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Managing Nigeria's Niger Delta crisis under democratic rule

An assessment of the utility of military engagement

Saka Luqman

Since the return to civil rule, the Niger Delta has witnessed increasing dissent in the form of an armed insurgency with the attendant criminal activities. The Nigerian state has sought to manage the region's crisis using both conciliatory and militarist approaches with little success. Drawing insights from in-depth interviews, newspaper interviews, commentaries and editorials, this article assesses the utility of military deployment in containing the crisis. While recognising the need for securing oil installations, the scale of avoidable civilian casualties raises questions about the utility of military engagement in managing the Niger Delta crisis.

Keywords Dissent, military deployment, Niger Delta, sustainable development, youth militancy

Introduction

When the new civilian regime commenced with the inauguration of former President Olusegun Obasanjo on 29 May 1999, the Nigerian population – and particularly the people of the Niger Delta – were filled with optimism for the future. The return to democratic rule held much promise for the people of the Niger Delta. They fervently hoped that the region's decades of developmental neglect and repression under successive military regimes would come to an end. They also hoped that the new democratic dispensation would engender peace, stability and prosperity for the region, its inhabitants and the nation as a whole. It should be noted that prior to this period, and commencing in 1990, the cycle of protests and state repression resulted in massive militarisation of the oil region, which culminated in the

military repression in Ogoniland and the judicial murder of Ken Saro-Wiwa and his Ogoni compatriots.

Contrary to expectations, however, the eagerly awaited dividends of democratic rule have to a large extent failed to materialise. While the Nigerian economy witnessed steady growth, this has not reflected the actual state of the national economy. Instead of cutting across all sectors of the economy, recorded growth has centred on the oil industry and was largely driven by the record oil prices which lasted till late 2008, when the global economic recession commenced. Without doubt the Nigerian economy has witnessed few macro-economic advances in the first decade of democratic rule, although the little there has been can mostly be attributed to the reform policies of the Obasanjo's regime. However, these successes failed to improve social services or generate sufficient employment opportunities. Neither did it spur sufficient wealth creation to meaningfully address the crisis of poverty that characterises the lives of millions of Nigerians.¹

The socio-economic situation in the Niger Delta is full of glaring and irreconcilable contradictions. The region has immense oil wealth but the vast revenues from the oil industry have barely touched the Niger Delta's pervasive poverty. At present there are formidable challenges to sustainable human development in the region, as noted in the United Nations Development Programme's foreword to its 2006 human development report on the Niger Delta.² The challenges of human development in the Niger Delta are compounded by extensive corruption among officials and a lack of transparency and accountability in governance processes. The massive oil revenue that has flowed to the Niger Delta through federal allocations and other statutory transfers has been lost because of corruption and the misappropriation of resources by the regional ruling elites. In fact, these have become the defining hallmarks of the government in the region – as elsewhere in Nigeria – since 1999.

The unfulfilled regional development aspirations and failure to address the numerous developmental challenges have fuelled anger, frustration and disillusionment among the people, notably the youth. The growing popular distrust of state institutions in the face of the failure of governance has led to peaceful protests and strengthened the appeal of ethno-national groups canvassing for regional autonomy, self-determination, resource control and the overhaul of the architectures of the Nigerian federal arrangement within and outside the Niger Delta region.³

On the politico-security terrain, the much-awaited democratic peace has also eluded the region as democratisation has come with its own perils. The intense militarisation of political competition witnessed in the region since 2003 has seriously restricted the people's participation in the political process. Although democratisation has enhanced the promotion of human rights practices, the state's response to protests and agitations in the Niger Delta remains largely militaristic.

It is possible to discern two underlying forces in the volatile oil politics of the Niger Delta since the return to democratic rule. The first has to do with the intensification of the factional struggles over the control of oil rents, as witnessed in the campaign for resource control and an increase in the 'derivation principle' percentage by the oil-producing states and other stakeholders in the Niger Delta. The second relates to the securitisation of oil and the discourse on the Niger Delta crisis between the Nigerian state and its Western partners, notably the United States (US). This was a clear fall-out of the 9/11 events, the subsequent war on terror and increased militant activities in the Niger Delta oil fields, which represent a potent threat to Western energy interests in the Gulf of Guinea oil triangle.⁴

The Nigerian state sought to confront the oil-inspired insurgency in the Niger Delta by bolstering its military deployment in and around oil installations. Nigeria's Western partners, and particularly the US, have aided the military efforts through the provision of 'soft' military assistance, in the form of platforms such as the Gulf of Guinea Energy Security Strategy

(GGESS) and US Africa Command (AFRICOM), through training exercises of the Africa Partnership Stations and through the supply of military equipment.⁵ The assistance notwithstanding, the level of Western support for Nigeria's military missions in the Niger Delta was at best minimal. Nevertheless, the rapid build-up of military force by the Nigerian state through the permanent deployment of the Joint Military Task Force and Western military support, despite its small size, was a clear manifestation of the securitisation of oil and the Niger Delta discourse by the Nigerian state and its Western allies.

Complex as the crisis in the Niger Delta may be, the main question that needs to be answered is whether the building of a new infrastructure of state violence in the volatile oil region is the appropriate solution to the fundamental grievances underlying the Niger Delta issues. There are other questions that are linked to this, namely how successful has the military approach of the Nigerian state been in managing the security dimensions that have arisen as a result of the upsurge of violence in the Niger Delta and whether increased military deployment has helped to secure and mitigate militant attacks on critical oil infrastructures. Informed by these questions and drawing insights from transcribed in-depth interviews, newspaper interviews, opinion pieces, commentaries and editorials gathered in the course of fieldwork in the region in 2009, this paper aims to assess the utility of the military option in managing Nigeria's Niger Delta crisis under democratic rule.

The Niger Delta question as a political issue under democratic rule

Since the upsurge in the level of violence that followed in the wake of the formation of the Movement for the Emancipation of the Niger Delta (MEND) in 2006 and the group's use of armed violence, incidences of violent dissent by armed militias against the state and oil company interests have become recurring headlines in local and international media. Some of these reports have focused on militants' attacks on oil installations, kidnapping of oil workers for ransom, and disruptions of production-related activities. Others have highlighted the devastating effects of armed confrontation between state security forces and armed militias on the dynamics of the Niger Delta crisis, the human rights situation there and the implications it has for national security.⁶

The heightened insecurity generated by the complex mix of political militancy and criminality might have informed the submission of a 2007 Center for Strategic and International Studies (CSIS) report that 'armed militant groups' operation in the Niger Delta have graduated to a new level of lethality and technical and tactical sophistication'.⁷ Espousing a contrary opinion, Obi argues that while the threat posed by militia activities should not be trivialised, it should also not be unnecessarily exaggerated. Rejecting the overtly militaristic position of the CSIS report, Obi notes that the situation in the region is more complex and should not be seen simply as a case of state failure.⁸ This is because such a view would feed policy recommendations that reify a stronger state or military intervention policy which cannot and does not address the socio-political and historical roots of the Niger Delta crisis.

While the security dimensions of the Niger Delta crisis are in no doubt, the roots of the present phase of the crisis in the oil region lie in a complex mixture of socio-economic and political factors with strong historical antecedents. Essentially, what the people of the Niger Delta have demanded since the return to democratic rule in 1999 is not so different from what the people of the area had clamoured for as far back as the 1950s, or the demands of Nigerians in other parts of the federation. According to Abati, areas of correlation can be found in the demands of the Ijaw

Youth Congress and demands on the Nigerian state by the Movement for the Actualisation of the Sovereign State of Biafra, or the Oodua People's Congress.⁹ Essentially, the people of the Niger Delta are asking for equity, justice and due recognition of their rights as citizens.

Basically, the demands of the Niger Delta people as contained in their various bills and declarations include, first, the right to control crude oil resources or at least an increase in the percentage of derivation. Second, they are insisting on a cessation of deleterious oil exploration activities, which destroy the region's ecology and impact negatively on human lives. Third, they want the abrogation of all laws that dispossess them of their rights as a federal unit inside Nigeria. Fourth, they want the crisis of poverty in the Niger Delta to be addressed. Fifth, they want other Nigerians to listen to their message and treat them with respect as equal stakeholders in the Nigerian federal project. Ukaogo argues that the demands for the rights to a fair share of the resource wealth from the region and for political equality within the Nigerian federal arrangement to a large extent stem from the political aspirations of minority groups in the region to exit from the crisis of internal colonialism to which they have been subjected by the dominant groups for decades.¹⁰ These demands are at the heart of the national question as it relates to the Niger Delta and has remained the fulcrum of the region's agitation since the time of independence.¹¹

Thus, it can be deduced that the Niger Delta crisis was and remains a political crisis. While it might have manifested in varying forms, its roots lie in the region's feelings of marginalisation and exclusion, socio-economic underdevelopment, poverty, and loss of livelihoods that resulted from decades of environmental destruction by the operations of multinational oil corporations and the scar left by decades of state repression. The Niger Delta crisis in its most recent phase, particularly the commodification of violence, is related to oil. Its roots lie in the nature of the Nigerian state with particular reference to the socio-economic and political inequalities and inequities associated with the politics surrounding the nation's oil rents distributions. However, violent conflict in the Niger Delta not only revolves around issues of minority nationalism and the control of oil wealth, but also the question of citizenship rights, particularly property rights, political participation, democratic inclusion and environmental rights.

The state's responses to the Niger Delta problem since 1999

Successive regimes in Nigeria have been unable to fashion appropriate policy responses to manage the demands of Niger Delta minorities.¹² State response to minority demands and the management of the crises they generate, has been varied. Some governments have responded by coercing minority or sectional claimants to acquiesce to exploitation while others have avoided any discussion of such demands. Governments have also responded by using bargaining about the redistribution of opportunities/benefits in favour of minority groups or the adoption of frameworks that will enhance minority group participation in the decision-making process in national politics and resource distribution.¹³ The response of the Nigerian state to the crisis surrounding oil exploration and oil rents distribution politics has been a mixture of peaceful bargaining and coercion, or what Adejumobi terms paternalism and militarism.¹⁴

Past peaceful strategies led to the creation of development commissions which were put in place to ameliorate the negative effects of oil exploration and assuage the region's feeling of neglect. Such institutions included the now-defunct Niger Delta Development Board, the Oil Mineral Producing Area Development Commission, and at present the Niger Delta Development Commission, established in 2000.¹⁵ Other initiatives have also been instituted since the return to civil rule, including committees to investigate the socio-economic,

environmental, developmental and security problems of the Niger Delta. All of these have offered recommendations on how to address the challenges. These led to among others the establishment of the Niger Delta Ministry to coordinate development efforts in the region. Recently the state has also instituted an amnesty deal and a disarmament, demobilisation and reintegration programme for militant youths. The government has also introduced a 13 per cent derivation principle for oil-producing states. These initiatives represent the core of state conciliatory responses to manage the Niger Delta crisis under the current democratic dispensation.

However, the state response to the crisis in the Niger Delta under democratic rule has also had a highly militaristic component. The Nigerian state has never stopped using force to quell peaceful protests and insurgency in the region. The Odi massacre of 1999 and the massive military operations in Oporoza in 2009 are extreme examples of state military repression under democratic rule. At no time in Nigeria's history has the region witnessed as much violence occasioned by state militarisation as under the present democratic rule. The militarisation of the Niger Delta highlights that military repression remains a major aspect of state conflict management in the region even under democratic rule.¹⁶

The military option and its utility in the Niger Delta

According to Roberts, the hallmark of the state response to protests in the Niger Delta since the decade of independence has been the use of force, which has often bordered on state terrorism, to quell insurrection.¹⁷ While the Umuechem massacre marked the beginning of community mass-based protests, the militarised and violent suppression of dissent in Ogoniland represents the height of state repression under military rule in the Niger Delta during the 1990s. The trail of tears and blood that resulted from the destructive operations of the Rivers State Internal Security Task Force as well as the judicial murder of Saro-Wiwa and his eight Ogoni compatriots are well documented.¹⁸

Since the forceful suppression of the Movement for the Survival of the Ogoni People and the Ogoni people in general, there has been an increase in community protests in the Niger Delta and particularly in the riverine Ijaw communities in Bayelsa, Delta and Rivers states. This can be traced to the increased mobilisation of Ijaw youths under the banner of various organisations of which the Ijaw Youth Congress is the most prominent. Following the Kaiama Declaration, organised Ijaw youth groups engaged in a series of mass protests to press home the demands that had been set out in the declaration. The Nigerian state responded with a military crackdown, resulting in a loss of lives and numerous incidences of human rights abuses.¹⁹ Instead of a reduction in the incidence of military repression of protests and punitive attacks on communities, they have thus continued in the Niger Delta under civilian regimes.

The pattern of violent repression and military occupation that characterised the state's conflict-handling style in the Niger Delta under democratic rule was particularly evident in the military invasion of the Odi community barely six months after the inauguration of civilian regime under Obasanjo. The genesis of the Odi invasion was attributed to criminal activities of hoodlums led by one Ken Niweigha, an indigene of Odi. Niweigha and his gang allegedly abducted and murdered seven members of the Nigerian Police Force sent to the community on 4 November 1999. Five other policemen were killed a few days later, thus increasing the number of policemen killed by the youths to twelve. Because of these criminal actions, Obasanjo ordered the Bayelsa State government to apprehend and hand over the

suspects within two weeks or otherwise a state of emergency would be imposed on Bayelsa State. The ultimatum had barely expired when truckloads of armed soldiers from the Second Amphibious Brigade in Port-Harcourt invaded Odi and razed the community. While the military operation resulted in dozens of deaths, the majority of the hoodlums whose actions had led to the military invasion were reported to have fled the community.²⁰

The military invasion of Odi was roundly condemned by all Nigerians as well as the international community as an act of state terrorism. Attesting to the genocidal intent behind the Odi massacre, leaders of human rights and civil society groups in Nigeria that visited Odi on 8 December 1999 stated:

It is difficult at this stage to establish the number of those killed, but we have received reports of mass burial, mass cremation and the disembowelment and mass dumping of corpses in the River Nun ... No aspect of the community's existence was spared. Places of worship and other sacred places, including sacred forests and groves, churches, ancestral shrines and burial places were demolished ... The Odi invasion by our investigation was premeditated ... So ruthless, savage and thorough was the operation that it could only have been intended to achieve a genocidal outcome.²¹

The act of state terrorism that defined the Odi invasion was re-enacted in the Odioma community in the Brass local government area of Bayelsa State on 19 February 2005. The purpose of the military invasion of Odioma by members of the Joint Task Force was to arrest criminals who allegedly murdered 11 people from the Obioku community on 3 February 2005 and was ordered by the then governor of Bayelsa State, Chief DSP Alamieyeseigha. By the time the task force completed its mission, it had reportedly levelled 78 houses, while scores were dead and many missing. The socio-economic life of the community had been destroyed.²²

The invasion and destruction of Odioma share characteristics with the invasion and massacre in Odi. Both were the result of allegations of criminal actions by youth gangs that were not properly investigated before military forces were deployed. Both operations were conducted with reckless disregard for human life and property and both represented a clear manifestation of the state's misuse of force and epitomised a pattern of militarised response to and management of dissent in the Niger Delta under democratic rule.

As attacks on oil platforms and installations gathered momentum as a consequence of campaigns in favour of sabotage by armed youth groups, repression and the indiscriminate use of force by the Joint Task Force which was deployed to guard oil facilities in the region also increased exponentially. Under the guise of fighting militancy and criminal networks engaging in oil theft, state security forces stepped up patrols of the creeks, waterways and the streets of major cities in the region. The Joint Task Force in most instances engaged in the indiscriminate use of force in its military bombardments and reprisal attacks on communities accused of being sympathetic to and harbouring militant groups or serving as operational bases for oil-theft syndicates.

Instances of the Force's indiscriminate use of force in its war on insurgency and criminality abound. For instance, on 20 August 2006 Joint Task Force members ambushed and murdered 15 youths in a creek in Delta State. The youths had gone to negotiate the release of a Shell Petroleum Development Company worker who had been kidnapped by youths from the Letugbene community in the Warri South-West local government area. The murder followed on Obasanjo's directive to Joint Task Force commanders to resort to the use of force in the region. Earlier, on 15

February 2006, the Joint Task Force had used military aircraft to carry out a massive bombardment on Okerenkoko, Seigbene, Perezuoweikorigbene, Ukpogbene and Seitorububor communities, all in the Gbaramatu Kingdom in the Warri South West local government area.²³

During the first half of 2009, there was increased militarisation in the form of intensified military deployment aimed at strengthening the Joint Task Force in preparation for a military showdown with the militant groups in the Niger Delta region. In May the Joint Task Force launched massive and coordinated land, water and air assaults with the objective of destroying militant camps scattered in and around communities in the Gbaramatu Kingdom that had also come under attack in 2006. The military invasion of the communities was said to be a reprisal attack for the killing of 12 military personnel who had been on an assignment to secure facilities. The assault was a massive military campaign involving the deployment of four fighter jets, 24 military gun boats and three battalions of armed forces personnel.²⁴

Oporoza, the headquarters of the Gbaramatu Kingdom, suffered heavy bombardment resulting in the destruction of several buildings, including the palace of the traditional ruler and the community's guest house. The attack was extended to several communities in the area, including Kurutie, Benikurukuru, Kunukunuma, Okerenkoko, Goba and Abiteye. These military attacks left a number of persons dead (the majority of whom were children, women and the elderly), numerous persons were reported to be missing and thousands were displaced. While the military high command boasted that the operation was a huge success, the media assessment was that the military assaults created nothing short of a humanitarian disaster in the affected communities in Delta State.²⁵

While the Joint Task Force command basked in the glow occasioned by the media coverage of the operations, the militants were busy regrouping and planning their revenge on the nation's economic nerve centre – the oil installations. One month after the assaults on Gbaramatu, MEND militants declared 'Hurricane Piper Alpha' and 'Hurricane Moses'. These were planned operations aimed at blowing up pipelines, flow-stations and other facilities with the aim of crippling the nation's economy. On 17 May 2009, at the peak of the military offensive, the Nigerian Gas Company pipeline was destroyed; on 18 May the Escravos-Warri Petroleum Products Marketing Company pipeline was destroyed; on 24 May the Abiteye-Escravos pipeline was attacked; on 10 June the Utonna flow station was destroyed; on 12 June the Makaraba-Abiteye pipeline was sabotaged and the Makaraba 5 and Abiteye 1 well heads were attacked; and on 14 June the Abiteye Jacket 1 Christmas tree was blown off. In a show of defiance against the presidency and command structure of the Joint Military Task Force, militants blew up the Shell pipeline in Bille-Krakrama on 25 June, the day on which then President Umaru Musa Yar'adua announced his amnesty programme.²⁶

Reacting to the Joint Task Force's boasts of success in the face of crippling militant attacks on oil installations, Asari Dokubo asked: 'Yea [they destroyed militants camps] but what about the pipelines? They are there to protect the oil facilities! What is happening to the oil facilities?'²⁷ Ejiro Idama, a policy analyst, expressed a similar opinion:

After weeks of intense bombing, destruction and displacement of civilians in the Gbaramatu area of Delta State ... the military high command can hardly beat its chest in triumph ... The best they [the Joint Task Force] have managed to achieve is a reduction or shut-in of 1.3 million barrels of crude oil for the country. Huge economic losses the country, already in dire straits, can hardly afford.²⁸

The declining production level and its economic implications, heightened insecurity and international pressure, can be explained as the rationale that compelled the federal government to proclaim a hasty amnesty to pacify militant groups and gain a breathing space for the economy.

The futility of military deployment in the Niger Delta

Maintaining the delicate balance between the need to secure oil installations and to prevent human rights abuses, as well as to avoid unwarranted collateral damage, has resulted in it being problematic for the federal government to justify its continued military operations in the Niger Delta region. While some people in the region see the necessity for the military deployment in terms of securing critical oil infrastructures, others point out that the deployment has not only failed to rein in militant attacks but also caused untold human destruction, suffering and human rights abuses. In an interview, Professor Eghosa Osaghae responded to a question on the utility of military deployment as follows:

The situation in the Delta is a dicey situation as no responsible government can sit by and watch strategic installations destroyed by militants whether they are citizens or not. However, given the heightened situation in the region, the presence of the military even if it is essential for civil purpose will boomerang and that is what is happening in the region. In the light of the complication of the agitation, the military deployment only sent a wrong signal which makes the deployment appear like a wrong step whereas those installations need to be protected.²⁹

Commenting on the futility of military deployment, Governor Emmanuel Uduaghan of Delta State was quoted to have stated:

I believe that the way it is now, a military intervention will not solve the issue of the Niger Delta. The military might win a fight in the Niger Delta, but the military will not win the war in the Niger Delta, because the war of the Niger Delta is quite intricate and is not a straight-forward war. What do I mean by the military might win the fight? Yes if you order troops into the creeks, they will destroy camps and villages and the boys (militant youths) will disperse. When they disperse and enter towns and cities what happens? Of course they can do a lot of damage to oil installations. Can the military protect all the pipelines running in the Niger Delta?³⁰

Lending his voice to the argument on the futility of military operations in the region, Ledum Mitee noted:

High ranking persons within the military circles have commented that this is not a military issue. That what is required is engagement. The so-called military option is not going to produce any good result absolutely. You are only going to create a chance for people to commit gross human rights abuse mostly against innocent people. Military option is clearly not the option. I think it shows that they [the federal government] don't have a clear appreciation of the problem.³¹

Mitee's position was repeated by General Owoye Andrew Azazi (retired) who cautioned against the use of armed forces as a means to address the recurring crisis in the Niger Delta and who

argued that the militaristic measures would be counterproductive in the long run. General Azazi stressed the importance of a political settlement: '[T]he development in the region was political and that it requires political not military solution.'³² This was a far-reaching statement, coming from one of the top commanders in the military establishment itself, and it confirmed the futility of military engagement.

Decrying the federal government's heavy security budget, the *Daily Champion* newspaper made the following comments in an editorial:

As we argued in the past, the amount of money being voted for security in the region is by far more than what would be needed to achieve peace through the development of the region. When what the federal government, the state governments and oil and gas companies are spending on security is calculated in any given year, it would be discovered that such funds deployed to developmental ends would go a long way towards dousing the palpable tension and militancy in the area.³³

The editorial reiterated the *Daily Champion's* often stated position that militarisation of the zone could not be regarded as the solution to the crisis. The editorial further states that pouring money into security rather than development projects would not solve the problem either, as any peace secured in this manner would only be the peace of the graveyard.³⁴

The positions quoted above mirrored the conclusion that was reached by the Special Security Committee on Oil Producing Areas, led by General Ogomudia, as set out in the executive summary to the committee's report. This report was submitted to the federal government of Nigeria in 2001. The committee argued that:

Enduring peace anywhere, particularly in the oil producing areas, cannot be achieved by militarization or the security approach. While one cannot deny the obvious criminal elements, which have to be firmly dealt with by the application of the Law, the Committee is convinced that problems of the oil producing areas can be best solved through two broad approaches, which must be implemented simultaneously. The first approach is the development of infrastructure such as roads, housing, electricity, water, employment generation and economic empowerment of the people of the area. This approach once initiated and recognized by all the stakeholders, would make it easy for the implementation of the second one, which is effective enforcement of law and order.³⁵

In this submission the committee affirmed that the success of efforts at addressing the security crisis in the region is highly contingent upon the comprehensive resolution of the development challenges underpinning dissent in the Niger Delta. The submission highlights the centrality of a political solution to the Niger Delta crisis.

Conclusion

While no responsible government will condone criminal actions, the disproportionate and indiscriminate use of force and disregard for the safety and security of hapless individuals by the members of the Joint Military Task Force, the attendant loss of hundreds of lives and destruction of property are unconscionable and unacceptable. The avoidable collateral damages associated with the military assaults have resulted in the military forces being seen as an army

of occupation by many people in the Niger Delta region. Such military 'occupation' and concomitant repressive operations indicate the willingness on the part of and resolve of the civilian regimes of the Nigerian state to use the same coercive methods that were employed by past military regimes and are indeed reminiscent of the latter's militaristic conflict-handling style in the region.

The military occupation is a continuation of a series of federal government actions in the Niger Delta that have failed to distinguish between those allegedly responsible for criminal acts, activists making political demands for resource control and environmental restitution and development, and civilian bystanders who are neither criminals nor activists. Far from quelling agitation, state brutality has worsened the conflict situation in the region, as it undermines those who urge non-violent negotiation and hardens the position of those who argue that the Niger Delta peoples must take up arms to make their case. Rather than military deployment, the path to sustainable peace in the Niger Delta lies in constructive political engagement directed at addressing the socio-economic, political and environmental grievances which form the root causes of the protests and dissent in the region.

Notes

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