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Insecurity in the Niger Delta and the Future of Nigeria's Federalism

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Abstract

For over five decades oil from the Niger Delta has been the pivot of the Nigerian economy. However, while other areas enjoyed the benefits of oil revenues, the region has wallowed in misery. This contradiction of wealth without development led to protests for restructuring of the federation to reflect existing structures at independence. However, the State sees the protests as security problem, hence, often, resorting to repression to quell protests. The resort to force turned erstwhile peaceful protests violent and almost dovetailed into insurgency. The paper argues that insecurity in the Niger Delta derives from poor governance ethos. Thus for viable peace in the region, the State must make concerted efforts to meet the region's key demands. The paper concludes that against the panoply of vested (internal and external) interests in the region, a resurgence of insecurity would sound the death knell to Nigeria's federalism.

Key words: Oil, Insecurity, Niger Delta, Nigeria's federalism

Introduction

The Niger Delta is synonymous with oil that for about five decades has sustained the Nigerian economy (Ikein, 1990; Khan 1994; Lewis, 1996; Watts, 2000). Oil accounts for 80% of government revenues, 90% of foreign exchange earnings, 96% of export revenues and almost half of GDP (Karl and Gray, 2003:26; Powell *et al.*, 2005:9; ICG, 2006b:19). The Niger Delta accounts for about 90% of Nigeria's 2.45 million barrels daily oil productions. The region also houses the technology, administrative and physical infrastructure of the oil industry. These consists of 606 oil fields, 6006 wells, nearly 11000 km of aged pipelines (Okoko and Ibaba, 2009; Osuji, 2002), 10 export terminals, 275 flow stations, 10 gas plants, 3 refineries and a massive natural gas (LNG) sector (Watts, 2007). Earnings from crude oil sales over the last 50 years are put at over \$600 billion (Watt, 2007). However, due to the distorted nature of Nigeria's federalism, which is ossified by prebendal and primordial interest, this wealth has not impacted on the region, despite transition to democratic rule in 1999. Though money is spent in the region, it is not for its development. For example, while only ₦77 billion was allocated for the development of the Niger Delta in the 2009 budget, a whopping ₦432.9 billion was spent in securing oil installations in 2009 alone (see, THISDAY February 2, 2009). Thus for the Niger Delta people, Kapucinski (1982:35) expose on oil and wealth is but a stack reality. For despite its oil wealth, the Niger Delta remains Africa's epicentre of poverty (Time 2006:20) and despoiled environment. Hence Agbu (2005:81) asserted that a potential "paradise on earth" has been turned to "hell on earth". As such, the Niger Delta was for over two decades "zone of violence" (Keane, 1996) and virtually ungovernable; enmeshed in panoply of violent conflicts including a near full-blown insurgency; ignited by skewed federal structure that both deny the region of its wealth and failed to mitigate negative impacts of oil activities.

Insecurity in the Niger Delta got worsened with the dramatic entry in 2006 of a well organised group of masked insurgents reminiscent in many ways of sub-commandante Marcos and his indigenous cadres in Chiapas but better armed (Watt, 2007). However, insurgency across the Niger Delta involves a welter of differing groups and often shadowy interests (Peterside, 2007) that by 2007 operated over 50 camps in the Niger Delta creeks (ThisDayonline, March 23, 2007). These groups include; the Niger Delta Militant Force Squad (NDMFS), Niger Delta Coastal Guerillas (NDCG), South-South Liberation Movement (SSLM), Movement for the Sovereign State of the Niger Delta (MSSND), the Meinbutus, the November 1895 Movement, ELIMOTU, the Arogo Freedom Fighters, Iduwini Volunteer Force (IVF), the Niger Delta People's Salvation Front (NDPSF), the Coalition for Militant Action (COMA), the Greenlanders, Deebam, Bush Boys, KKK, Black Braziers, Icelanders and a raft of others. During that period about 120-150 high risk and active

violent conflicts existed in Bayelsa, Delta and Rivers States (UNDP, 2007). The emergence and profusion of militant groups wrapped up inexplicably with the intersection of generational conflict in the Niger Delta mark something of a watershed, which arose from a long arc of deepening injustice giving vent to violent protests across the region since the late 1990s. Thus, insecurity in the Niger Delta is deepened by federal resistance to deal fairly with minority issues, due to what Saro-Wiwa (1992) has labelled “monstrous domestic colonialism”.

The paper is structured into five sections; federalism as a concept, post colonial character of Nigerian federalism, ramifications of oil on Nigeria's federalism, oil and the Niger Delta paradox and lastly the future of Nigeria's federalism and then conclusion.

Federalism as a concept

A Federal State is where the federal principle is predominant (Wheare, 1963). It is usually formed by the political union of several independent states or units under one sovereign government. But this does not in any way abrogate the individual powers of those states. Arising from the foregoing, Stepan, (1997) opined that democracy is a major prerequisite for federalism. As, he asserted “In a strict sense, only a democracy can be a federal system, since federalism is a system in which some matters are exclusively within the competence of certain local units – cantons, states, provinces – and are constitutionally beyond the scope of the authority of the national government and where certain other matters are constitutionally outside the scope of the authority of the smaller units” (Stepan, 1997:3). Therefore, anchored to the value principles of non-centralisation and subsystem autonomy, constitutional federalism is legally guaranteed division of legislative powers between two orders of government in such a way that neither of them is legally subordinate to the other in the performance of its legislative responsibilities. Each government acts directly on the people and possesses a separate institutional structure for the formulation and implementation of its legislative programmes and neither can unilaterally alter the supreme fundamental law which allocates legislative and financial powers of both of them. It also requires the division of territory and wealth in such a way that it promotes equity amongst the various groups' interests in the country. In such a system there is no single apex of power in the Hobbesian sense. What meets the eye, instead, is that decision-making arises out of many different autonomous centres. It is a polycentric rather than unitary polity (Polanyi 1951; Ostrom, 1991; Ostrom *et al.*, 1991).

Federalism has been offered as an institutional solution to the disruptive tendencies of intra-societal ethnic pluralism. Therefore, as a form of political organisation, federalism involves the constitutional division of power between general and constituent governing bodies so that the jurisdiction and decision-making authority of

all within their respective spheres of authority are protected. "Federalism has been frequently presented as a political arrangement that allows ethnic groups to exercise significant authority within their own territorial jurisdictions while at the same time providing hegemony for national political institutions" (Lang, 1991:192). It is widely accepted that the practice of federalism requires addressing the tensions between difference and universality on the one hand, and between autonomy and co-ordination, on the other (Schmitt, 1977). Federalism is equally seen as a political system that ensures the preservation of the unique characteristics, identities, tradition and cultures of heterogeneous population (Lemco, 1991). Federalism is therefore, a strategy for managing conflict potentials in deeply segmented societies all over the world and for the reconstruction of the state particularly, in contemporary Africa (Akindele, 2003). Therefore, federalism both as a principle and form of governance offers societies deeply divided by race, ethnicity and religion the more democratic route to the resolution of the national question. Indeed, for Nigeria and many other African countries, the creative deployment of federal principles is inevitable in the implementation of the peculiar challenges of ethnic-religious and cultural pluralism. The above features of federalism may have accounted for the nation's emergent nationalists' choice of federalism for post colonial Nigeria. However, how has the practice of federalism fared in Nigeria, post colonialism?

Post colonial character of Nigerian federalism

The history of political parties in Nigeria speaks strongly of their ethnic leaning. In the first republic the Action Group (AG) in the west had Yoruba supporters; the Northern People's Congress (NPC) was composed mainly of Hausa-Fulani, while the National Convention of Nigerian Citizens (NCNC) was mainly an Ibo party. As Wright (1990:576), noted, "Minorities; Tiv, Nupe, Kanunri, Ibibio, Urhobo couldn't get their voices heard". During its "formative years", the elite allowed Nigerian federalism to encounter severe crisis (Tamuno, 1978).

Nigeria's tating federalism was scuttled by incursion of the military into politics. Federalism and military rule are strictly speaking, strange and incompatible bed-fellows. The military as a hierarchical and centralising institution infused a huge dose of unitarist accretion into Nigerian federalism, giving rise to worry about the integrity and survivability of the system (Dosumu, 1994:180). Besides its centralist command structure the ethnocentric politics of successive military regimes alienated rather than unify the polity and the impact of military rule became palpably obnoxious and ruinous. As Suberu, (1996) opined, federalism in Nigeria under the military ignored the complex ethnic mix in each region and the need for balanced structural composition of the country; heightening minorities fears over political domination and socio-economic discrimination. The military's abysmal assault on Nigeria's federalism centralism apart, is due to the institutionalised dictatorship that followed

each new coup. Ibrahim Babangida (1985-1993) and Sanni Abacha (1993-1998) regimes killed and buried federalism in the praetorian grave yard of an imposed and centralised dictatorship (Akindele, 2000). Personalised rule characterised their regimes in their bid to cling to power. Also, they merely adopted tokenistic solutions to minorities' problems. According to Osaghae, (1989:445) "The ensuing negative competition between ethnic majorities and their obsession with zero-sum politics of winner-takes-all precluded any agreement in the distribution of federal positions and appointments".

The Nigerian state became characterised by over centralisation (Wunsch and Olowu, 1995), leading to its disconnection from civil society and ultimately disengagement from it (Hyden, 1983). The citizenry alienated from the State, adopted a survival strategy of avoidance (Ake, 1996a), leading to exclusionist politics (Dommen, 1997). This latter characteristic produced two regimes, prebendal (Joseph, 1987) and kleptomatic (Dommen, 1997). Exclusionist politics gave rise to strident agitations leading to frequent constitution reviews that were not only controversial but difficult to classify. According to Tamuno, (1998) the constitutions of 1922-54 eras were less controversial than those, post independence, also, those in the latter group were more difficult to classify. Therefore, it was not always clear what names to give to them; federal, quasi-federal, pseudo-federal centralist, militarist or otherwise. This situation was further worsened by states creation. The increase in number of states resulted from the division of the ethnic majorities severally into several states, while the ethnic minorities had many crunched together in tension-ridden states. Though some writers opine that states creation alleviated some socio-cultural tensions in the polity (Agbaje and Suberu, 1998; Wright, 1990:582), states creation was not insulated from the established pattern. This explains the trivial role played by demography and economic viability during these exercise. For instance, Kano State had ten million people, why Niger State had two million. This gave rise to Jacobin effects; economically unviable, most states relied on the federal government for survival. The federal government leveraged the situation to annexe more powers. The increased powers also enhanced its alienation and total disconnect from the people. Thus, agitations for equitable revenue sharing became rampant and revenue sharing a vitriolic issue in national politics. This reinforced Awa (1976:12) assertion that "It is difficult to create a political community with common values and norms even in a minimal sense if there are extremes of wealth and poverty amongst the units of the union and great deference in the intellectual orientation of the people of the various states".

Effects of oil on Nigeria's federalism

The dominant ethnic elites' inclination to use instrumentality of state to oppress and subjugate ethnic minorities overtly manifested when oil from the Niger Delta

minorities' area supplanted agriculture as, the pivot of the nation's economy. With the reliance of the economy on oil, control of oil and accruable revenues, became the defining features of the major ethnic elites. The apparatus of state were deployed to ensure increased and steady oil production. The major ethnic elites on the basis of their population sizes leveraged disproportionate share of oil revenues for their ethnic groups. This gave rise to and ossified majority-minority politics that is often, overtly divisibly competitive (Osaghae, 1984). Nigeria became a rentier state reliant on rents, taxes and royalties paid by oil companies. Nigerian politics became dominated largely by shifting coalition of the ethnic majorities, prebendal (Joseph, 1986) and exclusive. Ethnic rather than national identity became the main factor inclusion and or co-optation. As a result, many sensitive national policies became underpinned by primordial (ethno-exclusionist) interest of the ethnic majorities (Omeje, 2004).

Oil therefore, introduced into Nigerian political culture, a systematic and structured exclusion; politically, economically and socially of the ethnic minorities in the share of national advantages and privileges. This transcends all regimes, military or democratic. Some past events (projects location) is here used as illustrations. In the late 1970s, Nigeria's biggest and only refinery with the capability to produce bitumen was located in Kaduna. Imported heavy crude for the refinery was supplied via an 800km pipeline from Escravos, Bendel (now Delta) State. However, Bendel state that was at that time producing the highest volume of oil in the country had no refinery. Also, President Obasanjo at the twilight of his presidency in 2007 located Nigeria's largest LNG plant at Olokola that straddles Ogun and Ondo, respective home states of President Obasanjo and Funsho Kukpolokun then NNPC Group Managing Director. The decisions and signing of the \$7 billion cheque between the State and the oil companies consortium led by Chevron to commence the project was concluded in weeks. The gas for the plant would be conveyed from gas fields in the Niger Delta. At that time, insecurity was escalating in the Niger Delta. What was most significant however was that while this project was being fast-tracked, a planned Brass LNG project in the heart of the Niger Delta gas fields; also, Chevron led, had for 10 years remained on the drawing board. The proposed project collapsed when Chevron pulled out due to threats by militias that the plant would not receive an ounce of gas from the Niger Delta.

In no other area, however, was Nigeria's federalism brazenly assaulted than fiscal federalism. The principle of derivation (50% minimum), was the basis of the 1960 independence constitution. This was negotiated by all delegations of the major ethnicities at the constitutional conferences preceding independence; 1950, 1953, 1954, 1957 and 1959. As, such, all revenue commissions; Phillipson 1946, Hicks-Phillipson 1951, Chicks 1953, and Raisman-Tress 1958 adopted the derivation principle (Mbanefoh, 1993). It seems the Raisman-Tress Fiscal Commission

anticipated the likely important role of oil to the Nigerian economy and recommended the following revenue sharing formula; derivation 50%, Federal government 20% and distributable pool account (D.P.A) 30%. Based on the derivative principle, 50% of revenues from oil rents and royalties (onshore and offshore) devolved, back to the locale of oil extraction; then Mid-West Region (Ehwarieme, 1999:59). Also, export duties on agricultural produce, import duties on tobacco and petrol were returned to each of the regions on the basis of consumption (Constitution of the Federal Republic of Nigeria 1963:65). The 1963 republican constitution at Section 40 also maintained the 50% derivation rate. This was the position till 1967, when the General Gowon's regime enacted Decree No. 27 of 1967 that centralised all revenues at the federal level (Sorenkun and Obi, 1993:219). This drastically reduced revenues to the states (Eliagwu, 1979:170), repudiating the derivation principle. This act as we shall see set the stage for the systematic denial, subjugation and neglect of the Niger Delta minorities by the political elite of the ethnic majorities. New parameters; landmass and population; lacking in the Niger Delta became the basis for revenue sharing. These parameters became the basis of all Revenue Commissions; Abayode, 1977, Okigbo, 1979 and National Revenue Mobilisation Allocation and Fiscal Commission 1989. This denied the Niger Delta ethnic minorities accruable revenues from oil but guaranteed increased revenues to non-oil producing ethnic majorities.

This contrasted sharply with what obtains in other federations like Canada and Australia. For instance, in Australia, the federating units have rights over the petroleum resources within their various borders, while the federal government only levies taxes on natural resources (Ekanade, 2010). The situation in Canada is also akin to what obtains in Australia; the federal government did not centralise the control of oil revenues following the discovery of oil in Alberta region. Hence Fashina (1998:109) asserted that "The weight accorded derivation principle appears to have been determined by the interests of the different factions of the ruling class and their political power". *The Guardian* (May14, 2002) echoed similar view when it opined that switch in the derivation principle derived from the fundamental shift in Nigeria's economy from agricultural cash crops (from ethnic majorities areas) to crude oil from the Niger Delta (ethnic minorities areas). Post 1967 fiscal commissions also gave disproportionate revenues to the federal government, giving it enormous leverage over the states. This radically altered the erstwhile relationship between the federal government and the states. The resultant relationship between the federal government and the states was aptly captured by Tamuno (1998) when he asserted that the fiscal relationship between the federal government and the states; akin to that between a householder and a housekeeper, became that of a paymaster of the piper dictating the tune. As we shall see however, the Niger Delta was not only denied its oil wealth, it was also marginalised and obtusely neglected.

Oil and the Niger Delta Paradox

Oil resources from the Niger Delta have been the linchpin of the nation's economy for over 50 years; generating enormous wealth that transformed the landscape of Lagos, Abuja and other major cities. But despite its acclaimed oil wealth, the region has been bisected with pervasive poverty, obtuse neglect and massive underdevelopment. An event that took place in early 2000 aptly showed the despondent state of the region. The event was the commissioning of a four-pump petrol filling station, in Yenagoa, capital of Bayelsa state. That was the first, in the state over 40 years after the advent of oil. The epochal nature of the event was exemplified by the headlines it made in all major news media globally including BBC and CNN. Bayelsa state was also, partially connected to the national grid during a two-days (October 21-22) visit to the state by President Obasanjo in 2006. Before then, only the capital Yenagoa had electric light 4-hours daily from an epileptic gas turbine.

If the dearth of social infrastructural in the region as depicted by the illustrations from Bayelsa is scary, the situation of industrial facilities in the region is even more abysmal. The region has the worst case of underdevelopment and unemployment in Nigeria. Oil activities' role in both environmental pollution, and deepening of poverty through resource scarcities are well documented (Ake 1994, 1996b; Greenpeace 1994, 1995, 1996; Shelby 1995). This has been further exacerbated by the closure of erstwhile thriving companies and business services dependent on them. This is a product of the State's obtuse neglect of the region. The State has ploughed very little oil revenues back to the region that bears heavy costs of oil activities and is impoverished by it (Brooks, 1994). The oil companies have also spent a paltry 0.000007% of the value of oil extracted in the region's development (Rowell, 1994). This has led to catastrophic situation in the region; erstwhile thriving towns became shadow of their former selves due to lack of employment opportunities for the inhabitants.

Burutu, headquarter of Burutu local government area aptly illustrate this phenomenon. Burutu was a flourishing industrial town from the colonial era till early 1980s. Beside a busy port, the 4th largest in Nigeria, it was also home to many companies; John Holt, Bendel Timber and Plywood Company (BTPC), Niger River Transport Company (NRT), Bulk Oil and Petroleum Company (BOP), Texaco, Westminster Dredging, Delta Boat Yard, etc. But today Burutu is a ghost town, left are kilometres of empty dilapidated houses; erstwhile staff quarters of dead companies. Juxtaposed with oil-polluted environment, that has effectively deprived the people of their means of livelihood, the effect of poverty in the area occasioned by oil activities can better be imagined. The Burutu scenario is replicated in all major towns in the Niger Delta. In Sapele, several companies; African Timber and plywood

(AT&P), West Africa Shrimps, Omimi Shoes, Integrated Rubber, SCOA motors and Mitchell Farms have closed up, while the town's newly constructed port was converted to a naval training school. In Warri, Mcdemott, Bendel Steel Structure, Inland Water Ways, Niger Benue Transport, Mix and Bake Flour Mills, Delta Boat Yard, Global Oil, Oil Field Catering and hoard of other companies have closed, while Delta Steel (a mass employer of labour) was privatised and over 80% of the work force retrenched. As some writers have observed, negative impact of oil activities strike at the heart of the survival of the people in the region: acute pollution have negatively impacted on the environment, putting an end to livelihoods economic practices; hunting, farming, craft-making as well as multiplicity of nutritional, health and socio-cultural practices (Omoweh 1998; Emoyan *et al.*, 2008; Odjugo, 2010; Emuedo, 2011).

In the face of all these hardships, the State and the oil companies continued to ignore the severe adverse impacts of oil activities in the region. This led to activism; intended to draw attention to the region's sad plight, in the media, through demonstrations, and later blockades of oil installations (Obi, 1992a; Turner and Oshare, 1993). But rather than assuage their feelings, the people are labelled and depicted as greedy and unpatriotic; a stance that is popular in *petro-business* circles (Onishi, 1999). As a result, activism, become a region-wide phenomenon (Osaghae, 1995; Naanen, 1995; Welch, 1995), such that by 2007 there were dizzying and bewildering array of militant groups in the Niger Delta.

The future of Nigeria's federalism

The interplay of volatile mix of factors, internal and external may be critical to the determination of the events in the Niger Delta and the likely final outcome. Four of these factors are vital, though their impacts would depend largely on the ethnic majorities' elite capacity and willingness to act. The first is the contention between centralised and decentralised federalism which is intertwined with the derivation principle; a core demand of the Niger Delta people, second is President Jonathan's desire to seek second term in office in 2015, third is the increasing import of Nigeria and Gulf of Guinea's oil to America, while the forth is China's entry into the Nigerian oil industry with her tyrannical credentials; typified by her siding acute State repression in Sudan, Libya and Syria.

Security in the Niger Delta post amnesty will depend on (re)distribution of oil revenues to benefit the region within the context of a transformatory, democratic and equitable nation state project. But at the 2005 "national Conference" the ethnic majorities bluntly declined the region's demand for increase of derivation revenue to 25%; leading to a walk-out of the region's delegates. Since then insecurity in the region has ruinously impacted oil activities, installations and revenues. This forced

President Yar'Adua (2007-2010) to declare amnesty on June 25, 2009. As part of the amnesty, a Technical Committee was set-up. The Committee, which submitted its report four months later made several recommendations top of which was increase in derivation revenue to 25%. After the Committee submitted its report, some militant groups that initially refused amnesty ceased fire unilaterally; awaiting the State's decision on it. This brought relative peace to the embattled region. However, almost four years after, the State is yet to issue a white paper on it. Also, rapid infrastructural developments promised under the amnesty are yet to be attempted.

The issue of majority-minority politics may also impact on the region's stability. The northern political elite despite Constitutional provisions intensely thwarted Jonathan's swearing in as President after President Yar'Adua's demise in May 2010. It was surmised that the northern reaction against him was due to his ethnic "minoritiness". The ensuing sympathy gave him the massive victory during the 2011 presidential elections. Once again, the northern elite have begun mobilisation against President Jonathan, seeking a second term in Office in 2015. This time however, Asari Dokubo, a former warlord threatened resumption of militancy in the Niger Delta should President Jonathan fail to contest in 2015. The threat should not be taken lightly for Dokubo and former militia leaders have been inundated with multibillion naira pipeline surveillance contracts since the amnesty. The contracts have subsisted, vast increase in oil theft in the region notwithstanding. Thus, the contracts are regarded as smokescreen to empower former militia leaders to procure arms for the battle(s) ahead.

Overlaid upon the above is a volatile mix of forces that gives form to what Watts (2005) has labelled the "oil complex"; relationship between military (foreign and local), mercenaries and the black economy. The inevitable struggle over oil also, exerts panoply of political forces into workings of the oil complex (Watts, 2005). Thus, Harvey (2005) opined, that the oil complex is very much like an embattled zone of the most primitive accumulation. According to Barnes (2005) the operations of the oil complex have been radically shaped by the twin forces of post-9/11 politics and the tightness of global oil markets; making Nigerian oil strategic to America and Westerns energy security. Into this vortex of forces are set of other global and imperial forces especially, the entry of Chinese oil companies into the volatile Niger Delta, which until recently was almost the preserve of American and its Western allies.

Galula (1964) had asserted that bad governance often, causes insurgency but in the Niger Delta, the State sees only security problem. Hence, Nigeria approached China in 2006 for arms to crush militias in the Niger Delta, when America refused its request (Roughneen, 2006). China promptly sold 12 F-7NI Fighter jets, 3 FT-7NI Trainer jets and allied equipment worth \$251 million to Nigeria (*The China Monitor*,

June 2007; Azaiki, 2006; *Defense Industry Daily*, 2005). In return, China National Petroleum Corporation (CNPC) acquired; two oil blocks; a 45% stake in an oil-for-gas field for US\$2.27 billion and a 35% share of an oil exploration license for US\$60 million (Obi, 2008). China's entry was not unnoticed in the region. On April 29, 2006, militias detonated a car bomb at a trailer park near the Warri refinery in Delta State. In a statement sent by email to media organisations worldwide, the militias noted: "We wish to warn the Chinese government and its oil companies to steer well clear of the Niger Delta", adding that, "The Chinese government by investing in stolen crude places its citizens in our line of fire" (BBC News, 2006; *China Daily*, 2006). Few months later, nine Chinese workers (on contract to Agip), were abducted at Sagbama, Bayelsa state (watt, 2007, Olaniyi, 2007a; China View, 2007). Notwithstanding, Nigeria-China relations have blossomed. On July 14, 2013, President Jonathan visited China accompanied by 13-ministers; Foreign Affairs, Finance, Petroleum, Works, Agriculture, Aviation, Solid Minerals, Transport, National Planning, Trade and Investment, Niger Delta, Justice, Culture and Tourism, Defence; 4-State Governors and 2-national Assembly members (*thenationonline*. July 15, 2013).

The main disputation in the Niger Delta concerns the issues of fiscal federalism. Fiscal federalism with its attendant principle of derivation was adopted at independence. This gave immense benefits to the ethnic majorities; then providers of the nation's wealth. Distortion in the federal concepts as espoused at independence with ascendancy of oil in 1967 has only yielded misery to the Niger Delta. This led to protests couched in "resource control" rhetoric. The State's response to this contention will ultimately determine the direction of Nigerian federalism. The strategy or posture adopted by a people at any point in time is a function of "Political Opportunities" and "Constraints" that enhance or constrain participation (Ukeje, 2001:353). Therefore, actions of the state either to "instigate or mitigate violence", would structure the strategies deployed by the Niger Delta people. The stated objective of the militias as espoused by MEND in 2006 was to "Continue to nibble at the Nigerian oil export industry until it is necessary to deal it a final crippling blow, causing oil companies and Nigerian state to pay more for our oil and eventually, snatch it right out of their grip" (*saharareporters*, 2007; IRIN News, 2006b). In attacking oil facilities, the militants seek to effect control and power over the region's oil. In explicit terms, their intent was to counter the hegemonic alliance between the oil companies and the State. What is not clearly understood however is what is meant by the phrase "snatch it right out of their grip"? Is this a veiled threat at secession should the State ignore the region's demands? If this is so, then, we need to answer the following question: First are the militias capable of opting for secession? Secondly is the State capable of decisively defeating the militia? Thirdly, what would be the response of the oil multinationals and their home countries to such a situation?

In answering the first question, it is noted that secession has never been part of the militias' agenda but certainly they are capable of opting for it in dire situation. For the second question, there is the need to look at the capability of militias to confront the State in the Niger Delta. This may be gleaned from activities of the militias' from late 2005 to the declaration of amnesty in 2009.

It must be noted that President Yar' Adua's amnesty declaration in 2009 came after acute repressive measures deployed by the State, failed to curb insecurity in the Niger Delta. Indeed, it seemed that the more acute the repressive measures deployed by the State, the more insecurity heightened in the region. For instance, in mid-2006, President Obasanjo gave a "force for force" order. In pursuance of the order, the Nigerian navy in early 2007, embarked upon its biggest sea manoeuvre in decades deploying; 13 warships, 4 helicopters and 4 boats to the region to strengthen its 'operational capability'. However, May 2007, witnessed the largest number of attacks on oil facilities in the region (BRS, 2007). Thus, MEND spokesperson Jomo-gbomo boasted that he has "the oil industry by the balls" (*Economist*, March 17, 2007:52). Indeed, to demonstrate their strength, a militia leader sent a big bullet and a bottle of brownish water to President Yar' Adua (Olaniyi, 2007)¹. Peeved, President Yar' Adua ordered the JTF to rout the militias and return normalcy to the region. From May 13-14, 2009 the JTF launched coordinated attacks; air, land and sea on Gbaramatu Kingdom, suspected militants stronghold. Over 2,000 persons were killed and 20,000 others displaced. For 3-months, the JTF set a security cordon on riverine areas of Delta, Bayelsa and River States; attacked and destroyed all suspected militia camps without resistance. Thus the JTF stated with glee that insurgency in the Niger Delta has been decisively crushed.

However, militias responded with crippling attacks on oil facilities; Marakaba oil well 3& 5 and its trunk line were damaged on June 13, 2009, Abiteye (Kiagbene) flow station was attacked on June 15, 2009 destroying the trunk line supplying Forcados export terminal from Tunu, Opukusu and Ugbotubu flow station at Agge/Odimodi axis on June 17, 2009. Agip's pipeline delivering oil to Brass export terminal was destroyed at Nembe creek, on June 19, 2009, while Shell oil pipeline in Adamakiti and Kula in Rivers State and offshore AFREMO oil fields were damaged on June 21, 2009. These crippling attacks reduced daily oil production from 2.4 million to less than 1 million barrels (*The Punch (Nig)* Tuesday, May 26, 2009), drastically impacting State revenues. This led to the declaration of amnesty on June 25, 2009.

The import of Nigeria to the oil multinationals and their home countries is exemplified by the role of Nigeria's oil to their profits. In 2007, Exxon Mobil announced profits approximating \$40.6 billion (Mouward 2008), Royal Dutch Shell made \$27.56 billion profits, while Chevron Texaco recorded \$18.7 billion profits

(BBC, 2008a; Porretto, 2008). Though exact 'input' of the Niger Delta to these profits is difficult to decipher, undeniably, its oil contributed immensely to these mega-profits (Watt, 2007). Indeed, America's premium on Nigeria's oil and the strategic importance of the Gulf of Guinea to its oil security is demonstrated by the fact that America military activity increased from almost no activity in 2004 to "104 ship days" in 2006 (Skorka, 2007:9). As such, the oil companies, in their activities and relations in the Niger Delta they cannot continue with "business as usual". This therefore leads to the question as to how they will define their role(s) in the likelihood of secession in the region. It is strongly believed that any role(s) the oil companies and their home countries decide to play will be defined largely by both profit and security of oil supplies. Actions of some of the oil companies' home countries during the Biafran War (1967-1970), may give a glimpse to their likely reaction. France it is recalled supported Biafra and supplied Ojukwu arms and weaponry. America also established a consulate in Enugu in 1967; at a time its oil receipts from Nigeria were trivial. In case of secession therefore, both countries would support the insurgents to secure its oil supplies. This line of argument is reinforced by the fact that America refused President Obasanjo's request for arms to fight militias in the Niger Delta. China's acceptance of that request made her a catalyst in the 'scramble' for Nigeria's oil (Awhotu, 2008). This is discomfoting to America and its allies. As such, American and Chinese interests will counter each other rather than converge. This may have accounted for France's new drive for closer ties with Nigeria. For instance, on September 17, 2013 Nigeria's Minister of Industry, Trade and Investment Olusegun Aganga, and Nicole Bricq France Minister of Foreign Trade signed a Memorandum of Understanding (MOU) on Small and Medium Enterprise Development Agency (SMEDAN); to help boost the growth of both countries' economies. France also promised to help improve Nigeria's power generation (<http://leadership.ng/news/170913/Nigeria-france-sign-mou-smes-development#sthash.NrsMuvOz.dpuf>).

A drive for secession in the Niger Delta therefore, will in all likelihood pitch America and its allies against China. China based on its antecedents in Sudan and Syria, will support the Federal government. America and its allies would overtly or covertly support the militias. This will not only guarantee their unhindered access to oil supplies in the region and the Gulf of Guinea but would also deny China from accessing oil in those areas. This thinking is reinforced by current events in Libya where the National Transition Committee (NTC) served notice to both Russia and China that their oil contracts would not be renewed on expiration. However, Britain, France, Italy and Germany; hitherto minor players have been guaranteed major roles under the current dispensation.

Conclusion

The paradigmatic protest in the Niger Delta was the peaceful protests of passive resistance embarked upon by Ken Saro-Wiwa led Movement for the Survival of the Ogoni People (MOSOP) to draw attention to the deleterious effects of oil activities in the region. The massive repression of the protest climaxed with the hanging of Saro-Wiwa and eight of his compatriots in 1995. The Niger Delta has since been confronted with a major insurgency, characterised by massive escalation in the quantity and quality of sophisticated arms. This represents not just the conversion of the Niger Delta into a “region of protests” but a shift from the days of non-violence to outright militancy and insurgency. The dawning moment of this transition, appears not to be the 1998 “Kaiama Declaration” by Ijaw youths but Isaac Boro’s 1965 Delta Republic declaration; “a desperate cry for some sort of political inclusion”.

Things appear not to have changed, as State has tended to see security as the region’s problem; it sees the amnesty as the-be-all-end-all solution to issues in the region. Thus, it has failed to provide rapid socio-economic development; water, roads, electricity of the region as promised. The attitude of the State in the region and the attendant palpable unease in the region would seem to indicate that the region may soon confront another conflict. If and when that threshold is reached, this would in all likelihood sound the death knell of the Nigerian federation. The militias in the past showed their control over oil by shut-in of huge portion of the country’s daily oil production. The militias are most likely to continue targeting oil supplies facilities. The sharp increase in oil prices that would result from drastic drop in oil supplies would further impair an already fragile world economy. Thus, another conflict in the Niger Delta would easily snowball into a full-scale insurgency that will have dire ramification for the well-being of the Nigerian state as a single entity. This however, could be avoided if members of the political class especially, political elite of the ethnic majorities could put the survival of the nation first, at the expense of clannish primordial interests.

Note

The bullet and the bottle of water were sent through Senator Brigidi, then President Yar’Adua’s Peace Envoy in the Niger Delta, when he visited militias’ camps in the Niger Delta creeks in company of journalist on May 8, 2007. The Bullet represents insecurity, while the brownish water represents suffering from impacts of oil activities in the region.

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