The protesters were mainly women, whose farmlands had been bulldozed by Wilbros. In the ensuing encounter one person was killed and more than twenty others wounded.

The Niger Delta is replete with encounters of the sort described above. Chevron, another major oil company in the Western Niger Delta, is on record as having requested and transported armed troops, on several occasions, to

dislodge unarmed protesters. In 1998, for example, armed security men flown in on Chevron's helicopter opened fire on protesters negotiating with Chevron officials. The shooting left several protesters dead and many more wounded. Again, in January 1999, two Ijaw villages (Opia and Ikenyan) in Delta State were involved in a bloody confrontation with state security forces that had been transported in a Chevron helicopter and three Chevron boats. The two villages were brutally sacked, resulting in the deaths of several villagers and nearly a hundred whose whereabouts could not be ascertained.

All of these incidents, to be sure, constitute a serious threat to the security and well-being of the inhabitants of the oil-bearing communities. Given the atmosphere of insecurity created by the presence of the security forces and their readiness to inflict violence on the hapless inhabitants, it would be difficult, if not impossible, for the people to engage in any meaningful socio-economic activity. Under such conditions, the continued viability of these communities is gravely undermined. For example, the people whose homes have been destroyed by security agents have been forced into the bush, as have others who, fearful for their lives, cannot return home to their villages. As should be expected, women and children bear the brunt of this state-orchestrated violence against its citizens, in brazen defence of the oil corporations on whom it depends for its revenue earnings.

This situation has been roundly denounced by many observers who have expressed concern over the manner in which the Nigerian state has privileged the security of the oil multinationals at the expense of the security of its citizens, whose very existence is being increasingly crippled by oil industry activities. As Scott Pegg (1999: 480) has correctly noted:

The fact that Shell specifically requested MPF assistance three years after that body had killed demonstrators, that it twice tried to re-enter Ogoni under armed escort after having withdrawn its staff only months earlier, that Chevron twice transported troops that subsequently killed protesters after the negative publicity surrounding Shell's link with the military, and that both companies continue to operate today behind the presence of more than 10,000 troops in the Niger Delta all suggest at a minimum that both companies have shown a distinct lack of concern over the violence directed at the oil-producing communities in Nigeria.

The Ogoni experience at the hands of the Nigerian state and its 'partners in progress' – the oil companies – is well known and is virtually representative of the experiences of other oil communities challenging the state and oil company. Between 1993 and 1998, Ogoniland was placed under military occupation. The ostensive idea was to maintain law and order in Ogoni, so that the people could go about their daily business without fear; but the real

intention was to witch-hunt MOSOP members, thereby driving the grass-roots movement out of existence.

During the militarisation of Ogoni, men suspected to be MOSOP devotees were beaten and abducted, usually at night, by heavily armed security agents. Many never returned to tell their tales. Those who were fortunate enough to escape summary execution were clapped into jail after severe beatings. The women were not spared either. Many of them, even pregnant ones among them, were raped, at times right in front of their husbands (Robinson 1996: 196; Ekine 2001). For these women, it was indeed a double struggle in which they were raped and beaten, their husbands and sons killed or jailed, and their daughters either raped or taken away. For as long as the military occupation lasted, Ogoni women were constantly harassed and prevented from engaging in their traditional occupations. Young girls who refused sexual approaches were instantly killed or forced into sex slavery. As a consequence, young girls and boys who were the preferred targets of these security agents soon adopted the exit option; that is to say, they started leaving their homes for the relative safety of other neighbouring towns and cities. Others took refuge in camps scattered across the West African sub-region (Project Undergroun. n.d.; Raufu 1996; Esele 1996).

It was during this period, and subsequent to the murder of Ken Saro-Wiwa and eight other members of MOSOP, that Shell became implicated in arms importation scandals. Although Shell was to admit to purchasing 107 handguns for its supernumerary police nearly two decades ago, the company argued that the guns in question were the property of the Nigeria Police, not its own. Meanwhile, another weapons importation related scandal was to surface in which Shell, again, was alleged to have been negotiating the procurement of more than half a million dollars worth of upgraded weapons for its security force. On investigation, human rights groups found that the weapons in question did not match the purposes that Shell had claimed they were intended to serve. According to Manby (1999:175), 'the weapons on order – Beretta semi-automatic rifles, pump action short guns and materials such as tear gas clearly designed for crowd control – did not seem appropriate for protection from armed robbers and general crime'. But more scandals were to surface that revealed the extent of Shell's involvement in the crisis in the Niger Delta. Although the company made spirited efforts to exonerate itself from these damaging allegations, subsequent events in Ogoni confirmed beyond doubt Shell's undeniable involvement in the crisis.

Ogoni, as already indicated, was under heavy military occupation by the Rivers State Internal Security Task Force (RSISTF), established by the military administrator of the State at that time to destabilise MOSOP, and to curry favour with his military boss (General Abacha) and the corporate rul-

ers – Shell. The Task Force was headed by a self-confessed brute, Major Paul Okuntimo, who is on record as having boasted that he knew 221 ways to kill a human being (Manby 1999a; Okonta and Douglas 2001). It suffices here to say that under Major Okuntimo, the Ogoni people were, as he had wanted it, completely dehumanised. Many people fled their homes and took up residence in the bushes and forests (Robinson 1996).

Despite Shell's insistent denials and attempts to cover up the facts, it soon became public knowledge that Shell was supplying regular field allowances to Major Okuntimo's Task Force. On May 12, 1994, a memo addressed to his superiors and signed by Major Okuntimo himself stated, *inter alia*, 'Shell operations still impossible unless ruthless military operations are undertaken for smooth economic activities to commence'. The Major added, 'pressure on oil companies for prompt regular inputs as discussed' (Manby 1999a). Shell's reaction can be envisaged. While the company strongly denied ever making 'inputs' into the operations of the Task Force, it admitted to 'paying field allowances to the Nigerian military on two separate occasions in 1993 when protesters were killed and wounded' (Pegg 1999: 476).

It can thus be deduced that oil company activities do have serious security implications not just for the Nigerian state but also for the inhabitants of the oil-producing communities whose very existence is under severe threat. In the words of Scott Pegg (1999: 481):

The threats posed to the very existence of the Nigerian state by pressures for new oil revenue allocation formulars, the more than 2,000 Ogoni civilians already killed, and the massive troop deployment to the Niger Delta following the Kaiama Declaration, however, all indicate that the security implications of TNCS for indigenous peoples fit quite comfortably even within a narrow vision of what constitutes 'security studies'.

In its editorial of April 26, 2000 entitled 'Oil Firms and National Security', *The Comet* newspaper revealed quite clearly that Shell was not alone in the practice of supporting divisions of the Nigerian armed forces with operational and other equipment. As the editorial stated:

The federal government should quickly clear the air on the alleged plan of a consortium of oil firms to raise about N7 billion naira to fund the Nigerian Navy. This N7 billion is expected to come in the form of operational and other equipment, which the multinationals have indicated their willingness to supply the navy to improve its efficiency. This proposal is suspect. The intentions of the oil firms, cannot be taken for granted and their presumption has overreached itself this time (*The Comet*, April 26, 2000: 16).

The idea of a consortium of oil companies funding the Nigerian Navy is indeed mind-boggling and clearly underscores what happens when corpora-

tions rule the world (see Korten 1996). But beyond this, it shows the lengths to which the oil corporations are prepared to go in order to ensure that the people of the Niger Delta do not challenge their exploitative activities. For one thing, the oil companies know that the power or responsibility of funding the Nigerian Navy rests squarely with the federal government of Nigeria, through its regular budgetary provisions. And for another, the oil companies could have put the seven billion naira to better use by investing it in community development projects, the provision of basic social amenities and in environmental remediation programmes in their host communities.

The credentials of the Niger Delta as a hotbed of possible threats to Nigerian state security are further underlined by a widely reported incident that happened a few months after the inauguration of President Olusegun Obasanjo's regime in 1999. An environmental activist, McWilliams Onya, confessed that he was approached in September 1999 by some people to blow up the oil pipelines in his community, Orashi, 'just to embarrass the oil companies and the Obasanjo government' (Chukwumba 1999:22). Onya confirmed that he was offered the sum of US\$500,000 to blow up the oil installations, but he quietly turned down the offer.

From the economic perspective, disruptions in oil production can also endanger the security of the Nigerian state. For instance, when the Ogoni crisis peaked and Shell was forced to cease oil production in that community, the company reportedly lost 1,432 total project days from 169 community disturbances in 1993 (Pegg 1999). In 1997, the oil industry claimed to have lost an estimated 117 days to communal unrest in the oil-bearing communities. As Nigeria's biggest producer, Shell's operations, which are found mostly in the eastern Niger Delta, are usually hard hit by such communal disturbances. Indeed, between January and August 1998, the company recorded 117 cases of disruptions to its operations on the eastern division, following renewed attacks from Ijaw youths. As a consequence, Shell was forced to declare *force majeure* after nine of its flow stations were shut down by irate youths. In monetary terms, these losses translate into millions, if not billions, of dollars.

Similarly, Shell's counterparts in the Niger Delta have also had their own fair share of losses prompted by the crisis in the region. In May 1998, Chevron's operations on the offshore production platform at Parabe were disrupted by youths under the aegis of Ilaje Concerned Citizens (ICC). In that incident, Chevron claimed to have lost 304,000 barrels to the Ilaje protest. In another incident involving Ijaw youths, Chevron's flow stations in Abiteye, Macaraba and Aotonane in western Delta were closed down for fifteen days by embittered youths, resulting in a loss of between 100,000 and 200,000

barrels. The monetary value of this was put at between US\$1.2 million and US\$2.4 million, daily. Nigeria Agip Oil, which, like Chevron, operates in western Niger Delta, was not left out. During the crisis that broke out in October 1998, the company reported a loss of 105,000 barrels daily from its fields. These, in revenue terms, translate into a loss of US\$1.2 million daily (Adebowale 1999:13).

At the height of the Warri crisis in 1997 and 1998, oil company installations were attacked and company workers were abducted by warring youths. A huge ransom was paid by the companies to secure the freedom of their workers. Shell, for example, was reported to have paid the sum of N250,000 to Ijaw youths to secure the freedom of its workers who had been abducted (Ofuoku 1998). In 2003 when the Warri crisis raged anew, Nigeria was reported to be losing over 40 percent of its oil production, an equivalent of 800,000 barrels per day of exportable crude oil. Consequently several oil companies, namely Shell, Chevron Texaco and Total Fina Elf, were forced to declare *force majeure* in order to protect their oil installations (Ologbondiya 2003).

Given the mono-cultural nature of the Nigerian economy, it is not difficult to understand how and why the crisis in the Delta region can be so harmful to the fiscal health of a prostrate economy. Similarly, for the oil corporations, this crisis greatly limited the amount of profit they could make on their investments in the Nigerian oil industry.

The Niger Delta Context

The Niger Delta is a heterogeneous, multiculturally diverse region of 70,000 square kilometers (Saro-Wiwa 1995:165; CRP 1999:31; Tamuno 1999:51) with over 20 different ethnic groups, including those of Yoruba, Edo, Igbo, Izon (Ijaw) and Cross River stock (CRP 1999:7). Several studies (Dike 1965:25; Jones 1963; Alagoa 1964; Ikime 1972; Onosode 2003) have shown that fishing, hunting, trading, farming and salt-making are the traditional occupations of the people.

The Niger Delta is one of the three largest wetlands in the world, and the largest in Africa (see *The Guardian*, Lagos, December 3, 1998:16; Manby 1999a:53; Onosode 2003:8). Quite apart from being hugely endowed with oil and gas deposits, fertile agricultural land, abundant rivers (as well as creeks) and fish, forest and human resources, the Niger Delta also supports a complex bio-diversity and other biological and ecological features, presently the most diverse, sensitive and fragile in Nigeria (Onosode 2003). Three distinct ecological zones predominate in this region. These are the thick mangrove forests bordering the sandy coastal areas that in turn border the Atlantic Coast. There are the fresh-water swamps, and, lastly, the dry land

forests that support most of the farming (CRP 1999:12). Kenneth Dike (1965:20) has written that, geographically,

... the Delta divides easily into two sections. The Northern section is comparatively drier and higher than the area of swampland to the south. Even in the lowland belt, the dank and humid surroundings with vast stretches of dry land, a maze of islands intersected by creeks and rivers and on these settlements have been built. Some of these southern colonies, being placed on points of control for internal and external commerce, quickly grew in importance and became the trading centres on the Atlantic seaboard.

Of the major ethnic groups in the region, namely the Ogoni, Urhobo and Itsekiri, the Ijaw nation constitutes by far the Delta's largest ethnic group, with over 5000 communities from over 40 clans (Ijaw Youth Council 1999:5), dispersed across six states, namely Ondo, Edo, Delta, Bayelsa, Rivers and Akwa Ibom States. With over 800 oil-bearing communities, the Niger Delta has an estimated population of about 13 million people, some four million of whom are of Ijaw ethnic origin (Kemedi 2003:7).

Socio-economic impact of the oil industry operations on the Niger Delta: A brief overview

The issue of land and the manner in which it is acquired for use by the oil companies lie at the heart of the on-going crisis in the Niger Delta. Land, from which the local communities derive their sustenance, is very scarce. Over four decades of oil industry activities in terms of building or constructing oil-related facilities such as refineries, petrochemical plants, pipelines, flow-stations, terminals, dual carriage expressways and staff housing estates (see Turner and Oshare, 1993:340; Etu-Efeotor 1997; Manby 1999a:75; CRP 1999:12-22; Frynas 2000:159-69) have put enormous pressure on the available land. Apart from the usual land disputes, which such oil-industry related activities have engendered, they have created a situation where many oil-producing communities are now forced to buy their food.

Given the vital role women play as traders, farmers and fisher folk, environmental degradation and other drastic changes in the environment have placed a very heavy burden on them. As pointed out earlier, during the militarisation of Ogoni and Kaiama, women were constantly harassed and prevented from conducting their daily business. Under the circumstances, many of them, especially the young ones, were forced into prostitution as a means of survival. Moreover, the desecration or outright destruction of shrines and objects of veneration to host communities not only violates Nigerian laws, which require the companies to respect such places and objects that are sacred to the local communities, but also infringes upon their human

rights by denying them of freedom of worship and their cultural inheritance. For example, cases of destruction of places of worship and cemeteries by oil companies have been reported in the media (see *Oil and Gas Monthly*, 1995:12-15; *The Guardian*, Lagos, 25 December 1999:28; *Africa Today*, February 2000).

From the foregoing analysis, it is evident that the issues involved in the on-going crisis in the Niger Delta are critical. Although they may at first glance appear localised, their effects, as events have shown, usually reverberate beyond the territorial boundaries of the oil-belt, with destabilising consequences for Nigeria's political economy. What, then, constitute the critical issues and what are their implications for national security? But first, the salient issues.

Salient issues in the Niger Delta crisis

Over the past decades, oil company operations have degraded the environment of the host oil-producing communities, without regard to the negative effects on the rural populations. Oil spills and gas flaring constitute the most serious forms of environmental degradation in the Niger Delta, because they pose a serious threat to the livelihoods of the communities. Oil spills usually inflict human, environmental, and socio-economic hardships on the affected communities with long-term or permanent damage to fish farms, farmlands, soil, and water (Gbadegesin 1998). Based on the number of incidents reported by the oil corporations themselves (Manby 1999a:59), an estimated 2,300 cubic metres of oil are spilled in 300 separate incidents annually (Manby 1999a:59). Conversely statistics derived from the Department of Petroleum Resources (DPR). (Manby 1999a:59), show that over a period spanning 20 years (1976–1996) a total of 4,835 incidents resulted in the spillage of some 2,446,322 million barrels, with an estimated 1,896,930 million barrels lost to the environment. Furthermore, Oyebadejo and Ugbaja (1995:13) have observed that the year 1986 is remarkable as the worst year as far as the history of spillage is concerned in Nigeria. According to them, a total of 753 million barrels of crude oil were spilled from just 116 incidents.

To be sure, none of the above statistics can be presumed accurate. Government and oil company figures are bound to be conservative estimates, whilst independent environmentalist figures are more likely to be exaggerated. But the above statistical data, even based on the conservative estimates of the companies and the government, support the argument that oil spillages pose a severe threat to the survival and viability of the Niger Delta communities. They additionally show that oil spills, when they occur, are not efficiently contained. Oil spills usually extend beyond the immediate environment where they originally occurred with devastating effects on the affected

areas. Mobil's Idoho platform spill of 1998 amply demonstrates the ripple effect of oil spillage:

The Mobil spill was particularly widespread, going beyond the immediate environment of Akwa Ibom State to the adjoining states of Rivers, Cross River, Edo, Delta and Ondo. Because of the ocean currents the spill went some 85 kilometres into the Atlantic, spread to Lagos and into the waters of the neighbouring countries of Ghana, Benin and Togo (*Nigerian Petroleum News*, No 164, April 1998:1).

Similarly, the 20,000 barrels spill incident, which occurred only a few months after Mobil's from Shell's Jones Creek flow-station, reportedly affected thirty-four communities.

The impact of oil spills on the Niger Delta environment is enormous and well-documented (Idoniboye and Andy 1985:311-314; Ikein 1990:131; Taiwo and Aina 1991:55-58; Oyebadejo and Ugbaja 1995:12-15; Manby 1999:56-90; Constitutional Rights Project, 1999:12-22; Ikporukpo 1999:15; Esparza and Wilson 1999:8; Frynas 2000:158-162). Frynas, for example, has noted that two decades after a Shell oil spill in Farah, the affected area 'was still considered unsuitable for effective farming' (2000:169). Oil spills not only contaminate but degrade and destroy mangrove forests, thus threatening with extinction such endangered species as the Delta elephant, the white-crested monkey, the river hippopotamus and crocodiles, among others (Esparza and Wilson).

Furthermore, it has been shown (Ikein 1990:134; Manby 1999a:66) that pollution of ground water is one of the most serious long-term effects of oil spillage. This becomes all the more worrying in light of the fact that local populations depend solely on water drawn straight from the streams and creeks. As should be expected, the incidences of water-borne and other types of diseases among the people have been on the increase. It is instructive to observe that about one hundred and eighty deaths were reported from the effects of the pollution spawned by the Texaco oil spill of 1980, whilst the pollution of ground water from Mobil's Idoho spill led to the hospitalisation of some hundred indigenes.

Gas flaring, and its attendant effects on the environment, is another serious issue in the Niger Delta. Andy Rowell (1996), the renowned British environmental journalist, reports that up to 76 percent of gas is flared off in Nigeria, whilst a minuscule 0.6 percent and 4.3 percent is flared off in the US and Great Britain respectively. The World Bank report on Nigeria (cited in Frynas 2000:63) is equally revealing. According to the report, Nigeria produces about 35 million tons of the coal dioxides (Co₂) from gas flaring, whilst the total emission of nitric oxides and sulphur-dioxides stands at 210,000

and 40,000 tons per year respectively. This makes Nigeria one of the leaders in pollution. Like oil spillage, gas flaring also produces its own long-term effects on humans, animals, and the environment. Gas flares generate enormous heat, noise, vibration and eternal flames. Citing his compatriot and revered British environmentalist, Nick Ashton-Jones, Andy Rowell (1996: 291) writes that 'some children have never known a dark night even though they have no electricity'. Moreover, acid rain, which is a product of gas flaring, induces the destruction of roofs, fresh water fishes and forests.

The security risks of gas flaring to the health and survival of the people of the oil-producing areas are enormous (see, for example, Fregene 1998; Osuntokun 1999:162; Okonta 1999:10; Manby 1999a:72; Esparza and Wilson 1999:5; Achebe n.d., Wiwa 2001). These studies have highlighted the emergence of strange diseases, some of which have defied medical explanations. Furthermore, Okeke and Ukaegbu (cited in Ikporukpo 1999:12) have shown the effects of gas flaring on crop fertility. They have reported a total loss in yield of crops cultivated within 200 meters of gas flares, with crops within 600 metres of gas flares suffering a 45 percent loss, and with crops about 1000 metres away a 10 percent loss.

However, it would seem the oil companies are not convinced of the harmful effects of gas flares on the environment and on the people. According to the former Managing Director of Texaco in Nigeria, Mr Tako Koning: 'The flaring of gas does not create a kind of environmental problem' (Oyebadejo and Ugbaja 1995:14). To him, gas flaring only amounts to 'a loss of valuable hydrocarbons' (Oyebadejo and Ugbaja 1995:14). Similarly, Mr Bobo Brown, Shell Nigeria's Eastern Division public relations officer, also denied that communities were harmed by gas flare pollution. Rather, he argued that local communities benefitted from these flares because they could dry their foodstuffs for free by setting them near the burning gases (Esparza and Wilson 1999:5). The renowned Canadian oil expert Terisa Turner, has aptly characterised this attitude as an 'environmentally racist practice of oil production, transport and exploitation' (Turner 2001:30).

The effects of gas flaring are more palpably felt by the affected communities because getting the oil company/companies involved to pay compensation to the communities is usually an uphill struggle. With regard to gas flaring, the companies (Frynas 2000:165) have denied any responsibility for damage inflicted on crops. According to this writer, their denial is greatly aided by the generally low level of awareness as regards the effects of gas flares on crops, coupled with the lax nature of the judiciary and court system, which the companies find all too easy to manipulate in their favour.

A corollary of the above is that multinational oil companies operating in Nigeria have often cited sabotage as the cause of oil spills. However, such claims are predicated on the fact that state policy as it relates to sabotage exempts the oil companies from the responsibility of paying compensation to the victims of oil spillage. This, therefore, gives companies the leverage to cite sabotage when a spill is reported. Under the circumstances, it becomes easier for the companies to misclassify as sabotage spills actually caused by blowouts, corrosion outdated facilities, and equipment malfunction (Manby 1999a). Commenting on the oil companies' claim that as much as sixty percent of oil spillages in the Niger Delta are caused by sabotage, the Group Managing Director of the Nigerian National Petroleum Cooperation (NNPC), Alhaji Dalhatu Bayero, has observed that:

... while sabotage accounts for about a fifth of all oil incidents, blowouts and equipment malfunctions together account for 40 percent, corrosion for 11 percent, maintenance/operators error 18 percent. The remaining 10 percent through natural causes and third party incidents (*Nigerian Petroleum News*, 1998, p.1 and p.16).

It is, therefore, a lot easier to understand why and how the problem of environmental degradation has largely defined the character and dynamics of the Niger Delta crisis. Rooted in this crisis is the paradox presented by the Delta region. From it comes the wealth that oils the vast and ever-increasing administrative and bureaucratic units of the Nigerian state. The oil boom revenues financed the huge expenditure on the provision of social and infrastructural facilities in the 1970s, especially in Lagos, Nigeria's commercial capital. Similarly, oil revenues from this blighted region have also financed the huge cost incurred in the construction of a new federal capital in Abuja. Yet poverty in the region is far higher than the national average, and the gulf between the haves and the have-nots is more pronounced in the oil-producing communities. For example, the GNP per capita is well below the national average of \$260, and unemployment in Port Harcourt is more than 30 percent (Manby 1999b; IDEA 2000). Eteng (1998:20) has opined that, apart from Port Harcourt, Warri and Sapele, every single host community in the entire oil-producing region presents the same pathetic picture of severe underdevelopment, dependence and deprivation. As a consequence, primary school attendance in the region is well below the national average of approximately three-quarters. Although 70 percent of the population lives in the rural areas, only an estimated 20 to 25 percent have access to pipe-borne water (Manby 1999b). Most rural communities have no electricity, and many of them live in virtual isolation from one another and the rest of the country as a result of the absence of access roads. For those who live over water

(creeks and rivers), the only available means of transportation are dug-out boats. For example, the federal government has only recently paid the sum of seven billion naira to make Bayelsa state, Nigeria's first oil State, connected to the national electricity grid (BBC Network Africa News 07:30 GMT, 23 March 2001).

Commenting on this paradox and how it has helped to deepen the crisis in the region, Taiwo and Aina (1991:49-50) have noted that:

Today's urban development in major Nigerian cities can be traced to the oil wells located in the remote villages of the country where oil continues to gush out day and night. It is the oil of these villages that has in recent times brought skyscrapers, express roads, fly-overs and other physical structures to cities and towns which are far from the gushing wells. But for the territorial waters where the black gold, oil, is mined, there is a sad tale full of sound and fury signifying something – poverty and neglect. To them the discovery of oil is a curse. It means poverty, hunger and disease. It means undiluted suffering, barefaced deprivation and capitalist exploitation, the magnitude of which can only be compared with what happens to a cow in the hands of a selfish dairy man who is concerned only with milking the animal dry, caring less about its well-being and disposing of it as the milk well dries. As long as he makes his money the cow can wither and drop dead.

The above passage underscores the contradictions – not least the class and ideological basis – of the Niger Delta crisis. The nature of the Nigerian state as a facilitator or instrument of international capital (as well as its local counterpart) is pivotal to the ongoing crisis in the Niger Delta. So also is the capitalist mode of production whose inherent contradictions, as played out in the fragile ecosystem of the Niger Delta, have not only deepened but also sustained the crisis; a reflection of which are the perennial violent conflicts between the oil communities and the state/oil multinational alliance, on the one hand, and among the oil-producing communities themselves, on the other (Jyrkri 1993: 279; Obi 1999a: 9-11). Furthermore, the existence of an entrenched transnational class whose vested interests in the capitalist mode of production and accumulation are protected by 'authoritarian modes of governance' (Obi 1999b:55), run counter to the yearnings and aspirations of the peoples of the oil-producing areas, who perceive their exclusion from the wealth that is extracted from their natal soil as a great injustice redolent of internal colonialism.

Thus, it is largely the conflict of interests between this transnational capitalist class of exploiters and the exploited peoples of the oil-producing areas over environmental protection, access to and control of resources, among other things, that has advanced the dynamics of the crisis. Out of sheer desperation during decades of pollution and neglect, the oil-producing com-

munities have resorted to reactive militancy as the way out of their predicament. The militant posture of the oil communities, especially the unemployed youths, has brought them into direct confrontation with the state and its security forces. Beginning with Iko, a despoiled town in Akwa Ibom State, many more oil-producing communities have had to contend with the full weight of state-orchestrated brutalities, and with the repression of their demand for environmental protection and sustainable development. This reached a climax with the militarisation of Ogoni in 1993. Under the guise of preventing communal and ethnic conflicts, the state, through the Rivers State Internal Security Task Force (RSISTF), unleashed terror on the Ogoni people. The judicial murder in November, 1995, of Ken Saro-Wiwa, radical leader of the Movement for the Survival of the Ogoni People (MOSOP), along with his kinsmen, was a climactic point in the struggle between the powerful transnational class represented by the Nigerian state and the oil corporations on the one hand, and the embattled inhabitants of the oil-producing areas on the other.

The high-handed approach of the Nigerian state is understandable. By the elimination of some MOSOP leaders it sought to discourage similar organised opposition from other oil-producing communities. But, as already noted, this kind of approach only served to further expose the weakness and limited autonomy of the state vis-à-vis the oil companies. In other words, it shows that 'the state's existence and that of the ruling coalition depends on the global oil giants, particularly Shell' (Obi 1997:142). Finally, the state's repressive intervention brings into very bold relief the question of the state-oil nexus in Nigeria.

The state-oil nexus became a factor in Nigeria's political economy of oil with the promulgation in 1969 of Decree 51, which vested in the state 'the entire ownership and control of all petroleum in, under or upon any lands in Nigeria... under the territorial waters of Nigeria'. This and other oil-related decrees, including the Land Use Decree of 1978 and the Offshore Oil Revenue Decree 9, to name just two, robbed the oil-producing communities of their natural rights to ownership and control of land and resources, and transferred them to the federal government (Ijaw Youth Council 1998). These decrees 'finally cut off the minorities from direct oil revenue, and reinforced the dependency of the minorities on the majorities for a share of the oil wealth' (Soremekun and Obi 1993:220).

The foregoing not only clarifies why the oil-producing minorities have largely resorted to militant struggle as a way of making their voices heard, but also why the Nigerian state has adopted a hard-line posture as the only possible way of resolving the crisis.

Unfortunately, intra- and inter-communal feuds, with their attendant heavy casualties and destruction of property, are the inevitable corollary of such a situation. Indeed, the increasing incidence of these communal and inter-ethnic conflicts has been attributed to the presence of the oil companies who employ a divide and rule strategy in their dealings with host communities. Such communal-based conflicts have provided the state with the much-needed excuse to militarise the Niger Delta. Over 7,000 armed troops were stationed in the region, ostensibly to keep the peace, whilst in the real sense they were sent to suppress any local opposition to the state and the oil companies. These conflicts are complex and reflect the intriguing contradictions thrown up between the capitalist mode of production and the traditional economy of the oil-producing areas. Reflecting on the various dimensions of these conflicts, Eteng (1998:23) remarks that:

... such conflicts now range between elite groups, between competing claimants of traditional chieftaincy stools, between youth organizations, on one hand and between them and community elders, on the other; between the urban-resident elite and village community residents, and even between villagers and emergent community-company go-betweens.

It has been shown (Soremekun and Obi 1993; Adekanye 1995; Saro-Wiwa 1995; Obi 1997, 1999b) that the wholesale implementation by the government of the IMF-imposed Structural Adjustment Programmes (SAPs) was partly to blame for the exponential increase in those conflicts. As part of the conditionalities presented to the government by the IMF, the deregulation of the oil industry meant a withdrawal of state participation in the industry in favour of increased oil company participation. This led to unbridled foreign investment in the Nigerian oil industry and a rapid increase in the exploration and exploitation of oil, which, as noted earlier, resulted in further ecological damage, land alienation and, by extension, the destruction of the livelihoods and traditional way of life of the host communities.

Finally, Ikporukpo (2000) has noted that Nigeria's oil-producing states have mostly received less government distributed revenues compared to non-oil producing states. This he illustrates in three successive periods. According to him, in 1990 all the oil-producing states, on aggregate, accounted for slightly over 25 percent of federally allocated revenues among states, whilst the non-oil-producing states altogether accounted for about 75 percent. In the post-1990 period, Kano and Oyo States were the largest recipients of oil revenues. Between 1990 and 1996, Ikporukpo contended, the non-oil-producing states received more revenue from oil than the oil-producing states, which bore the environmental burden of oil-producing activities.

Table 1: Distribution of Allocated Revenue among States in %

| State | 1980 | 1985 | 1989 | 1990–96 |
|--------------------|------|------|------|---------|
| Abia | - | - | - | 2.3 |
| Adamawa | - | - | - | 2.2 |
| Akwa Ibom | - | - | 4.1 | 3.1 |
| Anambra | 5.1 | 4.1 | 5.4 | 2.5 |
| Bayelsa | - | - | - | 0.9 |
| Bauchi | 4.1 | 4.1 | 4.2 | 3.2 |
| Benue | 4.2 | 4.3 | 4.1 | 2.9 |
| Bornu | 4.6 | 4.6 | 4.8 | 3.1 |
| Cross River | 5.2 | 4.9 | 2.8 | 2.1 |
| Delta/Edo (Bendel) | 10.0 | 5.9 | 6.4 | 2.5 |
| Ebonyi | - | - | - | 2.5 |
| Ekiti | - | - | - | 2.5 |
| Enugu | - | - | - | 2.6 |
| Gombe | - | - | - | 1.2 |
| Imo | 6.4 | 5.5 | 3.4 | 2.9 |
| Jigawa | - | - | - | 2.8 |
| Kaduna | 5.4 | 5.5 | 3.4 | 2.8 |
| Kano | 6.7 | 6.8 | 7.3 | 10.9 |
| Katsina | - | - | 4.1 | 2.9 |
| Kebbi | - | - | 4.1 | 2.4 |
| Kogi | - | - | - | 2.4 |
| Kwara | 3.6 | 3.4 | 3.5 | 2.5 |
| Lagos | 3.4 | 3.7 | 3.9 | 3.2 |
| Nassarawa | - | - | - | 1.1 |
| Niger | 3.2 | 2.9 | 3.0 | 2.6 |
| Ogun | 3.5 | 3.2 | 3.3 | 2.7 |
| Ondo | 4.4 | 4.4 | 4.6 | 3.0 |
| Osun | - | - | - | 2.2 |
| Oyo | 6.3 | 6.4 | 6.7 | 3.1 |
| Plateau | 3.9 | 3.0 | 3.8 | 3.0 |
| Rivers | 10.0 | 5.6 | 6.2 | 3.1 |
| Sokoto | 5.8 | 5.9 | 6.2 | 3.0 |
| Taraba | - | - | - | 3.5 |
| Yobe | - | - | - | 2.7 |
| Zamfara | - | - | - | 1.3 |
| F.C.T. Abuja | - | 1.7 | 1.7 | 3.2 |
| | 100 | 100 | 100 | 100 |

(Adapted from Ikporukpo, 2000: 20-21).

He also remarked that the case was true of the local government areas. Concluding, he attributed this environmental injustice to the fact that these oil-producing states are, relative to their counterparts, small both in population and area (Ikporukpo 2000:20-22).

Implications of the Niger Delta crisis for security in Nigeria

The issue of national security is somewhat compounded by what Ibeanu (2000:25) has described as ‘a contradiction of securities’. This contradiction arises from the fact that the state’s and oil companies’ perception of what constitutes security differs markedly from that of the oil-producing minorities. Ibeanu has argued that:

For oil-bearing communities, security means the maintenance of the carrying capacity of the fragile Niger Delta environment... State officials and petro-business, on the other hand, see security in terms of uninterrupted production of petroleum irrespective of environmental and social impacts.

At the internal level, one of the most significant implications of the ongoing crisis for national security is the question of micro- or ethno-nationalism which, in the last decade, has swept the oil-producing areas. Anchored on demands for political autonomy, self-determination and resource control, this sub-nationalist sentiment has been expressed in terms of the formation of social/cultural movements as a platform to mobilise the people against the ruthless exploitation of their resources by local and external forces. These nationalist struggles assumed alarming proportions with the articulation of Charters, Declarations and Bills of Rights by grassroots environmental rights movements. The Movement for the Survival of the Ogoni People (MOSOP) is the archetype of these local rights movements. In 1990, for example, the movement presented an ‘Ogoni Bill of Rights’ to the former President of the Federal Republic of Nigeria, General Ibrahim Babangida, and members of the Armed Forces Ruling Council. A section of the Ogoni Bill of Rights (1991: 17-18) makes the following demands:

‘That the Ogoni people be granted POLITICAL AUTONOMY to participate in the affairs of the Republic as a distinct and separate unit by wherever name called, provided that this autonomy guarantees the following:

- Political control of Ogoni affairs by Ogoni people
- The right to the control and use of a fair proportion of OGONI economic resources for Ogoni development
- Adequate and direct representation as of right in all Nigerian national institutions
- The use and development of Ogoni languages in Ogoni territory

- The full development of Ogoni culture
- The right to religious freedom
- The right to protect the Ogoni environment and ecology from further degradation

Due largely to the success achieved by MOSOP, other oil minority groups took a cue from their example. Notable examples in this regard include: the Kaiama Declaration, the Ikwere Charter, the Urhobo Economic Summit, and the Oron Bill of Rights. Others include the Aklaka Declaration, the Ijaw Peoples' Charter, and the Charter and Demand of Ogbia People, all of which are poignant reflections of the sub-national passions currently raging in the Niger Delta. All the above, not surprisingly, contain demands similar to those in the Ogoni Bill of Rights (OBR).

For a structurally skewed federal system such as Nigeria's, the security threats to the very existence of the Nigeria state by these sub-national passions cannot be ignored, as they are capable of 'sounding the death knell of the Nigerian nation-state' (Soremekun and Obi 1993: 211). It is instructive to recall that oil-induced micro-nationalism in the oil-bearing areas harks back to the 1960s. In February, 1966, for example, Isaac Boro, a University of Nigeria undergraduate of Ijaw origin, with two other compatriots, Sam Owonaro and Nottingham Dick, declared a Niger Delta Republic during an abortive twelve-day revolution. In a similar vein, the intense nationalistic fervour that subsequently swept the majority Igbo ruling faction in the East and which culminated in a three-year long civil war (1967–1970) was largely oil-induced as well (Saro-Wiwa 1984: 98; Ikein 1990:65). An irate indigene of Ikot Abasi, an oil-producing community in Akwa Ibom State, eloquently captured the general sentiment of micro-nationalism sweeping through the Niger Delta when he stated that 'there is no basis for unity in this country: 'If we must stay together, let's fragment and make inputs to the centre. The Ibibios want this country to be divided into units' (see *African Guardian*, Lagos, 31 January 1994, p.17).

Clearly, the crisis has brought into perspective the national security challenges that confront the Nigerian state. These security challenges are most evident in the ease with which irate community youths disrupt oil company operations, attack oil installations, take oil company workers hostage and then demand a ransom. The state's repressive interventions have, as should be expected, been largely counter-productive. Instructively, despite the massive troop deployment in the Niger Delta over the years, the crisis has continued to deepen further, leading both the state and the oil companies to report huge revenue losses (see, for example, *The Guardian*, Lagos, 24 Feb-

ruary 1998; *The Guardian*, Lagos 29 May 1998, *The Guardian*, Lagos, 3 November 1998; *The Guardian*, Lagos, 3 December 1999, *The Guardian*, Lagos 1 March 2000). Given the mono-cultural nature of the Nigerian economy, these disruptions, stoppages and losses certainly bode ill for the economic security of the Nigerian state.

Besides the economic and military costs, which the state has incurred owing to the crisis, its political and diplomatic costs are highly significant as well. For instance, the state spent billions of dollars on public relations in a desperate bid to redeem its tarnished image before the international community and thereby head off economic sanctions against it. To be certain, those huge amounts could otherwise have been invested in welfare and development programmes in the oil-producing areas.

Finally, the endemic intra- and inter-communal conflicts no doubt pose serious security threats to the Nigerian state. Most of these conflicts are usually triggered by claims and counter-claims over potentially resource-rich areas or areas where oil installations, such as pipelines and flow-stations, are sited. These feuds, therefore, largely emanate from the fear that loss of such areas by one community may mean the certain forfeiture of rents or revenues payable by the oil company to owner(s) of the land. For example, the Ijaw-Itsekiri-Ilaje conflicts are representative cases of this type of inter-communal feud. These conflicts, including those between the Ogoni and their neighbours, are disruptive of normal social activities and are by their nature not restricted to the oil-producing areas alone.

Externally, the increasingly interventionist posture adopted by the international community impacts on our national security significantly. In this regard, the campaigns of environmental and human rights groups like Amnesty International (AI), Friends of the Earth (FoE), the Body Shop, Pen International, Greenpeace and Human Rights Watch were such that they greatly undermined the global influence of Nigeria as Africa's most populous state (see Carr et al. 2001:156). This is equally true of the intensive campaigns mounted by the formidable pressure group, Trans Africa, in the United States (Welch 1995:646), as well as some influential Ogoni exiles in Europe and America, and the Unrepresented Nations and Peoples Organisation (UNPO) (Amoruso 1997:28–29). The combined activities of local and international human and environmental rights groups drew global attention to the crisis in the Niger Delta. The resultant barrage of criticisms and sanctions reduced Nigeria to a pariah state. And the political and economic damage were considerable. Under the circumstances, the Nigerian state grew increasingly more paranoid. For instance, between 1995 and 1998, Nigeria's relations with the Republic of Benin deteriorated as the former accused the

latter of aiding the Ogoni refugees in Come (and later) Opeoluwa – both in Benin Republic – in using these camps as a base to destabilise Nigeria (Esele 1996:12–17). The implications of the above are not far to seek. In view of the strong international support the oil-producing minorities had received, the Abacha regime was trying hard to forestall the unpleasant situation whereby the Ogoni refugees would use Benin, one of Nigeria's immediate neighbours, as a launching pad for rebel military operations against Nigeria.

Furthermore, the alleged involvement of one of the major oil firms, Shell, in the importation of arms into the country, for use by the Nigeria Police Force, created grave implications for national security (*Vanguard*, Lagos, 29 January 1996:1–2; Manby 1999a; Pegg 1999). By the same token, Shell's admission, in 1993, to paying field allowances, on two occasions, to Nigerian military units is also very instructive. On a more general level, however, all the oil companies have, in varying degrees and at one time or another, been involved in acts that are incompatible with their status. For example, Shell and Chevron have, as a matter of practice, frequently provided helicopters and boats that transported members of the Nigerian Security Forces to trouble spots, with resultant heavy loss of life and property (Pegg 1999; Manby 1999a; 1999b).

Equally distinct in its security implications for the Nigerian state is the multinationals' accustomed preference for inviting the security forces whenever there was a misunderstanding with the local communities. Such requests have resulted in heavy casualties and the sacking of whole villages. Representative cases include the Iko-Shell clash (1987), the Oboburu-Elf clash (1989), the Umuechem massacre (1990), the Uzere-Shell encounter (1992), the Ogoni-Shell conflicts (1990–1999), the Kaiama bloodbath (1998), and the Odi and Choba massacres (1999), to name just a few. Take the Ogoni Shell case for instance, it is reported (Mitee 1997a:8; Banjo 1998:23) that 25 villages were sacked and a total number of 2,500 Ogoni were killed during the state-sponsored campaign against the people. It is also reported (Mitee 1997b:12) that 1,115 Ogoni indigenes live in neighbouring West African countries as refugees and about 130,000 of them are internally displaced as environmental refugees.

Moreover, if recent reports (see *Tell*, Lagos, 22 November 1999, p. 21; *Tell*, Lagos, 27 December 1999, p.32; *Africa Today*, February 2000 p.34) emanating from government circles and national dailies are to be believed, they indicate that oil and the concomitant crisis in the Delta region, if not properly managed, may prove Nigeria's undoing. For example, after only four months in power in 1999, the civilian administration of President Olusegun Obasanjo announced its intention to establish a special police force for the Niger Delta, which would be trained in the United States by that country's

security officials. Furthermore, in the light of the prevailing trends in international terrorism and given the peculiar terrain of the Nigeria Delta, the ongoing crisis may provide foreign vested interests as well as terrorist groups with the opportunity of establishing direct links with local militant groups in the oil-producing communities. Through this connection, the country is said to be losing an estimated 200,000 barrels of oil annually to bunkering activities apparently sponsored by a well-organised international syndicate. According to analysts, these represent 10 percent of the national output (BBC, World Service News, 18:00 GMT, 2 September 2004). If we subsume into the foregoing the earlier cited case of a local environmental activist who claimed to have been offered the sum of US\$500,000 to blow up oil pipelines across the Niger Delta, the need for the state to adopt an alternative people-oriented policy in the resolution of the festering crisis in the Delta region becomes urgent indeed.

In order to understand the nature of the crisis in Nigeria's Delta region, it is necessary to examine, if briefly, the crisis of the nation-state in Africa. And it is to this that we now turn our attention.

The Niger Delta crisis as the crisis of the postcolonial nation-state project in Africa

The crisis in the Niger Delta has raised fundamental questions about the nation-state project in Africa. Any attempt, therefore, to explicate it without reference to the crisis of the postcolonial Nigerian nation-state in relation to the rest of Africa will not be in order. Such an analysis, as Hamza Alavi (1979: 38) tells us, must be premised on:

The historical specificity of post-colonial societies, a specificity which arises from structural changes brought about by the colonial experience and alignment of classes and by the super-structures of political and administrative institutions which were established in that context, and secondly from radical realignments of class forces which have been brought about in the post-colonial situation.

Alavi emphasises the important point that, to understand this phenomenon, we must begin with colonialism and its political legacy and link it to the postcolonial situation. There can be no doubt that colonialism completely changed the political map of Africa (Crowther 1979:42; Laakso and Olukoshi 1996:21). In the case of Nigeria, 389 ethnic groups and cultures were forcefully brought together under a single administration for the first time in 1914 (Otiote 2000:221–31). Pre-colonial societies in Africa, including Nigeria, were largely multi-ethnic, multi-lingual, multi-cultural and even multi-religious in character. Yet, these multi-ethnic nationalities were fiercely protective of their autonomy. Although wars were a familiar feature of pre-colonial rela-

tions among ethnic groups, these wars were a product of existing political and other rivalries (Ikime 1972:269). Indeed, they were part of the autonomous state formation process that was already underway in Africa before it was truncated by the advent of colonialism (Laakso and Olukoshi 1996:12).

Having thus succeeded in balkanising the continent, the colonising powers proceeded to create nation-states out of the disparate ethnic groups, with little or no regard for ethnic, religious, cultural and geographical factors. Consequently, many ethnic groups in Africa found themselves divided among the different political units which the colonising European powers carved out for themselves at the Berlin Conference of 1884–5, where their scramble for African territories was mediated. What is more, the imperialist powers embarked on the problematic task of modernising these artificial nation-states on their models, rather than on the historical specificity and experience of Africa. This is hardly surprising because, at the heart of the modern nation-state which Europe bequeathed to Africa, was the mistaken idea ‘of a tight correspondence between the nation and the state whereby each sovereign state was seen as a nation-state of people who shared a common language or culture’ (Laakso and Olukoshi 1996:12).

After independence, African governments failed to discard the European notion of a culturally homogenous and modernising nation-state and replaced it with a nation-building project based on the historical experience of postcolonial African states. Consequently, the postcolonial state, like its colonial predecessor, not only became ‘an arbitrary power’ (Ake 2000:3), but also employed the colonial policy of divide and rule in manipulating ethnic differences even as it claimed it was secularising the society and uniting the nation.

In Nigeria, as elsewhere in Africa, the minority issue is, arguably, the most intractable problem plaguing the nation-state project. And nowhere is the minority question more emotive than among the oil minorities of Nigeria’s Niger Delta. To be sure, the minority question in Nigeria antedated the advent of crude oil. As earlier observed, its roots lie in British imperialism. Following the piecemeal acquisition and subsequent unification of the diverse ethnic nationalities of what later became Nigeria, the various ethnic nationalities in the Niger Delta were to emerge as minority ethnic groups within the context of the new political framework. An analyst has identified two senses in which these groups became minorities. In the first sense, they became a minority in relation to the three dominant ethnic nationalities: Hausa-Fulani, Yoruba and Igbo. In the second, these ethnic groups numerically constituted a minority in relation to those three dominant nationalities put together (Madunagu 1982). Similarly, Peter Ekeh (1996:35) has traced the origin of what he described as ‘political minorities’ to the constitutional re-

forms that prepared Nigeria for independence. According to him, the term minorities:

emerged in the period of decolonization and virtually at the threshold of Nigerian independence from British rule. Although the notion of minorities has had colourful appearance in Nigerian history and politics since then, the categories so designated have been unstable largely because the concept of minorities was arbitrarily adopted in the 1950s to label political ethnic groups which had become disadvantaged from new constitutional reforms relative to other groups that gained political power. The notion of minorities was entirely political; in several instances, there was neither cultural nor historical rationale for so labeling the newly disadvantaged groups.

Despite the context of heightening contradictions between and among the diverse ethnic groups, political parties which emerged in the country between 1947 and 1951 were created along ethnic lines, thereby throwing up the newly disadvantaged groups as ethnic minority groups where previously they did not exist as minorities. Consequently, the state of distrust between the ethnic minorities and the ethnic majorities who held political power in the regions deepened. Political developments in the decade leading to independence brought to the fore the fears that were entertained by Nigeria's ethnic minority groups, particularly those from the Niger Delta region.

It is significant to note that, of the constitutional changes that occurred during the 1950s, it was the division of the country into three administrative regions – Northern, Eastern, and Western – that presaged the intensification of ethnic minority discontent in Nigeria. The concerns of the minorities were based on the argument that all the three major ethnic groups in Nigeria (Hausa-Fulani, Yoruba and Igbo) were clearly dominant in each of the three regions. This arrangement, they argued, had resulted in the emergence of power blocs and the differentiation of the ethnic groups in terms of their access to power (Ekeh 1996). The suspicion and the discontent generated by the decision of the colonial administration to devolve power to the regions should be placed in the context that ‘such centralization of political power was uncommon in previous Nigerian colonial history which had been marked by atomization into the units of colonial control at the district and provincial levels under the policy of indirect rule’ (Ekeh 1996:36). Indeed, it can be recalled that it was an official colonial policy under the system of indirect rule to, among other things, promote the cultural differences of the local communities and also prevent the ethnic groups from engaging in political interaction. As Ekeh has again observed, ‘the doctrine of the indirect rule not only discouraged politics by restricting administrative action within each locality but especially made inter-ethnic political interactions difficult’ (Ekeh 1996:36).

Meanwhile, the hegemonic region-based ruling factions engaged each other in a violent scramble for power as independence drew nearer. Thus, it was the politicisation of ethnicity and the increasing concern that their rights and interests would not be guaranteed in an independent Nigeria that led to ethnic minority agitation for self-determination, and for states of their own. As pointed out earlier, the agitation and pressure for minority rights were more intense among the oil minorities in the Eastern Region. In the 1950s, they specifically formed the Calabar Ogoja-Rivers State Movement and the Midwest State Movement to agitate for the creation of their own States (Obi and Okwechime 2004:350). Their pressure, including those from other similarly aggrieved minorities in the other regions, encouraged in 1957 the constitution of a Commission of Enquiry headed by Sir Henry Willink, charged with investigating the fears of minorities and the means of allaying them. In 1958 the Commission came up with general recommendations concerning all the ethnic minorities in Nigeria, but stopped short of approving their request for the creation of new states or regions, one of the cardinal demands made by the minorities. With reference to the minorities of the Niger Delta, the Commission made several recommendations. These included: the establishment of minority areas in Benin and Calabar and the creation of a Special Development Board for the Ijaw of the Niger Delta, among others. In essence, therefore, the Commission's recommendations fell far short of the expectations of the minorities, especially those of the ethnic minorities in the Eastern region. As Cyril Obi (2002:105) has argued:

... the colonial government and its patrimonial clients subordinated this (the commission's report) to their interests, through the instrumentality of constitutional guarantees for the protection of minority rights. Unfortunately after independence in 1960, these constitutional provisions failed to arrest fears, and violent protests broke out in the regions against majority ethnic group domination. Specific cases to such struggles were the Tiv riots, and restiveness among the Ijaw, the Yoruba in Kabba and Ilorin and the Igbo in Asaba and Aboh divisions.

If the chequered fortunes of the minorities of the Nigeria Delta had begun in the years that ushered in regionalism and federalism, they took a turn for the worse in the decades after independence in 1960. This was due largely to changes in the country's economic fortunes, which were in turn susceptible to changes in the global economic environment. During this period, the international commodity market was in the doldrums and, as a consequence of this, Nigeria's traditional export commodities such as cocoa, groundnuts and palm oil were becoming insignificant in terms of their fiscal contributions to regional and federal (central) coffers.

Oil was, conversely, rising significantly in terms of its fiscal contributions to the country's national revenues and balance of payments. It was not difficult, given the source of the oil in the minority areas of the Niger Delta, for the post-Nigerian civil war hegemonic ruling faction to subvert the hitherto existing system of revenue allocation and distribution based on the derivation principle. The allocative formula under the derivation principle had ranged between 100 percent and 45 percent when cash crops were under the control of the regions from where they originated, hence favouring the dominant ethno-regional elite. As crude oil became the economic mainstay of the country, the derivation principle was replaced by the principle of need and population, which, it was maintained, marginalised and dispossessed the minorities of their God-given resource, while at the same time privileging and enriching the dominant ethnic groups that controlled the federal government. Indeed, according to one of the most prominent local elites from the Niger Delta and former Governor of River State, Melford Okilo:

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 to 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 minorities (Okilo 1980:3).

This quotation illustrates several key issues. For instance, it shows the growing frustration and resentment of a people whose lands and waters produce the bulk of oil, but bear the brunt of the ecological problems created by the production of oil, and are among the most impoverished in the country. It also indicates how oil became immersed in the politics of the national question in Nigeria. Beyond this, it also exposes the cracks and tensions in the relations between the oil minorities and the other ethnic groups, namely the non-oil producing majority ethnic groups versus the oil-producing minority ethnic groups, and the non-oil-producing minority ethnic groups versus the oil-producing minority ethnic groups, and the non-oil-producing minorities in the Delta versus the oil-producing minorities (Soremekun and Obi 1993).

Not only has the inability of successive Nigerian governments to mediate these contradictions deepened the crisis of the nation-state project in Nigeria, it has also created a huge legitimacy problem for it, evidenced by sporadic eruptions of ethnic-based conflict across the federation. Quite apart from the various Charters, Bills and Declarations coming from the oil-producing communities, the rise of ethnic militias and communal vigilante politics in the last decade poses a further challenge to the nation-state project in Nigeria. Take, for example, the O'odua Peoples' Congress (OPC). It was

created in 1994 in predominantly Yoruba-speaking South West partly as a protest against the annulment of the June 1993 Presidential elections which, Moshood Abiola, a Yoruba Muslim, was set to win; and partly as an ethnic pressure group to fight for the protection of Yoruba interests and the rights of the Yoruba nation to political autonomy. The Congress vehemently maintained that the Yoruba nation had long been marginalised by what it termed a 'Northern Cabal'.

Not to be outdone by their Yoruba counterpart, the other ethnic majority groups – the Hausa and Igbo – have also created their own ethnic militias. The Arewa Peoples Congress (APC) was formed in the North in 1999 as a reaction to the killing of northern elements in Lagos and other Yoruba cities and towns by OPC devotees. The present civilian administration, the APC argued, is a 'Yoruba regime', which privileges the interests of the Yoruba nation at their expense. Consequently, they claimed that the constant harassment of northerners in the southwest was part of a Yoruba agenda to secede and establish an O'odua Republic. Alleging that President Obasanjo was visibly sympathetic to the OPC agenda, the APC vowed that the North would go to war if necessary to ensure the corporate existence of the Nigerian nation-state.

Within the third major ethnic group in the southeast has emerged the Movement for the Actualisation of the Sovereign State of Biafra (MASSOB). According to this grouping, the Igbo nation has been systematically oppressed and marginalised since the end of the civil war in 1970 by successive governments, whether military or civilian. Accordingly, the adherents of MASSOB are determined to actualise their dream of self-determination by resuscitating the defunct Republic of Biafra. A similar attempt thirty-eight years ago resulted in a resounding defeat at the hands of the federal government forces after a three-year long civil war. In the light of the foregoing, Ake's (1994:19) assertion concerning the crisis of the nation-state in Africa is worthy of further consideration:

The state in Africa is plagued by a crisis of legitimacy because of its external dependence, the decision of the political class to inherit the colonial socio-economic system instead of transforming it, the massive use of state violence to de-radicalize the nationalist movement and impose political monolithism in the face of deep-rooted social pluralism, and the use of force to repress a rising tide of resentment against the failures of the nationalist leadership, especially the mismanagement of development, and the impoverishment of the masses... The post-colonial state is also disconnected from society and exists with it in a relationship of mutual hostility... With minor exceptions, the citizens of the state in contemporary Africa are disconnected from it. They conform to its

commands as they must, while committing their political loyalties to kinship groups and political formations within it.

The foregoing demonstrates why, since the advent of political independence, many African states have had to contend with secessionist and irredentist movements. In this connection, Nigeria, Chad, Sudan, old Ethiopia, Burundi, Liberia, Sierra Leone, Rwanda, Senegal and Morocco, amongst others, have fought (or are still fighting) separatist groups within their territorial jurisdictions.

Towards an inclusive oil policy for Nigeria

The preceding analysis underscores the argument that state policy on petroleum, the nation's lifeblood, has largely been weak and ineffective. This is because government legislation in the oil industry is, in most respects, a function of and a response to political and economic exigencies prevailing in Nigeria and in the international oil industry. Significant among these were the financial arrangements agreed between Venezuela, the Middle East countries and Libya, on the one hand, and the oil multinationals, on the other. Another significant factor during this period was the increasing influence of OPEC in the international oil industry. Through a series of resolutions and policy statements OPEC compelled its member countries to participate actively in their oil industry and also formulate policies that would ensure the effective transfer of their oil industry into their own hands (Atsegbua 1999:64). The stance of the United Nations in this respect is instructive. Nigeria benefitted immensely from the UN resolution which endorsed permanent sovereignty over natural resources, thereby rejecting the oil majors' argument of investor ownership and control of a country's natural resources (Atsegbua 1999:63).

Within the country itself, the civil war which broke out in 1967 between the Igbo ruling faction in the South East and the Hausa-Fulani hegemonic group in the North, supported by the Yoruba ruling faction in the South West, was, in many respects, about the control of the oil resources based in the minority areas of the Niger Delta. Having re-established control over the oil resources, the victorious federal government moved swiftly to consolidate this control with the promulgation, in 1969, of the Petroleum Act which transferred to the state the ownership of oil in any part of the country. The promulgation of this Act was necessitated by the need to maximise oil revenues for reconstruction and development programmes embarked upon by the federal government in the aftermath of the war. It is as well to stress that oil which, by this time had replaced the cash crops as Nigeria's chief revenue earner, had also emerged as the fulcrum of the primitive accumulation process among the ruling class factions.

As regards the evolution of state policy on petroleum, Maxwell Gidado (1999), has opined that the 'desiderata of the government have centered on control and financial returns' accruing to it through participation. Under the circumstances, state policy can be expected to be anything but effective. What state policy on petroleum has succeeded to achieve, according to Edogun (1985) and Turner (1980), is that it has so far mainly constituted a device that protects and perpetuates the selfish interests of the ruling class and that of the foreign oil giants at the expense of the state. This consequently accounts for why the Nigerian state has largely ignored the stark realities of environmental degradation that oil exploitation has brought to the fragile Niger Delta environment in the last forty-eight years. Again, the state's abject inability to protect the environment and people of the Niger Delta against the deleterious effects of oil industry activities has been explained in terms of the Joint Venture Contract (JVC) between it and the companies in which the federal government has an average of 57 percent equity interests (Akinsanya 1983:175; *The Comet* (Editorial) Lagos, 4 April 2001:6). Under the circumstances, the state is constrained in taking any punitive action against the multinational knowing full well that it is tantamount to self-flagellation. The foregoing offers valuable insights into the reason why state policies on oil have largely remained (and may for a very long while remain) ineffectual and biased against the oil-producing minorities. What our analysis suggests, in effect, is that it is not oil policies per se that Nigeria needs, but committed enforcement of the existing laws and regulations. For Nigeria's oil laws and regulations are acclaimed to be comparable in standards to those that exist in Europe and America (Manby 1999a).

Given therefore the strategic importance of oil and its place in the 'commanding heights' of the Nigerian economy, and that of the Niger Delta as the 'goose that lays the golden eggs', government policy on petroleum should be inclusive, taking into consideration the peculiar problems and needs of the oil-producing areas, as well as those of the Nigerian state and the oil industry itself. In effect, government policy in this respect should be informed by the fact that there are three key actors in the oil industry, namely the oil-producing communities of the Niger Delta, the state, and the oil corporations themselves. As stakeholders, each of these actors has a vested interest in the oil industry, though the externalities (or costs) are entirely borne by host communities. Against this background, state policies must aim at making oil companies socially responsible to host communities. After all, it is their (the companies') activities that pollute and degrade the Niger Delta ecosystem. Although attempts have been made in the past by the federal government of Nigeria to tackle the problems of environmental pollution in the country, those attempts can at best be described as half-hearted. The jolt came in

1988 when an Italian firm dumped toxic waste at Koko, a seaport in Delta State. The government's reaction, as a consequence, was to promulgate the Harmful Waste (Special Criminal Provisions, etc) Decree in November 1988. This Decree prescribed, among other things, life imprisonment for anyone who contravened its provisions.

The 'toxic waste saga' (as it came to be designated) was significant in two ways. First, it brought into sharp focus the environmental problems of the oil communities; and, second, it made the Nigerian state realise the huge security implications for the state, and the human dimensions for the residents of the community. Consequently, by Decree 58 of 1988, a federal environmental agency, known as the Federal Environmental Protection Agency (FEPA) was established. Its responsibility includes 'the protection and development of the environment in general and environmental technology, including the initiation of policy in relation to environment research and technology' (Igbarumah 1993:12). The Agency was also charged with establishing standards for water quality, air quality and atmospheric protections; noise and hazardous substances.

It fell within FEPA's remit to apply legal sanctions on the oil companies (as well as other companies and industries) for environmental offences. But this never happened, despite the enormous powers conferred on the agency. Yet, during its lifetime, several cases of environmental offences by Shell and other oil companies were reported to it by the Ogoni and other oil-producing communities. FEPA was unable to act on the reports: According to Igbarumah (1993:12):

FEPA officials have not been able to apply legal sanctions to compel oil companies to pay compensation for damages done to the environment or to restore the polluted environment to an acceptable level. Its officials said FEPA's hands are tied in the implementation of section 36 of Decree of 58 by 1988, because FEPA is forced to carry out inspection of oil drilling operations in conjunction with the Nigeria National Petroleum Corporation, NNPC. Even then, they claim that the thrust of the agency's policy is to have a dialogue with companies and industries and not to coerce them into compliance with provisions of the decree.

It is evident, in view of the environmental realities in Nigerian's Delta region, that an environmental body is imperative, if the enormous environmental problems of this region and their attendant security implications are to be solved. This is why the new Ministry of Environment, which was created in place of FEPA, should be granted more autonomy and empowered to enable it to apply legal sanctions against non-compliant oil-producing companies operating in the Niger Delta.

In the light of this, state policies must aim at making oil companies more compliant to Nigerian environmental regulations, as well as more socially responsible to host communities. After all, it is their activities that pollute and degrade the Niger Delta environment. Environmental pollution should be punishable by law. This is why the newly-established Ministry of Environment should be spared the fate of the defunct FEPA. Government should interfere less in the activities of the Ministry, so as not to constrain its autonomy and efficiency. The Ministry should be allowed to play a key role in the formulation and implementation of policies relating to the oil industry. It should be given the freedom to conduct investigations into and punish, in accordance with the laws, any reported cases of negligence and violations of Nigerian environmental laws by any oil companies, foreign or indigenous.

It is pertinent to observe that oil companies have been flouting Nigerian state laws on the stoppage of gas flaring in Nigeria since 1969, when Petroleum (Drilling and Production) registrations were first enacted. The oil multinationals, rather than comply with state regulations on the deadline have, consistently, preferred instead to pay the token penalty of ten naira imposed on every 1,000 standard cubic feet of gas flared. In 1983 these oil companies were reported to have threatened to shut down their oil fields if the government of President Shehu Shagari should insist on a terminal date for gas flaring (*The Guardian*, Editorial, Lagos, 13 December 1999). Despite the fact that the Obasanjo administration, which took office in 1999, has already decreed that the practice should be stopped in 2003, one of the oil majors has defiantly insisted that it would go on flaring gas till 2008 (*The Comet*, Editorial, Lagos, 4 April 2001:6). This amply demonstrates the degree of influence the oil companies can, at times, wield over the Nigerian state, with severe implications for the environment and the people of the Niger Delta.

Also noteworthy is the case of the Directorate of Petroleum Resources (DPR), the government agency charged with the responsibility of regulating and monitoring Nigeria's petroleum industry. Despite, or because of its status as a government agency, the DPR has found it very difficult to perform its important regulatory functions. As a result, a host of practices employed by operators in the oil industry are not monitored or regulated by the DPR. According to Owarieta, 'A regulatory body such as DPR has a major role to play in ensuring that a system of rules is in place' (1997:149). For the DPR to meet this challenge, he argued that it is necessary that it is granted more autonomy because a greatly empowered DPR is vital to sustained industrial harmony in the Nigerian oil industry.

Unfortunately, corporate irresponsibility and chicanery are the inevitable corollary of the crises of control and regulation that have bedeviled the Nigerian oil industry as well as the agencies that are supposed to ensure and sustain industrial harmony and environmental sustainability in the region. The attitude of the oil companies has been one of grabbing the opportunity provided by the lack of effective monitoring and regulatory mechanisms not only to degrade the environment, but also to exploit the tax and corrupt judicial processes of the Nigerian legal system at the expense of the oil-bearing areas (Hutchful 1985; Frynas 2000). The upshot is that communities that suffer the depredations of oil spillage are usually discouraged from suing for cleanup and compensation because 'history shows that oil companies will appeal repeatedly until the plaintiffs run out of money, give up or die' (Esparza and Wilson 1999). This firmly buttresses the argument about the lax and inefficient nature of Nigeria's legal and judicial system.

It can be seen from the foregoing that there is a need for the judicial processes of the Nigerian legal system to be protective of the interests of poor and dispossessed citizens of the oil communities who are financially handicapped to engage the highly affluent oil companies in a long drawn-out legal battle. Allowing such an event to take place all in the name of 'judicial processes of the law' is not only unfair, but also tantamount to the abdication of responsibility and, therefore, a violation of human rights. In effect, cases involving oil companies and their host communities should be handled swiftly by the courts to avoid a situation whereby already impoverished communities will be thrown into a state of chronic penury and deprivation as a consequence of cases being unduly prolonged by oil companies in a bid to avoid paying compensation to oil communities affected by oil company operations. It is imperative, given the peculiar nature of the environment and the economic circumstances of the mass of the people of this region, that the Nigerian judiciary and court system should be seen to be proactive in its legal dealings with the oil communities. That is to say, it must free itself from covert or overt corporate and state manipulations at the expense of local communities.

Furthermore, the government's petroleum policy should be more inclusive by allowing the oil-producing states to establish their own oil companies in addition to allowing host communities to acquire equity interests in the oil companies that operate in their territory. Such a democratic policy will give them a stake in the oil companies' concerned, whilst reducing the sense of injustice, alienation and marginalisation felt by them. By the same token, it will reduce, if not eliminate, the current trend whereby irate youths in the

communities engage in the disruption of oil industry activities. It will also help to improve government/oil company and host community relations.

Finally, the government's policy in resolving the crisis should include the restoration of the derivation-based sharing formula. The Malaysian policy, which not only allows the labour force and businesses to participate in oil activities, but also allocates to the oil-producing states half of the oil revenues and royalties which they are entitled to spend in accordance with their developmental needs, whilst they still receive their statutory federal allocation from the Malaysian government should be carefully studied as a possible alternative to the current system, which is fraught with inequity, injustice and manipulation (Ikein 1990).

The abrogation of some undemocratic acts of legislation is necessary in this regard. Such obnoxious legislation include the Land Use Act of 1978, the Petroleum Decree of 1969 and 1991, the Lands (Title Vesting etc) Decree No 52 of 1993 (Osborne Land Decree 1, and the National Inland Waterways Authority Decree 13 of 1997) (Ijaw Youth Council, 11 December 1998:7).

Conclusion

We have attempted to demonstrate in this paper that the ongoing crisis in the Niger Delta has grave security implications for the Nigerian state and the inhabitants of the region, who bear the brunt of oil exploration and exploitation activities of the oil multinational corporations. This is alarming given that oil is the backbone of the Nigerian economy. It is even more grim when it is recalled that at stake here are the lives of about 13 million people – men, women and children – not to mention flora and fauna. However, this very important industry is dominated and controlled by the powerful oil majors who, from the outset, have determined and directed the pattern of investments in the Nigerian oil industry (Soremekun and Obi 1995). Oil business is, arguably, the most capital-intensive enterprise; however, the Nigerian state lacks the requisite risk capital, managerial skill and technical expertise. These, among other factors already discussed, have served to further constrain the limited autonomy of the state vis-à-vis the oil giants. This situation, as pointed out earlier, has resulted in what Ibeanu has aptly characterised as 'a contradiction of securities between, on the one hand, the Nigerian state and the oil multinationals and, on the other, the beleaguered oil-producing minorities', who, as Owugah (2000:108) puts it, understand 'the critical position of the environment to their sustenance and that of future generations'.

It is hardly any wonder, then, that the Nigerian state has abjectly failed to keep the oil companies on a tight rein. The resulting state of affairs has been aptly described as the 'militarisation of commerce and the privatisation of

the state' (Ake 1994). As indicated, the festering crisis has clearly exposed the adverse security implications of foreign domination of a country's most important and most strategic economic sector such as the Nigerian oil industry.

But beyond the well-known threats to the security of the Nigerian state are the often-neglected threats to human security in the region. If it is granted that poverty, environment and food security are key to human security, then the unbridled destruction of the natural environment upon which the people of the Niger Delta depend for their livelihood and sustenance poses serious threats to human security in the region. So too the expropriation of land by the state for oil industry activities, which not only exacerbates the scarcity of productive land in a region where arable land is in short supply, but also generates conditions for social dislocation and communal violence in Niger Delta communities. In the light of the above, there is a need for the Nigerian government to be more proactive and more liberal, without compromising the security of the state and that of the people of the Niger Delta, in its approach to the resolution of the crisis.

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