

CHAPTER 8: RESOLVING THE NIGER DELTA CRISIS

Of all the socio-economic and political problems bequeathed the new democratic administration of Obasanjo in 1999, there is none as daunting and multi-layered as the crisis in the Niger Delta. The explosive nature of the Niger Delta crisis has attracted the involvement of international community; the attention and interest of INGOs have kindled advocacy and activism by local NGOs, whatever the intentions may be.

Given the long history of the region's predicament and little efforts by the state and foreign oil multinationals to develop the region, it is understandable why the social movements and local NGOs that came up in the 1990s made frantic efforts to introduce their plight into the global agenda. The resurgence of environmental activism by these organizations derives from the post-Cold War international environment which has so far been receptive to the new orthodoxies namely democracy, democratization, transparency, good governance and sustainable development.

This thesis has argued that the differences in the interest of the actors were responsible for the frequent occurrence in the region. It stated further that the international dimension of the Niger Delta crisis has greatly influenced the policy of government and oil companies in the region. The Nigerian state has made frantic effort to demilitarize the region that attracted world attention since the death of the military dictator, General Sani Abacha. It has adopted series of measures to address the demands of the oil-bearing communities and this prompted the international community to lift sanctions that were leveled against the state with the execution of the Ogoni '9' in 1995. The status of the country has greatly changed from that of pariah state to an active participant in world politics. Not only did the government of General Abubakar release the Ogoni 20 that was incarcerated by his predecessor, several committees were inaugurated in order to address the demands of the local people.

Similarly, the oil companies, especially Shell, have re-examined their operations in the region because the globalization of the struggle has had severe impact on the image of the companies as they are now negatively portrayed globally. Particularly, Shell in its efforts

to improve on its image worldwide has organized series of seminars and workshops on the operations of the company in the Niger Delta and it has increased its social responsibility to the host communities in the Niger Delta. Apart from these, the company has initiated other measures to address the ugly incidents in Nigeria.

The thesis has also argued that globalization of the international system was principally responsible for the alliances between the “local forces” and “global forces” (INGOs) both of which exerted pressures on the foreign oil multinationals and the Nigerian state. It has also led to the setting up of local non-governmental organizations in the Niger Delta with divergent interests and aspirations. This development has greatly created greater awareness among ethnic nationalities in the Niger Delta as it has also further strengthened the demands of the local people.

The thesis has focused on MOSOP/IYC because of their roles in globalizing the cause of the local people of the region. More importantly, MOSOP was the first social movement in the region to have internationalized the plight of the local people while IYC took over from the period when MOSOP had some internal crises that undermined its struggle. The achievements of MOSOP and IYC have instigated the formation of other social movements in the Niger Delta as a whole. For instance, MOSOP is one of successes has been its achievements in the area of extensive support and publicity that it attracted in the 1990s both locally and at the international level. The movement got this through its network and extensive use of the media. The uniting force, however, was the *Ogoni Bill of Rights*, which has since been adopted by other social movements in the region to unite their kith and kin against the state and foreign oil companies.

MOSOP was able to achieve such huge success in its struggle against the military regimes of Babangida and Abacha because of the legitimacy conferred on the movement by its massive grassroots support and its efforts at raising awareness among the people of the communities. Moreover, credit must be given to the nongovernmental actors that aligned with MOSOP to globalize its course and their moral and financial assistances to strengthen the aspirations and demands of these communities in the face of brutal

oppression from the military forces of the state/oil companies. The thesis also argued that the present efforts by the senate and the Nigerian state to address the demands of the local people of the Niger Delta could not be separated from the effect of globalization on the struggle by the social movements cum NGOs of the region.

It is apposite to make concluding remarks on the issues of tactics adopted by social movements as well as the relative merits and demerits of change in government/oil company policies and attitudes. The tactics adopted by social movements have yielded mixed results. MOSOP's non-violent, advocacy approach succeeded in internationalizing the Niger Delta crisis. The adoption of a militant approach by IYC has also contributed to the change in government policy as it has begun to seek dialogue with the militant groups in the region. Although some respondents and government officials are quick to condemn militancy, a number of IYC members and even some inhabitants of the Niger Delta noted that both the government and MNOCs do not yield to their demands unless some measure of force was applied. This underscores the militant posture of Asari Dokubo's Niger Delta People's Volunteer Force (NDPVF). The activities of the NDPVF have had serious implications for oil company operations and for Nigeria's national security. The threat by NDPVF to blow all oil installations in the Niger Delta with a view to crippling the Nigerian economy has forced the government to enter into dialogue with the NDPVF.

Although the change in government and company policy has been beneficial to the generality of the people of the Niger Delta in terms of increased commitment to community development, it should be stated that the elite who benefited from the old ways have not been enjoying oil company patronage. These negligible but enlightened and often powerful few have been agitated by the changes in government and company policies. Of course, any policy that favors the generality of Niger Deltans is bound to undermine the privileges enjoyed by the elite who had benefited from the patronage of the oil companies and the government during the long years of almost total neglect. The feeling among these ones is that they have their privileged positions as a result of the new attention on community development. However, the merits of policy change have not

altogether removed the basis for agitation as the more fundamental issues bordering on the structure of the Nigerian state are still unresolved. The preceding informs the continued activism by the NDPVF. What this suggests is that thus far, the demands of the people of the Niger Delta are far from being satisfied. The foregoing notwithstanding, it must be admitted that the current government have taken certain initiatives towards ameliorating the situation in the Niger Delta as the next section shows.

THE OBASANJO REGIME AND THE NIGER DELTA

There was a general assumption that the enthronement of democracy in Nigeria will automatically translate to demilitarization and development of the Niger Delta as it was also assumed for other regions as well. This position arose from the opportunity that would be provided by entrenchment of rule of law and other institutions associated with democratic regimes. While it is true that the Obasanjo administration has improved on its predecessors' policies in the Niger Delta, the initial action of the government especially the 'Odi Massacre' has created a dent in the regime's policy toward the region. Notwithstanding the Odi episode, in other areas like the Warri crisis, the legal battle between the littoral states and the central government, and the onshore/offshore debacle, the Nigerian state policy towards the local people has improved considerably.

As discussed in the body of the thesis, the action of the president in his first month in office established his sympathy for the region through a draft Bill that established the NDDC. The president thus demonstrated the need to urgently address the plight of the region; this effort invariably paid off with the take off of the commission as an intervention agency to facilitate development in the region. It cannot be safely concluded that the desired development signs are there yet. Nonetheless, with the NDDC in place, government development efforts are now more streamlined and focused.

The inability of the commission to effectively discharge its statutory duties is partly related to its inability to secure the necessary funding. It was noted by the senate that the foreign oil multinationals were reluctant to contribute the required 3% of their annual budget to the body; on the side of the central and state governments, there are backlogs of

its financial commitment to the commission. Therefore it is likely that the ideas behind the establishment of the body are far from being fulfilled.

The composition of the governing council of NDDC witnessed a huge protest in 1999 from the youths because there is an unsettling conviction that the NDDC would fail like the defunct OMPADEC that enriched few individuals to the detriment of the populace. Their argument stemmed from the involvement of the governors and other bureaucratic bottlenecks in the operation of the body. Given this uncertainty the deputy director of ERA insisted that the organization would be politicized and drift from the part of addressing the fundamental issues of resources control, self-determination and environmental protection³⁹⁶. Similar to these problems is the government under-contribution to the commission as it was confirmed that the state had a backlog of almost N70 billion between January 2001 and December 2003.

Despite these shortcomings the commission prides itself as having achieved considerable success in the Niger Delta. As at 2003 the organization had executed some notable projects in the region as could be seen in the table below.

PROJECTS	UNITS EXECUTED
Roads	40
Water	90
Electricity	129
Shore Protection/Jetty	47

Source: www.nddconline.org/Projects/rebuilding.shtml

Apart from these mentioned projects the body also undertook some major projects in the area of erection of school buildings, educational equipment supplies, agriculture and fisheries and hospital. As part of its impact on health infrastructure in the region it donated an ambulance and X-ray facilities worth millions of naira to the General Hospital, Calabar. NDDC has built a number of health centers, doctors' and nurses'

³⁹⁶ *The Guardian*, Lagos, 11 July, 1999.

quarters and donated ambulances to specialist hospitals in other parts of the region. According to the body (NDDC) as at 2003 a total of 127,148 patients were given free quality medicare, 478 received eye surgeries, 2,683 had general and gynecological surgeries, 19,490 received free eye-glasses and 4,497 had dental surgeries.³⁹⁷ Prior to the formation of the NDDC, majority of the people of the oil-bearing communities in the Niger Delta had to rely almost exclusively on traditional medical treatment save for the existence of a few primary health centers managed by the local or state governments. The multinational companies also operated a few, barely equipped hospitals scattered across the Niger Delta. Little wonder that the initiatives by the NDDC in reversing the trends of the past have been commended by a number of people³⁹⁸. However, it may be argued that the community projects embarked upon by the NDDC need not draw any special applause from the people given that the Commission was just doing what the state should have been doing all along. The arguments and counter-arguments notwithstanding, some observers have commended the NDDC for its efforts at addressing the problems in the Niger Delta.

It was in recognition of NDDC's efforts at developing the Niger Delta that the organization was awarded an International Award by European Marketing Research Centre, EMRC, Brussels, Belgium on 15 December 2003. At the presentation ceremony the Director of EMRC, Professor Mathijsen praised the efforts of NDDC for its "spirit of initiative in developing a region that is key to Nigeria's economic fortunes" and that if the organization is properly encouraged and financed it will truly make a difference in the lives of the poverty ridden region.³⁹⁹

President Olusegun Obasanjo also established a new federal ministry that would address one of the major problems facing the people of the Niger Delta (Ministry of

³⁹⁷ See <http://www.guardiannewsngr.com/news/article31> 1 April 2004

³⁹⁸ NDDC in the Eyes of the people, TELL Magazine, 7 April, 2003. For instance, HRH King J.C Egba stated that, "my council of chiefs and I, as well as the entire people of my kingdom want to say big thank you to the NDDC for making us enjoy the benefits of oil exploration in our community for the first time". In a similar vein, the Chairman, Toun Titigha Ogbo of Izonland wrote on behalf of the entire member of his community to express their sincere appreciation to NDDC for award of major road projects in their community. More importantly a commendable comment on behalf of Ken Saro-Wiwa Estate and Family.

³⁹⁹ NDDC Press release: NDDC wins International Award. Press Release No. 1 of 5 January 2004

Environment). His regime established the Environmental Monitoring Committee under the Ministry of Environment and appointed “a youth director” for the directorate of Youths Development in the NDDC. The president has signed into law a bill abrogating the dichotomy between onshore and offshore that sparked up a heated debate in Nigeria.

A series of administrative panels were raised at the local and national levels to proffer solutions into the crisis in the Niger Delta and it is very important to do some analysis of Shell changes since 1995. Shell has in most cases shifted the responsibility of development and human rights violation in the region to the Federal Government.⁴⁰⁰ But when the company came under intense pressure to intervene on Saro-Wiwa’s behalf, it was forced to issue a statement that called for quiet diplomacy. This position of Shell received widespread condemnation because it was tantamount to giving support to dictatorship.

While on environmental issues, critics have asserted that Shell is operating double standards, “Shell has admitted that it tailors the implementation of its environmental policy to meet local circumstances”.⁴⁰¹ In response to a series of these allegations Shell initiated a long-term survey known as Niger Delta Environmental Survey in 1995 to provide baseline ecological and socio-economic data. It was an independent steering committee of all the stakeholders in oil industry but Shell was saddled with the responsibility of providing terms of reference and appointed the consultants and the initial funding was provided by Shell. A case of putting the cart before the horse! After years of human and environmental hazards unleashed on the region Shell now felt obliged to undertake baseline studies that should have determined its operations in the region.

In addition, Shell confirmed in 1996 that their expenditure on environment related projects exceeded the US\$150 million it spent in 1995 and its budget for community

⁴⁰⁰ SHELL, The Environment, Nigeria Brief, Lagos, Nigeria. 1995 and The Ogoni Issue, Nigeria Brief, Lagos, Nigeria.

⁴⁰¹ S. Carr, O. Douglas and U. Onyeagucha, “The Ogoni people’s campaign over oil exploitation in the Niger Delta” in A. Thomas, S. Carr and D. Humphery (eds) *Environmental Policies and NGO Influence*, London: Routledge, 2001, pp. 159-162

projects of providing schools, hospitals, water, roads and other facilities was in excess of US\$20 million a year in the Niger Delta. It is very interesting to note that Shell asserted that: “we have never denied that there are environmental problems in the Delta. While many of these are not attributable to the oil industry, we accept that oil operations in general, including Shell’s, do have an impact.”⁴⁰²

Aside all these general changes in Shell operations in Niger Delta, it took a decisive step in 1996 to address some demands of the Ogoni. The company offered a plan of action in Ogoniland on 8 May 1996 that if an agreement was reached between the company and Ogoni communities it will clean up all oil spills since 1993 when the company withdrew from the area - whether or not they were due to sabotage. Shell will as a matter of urgency rehabilitate and take over its past community projects and provide further development projects in the areas that needed such. All these were aimed at reconciling the Oil Company and Ogoni communities.⁴⁰³

Over the years, gas flaring has been regarded as one of the most serious environmental impacts of oil production. With series of allegation leveled against Shell, it has since reduced gas flaring to about 20% and it approved \$400 million in 1998 for gas gathering projects. Shell, with NNPC, Elf, and Agip in a joint venture signed a contract worth \$65 million with Italian oil company-Nuovo Pignome in 1998 to harness gas from its flares in the Niger Delta. This project called Odidi Project was launched in 1996 due to an approval by an Environmental Impact Assessment (EIA) undertaken by the industry’s environmental regulatory authority and the Department of Petroleum Resources⁴⁰⁴. By 2003 Shell’s aspirations to meet the gas flares-out target of 2008 brought about two sets of pipelines in the Offshore Gas Gathering System (OGGS) and have been completed - the 32-inch 2565km trunk line and 24-inc 90km Forcados spur line. The offshore section of the trunk line has been successfully hydrotested while a similar integrity test with water is planned for the onshore stretch.⁴⁰⁵

⁴⁰² See <http://www.Shellnigeria.com/> (Shell responds to environmental allegations 13/05/1996)

⁴⁰³ Shell Nigeria offers Plan for Ogoni. See <http://www.Shell.com/home/framework?siteId=nigeria>

⁴⁰⁴ <http://www.Shellnigeria.com>. Shell signs \$65 million contract to harness gas from flares 15/04/1998

⁴⁰⁵ This is based on information obtained from Shell headquarters in Lagos and Port Harcourt, Nigeria.

The company has made some progress in recent years in its efforts to address the impacts of its operation on the health of the local people in the Niger Delta. It was to this effect that Shell and Africare signed a partnership agreement to establish a \$4.5 million health care program in Nigeria in 2003. The focus of this partnership is to reduce child and maternal mortality from malaria and in order to compliment government efforts in her Roll Back Malaria program. The company has also been involved in the building of clinics and hospitals in various parts of their areas of operations in the Niger Delta.

It is also instructive to note that Shell has been of assistance to the NDDC in the discharge of the Commission's duties. In 2003, Shell contributed some \$54.5 million to NDDC.⁴⁰⁶ This is in addition to Shell's direct *community development* interventions which supplanted the company's *community assistance* programs in 1998. For instance, Shell's 2003 Annual report highlights the projects and activities of the company vis-à-vis its social responsibility component:

- Some 2,500 secondary and 840 university scholarships were awarded to deserving students.
- Provision of leadership skills training for approximately 70 school prefects from some 15 schools.
- Building and renovation of classroom blocks at around 20 schools.
- Completion of the computer and telecommunications centre at the University of Port Harcourt in Rivers State.
- Completion of 9 agro-processing micro-projects in various communities under the Agricultural Extension Services Scheme.
- Completion of the Women's Development Centre at Egbemo-Angalabiri as part of Shell's Women-in-Development Program.
- Provision of support for the incorporation of 29 community-based enterprises.
- Establishment of 14 micro-credit schemes.

⁴⁰⁶ See Shell's Annual Report for 2003 entitled "People and the Environment", p. 18

- Provision of 7 hand-pump equipped boreholes and deep-water reticulated systems in 13 communities.
- Completion of Otuabagi concrete bridge.⁴⁰⁷

These palliatives have had little impact on the region; the long period of neglect has made it imperative that any intervention would necessarily take some time to make any positive change in the environment. That the state and multinational oil companies have started something is welcome but these must be carried to conclusive ends and new ones also injected.

Beyond the foregoing, this study concludes by evaluating the success or failure of social movement activity vis-à-vis their quest to alter the attitude of both the government and the MNOCs towards the social dislocations in the Niger Delta. In other words, the fundamental question is whether the social movements have been successful with regard to realizing the advantages they have been seeking. The answer to this question finds its relevance in a similar study of social movement efforts at mobilizing for action. Gamson, in his study of 53 active social movements between 1800 and 1945, advances a typology that stresses the criteria of **acceptance by the social movement's audience** and **advantage**.⁴⁰⁸ Pegg modifies Gamson's typology in evaluating the outcomes of social mobilization by groups. According to Pegg, a social movement can be considered **successful** if it gains acceptance and if it secures advantage with reference to its stated objective(s). A social mobilization actor is deemed to be **partially successful** if it gains either acceptance or secures advantage while it is rated **unsuccessful** if it gains neither.⁴⁰⁹

An extrapolation of the evaluative criteria of this typology to suit the discourse of MOSOP and IYC as social movements in the Niger Delta is instructive in reaching definitive conclusions. It can be safely concluded that the social movements in focus were successful in that they were recognized as the linchpins of the minorities' struggle

⁴⁰⁷ *Ibid* pp. 18-21

⁴⁰⁸ W. Gamson, *The Strategy of Social Protest*, Wadsworth Publishing Company, Belmont, 1975

⁴⁰⁹ T. J. Pegg, "Re-establishing the Link: Social Mobilization Actors in the Niger Delta". Paper presented at the Workshop in Political Theory and Policy Analysis, Institutional Analysis and Development Mini-Conference, Indiana University, Bloomington, Indiana, USA, May 3rd and 5th 2003.

against marginalization, environmental degradation, and inequitable revenue allocation among others. Their recognition as such not only by the ethnic groups they represent but also by the government and the oil multinationals is noteworthy. Such recognition served as a necessary prelude to acceptance by the main actors. The foregoing finds expression in these movements' *locus standi* as negotiating partners and stakeholders in the recent processes aimed at addressing the problems of the Niger Delta. For instance, Shell has been compelled to recognize MOSOP as the valid representative of the Ogoni. The same recognition has been accorded the group by the government especially during failed peace processes in the past. The people at the grassroots have also reposed their confidence in social mobilization groups. That the government and the multinationals have been forced to negotiate with these movements on occasions especially whenever developmental issues (as they affect the Niger Delta) are on the agenda substantiates the conclusion premised on the first evaluative criterion i.e. the acceptance of the social movement by the audience as a valid spokesperson.

The second criterion that determines the success or failure of social movements i.e. securing advantage also lends itself to the evaluation of MOSOP and IYC's efforts in the Niger Delta. The findings of this research suggest that the social movements in the Niger Delta succeeded albeit partially with regard to securing advantage vis-à-vis the cardinal objectives they have been seeking. That the success of the social movements in the Niger Delta is relative is premised on the fact that not all of the objectives of these groups have been realized. For instance, goals such as the restructuring of the Nigerian state to engender true federalism, equitable political participation and resource control have not been attained. Be that as it may, the social movements have succeeded in taking the Niger Delta issue to the front burner of international environmental politics. They have also succeeded in changing the attitude of both the government and the oil multinationals towards the Niger Delta through the series of methods and approaches discussed in this study. More than ever before, the state and the MNOCS have been compelled and are being compelled to take more action aimed at ameliorating the situation in the Niger Delta. The establishment of the Niger Delta Development Commission (NDDC) was informed by the resonance of the agitation by the people under the aegis of the social

mobilization groups. At another level, increased social responsibility on the part of the oil multinationals is indicative of the success of community agitation over the years. As noted earlier, Shell's adoption of *community development*, as opposed to *community assistance* represents a shift in company policy in the Niger Delta. The author gathered from both the leaders of the oil-bearing communities and Shell that the company has increased its financial contributions to the communities. The change of company policy and increased financial commitment lend credence to the conclusion that the social mobilization groups succeeded albeit partially with reference to the second evaluative criteria as extrapolated from Gamson's typology.

THE WAY FORWARD

The increasing spate of armed violence in the current Niger Delta crisis is a combination of related fundamental issues that generated the crisis in the first place. Therefore, it follows that any attempt aimed at addressing this dangerous trend should be premised on finding solutions to the fundamental issues that form the bedrock of the crisis in the oil-bearing region. The resolution of the issues at the core of the Niger Delta problematic goes beyond the palliatives that the government and the multinationals have handed out to the communities and the people of the region. This is imperative given that the problems of the Niger Delta impinge on the very nature of the Nigerian state. Expressed differently, the knotty issues that have precipitated crisis in the region can not be addressed satisfactorily without the encumbrances of the Nigerian state as presently constituted. It has been put beyond doubt that past attempts at solving the problems of the Niger Delta without due cognizance of the overall problematic character of the Nigerian state have failed. The foregoing forms the background of the policy recommendations made in this study.

A crucial step towards building peace in the Niger Delta is the convocation of a conference of ethnic nationalities where all stakeholders in the polity could come together and discuss the future of Nigeria. A conference of this nature would allow both the majority and the minority to put their heads together and fashion out workable machinery for restructuring the country in such a way that each section of the country would have its

own fair share of available opportunities. In addition, there would be equal representation in the real decision-making mechanism of the state. Some observers of the Nigerian political scene reject the idea of the national conference in that it would create more problems than it was meant to solve. Their argument is that it is difficult for even a handful of Nigerians to come to an agreement on any issue let alone the more fundamental ones that border on the continuity of the state.

This writer strongly believes that a national conference would not necessarily unleash other problems on the polity if the managers of the process and other stakeholders steer the process so as to build national consensus around the key issues of Nigerian federalism. This conviction is further reinforced by the understanding that majority of Nigerians still subscribe to the oneness and indivisibility of the Nigerian state. National conferences have worked elsewhere⁴¹⁰ and Nigeria stands a chance of making the best of such all-inclusive dialogue. The government, through its recently organized National Political Reform Conference (NPRC) attempted to deal with the issues. However, the forum ended abruptly and without success as the delegates from the south-south (representing the [oil] minorities) boycotted proceedings on account of the refusal of delegates from other parts of the country to accede to increased revenues for the oil producing states. Besides, the conference was not truly representative of the people for the governments at the federal and state levels nominated delegates without any input whatsoever from the people.

Therefore, it is difficult to attribute the recommendations of the conference to the people, which of course poses challenges to the legitimacy of any structures, arrangements and policies resulting therefrom. The failure of the NPRC therefore makes the convocation of a sovereign national conference or a people's conference imperative. It is instructive to note that the people of the Niger Delta have rejected the NPRC and overwhelmingly lent their support to the rival conference to be organized by the Pro-National Conference

⁴¹⁰ National conferences have been held in a number of Francophone countries in Africa e.g. Republic of Benin, Niger and Chad. The experience in Benin is a case in point. The national conference became absolutely necessary to stem the tide of political instability, authoritarianism, dictatorship, bankruptcy of the State, economic and social crises and to put the country on the path to sustainable democracy and harmonious coexistence.

Organizations (PRONACO) later in 2005. It is apt to include a caveat though: the convocation of a sovereign national conference is not necessarily an antidote to the myriad of problems facing the Nigerian state. Perhaps it should be added as an aside that Nigerians seldom agree about any issue. In fact, the convocation of a sovereign national conference may even throw up new issues that might complicate Nigeria's problems.

As a logical corollary of the preceding, the fundamental questions of Nigerian federalism should be resolved, and this could be done in a national conference as suggested above. At present, Nigerian federalism is skewed, and it does not adequately take care of minority interests. This question of federalism must be an integral part of the project to create and nurture true democracy and good governance, enhance the position of ethnic minorities and institutionalize transparent fiscal control.

The government, as a matter of urgency, should devise a workable environmental policy that would regulate oil operations in the Niger Delta. The destruction of the ecosystem of the region by the activities of oil companies has remained an important issue in the Niger Delta question over the years. Setting up of environmental agencies is not enough. Government should enact laws that would protect the environment from being degraded, polluted and damaged by activities of all sorts. In addition, effective machinery should be put in place to see to the strict enforcement of such laws. In the case of the MNOCs, they should be made to become more responsible to the local people in their operations. Government should not compromise the welfare and survival of its citizens because of its profit-motivated partnership with the oil companies. A situation where governments (or some actors in government) protect(s) the oil companies against its own citizens, and oil companies casting themselves as neutral in the conflict between government and the people, does not help matters. Local people continue to associate oil companies with government, either good or bad. This is why it is necessary for the oil companies to review their relationship with government and become closer and accountable to the local oil-bearing communities. An essential plank on which this 'new' partnership and understanding could be forged is the formation of oil companies–communities relations committees for the purpose of constant dialogue and exchange of ideas.

An interim measure, as a prelude to realizing the long-term ends advanced in this study, is the payment of adequate compensation to (affected) local communities even as this is expected to continue in view of the fact that oil activities are not incident free. However, compensation in this sense does not mean putting money into the pockets of the people. Recent events in the Niger Delta have shown that the leadership of many oil communities has compromised their struggle for selfish motives or monetary gains. Some elites and leaders in these communities have turned compensation entrepreneurs, who devise different methods in claiming compensation or grants from government, oil companies, and international relief agencies. At times, government and oil company officials collaborate with these greedy leaders in this compensation game. The tragedy of this development is that such monetary compensation so collected only end in private pockets to the exclusion of the ordinary local citizens thus creating feelings of mutual suspicion between community leaders and the youths in particular. This often sets the tone for rancorous relations among the inhabitants of the same community thereby complicating the already dire situation in the region.

In view of the above, monetary compensation to individuals and middlemen should be discouraged. Instead, government and oil companies should embark on community development projects, which are agreed upon by the local residents. In addition, schools, scholarship schemes, hospitals, good transportation system, electricity, gainful employment, and good telecommunications, and drinkable water supply should be adequately provided in the communities. This is the only way by which the ordinary people in the Niger Delta could benefit from compensation.

Following from the above, there should be a master development plan for the Niger Delta. Interestingly, government has taken a giant stride in this direction. When General Abdulsalami Abubakar took over the reins of power in 1998, he set up a 22-member committee headed by Major-General Oladayo Popoola. This committee was to appraise various recommendations made to the government on how to tackle the festering crisis in the Niger Delta and produce practical plans for implementation. In its report, a total

financial outlay of about fifteen billion naira was to be devoted to the establishment of basic infrastructure such as marine transportation, telecommunications and electricity supply.³³ At present, the Integrated Master Plan for the development of the Niger Delta has been rejected by some of the communities in the region as they insist that they were not consulted during its drafting.⁴¹¹ There are fears that its implementation could be fraught with difficulties (if it would not meet with outright failure) given the lack of popular support. This necessitates local community inputs into whatever arrangement that is intended to address the problems of the Niger Delta. Put differently, whatever initiatives that would be expected to succeed must be generated by the people and owned by them, not foisted on them by all-wise politicians who are less conversant with the enormity of the environmental problems in the region. The import of this recommendation is that the people are more willing to support any initiative they conceive as theirs thus boosting the chances of its success.

It is instructive to note that the present democratic regime of President Olusegun Obasanjo has gone further in addressing the Niger Delta question. In 2000, the Niger Delta Development Commission (NDDC) was set up to replace the Oil Minerals Producing Areas Development Commission (OMPADEC). In addition, the revenue derivation formula of the Niger Delta and other oil-producing areas outside the region has been increased to thirteen percent (13%). However, these measures have not gone far enough in dealing with the more fundamental demands for the control of oil resources by the oil minorities. At present, there is a raging agitation in the Niger Delta for control of local resources. The agitators have posited that Nigeria is the only country in the world, which has so cruelly plundered its oil-producing districts without any policy of compensation and repatriation. In view of these recent developments in the Niger Delta, government needs to reappraise its policies, especially the revenue allocation formula, in tackling the problems in the region.

⁴¹¹ Author's extensive discussions with inhabitants of a number of communities in the Niger Delta during his fieldwork. These communities are Afiesere, Uzere, Arogo Ijaw, Odi, Sagbama, Ekakpamre, Patani, Yenagoa, Bonny, Uvwie, Ewewerni, Eket and in Ogoniland.

Not to be over emphasized is the need for both government and the oil communities in the Niger Delta to embrace dialogue. The present crisis in the region is partly being fuelled by the lingering militarist disposition on both sides. The Nigerian political life has been militarized for several years since independence, no thanks to years of military rule. This military phenomenon has inculcated a culture of violence in the society. The frequent deployment of military forces to the Niger Delta to quell local riots in recent years has equally further militarized local ethnic militia. Even the present democratic government is not spared, as recent invasion of communities in the Niger Delta by military forces has shown. Therefore, in order to stem this tide of violence and armed confrontation in the region, government should systematically de-emphasize the use of maximum force, and embrace the aggrieved communities in meaningful dialogue. However, this could only be achieved by tolerance from both sides.

The question of leadership in the Niger Delta struggle deserves some serious attention. As was noted earlier, some leaders in the oil-bearing communities have compromised the interests of their own people to achieve selfish ends. The crass opportunism and greed of such leaders tend to destabilize resistance movements or weaken collective agitations. This factor was responsible for the destabilization of the Ogoni struggle. Some Ogoni leaders were essentially interested in personal power and money. As a matter of fact, some Niger Delta leaders, like leaders at other levels of national life, are greedy and compromised. They find it easier to line their pockets with compensations from the oil companies than to fight a principled and courageous battle for reparations that would make a real difference in the lives of their people. It is not surprising then that youths in several communities have come out publicly to denounce their leaders, saying that they represent themselves, not their people. Therefore, in order to appear realistic, determined and resolute in their struggle, the people of the Niger Delta should lay their trust in the hands of leaders of proven integrity and good track records.

The distribution of government patronage and resources amongst communities and ethnic groups in the Niger Delta should also be addressed. It is on record that part of the conflict in the Niger Delta has to do with politics, most especially local government

creation. Three main ethnic groups in the region – Ijaw, Urhobo and Itsekiri - are at daggers drawn over land ownership and creation of local government. Therefore, government should ensure that separate local governments are created to reflect the composition and origins of these warring ethnic groups in order to stem the tide of politically motivated wars in these areas. Some are want to argue that the creation of local governments on the basis of ethnicity does have implications for (national) unity, cohesion, democracy and governance. Sound as this argument may be, this writer noted (during his field trip) the deep-seated feelings of the main ethnic groups in the Warri area and their hard-line posture concerning the idea of their coexistence. This recommendation is therefore apposite (even if in the short term) so as to defuse inter-ethnic tensions and avert crisis with a view to finding a lasting solution to the problem.

The overwhelming reliance on oil and revenues derived from its exploitation has done more harm than good to the Nigerian state. Therefore, the government should diversify the economy as the neglect of other economic sectors like agriculture and tourism has remained a bane to Nigeria's development over the years. Records from the country have shown that there are abundant solid minerals (mainly in commercial quantities) in other parts of the state and exploration of these minerals will minimize over reliance on oil. It will also downplay the constant push and pull by the dominant ethnic groups to maintain the flow of oil at all cost. It is interesting to note that the country can also secure foreign exchange and further monies for accelerated development by exploiting other resources listed in Appendix XI which shows some of the numerous mineral deposits and their locations, by state spread across the country.

The harnessing of these solid minerals will gradually reduce Nigeria's over reliance on oil and vitiate the unnecessary competition for control of oil which can be likened to the zero-sum contest for power. Indeed, solid minerals provide a high development potential for Nigeria. It must be granted that energy is not only an item for revenue generation but a very volatile political commodity. A look at world events (in the Middle East, the US and the Gulf Region) would confirm this. Whereas this dissertation is not suggesting a

neglect of crude oil as an economic commodity, it strongly holds that other commodities would reduce its volatile political nature in the local scene.

There is a paradox about the ability of the Nigerian state to manage crises since independence. Somehow, crises have been resolved without leaving too much bitter taste in the mouth, including the management of the civil war and the reconciliation, rehabilitation and reconstruction that followed. Aside the civil war that plagued the country for almost thirty months, the Nigerian state has witnessed a series of challenges that threatens the corporate existence of the country. In view of these challenges (Sharia in the north, Yoruba national separatism, Igbo marginalization, militarization of politics and the Niger Delta debacle), Nigeria can be safely classified as a state that may be drifting towards disintegration. Therefore there is urgent need for series of reforms in terms of the practice of federalism.

Looking at the challenges posed by the Niger Delta crisis, Nigeria would risk further crisis and tension in the region if the state failed to accept dialogue and rational bargaining with the local people from the region. On the other hand oil multinationals have a role to play in order to guarantee their operations in the Niger Delta. The Niger Delta problem cannot be resolved without dealing with the youths that have been at the forefront of the struggle since 1990s.

Since peace is a major step towards development the state and oil companies in the region must urgently address the shortcomings of NDDC. Similarly the international NGOs in the areas of socio-economic development are to be encouraged to invest in the region. The incessant wave of youth restiveness in the Niger Delta will pose a serious threat to the operation of these INGOs or scale down their involvement but the operation of United Nations Development Program must be commended in alleviating the suffering of the local people⁴¹².

⁴¹² When the researcher visited Bayelsa in April 2003 the landmark of UNDP projects was felt by the people as the interview with the local people made us to understand.

While the stakeholders in the oil industry have made a lot progress to minimize the impact of oil production on the people of the region there is still some way to go to restore peace and minimize violence in the region. In addition to the suggestion made above the oil companies and state functionaries must establish constant channels of communication with the local people as a measure to defy further occurrence of conflict in the region.

More importantly the issues of onshore/offshore dichotomy should be properly addressed. Despite the abrogation act by government in February 2004, scholars from that region have espoused a lot of contradictions, even suggesting that it is another means of bringing dichotomy through the 'backdoor'.⁴¹³ After series of contention between the president and the member of senate over the use of terms like 'Contiguous Zone' and 'Continental Shelf', these terms were eventually replaced by 200 Meters Isobath. Given the basic Law of the Sea, it means that the derivation principle applies to those areas within 200 meters to the Nigerian coast while the Nigerian Continental Shelf is outside the principle. Therefore the proceeds of resources from outside 200 meters into the sea will go to the federation account. The Federal Government has obviously not considered that what is called "Continental Shelf" would not belong to Nigeria if these states that border the waters were not part of the Nigerian state.

Therefore the implication of this development is that it will further heighten tension in the region in the nearest future as onshore/offshore was not abolished but reduced and each state of the Niger Delta will have different breadth of sea for derivation purposes⁴¹⁴.

Professor Sagay argues that there would be significant difference in the states of Niger Delta length in the sea. He went further to give some rough estimates of the states derivation zones into the coast.

⁴¹³ Majority of the Governors of states in the North and a few of their counterparts in the South oppose the abrogation of the onshore/offshore dichotomy.

⁴¹⁴ Professor I.E. Sagay's view on the Onshore/Offshore Dichotomy Abolition Act in *The Guardian* (Lagos) 1 April 2004.

STATES	LENGTH INTO THE COAST
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Lagos	15.5 miles (28km)
Ogun	15.5 miles (28km)
Ondo	27.7 miles (50km)
Delta	33 miles (60km)
Bayelsa	38.8 miles (70km)
Rivers	38.8 miles (70km)
Akwa Ibom	44.4 miles (80km)
Cross River	44.4 miles (80km)

The implication of this variation is that the government has sown another seed of violence that would eventually lead to another prolonged crisis in the region. This analysis has shown that Akwa Ibom and Cross River states have 200 meters Isobath derivation Zone three times more than some states. It also means that the proceeds from some gigantic oil and gas fields in the deep sea bed is out of the Niger Delta states derivatives rights. These fields include Bonga, Bosi, Abo, Agbami, Erha, Akpo and Bonga-SW.⁴¹⁵

Apart from these it was confirmed that at the end of 2003, one hundred and ten wells had been drilled in the deep offshore. With increasing focus on the deep shore oil and gradual exhaustion of shallow offshore (200 meters) the deep-sea oil fields will be the bone of contention in the future, which the state must address now. This became necessary because the state governments failed to recognize that the negotiation and arrangement that brought all the regions together as a single entity approved for the purpose of derivation, the continental shelves of regions were deemed to be part of that region or

⁴¹⁵ I. E Sagay, *op. cit.*

state as the situation is in the present 36 state structure. This particular provision was entrenched in section 140(6) of the 1960 independence and 1963 republican constitutions.⁴¹⁶ In the light of all these, the state and oil companies and local people under the umbrella of the social movements must seriously address the explosive issue of Niger Delta crisis to guarantee unrestricted oil production and development of the region. It would be safe to conclude that in the face of continued agitation in the Niger Delta, all actors must become proactive in resolving lingering and future flashpoints as highlighted in the preceding sections. There is no doubt that INGOs have helped to place the local palaver effectively in international discourse and this has helped in a very significant way to sharpen the focus of local agitators. State and MNOC oppression did not have the impact of cowing the agitators but have produced a culture of violent resistance not only in the Niger Delta but also in other areas in the polity. The bottom line remains that where equity and fair play are compromised, peace and development are certain to become impossible. The Nigerian state must therefore come to terms with the problematic of the Niger Delta that brought out the international dimensions of a local crisis.

⁴¹⁶ I.E Sagay, *op. cit*