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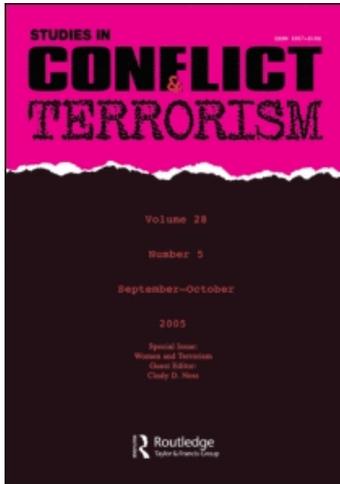
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Dissent and State Excesses in the Niger Delta, Nigeria

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The collapse of the informal alliance between the Federal Government and ethnic minorities of the Niger Delta brought significant changes in their modes of power relations. The alliance had developed as a form of buffer against Igbo hegemony and domination over these minorities. The passing of a vote of no confidence on the alliance by the minorities was largely connected, then, as now, to oil and environmental politics and attendant distributive politics that place the minorities at the mercy of the government. These underscore the resort to dissent and excesses by the Niger Delta and the state, respectively. This article explores the rise and fall of the alliance and attendant intrigues. It illustrates the character of dissent and state excesses as well as their accomplishments and failures. It concludes that the resort to dissent by the minorities and excesses by the state has had mixed outcomes, making it difficult for both parties to fully actualize their goals. Finally, the article suggests the need to address the roots of observable contradictions, which lie in the asymmetrical system of power relations engendered by oil, environmental, and distributive politics. This calls for devising an acceptable and equitable method of power sharing and revenue allocation predicated on fairness, equity, and social justice.

The collapse of the informal alliance between the federal government of Nigeria and ethnic minorities of the Niger Delta in the 1980s brought about significant changes in their modes of power relations. The alliance has developed as a form of buffer against perceived Igbo hegemony and domination over these minorities in the then Eastern region. This feeling of domination was so strong that the integration of these minorities into the Eastern region was seen as the “single most effective policy used to internally colonize and under-develop the erstwhile virile and progressive city-states of the Niger Delta.”¹ It was perhaps the feelings of internal colonialism that spurred the Niger Delta into action concerning the liberation of the region from the perceived colonization of the Igbos at the inception of the struggle. The struggle began with the unsuccessful demand for a separate state for the

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Niger Delta minorities under the colonial government, a demand that never materialized until the outbreak of the civil war in 1967.

Following initial hiccups, as would be shown shortly, the federal government–Niger Delta informal alliance, which had suffered a serious set-back with the Major Isaac Boro revolt of February 1966, was restored with the outbreak of the civil war. The expectations of a sustainable regime of rapprochement between the two parties, however, suddenly vanished, sooner than expected. This development largely altered the course of what began as a struggle against the domination of the Igbo, to one targeted at a former ally in the struggle, the Nigerian state. The passing of a vote of no confidence on the alliance by the minorities of the Niger Delta could therefore be said to have been largely tied, then, as now, to power relations in natural resources and attendant politics. At the heart of this is the question of the oil, environmental, and distributive politics that places one at the mercy of the other. This largely underscores the resort to dissent and confrontation by the minorities and excesses by the Nigerian State. By excesses is meant the violent responses by the government, which tend to worsen the security and development realities of the Niger Delta. For instance, the first major attempt to challenge the power relations between the Niger Delta and the federal government led by Isaac Boro in 1966 was quashed. The second and perhaps most formidable, championed by Ken Saro-Wiwa, an internationally acclaimed playwright and environmental activist through the Movement for the Survival of the Ogoni People (MOSOP), was also annihilated. The height of violent state responses came with the Odi Massacre in 2001. Post-Odi developments suggest that the state has been moderating its responses, given the peaceful way it has been responding to the phenomenon of rising militia activities in the region. Yet, equating that to a change of tactics by the state may amount to a misreading of the complex situation of the relations.

How can one appropriately locate these developments in the Niger Delta? In what ways have these modes of power relations shaped and influenced the Niger Delta problem? In other words, what are the successes and failures of these developments? What are the challenges thrown up by these developments for sustainable peace and development of the Niger Delta? In what follows, the article engages these and related problems, the aim of which is to explicate the ups and downs of these developments, with a view to identifying the challenges such pose for research and public policy. The central argument is that the resort to dissent and violent responses by the Niger Delta and the state, respectively, has had positive and negative implications for both actors, making it difficult for both parties to fully actualize their targets.

The remainder of the article is divided into six sections. The first attempts a theoretical exposition on the right to dissent. The second analyzes the development and collapse of the federal government–Niger Delta alliance. The third chronologically explores dissent in the Niger Delta in its diverse forms. This is followed by a critical examination of state responses to the dissent. The last substantive section of the article analyzes the successes and failures of these strategies by both parties, as much as it reflects on the implications of these developments for sustainable peace, stability, and development of the Niger Delta. The concluding section teases out the research and policy implications of the study for the effective management of the Niger Delta crisis.

The Right to Dissent

Dissent here is treated as a human right concern. The study therefore adopts a human rights approach. Do citizens have the rights to dissent? In other words, do citizens have the right to disobey the state? If so, under what conditions can citizens disobey the state? According

to the Universal Declaration of Human Rights (UDHR), human rights are rights that one is entitled to simply because he or she is a human being. These rights apply universally to all people, at all times, and under any circumstances. The discussion of these rights has come to be categorized into “generations.”² The first generation consists of civil and political rights. The second basically encompasses economic, social, and cultural rights, which “are positive rights because they require the affirmative action of government for their implementation.”³ The third generation, however, encompasses what is popularly referred to as “solidarity” rights, those rights that are held by the collectives—group or people’s rights.

Although, the generational typology of human rights has not been without its criticisms, notably the claim that it tends to expand the scope of human rights and thereby sacrifices quality on the alter of quantity, it, however, remains useful not only for its comprehensiveness, but more especially because of the particular attention it pays to group rights. All notable international legal instruments—the United Nations Charter, UDHR, and African Charter on Human and People’s Rights (ACHPR)—all emphasize the peoples’ rights to self-determination, the right to development, to peace, to environment, to ownership of the common heritage of humankind, and so on. The ACHPR in particular provides in its Article 20 (1–2) that:

All people shall have right to existence. They shall have the unquestionable and inalienable right to self-determination. They shall freely determine their political status and shall pursue their economic and social development according to the policy they have freely chosen.⁴

Colonized or oppressed people shall have the right to free themselves from the bonds of domination by resorting to any means recognized by the international community.⁵

These two provisions of the ACHPR confer the right to dissent by any means, including secession, on any group of people whose aspiration to liberty and development cannot be guaranteed under a given political system. Ordinarily, the state exists for the protection of citizens’ rights at individual and group levels, to effectively mediate in societal conflicts, engender popular participation and empowerment and propel general development in manners that promote fairness, equity and social justice. The reversal of these moral and legal obligations of the state may enamor citizens to question the basis of such a state. It then follows that citizens may chose to disobey the state when the latter falters in its obligations to the former. This option becomes more appealing, especially when citizens have exploited all other available peaceful means for redress to no avail. Moreover, if citizens are persuaded that the failure and/or reluctance of the state to act were motivated more by indifference, than other forces, the tendency to disobey tends to heighten. At that point, the costs of continuing loyalty to the state may far outweigh that of disloyalty. The recourse to violence under such circumstances, especially when the rights in question bother on the third generation of rights, that is, solidarity/group rights, particularly a minority group, may be inevitable. As it has been rightly argued, “a permanent minority which feels itself threatened will sheathe and simmer until, as a ‘last’ resort people will rebel and conflict ensue.”⁶

If this happens, the state must respond in such a way that will enable it to restore its relevance and monopoly over the coercive instrument of force. However, because force is not the basis of the state, but “will,” the violent response oftentimes complicates the problem, most notably through further abridgement of citizens’ rights. As it has been pointed out, “force is not the essence of the state but only its criterion.”⁷ The import of this is that a careful exploitation of force in support of the will of the state may provide a

better option for addressing the problem. Although force may be the last expression of a state's will, it certainly should not be the dominant feature of power relations. In the final analysis, it is the rights of the people, whose abuse engineered dissent in the first instance, that suffer more abuses. As this deepens, the tendencies are that both parties—the dissenter and the state—will not be able to fully actualize their goals.

The Rise and Fall of the Federal Government–Niger Delta Alliance

The location of the ethnic minorities of the Niger Delta in the system of power relations in the then Eastern region marked the genesis of a struggle for liberation. The Eastern region was predominantly Igbo, one of the three major ethnic groups in Nigeria, with a motley of ethnic minorities in the Niger Delta. This composition of the region, not only largely concealed the self-identity of these minorities, but also meant that they had little or no say in the politics and policy processes of “their” regional government. It was therefore not surprising that the struggle began with the demand for the creation of a separate state of “their own” out of the Eastern region.⁸ This development, however, did not enjoy the support of the Eastern regional government.

As the tempo of the struggle heightened, the Rivers Chiefs and People's Conference (RCPC), formed on 4 July 1956 to strengthen the emancipation of the Niger Delta, got an invitation from the Colonial Office in London to present its case in the 1957 London constitutional conference. However, their hopes were dashed as the conference, rather than accede to their demands for a separate state, decided to refer them to a special commission headed by Sir Henry Willink to look into their agitations. The commission, although it found evidence of domination and other problems alleged by the minorities, and acknowledged the genuineness of their fears and anxieties, only deemed it fit to recommend, among other things, the constitutional entrenchment of a bill of rights and the creation of a special commission to handle the problem of the region.⁹

The failure of the Willink Commission to recommend the creation of state(s) for the minorities has been largely blamed for the woes of the immediate post-independence politics, which contributed to the collapse of the First Republic.¹⁰ The struggle had to continue by other means, notably through partisan politics. This led to the formation of the Niger Delta Congress (NDC) to field candidates for the 1959 general elections. Perhaps because of its concrete resolve to win all seats in its domains, the NDC entered into electoral coalition with the Northern Peoples Congress (NPC). However, only one candidate won in the election on the platform of the NDC. This was despite the massive mobilization embarked upon by the NDC–NPC alliance. This experience was not only disappointing, but also frustrating for the Niger Delta people. Indeed, it marked the beginning of the change of tactics by the people. As Isaac Boro, an Ijaw military officer who led the first real attempt to break away from Nigeria, puts it: “The only success of the Niger Delta Congress was that it was able to send Milford Okilo from Brass Division (Yenagoa Province) to the Federal House. . . . Inevitably, therefore, the day would come for us to fight for our long denied rights to self-determination.”¹¹

Isaac Boro eventually launched the fight in February 1966, details of which will follow shortly. This marks the origin of the problematic of the federal government–Niger Delta alliance. However, the alliance was once again restored with the outbreak of the Nigerian civil war in 1967. The creation of the twelve states structure in 1967 by the Gowon regime, which was a strategy to weaken the sphere of influence of Colonel Odemegwu Ojukwu and his secessionist Biafra, where the minorities of the Niger Delta had two—Rivers and South-Easter states—served to restore the broken relationship. This gesture was well complemented with the release of Isaac Boro, who had been sentenced to death over his

revolt against the federal government. Boro and his men eventually aligned forces with the federal troops to fight Biafran soldiers. Eghosa Osaghae, a leading Nigerian comparativist, captures the impact of the state creation exercise well:

The creation of twelve states—which greatly favoured the minorities, as the state demanded by them since the 1950s were finally created—*brought them firmly to the federal side*, as Gowon had calculated. In particular, by dividing the Eastern region into three states and creating two—Rivers and South-Eastern states—for minorities in the region, *the federal government undercut Eastern solidarity, and this accelerated Biafra's collapse*.¹²

The expectation of a sustainable regime of rapprochement between the federal government and Niger Delta, however, vanished, sooner than expected. For one thing, Isaac Boro, possibly the all-time most celebrated Ijaw nationalist, was lost to the civil war under what most Ijaw people consider to be questionable circumstances. Some vocal and radical elements had even pointed accusing fingers at the federal government over the death of their outstanding son and hero.¹³ For another, the expectations of post-civil war peace dividends in the form of political patronage in its diverse forms seem to have been largely perceived by the Niger Delta people as coming not only disproportionately vis-à-vis their input, but belatedly in most cases, if not elusive altogether. It is against this background that the Niger Delta began to fall out of its alliance with the federal government. What began as a war of liberation from the domination of the Igbo-controlled Eastern region would appear to have been retargeted at the federal government. The passing of a vote of no confidence on the alliance by the minorities of the Niger Delta could therefore be said to have been largely tied, then, as now, to power relations in oil and environmental politics and attendant distributive politics that places one—the Niger Delta—at the mercy of the other, the federal government.

Dissent in the Niger Delta

The history of the Niger Delta in post-independence Nigeria is the history of struggle for emancipation from what the people considered to be the conspiracy of the state-oil multinationals alliance.¹⁴ It is therefore not entirely surprising to see the region constantly overshadowed with dissent movements of various persuasions, using both peaceful and violent means, as occasions may demand.¹⁵ These movements, some community based, youth associations, pan-ethnic, and issue oriented, have been basically preoccupied with the articulation and aggregation of the Niger Delta problems and interest. Such problems and interest bother essentially on Niger Delta's location in power relations of the country; oil exploitation and attendant environmental dislocations, including destruction of farmlands and rivers, health hazards, and rising poverty. In what follows, this section of the article discusses dissent in the Niger Delta under five rubrics.

Isaac Boro and the Declaration of the Niger Delta Republic

The first real attempt to secede in Nigeria took place on 23 February 1966 when Issac Boro declared the Niger Delta Republic (NDR).¹⁶ The declaration was made at *Tantonabau* in the Riverrine areas of the former Eastern region with about 150 volunteer forces. The development was a response not only to the travails of the Niger Delta people, epitomized by their exclusion in the politics and policy processes of the government, but also the

attempt by the Eastern regional government to frustrate the realization of their struggle for autonomy. In his inaugural speech, Boro writes:

Today is a great day, not only in your lives, but also in the history of the Niger Delta. Perhaps it will be the greatest day for a very long time. This is not because we are going to bring haven down, but because we are going to demonstrate to the world what and how we feel about oppression. Before today, we were branded robbers, bandits, terrorists or gangsters but after today, we shall be heroes of our land.¹⁷

Boro gave further insights on the motivation for the revolt in his posthumous autobiography when he writes that “year after year we are clenched in tyrannical chains and led through a dark alley of perpetual political and social deprivation. Strangers in our country!”¹⁸ Apart from the deprivation, Boro was, however, presumed to have been influenced by socialist ideologies with which he had contract in his days at the University of Nigeria, Nsuka. Although the revolt failed, as the NDR lasted only for 12 days before it was quashed by the federal government, it, however, succeeded in awakening the ethnic consciousness of the minorities of the Niger Delta as much as the establishment of several civil society groups of various types, notably the Ijaw National Congress and the Ijaw Youth Council. Indeed, the 12 days revolution, as Boro himself later labeled it, marked the beginning of the Niger Delta’s struggle for autonomy, resource control, and development. Today, Isaac Boro is seen as a hero among the Ijaw people. It is such that a day, the *Boro Day*, has been earmarked and is being celebrated annually in his memory and for the furtherance of the noble struggle he initiated. Here, the involvement of the Ijaw National Alliance of the Americas (INAA) has been exceptional in sponsoring lectures and symposia.

Ken Saro-Wiwa, MOSOP, and the Ogoni Uprising

The Ogoni uprising perhaps represents the most outstanding of all struggles ever made against inequitable power relations in the Nigerian federation by the ethnic minorities.¹⁹ It started as a peaceful movement seeking redress for the excruciating conditions of the Ogoni people due to oil exploitation and attendant environmental dislocations in 1990 when leaders of MOSOP and traditional heads of various Ogoni clans presented what they called the *Ogoni Bill of Rights* to the federal military government of General Babangida. The bill not only detailed and lamented the suffering of the Ogoni people, as well as their marginalization in the politics and policy processes of the country, but also made several demands on the Nigerian state. It demanded, among others, for “political autonomy to participate in the affairs of the Republic as a distinct and separate unit,” as well as the right to control and use a fair share of the economic resources derived from Ogoniland; the protection, use, and development of local languages; and the protection of their oil-producing environment from further degradation.²⁰ These demands suggest that what the Ogonis wanted was a right to self-determination through the creation of an exclusively Ogoni state.

But, as Osaghae²¹ has rightly queried, the grievances of the Ogoni people did not tell us why they decided to fight for their rights when several other oil-producing minorities even fared worse in terms of oil and environmental deprivations. This becomes more confounding given the fact that the state has responded in some ways that enabled the oil-producing communities to wrest some benefits from the state, notably the establishment of the Oil Minerals Producing Area Commission (OMPADEC) in 1992 to address some

of these grievances. Osaghae²² has advanced two reasons for the development. One was what he called “the apparent failure of extant strategies to bring about desired ends,” a development that drove the Ogonis to frustrating heights and informed their decision to boycott the government and deal directly with the oil companies. Second was what he called the radical orientation of the leadership of MOSOP and other movements involved in the struggle such as the National Youth Council of Ogoni People (NYCOP) and the Ethnic Minority Rights Organization of Africa (EMIROAF). Coincidentally, Ken Saro-Wiwa, who assumed the presidency of MOSOP after Garrick Leton, also doubled as the leader of EMIROAF. He was an astute and renowned defender of minority rights, an internationally acclaimed environmental activist and playwright, all of which made him have connections with the international media, human rights community, and environmental protection organizations across the globe.²³

The foregoing credentials of Saro-Wiwa enabled MOSOP to embark on a mass mobilization exercise locally and internationally. This strategy was boosted by the fair opening of the democratic space as a result of the ongoing democratic transition, which allowed various interest groups to make demands on the state as well as the unprecedented flowering of civil society activism across the country.²⁴ The Bill of Rights became the locus of the struggle as it was given widespread circulation. For instance, the Bill was presented to the United Nations sub-committee of human rights on the Prevention of Discrimination Against and Protection of Minorities and to the African Human Rights Commission. It was also presented to several organizations in Europe including environmental protection groups. Also, the Bill was presented at the tenth session of the working group on Indigenous Population in Geneva in 1992 and at the General Assembly of the Unrepresented Nations and People’s Organization at the Hague in 1993.²⁵

As it turned out, the aggressive media and propaganda onslaught of MOSOP soon became a serious source of worry and embarrassment to both the government and oil majors as it exposed their human rights abuses against ethnic minorities. This forced some forceful responses from the government, most notably the banning of EMIROAF and other ethnic organizations regarded as divisive and dangerous by the federal government. It was at this point that MOSOP realized that it was inevitable for it not to change tactics from the peaceful to the violent. This marked the beginning of mass action and direct confrontation with the state and oil majors.

The change of strategy by MOSOP marked a significant watershed in the Ogoni uprising. In December 1992, MOSOP made new and direct demands from the three principal stakeholders in oil in Ogoniland—Shell, Chevron, and the Nigerian National Petroleum Corporation (NNPC): payment of US\$6 billion for accumulated rents and royalties for oil exploration since 1958; payment of US\$4 billion for damages and compensation for environmental pollution, devastation, and ecological degradation; immediate stoppage of environmental degradation and in particular gas flaring in Yorla, Korokoro, and Bomu; immediate covering of all exposed high-pressure oil pipelines; and initiation of negotiation with the Ogoni people. The crux of the matter was the 30 days ultimatum given to meet these demands. The manner in which the oil companies responded to these demands was certainly going to be a decisive factor in the uprising. Rather than learn from the people’s loss of confidence in government, which necessitated direct confrontation with the oil companies in the first instance, the oil companies seemed to have a misreading of the whole situation. They therefore opted, in alliance with the federal government, to beef up their security, rather than meet the demands or negotiate with MOSOP. The federal government also resorted to further repressive measures, including the imposition of a ban on all public gathering and mobilization and the proclamation of a decree that declared demands for a

right to self-determination and disturbance of oil-producing activities as an act of treason punishable with death.

Violence, it is often said, begets violence. Rather than weaken the Ogoni, the resort to repressive measures by the government, would appear to be a new source of strength. Nothing illustrates this better than the way the Ogonis responded disdainfully to the government's threats. At the expiration of the 30-day ultimatum, the Ogonis held a mass rally at Bori on 3 January 1993, with a full expression of their demands for self-determination and an equitable federal order. The struggle became spiritualized when on 12 March 1993 MOSOP organized a mass vigil in churches across Ogoniland, where prayers were held for the deliverance of Ogoniland. The mass action climaxed when MOSOP mobilized the Ogonis not to vote in the 12 June 1993 presidential election and they totally boycotted it. The violent response from the state forced a massive exodus of thousands of Ogonis who were displaced as a result of the violent conflict that ensued between them and their neighbor, the Andonis, between July and September 1993. Although the real causes of the conflict remain unclear as both parties denied ever having anything serious against each other, there were suggestions that it may have been induced by the government, after all. As Osaghae argues: "These attacks virtually brought the mass action phase of the uprising to an end which would seem to have been the objective of state involvement in these attacks."²⁶ The article will elaborate on this when discussing state responses to dissent in the Niger Delta.

Ijaw Youth Council (IYC) and the Kaiama Declaration

The IYC, a confederation of youth associations of the Ijaw ethnic group of the Rivers, Bayelsa, and Delta states of the Niger Delta, was formed in late 1998. It is the apex and coordinating body of Ijaw youth associations and comprises numerous youth groups of different communities and associations. Its main objectives were to fight against the marginalization, neglect, underdevelopment, militarization, and repression of the minorities in the Niger Delta by the federal government and multinational oil companies. It also included demands and struggle for compensation, development, resource control, national conference, and federal restructuring.²⁷

Since its formation, the IYC has been in constant engagement with the state and oil companies in its resolve to pursue and actualize its goals. The most notable of its activities to date was its famous Kaiama Declaration of 11 December 1998, made at a meeting of 5,000 youths drawn from 500 communities, 40 clans, and 25 organizations held at Kaiama in Bayelsa State.²⁸ In the declaration, the IYC affirmed unequivocally that the Ijaws own all natural resources in Ijawland and that henceforth, they ceased to recognize all decrees that denied them of the right to ownership and control of their resources. They also demanded the immediate withdrawal of what they called "military forces of occupation" from Ijawland, and that "all oil companies stop all oil exploration and exploitation activities in Ijawland." For the IYC, "any oil company that employs the services of the armed forces of the Nigerian State to 'protect' its operations will be viewed as an enemy of the Ijaw people."²⁹ The declaration, however, fell short of undertaking to secede but stated that it would work for "self government" not only for the Ijaws, but also for other ethnic nationalities predicated on the principles of "equity and justice." It therefore called for the convocation of a Sovereign National Conference (SNC), democratically constituted to address the national question where the Niger Delta crisis ranks very high, if not first.

Above all, the IYC gave the oil companies 19 days to meet these demands, failing which it threatened to disrupt their activities. As the oil companies failed to accede to these demands, the IYC, especially through its militant wing, known as the Egbesu Boys of

Africa, became violent. It began to work, as it had promised in 1999, toward the “closing down of the remaining oil facilities in Ijawland as a step towards reclaiming their destiny and resources.”³⁰ Further, the IYC, with the active connivance of other Ijaw Associations Abroad, Ijaw National Congress, and so on, embarked on a prolonged conflict with the state and oil companies. In the ensuing battle, the IYC violently engaged the military and police, shut oil stations and installations, and kidnapped oil workers, especially the expatriates. A typical example was the killing of twelve policemen in Odi, a small market village in Bayelsa state in November 1999. These acts forced repressive responses from the state. The article will return to this later.

The Rise of Militias

Although the activities of the organizations discussed so far leaned largely on militarization, the violent option may not have been part of their original design. The perceived insensitivity of the state and oil companies to their plights and demands could have been responsible for the resort to violence, but not in the same sense as the ethnic militias operate today. The rise of ethnic militias here is coterminous with the emergence and increasing radicalization of ethnically based liberation movements in the Niger Delta, whose foundations and orientation seem predominantly violent. Although the problem is national—Bakasi Boys in the south east; Odua Peoples Congress (OPC) in the south west, and the Arewa People’s Congress (APC) in the north—the Niger Delta is the worst hit, with many such militias.³¹ The most notable of them include the Egbesu Boys, Niger Delta Peoples Volunteer Force (NDPVF), and the Movement for the Emancipation of the Niger Delta (MEND). This study focuses on the last two, which, as far as is known, are yet to enjoy any major academic scrutiny.

The NDPVF was established in 1998 under the leadership of Asari Dokubo. Its grievances and demands are generally built around the question of the underdevelopment of the Niger Delta, lack of benefits from oil exploitation, political and economic marginalization, and environmental insecurity. The NDPVF has as its primary objectives the mobilization and organization of the youth against the state and oil companies in a violent manner. Pursuant to this, the NDPVF has, over the years, engaged at various times in armed confrontations with the state—the military and police—and oil companies. Specifically, the NDPVF had on many occasions organized the youths for seizure of oil facilities, kidnapping of oil workers, and direct exchange of gun-battle with security operatives. This was made possible with the number of armed men in its fold and the amount of deadly small arms available to them. Recently, in September 2004, Asari Dokubo, the leader of the NDPVF, publicly claimed that the NDPVF already had 10,000 men “ready to reclaim the resources of the Niger Delta.”³² The eventual arrest and protracted detention of Asari Dokubo, in defiance to the persistent call for his release not only by his NDPVF, but also by civil groups in the Niger Delta, may have contributed to the increasing violent assault on the oil companies, workers, and security personnel in the region. His eventual release by the new Yar’Adua government in June 2007 has, disappointingly, not been able to stem the tide of violence in the region.

The MEND, too, like the NDPVF, has been very violent in its aggressive demand for total redress of the deepening crisis and contradictions of the Niger Delta. Its primary objective has been the emancipation of the Niger Delta from what they considered to be internal colonialism foisted on the region by the state–oil company’s conspiracy. Consequently, MEND has engaged in violent activities targeted at both the state and oil companies. For example, there have been several cases of outright seizure of oil wells, kidnapping of oil

workers, and hostage-takings. In 2006 alone, many such cases were reported. On 11 January, it launched an attack on oil installations at Oparoma, Bayelsa State. On 24 January, gunmen dressed in police uniform killed nine people in a raid on an oil company's office in Port Harcourt. A related development was the demand for a huge amount of money as ransom before hostages could be released.³³ Perhaps due to the relative success of its engagement with the state and oil companies, the MEND was courageous enough to invite journalists to their base, parading able-bodied men, who had been well trained in military tactics and fully armed. They claimed that they were ready to go to war to redeem the devastation of the Niger Delta due to oil exploitation. This was also a publicity strategy to draw both national and international attention to their existence, determination, and state of preparedness. These developments also served to confirm the position of Professor George J. Frynas, a specialist on oil and environmental politics in Nigeria, that "the Niger Delta is awash with weapons."³⁴

A dangerous dimension of these violent acts of the militias is the recent attention they have shifted to what one may call "their own." On the eve of the 2007 presidential election, precisely on 20 April, militants attacked the official residence of Dr. Jonathan Goodluck, then governor of Bayelsa State and the Peoples Democratic Party's vice-presidential candidate. He, however, escaped unhurt. A second attack was launched on his residence in his country home at Utuoke, Bayelsa State on 16 May (he was now the vice-president elect), causing a lot of damage to the building and other properties. Three people were reported dead in the attack, including a policeman, and a police station was set ablaze.³⁵

Reacting to the attacks, the vice-president elect simply considered them to be "cowardly" attacks that may have been politically motivated. According to him: "To me what happened is a minor issue. It is actually political. The incident is political. It is essentially political."³⁶ Although this may be so, considering the unexpected manner in which Goodluck was hand-picked by ex-President Obasanjo as the vice-presidential candidate of the ruling party, the Peoples Democratic Party (PDP) over his colleagues, the two violent attacks within a month may be an indication that the militias are beginning to lose confidence in the sanctity of their leaders' commitment to the effective resolution of the Niger Delta predicaments. At least, Peter Odili and James Ibori of Rivers and Delta states, both then governors of their states, were among the top contenders for the PDP's presidential ticket. When they lost out to Yar'Adua, they had expected to be compensated with the vice-presidential ticket, only for it to be handed to Goodluck. It may also be a deliberate strategy by the militias to instill fear in Dr. Goodluck so that by the time he assumes office as the vice-president of the country he could use his office to ensure that the Niger Delta question becomes one of the top priorities of the federal government. It is therefore not entirely surprising to see the Niger Delta issue forming one component of the seven-point cardinal agenda of the new democratic government. Although no specific mention has been made of a particular militia in these attacks, one cannot rule out the possible involvement of the NDPVF and MEND, especially given their antecedents.

State Responses to Dissent in the Niger Delta

The proliferation and radicalization of dissent movements in the Niger Delta, engendered largely by the inequitable system of power relations, has forced some violent responses from the state. This may not be unconnected with the very high stakes of oil in the Nigerian political economy, which, according to Augustine Ikelegbe, "constrict the state to be sluggish on the dialogue, negotiation and concessions, and expansive in terms of the repressive responses."³⁷ As another reliable source puts it "repression has been a

conventional approach of the government.”³⁸ Repeatedly, the government has demonstrated its extreme proclivity toward repression in response to dissent in the Niger Delta.

Even before the effective and convoluted militarization of the Niger Delta beginning from the early 1990s, an isolated revolt led by Isaac Boro in 1966 with a view to achieving self-determination for the Niger Deltans was violently resisted by the state. The federal government deployed the military, which crushed the revolt in twelve days and the leaders of the revolt—Isaac Boro, Sam Owonaro, and Nothingham Dick—were tried, convicted for treason, and sentenced to death.³⁹ With the outbreak of the civil war in 1967, they were, however, pardoned so as to win the sympathy of the Ijaws for the war and weaken the secessionist Biafra in the war.⁴⁰ This is correct because Isaac Boro and his men were hurriedly recruited into the federal side to fight the war. It was close to the end of the war that Boro was shot dead under what most Ijaws considered as questionable circumstances. In his personal reminisces of the civil war, Col. (later General) Olusegun Obasanjo, to whom the Biafra soldiers surrendered in 1970, alludes to this when he writes that the death of Isaac Boro “led almost immediately to the dissolution of the 19 Brigade which became uncontrollable without him.”⁴¹ This manifests in the form of desertion and absence from duty without leave, a general lack of will to fight in the soldiers, exemplified by the large number of cases of self-inflicted injuries throughout the formation.⁴²

The government also responded violently to MOSOP during the Ogoni uprising. As mass action heightened, the government intensified its repressive measures. It began with the banning of all forms of public gatherings and demonstrations and the criminalization of any demands for self-determination and disturbances of oil activities as treasonable felony punishable by death. As the Ogonis made good their threats, their leaders were arrested and put on trial for treason. As the trial lasted, a seemingly inexplicable conflict ensued between the Ogonis and the Andonis who had been peaceful neighbors from time immemorial between July and September 1993—and another between them and Okirikas in Port-Harcourt. In the process, over 1,000 and 30,000 people were reportedly killed and rendered homeless, respectively. Given the environment of the conflict, MOSOP leaders believed it was part of the government’s strategy to weaken and defeat their struggle for justice. This rationalization was predicted for a number of reasons, including the automatic weapons used by the Addoni attackers and the high degree of professionalism they displayed; the involvement of soldiers and naval officers ostensibly for peacekeeping, and the “coincidental” transfers of Ogoni policemen who were based in Ogoniland to other areas during the crisis.⁴³ To complicate matters, Ken Saro-Wiwa and his eight Ogoni kinsmen who had been standing trial were found guilty and sentenced to death by hanging. All appeals for clemency from the international community were rebuffed by the Abacha regime, which went ahead and executed them.⁴⁴

The story was not different in response to the IYC and its Kaiama Declaration, which set the tonality of its violent encounter with the state. The first was the massive deployment of tanks, artillery pieces, amphibious and fast attack craft, warships, armored personnel carriers, and hundreds of combat-ready soldiers between 30 December 1998 and early 1999.⁴⁵ In the attendant confrontation between the state and IYC, the fundamental human rights of the people were recklessly violated. Besides, several Ijaw communities such as Kaiama, Opia, Ikenya Okigbene and so on—were attacked, vandalized, and deserted. These resulted in many casualties—death, physical assault, harassment, extortion, rape, and brutalization of the citizenry.

The most horrifying of state excesses in the region came with the Odi massacre, which many have equated with genocide. Militias believed to be loyal to the IYC, probably the Egbesu Boys of Africa, were believed to have been responsible for the killing of twelve

policemen in the region on a peacekeeping mission in November 1999. The state responded by deploying troops to the region to “fish-out” the perpetrators of the act. This incident was seen as “the largest deployment of troops since [the] Biafra war.”⁴⁶ In the expedition, Odi was gruesomely leveled, where over 2,000 people were killed, many more injured and others displaced, and unquantifiable resources (including buildings) were destroyed.⁴⁷ Senator Chuba Okadigbo, the then Senate President of Nigeria, visited the place a week after the incident and decried the destruction as devastating. As he posits: “The facts speak for themselves. . . . There is no need for speech because there is nobody to speak with.”⁴⁸ The land was totally deserted. It was one crime against humanity too many—it became one of the articles of impeachment against President Obasanjo by the House of Representatives on 13 August 2002.⁴⁹

The disposition of the state to the excruciating phenomenon of ethnic militias in the Niger Delta, as elsewhere in the country, has also been very repressive and coercive, essentially aimed at forcing them to submission, instead of amicable resolution. First was to ban all such militias and to shoot on sight any member of such groups.⁵⁰ With the glaring futility of the order, epitomized by increasing militia activities, the federal government decided to “bargain” with the militias of the Niger Delta. When President Obasanjo first extended an invitation to Asari Dokubo, the NDPVF leader and even sent a presidential jet to the Niger Delta to convey him to Abuja for negotiation, there was massive condemnation as to why the state should negotiate with “a criminal.” But those familiar with the antics of the federal government over the Niger Delta issue must have some reservations about the sincerity of the federal government. As in the case of Isaac Boro, the invitation ended being a decisive step toward the arrest of Dokubo. Although he was allowed to return home after the negotiation, he was later arrested, detained, and subjected to trial for alleged treason. It is not impossible that the pieces of information he divulged in the course of the negotiation prepared the ground for his travails under Obasanjo. He was, however, released in June 2007 as a part of the ongoing peace process in the Niger Delta initiated by the Yar’adua government. Yet, the state has always deployed military troops to the region to checkmate the militias and possibly force them to submission.

Successes and Failures

The rise of dissent movements in the Niger Delta was the climax of an expression of dissatisfaction with the excruciating conditions of the region occasioned by the exploitative, coercive, and repressive dispositions of the state and oil companies to anti-oil protests. The importance of the dissent should therefore be seen not so much in their occurrences, but in their successes and failures in the pursuit and attainment of desirable ends. This is also true of state responses to dissent movements in the region.

As for the dissenters, their recourse to violence has assisted them to wrest some benefits from the state and oil companies. Over the years, both have shown some concessional dispositions to the demands of the Niger Delta, including institutional responses such as OMPADEC and the Niger Delta Development Commission (NDDC). The OMPADEC and NDDC, despite their shortcomings, have had moderating effects on the plight of the Niger Delta through their developmental activities.⁵¹ The region, through the faithful implementation of the 13-percent constitutional provision for derivation, has also been able to access more money from the federation account for developmental projects. The oil companies also would appear to have improved on their woeful record of social responsibility, investing in community development projects such as building schools, constructing and rehabilitating roads, and so on.⁵² These were apart from raising the level of awareness and consciousness

about the deepening crisis confronting the Niger Delta as a result of oil-related activities at the domestic and external fronts. As such, the struggle has been able to organize and mobilize local and international support for the struggle.⁵³

However, what the Niger Delta gained with the right hand, they lost with the left. This is because their marginal gains could be said to be a pyrrhic victory. They were not only victims of unprecedented violations of human rights, including the right to self-determination, but they lost several lives (in the thousands), and many more were wounded and several others displaced and eventually became refugees. One human loss too many was the extra-judicial execution of Saro-Wiwa, an internationally acclaimed environmental and minority activist. Also, properties worth billions of naira were lost in the struggle. These were apart from the psychological dimensions, which are certainly inestimable.⁵⁴

The resort to excesses by the state was also an admixture of success and failure. Above all, the state has been able to demonstrate to the Niger Delta that it was not prepared to compromise the sovereignty and territorial integrity of the country because of irredentist claims. This might have served to inform other potential advocates of self-determination and separatist agitations that the government would do anything, including going to war, to preserve the corporality of the Nigerian state. The importance of this is that Nigeria today, despite these violent disruptions in the Niger Delta, remains one entity; whether it is united and strong is another thing entirely.

By preserving the corporality of Nigeria, the government has been able to retain and sustain its revenue base, which is predominantly located in the oil-rich Niger Delta. This has ramifications for the continuing existence of the federation as it would have been seriously restricted without continuing access to oil revenues. Moreover, the situation in the Niger Delta also created an avenue to experiment with Nigerian soldiers that have been largely redundant in the absence of any domestic civil war to engage them. It was therefore an opportunity to ascertain the combat readiness of the Nigerian military in the actual event of war.

But, these accomplishments have been at very high costs to the state. For one thing, the resort to violent responses by the state would appear to have been a galvanizing force that reinvigorates the Niger Delta in their armed struggle against the state. The result is the increasing militarization and proliferation of light weapons throughout the region.⁵⁵ Although at the risk of being counterfactual, it is not impossible that the region has been the source of the massive proliferation of small arms and light weapons across the country through which armed banditries terrorize innocent citizens. Also, the excesses of the state in the region, coupled with attendant international propaganda, media, and publicity employed by the Niger Delta, emphasized the wanton violation of human rights by the state in the struggle, creating a bad regime of international image crisis for the country. This peaked under the Abacha regime, necessitating a regime of sanctions against the country by the Western world.⁵⁶ The implication of this for the country's economic diplomacy was so enormous that the country's trade regime was then at an all-time low, forcing an emergency policy shift to Southeast Asia. Moreover, the militarization of the Niger Delta, with incessant disruption of oil production, leading to total closure of oil installations in some instances, as was the case during the Ogoni uprising, brought about loss of revenue for both state and oil companies.

Conclusions

The recent history of the Niger Delta is that of dissent on the part of the people and excesses on the part of the state. In these exchanges, there is yet no victor, no vanquished,

as the contending parties have a mixed record of successes and failures. The no winner–no loser situation that has come out of the protracted years of engagement shows that neither of the contenders has been able to fully actualize its targets. Whatever they might have gained with the right hand, they appear to have given away with the left. This suggests that something is fundamentally wrong with the confrontational option that has come to characterize relations between the Niger Delta and the state in recent times. However, it would appear that the new democratic government has preference for the peaceful option through appeals, negotiation, dialogue, and further investment in the development of the region. So far, the efforts are yet to yield the desired results as the region is still a haven to militia activities, although it may be too early to judge given its relatively short time.

The foregoing possesses research and policy implications. What, for example, constitutes the limits of those options? What alternative options are available for the effective resolution of the Niger Delta crisis? These and related questions deserve greater academic scrutiny, the outcome of which should inform policy options and choices. At the level of public policy decision making, it is increasingly becoming important to re-interrogate the theoretical premises of policy responses to the Niger Delta problem by the dissenters and the state. For, as studies have shown, policies can only be effective to the extent that they are predicted on appropriate theoretical insights.⁵⁷ These are certainly outside the purview of this study. The study has basically concerned itself with core issues of the modes of power relations between the Niger Delta and the Nigerian state using a human rights approach. It is the extent to which the inherent contradictions of the relations are concretely addressed that will determine the prospects of peace, stability, and development not only in the Niger Delta alone, but across the country. In the short and long run, it is important that the roots of these contradictions, which lie in the asymmetrical system of power relations engendered by oil and environmental politics, should be decisively engaged. This calls for adjustments in strategies on both parties and increasing attention being paid to how to find an acceptable and equitable method of power-sharing that is so decisive to revenue allocation predicated on fairness, equity, and social justice.

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