
Violent Conflicts and the Violation of Physical Integrity Rights in the Niger Delta during the First Phase of Nigeria's Fourth Republic (1999-2007)

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Abstract

Although several studies have demonstrated how the challenges created in the Niger Delta by oil extraction contribute to violent conflicts in the region, adequate attention has not been given to how such violent conflicts precipitated the violation of physical integrity rights. This article examines the violation of physical integrity rights during the first phase of Nigeria's Fourth Republic. With the aid of secondary data from journal articles, books and reports, the article discusses various reasons why the civilian government in Nigeria during this period was complicit in the violation of physical integrity rights during violent conflicts in the Niger Delta.

Keywords: *Physical integrity rights, democracy, Nigeria, Niger Delta, violent conflicts*

1. Introduction

The violation of the rights of Nigerians is a regular feature of violent conflicts. Like other areas in Nigeria the Niger Delta experienced different cases of violent conflicts during the first phase

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of Nigeria's fourth republic (Ebiede, 2017). After a long period of military rule in Nigeria, civilian government was inaugurated on May 29, 1999 with Chief Olusegun Obasanjo as the President. In this article the expression first phase of Nigeria's fourth republic refers to the two terms President Obasanjo served i.e. from 1999 to 2007. This period was characterized by several cases of violent conflicts in the Niger Delta. The Niger Delta region which is the study area is situated in the southern part of Nigeria where crude oil extraction takes place. The region represents about 12% of Nigeria's total surface area (Watts, 2004). It is made up of nine states of Nigeria, namely: Abia, Akwa-Ibom, Bayelsa, Cross River, Delta, Edo, Imo, Ondo, and Rivers (Obi, 2010).

Various cases of violent conflict in the Niger Delta have been examined by several scholars. For example Omotola (2009:1-12) after a careful examination of the conflict situation attributed the problem of violent conflicts in the Niger Delta to liberation struggles. He argued that "the oil majors seem to prefer a more violent approach to taming the monster, which violence in the Niger Delta has become". This makes the Nigerian state to be notoriously reputed for its excesses in the Niger Delta over dissent. Other scholars such as Ebiede (2017) attributed the persistent conflict in the Niger Delta to disagreements between indigenous communities and the Nigerian state on natural resource management. Though armed militancy targeting oil infrastructure constituted a major form of the conflicts, there existed other types, levels, and dimensions of conflicts within the region. However, the response of the Nigerian state has focused mainly on addressing the armed militant conflict that targets oil industry infrastructure, leaving other—though connected—conflicts in the Niger Delta unattended. The neglect of other forms of conflicts, it is argued, impacts the ability of state-led peacebuilding programs to stabilize the Niger Delta region (Ebiede, 2017). Additionally, Babatunde (2020) attributed conflicts in the Niger Delta to the negative impact of oil pollution on water

resources which is usually aggravated by the ineffectiveness of the measures adopted by the state to manage the conflicts.

A careful examination of these and other studies on the Niger Delta reveals that adequate attention has not been given to the link between violent conflicts and the violation of physical integrity rights. Consequently, this article focuses on how violent conflicts in the Niger Delta precipitated the violation of physical integrity rights. The article focuses on physical integrity rights because it is the most frequently studied right in empirical research on human rights violations (Hill Jr, 2016:1). To accomplish this objective the study relied on secondary data from journal articles, books and reports. The article begins with the conceptualization of physical integrity rights and theoretical perspectives on violent conflicts and physical integrity rights. Thereafter an overview of the violation of physical integrity rights and violent conflicts in the Niger Delta is made. The article further examines reasons for the violation of physical integrity rights in the Niger Delta from 1999 to 2007.

2. The Concept of Physical Integrity Rights

Physical integrity rights, sometimes referred to as personal integrity rights, are entitlements codified in international law according to which individuals are to be protected from arbitrary physical harm and coercion by their own government. It entails protections from extrajudicial killing, disappearance, torture, and arbitrary political detention (Cingranelli et al, 2019). The concepts physical integrity right and democracy as it is practiced in some countries overlap to some extent. This is because violence meant to suppress opposition groups, which is considered a violation of physical integrity right, overlaps with free political competition, which is usually a necessary component of democracy (Hill Jr, 2016:1). According to the Bureau of Democracy, Human Rights, and Labor (2010) physical integrity right include freedom from torture or other cruel, inhuman or degrading treatment or

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punishment, prolonged detention without charges, disappearance or clandestine detention, and other flagrant violations of the right to life, liberty and the security of the person.

According to Cingranelli and Richards (1999:1), physical integrity rights “have reliable and systematically available information across time and space”. Physical integrity rights, which protect individuals from extrajudicial murder, disappearance, torture, or political imprisonment by the authorities, are described as critical because their violation offends the most widely shared norms of appropriate government conduct. Abuse of physical integrity rights increases violent conflicts because it alienates the government from members of the population that could provide it with intelligence about insurgent groups (Walsh and Piazza, 2010).

Physical integrity rights violations by states are certainly not a recent phenomenon, though only in the past fifty to sixty years have they been formally brought into the sphere of international human rights law (Spicer, 2011). Though the physical integrity of a person can be broadly interpreted, there are four main subcategories of physical integrity rights violations. They are: torture, extrajudicial execution, political imprisonment, and political disappearance. Torture is any act by which severe pain or suffering (both physical and psychological) is intentionally inflicted on a person for the purpose of obtaining a confession, punishment, intimidation, or discrimination at the instigation or with the consent of a public official. This does not include pain or suffering arising only from lawful sanctions (United Nations, 1984). Torture is the most common violation of the physical integrity rights (Cingranelli and Richards 1999), and is widespread in Nigeria where security forces and the police routinely torture or ill-treat detainees, particularly during interrogations (Amnesty International, 2014). An extrajudicial execution is the killing of a person by governmental authorities without the sanction of any judicial proceedings or legal process. This term is often used interchangeably with “summary

execution” and “assassination” (Schmitt 2004). Political imprisonment occurs when a person is arbitrarily detained i.e. with no legal basis for detention. It also includes grave violations of the right to a fair trial. Detention and imprisonment which is lawful under national standards may be considered arbitrary under international standards (Amnesty International, 2011). A political disappearance takes place when a person is arrested, detained, or abducted by the state or agents of the state and conceals the person’s whereabouts, placing them outside the protection of the law (Amnesty International, 2011).

Some studies have examined several factors that influences respect for physical integrity rights. For example Brender and Pfaff (2018) examined whether the imports and proliferation of Small Arms and Light Weapons can in fact be associated with changes in respect for physical integrity rights. Based on empirical evidence from 176 countries from 1999 to 2010 the study concluded that that arms imports and proliferation are associated with a decrease in respect for physical integrity rights. In another study, Cingranelli et al (2019) noted that countries with greater respect for physical integrity rights (torture, disappearance, political imprisonment and extrajudicial killing) are likely to experience less violent conflict. The more a government violates physical integrity rights, the greater the risk of the onset and escalation of all forms of internal conflict.

In the Niger Delta, violent conflicts are usually characterized by the violation of physical integrity rights especially by government’s security forces. This article examines how this occurred between 1999 and 2007.

3. Theoretical Perspectives

The link between democracy and human rights has been recognized by many scholars. For example O’Donnell (2004) summarized the quality of democracy as: Quality of Democracy =

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human rights + human development. This viewpoint indicates that democracy encapsulates human rights. Several research findings strongly support the idea that states with higher levels of democracy, regardless of their election rules, are more respectful of human rights (Davenport 1997; Poe, Tate, and Keith 1999).

Implied in the common understanding of democracy is the idea that democratic regimes respect the individual rights of their citizens. According to Cingranelli and Richards (1999:513), “most findings in previous empirical human rights research indicate that the governments of democratic countries tend to have more respect for physical integrity rights than the governments of authoritarian countries”. Proponents of this argument contend that democracy reduces government oppression, because democracy empowers the masses. The masses, so empowered, use their power to prevent those in authority from abusing their human rights (Cingranelli and Richards, 1999).

In one of the first pooled, cross-sectional, time series analyses of the factors associated with political repression, Poe and Tate (1994) found, inter alia, that regardless of whether repression is coded using Amnesty International or US State Department criteria, increased levels of democracy are associated with decreased levels of repression. Actually, Poe and Tate's (1994) findings corroborated an enduring finding in the comparative politics literature on the negative impact of democracy on political repression (Hibbs 1973; Henderson 1991). Political repression, in the broadest sense, refers to the systematic violation of the civil liberties and human rights of groups and/or individuals. Human right as used in this context refers to respect for one's personal or physical integrity. It is these “physical integrity rights” that are usually the focus of studies on political repression.

With so much empirical and theoretical support for the democracy-repression thesis, it was not surprising when Davenport

(1995) found that democracy is associated with reduced levels of repression and autocracy is associated with increased levels of repression. Specifically, Davenport (1995) argued that states with different regime types respond differently to the threats they face. For him, democracies were less repressive not only because they experienced less antigovernment activity but also because they were less likely to view the dissent as threatening to the sitting regime.

Some scholars do not accept the argument above. For example, Fein (1995) suggests that countries in which there is no democracy will experience fewer violations of physical integrity rights than those states in the intermediate stages of democracy. This argument is referred to as the ‘more murder in the middle’ thesis. Fein (1995:173) further states that “... the expansion of democracy actually increases the motives for repression among elites and parties fearing a populist victory”. Factors such as division among the elites, inequality, and violent challengers threatening the current social order impel the governing elite to resort to repression or state terror. From the perspective of Vernon and Baksh (2010) some states in the intermediate stage of democracy can be called anocracies which he defined as "countries that are neither autocratic nor democratic, most of which are making the risky transition between autocracy and democracy". They also noted that the number of anocracies had increased substantially since the end of the Cold War. Statistics show that anocracies are ten times more likely to experience intrastate conflict than democracies, and twice as likely as autocracies (Gehem, Marten, and Schellekens, 2014).

As Zakaria (1997) has argued, regular elections are held in these apparently democratic systems, but the people are not really empowered because there are too few constitutional limits on the power of leaders. Other studies (Gurr, 1986; Poe and Tate, 1994) have also demonstrated that governments faced with intense domestic opposition tend to choose greater repression of the human rights of their citizens. Warding off domestic opposition saps regime

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strength and domestic conflict, itself, provides a direct threat to the survival of the regime. Repression is one way to increase the strength-threat ratio. It is pertinent to mention that democracy ought to have positive impact on respect for physical integrity rights. This is because democratic governance is expected to be based on consensus and respect for the wishes and aspirations of the people.

One reason studies consistently find that democracies are less violent than autocracies is that the concept of democracy, defined as genuine political competition, overlaps with repressive violence. According to this definition of democracy, using violence to target peaceful political opponents is sufficient to classify a state as non-democratic (Hill Jr. 2016). That is, states must be considered less democratic if they target members and supporters of peaceful political groups with violence. Indices of democracy that measure political competition thus partly measure uses of violence against the government's opponents, with those that use more violence being classified as less democratic. Some studies that examined the relationship between state violence and political competition to some extent exemplify this fact (Hill Jr, 2016). While it is a fact that democracies use less violence, on average, than autocracies, it is also a fact that state agents in democracies use torture (Conrad and Moore, 2010; Conrad et al., 2017).

Overview of Violent Conflict and Violation of Physical Integrity Rights in the Niger Delta

The discovery of oil in commercial quantity in Nigeria in 1956 which ought to be a blessing for the country brought about a period characterized by series of conflicts in the Niger Delta. From 1999, democratic renewal, backed by excess oil rents returns, made the popular democratic control of oil wealth critical. The consequent rentier management of oil wealth, excluding the citizens and their huge expectations occasioned threats to national security (Ezirim, 2018). The Niger Delta has been (and is still) ridden with several

violent conflicts. The drivers of conflict include abject poverty, underdevelopment, struggles for the control of oil, violent protests against oil pollution, and environmental degradation resulting in attacks on oil companies and installations (Durueke, 2020). The security challenges in the Niger Delta manifests in the form of militancy, insurgency, kidnapping, pipeline vandalism and even agitations for self-determination. Some scholars have associated the different dimensions of violent conflicts in the Niger Delta to the effects of oil extraction in the region. For example Ukeje, (2004) argued that decades of oil exploitation in the Niger Delta has transformed Nigeria's political economy making it one of the most resource-dependent and conflict prone countries on earth. Other studies indicated that resource-rich and resource-dependent countries are more likely to lapse into violence (Elbadawi& Soto, 2015; Humphreys, 2005). It is clear that Nigeria, a country that fits both these preconditions, has been prone to violence in the oil-producing region of the Niger Delta since the 1970s (Hazen & Horner, 2007; Maehler, 2010). This has disrupted oil production and caused adverse financial consequences for the country (Gonzalez, 2016).

Although the history of violent conflicts in the Niger Delta dates back to antiquity, events before political independence in 1960 pointed towards future challenges. The fear expressed by the minority groups led to the inauguration of the Sir Henry Willinks Commission. The Commission was expected to recommend strategies for allaying the fears of the minorities and the development of the Niger Delta. When it turned in its report in 1958, it recommended that the Niger Delta deserved special attention and should be made a special area for development. Based on the Commission's report, the Federal Government established the Niger Delta Development Board, (NDDDB) in 1960 to cater for the unique development needs of the area (Ikporukpo 1981:119-129). This Board could not respond effectively to the development needs of the Niger Delta.

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In response to the development challenges in the Niger Delta, the Niger Delta Volunteer Service (NDVS) was formed few years after independence. On February 23, 1966 the NDVS declared an independent Niger Delta Peoples Republic, under the control of Isaac AdakaBoro. After this event, some cases of violent conflicts were recorded in the Niger Delta before the situation became volatile in the 1990's (Ukeje, 2004). The conflict in the Niger Delta became more extensive and better publicized with the formation of the Movement for the Survival of the Ogoni People (MOSOP) in 1990, particularly because of its charismatic leader Ken Saro-Wiwa. Following the public presentation of the Ogoni Bill of Rights (adopted in 1990), in which MOSOP demanded more political autonomy and a more equitable distribution of the oil rents to the government, the first mass demonstration took place in 1993. Although the Ogoni representatives' approach was generally peaceful, the protests gave rise to a wave of state repression against the Ogoni leaders and led to the detention of several hundreds of activists (Ibeanu and Mohammed 2005: 44) and the destruction of houses and villages, with numerous deaths as a result (Danler and Brunner 1996: 35). The brutal repression of the Ogoni people and the elimination of their leaders by the Abacha military regime meant that the movement was practically annihilated and the degree of violent conflict in the Niger Delta temporarily reduced.

In 1997 violent conflict again increased, reaching an unprecedented intensity. The major outbreaks of violence during this period were in May 1997, June 1999 and February 2003 involving Urhobo, Itsekiri and Ijaw ethnic groups in Warri, Delta State. Violent struggles—comprising inter-communal violence, increasing clashes between armed militant groups and the security forces, and attacks against transnational oil companies intensified.

Some notable cases of violation of physical integrity rights during violent conflict in the Niger Delta were:

The Invasion of Odi Community in Bayelsa State: In November 1999, the federal government of Nigeria declared a state of emergency and as an attempt to track down some youths who were alleged to have kidnapped and killed twelve policemen in Odi (Courson, 2006). Later, thousands of military personnel invaded the community and unleashed a heavy bombardment of artillery, grenade launchers, mortar bombs, and other sophisticated weapons. The assault was no different from a typical invasion of enemy territory in real warfare (Human Rights Watch, 2002). The military's invasion of Odi resulted in the deaths of many people and the destruction of much property. Many citizens of Odi were bundled onto trucks and taken to military barracks in Elele in Port Harcourt and Warri as prisoners of war (Umukoro, 2018).

The Destruction of Odioma Community: Odioma is a small community in Bayelsa State. On February 19, 2005, security forces called the Joint Task Force invaded the community. The aim of the raid was to stop a communal conflict in Odioma and apprehend local militia who were alleged to have been involved in criminal activities. Over a period of four days, the Joint Task Force destroyed 80 percent of the houses in the community using gunboats and machine guns (Omeje, 2006; Umukoro, 2018).

Rape in Choba, Rivers State: In October of 1999, women and men from the Choba community protested against perceived long-standing unfulfilled promises by a US-based company, Willbros Nigeria Ltd, in Port Harcourt. Much of the discontent had been centered around perceived Willbros' apparent unwillingness to employ any significant number of Choba indigenes or to engage in any sort of relationship with the community (Human Rights Watch 1999). Eyewitnesses accuse government security forces of violently dispersing a peaceful crowd, the rape of at least 67 women, and the murder of several individuals (Amnesty International 2006). During their investigation, Human Rights Watch (1999) found that many of the victims refused to speak to outsiders, but those that did confirmed

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that the rapes were widespread and systematic (Lenning and Brightman, 2009).

In addition to the cases mentioned above, many other violent conflicts associated with the violation of physical integrity rights occurred in the Niger Delta. Between 2003 and 2004 various sources agree on death tolls of more than 500 people. For example International Crisis Group Report (2006:6) asserted that “estimates indicate a list of 2,483 deaths and missing people as compiled by local activist groups”. Banjo (2008:57) reports that in clashes between Itsekiri and Urhobos in February 2003 alone “an estimated 400 people” were killed (Mähler, 2010).

The decision of political regimes (military and democratic) to embark on the violation of physical integrity rights in the Niger Delta is based on their perception of the effects of resistance and rebellion by the Niger Delta people on the strength of the regime i.e. the ability of the regime to command obedience (Umukoro, 2018b.). Repression or human rights violation is one means to reduce the internal threat to the regime's rule. Remarkably on the effects of repression on violent conflicts in the Niger Delta, Obi (2009) opined that what started as local protest in the Niger Delta escalated to resistance that has attracted international attention.

Expectations were initially high in the Niger Delta that Nigeria's return to democracy would lead to the de-militarization of the region, reduce tensions, and bring ‘democracy dividends’ to the people (Human Rights Watch, 2002). At the same time, the local political class had gone round in an attempt to co-opt the leadership of the various social movements, identity and communal organizations, with a view to de-radicalizing and demobilizing them or using them for narrow/personal political purposes. The continued militarization of the region contributed to the feeling in some circles that those that had held the oil-rich Niger Delta ‘captive’ would neither listen to the demands of the people nor respect their rights.

Such views were informed by the apparent failure of peaceful protest to effect change in the attitude of the state-oil alliance toward the Niger Delta. The response by such groups was to adopt violence, either in navigating the complex terrain of survival in the region, or in resisting what was seen as the predatory instincts of the state-oil alliance and wrest the control of oil from them (Obi 2009).

The intensity of militant activities and the effects on the Nigerian economy led to the introduction of the amnesty programme. The activities of militants made peace to elude Nigeria especially the Niger Delta area for a long time. On June 25, 2009 the amnesty for militants operating in the Niger Delta was announced by Nigeria's President Umaru Musa Yar'Adua with the condition that the militants will renounce militancy within 60 days. He granted the amnesty in accordance with section 175 of the 1999 Constitution which provides that the President may grant any person concerned with or convicted of any offence created by an Act of the National Assembly a pardon, either free or subject to lawful conditions. A presidential panel on amnesty and disarmament of militants in the Niger Delta was then set up to manage the process. The militants were expected to demobilize and their arms surrendered at designated centres to pave way for rehabilitation and reintegration (Ikelegbe and Umukoro, 2016).

The amnesty initiative started on August 6, 2009 and ended on October 4, 2009. The Federal government declared amnesty for all militants with a view to disarming and rehabilitating them (Agbibo, 2015). The amnesty programme is part of the federal government's strategies to end the violence in the oil region, which has hampered oil production, the state's main foreign exchange earner. Since the implementation of the amnesty programme, the Niger Delta has enjoyed relative peace.

Reasons for the Violation of Physical Integrity Rights, 1999-2007

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Since the introduction of civilian government was expected to ensure government's responsiveness to the challenges and aspirations of the people, why did repression persist under civilian regimes such as Obasanjo's regime (1999-2007)? The theoretical answer to this question can be inferred from Fein's (1995) thesis that the most repressive regimes are those that exhibit intermediate levels of democracy (i.e. semi-democracies). To modify her phrase, there is "more 'repression' in the middle" of the spectrum of political regimes. Her thesis suggests that there is an inverted U relationship between regime type and repression. Moreover, it clearly implicates semi-democracies— not full-fledged autocracies as the most repressive states (Regan and Henderson, 2004:1-2). These arguments suggest that the persistence of human rights violation under civilian rule in Nigeria indicates that democracy in Nigeria is at the intermediate stage characterized by efforts by the regime to ward-off opposition through repression. This dovetails into the assertion of Fein (1995) that the most repressive states tend not to be the most authoritarian, but rather mixed regimes. Leaders of mixed regimes see opposition as a direct threat to their hold on power. Unlike democratic regimes where mechanisms exist to channel dissent, these are much more limited in mixed regimes, increasing the probability that leaders respond to threats with repression (Fein 1995; Regan and Henderson 2002).

The theoretical explanations above indicate that repression occurs both in military and civilian regimes. The objective is to suppress resistance from the governed. In the case of the Niger Delta, repression has contributed to the persistence of resistance and violent conflicts.

There are several reasons for the violation of physical integrity rights during violent conflicts in the Niger Delta between 1999 and 2007. The first reason is the perception of the people that the civilian government is not responsive to the needs of the people (Umukoro,

2018). This is led to several reactions from the Niger Delta especially in the form of militancy (Okonofua, 2013). The struggle for development and emancipation especially by militants attracted the wrath of government security forces who engaged in wanton destruction of lives and properties (Asuni, 2009). This means that the resistance in the Niger Delta was as a result of the perceived failure of the civilian government to respond positively to the needs of oil producing communities and the only way to suppress protests was to engage in the violation of physical integrity rights. Some previous studies share similar views. For example Obi (2010:219-236) argued:

Globalized oil extraction results in the dispossession of local people and fuels violent resistance in Nigeria's oil-rich, but impoverished Niger Delta. This follows from the transformation of resistance from non-violent to violent forms, involving well-publicized attacks by Niger Delta, ethnic-minority militias against the Nigerian state-oil multinationals partnership.

The argument above shows that inequity in the distribution of resources in this case oil revenue, and widespread poverty with no perceived or actual solution in view are key drivers of the violent conflicts in the Niger Delta. The transition from military to civilian government in 1999 raised the hopes of the Niger Delta people on the possibility of a durable solution but this was not adequately achieved (Yagboyaju and Akinola, 2019).

The second reason is that the proliferation of small arms and light weapons during periods of elections increased the level of criminal activities in the Niger Delta. Commenting on this situation, Isumonah (2012:1) opined that “increased demand for small arms and light weapons in the Niger Delta and absence of a supply control factor in the face of numerous demand factors led to the proliferation of small arms and light weapons, making the Niger Delta an armed society”. Attempts by security forces to quell criminal activities

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carried out with such weapons often culminate in gross human rights violations. For example, the killing of some police men in Odi community in 2002 led to the destruction of the entire community and other forms of gross human rights violation. The excessive reaction of security forces to certain criminal activities carried with the use of small arms and light weapons often result in gross human rights violations (Human Rights Watch, 2002).

The third reason is that the perpetrators of rights violations are hardly or never held accountable or brought to justice due to the myriad of problems besetting the judicial institutions. Besides, there is an apparent lack of trust and confidence in the courts and general apathy towards the judicial processes amongst Nigerians as the civil remedies in law are rarely enforced. Furthermore, the criminal justice system and the judiciary, generally perceived as dysfunctional, are ineffective in bringing security personnel and corporations involved in crimes and violation of rights to justice due to systemic and institutional corruption, lack of independence of the judiciary, political interference, and so on (Onwuazombe, 2017).

The fourth reason for the violation of physical integrity rights during the first phase of the Fourth Republic is the quality of democracy in Nigeria at that time. The people of the Niger Delta felt dispossessed and perceived the quality of democracy in Nigeria to be poor and the only way to have their needs met is to resist security forces and destroy oil infrastructure in the Niger Delta (Obi, 2010). In order to verify the notion that the poor quality of democracy in Nigeria contributed to the persistence of human rights violation in the Niger Delta, let us examine Freedom House democracy index rating of democracy in Nigeria at that time.

Table 00.1 Freedom House Index Rating Nigeria of Nigeria, 1999-2007

Year	Freedom House Rating
1999	4
2000	5
2001	5
2002	4
2003	4
2004	4
2005	4
2006	4
2007	4

Source: <http://freedomhouse.org/country/nigeria>

Table 00.1 shows that the Freedom House rating of Nigeria ranged from partly free to not free from 1999 to 2009. This indicates that political rights and civil liberties were still abused. Despite more than a decade of democratic governance and endorsement of universal declaration of human rights charter, Nigerians still face a lot of human rights abuses. This is because contrary to democratic ethos, the state is still largely authoritarian in leadership and security operations (Akhaine and Chizea, 2011). Cases of human rights violations which McCulley (2013) described as becoming a culture of impunity in the country includes extra-judicial killings, illegal detention, destruction of property by security forces etc. The response by the military and law enforcement agencies to widespread insecurity often involves extrajudicial killings, torture, and other abuses (Freedom House 2008). The police and security services routinely use torture, rape, mistreatment, and extortion as investigation tactics, and engage in extrajudicial killings against criminal suspects (Open Society Foundation, 2010).

4. Conclusion

The inauguration of civilian government in 1999 restored hope for respect for human rights in Nigeria (Human Rights Watch, 2002). Unfortunately, the violation of physical integrity rights remained a major problem during civilian rule. Security agencies have been repeatedly accused of extensive human rights abuses such as extrajudicial killings (Onwuazombe, 2017). The violations of physical integrity rights as a response to violent conflicts in oil producing areas of the Niger Delta during the first phase of Nigeria's Fourth Republic can be linked to several factors such as the low quality of democracy in Nigeria described as anocracy, the proliferation of small arms and light weapons and the absence of effective transitional justice system.

The failure of civilian rule to improve respect for human rights after many years of neglect and subjugation by military regimes made communities in the Niger Delta to have the perception that the Nigerian government is in connivance with the oil companies to deny them their rights and that the government is not being sincere with them in terms of the various pledges it has made to solve development related problems in the Niger Delta (Ikelegbe and Umukoro, 2016). As a result some individuals, groups and communities decided to take their destinies into their own hands by employing strategies and tactics ranging from 'reactive pacifism' to 'reactive militancy' (Onosode 2003: 111- 115). In order to ward off opposition civilian administrations used the military to engage in repressive acts and gross human rights violation.

It is therefore pertinent that the Nigerian government takes decisive action towards improving respect for human rights. This is because the hallmark of a civilian government that is democratic is respect for human rights. All stakeholders in the present civilian administration in Nigeria should be guided by democratic norms such as respect for human rights and the rule of law. Civil society

organizations should assist in providing enlightenment to the people on the need for non-violent approach towards managing conflicts. This might involve educating them on the need to vote any government perceived to be insensitive to the needs of the people out of power. Excessive use of military force should be avoided in the management of conflicts in the Niger Delta.

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