

CHAPTER ONE: HISTORICAL CONTEXT: THE NIGER DELTA BEFORE 1960

INTRODUCTION

The scramble for and partition of Africa by the European powers in the nineteenth century had far-reaching consequences for the independent states of Africa. The artificial boundaries of these states that emerged from the European imperial expansion now have salient implications for the socio-economic development of the states. The most significant consequence of this act was the creation of culturally diverse states and the forcible bringing together of strange ethno-cultural groups into single political entities. It is therefore not surprising that irredentist tendencies have punctuated the processes of national integration in most African states, even as civil wars have plagued many of these states. The problem of integration arising from this situation has been amply demonstrated by communal instability and/or secessionist bids in Nigeria, the Sudan, Rwanda, Burundi, Democratic Republic of Congo (former Zaire), Ethiopia, Uganda, Chad and Angola.¹ As such, many states have had to grapple with the challenges of nation-building and national integration. The failure of most states to address this salient challenge has engendered problems that have stretched such states to breaking points as can be seen in the aforementioned countries.

The political entity called Nigeria is not an exception to the general trend in Africa as highlighted above. The Federal Republic of Nigeria lies on the Atlantic coast of West Africa with a population of about 133 million people and is made up of about 490 ethnic groups with different languages. Modern Nigerian history appropriately begins with the amalgamation of two disparate regions of the Northern and Southern Protectorates by Lord Lugard on January 1, 1914. In spite of this fatal error the British colonialist went further to balkanize the country into three regions of unequal sizes: the Western Region,

¹ J. I Elaigwu, "Ethnicity and the Federal Option in Africa", *The Nigerian Journal of Federalism*, Vol. I, No. 1, June, 1994, p. 64

the Northern Region and the Eastern Region, with the perception that the West was mainly Yoruba; the East, Igbo and the North, Hausa–Fulani.

This arrangement engendered a situation whereby other ethnic groups, though, minority as the case was, were insulated from the Nigerian enterprise. By this act, the British demonstrated a tacit acceptance of the subjugation and exploitation of the ‘minorities’. The colonial imperialist showed little concern for how the socio-economic and political interests and aspirations of these other numerous ethnic groups could be fulfilled within an arrangement that gave more power to the dominant ethnic groups. Thus the configuration of political power in Nigeria after 1914 was at variance with the aspirations and interests of the minority ethnic groups in the country. The major implication of the foregoing was such that the aspirations of the majority vis-à-vis those of the minorities always seemed diametrically opposed and irreconcilable. Of course, this had enormous consequences for the Nigerian state and the National Question as will be seen later in this study.

The Niger Delta people who form the largest ethnic group (as a bloc) among the ethnic minorities are located in the southern part of the country. The region occupies the greater part of the low land belt of the Nigerian coastal plain and “may be described as the region bounded by the Benin River on the west and Cross River in the east, including the coastal area where the Cameroon mountains dip into the sea.”² The region could be said to have aided and abetted the advent of imperialism in so many ways, as noted by May Kingsley: “the great swamp region of the Bight of Biafra [Niger Delta] is the greatest in the world, and that in its immensity and gloom, it has a grandeur equal to that of the Himalayas.”³ The region was one of the greatest trading outlets of European merchants before 1960. In other words, the region occupied a position of strategic importance prior to Nigeria’s independence and it continued to do so even after the lowering of the ‘Union Jack’. It is therefore pertinent to examine the people of this region in terms of their social, political

² K.O. Dike, *Trade and Politics in the Niger Delta 1830-1885*. Oxford Press, London. 1956, p. 19

³ *Ibid*, See Travels in West Africa (1897). Cf. A.C.C Hastings, *The Voyage of the Day Spring* (London, 1897), pp. 73-74

and economic life in relation to the policies of colonial power vis-à-vis the question of minorities struggle and mineral acts.

DEFINITION OF CONCEPTS

Ethnicity: Ethnicity is one of the variables to understanding the complex nature of Nigeria political terrain in the post independence years as Nigerians define themselves in terms of their ethnic links to any identity. This development has played a remarkable role in the country's political and economic relations in the past forty-six years. The country is roughly made of distinct ethnic groups ranging from 250 to 400. At different times, it has been equated to mean "tribes" or widely known as "tribalism" in Nigeria's political discourse, but for the purpose of this research ethnicity is a striking group identity. This can be defined in terms of number into minority and majority as the case in Nigeria today. It can also be defined as the mobilization of group identity to seek opportunity, cooperation or for the purpose of conflict as it applies in the Niger Delta region of Nigeria.

Resources Control: The key issues of deprivation and marginalization of the ethnic oil minorities gave rise to the struggle by the people of the Niger Delta region to control the resources found in their domain. The monopolization of oil wealth from the Niger Delta by the dominant ethnic groups (Hausa/Fulani, Igbo and Yoruba) has engendered resistance from the minorities that suffer from serious ecological and environmental damages of oil explorations. This development was heightened in the 1990s with the emergence of strong civil society that came up to challenge the state and oil multinationals in the region.

Civil Society: The demise of the Cold War has thrown up a new issue among which is the concept of civil society as key actor in modern African state politics. The upsurge of civil society is due to the collapse of non-democratic regimes, and an expansion of political space that made it possible for these organizations to play prominent roles in politics and governance. Civil society has generated a diverse debate in recent years and

different positions have emerged as regards to acceptable definition of the concept. Given this disagreement it has been defined in many ways but in this case civil society is an association of people with common interest and actions for the collective good of the society. However, the activities of civil society have witnessed stiff oppositions from the state and oil multinationals as the case may be in the Niger Delta of Nigeria. Different types of civil society can be identified in the Niger Delta and these are pan-ethnic, ethnic youth groups, communal and ethnic civil groups or environmental/civil rights groups.

Pan ethnic groups	Youth groups	Communal/ethnic groups	Environmental/Civil Rights groups
Niger Delta Women for Justice	Niger Delta Volunteer force	Ijaw National Congress	Civil Liberties Organization
Niger Delta Professionals	Ikwerre Youth Movement	Urhobo Progress union	Ijaw Council for Human Rights
CHICOCO Movement	Urhobo Youth Movement	Isoko Development Union	Niger Delta Human and Environmental rescue Organization
South-South Peoples Conference	Ijaw Youth Council	Movement for the Survival of Ogoni People	Environmental Rights Action
Niger Delta Elders Forum	Isoko National Youth Movement	Movement for the Survival of Itsekiri Ethnic Nationality	Oil Watch Group
Niger Delta Peace Forum	Egi Youth Federation	Isoko Community Oil Producing Forum	Committee for the Defence of Human Rights
Niger Delta Peace Project Committee	Bayelsa Youth Federation of Nigeria	Egbema National Congress	Joint Action committee for Democracy

Sources: Compiled by the researcher.

POLITICAL HISTORY

Since the roots of Nigeria's post independence crisis are deeply entrenched in its colonial policies, it is therefore apt to look at the political history of these people before and during the colonial period. The political history, experience and organization of the people of the Niger Delta prior to Nigeria's independence to a large extent shaped their

perceptions as to what should be the nature and character of the Nigerian state. Historically, the area known as the Niger Delta today “predates Nigeria’s emergence as a British Colony by at least a decade. British Niger Delta Protectorate and the Niger Delta Coast Protectorate were already well established by the mid-1880s and the late 1890s ...”⁴ Many of the communities that make up this region had their local leaders well before the Second World War and it is interesting to note that the adoption of reforms by Arthur Richard in 1946 firmly established regionalism in Nigeria with a serious implication for the minorities in the region as shall be shown later in this study.

The Ogoni, Urhobo, Ijaw, Ikwerre, Itsekiri, Isoko, Kalabari, Efik, Ibibio and other numerous ethnic groups, inhabit the Niger Delta. The region is rated as one of the world’s largest expanse of wetlands, has the ninth vastest drainage area in the world and (once had) the third largest mangrove forest. The delta area could be described as an ethnographic melting pot with over 25 distinct linguistic groups and a population of about seven million.⁵

Before independence the people of the region were unique with the operation of city-states political systems as distinct from the monarchical system practiced in some other parts of the country. The city-state system is a confederation of houses, while the house system refers to the grouping of people into households and wards. Wards are territorial sub-divisions of a village. It is pertinent to note that the house system could be distinguished into two because of the changes that took place in the organization and composition of houses in the system between the Ijaw and Efik in the 18th century. These changes were not unconnected with their participation in the overseas slave trade.

Until the 18th century villages would appear, from oral traditions, to have been founded upon the principle of wards and or houses being politically equivalent. Government was mainly in the hands of descendant group leaders. Houses were based on localized descent

⁴ A. Onduku, “Environmental Conflicts: The Case of the Niger Delta”. A paper presented at the One World Fortnight Programme, University of Bradford, UK, November 2001

⁵ O. Oyerinde, “Oil Disempowerment and Resistance in the Niger Delta” in Olorode *et al* (eds) *Ken Saro-Wiwa and the Crises of the Nigerian State*, CDHR, Lagos, 1998, p. 55

groups and were very homogenous in their composition, consisting mainly of descent group members, their wives and offspring. Similarly, the Ijaw House system during this period changed significantly as commerce in slaves grew apace. But by the beginning of the 19th century, similar, although less marked, adjustments had taken place in the Efik House system at Old Calabar.

Another important political system of the Ijaw people was the Canoe House system. According to an Ijaw,

Ijaw Canoe Houses were corporate organizations of kinsmen, strangers and slaves assembled for the purpose of successful participation in the overseas slave trade. To trade, a canoe house needed naval power. New canoe houses were established when a group which possessed a fleet of canoes separated from the parent house.⁶

It is important to note that a new house was economically independent but politically subordinate to the motherhouse. And there is a general trend among the communities in the Niger Delta that the number of canoes (Ijaw) or Wives (Urhobo) that a house or man owned was a visible proof of its/his prosperity and strength.

Before the advent of colonialism many of the communities in the Niger Delta recognized their senior ward or house lords as superior ritual authority over others. With the coming of the Europeans, a man whom they called 'king' acquired sufficient power to become the sole representative of his kingdom in commercial dealings with European merchants. Considerably enriched from acting as chief negotiator with the Europeans, the political office of king developed and successors were provided by the royal lineage. Powerful house heads, often even of slave descent, acted as kingmakers, choosing the new king from princely candidates.⁷

⁶ An interview by the researcher with an Ijaw village head in Warri on the 17 June 2003. It is very unfortunate that the interview was granted on the understanding of anonymity by the respondent.

⁷ *Ibid*, For a comprehensive history of the Niger Delta, see G.T Stride and Caroline Ifeka, *Peoples and Empires of West Africa: West African History 1000-1800*, Thomas Nelson, Welton, 1982, Chapter 19 and J. Ade Ajayi and Michael Crowther (eds) *History of West Africa* Volume I, 2nd Edition Longman, Harlow Essex, 1976.

Meanwhile, the era of bitter hostilities and civil wars in the Niger Delta ended with the emergence of powerful kings by the late 17th century when Europeans reported that they could move round freely. However, this period of peace was short lived when war began in Old Calabar with the eruption of civil strife between Old Town and Creek Town, with similar civil strife occurring in Nembe, Eleme, Kalabari and Bonny. This contestation eventually led to the emergence of two powerful kings in the area. Hostilities between rival houses occurred because ambitious men sought more wealth and political power in direct response to the divide and rule tactics of the imperialists.

A good documented example of how a city-state was governed in the 18th century was what operated in Bonny. A king of Pepple dynasty who sat with other house heads and notables in a general meeting where they discussed state matters ruled Bonny. The king and his council made laws, acted as arbitrators in quarrels between houses, declared wars, executed criminals and negotiated contracts with the European merchants. The king, however, was ultimately responsible for all contracts and received come from European vessels.

No account of government in the Niger Delta city-states would be complete without mentioning secret societies. In Nembe and Kalabari, the most important secret society was called Ekine (there was no Ekine society in Bonny). Ekine was divided into sections, each of which produced its own masks and plays. It had some executive functions in that it brought together all important men whose decisions concerning Ekine were then executed by the society's junior members. Ekine was socially and politically significant because its membership cut across house divisions, helping to integrate houses into one political entity – city-states.

Finally, what ran through the Niger Delta were scores of segmented Igbo, Urhobo, Ogoni, Ijaw, Kalabari and other city-states with political organization that was highly non-centralist.⁸ This political arrangement accounts for the description of the political systems of these areas as acephalous.

⁸ E. E. Osaghae, *Nigeria Since Independence, Crippled Giant*, Hurst and Company, London, 1998, p. 3

Having had a system that was decentralized and egalitarian, the aspirations of the people of the Niger Delta were tailored towards a state system that would guarantee their individual as well as collective rights, one of which is the right to ownership of property including naturally occurring resources within their domain. Taking into cognizance the political history of the people of the region, any political arrangement or structure that undermined the deeply entrenched attitudes, feelings and aspirations was bound to generate far reaching contradictions and consequences. It is against this background that the people of the Niger Delta began to challenge the Nigerian state in the light of unfulfilled expectations.

ECONOMIC HISTORY

The Niger Delta city-states passed through some three stages of development in their efforts to derive a living from their environment.⁹ Before the arrival of the Europeans there was a general belief that the Niger Delta seemed to have been inhabited mainly by the Ijo (Ijaw) people that engaged in farming and fishing and lived in small and scattered villages. The Ijo communities have been assumed to have migrated from the northwest, while other historical sources claimed that they migrated from Benin, or migrated southward from Benin domination.¹⁰

As could be rightly observed in the Niger Delta, the advent of slave trade stimulated the growth of trading partners in the region, which invariably expanded versions of small Ijo fishing villages that occupied strategic positions on the creek of the Niger Delta. Notable among these are Bonny, Owome, Okrika, Itsekiri, Brass and host of others.¹¹ These communities engaged in subsistence farming, fishing, hunting and gathering of the natural products of the deltas. In addition, they supplemented these activities with the simple economic activity of trade by barter with other delta communities engaged in various levels of agriculture in the fresh water areas. This limited stage of exchange was followed by what has been described as 'long-distance trade with the peoples of the delta

⁹ E. J. Alagoa, "The Niger Delta states and their neighbours, 1600-1800" in J.F.A. Ajayi and M. Crowther, *History of West Africa*, Longman London, 1971, pp. 291-292

¹⁰ M. Crowder, *The Story of Nigeria*, Faber & Faber, London 1962, p.79

¹¹ *Ibid*, p. 80

hinterland, and also with the western delta.¹² The inglorious trade in slave which marked the beginning of contact with the Europeans changed the pattern of trade between the Ijo and their hinterland neighbors into centers of redistributions: collecting European merchandise for sale in the hinterland, and receiving hinterland produce for exports.¹³

Prior to the advent of slave trade in the Niger Delta the people in the hinterland engaged in farming and hunting while the delta people of the coast, which include the Ijo (Ijaw), were focused on fishing as means of livelihood. At the same time other ethnic groups in the region combined farming, fishing and hunting as means of livelihood. During this period they employed crude methods, which invariably could not afford them opportunities to produce in commercial quantity but barely for household consumption. Oral traditions established the fact that “the earliest forms of exchange, therefore, occurred between the fishing settlements of the saltwater swamp and beach ridges with the fishing and farming of the adjacent freshwater swamp.”¹⁴ Moreover, this exchange took place between the Ijo and the people of the hinterland who are Ibo (Igbo) and Ibibio. The Ijo exported dried fish and salt that they got from their salt-water creeks to the Igbo and Ibibio in exchange for vegetables and iron tools.

The people of the region also established long distance trade across the delta before the advent of European capitalists. For this purpose, large canoes were manufactured. Their articles of trade were yams, slaves, cows, goats and sheep, and the manufacture of salt from seawater on the coast for sale in the hinterland. The coming of the Europeans to the region led to the fragmentation of local distance trade routes along the coast.¹⁵ This development invariably took over the movement of goods in the coast from the local people and marked the beginning of struggle against the Europeans. Gradually, slave trade was introduced with its attendant impact on the people of the region.

¹² E.J. Alagoa, *op. cit*

¹³ *Ibid*, See the analysis of Michael Crowther on this transformation that took place in the Niger Delta with the coming of the Europeans into the region.

¹⁴ E.J. Alagoa, *op. cit*.

¹⁵ *Ibid*

As the industrial revolution took root in England and spread to other parts of Europe, and coupled with the fact that the slave trade was in its dying period, the traditional occupation of the Niger Delta locals became threatened. However this was for a short period for oil palm quickly became a flourishing alternative. This met some resistance by the local people because the new substitute required huge capital outlay and the mobilization of men. Apart from this, there was considerable opposition from local people because the 'new trade' endangered their role as middlemen between the people of the hinterland and European traders at the coast. The Niger Delta formed one of the pre-eminent ports of call for European slave merchants given its proximity to the Atlantic Ocean.

It was also important as it had transit camps where slaves from the hinterland were kept while slave traders awaited ocean vessels. With the introduction of legitimate trade after the abolition of slave trade, the Niger Delta further attracted a great number of western merchants, who were interested in its rich cash crops, most especially oil palm which by-product was used as an essential raw material in Europe. The politics of that trade produced the first nationalists in the Niger Delta.¹⁶

It can be deduced from the economic history of the Niger Delta that the people engaged in ventures that impacted on their existence and economic well being. They were attached to the environment and depended largely on what it provided for subsistence before the advent of Western merchandise. Even the advent of the slave trade did not supplant local practices that predated Western invasion e. g. farming and fishing. And with the abolition of the slave trade, the people had to fall back on the agricultural activities that they had solely engaged in. Even after independence, the economic life of the people which had revolved around farming, fishing and trading in agricultural produce remain unaltered.

Every commodity of economic value was obtained from land and resources embedded within its substructure as well as superstructure. Consequently, the people had ample

¹⁶ O. Oyerinde, "Oil Disempowerment and Resistance in the Niger Delta" in Olorode *et al* (eds) *Ken Saro-Wiwa and the Crises of the Nigerian State*, CDHR, Lagos, 1998, p. 55

reason to be sentimentally attached to the land. This called for sensitivity in the use of land and its resources as well as the evolvment of measures to protect the environment. The discovery of oil unleashed a plethora of pressures on the environment which, in the view of the people, had not been adequately addressed by the government and multinational oil companies. The despoliation of the environment by oil activities was therefore interpreted by the people as an affront on their economic well being and survival. It is within this milieu that one can situate the economic cum environmental considerations that underpin the agitations by the people of the Niger Delta.

OIL IN THE NIGER DELTA BEFORE 1960

This historical background clearly shows that the people of the Niger Delta were known for commercial (merchandising and petty trading) activities, farming, fishing and hunting before the discovery of crude oil and its commercial exploration and exploitation in later years. Another important point was that the region was known for its opposition to any act that threatens its interest or survival long before the political independence of Nigeria in 1960. It is on this note that we will attempt a brief history of oil exploration in the region before it was given much attention by the Nigerian government.

The search for petroleum did not spread to Nigeria until 1908, when the German-owned Nigerian Bitumen Corporation drilled some oil wells in Araromi in the present day Ilaje Local Government Area of Ondo state. This activity was hindered by the outbreak of World War I. However at the end of the war, a British oil company was granted concession from the colonial government in 1938 to engage in the exploration of crude oil in the country. This was negotiated as an oil exploration license that ought to cover the whole of the country.¹⁷ Again, the outbreak of another war – World War II – disrupted the operation of this company but by around 1946, the company restarted its geological and geophysical investigations and it was discovered that oil-yielding structure was concentrated in the Niger Delta.

¹⁷ L.H. Schatzl, *Petroleum in Nigeria*, Oxford University Press, London, 1969, p. 1

With the discovery of crude oil in the region Shell-BP further limited its oil exploration in 1951, 1955 and 1957. But the successful outcome of Shell-BP investigative work attracted the attention of other mineral/oil companies to the Nigerian oil field. And one of such companies that came after Shell-BP was Mobil Exploration Nigeria Limited. It was granted exploration license in 1955 to cover an estimated area of about 281,782m.² This covered all abandoned Shell-BP territories in Northern Nigeria and the portion of the British Cameroons administered by the Northern Region.¹⁸ Therefore, before 1955, only Shell-BP held concessions in Nigeria but this had increased to about ten by 1960. The Mineral Oil Ordinance of 1959 explicitly pointed out that these companies were to pay 2 shillings per square meter. Equally, the location of the concession did not influence the amount of rentals to be paid.¹⁹ This payment did not involve royalties that they had to pay once they undertook production in their concession areas; government's share of the royalty was put at 4 shillings per square meter.

Crude oil was first discovered in commercial quantity in Oloibiri in the Niger Delta in 1956 and was first shipped to Europe in 1958. It was at this point that oil became an issue in Nigeria especially when colonial legislation granted monopoly of oil concessions in Nigeria to British and British allied capital.²⁰ Nigerian legislation (Mineral Oils Ordinance) as passed in 1959 was quite different from that of other countries in Africa, for different reasons though. In the first instance, the mineral ordinance was drawn up by the colonialist with very little contributions from the Nigerian elite. Again the elite acting as politicians and comprador bourgeoisie had wanted to capitalize on seeing goldmine.

The Nigerian Constitution explicitly stated that all minerals, oil and gas, in the country belong to the Federal Government.²¹ At the time oil was discovered in Nigeria before

¹⁸ *Ibid*, p. 3

¹⁹ *Ibid*, p. 79; See *The story of oil in Nigeria*, Shell-BP Petroleum Development Company of Nigeria Ltd, Alperston, Wembley, Middlesex, October 1, 1960.

²⁰ O. Agbu, "Oil and the National Question in Nigeria: The External Dimensions", *Nigerian Journal of International Affairs*, Vol. 26, No. 1, 2000, Lagos.

²¹ This position could be found in Article 40(3) of the 1979 Constitution, Article 42(3) of the 1989 Constitution and Article 47(3) of the 1995 Draft Constitution. This idea was also incorporated into the 1999 Constitution and this has being one of the reasons that the local communities are forced to engage in struggle against the state and the oil multinationals.

independence, the country did not have the required indigenous expertise to develop the oil reserves and the country was still under colonial rule. Therefore, the Federal Government and the international oil companies agreed on terms of oil production and revenue derived from the production. This was the basis of the 1959 Petroleum Profits Tax Ordinance that introduced a fifty-fifty profit share regime between the government and the international oil companies without considering the local oil-bearing communities.²² The non-involvement of the local communities in fashioning this arrangement signaled the continuation of the alienation of the people of the Niger Delta. It is an obvious fact that the exclusion of key actors from decision making processes inexorably undermine efforts at resolving problems that pertain to these actors.

There is a great difference in comparing Nigerian petroleum legislation in the period before independence with what operated in other African countries like Algeria and Libya as hinted above. The Algerian–French Petroleum Agreement of 29 July 1965 differed from the Nigerian legislation in significant aspects. For example, there was a so-called cooperative association between the oil company to be founded by the French and the Algerian states.²³ Apart from this, the legislation abolished the depletion allowances, the Algerian share of profit was fixed at 53% and assessment of profits was made on the basis of fixed prices.²⁴

The Libyan Petroleum Legislation of October 20, 1965 was as well different from that of Nigeria again in fundamental respects. For the calculation of royalties in Libya it was uniform by 12.5% posted prices; it was also calculated at current operating expenditure and profits were assessed from posted prices. According to Schatzl (1969), the Libyan petroleum law complied with practically all the requests of OPEC in regard to the operation of oil multinationals in less developed countries. He also asserts that petroleum

²² Human Rights Watch, *The Price of Oil: Corporate Responsibility and Human Rights Violations in Nigeria's Oil Producing Communities*. 1997; See also S.R. Pearson, *Petroleum and the Nigerian Economy* University of California Press, Stanford, 1970, pp. 24-26.

²³ *Petroleum Press Service*, Vol. XXXII, No. 9, September 1965 for detailed analysis; See L. H. Schatzl, *op. cit.*, pp. 95-96.

²⁴ *Ibid*

legislations in Algeria and Libya guaranteed to the state a considerable higher share of petroleum profits than Nigeria under the Petroleum Profits Tax Ordinance of 1959.

This was the situation of the oil industry in Nigeria before independence. However, the Niger Delta later became an important region for both the Nigerian government and the international oil companies in the post independence period. Paradoxically, the region also witnessed persistence violence that gradually became an international issue, and this is the core of this research. It is apposite to state here that before oil came into the main stream, palm oil trade was a crucial factor that influenced the British to maintain and later annex the territory (the Oil Rivers Protectorate). The present Niger Delta location is home to most of all Nigerian oil wells. Due to its palm oil industry it had rightly earned for itself the name known as “Oil Rivers”. Since then, the word ‘oil’ in Nigeria has become synonymous with oil rivers or the Niger Delta.²⁵ Coincidentally, the same region has once again justified its name with the abundance of crude oil resources. However, it is by no means a coincidence that the Niger Delta has become a pivot in the socio-economic and political development of the Nigerian state. Apart from the fact that it contains this important resource, it has been said that the region is fragile and complex, because of its vast interface between land and water.

Therefore it can be inferred that the roots of the present crisis in the Niger Delta were partially located in the region itself, perhaps long before the country’s independence. It will be right to conclude that the present resistance in the region is partly rooted in historical factors and that it is not a new phenomenon; it has been the case in the region prior to independence and throughout the post 1990 struggles.

²⁵ A.A. Ikein, *The impact of oil on a developing country. The case of Nigeria*, Praeger: New York, 1990, p. 4

THE BASES FOR PERSISTENT VIOLENCE IN THE NIGER DELTA

It is instructive to know that the conflicts in the Niger Delta are reflective of the contradictions of environmental governance and oil politics. It is possible to unpack these conflicts along different lines depending on the actors involved at a particular point in time. The first of these levels is conflict between host communities and the oil companies; the second level is the local militants versus the Nigerian state, and the third level, the struggle and hostilities between the various local communities. The analysis of these bases for conflictual relations will illuminate this discourse and furnish a holistic understanding of the dynamics of the crisis in the Niger Delta.

To say that colonialism has played a role in precipitating crises in Africa's political economies is an obvious. In this vein, it can be said that colonial legacies lurk at the background of the crisis in Niger Delta: inability or unwillingness (or both) of the colonial administration to address the issue of minorities. Similarly, successive governments of the Nigerian state have failed to address the issue satisfactorily thereby threatening the (uniting) fabrics of the Nigerian state. More often than not, governments have either glossed over the issue of the minorities or at best pacified the issue. It is not out of place to contend that even some of the policy makers have not comprehended the crucial importance of this question to the Nigerian project. The first point of error is the ill-definition of the concept of minority or the lack of appreciation of it. Minority in this perspective refers to an ethnic, racial or religious group who by virtue of their population (or other demographics) is singled out from others and thus regard themselves as object of collective discrimination.²⁶ Therefore a minority is bound to face an exclusion from political and economic life of the big society. More often than not, the minority is in constant opposition to the dominant ethnic group.

This preceding aptly sums up the position of the minorities of the Niger Delta in the period before and after independence. The people of the region lost their power to control their destiny with the amalgamation of the Southern and Northern Protectorates by Lord

²⁶ L. Wirth, 'The problem of minority Groups' in Linton(ed): *The Sciences of Man in the World Crisis* Columbia University Press, New York, 1945, p. 347

Lugard; and every successive federal constitution was reluctant to address the fears of the minorities in the polity. The notable constitution in this direction was Arthur Richards Reforms of 1946 which established regional representation as an important element of the British colonial administration. Subsequently, the 1954 Constitution regionalized the country as a means of addressing the fears and aspirations of the minorities. It should be made clear that minorities' fears were political and social-economic rather than cultural or linguistic in nature. The fears of the minorities were confirmed by the Willink panel report of 1957²⁷ as reflected in their agitations. One of such agitations by the Ijaw Rivers Peoples League led to the creation by the British of Rivers Province in 1947.²⁸ And it was during this period that the Niger Delta Congress was founded by Harold Dappa-Biriye to give vent to the agitations by the Niger Delta people. It can be said that the major bone of contention in this region has had to do with the bitter experiences emanating from the politics of exclusion. The Nigerian state has over the years maintained relations of power that gradually undermined the existence of the minorities and their access to vital resources.

Another key issue in the Niger Delta is that since the discovery of oil in commercial quantities by Shell-BP in the Ijaw community of Oloibiri in Ogbia Local Government of Bayelsa State in 1956, the inhabitants of the region have persistently engaged the oil companies and the Nigerian state in series of protests. These contestations, in part, relate to all laws regulating to oil exploration and land ownership, which as the people argue, must be abrogated because they work against the interests of the Niger Delta. At the heart of the struggle for participatory environmental governance is the question of natural resource control and self-determination. Since then, no appropriate institutional and financial arrangements have been put in place by the Nigerian state and the oil multinationals to compensate the oil producing communities for the devastating

²⁷ I. A. Eteng, "Minority rights under Nigeria's Federal Structure". Proceedings of the conference on Constitutions and Federalism, held at the University of Lagos, Nigeria 23-25 April, 1996 p. 124. A similar position was taken by O. Nnoli, *Ethnic Politics in Nigeria*, Enugu, 1978 and Ekwekwe, *Class and states in Nigeria*, Lagos, 1986.

²⁸ A. Onduku, "Environmental Conflicts: The case of the Niger Delta". A paper presented at the one world fortnight programme, organized by the Department of Peace Studies, University of Bradford, United Kingdom 22nd November 2001.

environmental problems associated with oil exploration and exploitation.²⁹ Therefore the agitation for resource control is a battle for the soul of the Niger Delta region, the area that produces the resources that sustain the national economy. This issue has been given different interpretations among the ethnic groups that comprise the Nigerian State.

The divergent interpretations notwithstanding, what is clear is that the people of the Niger Delta are highly passionate about their demands. The issues, according to the people, are mainly structural in that they touch on the fabric of the Nigerian state. They have consistently argued at different forums that resource control is the antidote to the problems of the region. As far as they are concerned, resource control is *sine qua non* for sustainable peace and development for the Niger Delta in a democratic system. People and civil society groups are of the opinion that the whole contentious issue borders on matters relating to fiscal federalism, revenue allocation, onshore/offshore dichotomy and the sustainable development of the Niger Delta.

The above lends credence to the argument that only the satisfactory resolution of the resource control imbroglio can guarantee peace in the Niger Delta. Therefore, the dialectics of resource control is critical to the understanding of the dilemma of the minorities of the oil producing communities. This is because resource control has been the basis of many of the unending conflicts in the region, especially in recent times. The agitation for resource control derives heavily from the structural deformities of the Nigerian state which have constantly negated the aspirations of the oil-producing minority states in terms of sustainable development of their region. The reality of the Niger Delta is that rather than earn development, the region is bedeviled by environmental degradation, mass poverty, oppression by government security agents as well as various other forms of human rights denials.

As noted above, one of the many deformities of the Nigerian federation is fiscal centralization which has alienated the oil-producing minorities in the Niger Delta from the wealth emanating from the very oil, the exploitation of which has degraded their

²⁹ *Ibid*

environment and rendered their people endangered species. This fiscal centralization finds expression in the financial hegemony of the Federal Government which contrasts sharply with the fiscal incapacitation of the states, especially the Niger Delta states. The foregoing scenario has engendered two effects. First, it reinforces the structural vulnerability of the states and the oil-bearing communities. Second, it intensifies the pressures among the populations and the administrations for federal economic patronage.

Furthermore, Naanen argue that another important issue in the region is the environmental implications of the resource control agenda. Like in the other part of the world local communities are given some measure of constitutional power to have some measure of control over resources in their locality. While in the Nigeria context the reserve is the case as various laws in the state automatically empower the government to seize every economic land for the benefit of the nation as a whole. As discussed elsewhere in the thesis compensation are not paid for lands except for crops destroyed. It is beyond contention that problems are created for the environment through the exploitation of natural resources. Therefore, people of the communities make demand that oil multinationals must be committed to doing business without *serious* damage to the environment. Their argument is that there are modern techniques of exploring and exploiting oil. It is therefore imperative that these techniques be applied in the Niger Delta region with a view to guaranteeing better life for the people of the oil-bearing communities. Anything short of this, going by the popular feeling among the generality of the people of the Niger Delta, will not guarantee peace in the region.

Unfortunately though, the central government often gives the oil multinationals the impression that local oil communities and states in the Niger Delta do not matter but that all that was needed was collaboration and understanding between the central government and the transnational oil companies. One fact is however incontrovertible: the development of the region cannot be imposed by the central government or self-interested multinationals, it must be engineered by the people of the Niger Delta. In addition, the sustainable development of the area must be built upon the existing human, material and natural resources with which the Niger Delta is endowed.

The dysfunctionality of the Nigerian state and the negative effects of oil exploration have been met with protestations by the Niger Delta communities for decades. But successive governments and oil multinationals have failed to take appropriate steps to address these fundamental issues. An unprecedented response to this state of affairs has been the emergence of and environmental rights activism by civil society groups such as the Pan-Niger Delta Resistance Movement CHIKOKO, the Environmental Rights Action (ERA), the Ijaw Youth Council; the Movement for the Survival of the Ogoni People (MOSOP), Movement for Reparation to Ogbia (MORETO) and the Movement for the Survival of the Ijo in the Niger Delta (MOSIEND). Over the years, their advocacy has underscored corporate responsibility, environmental sustainability, sustainability, self-determination and democratic development in the Niger Delta. That said, the inability of the stakeholders to address the issues of the region appropriately (as core national issues)- given their sensitivity- has contributed to the change in the character of the agitation from peaceful to violent.

In the main, the indigenous peoples and forest-dependent communities, like other resource-dependent communities elsewhere in the world, are simply fighting for sustenance and their cultural rights while transnational oil corporations like Shell, Chevron, Elf, Mobil, and Texaco are engaged in the unbridled exploitation of the oil resources. This action has been for their maximum gain without due consideration to the threat posed by their presence to the region both economically and socially. The Nigerian central government, which for most period after independence was under the grip of military juntas only existed to further the character of the state as a rentier state. And several rights advocacy groups have emerged to challenge the state as well as oil multinationals over the issues highlighted above.

However, this thesis is focusing on the Movement for the Survival of Ogoni People (MOSOP) because it was the earliest group to internationalize the struggle of the Niger Delta, as we shall see in the subsequent chapters. The ascendance of the Ogoni resistance into global rights agenda, “was borne out of the recognition ...that as a function of capitalist (oil) accumulation, and as a repressive force, the unequal partnership between

the Nigerian state and oil multinationals is mutually reinforcing... it must be exposed in its own backyard in Europe and North America, and global fora as a violator of human rights in, and a reckless polluter of the Niger Delta”.³⁰ The most significant event in the struggle was the trial and eventual hanging of the Ogoni 9 by the Nigerian government in 1995 which drew international opprobrium.

In addition, the thesis will place emphasis on the Ijaw Youth Council because the Ijaw ethnic group is the fourth largest nationality in Nigeria. Besides, the first exploration and production of crude by Shell-BP in 1956 took place in Oloibiri, a community located in Ijoland. The revolt by young Izon elements led by Isaac Adaka Boro in 1966 aroused the people’s interest in the post-independence era to fight for self-determination. However, Adaka Boro remained a controversial figure in Nigerian political calculations as to some he was hero, arch villain and to others he was a rebel. The Nigerian military government swiftly suppressed this initiative and the marginalization of these minorities from the political and socio-economic life of the nation continued despite the huge revenue derived from oil. Adaka Boro was eventually pardoned By General Gowon when Nigerian Civil broke out in 1967 and he was conscripted into the federal forces despite his earlier position that bitterly opposed the preservation of the Nigerian nation as a single entity. He must be commended for awaken the people’s consciousness against the exploitation of their wealth. His revolt eventually led to the creation of 12 states in 1967 by the federal Republic of Nigeria.

Furthermore, the transformation of Nigeria economy into a rentier (oil) economy in the post independence period and the militarization of the society by the military junta that held the country’s political firmament for years laid the foundation for violence in the Niger Delta. As social movements were formed along ethnic lines, ethnic identities and relations became weapons for contestation against the injustices inflicted by the state and the international oil multinationals (MNOCs). Obi puts it succinctly:

Ethnic identity is thus transformed into a mobilizing element not only for contesting access to state and oil

³⁰ C. I. Obi, *The changing Forms of Identity Politics in Nigeria under Economic Adjustment. The case of the oil minorities movement of the Niger Delta*, Nordiska research report no. 119 Uppsala 2001 p. 87

power with the context of competing and conflicting ethnicity, but also a modality for organizing social forces to resist alienation, extraction and exclusion by the hegemonic coalitions of the ethnic elite.³¹

In recent times, ethnicity has become the central slogan in Nigeria not only for contesting access to power and economic identity but also a basis for organizing social forces for violent and peaceful resistance of evil forces of deprivation, intimidation, and negligence spawned by any external force be it a state or a multinational corporation. It was the framework of the colonial policy and its legacies that sharpened the ethnic factor as a basis for contestation in the region. As has been noted "...nationalities began to identify themselves as such, first in the context of the colonial state, and then in the context of the Nigerian multinational state, as they were forced by changing circumstances of history to act politically in defense of their perceived interests vis-à-vis the interests of other competing groups."³²

It is vital to point out that the situation in the Niger Delta is beyond ethnic competition even though ethnicity laid the foundation for political and economic competition in the Nigerian state. As mentioned earlier, the division of the state into three regions in the mid-1940s left the minorities at the mercy of the more preponderant dominant ethnic groups in Nigeria. And "the linking of representational power to population size also implied that the minorities stood little or no chance in the regional assemblies, nor in making demands for access to resources, or developmental projects."³³ As the federal system of government made the state the major direct beneficiary and distributor of resources, the ethnic minorities in the Niger Delta began to agitate for self-determination, and autonomy within the region as a bulwark against domination by the hegemonic groups. Therefore the fundamental structures for the present agitation against domination were laid with emergence of three groups in the 1950s and these were the Calabar-Ogoja-

³¹ C.I. Obi, "Ropes of Oil: Ethnic Minority Agitation and the Spectre of National Disintegration in Nigeria". A paper presented at the conference on Nigeria in the Twentieth Century, Lawn Academic Centre, The University of Texas at Austin, March 29-31, 2002

³² O. Ikime, "Towards Understanding the National Question". A Paper presented at the seminar on the National Question in Nigeria: Its Historical Origins and Contemporary Dimensions, Abuja, August 4-9

³³ C.I. Obi, *op. cit.*

Rivers (COR) State Movement, Midwest State Movement and the Niger Delta Congress.³⁴

At the close of independence these groups adopted two strategies to press for their demands, which were quite different from the present day methods. These methods were their alignment with the opposition parties in their regions, and the mounting of concerted and consistent pressures on the colonial administration for states of their own. The outcome of their strategies led to the setting up of the Willink Commission in 1957 to inquire into the fears of the minorities and to identify the means of allaying them. The outcome of the report in 1958 confirmed that “no regional government secure in the majority would pay attention to critics or attempt to meet the wishes of the minorities”.³⁵

In specific terms, the Willink Commission recommended:

- the creation or establishment of the development Board for the Niger Delta
- legal reforms to protect minorities
- the creation of minorities’ areas in Benin and Calabar provinces,
- the establishment of a national police force as against the regional police that was in operation then.

Apart from the above, the Commission equally recommended that fundamental human rights be enshrined in the Nigerian Constitution to cater for the minorities. However, the constitutional guarantees did not protect the minorities nor did the Niger Delta Development Board ever fully address the plight of the people. The policies were good but the implementation was fraught with fraudulent structures which made its failure *fait accompli*. It not only opened up avenues for the establishment of new bourgeois individuals at the detriment of the regional interest of the people, it also exacerbated existing contradictions in the Nigerian polity.

Today, the Niger Delta is synonymous with crude oil and associated natural products as well as ecological, economical and political devastation in Nigeria. The region is richly

³⁴ *Ibid*

³⁵ *Ibid*

endowed with abundant petroleum that is found in almost all the creeks and oceans in the area.³⁶ The Federal Government has been generating over 90% of its revenue from oil exploration, exploitation and marketing by foreign oil companies. Yet, the strong contention has been that the government does not use a substantial part of the revenue so generated at all times to provide the oil bearing communities necessary infrastructure and other social needs.³⁷ It is contended further that during the colonial era, agricultural products were the main foreign exchange earners in the region, but as a result of reckless mining activities in the area, land became degraded. As a result, agricultural activities yielded low returns on cultivation. Indeed, environmental degradation occasioned by oil spillages in the riverine areas has made life difficult for the local people. Agriculture is now a thing of the past as the land is rendered forlorn.

Therefore the crux of the Niger Delta crisis in the post independence era has been centered on the concentration of power and resources in the hands of the Federal Government through the instrumentality of constitutions and decrees. The oil minorities were denied access to oil wealth and its control was beyond their power; they have had to depend on the Nigerian state for their share from oil.³⁸ The Federal Government has used the concentration of power, ideology and its influence to monopolize the sharing of oil wealth and to cover its failure to address this issue. It has gone further (rather endlessly) in changing the basis of the revenue allocation formula from *derivation* (which had benefited the hegemonic nationalities in the oil regions) in favor of the principles of *equality* and *population of states* (which again benefited the big ethnic nationalities), thereby shutting off and alienating the oil producing minorities from any direct access to oil, the new wealth of the nation

Expectedly, the minorities signaled their dissatisfaction and frustration with state policies through the attack on the Federal Government with the 'twelve day revolution' led by

³⁶ This was confirmed by researcher on his three-month field trip to the Niger Delta between April and July 2003.

³⁷ D. Oyeshola, *Essentials of Environmental Issues: The World and Nigeria in Perspective*, Ibadan, 1975, p. 62

³⁸ "What all Southern Minorities must know". Adopted position paper of the Southern Minorities Forum. See C.I. Obi, "Oil Minority Rights versus the Nigerian State: Conflict and Transcendence", University of Leipzig Papers on Africa, *Politics and Economics Series* No. 53, 2001.

Adaka Boro on the 24 February 1966. The revolution aimed at ending the marginalization of the delta minorities and signaled the determination to control oil by the Ijaws. This also accounted for the resurgence of multiple social movements in the region campaign against the impact of oil production, obnoxious decrees and constitutions against the interest and aspirations of the local people, and access to oil wealth cum the violation of human rights in the region. Next, this thesis turns attention to the structural dynamics of the Nigerian state as they impinge on the situation of the minorities with the country's federal framework.