

7-1-2007

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Recommended Citation

Kew, Darren and Phillips, David L. (2007) "Oil. Seeking Peace in the Niger Delta: Oil, Natural Gas, and Other Vital Resources," *New England Journal of Public Policy*. Vol. 21: Iss. 2, Article 15.
Available at: <https://scholarworks.umb.edu/nejpp/vol21/iss2/15>

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Seeking Peace in the Niger Delta

Oil, Natural Gas,
and Other Vital
Resources

Darren Kew and David L. Phillips

Nigeria's oil-rich Niger Delta region has seen little benefit from the billions of dollars earned from oil over the last four decades, prompting a growing but disorganized insurgency across the region. Irresponsible oil companies and government officials have reduced the Niger Delta to one of the most polluted environments on earth. Corrupt local and national politicians, many of whom came to power through rigged elections, have colluded to manipulate ethnic divisions amid poverty to loot the region's wealth. Consequently, the people of the Niger Delta have no formal political voice in Nigeria's nascent democratic system, increasing the appeal of militias as alternatives for political influence and economic sustenance. A new Nigerian president takes office in May 2007, and he will likely have a brief window of opportunity to undertake measures to reverse the governance crisis in the Niger Delta.

The beleaguered Niger Delta region is the nation at its extremes: At once, it embodies both tremendous economic potential — earning Nigeria \$45 billion in 2005 alone — and the bitter betrayal of its people by its political elite. Nigeria has earned over \$300 billion since 1970 from Niger Delta oil, yet the region still shows little sign of economic development. Indeed, oil production has created an environmental disaster there, killing off local fish populations, polluting drinking water, and exacerbating poverty conditions.

Brazenly rigged elections across the region in 1999 and 2003 have rendered the people of the Niger Delta voiceless in all levels of the Nigerian government, while powerful politicians and their clients build increasingly armed camps to fight battles over who gets to steal more from the public coffers. Left with no alternatives, the region's youth turn to militias for respect and economic sustenance, while mainstream community leaders

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ponder more radical solutions to the crisis. As one activist commented, “the militias know that the only language that this government listens to is violence.”¹

With another flawed election looming in 2007 — all signs point to an election that will be as rigged as were its predecessors — groups across the Niger Delta are mobilizing. Political factions are fighting for control of local turf and jostling for position in negotiations with the ruling Peoples Democratic Party (PDP) and leading opposition parties. Amid constant rumors that President Obasanjo’s supporters are scheming to provoke systemic emergencies that will provide him sufficient excuses to delay or annul the elections, forces across the Niger Delta are poised to respond violently to such a conspiracy, which could precipitate a serious national crisis.

Resolving the crisis in the Niger Delta requires a host of solutions as complex as the many communities that reside in the region. Yet the many facets of the conflicts share a common thread: neither the Nigerian government nor the multinational oil companies are talking in a comprehensive, systematic fashion with the communities who are affected by their actions. The president or governors meet on occasion with key militia leaders in response to hostage taking or outbreaks of violence, and individual oil companies negotiate with individual community leaders on occasion, but neither government nor business is working in a region-wide, participatory fashion.

Remedies are required by the Nigerian government, opposition forces, civil society groups, oil corporations, and international actors in the Niger Delta. Stakeholders should support measures to reverse the governance crisis in the oil-producing region by holding credible elections, respecting political opposition, and disarming the militias. In order to achieve these, the Nigerian government must open a serious public dialogue process that addresses the fundamental governance crisis in the region and builds confidence among the many communities of the Niger Delta that the democratic system can meet their legitimate needs for socioeconomic development.

A History of Exploitation

The concentration of Nigeria’s massive oil wealth in the Niger Delta has caused Delta residents to suffer inordinately the nation’s overall governance failures. Despite the windfall of oil revenues over the last thirty-six years, the Nigerian standard of living is worse than in the 1960s. The World Bank estimates that 92.4 percent of Nigerians in 2006 are living on less than \$2 per day,² and the United Kingdom’s Department for International Development laments that “Nigeria has some of the worst social indicators in the world.”³

Nowhere has this suffering been more evident than in the Niger Delta. Despite providing nearly three-quarters of government revenues and roughly 90 percent of foreign exchange earnings, the region’s vast oil

reserves have not resulted in socioeconomic development. Bayelsa state, for instance, has only one multilane, paved road, which leads only as far as the capital — most of its riverine areas remain unconnected either to national transportation networks or to electricity grids. Many of the schools or hospitals that have been built in the Niger Delta in recent years — usually by the oil companies themselves — have inadequate staff, equipment, and supplies.

The Niger Delta region includes six states (adjacent portions of three additional states are often included in some counts) of which Bayelsa, Rivers, and Delta states produce the most oil and have the most significant problems. The region is a maze of creeks, streams, and swamps formed by the Niger River as it divides into six main tidal channels before spilling out into the Atlantic Ocean. Before oil was discovered, the Niger Delta region had the most extensive lowland tropical and fresh water forests, aquatic ecosystems, and biodiversity in West Africa. Residents cultivated rice, sugarcane, plantain, palm oil, yams, cassava, and timber.⁴ At least seven million Ijaw, Ogoni, Itsekiri, Andoni, Ibibio, and a host of other peoples speaking distinct languages live in Bayelsa, Rivers, and Delta states alone.

Oil Windfall

Nigeria has roughly 40 billion barrels of proven oil reserves. The oil is of low sulfur content — so-called “sweet” crude — and much sought after by refineries in the United States, which purchases about 40 percent of current production. Nigeria provides about 11 percent of American oil imports — the fifth largest source. Today, Nigeria has the capacity to produce about 2.4 million barrels of oil per day, and is projected to reach 4 million barrels per day by 2010.⁵ In addition, Nigeria is home to the world’s seventh largest supply of natural gas.⁶

Nigeria’s military governments centralized control of the oil industry under the presidency. The 1999 Constitution, which vests predominant powers in the executive branch, places the president in a commanding position over Nigerian political and economic life. Nigeria’s President Olusegun Obasanjo also served as oil minister for over seven of his eight years in office, which restricted public scrutiny of the oil sector.⁷ The Niger Delta was hit particularly hard by the 1969 Oil Revenue Act, which transferred all energy earnings to the federal government. This was compounded by the 1978 Land Use Act, which made the Federal Government the ostensible owner of all land, and which the government applies in practice far more than provisions of the 1999 Constitution that established the individual right to own land. The constitution does, however, insist that 13 percent of oil revenues be returned to the oil-producing states (in addition to their share of federal revenues given to all thirty-six states).

Shell, Mobil, Chevron, Agip, Elf, and Texaco are major partners with the Nigerian National Petroleum Company, which retains 55–60 percent of

earnings from joint ventures and then heavily taxes the remaining profits of the oil companies. Nigerian and international human rights groups have criticized these companies for their environmental practices in the Niger Delta and for their assistance of the Nigerian military and its heavy-handed tactics.⁸ Consequently, kidnappings of Nigerian and foreign oil workers have increased in recent years.

At the urging of the United Kingdom, the Obasanjo administration developed the Nigerian Extractive Industries Initiative (NEITI), and has pushed oil companies active in Nigeria to join. The NEITI holds companies and the government to a series of rights standards and best practices, and promises to conduct regular audits of the industry. Such audits are important, as they would provide the Nigerian public with its first ever glimpse at the real revenue figures earned by the oil industry and paid to the Nigerian government. NEITI's first audit was held in 2005, and in early 2006 the Obasanjo administration revealed significant discrepancies between what the oil companies paid and what the government recorded as its earnings.

Massive Corruption

The NEITI revelation of "discrepancies" is only the tip of the iceberg. Pervasive, systematic corruption at the heart of Nigerian politics is part of a pattern of political behavior known as neopatrimonialism, or the so-called "Big Man" or godfather phenomenon, in which powerful individuals capitalize on political and economic centralization to develop strong, hierarchical loyalty networks. These pyramid-structured networks are fueled by patronage sourced both legitimately and illegally from government coffers: "The essence of neopatrimonialism is the award by public officials of personal favors, both within the state (notably public sector jobs) and in society (for instance, licenses, contracts, and projects). In return for material rewards, clients mobilize political support and refer all decisions upward as a mark of deference to patrons."⁹

As one Nigerian political analyst remarked, "No self-respecting Nigerian politician is without illegitimate business interests in Niger Delta oil."¹⁰ "Big Men" from across the nation have sought to build their political empires on oil from the Niger Delta, either indirectly through access to federal and state government shares of the earnings, or directly through legitimate business interests in the region or, more typically, via oil smuggling and other criminal activities.

Although half of all public revenues are taken by the federal government, the state governments have their share, which is roughly a quarter. The constitution stipulates, however, that before the oil revenues are divided among the federal government, the thirty-six state governments, and the nation's 774 local governments, the oil-producing states must receive a first cut of 13 percent of the total oil revenues in addition to their roughly 1/36th

share of the allocations to all the states. The Niger Delta state governments have received fabulous returns since global oil prices jumped in 2003.

Table 1 demonstrates that the state governments of the Niger Delta, particularly the conflict-ridden states of Rivers, Bayelsa, and Delta, have received a fantastic amount of revenue every month. When local tax receipts are included, Rivers state will likely earn over US\$1.2 billion for 2006 — over four times what Lagos state, arguably Nigeria’s most populous, earned. The Obasanjo administration also created a special Niger Delta Development Commission (NDDC) in 1999, which has received 210 billion naira (US\$1.62 billion) over the last six years to undertake development projects in the region.

Table 1

Monthly Federal Allocations for July 2006 for the Niger Delta¹¹

<i>State</i>	<i>Statutory Allocation (in billions of Naira)</i>	<i>Share of 13% Deviation (in billions of Naira)</i>	<i>Total for July (in billions of Naira)</i>	<i>US Dollar Value* (in millions of Dollars)</i>	<i>Annual projection July X 12 (in millions of Dollars)</i>
Akwa Ibom	1.74	4.43	6.17	\$47.5	\$569.5
Bayelsa	1.36	6.13	7.49	\$57.6	\$691.2
Cross River	1.64	4.02	2.04	\$15.7	\$188.3
Delta	1.79	4.89	6.68	\$51.4	\$616.6
Edo	1.75	2.75	2.02	\$15.5	\$186.5
Rivers	2.03	7.66	9.69	\$74.5	\$894.0
Lagos (non-Niger Delta State)	2.82	0	2.82	\$21.7	\$260.4

* N 130 = \$1

All of the state allocations go directly to the control of the governor. The local government allocations for each state are also given directly to the governor from the federation account. Governors are then supposed to distribute funds to each local government in their state. Rivers state, for instance, received 1.56 billion naira (US\$12 million) for the month of July 2006 for its local governments. In practice, however, governors frequently withhold large portions of allocations for predetermined expenses such as

education. Some of these funds get lost in the state government bureaucracy, or in questionable construction and other projects that are awarded to gubernatorial allies who may never start or complete them. State governors also have important roles in the management of NDDC funds, for which there is little to show.

Consequently, even with the federal government withholding the lion's share of oil wealth, the state governments of the Niger Delta are flush with sufficient funds to make significant impact on socioeconomic development in the region. Community leaders and civil society activists across the Niger Delta point to one clear explanation for why this wealth has not translated into regional progress: massive corruption on the parts of state governors, their supporters, and federal officials. The recently impeached and jailed governor of Bayelsa state, for instance, owned several multimillion dollar properties in the United Kingdom, as well seven British bank accounts, and a yacht, all sourced from public funds. The Rivers state governor bought two private jets, a helicopter, and a host of private properties. Rivers state in its 2006 budget set aside US\$3.6 million for gifts and souvenirs for gubernatorial visitors alone.¹² Nigeria's Economic and Financial Crimes Commission (EFCC) is investigating all six Niger Delta governors.¹³

Under growing pressure, and looking toward his bid for the presidency, the Rivers state governor announced in early 2006 that he was giving US\$20 million (about a quarter of what the state earns in a single month) for a new Rivers State Sustainable Development Program, with technical assistance but no funding from USAID and other major donors. Bayelsa state has pledged a similar initiative. Little of the promised funds have, however, so far been delivered in Rivers state.

Oil Spills and Flares

While the politicians find personal bonanzas at the public's expense, health and environmental conditions in the Niger Delta continue to worsen at an alarming rate. The U.S. Department of Energy estimates that over 4000 oil spills have occurred in the Niger Delta since 1960, which have discharged over two million barrels of crude into the environment.¹⁴ A recent report from environmental NGOs put that number far higher, saying that 1.5 million tons of oil has spilled into the Niger Delta over the past fifty years, making the region one of the five most polluted locations on earth.¹⁵ Oil slicks cover the region; blowouts and leaks affect creeks, streams, and related traditional sources of livelihood, destroying mangrove forests, eroding soil plots, and killing aqua life. Hundreds of well-sites have flares, which come from the burning of associated gas. The flares heat up everything nearby and turn night into day, releasing 5 million tons of CO₂ and 12 million tons of methane annually.¹⁶ Resulting sulfuric acid mists damage plants and forests. Flares pollute rainwater, cause acid rain, and contribute to climate change.¹⁷

Amid this pollution, many Niger Delta residents suffer from oil poisoning. Crude oil enters the body through skin absorption, ingestion of food and water, and inhalation of oil and dust particles. Oil poisoning causes respiratory ailments. In addition, residents suffer from a plethora of waterborne diseases such as malaria, dysentery, tuberculosis, typhoid, and cholera. Life expectancy is low and child morbidity rates are sky-high.¹⁸ With population growing at a rate of 3 percent annually and unemployment at 90 percent, impoverished and hopeless youths are migrating from their villages to Port Harcourt and other urban areas. The Niger Delta has the highest incidence of HIV/AIDS in Nigeria; prostitution and teenage pregnancies are on the rise. There is also a spiral of cults, gangs, robbery, and spontaneous violence.¹⁹

Militancy

Abysmal living conditions in the face of spectacular oil wealth has caused a growing number of individuals in the Niger Delta to see violence as a solution to their problems. Many armed groups were nurtured and employed by politicians, including some governors, to help rig the 2003 elections. Most of the militias remain under the influence of the political elites, but some are growing increasingly autonomous and have moved into bargaining relationships with their “godfathers” and other elite actors. Militias live off political patronage and the security services they offer to protect oil bunkering (stealing) operations, as well as ransom money gained from kidnapping foreign oil workers. A 2004 government amnesty and weapons buyback from the militias was brokered by civil society actors, but the Obasanjo administration allowed the program to lapse within six months and the militias have rearmed with even more sophisticated weaponry.

The emergence of militias is primarily a result of wide unemployment and general political frustration with the poor state of development in the region. “Most of the groups are formed as a result of attempts to rescue the society from the perceived excesses of community leaders, traditional authorities, oil companies or governments.”²⁰ Self-determination themes have been articulated, but mostly to strengthen bargaining positions of the militias rather than demonstrating deep commitment to autonomy or secession. These themes, however, do appear to have a growing resonance with the public, and sentiments for greater resource control are deeply popular across all sectors of Niger Delta society. The group with the most media savvy, Movement for the Emancipation of the Niger Delta (MEND), has promised to continue attacking oil installations and Nigerian military units until the oil industry is under complete local control. MEND has advised all foreigners to leave Nigeria altogether. Nigeria’s overall production of petroleum is currently down by 25 percent as a result of violence perpetrated by MEND and other militias.

The militias have also shown a disturbing trend of hiring themselves out as mercenaries in other parts of Nigeria and Africa at large. Recent violence between two political kingpins in the Ogoni region of Rivers saw militias hired from distant Delta state supporting one of the factions. The U.S. Embassy in Abuja recently warned that some of these militias will be hired for political muscle in the 2007 elections outside the Niger Delta.²¹

Pirates in Power

Primary responsibility for the crisis in the Niger Delta lies with the Nigerian government itself, which clearly does not have a democratic mandate from the peoples of the region. Elections in 1999 and 2003 across the Niger Delta were blatantly rigged, with brazen ballot stuffing, tally altering, and outright thuggery in the presence of both local and international observers.²² European Union observers declared that elections across the region in 2003 lacked credibility, while local monitors were more frank, stating flatly that there were no elections in much of the Niger Delta. As a result, opposition parties were completely shut out of nearly all layers of government and, intimidated on the campaign trail, such that voters had no real political choices and no alternatives for social action.

Not surprisingly, election victors — nearly all members of the ruling PDP — have kept their loyalties firmly with the party barons that put them in office, in true neopatrimonial fashion, rather than with the people they are obligated to represent. One local activist summed up the situation: “We approached our local government chairman to ask him to do something for the community. He laughed at us and said, ‘Did you put me here?’”²³

Much of the oil bunkering operations have strong ties to the political elite. The militias typically provide security and cover for these operations; the actual technical expertise to remove the oil and ship it to the international market requires the complicity of an array of oil workers, military officers, bureaucrats, politicians, international business contacts, and others who profit from the trade. Local and international advocacy groups, such as Human Rights Watch, have noted that some of Nigeria’s most powerful politicians are benefiting from the oil bunkering operations, and are the likely kingpins controlling them.²⁴

Civil society actors continue to spearhead a variety of peace initiatives across the region, President Obasanjo has named two peace envoys: human rights activist Fr. Matthew Kukah for the Ogoni dispute with oil giant Shell, and more recently, journalist Ken Wiwa, son of slain Ogoni leader Ken Saro-Wiwa, for the larger region as a whole. Both have made some progress on the Ogoni conflict, although a final agreement for Shell to reenter Ogoni lands is outstanding. President Obasanjo also recently promised a US\$1.8 billion jobs and road-building project for the Niger Delta, but leading militant groups have charged that the project is yet another source for elites to score “bogus contracts.”

Peace initiatives have had some impact on reducing the level of violence in the region. They have also succeeded in building some relationships between militia leaders and government and civil society actors. Overall, however, the fundamental drivers in the governance crisis remain unaddressed and stand to be further exacerbated as the 2007 elections approach. The Independent National Electoral Commission (INEC) remains deeply beholden to the president and a host of powerful state politicians. It is mired in a strategy of calculated incompetence reminiscent of 2003, in which INEC's incompetence provided opportunity for political parties to alter local results. For instance, INEC recently announced that it had registered 61 million Nigerians (nearly 90 percent of all adults) in a highly flawed and controversial voter registration exercise, yet in a recent poll covering all thirty-six Nigerian states, 42 percent of respondents reported that they were unable to register, suggesting that at least 20 million fraudulent voter cards are in circulation. Fifty-four percent of Nigerians in that survey also said they were afraid of becoming victims of election violence.²⁵

More disturbingly, Nigerian democracy activists report that supporters close to President Obasanjo are looking to scuttle the election — in part through INEC complicity — in order to provide the president with sufficient reason to extend his term in office, which, according to the constitution, will end in May 2007. Election violence in the Niger Delta is central to these tenure elongation scenarios, providing the president cause for declaring a state of emergency that the National Assembly would be forced to ratify. Politicians both within the PDP and in opposition as well as civil society actors are moving to block this strategy, but even if the president's supporters are unsuccessful, their efforts still undermine the election process.

Striking the Match

Although much of the Nigerian federation is struggling to democratize, three of the states of the Niger Delta region — Rivers, Bayelsa, and Delta — are virtually failed states, while the rest of the region is not far behind. The state governments have little presence outside their capitals, and local governments are nonexistent except as depots for local patronage networks. The Nigerian military has a growing presence in the region, but they are increasingly outgunned by the Niger Delta militias, whose profits from oil bunkering have allowed them to buy the most sophisticated modern weaponry. These include rocket-propelled grenade launchers (RPGs) and Man-Portable Air Defense Systems (“manpads”) — bought from international arms dealers who brazenly pilot their ships right up to the Niger Delta coast.

Impoverished inhabitants of the Niger Delta offer a textbook case in frustration-aggression analysis. As expectations for improvements in standards of living — or in some perspectives, basic human needs — rise faster than the political system can deliver, frustrations rise. When these frustra-

tions reach a critical level, aggressive behaviors can result. If the government appears openly antagonistic to public aspirations, revolt can occur.²⁶

The fact that Nigeria earns billions of dollars in oil wealth every year from Niger Delta oil is common knowledge across the region, as is the abundant evidence that little of the earnings are being spent on socioeconomic development there. Many of the current militia leaders tell that their revolts were sparked by visits in the 1990s to Nigeria's capital, Abuja, where they saw massive public works and infrastructure development bought with oil earnings, while their oil-producing communities continued to languish with no jobs, no infrastructure, and an increasingly polluted environment. Mujahid Dokubo-Asari, jailed leader of one of leading militias in Rivers State with close ties to MEND, puts it plainly: "The thieves are the people in Abuja. . . . A thief cannot come into my house, take my property, sit down, because he is strong, and then turn back [to me] to say, oh, this is the actual thief."²⁷

The people of the Niger Delta are not, however, a single unified polity. A vast mosaic of ethnic divisions across the Niger Delta overlay these fundamental public frustrations over the lack of development and, more so, the open government hostility to public aspirations for legitimate social change. At least forty ethnic groups constituting over 20 million people speaking a host of distinct languages and dialects inhabit the region, making regional solidarity difficult and providing ample opportunities for divide-and-rule tactics by government actors and oil companies. Obi notes that much of the violence in the region "is impelled by horizontal struggles for oil and power by rival factional interests, or communities, manipulating the history of rights, entitlements, claims, and ownership."²⁸ The oil town of Warri in Delta State has become particularly notorious for frequent bouts of violence among resident Ijaw, Itsekiri, and Urohobo ethnic communities over control of local governments and oil producing areas, but the pattern of interethnic strife repeats across the Niger Delta.

Numerous theories offer a variety of ways in which ethnic divisions can contribute to social conflict. Social identity theory and interdependence theories in social psychology focus on how members of groups bias in favor of their own group (their so-called in-group), and how perceived threats from out-groups can lead to strong negative reactions from group members.²⁹ Ethnic groups, as complex cultural units, serve such a rich variety of fundamental identity, security, and community interests, particularly in the context of failed-state conditions, the perceived threats from one ethnic group against another can elicit strongly aggressive responses.

Although material frustration and aggravated ethnic differences provide a conflict-prone context for the Niger Delta, the dysfunctional political process is what exacerbates and transforms them into violent conflict. Absent real elections in the Niger Delta, the communities have no legitimate political representation in government. Instead, they are controlled by a handful of powerful individuals from their communities engaged in

neopatrimonial, personal patronage networks that owe their loyalties upward — toward their immediate “godfathers” — not downward to the people who are their constituents. Political leaders have little systemic incentive to address the interests of the public in the region, since they do not owe their offices to the electorate as a result of genuine public votes. Politicians look only to take care of their immediate superiors and supporters in the neopatrimonial chain who provide local organization and political muscle. In order to maintain their positions in a corrupt environment and lacking legitimate business opportunities, politicians have every incentive to steal public funds and oppress political opponents. Moreover, under this arrangement politicians also have a strong incentive to impoverish communities and fan ethnic resentments in order to keep them docile and afraid of neighboring communities. Conflict maintains the status quo that benefits the political monopoly of the elite.

Both in the National Assembly and at the president’s National Political Reform Conference in 2005, political leaders from the Niger Delta pushed strongly for increased “resource control.” They demanded an increase in the percentage of oil wealth that is reserved for the region from 13 to 50 percent. No officeholder from the region has, however, inquired where the allocated 13 percent has gone since the return to civilian rule in 1999, nor have they investigated the president’s Niger Delta Development Commission, which has produced little demonstrable impact in the region. Instead, they have spent their energies pushing the federal government to return more oil revenues that are largely captured by neopatrimonial networks.

Oil companies also contribute to community disempowerment. The oil industry knows full well its centrality to the functioning of the Nigerian government, as well as the neopatrimonial politics that dominate. Since the international outcry over Shell’s alleged complicity in the Nigerian military’s hanging of Ogoni nationalist Ken Saro-Wiwa in 1995,³⁰ Shell and the other major multinationals have taken steps to increase the amount of development aid they give to communities. Yet this aid is often selective and inconsistent, and sometimes leads to conflict among local communities over who is to receive the funds. On other occasions village leaders accept the funding and then abscond with it. Many communities complain that promised funds often do not arrive, or that the companies do not follow through on local agreements with them.

The companies, Chevron in particular, have also lent their helicopters and equipment to the Nigerian military for operations to protect oil facilities during which the military committed atrocities.³¹ One study has even found that “the oil companies have also contributed significantly to the buildup of armed groups in the Delta.”³² Shell itself admitted in 2004 that its business practices had inadvertently contributed to conflict, poverty, and corruption in the Niger Delta.³³

Time to Talk

Several fundamental structural problems must thus be addressed in the Niger Delta if the current crisis is to be reversed:

- The people of the Niger Delta have no duly elected representation at any level of Nigerian government, and thus have no formal political voice.
- The Niger Delta produces the majority of Nigeria's wealth, but still enjoys only a fraction of its returns.
- The remaining wealth that does make it to the Niger Delta is, in fact, substantial, but it is largely being stolen by the region's own political leaders and their supporters.
- The region's deep ethnic diversity has been used by political leaders to keep communities from organizing region-wide popular policy platforms.
- Most of the oil bunkering networks are connected to powerful national and local politicians, who have a financial interest in continuing the crisis in the region.
- The rise of the militias is a direct result of massive unemployment and lack of socioeconomic development across the region, as well as a thriving West African arms market.

The April 2007 elections could bring these negative trends to an explosive outcome, particularly if the president's supporters are able to implement their tenure extension plans. INEC's calculated incompetence is also extremely worrying. If the president is not actively planning a chaotic election, he is doing little to promote a credible process.

The election, however, marks an important opportunity for change in the Niger Delta. Assuming that elections do indeed take place in April 2007, a new government will take power with a real chance for a fresh start. Civil society and other community actors need to prepare to take full advantage of any initiative that the new government undertakes. The government will have to demonstrate its credibility to the people of the Niger Delta very quickly, as flawed elections will certainly increase public frustrations.

Timely action could halt the governance crisis in the Niger Delta and mobilize the last best chance for sweeping change. First, the Nigerian government, joined by the major oil corporations, should begin talking with affected communities. A region-wide Niger Delta conference, ideally hosted by the new president, could be an important vehicle for such a dialogue.

Nearly every conflict resolution method begins with approaching the antagonists in conflict so that they can articulate their interests and concerns in regard to a dispute.³⁴ As individuals present these interests, deeper emotional needs are surfaced, thereby beginning a process of healing.³⁵ Of course, this process is fraught with uncertainty, but without the substantive participation of the Niger Delta communities, no viable solution is possible. The lack of substantive communication also feeds frustration-aggression

and perspectives of ethnic grievance that create an increasingly dangerous context, which irresponsible political actors can manipulate for their selfish purposes.

By surfacing interests, community frustrations over the lack of local benefits from the oil wealth can be articulated and plans for addressing them developed. This step is essential, because legitimate community representatives have yet to have the opportunity to say clearly what the communities want. Substantive talks also provide an essential vehicle for undermining the conflict potential of ethnic differences, as long as the process is open and inclusive of all ethnic groups in the region.

Precisely because the communities have not been able to choose their own representatives, the choice of who should be invited to join a dialogue with the government and oil companies will be essential. With the April 2007 election in the Niger Delta promising to be as flawed as its predecessors, many of the regional politicians will likely be as unrepresentative of the communities as the current officeholders. These newly elected officials must be invited but additional community representation will be required. Ethnic organizations already proliferate across the region and should be invited to ensure that ethnic concerns are well articulated.

The communities themselves, however, still may have significant concerns that will not be represented by the ethnic associations. Most villages in the region have their own self-help associations — these community associations could be invited on a self-selecting basis. Government initiatives in the past have tended to be exclusive affairs with participants chosen by the president and governors, leading to predictable, status quo results. Any community association, regardless how it defines its boundaries, should be allowed to attend.

Once attendees join the region-wide conference, a series of open-membership committees could be established on specific issues. The committees would draft overarching recommendations for political reform and socio-economic development. Town-hall meetings across the Niger Delta could be convened to discuss ideas and solicit public input. The goal of this process would be not only to generate these recommendations, but to provide the communities time and incentive to develop regional negotiating platforms toward government actors and the corporations. Based on these platforms, the new Nigerian president could lead a public process to address the community-driven needs and to undertake the necessary package of political reforms to improve future elections, governance, and social policy.

Political opposition must be allowed to operate freely within this process and in the Niger Delta as a whole. Without functioning opposition parties, there can be no institutional check on government, and the public has no viable alternatives to better serve its interests. Consequently, the militias become the *de facto* voice of the oppressed in the Niger Delta. Opposition parties are also the most forceful advocates for clean elections and anticorruption initiatives, since these help get them into power. If a semblance of

credible elections can be restored, the opposition can begin to provide the public with some political alternatives and undermine the attractiveness of militant activity. Opinion polls in 2003 indicated that opposition parties in the Niger Delta were doing well and likely to win at least three of the six governorships in the region, not to mention state and federal legislative seats.³⁶

Beyond regional dialogue and respect for opposition, the new president should undertake additional efforts to address the underlying sources of conflict in the region. The regional conference may also have recommendations on these efforts, of which the president should take account. These may include steps to

- Undertake efforts to disarm the militias through a sustainable package of amnesty, weapons buyouts, job programs, and sensible law enforcement initiatives.
- Demonstrate long-term government credibility by arresting the national political kingpins who benefit from oil bunkering and shutting down their personal empires. Current investigations by the Economic and Financial Crimes Commission (EFCC) of the six governors of the Niger Delta region should provide credible evidence to the public and identify all key players in their networks.
- Publish the full results of the 2005 NEITI audit of oil revenues, and investigate disparities. Ensure that all oil companies have joined the NEITI process and are fulfilling their obligations.

Oil companies should also support the public dialogue process, and provide sufficient production and financing data to the participants. The foreign companies are also in a unique position to be able to pay particular attention to engaging women's groups in the public dialogue, and ensuring that they are regular participants in negotiations between oil companies and the communities. The regional conference should also consider having the companies end payments to the NDDC, and instead channel aid directly to Niger Delta community associations, in a context of proper auditing procedures and community oversight.

Companies that have not signed onto NEITI should be encouraged to do so, and all should live up to their obligations under NEITI. Companies should work harder to fulfill their contractual obligations with local communities. Direct financial assistance from oil corporations to the Nigerian military and any indirect assistance through lending of equipment or housing should also be halted, as should any support for local militia activity.

Foreign governments can also press the Nigerian government to engage in a substantive dialogue on these matters. Foreign donors can assist community associations and local civil society groups to join in the dialogue. Foreign governments should also undertake more serious measures to block the international access of oil bunkering networks to the global market. Part of such efforts should include providing the Nigerian public with informa-

tion on who are the international traders in stolen Nigerian oil, and who within Nigeria is engaged in this trade.

These suggestions are only the broad contours of a strategy and policy to stem the spiral of deadly violence in the Niger Delta. The essential element is political restructuring of regional governance in line with the interests of the communities of the Niger Delta, as the region-wide conference would articulate those interests and send the communities an immediate message that the government is serious about reforms that address their needs.

Leading presidential candidates have stressed the importance of dialogue with the communities of the Niger Delta. President Obasanjo's chosen successor as presidential candidate for the ruling PDP, Umaru Yar'Adua, listed the Niger Delta as one of his top priorities in his first major campaign speech: "We will invest heavily on the resolution of Niger Delta crisis as part of our security strategy, with focus on dialogue with the people."³⁷ Vice President Abubakar Atiku, a leading opposition candidate, has promised a "bottom-up strategy" that would have his government going directly to the communities to ask what they needed.³⁸ The other leading opposition candidate, retired General Muhammadu Buhari, has not spoken directly of dialogue with the residents of the Niger Delta, but has spoken extensively on the need for rapid development: "What I believe is that if the leadership . . . up to now had not abused public trust, the youths in the Niger Delta would have no cause to be unhappy because there will be enough resources for social services, schools, housing, roads and health."³⁹

Regardless of who takes the oath of office in May 2007 — and provided that elections are held as scheduled — the new president will have a brief and perhaps final opportunity to stem the growing conflict in the Niger Delta and to set the region on the road to peace, equity, and development. The rest of Nigeria has spent the last eight years moving haltingly forward, without addressing problems in the oil-producing regions. Failed states, however, tend to export their anarchy to their neighbors, and if the Niger Delta is allowed to continue to burn unchecked, the rest of the fragile Nigerian political house may soon ignite, imperiling the entire West African region.

Notes

Portions of this article first appeared in a report for the *Commission of Nobel Laureates on Peace, Equity and Development in the Niger Delta Region of Nigeria* signed by 65 Nobel Laureates on December 1, 2006.

1. Interview with Darren Kew, August 24, 2006.
2. See <http://devdata.worldbank.org>.
3. <http://www.dfid.gov.uk/countries/africa/nigeria.asp>.
4. Ike Okonta and Oronto Douglas, *Where Vultures Feast: 40 Years of Shell in the Niger Delta* (Berkeley: Sierra Club Books, 2001), 72.
5. "Gas Flaring in Nigeria: A Human Rights, Environmental, and Economic Monstrosity."

- Environmental Rights Action/Friends of the Earth Nigeria, Amsterdam, June 2005, 4.
6. Interview with government officials in Bayelsa State by David L. Phillips, August 2006.
 7. Ibid.
 8. See among many: "Civil Liberties Organization, *Ogoni, Trials and Travails*" (Lagos: CLO, 1996), especially Chapter 1.
 9. Michael Bratton and Nicolas Van de Walle, "Neopatrimonial Regimes and Political Transitions in Africa," 46 *World Politics* 4 (July 1994): 458.
 10. Interview with Darren Kew, August 20, 2006.
 11. Nigerian Federal Ministry of Finance. See: http://www.fmf.gov.ng/fileupload/state_FAAC_July2006.pdf.
 12. Human Rights Watch, "Chop Fine: The Human Rights Impact of Local Government Corruption and Mismanagement in Rivers State, Nigeria," 19, no.2(a), January 2007.
 13. "Nigeria Governors in Graft Probe," BBC Online, September 28, 2006.
 14. <http://www.eia.doe.gov/emeu/cabs/nigenv.html>.
 15. "Niger Delta Bears Brunt after 50 Years of Oil Spills," *The Independent Online*, October 26, 2006, accessed February 23, 2007 at <http://news.independent.co.uk/world/africa/article1930130.ece>.
 16. "The Ijaws, the Niger Delta, and the Nigerian State," Ijaw National Congress, June 2006, 20.
 17. Ike Okonta and Oronto Douglas, *Where Vultures Feast: 40 Years of Shell in the Niger Delta* (Berkeley: Sierra Club Books, 2001), 111. "Gas Flaring in Nigeria: A Human Rights, Environmental, and Economic Monstrosity," Environmental Rights Action/Friends of the Earth Nigeria: Amsterdam, June 2005, 19–23.
 18. Okonta and Douglas, *Where Vultures Feast*, 111.
 19. Ibid., 257.
 20. Dimieari Von Kemedi, "Fueling the Violence: Non-State Armed Actors (Militias, Cults, and Gangs) in the Niger Delta," Economies of Violence Project, Working Paper No. 10, Our Niger Delta, 2006.
 21. "Nigeria Militants to Broaden Range," *Nigeria Today Online*, February 19, 2007.
 22. Darren Kew, "The 2003 Elections in Nigeria: Not Credible, but Acceptable?" in Robert I. Rotberg, ed. *Crafting the New Nigeria: Strengthening the Nation* (Boulder: Lynne Rienner, 2004).
 23. Interview with Darren Kew, August 23, 2006.
 24. Human Rights Watch, "The Warri Crisis: Fueling the Violence," November 2003, <http://www.hrw.org/reports/2003/nigeria1103/5.htm>.
 25. "42% of Voters Unregistered, Say Poll," *Guardian*, February 17, 2007.
 26. Ted Robert Gurr, *Why Men Rebel* (Princeton: Princeton University Press, 1970). For frustration-aggression theory, see: L. Berkowitz, "The Frustration-Aggression Hypothesis," in R. A. Falk and S. S. Kim, eds. *The War System: An Interdisciplinary Approach* (Boulder: Westview Press, 1980).
 27. "Nigeria Oil War," *ABC News Foreign Correspondent*, May 31, 2005. Accessed February 21, 2007, at <http://www.abc.net.au/foreign/content/2005/s1385109.htm>.
 28. Cyril I. Obi, "The Oil Paradox: Reflections on the Violent Dynamics of Petro-Politics and (Mis) Governance in Nigeria's Niger Delta," University of Leipzig Papers on Africa, Politics and Economics paper no. 73, Leipzig, 2004.
 29. H. Tajfel and J. C. Turner, "The Social Identity Theory of Intergroup Behavior," in S. Worchel & W. G. Austin, eds. *Psychology of Intergroup Relations* (Chicago: Nelson-Hall, 2nd Ed., 1985); A. R. Flippen, H. A. Hornstein, W. E. Siegel, and E. Weitzman, "A Comparison of Similarity and Interdependence as Triggers for Ingroup Formation."

22. *Personality and Social Psychology Bulletin* (1996): 882–93.
30. "Blood and Oil," *New York Times*, February 13, 1996.
31. See, among others: Human Rights Watch, "The Price of Oil," January 1999.
32. Dimieari Von Kemedi, "Fueling the Violence: Non-State Armed Actors (Militias, Cults, and Gangs) in the Niger Delta," *Economies of Violence Project, Working Paper No. 10, Our Niger Delta*, 2006.
33. "Shell Admits Fueling Corruption," *BBC Online*, June 11, 2004.
34. See, among others, J. Rubin, D. Pruitt, and S. Kim, *Social Conflict: Escalation, Stalemate, and Settlement* (New York: McGraw Hill, 1994); R. Fisher, et al., *Getting to Yes* (New York: Penguin, 1991, 2nd ed.).
35. See, among others: Suzanne Retzinger and Thomas Scheff, "Emotion, Alienation, and Narratives: Resolving Intractable Conflict," *18 Mediation Quarterly* 12 (2000–01); Daniel L. Shapiro, "Negotiating Emotions," *20 Conflict Resolution Quarterly* 1 (2002).
36. Darren Kew, "The 2003 Elections in Nigeria: Not Credible, but Acceptable?" In Robert I. Rotberg, ed. *Crafting the New Nigeria: Strengthening the Nation* (Boulder: Lynne Rienner, 2004).
37. "Yar'Adua Unfolds 7-Point Action to Transform Nigeria," *Daily Triumph*, January 12, 2007.
38. "Atiku's Blueprint for the Niger Delta," *Daily Independent*, February 15, 2007.
39. "Buhari to Retain EFCC," *Punch*, January 12, 2007.