

## THE NIGER DELTA & THE SLIPPERY TRAJECTORY OF OIL

How did we get here? What slick steps took Nigeria from the discovery of oil down the slippery path of conflict and discontent in the Niger Delta? In this brief note, we highlight just a few salient points to give the person new to the subject a very quick overview of how Nigeria went from oil discovery to buying peace in the Niger Delta.

Oil prospecting began in Nigeria in 1903 when the British Colonial administration set up the Mineral Survey Corporation. However there was no oil find and in 1937 the Shell D'Arcy Company was given the whole of Nigeria as a concession block.<sup>1</sup> Shell made commercial oil finds in 1956 and by 1958 started commercial production<sup>2</sup> after prospecting activities were interrupted by the outbreak of World War II. The Eastern Region of Nigeria was established sometime between 1947 and 1951 and the bulk of the Niger Delta<sup>3</sup> was an integral part of this region however by 1953,<sup>4</sup> the Niger Delta peoples petitioned the British Colonial administration with concerns about marginalization, neglect and the politics of exclusion by the ethnic majority-based ruling groups.<sup>5</sup> In 1957 the British Colonial Authorities set up the Henry Willink Commission to look into the peculiar problems of the minorities living in this area. The minority protest escalated into agitation for the creation of a separate region for them in order to control the derived revenues. The Willink Commission rejected the idea in 1958 opting instead to provide constitutional guarantees in the form of fundamental rights.<sup>6</sup> The Commission also granted special developmental status in the form of a Niger Delta Development Board, which was established in 1959.<sup>7</sup>

Within 8 years of the start of commercial oil production in the Niger Delta, in 1966, the activities of the multinational oil corporations and the government were challenged. In the words of Isaac Adaka Boro to his 150-man Niger Delta Volunteer Service (NDVS) fighters, having unilaterally declared a "Niger Delta Republic" distinct and separate from Nigeria, sacked the police station in Yenagoa and subsequently defended his republic against the federal military for all of 12 days, *"Let us examine with some latitude whether the state of development is to any extent commensurate with a tint of the bulk of already tapped mineral and agricultural resources... Therefore, remember your seventy-year-old grandmother who still farms before she eats; remember also your poverty stricken people; remember too your petroleum which is being pumped out daily from your veins, and then fight for your freedom."*<sup>8</sup> Justifying his secession attempt he said, *"...most of the youths were so frustrated with the general neglect that they were ready for any action led by an outstanding leader to gain liberty.... We were clenched in tyrannical chains and led through a dark alley of perpetual political*

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<sup>1</sup> Chokor, B.A. (2009), *The History, Evolution & Geography of Nigeria Extractive Industry: Oil & Gas*, Coalitions for Change (C4C)

<sup>2</sup> Ashiomanedu, J. (2008), *Poverty and Sustainable Development in the Niger Delta Region of Nigeria*, Journal of Sustainable Development in Africa (Volume 10, No.3, 2008)

<sup>3</sup> [http://en.wikipedia.org/wiki/Niger\\_Delta](http://en.wikipedia.org/wiki/Niger_Delta)

<sup>4</sup> <http://allafrica.com/stories/200911021262.html>

<sup>5</sup> <http://www.adakaboro.org/resources/articles/37-articles/94-patoilcrisis?format=pdf>

<sup>6</sup> Ikelegbe, A. (2005), *The Economy of Conflict in the Oil Rich Niger Delta Region of Nigeria*, Nordic Journal of African Studies 14(2): 208–234 (2005)

<sup>7</sup> <http://www.indigenousportal.com/News/Why-Niger-Delta-crisis-persists.html>

<sup>8</sup> E. Courson, (2009), *MEND: Political Marginalization, Repression and Petro-Insurgency in the Niger Delta*, Discussion Paper 47, The Nordik Africa Institute

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*and social deprivation. Strangers in our own country! Inevitably, therefore, the day would have to come for us to fight for our long-denied right to self-determination.*"<sup>9</sup>

Following the devastation to the Niger Delta areas during the Nigerian Civil War, poverty was rife in the region. The oil boom of the 1970s put huge revenues into the federal coffers, which did not sufficiently trickle down to change the lot of the peoples of the Niger Delta Area. The oil boom itself did not last forever and the bubble burst in 1985. The effect of the Worldbank/IMF - SAP austerity measures of the late 1980s on the Niger Delta Communities were exacerbated by four factors (adapted from) Michael Watts:<sup>10</sup> 1. The Federal, statutory monopoly over mineral exploitation (1946 Solid Minerals Law and 1969 Petroleum Law), which put the ownership and control of solid minerals and oil firmly in the hands of the federal government: 2. An NNPC operating through joint ventures with oil majors who are granted concessions (blocs), which effectively links the interests of the government with that of the oil companies: 3. The security apparatuses of the state working synergistically with those of the oil company themselves to protect costly investments and ensure the continual flow of oil (often at the expense of community interests): 4. The distortion of the derivation principle established by the 1946 constitution and reaffirmed by successive versions of 1951, 1958 and 1964 before creation of the Distributable Pool Account (DPA) in 1966, later renamed as the Federation Account in 1979 by which oil revenues are distributed to the federal level, states, local governments, and not least the oil-producing communities themselves – as oil revenues grew, so did the rise of fiscal centralism and a shift from derivation principles to a Federation Account (which plummeted the share for oil bearing communities from 50% to 3%).

The increasingly popular and articulate movement for self-determination in the Niger Delta had become a major concern when groups started to issue ultimatums to oil companies to pay compensation or leave their areas such as MOSOP did. The launching of the Ogoni Bill of Rights (OBR) in October 1990, by MOSOP and Ogoni leaders introduced a new phase in the struggle for resource control and citizenship rights of the Ogoni people.<sup>11</sup> The re-adoption of the Kaiama Declaration and the rising numbers and popularity of the youth movements, which followed the 1995 hanging of Ken Saro-Wiwa and the Ogoni nine appears to have raised the stakes for the national elite and the oil companies (with the language of self-determination, local autonomy and resource control<sup>12</sup> reverberating) enough for the Nigerian federal government to consider military action against Nigerian citizens. The military junta of General Abubakar Abdulsalami responded by ordering soldiers to kill unarmed Ijaw youths dancing in several Ijaw towns like Yenegoa etc. scores of Ijaw Youths

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<sup>9</sup> Major Isaac Jasper Adaka Boro, *The Twelve-Day Revolution*, edited by Tony Tabekaemi, Benin City: Idodo Umeh Publishers, 1982.

<sup>10</sup> Watts, Michael (2004) 'Resource curse? governmentality, oil and power in the Niger Delta, Nigeria', *Geopolitics*, 9: 1, 50 – 80

<sup>11</sup> J.I. Dibua, (2005), Citizenship & Resource Control in Nigeria, *Africa Spectrum*, Vol. 40, No. 1 (2005), pp. 5-28, Institute of African Affairs at GIGA, Hamburg/Germany

<sup>12</sup> O. Douglas, I. Okonta, D. Von Kemedi, M. Watts, (2004), Oil & Militancy in the Niger Delta, *Institute of International Studies*, University of California, Berkeley, Working Paper No. 4

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were killed in 1998.<sup>13</sup> The IYC's Kaiama declaration and the subsequent 19-day ultimatum issued to the oil companies to evacuate their staff out of Ijaw land by December 30, 1998 led to a series of events culminating eventually in the killing of nine policemen by Ijaw youth and the use of deadly force in response by the Federal Government at Odi, where some 2,483 persons were massacred by the Obasanjo regime in 1999.

According to some Nigerian scholars,<sup>14</sup> escalation of the agitation to a struggle and then on to a violent struggle has hit the following milestones in its trajectory: The first involved the flowering of civil society, which mobilized a popular civil struggle. The second saw the extension of the agitation from that against multinational oil companies (MNOCs) to include the Nigerian state. The third transformation involved the elevation of the agitation from purely developmental issues to overtly political demands such as restructuring of the federal system, resource control and the resolution of the national question through a conference of ethnic nationalities. The fourth stage of the transformation has seen the entrance of youths, youth militancy and youth militias with volatile demands and ultimatums that have accentuated the scale and intensity of confrontations and violence with the multinationals and the state. The fifth stage involves a seeming de-escalation of tensions through an amnesty programme introduced by President Umaru Yar'Adua and an Ijaw, Goodluck Jonathan being named his Vice-President. Over N50bn was spent on this program at the time. The current situation has an Ijaw as President of the Federal Republic who has also continued with the Amnesty programme with spending on the programme now standing at some US\$1bn and in 2012 alone, US\$405m set aside for spending!<sup>15</sup>

According to experts,<sup>16</sup> political amnesty is usually a product of two contexts. *The first is a negotiated settlement in which two warring parties have arrived at a dead-end in their conflict, and decide to settle their differences politically. The second context is one of a victor's amnesty in which a party overwhelms the other, claims victory and decides to be magnanimous in victory by offering amnesty to some or all of the combatants on the defeated side. Nigeria's situation did not fit into either of these: there was no negotiated settlement in the Niger Delta and it was not a victor's benevolence of any kind.* It only went to pay off the most deadly of militants possibly encouraging others to be more radical – only time will tell.

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<sup>13</sup> P. Naagbantou, (2009), Conflicts Resolution and Peace Building in the Niger Delta: The Role of Government Institutions and Civil Society Organizations (CSOs), Centre for Environment, Human Rights and Development (CEHRD), [http://www.cehrd.org/files/Conflicts\\_Resolution\\_and\\_Peace\\_Building\\_in\\_the\\_Niger\\_Delta.doc](http://www.cehrd.org/files/Conflicts_Resolution_and_Peace_Building_in_the_Niger_Delta.doc)

<sup>14</sup> E. Osaghae, A. Ikelegbe, O. Olarinmoye, & S. Okhonmina, (2007), Youth Militias, Self Determination And Resource Control Struggles In The Niger-Delta Region Of Nigeria, <http://www.ascleiden.nl/Pdf/cdpnigeriaRevisedosaghae%5B1%5D2.pdf>

<sup>15</sup> The Nation (2012), How Government Spent over \$1bn to buy peace in the Niger Delta, <http://www.thenationonline.net/2011/index.php/news/53201-how-govt-spent-over-1-billion-to-buy-peace-in-niger-delta.html>

<sup>16</sup> Culled from article on Nigerianlog.com however, link no longer functional as at time of writing and authorship could not be properly referenced