COMMUNITY CONFLICTS IN THE NIGER DELTA

PETRO-WEAPON OR POLICY FAILURE?

Dimieari Von Kemedi

INSTITUTE OF INTERNATIONAL STUDIES, UNIVERSITY OF CALIFORNIA, BERKELEY
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A year before the events of September 11, 2001, the U.S. Department of State in its annual encyclopedia of “global terrorism” identified the Niger Delta—the geographical heart of oil production in Nigeria—as a breeding ground for militant and “impoverished ethnic groups” involved in numerous terrorist acts (abduction, hostage taking, kidnapping and extra-judicial killings). A CIA report published in 2000 warned that “environmental stresses” in the oil-rich southern delta could deepen “political tensions” at a time when Nigeria—currently the sixth-largest producer of petroleum—was supplying almost 14 percent of the U.S.’s petroleum consumption.

Throughout the last decade or so, Nigeria has supplied an average of eight to ten percent of U.S. oil imports. During the next decade, as the deep-water fields are exploited (and as new reserves are discovered), Nigeria could be producing annually far in excess of Venezuela or Kuwait. Nigeria had, of course, become an archetypal “oil nation” by the 1970s. Oil revenues currently provide for 80 percent of government revenues, 95 percent of export receipts, and 90 percent of foreign exchange earnings.

**African Oil and U.S. “National Security”**

The geopolitical significance of Nigerian oil to the U.S., particularly against the backdrop of rising prices, tight markets, and political instability in the Gulf, Indonesia, and parts of Latin America, is widely understood. Even before September 11th, the Petroleum Finance Company (PFC), testifying before the U.S. congressional International Relations Committee Sub-Committee on Africa, reported on the strategic and growing security significance of West African oil. Its high quality reserves and low cost output coupled with massive new deepwater discoveries required, in the view of PFC, serious attention, and substantial foreign investment. In the wake of the al Qaeda attacks and the Gulf War, Nigeria and West African producers have emerged as “the new Gulf oil states.” By January, 2002, the Institute for Advanced Strategic and Political Studies provided a forum for the Bush administration to declare that African oil is “a priority for U.S. national security.” In the last year, the ugly footprint of Africa’s black gold in Gabon, São Tomé, Angola, Equatorial Guinea has rarely been off the front pages. It is also haunted by the specter of terror; the “nightmare,” as The New York Times noted of “sympathizers of Osama bin Laden sink[ing] three oil tankers in the Straits of Hormuz.”

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v. *NYT*, October 14th 2001: III, p.1
The mythos of oil and oil-wealth has been, of course, central to the history of modern industrial capitalism. But in Nigeria, as elsewhere, the discovery of oil, and annual oil revenues of $40 billion currently, has ushered in a miserable, undisciplined, decrepit, and corrupt form of “petro-capitalism.” After a half century of oil production, almost $300 billion in oil revenues have flowed directly into the federal exchequer (and perhaps $50 billion promptly flowed out only to “disappear” overseas). Yet Nigerian per capita income stands at $290 per year. For the majority of Nigerians, living standards are no better now than at independence in 1960. A repugnant culture of excessive venality and profiteering among the political class—the Department of State has an entire website devoted to so-called 419 fraud cases—confers upon Nigeria the dubious honor of sitting atop Transparency International’s ranking of most corrupt states.

Paradoxically, the oil-producing states within federated Nigeria have benefited the least from oil-wealth. Devastated by the ecological costs of oil spillage and the highest gas flaring rates in the world, the Niger Delta is a political tinderbox. A generation of militant “restive” youth, deep political frustrations among oil producing communities, and pre-electoral thuggery all prosper in the rich soil of political marginalization. The massive election rigging across the delta in the April 2003 elections simply confirmed the worst for the millions of Nigerians who have suffered from decades of neglect. It was the great Polish journalist, Kapucinski, who noted in his meditation on oil-rich Iran: “Oil creates the illusion of a completely changed life, life without work, life for free.... The concept of oil expresses perfectly the eternal human dream of wealth achieved through lucky accident...In this sense oil is a fairy tale and like every fairy tale a bit of a lie” (1982: 35). It is this lie that currently confronts West African oil producers, and the Nigerian Niger Delta in particular.

Oil Violence

Since March 12, 2003, mounting communal violence accounted for at least fifty deaths and the leveling of eight communities in and around the Warri petroleum complex. Seven oil company employees have also been killed, prompting all the major oil companies to withdraw staff, to close down operations, and reduce output by over 750,000 barrels per day (almost half of national output). President Obasanjo has dispatched large troop deployments to the oil-producing creeks. Ijaw militants, incensed over illegal oil bunkering in which the security forces were implicated, and indiscriminate military action, have threatened to detonate eleven captured oil installations. The strikes on the offshore oil platforms—a long-festering sore that is rarely mentioned in the media—were quickly resolved. But nobody seriously expects that the deeper problems within the oil sector will go away. Relatively new to delta politics, however, are a series of assassinations, the most shocking being the killing of Chief Marshall Harry, a senior member of the main opposition party and leading campaigner for greater resource allocation to the oil-producing Niger Delta. Fallout from the Harry assassination has already become a source of tension in his native oil-producing state of Rivers. Supporters of the main opposition party, the ANPP, and another opposition grouping of activists and politicians, the Rivers Democratic Movement, have linked the ruling party to the assassination.

The Niger Delta stands at the crossroads of contemporary Nigerian politics. Even with the growth of oil revenues to the delta states now standing at 13 percent, the region remains desperately poor. The resulting deepening material and political grievances place the Niger delta at the confl-
ence of the four most pressing political issues in the federation in the wake of the April 2003 elections: 1) the efforts led by a number of delta states for “resource control,” which in effect means expanded local access to oil and oil revenues; 2) the struggle for self-determination of minority people and the clamor for a sovereign national conference to rewrite the federal constitution; 3) a crisis of rule in the region as a number of state and local governments are rendered helpless by militant youth movements, growing insecurity, and intra-community, inter-ethnic, and state violence; and, not least, 4) the emergence of what is called a South-South Alliance linking the hitherto excluded oil-producing states in a bulwark against the ethnic majorities.

Oil and Democracy

Olesegun Obasanjo’s presidential victory in 1999, in the wake of the darkest period of military dictatorship in Nigeria’s forty-year post-independence history, held much promise. An internationally recognized statesman and diplomat imprisoned during the brutal Abacha years, he inherited the mantle of a massively corrupt state apparatus, an economy in shambles, and a federation crippled by the longstanding ethnic enmity. Committed to reforming a corrupt and undisciplined military—the largest in Africa—and to deepening the process of democratization, Obasanjo was confronted within months of his inauguration by militant ethnic groups speaking the language of self-determination, local autonomy, and resource control (meaning a greater share of the federally allocated oil revenues). In an incident widely condemned by the human rights community, some 2,000 persons were slaughtered in Odi, Bayelsa State, after federal troops were dispatched in response to clashes between local militants and the police. Obasanjo has consistently refused to apologize for the murders and there has been no full inquiry. Last year the military was involved in yet another massacre, this time in the Middle Belt, in Benue and Taraba States, in what was the most serious communal conflict since the clashes which preceded the outbreak of the Biafran civil war in 1967. On President Obasanjo’s watch, over 10,000 have perished in ethnic violence. He has failed miserably to address the human rights violations by the notoriously corrupt Nigerian security forces.

In reality, a number of glaring democratic deficits compromise the institutions of democratic rule that are being painstakingly constructed. A broad consensus believes that the 1999 constitution is deeply flawed. Crafted by the departing soldiers, the constitution provided no opportunity for ordinary Nigerians to debate what they consider the central conundrum of the national crisis: the terms of association in a multi-ethnic polity. The rise of ethnic militias and communal vigilante politics flourished during the Abacha years (1993–1998) when Nigerians experienced the most severe political repression and economic hardship in the country’s history. The O’odua Peoples Congress (OPC), for example, was established in the Yoruba-speaking southwest in 1994 largely to protest the annulment of the 1993 elections in which Moshood Abiola, a Yoruba Muslim, had seemingly won the presidency. Led by disenchanted and impoverished youth, the organization claimed that a “northern cabal” in the army had denied Abiola victory and aggressively pressed for Yoruba political autonomy. Two vigilante groups, the Bakassi Boys and the Movement for the Actualization of the Sovereign State of Biafra (MASSOB) emerged in the Igbo-speaking southeast two years later. MASSOB claimed that the Nigerian state and its functionaries had systematically oppressed the Igbo since the end of the civil war and sought to secure self-determination by resuscitating the Republic of Biafra, whose bid to secede from the federation was crushed by Nigerian troops in 1970. Arewa Peoples Congress (APC) emerged in the north in 1999 as a reaction to the killing of northern elements in
Lagos and other Yoruba cities and towns by OPC cadres, and as a foil to the new Obasanjo government, which many northerners viewed as a “Yoruba regime.” APC claimed that the harassment of northerners in the southwest was part of a Yoruba plan to secede and establish an O’oduwa Republic, that President Obasanjo was sympathetic to OPC’s goals, and that the north would go to war if necessary to prevent national dismemberment. These and other ethnic forces have come to play a transformative role in political life largely as party thugs, enforcers, and champions of local interests.

The current crisis in Warri, in which 3,000 Nigerian troops have been deployed to “restore law and order,” cannot be grasped outside of these powerful political forces. The profile of a militant faction of Ijaw youth has been unjustly amplified to justify the size of deployment. Reports from refugees fleeing the creeks indicate that the military are engaged in scorch-earth violence designed, like the Odi massacre, “to teach the Ijaws a lesson.” There have been conflicting accounts of the immediate cause of the violence. One is linked to a disagreement between elements of the Nigerian military and an oil baron over the proceeds of illegal oil bunkering. Central to the Warri crisis, however, is poverty amidst unimaginable oil wealth. The oil-producing communities do seek to control “their oil.” But this legitimate claim is refracted through the lens of ethnic difference, as Urhobo, Ijaw, and Itsekiri people struggle over the delineation of electoral wards (as a precondition to claim state oil revenues) and overlapping claims on oil-rich land. Warring factions and the army have so far been responsible for many deaths and the destruction of scores of communities.

Oil Companies Getting a Pass

What is most striking, however, in some current discussions of the security problems in the Niger Delta (see CSIS 2003 vi) is the total invisibility of Shell and other powerful corporate international actors in deepening and sustaining the crisis in the Niger Delta. Several independent human rights organizations, most notably Human Rights Watch, have linked the oil company to the spate of killings, rapes, and inter-communal feuds that have crippled social and economic life in the Niger delta since 1993. Shell’s links to powerful and corrupt Nigerian state officials is also well known. Environmental groups have copiously documented the company’s unrelenting attack on the human ecosystem on which the local communities rely for sustenance. The fact that a case against Chevron was recently heard in San Francisco Federal Court speaks powerfully to these issues of corporate practice. Indeed, the detailed local community studies in Nembe, Peremabiri and Ke/Bille abstracted in this report by Kemedi have documented the need for new forms of corporate accountability. Not a single one of the industrialized countries that make use of Shell’s oil has called for sanctions to be imposed on the oil companies operating in the Niger delta. Any serious attempt to address the problem of alienation and militancy in the area must focus on the global, not just the local.

A New Colombia?

Amidst the political corruption, the deepening crisis of governance, and the escalating violence in and around “resource control,” some have argued (CSIS 2003) that a “better positioned Ijaw” has set the stage for the sort of revolutionary violence associated with FARC and ELN in Colombia. There

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are obvious correspondences operating at the level of what one might call the political economy of extraction. Colombia has emerged since the mid-1980s as a significant oil producer (oil revenues now account for 35 percent of legal exports) and a significant supplier to the U.S. market. Conflicts between indigenous communities the U’wa most famously and the state and multinational oil companies are legion. And the links between the military, security, and resource extraction what can best be understood as a militarized oil complex are structurally analogous to those operating in Nigeria. Indeed, both Colombia and Nigeria have to be grasped regionally (Colombia within the Andean oil region, and Nigeria within the West Africa petro-zone).

But it is one thing to say that the Ijaw and the U’wa have “raised the stakes” and can “embarrass government” and quite another to see “delta ethnic militants” as Maoist insurgents or terrorists tout court. First, the Colombian situation is a civil war of long standing that has been compounded by narcotraffic as well as by oil. Political violence of many sorts is legendary in Colombia and long pre-dates the emergence of oil as a strategic national resource. Second, the fundamental role of the armed forces in Colombia cannot be grasped outside of the catalytic role played by the drug economy and by the massive military assistance provided by the U.S. During the 1990s, Colombia moved near the top of the list of U.S. foreign military aid, and in July, 2000, “Plan Colombia” committed $1.3 billion as an anti-narcotics counterinsurgency strategy.

The role of the military in Nigeria (and its relation to the oil industry in particular) is obviously key, but there is (so far) no parallel to the external militarization fund in Colombia. President Clinton did commit foreign assistance to “reprofessionalize” the Nigerian army in 1999, including the equipping and training of seven battalions at a cost of over $1 billion. During the Bush imperium, the presence of 200 Special Forces in Nigeria, including on-site training grounds in some of the most sensitive areas of the Muslim north, has generated enormous suspicion and now vocal opposition. Not unexpectedly, a number of powerful Nigerian constituencies see a beleaguered and corrupt Obasanjo regime as simply another miserable U.S. oil colony. But this is in no way comparable to the Colombian case.

Third, the extreme violence of the Colombian case emerges from the fact that the U.S. in conjunction with the Colombian military has provided direct support to protect oil installations (most recently $98 million in February 2002 by the Bush administration to protect the Canon Limon pipeline). This protection is only part of a complex of armed insurgencies, right-wing paramilitaries, and so-called legal mercenaries (or “contractors”) who operate symbiotically with the likes of Occidental and Ecopetrol. While certain elements of this mix are present in the Nigerian situation, there is a qualitative difference between them.

And finally, to see in the variety of Ijaw (or other ethnic) movements the seeds of revolutionary Leftism is quite preposterous. The fact that disenfranchised youth groups have acted in violent ways (especially in conflicted oil-producing communities like Nembe and Peremabiri) is incontestable; the presence of a secondary arms market has also unequivocally transformed the nature of the violence itself. But to suggest that what passes as Ijaw ethnic militancy is secessionist, or as Left insurgency, or as a provocation or prelude to massive civil war, is misguided. These and other movements like the Ogoni political movement (MOSOP)—some of which are pan-ethnic, like the Chicoco movement—are actively engaged in a debate about access to and control over resources within the federation, and by extension, an engagement with the Nigerian Constitution and what it means to be a
full citizen. The fact that massive poverty, disenfranchisement, and a long dark history of military violence should produce forms of politics that are neither civil nor democratic should surprise no one. But to see in the seeds of Ijaw mobilization a “New Terror” is a radical misreading of the current political moment in the Niger Delta.

The Way Out

The strategic significance of Nigeria is incontestable. One of every five Africans is a Nigerian. Nigeria is the world’s seventh largest exporter of petroleum and a key player in African regional security, most recently in Sierra Leone. It is also home to a vast Muslim community. Since the oil boom of the 1970s, political power has shifted from the conservative Sufi brotherhoods to well-organized modern Islamist groups like the ‘Yan Izala founded in 1978. Sharia’a law, of a dogmatic and literalist sort, has been adopted and implemented in twelve of the populous northern states, amidst considerable political acrimony and international censure. At least 350 people were killed in four days of terrible rioting in northern Nigeria triggered by protests against U.S. military action in Afghanistan, including particularly bloody clashes between Muslims and Christians in Kano, Kaduna, and Jos. The September 2002 debacle surrounding Miss World, in which religious controversy and political violence resulted in the competition being moved from Abuja to London, signaled the extent to which religion has entered the political arena.

The Obasanjo government, torn between its championing of a strong and united Nigeria and powerful pro-federal and ethnic autonomy sentiments among key constituencies, has been unable to articulate a coherent policy to contain the sorts of claims emerging from the Niger Delta. Even the advent of electoral politics has deepened the appeal of various mouthpieces for popular grievances, including the ethnic militia, in the face of government’s dismal failure to tackle their pressing economic and social problems. Ethnic militias, inter-communal violence, and the resurgent cries for a sovereign national conference, true federalism, and resource control, all speak to a sort of tectonic fissure now separating state and society. Above all there is a profound sense that the democratic space of Nigeria is neither large enough nor deep enough to accommodate the clamor for regional and local autonomy, and new political entitlements. Nigerians remain, despite the democratic dispensation, subjects, not citizens. Any way out must, in our view, address the citizenship question at a number of levels.

It is on this larger canvas that this Working Paper by Von Kemedi must be located. Kemedi is an activist who has been centrally involved in mediating many of the conflicts within oil communities across the delta. His unique and important local work establishes a compelling empirical foundation for the understanding of the governance crisis in oil-producing communities and lays out, in light of issues we have outlined here, a program of work- and policy-related interventions. In his view, there must be effective mediation at the community level to address the variety of intra- and inter-community violence. Mediation, de-escalation, and intercession are indeed very central to addressing not only the Warri crisis but also to addressing many other inter- and intra-community conflicts in the Niger Delta. Any effort in this direction, however, will obviously have to be facilitated by an impartial party without a vested interest. Nobody should be under any illusion that the oil companies and the federal government are not the most important factors driving inter-ethnic and inter-community conflicts. They, too, must be willing to submit to such a process. Urging their good-faith participation in the suggested mediation process and in the effort to restore federalism and resource control should take precedence over admonitions that the federal government “will need to take
swift and meaningful steps to enhance the region’s security.” Emphasizing the latter runs the risk of wittingly or unwittingly playing into the hands of hawks within the federal administration and the military who seek to continue the rape, looting, mass destruction and genocide that they started in Umuchem, Ogoni, Kaima, Yenagoa, Odi, and numerous other communities.

The annals of oil are an uninterrupted chronicle of naked aggression, exploitation, and the violent laws of the corporate frontier. Iraq was born from this vile trinity. The current spectacle of oil-men parading through the corridors of the White House, the rise of militant Islamism across the Q’uran belt, and the carnage on the road to Baghdad, all bear out the continuing dreadful dialectics of blood and oil. Nigeria bears all the hallmarks of such petro-violence. To break with this bloody history will require a major political commitment on both sides of the Atlantic. Kemedi’s Working Paper lays the groundwork for thinking about the relations between oil and democracy from below.

vii. *Op cit. NYT*
COMMUNITY CONFLICTS IN THE NIGER DELTA:
PETRO-WEAPON OR POLICY FAILURE?

Dimieari Von Kemedi
Our Niger Delta, Port Harcourt, Nigeria

“At this moment in history in which oil and war appear daily in the front pages of every newspaper around the world, it is critically important to fully understand the long and bloody history of oil and its fundamental relation to imperialism and the making of the modern world.”

Michael Watts, quoted in the San Francisco Chronicle, April 25, 2003

EXECUTIVE SUMMARY

Nigeria is one of the most important countries in Africa and a leader in the emerging African renaissance. Nigeria’s economic prosperity and stability is therefore important to the people of Nigeria and of immense geo-strategic significance in the African continent and beyond.

Central to national stability and economic prosperity is the Niger Delta, with its huge reserves of gas and oil. The oil and gas reserves also make the Niger Delta (Nigeria) a subject of U.S. national security interest. In spite of this significance, or rather, because of it, the Niger Delta has been spectacularly unstable.

Violence, environmental devastation, economic imbalance, human misery, human rights abuses, rape and plunder, killings and loss of revenue are associates of the delta. Key actors are community and factional leaders, the Nigerian state, the military, the international oil companies and the United States, Britain and other Group of 8 members.

The resolution of the structural, environmental, economic and political conflict between the communities of the Niger Delta on the one hand and the Nigerian state and the oil companies and their guarantors on the other hand is of urgent importance to Nigeria and the world.

This means addressing issues of federalism and resource control as well as citizenship rights and democratic development.

The conflict between and within communities in the Niger Delta, however, deserve no less attention as they are an integral and key part of a larger malaise. Local conflicts may appear local, but they are not local. They rather involve the same actors as in the broader political and structural conflict.

The oil companies have played significant and dominant roles in inter- and intra-community conflicts in the Niger Delta through the reshaping of the local political landscape and the introduction of highly corrupt and divisive community relations policies.

1. Institute for Advanced Political and Strategic Studies: www.iasps.org
Neither the state governments in the Niger Delta nor the federal government have devised any effective response or proactive strategies to deal with this situation. In the face of strong United States interest in West African oil, there is more pressure on the oil companies and the federal government to maintain projected production capacity. This means less wiggle room for diplomacy.

It is evident that given the strong, dominant and pervasive role of the oil companies in community politics, the oil companies will need to play an active role in resolving these conflicts. This will mean important reforms in community relations policy and less intrusive transactions with communities.

The state governments of the Niger Delta, on their part, will need to deliver the dividends of democracy and offer open, transparent, accountable and participatory governance as a first step. Legislation, encouragement and facilitation of the enhancement of institutional capacity at the local government and community level are key state government tasks leading to transparent and participatory community governance, especially in the income and outflow of community funds.

The federal government would need to do more than assure the oil companies and their guarantors of the president’s resolve and the military’s capacity to restore law and order.

Ultimately, the issue of fiscal and political federalism is one that the federal government will have to deal with so that powers and responsibilities can be effectively devolved to enhance the functions of government, particularly in the very important areas of security, social development, and investment promotion and regulation; all areas where the federal government has been weak.

In the interim, the federal government will need to address the economic conditions in the Niger Delta as well as lead the way, not only in the Niger Delta but nationally, in reforming the political system to improve citizenship rights and open and deepen the democratic space in the country.
RECOMMENDATIONS

Communities of the Niger Delta

1. Work on a common vision that recognizes shared values and eschews violence as an instrument for dispute resolution.

2. Demand good governance and transparency from governments at all levels, including community leaders.

3. Set up community trust funds, which will spend only via appropriation at community general meetings.

4. Regularly audit community trust fund accounts.

5. Study further and incorporate best practices (Shetlands, for instance) that encourage open and transparent and participatory processes for community development.

6. Encourage arms-free communities and cooperate with the police to ensure that weapons are not held in the communities for whatever reasons.

7. Strictly regulate access to deities, which are perceived as able to confer powers of invisibility to initiates.

State Governments of the Niger Delta

8. Establish a framework for the use of mediation for resolving communal conflicts, including the creation of a Department of Peace.

9. Publish and implement reports and recommendations of Judicial Commissions of Inquiry and, together with the police, investigate and prosecute persons indicted for murder, arson and other crimes.

10. Work with the national boundary commission to investigate, mediate and properly delineate communal boundaries.

11. Improve the delivery of the dividends of democracy, combat corruption, and restore faith in government by deepening and opening the democratic space.

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2. Many of these recommendations, especially those that relate directly to the state actors and the multinational companies have been made by organizations like Human Rights Watch. See Niger Delta: No Democracy Dividend, www.hrw.org/reports/2002/nigeria3/nigerdelta.pdf.

3. Communities here mean geographically contiguous habitation of people with common lineage and a history of traditional government, irrespective of current state of stability or the lack of it.

4. The Pere of Amabolou and the Agadagba of Egbema and other priests have an important task in this regard. Fortunately these important high priests are already concerned about the proliferation of violence in the Niger Delta.
G8 and Related Institutions

12. The United States and the European Union should declare the Niger Delta an Area of Special Concern, paving the way for a more vigorous engagement with the Nigerian government to embark on a proactive time-bound program aimed at working with the people of the Niger Delta to resolve the problems in the delta.

13. Check the proliferation of small arms by regulating arms export, and firmly and openly de-emphasize military solutions to conflict in the Niger Delta, drawing from past failures in various theatres. This will mean reviewing ongoing oil-driven military assistance to Nigeria, including plans to establish military presence in the Gulf of Guinea.

14. Appoint/strengthen embassy officers who are comfortable in the field, to monitor the situation in the delta and raise issues of systemic and direct violence with the Nigerian government and the multinational oil companies.

15. Work to evolve strong and mandatory international principles on security and human rights building on the U.S./U.K. Voluntary Principles on Security and Human Rights.5

16. In the short term, work with the Niger Delta Development Commission and other appropriate authorities to ensure maximum transparency and consultation on the design and implementation of development projects,6 but in the long term, encourage the federal government to address nationwide calls for restructuring the Nigerian state to devolve more powers to the federating units.

17. In line with the international “Publish What You Pay” campaign, require international oil companies headquartered in their countries to publish all net taxes, fees, royalties and other payments made to the federal government, the state governments of the Niger Delta, the Niger Delta Development Commission, and the communities in the delta.

Federal Government of Nigeria

18. Undertake a review of laws affecting the relations of oil companies with the communities in which they operate, including the Land Use Act, the Petroleum Act and its subsidiary legislation, and other laws regulating payment of compensation for damage to livelihoods caused by oil operations, with a view to ensuring that those adversely affected are adequately compensated and protected by due process of law.

19. Empower the Niger Delta Development Commission to undertake a review of oil industry community development policy with a view to promoting the equitable distribution of such benefits and reducing the incidence of conflict between communities or among communities.

5. www.state.gov/g/drl/hr/fs

6. The ongoing World Bank/NDDC initiative, if well implemented, is a good step in this direction. See Report No. PID11440

7. www.publishwhatyoupay.org

21. Support and push through a Freedom of Information Act that will allow citizens access to information on all payments and contracts involving the government and/or the oil companies.

22. Democratize the Niger Delta Development Commission with a view to making the body accountable to a board of trustees elected by representative organizations and communities in the Niger Delta and guarantee the body autonomy from the state and federal government.

23. Diversify the economy to decrease dependence on oil by investing in the agricultural and manufacturing sectors.

Oil Companies

24. Publicly support the U.S./U.K. Voluntary Principles on Security and Human Rights, bring company policy in line with the principles, and support legislation for universal and compulsory principles in this direction.8

25. Invest more in the local economy of the Niger Delta to improve the living conditions of the people.9

26. Take all reasonable care to ensure that the environment is not damaged in the course of their operations and that oil spills are cleaned up quickly irrespective of the perceived cause of the spill.

27. Review the practice of awarding surveillance contracts and standby payments to factional groupings.

28. In line with the international “Publish What You Pay” campaign, publicly disclose, in a disaggregated, regular and timely manner, all net taxes, fees, royalties and other payments made to the federal government, state governments of the Niger Delta, the Niger Delta Development Commission, and local communities.

29. Discontinue the payment of community funds to individuals. Such funds should rather be paid to community-established, registered, democratic/inclusive and regularly audited community trust funds.

30. Conduct a “conflict impact assessment” for each new project or facility. Such assessments should investigate overlapping claims or opinions that could lead to violent conflict and develop plans to mitigate any identified risks. If such an assessment concludes that the activity could

8. The recent accounting scandals in top companies in the United States leave no one in doubt that big corporations cannot be trusted to maintain standards without strong oversight backed by heavy fines and personal liabilities.

9. The Shell/IFC facility would be one initiative to address this purpose if it is shaped to truly benefit the people of the Niger Delta. As it is now, it is only an attempt to add insult to injury, because it addresses neither the concerns nor the needs of the people of the Niger Delta.
lead to violence, then the companies should consider whether it is feasible to continue development of those facilities or projects under such circumstances.

31. Conduct “relations review” of all conflicted areas of operations to determine the extent to which company policy is implicated in such conflicts, and make necessary changes.

32. Replace the “host communities” approach to community development with the more inclusive and conciliatory “whole community” approach. This will mean that rather than designating one community as host community, benefits can be extend to a much wider belt of communities that may be impacted socially, environmentally and economically.

Civil Society$^{10}$

33. Advocate, facilitate and monitor recommendations.

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10. This refers to nongovernmental organizations, peoples’ organizations, community-based organizations, and professional and socio-cultural associations.
The focus of this paper does not detract from the fact that there are other equally important and indeed inter-related levels of oil-inspired conflict in the Niger Delta. However, of all the levels of conflict in the Niger Delta, inter- and intra-community conflicts have received the least attention by analysts, partly because of the embarrassment that it causes community activists, the complex and sticky nature of this level of conflict, and the unspoken assumption, actively encouraged by the oil industry, that these conflicts are about difficult, lazy and greedy local people fighting as usual over money and prestige. Conflict between the oil companies and communities, and between the federal government and the people of the Niger Delta, are in fact different battles of the same war. The story of the relentless ecological and economic war waged against the Niger Delta by the oil companies and state violence against the communities of the Niger Delta is eloquently told in the eloquent and lucid book *Where Vultures Feast* and by organizations such as the Washington-based Institute for Policy Studies, Corpwatch, Project Underground, and Environmental Rights Action.

Inter- and intra-community conflicts are a more subtle battle of the same war.

In the apparently local conflicts between communities or between members of the same community, the footprints of the oil industry and the federal government are not difficult to see. Although almost all reference to oil companies here may pertain to the Shell Petroleum Development Company, other oil companies operating in the Niger Delta are by no means excluded, as they operate very similarly and work with similar policies. These companies include the majors—ExxonMobil, ChevronTexaco, ENI, ElfTotalFina, Occidental—and other minors. The oil companies in Nigeria operate under a complex joint venture system that wields all of them together in almost all of their operations.

The population of the Niger Delta is estimated at about 13 million, with about 70 percent to 80 percent of the population depending directly on the environment for sustenance. The Niger Delta accounts for all the oil and gas production in Nigeria. According to the World Bank, this represents 80 percent of government revenue.
The World Bank, quoting the Federal Office of Statistics, puts the incidence of poverty in the Niger Delta at 58.2 percent. The bank concludes, “This high incidence of poverty is in sharp contrast to the region’s critical importance to Nigeria.”21

OIL AND PEACE: WHERE ONE UNDERMINES THE OTHER

If we have learned one thing from the events of September 11th, and the carnage in Iraq, it is surely that oil and politics make for a violent, combustible mixture. A year before Bin Laden became a household word, the U.S. Department of State’s “Global Terrorism” Report identified the Niger Delta—the heart of oil-rich Nigeria—as a breeding ground for conflict and terrorist acts. Nigeria and the West African “new Gulf oil states” (Gabon, São Tomé, Equatorial Guinea, Angola) have become, as the Institute for Advanced Strategic and Political Studies in Washington D.C. declared in 2002, “a priority for U.S. national security.” But the heartland of oil production in the Niger Delta is anything but secure or stable. Throughout the 1990s the entire region has been almost ungovernable. Since March 12th, 2003, mounting communal violence, at least fifty deaths, and the obliteration of eight communities in and around the petroleum complex in Warri has prompted all the major oil companies to withdraw staff, close down operations and reduce output by over 40 percent. President Obasanjo has dispatched large troop deployments to the oil-producing creeks, prompting Ijaw militants, in retaliation, to threaten the detonation of eleven captured oil installations.

The strategic significance of Nigeria is incontestable. One of every five Africans is a Nigerian, Nigeria is the world’s seventh largest exporter of petroleum. Nigeria is, in effect, an archetypal oil nation. Three quarters of government revenues, and almost all export earnings, are derived from a single commodity: black gold. A member of OPEC, and the fifth largest supplier of oil exports to the U.S., Nigerian oil is a much-coveted light and “sweet” petroleum, yielding more gasoline and diesel than the “sour” crudes from the Middle East. And yet at a half-century of oil production and almost $300 billion in oil revenues (perhaps $50 billion of which have simply disappeared overseas) Nigerian average personal income stands at $290 per year. The oil-producing states have benefited least from oil wealth, devastated by the ecological costs of oil spillage and the highest gas flaring rates in the world. A despondent “restive” youth, deep political frustrations among oil producing communities, and electoral thuggery all flourish in the rich soil of political corruption and mass poverty that is so endemic in the Niger Delta.

The oil complex in Nigeria—the combination of transnational oil companies, the national petroleum company, the military and state security apparatuses, and the oil-producing ethnic minorities—has been generative of extraordinary violence and conflict. These conflicts have been widely documented by the human rights community, local activists, and researchers, and are seen to stand at the center of what is clearly a flawed democratic transition in the Nigeria. Indeed, in a rare moment of candidness (though heavily laced with subtlety), even the World Bank agreed:

> Oil companies, another potential vehicle for development, have in some cases exacerbated the problem. There has been a tendency in the past for those with significant interest in the region to use their resources to try to buy the cooperation of leaders at all levels of government. It was deemed easier to pay leaders to keep their constituents under control than to attempt to work with communities to address problems resulting from oil related activities and to share some of the benefits of the petroleum resources.

Although couched in language using the past tense, this situation certainly continues to operate today. The result of this approach is an overheating of the local space, which explosively manifests as violent community conflict.

Ike Okonta\(^\text{23}\) points out that this conflict is not based on political ideology, but springs instead from the communities’ own experience of the violence of unequal power relationships:

They did not read Hobbes or Thomas Paine. What they have read from is hunger and humiliation and frustration.

Ibeanu (2002) takes the argument further in his compelling reasoning, noting that "although conflicts in the Niger Delta involve social groups, this is only an illusion because actually it is the violence unleashed by a privatized state that is the cause of the conflicts."\(^\text{24}\) Ake et al (n.d.), quoted by Ibeanu in the same article, expound:

Those who are aggressed, communities, ethnic groups, minorities, religious groups, peasants, the poor, counter-elites, are often not in any dispute or even systematic interaction with the people who aggress them. The aggression often occurs in the routine business of projecting power, carrying out policies without consultation or negotiation with other parties or spreading terror to sustain domination.

Part of this aggression has been the re-shaping or even destruction of community institutions that in some cases were built over hundreds of years. Traditional governance in the Niger Delta varies depending on the community, but common to almost all communities was popular participation in community work and decision-making. Thus even though traditional society was hierarchical, there were sufficient checks on the system as well as democratic space.

Typically, a council of chiefs working with the paramount chief or king governs traditional society with the consent of community members. The oil companies considered this system too clumsy. Thus they related with the paramount chiefs as if they were monarchs, and when the monarchs suffer defeat at the hands of challengers, the companies simply moved on to the next party that seemed to control the community. This invariably weakened traditional society and made de facto community leadership an all-comers affair, including inexperienced and corrupt youth factions.\(^\text{26}\) The activities of the oil companies also weakened inter-community solidarity and relations, creating jealousies and disputes over host community status.\(^\text{27}\) With the high incidence of poverty and environmental degradation, loss of traditional means of livelihood—particularly fishing and farming—has meant that more community members depend on oil company patronage or compensation, thus

\(^{23}\) Interview, Berkeley (2003)


\(^{25}\) At least by all male adults

\(^{26}\) See Nembe and Peremabiri case studies

\(^{27}\) See Ke vs. Bille case study
severely heating up the system and making competition for access to oil company patronage even more deadly. Moreover this tendency is strengthened by the willingness of oil companies to financially back their favored camp, particularly at tense moments, through petty supply contracts, security or surveillance contracts, handouts, or standby payments. These resources go into the purchase of arms and spiritual fortification.

In contrast to these oil-producing communities, communities in the Niger Delta which are neither designated as host communities nor contesting for that designation continue to maintain more social stability and peace, including strong democracies.

Government reaction to community conflicts has been unimaginative. These responses were limited mainly to belated security deployments and neutered judicial commissions of inquiry. On the other hand, promising attempts at mediation by quasi-governmental or nongovernmental organizations receive insufficient or no support from government. Judicial commissions of inquiry as an instrument for dealing with conflicts are an inheritance from the British colonial governments. Whether this inheritance was useful then is a different matter, but the efficacy of this instrument is now increasingly in doubt. Unlike in colonial times there is little social distance between the government and key actors in the conflicts.

In 1999, the first government of General Olusegun Obasanjo promised to tackle the problems in the Niger Delta in a way that would indicate a shift from business as usual and end violence against the people of the Niger Delta. This did not happen. Human Rights Watch in its October 2002 report aptly titled Niger Delta: No Democratic Dividend observed that:

When a civilian government was reinstated in Nigeria in 1999, many of those living in the Niger Delta region, the source of Nigeria’s oil wealth, hoped that a “democratic dividend” would end decades of neglect they had suffered under successive military regimes… past human rights violations by the security forces have gone unpunished and new abuses related to oil production continue to be committed. Moreover, though vastly increased sums of money are flowing from the federal government to the delta region, under a new “derivation formula” that requires at least 13 percent of the oil revenue to be returned to the states where it is produced, ordinary people living in the delta see little if any benefit from these funds.

The April 2003 elections, marred by extraordinary fraud and ballot rigging across the Niger Delta, has confirmed the need to address quickly the simmering discontent in the oil-producing

28. Standby payments are typically paid in bulk to the leadership of Shell-compliant youth groups or factions to distribute as largess to members who in return keep the community under control.

29. Frustration throughout the delta was fertile ground for regeneration of ancient spiritual practices, particularly affiliation to Egbesu and other deities, which promise, among other things, protection from firearms. This perceived immunity is key to increased willingness to settle disputes violently.

30. That is, leadership has not been hijacked by a cabal.

31. See Nembe and Peremabiri case studies

regions of Nigeria. Many of these problems were in evidence already in the late colonial period in the 1950s, but the effects of oil over the last half-century has produced an explosive combination of rage, anger, political marginalization and economic dispossession. Policies to address the question of conflict, democracy, and resource control among the Niger Delta oil-producing communities are an imperative for the new Obasanjo government.
CASE STUDIES

Nembe

Nembe, otherwise known as Ogbolomabiri, is the capital and principal town of the Nembe-West Local Government Area of Bayelsa State, Nigeria, in the riverine area of the Niger Delta. According to the provisional figures of the contentious 1991 census, the community has a population of 23,595. It is also the traditional capital of the Nembe people, a clan of the Ijaw, the dominant ethnic group in the Niger Delta. Here Shell and Agip together produce more than 200,000 barrels of oil a day.

Historically, the Nembe community has had a rigid political hierarchy with the Amayanabo at the apex. Below the Amayanabo were the chiefs who head the houses, the main unit of political organization in the Nembe area since the pre-colonial period. The entire house elected the chiefs in an open and democratic way. After the chiefs were elected, they were presented to the Amayanabo for “chalking” or recognition. Although the chiefs were deferential to the Amayanabo, they acted as a check to the Amayanabo as well as close advisers, and supported the Amayanabo if there was a threat to the kingdom. After the death and burial of an Amayanabo, the chiefs would choose a new Amayanabo from among the members of the group of houses known as the Mingi.33

With the discovery of oil in Nembe in the early 1970s, this traditional system of governance was put under sever pressure. Initially, the Amayanabo, as the sovereign leader, negotiated and received royalties and other minor benefits on behalf of the Nembe community with the oil companies and Nigerian government.34 His Royal Majesty, Justice Ambrose Alagoa, Mingi IX, from the early 1970s to date, was unable to extract serious concession from Shell. A restive and dissatisfied community put the kingship under sufficient pressure for the king to transfer the responsibility of negotiating with the oil companies to the Nembe Council of Chiefs in 1991. Chief Egi Adukpo Ikata acted as the Council’s first chairman.

Chief Egi Adukpo Ikata and Mr. Nimi B.P. Barigha-Amange (as he then was) together involved the youth in negotiations with the oil companies to make their demands more effective. By 1995, as a pointer to the increasing relevance of youths in the community, a university lecturer, Mr. Lionel Jonathan, had resigned his teaching position to lead the youths of Nembe with the formation of the Isongo-foru, a youth organization that rapidly became dominant in the politics of Nembe, effectively displacing even the council of chiefs.

Shell entered into a partnership with the group, according the group recognition even though the group had no formal place in community governance. Lacking in formal recognition, the group consolidated its leadership by intimidation and co-option.

In 1995, Mrs. Itari Kumbo-Garuba, retired secondary school principal and wife of a prominent army colonel, allied with a rival group, the Agbara-foru, to challenge the dominance of the Isongo-foru.

33. See Small Brave City State by Prof. E.J. Alagoa

34. Unfortunately the oil industry did not do much to benefit the people, other than provide access to petty contracts and company perks like gifts, hotel accommodation and helicopter transport to a small number of influential people.
foru. Competition between the two organizations led to three separate eruptions of violence on November 12th and 25th and December 14th, 1995.

The chairman of the Nembe Council of Chiefs at the time, Chief Hans Suku-Ogbari, attempted to broker a peace agreement between the two groups. This failed and the Mobile Police, a notoriously abusive riot unit of the Nigerian police, intervened with sweeping arrests. The council of chiefs, gaining some potency, placed a ban on all youth organizations in the community.

The military government of Rivers State set up a panel to investigate and resolve the conflict. The report of the panel has not been released.

Despite these interventions, the Isongo-foru regained dominance until 2000.

On the 28th of February 2000 the Nembe Council of Chiefs was scheduled to meet with the management team of SPDC at its Port Harcourt offices to discuss some 800 million Naira, which Shell claimed to have set aside for the community. Even though Shell claimed to have spent the money on community development projects, the Nembe community could not reconcile the amount with Shell projects in the community.

It was already the subject of much speculation in the community that the much of the money had vanished into a vast corruption pool created by elements within Shell and the leadership of Isongo-furo. Understandably, the meeting was not one that Shell and Isongo-foru were looking forward to. The Isongo-furo believed that the mere conception of the meeting was an affront to their unbridled powers and a threat to their confidential dealings with Shell. Shell knew the meeting would publicly expose corruption within the company.

In an attempt to delay the meeting, Shell management kept the chiefs waiting for over five hours. Although the chiefs were extremely frustrated, they remained patient and continued to wait. Sensing that the chiefs might wait indefinitely, Shell called the Isongo-foru into chase the chiefs off their premises.35

The outrage following this event was colossal. When the Nembe Council of Chiefs complained to Shell about its lack of courtesy and protection, Mr. Burham, Shell’s Head of Community Relations, responded by claiming that the chiefs could not close flow stations and therefore did not merit serious attention from Shell’s management.36

The reaction of the chiefs was to close down Nembe flow stations by direct act—an act unprecedented in the history of the entire delta. But in another unprecedented move, the Isongo-foru countered the chiefs by re-opening the flow stations. There was outrage in the community.

On the 6th of May 2000 Isongo-foru fell. A new spiritualist group, known as the the Isenasawo,
or Teme, proclaimed a new order in the early hours of the morning, following an overnight operation while the ranking members of Isongo-foru were away for a wake-keeping in a neighboring community. Most people in Nembe supported the action. High Chief Nimi B.P. Barigha-Amange, Grand Patron of Teme, became the key figure in the community. The Amayanabo-in-Council (the king and his chiefs), acting to confer legitimacy to the Teme action, formally banned the Isongo-foru group and imposed a ten-year exile on its leading members.

But in a manner reminiscent of George Orwell’s *Animal Farm*, the new Teme regime became more feared than loved by the community. The group seemed to have merely supplanted the Isongo-foru, adopting its strategies and tactics. Factional fighting both within the Isenasawo and between the parts of the Isenasawo and the Isongo-foru continued.

Attempts by both groups to enter the community had become almost a daily occurrence, and the community had become totally unstable. The Nembe community in diaspora then initiated the process of bringing an end to the cycle of violence in the community.

After several meetings in Port Harcourt, Yenagoa and Nembe in late December 2000 and early January 2001, the government of Bayelsa State was “persuaded” to intervene. The intervention was in form of the Nembe (Ogbolomabiri) Peace and Reconciliation Committee, which was inaugurated by the governor of Bayelsa State. The committee had the mandate to restore peace and order in Nembe and to promote reconciliation. It consisted of twelve members. The members were from the Nembe community, the security agencies, the local government council, and from bodies representing elders and youth from the Ijaw ethnic group—the Ijaw National Congress and the Ijaw Youth Council.

Although the oil industry is strongly linked to the breakdown of the traditional structures in the community and the chaos arising from the grab for power and resources, there was a lack of interest by the oil industry in the peace processes. Shell and Agip rejected two consecutive invitations to attend the Peace Committee’s meetings, fearing perhaps that they would be confronted with their role in the conflict.

Through the work of the Peace Committee, exiled members of the community were allowed to return. The work of the Peace Committee also got factions to make strong commitments to peace.

Unfortunately, perceptions that the government’s interest in the peace process was aimed more at getting its supporters back into the community could not be sufficiently dispelled, and as the work of the Peace Committee could not be extended, the peace process with all its promises was inconclusive.

The Peoples’ Democratic Party local government primary elections returned the community into a state of crisis with a bloody clashes involving the two main factions.37

37. See *Ballots of Blood*, a report by the Ijaw Council for Human Rights
Ke and Bille are two neighboring communities in the Degema Local Government Area of Rivers State, approximately one hour or forty-five minutes by boat, respectively, from Port Harcourt, the center of Nigeria’s oil industry. The people living in Ke are a subgroup of the Kalabari clan of the Ijaw people; the Bille people are regarded as a separate clan of the Ijaw. These distinctions are, however, complex and much argued over.

Until December 1998, these communities lived in relative peace, although they have had a low intensity conflict since 1958 when oil was discovered in the Cawthorn Channel. This would later deteriorate into full-scale war involving not only Ke and Bille but also Ke’s neighboring and closely related community of Krakrama, and almost the entire Kalabari clan.

In December 2000 the conflict escalated with the alleged abduction of two members of the Bille community by suspected Krakrama vigilantes, who were, according to a Bille spokesperson Napoleon Hezekiah, “acting out a Kalabari agenda.” A series of events then lead to the invasion of Ke by Bille.

However a Ke community spokesman explained that:

Between Ke and Bille there has been love and friendship. When they have a burial ceremony we attend to mourn with them and when they have an occasion to rejoice we were there with them.

We exchanged cultural dances with them and do a lot of things in common with them, including intermarriage. This was the case until Shell brought its activities to the area, the Emupele location.

Before Shell activity, it is Okrika people who resided there and paid rent [to us]. Nobody disputed the ownership of the place with Ke. From Emupele, the next point upwards would be Okrika. Then you get to Boyboku. All these places are upward and never been disputed. All Kalabari towns accepted the fact of Ke ownership. Shell found oil at Emupele. At this point Bille surfaced. Immediately oil was found at Emupele, Bille called it Awoba and laid claim to the territory.

Ke community members believe that the Shell Petroleum Development Company is responsible for the violence in the area. A spokesperson for the Ke youth complained:

Shell empowered their [Bille] youths to fight against us. Shell gave them surveillance contract. That contract involved arms and communication gadgets. We told them [Shell] not to [award the security contract] but they did not listen to us.

Ke youths claim that these contracts, which were awarded to Bille youths between 1998 and 1999, are still ongoing and continue to constitute the chief resource that powers Bille aggression.

38. All quotations and other evidence referred to in this section are the product of fieldwork conducted by the author in 2002.
During a meeting with the Bille community, the secretary-general of the Bille Council of Chiefs, Chief E.I.D Olokowa, who spoke for the community, explained:

This is an ancient town that was settled a long time...when the Kalabari people came here we settled them and gave them land at Old Shipping. The Bille people used the Kalabari [as intermediaries] to trade in the 1780s with the Portuguese. In 1956 Shell D'Archy came here and discovered oil. On the discovery of oil here the Kalabari people aimed to displace us. This is the core of the problem...the Bille people are saying that the people they settled here now have their own Local Government Area but [the federal] government has refused [to create a local government for us]. The Kalabari people have ensured this...the major problem is that because our own people are not in Shell they appropriate our resources for the Kalabari. Bille presently has three oil fields...the Shell/Kalabari alliance against Bille is the cause of the whole problem. They have refused to give Bille scholarship[s] because their persons occupy key positions, which they use to marginalize us. The university scholarships and employment opportunities are denied us. The Kalabari want us to bear their name. That is another cause of the problem. Can the legs tie the hand...how can the son tell the father to bear his name? If the government wants peace the little that is due the Bille Kingdom should be given to them, particularly the Local Government.

Following hostile Bille activities in “Kalabari areas” surrounding Ke, a delegation of the Kalabari people met with local government authorities in Degema, and the Rivers State commissioner of police in Port Harcourt on the December 30, 2000. A petition was also sent to the governor of Rivers State requesting for security deployment. The divisional police officer in Degema deployed a small police detachment to Ke. This could not, however, prevent an attack on Ke on 14 January, 2001, in which there was substantial destruction of property and an unknown number of people were killed.

It was only after the attack on Ke that the navy was deployed to both Ke and Bille in March 2001. The establishment of naval posts in Ke and Bille and naval boat patrols on the waterways offered some security and assurance.

On the 9th of January, 2001, the government of Rivers State set up a judicial commission of inquiry to look into the remote and immediate causes of the violence between the communities and make recommendations to government. The report of the commission has been submitted to the Rivers State government but more than two years after it was inaugurated its report has not been released. There is no longer any fighting now, but there is no peace, either.
Peremabiri

Peremabiri is in Southern Ijaw Local Government Area of Bayelsa State. It is a “host community” to the Shell Petroleum Development Company and a “pipeline community” of the Nigerian Agip Oil Company (NAOC, part of the Italian ENI Group). According to the 1991 provisional census figures, Peremabiri has a population of about 9,655 people.

Peremabiri has historically been governed by a monarchical system, in which the king, or thiebo, is chosen from within the ruling house. King Warisini I was the last of the Peremabiri kings to enjoy relative communal harmony during his reign. After the death of Warisini I in the late 1950s, his son D.I. Warisini became ruler. It was during the reign of D.I. Warisini that Shell arrived at Peremabiri in search of oil in 1963. Warisini II entered into “negotiations” with Shell. The “negotiations” were one sided, given that Shell came to the community waving a piece of paper from the federal government authorizing it to explore and exploit hydrocarbons in its area of concession. This new relationship compromised the kingship and led to the dethronement of the Warisini II by the community’s council of chiefs for corruption involving the sum of six pounds. The dethronement of King Warisini II commenced the free-fall of the traditional governing institutions and other support systems of Peremabiri society.

Chief Andrew Siri, who succeeded D.I. Warisini, was also swiftly dethroned for embezzlement and misconduct. A pattern then seemed to emerge by which the Thiebo title was denigrated via the deliberate “corruption” of the titleholders, leading to subsequent dethronement. This trend was continued with the “corruption” and dethronement of Chiefs D.D. Otokolo and G.S. Obudigigha. As in previous cases, Shell officials were alleged to have introduced their highnesses to the infinite possibilities offered by cooperation, i.e., if they will help hold their constituents down while Shell milked the community of its resources.

By the early 1990s, dethronement was no longer a bloodless affair. According to Patrick Warri, the descent to violence started during the tenure of Gibson Adikah, Thiebo VII:

Shell reintroduced their diabolical strategy of divide and rule to cause division, disaffection and hatred amongst inhabitants of the community. Compensation payments were made to the paramount ruler secretly, thereby causing serious unrest and leading to the death of one Lambert Banje and a police officer in 1994.

Gibson Adikah was dethroned soon after this incident, and an interim administration was established in his stead. Mr. M.M.S. Torufa headed the interim administration. The interim administration had a mandate of governing the community.

But as if to prove that corruption was not the exclusive preserve of royalty, the Torufa interim administration bested all previous royal reigns in its joint pursuit of avarice with Shell. To sustain the corrupt system and immunize it from the ever-hovering specter of dethronement or dissolution, the interim administration went one step beyond the previous community governments. According to

39. Key factional leader
Patrick Warri “the administration resorted to the use of thugs in Shell–community relations and affairs, and these thugs were used to suppress dissenting voices in the community.”

However, in 1996 the community finally enthroned a new ruler, Genesis Oweibo, Thiebo VII, who was even more pliant. According to Ngozi Otokolo, King Genesis was accused by the youths of conniving with people (Shell officials) to misappropriate community funds, and the matter was resolved before the king of Amabolou, and they thereafter worked hand in hand.

Patrick Warri claims that the settlement between his faction and Thiebo VII was unstable and finally caved in after the king accepted Naira 5 million ($50,000) compensation from Shell for an oil spill, to the exclusion of individual claims. This meant that the king collected lump sum compensation on behalf of the community, excluding for the moment and perhaps limiting for the future the chances for individuals affected to make successful claims.

Before the king collected the payment (which some community members regarded as an act of betrayal), a delegation from the community and Shell’s representatives, in the presence of the state military administrator, Navy Captain Olubolade, met at government house Yenagoa in 1997 and reached an agreement. By the agreement, Shell was to pay the sum of N30 million to the community, individual claims inclusive. Many considered this as a better deal for the community. Shell, however, recanted and pressured the king and his advisers to accept a lesser amount, which Shell was ready to pay. The implicit threat was that if the community insisted on the agreement, payment could be delayed indefinitely.

Patrick Warri bitterly complained:

To our chagrin, Shell in their characteristic manner cornered the paramount ruler and his cabinet and paid only Naira 5 million, which was fraudulently disbursed among them. All voices of reason were ruthlessly dealt with by the use of thugs, and frivolous allegations were made for the arrest of others.

This worked for a while until the power tussle within the diarchy broke into open confrontation. After the violent confrontation between forces loyal to the king and those loyal to Patrick Warri, the king was exiled and Patrick Warri, who was not physically present during the battle, was recalled to take up the “leadership” of the community.

Felix Tuodolo, a former president of the Ijaw Youth Council who was called upon to intervene in the crisis, reported:


42. The king of Amabolou, or Amabolou Pere, is revered for his ability to initiate and confer the Egbesu powers of invincibility to believers.

43. Under the terms of the settlement, Patrick Warri became the financial coordinator of the community development committee (CDC), an elected structure common to many Niger Delta communities to oversee all financial transactions in the community.

44. Interview, Bradford (2002)
Sometime in early 1998, Patrick Warri, who is a member of the executive council known as CDC—he was the Financial Controller—led the youths to “keep in safe custody” two vessels belonging to SPDC, another belonging to Agip and another belonging to Niger Delta Basin Development Authority. They also “stopped work” at the Peremabiri rice farm, which is operated by the Niger Delta Basin Development Authority. Demands were made of the different bodies before their vessels were released, and agreements signed to develop Peremabiri, which hitherto was neglected by these bodies. This made Patrick Warri very powerful. Before these “operations” were carried, they got *spiritual guidance or empowerment* from Amabolou. My interview with the traditional ruler of Peremabiri [name forgotten] showed that the ruler or king and most chiefs were not in support of what Patrick Warri was doing, as they were sidelined and/or disobeyed by his group—especially as they are *spiritually empowered* from outside the community.

With his newfound powers, Patrick Warri now announced the dethronement of the king—are you thinking of Nembe?—and installed his uncle…as king. He also…became the alpha and omega of Peremabiri.

Patrick Warri’s group apparently did not use its newfound position in an inclusive manner, neither did it recognize and take practical steps to heal the deadly divides in the community. Their victory, however, won them access to Shell patronage. In the ensuing effort to maintain its hold on power the group hastened its downfall in the way most dictatorships do. They set in motion the process of identifying threats, perceived and actual, and all dissent was met with threats and highly intimidating actions.

According to Tuodolo:

Most elders ran away from the community, especially if you [had] opposed the Patrick Warri–led youths in the past. Of course, even bad rulers have supporters. Patrick Warri is only maternally from Peremabiri. There were agitations in some corners that he should go back to his father’s land, Angiama.

 Barely two months after the commencement of Patrick Warri’s leadership he was ousted along with his uncle, who had been installed chief in the wake of his own ascendancy as de facto community leader. The chairman of the Community Development Committee, Udoji Sokari, was empowered by the new force to take up the running of the community affairs.

The exiles led two separate invasions in an attempt to retrieve power. The first unsuccessful attack was executed on the 9th of October, 2000, leading to the death of one Ingoemi Million-Godo (18), and Mr. Frank Aye (16). On the 9th of February, 2001, a more devastating though also unsuccessful attack was launched. This claimed the life of CDC Chairman Sokari, the de facto leader of the community. Nineteen others were also killed, while properties worth millions of Naira were destroyed. With Sokari’s death, the youth president, Basil Young, became the head of the community.

For Felix Tuodolo this had the classic imprimatur of Shell:

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45. Ancient town where a principal Egbesu deity is located.
Like Nembe,\footnote{46. Here Toudolo is referring to the invasions and counter invasions of Nembe by rival factions aiming to control access to Shell. Shell, of course, waits for the winner and resumes business accordingly.} some of the Patrick Warri boys invaded Peremabiri (without the consent of Patrick Warri, as he told me), killed and destroyed; but were overpowered by the home team. In reprisal, the home team further killed some relatives of the exiles and destroyed houses. The exiles promised to attack again, guided by some unknown oracle.

The federal government deployed the Mobile Police to Peremabiri following the most violent of the incidents, the Bayelsa State government set up a judicial commission of inquiry to look into the remote and immediate causes of the violence, but the report of the commission, like most others, is not yet out. Attempts by the Ijaw Youth Council to mediate, which received the support of all factions, were cut short by the establishment of the commission.
CONCLUSION

Factional leaders of communal conflicts are in their sober moments uncomfortable and open to reconciliation. The near success recorded by the Nembe Peace and Reconciliation Committee and the willingness of the parties to the Pereamabiri conflict to dialogue is also an indication that these deadly conflicts are open to facilitated resolution.

The absence of government mechanisms for understanding the dynamics of these conflicts, however, hinders promising reconciliation opportunities. Moreover, government and the oil companies lack the political will to deal with the structural and policy foundations of community conflicts in the Niger Delta.

The international community, particularly the United States and Britain, have not sufficiently demonstrated commitment to the peaceful resolution of the Niger Delta issue. Increasing United States military interest in West Africa is not a good sign that the U.S. will step up peace-building efforts.

The question of whether inter-community conflict, a manifestation of petro-violence, is a weapon of the multinational oil companies and federal government or is a consequence of policy failure lies at the very core of what has often been referred to as the Niger Delta issue. The recent three-way violence in the Warri area of Delta State involving the Itsekiri, the Ijaw, and the Nigerian military, which led to the loss of several dozen lives and export loses amounting to about of 40 percent of Nigeria’s production capacity for almost three weeks, has shown that weapons acquired for one purpose may be used for another purpose. During the recent elections in Nigeria, the delta distinguished itself in the dispensation of violence due mainly to the culture of violence that has been nurtured around the oil issue.

If it is a petro-weapon, it is one that will ultimately backfire (there are already enough early signs of this) and should be decommissioned. If, on the other hand, it is as a result of policy failure, policy reverses must be initiated urgently and steps taken to improve the situation.

The communities must quickly come to grips with the reality that violence cannot achieve any positive results. Communities must therefore disarm any armed factions. The idea that arms in communities can be used to defend these communities from federal troops is ridiculous; that the arms will be used to resolve disputes with their neighbors is a case of misdirected aggression.

47. Private discussions with various factional leaders

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Shell Petroleum Development Company of Nigeria: www.shellnigeria.com

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ABOUT THE AUTHOR

DIMIEARI VON KEMEDI is an Environmental Politics Visiting Fellow, taking leave of absence from his work as head of programs of Our Niger Delta, a nongovernmental organization based in Port Harcourt and Yenagoa, in the Niger Delta, Nigeria. On return to Nigeria he will join his colleagues in a grassroots campaign to build peace in three states of the Niger Delta, and in a mediation project in the coastal area of Bayelsa State.
Founded in late 1996, the **BERKELEY WORKSHOP ON ENVIRONMENTAL POLITICS** emerged from a long-standing commitment to environmental studies on the Berkeley campus and from the presence of a core group of faculty whose research and scholarly interests linked environment, culture, and political economy. The workshop draws together over fifty faculty and doctoral students from San Francisco Bay Area institutions (the University of California campuses at Berkeley, Santa Cruz, and Davis, and Stanford University) who share a common concern with problems that stand at the intersection of the environmental and social sciences, the humanities and law. The Berkeley Workshop on Environmental Politics has three broad functions:

♦ to assist graduate training and scholarly research by deepening the theoretical and methodological toolkit appropriate to understanding environmental concerns in an increasingly globalized world;

♦ to bring together constituencies of local and international scholars, activists, and policy makers for transnational conversations on environmental issues; and,

♦ to bring community activists and policymakers to Berkeley as Residential Fellows, thus providing synergistic possibilities for developing new learning and research communities.

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