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READINGS IN

**CONFLICT MANAGEMENT
AND PEACE BUILDING IN AFRICA**

VOLUME II

Edited by

Douglason G. Omotor	<i>Ph.D</i>
Victor T. Jike	<i>Ph.D</i>
Prof. Andrew I. Ohwona	<i>Ph.D</i>

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27. OIL CONFLICT, NIGERIA'S UNITY: THE LINKAGE AND THE DIVIDE

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Introduction

Oil is the life wire of Nigerian polity. Yet it constitutes the source of conflict and as such threatens the very essence of our unity. Why the paradox?

The mode of extraction and distribution is mutually antagonistic to unity. But political leaders argue that the continuous unity of the state is pivoted on oil revenue since the government depends on oil for the running of the state.

This explains why political leaders from various segments of the country struggle for political power. They promise Nigerians to sustain the unity of the country. Apparently, the aim of this effort is to maintain the extraction of oil and distribution of the oil revenue that funds the state. This results in the loss of property rights by some fragments of the society and attainment of development which defines the essence of unity.

Since oil became a strategic commodity for Nigeria, politics, society and the economy have been characterized by conflictive relationships among key actors in the systems. Two major phases of this scenario can be discerned in Nigeria: oil conflict in the context of military regimes; and oil conflict in the era of democracy. The repressive approach to oil conflict resolution under the military regimes is understandable because of its inherent authoritarian tendencies. The hasty execution of Ken Saro-

wiwa and his kinsmen under Abacha (military) regime is a case in point. On the other hand, democratic regimes have high conflict resolution potentials because of their people oriented policies and the ability of citizens to limit the power of the state (Alapiki and Allen, 2006).

In the two contexts, it is common to find that leaders hinge their approach to oil conflict on the desire to maintain the unity of the country. They make the state appear disrespectful of group rights and determined not to have its power limited by the people on issues pertaining to the extraction of oil and distribution of its revenue. It is on this premise that this paper asserts that oil will continue to be a source of friction in Nigeria where leaders hide under the cloak of unity to oppress a region. Apparently, some other regions have willingly resigned to the Lugardian arrangement in order to benefit from the oil conflict (or oil revenue). In other words, this paper attempts to examine the fundamentals of the oil conflict in relation to the interest and activities of the major participants - the Nigerian State, oil companies and the local communities.

The paper which relies mainly on secondary data has been structured into five parts viz: The foundation of Nigerian unity, the rationale for the oil conflict; the history and dimensions of oil conflict, linkage and negation of unity, implication for Nigerian state.

Foundation of Nigeria's Unity

Before the advent of the British, the people of Nigeria lived under various political systems with varying degrees of sophistication in terms of organization and management of their own affairs. There were in existence, two empires Oyo and Benin, a Caliphate the Sokoto Caliphate and a profile of principalities, small chiefdoms and village republics dotted all over what is now the Eastern States of Nigeria. There were in places, the makings of modern state based on force and maintained by a known ultimate authority, but all these were aborted and overrun by the expanding European imperialism of the late 19th century.

The job of creating the modern state of Nigeria was achieved by European imperialism, and the process was patchy and developed in fits and straits. In 1914 sir Fredrick J.D. Laggard decided that the two chunks of territory Britain had acquired in the Niger area should be

amalgamated for easier exploitation and better administration. An ultimate authority over the whole area and an administrative machine for its governance was established by dividing the country into provinces, and provinces into districts.

There was no pretence of democracy in the colonies and protectorates of the empire, and when the question of presentation of 'native' interests arose, a few Nigerians were handpicked to 'participate' in the legislative council. This framework provided the initial structure for the modern state of Nigeria. Railways, electricity, telecommunication and roads were built to facilitate the fuller exploitation of the colony.

By the 1930s, the various indigenous rulers of the multitude of states, emirates, principalities, chiefdoms and kingdoms were overruled by the British and the native rulers were reduced to the status of local administrators overseen by the imperial representative in the area.

Independence and self-government for colonial territories became accepted facts of the post-World War II era, and granting it was just a question of time. Political development after the war was just a matter of working out a timetable and acceptable constitutional structure that would ensure the orderly transition of power from the British to Nigerians. On October 1, 1960, Nigeria regained political independence as a Federation of three regions. In 1963, this was modified further to become the Federal Republic of Nigeria within the British commonwealth.

Rationale for the Oil Conflict

The fundamental cause of the present crisis in the Niger Delta was laid in the colonial period within the context of the inability of the then government to address the issue of the minorities. The minorities, by virtue of their relatively small population, are subjected to economic and political marginalization. This has placed the minorities in constant opposition with the dominant ethnic groups.

This was the position of the minorities of the Niger Delta in the period preceding independence. The region lost its power to control its destiny with the amalgamation of the southern and northern protectorates by Lord Lugard, and every successive federal constitution was reluctant to

address the fears of the minorities in the region. The noTable constitution in this direction was Arthur Richards Reforms of 1946 that established regional representation as an important element of the British colonial administration and subsequent 1954 constitution regionalized the country as a means of addressing the fears and aspirations of the minorities.

One of the earliest agitations from the Niger Delta minorities was by the Ijaw Rivers peoples League that led to the creation by the British of Rivers province in 1947. And it was during this period that the Niger Delta congress was founded by Harold Dappa-Biriye to struggle against inequality and inequity meted to the people of the region.

Another major issue in the Niger Delta is that since the discovery of oil in commercial quantities by shell-Bp in Ijaw community of Oloibiri in 1956 of Ogbia Local Government of Bayell state, the inhabitants of the region have persistently engaged the oil companies and the Nigerian state in series of protests. These protests derive from the fact that all laws to oil exploitation and land ownership be abrogated because they worked against the interest of the Local people. The issue of natural resource control and self-determination as well as appropriate institutional and financial arrangements should be put in place by the Nigerian government and the oil companies to compensate the oil producing communities for developmental and environmental problems associated with oil exploration and exploitation.

The Niger Delta communities have been protesting against these injustices peacefully for decades. Civil society groups such as pan Niger Delta Resistance movement Chikoko, the Environmental Rights Action, the Ijaw youth council, the movement for the survival of the ogoni people (mosop) movement for Reparation to Ogbia (MORE TO) and the movement for the survival of the Ijo in the Niger Delta (MOSIEND) have emerged in the last few years to campaign for corporate responsibility, environmental sustainability, self-determination and democratic development in the Niger Delta.

Besides, the indigenous peoples and forest-dependent communities, like others around the world, are simply fighting for sustenance and their

cultural rights while transnational oil corporations like Shell, Chevron, Elf, Mobil, Texaco are engaged in the brutal exploitation of the oil resources.

On the other hand, the Nigerian government is only interested in increased oil revenue in the form of taxes and rent, and a greater jurisdiction.

It is imperative to recall that on the eve of independence, the Niger Delta minorities were so forceful in their agitation for self-determination that the colonial administration had to set up the WILLINK Commission to inquire into the fears of the minorities and the means of allaying them in 1957. 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"

The report therefore recommended the insertion of certain clauses in the constitution of the country that would guarantee the protection of the minorities and the setting up of a board for the development of the Niger Delta to give attention to the developmental needs of the local people of the region. To some extent, this is the basis for the establishment of OMPADEC and NDDC. However, the constitutional guarantees did not protect the minorities of the Niger Delta nor did the Niger Delta Development Board ever fully address the plight of the people.

Today, whenever the Niger Delta is mentioned what readily comes to mind is crude oil and associated natural products. The region is richly endowed with abundant petroleum that is found in almost all the creeks and oceans in the area. This has afforded the Federal Government the opportunity to generate over 90% of its revenue from petroleum exploration, exploitation and marketing by foreign oil companies. Yet, the strong contention has been that the government does not use part of the revenue so generated at all times to provide the oil bearing minorities necessary infrastructures and other social needs. F u r t h e r m o r e , agricultural lands have been depleted; environmental degradation occasioned by oil spillages in the riverine areas has made life difficult for the local people.

Therefore the backbone of the Niger Delta conflict in the post independent era has been centered in the concentration of power and resources in the hands of the federal government through the instrumentality of constitutions and decrees. The oil minorities have long been denied access to oil wealth and the control was beyond their power. They have to depend on the Nigeria state for their share from oil.

History and Dimensions of Oil Conflict

The politics of oil in Nigeria can be located at the conjecture of three principal developments: First; ethnic based political domination, which was briefly attended to above. This scenario aided the expropriation of the resources of the oil producing communities for the benefit of the dominant groups. Second, is the alliance between the comprador class the oil companies, and state enterprise, agencies and functionaries, to exploit oil resources and restrict the oil minorities access to the more rewarding sector of the economy. The third scenario is the oil-based environmental degradation which undermines the traditional peasant and fishing economy of the oil producing communities without providing a viable economic alternative (Alapiki and allen, 2006).

In the light of the above, the build-up to community resistance, youth restiveness, and violent confrontations in the Niger Delta have gone through different phases and dimensions. The first phase dates back to February 24, 1966 when a small group of Ijaw activists (the Niger Delta volunteer force led by Isaac Adaka Boro (a former University undergraduate and ex-police man) Sam owonaro, and Nottingham Dick, to secede through force of arms by proclaiming the Niger Delta Republic.

In the 1970s and 1980s, host communities relied on peaceful protests, petitions and lobbying. Government response was largely nonchalant. The situation changed in the 1990s with the uprising of the Ogonis against the oil companies (notably SPDC) and the then military (Abacha) regime. The Ogoni struggle incidentally helped in the demand for democracy in Nigeria, as the response of the state under General Sani Abacha incurred for itself a pariah Status, disconnecting from other democracies in the committee of nations. According to Steyn (2003) the Ogoni struggle over oil focused on the interface between underdevelopment and environmental destruction.

The spill-over effect of the Ogoni demand for protection of their environment is seen in the transformation of this demand for the protection into a militant articulation of development reflecting in the activities of some irregular armed groups today in the rest of the Niger Delta (Ibeanu, 2000).

The prevalence of armed groups of militant youths engaged in violent confrontation with the government has now become the defining character of the interface between oil and unity of Nigeria.

However, the strategies of the conflicting parties have changed over the years. From the earlier strategy of ignoring the people the federal government has adopted strategies such as upward review of the revenue allocation formula, cooptation of Niger Delta elites through political appointment or award of juicy contracts, establishment of special agencies such as OMPADEC and NDDC, and the creation of additional states such as Akwa Ibom, Delta and Bayelsa. These institutional policy measures and responses appear not to have assuaged the anger, discontent and feelings of neglect and marginalization by the people of the Niger Delta Region (Alapiki & Allen, 2006).

The Government seems to have run out of ideas and in frustration adopted the forceful repressive approach. The youths in response have intensified the confrontation with the state and oil companies using strategies like periodic occupation of work sites and oil locations, blocking of access roads, shutting down of platforms and oil flow pumps, occasional destruction of oil facilities and sabotage of equipment, oil bunkering and most recently kidnapping of expatriate oil workers.

Intelligence reports indicate that the Nigerian Navy has achieved improved performance in the monitoring of the nation's territorial waters thereby curbing the bunkering business. In response, the youths have increased the spate of hostage taking and abductions as an attractive source of revenue. The Table below shows it all.

TABLE: SELECTED CASES OF ABDUCTIONS/KIDNAPPING FOR RANSOM (2002 2004)

S/N	Action/Date	MNC/Oil Servicing Co.	Youth Group/Ethnic Group/State	Ascertain ed Purpose	Outcome
1	Hostage taking of 10 workers / April 2002	Shell	Militant youth Gang, Ekeremor LGA, Ijaw /Balyesa State.	Ransom Demand for NGN 3.1m.	Resulted from failure to yield to alleged frivolous demands.
2	Kidnap of staff / June 29-July 2003	Oil Servicing Co. Working for Shell.	Ijaw youth militants in Bomadi/Burutu LGAs/Delta State.	Demand for NGN 25.4m.	State Government Intervention / Negotiated release after 14 days.
3	Kidnap of 9 crew and 4 military escorts of oil barges / November 11-13 2003.		Ijaw Militants	Ransom / Other demands.	Released 2 days later after threats by State Government / Security Agencies.
4	Kidnap of workers / November 2003.	Chevron Texaco	Militant Ijaw youths / Bayelsa State.	Ransom demands	Intervention of State Government
5	Kidnap of 19 oil workers.	Nobel Drilling/ prospecting.	Ijaw Militias / Delta State.	Ransom demands	Intervention of State Government
6	Kidnap of 7 workers / November 28 – December 2003.	Bredero Shaw Oil / servicing Co. (Shell)	Militant Ijaw youths / Delta State.	Ransom demands for USD 5m.	State Government Intervention / negotiation
7	Murder of 7 workers & military personnel / April 2004.	Chevron Texaco	Militant youths along Benin River area / Delta State.		

Source: Agency France Presse 2004.

According to Alapiki and Allen (2006), the spate of kidnappings took a new dimension in 2006. In May, 2006 three expatriate workers of an oil company (Saipem) were kidnapped at Aker Base, Rumolumeni Port-Harcourt. On August 8, another group of four expatriates were abducted

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by militants in Bayelsa State. In the proceeding weekend of August 5, 2006 an armed operation by the militant youths led to the death of five oil workers and kidnapping of six others.

Oil conflict has also become a cross border issue in Nigeria. On February 21, 2001, the governments of Sao Tome and Principe and Nigeria agreed to exploit petroleum reserves jointly in a once disputed offshore region.

In October 2002, the international court of justice (ICJ) awarded the Bakassi peninsula to Cameroon. Both Cameroon and Nigeria had claimed the Bakassi peninsula, a 1,000 square kilometer (400 square mile) area located in the Gulf of Guinea that is believed to contain significant reserves of oil. The territory has been ceded to Cameroon against the wish of the citizens. Both Nigerian and Cameroon troops have pulled out of the disputed area.

Conclusion.

Two major conclusions can be drawn from this write-up:

First is that there is a linkage between oil conflict and Nigerians unity. Another is that oil conflict is a negation of Nigeria's unity. These conclusions are addressed turn.

The Linkage of Oil Conflict to Nigeria's Unity

Political actors in Nigeria support unity only as a means to power over resources including oil. Unless unity is seen as an end in itself, they will have no strong convictions to defend its essence, purpose and structure.

Nigeria currently depends on oil revenue. This means that without the oil, the state will collapse. It is oil that funds the state. Nigeria has 774 local Government councils and 36 states in addition to the Federal Capital territory. All these depend on oil revenue. Oil friction therefore provides a platform for Nigerian leaders to perpetuate authoritarianism. For example, when General Gowon promulgated decree 51 in 1969 that made petroleum a property of Nigerian government, he did it on the guise of keeping Nigeria one.

President Obasanjo in 1999, while on an official visit to Bayelsa, reminded Ijaw people that every Nigerian had a stake in oil resources

because the civil war was essentially a war for oil resources. This shows that the repressiveness of the state towards threats to the continuous extraction of the oil and the struggle to occupy government house, whether at the local, state or Federal Government level by politicians is also part of this whole war for oil resource.

Nigeria's unity is resting on oil resource and oil conflict so much so that there are insinuations of a possible secession by some regions if resource control is not permitted in Nigeria's federation. Could this be the reason why some northern governors went to court when 13% derivation/revenue sharing formula became effective? In this connection, one may forgive the citizens of the Niger Delta who believe that, the derivation story would have been different if oil mineral was found in the areas of the major ethnic groups.

Oil Conflict as a Threat to Nigeria's Unity

In more than four decades Nigeria has earned about \$340 billion dollars; yet over 70% of Nigerians, especially of the oil producing regions, are still living in poverty (Obi, 2004). It is not surprising therefore that oil conflict threatens the unity of Nigeria in diverse ways: The mode of extraction and the distribution of oil revenue, faulty federal structure and under-developmental liberal political system.

Ecological consequences of oil extraction and distribution of the revenue derived predominantly negate the unity of Nigeria and the economic aspirations of the oil-bearing communities. After all, 1960 and 1963 constitutions affirmed the 50 percent derivation formula. Section 140 of both documents stipulated that for sharing of the proceeds of minerals including mineral oil, there shall be paid by the Federal Government to a Region, a sum equal to 50 percent of the proceeds of any royalty received by the Federation in respect of any mineral extracted in that region and any mining rents derived by the Federal Government from within the region.

During the National Political Reform Conference held in 2005, the delegates from the Niger Delta Region of Nigeria staged a walk out because of the arrogant refusal of other delegates (particularly, the

northern delegates) to return to the pre-independence and post-independence order of revenue sharing. And this, by the calculation of the Niger Delta delegates, was to commence with 25 percent with a phased review to 50 percent. The antagonists preferred to offer 17 percent with no provision for a phased review.

In other words, the grievances of the oil bearing communities are predicated on four key points: environmental degradation, human rights violations, political marginalization and lack of access to oil wealth produced in the regions. These ethnic grievances against the state create strains for Nigeria unity; and if not checked may lend fillip to the prediction of the U.S based organization on the possible disintegration of Nigerian in the next 15 years.

Implications for Nigerian Polity

The bottom line of the discourse on oil conflict and Nigeria's tottering unity is that a credible and equitable revenue allocation formula represents a viable way of lessening tension, agitations and perception of unfairness, if not total disillusionment in the Niger Delta. Correspondingly, the implementation of a viable programme for rapid human development would be a lot easier to achieve with a revenue allocation formula that the peoples of the Delta could consider equitable and acceptable (UNDP Nigeria, 2006.)

In other words, the current violent conflict in the region is ascribable to the absence of basic social and welfare amenities and infrastructural facilities resulting from decades of neglect as well as forceful repressive approach employed by the state. Unfolding event show that reliance on forceful repression by the state has not worked and will not succeed.

Rather, the various stakeholders to the conflict, from the federal, state and local community levels, must agree to negotiate on a neutral platform on the basis for oil exploitation and co-existence as a nation. This calls for reconsideration of the land use act and other legislations that have guided oil exploration since the 1960s to improve the local empowerment content. Equally important is a stronger focus on governance issues which pertain to participatory democracy known for persuasion, freedom, equality, negotiation and consensus building.

Admittedly, the conflicts in the Niger Delta have been aggravated by corruption and mis-governance at the local, state and federal levels. There is need for deepening of democracy and good governance to deliver popular public goods such as provision of employment opportunities, social amenities and infrastructural facilities (Alapiki and Allen, 2006.)

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