

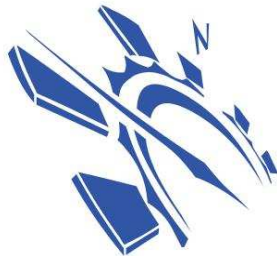
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Under Reconstruction: Ethnicity, Ethnic Nationalism, and the Future of the Nigerian State¹

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Abstract

This article, using a diachronic approach, advances the argument that a genuine national cohesion and the future of the Nigerian state cannot be fully guaranteed in the clear absence of addressing the inherent structural defects of the country's malfunctioning federalism. The Nigerian post-colony is, presently, confronted by the challenges pose by ethnicity/ethnic nationalism with negative consequences of political ethnicity, ethnic conflicts, etc. It is argued that the entrenchment of plural democracy has the capacity to address the lopsided policies of the central state that are at the peril of the weakening federating states and most importantly, the oil-bearing ethnic minorities of Nigeria's Niger Delta. In addendum, the article argues and demonstrates that democracy in the real sense of it has the potency of democratising the Nigerian nation-state; strengthening of mediatory and regulatory institutions; promoting intra- and inter-ethnic relations, etc. The agitations and activities of the oil-bearing ethnicities and various ethnic social movements of the Nigeria's Fourth Republic for autonomy and social justice were used to buttress this article basic arguments and concludes with the government's efforts in addressing Africa's most populous country's multilayered ethnic problems.

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Introduction: A Sketch of the Context

Nigeria transitioned from military authoritarianism to multi-party democratic governance on 29 May, 1999 under the leadership of General Abdulsalami Abubakar, who became the head of state and commander-in-chief of the Armed Forces following the sudden death of his predecessor, the maximum ruler General Sani Abacha on 8 June 1998. Since this date, the country has been bedevilled by all forms of violent social conflicts. Many innocent citizens have lost their lives and properties worth millions of dollars have equally been destroyed. In Nigeria, like in other plural African societies, these social conflicts that are now threatening the institutional stability, political order, national cohesion, and survival of the multiethnic Nigerian post-colony have taken a definite pattern. They are now being championed by the various ethnic militant movements that are agitating for equity, social justice, regional autonomy, and their own significant slice of the proceeds from the country's resources popularly known in Nigeria as the 'national cake'¹. Undoubtedly, Nigeria is a country that is blessed with stupendous human and material resources, but ironically, the same country has become the bastion of inequitable state policies, injustice, barefaced corruption, social decay, poverty-ridden, etc., where ethnicity has pervaded every facet of the country's life, and more fundamentally determines who gets what, when and how. In a nutshell, these social conflicts are function of social frustrations on the part of the disadvantaged ethnic groups arising from failed expectations of government to deliver the basic socio-economic needs.

In this study, my research explores the primacy of ethnicity, ethnic nationalism, and enters in to critical discussions on the activities of the various ethnic militant movements purposely to examine their implications for the survival of Nigeria. In doing this, I deem it pertinent to contend with the various posers. First, what are the historical roles of ethnicity in the Nigerian polity? Second, what account for the upsurge in the activities of ethnic militant groups in the pre- and post-29 May, 1999 Nigeria? Third, what are the structural problems within what I refer to as the 'defective federation' baptized Nigeria that are now compelling various ethnic minorities to violence with the overall aim of achieving their goals of de-marginalisation? Fourth, are the activities of the ethnic militant organisations the bane to the corporate existence of Nigeria or contribute to the vibrancy of democratic politics in the country? Fifth, what are the government efforts/policies aiming at redressing these historical structural neglects? These and many other vital questions constitute the research conundrums of this study.

To really fathom the import of ethnicity, ethnic nationalism and ethnic militant organisations, and their impacts on the Nigerian post-colony and democratic processes, it is imperative that we enter into scholarly discursions on the significance of ethnicity in the country's political history. This is fundamental for three mutually reinforcing reasons. First, by examine the history of ethnicity in Nigerian politics, we stand on a better platform of discovering the historical abuse [or otherwise] of the concept from the inception of the country and how this is manifested in the subsequent transitions of power between the same group of autocrats—whether in civilian or military uniforms. Second, a firm grasp of the centrality of ethnicity in Nigerian politics provides adequate basis for us to appreciate the issue of marginalisation as one of the antecedents to the collapse of socio-political order in the country. It is apparent that in Nigeria [as elsewhere in Africa], the state is at the centre of these crises for its non-representativeness and above all, non-responsive to all sections of the population (Badmus, 2006); implying that, the Nigerian government and popular interests are diametrically opposed (Ujomu, 2003: 25; see also Nolutshungu, 1996: 2). This is equally true considering the situation in the highly militarised and volatile Niger Delta [ND] region of the country that has become one of the hotbeds of ethnic agitations in recent years. Third, the marginalisation of ethnic minorities is a function of the inherent lapses in the defective Nigerian federation, thereby promoting ethnic consciousness in all facets of the state's life (Badmus, 2003a&b; 2005; Badmus and Ogunmola, *n.d*; Osaghae, 1986; 1991; Suberu, 1996: xi-xiii). Thus, ethnic movements serve the interests of de-marginalisation of different ethnic nationalities, as well as ethnic politicking in the context of democratisation.

The practical implication of this study lies partly in its ability to contribute to the self-reflection within the various ethnic nationalities, ethnic movements and their leadership concerning their roles in the restructuring of a stable state--civil society relations and in the democratisation process. The analysis may also have practical implications for other actors [be it social, religious, etc.] within Nigeria, who have interests in a democratic, stable and conflict free Nigerian state. In the wider context, the relevance of the study lies in its ability to contribute to the proper understanding of the preconditions of democratisation in the construction of civil societies and their relations to the processes of state formation. In this respect, the study contributes to the current debate among scholars and policy makers on how to explore and suggest alternative strategies for the creative of ordered, ruled-based, peaceful and more equitable accommodation and resolution of Nigeria's ethnic problems.

Following from the above background, this study is reported in five segments, viz:

1. Ethnicity: What is it?.
2. The Historical Context of the Problems of Ethnicity in colonial and Post-Independence Nigeria.
3. The Nigerian Post-Colony, Ethnic Nationalism, and the Crisis of Governance.
4. Reconstructing the Nigerian-Post Colony: The Obasanjo's Administration Roadmap to a Conflict free Nigeria.
5. Conclusion and Policy Considerations.

1. Ethnicity: What is it?

Before we venture into the arduous task of elaborating on the key arguments of this paper, it is necessary to do some exercise in the clarification of the meanings of the central concepts use in this study. First, *ethnicity*, a social phenomenon, is a function of the existence of a multiplicity of 'ethnic groups' as it describes in-group/out-group relations. In this respect, Osaghae (p. 138) defines ethnicity as "individual or group behaviours based on ethnic group differentiation, usually in a competitive situation." To really understand ethnicity and its potency in an ethnically segmented society such as Nigeria, we must first of all have a proper grasp of the meaning of an ethnic group and find answers to the reasons why such identity and ethnic loyalty become fundamental bases of individual and group behaviours. Ethnic groups may be defined as categories of peoples characterised by cultural criteria of symbols including language, value system, and normative behaviour, and whose members are anchored in a particular part of the new state territory (Otite, 2000: 10). Also, other scholars (Shibutani and Kwan, 1965: 47) gave an explicit definition that sees an ethnic group as "consists of people who conceive of themselves as being of a kind. They are united by emotional bonds and concerned with the preservation of their type. With very few exceptions, they speak the same language...and they have a common cultural heritage."

One fundamental thread that runs through the definitions offered above is that an ethnic group has both objective and subjective aspects. In the first category, i.e. in objective terms, we have scholars (Otite, 2000; Geertz, 1973; Jinadu, 20903) that see an ethnic group as having a collective proper name; a myth of common ancestry; shared historical memories; one

or more differentiating elements of a common culture; association with a specific homeland; and a sense of solidarity for significant sectors of the population. As sound as these elements are, it is important to agree with the fact that, while they are necessary, they are not sufficient to define an ethnic group because, as Osaghae (n.d) rightly argued, it is basically behaviour-oriented and dynamic rather than static. On the other hand, in subjective terms, an ethnic group is said to exist when its members define and see themselves as such in their relation with 'outsiders' who also recognise the group of identity. Thus, the subjective sense of common identity is almost developed only in the context involving relationships among two or more ethnic groups. Apparently, the subjective nature of ethnic group signifies the imperative of ethnic consciousness in defining it, and suggests that, 'to borrow the words of a class analysis, an ethnic group is one which has transformed from being an ethnic group in-itself to an ethnic group for-itself; (Nnoli, 1978: 7 cited in Osaghae, n.d) or from ethnic 'awareness' to ethnic 'consciousness' (Giddens, 1973: 111).

The various definitions offered by scholars do not deny the imperative and existence of contextual differences in characterising ethnic groups in various societies. Following from the foregoing analysis, Osaghae (n.d) utilises the definition offered by two American sociologists to explain this scenario. An ethnic group is, according to Theodorson and Theodorson (1963), "a group with a common cultural tradition and a sense of identity which exist as a *sub-group* of a large society" [emphasis added]. Theodorson and Theodorson's definition points to the fact that in the American context, an ethnic group is nothing more than a minority group. If that is the case, the poser then becomes: what are the defining elements of ethnicity in Africa? In the specific case of Africa, scholars agreed on both the potency of language and the myth of common descent. Without a doubt, these two instruments support the fact that many ethnic groups of the contemporary era are 'new' creations which owe a lot to the 'ethnicising' process of getting each of them together. Certainly, language and myths were the principal instruments utilised in the process. Expanding on this discourse, Osaghae (n.d) contends that, "in terms of language, the creation of most ethnic groups was facilitated by the endeavours of missionaries and colonial officials who developed standard language from similar dialects. The standard languages provided the launching pads for the vanguard of ethnicity who were 'nationalist' elites."

Furthermore, in a situation where language was insufficient to galvanise ethnic solidarities, it is usually combined with the myth of common descent. This myth of common

descent was very fundamental even before colonialism and was vital to the unity that existed among the pre-colonial groups. In a nutshell, in contextualising an ethnic group in Africa, all-encompassing definitions should recognise the specific nature of ethnicity which is not a static, all-pervading, ever-present phenomenon. Instead, it is dynamic and intermittent, and its salience is often situational.

As might be expected, delving into the situational character of ethnicity raises the issue of ethnogenesis. This simply means the etiology of ethnicity and enquires into its whys and hows. Since several scholars subscribe to different school of thoughts on the crucial issue of ethnogenesis, at the risk of banality, we shall broadly analyse their works under two perspectives, viz: the Involuntary/Non-rational, and the Voluntary-Instrumentalist perspectives

1.1. *The involuntary/ non-rational perspective*

This is the *natural* thesis that sees ethnicity in psychologically reductionist prismatic lenses. Central to this approach is the position that ethnic identity is natural and not something that individual rationally decides to assume. Since it is natural, individual is choiceless in matter relating to it simply because it is an unchanging legacy of one's birth. In this respect, Geertz (1963: 110) sees ethnicity as one of the 'givens' of life, which flows "more from a sense of natural—some would say spiritual—affinity than from social interaction." In the non-rational perspective, two variants are extant. In the first category, we have pundits (Geertz, 1963; Doombos, 1972; Gutkind, 1970) that see ethnicity as the natural state of an underdeveloped society which modernisation is capable of withering away as a result of the incorporation/inclusion into a national culture, and replaced by more 'rational' identities like class. Other scholarsⁱⁱ, in contrast to the first variant argue that, rather than quitting, modernisation oftentimes heightens ethnicity/ethnic conflict. Thus, ethnicity, according to these scholars, rather than being a sign of underdevelopment, is a natural, no-choice identity that is everlasting and permanent to each and every one and which his biological existence bestows as a resource in his interaction with other people (Shils, 1967).

Involuntary/Non-rational approach to the study of ethnicity has been flawed on three major grounds. First, its emphasis on the naturalness of ethnicity is obviously misleading.

This is because it fails to recognise its dynamism and account adequately for its potency in one society and irrelevancy in other situation. Second, it seems that the involuntary perspective overromanticised its naturalness thesis to the extent of overlooking the socio-economic and political environments of ethnicity. This mistake is costly in that it diminishes its academic soundness because ethnicity depends on social forces and impulses. Third, while credit must be given to scholars that follow this approach on their recognition that ethnicity is a permanent form of moral obligation to one's fellow ethnic, Osaghae cautions that "it overlooks the fact that many individuals have a relatively weak and diffused loyalty that imposes no particular obligation to help one's kin." In spite of these weaknesses, the perspective is useful and additional tool for students of social change in Africa and other developing world principally because it sees ethnicity as an adaptive mechanism in the alienating milieu which attends the process of social change.

1.2. *The voluntary-instrumentalist perspective*

The basic thrust of the voluntary-instrumentalist perspective is that it sees ethnicity as a voluntary, situational, functional, and pragmatic response to socio-economic and political pressures as well as a basis for group action. Unlike the involuntary/non-rational perspective, ethnicity in the instrumentalists' contention is a dependent variable and its importance is attributable to the conscious efforts of individuals, classes and groups who mobilise ethnic symbols and supports to further their competition with others for scarce resources. And like the involuntarist scholars also there is a variant of this approach, viz: the scarce resources school and the Marxian school, but the common thread that runs through their positions is that ethnicity is rooted and prompted by competition for scarce resources which individuals and groups mobilise as an instrument to realising perceived economic gains. Let it be clearly understood that the two variants do not differ much on the circumstances under which ethnicity comes into play but how ethnicity does, especially, in relations to the role of classes in this process.

Furthermore Eghosa Osaghae, in the same classic work, probes the function of classes in ethnogenesis; which he identified two perspectives that, in varying degree, roughly equate the scarce resource-marxian dichotomy. The first perspective stresses the similarity between ethnic groups and classes for, according to the proponents of this view, ethnic groups are rational interest groups which may lack primordial importance. Furthermore, it is possible to

contend that, while ethnic groups may be rational competitors, it is oftentimes very hard to find any one which lacks primordial significance (van den Berghe, 1976). Not surprisingly, some scholars hold the view that ethnic groups are in actual fact classesⁱⁱⁱ. In this respect, the author submits that “what can be discerned from these views which intersect class and ethnic groups, being rational, are basically products of the competitions for scarce resources, rather than primordial entities. But, while it is true that modernisation heightens ethnic consciousness and conflict, the fact of competition does not remove their primordality.”

Turning to the Marxists, their basic postulation is that since all economic relations are primarily class relations, ethnicity is *epiphenomenal* and its nature is a function of the class arrangement/relationship in the society. One important point that needs to be clarified is that the Marxist position, certainly, does not relegate the potency of non-materialist forces like culture and language to the background, but its argument that the imperative of these primordial force can only be meaningfully comprehended within the framework of class analysis. In line with then Marxian thesis, ethnicity, especially in the African context, is mobilised and employed by the bourgeoisie to further their parochial interests/gains. Without any iota of doubt, the radical African academics^{iv} found solace in the Marxist thesis. Despite the fact that the approach helps in no small way to differentiate ethnicity in Africa from ethnicity in country like the USA, where in class terms, ethnicity is said to be a ‘middle-class’ or ‘working class’ phenomenon (Gans, 1979), its analytical deficiency stems from the fact that it sees ethnicity as resource to be mobilised only by the bourgeoisie; implying that the proletariat are non-rational actors that are excluded from using ethnicity to further their interests. This position is challenged in the sense that the ethnic resource, like any other interest-begotten resource, can be used by anybody irrespective of his/her class, depending on his perception of any situation. Finally, Osaghae submits that the instrumentalist perspective of ethnogenesis is very useful because:

it accords perfectly with the dynamics and situational characterisation of ethnicity by specifying the conditions under which ethnicity is likely to be a salient force. However, by narrowing down the arena of ethnic competition and conflicts to the economic and political market and the class divisions which underlies it, the perspective tends to deny ethnicity any amount of independence or relative autonomy. It undermines the fact that there are ethnic manifestations that are primarily cultural and perhaps not relevant to all problems of conflict and competition. Ethnicity does have a relative autonomy, in some respects at least, because it always has a primordial pedigree. Elements like language and culture conflicts may not be as volatile as those instigated by competition for economic resources, but they exist and, in most cases, affect the totality of ethnic relations. In any case, if ethnicity does have a certain amount of relative autonomy, it would be wiped out when the ethnic groups on which it thrives are frustrated out of their struggle by their failures in the competition!.

2. The historical context of the problems of ethnicity in colonial and post-independence Nigeria

2.1. *The Pre-Independence Period, 1914—1959*

Most African states are multi-ethnolinguistic societies where both the ‘major’ and ‘minor’ ethnicities are locked-up in a protracted competition for the control of state power, larger access to scarce resources, both social and material at the expense of others. In this kind of society, inter-ethnic showdowns are expected especially from the particular ethnic nationality that feels deprived, and if not properly checked, the Hobbesian problem of social order of the war of each against all will definitely ensue. Nigeria is one of the numerous African countries that typify the picture painted above. The potency of ethnicity in Nigeria can only be meaningfully understood within the context of interrogating the entrance of ethnic consciousness in the Nigerian society and the country’s attempt at independence.

Nigeria was and still is a project rather than a reality. This project eventually became one entity in 1914 due to the amalgamation of the then Northern and Southern protectorates by the British colonial administration. To be sure, the 1914 amalgamation impacted, *either positively or negatively*, on the country’s future. This is because the colonial administrators relied too much on force as an instrument of subduing the local populace in furthering their parochial interests. Consequent on the threatening image of the colonial state, the indigenous people were compelled to look for assistance and survival in the traditional solidarity groups such as the ethnic and national groups; that ultimately became the nucleus of resistance to colonialism. Furthermore, the urban centres that are supposed to be the melting-pot of parochial identities failed to achieve this objective because colonial rule was recreating traditional solidarity groups and ethnocentrism (Ake, 2000: 98).

Thus, the colonial rule was self-centred at the expense of their hosts in line with the fact that the political economy of the colonial state was purely designed to serve the interests of the metropolis for little [or no] attention was paid to the social welfare of the indigenous people. The colonial administration’s insensitivity to the social welfare system was evidenced in the quickness or rapidity at which ‘improvement’ or urban associations of people from the same rural background, ethnicity or nationality was spawned in the colonial cities. Because

most of these associations provided rudimentary forms of social welfare system to their members, these associations overrode the state as the primary focus of political allegiance.

Expectedly, the self-centredness of the colonial administration revived ethnic consciousness in the indigenous people, which, by extension, survived the colonial state itself. The colonial state's failure to command the much needed political allegiance of the indigenous population thereby exposed the system to chaos because "Nigerians individually and collectively tend not to have allegiance to the *state* imposed by the British in 1914...Hence, most Nigerians irrespective of their nationalist claims have the tendency to first identify with their ethnic root before identifying themselves as Nigerians." (Kalu, 2004: 9)^v Resultantly, ethnic consciousness in Nigeria, sooner or later, metamorphosed into political consciousness. This is because ethnic/urban associations were able to provide the required leadership to the rural dwellers and above all, political enlightenment. The point is that the arbitrary nature of colonial rule brought forth nation-wide solidarity among the indigenous people to confront oppression and its machinery^{vi}. Interestingly, these ethnic associations provided the platform for nationalist activities in the country as the first nationalist movement to oppose British colonialism was a product of ethnic associations/mass organisations. In spite of the plural character of the Nigerian society, the Nigeria National Council [NNC] which was at the vanguard of resistance to colonialism was seen as Nigerian voice since it drew its supporters across the country contrary to the sinister goals of the colonisers. It is disheartening that despite the potency of the NNC and its leadership as obstacles to the advancement of colonialism, it failed woefully to withstand the pressure of the British. This is because the glue that held the nationalists together was eventually fractured with the adoption of the Lyleton Constitution of 1954. A product of the 1953 and 1954 Constitutional Conferences, the 1954 constitution officially laid the foundation of 'federalism' in Nigeria's political history. Under the 1954 constitution, Nigeria became a federation of three regions--North, West, and East--with North bigger than the remaining two regions combined. According to Suberu (Suberu, 1996: 17), the "obvious and increasingly vociferous victims of this regional arrangement were the diverse minority groups which comprised roughly about 1/3 of the population of each of the three regions...Fearing or alleging political domination and socio-economic discrimination under the tripartite regional system, these minority groups embarked on a vigorous campaign for new regions or states in which their minority status could be substantially ameliorated, or completely eliminated." With the 1954 'federalist' constitution,

residual power was vested in the regional government under the leadership of regional Premier, who was the leader of the majority party in the regional legislature. Consequently, ethnicity became politicised because the then nationalist leaders- Alhaji Ahmadu Bello, the leader of Northern People's Congress [NPC], Dr. Nnamdi Azikiwe of the National Council of Nigerian Citizens [NCNC], and Chief Obafemi Awolowo, leader of the Action Group [AG]—saw, considered, and eventually paraded themselves as regional leaders to champion ethnic causes and above all opted for power in the region instead of remaining in the central government which was still under British colonialism (Ake, 2000: 99). In the ensuing election, the ethnicisation of politics became apparent with the three political parties winning decisively in their respective regions. In this respect, Ken Post (1963: 13) contends that, 'from 1951 onwards...nearly all Igbo supported the NCNC, most Yoruba backed the Action Group, all but a small minority of the Hausa and Fulani were associated with, if indirectly, the NPC.'

The foregoing developments contextualised the upsurge of ethnonationalism as a prelude to the country's political independence in 1960. As already emphasised, the 1954 constitution puts in place arrangement that is very adversative to a federal system of government in the real sense of it. Why this assertion? This is because the Northern region was bigger than the other two regions combined. Worse still, within each region, there were ethnic minorities that contested the 1954 arrangement because, despite the fact that the 1954 constitution expanded the scope of electoral politics and the gradual transfer of political powers, the dominant political parties represented dominant ethnic interests within the federating regions, and that those outside these ethnic blocs, but subject nonetheless to the regional governments, would be at a serious political and economic disadvantage (Mustapha, 2000: 87). Thus, ethnic minorities within each region of the federation saw themselves wallowing in the problem of, and akin to a majoritarian dictatorship whereby majority interests held sway, and minorities had no say. This situation must have prompted Mustapha's conclusion that minority identity developed, not necessarily as a question of number or cultural differences, but as recognition of their 'powerlessness' in the face of ethnicised electoral politics. This development compelled the Secretary of State for the Colonies to set up Henry Willink Commission of Inquiry in 1956 to establish the genuineness of fears of ethnic minorities. Apart from the fact that the Commission ascertained the fear of ethnic minorities, it also confirmed the backwardness of the region concerned and the neglect of these people. The causes of ethnic minorities fear, according to the Commission's Report

(1958):

Arises from two circumstances. First, the division of the whole country into three powerful Regions, in each of which one group is numerically preponderant, and secondly, the approach of independence and the removal of the restraints which have operated so far. Reference to these restraints was in some areas explicit in others implicit; it was everywhere the essence of the case put before us that the fears and grievances of which we heard today were indications only of trends likely to become much more serious when independence was attained.

In spite of the genuineness of the minorities' agitations, the Commission was convinced that the problems' solutions lie in the political process rather than states creation. On the issue of state creation, the Commission was of the view that the new states would not eliminate the minority problems, instead would put heavy administrative and financial cost on the emerging federation and would perpetuate separatist sentiments that 'might otherwise disappear' (Willinck Commission Report, 1958, see also Suberu, 1996: 18). The Henry Willinck Commission went ahead to recommend 10 years of human and industrial developments. It recommended among other things, "the constitutional entrenchment of bill of rights and the creation of a special commission to address the peculiar environment problems of the Niger Delta minorities, and hoped that the emergence of national political parties after independence would help to allay the fears of the minorities" (Osaghae, 2002: 10; Osaghae, 1996). Furthermore, the Commission proposed the establishment of minority areas in Benin and Calabar provinces; the protection of non-Muslim minorities in the North via the implementation of legal reform; the creation of a national nay regionalised police force, etc.

Despite the fact that most of the minority groups demanded for a more balanced federation by securing their fundamental human rights, increased access to political participation and power, and above all their demand for local autonomy, it is heartening that they still supported the continuation of the Nigerian federation. This agitation of the minorities for their voice to be heard as well as their activities contributed to the vibrancy of democracy in Nigeria, because their agitation led to an increase in the level of political consciousness that resulted in the formation of political parties that started challenging the majority political parties in their respective regions. The multiplicity of political parties, laudable as it was, became not only problematic but also, a curse on the country as Nigeria was highly polarised along ethno-cultural cleavages. Leaders of political parties were locked up in protracted struggles that, ultimately, exposed the concealed structural weaknesses of the country's federalism. These leaders were much more interested in protecting their respective

power bases instead of finding solutions to the inherent structural deficiencies within the federation so as to rise above particularistic interests. The failure of finding solution to the lingering Nigeria's political crisis graduated to the 1959 Federal elections that were expected to usher Nigeria to independence.

The 1959 Federal elections were marred with the problem of ethnicity in the sense that no single party was able to have majority vote to rule the country. The 1959 election results were: the NPC 134, the NCNC 89, the AG 73, while the remaining 16 seats went to the independent candidates (Dudley, 1982: 61). The election results confirmed the assertion that these parties were regionally based parties; thereby relying on ethnic supports from their respective region. At this particular point, ethnicity was seen by the political elite as the basis of their electoral support, while the electorates themselves favoured politicians from their ethnic stock. Most voters "tended to judge the parties not by their activities as part of the political systems, but by the much more fundamental yard-stick of the supposed relationship between the electors' ethnic group and others." (Sklar, 1963: 474; Sklar, 1965). What became pathetic and discouraging was the fact that no party was strong enough to form the government at the Federal level; hence the federal government was formed by the NPC and the NCNC coalition, while the AG became the opposition party. Under the Westminster Parliamentary democracy, Dr. Nnamdi Azikwe, the leader of the NCNC became the President, while Alhaji (Sir) Abubakar Tafawa Balewa, the deputy leader of the NPC, was the head of government and Prime Minister. Sooner or later, the NPC-NCNC coalition government collapsed due to a plethora of ethnically loaded issues, and the lust for power that saw the frictions between the two parties on the one hand, and between the government at the Federal level and the opposition party, the AG. In a nutshell, the crisis that followed the 1959 Federal elections prepared the breeding ground for conflict in the post-independence Nigeria.

2.2 *The Post-Independence Period, 1960—1999*

As already noted, politics in the Nigeria's pre-independence period was hindered by the negative utilisation of ethnic weapon. Politics became an elite game and luxury to the masses. These 'illiterate' masses became pawns in the elite game of politics (Dare, 1989: 112). The major acid test for the new federal government was the crisis that hit the opposition AG, the party that has been a torn in the flesh of the NPC/NCNC coalition since 1959 Federal

elections. The Western regional crisis provided the much-awaited opportunity for the federal government to finally deal with, or to use the appropriate word, 'destroy' the party. The crisis that hit the party centred on the different political views, and open personality conflict between the party leader, Chief Obafemi Awolowo and his deputy, Chief Samuel Ladoke Akintola. The root of the crisis can be located within the context of the mode of coexistence of the AG with other parties in the federation, that is, on what strategy the AG should adopt to maintain itself and possibly expand its influence. While Chief Awolowo wanted to spread the party's tentacles and activities across the federation, Chief Akintola's thought was on the contrary. In Chief Akintola's opinion, it would be advantageous for the AG to limit its operations and consolidate on its regional base, without attempting to challenge its rivals in their own zones of influence. In Chief Akintola's conviction, this would guarantee the AG a home base from which it could work out an acceptable *modus operandi*. The opposing ideologies of the two leaders were later 'exported' to the Western Regional House of Assembly where pandemonium ensued. This finally led to the declaration of the State of Emergency in the West with the suspension of the Western regional government and the appointment of a Sole Administrator with unlimited powers; while the leaderships of the AG including Chief Awolowo were arrested, charged for felony, and finally bagged 10 years' jail terms. Consequently, the machinery for the dismemberment of his political domain through the creation of a new state was quickly set in motion. In the face of this persecution, members of the embattled party defected *en masse*; its strength in the House of Representatives fell rapidly from 73 to 13. Evidently, the implications of the Western Region crisis on Nigerian politics were that after ruthlessly routing the Action Group and gaining seven additional seats at the House of Representatives, (thus earning an absolute majority in the legislature), the NPC grew in confidence. However, the political crisis in which the country was engulfed and the growing confidence of the NPC precipitated a great deal of tension between the NPC and its coalition partners, the NCNC. This tension portends the inevitability of confrontation (Ake, 2000: 102).

The Western regional crisis led to the split of the AG. Chief Akintola and his supporters decamped and formed the United People's Party [UPP] and this party eventually aligned with the NCNC and became the regional Premier. The implication of this was that, the AG became the opposition party in its own base. The AG became a shadow of itself with the carving out of the Mid-West region from the Western Region in 1963. This political situation

was too severe for the AG. For example, in one of the most shameful displays of the politics of hatred cum politics without principles/policies, the NCNC, a southern party joined hands with a Northern party, the NPC, to destroy the AG, another Southern party. Ironically, as the crisis which led to the civil war escalates, the East, the cradle of the NCNC, hoped that Chief Awolowo, whom it had persecuted would support it against the North! Till today, the seeds of hatred and suspicion sown in those early years of independence continue to influence political alignment today (Ikime, 2002: 57).

Apart from the crisis that rocked the West, the years between 1962 and 1966 were so tensed in the political annals of Nigeria for the succession of political crises that centred on ethnicity that enveloped the country. The population census of 1962-1963 boiled the polity. It should be recalled that the basis for the Northern ethnic cum political dominations of Nigerian polity was the census. Let it be clearly understood that the census figures were vital for resource distribution to the regions and revenue allocation. Thus, it became a political weapon and subjected to manipulations. The crisis ensued when the South rejected the census results for alleged manipulations. The census figures released in July 1962 gave the North a “30 per cent population increase from 17.3 million to 22.5 million; that of the East increased by 71 per cent and that of the Western region by 70 per cent” (Aluko, 1965; Ake, 2000: 103; Osaghae, 2002). The fury that greeted the 1962 census from the South necessitated another census in 1963, the results of which were published in February 1964. The results were not much different from the previous one. Expectedly, the new results were equally rejected by the South as Southerners believed it would reinforce northern political domination. The political crisis was the 1964 General Elections. Ethnicity was brought to the fore during the campaign as the whole exercise was reduced to anarchy. As a result of the crisis that marred the elections, animosity ensued between the leaderships of the NPC and the NCNC. Consequently, President Azikiwe refused Prime Minister Balewa to form the government. In the deadlock, going by Ake’s words, “*ethnic antipathies* grew to alarming proportions, and civil war and political disintegration looked increasingly likely.” [Emphasis added]. This charged political atmosphere, coupled with the 1965 Western House of Assembly elections crisis dealt a final blow to Nigeria’s First Republic as the country experienced its first military coup d’etat on 15 January 1966 with Major General Aguiyi Ironsi as the new Head of State and Supreme Commander of the Armed Forces^{vii}

The entry of the military into the Nigerian political scene compounded the already

charged ethnic politics of the epoch. This is because the coup d'état was, rightly or wrongly, believed to be ethnically inspired by the North for the loss of officers it suffered. This led to a counter coup in July of the same year. The July 1966 coup was perceived as ethnocide against Igbo residents in the Northern region, a mass exodus of Igbo from the North to the south began, signalling the disintegration of Nigeria. The two coups apparently put the country on the bushpath to self destruction that, ultimately, culminated in civil war in 1967. One important area of focus on the 13 years of the military rule [1966-1979] is how the military leaderships were able to manage the issue of political ethnicity. It is undeniable that the military era, especially the post July 1966 period witnessed a new military-bureaucratic partnership and healthy majority-minority relations that eventually saw ethnic minority groups in important positions in government. The General Yakubu Gowon military government^{viii} catered for minorities' interests of which he himself was a member. It is to the credit of General Gowon that he replaced the regionalised Nigerian federation with a 12 state system in 1967 comprising 6 states each in the Northern and Southern regions of Nigeria. The 1967 state creation solved two problems, albeit tentatively. The first, being the division of Northern Nigeria into several states. The military satisfied some ethnic minorities of Northern region's demands for their own state and secondly, the alleged Southern anxiety about the disproportionate size of the North. Furthermore, In order to sustain the commitment of the minority communities in the Eastern Region to federal unity on the one hand, and to undermine support for the Igbo-led secessionist bid, the creation of Rivers and South East states was a strategic move. Hence, the primary rationale for the 1967 state creation exercise was to liberate the minorities from the regional stranglehold of the ethnic majority groups, it also satisfied sub-ethnic agitations for statehood status within the majority groups (Suberu, 1996: 22).

The succeeding military regime of Generals Murtala Ramat Muhammed and Olusegun Obasanjo intensified efforts on the federal territorial evolution and reorganisations with the creation of additional 7 states in 1976. Thus, Nigeria became a federation of 19 states in 1976 divided into 12 ethnic majority states against only 7 minority states.

In spite of the remarkable achievements of the military, the nature of military rule became the Achilles heel of the administration since it was characterised by authoritarianism, with established command structure. The concentration of power coupled with the absence of legitimacy of military rule called into question the position of the minorities. The lack of

accountability on the part of military further widened ethnic cleavage. Thus, emphasis was placed on power as the ethnic minority groups worked for the reversal of the *status quo*. This was the situation during the 1976 state creation as the Murtala/Obasanjo regime turned a deaf ear to Ayo Irikefe recommendations for further division of the Southeastern state into two. Instead, the Yoruba small states of Lagos and Ogun continued to exist as two separate states contrary to Irikefe's recommendations (FRN, 1976: 22-30). Though military doused ethnic tensions, but it failed to suppress ethnic consciousness among the populace. Ake opines that the military failed to stem the tide of ethnic consciousness partly because of its blockage to democracy. Contrarily due to the coercive ecumenism of military rule and its arbitrary power people were generally alienated from the state and cleave to traditional solidarities. Due to its organisation, the military was unable to employ negotiated consensus, nor could it mediate pluralism. Rather it accentuated the divisive potentials of social pluralism (Ake, 2000: 105; Badmus, 2005; Mazrui and Tidy, 1984: 238-242; Jemibewon, 1978: 11-17).

Military rule did not succeed in transcending the Nigerian post-colony beyond political ethnicity, which became the hallmark of the Second Republic [1979-1983]. Ethnic consciousness/solidarity fed into partisan politics as the five political parties were formed along ethno-linguistic lines. The whole scenario foreshadowed the rebirth of the First Republic political parties. The National Party of Nigeria [NPN] was the offshoot of the NPC; the Unity Party of Nigeria [UPN] of Chief Obafemi Awolowo became the Yoruba party in the West and was a product of the AG; the Nigerian People's Party [NPP] led by Dr. Nnamdi Azikwe had Igbo as the majority. The two other parties were the Great Nigerian People's Party [GNPP] of Alhaji Waziri Ibrahim and the People's Redemption Party [PRP] under the headship of Alhaji Aminu Kano. Noteworthy is the fact that the GNPP was the amalgamation of the various ethnic minorities in the North, Middle Belt and East, while the PRP was the reincarnation of the old NEPU of the First Republic. Apart from the cloudy weather of ethnicity that evened the country at this time, corruption among government officials, general impoverishment of the citizenry, and opposition to the administration thereby finally signaled the collapse of the Alhaji Shehu Shagari led government through a military coup d'état. Thus, the Second Republic is generally categorized as an unmitigated failure (Adeniran, 1994: 238).

Not only did military rule fail to stem ethnic consciousness/solidarity, its authoritarian nature of governance provided the much awaited opportunities for the populace to kick

against it which, eventually, provided the nucleus around which oppositions were mounted. My submission is that, the impact of military rule on Nigeria's political development is a double-edge sword as it failed the post colonial state in the curbing of the rising tide of ethnic consciousness and that of political ethnicity as well as offering Nigerians the opportunity to see beyond various forms of identities in Nigerian politics. In the opinion of Ake (2000), the main contribution that the military made to the political development of Nigeria could well be said to be their addiction to, and their poor performance while in power. This precipitated strong antipathies for military rule and strong demand for democratic governance. Consequently, Nigerians shifted their attention from religious, nationalist and ethnic solidarity and focused on ending military rule.

The above situation can only be better explained within the context of the June 12, 1993 presidential elections that marred the ill-fated Third Republic [1987-1993]. For the first time in the political annals of the country, Nigerians, irrespective of their background, rose above parochialism. Why? This is because of two fundamental reasons. First, the two political parties put forward by the federal military government [FMG], the Social Democratic Party [SDP], party of the progressive with welfarist ideology, and the rightist political party, the National Republican Convention [NRC], that is conservative in orientation, were not only established by, but equally financed by the FMG. The rationales behind the creation of these grassroots' parties were, "...to provide a turn around for Nigerians, and as already noted, to transcend the old lines of cleavages." (Nmoma, 1995: 427). Moreover, the limitation of the number of political party to two actually paid off since it curtailed the primacy of ethnicity in politics, especially during the transition period. This is because Nigerians rose above sentiments and individual parochialism, and voted for candidates based on merit, programmes, credibility, and abilities. Second, apart from the fact that the two parties presented Muslims as their presidential candidates, the SDP moved a little bit ahead to have a Muslim--Muslim coalition/ticket where both the presidential candidate [Chief Moshood Olawale Kasimawo Abiola] and his vice [Alhaji Baba Gana Kingibe] were all Muslims. Political life became de-ethnicised as the majority of the North, most importantly the power brokers, rallied round the SDP by voting massively for Chief Abiola, a Yoruba Muslim from South-West Nigeria. The story was the same in the East where the populations are Christians. It is equally interesting to note that for the first time in the history of Nigeria, Christians voted massively not only for Muslim but for a party that had Muslims as presidential candidate and

vice. This appears incredible since by conventional expectations and political behaviour, it would have been unthinkable to have a Muslim—Muslim ticket because in a country in which religion differences are highly politically charged, it would be courting certain defeat. Despite the clean political water and normalcy that went with the 1993 presidential elections, the General Babangida led FMG annulled the election that was widely believed to have been won by Chief Abiola^{ix}. With this annulment, the FMG repealed the Transition to Civil Rule Decree No. 13, and eventually suspended the National Electoral Commission [NEC]. The annulment of Chief Abiola's mandate was widely interpreted as a calculated attempt to sideline the Southerners from the corridor of power in Nigeria by the Hausa/Fulani ethnic groups. This was apparent following Babangida's cancellation of the June 12 presidential elections when it was obvious that Chief Abiola had clearly won, and not after the results were completely announced. This has serious implications, not only for democracy but also for future regional and ethnic relations.

The 'alleged' Southern marginalisation by the Hausa/Fulani ethnic groups of the North relapsed Nigeria into the 'son of the soil' syndrome. In this situation, popular rage was so bitter, while widespread civil unrests became a way of life in the Southwest, Chief Abiola's home base. Thus, political ethnicity fanned the fire of hatred, and above all, the already existing cleavages widened. The transfer of power by the Babangida military junta to the Interim National Government [ING] led by Chief Ernest Shonekan, a Yoruba, did absolutely nothing to avert the danger posed by political ethnicity. The darkly political atmosphere, coupled with the inability of the ING to win the loyalty of the populace, especially in the South-West, provided a fertile ground for General Sani Abacha who was Babangida's Minister for Defence and Chief of General Staff cum Secretary for Defence in the ING to take over in a bloodless coup d'état of 17 November, 1993. Following the tradition set up by Babangida, General Abacha manipulated the political space in different ways. First, he abolished all democratic institutions and fundamental rights were curtailed. Second, from co-opting some members of the democracy movements to the idea of Constitutional Conference [CC] as against the Sovereign National Conference [SNC] of all ethnic nationalities with the intention of remedying the structural defects of the country's federalism via the production of a new constitution, opposition to military rule was in high spirit. This is because the idea of constitution conference was interpreted as nothing but attempt for prolongation of military rule. Resistance to Abacha junta served as unifying factor for various ethnic groups in Nigeria

at the epoch. This is because the junta became repressive and eventually re-militarised the political space. The political situation became dissatisfying to political elites, social activists, civil society groups^x, etc which apparently sealed Nigerians hope of de-annulment of Abiola's mandate. The military were able to contain oppositions by the application of force: political assassinations, arrest of political opponents, etc that reached its zenith with the arrest and subsequent detention of Chief Abiola on charge of treason when he declared himself President. Abacha's scheme for self-succession suffered severe blow from democracy movements, especially the National Democratic Coalition [NADECO] that made the country ungovernable for the junta. Amid this dirty political atmosphere, on 8 June, 1998 General Abacha suddenly died while the mantle of the country's leadership fell on Abdulsalami Abubakar, a General of northern extraction from Niger state.

The new regime was quick enough to realise the mistakes of the past military regimes and its grave consequences on the Nigerian state. The first step to resolve the political gridlock was to launch a '*sincere*' political transition programme. Accordingly, political prisoners were released, fundamental rights were guaranteed, while self-exiled politicians were encouraged to return. The most fascinating aspect of the transition to civil rule was its ethnic dimensions. The presidential candidates of the three political parties, the People's Democratic Party [PDP], the All People's Party [APP] now All Nigerian People's Party [ANPP], and the Alliance for Democracy [AD] hailed from the same ethnic group, Yoruba. The PDP, widely regarded as the party of the military had a retired General and former head of state, Olusegun Obasanjo as its candidate, while APP/AD coalition fielded a consensus candidate, Chief Olu Falae who served as Minister of Finance and later Secretary to the Military Government of Babangida. This arrangement was widely believed to pacify the Yoruba who suffered humiliation brought about by the June 12 crisis and the death of their son, Abiola in detention. The victory of the PDP at the poll saw the emergence of Chief Olusegun Obasanjo as the new president of Nigeria's Fourth Republic which was inaugurated on 29 May 1999.

3. The Nigerian post-colony, ethnic nationalism, and the crisis of governance

From our discussions so far, it is apparent that the Nigerian post-colony is characterised by all forms of fissiparous tendencies as well as, mutual suspicions, distrust and hatred among the various ethnic groups that are dwelling in the polity. The overall implications of these have been unmitigated inter-ethnic rivalries, animosities and hostilities between and among the federating regions that are totally detrimental to the efficient and proper functioning of the Nigerian post-colonial state (Idowu, 1999: 74-76; Anugwon, 2001: 94). The basic problems of the Nigerian state are multilayered in nature. From the time when it was proclaimed a federation, the country has been wallowing in the problematic of what can be apparently described as '*malfunctioning federalism*'. Ever since this period, in the view of Omeje (2004: 425) "all subsequent post-independent (sic) constitutions have in their preliminary and substantive provisions reiterated the principle of federalism as a core principle of state structure. Successive regimes, both military and civilian, have all reaffirmed this commitment including its defining parameters of equitable sharing power and resources between the centre and the relatively autonomous, federating, sub-national governments. But in reality, the post-colonial centre has progressively sequestered, disempowered and de-authorised the sub-national space, creating a centripetal structure based on a top-bottom dikat and tokenism." Omeje's analysis aptly captures the basis of Nigeria's dialectical contradiction that often repeats proclivity towards conflicts; that is the issue of marginalisation^{xi}. This contradiction in the Nigerian federalism provided the breeding grounds for ethnic identity politics to thrive, thus challenging the survival of the Nigerian state.

At the heart of this crisis is fiscal federalism that defined how different ethnicities have access to public goods that is popularly known as the 'national cake'. The disenchantment of the disadvantaged groups [i.e. ethnic minorities] with the centralised federal state over the national question is deep-seated. National question has essentially been adjudged as having to do with ordering the relations between the different ethnic, linguistic, and cultural groupings. To the intent that each group may have same rights and privileges, access to power and equitable share of national resources. The national question probes the rightness or otherwise of our path to nationhood, the role of our constitution in our march to nationhood and whether this goal is mistaken and hence we should look for other political arrangements to facilitate our search for legitimacy and development (Ajayi, 1992).

Consequently, access to national wealth and the quest for equity and justice in the distribution of the country's resources trigger a crisis of 'confidence and thrust' between the 'major' ethnicities and the 'minority' ethnic formations with high degree of intensity in the oil-producing ND. This is evidenced in the flare-points of the ND people which include, but not limited to, access to oil revenues and adequate compensation for damages to their ecosystem and environmental despoliation, and a halt to federal hegemony of 'oil power' and alleged domination by the major ethnic groups. The situation in the Delta is well captured by Rowell's (1994) contention that:

Oil and environmental conflict are rooted in the inequitable social relations that undergird the production and distribution of profits from oil, and its adverse impact on the fragile ecosystem of the Niger Delta. It involves the Nigerian state and oil companies on one side, and the six million people of the estimated eight hundred oil producing communities concentrated in the seventy thousand square kilometer Niger Delta on the other.

Certainly, successive Nigerian governments both civilian and military have been trying to address the fundamental issue of marginalisation so as to assuage the fear of ethnic minorities. The government responses to the ethnic minorities' problems ranged from redistributive, reorganisation and/or regulative or repressive in nature. In his analysis, Suberu (1996: xii) identified three official responses to the agitations of ethnic minority. These are: *Redistributive Policies*. This involve minor adjustments in federal revenue sharing meant to take care of the 'the strident claims of oil-producing communities to a significant proportion of economic resources obtained from their localities; *Reorganisation Policies*. Involving creation of new units of constituent, federally-funded, state and local authorities. This in response to demands for autonomy participation and decentralisation. *Regulatory/Repressive Policies*. In response to the inadequacy and failure of the initial policies, the Nigerian state has come to employ more and more regulatory or repressive measures. These include: banning of ethnic minority associations; confinement, detention, arbitrary conviction and/or imprisonment of outspoken ethnic minority elites, violent suppression by military force, of protests, demonstrations and uprisings by ethnic minority agitations for autonomy; as a seditious or treasonable offence punishable with death penalty. These approaches, however, merely reflect and compound a profound crisis of state legitimacy and federal governance in Nigeria.

Suberu's extensive analysis of the state responses and their consequences on ethnic situations and the country's governance can be better appreciated by looking *in extenso* at the plight of the small homogenous Ogoni people of the ND and their form of agitation through their popular social movement: the Movement for the Survival of Ogoni People [MOSOP]. MOSOP forms an interesting case of ethnic organisation that is fighting perceived marginalisation.

3.1. *Fiscal Federalism, Ethnic Minorities Agitations and the Deepening Crisis of Governance: The Ogoni Uprising*

3.1.1. Prologue to a Conflict: Oil, Poverty, and Governance in the Niger Delta

The Nigeria's Niger Delta covers an area of 70,000 square kilometres, half of which is wetland. The wetland area, often regarded as Africa's largest, is made up of 36,000 square kilometres [or about 14,000 square miles] of marshland, creeks, lagoons, etc and rich in fauna and fluvial resources with high biodiversity. The Niger Delta extends "from Forcados in the West to the Bony River in the East, a distance of about 350 km. and from the apex of the delta at Abo to the coastline which is about 150 km; the delta has also a narrow coastal strip varying in width from a few metres to about 15 km. Most of the 10,000 km sq. of the delta is made up of swamps, with a few islands of solid red earth, trending north-south, which forms the only firm dry land; the mean elevation of these islands is c.20m." (Akintola, 1982: 8). Harboursing Nigeria's crude oil reserves to the tune of 33 billion barrels and 160 trillion cu.ft. of natural gas reserves [2003 figures], the ND is the heart of Nigeria's oil industry. This fact also makes it the driving force behind the country's economy. The Nigeria's oil industry commenced with the discovery of oil deposits by the Anglo-Dutch group, Shell D'Archy, in commercial quantities near the small ND community of Oloibiri in 1956. From those humble beginnings, oil production has grown to dominate Nigeria's economy as well as the fiscal basis of the Nigeria state. The dominance of oil sector of Nigeria's economy was strengthened by global increases in the oil price during the 1970s. Thus, from \$250 million in 1970, Nigeria's oil production was increased to \$11.2 billion in 1974 (International Crisis Group, 2006: 7). It is estimated that from oil production alone, Nigeria generated about \$300 billion between 1970 and 2000. This apparently amounts to 96% of the country's foreign earnings (Okonjo-Iweala, Soludo and Muhtar, 2003: 1). While other sectors of the economy have

withered away to 'comparative irrelevance', Nigeria's net oil revenues stood at \$45.1 billion in 2005 and were predicted to rise to \$52.7 billion in 2006.

The foregoing statistics apparently portray a better scenario for the Nigerian state and its people. While many observers believe that Nigeria would rank among the richest countries in the world, it is sad that Nigeria is among the poorest countries of the world. Little wonder why International Crisis Group described the Nigerian situation as 'Want in the Midst of Plenty' (International Crisis Group, 2006). The statistics for July 2006 show that over 70% of Nigerians lived in abject poverty, surviving on \$1 or even less on a daily basis. This is because most of the country's population has gotten remarkably little in return for all the wealth Nigeria has produced. Much of this wealth has either been squandered or stolen by those in government. For example, during the Babangida military rule [1985-1993] more than \$12.2 billion of oil revenue was alleged to have been 'stolen'.

The situation in Nigeria's Southeastern ND is even more appalling. In this respect, Human Rights Watch reported that 'the grinding poverty that afflicts the populations of Nigeria's main oil-producing states throws Nigeria's fundamental inequities and its failure to realise the basic human rights of Nigerians into a sharp relief.' ND is one of the poorest and least developed regions in Nigeria. With the highest infant mortality rate, the 2006 UNDP Report stated that the ND was not likely to meet any of the Millennium Development Goal targets, other than school enrolment, by 2015 'or anytime soon after.' The region is now entangled in a deepening crisis of environmental apocalypse, conditioned by the impacts of a poorly regulated oil industry and production. It is disheartening that the network of pipelines that interlace the ND's maze of creeks and swampy terrain records hundreds of oil spills that often destroy the oil-producing environment of the ND. Oil spillage and gas flaring are the two greatest environmental problems connected with oil exploitation in Nigeria. Flaring gas has produced one of the best-known symbols of the Delta's problems in the controlled infernos that light up the night sky for miles around them. Factors like multinational oil companies have negatively affected the cultural and socio-economic activities of the ND people. It has affected the delicate balance between man, land, and water. Presently, the ND is occupied by 9 States, Rivers, Abia, Ondo, Bayelsa, Cross River, Edo, Imo, Akwa-Ibom, and Delta, and many ethnic formations such as the Ogoni, Ijaw, Kalabari, Okrika, Urhobo, Itsekiri, Nembe, etc form the sociological configuration of the ND with various organisations agitating for self-determination.

3.1.2. A Rising Tide of Discontent of the Ogoni Ethnic Nationality

My immediate concern here is the demands and agitations of the oil-bearing Ogoni ethnic nationality against the Nigerian state and its government-backed adversaries, i.e. the oil-prospecting companies. The demand of the Ogoni include, but not limited to, the contentious issue of mineral land rents' disposition, federal government's response to the ecological despoliation of the ND areas, their opposition to the oppressive system of oil-exploitation, the implementation of the principle of derivation for the equitable allocation of federally collected mineral revenues, demand for integrity and political autonomy within the Nigerian federation, in addition to their inalienable right to control their God given natural wealth, oil (Human Rights Watch Africa, 1995: 33; Isumonah, 2001: 7). Of these demands, the most contentious being that of mineral land rents. The root cause of this friction lies in the conflicting positions of tradition and modernity encapsulated in the face-off between people's customs and the 1978 Land Use Act. Nigerian customary law vested land rights in the local communities, families and the individual (Utuama, 1989: 6); while the 1978 Land Use Act vested the title to land in each state of Nigerian federation in the State Military Governor^{xii} to be held in trust and administered for the satisfaction of every Nigerian. According to the Act:

Subject to the provisions of this Act, all land comprised in the territory of each state in the Federation are hereby vested in the Military Governor of that State and such land shall be held in trust and administered for the use and common benefit of all Nigerians in accordance with the provisions of this Act.

By conventional wisdom, it can be gleaned from the afore-quoted section of the Act that, the State has the right of ownership but, in contradistinction to the provisions of the Act, the Federal Government, relying on Petroleum Decree of 1969^{xiii} and the provisions of the 1989 Constitution of the Federal Republic of Nigeria especially Section 42 to continually exploit the situation by collecting rents on land use by the oil prospecting companies. However, there seems to be a misinterpretation of fact here. This is because while the Land Use Act points to the state Government's right to land use rents, the Petroleum Act is restricted to royalties levied on minerals, whose ownership is *indisputably* vested in the Federal Government. Dr. Pius Okigbo, a foremost Nigerian economist clarifies this situation, in his [Pius Okigbo] Commission on Revenue Allocation Report submitted to the Federal Government:

The owners of the minerals on which royalties are levied are indisputably, under the existing laws and under the Constitution, the Government of the Federation. It follows that payment of a part or the whole of the revenues from this source to the state (or community) where the mineral is produced does not derive from a legal right but from political or other considerations. To transform this political act into a legal claim of right as the producing states see to want is to do violence to reality (cited in Suberu, 1996: 29).

It is obvious from the foregoing discussions that, the disagreement between the central government and the federating oil-bearing states has been on how a reasonable percentage of the mineral revenues and royalties be accruable to them [oil bearing states] based on resource derivation principle. The distribution of resource revenues, known in Nigeria as ‘Derivation Formula/Principle’ has been an established practice for years. From 100 percent derivation formula of the pre-independence Nigerian Constitution to a 50-50 percent equity share in March 1969^{xiv}, the allocation of revenues based on resource derivation from the centre to state governments has more or less whittled down against exponential increase in oil revenue—the major source of national income (Omeje, 2004: 425). The revenue allocation was further reduced to 20 percent, while the succeeding civilian administration of the Second Republic allocated a paltry 2 percent of the federation account to the oil-producing *states* on the basis of derivation, while 1.5 percent was assigned for developmental and ecological needs of the oil-producing *areas*. The Buhari/Idiagbon military regime [December 1983-August 1985] retained the revenue sharing arrangement of the Second Republic with minor revision. Under the military rule, the allocation was referring only to federally-collected mineral revenues. The oil-producing states’ share of the federally-collected mineral revenues was reduced drastically to 1 percent, while the percentage for developmental and ecological needs of the areas rose to 3 percent in the 1990s, while under the current dispensation “13 percent of the revenues accruing to the federation account from any natural resources are allocated to the area from which such resources are extracted.” (Guyer and Denzer (eds), 2005).

The dissatisfaction of the minority groups with these revenue sharing formulas, and their ‘perceived’ deprivation resulted in the confrontations with the forces of transterritorial extraction, especially Shell, and the Nigerian state. It should be emphasised that the use of violence to achieve stated objectives became the last resort of the Ogoni after the failure of peaceful domestic demonstrations and persuasions. The zenith of these agitations was reached with the adoption of the Ogoni Bill of Rights [OBR] on 26 August 1990 and presented to the government of the Federal Republic of Nigeria in November of the same year. The OBR,

which was signed by the traditional leaders of the five Ogoni kingdoms: Babbe, Gokanna, Ken-Khana, Nyo-Khanna, and Tai (Saro-Wiwa, 1995) emphasised the contribution of the Ogoni people to Nigeria's development, and its oil economy; compensation for oil pollution and extraction; the marginalisation of the Ogoni within the Nigeria federation, the pervasive poverty in Ogoniland; and, perhaps, most importantly the position that Ogoni control of its oil-rich territory was fair and just cause [see Appendices 1 and 2]. The derisory response of the state to the Ogoni's plight resulted in open confrontation between the Ogoni and the state's security operatives--the oil companies' alliance (Shell in particular). These include destruction of oil installations and operations so as to receive attention from the State and oil multinationals. Though other associations [such as Association of Mineral Producing Areas of River States (AMPARS), the Association of Minority Oil States (AMOS), the Ethnic Minority Rights Organisation of Nigeria (EMIRON), the Ethnic Minority Rights Organisation of Africa (EMIROAF), the Movement for Reparation to Ogbia or Oloibiri (MORETO)] were/are instrumental in the Ogoni struggle for self determination MOSOP^{xv} stands out because the organisation, under the enigmatic leadership of Ken Saro-Wiwa, who was able to draw the attention of the international community to their plight and above all instrumental in sensitising the Ogoni people to their plight and mobilise them^{xvi}.

The confrontations between the local populace and the State resulted in wanton destructions of lives and properties with attendant economic cost to the post-colonial central state and Shell Oil Company, the major oil player in the ND. The best classic example is the Umuechem-Shell clash of October/November 1990 which has been regarded as one of the bloodiest oil companies-oil bearing communities' clashes in recent years. The Umuechem-Shell incidence produced 20 deaths, including the traditional leader of the village, his 2 sons, destructions of properties and high societal dislocations (Abimboye, 1990: 23-27). Apart from the Umuechem's case, other violent incidence occurred in Biara, a village in Rivers state when 11 protesters in a peaceful demonstration were wounded and 1 death in the hands of the Nigeria Police Force. MOSOP suffered a set back in their struggles on 10 November 1995 with the hanging of Ken Saro-Wiwa and 8 other Ogoni leaders by the Abacha military junta, after being convicted by a 'kangaroo' tribunal for inciting a mob to murder 4 prominent Ogoni chiefs. In spite of this blow, MOSOP has kept their struggle alive to realising the objectives of the OBR and its activities have been a source of apprehension to the central state. To support this point, it was reported that "between January and August this year

[1998], Shell recorded 55 attacks on its installations and equipment loss of close to ₦ 51 billion. Total work days lost as a result of work stoppage is estimated at 103 days.’ (Onanuga, 1998: 13). Beyond the Ogoni civil disobedience, it is interesting to note that other nationalities such as Ijaw are also militantly involved in the struggles to enfranchise their communities. The best example of the Ijaw --state conflict is the popular Odi massacre that justifies state’s violent intervention. This conflict will be discussed exhaustively in the next section.

3.2. *Ethnicity, ethnic nationalism and the Nigeria’s fourth republic*

With the return of democracy on 29 May 1999, ethnicity has become a recurring factor in Nigeria’s politicking and serves as a major threat to state survival. This is true when one takes into consideration the alarming dimensions that ethnic militant organisations and their form of agitations for either self-determination or fair treatment by the central state are taking. One needs to appreciate the fact that ethnic animosity and acrimony, as I discussed above, predated the Nigerian state but the intensity of ethnic identity politics, ethnic conflicts, and sectarian violence with all their pervasiveness, obduracy, and spasmodic nature in post-transition Nigeria made some scholars to suggest that the reappearance of ethnicity is the effect of democracy creating a ‘vent’ for the previously contained dissatisfaction accumulated under military rule by different ethnic nationalities. While this line of thinking is logical, to some extent, however, relying on this argument in totality is problematic because linking ethnic confrontation so closely to the ‘vent’ created by democracy obscures the fact that many of these violent conflicts predate the democratisation process especially as some of the post-military ethnic conflicts are simple continuations of confrontations that had become manifest even under the military (Mustapha, 2000b). Mustapha’s argument is rational because of the nature and dynamics of the various ethnic militant organisations and vigilante groups of the current political dispensation of which the O’dua People’s Congress [OPC], the Niger Delta People Volunteers Force [NDPVF], Arewa People’s Congress [APC], the Movement for the Actualisation of the Sovereign State of Biafra [MASSOB], the Ijaw Youth Movement [IYM], Egbesu Boys of Africa [EBA], the Movement for the Emancipation of the Niger Delta [MEND], are prominent [See Table 1 for list of some of the known ethnic militant movements]. It is germane to state that some of these organisations fit more as vigilante

groups. Finally, a brief review of the origins, philosophies, as well as activities of the most prominent of these movements will help our understanding of their existence in the polity.

Table 1: Some of the Known Ethnic Militant Movements in Nigeria.

S/N	Name	Foundation Date	Ethnic Affiliation	Remote Cause of Existence	Militant Arm of:
(a)	(b)	(c)	(d)		
1.	O’odua Peoples Congress (OPC)	1994	Yoruba ethnic group	Against the annulment of June 12, 1993 election by the Hausa/Fulani Military junta	NADECO/Afenifere, a Pan Yoruba Group.
2.	Arewa People’s Congress (APC)	July, 1999	Hausa/Fulani ethnic group	As a check on OPC attack on the Hausa/Fulani in Lagos.	Arewa Consultative Forum, Northern Elder Council
3.	Igbo People’s Congress.	1999	Igbo ethnic group.	As a check on OPC and others on the vandalism of their goods and properties.	Ohaneze, Eastern Mandate
4.	The Bakassi Boys.	December 1999 at Abia/Anambra state.	Ogoni/Igbo ethnic group	To check the excesses of Robbery and checkmate police excesses.	Organised government vigilante group.
5.	The Egbesu Boys	November 8, 1999	Ijaw, Warri ethnic group	Against OPC/Police killing of their members in	The Peoples of South-South Nigeria

				Lagos.	
6	The Movement for the Actualisation of the Sovereign State of Biafra (MASSOB)	May 27, 2000	Igbo youths	In a bid to realise their secessionist tendencies	Dissatisfied youth of Igbo.
7.	Tiv Militia	October 2001	Tiv ethnic group	To checkmate Jukun militia activities	Tiv-nation state
8.	Jukun Militia	October 2001	Jukun ethnic group	To challenge Tiv incursion on their land	Jukun Land
9.	Ijaw militia	May 3, 1999	Ijaw ethnic group	To checkmate Itsekiri/Urhobo and OPC activities and to protect oil wells.	The Ijaw National Youth Movement of South-South, Nigeria.
10.	Itsekiri Militia	1999	Itsekiri ethnic group	To protect their land and against Ijaw occupation.	Itsekiri/Urhobo land
11.	Movement for the Survival of Ogoni People (MOSOP).	1992	Ogoni ethnic group	For the protection of their environment and oil wells and against government indifference.	Ogoni land.

Source: Okechukwu (2003).

The OPC, the ethnic militant organisation that seeks to cater for the interests of the Yoruba people, represents the Yoruba's disenchantment with the military and perceived Hausa/Fulani hegemony of the Nigerian polity. Its emergence was a response to the annulment of the June 12, 1993 presidential elections believed to have been won by a Yoruba business magnate, Chief MKO Abiola by the military. This annulment was regarded as affront on the 'Yoruba nation' by the identity constructed around Hausa/Fulani and relying on its demographic advantage in the armed forces. Consequently, aside from the OPC, groups such as *Egbe Ilosiwaju Yoruba*, *Yoruba Parapo* (The Yoruba Solidarity Council), etc sprang up. In the undiluted words of its leader, Dr. Federick Fasehun, the OPC is, "agitating the marginalisation of the Yoruba, to defend, to protect and to promote their socio-cultural aspect, and also fight for justice for all." (Africa Today, 2000). The emergence of the movement became imperative after it has been ascertained by the Yoruba political elites and the radical youths that "military rule was not sufficient to help the Yoruba nation develop its full capacity in all the areas of national life. By its nature, military rule was not sufficiently representative of the diverse interests and needs of the people. The argument is that, almost always, the sentiments of geography, tribe and religion will connive to make it difficult for all the different people to have equal access to the offices and wealth of the nation." (The Guardian 6 November 2005). Though the OPC was not, *prima facie*, conceptualised to be ethnic militant group rather it was intended to serve as a rallying point for the Yoruba in a nationalistic revival for self-protection and growth. The OPC, thus, emerged to vehemently resist the systematic stultification of the Yoruba. Since the inauguration of the Fourth Republic, the organisation has purely redefined its roles in the polity by relaxing its political role and concentrates more on maintenance of law and order, since one of their own (Chief Obasanjo) is the President of the country. Currently, the OPC is more of vigilante group in Nigeria's South-West. However, the 'alleged' persecution of perceived enemies by the OPC members is poisoning the relationship between the group and the law enforcement agents.

The Southeastern part of the country is not left out of ethnic militancy where MASSOB, founded in 1993, has been clamouring for the de-marginalisation of the Igbo ethnic stock and to achieve regional autonomy. MASSOB, an all Igbo socio-political group represents the Igbo nation's secessionist ambitions. Its leader Ralph Uwazuruike has vowed to actualise the Biafra dream that failed during the Nigeria's gruesome civil war [1967-1970]. Biafra, according to Uwazuruike, "failed because of our violent approach, but this time

around, we do not want any casualty, yet we are more determined than ever to have our independent Biafra.” (Akintunde, 2000). Contrastingly, MASSOB approach for a separate state of Biafra has been violent and confrontational in nature. This has led to frequent clashes between its members and the Nigeria Police Force with negative consequences. Attempt to launch the Biafra state in Aba, a town in South-East Nigeria in May 2000, resulted in bloody clashes between the police and MASSOB leading to destruction of properties and death, and arrest of the MASSOB leaders, who are undeterred from continuing with their separatist agitation. There is plethora of clashes between MASSOB and security agents as their activities are regarded as threat to Nigeria’s peace and security. To underscore MASSOB’s resolute desire to actualise its dream, it now has a national Igbo holiday, observed by teeming young and old, while Biafra national currency was in circulation for a while.

The Egbesu Boys of Africa [EBA] is the militant wing of the Ijaw nation in the South-South geopolitical zone of Nigeria. Open neglect, continual exploitation of their mineral resources (oil) by the state supported multinational oil companies, deprivation and environmental/ecological degradation of their area led to its formation. Since its formation, its members have been engaging the federal government and oil companies in violent exchanges in the difficult terrain of multi-channeled creeks and swamps in the Niger Delta (ND). This was the situation before the federal government deployed troops to erase Odi from the face of the earth on 8 November 1999—when Egbesu Boys allegedly killed several policemen. A brief overview of Odi incident will drive home this point. The immediate cause of the crisis can be located within the context of the abduction of seven policemen that were on an intelligence mission in Odi, a town in Bayelsa State, by the restive Ijaw youths. Despite all appeals from the central state and civil society groups, the militant youths remained adamant and went ahead to execute their captives. This shocking act got the wrath of president Obasanjo who, in his letter of 4 November 1999, ordered the Bayelsa State Governor Chief DSP Alamiyeseigha to produce the murderers within two weeks for prosecution; and failure to do so will lead to the declaration of the state of emergency in the state. At the expiration of the ultimatum the federal government ordered the Odi punitive military expedition with a code-named ‘Operation HAKURI II’. At the end of the two days operation, over 2000 lay dead, while thousands were forced to flee their homes (Environmental Rights Action, 2002: 7). The Odi massacre reveals the growing tendency of oilification of extra-oil conflict in the ND. This is because official justification for ‘Operation HAKURI II’ was to safeguard against

threat to oil by the Odi gang. The ‘Operation HAKURI II’, in the words of the former Nigerian Defence Minister, General Theophilous Danjuma, was initiated with the mandate of protecting lives and property—particularly oil platforms, flow stations, operation rig terminals and pipeline, refineries and power installations in the Niger Delta (Omeje, 2004; Albert, 2003). Contrastingly, it is widely believed in many quarters that the Odi incident is episodic of the larger ethnic Ijaw-State confrontation. However, in spite of the state military intervention, the Ijaws have continued to aspire to regional autonomy from the inequitable Nigerian federalism as they resist government suppressions. Presently, the former leader of EBA, Mujahedeen Asari Dokubo, is now leading a new movement known as the Niger Delta Peoples Volunteer Force (NDPVF) to promote and protect the interests of the oil producing Ijaw ethnic nationality in the ND. The major demand of the group is the actualisation of the famous KAIAMA Declaration [See Appendix 3], which sought to establish Ijaw’s sovereignty over its natural resources. The NDPVF regards the Obasanjo led government as Ijaw’s enemy for the president’s insensitivity to the marginalisation met on Ijaw’s nation. The group is notorious for conducting periodic raids on oil installations. This has brought constant showdown between the State, and Dokubo and his paladins—mostly unemployed and unskilled youths. *In addendum*, the NDVPF had demanded for the convocation of Sovereign National Conference (SNC) where the contentious issues of self determination and resource control would be discussed and concluded. Also, the NDVPF has insisted on the abrogation of all laws that deprive people the right to their resources as well as an end to the environmental degradation of the ND by the oil companies. While condemning the 2005 National Political Reform Conference and call for people’s conference, Dokubo stated, “We do not believe in this charade and condemned it in its entirety. We therefore restate our minimum demand for the convocation of *a true conference* of credible representatives of the ethnic nation in the Nigerian space. That is the only avenue where we can speak, not in muffled tones but engage ourselves in frank and open debates on the real way forward.” (The Guardian, 6 November 2005. Italics added).

The emergence of the APC on the political scene was widely believed to have been spurred by the formation of the OPC and activities of the OPC. Thus, in its operation, it acts as a counterforce against what it regarded as the Yoruba’s irredentism/expansionism. This could be deciphered in the words of the leader of the movement, Sair Mohammed when he posited thus, “we want to check Yoruba expansionism which the OPC is championing.” The

APC, considered as the militant wing of the Arewa Consultative Forum [ACF] and the Northern Elders Council [NEC], has youths of northern extraction, which are easily recruitable among the *Almajiris*, the underprivileged that are easily amenable to manipulation by unscrupulous political elites. The youth dimension of these organisations is true going by Jega (2000: 37) argument that poverty and unemployment, especially amongst the youth, are significant factors in causing and facilitating violent conflicts. Such harsh economic conditions breed frustration and aggression. Since the rural and urban areas of Nigeria abound with youths under such conditions, little motivation and mobilisation is needed to engage them in riots, and reprisal attacks, especially, when these usually go with the 'opportunity' to loot.

The defence of various ethnic interests has, on a number of occasions, brought the OPC and the APC into open confrontations, which led to the destruction of lives, and properties as the inter-ethnic showdown between the Hausa and Yoruba in Shagamu (July 1999) and Ibadan (December 1999) illustrate. Another thrilling aspect of the APC is their agitation for the Islamic legal system (Sharia) in the North. The OPC and the Hausa community clashed violently in Mile 2 and Idi-Araba areas of Lagos state in 1999. Apart from the inter-ethnic conflicts, the advent of democracy also witnesses the upsurge in intra-communal conflicts apparently aided by ethnic militant movements. The communal clashes between the Yoruba of Ife and Modakeke have seemingly been brought under control through the Federal government intervention and the involvement of Yoruba opinion leaders in the search for sustainable and peaceful coexistence between the two communities. Another communal open sore that has been defying healing is the conflict among the Urhobos, Ijaws, and the Itsekiri in Delta state. In fact, Warri has become a nightmare not only to the indigenes, but also to the expatriates in the oil fields that have become targets of restless, well-armed youth. In addition, there were the Ijaws versus the Ilajes intermittent clash in Ondo state, the Aguleri/Umuleri intra-ethnic conflict in Anambra state in 1999, the Kafanchan crisis in which lives and properties were lost, in the same year as well as the Jukun and Takun crises.

From the foregoing analysis, it is frighteningly clear that the existence and activities of the various ethnic social movements have increased the vibrancy of democratic politics in Nigeria because it has forced the demands of the various ethnic nationalities [especially minorities] on the national agenda. Though, it is plausible to argue that while their activities have increased the vibrancy of politics, it has equally been threats to the survival of the

Nigerian state [especially going by the separatist agitation of the organisation like MASSOB]. One needs to add, *in passing*, that the incessant ethnic conflicts and agitations especially under the current political dispensation suggest that minority demands/interests have not been *properly* put on national agenda of democratisation even though the present government has not been lacking in this respect. Then steps by the Obasanjo administration to cater for different ethnic demands constitute our major task in the next section.

4. Reconstructing the Nigerian post-colony: the obasanjo administration's roadmap to a conflict free Nigeria

The crucial challenge facing the national leadership today is how to build a new Nigeria that will work for the people and where every group will be happy to belong (Ronald, 2003).

Since its inauguration in May 1999, the present civilian administration has embarked on several measures and policy options purposely to address the issue of ethnic agitations for a 'conflict free' Nigerian state. These measures are numerous and multilayered but this study will discuss some of them and their shortcomings.

4.1. *The Oil-Bearing Ethnic Nationalities and the Niger Delta Quagmire*

Prior to the inauguration of Nigeria's Fourth Republic, previous governments had responded to the volatile situation in the ND to assist in ameliorating the harsh living conditions of the oil-bearing communities. Paradoxically, however, the management regime, institutional and policy measures adopted by various governments, especially under military rule, were 'perceived' collaborations with the forces of transterritorial extraction, and the oil companies to destroy the delta basin ecosystem.

First, with the dumping of toxic waste of Italian origin at Koko in Delta state, the federal government under the leadership of General Ibrahim Babangida quickly responded by establishing the Federal Environmental Protection Agency [FEPA] by Decree 88 of 1988. FEPA was empowered by the Decree to, amongst other things, establish and prescribe national guidelines and standards for environmental management, such as water quality, air

quality, noise levels, etc and to monitor and control the movement of hazardous substances, and supervise and enforce compliance with environmental laws so that pollution can be prevented and controlled (Falomo, 1997: 103). Laudable as the goals of FEPA are, it is contended that its terms of reference appeared too broad, hence, did little in modulating the conflict dynamic of the ND (Agbu, 2003). FEPA was to later mid-wife the establishment of a National Policy on Environment [NPE] in 1988 to enhance human environment, preserve the ecosystem and its biosphere, etc. However, for a number of reasons, all these measures failed to achieve their stated objectives, especially in ameliorating the environmental-conflict nexus, thereby prompting the military government to announce the establishment, by Decree 23, of the Oil Minerals Producing Areas Development Commission [OMPADEC] on 10 July, 1992 (Federal Environmental Protection Agency, 1992: 24)^{xvii}. OMPADEC was under the direct supervision of the presidency; its members were *appointed* by, and also accountable to the presidency. *In addendum*, the funding of the Commission came directly from the 3 percent derivation fund controlled by the federal government. Since OMPADEC members were government appointees, they were not truly representatives of the oil-bearing communities of the ND, thereby serving the interests of the federal bourgeoisies and its oil minority allies. Furthermore, the issue of corruption was brought to the fore with the embezzlement of contracts' fund, politicisation in contracts' awards, and above all, the people of the ND were not part of the decision-making process of OMPADEC. All made the Commission's effectiveness, efficiency and impacts on the conditions of the oil-bearing communities of the ND hardly noticeable.

Since the return to civilian rule, there have been determined efforts on the part of the Obasanjo's administration in resolving the festering conflicts of the delta basin. Immediately after his inauguration; President Olusegun Obasanjo visited the ND to assess the situation, the people's needs, and how to address the injustices, abuses of human rights, the repression and exploitation that had driven the oil-bearing communities to the wall. Consequently, the Niger Delta Development Commission [NDDC] Bill was proposed and its passage led to its establishment. The NDDC is mandated to oversee the implementation of a comprehensive master plan for the development of Delta region. The Commission, headquartered in the ND, is an *ad hoc* structure, which is to facilitate development in the ND by identifying and addressing the urgent needs of the people as a complement to the efforts of the state governments and the Corporate Social Responsibility contributions of the oil. It is interesting

to note that the NDDC has been able to record some successes compared to its predecessor. Schools have been built, bridges and roads constructed, community-development projects [CDPs] initiated and other social infrastructures but all these, in the eyes of the oil-bearing ethnic minorities, are minute considering the amount of oil that has been exploited from the ND since 1956. Beside, the NDDC itself is plagued with a lot of difficulties. First, it is under-funded. Considering its huge assignments that spans 9 states and over 300 communities, lack of fund greatly limit its capacity. Some of the problem crippling the NDDC, in view of Abati include the placement of partisan politics before development agenda (since commissioners are political appointees); oil companies' inadequate commitment to funding the NDDC; the state governments' inability to justify the money received in the last six years by making tangible impacts in their states. But for the aforementioned Odi and other episodes of spasmodic violence, the Obasanjo's led administration could have been credited with better performance experiences compared to its predecessors.

4.2. *The Human Rights Violations Investigation Commission.*

One fundamental step taken by the Obasanjo's administration at its inception is the setting up, on 4 June 1999, of the Human Rights Violations Investigation Commission [HRVIC] popularly known as the Oputa Panel. The *raison d'être* for the Commission's establishment was to assuage and reconcile all ethnic nationalities consequent on the large scale injustices and human rights violations suffered between January 1966 and May 1999 so as to move the country forward. The HRVIC, headed by retired Justice Chukwudifu Oputa, had the following terms of reference:

- Establishing or ascertaining the causes, nature and extent of human rights violations or abuses in Nigeria between 1966 and 1999;
- Identifying the person or persons, authorities, institutions that may be held accountable for human rights abuses and determine the motives of the violations;
- Determining whether such abuses or violations were deliberate state policies or acts of state officials, or acts of any political organisations, liberation movements or other groups or individuals, and;
- Recommending measures which may be taken whether judicial, administrative, legislative or institutional to redress the injustices of the past and prevent a

recurrence in the future (cited in Albert, 2003b: 42).

In spite of the good rationale behind its establishment, the reconciliatory process failed to achieve the stated goals for a variety of reasons. First, it is disheartening that most influential Nigerians, especially those who perpetrated human rights abuses, refused to appear before the Commission. Classic examples are Generals Ibrahim Babaginda and Abdulsalami Abubakar, despite the fact the latter handed over power to the current administration. Second, many Nigerians, especially relatives of those that lost their lives during military authoritarianism, were very skeptical about the fairness and credibility of the Panel because it was believed that nothing tangible will come out of it. For instance, the father of the late environmental activist, Ken Saro Wiwa, Pa Jim Benson Wiwa refused to appear before the Commission. Thus, the 96-year old man lamented thus: “my mind was not at peace. I will not appear before the Oputa Panel because that will not bring back my son for me.” (Rowell et al, 2005: 25). Undoubtedly, this statement apparently shows the degree of bitterness and animosity of these people to the Nigerian state. Furthermore, the death of Chief Abiola is a deep wound in the minds of his Yoruba ethnic group that any gesture by the present civilian administration will find difficult to heal. Up till this moment and despite the fact that Chief Obasanjo is from their ethnic group, most Yoruba, the radicals, do not believe in the continued existence of Nigeria. This is the result of their bitter experiences and humiliations suffered under the Babangida and Abacha military regimes that led to the loss of lives of influential Yoruba politicians and civil rights activists. Nevertheless, the Obasanjo reconciliatory effort was worthwhile

4.3. *The National Conference and Ethnic Militant Movements Question*

In order to damp down ethnic fires and make the centre hold, the Obasanjo administration inaugurated the National Political Reform Conference [NPRC] headed by Justice Niki Tobi (Rtd.) where the impact(s) of ethnic militant organisations on Nigeria became a contentious issue. Since these movements ‘allege’ marginalisation of their ethnic nationalities by the central state, two thorny issues became fundamental to resolve the dangers posed by their actions, viz, Resource Control/Derivation, and Rotational Presidency. Concerning the first,

ethnic minorities of the South-South geopolitical zone demanded an increase from the present 13% to 25% of the derivation fund. Additionally, they also demanded an agreement that another 25% can be added instalmentally at the rate of 5% every year for the next 5 years, making the total 50%. This resulted in hot debates and met stiff oppositions, especially from the northern delegates who opposed what they regarded as the 'over ambition' of the people of the South-South. At last the conference, having considered the environmental despoliation of oil exploration in the ND, recommended the following:

1. A clear affirmation of inherent rights of the people of the mineral producing area not to be mere spectators but to be involved by having assured places in the Federal Government mechanism for mining and marketing the resources;
2. There is a need to set up an expert commission to study the issues involved in resource management, including revenue allocation and report within six months. The report would include how mineral resources can be best managed in the interest of the people and the country.
3. The committee recommends an increase in derivation to 17% from the present 13%, with the 4% increase coming from the Federal Government allocation, and finally;
4. There should be a massive and urgent programme of development of resources of the ND by the Federal Government.^{xviii}

Sadly, these recommendations were rejected by the South-South delegates, thus stalemating the conference. Mike Akhigbe, the erstwhile Chief of General Staff under General Abubakar's military junta, aptly captures the people's rage and frustration, thus:

We came with a mandate of our people to demand for 100% resource control. We conceded that demand to merely accepting 25% in the interim, which is being denied. Therefore, we can no longer participate in the proceedings of the conference. We are going home^{xix}

The second thorny issue to allay the minorities' fears centred on the nature of both the President and Governors. The conference failed to reach consensus on the six-year single term for these officials. The agitation for six-year single term is widely believed to consent to the prolongation of Chief Obasanjo presidency. While this agitation met stiff opposition from the majority of the delegates from all geo-political zones, the conference was, on this issue,

successful for it espoused the position of the 1999 constitution that provides a term of four years for the President and Governors, including a possible re-election of an incumbent for another term of four years. On the issue of Rotational presidency to allay the fear of minorities, the conference recommended that the office of the president should rotate among the six geo-political zones. This should, however, be alternated between the Northern and the Southern parts of the federation. Furthermore, it was suggested that this provision, due to its emotive nature, should not be included in the constitution but should enjoy legal backing below the constitution. This provision shall also be extended to both state and local government levels (Sunday Vanguard, 18 June 2005: 11).

From the foregoing discussions, it is apparent that the NPRC has been counter-productive for further widening the rifts between the regions and ethnicities of the Nigerian federation. Apart, the recent arrest of the leadership of the OPC, NDPVF, and MASSOB has further intensified militias' activities. These leaders are currently awaiting trial for treason.

4.4. *Ethnic Minorities, North-South Divide, and the Leadership Question*

Based on ethnic identity, Nigeria is a country that is polarised along North-South divide. The race towards the April 2007 presidential elections has become an issue that will first be tackled at the ethno-geographic level. Ethnic groups are at daggers drawn in their quest to produce the next president of Nigeria. The plural character of the Nigerian state, which is made up of 389 ethnic groups, is a ready ferment of ethnic conflicts. Ethnicity is fundamental and remains an asset in alliance formation and group pre-eminence in the access to the spoils of office and the control of state apparatus. It is obvious that the Nigerian politics is highly inundated by ethnicity, the potency of which this study has discussed. The countdown to the forthcoming general elections has again revealed the potency of ethnicity in politics. At one level, the Hausa/Fulani of the North, who are ensnared into squabbling over their inability to field a consensus candidate, are claiming it is their turn to rule. This position, which is allegedly based on a gentleman agreement on North/South rotation of the presidency of 1999, is now controversial. The North has threatened to go its own way if the presidency is not conceded to it. The quest for ruling at the Centre by South-South geopolitical zone of the ND ethnic minorities is more pronounced than never. The chorus of marginalisation has become a

rallying point and reveals the centrality of oil and the relevance of the 'oil enclave'—the Niger Delta—in Nigeria. The Southeastern part claim to the presidency is rather uncoordinated and timid as intermittent trend to oppose power shift to the Southeast is apparently its only agenda. The South-West is for the moment out of the race since it would have ruled for eight consecutive years by 2007. It is important to note that the minority question remains largely unresolved and avoiding the issue will surely be counterproductive in the long run. This quagmire is convoluted by the presence and influence of a coterie of wealthy retired military officers. The Olusegun Obasanjo led administration through the party in power, PDP, is attempting to douse this ethnic tension by making Dr. Jonathan Goodluck, a minority from the South-South geo-political zone the vice presidential candidate. Though the Presidential Candidate of the PDP, Alhaji Umar Musa Yar'Adua, the incumbent Governor of Kastina state, is of the Hausa/Fulani ethnic stock from the North, the position of vice president given the ethnic minorities, especially the South-South geopolitical zone is a positive step to heal the wound and bitterness of marginalisation. If things work well for the PDP in the April 2007 General elections, an ethnic minority from that zone will occupy the second position in the country's political hierarchy for the first time in the political history of Nigeria. This may however not translate to an automatic representation of the party by Dr. Goodluck after Yar'Adua that is, if the aftermath of the Obasanjo-Atiku [the current vice president] personality clashes is anything to go by.

5. Conclusion and policy considerations

This study has discussed the imperatives of ethnicity, ethnic nationalism and ethnic movements in Nigeria, hence the emphasis on the impacts of the activities of ethnic militancy on the survival of Nigerian state and the sustenance of the country's new democracy. Consequently, the paper did not fail to look at the effects of ethnicity on the political developments in historical context. The effects of ethnic politics, ethnic agitations, and ethnic conflicts on the post May 1999 Nigerian state as well as government policies in assuaging the dissatisfying groups were also discussed.

In the light of the foregoing analysis, it is observed that ethnicity is not a bane to democracy, but rather contributes to its vibrancy. Ethnicity becomes problematic in the context where it is being used to achieve particularistic interests that are detrimental to that of the state. Undoubtedly, Nigeria is infected with the virus of political ethnicity accompanied with all the inauspicious and abhorrent outcomes that make its future 'uncertain'. To surmount the problems caused by ethnicity and secure the future of Africa's largest democracy, the country's 'defective' federalism has to be 'reinvented' so as to guarantee greater harmonious intra- and inter ethnic relations, social justice, equity, stability and security. Thus, the following measures/policy options need careful (re)considerations in order to achieve an integrative nation-state project that will be inclusive of every ethnic nationalities and most imperatively, where all the restive ethnic nationalities will be pacified.

5.1 Overconcentration of Power and Extreme Centralisation

Quite obviously, both in structure and praxis, Nigerian federalism is wanton. This is the reason why Welch, Jr. contends that "although social diversity has been grudgingly recognised in the multiplication of governmental units, Nigeria remains marked by misleading federalism." (cited in Suberu, 1996: 67) Truly, one of the misleading features of the Nigerian federalism is the overconcentration of power and economic resources in the central state at the expense of the federating units. The overconcentration of power, a product of the country's long bitter experience with military rule, over-reliance on oil revenues and absence of the practice of democratic decentralisation, has resulted in sapping the truly federalist institutions and values. The extreme centralisation of economic powers has equally led to the destructive competition for the control of power at the centre. For all intents and purposes, this misleading feature of Nigerian federalism is detrimental to the ethnic minorities because it has led to such "inauspicious and obnoxious outcomes as the erosion of the autonomy and security that genuinely federalists arrangements assure for minorities, the inordinate appropriation by the centre of the resources of the oil-rich Delta minority communities, and the direct and often counter-productive intervention of central authorities in those local and regional issues, such as the determination of local government boundaries, that are best left to subnational authorities or communities." (Suberu, 1996: 67).

It is argued by some political analysts and scholars that ethnic minorities thrive well and their rights best protected in a highly centralised federal structure. This is because a strong centralised state apparatus often empowers the federal government to intervene decisively in enforcing, or even preventing abuses of, ethnic minority rights at the subnational level. This view is based on Nigeria's experiences with the jettison of the centrifugal regional system by the Gowon military regime in the late 1960s that, ultimately, helped to secure the autonomy of the country's ethnic minorities. All the same, it should be noted that excessive concentration of powers in the central state can be counterproductive. In a nutshell, ethnic minority rights are best guaranteed and protected under a decentralised structure of federalism rather than under the hegemonic central state apparatus.

5.2. *Politico-Economic Decentralisation*

Aside from the decentralisation of power and resources at all levels of the federation, there is the need for the politico-economic decentralisation of Nigerian federal system so as to ensure that all the federating units have the opportunities and resources required for self-governance, and greater share of the resources exploited in their regions. Politico-economic decentralisation, it should be noted, does not imply a call for any secessionist arrangement and other forms of fissiparous and divisive centrifugal tendencies. Instead, the de-concentration of the political and economic powers in the central state/government would definitely translate to politico-economic empowerment of the country's weak federating units. The relaxation of the central state's tight control over oil revenues will definitely achieve this goal. Complementing this, it is observed that mineral rents, in particular, should accrue directly to the oil producing communities involved, rather than to the central government. Furthermore, revenue sharing arrangements should not only devolve greater resources to the sub-national authorities, but should give greater weight to the principles of internal revenue generation effort and derivation in sharing revenues among these authorities. It is believed that this arrangement will ameliorate the friction between oil producing states/ethnic minorities and the federal government.

5.3. *Accommodative/ Power-Sharing Strategies*

To promote ethnic justice and fairness in Nigeria, there is the need to devise ‘appropriate and effective’ power-sharing mechanisms and accommodative strategies. Although, attempts have not been lacking in this area as Nigeria is well known in Africa in the use of these mechanisms to enhance inter-ethnic inclusiveness in decision making processes. Policies such as ‘Federal Character’ principle’, the ‘Zoning’ system that encourages the allocations or even rotation of political party posts among geo-political [ethnic] zones, etc are some of the strategies devised and institutionalised by the Nigerian state to promote inter-ethnic representation in the conduct and composition of public agencies and ethnic justice. Undoubtedly, the rationales behind these strategies are laudable since they often discourage sectional imbalance and bias in policy-making process. But, it is disheartening that the personalistic interests of the ‘majority’ ethnicities in the Nigerian federation more often than not work against the realisation of the stated objectives. For instance, the ‘federal character’ principle has always been relegated to the background in the distribution of resources and opportunities in favour of majority nationalities to the harm of ethnic minorities. The flaws inherent in the application of the ‘federal character’ principle, especially on the ethnic minorities of the Middle-Belt of Nigeria, have been well captured by Tyoden Sonni-Gwanle (1993: 7) that:

...those who control the apparatus of national power have either not taken the interests of the Middle-Belt into consideration in the composition and conduct of the affairs of the government and its agencies, or have not given these interests enough consideration. This....means that the constitutional provisions [on ‘federal character’] have not ameliorated...feelings of alienation and deprivation [in the Middle-Belt] because of the refusal or the reluctance of those that have controlled the reins of power in the country over the years to live true to these provisions.

In the same vein, the ‘zoning’ arrangement as a strategy of power-sharing also suffered similar setback. This is because, it is often used to reproduce and even further the hegemonic ambitions of the majority nationalities. For example, under the present political dispensation, all the three ‘juicy’ positions of the presidential candidate, vice-presidential candidate, and party chairman of most political parties are ‘zoned’ to the Hausa-Fulani, Igbo, and Yoruba ethnic nationalities respectively. While a little progress can be said to have been made in the People’s Democratic Party [PDP] where the position of its national chairman is ‘zoned’ to the minorities, the same is rare in other political parties. While one is not discarding these strategies as vehicles of promoting inter-ethnic inclusiveness and harmonious relations, it is important to emphasise the fact that the effectiveness of these strategies need to be enhanced,

while the tendencies of manipulation by the major nationalities be discouraged. The ‘federal character’ principle in particular can be made justiciable so as to enable ethnic minorities seeking appropriate judicial redress. Another additional solution would be to specify the relevant parameters for inter-group representation—for example, by linking such representation to relative ethnic group population, in the true spirit of proportionality.

5.4. *Adequate Compensation and Conciliation of the Minorities*

The primary step in the right direction of ethnic conflict resolution is to adequately compensate the embittered and embattled different ethnic nationalities especially those of the ND. The central state must address these issues of compensation and conciliation from two perspectives. First, the federal government needs to recognise the rights of mineral-bearing ethnic nationalities to control and utilise a ‘significant’ proportion of the wealth derived from their territories. Second, the ethnic minorities of the oil-producing ND must be empowered to be the watchdogs of their environment and stop its degradation. The inhabitants of this environment should be allowed to participate in the decision-making process that impacted on the activities of the oil companies operating in the delta basin. This is also call for a capacity building among existing community associations, etc.

5.5. *The Imperatives of Mediatory and Regulatory Institutions.*

To stem the tide of ethnic violence/conflicts, the rights of the minority groups need to be guaranteed. One of the several regulatory institutions that can guarantee and preserve ethnic minority’s rights is an independent judiciary. During the long reign of military rule, the judiciary was a toothless dog as the state itself became the perpetrator of human and minority rights abuses while the judiciary was unable to enforce human rights. The same went for the Press and the Police. During the military years, especially under the Genera Sani Abacha’s autocratic rule [1993-1998], the roles of these mediatory institutions were severely circumscribed by inordinate political pressures or partisan obstruction or manipulation. In a truly democratic setting, an independent judiciary is a *sine qua non* for minority rights and federal democratic process protection. Furthermore, a stronger and independent judiciary will require a greater political commitment to the supremacy of the regular courts’ system.

Similarly, an efficient and reliable Police forces coupled with free Press are instrumental to the enforcement of the rule of law and deter arbitrary and unjust assaults on the rights of vulnerable social groups. Additionally, independent Press gives free and fair expression to the grievances and claims of ethnic minorities and other disadvantaged groups.

Postscript: may/june 2008

At the time of revising this paper, INEC had conducted the April 14 and 21, 2007 elections^{xx}. The first was at the state level for the people to elect their Governors and Legislators, while the second was at the federal level for the Presidency and National Assembly. INEC finally announced Alhaji Umar Musa Yar'Ardua of the PDP as the winner of the Presidential election. The elections were very historic in the political history of Nigeria because it was the first time that the country experienced the transfer of political power from an elected civilian administration to another. Paradoxically however, the elections turned to be a disgrace to the country as the whole exercises were marred by serious irregularities and controversy. Both local and international Elections Observer groups condemned the exercises that were regarded as fraudulent, incredible, etc. The position of the European Union Election Observer Mission of 23 April, 2007 aptly painted the vivid pictured of the elections thus: "the 2007 state and federal elections have fallen far short of basic international and regional standards for democratic elections. They were marred by poor organisation, lack of essential transparency, widespread procedural irregularities, significant evidence of fraud, particularly during result collation process, voter disenfranchisement at different stages of the process, lack of equal conditions for contestants and numerous incidents of violence. As a result, the elections have not lived up to the hopes and expectations of the Nigerian people and the process cannot be considered to have been credible." Expectedly, the results announcement heated up the polity as violence ensued in different parts of the country. After a period of tension in which many people lost their lives, the Presidential candidates of the Action Congress [AC] and the All Nigerian People's Party [ANPP], Alhaji Atiku Abubakar and General [Rtd.] Muhammadu Buhari respectively, agreed to challenge the election results at the Election Petition Tribunal. Nigerians are now eagerly waiting for the outcome of the exercise. Concerning the issue of ethnicity and ethnic violence, President Yar'Ardua has started addressing this very seriously. The first sign of good things to come is the release of Mujahedeen Asari Dokubo from

detention. Also the president has summoned a conference on Niger Delta purposely to douse ethnic tensions and youth militancy. It is too early to assess the performance of the Yar'Ardua's administration, but one thing is apparent: **Nigerians are watching.**

Notes

ⁱ For further readings on the interface of ethnicity, politics and conflicts, literature is rich, see generally: Onigu, 2000; Anifowose, 1982; Adekanye Bayo, 1995; Ihonbvere 1994; Nnoli, 1978; Nnoli, 1995; Osaghae 1995a; Osaghae 1995b; Osaghae, 1998; Donald, 1992; Doornbos, 1998; David, 1997; Diamond, 1987.

ⁱⁱ See Melson, R and H. Wolpe, 1970; Cohen, 1974.

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^{iv} Read generally: Nnoli, O, *Op cit*, 1978; Magubane, B., 1969; Mamdani; Nzongola-Ntalaja, 1987.

^v Emphasis in the original.

^{vi} This shows the positive aspect of ethnicity.

^{vii} On the 1965 election crisis in the West, see: Dudley, 1973; Dudley, 1982, *Op. cit*; Dare Leo, 1989, *Op. cit*; Diamond, 1988; Idang, 1973; Ikime 1977; Kirk-Greene, 1971; Mackintosh, J.P (eds.), 1966; Post and Vicker, 1973; St. Jorre, 1972.

^{viii} For further readings on Gowon, see Elaigwu, 1986.

^{ix} On the 1993 Presidential elections annulment and its politics, see Ihonbvere, 1998; Abutudu, 1997.

^x It is important to note that the same political class that were clamouring for the actualisation of the June 12 mandate were the same set of people that invited Abacha to takeover the reign of government with the hope that the new military government would finally handover to Abiola. It is sad that, according to Dare Babarinsa, "...when the military decided to intervene finally, it did not do so on the side of the electorate. Instead, it sided with those who voided the June 12 verdict. It sided with the anti-democratic cabal who had been holding the nation hostage for more than three decades." See *Tell Magazine* (Lagos), 6 December, 1993.

^{xi} See generally, Ukeje, 2000; Ihonbvere and Shaw, 1998; Ajayi 1992.

^{xii} Nigeria was still under Military rule when the Land Use Decree was promulgated. The Land Use Decree came into effect on 29 March 1978. It assumed the appellation of an Act by the Adaptation of Law (Re-designation of Decree, etc) Order 1980 Act. See Sections 1 and 13 for details.

^{xiii} The Petroleum Act also vests the power to grant Oil Exploration Licenses (OIL's), Oil Prospecting Licenses (OPL's), and Oil Mining Licenses (OML's) in the office of the Minister for Petroleum Resources.

^{xiv} It should be added that the 50-50 equity share of March 1969 implies that 50 percent of all mining rents and royalties was allocated to the States of derivation. The situation became different by March 1979, when only 20 percent of on-shore mining rents and royalties was allocated on the basis of derivation. For further reading, see Suberu, 1996.

^{xv} MOSOP is a broad-based coalition of Ogoni interest groups/associations: Federation of Ogoni Women Associations [FOWA], National Youth Council of Ogoni People [NYCOP], Ogoni Teachers Union [OTU], the Ogoni Professional Union [OPU], Council of Ogoni Professionals [COP], Council of Ogoni Traditional Rulers [COTRA], Council of Ogoni Churches [COC], Ogoni Students Union [OSU], National Union of Ogoni Students [NUOS], and the Ogoni Central Union [OCU].

^{xvi} International NGOs such as Amnesty international, Greenpeace, the Geneva-based Unrepresented Nations and People (UNPO), and the world body, the United Nations (UN), are all active in the situation in the ND.

^{xvii} It should be recalled that the establishment of OMPADEC was as a result of the first-hand experience about the people's disenchantment of the presidential delegation tour of the delta basin. The tour was as a result of the killings of scores of people in Umuechen village that were on peaceful demonstration by anti-riot police invited by Shell. Based on the reports of the delegation, the then Nigerian Vice President, Augustus Aikhomu stated that there is the need to increase the government's involvement in ameliorating the environmental and ecological degradation of these communities as a result of the exploration and exploitation of crude oil.

^{xviii} See *Sunday Vanguard* (Lagos) 18 June 2005, p. 11.

^{xix} Cited in Orilade and Utomwem. *The News* (Lagos), 25 July 2005.

^{xx} On Nigeria's April 2007 elections, read generally: ECOWAS Observer Mission, 2007; European Union Election Observer Mission, 2007; Human Rights Watch, 2007; National Democratic Institute, 2007.

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Appendix I.

OGONI BILL OF RIGHTS

PRESENTED TO THE GOVERNMENT AND PEOPLE OF NIGERIA.

We, the people of Ogoni [Babbe, Gokanna, Ken Khana, Nyo Khana, and Tai] numbering about 500,000 being a separate and distinct ethnic nationality within the Federal Republic of Nigeria, wish to draw the attention of the Government and people of Nigeria to the undermentioned facts:

1. That the Ogoni people, before the advent of British colonialism, were not conquered or colonised by any other ethnic group in present day Nigeria.
2. That British colonialism forced us into the administrative division of Opobo from 1908 to 1947.
3. That we protested against this forced union until the Ogoni Native Authority was created in 1947 and placed under the then Rivers Province.
4. That in 1951 we were forcibly included in the Eastern Region of Nigeria where we suffered utter neglect.
5. That we protested against this neglect by voting against the party in power in the region in 1957, and against the forced union by the testimony before the Willink Commission of Inquiry into Minority Fears in 1958.
6. That this protest led to the inclusion of our nationality in Rivers state in 1967, which state consists of several ethnic nationalities with differing cultures, languages and aspirations.
7. That oil was struck and produced in commercial quantities on our land in 1958 at K. Dere [Bomu oilfield].
8. That oil has been mined on our land since 1958 to this day from the following oilfields: [i] Bomu, [ii] Bodo West, [iii] Tai, [iv] Korokoro, [v] Yorla, [vi] Lubara Creek, and [vii] Afam by Shell Petroleum Development Company (Nigeria) Limited.
9. That in over 30 years of oil mining, the Ogoni nationality have provided the Nigerian nation over 40 billion Naira [N 40 billion] or 30 billion dollars.
10. That in return for the above contribution, the Ogoni peoples have received NOTHING.
11. That today, the Ogoni people have: [i] No representation whatsoever in ALL institutions of the Federal Government of Nigeria. [ii] No pipe-borne water. [iii] No electricity. [iv]. No job opportunities for the citizens in the Federal, State, public sector or private companies.

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12. That the Ogoni languages of Gokana and Khana are underdeveloped and are about to disappear, whereas other Nigerian languages are being forced on us.
 13. That the ethnic politics of successive Federal and State Governments are gradually pushing the Ogoni to slavery and possible extinction.
 14. That the Shell Petroleum Development Company of Nigeria Limited does not employ Ogoni people at a meaningful or any level at all, in defiance of the Federal government's regulations.
 15. That the search for oil has caused severe land and food shortages in Ogoni one of the most densely populated areas of Africa [average: 1,500 per square mile; Nigerian national average: 300 per square mile].
 16. That the neglectful environmental pollution laws and sub-standard inspection techniques of the Federal authorities have led to the complete degradation of the Ogoni environment, turning our homeland into an ecological disaster.
 17. That the Ogoni people lack education, health and other social facilities.
 18. That it is intolerable that one of the richest areas of Nigeria should wallow in abject poverty and destitution.
 19. That successive Federal administrations have trampled on every minority right enshrined in the Nigerian Constitution to the detriment of the Ogoni and have by administrative structuring and other noxious acts transferred Ogoni wealth exclusively to other parts of the Republic.
 20. That the Ogoni people wish to manage their own affairs.

Now, therefore, while reaffirming our wish to remain a part of the Federal Republic of Nigeria, we make demand upon the Republic as follows:

That the Ogoni people be granted **POLITICAL AUTONOMY** to participate in the affairs of the Republic as a distinct and separate unit by whatever name it is called, provided that this autonomy guarantees the following:

- [a]. Political control of Ogoni Affairs by Ogoni people.
- [b]. The right to the control and use of a fair proportion of Ogoni economic resources for Ogoni development.
- [c]. Adequate and direct representation as of right in all Nigerian national institutions
- [d]. The use and development of Ogoni languages in Ogoni territory
- [e]. The full development of Ogoni culture.
- [f]. The right to religious freedom.
- [g]. The right to protect the Ogoni environment and ecology from further degradation.

We make the above demand in the knowledge that it does not deny any other ethnic group in the Nigerian Federation of their rights and that it can only conduce to peace, justice and fairplay and hence stability and progress in the Nigerian nation.

We make the above demand in the belief that, as Obafemi Awolowo has written:

In a true federation, each ethnic group no matter how small is entitled to the same treatment as any other ethnic, no matter how large.

We demand these rights as equal of members of the Nigerian federation who contribute and have contributed to the growth of the Federation and have a right to expect full returns from that Federation.

Adopted by general acclaim of the Ogoni People on the 26th day of August, 1990 at Bori, Rivers State.

Signed on behalf of the Ogoni people by:

Babbe: Sgd. HRH Mark Tsaro-Igbara, Gbenemene Babbe; HRH F.M.K. Noryaa, Menebua Ka-Babbe; Chief M.A.M., Tornwe III, JP; Prince J.S. Sangha; Dr.. Israel Kue; Chief A.M.N. Gua.

Gokana: Sgd. HRH James P. Bagia Gberesako XI, Gberemene Gokana; HRH C.A. Mitee, JP, Menebua Numuu; Chief E.N. Kobani, JP, Tonsimene Gokana; Dr. B.N. Birabi, Chief Kemte Giadom, JP; Chief S.N. Orage.

Nyo-Khana: Sgd. HRH W.Z.P. Nzidee, Gbenemene Baa I of Nyo-Khana; Dr. G.B. Leton, OON JP; Mr. Lekue Lah Loolo; Mr. L.E Mwarra; Chief E.A. Apenu; Pastor M.P. Maeba.

Ken-Khana: Sgd. HRH M.H.S. Eguru, Gbenemene Ken-Khana; HRH C.B.S Nwikina-Emah III, Menebua Bom; Mr. M.C.Daanwi; Chief T.N. Nwieke; Mr. Ken Saro-Wiwa; Mr. Simeon Idemyor.

Tai: Sgd. HRH B.A. Mballey, Gbenemene Tai; HRH G.N.K Gininwa, Menebua Tua Tua; Chief J.S. Agbara; Chief D.J.K. Kumbe; Chief Fred Gwezia; HRH A. Demor-Kanni, Menebua Nonwa Tai.

Appendix II:

ADDENDUM TO THE OGONI BILL OF RIGHTS.

We, the people of Ogoni, being a separate and distinct ethnic nationality within the Federal Republic of Nigeria, hereby State as follows:

That on October 2, 1990 we addressed an “Ogoni Bill of Rights’ to the President of the Federal Republic of Nigeria, General Ibrahim Babangida and members of the Armed Forces Ruling Council;

That after a one-year wait, the President has been unable to grant us the audience which we sought to have with him in order to discuss the legitimate demands contained in the Ogoni Bill of Rights;

That our demands as outlined in the Ogoni Bill of Rights are legitimate, just and our inalienable right and in accord with civilised values worldwide;

That the Government of the Federal Republic continued, since October 2, 1990, to decree measures and implement policies which further marginalise the Ogoni people, denying us political autonomy, our rights to our resources, to the development of our languages and culture, to adequate representation as of right in all Nigerian institutions and to the protection of our environment and ecology from further degradation;

That we cannot sit idly by while we are, as a people, dehumanised and slowly exterminated and driven to extinction even as our rich resources are siphoned off to the exclusive comfort and improvement of other Nigerian communities, and the shareholders of multinational oil companies.

Now, therefore, while re-affirming our wish to remain a part of the Federal Republic of Nigeria, we hereby authorised the Movement for the Survival of Ogoni People [MOSOP] to make representation, for as long as these injustices continue, to the United Nations Commission on Human Rights, the Commonwealth Secretariat, the African Commission on Human and Peoples’ Rights, the European Community and all international bodies which have a role to play in the preservation of our nationality as follows:

1. That the Government of the Federal Republic of Nigeria has, in utter disregard and contempt for human rights, since independence in 1960 till date, denied us our political rights to self-determination, economic rights to our resources, cultural rights to the development of our languages and culture, and social rights to education, health and adequate housing and to representation as of right in national institutions;
2. That, in particular, the Federal Republic of Nigeria has refused to pay us oil royalties and mining rents amounting to an estimated 20 billion US dollars for petroleum mined from our soil for over thirty-five years;
3. That the Constitution of the Federal Republic of Nigeria does not protect any of our rights

whatsoever as an ethnic minority of 500,000 in a nation of about 100 million people and that the voting power and military might of the majority ethnic groups have been remorselessly used against us at every point in time;

4. That multinational oil companies, namely Shell [Dutch and British] and Chevron [America] have severally and jointly devastated our environment and ecology, having flared gas in our villages for 33 years and caused oil spillages, blow outs etc, and have dehumanized our people, denying them employment and those benefits which industrial organisations in Europe and America routinely contribute to their areas of operations;
5. That the Nigerian elite [bureaucratic, military, industrial and academic] have turned a blind eye and a deaf ear to these acts of dehumanisation by the ethnic majority and have colluded with all the agents of destruction aimed at us;
6. That we cannot seek restitution in the courts of law in Nigeria as the act of expropriation of our rights and resources has been institutionalized in the 1979 and 1989 Constitutions of the Federal Republic of Nigeria, which constitutions were acts of a Constituent Assembly imposed by a military regime and do not, in any way, protect minority rights or bear resemblance to the tacit agreement made at Nigerian independence;
7. That the Ogoni people abjure violence in their just struggle for their rights within the Federal Republic of Nigeria but will, through lawful means, and for as long as it is necessary, fight for the social justice and equity for themselves and their progeny, and in particular demand political autonomy as a distinct and separate unit within the Nigerian nation with full right to [i] control Ogoni political affairs [ii] use at least fifty per cent of Ogoni economic resources for Ogoni development, [iii] protect the Ogoni environment and ecology from further degradation [iv] ensure the full restitution of the harm done to our people by the flaring gas, oil spillages, oil blow outs, etc by the following companies: Shell, Chevron and their Nigerian accomplices;
8. That without the intervention of the international community, the Government of the Federal Republic of Nigeria and ethnic majority will continue these noxious policies until the Ogoni people are obliterated from the face of the earth.

Adopted by the general acclaim of the Ogoni people on the 26th day of August 1991 at Bori, Rivers state of Nigeria. Signed on behalf of the Ogoni people by:

Babbe: Sgd HRH Mark Tsaro-Igbara, Gbenemene Babbe; HRH F.M.K. Noryaa, Menebua Ka-Babbe; Chief M.A.M Tornwe III, JP; Prince J..S. Sangha; Dr. Israel Kue; Chief A.M.N. Gua.

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Tai: Sgd. HRH BA Mballey, Gbenemene Tai; HRH GNK Gininwa, Menebua Tua Tua; Chief JS Agbara; Chief DJK Kumbe; Chief Fred Gwezia; HRH A. Demor-Kanni, Menebua Nonwa Tai.

Appendix III

The KAIAMA Declaration.

Being the Communiqué issued at the end of the All Ijaw Youth Conference which was held in the town of Kaiama this 11th Day of December 1998.

Introduction.

We, Ijaw youths drawn from over five hundred communities from over 40 clans that make up the Ijaw nation and representing 25 representative organisations met, today, in Kaiama to deliberate on the best way to ensure the continuous survival of the indigenous peoples of the Ijaw ethnic nationality of the Niger Delta within the Nigerian state.

After exhaustive deliberations, the Conference observed:

- a. That it was through British colonization that the IJAW NATION was forcibly put under the Nigerian state.
- b. That but for the economic interests of imperialists, the Ijaw ethnic nationality would have evolved as a distinct and separate sovereign nation, enjoying undiluted political, economic, social, and cultural AUTONOMY.
- c. That the division of the Southern protectorate into East and West in 1939 by the British marked the beginning of the balkanisation of a hitherto territorially contiguous and culturally homogenous Ijaw people into political and administrative units much to our disadvantage. This trend is continuing in the balkanisation of the Ijaws into six states--- Ondo, Edo, Delta, Bayelsa, Rivers and Akwa Ibom States, mostly as minorities who suffer socio-political, cultural and psychological deprivations.
- d. That the quality of life of Ijaw people is deteriorating as a result of utter neglect, suppression, and marginalisation visited on Ijaws by the alliance of the Nigerian state and transnational oil companies.
- e. That the political crisis in Nigeria is mainly about the struggle for the control of oil mineral resources which account for over 80% of GDP, 95% of national budget and 90% of foreign exchange earnings. Despite these huge contributions, our reward from the Nigerian State remains avoidable deaths resulting from ecological devastation and military repression.
- f. That the unabating damage done to our fragile natural environment and to the health of our people is due in the main to uncontrolled exploration and exploitation of crude oil and natural gas which has led to numerous oil spillages, uncontrolled gas flaring, the opening up of our forests to loggers, indiscriminate canalisation, flooding, land subsidence, costal erosion, earth tremors, etc. Oil and gas are exhaustible resources and the complete lack of concern for ecological rehabilitation, in the light of the Oloibri experience, is a signal of impending doom for the peoples of Ijawland.
- g. That the degradation of the environment of Ijawland by transnational oil companies and the Nigerian State arises mainly because Ijaw people have been robbed of their natural rights to ownership and control of their land and resources through the instrumentality of undemocratic Nigerian State legislations such as the Land Use Decree of 1978, the Petroleum decrees of 1969 and 1991, the Lands (Title Vesting etc) decree No. 52 of 1993 (Osborne land Decree), the Inland Waterways Authority Decree no. 13 of 1997, etc.

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- h. That the principle of Derivation in Revenue Allocation has been consciously and systematically obliterated by successive regimes of the Nigerian State. We note the drastic reduction of the Derivative Principle from 100% (1953), 50% (1960), 45% (1970), 20% (1975), 2% (1982), 1.5% (1984), to 3% (1992 to date), and the rumoured 13% in Abacha's 1995 undemocratic and unimplemented constitution.
 - i. That the violence in Ijawland and other parts of the Niger Delta area, sometimes manifesting in intra- and inter-ethnic conflicts are sponsored by the State and transnational oil companies to keep the communities of the Niger Delta area divided, weak and distracted from the causes of their problems.
 - j. That the recent revelations of the looting of the national treasury by the Abacha junta is only a reflection of an existing and continuing trend of stealing by public office holders in the Nigerian State. We remember the over 12 billion dollars Gulf war windfall, which was looted by Babangida and his cohorts. We note that over 70% of the billions of dollars being looted by military rulers and their civilian collaborators is derived from our ecologically devastated Ijawland.

Based on the foregoing, we, the youths of Ijawland hereby make the following resolutions to be known as the Kaiama Declaration:

All land and natural resources (including mineral resources) within the Ijaw territory belong to Ijaw communities and are the basis of our survival.

We cease to recognise all undemocratic decrees that rob our peoples/communities of the right to ownership and control of our lives and resources, which were enacted without our participation and consent. These include the Land Use Decree and the Petroleum Decree.

We demand the immediate withdrawal from Ijawland of all military forces of occupation and repression by the Nigerian State. Any oil company that employs the services of the armed forces of the Nigeria State to "protect" its operations will be viewed as an enemy of the Ijaw people. Family members of military personnel stationed in Ijawland should appeal to their people to leave the Ijaw area alone.

Ijaw youths in all the communities in all Ijaw clans in the Niger Delta will take steps to implement these resolutions beginning from 30th of December, 1998, as a step towards reclaiming the control of our lives. We, therefore, demand that all oil companies stop all exploration and exploitation activities in the Ijaw area. We are tired of gas flaring, oil spillages, blowouts and being labeled saboteurs and terrorists. It is a case of preparing the noose for our hanging. We reject this labeling. Hence we advise all oil companies' staff and contractors to withdraw from Ijaw territories by 30th of December, 1998, pending the resolution of the issue of resource ownership and control in the Ijaw area of the Niger Delta.

Ijaw youths and Peoples will promote the principle of peaceful coexistence between all ijaw communities and with immediate neighbours, despite the provocative and divisive actions of the Nigerian State, transnational oil companies and their contractors. We offer the hand of friendship and comradeship to our neighbours: the Itsekiri, Ilaje, Urhobo, Isoko, Edo, Ibibio, Ogoni, Ekpeye, Ikwerre, etc. We affirm our commitment to joint struggle with the other ethnic nationalities of the Niger Delta for self-determination.

We express solidarity with all peoples, organisations, and ethnic nationalities in Nigeria and elsewhere who are struggling for self-determination and justice. In particular, we note the struggle of the Oodua Peoples congress (OPC), the Movement for the Survival of Ogoni People (MOSOP), Egi women's Movement, etc.

We extend our hand of solidarity to the Nigerian oil workers (**NUPENG and PENGASSAN**) and expect that they will see this struggle for freedom as a struggle for humanity.

We reject the present transition to civil rule programme of the Abubakar regime, as it is not preceded by restructuring of the Nigerian federation. The way forward is a Sovereign National Conference of equally represented ethnic nationalities. Conference noted the violence and killings that characterized the last local government elections in most parts of the Niger Delta. Conference pointed out that these electoral conflicts are a manifestation of the undemocratic and unjust nature of the military transition programme. Conference affirmed therefore, that the military are incapable of enthroning true democracy in Nigeria.

We call on all Ijaws to remain true to their Ijawness and to work for the total liberation of our people. You have no other true home but that which is in Ijawland.

We agreed to remain within Nigeria but to demand and work for self-government and resource control for Ijaw people. Conference approved that the best way for Nigeria is a federation of ethnic nationalities. The federation should be run on the basis of equality and social justice.

Finally, Ijaw youths resolve to set up the Ijaw Youth Council [IYC] to coordinate the struggle of Ijaw peoples for self-determination and justice.

Signed for the Entire Participants,

Felix Tuodolo

Ogoriba, Timi Kaiser-Wihlelm.

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