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**The Neglect of Common Good and Human Rights in
the Nigerian Polity: Niger Delta as a Case
(A Christian Ethical Study)**

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List of Abbreviations

DDRR:	Disarmament, Demobilisation, Rehabilitation and Reintegration
GDP:	Gross Domestic Product
GS:	Gaudium et Spes
H₂S:	Hydrogen Sulphides
INEC:	Independent National Electoral Commission
ING:	Interim National Government
IYC:	Ijaw Youth Council
LNG:	Liquefied Natural Gas
MEND:	Movement for the Emancipation of Niger Delta
MOSOP:	Movement for the Survival of Ogoni People
NDDC:	Niger Delta Development Commission
NDPVF:	Niger Delta People’s Volunteer Force
NDSC:	National Defence and Security Council
NDVS:	Niger Delta Volunteer Service
NGL:	Natural Gas Liquid
NMA:	Nigeria Medical Association
NNPC:	Nigeria National Petroleum Company
NO:	Nitrogen Oxides
NRC:	National Republican Convention
OAU:	Organisation of African Unity
OBT:	Obtaining by Trick (419)
OIC:	Organisation of Islamic Conferences
OMPADEC:	Oil Mineral Producing Area Development Commission
PHCN:	Power Holding Company Nigeria
SAP:	Structural Adjustment Programme

SDP:	Social Democratic Party
SO₂:	Sulphur Dioxide
SPDC:	Shell Petroleum Development Company
UNDP:	United Nation Development Policy
UNEP:	United Nation Environment Programme
WAI:	War Against Indiscipline

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Introduction: Statement of the Direction of Study

It is a well-known maxim of life that any generation that chooses not to record her experiences, remains perpetually infantile. Without regards to the number of years of journey unto nationhood, political struggles and rivalries, policies and counter-policy makings, class struggles and ethnic regionalisms, enthronement and dethronement of leaders, constant tensions in the form of interplay of power tussles, as seen and experienced between constituted and elected regimes and the ousting of such regimes through military coups, with the consequent enthronement of decrees; the abysmal misplacement of priorities and values, which necessitate heinous deification of corruption as a way of life; The stark reality of hunger and abject poverty in a land of numerous opportunities and possibilities – a land flowing with natural milk and honey; the utter negligence of human dignity and incessant abuse of human rights; the scene of the absurd where the shepherds have turned to feeding on and exploitation of the flock instead of leading them – the list can still go on extensively, but the truth remains outstanding namely: That any nation, which care less about her history and experience, continues to live in a vicious cycle of constant repetition of even her avoidable abnormalities and mistakes.

This study is set in its limited way to present and evaluate a Nigerian experience and situation, which has deeply come to form and shape her political life and history in general – the Niger Delta Case. In doing this, this study would keep as pivot, the principles of the Common Good and Human Rights, emanating from the basic tenets and principles of natural law. As a background in introducing Nigeria's political and evolutionary history, we would begin with a concise but resourceful examination of the Nigerian polity in its pre-independent, post-independent and current political journey and struggles, with a statistical highlight of its making as well as marring of its different Republics and Constitutions. A pertinent question would be inevitably anticipated after such proposed analysis namely: How healthy is Nigeria as a democratic nation?

Furthermore, we would focus on Niger Delta as an ethnic minority group within the geographical location called Nigeria, and indeed a 'Part' of a 'Whole' with bruises and pains. A part that breeds and cries but to its utter dismay in the presence of negligence and non-compliance from the nation, all in a country where they have equal and equitable

participation, rights and privileges like every other citizen. They inhabit a land that provides the largest economic wealth of Nigeria as a nation, but they have been subjugated, molested, maltreated and abused. Why? All because they found it timely to stick-out their heads and cry “wolf” to political parasites, who in the name of politics only suck without giving anything in return. The consequences of this turn of events in the form of violent and hostile resistance in the face of calculated injustices would later bring about the actual birth of the Niger Delta problems. Thus, confrontational struggle for resource control as well as the emanation of sensitized action and human rights groups, lending their voices in the defence of the defenceless, came to take the centre stage. This situation would later degenerate to open militancy because ‘powers that be’ decided in arrogance to supplant dialogue with direct force even in the face of truth. It was really the Nigerian government’s implementation and practice of the Hobbesian State of Nature: “Homo Homini Lupus” – Man’s inhumanity to man. The details we shall see in the cause of this study.

Under normal circumstances and with scientific breakthroughs and evolutions, it may be taken as an acceptable assumption, that geographical areas that inhabit the natural crude oil and gas – in particular where these oil and gas are drilled and tapped in economic quantities may, as a result of unforeseen circumstances, be exposed to some natural disasters. Science on the other hand, in her wealth of experiences, has always offered complimentary solutions, as well as protective and defensive strategies that can curatively protect these areas against such natural disasters like oil spill. In the truth of these scientific evidences, this study would apply its tools of analysis on the effects of oil spill and gas flaring in the Nigerian situation. We would make a journey towards discovering whether there have been existing laws and policies in the case of Nigeria as an oil producing State. The evaluation here would be: If there are such laws and policies, to what extent have they been implemented or swept under the carpet in the face of unquantifiable greed and corruption? On the other hand, if these laws and policies exist and yet are constantly subverted, what should be the politics behind it? To what extent does the ‘oppressed’ as well as the ‘oppressor’ share in the anomalies?

Chapter III would be the positioning of our focal point within the two complementary principles of the common good and human rights, looking at both the theological and socio-anthropological dimensions of these principles. The dignity of the human person and the

inalienability of his/her basic rights define the reason and the platform on which our case study specimen – the Nigerian Niger Delta – would receive a critic-analytical evaluation. It would be an invocation of some tenets of catholic social teachings to bear on a concrete situation of oppression and dehumanisation as meted to the Niger Delta ethnic minority by the Nigerian polity. The Church in her history has always taken her turn in lending her voice to human situations, in the defence of the defenceless, in opposition to all policies and institutions that tend to keep the human person in bondage, as well as subvert his/her access to freedom and responsibility as the ‘Imago Dei – a being created in the image and likeness of God, who himself is goodness per excellence. Furthermore, a concise timeline of socio-anthropological conceptual development of these principles would be appealed to, so as to present a sociological world view of this fight and concern for the common good and the sacrosanct nature of human basic rights. The anthropological concept brought in here serves to keep our subject, as well as the object of focus – Man, or in a wider sense, humanity in general, at the centre of our study. In line with this anthropological direction of our study, common good and human rights would be located as the basic tenets in understanding the eastern Nigerian Igbo anthology of “Egbe belu, Ugo ebelu” – meaning: Let the Eagle perch and let the Kite also perch. It is a philosophy of accommodation, non-denial; a philosophy that places responsibility on each individual to recognise and respect the dignity and rights of the other person and hold it as inalienable.

In evaluation, these principles would be taken up individually so as to outline more distinctly the missing links in the Nigeria’s general polity and her culture of neglects and abuses. In doing this, her recognised efforts, which most of the times are lofty or dormant in praxis would be highlighted. Their failure and the reasons why they failed would form the bulk of all that go into an organised form of neglect and abuse from and in the Nigerian polity. Policies of Amnesty in the Nigerian situation remain the aftermath of a failed State that consciously dug and may still be digging trenches for her downfall. In this evaluation as well, the efforts of the Local Church in standing up and demanding justice and moral rectitude in the polity and politics of Nigeria in general, as well as her consistency in condemnation of brutality of injustice and inhumanity against the Niger Delta ethnic minority, would be given a pastoral attention.

Evoking the functional policies and the sustainability of strategized praxis in implementation remain a dream yet to come true in the case of Nigeria and her ailing par inhabited by the Niger Delta ethnic minority. Fidelis Allen puts it beautifully:

Oil companies as well as Nigerian Government have paid lip service to cleaning up a host of spills in Ogoniland and the rest of the Niger Delta. While a number of oil related environmental laws and regulations exist in Nigeria, none is fully implemented by major oil companies [...] Sadly, oil companies can dismiss environmental impact statements with impunity. In some cases, the oil companies simply adopt sub-standard methods of cleaning up oil spills, as happened in the 2008 spill in Bodo City and Goi in Ogoniland.¹

As at the time of this study, the battle line has been drawn and war officially declared, giving rise to a host of hostilities, loss of innocent lives and properties as well as the consequent abuses of human rights and bastardisation of common good.

¹ Allen, F. Africa's Moment, in: World Policy Journal, 48.

Chapter I: Overview of Nigeria Polity and Development History

1.1 Pre- and Post-Independent Nigeria

The pre- and early post-independent Nigeria present a world deeply tied with the colonial master's religious, political and economic activities. It was a society in its positive state of nature alongside the birth of a new struggle with the western and colonial inversion that would come to leave an indelible effect of change in its worldview and ideology. Osaghae (1998) remarked:

The roots of Nigeria's post-independent politics are deeply entrenched in its colonial history. Like most other modern African States, the country was created through the expedient acts of British colonial administration. In a profound sense, many of the post-independence socio-political and economic formalities and malformations are a direct consequence of the state-building and economic integration processes begun under colonial rule.²

The Nigeria met by the colonial rule was then motley of diversified groups, having varied ethnic backgrounds, not the Nigeria as a Nation as it has come to assume the name today. Groups already engaged in divergent unilateral as well as bilateral trade interactions with the Western and Arab worlds. But within these diversifications, there exists noticeable patterns of life, which some larger groups share in common, and which tend to allot them defined geographical locations. Consequently, the pre-independent Nigeria presented an area naturally separated into East, North and South. Osaghae further observed: "What existed in the period before the establishment of colonial rule was a motley of diverse groups whose histories and interactions interlaced as they were by external influences – principally trade with Europeans and with the Arab world – had nevertheless crystallised in three clearly discernible regional formations by the end of the nineteenth century."³ These three observable regions inhabit till date the three main Nigerian Languages namely Igbo in the East, Yoruba in the South and Hausa in the North. In land mass, the North would come to be bigger than the East and South put together.

Later a committee, the Selborne Committee, was set-up in 1898 to deal with the question of how to structure and administer these colonies and protectorates of a future Nigeria. With the recommendation of this committee, these territories were unified and

² Osaghae, E. Nigeria Since Independence, Crippled Giant, 1.

³ Ibid, 1.

administered as the “Soudan” (Northern) and “Maritime” (Southern) provinces; the colony and hinterland protectorate and the Niger Delta protectorate were brought together in 1906 as the Colony and Protectorate of Southern Nigeria, which existed alongside the Protectorate of Northern Nigeria.⁴

This pre-independence administrative strategy continued until the event of January 1, 1914 – the famous Amalgamation, which actually is described as the birthday of the name Nigeria. It was the day Lord Lugard, the then Governor-General of Nigeria (1914-1919) effected the amalgamation of the Colony and Protectorate of Northern Nigeria and the Colony and Protectorate of Southern Nigeria, which were previously administered as separate though related territories. This union has till date remained controversial in the minds of many and in the history of Nigeria in general, and many opinions regard the amalgamation as only ‘a union of convenience’ – a system adopted by the colonial masters to aid their administrative policies. But that was only in principles. In reality, the distinct nature, though not actually in the sense of ethnicism, was ignored and politically undermined. Kukah observed:

Nigeria was administered along largely divisive lines (throughout the colonial period). The British were mainly interested in unifying those aspects of administration that would enhance their control and monopoly of the country. They did this through the unification of the railway system, the standardization of the currency and the unification of taxation, the judiciary and the bureaucracy.⁵

Nothing was done to encourage mutual interaction among various tribes in Nigeria nor was there any programme aimed at the developing of the human persons particularly in the rural areas. In fact Kukah points out that “migration and contacts between the north and south were very limited as a result of the attitude of the different colonial administrators working in various regions and provinces.”⁶

Even with the amalgamation, which by law defines and creates the name Nigeria as a State, the British colonial government insisted on administering the North and South as distinct entities. They entered into pacts with the northern traditional rulers, prohibiting any interference as regards their Islamic religion and belief, thereby expelling every missionary activity out from the North, in addition to other laws checkmating the migration of the

⁴ Ibid, 4.

⁵ Kukah M. H., Human Rights in Nigeria: Hopes and Hindrances, in: Missio, 5-6.

⁶ Ibid, 6.

southerners to the North. Consequently, the missionaries and their impact with religion and education made in-road in the south and established Christianity and formal education. Not so long, the gap between the two parts in Western Education became whooping, creating side by side educationally and politically enlightened South against their northern counterparts, who would later come to face “grave consequences for political competition as well as competition for socio-economic goods like employment in the public service and admission to government-owned secondary and tertiary institutions in the later part of colonial rule and the post-independence period.”⁷

With the increase in the number of educated southerners, and with their newly acquired political enlightenment, the British were faced with a torn in their flesh, because, unlike their other counterparts, they were not easily influenced. This created a kind of disdain attitude towards the southerners, who were now being regarded as “belligerent, corrupt and audacious.”⁸ In a move to internally and structurally weaken the rising trend of educational and political re-enforcement in the south,

[...] the colonial government divided the Southern Protectorate into Eastern and Western Regions in 1939, creating a geo-demographic imbalance that left the Northern region far larger than the Western and Eastern regions put together. Each region comprised one dominant ethnic group and a mosaic of minorities that lived under the perpetual fear and threats of domination by the majority groups. The three regions were still governed and operated separately until 1954 when a central government with a parliament was established, thus in legal terms or in theory making Nigeria a federation.⁹

This remained the shaky socio-political situation of Nigeria until independence.

1.1.1 Nigeria Independence and the making of the First Republic (1960-1966)

As a then federation of three regions – Northern, Western and Eastern – and with the election of 1959, Nigeria under a central government with a parliament was granted independence on Oct. 1 1960 as part of Her Majesty, the Queen of Great Britain’s Domain. A southerner, Dr. Nnamdi Azikiwe (as at that time, the most outstanding among the young educated Nigerians), regarded also as one of the founding Fathers of Nigeria independence,

⁷ Osaghae, E. Nigeria Since Independence, Crippled Giant, 5.

⁸ Akinseyin, C. Development Problems in the Niger Delta Region, A Study in Christian Development Ethics, 25-26.

⁹ Ibid, 26.

became the Governor General under the Westminster parliamentary system practiced by the new independent state between 1960 and 1963. By 1963, a fourth region was established – the Midwest and Nigeria became a Republic with the Commonwealth. With this status as a Republic, the Governor General, Dr. Nnamdi Azikiwe, under the designed British plot in indirect rule, became the ‘exalted’ Executive President, while the Northerner, Alhaji Abubakar Tafawa Belewa, became the Nigerian First Prime Minister. The four regions remained administered by four administrators under the title ‘Premiers’. This became the First Republic.

The First Republic at inception had to face the challenges arising from the need for a political decolonisation necessitated by the Constitution available to them at independence. No doubt it was an imposed form of constitution masked in indirect rule. The Structural pattern of the independence constitution, which essentially was the agglomeration of others within the colonial political structure like: Richard’s Constitution (1946/7); MacPherson Constitution (1951); Lyttelton Constitution (1954); and Robertson Constitution (1958), had two essential features namely: (a) The Westminster Model, which no doubt is to be understood about a young independent nation at independence, with a young cream of leaders, who were products of an immediate colonial masters. Of course the then newly elected Prime Minister made it clear that association with the people of United Kingdom has made possible a tremendous goodwill on both sides, consequently their system of government would automatically become our heritage.¹⁰ (b) The structure left a monstrous *Centrifugal Federalism* that would come to establish series of undesired internal ethno-class struggles and regionalism. Under normal circumstances, such a structure “would permit a degree of autonomy and scope of self-development of the multiplicity of sectoral and ethnic groups”, while at the same time, uniting these pluralist forces “in a common set of interests and conflict-regulating institutions, thus binding them in voluntary and self-interested association to the national central government,”¹¹ in other words *unity in diversity*. But the implementation of this British structure became problematic because, “The homogeneous nature of British society, its consensual political culture and its advanced degree of

¹⁰ Harriman, T. Is There a Future for Democracy in Nigeria?, 2.

¹¹ Graf, W. D. The Nigerian State: Political System in the Post-Colonial Era, 29.

industrialisation – the latter achieved partly at the expense of the colonies at the periphery – ensured the ‘proper operation of parliamentary government there. None of these conditions was present in post-independence Nigeria.’¹²

This centrifugal federalism remained haggard and problematic because it directly or indirectly, with the British geographical apportioning of Nigeria, established the hegemony of some dominant-majority-ethnic groups against the minority-ethnic-groups. There were agitations and heated protests from the representatives of the minority groups. It became therefore very clear that,

The very political boundaries set by the colonial administration were arbitrary and scarcely related to the subject of peoples’ historical experiences. The system of indirect rule absolutised regional and ethnic differences, while colonial capitalism, for reasons of its own internal logic, sectoralised and regionalised the national economy. The results were inter-ethnic competition, the formation of a dependent successor elite, continuing dependent development, and hence the creation of the major preconditions for neo-colonialism following formal independence.¹³

In this siege of centrifugal federalism and regional egoism, the First Republic was found in a number of political misdeeds, ranging from charges of election rigging, thuggery and intimidation, to the raising of politics to a level of ‘winner-takes-all’. Consequently, many were discontented and disappointed. The minority groups became scandalously alienated from the democratically political system. They watch in broad daylight how resources and opportunities were channelled unjustly and unquantifiable through ethno-regional media into other areas and to benefiting social groups, over which they have ‘zero’ control. Increasing number began to nurse negative feelings, regarding governance and government as merely the instrument of class rule. As the political class thrived and grew immensely wealthier, in the midst of abject poverty and destitution of many other citizens, a popular resentment of government and the governing class began to evolve, and the general feeling of malaise and disillusionment with the order of things and towards the political class set in. The situation further culminated in the 1964 general strike, which weakened further the already fractured system, rending the Nigerian economic and political structure of the First Republic almost moribund. In the same year, the election (1964 election) was marred with celebrated election malpractices, bribery and corruption. There were charges and counter charges, riots and crime

¹² Ibid, 29.

¹³ Ibid, 25.

waves, and a total breakdown of law and order. Amidst this charged environment, the ‘exalted’ executive president, Dr. Nnamdi Azikiwe, living in the ignorance of the British designed statute of his political position, considered calling in the military to quell the situation, but he was disappointed to learn that his title of Commander-in-Chief was only a ceremonial one and therefore, did not confer on him the right to command military operations, an institution that was heavily dominated by their northern counterparts.

By January 1966, a group of young military officers, most of them from the South East, united themselves and decided to do away with the First Republic in a bloody but aborted coup of 14-15 Jan. 1966, which claimed the lives of the Prime Minister, the Sardauna of Sokoto, the Premiers of the Western and Northern regions and a number of prominent army officers. The First Republic was then replaced with a military government headed by an Easterner, Maj. General Aguiyi Ironsi.

1.1.2 The Young Independent State and the Experience of Civil War (1967-1970)

With the military regime headed by Maj. Gen. Aguiyi Ironsi, there came at first a laudable acceptance of the regime in an environment charged with brutality, heightened hatred among regional ethnic groups, as well as a clear manifestation of hegemonies among the major ethnic groups. Faced with observable and well pronounced hostilities among member groups namely:

Northern population power against southern economic power, the North and West against the southeast (and before that, the North and East against the West) for control of the central government, the East against the West for civil service posts and hegemony within the South, and in each Region, majority rule versus minority right, the ‘haves’ versus ‘have-nots’. Faced with all these, the regime evaluated and considered the problem of Nigeria as heavily revolving round the issue of National Unity. Consequently, Ironsi put a plan in place and in a nation-wide broadcast of 24. May 1966, announced an enthronement of a “Unitary Republic”. This automatically came with “the transformation of the former Regions into mere territorial units now to be called provinces, the establishment of a unified national civil service and the banning of political and tribal organisations for two years.”¹⁴

The North saw this as an organised plan to establish the eastern hegemony in the country. Riots broke up, especially in the North, where many easterners (Igbos) became victims of harassment and murder and the atmosphere was charged with the clamour for Northern Secession. Barely two months after this broadcast, in what seemed like a northern

¹⁴ Ibid, 42.

retaliation, some Northern officers carried out a second successful military coup, which claimed the lives of Maj. Gen. Aguiyi Ironsi himself, the Western Military Governor, Brigadier Fajuyi and some other Igbo officers and civilians alike. This brought the six months regime to an end in July, 1966.

Bent on re-establishing and reasserting the Northern control of the army and implicitly the nation, due process in choosing the next military leader was subverted and manipulated. Consequently, the most senior surviving military officer, Brigadier Ogundipe – a Southerner and a Yoruba, who was supposed to take up the mantle of leadership, was sidetracked. The designers of the hatched plan rather chose a 31-year-old Army Chief of Staff, Lieut. Colonel Yakubu Gowon, a member of the Middle-Belt Angas tribe and a graduate of The Royal Military Academy Sandhurst, Britain. An atmosphere for a ‘scare’ that would later be left in Nigeria’s history as a nation and people was already put in place with this subversion, in the sense that the then Eastern Military Commander, Lieut-Colonel Chukwuemeka Odumegwu Ojukwu, a graduate of Lincoln College, Oxford University, made clear from the on-set his non-acceptance of the choice made and “asserted that he was prepared to recognise only Aguiyi Ironsi, if still alive, or Ogundipe as Supreme Commander.”¹⁵

In spite of this agitation against this selection of the supreme leader, Gowon’s regime kicked-off with a somewhat atmosphere of distaste from some quarters, where the feeling was that of a leader who usurped the position of the other, added to a stark reality of a Federalism at the verge of crumbling, with an anticipated task of the regime as regards the returning of the nation to civil rule. Gowon renounced the concept of Unitary Government as was announced by Ironsi, and set in place an Ad Hoc Constitutional Conference with delegations from the different regions, to deliberate on the future of the nation. But the success of the conference was marred with an eruption of a renewed pogrom against the Igbos – the Easterners- in the North, as well as counter-violence against Northerners in the South. The country was again charged with hostilities. As a result, millions of Easterners in the Northern, Western and Mid-Western Regions were forced to abandon their properties and means of livelihood and made their way back home in the East. In order to avoid a further counter-

¹⁵ Ibid, 42.

violence in the East, the Eastern Military Commander in Oct. 1966 ordered all non-Easterners out of his Region, stating that he could no longer be responsible for their safety. With this renewed violence, the Eastern Military Leader abandoned the reconvened constitutional conference in Lagos, finding no further reason of participation when the security of lives and properties of his people cannot be safeguarded by the nation called Nigeria.

A clear line of disunity was then drawn between the Eastern region and the regime of Gowon. In this heated atmosphere, the matter was transferred to a neutral ground in Aburi Ghana for deliberation and subsequently, reconciliation. With an agreement reached at Aburi on a number of functional reformatory policies, the regime back home in Nigeria was trapped again on the web of inertia in the form of non-implementation of the recommendations. The Eastern region's response to this was two-fold: a) the region ceased the payment of federal taxes and took over control of federal utilities; b) On May 27 1967, the Eastern Consultative Assembly empowered the Eastern Military Leader, Colonel Chukwuemeka Ojukwu, to declare the formation of a separate Biafran Nation¹⁶, followed by a formal declaration of the Republic of Biafra on 30 May, 1967.

Faced with the stark reality of the Secession, "Gowon, in an astute but no longer timely counter-move, decreed a substantial change in the federal structure; in place of the former four Regions, twelve States were now called into existence,"¹⁷ six in the North, so as to assuage the Southern apprehension about a 'monolithic' North, and to meet the demands of Northern minority ethnic groups. Three were created in the South and three in the East, thereby separating the Igbos from other minority groups in the South Eastern region. In spite of this new administrative formula, the fury between the two camps later degenerated into a 30-Month Nigeria Civil War, popularly known as Nigeria-Biafran War (1967-1970), which left many citizens of both sides casualties and victims of death and destitution. It was a war between the British-equipped and motivated Nigerians and self-dependent Biafrans. It was an avoidable war that was regrettably fought. At the heat of the crisis, the Military Leader of the Eastern region had to leave into exile for the sake of peace and in the face of a near extermination of the citizens of Biafra, especially with the blockade of social welfare and aid

¹⁶ Ibid, 43.

¹⁷ Ibid, 43.

to the Biafrans by the Nigerian Government. The Biafran Government, under a new Leader, General Philip Effiong had to surrender in January, 1970.

1.1.3 Nigeria After the Civil War (1970-1979)

At the end of the war, the Nigerian Nation was left in patches. The Eastern region was left in a decimated situation of hunger and heavy loss of lives and properties. The second military regime still under Lt. Colonel Gowon continued administration and declared “No Victor, no Vanquished”, and immediately set in motion the regime’s famous three R’s: Reconstruction, Rehabilitation, Reconciliation. The citizens of the Eastern region, with their somewhat natural endowment with tenacity and perseverance, picked up their patches and were able to set again in motion a new beginning. On the side of the regime, “Foreign exchange earnings and government revenues increased spectacularly with the oil price rise of 1973-1974. This was supposed to be a boost to the regime.”¹⁸

Gowon then, by 1 October 1970, the Independence Day, announced the regime’s fixed plan to transfer power to a duly elected civilian representatives by the year 1976, detailing a nine-point agenda under which several conditions had to be met within a space of six years namely:

[...] reorganisation of the armed forces, implementation of the National Development Plan and repair of all war damage, elimination of corruption from national life, settlement of the question of more States, preparation and adoption of a new constitution, introduction of a new formula for revenue allocation, conduct of a population census, formation of ‘genuinely national’ political parties, and election of State and National governments.¹⁹

Ironically, the Aburi Accord, which was left inert when the group came back to the country and which contributed to the outbreak of the avoidable civil war, would be seen running through these subsequent agendas. Yet the gap between theory and praxis, principles and implementation continued to weigh down the regime. William observed further: “We now know that, with the civil war over and the process of reconstruction begun, the Gowon regime was beset by inertia and torpidity with the result that a number of persistent problems were

¹⁸ Akinseloyin, C. Development Problems in the Niger Delta Region, A Study in Christian Development Ethics, 28.

¹⁹ Graf, W. D. The Nigerian State: Political System in the Post-Colonial Era, 44.

never solved, no steps were taken toward demilitarisation, and eventually the regime, like its civilian predecessor, foundered in a morass of inaction, corruption and inefficiency.”²⁰ These problems ranged from indecision in demobilisation of the country’s oversized army, bribery and corruption that became inflated more than ever in almost all sectors, as well as a continued inter-ethnic rivalry that became heated-up again after the 1973 controversial Census, because it is tied to the question of federal revenue allocation; an observable increase in the shortages of essential commodities notably petrol, in a land that has it as one of her natural resources, Port congestions due to corruption and awaiting of bribery etc. By 1974, the regime gave out a straw that finally broke the Carmel’s back when it announced an indefinite postponement of the slated plan to return the country to civilian rule. On 20 July 1975, the regime was overthrown in a bloodless third military coup, while Genera Gowon was out on a conference of Organisation of African Unity, OAU in Kampala, Uganda. This coup brought another military regime to be headed by Brigadier Murtala Mohammed.

The regime of Murtala Mohammed was short-lived but credited by popular opinion as being qualitative. Within a space of six months, the regime moved into rapid and decisive actions namely: demobilisation of the army, institution of concrete central agency for monitoring inefficiency and corruption in public life and services; stepping up of efforts towards the quick realisation of constitutional government; rejection and declaration of the controversial 1973 Census as null and void; a further in-road in the federal structure through the creation of more States, making them 19 States; final decision was taken for the citing of the Federal Capital to a more central location – Abuja, as well as reforms on trade union organisations, making them more unified than fragmented. Commenting on the regime of Murtala Mohammed, Akinseloyin wrote: “...his (Murtala Mohammed) pro-people’s policies (like reducing the prices of food items) in his short time elevated him to the status of national hero.”²¹ But unfortunately, the regime did not live to witness its set agenda of returning the country to civilian government come 1979. In a bloody but abortive coup carried out by Dimka and others, the Military Leader, Murtala Mohammed, was assassinated inside his car

²⁰ Ibid, 44.

²¹ Akinseloyin, C. Development Problems in the Niger Delta Region, A Study in Christian Development Ethics, 28.

through an ambush laid by Dimka and his colleagues on 13 February, 1976. The assassination was mournful, but the regime gave way to yet another military regime enthroning Lt. Gen. Olusegun Obasanjo, a Southerner, as the Military Head of State, with Brigadier Shehu Yar'Adua, who was the chief of the Supreme Military Council, as now the second in command. They carried on, with other modifications, the policies of Murtala Mohammed and were able to return the country to a civilian government on October 1 1979.

1.1.4 Transition to Civil Rule: Second Republic (1979-1983)

This transition is regarded in the history of Nigeria as the first ever successful transition to civilian government since after independence. The new regime was ushered in with the adoption of the 1979 Constitution ten years after the collapse of the First Republic. To be noted at the inception of this regime is the conscious atmosphere of awareness created about Nigeria's problem with regard to Centrifugal Federalism and Regional Politics, imbedded in the Westminster model of government, under which the colonial masters designed the Federal Character of Nigeria as a nation. Thus contained in the report of the Constitution Drafting Committee are these clear and explicit words:

The separation of the Head of State from Head of Government involves a division between real authority and formal authority. The division is meaningless in the light of African political experience and history. The tendency indeed of all people throughout the world is to elevate a single person to the position of ruler. In the context of Africa, the division is not only meaningless, it is difficult to maintain in practice. No African Head of State has been known to be content with the position of mere figurehead...The system has resulted in a clash of personalities and interests, a conflict of authority and an unnecessary complexity and uncertainty in governmental relations. The system presupposes a non-political Head of State, but the lesson of African experience with the system is that if non-political Head of State are not already in existence, mere constitutional provisions alone will not bring them into being.²²

With the nature of the Constitution, the Second Republic provided a Presidential political structure, modelled to the system and democratic structures in the United States of America, with Alhaji Shehu Shagari as the President of the Federal Republic of Nigeria. The structural political features at the inception of this regime presented an image of redemption in a Nigerian State that was belligerent and haggard. William had to observe: "...with its minutely calibrated system of checks and balances, its technically well-thought-out

²² Report of the Constitution Drafting Committee, Federal Republic of Nigeria, Vol. 1, XXIX, 1976.

federalism, its extensive mandate to law-makers, law-executors and law-adjudicators, its codes of conduct and its federal character, the Second Republic was, even in retrospect, a practically flawless creation.”²³ Nothing could have stopped the Second Republic from assuaging the high hopes and expectations bestowed on it by the Nigerian polity, given the available increase in oil prices and revenues between 1979 and mid-1981. But Second Republic became entrenched within a space of time, in a politics of elitist party formations, introducing deep into the polity a divinisation of “Elite Class Struggle”, which would later, in the history of Nigerian Politics, come to be known as *Godfatherism*. □ ²⁴ Consequently, “the process of party formation was biased from the outset towards the establishment of elitist parties headed by comparatively well-known figures.”²⁵ With the oil glut of 1980/81, coupled with a new celebration of mismanagement and corruption as an ideology, social tensions in the forms of strikes, religious unrest, as well as resurgent ethnicity began to weigh down heavily on the administration, such that by mid-1983, 15 July precisely, the National Concord Newspaper defined Nigerian Politics as government by the rich, for the rich and in the name of the people. Amidst daily increase of poverty and destitution, the regime featured politicians, who “continued to consume flagrantly, raise their personal emoluments and live in an unprecedentedly lavish style”²⁶

By the election of 1983, meant to usher in the regime for a second tenure, many people lost hope in the governmental structures of the regime. Consequently, though the regime retained its head, Shehu Shagari as the Leader, they lost many of their Seats at the State level to opposition parties. This explains why at the inception of the regime’s second tenure, the

²³ Graf, W. D. *The Nigerian State: Political System in the Post-Colonial Era*, 77.

²⁴ Abdul-Jelil, A. G. “Godfatherism” and Nigeria’s Fourth Republic: Violence and Political Insecurity in Ibadan, in: *Peace and Conflict Studies Programme*, Institute of African Studies, University of Ibadan, Nigeria. □ The emergence of godfatherism cannot be totally divorced from the long years of military rule that created a class of Big-Men or Big-Man rule in Nigeria. Moss (2007) describes Big-Men rule as a cliché describing a system dominated by individuals and personal relationships which ensures peace by the distribution of money, jobs and favours. This is reinforced by the cultural attitude in Africa that encourages deference, (sometimes fear) for the wealthy or powerful, with the hope that the Big-Man whether a local chief, warlord, party chieftain, political office-holder or a president will protect and provide for those under his wing and punish those who oppose him. The emergence and perpetuation of Big-Man rule in Africa has also been traced to the notion that rules of the game do not count in political contests in the African context. This view is informed by the usual flagrant disdain for rules by groups and individuals in the process of seeking political offices (Hyden, 2006).

²⁵ Ibid, 78.

²⁶ Ibid, 95.

President was only leading as a member of a minority part, and given this situation, deep clashes of ideologies and policies took the centre stage. In the same year 1983, things actually fell apart in the polity and the regime was brought to an end with yet another bloodless military coup led by General Mohammadu Buhari, who on 31 December, 1983 gave the reason for the coup as a response to corruption, inept and insensitive leadership of his predecessors as well as the drifting atmosphere of immorality and impropriety.²⁷

1.1.5 Comeback of the Military and the Making of the Third Republic (1983-1998)

By January 1 1984, the regime of Buhari, which has come in through the fourth coup was already in the country's administration. It immediately galvanised the public support and admiration by first putting some strategic programmes and policies in place, in order to combat and trim down the level of corruption. Secondly, it got itself committed to austerity by trimming down and reducing of Federal Budget which were all commendable. A famous programme and policy accredited to the regime was the introduction of the concept WAI – War Against Indiscipline. At first the programme became laudable in the minds and opinion of many Nigerians, but it would later come to meet a flop. WAI “preached the work ethic, emphasised patriotism, decried corruption, and promoted environmental sanitation.”²⁸ Good as the intention might have been, the brutal manner it was executed by the soldiers earned Buhari's regime public anger and international condemnation.

At the centre of the regime's maladministration was lack of the efforts that should have been put in place, in order to educate and sensitise the masses on the “Dos and Don'ts” of a discipline-oriented policy that requires the masses' unconditional co-operation and civil obedience. Instead the regime, a military regime of course that it was, got itself deeply immersed in brutality and several abuses of human rights, banned all political activities including public debate on the political future of Nigeria; university students who dared protesting the hiking cost of school fees were rusticated; medical doctors who protested the dilapidating condition of medical hospitals and lack of drugs were sacked; pedestrians crossing the high way instead of using the over-head bridges were publicly flogged and

²⁷ Maiden Speech by the Military Head of State, Nigeria, Gen. Mohammadu Buhari, 1 January, 1984.

²⁸ LIBRARY OF CONGRESS, Federal Research Division, Country Profile: Nigeria, July 2008, 6.

manhandled by soldiers, etc. It should however be noted, that the administrative strategy of this regime created really a concrete atmosphere of sanity in government and public places to a recognisable extent. This was to be expected because the special Tribunal (Miscellaneous Offences) Decree under the Buhari Administration stipulated the death penalty by firing squad "... for a whole range of offences (mainly economic) such as trafficking in hallucinatory drugs, setting fire to public buildings or property, sabotage of oil pipelines or the electricity system, illegal import or export of oil and oil products, counterfeiting, and destruction of public property."²⁹ Even the then Justice Minister and Attorney General of the Federation, Chike Ofodile, commenting on the administrations seemingly belief in absolute *lex talionis*, □³⁰ observed that the administration would even be ready to apply any penalty severer than death, if there would be any. But at a stage, a theatre of the absurd was unfortunately enthroned and celebrated. The Nigerian Polity presented within this administration a kind of 'Police State', where freedom with responsibility has been sacrificed at the altar of pretence and inauthentic life. Leadership was turned to mere autocracy, and followership became a mere sheepish affair, where human beings and citizens live like Robots that can be programmed and manipulated at will. At this stage, the administration's WAI (War Against Indiscipline) degenerated to WAE (War Against Everybody). As a consequence, on 27 August 1985, the military again launched another bloodless coup, replacing Buhari's administration with that of General Ibrahim Badamasi Babangida.

Babangida's regime began administration first by trying to unmask Nigeria Polity and political structure of its hostile and combatant character, into which it has been plunged by Buhari's administration. This was done by abolishing some of the seemingly inhuman and obnoxious policies, which their predecessors enacted; the repealing of Decree No. 4, which strictly was against the freedom of the media, and releasing of some of the journalists who were victims and prisoners of injustice; the administration released some of the political prisoners who were in detention without trial, and lifted in 1986 the ban on NMA (Nigerian Medical Association) and National Association of Nigerian Students. A little atmosphere of

²⁹ Graf, W. D. The Nigerian State: Political System in the Post-Colonial Era, 165.

³⁰ □ "lex talionis" is the principle or law of retaliation that a punishment inflicted should correspond in degree and kind to the offense of the wrongdoer, as an eye for an eye, a tooth for a tooth (Ex 21:24; cf. Matt 5:38); retributive justice.

freedom began to loom, yet every military regime has a character that would always be different from a civilian government. In 1989, after four years of administration, Babangida's regime expressed its desire to return the country again to a civilian government after a constitutional assembly has worked out a Constitution for the Third Republic. Thus, the administration established a Two-Party system – NRC (National Republican Convention) and SDP (Social Democratic Party) – for a proposed election that would supposedly usher in Nigeria's Third Republic by 1993.

Apart from the administration's seemingly focused policies, a number of sequential mismanagement, pride and administrative recklessness combined to beset the regime. First, a secular State like Nigeria would wake up on a bright and fateful day only to learn that it has been enlisted among and hitherto to be solely recognised as an Islamic Nation and State. This was when Babangida, with his Northern agenda, sold the religious nationality of Nigeria begun under Buhari to the rest of the world, by registering the country as a full member of OIC (Organisation of Islamic Conferences). This action raked so much havoc in the country and received wide-range condemnation from numerous quarters. Debates were held, conferences were convened, but the action till date left a scare in the body of the administration, and this would later help to nail it down finally. William noted:

[...] Babangida neither confirmed nor repudiated Nigeria's membership. Instead, he convened a Presidential selected committee, in which Christians and Muslims were equally represented, to make recommendations. Not unexpectedly, the committee argued for the preservation of the country's secular status. But here again, large sectors of the population were left dissatisfied.³¹

On another level, with the international economic recession that was present within the time of this regime, strategy for economic recovery became almost inevitable. Thus, the regime had to introduce a proposed 15-Month programme under the name SAP (Structural Adjustment Programme). The masses co-operated with this programme, living in the hope of triumph and subsequent liberation from the economic mess. But panic and discomfort set in when a proposed short-term programme slated to begin in July 1986 and end in June 1988, began to overstay its welcome. Osaghae observed:

Finally it was in the overall impact on the standard of living and quality of life that the implementation of SAP had devastating consequences. The 1991 World Bank Report ranked Nigeria as the thirteenth poorest country in the world, while the United Nations Development Programme concluded from a human

³¹ Graf, W. D. *The Nigerian State: Political System in the Post-Colonial Era*, 175.

deprivation index survey in 1990 that it (Nigeria) had one of the worst records of human deprivation of any country in the third world.³²

Cost of living became terribly high for many average Nigerians, and “there was an explosion of violent crime, especially armed robbery. Dare-devil gangs terrorised urban dwellers, and the government seemed unable to cope with the situation. Many convicted robbers justified their acts by the SAP and the wide gap between the rich and the poor.”³³ Of course, confidence in the regime and its administrative structures began to die in the hearts of the masses.

The greatest blow that dealt this administration came with the election saga of 1993, when Babangida on 12 June 1993, annulled what, in the general opinion and in the interest of the international community, was regarded as Nigeria’s free and fair election. This election was to usher in the Third Republic with the winner of the Presidential election, Mushood Abiola, a Yoruba and Southerner as its leader. With this annulment, hell was let loose on earth in Nigeria. Things became really no longer at ease and finally fell apart. It was really a looming of the darkness of political calamity when it was not expected. Osaghae described the situation thus: “The strikes, riots and demonstrations that greeted the annulment and continued long afterwards, brought about a virtual standstill. The already fragile economy was seriously affected, and the resurgence of strong ethno-regional forces rocked the country’s very foundations, with the strong possibility of a civil war or disintegration.”³⁴

The reason given by General Babangida for the annulment was that the election failed in a number of ways to meet the ‘basic requirements’ of NDSC (National Defence and Security Council) for free and fair election; he accused the Presidential election candidate, as well as party agents of electoral malpractices, and sang a dirge about INEC (Independent National Electoral Commission), accusing it of not being fully prepared for the proper carrying out of the election. Moreover, it was to be noted that Abiola himself, the then Presidential candidate, was not in the good book of the top military elites. Given a situation of anarchy, the seat became too hot for Babangida and his regime, and with the recommendation

³² Osaghae, E. *Nigeria Since Independence, Crippled Giant*, 204.

³³ Marenin, O., *The Anini Saga: Armed Robbery and the Reproduction of Ideology in Nigeria*, in: *Journal of Modern African Studies*, 1987, vol. 25, no. 2.

³⁴ Osaghae, E. et al. *Nigeria Since Independence, Crippled Giant*, 252.

of a tripartite committee chaired by the then vice-president, Augustus Aikhomu, General Babangida had to step-aside under pressure, giving way to an Interim Government headed by a former head of Transition Council, Ernest Shonekan, on 27 August, 1993.

The Interim National Government withholding the Annulment quickly announced plans for fresh elections for the realisation of the awaited Third Republic, but had to battle first with arguments and cases against its legality and legitimacy. Secondly, it has to fight a battle, the line of which has been drawn between anti-annulment proponents and their pro-annulment counterparts. On the first issue, many lawyers and pro-democracy activists gave their time and arguments to nail the ING to death. They argued that Decree no. 61, which created the Interim National Government and was signed on 27 August 1993, was a nullity, since the regime of Babangida was already put to an end with the Decree no. 59, which repealed the Constitution (Suspension and Modification) Decree no. 1 of 1984, on the 26th of August 1993. Given this situation, the ING existed in the minds and opinions of many in a legal vacuum.

Again the stage set by anti- and pro-annulment rivalries became a cog in the wheel of any progress that should have been made by the interim government. Most of the Social Democratic Party governors, whose Presidential candidate won the election stood against any other plan that was not June 12 election. The President-Elect himself was at this moment in self-exile outside the country. The Northern leaders, whose interest was heavily being represented with the institution of the ING continued to sponsor supports for the Interim government. The social and political climates continued to breed fury: “continued strikes, demonstrations, lack of legitimacy and fears of war – (but) Shonekan tried to salvage whatever he could out of the situation and halt the drift to complete anarchy.”³⁵

Amidst these givens, the President elect returned from his self-exile, and with his vice-presidential candidate, Babagana Kingibe, filled a suit in a Lagos high court, challenging the annulment of June 12 election that was supposed to bring them to power, thereby seeking the nullification of ING. In a monumental judgement delivered on 10 November 1993, Justice Mrs. Dolapo Akinsanya ruled and declared Decree no. 61 null and void, since it was signed

³⁵ Osaghae, E. *Nigeria Since Independence, Crippled Giant*, 263.

into law when Babangida had no more legislative authority to do so. In consequence, ING was declared null and void and a Court Order issued for the restoration of the annulled June 12 presidential election. The ING's effort to appeal this ruling could not see the light of the day, because another bloodless military coup struck again secretly on 17 November 1993, forcing the resignation of the leader of the Interim National Government after eighty two (82) days in office. Again Nigeria's political scene was pinned down to a military chariot and this time around to be piloted by a 'monster and dictator', Gen. Sani Abacha. Suffice it then to say that the Third Republic in the Nigerian political history was massively, freely and fairly voted in, but never became an administrative reality.

There may be nothing more devastating of a polity as to when a monster mounts the pinnacle of administration. This is true of the regime of Gen. Sani Abacha, an ardent Northerner, who left not just an indelible mark, but a persistent bleeding wound in the entire polity of Nigeria. It was a 'junta regime'. This regime would come to set the escalated situation of militancy in the Niger Delta area in motion, and that would actually be our main area of interest. The regime was greeted at its inception with hostility, not only from within, but also from the international community, particularly western powers, who felt Nigeria had had enough of this military rendezvous.

This administration would then, throughout the period of its stay in office, be seen indulging in a number of calculated actions and policies, in order to assert its authority and presents itself externally as a 'non-weakling'. The initial strictness of the regime, which would eventually and unfortunately degenerate into brutality, was to be understood at the first instance. This was because, "(...)the regime inherited a most fragile economy made worse by the persistent riots, strikes and other acts of civil disobedience and the resulting state of anarchy which paralysed the country in the aftermath of the annulled 1993 election."³⁶ At a stage practically everybody was becoming an enemy of the administration.

Then there came a dual administrative recklessness, which the regime committed in 1995 namely: The trials of about forty-four people and the subsequent death sentence meted to them, for an alleged 1995 coup, which many regarded as the President's strategy to

³⁶ Ibid, 281.

eliminate his opponents, and the killing of nine Ogoni sons from the Niger Delta. But the international community was attracted to this planned evil because of the inclusion of the former president, Obasanjo and his deputy, Yar'adua on the list.³⁷

With the turnout of event, practically every quarter and section of the country became suspects to the administration. Many journalists, activists, pro-democracy groups, Labour Unions and politicians were taken as hostages and prisoners. Some would survive this situation, others paid with their lives. Even the president-elect from the annulled June 12 elections, who was awaiting and hoping on reinstatement, was at a stage seen as a threat to the security of the nation. Within this period, the president-elect himself declared himself as President and got sworn-in in a brief ceremony at Rowe Park in Lagos. On that day he called on the Abacha led military regime to resign, though he indicated his readiness to negotiate a smooth transition, and he directed all former governors that were sacked to re-take the States and reconvene National and State Assemblies. He was later, as a consequence of his actions and utterances, arrested, detained and taken to court for treason and was later controversially convicted and taken to prison. That was his end. He died (or allegedly was killed) in Prison. Later, face to face with relentless outcry and condemnation from the international community, Abacha commuted the death sentences to life imprisonment, some to shorter jail terms. This judicial commutation by the regime and its compulsive positive response to the plea of the international community made a possible in-road for the consideration of human rights in the Nigerian Military Law.

Hostilities would then increase towards the regime, both domestically and internationally, when the regime turned deaf ears and remained defiant and adamant again to the plea of both internal and external voices towards the conviction and the subsequent execution of nine Ogoni sons from the Niger Delta, whose activities under MOSOP (Movement for the Survival of Ogoni People) led by the Writer and Activist, Ken Saro Wiwa, the government saw as threatening the territorial integrity of Nigeria. This action attracted worldwide condemnation and sanctions. As a consequence, Nigeria was suspended from her membership in the Commonwealth; European community countries, South Africa and United

³⁷ Ibid, 303.

States recalled their ambassadors from Nigeria, and sanctions were imposed by USA, the EU, Britain, Germany, France, several European countries and Canada. With this, the stage was recklessly set for the explosion of violence in the Niger Delta area. We shall take up this discussion again in subsequent sub-topics.

In this charged Nigerian polity necessitated by Abacha's administrative mismanagement, added to the rise in both internal and external pro-democracy agitations against the military regime, Nigeria as a people and nation witnessed a fateful twist of event on a fateful day. On June 1998, the President Abacha died in an undisclosed circumstance, putting an end to the regime and enabling yet a short military transition period, led by General Abdusalam Abubakar (then Nigeria's Defence chief of staff).

1.1.6 Transition to Civil Rule: Fourth Republic (1999 till date)

Abubakar set immediately in motion the Transition programmes and Nigeria was able to make the dream of a Fourth Republic on 29 May 1999 come true, with a new Constitution and a new democratic civilian government to be led by Olusegun Obasanjo, a retired former Military head of State, who successfully handed over power to the then Second Republic.

The civilian government under Obasanjo did a lot to quell the troubled and drifting Nigerian State. As an ex-military man, Obasanjo himself was able to handle the military elites under policies that were able to place them back to their rightful and constitutional position – the Barracks and the defence of the Nation. For the purpose of our study on the Niger Delta case in the Nigerian polity, we mention outright here that, in spite of the already tensed situation in the Niger Delta area blown open by Abacha, this regime tended to add more salt into injury. This happened on 20 November 1999, barely six months into the regime's first tenure in office, after some unidentified hoodlums or some militant groups or youths abducted six policemen on duty in the Niger Delta area, and later killed them. In response, the President gave a 14-day ultimatum to the government of Bayelsa State in the Niger Delta where the event took place, demanding that the perpetrators be tracked down and brought to book. But within these fourteen days, the innocent citizens of Bayelsa State, Men and Women, Young and Old, Women and Children were reduced to near genocide, with the deployment of some

hundreds of soldiers to a village called Odi in Bayelsa State. Several dozens of unarmed civilians were sacrificed in this operation. Anger and bitterness were again rekindled.

By the election of 2003 to usher in the administration's second tenure, opinions for and against the administration seemed divided into two equal opposing camps. Apart from that, there was a pronounced massive rigging of election that year, many candidates of constituent and gubernatorial posts were rigged in by the ruling party, which got itself so deep into an unfortunate politics of "Godfatherism". In fact the 2003 election has gone down in Nigeria's political history as *Selection 2003*. Towards the end of the second tenure, Obasanjo's regime began a campaign for an amendment of the constitution to pave way for a 'three-tenure' system for the office of the President. This proposed bill was killed and laid to rest with the decision of the simple majority in the Federal Houses who voted against it. Consequently by May 2007, after the elections, the regime had to handover to another civilian government to be led by Alhaji Umaru Musa Yar'adua, a Northerner, and his Vice, Goodluck Ebele Jonathan, an Ijaw Man from the minority ethnic group of the Niger Delta.

The administration of Yar'adua immediately rolled in a programme of 'Amnesty' for the different militant groups in the Niger Delta Area. In this programme, many of the militant and agitating youths and groups laid down their arms in exchange of the Federal Government's plans for grants, provision of some basic amenities and implementation of necessary policies to combat the environmental degradation of the Niger Delta area. This issue would later be taken up in a more detailed manner, where we would examine some persistent and lingering questions surrounding the issue of Amnesty. Yar'adua's health deteriorated and he died on 5 May 2010 while still in office as the President. The mantle of leadership then fell on the Vice-President, Goodluck Ebele Jonathan.

Now that the leadership of the country lies in the hands of a minority ethnic member, has the situation really changed? It is to be noted that even the road to presidency was rough for the vice president as a Niger Delta son. Fidelis Allen, writing on World Policy Journal noted:

After the death of President Musa Yar'adua in 2010, Jonathan was expected to take over, but much of the political class resisted, especially those from the northern part of the country who feared the control of oil resources and revenues by someone with a real stake in this issue (....) (and) Despite Jonathan's hold on the

presidency, minority ethnic groups like his Ijaw are all but powerless within the Nigerian federal system and therefore, are perpetually unable to regulate oil company activities (in the Niger Delta area).³⁸

An observable truth about the Niger Delta area at the period of this study is that there seems to be a halt and quietude as regards militancy and hostilities in the Niger Delta area. This is understandable because a house divided against itself will surely crumble. But are the challenges of this area already given the proper attention they deserve? This question will keep this study occupied in subsequent chapters and sub-topics.

1.1.7 Evaluation: Nigeria, a Democracy on a Cross-road

Entrenched in the bone marrow of Nigerian politics is this regional and ethnic egoism that reflects in every facet of her life and activity as a nation. What many have regarded and continue to regard as the ‘mistake of 1914’ – the Amalgamation, seems to maintain constancy in plaguing Nigeria as a political entity. The critical evaluation of what a true federal representation means so far, would continue to indict Nigerian nation as a ‘deception’. Thus many opinions would prefer to view the Nigerian nation as different nations being unjustly compelled to live together, without any reference to her multi-diversified character and multi-lingual structures.

Evaluating Nigeria’s system of democracy from the chronology of her political history, presents a polity that has been punctured enough by ‘militia-politics’, which has hampered the expected sequence of sustainable development as one of the hallmarks of every democratic political structure. The UNDP Country Report, 2003 made this observation:

Since Nigeria became independent, her political development has been fraught with instability and inconsistency in development policy. It is true that she is endowed with wealth and considerable economic potentials, but because Nigeria has had a chequered political history, she has not as yet succeeded in effectively translating its potentials into economic growth, human development and overall social transformation.³⁹

This deficiency therefore, in the transformation of democratic principles to reflect positively on the body politic becomes the setting of our study, with focus on the Niger Delta area. Suffice it then to say, that the volume and factual data available on the relationship between the Nigerian State and its Niger Delta geo-political area, can only give Nigeria away as a

³⁸ Allen, F. The Enemy Within: Oil in the Niger Delta, in: Africa’s Moment, World Policy Journal, 49.

³⁹ United Nations Development Policy, Country Report 2003, 46

failure in the field of democracy. The dividends of democracy are never made flesh in any polity that pays only lip-services to mandates and administrative values. The crawling status of Nigerian democracy is a result of her persistent political quagmire, which sequentially rendered moribund the building in of the required structures of administration for democratically political stability. Referring to one of the negative aspects, Omeje noted:

The consequences of frequent military intervention in Nigerian politics have been devastating – human rights repression, militarisation of society and the political landscape, abuse of the rule of law, gross indiscipline, arbitrary proliferation of sub-national States and local government areas, aggravation of ethnic politics, destruction of productive sectors of the economy and monumental corruption.⁴⁰

From the foregoing, what again can actually serve a proof of Nigeria's destruction of the productive sector of her economy, than her neglect and abuse of human rights within a part of her geo-polity; the environmental degradation and devastation of a part that contributes over 80% of the total national revenue or the GDP of Nigeria? But it all goes down to bear on the intrigues of bad leadership and the rate at which corruption has profusely infested the Nigerian polity. Addressing an Annual National Management Conference in 2013, Oluwale-Cole asserted:

It is ironic that Nigeria, blessed with abundant natural and human resources, has not been able to get it right in the area of leadership. Thus, while other nations which are not as equally blessed, have moved on due to purposeful and committed leadership, Nigeria has continued to stagnate in almost all facets of its national life due to leadership ineptitude, widespread corruption, and other social vices that stall every attempt at effective development.⁴¹

As at the time of this study, Nigeria finds itself in the middle of celebrating a century of her amalgamation – 1 Jan. 1914 – 1 Jan. 2014. But the celebration has met diverse opinions and approaches from critical minds. In analysing Nigerian situation, some pertinent questions present themselves: What effort have we made to place the amalgamated Nigeria in a scale, so as to determine to what extent the policy has helped or killed the Nigerian nation? Has amalgamation really worked? Are the principles of Justice and Equity really lived out in and among the Nigerian people and in the Nigerian societies? Have we been able to live above regional politics in a system that practises a federal character? Are there real facts to disprove the popular opinion about amalgamation being only an administrative convenience? What is really wrong with our system, that has necessitated *a gap of shame* that has come to exist

⁴⁰ Omeje, K. High Stakes and Stakeholders: Oil Conflict and Security in Nigeria, 27.

⁴¹ Nyong, T. Ineffective Leadership: Bane of Nigeria's Development, in: Vanguard Nigeria, 7.

between Nigeria and a country like Indonesia, which was at the same economic pedestal with Nigeria, according to a global assessment of developing economies within the 70s and 80s, but today they have made tremendous in-roads and Nigeria is still marking time, if not dwindling? Is the fault from our stars or from ourselves? Corruption has become endemic. That is the simple truth, and until such ideology is rejected and made alien in the Nigerian polity, the realisation of the truth in the words of the Brazilian scholar, Antonio Maria Costa, remains an illusion for Nigeria. He said: “the fighting of corruption is a pre-condition for good governance and the rule of law, which in turn are the foundation stones of sustainable development.”⁴²

With the rising rate of youth unemployment, necessitating increase in crime wave and burglary, excruciating suffering greeting many citizens and reducing them to mere street beggars on daily basis, moribund health care facilities, widening gap between the rich and poor, which as a consequence creates a dichotomy of the ‘haves’ and ‘have-nots’, as well as a horrendous emigration of Nigerian citizens and youths, making their ways illegally through seas, deserts and oceans in pursuance of misconstrued greener pastures abroad. Many have died in the process, many are serving jail terms in different countries because of one crime or the other into which they were forced by their own country’s misplacement of priorities. As at the moment of this study, many Nigerian citizens seek for better academic programmes abroad, even to some other African countries like Ghana and South Africa, because their own country, with chattered educational system, necessitated by incessant strikes due to non-payment of emoluments to teachers and professors, presents them with a bounced cheque of hopelessness. The purpose of these analyses is never to give Nigeria away as an institution that is eluded by the possibility of change, but to present the extent to which the poison of negligence and pseudo-governance have paved ways to systematic stagnation of her polity and democracy. Appendix III (a) and (b) give short indices of the prevalent health challenges of the Niger Delta area, which await proper health care, as well as the shame which Nigeria must suffer with her claim as the giant of Africa, since none of her Tertiary Institutions could be found among Top ten Universities in Africa.

⁴² Agwu, S. Corruption: Bane of Good Governance in Nigeria, in: The Nigerian Voice (NTV), 5.

1.2 Niger Delta Saga: The Ailing Part of a Nation

That this section of the Nigerian geo-polity is bruising is a truth clear as crystal. But the question still lingers, whether it has become a crime to be an inhabitant of a geographical location with rich naturally endowed resources. A juxtaposition of the economic gains being yielded to the Nigerian nation by this area, and the level of inhuman conditions to which the land and the people have been reduced, presents a system that wallows in heinous misplacement of values. Such a system provides a social synergy through corruption, which is already endemic within its political economy on the one hand, and hampers sustainable development on the other hand. The consequence is always an institution of a viral attack on vital structures that facilitate development processes, especially structures gearing towards social and human development – Hospitals, Schools, Roads, Recreational facilities etc. Available resources for these facets of the society find their homes at the end in private pockets. The Niger Delta area provides in this study varied specimen that give an unmitigated balanced equation to the proposition, that this area is a part that bleeds in the midst of a vast availability of resources and alternatives.

1.2.1 Niger Delta Area: Land and People

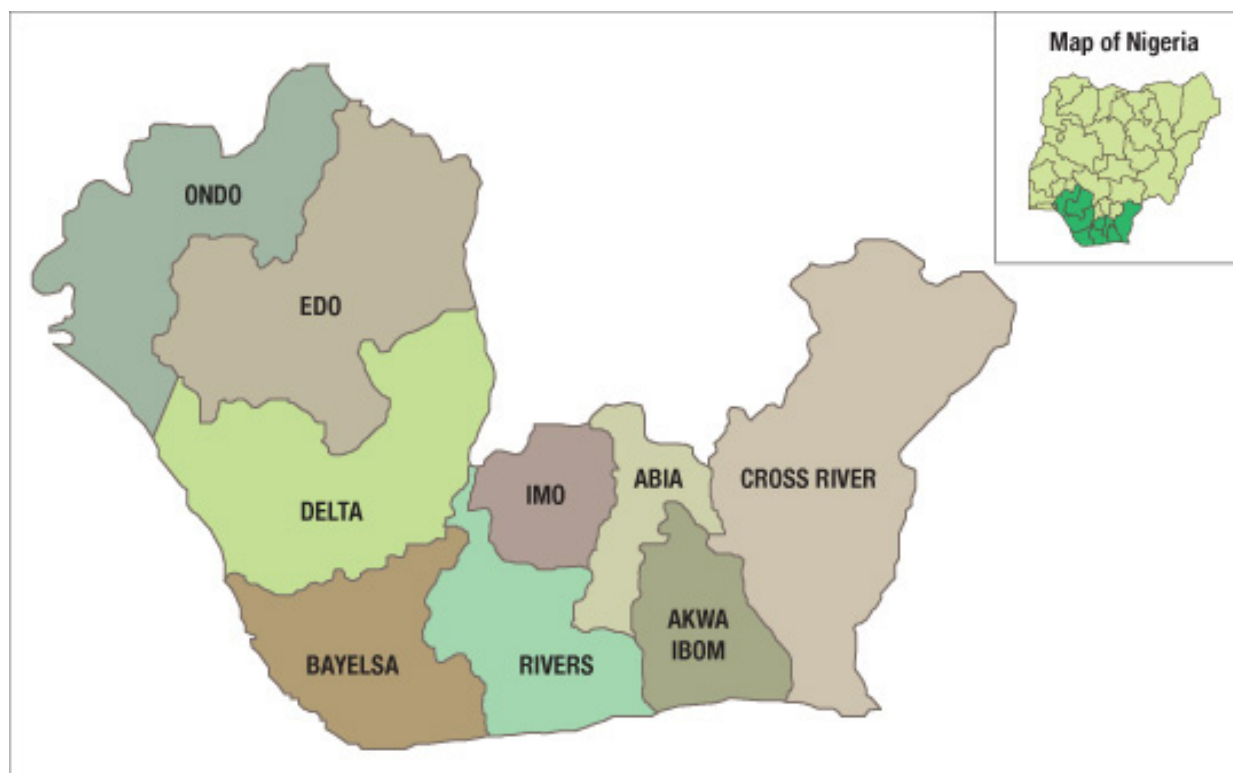
The Nigerian Niger Delta area covers a total of about 112,110 km², representing about 12% of Nigeria's total surface area.⁴³ Reckoning with the provisional census of 2006, the population of the Delta area is put at 31,224,577 Million inhabitants, with nine Nigeria's Constituent States namely: Abia State (created 1991); Akwa Ibom State (1987); Bayelsa State (1996); Cross River State (1967); Delta State (1991); Edo State (1991); Imo State (1976); Ondo State (1976) and Rivers State (1967). These constituent States have in general 185 local governments, all structured purposefully for administrative, political as well as developmental set-goals. Whether such goals have been realised or are being realised would become clearer in the light of our study. The Delta area is a vast floodplain interspersed with network of creeks and tributaries that drain the River Niger into the Atlantic Ocean along the Gulf of

⁴³ Niger Delta Development Commission (NDDC), Niger Delta Regional Development Master Plan 2006, 49.

Guinea. Omeje observed: “The high rainfall and river discharge during the rainy season combined with the low, flat terrain and poorly drained soils, cause widespread flooding and erosion: over 80% of the Delta is seasonally flooded.”⁴⁴ This geographical area is the bedrock of Nigeria’s oil and gas, accounting for over 50% of gross government revenue, about 95% of foreign exchange earnings and about 80% of total national revenue.

The Niger Delta area inhabits five major lingua-cultural groups namely: Ijaw, Edo, Delta Cross, Yoruba and Igbo:

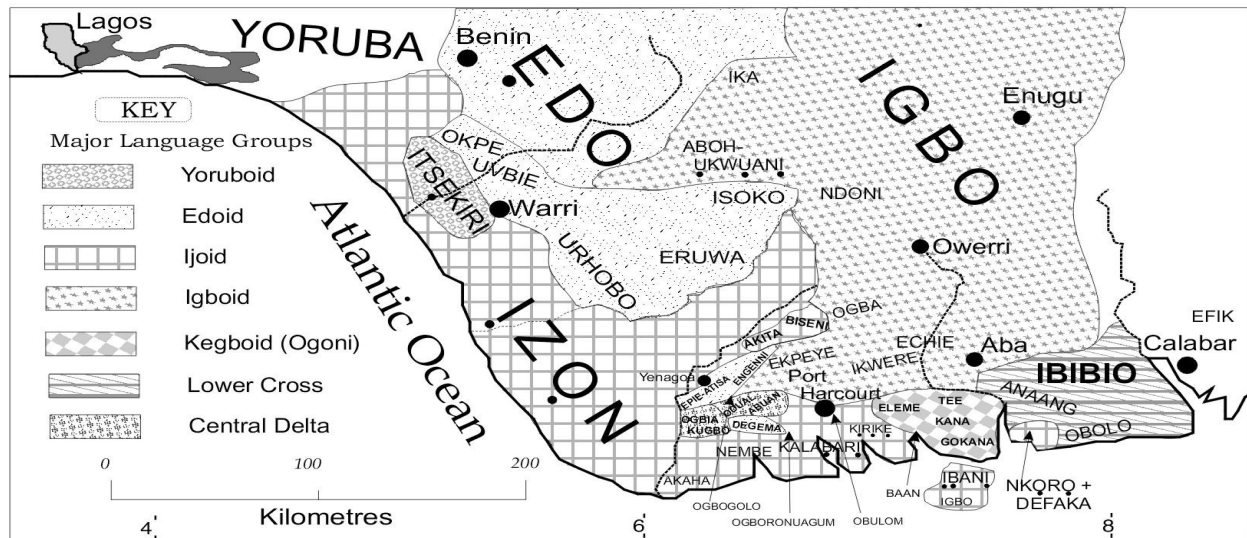
Table 1: Constituent States of the Niger Delta.



Lingua-Cultural Ethnic Minorities of the Niger Delta.

⁴⁴ Omeje, K. High Stakes and Stakeholders: Oil Conflict and Security in Nigeria, 35

PEOPLES AND CULTURES OF THE NIGER DELTA REGION



Analysis of the table above, presents the Niger Delta area as a heterogeneous region with regards to culture and ethnicity, and given these divisions and their population, apart from the Igbos and Yorubas of this area, whose presence is boosted by their population stronghold in other States of the East and South-West, these groups belong to the minority ethnic groups in Nigeria. Emphasis must be laid here, that the term ‘minority’ as used here, does not in any way mean ‘inferiority’. Under normal circumstances, it is to be noted from experiences, that conflicts or ethnic frictions are more incessant and rampart in areas with diversified ethnicity and cultural backgrounds. The Nigeria Niger Delta conflict, apart from its ethnic connotations, is aggravated with the presence and exploration of crude oil in this area, and this is one of the settings of our study.

1.2.2 Niger Delta and Oil Discovery

Crude Oil which has come to play the major role in the Nigerian economy was a subsequent discovery. “Initially, Nigeria’s economy was not dependent on oil. Other commodities, particularly agricultural exports such as palm oil and palm kernels as well as coal and tin production, played a much greater role.”⁴⁵ The first open policy toward the exploration of oil in Nigeria spanned through 1907-1914, with the Nigerian Subsidiary of a

⁴⁵ Frynas, J. Oil in Nigeria: Conflict and Litigation between Oil Companies and Village Communities, 9.

German Company – the Nigerian Bitumen Corporation, setting down their tools in the south-western Nigeria, in search of what they called a deposit of Tar Sand. They would later be forced to withdraw with the breakout of the First World War (28th July 1914 – 11 Nov. 1918). They were not permitted to resume again after the war “since the British colonial authorities gave preference to oil exploration by British companies.”⁴⁶

Consequently, in 1938 a joint venture of two British companies, Shell and BP was approved and the license granted them for oil exploration in Nigeria. Successfully in 1956, known as the year oil was discovered in Nigeria, crude oil was found in its commercial quantity for the first time at Oloibiri, located in the present-day Bayelsa State in the eastern Niger Delta of Nigeria. From this period onward, the two companies Shell-BP expanded operations motivated by the Oloibiri success. Thus they were able by 1958 to strike another success at Bonu oil field in the Ogoni area, situated east of Port Harcourt in Rivers State, Nigeria. Generally, official production of crude oil began in 1957 in Nigeria, with an initial output of 5,100 bpd (bpd = barrels per day). Output would come to increase especially with the discovery of more oil sites and the emergence of more oil companies and investors into the system, who were granted exploration rights in onshore and offshore areas adjoining the Niger Delta. A chronology of interplay of events is seen on the Table below:

Table 2: A brief historical chronology of events in the development of the oil and gas sector of Nigerian Economy.

1908	Nigerian Bitumen Co. and British Colonial Petroleum commenced operations around Okitipupa
1938	Shell D'Arcy granted Exploration license to prospect for oil throughout Nigeria.
1955	Mobil Oil Corporation started operations in Nigeria.
1956	First successful Oil-Well drilled at Oloibiri by Shell D'Arcy
1956	Changed name to Shell-BP Petroleum Development Company of Nigeria Limited.
1958	First Shipment of oil from Nigeria.
1961	Shell's Bonny Terminal was commissioned. Texaco Overseas started operation in Nigeria.
1962	Elf Petroleum started operations in Nigeria (then under the name: Safrap). Nigeria Agip Oil Company started operations also the same year.
1963	Elf discovered Obagi Oil field and Ubata Gas field. Gulf's first production.
1965	Agip Oil Company found its first oil at Ebocha. Philips Oil Company started operations in Bendel State (now split into Edo and Delta States).
1966	Elf started production in Rivers State with 12,000 bpd.
1967	Philips drilled its first oil-well (though dry) at Osari – 1. Philips first oil discovery at Gilli-Gilli – 1.
1968	Mobil Producing Nigeria Limited was formed. Gulf's Terminal at Escravos was commissioned.
1970	Mobil started production from 4 wells at Idoho field. Agip started Production. Department of Petroleum Resources Inspectorate started.
1971	Shell's Forcados Terminal commissioned. Mobil's Terminal at Qua Iboe commissioned.

⁴⁶ Ibid, 9.

1973	First Participation Agreement; Federal Government acquires 35% shares in the Oil Companies. Ashland started PSC with then NNOC (NNPC). Pan Ocean Corporation drilled its first discovery well at Ogharefe – 1.
1974	Second Participation Agreement, Federal Government increases equity to 55%. Elf formally changed its name from “Safrap”. Ashland’s first oil discovery at Ossu – 1.
1975	First Oil lifting from Brass Terminal by Agip. Department of Petroleum Resources (DPR) upgraded to Ministry of Petroleum and Energy (MPE).
1976	MPE renamed Ministry of Petroleum Resources (MPR). Pan Ocean Corporation commenced production via Shell-BP’s pipeline at a rate of 10,800 bpd.
1977	Government established Nigeria National Petroleum Corporation (NNPC) by Decree 33, - NNOC and MPR obliterated.
1979	Third Participation Agreement (throughout NNPC), equity increased to 60%. Fourth Participation Agreement – BP’s shareholding nationalised, leaving NNPC with 80% equity and Shell 20% in the joint venture. Changed name to Shell Petroleum Development Company of Nigeria (SPDC).
1984	Agreement consolidating NNPC/Shell joint venture.
1986	Signing of Memorandum of Understanding (MOU) as a comprehensive improved agreement between the government and oil companies.
1989	Fifth Participation Agreement: NNPC = 60%, Shell = 30%, Elf = 5%, Agip = 5%.
1991	Signing of Memorandum of Understanding and Joint Venture Operating Agreement (JOA) between NNPC and other operators in Oil and Gas sector.
1993	Production Sharing Contracts signed in partnership with Shell Nigeria Exploration and Production Company (SNEPCO). Sixth Participation Agreement: NNPC = 55%, Shell = 30%, Elf = 10%, Agip = 5%. The coming on-stream of Elf’s Odudu blend, offshore OML 100 (=Oil Mining License).
1995	SNEPCO starts drilling first exploration well. NLNG’s (Nigeria Liquefied Natural Gas) Final Investment Decision taken.
1999	NLNG’s first shipment of Gas out of Bonny Terminal.
2000	NPDC/NAOC Service Contract signed.
2001	Production of Okono offshore field.
2002	New PSC’s agreement signed. Liberalisation of the downstream oil sector. NNPC commences retail outlet scheme.
2003	Total liberalisation of the Downstream Oil Sector. NNPC commences retail outlet scheme.
2004	Shell Restructuring Exercise that changed that changed business approach and placed Nigeria on Top positions etc. ⁴⁷

This trend of events in the Nigerian Oil and Gas sector, as illustrated with the table above, shows the viability of this sector of Nigeria’s Economy, which as it were, remains the lifeline of its strength and relation in the international community. It is remarkable when we observe that there was a rapid growth in crude oil production in Nigeria between 1960 and early 1970s. Thus Nigeria that was at zero percent in terms of crude oil production in 1956, calculated in *‘long tons’ then by the British companies, was able by 1971 to surpass its Canadian counterpart that was already miles ahead of Nigeria in the international market, with 22,930,855 long tons of oil output in 1956. The table below has this illustration:

Table 3: Production of Crude Oil within the Commonwealth (in long tons), 1956-1971.

Year	Nigeria	Canada	Qatar	Trinidad	Brunei	Total: Commonwealth
1956	0	22,930,855	5,783,812	4,132,681	5,547,433	40,769,100
1957	1,200	24,246,401	6,504,814	4,866,278	5,458,923	43,626,000
1958	270,000	22,066,159	8,091,813	5,336,437	5,089,492	43,803,000
1959	557,000	24,637,133	7,866,650	5,845,542	5,262,702	47,334,000
1960	867,000	25,271,229	8,083,032	6,051,047	4,473,867	47,985,000
1961	2,302,000	29,448,165	8,249,305	6,538,253	4,015,618	53,812,000
1962	3,373,000	32,548,689	8,670,919	6,982,306	3,720,253	59,887,000
1963	3,824,000	34,354,904	8,953,349	6,954,038	3,383,789	64,323,000

⁴⁷ Source: www.pengassan.org

1964	6,027,000	36,612,711	8,802,292	7,103,495	3,488,000	73,496,000
1965	13,504,000	39,437,267	9,013,660	6,979,848	3,870,000	88,629,000
1966	20,881,000	42,856,000	8,915,387	7,943,355	4,619,000	105,909,000
1967	15,962,000	46,838,000	9,069,839	9,284,320	5,095,000	109,422,000
1968	6,900,000	50,586,170	n.a	8,557,000	5,884,000	109,396,000
1969	25,600,000	54,798,659	n.a	8,204,000	6,005,000	134,036,000
1970	51,970,000	61,490,674	n.a	7,292,000	6,700,000	176,702,000
1971	74,100,000	66,729,895	* n.a	6,833,000	6,433,000	180,100,000

(Source: Overseas Geological Surveys, Mineral Resources Division, Statistical Summary of the Mineral Industry – London, Her Majesty's Stationary Office, various years). * 1 long ton is equal to approx. 7.45 barrels of crude oil in modern calculation. * n.a (or n/a) is the Irish form of 'not' or 'not applicable' / 'not available'.

Nigeria then joined the Organisation of Petroleum Exporting Countries (OPEC) in 1971, and with the World's experience of 'oil boom' beginning from 1973, the country experienced a viable economy boosted by the oil and gas sector until mid-1980s when it struck near total economic disaster due to mismanagement and military rule. This role of mismanagement and military rule would come to inject incessant sporadic problems and unrests within this economic sector, ranging from corruption to militarisation in area of resource control. Gbadebo observed:

The larger middle class produced by the oil boom of the 1970s gradually became disenchanted in the 1980s, and rebellious in the 1990s...If many had hoped that oil would turn Nigeria into an industrial power and a prosperous country based on a large middle class, they were to be disappointed when a formally rich country became a debtor nation by the 1980s.⁴⁸

At present, the country has a refining capacity of 445,000 barrels of crude oil per day, through its four refineries:

1. The first Port Harcourt Refinery commissioned in 1965, with an installed capacity of 35,000 bpd, expanded later to 60,000 bpd.
2. The Warri Refinery commissioned in 1978, with an installed refining capacity of 100,000 bpd, upgraded to 125,000 bpd in 1986.
3. The Kaduna Refinery commissioned in 1980 with an installed refining capacity of 100,000 bpd, upgraded to 110,000 bpd in 1986.
4. The Second Port Harcourt Refinery commissioned in 1989 with a processing capacity of 150,000 bpd and designed to fulfil the dual role of supplying the domestic market and exporting its surplus.

At the moment, Nigeria still plans to increase its oil production capacity to 4 million bpd by 2020, while hoping to expand its crude reserves to 40 billion barrels. Interestingly, looking at the output capacities of these refineries, they qualify enough to contain the domestic demands

⁴⁸ Odularu, G. O. Crude Oil and the Nigerian Economic Performance, 7-8.

of their products, chief among them is the Motor Spirit (Gasoline), but ironically, the Nigerian situation compels them to operate below their installed capacities, especially with the negligence and nonchalance of the military era towards routine and mandatory maintenance plans. Additionally, the rise in militancy in these areas, between the inhabitants and oil companies, of course indirectly with the federal government of Nigeria, has come to make the matter worse. But besides this production capacity, a country like Nigeria, still imports oil from other countries, thereby misusing revenue that should have been properly harnessed for the maintenance of its present refineries and other aspects of her structural and infrastructural development. Why then the fight in this oil producing area? That is our concern.

1.2.3 Stating the General Problems: Oil and Environmental Degradation

It is clear, from observable facts that crude oil and activities in the oil and gas sector of Nigeria's economy, serve as the economic mainstream of Nigeria. The positive as well as the adverse effects of this dependence are evident at almost every level of her existence as a nation. It is to be understood that, given the nature of oil exploration and drilling technology, mishap from spillages and other related occurrences may become obvious, either by 'the act of man' or by 'human act'. In other words, it can be out of human and technological carelessness or a situation that is inevitably unavoidable. In stating the general problems in the Nigerian Niger Delta, we would be confronting the numerous impacts of oil exploration on the life of this ethnic minority, on their environment and on their local economy. Like a prefix to this premise, Fidelis Allen opined:

The oil industry is the enemy within, but the government is telling Nigerians to believe that it is their best friend. Successive regimes have seen the oil industry as the lifeline of the nation's economy, neglecting its impact on the people of the Niger Delta and their environment. Annual budgets of both Federal and State governments hinge on expected oil money...The environment and development were supposed to be peaceful bedfellows. Today, this possibility is remote, especially in the Niger Delta, where oil and people come into the closest proximity. Oil development as a basis for socio-economic change has not only failed, it is fuelling social, environmental and political conditions for a permanent state of unrest.⁴⁹

Contributing to the general problem is the whooping gap that still exists between theory and praxis with regards to effective measures that should be employed in cleaning up a host of spills in the Niger Delta area, as well as in keeping in check the monstrous Gas flaring

⁴⁹ Allen, F. Africa's Moment, in: World Policy Journal, 47.

activities in these areas. Thus at the centre of the hostilities in this area, stands a dual cause namely: the stark reality of environmental degradation and the struggle for autonomy of at worst, meaningful participation in the management and control of these mineral resources by the Niger Deltans. This is not surprising because even the Land Use Decree of 1978 in Nigeria stripped all local communities in the Niger Delta of any ownership claims or rights in decisions about oil exploration. Statement from the document reads: “This act vests all land in the State through the office of the (military) governor of each State. The land is held in trust and administered through the government’s authority to the use and benefit of all Nigerians. The opinion was that all forms of customary tenure systems were backward and not able to follow the demands of a fast changing agricultural sector.”⁵⁰

When read in-between the lines, one observes that even the decree itself has an allusion to “use and benefit of all Nigerians”. But the Niger Delta situation presents a reverse of what the reality ought to be. The owner of the vineyard dies, while foreigners to the vineyard reap the fruits. Tensions were heightened when in 2011, the envoys of the United Nations Environment Programme made clear the study about Ogoni environment in the Niger Delta area. They reinforced fears of the life-threatening impact of oil on farmland, swamps and mangroves and surface water, sediments of which are threatening to fish and public health. This study revealed a high infiltration of hydrocarbon on the groundwater, leaving the situation hazardous to human health. Part of the report states:

Regardless of the means of entry, there will be adverse impacts, though the nature and severity of such impacts is dependent on the specific chemical composition and physical characteristics of the hydrocarbon involved and the degree of concentration/dilution. Hydrocarbons can cause both physical and chemical effects in water...can prevent oxygen transfer in the water column, thus affecting aquatic life-support systems. The presence of mere traces of a highly toxic hydrocarbon, such as benzene, may render water unfit for human consumption.⁵¹

The whole struggle in the Niger Delta area is in a bid to eschew marginalisation and exclusion, which are necessitated by the government’s unreserved preference to deal only and directly with the multinational oil companies operating in these areas, in utter neglect of the voices accentuating for justice and social equity from the local communities. And while these

⁵⁰ CBPR Database – Nigeria – Centre for International Environmental Law: www.ciel.org/Publications/CBPR_Nigeria_9-18-06.pdf.

⁵¹ United Nations Environment Programme (UNEP), Background of Environmental Degradation in Ogoniland, 2011, 38.

companies are not at the receiving end of the plights in the Niger Delta area, little or no attention was given to the local communities in recent times when confrontations turned violent, and some workers from these multinational companies became victims of the wrath of the local communities through Kidnapping, Murder and Vandalism. Stating the general problem in the Niger Delta area is therefore rooted in the local communities' efforts and decision to take the bull by the horn and emancipate itself, as well as avert eventually the environmental degradations that have been imposed on them by the Nigerian Government's negligence of duty, in partnership with the multinational oil companies. If environmental degradation is understood as "the deterioration of the environment through depletion of resources such as air, water and soil; the destruction of ecosystem and the extinction of wildlife ... (and) is defined as any change or disturbance to the environment perceived to be deleterious or undesirable,"⁵² then the Nigerian Niger Delta presents a horrible picture as representation and confirmation of this definition. Assessing the degree of impoverishment in this area brings to the fore a people being battered by poverty and underdevelopment, a people whose governmental plans and policies for sustainable infrastructural development would always hit the hard rock of non-implementation due to corruption and mismanagement; a people confronted always by devilish manipulations, politicisation, inadequate funding as well as embezzlement along the line, from those who are charged with the responsibility of executing those projects. In this way, the Nigerian Niger Delta remains a time-bomb at every particular moment, which can strike as and when due. Within the framework of this general problem, two questions from the motivating principles behind the agitation of this ethnic minority group stand out clearly namely: Why is it that abundant human and natural resources have had so little an impact on poverty alleviation in the Niger Delta regions? What reason can we advance to substantiate the fact that practically all past development plans and efforts to address the needs of this region have failed? In demanding answers to these questions, the situation in the Niger Delta shows a battle field – an ailing part of a nation's geo-polity indeed.

⁵² Free Encyclopaedia: www.wikipediaonline.com.

1.2.4 The Parable of the Goose that lays the golden Egg

The expression “the parable of the Goose that lays the golden egg” is employed as an illustrating concept, in order to drive home the misdeed of the Nigerian system and the attitude towards its ailing part – the Niger Delta minority ethnic group. To kill the goose that laid the golden eggs is an idiom found in Aesop’s Fables. Aesop was a slave and story-teller believed to have lived in ancient Greece between 620 and 560 BCE. The idiom tells the story of a cottager and his wife, who had a Hen that laid a golden egg everyday. The couple then concluded that the Hen must contain a great lump of gold in its inside, and with the greedy assumption of getting the whole gold from the Hen, they killed it. Having done so, they found to their utter surprise that the Hen differed in no respect from their other Hens. The foolish pair, thus hoping to become rich all at once, deprived themselves stupidly of the gain of which they were assured day by day.

This story has assumed an idiom of life to describe all unprofitable actions, which have unquantifiable greed as motivation. In the context of our present study, Nigerian system presents the scenario, where greed is constantly robbing her of the goose that lays for her the golden egg – the Niger Delta area. Nigeria is stage-managing a political system being motivated by greed and corruption against the section of her geo-polity that is the bedrock of her economy. The Niger Delta is the goose undergoing, within the Nigerian polity, extermination of its human and eco-resources in instalment, giving rise to unprecedented abuse of human dignity and violation of natural law. In his inaugural speech as President of USA on 20 January, 2009, Obama made it clear: “We cannot continue to consume the world’s resources without regard to effect.”⁵³ The utter neglect of the effects of exploration of natural resources gives humanity away to an abuse of nature, and consequently, such indifference would always produce adverse and regrettable effects. It amounts to a systematic termination of the life of the goose that lays the life-sustaining golden eggs in the form of earth’s natural resources, in other words, nature.

With the Nigerian Niger Delta case, attitude towards the goose laying the golden egg is that of Rentier Economic Strategy. In its broad conception, “Rentier mentality is the attitude

⁵³ Barrack, Obama, Inaugural Speech in Washington DC as President of USA on 20th January, 2009.

that grows out of the desire or pursuit of collecting rents, rather than being engaged in productive activities.”⁵⁴ Employing this concept in a contextual manner such as our present study, the Nigerian approach to the goose – the bedrock of its economy, has assumed an affair in rentier politics. In this rentier approach, the whole system becomes parasitic, milking the goose, with little or no interest in maintenance and optimisation of revenue, so as to drive home and make functional, the dividends of democracy in the life of the masses. Lending credence to this issue of lack of maintenance for the goose, Bund: Friends of the Earth, Germany observed, while writing about Nigerian Oil Spills and the observation of Amnesty International: “Shell mache regelmäßig Öldiebstahl verantwortlich, obwohl die wirkliche Ursache von Lecks möglicherweise eine vernachlässigte and verrottete Infrastruktur sei [...] Shell versuche, andere für das Austreten von Öl verantwortlich zu machen (...)” □ ⁵⁵ Of course, what more could be expected of a multinational company in a country like Nigeria where everything goes, where laws are better written, rather than seen put into practice, where multiplication of policies and ideologies only form piles and piles of documentations in archives, some as old as Nigeria itself as a nation, yet awaiting in perpetuity to be called up for implementation. Thus awakening the Niger Delta people to this horror of gradual killing of the goose laying the golden egg, even as far back as the early days of 1966, forty days after the historic first Nigerian military coup, was a former teacher, police officer, student’s union leader and activist of Ijaw (Niger Delta) ethnic minority extraction, Isaac Jasper Adaka Boro. He led a 12-day Revolution with his 59-Man Niger Delta Volunteer Service (NDVS), to protest what he described as social neglect, ethnic chauvinism, political marginalisation and economic deprivation, orchestrated by Nigeria’s post-independent ruling elites. Calling in this revolution, the 27-year-old Boro declared:

Today is a great day, not only in your lives but also in the history of the Niger Delta. Perhaps, it will be the greatest day for a very long time. This is not because we are going to bring the heavens down, but because we are going to demonstrate to the world what and how we feel about oppression...Let us examine with some latitude whether the state of development is to any extent commensurate with a tint of the bulk of already tapped mineral and agricultural resources...Therefore, remember your seventy-year-old grandmother

⁵⁴ Akinseloyin, C. Development Problems in the Niger Delta Region, A Study in Christian Development Ethics, 121.

⁵⁵ Bund für Umwelt und Naturschutz Deutschland: www.bund.net. □ Shell will always attribute oil spill to regular burglary cases, although the real cause possibly is from leakages, as well as neglected and rotten oil infrastructures (...) Shell tries always to blame the leakages from oil on other things.

who still farms before she eats; remember also your poverty stricken people; remember too your petroleum, which is being pumped out daily from your veins, and then fight for your freedom.⁵⁶

With these words he declared independent the Niger Delta Peoples Republic on 23 February 1966. Though for Nigeria in its history, such a Republic never existed, it goes still a long way to demonstrate on the one hand, the continuous long-standing self-efforts of the goose herself, in her constant struggle to resist being killed. It shows her tenacious struggle to emancipate herself from greed, corruption and insensitivity emanating from a nation, a viable section of which she inhabits. This continuous struggle is our concern. Why and to what extent it has been carried out as well as responded to, remain basically our nucleus of study.

1.3 The Birth of the Niger Delta Problems

With the basic natural instinct of self-defence and struggle for survival, the human person can become revolutionary, or in an extreme sense, violent in the face of unjust oppression and other forms of dehumanising pressures. Such resistance can attain a burning height, especially where the natural basic needs of man are subjected, under broad-day-light, to danger of extinction by some forces that assume lethal treats to human access to self-actualisation and to the protection of the dignity of the human person. Given this basic instincts, the Niger Delta struggle is not an activity in a ‘Vacuum’, but rather an activity in and within a ‘Given’. Some factors therefore, as examined below, helped to escalate the hostilities.

1.3.1 Institutionalised Corruption

Assessment of the Nigerian polity and politics, added to the existence of Crude Oil as the main-stay of her economy, and battered by her long years of interrupted democracy, would indict her with corruption as an endemic factor in her history. The very first revolutionary action carried out after Nigeria became independent, based the principle of revolution on the issue of bribery and corruption. Here are the words of the young and ardent

⁵⁶ Tebekaemi, T. The Twelve-Day Revolution, 116.

leader, Maj. Chukwuma Kaduna Nzeogwu, in a radio broadcast at the wake of the revolution, 15th January, 1966:

Our enemies are political profiteers, the men in high and low places that seek bribes and demand 10 percent; those that seek to keep the country divided permanently so that they can remain in office as ministers or VIPs at least; the tribalists, the nepotists, those that make the country look big for nothing before international circles, those that have corrupted our society and put the Nigerian political calendar back by their word and deeds.⁵⁷

But it would not be an over-statement to maintain the fact that the level of corruption then is nothing to be compared with the current situation in Nigeria, at the time of this study and as she celebrates a centenary of amalgamation, while anticipating her 54th independence celebration. The seed of discord that would germinate to the deification of bribery and corruption in the Nigerian polity, received its foundation from the ill-planned government takeover of schools from church-oriented and church-administered voluntary agencies, where formally the general content of education was geared towards both academic excellence and attitude formation. This monstrous seed found its entrance in the Nigerian polity first with the Edict of 31st December 1970 declaring the takeover of schools from the voluntary agencies in the then East Central State of Nigeria by the Government, led by the then Administrator of East Central State, Dr. Ukpabi Asika. Consequently, in the new government owned schools, education began to witness a blow in moral and religious formation, almost to the point of a near extermination of this aspect of human formation. The time for moral and religious instruction was gradually reduced to only 45 minutes in a week, in some schools totally obliterated. What more? The temporal dimension of education was succinctly severed from the eschatological dimension. As a result, attention became gradually directed to divinisation of the material and the devaluation of the spiritual. But the human person remains a product of both the ‘psyche’ and the ‘soma’, and any attempt to introduce disequilibrium would land in a double cataclysm of character imbalance. John Paul II never minced words while hinting on such a monstrous development in our modern world:

[...] the true cause of the new developments was the spiritual void brought about by atheism, which deprived the younger generations of a sense of direction and in many cases led them, in the irrepressible search for personal identity and for the meaning of life, to discover the religious roots of their national cultures and to

⁵⁷ Soillun, M. *Oil, Politics and Violence: Nigeria's Military Coup Culture (1966-1976)*, 55.

rediscover the person of Christ himself as the existentially adequate response to the desire in every human heart for goodness, truth and life.⁵⁸

With the stage set for the total grip on the material, the experience of oil boom of the late sixties and early seventies in Nigeria drove the nation deep and soaked in an atmosphere of material quest and craziness. The polity became so infested with yearning for the pursuance of wealth and unguarded lavish celebration of ill-gotten wealth, such that Nigeria became famous and almost synonymous with the concept of OBT or 419 (Obtaining by Trick). Thus in Nigeria today, what is considered important is money. How you got the money is nobody's concern. Whether the means is fair or foul, the common denominator is 'making money', after all the end justifies the means as Machiavelli would put it. There has never been any political administration in Nigeria that has not spoken about the fight against corruption at its inception, but still experience shows that most of the subsequent administrations that declared the fight became more immersed in corruption than its predecessor at the end.

In the context of our study, the debris of neglect experienced in the Niger Delta area and the consequent agitations and hostilities, amount to fight against the murdering of Justice without qualms of conscience. It is a fight in demand for a stop to organised indiscipline and greed in the Nigerian administrative sectors, as well as against the abuse of human dignity in the Niger Delta area in spite of the contribution of this area to the economic mainstream of Nigeria. Describing the situation that was obtainable during the messianic but short-lived administration of the then Nigeria Head of State, General Murtala Mohammed (1975-1976), who decided to sanitise the political stage with his 'Operation Great Purge', Ladipo observed:

Despite the tremendous oil revenue boom of late 1973 and onwards, he (Murtala Mohammed) saw a growth of institutionalised corruption of public life, the stupendous mismanagement of resources in astronomical waste. Not millions but billions were filtered away on crazy schemes like the cement scandal, or siphoned into private fortunes. Enough wealth and resources in those five and half locust years to July 1995 were wasted, would have made Nigeria the most influential nation in Africa.⁵⁹

When viewed critically, the socio-political and economic system of Nigeria give the polity away naturally to institutionalised corruption. One is tempted to ask: What does one expect of an economic system, where Job and Social Security of the citizenry are not protected and guaranteed? In such a situation, the fear of the unknown becomes a working

⁵⁸ Pope John Paul II, *Centesimus Annus*, Encyclical on the 100th Anniversary of *Rerum Novarum*, No. 24.

⁵⁹ Adamolekun, L. *Politics and Administration in Nigeria*, 114.

principle. Thus because of the absence of structured programme for Job and social security for workers in and out of office, the tendency is the enthronement of the ideology of ‘save for the rainy day’, whether by fair or foul means. The root cause of corruption therefore can only be properly located in the socio-politico-economic system, which is based on the search for private gains, individualism, greed, materialism and the larger scale of socially created wealth into the hands of a tiny fraction of a decadent and parasitic ruling class.⁶⁰ Today in Nigeria, many have to pay huge amounts of money in order to secure a job. What then does one expect of such a victim eventually when he or she enters the office?

The dehumanising corrupt activities of this parasitic ruling class, immersed in greed and insensitivity, has remained a factor in the shaping of hostility and militancy in the Niger Delta area. As a consequence, it has come to assume the scandal of our time, when we appraise, as seen in Appendix II, the alleged devilish and heartless amassing and siphoning of Nigerian wealth and resources by past administrative cabals in the history of Nigeria. The question is: From where have they earned this money? Are they the only employees Nigeria has ever had? Ironically, even their annual salaries for the whole period they were in office cannot sum up to quarter or half of what they have looted. They have all milked from the Niger Delta while the source of the milking dies of hunger, destitution and devastation.

1.3.2 Host Communities versus Oil Explorers: Struggle for Resource Control

A blown up militancy has today engulfed the Niger Delta area of Nigeria’s geo-polity because of the clear battle-line drawn between government-related multinational oil companies and the ethnic minority groups and communities, which have declared open confrontation against oppression and devastation of their land. Lending credence to the truth of this asserting in a Discussion Paper in 2009, Elias Courson opined that the activities of the federal government through the oil and gas industries have affected adversely the fragile ecosystem of the Niger Delta, impacting heavily on the local sources of livelihood, while breeding poverty, unemployment, deprivation and dispossession. As a further complication, the federal government represses any attempt by the host communities to make their voices

⁶⁰ Okpalaonwuka, J. Morality and Politics in Nigeria, Moral integration in Nigerian Politics as a way out, 94-95.

heard, which rather worsens the relationship between them and the multinational companies.⁶¹

On his own part, Osaghae et al presented three essential ideological basis of resource control when they wrote:

Briefly put, the concept of resource control that is dominant in the Niger-delta has three main components: a) the power and right of a community to raise funds by way of tax on persons, matters, services and materials within its territory; b) the executive right to the ownership and control of resources, both natural and created within its territory; c) The right to customs duties on goods destined for its territory and excise duties on goods manufactured in its territories. Thus for communities of the Niger-delta, resource control signifies a change in the demands of Niger-delta community from “ fairer sharing to total control of the natural resources found in a state by the state for use in its development at its own pace.”⁶²

The agitations and confrontations are summed up in this concept of “struggle for resource control”, which has taken the centre stage within the ambient described as conflict situations in the Niger Delta areas. The conflict situations are seen interspersed in three interrelated levels namely: a) *Community versus Federal Government Conflict*, where the Niger Delta as a geo-political area takes on the federal government, attacking its policies on oil exploration, production and revenue allocation. They consider such policies as being superimposed since their minority status in the federal character continues to impede their desired influence on such policy-making. On another level, the Community/Federal government conflict portrays as well a situation where local communities engage the federal government over its misuse and abuse of force in protecting its own interest and that of the multinational oil companies in the Niger Delta, even to the detriment of the local communities; b) *Community versus Multinational Oil Companies Conflict*: The bone of contention here is the demand of the local communities for commensurate compensation for the extraction of oil and attendant environmental degradation. What is obtainable here is the claim of substantial self-justification in the positions and actions peculiar to the respective groups. While the communities claim that the activities of the multinational companies exert some devastating impacts that need to be compensated, the multinational companies on their part dispute such claims most of the times, thriving on the wings of support from the federal government; c) *Inter- and Intra-Community Conflicts*: This type of conflict describes the

⁶¹ Courson, E. Movement for the Emancipation of the Niger Delta, Political, Marginalisation, Repression and Petro-Insurgency in the Niger Delta, 12.

⁶² Osaghae, E. et al. Youth Militias, Self Determination and Resource Control Struggles in the Niger Delta Region of Nigeria, 8.

struggles that exist between and among the various communities in the oil reserve areas for the control of benefits accruing from having oil, oil pipelines or oil wells in one's territory or land. Extreme forms of such conflicts have always resulted in inter or intra-communal wars.⁶³

The renewed consciousness towards the issue of resource control hit the lime-line of the Nigerian socio-political and economic life at the eve of 1998, when the Ijaw Youths of the Niger Delta issued a communiqué, popularly known as Kaiama Declaration, at the end of the All Ijaw Youths Conference, calling for a halt to oppression and devastation of the Niger Delta area. Part of this communiqué reads:

After exhaustive deliberations, the conference observed: (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. From which, 65%, 75% and 70% respectively are derived from within the Ijaw nation. Despite these huge contributions, our reward from the Nigerian State remains avoidable deaths resulting from ecological devastation and military repression. (g) That the degradation of the environment of Ijawland by transnational oil companies and the Nigerian State arise 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 National Inland Waterways Authority Decree No. 13 of 1997 etc ... (10) We agreed to remain within Nigeria but to demand and work for Self Government and resource control for the 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.⁶⁴

The struggle for resource control becomes then an indirect attack on the federal government of Nigeria for not living up to the true spirit of federalism in the Nigerian polity. Thus in many other communiqué, the Niger Delta communities would always speak of the need to discuss the nature of a democratic federation of Nigerian ethnic nationalities, since Nigeria as a nation has only paid lip-service to the tenets and spirit of her character as a federation, as stated in chapter II, section 14, subsections 1 and 2, under Fundamental Objectives and Directive Principles of State policy, namely:

The Federal Republic of Nigeria shall be based on the principles of democracy and social justice. (2) It is hereby, accordingly, declared that: (a) Sovereignty belongs to the people of Nigeria from whom government through this constitution derives all its powers and authority. (b) the security and welfare of the people shall be the primary purpose of government and, (c) the participation by the people in their government shall be ensured in accordance with the principles of this constitution.⁶⁵

⁶³ Ibid, 15.

⁶⁴ Emiri, F. and Deinduomo, G. (eds), *Law and Petroleum Industry in Nigeria: Current Challenges*, 188-190.

⁶⁵ Constitution of the Federal Republic of Nigeria, "Fundamental Objectives and Directive Principles of State Policy", 1999, 25.

On the one hand therefore, this struggle represents a unanimous opposition to all forms of marginalisation and exclusion from policies that regulate the political economy of the Nigeria and Niger Delta area in particular, which at the same time make them aliens in their own land, as well as slaves to the federation. In this way, the struggle culminates in the demand for a reasonable integration of the Niger Delta region into a direct and decisive role in the exploration, exploitation and distribution of revenue accruing from the natural crude oil and gas resources deposited in this geographical area inhabited by them.

With the absence of such expected and awaited integration, the local communities, not finding themselves physically competent to launch a direct confrontation to the federal and central government of Nigeria, resort to sporadic hostilities against the multinational oil companies in the Niger Delta area. The assault ranges from pipeline vandalism, destruction of company properties, prohibition of workers' access to work-sites, kidnapping of defenceless company workers and the demand of huge ransom payments, killing of oil workers and security agents etc. All these go into the struggle for resource control. Osaghae et al gave a description of this situation thus:

The Youths presently spearhead and constitute the vanguard of Niger Delta conflict nationalists. They chart the course of methods, tactics and strategies and define momentum, vitality, vocalisation and dictum of conflicts. The insurgency has involved diverse well-armed and fairly well trained youth militias, which, using speed boats and operating fairly freely in swamps, creeks, estuaries, rivers and coastal areas of the region, have engaged the Nigerian military and seized oil facilities, ship, barges, workers and equipment. Increasingly, the youth militancy has become criminalised, with the region being transformed into an area of economic crimes, violence and war.⁶⁶

This struggle could be envisaged to continue, given the exerting influence and presence of the Land Use Act of chapter 202 of the constitution of the Federal Republic of Nigeria, as well as the abolition of the derivation principle which has made it possible for higher shares of revenue to find their ways even into the coffers of States that are non-oil producing. The custodian States to these natural resources remain subsumed in a kind of lofty concept of fiscal federalism, which in the present Nigerian society serves the political greed of a selected few who block the benefits meant for the local grassroots levels of the economy. This struggle for resource control and the consequent war against the multinational oil

⁶⁶ Osaghae, E. et al. Youth Militias, Self Determination and Resource Control Struggles in the Niger Delta Region of Nigeria, 2.

companies protests the undue favour, which the federal government has given to the practice of fiscal federalism as regards revenue allocation in general and which affects the economic survival of the sub-national geo-polity. It is then to be assumed that until the derivation principle is revisited and re-introduced, whether in its original formula or in a reformed formula, the agitation of the minority ethnic group of the Niger Delta remains an open wound waiting to be healed.

On the other hand, the opinion of Dare Arowolo of the Department of Political Science and Public Administration, Adekunle Ajasin University, Ondo State, Nigeria should be borne in mind. He began by positing two important questions: First, does resource control connote development? Second, is resource control a panacea to Niger Delta problems? For him therefore,

If stakeholders (that is, state governments in the region, local governments, Niger Delta Development Commission (NDDC), etc) find it difficult if not impossible to make do with monies being allocated to them on monthly basis, it is uncertain if something meaningful could be derived from the total control of resources. Rather there will be intensification of insincerity, misplaced priority; high level of corruption and blatant waste of resources.⁶⁷

The situation remains part and parcel of the Niger Delta problems. But this study aims at establishing what has gone wrong as a result of long neglect of this mainstay of Nigeria's fiscal revenue, in order to expose the danger associated with misplacement of values and priorities.

1.3.3 Individual States Corrupt Practices and Mismanagement of Oil Revenue

Under the concept of fiscal federalism, the individual States that make up the Nigerian Federation reserve the right to control, to an extent, the exploration of the natural resources in their individual geographical areas, while making returns to the central government so as to help her in funding federal responsibilities. But this right of control and the individual State's benefits as defined fundamentally by the derivation principle became sequentially balkanised by successive regimes, especially the military regimes, in the history of Nigerian politics. Consequently, the Derivation Principle has witnessed drastic reduction in geometrical

⁶⁷ Arwolo, D. Nigeria's Federalism and the Agitation for Resource Control in the Niger Delta Region, in: OIDA International Journal of Sustainable Development, 85-86.

progression: 100% (1953), 50% (1960), 45% (1970), 20% (1975), 2% (1982), 1.5% (1984), then amidst agitations and protests, it was raised to 3% in 1992 and later to 13% with the present constitution brought into law in 1999.

The ideology behind the defined percentage in the Derivation Principle is that in sharing the Federal Account Revenue at any particular fiscal period, 13 percent should be set aside as derivation revenue to assist in the development of the oil-producing areas and empower the States concerned in tackling the monumental neglect and degradation of the area through oil exploration and exploitation. Apart from evident corrupt practices at the federal level in carrying out the dictates of the derivation principle, it is also to be noted that where the derivation percentage is made available, another level of corruption and embezzlement takes the centre stage at both the State and Local government levels. In other words, the problem of under-development of the Niger Delta area receives the dual-blow from corruption both at the federal and state levels. The elites of the oil producing areas share their own bunch of blame in the mismanagement of allocation and the bondage of the Niger Delta area with regards to human and infrastructural development. Akinola observed:

At the level of the elite, most debates/discussions have focused on derivation principle and agitation for more resources to be given by the federal government to the region. At the level of the non-elite is the craving by voiceless majority on how the present resources from the federal government could benefit the people in the areas of education, health, transportation, poverty reduction, economic empowerment, etc. This area of accountability is grossly neglected by most elite, who are only concerned with higher percentage of resource allocation. Incidentally, it is the poverty-ridden condition of the people that these elite use as the springboard and the basis for their agitations for more resources but less concerned with how resources benefit the people⁶⁸

The State level of the Niger Delta area witnesses often calculated betrayal from their own sons and daughters in the form of elite bedfellows, who constitute themselves as ‘errand boys’ to the federal government. Thus in their organised propaganda, they set themselves at the forefront of the clamour for commensurate allocation, but would siphon such revenue into private pockets at the slightest hint of its arrival. Such preparedness to compromise and sacrifice the common good for selfish gains became celebrated in the Niger Delta area in 1992, under the military regime of Gen. Ibrahim Babangida, who in a move to respond to opposing voices against the neglect of the Niger Delta area by the Nigerian government,

⁶⁸ Akinola, S. and Adesopo, A. Derivation Principle Dilemma and National (Dis)Unity in Nigeria: A Polycentric Planning Perspective on the Niger Delta, in: *Journal of Sustainable Development*, 252.

established a commission called OMPADEC (Oil Mineral Producing Area Development Commission). The commission represented an avenue for embezzlement and corruption, in partnership with the corrupt Niger Delta elites who preferred their personal gains to the welfare of the common man on the streets of Niger Delta. Wali reported:

The problem with OMPADEC was its operations and the people saddles with the problem of running OMPADEC. It provided electricity and pipe-borne water to some villages, but most of its funds were misappropriated. A major limitation was that of corruption. People often said that OMPADEC was a contract rather than a development outfits ... (It) failed to make meaningful impact on environmental and developmental concerns⁶⁹

Because the activities of this commission stumbled at observable greed and wastefulness, OMPADEC left a disgraceful legacy of abandoned projects and inconclusive contracts littered all over the Niger Delta. Two years later from the date of the establishment of OMPADEC, precisely in May 1994, four Niger Delta (Ogoni) elders lost their lives to the anger of the youths of the Ogoniland, who saw them as traitors to Ogoni cause. This incidence would then set the stage for the intensification of militancy in the Niger Delta, following the federal government arrest, trail and killing of Ken Saro Wiwa and other eight Ogoni Sons accused of inciting the murder of those elders by the youths. In general therefore, state, local government and elite groups of the Niger Delta and their inept abysmal attitude and pacts with the powers that be, further made complex the Niger Delta situation. S. R. Akinola et al observed:

One other important issue to be addressed is the problem of ethical deficit and corruption among the Delta elite so that whatever allocation the region gets in the end will benefit the common man in the Delta region. When elites are able to demonstrate good accountability, the problem of violence and militancy will become easier to address. It needs be pointed out that the social structure that could facilitate the enthronement of good accountability is in existence in the Delta region (Akinola, 2008). What the representatives of the people in the region could do is to tap the social capital in the region⁷⁰

1.3.4 Intimidation by the Government in utter Neglect of the Human Value and Dignity

In waking up to the awareness of the horror of devastation and degradation in the Niger Delta area, this ethnic minority began to form alliances and action groups as media to voice out their dissatisfaction. Various means and plans have been designed and implemented

⁶⁹ Wali, A. L. Oil Wealth and Local Poverty: Exploitation and Neglect in the Niger Delta, 58.

⁷⁰ Akinola, S. and Adesopo, A. Derivation Principle Dilemma and National (Dis)Unity in Nigeria: A Polycentric Planning Perspective on the Niger Delta, 260.

to tell the federal might that the unjust aggressor's assault would always be ready to face the limit of endurance of the oppressed whenever the latter decides to take the bull by the horn. In saying no to man's inhumanity to man in the Niger Delta area, the Nigerian government's counter-approach has been the employment of intimidation and violent repression in forms of military insurgency, arrest of activists and leaders of action groups, killing of innocent citizens of the Niger Delta who emerge intermittently to lead their people out from the bondage of inertia, placing of embargo on non-violent as well as violent organisations and groups who developed the will power to combat the assault of oppression, etc. Condemning the actions of the federal government is in no way a justification of youth militancy in the Niger Delta area, but a call for a true examination of the cause of such militancy and violent protests. The pertinent question is: Would intimidation and violent repression be the solution to the problems of the Niger Delta? Elias Courson observed:

[...] the increased securitisation and militarisation of the region is not likely to result in the resolution of the Niger Delta crisis. The solution does not lie in the deployment of more troops, security advisers or military logistics into the region; rather it lies in reversing the culture of impunity and the lack of accountability on the part of the ruling elites and oil companies to the people of the Niger Delta. It will also require addressing issues of poverty, democratic governance, employment, marginalisation and environmental assault.⁷¹

The federal government's use of force and intimidation in dealing with the Niger Delta problem has left a chronology of abuses of human value and dignity in the history of Nigeria's socio-political activities. Lives, especially youths have been wasted in insurgencies between activists/action groups and the military. This has not only drawn attention to the local concerns, but also that of the international community. Assessing this situation, Human Rights Watch in a briefing paper of February 2005 reported that tens of thousands of Nigerians have lost their homes and means of livelihood since 2003 and normal daily lives, school activities as well as economic flow of the society have been neglected and destroyed. Consequently, the whole situation presents a people rendered homeless and destitute, and at the same time still waiting for assistance from a government that claims to be their custodian.⁷²

⁷¹ Courson, E. Movement for the Emancipation of the Niger Delta, Political, Marginalisation, Repression and Petro-Insurgency in the Niger Delta, 25.

⁷² Human Rights Watch, Rivers and Blood: Guns, Oil and Power in Nigeria's Rivers State, Briefing Paper, February 2005, 10-11.

With such evident disregard of human value and dignity, the flame of intensified militancy in the Niger Delta was fanned with the wasting of lives and human resources, which the military regime of Gen. Sani Abacha committed in November 1995. That was the federal government's fallout with the renowned Ogoni (Niger Delta) indigene, activist, writer and orator, Ken Saro Wiwa, who helped to found the Movement for the Survival of Ogoni People (MOSOP). The group demanded political autonomy and the right to control and use the substantial benefits and revenues accruing from the natural resources deposited in their land for the development of their area. Amidst the organisation of rallies and sensitisation programmes, four of Ogoni chiefs lost their lives to the violent anger of youth mob, who tagged them agents of the federal government and impostors. Though Ken and some other leaders of the group denied their involvement in the killing, he was arrested with sixteen other members. They were tried and nine among them, including Saro Wiwa himself were convicted by a controversial special military tribunal and were sentenced to death by hanging, which took place on 10 November, 1995. It was really a planned tragedy. The Human Rights Watch, quoting Bimbaum's *Travesty of Law and Justice*, would later describe the procedure of this special military tribunal thus: „The judgement of the Tribunal is not merely wrong, illogical or perverse. It is downright dishonest. The Tribunal consistently advanced arguments which no experienced lawyer could possibly believe to be logical or just. I believe that the Tribunal first decided on its verdicts and then sought for arguments to justify them. No barrel was too deep to be scrapped.“⁷³

Such recklessness and abuse punctuated sporadically the entire world of the Niger Delta and have left wounds and bitterness hibernating in the minds and thoughts of the indigenes, who at the moment are prepared to sacrifice whatever it may take to finally nail injustice and oppression to death. „The Struggle Continues“, that is the most popular slogan in the Niger Delta area, as well as the principle of the revolutionary spirit seen among the different activists and action groups in the Niger Delta area.

⁷³ Human Rights Watch, „The Price of Oil: Corporate Responsibility and Human Rights Violations in Nigeria's Oil Producing Communities“, USA, January 1999, 114.

1.4 Rise of Activists and Emancipation Movements

History is replete with revolutionary groups who would always prove irresistible in the face of oppression and injustice. With the activities and revolutionary spirits of charismatic figures like Gandhi of the Asian World, Martin Luther King Jr. of the Western World and Nelson Madiba Mandela of Africa, true civil revolution assumed the status of non-violent resistance. Gandhi described this power of non-violence thus:

I justify entire non-violence and consider it possible in relations between man and man and nation and nation, but it is 'not a resignation from all real fighting against wickedness'. On the contrary, the non-violence of my conception is a more active and real fight against wickedness than retaliation whose very nature is to increase wickedness. I contemplate a mental and therefore a moral opposition to immoralities.⁷⁴

The principle of non-violence sets therefore the oppressor or the unjust aggressor against his conscience in the face of freedom fighters, who are ready to sacrifice even the last drop of their blood to defend justice and truth. Such motivation was actually the cradle of various groups of activists that fight the course of the Nigerian Niger Delta. A brief examination of the principles of revolution of five main groups among dependent groups, would give insight not only into their general ideologies but also into the key demands that would eventually set the stage for subsequent violent and armed agitations of some of the groups:

1.4.1 Niger Delta Volunteer Service (NDVS)

This is considered to be the first organised Niger Delta revolutionary group against the Nigerian State. Its leader was a 27-year-old undergraduate of Chemistry and former Police Officer, Isaac Adaka Boro. Under the principles of the group's aimed revolution, he declared an Independent Niger Delta Peoples Republic on 23 February, 1966, 40 days after the historic Nigerian 1966 coup. This group led the historic Twelve-Day Revolution with 59-Man group as the activists. Conceiving a revolutionary action against the independent Nigeria, Boro declared that Nigeria was besieged with tribalism, bribery and corruption, marginalisation, oppression of the minorities and a whole lot of other similar vices. For him: "Under these strange circumstances, democracy was raped...Nigeria was built on shifting sand from the word go, torn as it was amongst the most monstrous social and political vices. There grew a

⁷⁴ Sharma, S. Rediscovering Gandhi: Satyagraha, Gandhi's approach to Conflict Resolution, 7.

class of persons riding from obscure poverty to aristocracy and fame; they were tribally bound and socially indebted to one clique or the other. The club, like a colossus, held the fortunes of the Nation in its palm.”⁷⁵

Principle of Revolution: The revolution principle of this group is contained in famous statement of its leader, Boro, at the inception of the revolution. He declared:

Today is a great day, not only in your lives, but also in the history of the Niger Delta. Perhaps, it will be the greatest day for a very long time. This is not because we are going to bring the heavens down, but because we are going to demonstrate to the world what and how we feel about oppression... Before today, were branded robbers, bandits, terrorists and gangsters but after today, we shall be heroes of our land.⁷⁶

At the basis of their struggle lies the resistance against every form of oppression and inhumanity against the Niger Deltans by the federal government as well as the multinational oil companies operating in the Niger Delta area. They were determined and resolute, though not completely non-violent. They engaged the police in gunfight and blew up some pipelines during the revolution. The group was later suppressed by the federal troops and defeated. The leader, Isaac Boro was later arrested with two others, Owonaru and Dick, and tried on a nine count charge of treason. He was found guilty and sentenced to death by hanging. He was later pardoned by the then Head of State, Gen. Yakubu Gowon. Surprisingly, when the Nigerian-Biafran war broke up, Isaac Boro who had violently opposed the Nigerian State for oppression and inhuman treatment of the minority groups enlisted on the side of the Nigerian Army and fought against the cause he once stood for. He was killed during the war on 16 May, 1968.

1.4.2 Niger Delta Peoples Volunteer Force (NDPVF)

This group is an offshoot of the NDVS. It was formed in 2004 by former Melford Goodhead Dokubo Jr. (born 1964), now Alhaji Mujahid-Dokubo Asari. The ideology of the group is based on the fundamental principle of revolution as was adopted and advanced by the preceding pioneer group, The Niger Delta Volunteer Force.

⁷⁵ S.E., Petroleum Prospecting State and Violence and Hostage-Taking in Nigeria: A Study of the Niger Delta Region (1966-2007), in: Emiri, F. and Deinduomo, G. Law and Petroleum Industry in Nigeria: Current Challenges, 181.

⁷⁶ Ikein, A. et al. Oil, Democracy and the Promise of True Federalism in Nigeria, 376.

Principle of Revolution: The activity of the group was in the main violent in demanding for more chances of the Niger Deltans in the control of crude oil resources in their area as well as a greater share of the revenue accruing thereto from both the state and federal government. This activist group made constantly headline in the Nigerian history in 2003 with the faceoff and bloody combat staged between them and the Niger Delta Vigilante (NDV) led by Ateke Tom, Asari's Ijaw counterpart. In 2005, the leader, Asari Dokubo was arrested and incarcerated. Later in 2007, he was released by the administration of President Umaru Musa Yar'adua, as part of the administration's effort to bring peace and tranquillity in the Niger Delta region and respond to their demand for justice and equity. This activist group is till date strong, though not so violent again, but under the leadership of a new leader, Mr. Rex Ekiugbo Anighoro.

1.4.3 Movement for the Survival of Ogoni People (MOSOP)

MOSOP began officially in 1990 with the issuance of Ogoni Bill of Rights to the federal government of Nigeria, under the leadership of an ardent Ogoni writer, environmental activist and winner of Right Livelihood (1994) and Goldman Environmental Prize (1995) awards, Ken Beeson Saro Wiwa (1941-1995). It was really a direct case of litigation against the multi-national companies, specifically Shell Petroleum Company, demanding an end to its abuse and neglect of the Ogoniland, through over thirty years crude oil exploration and exploitation in collaboration with the federal government of Nigeria. The spirit of the Bill viewed the Nigerian system simply as carnage of injustice and inhumanity against the minority ethnic group of Ogoniland and Niger Delta in general. The leader Ken in the Forward to the Bill wrote:

The Bill of Rights presented to the Government and people of Nigeria called for political control of Ogoni affairs by Ogoni people, control and use of Ogoni economic resources for Ogoni development, adequate and direct representation as of right for Ogoni people in all Nigerian national institutions and the right to protect the Ogoni environment and ecology from further degradation... These actions of the Ogoni people aim at the restoration of the inalienable rights of the Ogoni people as a distinct ethnic community in Nigeria, and at the establishment of a democratic Nigeria, a progressive multi-ethnic nation, a realistic society of equals, a just nation.⁷⁷

⁷⁷ Movement for the Survival of Ogoni People, Excerpt from the Forward written by Ken Saro-Wiwa, Ogoni Bill of Rights, Oct. 1990.

Principle of Revolution: The Movement's agitation is centred on outright demand for the autonomy of Ogoniland, with no further hindrance of their right to control the natural resources in their land. Such demand is in reaction to what they described as impunity which Shell and federal government of Nigeria are committing in Ogoniland, keeping the Ogoni people perpetually as slaves amidst nothing in return as contribution: no pipe-borne water, no electricity, no good schools, no good hospitals and health centres, no job opportunities for the Ogonis in the federal parastatals, above all, the reality of an already devastated ecology which has transformed Ogoniland into a haven of death. With the Bill of Rights they declared:

These actions of the Ogoni people aim at the restoration of the inalienable rights of the Ogoni people as a distinct ethnic community in Nigeria, and at the establishment of a democratic Nigeria, a progressive multi-ethnic nation, a realistic society of equals, a just nation. What the Ogoni demand for themselves, namely autonomy, they also ask for others throughout Nigeria and, indeed, the continent of Africa.⁷⁸

Their demand and appeal eventually fell on the deaf ears of the then military administrations. The movement and its activities gradually escalated to violence and in 1994 had a record of the murder of four Ogoni chiefs, who the youths considered impostors and allies of the federal government. The leader Ken Saro Wiwa and eight others were eventually arrested, tried and convicted of treason in 1995. Amidst the dissenting voices from the international community, who condemned the arrests and sentence handed down by the special military tribunal of Gen. Sani Abacha's regime, the then military administration sentences them to death by hanging, which took place on 10 Nov. 1995. But the Movement till date carries on its principle of revolution and its determination towards the liberation of Ogoniland.

1.4.4 Ijaw Youth Council (IYC)

The Ijaw Youth Council is a Niger Delta civil right organisation founded in 1998. It is to be noted that the Ijaws are in the majority among all the ethnic groups and communities of the Niger Delta area. This group was led between 2001 and 2004 by the outspoken and militant group leader, Alhaji Asari Dokubo, who later would split from the group and form Niger Delta Peoples Volunteer Force. The current leader is Comrade Udenz Eradiri sworn-in on 7 November, 2013.

⁷⁸ Ibid.

Principle of Revolution: The underlying principles that inform this movement are enshrined in the ‘Kaiaama Declaration’ and we have examined them in sub-chapter 1.3.2 under Communities and Oil Explorers. It was a strict decision taken by the indigenous people of the Ijaw ethnic minority to further advance course towards the continuous survival of the indigenous people of the Ijaw ethnic nationality of the Niger Delta within the Nigerian State. They do not seek secession of the Ijaw land from the federation of Nigeria, but they demand Independent-Government and full right to resource control as the basis for equality and social justice. Till date, the organisation grows from strength to strength.

1.4.5 Movement for the Emancipation of Niger Delta (MEND)

From the on-set this movement began as a militant group and an ally with Niger Delta Peoples Volunteer Force. It was borne out of the persistent search for another avenue to bring Nigeria to consciousness and make it responsive to the agitations of the ethnic minorities, since non-violent efforts seemed to have failed. Its revolutionary character began publicly in 2004 under the purported leadership of Henry Okah (born 1965) and is geared towards humanistic democratic socialism, in which they agitate against the oppression of the Niger Deltans by the activities of the multi-national oil companies operational in the Niger Delta, as well as the federal government’s inertia in the face of vast expanse of devastation and degradation of the Niger Delta ecosystem. Commenting on the structure of this group, Sylvanus Abila observes:

This group comprising of several militant organisations purports to be spearheading the fight for the total political economic emancipation of the Niger Delta peoples. Towards the end of achieving their targeted aim, they have carried out well targeted attacks not only at platforms, oil facilities and pipelines but have also engaged in attacks on military formations guarding oil installations in the Niger Delta. And almost in a wartime fashion, the MEND runs a well organised propaganda machinery and conducts its affairs with finesse that sends strong signals around the globe that this is one group that is not only focused but intends to maintain its activities until justice is achieved for the Niger Delta region.⁷⁹

Because the activity of the movement was violent, they took from the on-set as enemies: The federation of Nigeria, Royal Dutch Shell oil company, ExxonMobil, Chevron etc. The group’s violent strategies are the use of sabotage, guerrilla warfare and the kidnapping of oil workers.

⁷⁹ Emiri, F. and Deinduomo, G. (eds). Law and Petroleum Industry in Nigeria: Current Challenges, 195

The guerrilla nature of their activities and with the arrest of its two leaders in 2007 makes the leadership of this group at the moment seemingly faceless and volatile.

Principle of Revolution: The principle of revolution is based on the movement's constant accusation of the federal government of Nigeria of stealing from the wealth deposited underneath their feet in the Niger Delta geo-political area, living nothing but devastation and dehumanisation behind. They hold on to violent and armed attack as the only strategy to force the federal government of Nigeria to yield to the demands of the minorities for political, economic and social justice.

With the movement's open declaration of war against the federal government and the activities of the multinational oil companies, several armed conflicts have been recorded in this direction. Consequently, in an event of September 2007, two of its leaders, Henry Okah and Edward Atatah, were arrested and charged of multiple offences ranging from terrorism, illegal importation of firearms and gun running and were accused of attempting various attacks against the country...; of travelling from Nigeria to Luanda to buy shipping vessel worth US\$670,000 to be used to transport arms to militants in the oil rich Niger Delta.... To have sold and provided 250,000 assault rifles, general-purpose machine guns, rocket propelled launchers/canisters, bazookas and assorted ammunitions to armed groups....⁸⁰ The duo, Okah and Atatah, were arrested in September 2007 in Luanda, Angola under the charges of illegal possession of and trafficking in firearms. They were later extradited to Nigeria after being detained for five Months. Presently, Henry Okah is serving a 24-year imprisonment in South Africa where he is resident, after being convicted of 13 charges of terrorism, including the bombings that killed at least 12 people in the Federal Capital Territory, Abuja, Nigeria. But the movement lives on and proves undaunted.

1.5 The Resultant Militancy

When the Henry Willink Commission of Inquiry into Minority Fears created in 1957 by Alan Lennox-Boyd, the then Secretary of State for the colonies, failed to address

⁸⁰ Ibid, 196.

substantially the agitations and fears of the minority ethnic groups of Nigeria, which was actually the primary assignment that informed its constitution, the friction and tension between the “minors” and “majors” within the ethnology of Nigeria’s history remained volatile. The unfortunate situation was due to administrative inertia that again crumbled the implementation of the commission’s recommendations, especially on the issue of proper integration of the minorities into the federal system even after independence. Since then, the Niger Delta geo-political area lives in a timeline of struggles towards emancipation and the self-determination to save themselves from the tyranny of subjugation and violent repression from federal harbingers of unjust political ideologies. Writing on the Nigerian State and the Minorities, Shola Omotola remarked:

The politics of marginalisation and exclusion of these minorities, real or imagined, by the majority groups began to crystallise with the minorities agitating for a separate State of their own. This led to the setting up of the Henry Willinks Commission in 1957 to deal with the minority question in Nigeria. Specifically, the commission was set up to examine the genuineness or otherwise of the minority agitations and suggest the possible way forward. Despite the fact that the commission considered the fears of the minorities to be well founded, it failed to recommend State creation as demanded by the minorities. These agitations have continued to gain increasing prominence. Today there are widespread cries of marginalisation and exclusion from various minorities, including “new” minorities that have hitherto been discounted or subsumed under larger minorities.⁸¹

With justice constantly delayed, the Niger Delta struggles till date show organised anti-systemic confrontations that reject outright the parochial attitude and objective of the federal elites who are bent solely on their selfish interests at the expense of the poor and marginalised. In consequence, all attempts to stem the tide against further oppression and repression have in the main led to the formation of militia groups, which clamour for unconditional systemic changes as virtually sine qua non to their demands for structural change. Unfortunately, at the forefront of the resultant militancy are the youths, who amidst these horrors of neglect and abuse, decided to take their destinies in their hands, demanding compensation for the already damaged ecosystem and standing resolute to prevent further destruction of their social infrastructure. Osaghe et al noted:

Youth involvement in the Niger-delta struggle took a decisive turn with the repression suffered in the hands of the Abacha government that turned Niger-delta communities into garrison enclaves patrolled by the Nigerian military. Youth movements began to gain prominence from the mid 1990’s when the youths, exasperated by unemployment, growing impoverishment and incineration, inconsistent and poor transition programmes, poor human rights and economic reform policies and the annulment of the 1993 presidential

⁸¹ Mbanaso, M. and Korieh, C. Minorities and the State in Africa, 268

election results, began to translate their frustration, anger and hostility into actions against the Nigerian state, the MNCs (Multi-National Companies), their elites and elders.⁸²

The militancy and hostilities in the Niger Delta area have nothing advantageous in it within the Nigerian State, rather they have resulted in calculated wasting of both economic and human resources: crude oil production has been reduced to incessant disruption, government properties and facilities have recorded great losses and destruction, innocent lives in both camps have been wasted, development (if there has been any planned) has been grounded in such an atmosphere of hostility, children in these areas are exposed to the horrors of armed conflicts, which inevitably and implicitly influence their general approach to life, and many more. In Appendix I is a chronology of conflict situations that interspersed the Niger Delta region in the most recent past.

This unfortunate situation of militancy and militia conundrum leaves the Nigerian State in constant fear of the unknown. The situation has become a hindrance to desiring foreign investors who may like to partner with the Nigerian economy. The activities of the militants themselves when examined critically may not offer sufficiently the solution for a grass-root socio-economic therapy to the problems in the Niger Delta. Lives have been wasted; properties and oil facility have been destroyed; lump sums of ransoms have been paid but the problem of devastation and acute poverty remains. The option of militancy assumes the stage as the immediate panacea readily available for the oppressed people of the Niger Delta. They are not to blame. Rather the insensitivity of the Nigerian federation coupled with its thirteen years of military interference with politics, as well as the balkanisation of its economy through bribery and corruption must bear the taunt. The natural instinct to self-defence in every human person offers the natural push to available options to actualise one's safety and freedom. Niger Delta is no difference. Perhaps when we analyse further the effects of the activities of oil exploration and exploitation in the Niger Delta area, then we will be in a better position to understand and evaluate the armed insurgency of a people at the verge of extermination.

⁸² Osaghae, E. et al. Youth Militias, Self-Determination and Resource Control Struggles in the Niger Delta Region of Nigeria, 11.

Chapter II: Overview of the Challenges Facing the Nigerian Oil and Gas Sector

Nigeria cannot hide from the fact that its oil and gas sector of the economy is bruising and needs a revolutionary overhauling. Due to unprecedented sequence of corruption by subsequent administrations, especially during the thirteen years of military rule, the oil and gas sector was run under decrees and policies that benefited only private pockets and foreign accounts, leaving the expected dividends in the lives of the masses unattended to and in many cases completely denied. The system of running this sector in the history of Nigeria has been parasitic, and because every parasitic relationship is selfish-oriented, this sector of the economy has become a victim of governmental as well as individual selfish extortions. Anyone or group of persons who dare stand against such policies becomes automatically an enemy and means must be sought to eliminate such a person or group. As long as the oil in the Niger Delta is still flowing, the oil sector remains the invaluable friend of the Nigerian government. The poor masses clamped down by years of neglect and destitution has become the enemy. Fidelis Allen put it beautifully:

From the perspective of the federal government, the oil industry can never be the enemy for one simple reason – it pays the bills. Political elites compete for high-level positions that have access to the oil wealth, which lubricates nearly all government programmes at the local, state and federal level. Moreover, the federal government has joint ventures – 55 percent equity stakes – with the major oil companies in all exploration and production. The State is trapped by these long-term contractual relationships and is often unable to pursue transformative policies to protect the environment. By paying for the army and almost all other government services, national security in Nigeria is tied to the uninterrupted flow of oil money, turning those who disrupt oil exploration and production into enemies of the State.⁸³

Of course, before the advent of multiple agitating groups as it is the case in the present Niger Delta, the federal government remained adamant and hostile to the plight of the people. It clinches tenaciously to its Land Use Act to the detriment and complete neglect of human plight in the oil producing area. And because the master made himself an accomplice, the servants, personified in the multinational oil companies continued flying with the master's wings to the utter decimation of a people who have every right to healthy ecology and life in general. Two main areas encompass the different degrees of problems in the Niger Delta namely: Oil Spill and Gas Flaring.

⁸³ Allen, F. The Enemy Within: Oil in the Niger Delta, in: Africa's Moment, World Policy Journal,

2.1 Oil Spill in the Niger Delta Area

Crude oil in general terms is a natural economic product consisting of hydrocarbon with various molecular weights such as propane, benzene, bitumens, asphaltenes, resins and waxes. Through the process of distillation when refined, products like fuel or petrol, kerosene as well as other chemical reagents used to make plastics and pharmaceuticals and which have lesser molecular weights, are gained as by-products. At present, fuel or petrol has become the most widely used and exported crude oil product in the Nigerian oil and gas sector. But it is to be noted that in spite of the economic advantages of “petro-dollars” in oil exploration in the Nigerian system, the hazards and devastation it has created seem to have outweighed the benefits. One of the causes of these hazards is Oil Spill.

The reality and enormity of oil spill in the Niger Delta area came to assume the world headlines with the recent incessant rise of activists in this area. They were confronted with a situation of near extinction and calculated impoverishment of their local economy and land by a federal system within which they have remained aliens. Heavily dependent on peasant farming and aquatic products for their trade, these minority communities now face a shaky local economic life being dragged to the mud by the activities of the multinational companies, which has resulted in numerous oil spills: farmlands being eaten up by multi- and interconnected oil pipelines; fish and some other aquatic lives which make the bulk of their economic products have made automatic mass exodus; fruit trees and mangrove are dying off in numbers due to toxic contamination; general health faces constant threats due to air and water pollution, etc. In fact the UNDP report of 2006 puts it this way:

The environmental effects of oil pollution are well known. They include the degradation of forests and depletion of aquatic fauna. Long-term impacts are also possible, as in cases where mangrove swamps and groundwater resources are harmed. An impact assessment of the 1983 Oshika oil spill in Rivers State by Powell and White (1985) confirmed the death of floating and submerged aquatic vegetation, especially water lettuce. Dead crabs, fish and birds were also reported. The Niger Delta has experienced two major oil spills—the Funiwa oil well blowout in 1980 and the Jones Creek oil spillage in 1998. These resulted in the greatest mangrove forest devastation ever recorded worldwide.⁸⁴

Acceptable is the fact that oil exploration areas may be susceptible to sporadic oil spillages due to unforeseen technical circumstances and some human failures. But while most other oil producing nations embrace available scientific breakthroughs to clean up spillages

⁸⁴ UNDP, Niger Delta Human Development Report, 181-182.

and save lives and ecosystem, Nigeria, with over 50 years of experience in the oil and gas sector, remains contented with negligence of duty and responsibility towards the area that provides her daily bread. Like the Nigerian Syndrome, these years of utter neglect have made clean up strategies almost a herculean task for the multinational companies. The stitch in time that would have saved nine is proving at the moment almost unrealistic. This neglect of the Nigerian federal government, which consequently has infested the multinational companies themselves, is not only observable in the lack of cleaning up exercise. Still worrisome is the generation of rickety oil infrastructures that intersperse the Niger Delta atmosphere and beneath, emitting poisonous leakages on land and water due to lack of maintenance. The United Nation Environment Programme in its environmental assessment of the Ogoniland in the Niger Delta posited this stern observation:

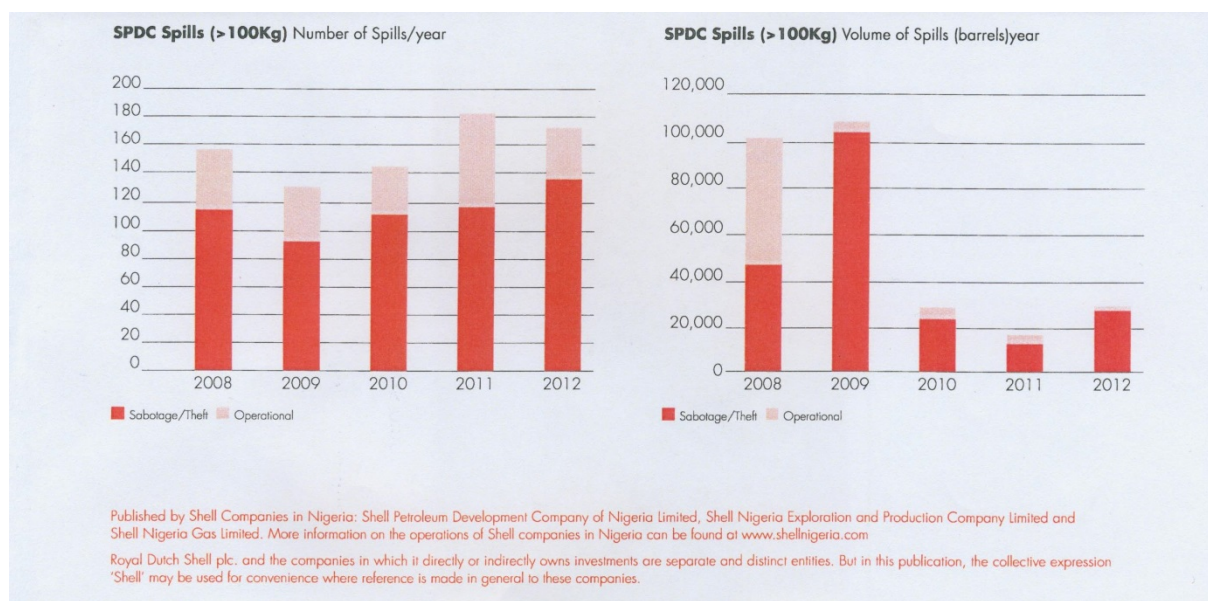
The control and maintenance of oilfield infrastructure in Ogoniland is clearly inadequate. Industry best practice and SPDC's own documented procedures have not been applied and as a result, local communities are vulnerable to the dangers posed by unsafe oilfield installations. The oil facilities themselves are vulnerable to accidental or deliberate tampering. Such a situation can lead to accidents, with potentially disastrous environmental consequences. The abandoned facilities in Ogoniland pose both environmental and safety risks...Corrosion of metallic objects leads to ground contamination by heavy metals. Attempts by criminal elements to recover objects for sale as scrap may lead to safety risks, both on and off oilfield sites, while children playing on these facilities also face health risks.⁸⁵

Confronted on daily basis with the risks of the above described appalling situations, oil spill in the Niger Delta area of Nigeria, apart from its causes emanating from technique failures, human limitations and lack of infrastructural maintenance, has an additional cause within the Nigerian polity rooted in *pipeline vandalism* from individuals and groups, as protest to a system that has kept them so long in bondage. Because the risks associated with pipeline vandalism is high, many lives have been lost, vandals and innocent individuals alike. We may not completely rule out the selfish-oriented and motivated reasons behind some of these vandal acts, but the truth remains that in the main, a form of aggression against subjugation and neglect forms the background of such acts. Accenting to the truth of this assumption, Okolo and Etepke of the Department of Political Science, Niger Delta University reminds us that the history of vandalism is often tied with a feeling of frustration, just like the Niger Delta since 1956. Such frustrated people can only view oil as more of a curse that a

⁸⁵ UNEP, Environmental Assessment of Ogoniland, 100.

blessing when the appalling conditions of underdevelopment, poverty and environmental degradation are all put together.⁸⁶

Whether for selfish reasons or for reasons of protest and demand for justice, the case of oil spill in the Nigerian oil and gas sector remains the bane of her failure in the practice of true democracy with functional sustainable policies. Below is a revealing graphic representation of the number of yearly oil spills, the volume of spills in barrels and the causes between 2008 and 2012, as published by Shell Petroleum Company of Nigeria Limited:



While the graph may not have the whole truth due to the multinational companies' constant appeal to self-defence and self-exoneration, the reality remains that at the wake of multiple activists and action groups in defence of the Niger Deltans and their land, there was also recorded increase in pipeline vandalisation as staged protests against injustice. The "RED" movements on the graph show spillages and the quantities resulting from pipeline

⁸⁶ Okolo, P. and Etepke, A. Pipeline Vandalization and the Socio-Economic Effects in Nigeria's Niger Delta Region, 7.

vandalisation, sabotage or theft by individuals or militant groups, while the “yellowish brown” movements present oil spillages and volumes due to the operational activities of the oil companies. When calculated then, we would be confronted with a total estimate of about 775 independent oil spills and 283000 volumes (barrels) of oil spilled between 2008 and 2012. Perhaps a revealing analysis of chemical and physical processes involved in oil spillages, especially marine oil spill, may better put to the vantage point the ground for persistent agitation and demand for a halt against the ecological and economic genocide being committed in the Niger Delta area.

2.1.1 Oil Spill defined as a Concept

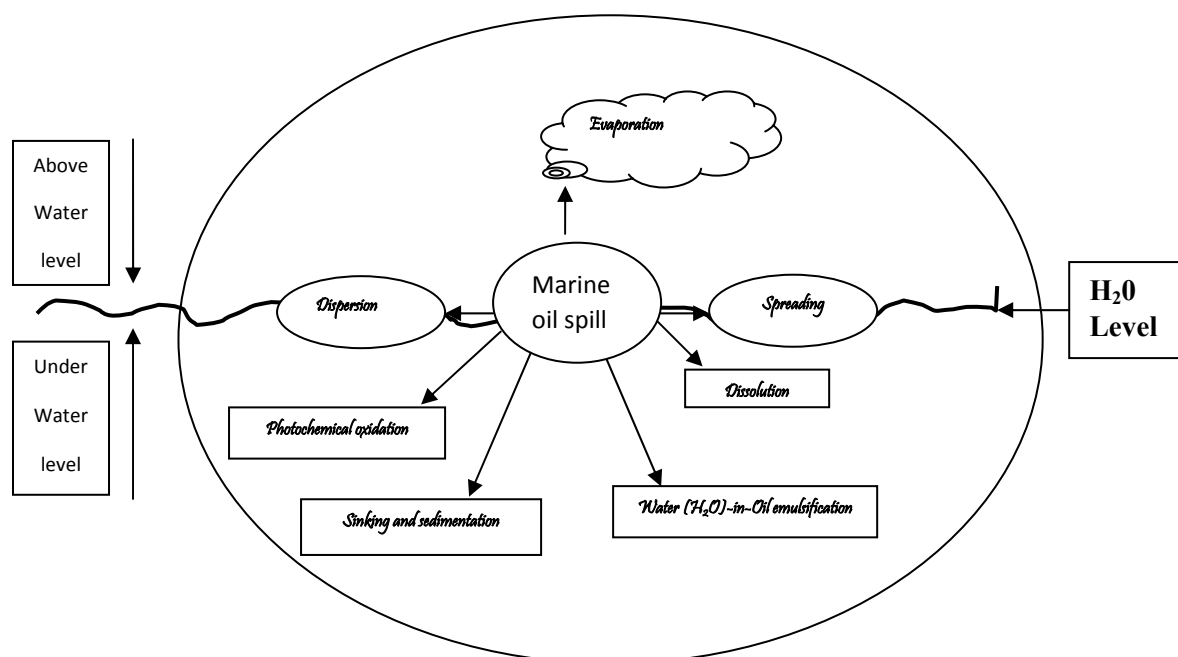
Oil spill is a type of environmental pollution, which occurs heavily in the marine areas. When it occurs in a marine area, this hydrocarbon element will dissipate through a number of chemical and physical reactions in a process called weathering. Products with lighter molecular weights like fuel or kerosene when spilled tend to evaporate and dissipate quickly. Heavy product like crude oil itself when spilled persists in the marine areas due to its larger molecular weights. It is therefore known as persistent oil and almost in all cases requires a scientific system of cleaning up. Weathering occurs in all oil spills in marine areas but the persistence of the chemical and physical processes and reactions depend heavily on the type of oil spill, the quantity of the spill as well as the prevailing weather and water conditions of the spillage area. Analysing this weathering processes, the United States Office of Technology Assessment reveals:

Biological weathering processes include evaporation, dissolution, dispersion, photochemical oxidation, water-in-oil emulsification, absorption unto suspended particulate material, sinking and sedimentation. Biological processes include ingestion by organisms as well as microbial degradation. These processes occur simultaneously and cause important changes in the chemical composition and physical properties of the original pollutant, which in turn may affect the rate or effectiveness of biodegradation.⁸⁷

The diagram below illustrates the general movement of chemical and physical processes that go into the weathering of oil in the case of oil spill in a marine environment:

⁸⁷ U.S. Congress, Office of Technology Assessment, Bioremediation for Marine Oil Spills, 5.

Table 5: Chemical and Physical Processes of Oil Weathering



As illustrated, once oil spill occurs in a marine environment, the oil begins to *spread* in a non-uniform manner out over the sea or water surface and the speed depends on the viscosity of the oil. The hydrocarbon elements with lighter molecular weights such as petrol, kerosene and diesel oils *evaporate* almost completely within few days to the atmosphere and the quantity of evaporation depends on the volatility of the oil. Higher temperatures and high wind speeds aids the speedy evaporation of these molecular elements. Turbulences or rough movements at the sea or water level get down to aid parts of the slick of spilled oil to break and *disperse* into fragments of varying sizes, which would now come to mix with the upper levels of the water column. While the light-weight-fragments remain suspended on the sea water, the heavy-weight-fragments tend to rise back to the surface and sometimes fuse with other fragments to reform slicks. With the dispersion of spilled oil, some water soluble compounds in oil such as benzene and toluene move to *dissolve* into the surrounding waters, though sizable quantities may have been lost to the atmosphere through evaporation.

Again with the process of *photochemical oxidation*, whereby spilled oil reacts with the oxygen in water, the oil is broken down into soluble products or still persistent compounds called tars in the presence of sunlight. The oxidation of spilled oil depends heavily on the type of oil as well as the form under which it is exposed to the solar energy. However, oxidation in

this context has a very low velocity, sometimes under not more than 0.1% per day even under heavy solar energy. Furthermore, the meeting of the spilled oil and water results in a suspension of one in the other. In the case of oil spill, sea water droplets become suspended in the oil and become *emulsified* and usually viscous, causing the volume of pollutants to increase. The particles of the spilled oil most of the times may not be dense enough to warrant the residue to sink in the marine environment. However, sinking usually occur when particles of sediment or organic matters adhere to the emulated oil providing it with enough density needed.

The analysis of the chemical and physical processes involved in marine oil spill reveals the level and extent to which they contaminate any marine environment where they occur. Such contamination and in most cases devastation of the marine area has consequences on aquatic, ecological, economic as well as the general life of the people and area where they occur. The Nigerian Niger Delta, the focus of our study, presents a horrible if not the worst image of an area ravaged with incessant oil spills, 70% of which till date has not been recovered. The UNDP in its report of 2006 made it clear: “Available records show that a total of 6,817 oil spills occurred between 1976 and 2001, with a loss of approximately three million barrels of oil. More than 70 per cent was not recovered. Approximately six per cent spilled on land, 25 per cent in swamps and 69 per cent in offshore environments.”⁸⁸ As we shall see much later in this study, piles of ideologies, laws and lofty programmes from successive governments and regimes have gone into this feud between these minority groups of the Niger Delta and the federal government of Nigeria, but as the days go by the situation deteriorates. This has given rise to a people and land affected by a worst type of living condition that is man-made, all because greed and political recklessness were left to tango as the Nigerian system. The agitation goes on. The militancy persists because the effects of these oil spills have come to be an indelible part of the history of the Niger Delta. What are these effects?

⁸⁸ UNDP, Niger Delta Human Development Report, 181.

2.1.2 Impacts of Oil Spill

2.1.2.1 Ecological Impact

The Ecosystem is a build-up of interaction between the biotic and abiotic components of nature. In other words, it is the relationship between the living and non-living elements of nature interacting as a community. Human life is therefore intrinsically tied to this eco-world in a symbiotic way and in this symbiosis, the relationship becomes that of 'give and take'. The dependence on the provisions of the ecosystem automatically places on man the responsibility to maintain this source of provision – the ecosystem.

Oil spill therefore is hazardous to the ecosystem and has multi-faceted impact on its various dimensions: plants, water, air, mineral soil, animals and microbes. Describing the challenges which oil spill pose ecologically, Elias Courson wrote:

The consistent oil spills and gas flares in the Niger Delta have degraded the environment, driven the people out of their farming and fishing trade and enthroned endemic poverty. The land and waters on which the people of the Niger Delta depend for their survival (subsistence existence) have either been taken over by the oil companies and their for-profit operations, or polluted. Thus, these local people have been dispossessed and sometimes displaced from their homes. As a result, their means of subsistence and dignity are destroyed without any alternative or adequate compensation being provided... Hence, the protests by communities against the excesses of a petro-capitalism that rides roughshod over the rights and humanity of the ethnic minorities of the Niger Delta.⁸⁹

The ecological situation in the Niger Delta witnesses a calculated and systemic murder of economic plants, cash crops and aquatic life. When almost over 80% of the inhabitants of this area are solely dependent of their local products for daily survival and local economy, it becomes then imperative to view further inertia towards the control of oil spill as genocidal. Empirical facts on the ground show emission of toxics into drinking water, chemical poisoning of farmlands and seeds, intoxication of sea birds, suffocation of aquatic living creatures that face the challenge of battling the blockade of oxygen on the sea waters due to oil spill, as well as air pollution due to the emission of poisonous gases into the environment through combustion and other chemical activities. Fundamentally, oil spill can be controlled and cleaned up but the Nigerian Syndrome has paid a lip service to its realisation.

⁸⁹ Courson, E. Movement for the Emancipation of the Niger Delta (MEND), Political Marginalisation, Repression and Petro-Insurgency in the Niger Delta, 9-10.

2.1.2.2 Economic Impact

Oil spill impacts both locally and federally in the Nigerian system. On the local level, the peasants and the local communities of the Niger Delta bear the taunt. On the federal level, the Nigerian economy, which has over 80% dependence on the oil and gas sector of its economy, gets the punch. Even the volume of oil lost during spillages can comfortably provide the meaningful revenue needed to combat the environmental crises building up in the Niger Delta area had it been they are not wasted. When we take our data analyses back to our graph in 2.1 on Oil Spill in the Niger Delta area, one discovers the huge loss of revenue between 2008 and 2012 in the following statistics:

Number of oil spills = 775 Volume of spilled oil in barrels = 283,000<i>bs</i> Estimated Ratio of Market Price of Oil between 2008 and 2012 = 1<i>b</i> : 98.08 \$US Amount of Revenue lost (in \$) = Total Volume of Spilled Oil in Barrels x Market Price of Oil = 283,000<i>bs</i> x 98.08 \$US = \$US 27,756,640 (N44,441,062,400 Nigerian Naira equivalent)
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In plain analysis, the ration given on oil price in the international market is taken from observed fluctuation of oil price in the international market between 2008 and 2012 (in estimate). When calculated therefore, oil spill in the Niger Delta area between 2008 and 2012 accounted for an estimated loss of about Twenty-seven Million, Seven Hundred and Fifty-six Thousand, Six Hundred and Forty US dollars, an equivalent of about Forty-four Billion, Four Hundred and Forty-one Million, Sixty-two Thousand, Four Hundred Nigerian Naira equivalent.

Although Shell Oil Company which has the greater onus to clean-up spillages would claim incessantly avowed empirical efforts in the recovery of quantities of these spillages, evidences on the ground in the Niger Delta area show constant manipulation of data and reports. On the federal level, the crumbling Nigerian economy remains not really the concern

since self-interest and private pockets have hijacked the national and common interest. Consequently, the economy witnesses the gradual disappearance of the middle class, enthrone a situation where the widening gap between the rich and poor jumps on daily basis in geometrical progression.

On the local economy of the Niger Deltans, agriculture which is the mainstay of their household fiscal economy has become stagnated due to pollution of the soil and cash crops. The Mangroves are gradually being eliminated due to contacts with the toxic chemical elements of oil spillages. The worst of the injustices is when victims of affected areas would wait for ages for resettlement and compensation. Sometimes none is received. With a destroyed local economy, the Niger Delta area has assumed the imposed role as harbinger of poverty, impoverishment and destitution. But there are always available options embedded on sincere embrace of responsibility on the part of the government so as to safeguard both economies. Writing on the International Journal of Business and Social Sciences and accenting to the impoverishment of the local economy of the Niger Delta, Ebegbulem et al observed:

Consequently, this often leads to pollution of the coastal water that produces fishes for the people, and stoppage of farming activities because of oil spillage. Because of this type of economic incapacitation of the people, inhabitants of the Niger Delta region are today living in poor health conditions and environmentally polluted atmosphere that constrain good standard of living. It is as a result of the economic and social consequences of oil exploration in the Niger Delta region that made the World Bank in Its report in 1995 lament that 'despite the vast oil reserve, the Niger Delta remains poor. GNP per capita is below the national average of US\$280 in the face of high population growth rate combined with severe habitable land constraints'.⁹⁰

Oil spill impact on the economy of the communities in the Niger Delta area speaks volumes about correlated poverty, hunger, illiteracy and deplorable health situations tied with insufficient fund to avail oneself with such services. Till today, apart from some late responses by the federal government due to the recent challenges being posed by crimes and militancy, the filth that has been necessitated would still take some time before it would be cleaned up.

⁹⁰ Ebegbulem, J. et al. Oil Exploration and Poverty in the Niger Delta Region of Nigeria: A Critical Analysis, 284.

2.1.2.3 Health Impacts

It would ever beat imaginations when one considers what life – bodily, spiritually and psychologically, would actually mean in an environment where almost the basic necessities of life are denied. This is the situation of the Niger Delta. The health hazards oozing out due to situations of oil spillages remain enormous and they have acute and long-term effects. Appraising documented facts about health situations of the Niger Delta area, Ordinioha and Brisibe wrote in the Nigerian Medical Journal:

An average of 240,000 barrels of crude oil are spilled in the Niger delta every year, mainly due to unknown causes (31.85%), third party activity (20.74%), and mechanical failure (17.04%). The spills contaminated the surface water, ground water, ambient air, and crops with hydrocarbons, including known carcinogens like polycyclic aromatic hydrocarbon and benzo (a) pyrene, naturally occurring radioactive materials, and trace metals that were further bioaccumulated in some food crops. The oil spills could lead to a 60% reduction in household food security and were capable of reducing the ascorbic acid content of vegetables by as much as 36% and the crude protein content of cassava by 40%. These could result in a 24% increase in the prevalence of childhood malnutrition. Animal studies indicate that contact with Nigerian crude oil could be hemotoxic and hepatotoxic, and could cause infertility and cancer.⁹¹

Of course a situation as interpreted above becomes inevitable in an atmosphere with constant emission of carbon dioxide, carbon monoxide and other sulphuric chemical elements that harm and inhibit breathing. It is not surprising today why high susceptibility to air- and water-related diseases among the Niger Deltans has become rampant. As an area on the Creeks, Underground- or Drilled-Well-System of drinking water supply poses no challenges to have them constructed. On the other hand, it is to be regretted that even the underground waters are often contaminated by the oil spillages from the larger bodies of water in the marine environment. The health hazards prevalent in the Niger Delta area widen the problem of food insecurity among these people due to observable effects of some hydrocarbon associated with some food crops. Situations like the ascorbic acid content in some common vegetables within crude oil polluted areas; increase in the calorific composition of cassava tubers from oil spill soils, as well as increase in the concentration of heavy metals on the leaves of food crops, are prevalent. These conditions pose serious challenge to human health and well-being which remain essential tenets to environmental sustainability. Such challenges

⁹¹ Ordinioha, B. and Brisibe, S. The Human Health Implications of Crude Oil Spills in the Niger Delta, Nigeria: An Interpretation of Published Studies, 10.

to food crops pave the way to childhood malnutrition and other related health and physical hindrances.⁹²

The health impact is further complicated with the unavailability of good and affordable health care system, personnel and facilities, yet the Niger Delta land produces millions of dollars for a country that chooses greed as a way of life. For Chukwuani, “Low-quality public health services, high user fees, shortages of drugs, equipment and personnel, combined with persistent high unemployment rates, contribute to a crisis of confidence and affordability in terms of health-care access and status in the Niger Delta.”⁹³ The federal government may of recent claim justification with some health care infrastructural responses. But what benefit does the erection of a mere building block, which at the first instance is poorly built and subsequently equipped in the main with substandard facilities like the Nigerian syndrome. In some cases, the impoverished people of this area would have to pay through their nose in order to obtain services from these institutions. In these ways the health impact of oil spill remains multi-faceted and chronic.

2.1.2.4 Developmental Impact

If the Cambridge Advanced Learner’s Dictionary defines development as the process in which someone or something grows or changes and becomes more advanced, then the experience of the Niger Delta area in Nigerian polity is still the opposite. The integral development of this area has long witnessed acute neglect and as a result has become seemingly a developmental conundrum in the Nigerian State. With the connotation ‘integral’ as we apply it here in qualifying the word ‘development,’ two essential aspects come to mind namely, human and infrastructural developments. The escalation of the agitation of the Niger Deltans to the level of militancy as well as the numerous expressions of revolutionary principles show absolute dependence on demands for human and infrastructural developments. The question remains, what positive impacts in development strides do we envisage in an area under siege because of incessant oil spill and the consequent hazards.

⁹² Ibid, 13.

⁹³ Chukwuani, C.M. et al, A Baseline Survey of the Primary Health Care System in Southeastern Nigeria, 178.

Our concept of integral development derives much from the features of the modern understanding of community development. It is one of the characteristics of our modern world and in the spirit of globalisation to cling firmly to integration and communality. Writing in the World Journal of Social Science, Adebamiji and Mba citing Anyanwu wrote:

Community development objectives can be summarized as follows: a) To educate and motivate the people for self-help. b) To develop responsible local leadership; c) To inculcate among the members of the community the sense of a community, citizenship and spirit of civic consciousness; d) To introduce and strengthen democracy at the grass root level, through the creation and revitalization of institutions designed to serve as instruments for local participation; e) To initiate a self-generated and self-sustaining and enduring process of growth; f) To enable people to establish and maintain co-operative and harmonious relationships; g) To bring about gradual and self-chosen changes in the life of a community with a minimum stress and disruption.⁹⁴

The objectives as listed above can only be feasible in an environment that provides the corresponding atmosphere for the ‘gradual and self-chosen changes in the life of a community.’ But with the imposed spheres of devastation in the Niger Delta area, such feasibility becomes the bane of the Nigerian nation, which would choose to clamp down on its innocent youths who demand developmental justice, instead of living out its democratic principles. Analysing some available statistics, Ibeanu wrote:

[...] available figures show that there is one doctor per 82,000 people, rising to one doctor per 132,000 people in some areas, especially the rural areas, which is more than three times the national average of 40,000 people per doctor. Only 27 per cent of people in the Delta have access to safe drinking water and about 30 per cent of household have access to electricity, both of which are below the national averages of 31.7% and 33.6%, respectively [...] Poverty remains widespread, worsened by an exceptionally high cost of living created by the petro-economy [...] At the same time, access to education, central to remedying some of these social conditions, lags abysmally when compared to other parts of the country. While 76 per cent of Nigerian children attend primary school, in the Niger Delta the figure drops appallingly to between 30 and 40 per cent.⁹⁵

It is often argued in the Nigerian parlance that development, especially infrastructural, in the Niger Delta area is hindered by the challenging topography of this area. That is not the whole truth. The presence of such topographical challenges are not to be disputed, but the insistence that there are no scientific and alternative answers to the challenges remains a developmental deception to the modern day Nigeria. If Bridges and Flyovers have been built across great rivers, oceans and seas across the world, what difference does it make with the rivers and creeks of the Niger Delta area? If oil pipelines that interspersed the farmlands and

⁹⁴ Oyebamiji, M. and Mba, I. Effects of Oil Spillage on Community Development in the Niger Delta Region, 30.

⁹⁵ Ibeanu O., Civil Society and Conflict Management in the Niger Delta, 3.

roads in the Niger Delta can comfortably take the underground runways when constructed, except in a situation where above-the-ground system is inevitable, why must crude oil pipelines occupy the least available spaces in the Niger Delta? Made more complex is the further devastation of the limited available spaces by on-shore oil spillages, thereby hitting available strides for development back to a state of inertia pending an awaited hope of remediation or oil spill clean-up, if ever such process takes place.

2.2 Gas Flaring and the Niger Delta Area

Gas flaring as a process occurs in oil exploration. It is simply the process of burning off associated gas separated from the crude oil. It is a known fact today that the burning of such gas has become increasingly notorious, with Nigeria ranking second in the world after their Russian counterpart. Studies have shown that Nigeria burns an estimated 10% of the global flaring of natural gas. The lack in facilities that would naturally tap this natural gas for purposeful use, accounts for Nigeria's persistence in the flaring business. On the other hand, because investing on such project of recovering the natural gas during oil exploration would require costly ventures like more sophisticated pipeline networking, installation of power plants and other coordinating infrastructures, the Nigerian federal government has constantly and tactically avoided such moves. The federal government and the multinational oil companies indulge in a vicious cycle of time-shifts as regards putting an end to gas flaring. Appropriate laws are on themselves available for the regulation of gas flaring but they are not in use. The UNDP observes:

Although appropriate laws have defined flaring standards, the financial penalties have been so low that they hardly constitute a deterrent. Gas flaring amounts to a monumental waste of a valuable resource, on top of the air and thermal pollution that damages biodiversity. Flares cause noise and elevated temperatures. The heat kills vegetation, suppresses the growth and flowering of some plants, and diminishes agricultural production. Plants, animals and humans in the vicinity of the gas flares are perpetually exposed to light with no respite at night. This is harsh for nocturnal animals. The light from flares may also be affecting the endangered marine turtles in the area. Turtles' nesting patterns are influenced by light on their approach to beaches, where they lay their eggs. Additional largely unstudied potential impacts include the effects on the migratory patterns of birds.⁹⁶

⁹⁶ UNDP, Niger Delta Human Development Report, 185-186.

Nigeria officially took a bold step to end gas flaring in 1979 with the enactment of the Associated Gas Re-Injection Act, which imposed it as a duty on oil and gas companies to submit a preliminary program providing for schemes for the viable utilization of all associated gas produced from a field, not later than April 1st 1980. Added to this is the demand for projects to re-inject all non- utilized associated gas in an industrial project, notwithstanding the provisions of Regulation 42, thereby transforming the Regulation 42 into a mandatory provision. The Act also sees it illegal for any oil and gas company to flare gas after January 1st 1984, without the written permission of the Minister.⁹⁷ In consequence, 1984 remains the official date for the abrogation of gas flaring practice in Nigeria. But this policy was never realised in 1984 and since then, subsequent new dates have come and gone, yet no implementation.

The result of the above situation is the constant burning and pollution of the Niger Delta area through unending gas flaring with its multiple impacts evident through climate change and global warming, emission of the greenhouse gas – carbon dioxide; necessitation of acid rains due to corrugated roofs caused by the combination of the emitted sulphur dioxide (SO₂) and nitrogen oxides (NO), which combine with atmospheric moisture to form sulphuric and nitric acids; the depletion of soil nutrient due to the presence of contaminants formed under the presence of particulate matters like hydrocarbon and ash, photochemical oxidants and hydrogen sulphides (H₂S); exposure of human health to cancer, neurological, reproductive and developmental dangers through polluted air and water, culminating in high rates of deformities in children, lung damage and severe skin diseases, and also the haematological dimensions of this situation is not ruled out.

With the fluctuating and insufficient capacity of Nigeria's electricity power supply even in the 21st Century, it beats the world's imagination that Nigeria, with an estimated population of about 170 Million people, would prefer to be wasting large quantities of natural gas which would otherwise serve to boost its sources of power supply, making it more available and stable. At the moment, incessant failure of household electricity power supply has become chronic in Nigeria despite the federal government's announcement of huge

⁹⁷ Otiotio D., Gas Flaring Regulation in the Oil and Gas Industry: A Comparative Analysis of Nigeria and Texas Regulations, 26.

investments in the power sector of the economy. Below is a table of comparison between Nigeria's general power supply out-put and some of its counterparts the world over:

Table 6:

Countries	Population (2012 Estimation)	Power Supply in Mega Watts (MW)
Unites States	309 million	1,000,000
Argentina	40 million	32,000
Venezuela	29 million	23,000
Poland	38 million	33,000
United Kingdom	64 million	93,000
South Africa	51 million	44,000
Morocco	32 million	6,000
Egypt	83 million	27,000
Libya	6 million	6,000
Nigeria	170 million	6,000

(Sources: worldatlas.com)

Working with the above calculation, Libya is about 3.5% and Morocco is about 18.8% of Nigeria's total population, yet we share the same capacity of household power out-put with them. Today the Power Holding Company Nigeria (PHCN), the sole distributor of household energy in Nigeria uses about 70% of the natural gas that is available, and which they purchase from the Nigeria Gas Company, a subsidiary of Nigeria National Petroleum Company (NNPC). Yet the supply has never been known to be stable. Why must we continue to flare gas in the Niger Delta area, causing environmental hazards and burning an economy that would impact multi-purposeful advantages? This is not to deny a range of noticeable efforts that are being made or otherwise proposed by the federal government as remedy to the power sector, but the Nigerian syndrome of 'inactivity', which follows and has followed many proposed ideologies remains the country's enemy of progress. The lingering indecision concerning the persistent flaring of gas is resounding evidence.

2.3 Existing Constituted Laws and Policies for the Protection of the Ecology and Life in General: The Parable of Crippled Implementation

As has become the bane of Nigerian political and social system, Nigeria has bodies of laws and policies that are more or less operationally moribund. This is a country good in putting out sound and attractive legislations, which would eventually be buried in archives or in the brutal blockades of the corrupt politicians who would do everything possible to stop the

materialisation of such policies and ideologies. The oil and gas sector of the Nigerian economy, the setting of which is the Niger Delta area, has been a known victim of non-implementation of laws and policies. Reflecting on the concept of implementation, Makinde wrote: “According to Adamolekun (1983), policy implementation refers to the activities that are carried out in the light of established policies. It refers to the process of converting financial, material, technical and human inputs into outputs – goods and services (Egonmwan, 1991).”⁹⁸ The second part of this definition – the actual implementation – hits in many cases the heavy rock of inactivity in the Nigerian situation, thereby leaving in many areas and levels of our polity: uncompleted and abandoned projects, on-going but stagnant projects, the money of which has been embezzled; lofty promises hovering in the minds of the masses, which in reality the designers never wished to come true, sub-standardised projects carried out only in the interest of the executors so that another quick opportunity would be provided for budgeting on the same project in the shortest period of time, and many more ills.

In examining the existing constituted laws and policies for environmental and life protection in Nigerian oil and gas sector in general and in the Niger Delta area in particular, we meet a chronology of well thought out principles, mostly environmental laws, which in themselves are good enough to stem the tide of the vivid degradation of the generality of the Niger Delta area. Some of these laws are:

1956 – Oil Pipeline Act (CAP 338), LFN 1990: This law provides that all manner of route-survey and construction of oil pipelines must be duly permitted or refused. It provided for the rights and obligations of the license holders and payment of compensation for damages to property thereof. As stated in Part 1, section 3, the Minister reserves the right to grant the “Permits to survey routes for oil pipelines and licenses to construct, maintain and operate oil pipelines.”⁹⁹ Interesting are the clear words of the Act in Section 17 (4), as regards the required responsibilities expected of the license holder in his/her activities in oil exploration and pipeline construction, namely: “Every licence shall be subject to the provisions contained in this Act as in force at the date of its grant and to such regulations concerning public safety, the avoidance of interference with works of public utility in, over and under the land included in the licence and the prevention of pollution of such land or any waters as may from time to time be force.”¹⁰⁰

1968 – Oil in Navigable Waters Act No. 34 (CAP 337): This law was made pursuant to the International Convention for the Prevention of Pollution of the Sea by Oil of 1954 to 1962. The law makes it an offence, the discharge of oil or any of such mixture in the Nigerian waters. Section 3 (1) a,b,c provide: “If any oil or mixture containing oil is discharged in waters to which this section applies from any vessel, or from any place on land, or from any apparatus used for transferring oil from or to any vessel...then subject to the provisions of this Act: a)

⁹⁸ Makinde, T. Problems of Policy Implementation in Developing Nations: The Nigerian Experience, 63.

⁹⁹ Laws of the Federation of Nigeria: Oil Pipeline Act 1990 Chapter 338, Part 1, Section 3.

¹⁰⁰ Ibid, S. 17 (4).

if the discharge is from a vessel, the owner or master of the vessel; or b) if the discharge is from a place on land, the occupier of that place; or c) if the discharge is from apparatus used for transferring oil from or to a vessel, the person in-charge of the apparatus – is guilty of an offence under this section.”¹⁰¹ The condition of waters in the Niger Delta area is a lie to the provisions of this section, as well as enough evidence against the federal government and the multinational companies.

1969 – Petroleum Act of 1969: The provisions of this document stand at the centre of the state-government ownership of areas and properties associated with crude oil and natural gas exploration and exploitation in Nigeria. But apart from this absolute vesting of authority and ownership on the State and subsequently to any licensee or lessee, the act clearly states the strict obligation required in guarding against pollution and devastation of the environment. Section 25 puts it thus: “The licensee or lessee shall adopt all practicable precautions including the provision of up-to-date equipment approved by the Head Petroleum Inspectorate to prevent the pollution of inland water...or substances with might contaminate the water banks or shorelines or which might cause harm or destruction to fresh water and marine life, and where any such pollution occurs or has occurred, shall take prompt steps to control and, if possible, end it.”¹⁰² Here the emphasis on up-to-date equipment inspection and the demand for prompt response in the case of pollution stand out to be noted, but one wonders why the Niger Delta case has taken this long to be realised.

1969 – Petroleum (drilling and production) Regulations (as amended 1973): This provision took a further step to work on the protection of the drilling areas and regulate how the licensee or lessee must behave and carry out his or her activities on entering an exploration land. It gives a clear guidelines on the strict need for compliance with existing planning laws, provision of access roads, the use of the licensed land solely for the purpose of which it has been approved unless otherwise approved by the minister; the responsibility vested on the licensee or lessee to respect all protected and productive trees and venerated objects, the need to recognise as important, the fishing rights of the community among whom the exploration area is found; the need to hold as optimal the provision of safe navigation route in the exploration areas, as well as constant readiness to guard and prevent pollution.

1978 – Land Use Act: Fundamentally, this provision was given out as medium to reduce confusion arising sporadically with the issue of land ownership, as well as to reduce the tension and piles of litigation associated with feud over land between communities and families. Interesting to us in this study is the reference to the common good as a responsibility which the government should be conscious of. Section 1 states: “Subject to the provision of this Act, all land comprised in the territory of each State in the Federation are hereby vested in the 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.”¹⁰³ The benefit of vesting such land under the control of the government as stated in the provision is for the equal participation of all citizens in the out-put. But the Niger Delta experience shows that such benefits are only optimised by the selected few and political cabals who may be better described as wolves in sheep clothing.

1990 – Harmful Wastes Act (CAP 165) LFN 1999: In 1988, an Italian firm dumped about 8,000 barrels of toxic wastes in the small town of Koko in the Niger Delta area of Nigeria, agreeing to pay \$100 monthly rent with a Nigerian who owns the farmland. This action, along many other similar experiences, sparked uproar from the international community and immediately necessitated the Basel Convention. This convention was aimed at the enactment of certain laws that should govern and prevent Trans-boundary movements of hazardous and other wastes. Pursuance to the guiding principles of this international convention, the Harmful Wastes Act of the Law of the Federation of Nigeria gave strict provisions and prohibitions with regard to the purchase, sale, importation, transit, transportation, deposit and storage of harmful wastes.¹⁰⁴ The effectiveness of this law may not be doubted, especially as regards trans-boundary behaviours. The Nigerian challenge in this direction is located in

¹⁰¹ Ibid, Oil in Navigable Waters, Chapter 337, S. 3 (1) a, b, c.

¹⁰² Ibid, Petroleum Act of 1969, Chapter 350, Section 25.

¹⁰³ Ibid, Land Use Act 1978, Chapter 202, Section 1.

¹⁰⁴ Nwalimu, C. The Nigerian Legal System, Vol. 2, 110.

its inability to bring the principles of this Act home in the activities of the multinational oil companies in the Niger Delta area.

1990 – The Nigerian Criminal Code (NCC), Section 245 and 247, 71: In chapter 77 of the Law of the Federation of Nigeria, the Criminal Code Act provides in Chapter 23, under Offences Against Public Health, that “Any person who corrupts or fouls the water of any spring, stream, well, tank, reservoir, or place, so as to render it less fit for the purpose for which it is ordinarily used, is guilty of a misdemeanour, and is liable to imprisonment for six months...Any person who a) vitiates the atmosphere in any place so as to make it noxious to the health of persons in general dwelling or carrying on business in the neighbourhood, or passing along a public way; or b) does any act which is, and which he knows or has reason to believe to be, likely to spread the infection of any disease dangerous to life, whether human or animal; is guilty of misdemeanour, and is liable to imprisonment for six months.” If this provision should see the light of the day, then even the federal government itself and its allies must be serving some prison terms in the Niger Delta case.

1992 – Environmental Impact Assessment Act 1992: This law establishes guiding principles for safeguarding Nigerian environment from activities that impact hazardously on it. Section 2 (1 and 2) provides, a): “The public or private sector of the economy shall not undertake or embark on public or authorise projects or activities without prior consideration, at an early stage, of their environmental effects. 2) Where the extent, nature or location of a proposed project or activity is such that it is likely to significantly affect the environment, its environmental impact assessment shall be undertaken in accordance with the provisions of this Decree.”¹⁰⁵

1992 – Federal Environmental Protection Agency (amendment) Decree: This agency is an integral part of the presidency in the Nigerian polity. The objective of the agency is well spelt out in Part I, Section 4 of the decree that constituted it namely: “The Agency shall, subject to this Act, have responsibility for the protection of the environment and biodiversity conservation and sustainable development of Nigeria’s natural resources in general and environmental technology, including initiation of policy in relation to environmental research and technology...”¹⁰⁶ The use of the expression ‘sustainable development’ here presents a holistic view of the work of this agency. Holistic in the sense that such law provides for an integral handling of affairs in Nigeria’s oil and gas sector such that the natural resources would not only be tapped at the expense of both human and ecological well-being. The Niger Delta area again stands at lost in this situation.

1999 – Constitutional Matters – Human and Environmental Rights: Right to life, Right to a Healthy and Safe Environment and Dignity of the Human Person: The current Nigerian Constitution speaks clearly about the primacy of every citizen’s right to good life, enhanced by the collective efforts to ensure healthy and safe environment. Consequently, the human person remains at the centre, while he is always at the receiving end of both situations, whether good or bad. We shall dwell more on some of the specifications of this section of the Nigerian constitution in the next chapter of our work.

2004 – Associated Gas Re-Injection Law and Regulations 1979 (as amended 2004): Of recent is the outcry for the heavy loss of resources and revenue due to gas flaring enormous. Thus there are some moves proposed by the government in the recent past to rekindle the regulatory laws that are already in existence, as well as chart a course that will optimise the utilisation of Nigeria’s abundant associated gas. The proposed recent moves are: Liquefied Natural Gas (LNG) Project in Bonny Island, still under study, Escravos Gas-Gathering Project and Oso Natural Gas Liquid (NGL) Project. Such projects no doubt would go a long way to quell the tide of environmental hazards in the Niger Delta region due to gas flaring and emission of other hydro-carbonated chemical elements. The masses as it stands now are watching and they are ready to stake out their necks to cry ‘wolf’ to any movement or plan that will dare to inhibit these proposals not to see the light of the day.

¹⁰⁵ Laws of the Federation of Nigeria, Environmental Impact Assessment Act, Decree No. 86, 1992.

¹⁰⁶ Ibid, Federal Environmental Protection Agency Act, Chapter 131, Amendment Decree No. 59 of 1992.

When we look critically on the whole issue, we must take to mind the fact that prior to the outbreak of the recent activities of the militant groups in the Niger Delta area, the whooping gaps between the availability of these laws and their non-implementation, provided the fertile grounds for the agitations and the demand for things to be done the right way. The Niger Delta situation has become an exhibition arena for calculated implementation gaps associated with the activities of the federal government and their licensees and lessees – the multinationals oil companies. In this case, implementation always “turns out to be the graveyard of policy where the intentions of the designer of policies are often undermined by a constellation of powerful forces of politics and administration in cooperation with people.”¹⁰⁷ In declaring war against such dishonesty from the government by the inhabitants of this area, the Niger Delta area has remained a turning point in the history of Nigeria.

2.4 The Strange Bedfellows: Shell and other Oil Companies and their Politics of Cleaning and Remediation of Oil Spills

Shakespeare says it all in his play, *The Tempest*, that “Misery acquaints a man with strange bedfellows.” Such misery has become the daily experience in the Niger Delta with the presence of the multinational oil companies, Shell in particular, which has the leading responsibility as regards spillages in the Niger Delta area. Opinions and litigations, local and international, have always condemned Shell’s attitude of exonerating itself from the horror of oil spill devastating the Niger Delta waters and ecology, by heaping the blame on the activities of the agitators, Niger Delta communities and militants. But observers have always faulted these claims. Reporting on incidents of operational spills, oil theft and pollution, Shell Petroleum Development Company claimed: “Over the past five years, from 2008 to 2012, just under a quarter of the oil that escaped from SPDC facilities was due to operational causes such as human error or equipment failure. Criminal activities including sabotage, oil theft and illegal refining are causing huge environmental damage in the Niger Delta. From 2008 to

¹⁰⁷ Makinde, T. Problems of Policy Implementation in Developing Nations: The Nigerian Experience, 65.

2012, these activities accounted for around 76% of the oil that escaped from SPDC facilities.”¹⁰⁸

Granted that the whole situation in the Niger Delta unfortunately degenerated to acts of militancy and vandalism, the truth remains that the multinational companies, in corroboration with the federal government, laid the foundation of mistrust in this area and in the minds of the citizens. Already at a closing statement by the acclaimed Ogoni activist, Ken Saro Wiwa, during the trial of Ogoni Nine by the then military government of Gen. Sani Abacha, Ken made it clear:

The military dictatorship holds down oil-producing areas such as Ogoni by military decrees and the threat or actual use of physical violence so that Shell can wage its ecological war without hindrance [...] This cosy, if not criminal, relationship was perceived to be rudely disrupted by the non-violent struggle of the Ogoni people under MOSOP. The allies decided to bloody the Ogoni in order to stop their example from spreading through the oil-rich Niger Delta.¹⁰⁹

The world would stand to laugh at a claim of innocence by Shell in the face of evident degradation of the Nigerian Niger Delta. But one thing remains obvious namely: the employer is as corrupt and nonchalant as the employee. The sole interest of maximisation of profit at the detriment and neglect of the source of this profit-generation has become the bane of politics being played by the federal government and the ally-companies. Senator Saraki, chairman of the Senate committee on Environment and Ecology, of recent made it clear during the bi-national commission meeting between Nigerian and US:

Oil companies make you believe that 70% of oil spills in the Niger Delta are as a result of sabotage. This messaging system is designed to exonerate them of any liabilities and adds frost to the fact that much of the oil infrastructure in Nigeria in terms of pipelines and platforms are old, poorly maintained and prone to leaks and blowouts. Available statistics support the fact that fifty percent (50%) of oil spills in Nigeria has been due to corrosion of oil infrastructure as some of the pipelines were over 40-50 years old and beyond their integrity value, twenty eight percent (28%) to sabotage and twenty one percent (21%) to oil production operations.¹¹⁰

Shell, as the oil company trusted with the remediation of oil polluted areas in the Niger Delta, has actually a process of Bioremediation as a response to such situations. Writing on Asian Journal of Pharmacy and Life Science, Sharma defined this process thus:

¹⁰⁸ www.shellnigeria.com

¹⁰⁹ Centre for Constitutional Rights and Earth Rights International: www.ccrjustice.org and www.earthrights.org.

¹¹⁰ Saraki, B. Oil Spills in the Niger Delta: The Way Forward, A Speech, Oct. 2012.

Bioremediation is the use of microorganism metabolism to remove pollutants. Bioremediation can occur on its own (natural attenuation or intrinsic bioremediation) or can be spurred on via the addition of fertilizers to increase the bioavailability within the medium (biostimulation). Recent advancements have also proven successful via the addition of matched microbe strains to the medium to enhance the resident microbe population's ability to break down contaminants. Microorganisms used to perform the function of bioremediation are known as bioremediators.¹¹¹

With the much evidence on the ground, this process proves to be efficient in tackling the challenges being posed by oil spill in the Niger Delta area, but the slowness and the insufficiency of the quantity and quality of application has been counted among the Nigerian syndrome of negligence and carefree approach in dealing with issues of such magnitude. Many factors have gone in sporadically to mar the efficiency and success of this process and chief among them is the insincerity of those trusted with the remediation project, in corroboration with some corrupt elites who would always find in such a situation, an avenue to allot to themselves a share of the national cake. Representing this mindset, Frynas observed misappropriation and inappropriate planning as militating against the infrastructural development of this area.¹¹² He further cited the Human Rights Watch's report on how "... Shell built a fish processing plant in Iko, Akwa Ibom State, which stands empty. The plant was constructed a long distance from trade markets, it lacked electricity for cold storage and suitable qualified personnel to run the plant (HRW 1999a, 105)."¹¹³

The persistent agitations against the strange bedfellows, Shell at the forefront, definitely came to leave a fatal scar in the Nigerian history as we have remarked before. Consequently, the litigations brought against Shell and the subsequent forceful expulsion of the company from Ogoniland in the Niger Delta, as well as the eruption of violent attacks from the youth mob, which led to the death of five Ogoni chiefs, caused the death of the nine Ogoni sons and activists, led by Ken Saro Wiwa. Today, the government has actually turned attention in different ways to the problems in this area, though some irreparable losses have been encountered, human as well as infrastructural.

¹¹¹ Sharma, S. Bioremediation: Features, Strategies and Applications, in: Asian Journal of Pharmacy and Life Science, Vol. 2 (2), April-June, 2012, 202.

¹¹² Frynas, J. Oil in Nigeria: Conflict and Litigation between Oil Companies and Village Communities, 52.

¹¹³ Ibid.

2.5 Evaluation

The question is not whether we have rules and regulations that should be able to guide the Nigerian system towards efficient democracy. The problem is not insufficient fund that should aid enough implementation of laid down policies for the benefit of the masses and common interest. Again, the problem in the case of Niger Delta is not indifference to the fact that oil producing areas all over the world have some challenges to face due to oil exploration and exploitation. Our problem lies in dishonesty, greed and corruption, and anybody or group of persons who would stand up to say “No” must face an affront retaliation from a nation that can choose to sacrifice a portion of her citizens provided the selfish benefits of a chosen few are realised. In the next chapter, we would now lay our hands on the two theologico-anthropological principles of common good and human rights, which fundamentally define the man’s right to freedom, dignity and self-actualisation as a moral being.

Chapter III: The Christian Ethical Perspective

3.1 Common Good and Human Rights: Theological and Socio-Anthropological Concepts

In the Christian theological perspective, the human person as an “imago Dei” was created in goodness and has goodness entrusted to him. Man has therefore the natural desire and inclination to always work towards acts of goodness that ensure his/her self-actualisation. In doing this, he aligns himself to some basic norms of life as guiding principles so as to safeguard morality for a better society, where the common good and respect for the human rights should play a major role in the enthronement of Justice as a social order. In ethical theological perspective, the human person is presented as a being endowed with the moral responsibility to work towards the common good of all as well as to respect human basic rights. In socio-anthropological perspective, the human person becomes a social entity, living a kind of complementary symbiotic life, where all take an equal share of responsibility in providing as well as participating fully, without any hindrance, in the accruing benefits of common good and respect for human rights. Focus is on the human person who is both the subject and object of the dialectic of behavioural patterns that work together to assure the avowed actualisation of his rationality and dignity.

3.1.1 The General Concept of Common Good and Human Rights

3.1.1.1 Common Good:

*There is no higher religion than human service. To work for the common good is the greatest creed.*¹¹⁴

- Woodrow Wilson.

One may seem to encounter difficulty in the search for a unified definition of Common Good, due to the observable relativity of what is considered and accepted as good and at the same time common, or what is widely accepted as common to a particular group and therefore good but may not fit the world view of a given set of people. In this situation we can only look out for some basic “constants” which will qualify as universal attributes, so as to help

¹¹⁴ Woodrow, Wilson, The 28th President of the United States of America, www.brainyquote.com/quotes/w/woodrowwil163845.html.

define this concept within the ambient of the principles of natural law. Based on this principle, common good becomes the collective effort of all in protecting and safeguarding the interest of all for a unified purpose considered good, according to the principles of right reasoning. Consequently, the common good encompasses such attributes like: Association, Charity, Civil Rights, Collaboration, Community, Democracy, Goodwill, Equality (Equity), Justice, Responsibility, Sharing, and in the modern Catholic Social Teachings – Solidarity.

The development of this concept within its legal, utilitarian as well as social levels is found spanning through the thoughts of thinkers like Plato, who in his political view of the society proposed as ideal, a harmonious unity of the society, where each of its parts is allowed to flourish but never at the expense of others. But the realisation of such societal order for Plato can never be attained without virtue. Justice therefore is never to be seen as the exclusive advantage of any of the city's factions, rather, it should concern the common good of the 'whole' and be to the advantage of everyone;¹¹⁵ Aristotle on his part sees the core of common good in the partnership of all, which aims at some good and the most authoritative of such partnership must be all-embracing, thereby leading to the good of all. The highest of form of this 'good of all' is to be found in Virtue and Happiness of the citizens, which the city has as a responsibility to make it happen;¹¹⁶ Thomas Aquinas would later identify the common good in the precepts of general justice and particular justice, where concern about general justice directs us to the good of others, providing us with general precepts that help to preserve the common good in our actions. Particular justice on the other hand becomes a means of preserving the community welfare, though its proximate concerns should not be the common good but the good of individuals. His further definition of commutative and distributive justice gives a holistic background of the nature of common good.¹¹⁷ Other Thinkers are St. Augustine, Karl Marx, John Locke, Thomas Jefferson, Adams Smith, Thomas Moore, etc. In the interest of our present study, the church in her teachings and understanding, with some of her Thinkers and Theologians, would remain our reference point.

¹¹⁵ Internet Encyclopaedia of Philosophy, Plato's Politics: www.iep.utm.edu/platopol/.

¹¹⁶ Ibid, Aristotle's Politics.

¹¹⁷ Ibid, Aquinas' Concept of Justice.

3.1.1.2 Human Rights:

“Freedom means the supremacy of human rights everywhere. Our support goes to those who struggle to gain those rights and keep them. Our strength is our unity of purpose. To that high concept there can be no end save victory.”

• *Franklin D. Roosevelt.*

The human person as a social, moral and rational being has some basic rights to protect as well as respect, if ever the natural aspiration to freedom could be realised. Such basic rights are tied to the strict concept of “inalienability”, so as to save the understanding of the concept from being nebulous, ambivalent and ambiguous. In other words, those rights are not transferable. They belong to the very nature of man and help to define and dignify the human person. Any attempt to annex such rights would amount to denial and subsequently, violation. Human rights encompass those basic moral principles that guide human behaviour. They are in both national and international law defined as legal rights, intrinsically universal (applicable everywhere), as well as egalitarian (the same for everyone).

In the concept of human rights is found the moral principles that set out the standards of human behaviour, which make up the required norms of organised societies and human institutions. Such rights are there to define and protect human dignity, just as natural laws have the function of protecting the vulnerable and the weak against the power and self-interest of the strong. They are the rights which a human person has and participates in, simply because he/she is a human being. They ought not to be violable, but the violability is at different levels of human existence evident, due to what we may describe as “trespass of limits”. But in order to check the incessantness of the violability of this law, the masses must be meant to understand that in the law of human relationship, where one’s right begins, the others’ right must stop.

3.1.2 The Theologico-Ethical Concept of Common Good

Theological ethics examines the interaction of religious wisdom with the most pressing contemporary moral issues, both personal and social, and addresses the important challenges related to development of faith and the life of faith in community. Based on the above understanding of the relation of theology to ethics and vice-versa, our study would now seek to establish the relevance of religious wisdom and experiences in understanding the

common good, with recourse to inspired writings, concepts and conventions from the Church and her socio-doctrinal teachings and responses to the situation of the human person as the Imago Dei. This theologico-ethical concept would then serve as a door to evaluate the common good in the light of human daily life and experiences, under which common good resides and takes its meaning, just as Sebastian Mier, S.J. noted:

Indeed, the prophetic clarity and boldness of the Gospels are renewed when we hear them again in the context of the daily, loving solidarity of the people. We have been reminded that “the Spirit of the Lord has anointed us to bring good news to the poor...and to let the oppressed go free” (Luke 4:16-26); that “I desire mercy and not sacrifice” (Matt 9:13, 12:7); that “the Sabbath was made for humankind, and not humankind for the Sabbath” (Mark 2:27 – an “anthropocentric” note introduced by the son of God himself); that we will be known as his disciples if we have love for one another (John 13:35); that we will be blessed if we have the spirit of the poor, if we hunger for justice, and if we are persecuted for the sake of justice (Matt 5:1-12); that true worship and the sacraments must be at the service of love, and that he requires love and justice of us (Matt 25: 31-46).¹¹⁸

As a general definition therefore, the common good is a social and moral responsibility, arising from the natural law obligation, which demands the safeguarding of life and the human state, as well as the promotion of peace, thereby enhancing the needed opportunity for the proper and holistic development of the human person. In a theological understanding, common good becomes a natural inclination towards the virtue of altruism and concern for the human person made in the image of God. As a social term, the common good resides within its legal, utilitarian and social dimensions. Legal in terms of the union of persons or groups of persons who come together to work for common benefit and objective; Utilitarian, when it is defined as a means to the greatest possible good for the greatest possible number of individuals; and Social, when it is viewed as the goal of the State in the provision of the basic conditions of social life, which enable the individual to develop his or her potentials in the society.

From the above exposition, the absence or the denial of common good to the individual or the State, amounts to the withdrawal of the essential part of the individual as a social, moral and spiritual being, or the stifling of these essential elements of life in the general life of the State. It is then a common experience that wherever this denial is found, there exist agitations, rancour and acrimony, since human natural inclination would always

¹¹⁸ Mier, S. “Hope in the Midst of Enormous Challenges in Mexico”, in: Keenan James (ed): Catholic Theological Ethics in the World Church, 126.

yearn for the restitution of values and enthronement of justice. This situation is typical of our case study – the Niger Delta of Nigeria.

In the direction of our study, theological ethics would then insist on asserting the intrinsic nature of common good in relation to the human person and man's aspiration toward self-actualisation and authentic development. The authentically developed human person or put in other words, the morally anticipated authentic development of the human person must have a holistic definition devoid of any deficiency. Holistic, when the morally acceptable conditions for such self-actualisation are not hindered either from within or without. Deficient, when the 'inalienability' associated with the human person and dignity is made 'violable' and subsequently deniable. But the violability of such moral principles is a reality of our world and has more often than not awoken the human mind to some perennial questions and reflections. David Hollenbach observed rightly:

The late 20th century – with its brave new technologies, frightful capacity for destruction, and growing web of political and economic interdependence – confronts the human race with ethical choices that are genuinely new. But in their efforts to address many of these new issues, a number of ethical thinkers have recently begun to debate the meaning and practical relevance of an idea that can be traced back to Plato, Aristotle, and Cicero. I mean the notion of common good.¹¹⁹

Accepting the present and modern challenges to the common good – a moral principle that should aid the human person in particular, and the society in general for holistic and authentic development – this present study regards common good as a fundamental theologico-ethical principle, which stems from the very nature of the human person as the 'Imago Dei'; a being commissioned to "...fill the earth and subdue it" (Gen. 1:28), not to fill the earth and be subjugated or held in the bondage of violations and denials. The fundamental elements of what should then serve as the theologico-ethical concept of the common good is therefore laid down unequivocally in a clearly defined expression about this concept namely:

By common good is to be understood "the sum total of social conditions which allow people, either as groups or as individuals, to reach their fulfilment more fully and more easily." The common good concerns the life of all. It calls for prudence from each, and even more from those who exercise the office of authority. It consists of *three essential elements*: First, the common good presupposes *respect for the person* as such. In the name of the common good, public authorities are bound to respect the fundamental and inalienable rights of the human person. In particular, the common good resides in the conditions for the exercise of the natural freedoms indispensable for the development of the human vocation [...] Second, the common good requires the *social well-being* and *development* of the group itself. Certainly, it is the proper function of authority to

¹¹⁹ Hollenbach, D. The Common Good Revisited, 70.

arbitrate, in the name of the common good, between various particular interests; but it should make accessible to each what is needed to lead a truly human life: food, clothing, health, work, education and culture, suitable information, the right to establish a family, and so on [...] Finally, the common good requires *peace*, that is, the stability and security of a just order. It presupposes that authority should ensure by morally acceptable means the *security* of society and its members. It is the basis of the right to legitimate personal and collective defence.¹²⁰

In the understanding of theological ethics, common good becomes then the ‘terminus technicus’, defining the basic understanding associated with the general sense of service value. Such service value in the human society is not without content, “it comprises such aids as schools, hospitals, social services, energy supply, road networks, the legal order, etc.”¹²¹ In other words, they are those values which work complementarily towards the self-actualisation of the individual human persons within a collective whole. In the march therefore, towards providing the sufficient means for authentic self-actualisation – the realization of their tasks and existential ends, recourse to the sense of common good functions basically in two directions. First, it promotes and procures the common ground for the realization of integral human existence of the individual as well as collective members. In other words, a common ground for a full sense of humanity. Second, it functions to eliminate all instinctive antisocial behavioural patterns and responses associated with human nature, which tend to interfere with the rights of others and with the social order. The efficient means to such elimination should therefore be the establishment of legal authority and laws which have intrinsic power of coercion.¹²² These two basic functions would take the centre stage in our evaluation of the Niger Delta situation within the Nigerian polity.

3.1.2.1 Common Good in St. Augustine

In his attempt to response to the accusation levelled against Christianity as being the cause of the downfall of the then pagan Rome and against the background of the barbarian inversion of the Roman Empire, St. Augustine gave a deep socio-theological insight to the concept of common good, contained in his famous book, *The City of God*. Two basic concepts became fundamental in his response namely, *libido dominandi* – the reign of desire

¹²⁰ Catechism of the Catholic Church (cf. GS 26 § 1; GS § 1; GS 26 § 2), 1906-1909.

¹²¹ Peschke, K. H. *Christian Ethics*, 519.

¹²² *Ibid.*, 520.

or lust, and *res publica*, translated as commonweal, the common good, a commonwealth, civil affairs, or simply republic. Simply put, for Augustine it was the neglect of the common good or the republic and the consequent entronement of lust and selfish desires that brought the then Roman Empire to its knees. MacIntyre, aligning with this opinion of St. Augustine, would write that the fall of Rome was because it “possessed but ‘simulacra of morality’ – it had lost (its) comprehension, both theoretical and practical, of virtue and the common good.”¹²³

To substantiate then his assertion that the neglect of the basic conditions that must be present for a people or republic to exist at all, he made recourse to the Philosopher Cicero’s definition of a people namely: “a people is not any collection of human beings brought together in any sort of way, but an assemblage of people in large numbers associated in agreement with respect to justice and a partnership for the common good.”¹²⁴ Cicero would then further observe the deficiency of the above constituents within the then Roman Empire even before the advent of Christianity when he wrote further: “...it is through our own faults, not by accident, that we retain only the form of the commonwealth, but have long since lost its substance.”¹²⁵ For St. Augustine therefore, following the opinion of Cicero, it is this partnership in common good that defines a people (in a wider sense, humanity). As a Christian Theologian, Augustine sees the common good at the base of what justice should be, which also calls for rendering to God what is due to him, namely Worship and Love, love in its dual form: God and Neighbour. Consequently, he formulated a theological understanding of a true commonweal (or common good) thus, as seen in Hollenbach: “...a true commonweal is an assembly of people united in the worship and love of the one true God rather than idols. In addition, the people must be bound together by a love whereby each citizen loves his neighbour as he loves himself, since that is what Christian faith tells us is due to the neighbour.”¹²⁶ For Augustine therefore, the republic which has its foundation on the common good, leading eventually to the reign of justice, is identified with the City of God, having Christ and his gospel summarised in love as the action principle and guiding force of

¹²³ Hollenbach, D. The Common Good Revisited, 81.

¹²⁴ Cicero, De Republica 1, 25, 39, LCL 213, in: the City of God 2, 21.

¹²⁵ Ibid, 5, 1, 2; cited in Hollenbach, The Common Good Revisited, 80.

¹²⁶ Hollenbach, D. The Common Good Revisited, 81.

interaction among the inhabitants of this City. The Spirit of God would then be the daily animation, giving the inspiration needed for a true realisation of the common good and authentic republic:

[...] justice is found where the one supreme God rules an obedient City according to His grace, so that it sacrifices to none but Him; and where in consequence, the soul rules the body in all men who belong to that city and obey God and the reason faithfully rules the vices in lawful order. In that city, both the individual just man and the community and people of the just live by faith, which works by love: by that love with which a man loves God as God ought to be loved, and his neighbour as himself. But where there is not this justice, there certainly is no association of men united by a common agreement as to what is right and by a community of interest. And so there is no commonwealth (common good); for where there is no 'people', there is no 'property of a people.'¹²⁷

As strictly theological as the above opinion of Augustine may be, he later considered as absurd the conclusion that all societies and states that may lack the full faith and love of the City of God are not cities at all. While modifying the opinion of Cicero therefore, he made room for the acknowledgement of the fact that the quality of the life of a people can as well be proportional to the love they all share together. Thus, for Augustine, "a people is an assemblage of reasonable beings bound together by a common agreement as to the objects of their love."¹²⁸

3.1.2.2 Thomistic Contribution

Aquinas' reflection on the common good has a fundamental premise based on his argument that man has a natural inclination imprinted in him by God, which motivates him towards his final end: happiness. This fundamental premise which he sees as the first precept of the natural law is that "good is to be done and pursued, and evil is to be avoided".¹²⁹ It means then for Aquinas that the pursuance of the good is a natural endowment. Evil becomes then a negation and privation of the good. Man created therefore to attain his end would then naturally tend towards the good. These individual drives tend towards unification from the 'particular' to the 'whole', giving credence to Aquinas' position (with other earlier thinkers) that man naturally tends towards socialising and the formation of the society.

¹²⁷ Dyson, R.W. (ed), *The City of God Against the Pagans*, 959.

¹²⁸ *The City of God*, 2, 21.

¹²⁹ Aquinas, T. *Summa Theologiae*, 1a 2ae, 94, 2.

Aquinas based his concept on Aristotle's formulation of what the good means, namely: 'The good is what all things desire'. Thus in this society of united desires, "the good becomes a single end – one in number – that is able to be pursued or enjoyed by many".¹³⁰ Analysing the opinion of Aquinas further, Goyette wrote:

The common good, then, is a single end pursued and enjoyed by a multitude of individuals. Common goods are most readily seen where we find many individuals working together for the sake of a single end or goal. We might add that insofar as many individuals work together for the sake of a common goal they can be said to form a community and to act in common. To sum up: The common good is a good that is one in number and is able to be shared by many without being diminished.¹³¹

In consequence, Aquinas views the State common good as the fulfilment of the citizens common good, thereby leaving the onus on the state to maintain and promote it. This concept of the State and Authority working towards common good is seen clearly also in his famous definition of Law as "an ordinance of reason for the common good, made by someone who has care of the community, and promulgated."

3.1.2.3 Revisiting the Concept in Rerum Novarum

Rerum Novarum was an intense impacting encyclical given out by Pope Leo XIII on the 15th of May, 1891 within the climate of enlightenment (18 – 19. centuries). The choice of the Latin name of the document, Rerum Novarum, was in line with the 19th century climate and experience of the time and it stands for "of revolutionary change". Thus, it was a clarion call for a revolutionary change on the observed oppression and propaganda which was increasingly on the rise in the late 19th Century, creating a scandalous dichotomy between Capital and Labour. In calling for a revolutionised world economy, the encyclical made incessant calls on the State to rise up to its responsibility towards the common good, but as a guiding premise, dissuaded all forms of socialists' propaganda to interpret common good as embedded in the abolition of private property. The Pope wrote:

To remedy these wrongs the socialists, working on the poor man's envy of the rich, are striving to do away with private property, and contend that individual possessions should become the common property of all, to be administered by the State or by municipal bodies. They hold that by thus transferring property from private individuals to the community, the present mischievous state of things will be set to rights, inasmuch

¹³⁰ Goyette, J. On the Transcendence of the Political Common Good, Aquinas versus the New Natural Law Theory, 137.

¹³¹ Ibid, 138.

as each citizen will then get his fair share of whatever there is to enjoy. But their contentions are so clearly powerless to end the controversy that were they carried into effect the working man himself would be among the first to suffer. They are, moreover, emphatically unjust, for they would rob the lawful possessor, distort the functions of the State, and create utter confusion in the community.”¹³²

As a fundamental principle on the march towards the enthronement of the common good as the basis of success in the State, the encyclical calls for “solidarity” among all: Capital and Labour, Masses and Government, the State and the Church, as well as established Unions working for the common interest and good. Prüller-Jagenteufel made a critical exposition of this principle when he wrote:

Aufgrund des harmonisch-geordneten Gesellschaftsbildes wird in “Rerum Novarum” fraglos vorausgesetzt, dass alle mit allen zusammenwirken müssen, um das Gemeinwohl zu fördern. Prinzipiell ist Solidarität also von allen Gliedern einer Gesellschaft gefordert und wird auch allen entgegengebracht. Dies zeigt sich z.B. darin, dass Arbeiter und Unternehmer darauf hingewiesen werden, dass sie einander brauchen, also miteinander das bonum commune anstreben müssen (vgl. RN 15). Aber doch gibt es eine spezielle Gruppe, der die besondere Aufmerksamkeit der Kirche und der Gesellschaft zu gelten hat: Die bevorzugten „Objekt“ der Solidarität, die Rerum Novarum einfordert und zum Ausdruck bringt, sind ohne Frage die Arbeiter, wobei den Autoren eindeutig die Industriearbeiter der europäischen Länder vor Augen stehen. Die Subjekte, von denen diese Solidarität gefordert ist, lassen sich direkt aus der Gliederung des Dokumentes erkennen und werden in RN 13 deutlich angesprochen: Zunächst ist es die Kirche, die in dieser Situation herausgefordert ist, mit Rat und Tat an die soziale Frage heranzugehen, des Weiteren sind aber „die Fürsten und Regierungen, die besitzende Klasse und die Arbeitgeber, endlich die Besitzlosen, um deren Stellung es sich handelt“, aufgerufen, ihren spezifischen Beitrag zur Lösung der sozialen Frage und damit zur Wiederherstellung des Gemeinwohls zu leisten. □ ¹³³

As a necessary content of this principle of Solidarity and the march towards the common good of all, the document laid much emphasis on the concept of “universal brotherly

¹³² Leo XIII, Rerum Novarum, On Capital and Labour, 4.

¹³³ Prüller-Jagenteufel, G., Solidarität – Eine Option für die Opfer, 84-85. □ In view of a harmonised-classified picture of the society, the need for all, to jointly promote the common good was made a requirement in Rerum Novarum. Solidarity is demanded from all members of the society and all should show it to one another. This should manifest and be a sign, for example, to both employee and employer that they need one another; that they have to strive for the common good with one another (cf. RN 15). But there is a special group, to whom the special attention of the Church and the Society should go to: It is without question, the privileged “Object” of Solidarity, which Rerum Novarum expressively called the Employees. In doing so, the author has explicitly in mind the employees in the different industries of the countries of Europe. The Subjects from whom Solidarity is demanded are directly identified from the structure of these documents and they were explicitly pronounced in RN 13: First, is the Church, who is challenged in this situation to use counsel and action to approach social questions; in addition are the Rulers and Governments, the Middle Class and the Employers, finally, the Dispossessed (the Have-Nots), whose position has become a matter of concern. All these are called to render their specific inputs so as to provide solutions to the social questions and consequently restore the common good.

love”. In such love, all are dependent on each other and class struggle would be eschewed in preference to social Unity and Harmony.¹³⁴

To be noted clearly in *Rerum Novarum* is that Solidarity is never viewed as a mere assemblage of people or associations clamouring for the restitution of values and the moral order. It is rather an organised relationship in love, respect and responsibility, each according to his or her abilities and vocation in life, whereby the differences are translated to a powerful union of minds and reason working towards the common good of all. The Pope noted:

There naturally exist among mankind manifold differences of the most important kind; people differ in capacity, skill, health, strength; and unequal fortune is a necessary result of unequal condition. Such inequality is far from being disadvantageous either to individuals or to the community. Social and public life can only be maintained by means of various kinds of capacity for business and the playing of many parts; and each man, as a rule, chooses the part which suits his own peculiar domestic condition.¹³⁵

In recognition of these differences and for the sake of safeguarding the commonwealth (or common good), the document places the onus on the State to work towards the unification of its members potentials, each working for a desired good that has justified relevance only in relation to the common good of the whole. The document instructs that “the interests of all, whether high or low, are equal. The members of the working classes are citizens by nature and by the same right as the rich; they are real parts, living the life which makes up, through the family, the body of the commonwealth....”¹³⁶ The document calls it irrational to neglect one portion of the citizens and favour the another, when this fails, that law of justice will be violated which ordains that each man shall have his due.¹³⁷ In other words efforts to enthrone the common good of all remain the constitutional onus of every constituted authority of any given State, and in doing this, it is to be ensured that all are given equal and fair share of participation and remuneration.

¹³⁴ Ibid, 98.

¹³⁵ Leo XIII, *Rerum Novarum*, 17.

¹³⁶ Ibid, 33.

¹³⁷ Ibid.

3.1.2.4 Common Good in Vatican II Council: *Gaudium et Spes*, On the Church in the Modern World, 1965

*The joys and the hopes, the griefs and the anxieties of the men of this age, especially those who are poor or in any way afflicted, these are the joys and hopes, the griefs and anxieties of the followers of Christ.*¹³⁸

- *Vatican II Council, GS 1.*

The opening statement of this document, as quoted above, gives a clear insight on the concern and connectivity it has for the human situation in our modern world. In it we find the Church's disposition to live the experiences of her members in a more concrete way, by first declaring her awareness of the plight of the masses, weighed down by burden of affliction in a society that is supposed to protect their interest, freedom and dignity. Interesting, is the concise definition of the common good, which the Council Fathers gave so as to establish the premise of the concern with the social order. The document states:

Everyday human interdependence grows more tightly drawn and spreads by degrees over the whole world. As a result the common good, that is, the sum of those conditions of social life which allow social groups and their individual members relatively thorough and ready access to their own fulfilment, today takes on an increasingly universal complexion and consequently involves rights and duties with respect to the whole human race. Every social group must take account of the needs and legitimate aspirations of other groups, and even of the general welfare of the entire human family.¹³⁹

For the proper advancement of the common good, the document insists that the human society in its diversity and complexity must be founded on truth, justice and love. Where these three aspects of human life are denied, the human society involved transforms into a tyrannical abode of injustice that creates a monstrous imbalance, not only on the outer society and its policies, but also and more devastating, on the human persons themselves. In such a situation a common ground which should be the guiding principle, as well as the basis for proper human development and self-actualisation, is lost. As a necessity for a concept of the common good worthy of the name, the document gave out the essentials thus: "...everything necessary for leading a life truly human, such as food, clothing, and shelter; the right to choose a state of life freely and to found a family, the right to education, to employment, to a good reputation, to respect, to appropriate information, to activity in accord with the upright norm of one's own conscience, to protection of privacy and rightful freedom even in matters

¹³⁸ Vatican Council II, *Gaudium et Spes*, 1

¹³⁹ *Ibid*, 26.

religious”.¹⁴⁰ These elements would eventually form the platform for our evaluation of the Nigerian situation with its ailing part – the Niger Delta.

As a summary, the church’s teaching and basic understanding of the common good therefore, is “the sum of those conditions of social life which allow social groups and their individual members relatively thorough and ready access to their own fulfilment.”¹⁴¹ In our present dispensation, it “takes on an increasingly universal complexion and consequently involves rights and duties with respect to the whole human race. Every social group must take account of the needs and legitimate aspirations of other groups, and even of the general welfare of the entire family.”¹⁴²

The position of the church points also to an integral part of the concept of common good which eventually can only leave the concept moribund if not attended to namely, that common good remains a moral duty to be practised and participated in, within the reality of needs, aspirations and welfare of the entire human family. Consequently, the question of who has to care for common good and the criterion for this care, receives a laudable answer in the truth that common good is a responsibility of one towards all and all towards the individual; it is the participation of the individual in the life of the whole and the respect and care which the whole offers the individual. As a criterion for its functionality, the church fathers teach that “... this social order requires constant improvement. It must be founded on truth, built on justice and animated by love; in freedom it should grow everyday towards a more humane balance. An improvement and abundant changes in society will have to take place if these objectives are to be gained.”¹⁴³

The foregoing gives further a vivid idea of defined roles which the different structures of human society should embrace as responsibilities. These roles are distributed among the individual, the society, the leaders and essentially the church as the moral conscience of our world. Every part plays its role in a mutual relation with one another to achieve an integral development of the person. The individual has the responsibility of respecting, caring and working for the common good of all. He or she is to do this through active participation in the

¹⁴⁰ Ibid.

¹⁴¹ Ibid.

¹⁴² Ibid.

¹⁴³ Vatican Council II, *Gaudium et Spes*, 26.

shared responsibilities within the polity. Irresponsibility is therefore a pronounced and organised injustice towards all. The society on her part has the responsibility of assuring a safe ground for the realisation of the dictates of common good and integral human development. She does this through laws, policies and ideologies that are not just written down as principles, but which have power of coercion and the ability to deter. Multiplication of laws and policies devoid of coercion is a celebration of lies within a given polity. The church on her part reserves the responsibility of standing out at every given moment in human history as the moral conscience of the human society. Participating in working for the common good of all, the church must remain unequivocal in the truth she stands for, in educating the human and societal consciences as well as in the defence of the defenceless. These shared responsibilities put together set a society on the right track of achieving and establishing a human institution, where duty towards one and one towards all becomes a shared principle of right and pure reason.

3.1.2.5 “On the Development of Peoples” in *Populorum Progressio*, 1967: A Social Doctrinal Landmark of Paul VI

Pope Paul VI in 1967 drew the attention of the world on matters of urgent attentions, which beset the 20th Century individuals, families and societies and which call for a concerted effort of all to stem the tide of functional and developmental breakdown of human society. Such factors work, in the main, against the authentic development of the peoples and would leave the future of every nation that chooses to be complacent oblique and shaky. The first observation is that,

The development of peoples has the church’s close attention, particularly the development of those peoples who are looking for a wider share in the benefits of civilisation and a more active improvement of their human qualities; of those who are aiming purposefully at their complete fulfilment. Following on the Second Vatican Ecumenical Council a renewed consciousness of the demands of the Gospel makes it her duty to put herself at the service of all, to help them grasp their serious problem in all its dimensions, and to convince them that solidarity in action at this turning point in human history is a matter of urgency¹⁴⁴

To work therefore toward the awakening of this consciousness in the people, Paul VI proposed the setting up of a Pontifical Commission in the church’s central administration,

¹⁴⁴ Paul VI, *Populorum Progressio*, 1.

which will bear the name Justice and Peace. This commission would then have the onus to take up concrete actions through sensitisation and “concrete action towards man’s complete development and the development of all mankind.”¹⁴⁵ Such developments therefore, can never be achieved in the face of strong factors that do violence to human dignity and at the same time condemn human persons “to live in conditions that make this lawful desire illusory.”¹⁴⁶ This illusory would then become enslavement once the individual is defeated in an undue *messianism*, which takes authentic development farther away from being realised. Thus the document opined:

In this confusion the temptation becomes stronger to risk being swept away towards types of messianism which give promises but create illusions. The resulting dangers are patent: violent popular reactions, agitations towards insurrection, and a drifting towards totalitarian ideologies. Such are the data of the problem. Its seriousness is evident to all.¹⁴⁷

Authentic development therefore, which involves a global vision of man can only be complete when it is integral by promoting the good of every man and the whole man – the Common Good.¹⁴⁸ Applied to our case study in this work, the Nigerian policy of oil exploration and exploitation puts asunder to this principle because it has chosen to advance an economic institution, where gains and proceeds have been placed over human dignity and welfare. Getting down to specifics, the document made a classification of what should be understood as “less or more” human conditions. Thus in this document, less human conditions describe all lack of material necessities for those who are without the minimum essentials of life as well as all moral deficiencies arising from oppressive social structures. In contrast to this would be conditions that are more human found in supposed victory over social scourges; possible environment for growth in knowledge; cooperation of all towards common good and desire for peace, which sum up the supreme value of all things, namely: God as their source and their finality.¹⁴⁹

When the Niger Delta case is to be evaluated within this socio-ethical classification one sees then a Nigeria that has trapped itself in absolutizing profit as the key motive of

¹⁴⁵ Ibid, 4.

¹⁴⁶ Ibid, 6.

¹⁴⁷ Ibid, 11.

¹⁴⁸ Ibid, 14.

¹⁴⁹ Ibid, 21.

economic policies, thereby necessitating amoral competition as law of economics, and undue liberal private ownership of the means of production as a right that should be absolutized. For the Pope, this should be regarded as socio-economic and political dictatorship, which he, in the words of Pius XI, called “international imperialism of money.”¹⁵⁰ That is our case in the Niger Delta.

3.1.2.6 The Voice of Reason in the 1971 Synod of Bishops: De Justitia in Mundo

The 1971 Synod of Bishops as the second ordinary general assembly in the history of synods of bishops, dealt with two issues of importance to the church namely: Ministerial Priesthood and Justice in the World – De Justitia in Mundo. The latter is of interest in the direction of our study. The synod set the stage for an in-depth evaluation of justice in the world by first questioning “the mission of the people of God to further justice in the world.”¹⁵¹ In other words, it was a journey into the role of the church and her mission towards the common good of all peoples. As a premise, the synod drew attention to the importance of scrutinising the signs of the times by evaluating these through the Word of God for a holistic understanding of the purpose of our world. A paradox of two opposing situations in the human world would interplay as to provide the facts necessary for an inclusive analysis of the world’s emerging history namely: the injustices and oppression in the world and the growth in awareness and resistance among the people. The Synod observed:

[...] we have nevertheless been able to perceive the serious injustices which are building around the human world a network of domination, oppression and abuses which stifle freedom and which keep the greater part of humanity from sharing in the building up and enjoyment of a more just and more loving world. At the same time we have noted the inmost stirring moving the world in its depths. There are facts constituting a contribution to the furthering of justice. In association of people and among people themselves there is arising a new awareness which shakes them out of any fatalistic resignation and which spurs them on to liberate themselves and to be responsible for their own destiny.¹⁵²

This increase in awareness on the one hand, and loud cry of those who have been subjects to structures of oppressions and injustices become the focus of the church and the people of God, who must always find in such structures a deviation from the actual plan of the

¹⁵⁰ Ibid, 26.

¹⁵¹ 1971 Synod of Bishops, Justitia in Mundo, 1.

¹⁵² Ibid, 3-4.

Creator. Consequently, the vocation and mission of the church would be deficient outside being “...present in the heart of the world by proclaiming the Good News to the poor, freedom to the oppressed, and joy to the afflicted.”¹⁵³ In this way the church would be fulfilling her part in advocating the common good of all and the restoration of authentic progress and development in the society.

The synod further observed dual but complementary socio-economic and political situations that can hinder the attainment of common good, as well as deny the human person the basic human and civil rights, namely: economic injustice and lack of social participation.¹⁵⁴ These will always create imbalance in the society that falls prey to it, thereby posing danger to what integral development would mean. As obstacles, they create structures of oppressions which “...constantly give rise to great numbers of ‘marginal’ persons, ill-fed, inhumanly housed, illiterate and deprived of political power as well as of the suitable means of acquiring responsibility and moral dignity.”¹⁵⁵ These anomalies, as the synod bishops observed, hit drastically on peoples’ right to authentic development and this is the case that confronts us with the situation in the Niger Delta. A people who are consciously locked away from a fair participation in an economy that draws its strength from the land and environment where they inhabit; a people who came to the bank of justice and equity in a nation where they are first class citizens, only to be issued a cheque marked *persona non grata*. In a society therefore, where the good of all remains paramount, “The right to development must be seen as a dynamic interpretation of all those fundamental human rights upon which the aspirations of individuals and nations are based.”¹⁵⁶ The mission of the people of God towards justice in the world becomes a constant clamour for justice, which would attain its inner fullness in love: “For unless the Christian message of love and justice shows its effectiveness through action in the cause of justice in the world, it will only with difficulty gain credibility with the people of our times.”¹⁵⁷

¹⁵³ Ibid, 5.

¹⁵⁴ Ibid, 9.

¹⁵⁵ Ibid, 10.

¹⁵⁶ Ibid, 15.

¹⁵⁷ Ibid, 35.

3.1.2.7 Common Good in John Paul II

“True freedom is not advanced in the permissive society, which confuses freedom with license to do anything whatever and which in the name of freedom proclaims a kind of general amorality. It is a caricature of freedom to claim that people are free to organize their lives with no reference to moral values, and to say that society does not have to ensure the protection and advancement of ethical values. Such an attitude is destructive of freedom and peace.”¹⁵⁸ — John Paul II

Pope John Paul II, now St. John Paul II could be regarded as one of the ardent preachers of justice and common good for our world. His line of thought is vivid in his social encyclicals, apostolic letters and homilies. Examining some of these writings would give us his side of impact, as well as the Church’s milestone in demanding a renewed sense of the common good in our world.

3.1.2.7.1 Laborem Exercens

This is an encyclical written in 1981 at the ninetieth anniversary of *Rerum Novarum*, and addressed to the episcopate, priests and religious families and to all men and women of goodwill. The encyclical centres on Human Work and the necessary dignity that should be associated with it. His opening statement would show already recognition of the fact that people’s individual efforts in human community, work to the advancement of such community or society in general. In other words, the common effort of all would eventually lead to sustainability of all. The Pope stated: “THROUGH WORK man must earn his daily bread¹ and contribute to the continual advance of science and technology and, above all, to elevating unceasingly the cultural and moral level of the society within which he lives in community with those who belong to the same family”.¹⁵⁹

Aware of the numerous changes and challenges that were awakening in the world of the 19th Century, the Church in this encyclical took time to call attention to the effects such changes would have in the general existence of man and his world. In a special way, he called attention to the rights and dignity of those who work, which is the focus of the encyclical. Without mincing words the Pope observed: “...the Church considers it her task always to call

¹⁵⁸ John Paul II, “To Server Peace, Respect Freedom, in: Message for 1981 World Day of Peace, 7.

¹⁵⁹ John Paul II, *Laborem Exercens* (Opening Words).

attention to the dignity and rights of those who work, to condemn situations in which that dignity and those rights are violated, and to help to guide the above-mentioned changes so as to ensure authentic progress by man and society”.¹⁶⁰ Situations and conditions capable of violating the human rights and dignity can only be working against the common good, and consequently stifle authentic human development, economically, socially, spiritually and otherwise.

To forestall then negative effects of such changes and challenges and ensure the available ground for the common good of all, the Pope recognised the importance of ‘unions’ emanating from people’s right of association. These unions would stand and represent social justice. Such unions would be motivated, in solidarity with one another, to work to gain the common ground for all and restore the dignity of work and the working men and women. The Pope writes:

The vital interests of the workers are to a certain extent common for all of them (the unions); Catholic social teaching does not hold that unions are no more than a reflection of the "class" structure of society and that they are a mouthpiece for a class struggle which inevitably governs social life. They are indeed *a mouthpiece for the struggle for social justice*,... understood as *prudent concern for the common good*...their role is to secure the just rights of workers within the framework of the common good of the whole of society [...].¹⁶¹

For the Pope therefore, ‘united for the common good of all’ should be the working premise should our society be able to ensure the dignity of the human person and the enthronement of social justice.

As a concrete witnessing to the role of the church in this unity of all for the good of all, this document recognises the planned and organised action of the church in bringing the people to the understanding of the spirituality of work which stands as the basis and determinant factor in this unified participation. Thus the Pope calls it the duty of the church to speak out on work by constantly preaching its human value and the moral order to which work belongs. In doing this, the church would help to bring all peoples together in a unified understanding of the spirituality of work, which defines man’s activity as participation in the salvific plan of the Creator through Christ, while sharing in his threefold mission as Priest, Prophet and King, as the Second Vatican Council so eloquently teaches.¹⁶²

¹⁶⁰ Ibid, 1.

¹⁶¹ Ibid, 20.

¹⁶² Ibid, 24.

This unity in understanding the spirituality of work defines human work as a dignified participation and not slavery. In this context therefore, participation in work becomes a natural orientation and obligation of each towards all and all towards the individual. Because of the equitable nature of this participation, it would then mean an introduction of man-made dichotomy, when a group or section of people, who share to some extent common heritage and cultural values are maliciously shot out of a common gift of nature, which they have right to. That is the divine plan with which the basic norm of human activity should harmonise and which should "...allow people as individual and as members of society to pursue their total vocation and fulfil it." This is the focus of our study.¹⁶³ In line with the truth in the above expression, the focus of this research remains therefore, a journey towards identifying the extent of harm and oppression that has been hatched among a people, in the Nation called Nigeria, who have been denied access to full participation and subsequently the fulfilment of their total vocation which leads to authentic human development.

3.1.2.7.2 Sollicitudo Rei Socialis

The opening statement of this document states clearly that the Church's social concern is in the main toward the authentic development of man and the effort to find and demand a society that will care, respect and promote the complete human person. In doing this, the document recounts the preparedness and tenacity of the Church through the Magisterium of the Roman Pontiff:

The social concern of the Church, directed towards an authentic development of man and society which would respect and promote all the dimensions of the human person, has always expressed itself in the most varied ways. In recent years, one of the special means of intervention has been the Magisterium of the Roman Pontiffs which, beginning with the Encyclical *Rerum Novarum* of Leo XIII as a point of reference, has frequently dealt with the question and has sometimes made the dates of publication of the various social documents coincide with the anniversaries of that first document.¹⁶⁴

The concept of common good as handled in this document is seen in John Paul's focus on the development of peoples, which is a further development of this concept as it is found in Paul VI's *Populorum Progressio*, as well as a reinterpretation of such a concept within the

¹⁶³ Ibid, 26, cf. GS, 35.

¹⁶⁴ John Paul II, *Sollicitudo rei Socialis*, No. 1

signs and world of our time. For John Paul II, the development of peoples appears far from being realised in our modern world. He hinted on some of the contents of this despicable situation, observing that they are nothing short of planned inhumanity and organised enslavement of the human world. Thus he did not mince words in exposing to the fore the lingering social dichotomy that has gripped our world of today as a consequence. The Pope writes:

[...] it is sufficient to face squarely the reality of an innumerable multitude of people - children, adults and the elderly - in other words, real and unique human persons, who are suffering under the intolerable burden of poverty. There are many millions who are deprived of hope due to the fact that, in many parts of the world, their situation has noticeably worsened.” In other words, while the necessary “good for all” has been despised, the society has created the dichotomy of social inequality that can only be described as unjust and inhuman. In consequence, such a situation can only give rise to obstacles on the way to integral development, which are not only economical, but includes the society’s “profound attitudes which human beings can make into absolute values.”¹⁶⁵

No. 14 of this encyclical brings it convincingly home to Nigerians, when one reads in between the lines, the inspirational words of the Pope on the devastating presence of social inequalities seen among peoples within the so-called developed and developing worlds. As a consequence, our world of today, Nigeria as our specimen, faces a brutality of dichotomy seen in the social dialectic of wealth and poverty. For the Pope, “[...] just as social inequalities down to the level of poverty exist in rich countries, so, in parallel fashion, in the less developed countries one often sees manifestations of selfishness and a flaunting of wealth which is as disconcerting, as it is scandalous.”¹⁶⁶ Worrisome is still the impunity with which the wealth-mongers execute their economic and political insurgencies. In the main, such an imbalance has always created a majority enslaved and molested by a minority. The scale of the general body of resources of such a society at all levels eludes every concept of equilibrium and as a consequence, gives the society away as a failure in authentic human development. The document observes further that: “[...] the experience of recent years shows that unless all the considerable body of resources and potential at man’s disposal is guided by a moral understanding and by an orientation towards the true good of the human race, it easily turns against man to oppress him.”¹⁶⁷

¹⁶⁵ Ibid, 38.

¹⁶⁶ Ibid, 14.

¹⁶⁷ Ibid, 28.

On demand is the total commitment to the common good and the determination to eschew all that would stand against full development of the human person. Orientation towards the true good of the human race (or person) would be far from its realisation in a country where a section of the body politic is daily being roasted to death in the after-effect of the exploitation of natural resources. It would be far from being realised when a nation adamantly remains careless in her approach to her economic hob, through a pre-meditated lack of the culture of maintenance. To develop people and in particular, the whole human person which is the focus of the document, demands a holistic understanding of him or her, as well as the demands of the world that surrounds the human person as an *Imago Dei*. It is an activity of one towards all and all towards the individual persons, - in a complementary circle of give and take, which works towards the common good of all. For the Pope therefore, "...These (inhibiting) attitudes and "structures of sin" are only conquered - presupposing the help of divine grace - by a diametrically opposed attitude: a commitment to the good of one's neighbour with the readiness, in the gospel sense, to "lose oneself" for the sake of the other instead of exploiting him, and to "serve him" instead of oppressing him for one's own advantage (cf. Mt 10:40-42; 20:25; Mk 10:42-45; Lk 22:25-27)".¹⁶⁸ The result therefore becomes the interdependence of one another which will eventually give rise to solidarity that works for the sustenance of the common good.¹⁶⁹

The document further observes that authentic human development has a moral character and anything that stands against morals, such as disregard for common good and human rights, stands as a consequence against the integral development of the human person. Through a reflective theological reading of these modern problems, the document summarised these inhibiting factors in what John Paul II calls *structures of sin*. He argued:

It is important to note therefore that a world which is divided into blocs, sustained by rigid ideologies, and in which instead of interdependence and solidarity different forms of imperialism hold sway, can only be a world subject to structures of sin. The sum total of the negative factors working against a true awareness of the universal common good, and the need to further it, gives the impression of creating, in persons and institutions, an obstacle which is difficult to overcome [...] "structures of sin", which, as I stated in my Apostolic Exhortation, *Reconciliatio et Paenitentia*, are rooted in personal sin, and thus always linked to the concrete acts of individuals who introduce these structures, consolidate them and make them difficult to

¹⁶⁸ Ibid, 38.

¹⁶⁹ Ibid, 38.

remove. And thus they grow stronger, spread, and become the source of other sins, and so influence people's behaviour.¹⁷⁰

Such obstacles created, as the Pope observed, usually prove difficult to overcome because the perpetrators use every means and policies available to them to enthrone them as status quo, thereby instigating and necessitating an adoption of such structures by so many in the society, consciously or in passive influence, as a way of life. In such drama of social life, those who are oppressed and molested face the danger of being branded enemies of the state if ever they make effort to present their plights as unjust. On the other hand, in order to sustain the reign of these structures of sin which serve as a functional weapon of the oppressor, more of these structures are created and consolidated, thus driving the oppressor deeper and deeper into injustices and abuse of human lives and integrity. That is the story of our Niger Delta. As long as these structures exist, the human person in general as well as his or her rights to authentic human development remain molested by a structural modern imperialism being driven by economics and politics, giving rise to all forms of monetary, ideological, class and technological idolatry.¹⁷¹ These realities are not hidden and they have come to make the daily content of the life of our modern age. Consequently, the document settled for specifics and noted clearly: "...one cannot easily gain a profound understanding of the reality that confronts us unless we give a name to the root of the evils which afflict us."¹⁷² These evils, the document noted, are found in the forms of selfishness and short-sightedness, coupled with mistaken political calculations and imprudent economic decisions.¹⁷³ These concrete facts help to define the focus of our study and the urgency that is accorded to it.

3.1.2.7.3 Centesimus Annus

Written in commemoration of the hundredth year anniversary of the social encyclical, *Rerum Novarum*, this document reiterates the church's firm position on the respect for the human person and dignity. It decried the deficiency of our modern world in her disrespect towards the rights of the people, thereby hampering the demands of common good. The Pope

¹⁷⁰ Ibid, 36.

¹⁷¹ Ibid, 37.

¹⁷² Ibid, 36.

¹⁷³ Ibid.

laments: “Even in countries with democratic forms of government, these rights are not always fully respected. Here we are referring not only to the scandal of abortion, but also to different aspects of a crisis within democracies themselves, which seem at times to have lost the ability to make decisions aimed at the common good.”¹⁷⁴

Implicitly for the Pope, the enthronement of selfish desires and apathy has ravaged and is still ravaging the modern society, giving rise to distrust and disillusionment. Consequently, the number of civic and political victims of slavery and societal bondage increases on daily basis, since common good has remained relegated, or rather made alien in the different domains of human institution. He observed further:

Certain demands which arise within society are sometimes not examined in accordance with criteria of justice and morality, but rather on the basis of the electoral or financial power of the groups promoting them. With time, such distortions of political conduct create distrust and apathy, with a subsequent decline in the political participation and civic spirit of the general population, which feels abused and disillusioned. As a result, there is a growing inability to situate particular interests within the framework of a coherent vision of the common good.¹⁷⁵

With this document, *Centesimus Annus*, common good describes the sum total, not just of particular interests, but rather a critical assessment and integration of those interests on the basis of a balanced hierarchy of values; values that are selfless instead of selfish; values that treat the human ‘subject’ as a person not as a ‘thing’; values that are rooted on the common good of all, not on the exploitation of a few.

3.2 Theologico-Ethical Concept of Human Rights

*Just as national laws have the function of protecting the vulnerable and the weak against the power and self-interest of the strong, so on the international scene moral structures are needed to define and protect human dignity.*¹⁷⁶

- Thorwald Lorenzen

A theologico-ethical concept of human rights would view human right principles as the bases for the protection of human dignity, which belongs to the human person as the *Imago Dei*, and as such inscribed in him or her by the creator himself. Such dignity is held to be equal to every person. Therefore, it can never be sacrificed to the detriment of one over the

¹⁷⁴ John Paul II, *Centesimus Annus*, 47.

¹⁷⁵ Ibid.

¹⁷⁶ Lorenzen, T, „Christian Faith and Human Rights“ in: *Evangelical Review of Theology*.

other. Such dignity, “inherent in human life and equal in every person, is perceived and understood first of all by reason. The natural foundation of rights appears all the more solid when, in light of the supernatural, it is considered that human dignity, after having been given by God and having been profoundly wounded by sin, was taken on and redeemed by Jesus Christ in his incarnation, death and resurrection”.¹⁷⁷

In the theologico-ethical concept of human rights, these rights are held to be Universal, Inviolable and Inalienable. They embody essentially the need for the fulfilment of human needs in both social and spiritual levels. Such needs, individual as well as collective, form the basic elements that help in shaping the ‘modus vivendi’ as regards principles of human right. Its theological as well as ethical characters are found in its universality and indivisibility, and intersperse the social, political, economic, cultural and spiritual levels of existence. Such “Universality and indivisibility are distinctive characteristics of human rights: they are “two guiding principles which at the same time demand that human rights be rooted in each culture and that their juridical profile be strengthened so as to ensure that they are fully observed”.¹⁷⁸

Inextricable to a theologico-ethical concept of human rights is the correlation of duty or responsibility. Thus, the Magisterium of the Church would ever hold it contradictory, any concept of human rights that is devoid of duty. Affirming the truth of the foregoing assertion, Pope John XXIII wrote: “Those, therefore, who claim their own rights, yet altogether forget or neglect to carry out their respective duties, are people who build with one hand and destroy with the other”.¹⁷⁹

3.2.1 Universal Declaration of Human Rights

*All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.*¹⁸⁰

- Article 1, UDHR

¹⁷⁷ Pontifical Council for Justice and Peace, Compendium of the Social Doctrine of the Church, 153.

¹⁷⁸ Ibid, 154.

¹⁷⁹ John XXIII, Encyclical Letter *Pacem in Terris*: AAS 55 (1963), 264.

¹⁸⁰ Universal Declaration of Human Rights, Article 1.

The medieval subordination of personal safety and private property to the absolutism of the sovereign, as was seen in some proponents like Thomas Hobbes, brought individual rights hanging on the discretion of the ruling class. Thus the true nature of rights, individual or collective, became subjected to the interest of the fortress and to a greater extent under the chains of the sovereign, the state or the government. In other words, individual rights were made slaves under absolute monarchy, where the Leviathan becomes synonymous with absolute power and authority. However, as human thoughts developed, with more insights on political power, rights and freedom, people began to embrace a revolutionary approach to the concept and nature of human rights. This attitude would come to give rise to what has become known as the Generations of Human Rights. Widely accepted are three generations namely:

First Generation of Human Rights: This generation emerged amidst quests for civil and political rights, which were the preoccupation of 17/18 centuries' reformists' theories. It involves the masses' struggle for freedom and liberation from dehumanising conditions of socio-political and economic life that characterised both centuries. Claude put it thus:

Infused with the political philosophy of liberal individualism and the related economic and social doctrine of laissez-faire, the first generation conceives of human rights more in negative terms (freedom from) than positive ones (right to); it favours the abstention over the intervention of government in the quest for human dignity.¹⁸¹

Some of these rights include: voting right, right to free assembly, right to free speech, right to fair trial, right to freedom from torture and abuse, as well as right to protection by the law, etc. Fundamental to these rights is the struggle to emancipate the individual from the excesses of the state seen and experienced through the absolute power of the sovereign.

Second Generation Human Rights: Here the focus was on economic, social and cultural rights. It came timely as a response to the widespread poverty that greeted the wake of the industrial revolution, thus it sought to compel the state to work towards the alleviation of the masses' harsh socio-economic and cultural problems. Claude again observed:

The second generation of economic, social and cultural rights originated primarily in the socialist tradition, which was foreshadowed among adherents of the Saint-Simonian movement of early 19th Century France and variously promoted by revolutionary struggles and welfare movements that have taken place since...., a

¹⁸¹ Claude, R.P. and Weston, B.H., Human Rights in the World Community: Issues and Action, 21.

response to the abuse of capitalist development and its underlying and essentially uncritical conception of individual liberty, which tolerated, and even legitimised, the exploitation of working classes and colonial peoples...a counterpoint to the first generation of civil and political rights, conceiving of human rights more in positive terms (right to)...and requiring more the intervention than the abstention of the state for the purpose of assuring the equitable production and distribution of the values or capabilities involved.¹⁸²

In consequence, the second generation of human rights became a medium to sensitise the masses on the need to stand against all socio-economic and cultural slavery created by all forms of capitalist exploitation. The strategy resided in getting the masses more involved in the general understanding of these rights and pulling forces together so as to work up the state to its responsibilities. Some of these rights are: rights to education, right to housing, right to healthcare, right to employment, right to an adequate income, right to social security, etc.

Third Generation of Human Rights: The concept of solidarity can be attributed to the ideologies of the third generation of the human rights. It is a generation of ‘collective rights’, “rights which cannot be exerted only by an individual, but only collectively...”¹⁸³, but these rights are extremely broad spectrum of rights. Such rights go beyond mere civil and social connotations. It has both trans-national and multi-national interpretation and application. They encompass such notions as: group and collective rights, right to self-determination, right to economic and social development, right to a healthy environment, right to natural resources, right to communicate and communication rights, right to participation in cultural heritage, as well as right to intergenerational equity and sustainability. Claude again noted:

The third generation of solidarity rights, while drawing upon and reconceptualising the demands associated with the first two generations of rights, is best understood as a product of both the rise and the decline of the nation state in the last half of the twentieth century...this generation appears so far to embrace six claimed rights....All six of these rights tend to be posed as collective rights, requiring the concerted efforts of all social forces, to a substantial degree on a planetary scale.¹⁸⁴

The application of the third generation of human rights will obviously bring together lots of intricacies, which must be sorted out diligently in order to channel such rights to their proper aims. In some ideologies, some constitutional mechanisms are put in place to ensure at least an implicit protection of such rights.

¹⁸² Ibid, 22.

¹⁸³ Cornescu, A. The Generations of Human's Rights, in: Dny prava – 2009 – Days of Laws: the Conference Proceedings.

¹⁸⁴ Ibid, 22.

These generations of human rights no doubt built actually bridge towards the formation of the world's collective conscience, which would eventually be made concrete in the Universal Declaration of Human Rights. Thus, in the face of tyranny and a degenerated state of man's inhumanity to man, the then allied forces of the Second World War, adopted four elements of freedom that will come to form the foundation of the Universal Declaration of Human Rights namely: freedom of speech, freedom of religion, freedom from fear and freedom from want. The Four Freedoms were presented as the basic aims for the counter-aggression against the atrocities of the Nazi-Germany during the Second World War. When eventually the United Nations was created late 1945 as an intergovernmental organisation, it created immediately a commission to draft general principles that would guide human society towards the respect for human dignity and rights. The Commission that consisted of 18 members was headed by the wife of the former president of America, Eleanor Roosevelt and the work of the commission, which has 30 Articles, was adopted and signed into law on 10th December 1948, by the United Nation's General Assembly.

The first article of the declaration as quoted above sets the purpose of the whole declaration in the right direction. The whole declaration lends credence to the importance of human freedom in a world of opportunities. This sense of freedom is rooted in reason and conscience, which are the faculties of rationalisation, and which would eventually guide the demand for freedom with the dictates of responsibility. The content and the spirit of this declaration can be summarised in this form:

- ***We are all born free and equal:*** *We are all born free. We all have our own thoughts and ideas. We should all be treated in the same way.*
- ***Don't Discriminate:*** *these rights belong to everybody, whatever our differences.*
- ***The Right to Life:*** *We all have the right to life, and to live in freedom and safety.*
- ***No Slavery:*** *Nobody has any right to make us a slave. We cannot make any one our slave.*
- ***No Torture:*** *Nobody has any right to hurt us or to torture us.*
- ***You Have Rights No Matter Where You Go:*** *I am a person just like you.*
- ***We're All Equal Before the Law:*** *The law is the same for everyone. It must treat us all fairly.*
- ***Your Human Rights Are Protected by Law:*** *We can all ask for the law to help us when we are not treated fairly.*
- ***No Unfair Detainment:*** *Nobody has the right to put us in prison without good reason and keep us there, or to send us away from our country.*
- ***The Right to Trial:*** *If we are put on trial this should be in public. The people who try us should not let anyone tell them what to do.*
- ***We're Always Innocent Till Proven Guilty:*** *Nobody should be blamed for doing something until it is proven. When people say we did a bad thing, we have the right to show it is not true.*
- ***The Right to Privacy:*** *Nobody should try to harm our good name. Nobody has the right to come into our home, open our letters, or bother us or our family without a good reason.*

- **Freedom to Move:** We all have the right to go where we want in our own country and to travel as we wish.
- **The Right to Seek a Safe Place to Live:** If we are frightened of being badly treated in our own country, we all have the right to run away to another country to be safe.
- **Right to a Nationality:** We all have the right to belong to a country.
- **Marriage and Family:** Every grown-up has the right to marry and have a family if they want to. Men and women have the same rights when they are married, and when they are separated.
- **The Right to Your Own Things:** Everyone has the right to own things or share them.
- **Freedom of Thought:** We all have the right to believe in what we want to believe, to have a religion, or to change it if we want.
- **Freedom of Expression:** We all have the right to make up our own minds, to think what we like, to say what we think, and to share our ideas with other people.
- **The Right to Public Assembly:** We all have the right to meet our friends and to work together in peace to defend our rights. Nobody can make us join a group if we don't want to.
- **The Right to Democracy:** We all have the right to take part in the government of our country. Every grown-up should be allowed to choose their own leaders.
- **Social Security:** We all have the right to affordable housing, medicine, education and childcare, enough money to live on and medical help if we are ill or old.
- **Workers' Rights:** Every grown-up has the right to do a job, to a fair wage for their work, and to join a trade union.
- **The Right to Play:** We all have the right to rest from work and to relax.
- **Food and Shelter for All:** We all have the right to a good life. Mothers and Children, people who are old, unemployed or disabled, and all people have the right to be cared for.
- **The Right to Education:** Education is a right. Primary school should be free. We should learn about the United Nations and how to get on with others. Our parents can choose what we learn.
- **Copyright:** Copyright is a special law that protects one's own artistic creations and writings; others cannot make copies without permission. We all have the right to our own way of life and to enjoy the good things that art, science and learning bring.
- **A Fair and Free World:** There must be proper order so we can all enjoy rights and freedoms in our own country and all over the world.
- **Responsibility:** We have a duty to other people, and we should protect their rights and freedoms.
- **No One Can Take Away Your Human Rights.**¹⁸⁵

Fundamental to the Universal Declaration of Human Rights is the attempt to establish objective principles that should form the standard of behaviours and actions guiding the human society. Such principles safeguard duties and responsibilities that guide individuals to a proper sense of freedom and rights, and the States, with their force of coercion, to the responsibility of respecting and protecting these rights and freedom. Pope John Paul II did not mince words while acknowledging the relevance of this declaration to our time and age in his address to the 34th General Assembly of the United Nations. For him the emergence of this declaration remains “a true milestone on the path of humanity's moral progress”.¹⁸⁶

¹⁸⁵ United Nations, Universal Declaration of Human Rights: www.un/whatwedo/protectionofhumanrights.org.

¹⁸⁶ John Paul II, Address to the 34th General Assembly of the United Nations, 2 October 1979.

The relativity of the spirit of these principles may not be debated given the multifarious nature of human society and culture. But at the basis lies this objective aspiration of the human person towards the search for happiness and self-actualisation, which takes precedence above individual cultures and interests. Based on this objectivity, the Nigerian situation and her breaches of human rights hit on the very essence of human dignity and of course, have not escaped the attention of the international community that reserves these rights, of which Nigeria is a member.

3.2.2 African Charter on Human and Peoples Rights

With the move to bring the African people nearer to the reality of their world, ideas and culture, as well as establishing a deeper sense of freedom and responsibility on both leaders and the led in the African continent, the Leaders of the countries of Africa sat together and charted a course towards the definition of guiding principles of human and peoples' rights, just like their western counterparts. The African response and milestone into this project would therefore take cognisance of the African world view, so as to make more concrete and meaningful these principles in the life and understanding of the African people. At the basis therefore from the onset is the communality of the African character at the centre. It is an ideology and existential philosophy which J. S Mbiti defined as, "I am because we are, and because we are therefore I am."¹⁸⁷ Within this communality, one finds the complexity of rights and duties that define human relationship and the behavioural responses of man in the African world. Sudarkasa, an African-American Anthropologist would later categorise these rights and duties under: Respect, Restraint, Responsibility and Reciprocity.¹⁸⁸ The consensus of the African leaders in pursuance of this goal gave rise to the African Charter on Human and Peoples Rights, which came into effect on 21 October, 1986. The preamble to this Charter summarises the purpose, which the African Union through its leaders set out to achieve thus:

Convinced that it is the inalienable right of all people to control their own destiny, Conscious of the fact that freedom, equality, justice and dignity are essential objectives for the achievement of the legitimate aspirations of the African peoples, Conscious of our responsibility to harness the natural and human resources of our continent for the total advancement of our peoples in all spheres of human endeavour,

¹⁸⁷ Mbiti, J.S., *African Religions and Philosophy*, 141.

¹⁸⁸ Cobbah, J.A.M., *African Values and the Human Rights Debate: An African Perspective*, 321.

Inspired by a common determination to promote understanding among our peoples and cooperation among our states in response to the aspirations of our peoples for brother-hood and solidarity, in a larger unity transcending ethnic and national differences, Convinced that, in order to translate this determination into a dynamic force in the cause of human progress, conditions for peace and security must be established and maintained, Determined to safeguard and consolidate the hard-won independence as well as the sovereignty and territorial integrity of our states, and to fight against neo-colonialism in all its forms, Dedicated to the general progress of Africa, Persuaded that the Charter of the United Nations and the Universal Declaration of Human Rights, to the Principles of which we reaffirm our adherence, provide a solid foundation for peaceful and positive cooperation among States, Desirous that all African States should henceforth unite so that the welfare and well-being of their peoples can be assured, Resolved to reinforce the links between our states by establishing and strengthening common institutions, (We) Have agreed to the present Charter (African Charter on Human and Peoples Rights).¹⁸⁹

Observable, is the African Charter's insistence on the objectivity of its principles with the tenets of the Universal Declaration of Human Rights. Consequently, the universal nature of humanity establishes also a link of union in the pursuance of freedom, equality, justice and dignity as essential objectives for the achievement of the legitimate and natural aspirations inherent in the human person.

Nigeria as a nation and an ardent member of the African Union has therefore, the responsibility to maintain and promote such principles among its people, so as to create the required atmosphere of action towards the proper development of its human and economic resources. But the obligation demanded of her in the different facets of her life has often hit the hard rock of abuse and neglect. When one looks at the defects of its failed and yet-to-fall policies, one wonders if at all the country is aware of the required responsible actions demanded of her and clearly defined with the first Article of the Charter thus: "The Member States of the Organisation of African Unity, parties to the present Charter shall recognise the rights, duties and freedoms enshrined in the Charter and shall undertake to adopt legislative or other measures to give effect to them."¹⁹⁰

Cut in the web of this situation, our present study seeks an in-road to exposing the Nigerian failure to uphold the dictates of human rights and dignity, which it professes and is expected to fulfil as a matter of obligation towards the individual persons, the society and humanity in general. The open question remains: To what extent do these principles make meaning to Nigeria and her participation in the millennium development goals? Where lies the bone of contention actually – on ignorance or inactivity or corruption or neglect?

¹⁸⁹ Preamble to the African Charter on Human and Peoples Rights.

¹⁹⁰ African Charter on Human and Peoples Rights, Article 1.

3.3 The Socio-Anthropological Dimension

Socio-Anthropological dimension as a term is employed to present a look at the common good and human rights from the perspective of social anthropology. Social Anthropology as a branch of the broad discipline, Anthropology, has two Greek semantic roots, „*Κοινωνικός*“, meaning social, sociable; and „*άνθρωπος*“, meaning man, folk; giving rise to the concept “*κοινωνική ανθρωπολογία*”, Social Anthropology. As a discipline, Social Anthropology is the study of people everywhere, using practical, empirical means to enquire into the nature of human life in the society. The discipline has interest on customs, economic and political organization, law and conflict resolution, patterns of consumption and exchange, kinship and family structure, gender relations, childbearing and socialization, religion. The modern social anthropologists occupy themselves also with issues of globalism, ethnic violence, gender studies, trans nationalism and local experience, and the emerging cultures of cyberspace, and can also help with bringing opponents together when environmental concerns come into conflict with economic developments.¹⁹¹

3.3.1 Socio-Anthropological Concept of Common Good and Human Rights

Socio-Anthropological concepts of the common good and human rights would therefore seek to understand these from the context of its pre-occupation with the human person, with his or her relationship with the others and the larger society as a social being. Fundamental to social anthropology in this direction therefore, is the recognition of the human person as a free and social animal existing in a world of interaction. In this world of interaction, the person is to grapple with different aspects of human life, which correlate with each other, establishing a symbiotic kind of relationship, where each element gives and in complement receives in mutuality.

In such ‘give and take’ attitude, the socio-anthropological view of the common good and human rights finds the need for criteria that would ensure and instil the role of distributive justice, since human nature and experience have revealed a natural tendency of the human

¹⁹¹ Wikipedia, The Free Encyclopaedia: [en.wikipedia.org/wiki/Social anthropology](https://en.wikipedia.org/wiki/Social_anthropology).

person towards the ‘absolute self’ (selfishness). In doing this, principles of social and institutional relationships are then established in forms of collected and organised interests leading to a common goal, as well as establishing norms of behaviour that would checkmate tyranny and oppression of the weak. Such collection of interests and establishment of norms form the socio-anthropological dimension of common good and human rights.

3.3.2 Common Good and Human Rights: The Basic Principles in the Igbo Ontology of “Egbe Belu, Ugo Ebelu”

“Egbe belu, Ugo Ebelu...” is an expression taken from one of the three main languages in Nigeria called Igbo, and spoken by a majority group in the core eastern part of Nigeria. The expression in full reads: ‘Egbe belu, Ugo ebelu, nke siri ibe ya ebena, Nku kwaa ya’, meaning ‘Let both the Kite and Eagle perch, but should one refuse that the other should perch, let it develop a broken wing.’ A short semantics on the words, as illustrated below, would help for a clearer grasp of the translation.¹⁹² It is therefore, a fundamental Igbo ontology expressing the society’s belief in communality, fraternity and respect for each other, the dignity and worth of everyone without exception, as well as the sense of responsibility and care for one another. In the expression, the true Igbo belief in the ontology of human freedom and rights with responsibility comes to the fore. Consequently, any hindrance to such freedom and rights amounts to a denial of the real essence of the human person. Thus, the idea of “Nku kwaa ya” – literary ‘let the Wings break’, would interpret the everyday language of: let it not go well with such a person, let such a person be visited by bad omen, let the person not see progress in his or her life either. What this means is that, whoever wishes freedom has also the

¹⁹² **Egbe**, means Kite.

Belu, from the verb ‘**be**’ or ‘**bee**’ meaning perch, to perch.

Ugo, means Eagle.

Ebelu, also from the verb ‘**be**’, with the prefix ‘**e**’ expressing ‘can also perch’.

Nke, means whichever one, anyone.

Siri, from the root ‘**si**’, meaning to say, say.

Ibe ya, translates the other, his/her fellow.

Ebena, still from the verb root ‘**be**’, with the prefix ‘**e**’ as well, but with the letter ‘**n**’ at the third syllable, meaning do not perch, or will not perch.

Nku, means Wing.

Kwaa ya, translates break, to break.

responsibility of making it possible in the lives of others; whoever that is conscious of his/her basic rights must also be conscious of the fact that others have rights as well to be protected. In other words, it is responsibility of one towards all and all towards the individual persons. The Igbo expression under study translates the popular English expression: ‘Live and let Live.’”

In such ontology, the sense of common good and human rights receive the pride of place as the bases for authentic formation of the human person. They build up an enabling social environment for proper self-actualisation. Thus in the Igbo world view, the community stays at the middle, holding on trust the common good that is being shared by all. The objective rights of the members of this community are safeguarded and made to be respected by all through laws that have power of coercion, and any breach of such rights amounts to a denial of the very essence of the human person’s existence. ‘Egbe belu, Ugo ebelu, nke siri ibe ya ebena, Nku kwaa ya’, remains therefore a fundamental assertion projecting the inevitability of functional principles of common good and human rights in a society worthy of the name.

In this Igbo-African perspective, the individual understood as an entity, unites with other larger parts of him within a particular culture and worldview, to form a communality, within which the common good of all is promoted and protected. Consequently, common good in the Igbo-African perspective remains an inclusive worldview with ethnic identities, political consensus and consent playing enormous roles at the foundation. In other words, the Igbo-African perspective of the common good feels greatly injured should ethnic diversity be shot away from its meaning. But this concept of ethnic diversity is not a regimentation of the universal or objective nature of the concept in questing, but a relativized application of the on objective concept and principle, so as to reflect the natural diversity observable and practicable in the human society.

3.3.3 The Common Ground: The Dignity of the Human Person

Whether in theologico-ethical or socio-anthropological perspective, a factor remains a common denominator namely: The Dignity of the Human Person. The human person is a being with dignity and should not just be treated as a thing. Therefore every human institution

struggles to see such dignity being protected and respected. The principles of common good and human rights form the basic tools for a defined care for this dignity. Where such principles are not functional, the human person would eventually be reduced to an object of scorn and derision, like our case study – the Niger Delta in Nigeria.

In the Church's social doctrine, "The person represents the ultimate end of society, by which it is ordered to the person: Hence, the social order and its development must invariably work to the benefit of the human person, since the order of things is to be subordinate to the order of persons, and not the other way around."¹⁹³ Only with respect to this dignity therefore, can the whole societal world view of the person be made meaningful. On the other hand, where this dignity is denied, it creates an imbalance to the authentic realisation of man's ultimate goals, since the person lives in a world where he/she is born free but still everywhere in chains, as the French Philosopher, Jean-Jacques Rousseau puts it: "Man is born free, and everywhere he is in chains. One man thinks himself the master of others, but remains more of a slave than they are."¹⁹⁴ In this direction, the human person stands over every other vested societal interest, and this dignity should remain the inspiration behind every political, economic, social, scientific and cultural programme.¹⁹⁵

This dignity remains the platform on which social justice is established in the human society. The principles guarding this dignity say no to all forms of dehumanisation in the nature of social, economic and political slavery. When the human person is trapped in such slavery, the road to his/her authentic development suffers the hindrance of torture, emanating from policies that dethrones the common good and human rights in preference to autocracy and subjugation. The Catechism of the Catholic Church did not mince words in echoing the primacy of this dignity thus:

Social justice can be obtained only in respecting the transcendent dignity of man. The person represents the ultimate end of society, which is ordered to him: [...] Respect for the human person entails respect for the rights that flow from his dignity as a creature. These rights are prior to society and must be recognized by it. They are the basis of the moral legitimacy of every authority: by flouting them, or refusing to recognize them in its positive legislation, a society undermines its own moral legitimacy. If it does not respect them,

¹⁹³ Pontifical Council for Justice and Peace, *Compendium of the Social Doctrine of the Church*, 132.

¹⁹⁴ Silver, D., Jean-Jacques Rousseau, *On the Social Contract*, 1.

¹⁹⁵ *Ibid.*

authority can rely only on force or violence to obtain obedience from its subjects. It is the Church's role to remind men of good will of these rights and to distinguish them from unwarranted or false claims.¹⁹⁶

Reliance on force and violence on the part of the government and the counter defensive response of the affected and displaced masses with violence, contribute to the setting of the stage in our present study – the Niger Delta – where corruption, brutality and disrespect for the human dignity took the centre stage as a way of life. A picture of the whole situation leaves a very big question mark in the Nigerian polity and it goes a long way to expose the falsehood in her purported democracy which in reality hangs in a balance, where a further neglect of the authentic development of her people will eventually bring her chained on tyranny and socio-economic genocide. John Paul II's warning in his encyclical on the twentieth anniversary of *Populorum Progressio* is to be adhered to strictly here:

When individuals and communities do not see a rigorous respect for the moral, cultural and spiritual requirements, based on the dignity of the person and on the proper identity of each community, beginning with the family and religious societies, then all the rest – availability of goods, abundance of technical resources applied to daily life, a certain level of material well-being – will prove unsatisfying and in the end contemptible.¹⁹⁷

The church's perspective about the human person as a being at the centre of every concept of authentic development whole and entire mirrors the fundamental truth in the African ontology. In both ways, the reality and demand of guarding the holistic journey of the human person towards a natural goal of self-actualisation remain paramount and indefatigable. A synthesis of the two lays bare the essentials that should never be subject to violations if man should attain the expected goal. Some of these essentials are: the equality of all in respect and dignity, the recognition and integration of all as individual parts that make up the united whole; the avoidance of enslavement through a well organised share of responsibilities between the state and the individual, etc.

Attempting a critique of the Nigerian situation with these essentials in mind, one would be confronted with the horror of inequality as a built-in machinery of oppression towards the minority groups of the Niger Delta. One would be confronted with a total abuse of a part that is abused amidst the affluence of the whole. One would be confronted with the inflicted suffering of a people who are victims of man-made deprivations and offensive

¹⁹⁶ Catechism of the Catholic Church, 1929, 1930.

¹⁹⁷ John Paul II, *Sollicitudo rei Socialis*, 33.

denials. Reason for such a critique is simple and obvious, namely: The backbone of a thriving economy is suppressed to economic, social and environmental disaster in a politics of corrupt ideologies which has built an unprecedented show of “‘consumption’ or ‘consumerism’, which involves so much ‘throwing-away’ and waste”¹⁹⁸ amidst unquantifiable scourges of poverty and the denial of the basic necessities of life.

3.4 Evaluating the Abuses in the Niger Delta Area in the Light of the Teachings of the Church

In doing this evaluation, we once more recall that our point of reference remains a people who live as an authentic part of the British designed geo-political entity called Nigeria; a people whose household economy is heavily dependent of cash crops, agricultural products and small-scale marine economy; a people with rich mangrove natural endowment as a gift of nature; a people who live, thrive and commune with each other like every other member of the geo-political entity; a people who have rights and reserve the rights to the respect that should be accorded to those rights; etc. These people are in no way subordinates in the general life of a nation that inhabits them, therefore should not be treated as inferior or totally blocked away from economic, social and political policies that should deserve that name.

The urgent clamour for a planned return to the drawing table in the Niger Delta situation is an informed action heavily influenced by the challenges the present realities, as well as the fact that a lot has been wrongly adopted, consciously neglected and devilishly abused in the general life and development of the human person in this area. The horror that is seen in this area today is not a natural disaster, which sometimes by its nature beats even the human expertise and technical know-how. The present mess is a human inflicted lies that have accumulated and degenerated to situation of anarchy in the Niger Delta area. They represent policies that were good in themselves but never saw the light of the day, as well as policies that were designed for enslavement and oppression. Edevbie witnessed to this truth thus:

Apparently concerned about the declining security situation in the Niger Delta arising from increased agitation from the oil-producing communities and its consequent threat to the heart of the Nigerian economy, the 1995 Constitutional Conference recommended that in sharing the Federation Account Revenue, 13 per

¹⁹⁸ Ibid, 28.

cent should be set aside as derivation revenue to assist the development of oil-producing communities. The intention was very clear - to financially empower the oil-producing states of the Niger Delta to tackle the monumental neglect and degradation of the area given the lack of federal presence and ineffectiveness of federal spending in the area... This recommendation was accepted but never implemented. The percentage allocated to derivation remained at a mere 1 per cent of oil revenue. Thus the neglect continued unabated.¹⁹⁹

Whether the Niger Delta area in Nigeria stays under the heavy pangs of abuses and devastation has been established as an evident truth.²⁰⁰ Such abuses are found in the lack of concern and the nonchalance of the Nigerian federal government in responding to the plight of inhabitants of this area, who are trapped in the web of human and instituted recklessness. In such recklessness, the sense of common good and human rights in the Niger Delta area dangles at the verge of extermination by the same power and authority that is instituted to protect it. A kingdom divided against itself can never stand. In the same way, Nigeria cannot yet claim any legitimacy of peace and progress in the midst of the horrors it has institutionalised in its oil and gas sector. Such horrors are only aftermaths of failed policies emanating from a life of corruption, selfishness and negligence of responsibility. In this way, Nigeria becomes guilty of the biblical allegory of the shepherds, who instead of shepherding the sheep, turned to feeding on the sheep to satisfy their own selfish interests.²⁰¹

3.4.1 Niger Delta and Common Good

If we have established in the course of our study and in the light of the Church and her teaching, that the common good is the sum total of social conditions which allow people, either as groups or as individuals, to reach their fulfilment more fully and more easily²⁰², then the situation in the Nigerian Niger Delta makes the Nigerian nation a liar. One must question the locality of such social conditions that help full and easy fulfilment amidst the scenes of degradation and devastation among the Niger Delta people. Articulating the awesome situation Ogege observed:

Many decades of exploration and exploitation of petroleum resources have adversely affected the host communities in the Niger Delta. Environmental degradation, loss of means of livelihood, unemployment, poverty, loss of lives and general underdevelopment characterized the region. These formidable odds that

¹⁹⁹ Edevbie, D. "The Politics of 13 Percent Derivation Principle, A Paper Presentation. "

²⁰⁰ Cf. Chapter II, 2.1.2 ff, 2.3. p. 62, p.68.

²⁰¹ Cf. Ezekiel 34:1-10.

²⁰² Cf. Chapter III, 3.1.2. p.79.

threaten the survival of the Niger Delta people triggered off various shades of interminable violent agitations by militants that involved hostage taking and attacks on oil installations.²⁰³

Till today a horrendous instinct towards agitation and the feeling of insecurity has been created in this area; the general atmosphere is punctuated with the feeling of rejection and seclusion from a real sense of the common good, while at the same time the inhabitants of this area feel that they have right and unhindered opportunity to participate fully in the affairs of a nation where they are all citizens. One wonders where actually to situate the Niger Delta people in the general participation of the masses in the principles of the common good, when “in spite of the huge oil revenue derived from the region, the Niger Delta is still characterised by widespread poverty. There exists a negative relationship between abundant natural resources and development in the region. Analysis of poverty and human development in the region paints a dismal picture.”²⁰⁴

Furthermore, the conditions for authentic fulfilment and development as the fundamentals of viable common good should be far from realisation when the atmosphere, which is the platform of socialisation and social institutions, remains hostile and repulsive to the human person. This is the story of the Niger Delta, where Nigeria’s activities in the oil and gas sector has made this area a haven of agro-infertility, poisonous contamination of marine and sub-marine areas due to spillages, conversion of atmospheric air that sustains life to inhalable poisons, etc. Added to these is the horrible absence of the basic amenities that aid basic education, functional healthcare and recreation. Where lies the dividend of common good among these people remains the fundamental question, which Nigeria is yet to answer.

3.4.2 Niger Delta and Human Rights

We established in our study of the human rights that such basic rights have three essential characteristics namely, Universality, Inviolability and Inalienability²⁰⁵. In the case of Niger Delta, Nigeria has failed woefully in respecting these principles. The feud between Nigeria as a federal State and the Niger Delta presents a nation that violates the basic rights of

²⁰³ Ogege, S. O., Amnesty Initiative and the Dilemma of Sustainable Development in the Niger Delta Region of Nigeria; in *Journal of Sustainable Development*, 249.

²⁰⁴ Ibid.

²⁰⁵ Cf. Chapter III, 3.2. p.99.

her citizens with impunity on the one hand, and on the other hand uses violence as a means of suppressing the citizens' agitation for a stop on dehumanisation and tyranny. In the use of force, the oppressed people's effort in demanding a just treatment is cramped upon and those who yearn for this justice are tagged most of the times impostors. This use of force paves the way to the numerous human rights abuses, which are the detriments of any administration that has lost every sense of human dignity and rights. Writing on the topic "The True Tragedy", the Amnesty International noted the obstinacy with which Nigeria as a nation violates the rights of his people and at the same time turn deaf ears even to the outcries of the international communities. This non-governmental body observed:

The African Commission found Nigeria to be in violation of a number of rights guaranteed under the African Charter on Human and Peoples' Rights. It stated that: "Despite its obligation to protect persons against interferences in the enjoyment of their rights, the Government of Nigeria facilitated the destruction of the Ogoniland." "Contrary to its Charter obligations and despite such internationally established principles, the Nigerian Government has given the green light to private actors, and the oil Companies in particular, to devastatingly affect the well-being of the Ogonis."

The universality, inviolability and inalienability of the rights of the citizens of Nigeria play a less important role to the powers that be. Consequently, the political and socio-economic environment of the Nigerian State remains infested with *survival of the fittest* ideology, where people's rights can be trampled upon without any qualms of conscience, provided the end serves the vested interest of the stronger. At the moment, a chronology of the abuse of human rights in Nigeria can be spelt out thus: Devastation of the Niger Delta and the people, political tussles and killings, secret cult abuses of human life, molestation of trade unions and freedom fighters, forced and child marriages, abuse of the citizen's freedom of movement and religion, delay and subsequent denial of justice, devastating prison conditions, neglect of the security of lives and properties etc. At the time of this study and research, Nigeria is under the heavy burden of its Islamic fundamentalist group, the Boko Haram, which has made the wasting of innocent lives and properties a daily operating principle, thereby holding a nation with over 170 Million people in perpetual bondage. Whether the fault is from our stars or from ourselves remains a Shakespearean open question for Nigeria.

3.5 Calling the Spade by its Real Name: The Concrete Abuses in the Niger Delta

As we have made it clear right from the onset of this research study, the resurgence of ethnic militancy in Nigeria as a nation came as a concluded response to long and extreme disenchantment of the object of our focus – the ethnic nationality of the Niger Delta geopolity within the Nigerian state²⁰⁶, which many have perceived as a colonial contrivance. The next subtopic would eventually introduce us to a policy of the federal republic of Nigeria which was designed to rescue a near degeneration of the Nigerian state to an amphitheatre of bloodshed. But before we do that, the spade that carries the concrete situation of the Niger Delta's plight should be laid down and given its proper name. This name contains the clearly defined and self-evident abuses in the Niger Delta area. Thematically, these abuses span through:

- a. *Destruction of means of livelihood*: These people are locked away from justified benefits they deserve as rights from the resources under their feet. Secondly, they are made at the same time handicaps to their local economic dependence due to consequent destruction and devastation of land and marine natural givens.
- b. *Denied access to quality education and social amenities – A bankruptcy of infrastructural development*: Spaces and programmes for certified schools as well as established social amenities have all been sacrificed to corrupt and selfish quest for further and deeper oil exploration and exploitation, with the incessant oil spillages that take various forms, ranging from obsolete equipment and carelessness to vandalism of oil pipelines by agitating groups.
- c. *Poor or no programme of indigenes' socio-economic integration*: It never became a matter of urgent attention to the Nigerian nation to integrate a people who have been displaced from the touch of life due to its activities in the oil and gas sector into alternative or beneficial socio-economic programme. Nigeria only woke up to

²⁰⁶ Cf. Chapter I, 1.5. p.53.

consciousness when the limit of human endurance was hit, sparking off intense insurgencies that set the two camps at war with each other.

- d. *Intimidation and suppression of the right to free expression of opinion:* “Every person shall be entitled to freedom of expression, including freedom to hold opinions and to receive and impart ideas and information without interference.”²⁰⁷ This section has been grossly abused by the Nigerian state in the Niger Delta case. Opinions expressed in this insurgence receive less attentions and in some cases, outright rejection. Further insistence on the truth of the given realities was branded organised insurrection.
- e. *No respect for human life:* Beginning with the killing of Ken Saro Wiwa and the eight Ogoni Sons, the termination of human life as and when one wills took the centre stage in the Niger Delta, with both sides counting their losses. Regrettable and unfortunate remains the loss of numerous vibrant youths, who in their numbers make up the different insurgent groups that declared a physical combat with the Nigerian nation in defence of their land and lives.
- f. *Imposed Environmental Hazards:* Studies on the Niger Delta situation by both local and international agencies arrive unanimously at a man-made horror being imposed unjustly on a naturally blessed section of the universe called Niger Delta. That is an abuse of the human person’s right to clean and healthy environment conducive for authentic human development.
- g. *Total healthcare bankruptcy:* The quantity of carbon and other sulphuric chemical elements that punctuate the daily life of the Niger Delta area pose a constant danger to the general atmospheric condition of this area. Yet, the healthcare policy for this area has no place in the agenda of the Nigerian nation. Where revenue has ever been voted in for such a project, it has always met with poor and visionless implementation, in some cases, a complete embezzlement of the fund. The Amnesty International in line with their assessment of UNDP, Niger Delta Human Development Report said it emphatically: “The majority of the people of the Niger Delta do not have adequate access to clean water or health-care. Their poverty, in contrast with the wealth

²⁰⁷ Constitution of the Federal Republic of Nigeria, 39(1).

generated by oil, has become one of the world's starkest and most disturbing examples of the 'resource curse'".²⁰⁸

- h. *Use of lethal weapons against unarmed citizens:* Here the recklessness of Nigeria's disregard of the human person and life was seen in its dramatic stage. One of the most deadly of such lethal dramas, which make up the content of Nigeria's abuse in the Niger Delta area was the *Odi Massacre*. Granted that some angry mob attacked some policemen on duty in the Niger Delta area, many have at the same time asked questions about the rationality behind the declaration of *operation Hakuri II*²⁰⁹ under the Obasanjo's administration, with the mandate to the soldiers to shoot at sight in the local village that served as the crime area. This activity achieved a mini-genocide within which helpless youths, old men and women including children lost their lives. Till date no single person has been convicted as a partaker in the murdering of the policemen, on the other hand, innocent souls were wasted in an excessive exercise of power and authority.
- i. *"Illegal Financial Settlement" – Corruption as institutionalised by the multinational companies:* In order to carry on their abuse of the Niger Delta communities and environment uninterrupted, the multinational companies in partnership with their federal government counterpart, instead of rising up to their responsibilities and charting a way towards a lasting solution to the problems of the Niger Delta area, resorted to the corrupt practice of winning internal groups of agitators and freedom fighters to their side, corrupting them with rumps of financial payments as appeasement settlement. This strategy created further internal squabbles and rivalries. It was a planned system of dividing a united opposition group so as to keep them perpetually in bondage. That is an abuse of the human conscience.

²⁰⁸ Amnesty International, „Petroleum, Pollution and Poverty in the Niger Delta“, in: Eyes on Nigeria, www.eyesonnigeria.org/EON_Extractives.html.

²⁰⁹ Ojo, E. O. New Missions and Roles of the Military Forces: The Blurring of Military and Police Roles in Nigeria, in: Journal of Military and Strategic Studies, Issues 1 and 2.

- j. *Distortion of facts against a people in the face of the international communities – ‘Shell Lied’²¹⁰*: The scandal of the lies and strategic cover-up from the multinational company Shell, in trying to defend and exonerate itself from the numerous oil spills and the consequent onshore-offshore devastation of the Niger Delta area, is a clear matter before the international community. Such denial and distortion of facts constitute an abuse of moral truth which is self-evident in the accumulated facts and figures of events in the Niger Delta area.

The above mentioned cases reflect a holistic pact of abuses which the Nigerian state has bequeathed and perpetrated in its oil and gas sector of its economy, of course still at the time of this research and study, the hob of its economy. It was in the midst of this mess that the hell was let loose in the Niger Delta, at a time when human conscience decided to free itself from imposed slavery and man-made poverty. In the midst of the stand-offs and with the resultant losses of lives, revenue and properties, the Nigerian federal government was forced to develop a programme of events so as to combat, restore and forestall peace and development. How far did this programme go?

3.6 The Amnesty Policy of the Nigerian Federal Government: Analysis and Challenges

By 2009 a clear nomenclature of human rights abuses and violations in the Niger Delta area spelt itself out locally, nationally and before the international communities. A concise description of these violations helps to throw light on the decision-making background upon which the Amnesty Programme of the federal government of Nigeria was based and executed:

- *Gross Violations of Environmental and Health Rights*: A number of issue go into this environmental and health rights violations, namely: Oil spills and the release of hydrocarbons into the atmosphere and marine environments; numerous and uncoordinated pipeline constructions which raise the question of species protection

²¹⁰ Smith, A. Shell Lied to Dutch Court About Oil Spills in Nigeria, Says Friends of the Earth, in: Business and Human Rights Resource Centre: www.business-humanrights.org.

and biodiversity; massive dredging in deltaic areas with its ecological implications; devastation of traditional livelihood through pollution, explosions and displacement, etc. The nonchalance and the neglect of the multinational companies and their federal government counterparts in the proper regulation and monitoring of these situations constitute the environmental and health rights violations.

- *Thrive of Corruption and Fraud:* A wide range of corrupt and fraudulent institutional and economic looting has since gulped up the Nigerian oil and gas sector. This looting of the state in turn worsens income distribution, embezzles resources for development and social welfare programmes and represents a radical (and illegal) privatisation of a national resource. In this way, the human right to what is due to him or her remains violated.
- *Transparency, Accountability and Oversight:* The entire edifice of oil operations and the practices of the joint ventures remain constantly and effectively secret between the exploiters and their allies. Corporations rarely disclose the nature of payments and what legal transactions would mean. Indeed the details of the Memoranda of Understanding between governments and their looting media – the companies, to the extent they mean anything, are rarely available. This constitutes the violation of the citizens' right to authentic information.
- *Disregard of Indigenous Rights and the Land Question:* In the Nigerian case, the explorations and exploitation of oil are located within the inhabited territories of indigenous peoples, and the government has established a statutory monopoly over the resources of this area. Yet ethnic and indigenous minorities, through constitutions and the application of customary laws, reserve some rights over their oil-bearing land. The violation of such rights, as with our case-study, the Niger Delta, has always sparked off agitations and claims as regards rights over resource control.

- *Militarisation, Security, Militia and Human Rights Violations:* Evident here are situations of civil war and military insurgencies, occasional inter-state or inter-community conflicts, as well as military governments or undemocratic regimes, under which the security and military apparatuses defend or secure oil operations, mostly in a brutalised waste of human life. Nigeria is a typical example of such scene of the absurd. In the early 1990s, under a succession of psychotic military rulers, ethnic minorities in the Niger Delta were subjects to violent human rights violations perpetrated by notorious mobile policemen and the special state security forces under the command of the Nigerian feudal lord and master – the federal government.

- *Community Development and Stakeholder's Rights:* The often planned exclusion of the host communities from the benefits accruing from their land in the oil producing areas, as well as the minimal development plans given to this area, define the violation of this right. What qualify for the 'Oil-Moguls' as development structures are usually designed contracts loaded with bribes and executed through influential traditional elites, as well as through ineffective and corrupt community liaison officers.

- *Oil Theft and Organised Crime:* In the Nigerian case, oil theft and organised crime have the active involvement of high-ranking military and naval personnel, politicians and oil executives. This area has been partly captured by ethnic militias and warlords as well. The conspiracy among sectors of the perpetrators covers up a vast illicit industry.

- *Disparity in Workers' and Labour Rights:* In question here is the expected parity that should exist between local and foreign workers but which in the main has been grossly bastardised with unquantifiable bureaucratic and political machineries. Unattended to remains still the gap in relation between company employment and oil host

communities. Such situations violate labour and workers' rights and call for corporate social responsibility.²¹¹

Amidst these hip of violations and faced with a near outbreak of full war between the Nigerian Federal Government and frustrated citizens of the Niger Delta, who amidst all intimidation and violent suppression by the federal government, remained steadfast and adamant in the pursuance of freedom and justice, the federal government, under the leadership of the late President Umaru Musa Yar'adua, came up with a seemingly redemptive programme – the Amnesty Policy. This programme was designed to cob the escalation of increasing bloodshed and casualties in both sides of the feud.

Analytically, the concept 'Amnesty' derives etymologically from the Greek root "*αμνηστία*" (amnesia), which means to cast into oblivion or forgetfulness. In the medical field, amnesia is a word associated with the loss of human memory. The infinitive derivation Amnesty therefore, has assumed both political and legal terms and defines "a strategic state policy which takes a form of executive or legislative clemency in which offenders or those involved in illegal actions are formally pardoned."²¹² In other words, a person's antisocial behaviours, upon the application of the policy of amnesty, exists no more in the records of a State and is considered non-existent ab initio. As a policy, the nature of amnesty is conditional and therefore, would require the cooperation of the partner to whom the policy is being offered.

In the Nigerian context, this programme was designed as a palliative policy aimed at expressing the federal government's new (but late) consciousness of the plight of the Niger Delta people, as well as to stop clashes between the Niger Delta's militant groups and the multinational oil companies who are agents of the federal government of Nigeria. It was a designed policy "to build peace and reconciliation so as to facilitate the tackling of a wide range package of reform to address the problem of underdevelopment in the (Niger Delta)

²¹¹ Watts, M. Human Rights, Violence and the Oil Complex, in : Niger Delta, Economies of Violence, Working Papers, Working Paper No. 2.

²¹² Ogege, S. O., Amnesty Initiative and the Dilemma of Sustainable Development in the Niger Delta Region of Nigeria, 250.

region.”²¹³ In its content, the federal government declares the readiness for the provision of amenities for education, healthcare, rehabilitation centre and other social and recreational institutions, in exchange to a demand of compliance and surrender of arms from the militants. The policy has four terminologies as a guiding principle namely: Disarmament, Demobilisation, Rehabilitation and Reintegration (DDRR). The policy was to be carried on by the Niger Delta Ministry, a body created on 10 September 2008 with the mission of tackling the challenges of infrastructural development, environmental protection and youth empowerment in the Niger Delta. This ministry would then direct and coordinate the expected concrete and grass-root application of the Amnesty policies through Niger Delta Development Commission, NDDC, which was already constituted in the year 2000.

The implementation of this policy saw the light of the day and initially, there were recorded successes in the area of disarming the militants. Thousands of them gave up their arms and registered for skilled job training, with the promise of a monthly allowance of \$439 each as a process of re-integration into the society. Below is the statistics of an initial compliance:

Table 7: PARTICIPANT DEMOGRAPHY

S/NO	STATE	MALE	FEMALE	REGISTERED
1	Abia	155	8	163
2	Akwa Ibom	571	19	600
3	Bayelsa	6,900	61	6,961
4	Cross River	159	1	160
5	Delta	3,361	-	3,361
6	Edo	450	-	450
7	Imo	297	3	300
8	Ondo	1,198	2	1,200
9	Rivers	6,958	39	6,997
	TOTAL	20,049	133	20,192

Source: Niger Delta Amnesty Programme (2009)

To which extent has this policy achieved its aim? That is the open question. Without any denial of the values implicit in the Amnesty programme, critics have again spotted the Nigerian syndrome of nonchalance and neglect in the implementation. First the programme is

²¹³ Ibid.

viewed as not being exhaustive, since the draft was done with little or no input from the militants themselves. Ogege in this direction remarked:

The Nigerian state was desirous to create an enabling business climate for the multinational oil companies to operate unencumbered. What readily comes to mind after due consultation with foreign powers, and the interlocutor elements, governors and influential traditional rulers in the region was the amnesty initiative. The amnesty initiative was a strategic state policy that is aimed, mainly to peacefully but deceitfully, dispossess the militants of their arms, take them to camps so that the Niger Delta region remains calm and peaceful for steady and uninterrupted oil production by the multinational oil companies, at the expense of the Niger Delta people (Adejumbi 2009). While the Nigerian state has enough revenue to squander, the Niger Delta predicaments caused by unregulated exploration remained unaddressed.²¹⁴

Some have also questioned the rationale behind the purported rehabilitation programme and the monthly salary, when still at the grassroots, the continuous devastation of the entire Niger Delta through unguarded and uninspected exploration and exploitation of oil continue. The militants who are in the main able-bodied youths at the prime of their lives, may find themselves readily at reach with the government, but what effort is Nigeria putting in place to take this rehabilitation programme down to the grassroots, where one finds the old mothers and fathers who depend on the already devastated land and waters for their daily bread and local economy? It is even on record at the moment that some corrupt sycophants of the federal government, who position themselves as the mouth-piece of the Niger Delta people and who are sons and daughters of the land, embezzle whatever that is meant for the grassroots with their selfish '*interlocution in disguise*' in the name of Niger Delta. Consequently one meets with confusion of discerning properly where the root of the fault is to be found, when one tries to strike a balance between millions and billions of figures claimed to have been pumped in and spent in the Niger Delta developmental projects and the concrete evidence on the ground. Ogege remarked again:

The 45 man technical committee on the amnesty was not only on comprehensive disarmament, demobilisation and rehabilitation. It also had as its term of reference, the harmonisation of various reports on the Niger Delta. The resulting report recommended an increased allocation of oil revenue to the producing communities, urgent improvement of infrastructure and human welfare and new institutions for the region's long-term development. The amnesty as it stands, is only concerned about the symptoms persuading the youths to surrender their arms while the cause which incorporates unemployment, poverty, infrastructural decay and general underdevelopment that affect the generality of people in the Niger Delta are unattended to. This has grave implications for the renewed violent agitations in the Niger Delta.²¹⁵

²¹⁴ Ibid, 253.

²¹⁵ Ibid, 255.

They all boil down to the focus of this study: The Neglect of Common Good and Human Rights. Until Nigeria stands up to embrace the dictates of good governance unequivocally enshrined in its constitution, its policies would continue to waver and stumble. There is no other better policy to be found in a nation outside the one that integrates its citizens and paves the way for authentic self-development and self-actualisation.

In more concrete terms, two unfortunate socio-economic and political malpractices brought this programme crawling on its knees, under the umbrella of the Niger Delta Development Commission, NDDC. From the profile of its mandate, this commission stands to:

Conceive, plan and implement, in accordance with set rules and regulations, projects and programmes for the sustainable development of the Niger Delta area in the field of transportation including roads, jetties and waterways, health, education, employment, industrialisation, agriculture and fisheries, housing and urban development, water supply, electricity and telecommunication.²¹⁶

But the first socio-economic and political misconduct is the federal government's planned programme of starvation of the statutory fund meant for developmental projects in the Niger Delta. Second is the misappropriation of the yet released meagre part of this fund by the internal corrupt and self-centred management. On the first case, Ukaga et al gave a summarised insight of what the situation looks like on the part of the federal government thus:

This is where the major problem with the NDDC implementation drive lies, just like the previous agencies before it. The sources of funds of NDDC include 15 percent contribution from the federal government, 3 percent from the oil and gas industries, 50 percent ecological fund allocation to the Niger Delta member states, and proceeds from the NDDC assets. The Federal government, which set up the NDDC, only released a total budgeted amount of 136.234 billion naira, out of the total budgeted amount of 436 billion naira between 2001 and 2009 (Etekpe 2009:32). What the commission gets in any fiscal year does not correspond with the contribution of oil to the federal account...In 2005 for instance, while the commission's budget was put at 63.5 billion naira, it got only 17 billion naira from the statutory transfer, whereas 2.902 trillion naira was the collectible revenue from oil...This explains why many critics see the funding of the commission as deceptive, poor, epileptic, unrealistic and unjust.²¹⁷

The unreleased funds in the general corrupt system remain always a mystery. Questions may be asked but the answers have always been received in coded languages. Even in some cases where committee for enquiries is set up, it ends up being a further avenue for sharing and spending the stolen funds. Indeed a chain of systematised corruption in the first degree.

²¹⁶ Mullerat, R. „Section 7(1)(a) of the NDDC Act 2000, in: Corporate Social Responsibility: The Corporate Governance of the 21st Century, 530.

²¹⁷ Ukaga, O. et al. Natural Resources, Conflict and Sustainable Development: Lessons from the Niger Delta, 72.

The second case of internal misappropriation has weakened to the root the internal structure of this programme. Consequently, the administration of the programme has been heavily politicised and made a selective position, where the federal manipulators would often like to fix the person of their choice so as to continue unabated the circle of corruption. In this way, transparency and accountability give way only to structured legislative and political interference from the federal machineries. This situation manifests itself mainly in the practice of inflated contract awards and preference to substandard materials for proposed projects. Executed projects have always low life-span which can never justify the huge amount quoted and ratified as the gulped amount by the project. With these ills living in the mallow of this body trusted with these responsibilities, the whole programme for sustainable development, well spelt out as a blue print, has suffered and is still suffering a man-made destabilisation.

3.7 Concern of the Local Church in Nigeria

3.7.1 The Catholic Bishops' Conference of Nigeria

The local church in Nigeria has been a well-known, articulate and outspoken medium in the history of Nigeria for her astute stand in the defence of the poor and the downtrodden. The mouth-piece of the catholic world in Nigeria is the Catholic Bishops' Conference of Nigeria. It is an umbrella of unity for all the catholic bishops in Nigeria. This local church has never relented in effort to speak out for justice and the constant demand for a government with human face. In a recent communiqué, the catholic bishops and the local church made it clear that authentic Christianity can only thrive in a situation where human dignity is strictly respected. As a platform for the reiteration of the objective belief and teachings of the church, the Episcopal Conference evoked the chosen words of the Fathers of Second Vatican Council in their call for the defence of human dignity thus:

[...] all offenses against life itself, such as murder, genocide, abortion, euthanasia and wilful suicide; all violations of the integrity of the human person, such as mutilation, physical and mental torture, undue psychological pressures; all offenses against human dignity, such as subhuman living conditions, arbitrary imprisonment, deportation, slavery, prostitution, the selling of women and children, degrading working conditions where human beings are treated as mere tools for profit rather than responsible persons; all these and the like are criminal: they poison civilization; and they debase the perpetrators more than the victims and militate against the honour of the creator (GS, 27).²¹⁸

²¹⁸ Catholic Bishops Conference of Nigeria, Faith and the Dignity of the Human Person, no. 10.

Conscious of the fact that Nigeria is deeply immersed in corruption, as well as saddened with the government's policies and politics with the oil and gas sector of the Nigerian economy, the bishops bemoaned the nonchalance and insensitivity of the leaders, pointing out emphatically that "the pervasive lack of accountability and transparency in governance in Nigeria has become a serious abuse of human rights."²¹⁹ They called for caution to be exercised with regards to the incessant exposition of lives and properties to danger, with a particular mention of the situation in the Niger Delta. Observing the appalling situation of the embezzlement of public funds and the lack of justice against the culprits, the bishops lamented:

Corruption and theft of public funds, which have largely remained unabated despite our call for prayers, have brought our country to its knees. This is noticeable, for example, in the collapse of infrastructure in the land, in the lack of basic amenities, and in the increasing number of unemployed, in the ever-rising crime wave. The fact is evident that we still have a lot of work to do so that we, our children, and our children's children can have our legitimate aspirations fulfilled and our potentials actualised.²²⁰

Of recent the local church in the Niger Delta area, through the Niger Delta Bishops' Forum spoke out boldly about a potential future of the Niger Delta that may be dangerously bleak for all and sundry, if Nigeria still choose to be indifferent and adamant to the plight of the people. The Bishops declared that they "are suing for a future where all of our people would be proud beneficiaries of an industry that has such vast potential, but which has left them incapable of neither living their lives to the full nor being participants in the development of the region."²²¹

For the gospel of Christ to be relevant and valid for every generation, the church must see it as a responsibility to always identify concretely with every age within which she has found herself. There may be no authentic gospel when the body of Christ is trapped deep in the horrors of an oppressive society that keeps both the body and mind sick and hopeless. That is the case of the Niger Delta, where the local church is almost on daily basis caught in the web of preaching the gospel but to a people plagued with poverty, destitution and other forms of societal molestations. In this situation, the Nigeria church stands always for the truth

²¹⁹ Ibid, no. 12.

²²⁰ Catholic Bishops Conference of Nigeria, Communiqué at the End of the First Plenary Meeting, no. 8.

²²¹ Lefevere, P., Nigerian bishops initiate forum on oil industry's impact; in: National Catholic Reporter: www.ncronline.org.

and all it takes to defend it. In their most recent communiqué, the Bishops warned about possible degeneration of the Nigerian situation to uncontrolled anarchy, should we continue to neglect the urgency of the call for change. They asserted unequivocally that the church must continue unhindered in her mission of preaching peace, love and forgiveness, “...but if there is no clear and concrete sign of improvement, the patience of many Christians will wear out, our sermons of restraint will fall on many deaf ears, and those who see violent reprisals as justified deterrence will fall beyond our control. This is palpable danger in the air.”²²²

However, conscious of the memorable words of the Holy Father, Pope Paul VI in his 1975 Apostolic Exhortation, *Evangelii Nuntiandi*, that “Modern man listens more willingly to witnesses than to teachers and if he does listen to teachers, it is because they are witnesses”²²³ – the Bishops’ Conference as the figure of the local church and the moral conscience of the society, rose to action and never allowed itself a share in the inactivity towards remedial steps as it is the case with the Nigerian polity. The conference has rather laid some solid foundations, especially in reaching out to the poor and the marginalised of the society. Consequently, programmes have been designed, hatched and executed as remedial steps hitting first the grassroots, to forestall the drift of the nation into the anarchy and social confusion. Such strategies and programmes include:

- a. *Establishment of Justice, Development and Peace Commission, JDPC*: A Commission through which the church reaches out with the gospel to the grassroots. Constituted by the Catholic Bishops’ Conference and commissioned in 1976 at this national level, it was further given a structural network which aims at reaching out to all levels of the church’s administration down to the grassroots. Thus the commission has the following structure:
 - **The National JDP Secretariat**: The Justice, Development and Peace Committee in the Catholic Secretariat of Nigeria (CSN) is headed by the Director of Church and Society. The secretariat/committee reserves the responsibility of co-ordinating as well as animating the provincial JDP commissions and at times the dioceses. The secretariat/committee serves as the resource centre for the national JDP activities. The Secretary reports to the CBCN on its activities through its chairman and the Secretary General of the CSN.
 - **Provincial JDPC**: The Catholic Church in Nigeria is made up of nine Ecclesiastical Provinces. Each province is made up of dioceses. The JDPC co-ordinator of each diocese along with the JDP commission members form the Provincial JDPC. One of the co-ordinators serves as chairperson or co-ordinator of the province. The nine provinces are Abuja, Jos, Kaduna, Calabar, Onitsha, Owerri, Benin City, Ibadan and Lagos.
 - **Diocesan JDPC**: Each Bishop appoints a JDPC co-ordinator for the diocese to animate, mobilise, and keep the JDPC running actively in the entire diocese. The co-ordinator could be a priest or a nun or a lay faithful. The principles of collegiality, solidarity and subsidiarity inform the “co-ordinator system.”

²²² Catholic Bishops Conference of Nigeria, *Statement on the State of the Nation*, 2012, no. 5.

²²³ Paul VI, *Evangelii Nuntiandi*, 41.

- **Deanery/Zonal JDP Committee:** This is a brief but important level between the diocese and individual parishes. Some of the deaneries or zones have a common culture like language and customary practices. The JDP committee would fare well here.

- **Parish JDPC:** This is where everything happens! The parish presents a perfect example of what the Church is concretely. This is where the JDP programmes, policies and activities take flesh. A dynamic and dedicated body of the JDPC is a must here.

- **Outstations' JDPC:** The towns and villages within a parish are part and parcel of the Justice, Development and Peace agenda and they must feel its impact and also actively participate in the JDP activities.²²⁴

In the set-goals spelt out for this commission, one sees a structural form of socio-economic and political activities which the church set before itself with the aim of bringing the light and gospel of Christ to bear and reflect on the human concrete situations. These objectives are: Gender and women empowerment, Conflict Resolution / Alternative Dispute Resolution, Human Rights, Legal Aids, Research and Policy Advocacy, Good Governance and Democracy, Micro Finance, Relief/ Disaster and Emergency Aid, Training and Education for Development.²²⁵

- b. *Mission to the Poor and Less-Privileged through Microfinance Institutions:* In order to work against the constant deepening of the situation of the poor in Nigeria, who find themselves in a trench of an economy, where the gap between the rich and poor increases in geometrical progression, the Bishops thought it wise to mediate this situation through the establishment of Microfinance Institutions at all diocesan levels. Such institutions administer and aid, in organised and regulated form, small-scale traders and entrepreneurs who have the will and the capability to identify themselves in different works of life. This is done through the provision of micro-credits.
- c. *Re-introduction of Catholic Schools and Making it a Prerequisite for every Parish Community:* The early 1970's Nigeria was greeted with the policy of government take-over of schools from the rightful owners. Since then, the church has never stopped the fight towards the restoration of the status of our schools and subsequent rescue of these schools from their adulterated and devastating administrations (especially in the Nigerian case). As an alternative remedy, the Bishops' Conference took the bold steps seeing to the fact that every catholic community from top to the grassroots should at least possess a school as an integral part of the parish and community in general. This has helped to restore hope to numerous families who are confronted by the appalling situation of many of our public schools, where quality education with morals has gone to oblivion.
- d. *Training and Re-training of Priest/Religious Personnel as School Administrators:* Establishing these schools may not serve the whole truth. Thus, the Bishops' Conference gave it also as a challenge to all particular bishops, to train and re-train priests and religious personnel of good repute, who would be able to transmit the expected standard in the spirit of mission.
- e. *Gaining Access for Participation in the Affairs of the National Assembly:* The National Assembly is the highest decision making body in the Nigerian democracy. The Bishops' Conference considered it worthwhile to push for a 'representative status' within this body, so as to bring the feelings of the local church and its experiences as the moral conscience of the people, to the know of this assembly in a non-partisan manner and form. With this vision, the Catholic Legislative Liaison Office was established and trusted with this responsibility. It will be discussed in more details below.

²²⁴ Justice, Development and Peace Commission, Catholic Archdiocese of Ibadan: www.jdpcibadan.org.

²²⁵ Ibid.

- f. *Dissuading Catholics and Christian Folks from shying away from Politic:* At a stage, Nigerian politics became so much battered and soaked in corruption and crime, such that many Catholics and Christians chose to live out truly the expression that politics is a dirty game. Consequently, many began to refrain totally from participation in politics. The church through its mouth-piece, the Bishops' Conference, rose again and rescued this situation, reminding its members that the price the oppressed would continue to pay is to allow the wrong leaders to rule and at the same time keep quiet in the face of tyranny. This was deeply influenced by the words of St. John Paul II to the Nigerian Bishops during their "ad limina" visit in Rome. The Pope instructed:

For this reason, there is a particular need to intensify efforts to provide the faithful with serious programmes of formation which will help them to deepen their Christian faith and understanding and thus enable them to take their rightful place both in the Church of Christ and in society... Many of your lay faithful are already responding positively to the challenge of playing an active role in public life, including the political sphere. Your untiring efforts in this regard should enable them to be truly "led by the spirit of the Gospel" and to contribute to the sanctification of the world, as from within like leaven (Lumen Gentium, 31).²²⁶

3.7.2 Catholic Caritas Foundation of Nigeria

This is a relatively new body, established in 2010, under the Catholic Bishops Conference of Nigeria. It has the mandate of making concrete the Church's responsibility of making the gospel meaningful in the lives of the poor, the captives and the downtrodden. Its strategy would be to get to the grassroots through its various established branches that span through dioceses in Nigeria. It has also as a vision to work for a "harmonious environment where every man, woman and child in Nigeria enjoy fullness of wellbeing as a child of God. Strategically, it seeks to advance the wellbeing of the people through participatory intervention measures from all sectors of the Catholic social ministry in Nigeria."²²⁷

3.7.3 Catholic Education, Nigeria

The history and development of education in Nigeria can never be properly understood without the contribution of the church and her missionaries. Till date therefore, the local church in Nigeria has never lost sight of the importance and the position of education in human authentic development. While lamenting the government's takeover of schools from their rightful owners in the present day corrupt Nigeria, the local church in Nigeria finds it a mandate to demand relentlessly for the return of schools to their rightful owners on the one

²²⁶ John Paul II, Address to the Bishops from Nigeria on their „Ad Limina“ Visit, 3.

²²⁷ Akinseloyin, C., Development Problems in the Niger Delta Region, 269.

hand, and on the other hand, to play her part as a role model in the promotion and demand of quality education in the development of the human person. In this regard the local church in Nigeria today runs many educational programmes and institutions, ranging from primary, secondary and tertiary institutions, to skill acquisition and technical institutions. This is done with the mandate of the Episcopal Conference of Nigeria that has demanded from the local church at all levels, the establishment of schools and institutions of learning. In addition, the local church, conscious of the destitution which has become challenging to many families – the Niger Delta region as a special case, observed:

[...] in many part of the world today, material poverty prevents many youths and children from having access to formal education and adequate human and Christian formation.... (They therefore gave a recommendation that) every diocese should endeavour to establish an Education Endowment Fund that will cater for the poor. This endowment could also be established at the school level.²²⁸

3.7.4 Catholic Legislative Liaison Office, Nigeria

As a medium to get more integrated in the exercise of her role of speaking out against injustice and oppression, as well as giving the social teachings of the church influence in the social structure of Nigeria, the local church in Nigeria applied for and was granted a Catholic Legislative Liaison Office in the National Assembly. The Nigerian National Assembly is made up of the Lower House – the House of Representatives, and the Upper House – the Senate. It is the legislative arm of the federal government of Nigeria. The Nigerian church considered it timely to stand against all manipulations of laws and policies, which have kept Nigeria and her human development stagnant and moribund. Aiming at a revolutionary participation in the life and function of the National Assembly therefore, the local church spelt out some of the objectives of this office thus: a) active participation in the coordination and promotion of initiatives that would rather bear on the concrete life and situations of the Nigerian people; b) playing active role in the promotion of programmes and policies that enhance integral human development, democracy, justice, peace and reconciliation; c) advocacy for pro-poor legislations in the National Assembly; d) promoting initiatives for the valuable participation in campaign, especially that of constituent members, etc.²²⁹

²²⁸ Catholic Bishops' Conference of Nigeria, *The Catholic Church Policy on Education in Nigeria*, 44.

²²⁹ Catholic Secretariat of Nigeria, *JDPC/Caritas Nigeria, Annual Report 2008*, 38.

In the laid out objectives lies the vision of the local church in Nigeria towards a more humane society, where the human person is free to realise his potentials and actualise his/her goals. It is expected and advocated that this step in the national level would gradually take root at the State levels, so as to bring this sensitisation and call for more responsibility very near to the grassroots.

3.8 Reaffirmation of the Teaching and Position of the Church: An Analysis of the Statement of the Justice, Development and Peace Commission, Nigeria: “The Travesty of Oil and Gas Wealth”, 2006.

Confronted with the daily reality of destitution amidst plenty, as well as the situation of a nation swimming in petro-dollars while at the same time a greater percentage of its citizens wallow in abject poverty, the Justice, Development and Peace Commission arm of the Catholic Bishops Conference of Nigeria made a critical and moral evaluation of the Nigerian situation and called it a “travesty of oil and gas wealth.” In a number of persistent and disturbing questions, the commission brought to the fore the bane of a Nigerian society that has chosen to enthrone corruption as *modus operandi*. The commission wrote:

How come the huge wealth derived from these God-given resources has failed to foster economic development and has in effect led to a deterioration of the rest of the Nigerian economy and by implication, the lives of Nigeria people? How come these God-given resources have not been harnessed to create long term, sustainable development? To what extent have the activities in the oil and gas sector been open, transparent and accountable? What has been responsible for the enthronement of the so-called “resources curse” on a nation so abundantly blessed by God? Why is it that petroleum activities have brought so much destruction and devastation of the environment and has so far remained largely unchecked? Why is it that there are so much conflict, violence, loss of life in circumstances associated with the exploration and exploitation of petroleum resources? Are there legal, regulatory policy changes that need to be put in place to promote the efficient management and fair allocation of oil and gas revenues in a manner that serves the common good? Why is there so much misery, poverty and anguish in the nation amidst plenty?²³⁰

So expressive was the commission’s worry over Nigeria’s lack of gratitude towards a natural gift which nature has endowed it with and which had led to a man-made enthronement of the so-called “resources curse”. In other words, the situation is a complete deviation from the expected moral end of every material goods and resources. The questions articulate in a summary form the situation of a failed State deeply immersed in the problem of dichotomy

²³⁰ The Justice Development and Peace Commission of the Catholic Bishops Conference of Nigeria. Nigeria: The Travesty of Oil and Gas Wealth, 2.

between resource exploration and the equitable distribution of the derived benefits for sustainable development. Cut in such a crossroad, Nigeria is called to urgent reflection in the midst of avowed value disorientation and a missing emphasis on the public good, in other words the common good. The Nigerian local church would ask: “What has happened to those critical ingredients upon which authentic human society and ethics towards sustainable development are found?”

The local church through the Episcopal Conference therefore, distances herself from any governmental policy that is devoid of human-oriented economic development. For the church, everything urgent must be put in place to put a stop at an already deteriorating economy that has kept the masses in bondage and has wasted many lives at the orgy of hopelessness and despair. The church, through this commission, made it clear that she would stop at nothing in her demand for transparency and accountability, as well as standing against the wickedness of the Nigerian federal government and their multinational allies in the destruction and devastation of the Niger Delta environment through oil and gas exploration and exploitation. She warned against an impending doom, should the Nigerian State turn deaf ears and continues to delay an urgent need for functional regulatory policies that would ensure justified revenue allocations so as to stamp out the triumph of misery, poverty and anguish in a nation endowed with numerous potentials for both economic and human authentic development.

Analysis of this statement is therefore a show of the local church’s consistency in the service of justice and common good. Already at the birth of Nigeria as a State, the local church through the bishops highlighted some critical areas and existential realities, which Nigeria as a nation must pay attention to for a sustainable development. The Bishops instructed:

Right from the start it is well to recognise that Nigerian unity includes a great deal of diversity. The country is one state. But it includes many nations. Each one of the several large groupings in our multi-national state possesses a language and traditions that are its own; each people owns a certain group of royalty; and the members of each ethnic group have a natural tendency to associate with one another, even when they are away from their state of origin. It is perfectly legitimate to suggest that the future development of Nigeria should respect the different national traditions of our people. However, above the fellowship of these

particular traditions stands the greater fellowship of the state. Nigerians, especially the country's leaders, must primarily look to the common well-being of all the members of the political community.²³¹

This call was timely and prophetic and when evaluated within the context of the present-day Nigeria, the local church stands vindicated for projecting into the future and predicting a Nigerian future that lies in its hands either to make it or mar it.

The common well-being of all and the workable policies to achieve this was the preoccupation of this document so as to provide relevant answers to the persistent questions raised by the bishops. The communality in this march defines already every strategy that is to be employed to be holistic and never selective, to be all-inclusive and never deficient. Therefore, a situation whereby a group of people with no less humanity in them as the other, are perpetually condemned to poverty, denial and neglect, speaks volumes about a nation that has missed the mark in its blueprint on what development means and stands for. It is therefore not surprising why the bishops were so much worried about our hope of sustainable development when the structures on the ground have no inbuilt imprint of sustainability. Consequently, the Nigerian case, as it is reflected in the mind of the bishops, toils with a “present” that continues to leave the future oblique and shaky. Such a disorder is not from without but from within and the Nigerian nation must not fail to see the urgency perfectly enshrined in the words of Pope Pius XII long even before the idea that gave birth to the concept called Nigeria was conceived. The Pope observed:

Never has it been so capitially important to understand clearly the true foundations of all social life as in these days when humanity, diseased by the poison of social errors, and tossed by a fever of conflicting desires, doctrine and aims, has become the unhappy prey of disorders created by itself, and experiencing the disruptive effects of false social theories that neglect and contravene the laws of God. The original and essential purpose of social life is to preserve and perfect the human person...Reason enlightened by faith assigns to each person and to each particular association in the social organism, a definite and noble place. Above all, it tells us that the purpose of the whole of the State's activity, political and economic, is the permanent realisation of the common good: that is to say, the provision of those external conditions which are needful to citizens as a whole for the development of their qualities and the fulfilment of their duties in every sphere of life, material, intellectual and spiritual.²³²

These words of Pius XII were preached seventy-two years ago, at a time when the world was being plagued by rival politics dominated by the German-led Nazi and their allies. It was

²³¹ Schineller, P. (ed.), *The Voice of the Voiceless, Pastoral Letters and Communiqués of the Catholic Bishops' Conference of Nigeria (1960-2002)*, 7.

²³² Pius XII, *Radio Message*, in: *Acta Apostolica Sedis*, January, 1943.

indeed a world under the heavy pangs of problems created by human recklessness and abuse of power, consequently, the true concept of the human person and the dignity that should be accorded was thrown to the winds. In a twenty-first century therefore, where our world has really made a leap from wealth of experiences to available criteria for more functional human society, where both epistemology and the natural sciences have seen a great deal of breakthrough and advancements, nations and societies would then be creating a self-made destructive machineries when the common good and respect for human rights and dignity are sacrificed only for an inordinate passion towards socio-economic and political gains. Nigeria needs to listen to the call and voice of history and experience.

Conclusion and Recommendations

*The ultimate, deep – rooted principle which lies at the foundation of society cannot be abolished by any effort of human ingenuity; they may be denied, ignored, disregarded or disobeyed, but they can never be deprived of their juridical validity.*²³³

Two kinds of thoughts which are complementary to each other go into every Christian moral reasoning namely: Reflection, which is thought about something and which asks the question ‘What is the truth?’ The other is Deliberation, which is thought towards something and which asks the question, “What are we to do?” – “...The metaphor contained in the two words illustrate the difference; reflection is turning back on something; deliberation is weighing up alternative courses of action.”²³⁴ A moral truth becomes therefore a self-evident truth, reflected upon through the power of reason and deliberated upon through the judgement of reason, so as to produce a corresponding action that aligns with the truth itself. In this line of thought, such socio-political and economic realities and anomalies, which prompted our study – the devastation of the Niger Delta area, have become the moral truth of our present Nigeria. Different regimes, policies, commissions and organisations have also for so long reflected upon and studied these realities, but the level of deliberation, which applies the dictates of the practical reason, has always met with cogs in the wheel of application. In the opinion expressed by the most recent document of the 2014 National Conference in Nigeria,

²³³ Ibid.

²³⁴ Atkinson D. J. and Field D. H. (eds.), New Dictionary of Christian Ethics and Pastoral Theology.

policy application in Nigeria has always met with varied problems of poor funding, inadequate man-power as well as poor project planning and evaluation. Added to these are cases of low level of public involvement and participation rights, with the unfortunate experience of synergy across sectors and tiers of government in their lack of policy consistency and continuity.²³⁵

It would therefore be disgusting, disappointing and dispossessing whenever a nation chooses to play on the gallery of death in matters of sustainable and integral development. The episode of horrific neglect of the common good and human rights in the Nigerian polity is a dispossession of people's right to sustainable growth and development. The haven of death and despair being institutionalised in the Niger Delta region of the Nigerian nation is a pointer to its man-made culture of negligence.

The principles of moral actions as known in Christian Ethics are rooted in the precepts of love in its horizontal and vertical relations. Implicitly therefore in love are founded the dictates of justice, concern from the common good and respect for the inalienable rights of persons. These moral principles are no new Christian formulations but norms of the moral conscience based on the natural law. Consequently, we have tried in this study to invoke a Christian clarion call for restitution of the moral order as concerns Nigeria as a nation; call to bring to the nation's consciousness its total deviation from its constitutional responsibilities; call to tell the Nigerian federal government that the Niger Delta region is never and ought not be given a parasitic approach; a call to remind Nigeria that the ecological devastation of the Niger Delta region speaks volumes about our failure to understand our basic world view, the dignity of the human person, as well as the rapport that should exist between us and the whole of creation. Every generation reserves the potentiality either to foster or destroy its future.

In the final analysis, our recommendation as a proposed fruit of this study is summarised in this phrase: ***Action Time for Sustainable Development***. The content of such action phrase would be completely far from neglect, nonchalance, inertia, selfishness, corruption, embezzlement and intimidation. It would be an action phrase, where the sense of responsibility becomes a habit to be imbibed by all. It would be an action phrase that would

²³⁵ The National Conference 2014 Nigeria, Final Draft of Conference Report, 45.

teach the Nigerian leaders that its geo-political life must be taken and seen as a whole and never as favoured parts. It would be the action phrase that would bring the Nigerian conscience back to redress its steps and make hay while the sun shines in its oil and gas sector of the economy. We recommend these:

ON THE PART OF THE FEDERAL GOVERNMENT:

- a. *Immediate Halt to Gas Flaring and Plans for Beneficial Energy Utilisation:* The unregulated flaring of gas in Nigeria in a global economy where Nigeria ranks 9th in proven reserves of natural gas, and where alternative energy sources make up the content of the millennium goals is and would continue to be scandalous. Efforts must be galvanised with immediate effect for a 21st century technological know-how and help from natural gas-rich countries like Russia and America for the proper utilisation of natural gas.
- b. *Free Regular Healthcare Programmes:* Oil producing areas may not naturally be free completely from moderate health hazards, especially when the techniques for proper control are put in place. Against this background and with the full knowledge of the risks negligence can cause, the federal government should see it as a matter of urgency to introduce a healthcare policy that should forestall the people's right to healthy life and environment. This will be a proof of compensation to a people who sacrifice a lot in order to keep alive a nation where they themselves are first-class citizens and never subordinates.
- c. *Proper Evacuation of Obsolete Oil and Gas Equipment:* Regular sites of abandoned equipment and oil blocks and fields that have been considered technologically less productive or deserted due to armed stand-offs with the host communities have become a huge environmental pollution. Some of these sites have possible scientific and technological proofs of successful rehabilitation for other beneficial usages, but such programmes have little or no place in the activities of the federal government and the multinational companies. A rash programme of revitalisation and reformation is recommended.
- d. *Long-Term Labour and Employment Integration Programme:* The Niger Delta area has already institutions of higher learning that can be beneficial to the indigenes of the oil producing states and which can help in putting the technological know-how needed for safe labour and employment with the multinational companies. Some of these educational institutions are: Federal University of Petroleum Resources, Effurun; Petroleum Training Institute, Effurun; Delta School of Marine Technology, Burutu; Nigerian Maritime University, Okerenkoko, Warri; Conarina School of Maritime and Transport Technology, Oria-Abraka, etc. The maximisation of this opportunity has a record of hindrances due to financial constraints on the part of families and students. Programmes of Scholarship Awards are excellent, but scholarships can only benefit a privileged few. We recommend a programme of Loan/Grant for interested and talented indigenes for the period of their studies. Already on ground is this practice only at the post-graduate level. Extension of this to families at the grassroots will go a long way to encourage and at the same time provide more opportunities for a greater number.
- e. *In a Nigeria that is still one with a federal system of government* (though the workability has remained enigmatic), one may not advocate at present a total ceding of the exploration and exploitation of the oil and gas sector of the economy to a less equipped Niger Delta area and the network of its communities. To be recommended under a functional federal system is an equitable and humane partnership which

demands immediate removal of feudal-servant relationship in such socio-economic policy implementation. This would then be able to put to an end as well as vindicate the Niger Delta area against the canvassed argument of the Northern delegates to the Nigerian 2014 National Conference, that the revenue derived from the oil and gas sector of the Nigerian economy is not through the indigenous Niger Delta man-power.

- f. *The Land Use Act section of the Nigerian Law* should be seen and used as a means and never as an end in itself. Consequently, its use as a means would be able to translate its purpose into reality and channel such to the realisation of the common good as stated in its definition. But when taken as an end, it becomes a tyrannical tool to suppress and oppress a people and a geopolitical area, rigging them out of a common course within which they have every right of participation.

ON THE PART OF THE LOCAL CHURCH:

- a. The effect of the gospel may never be felt when it is preached to empty stomachs and unhealthy minds and bodies. Therefore, the intensification of the action of the local church through the JDPC must be paramount in the Niger Delta area. Our recommendation is that JDPC should never be contented only with the distribution of aid materials in this area. Efforts must be made, through its man-power and machineries, to get fully involved in observing and monitoring the activities of the Niger Delta Ministry, seen and carried out through its parastatal, Niger Delta Development Commission, NDDC, and no stone should be left unturned in helping to curb it of all dishonesty and misappropriation.
- b. As an example of exercising her divine Mandate on earth, it is to be recommended in the area of health, that the Catholic Church in Nigeria can pull efforts together, through the catholic doctors and medical personnel associations, in organising free medical services for the Niger Delta areas in the spirit of service and mission. If the present practised system of visiting homes and families for the communion of the sick has recorded a tremendous success, it would then be expected that the voluntary dedication of time and services of catholic medical personnel in an organised manner, would as well be a milestone in the mission of the local church in Nigeria. This will go a long way to serve as a response and remedy to helpless families at the grassroots who are incapacitated due to imposed poverty and displacement.

Furthermore, Christian ethics and the Church's Social Doctrines offer some effective guidelines towards functional sustainability namely: Viewing Sustainability a) as an ***intergenerational extension of justice***,²³⁶ thus, giving all components of human family access to the vital goods of the earth that aide the human person to fulfil the basic needs of life. Denial of this would amount to a dramatic negation of sustainability. Such provision of access is an urgent call in Nigeria as a nation and in the Niger Delta region in particular; b) as ***Appeal to subsidiarity***,²³⁷ in the sense that responsibilities, personal, social and institutional, remain fundamentally common and at the same time differentiated. In this way the basic right to the exercise of duty of a smaller group escapes the risk of being sacrificed to the dominating

²³⁶ Keenan, J. F. (ed), Catholic Theological Ethics, Past, Present and Future – The Trento Conference, 263.

²³⁷ Ibid.

pressure of the majority. The place of the Niger Delta in the Nigerian polity needs to be examined and defined within this principle; c) as ***Global Solidarity***²³⁸ of the human family. All must unite in commitment for and to one another. In the Nigerian case, the march towards emancipating the Niger Delta region demands the commitment and responsibility of all; d) from ***Ecosystemic Perspective***,²³⁹ where the nature of each being and the mutual interconnectivity that should make for an ordered system becomes paramount. In the case of the Niger Delta, it is a scene of ecosystemic devastation, where lives and properties have been left to rot away due to negligence and corruption. Ecosystemic restitution is therefore a demand at this moment; e) as ***Prevention and Precaution***,²⁴⁰ with consciousness of the truth that it would always take more to do ecological repair than to appeal to the necessary preventive measures on time. The horror seen in the Niger Delta area has root in a complete loss of the sense of prevention and precaution. Consequently, the level of devastation at the moment keeps the country sitting on the fence with regard to the method and measure to apply.

In the final analysis, the inspired words of the former President of Senegal, Leopold Seder Senghor, speak to the Nigeria of today in a united spirit of negritude: “La Nation, notre commun vouloir de vie commune”, translated in English as: The Nation, our common will to live together. Interpreting this statement in the context of our modern world in general and Nigeria in particular, the International Commission of Jurists (ICJ) stated unequivocally that, “[...] the people must have a will to live together before a Nation can be deemed to exist. Furthermore the interest of all sections in the society must be taken into consideration and an enabling socio-political environment created, so that all are free to participate therein.”²⁴¹ But our Nigerian situation till today presents strong political tensions that are created within the borders of its diverse ethnic groups. This has awoken modern critics to a renewed question on the functionality of the concept called Nigeria. Many call for a modern memorandum that will put an end to a nation which they see only as an imposition, and which has served enough the architects who designed the blueprint for such imposition. Some other, including myself,

²³⁸ Ibid.

²³⁹ Ibid.

²⁴⁰ Ibid.

²⁴¹ International Commission of Jurists (ICJ), *Nigeria and the Rule of Law, A Study*, 33.

speak of a nation that claim federalism, but which on daily basis alienate itself from the true meaning of that word, thereby living a false identity that has driven her to countless socio-economic and political abuses, oppressions and molestations. There is nothing wrong when a nation lives together or when nations agree to mutual co-habitation with one another, such can as well strengthen solidarity. But it is a crime to human dignity or humanity in general, when a nation hides under the guise of unity while subjecting some of its parts to subhuman conditions that deny them access to authentic human development and progress. That would always mean accepting the Hobbesian State of Nature as a valid dictate of modern ideologies and search for nationhood.

Abstract – Deutsch

Das Land Nigeria sieht sich im Moment stolz als Zentrum der afrikanischen Entwicklungen und Ökonomie, wegen seiner dichten Bevölkerung sowie seiner Wirtschaft. Aber die Situation bleibt sehr widersprüchlich, wenn die sozio-ökonomische Umwelt mitgerechnet wird, angesichts der Prinzipien der sittlichen Rechtschaffenheit und Gerechtigkeit. Die nigerianische Umwelt ist für viele Gelegenheiten gebildet und geprägt, um sich den Weg zu vielen Erfolgen zu öffnen. Dies ist ein Land mit fast ganzjährlichem gedeihlichem Wetter; fruchtbarem Boden für unterbrechungsfreie Landwirtschaft; mit natürlich sedimentiertem Erdöl, das von der globalisierten Welt als eines der besten anerkannt ist; ein reiches Land mit einer dichten Bevölkerung, die aus Menschen mit verschiedensten Begabungen und Dynamismus besteht, usw. Aber dieses Land leidet an von Menschen verursachten Schicksalen, die seine echte und vertretbare Entwicklung zerstört und gelähmt haben. Mit einigen erlebten Militärputschen, sowie der sich daraus ergebenden Militärregierung, verlor Nigeria den Blickpunkt einer echten Demokratie, welche das Gemeinwohl und den Sinn von Menschenrechten beinhalten muss.

Unser Forschungspunkt – das Niger Delta und die Nachlässigkeit der nigerianischen Bundesregierung, bildet einen der Inhalte dieses verlorenen Blickpunkts. Unsere Argumente und unsere Forschungsrichtung können wir in diesen Fragen deutlich zusammenfassen: Hat Nigeria überhaupt ein ideales Verständnis eines wahren Föderalismus? Warum leben die Menschen im Niger Delta in gewaltiger Armut, auch in einem Land, wo sie das volle Recht besitzen, unbeschränkte Teilnahme zu genießen? Warum hat es so lange gedauert, bevor Nigeria als ein Nationalstaat sich der Not und der Sehnsucht nach Gerechtigkeit des Volkes des Niger Deltas zugewandt hat?

Diese Fragen haben uns auf dem Weg nach Antworten und Auslegungen begleitet. Angefangen mit einem geschichtlichen Aufriss nigerianischer Szenen, haben wir auch den Hintergrund, die Kultur sowie die Lebenssituation der Bewohner des Niger Deltas exploriert. In dieser Hinsicht sammelten wir Fakten über die entstandenen Gräueltaten der Verwüstung, die überall im Niger Delta sichtbar sind, und die wegen der Exploration und der Ausbeutung von Erdöl entstanden sind. Die Nachwirkungen dieser Situation, vornehmlich im Leben und in der Umwelt des Niger Deltas sowie in der allgemeinen Ökonomie Nigerias und seiner sozialen

Sicherheit, haben wir mit konkreten Fakten und strukturierten Statistiken geschildert. In diesem Sinn deuteten wir die bereits bestehenden Konflikte zwischen dem Niger Delta und der Bundesregierung, in denen die lokalen Bewohner ihre Aufregungen und Anforderungen äußerten. Wie die Bundesregierung bisher Antwort gegeben hat, ist dann im politischen Programm „Amnesty“ analysiert und bewertet.

Schließlich brachten wir diese Situation von Ungerechtigkeit, Knechtung, Unterdrückung, sowie aufgedrängter Armut eines Volkes unter eine kritische ethische und theologische Bewertung. Einige der christlichen Denker sowie die hoch geschätzten katholischen Soziallehren bildeten unsere Quellen und Referenzen. Im theologischen Exposé sowie in der Meinung katholischer Soziallehren: wo immer die Gesellschaft absichtlich den Menschen den Zugang zur Gemeinwohl und zum Menschenrecht verweigert hat, bleiben dann die authentischen Menschenentwicklung und Selbstverwirklichung Illusionen. Ihrerseits tritt die Kirche ständig in Situationen ein, die den kompletten Menschen beeinträchtigen, damit das Evangelium nicht oberflächlich, sondern zuverlässig im Menschenherzen wirkt. Deshalb identifiziert sich die Kirche immer mit den Menschen jeder menschgeschichtlichen Epoche - In Trauer und in der Freude. Auf diese Art und Weise und durch zahlreiche Verkündigungen, Lehren und bewusst machende Aktionen erfüllt sie ihren Teil in der allgemeinen Entwicklung der Person, damit auch der Mensch sein wesentliches Ziel als „Imago Dei“ erreichen könnte.

Appendix I

Table 4: Conflict and Armed Events in the Nigerian Niger Delta between 2006 and 2013.

DATES	CONFLICT/ARMED EVENTS
2006	
January 10	Kidnapping of four (4) staff of Royal Dutch Shell and blowing up of crude oil pipelines. They were later released with further threats of kidnapping.
February 13	Militants abducted 9 US Oil workers of Willbros oil company. They blew up pipelines and bombed the Forcados loading platform.
March 10	Killing of an oil executive of an American based oil company Baker Hughes.
March 18	Militants blew up oil pipelines belonging to the Italian based company Agip and shut down 75,000 bpd production facility.
May 11	Kidnap of 3 oil workers of Italian based oil contractor company Saipem
June 2	Abduction of 6 Briton, 1 Canadian and an American from a Norwegian Oil Field
June 7	Militants attack a natural gas facility in the Niger Delta area, killed 6 Soldiers and kidnapped 5 South Korean Contractors.
June 20	Kidnap of 2 Filipinos in Port Harcourt Beaufort international. They were freed 5 days later.
July 6,	Gunmen kidnap Michael Los, a Dutch oil worker in Bayelsa State.
July 25,	Attack of flow station, 24 Agip - Hostages released and 19 oil workers were taken hostage. They were freed on July 31 after pay off by Nigerian government.
August 3	German oil worker Guido Schiffarth, a 62 year old, was snatched from his car in Port Harcourt by men who dressed as soldiers.
August 4,	Gunmen abduct 3 Filipino oil workers from a bus near Port Harcourt. They were released 10 days later.
August 7,	2 Norwegian and 2 Ukrainian oil workers were kidnapped but freed on August 15th, 2006.
August 10,	Belgian and Moroccan contractors were kidnapped in Port Harcourt. Both were later released on August 14.
August 13,	5 foreign oil workers (2 Britons, a German, an Irish and a Pole) were kidnapped from a night club in Port Harcourt. An American was also kidnapped earlier the same day.
August 16,	An Italian oil worker who belonged to Saipem Oil Company was kidnapped by gunmen in Port Harcourt. He was freed 5 days later.
October 2,	25 Nigerian oil employees were seized after an ambush of boats carrying supplies to Royal Dutch Shell facilities in the Caw Thorne channel. They are released two days later.
October 3,	7 foreign oil workers (four Britons, one Indonesian one Malaysian and a Romanian) were kidnapped in a raid on a compound for expatriated contractors of Exxon Mobil. All of them were released on October, 21.
November 2,	One British and one American employees were kidnapped from a survey ship off the coast of Bayelsa at Petroleum Geo-services (PGS) they were freed on November 7, 2006.
November 22,	A British oil worker was killed during an attempt by Nigerian soldiers to free 7 hostages abducted by militants earlier the same day.
December 7,	Gunmen kidnap three Italians and one Lebanese from a residential facility in the Niger Delta.
December 14	Gunmen invade the Royal Dutch Shell River Logistics Base in Bayelsa State and held 5 people hostage.
December 18,	2 car bombs exploded in Port Harcourt in an oil company and oil company residential Compound belonging to Agip and Royal Dutch Shell respectively. There were no casualties.
December 21,	Militants storm the Obigi field facility in Rivers State. 3 persons lost their lives.
2007	
January 5,	Gunmen kidnap 5 Chinese telecom workers. Militants planted a car bomb in an oil company residential compound in Port Harcourt. That eventually forces Royal Dutch Shell to evacuate some staff from compounds in Port Harcourt, Bonny Island and Warri.
January 10,	Gunmen attacked a base in Bayelsa State kidnapping a South Korean and one Nigerian oil workers. They were freed on January 12, 2007.
January 16,	3 people including a Dutch oil worker were killed when their boat was attacked by gunmen on its way to the Bonny island export terminal. The boat belonged to a South Korean firm Hyundai.
January 20,	Militants seized Cargo ship belonging to a German Shipping Line Bacoliner on its way to Warri Port, taking all 24 Filipino crew members hostage. They were released on February 13, 2007.
January 25,	9 employees of Chinese National Petroleum company under contract with an oil company were kidnapped. They were released on February 4, 2007.
February 6,	Gunmen kidnap a Filipino oil worker on Port Harcourt-Owerri road.
February 7,	A Filipino woman working with Total Oil Company was kidnapped by gunmen in Port Harcourt. That same day, a French oil worker, Gerard Laporal was kidnapped by Gunmen.
February 17,	4 young Nigerian men serving as missionaries Under the Church of Jesus Christ of latter Day Saints were abducted from their Apartment in Port Harcourt.
February 18,	3 Croatian oil workers working under Hydro Dive Nigeria were abducted in Port Harcourt.
2008	

May 3	Militants attacked Shell-operated pipelines in the Niger Delta, forcing the company to halt 170,000 bpd of exports.
September 14	Movement for the Emancipation of Niger Delta inaugurated Operation Hurricane Barbarossa. They threatened to destabilise oil companies' activities in River State.
2009	
June 18	MEND claimed blowing up of crude oil pipelines as a warning to the then Russian President, Dmitry Medvedev who was to be on a visit to Nigeria the next day.
November 24	MEND gunmen hijacked oil carrier Cancale Star. 2 Sailors were killed, one wounded. One of the gunmen was overpowered later, while others escaped.
2010	
March 15	Two bombs exploded at a Government House in Nigeria while Post-Amnesty talk for the militants was going on. 3 people were killed and six injured. MEND claimed responsibility.
August 27	MEND commander, Soboma George was killed by some of his subjects for ordering attack on River State governor, Rotimi Amaechi.
October 1	Two bombs exploded in Abuja during parade. 12 people were killed, 17 injured.
October 2	The arrest of MEND leader, Henry Okah in Johannesburg, South Africa.
November 8	Kidnapping of 2 Americans, 2 Frenchmen, 2 Indonesians and a Canadian during a raid of an oil rig off Nigeria.
November 15	MEND kidnapped 7 Nigerian oil workers of Exxon Mobil.
2011	
March 16	Bomb exploded in southern Nigeria on an Agip oil platform.
May 19	Another MEND leader, John Togo was killed through an airstrike by the Nigerian Air Force.
September 14	MEND kidnapped 14 Filipino and 9 Spanish sailors. All 23 persons were later released.
October 13	20 Russian Sailors were kidnapped off the oil vessel MT Cape Bird. They were all later released.
November 1	3 British sailors were kidnapped off an oil vessel operated by Chevron and later released after on month.
2012	
February 13	MEND shot dead the captain and chief engineer of a Cargo Ship, 110 miles off Nigerian coast.
February 29	8 MEND gunmen stormed a ship off the coast of Rivers State and kidnapped 3 Dutch sailors.
August 4	1 Iranian, 1 Malaysian and 1 Thai sailors were kidnapped off an oil carrier 35 miles off the Nigerian coast. Two Nigerian Navy Soldiers were killed during the gun battle with the militants.
October 15	7 sailors aboard the Bourbon Liberty 249 were kidnapped by MEND gunmen. They were released later after ransom was paid.
December 17	5 Indian sailors of SP Brussels were kidnapped by the militants. They looted the ship and later set it ablaze. The hostages were later released on January 27.
December 20	4 South Korean oil workers were kidnapped from an oil plant in the Niger Delta but later released on December 23.
2013	
January 9	The Nigerian Soldiers got into gun battle with MEND militants in Ogun State while the militants were stealing from oil pipelines, resulting in the explosion of the pipeline, leaving 7 militants, 3 Nigerian Soldiers and over 40 persons in the nearby village dead.
February 7	2 Russian with 1 Romanian sailors were kidnapped from a British cargo ship. They looted the ship and damaged it. The hostages were later released.
February 17	6 Russian sailors were kidnapped aboard the Armada Tuah 101 cargo ship. They were released on February 26 after 200 million Naira (\$1.3 million) ransom.
March 1	The Nigerian Navy arrested 33 pirates with affiliation to MEND of the coast of Lagos.
March 7	3 Malaysian sailors were kidnapped aboard the Armada Tuah 22. The Joint Task Force (JTF) security agent of Nigeria later raided the camp, freed the men and captured 4 militants.
April 6	12 Nigerian Police Officers were killed in Bayelsa State while purportedly escorting an ex-militant who stole from MEND a year earlier.
April 13	Militants' bomb destroyed Oil Well 62 belonging to Royal Dutch Shell in Bayelsa State.
April 22	2 Russian and 2 Ukrainian sailors were kidnapped off the coast of Bayelsa State. JTF engaged the militants and later released the hostages.
May 5	MEND killed 8 of its ex-militants accused of collaborating with the JTF.
May 12	MEND gunmen kidnapped the daughter of Nigerian supreme court judge, Bode Rhodes-Vivour. She was released after two hour with ransom paid.
August 15	Pirates hijacked the Saint Kitts and Nevis flagged oil vessel MT Notre. The Nigerian Navy later intervened, killed 12 pirates and 4 surrendered willingly. The crew members were all safe. ²⁴²

²⁴² Sources: Osaghae, E. et al. Youth Militias, Self-Determination and Resource Control Struggles in the Niger Delta Region of Nigeria, 18-21; Movement for the Emancipation of Niger Delta (MEND): Wikipedia.org.

Appendix II: LOOTED MONEY FROM NIGERIA DISCOVERED IN FOREIGN BANKS

DEPOSITORS	POST(s) HELD IN NIGERIA	LONDON	SWISS	USA	GERMANY
Gen. Ibrahim Babangida	President/Military Head of State 1985-1993	6.256b	7.41b	2.00b	DM 9.00b
Gen. Abubakar	President/Military Head of State 1998-1999	1.31b	2.33b	8.00m	DM 1b
Rear A. Mike Akhigbe	Vice President und Gen. Abubakar 1998-1999	1.24b	2.42b	671m	DM 900m
Gen. Jerry Useni	Minister, Federal Capital Territory, Abuja under Sani Abacha 1993-1998	3.046b	2.01b	1.01b	DM 700m
Alhaji Ismaila Gwarzo	National Security Advisor under Sani Abacha 1993-1998, also linked to the theft of 2.45 billion from the Central Bank of Nigeria.	1.03b	2.00b	1.30b	DM 345m
Alhaji Umaru Dikko	Minister of Transportation under President Shehu Shagari 1979-1983, also linked to the stealing of 1bn of government money.	4.5b	1.4b	700m	DM 500m
Paul Ogwuma	Governor of Central Bank of Nigeria under Sani Abacha and Gen. Abubakar.	300m	1.42b	200m	DM 3.01m
Gen. Sani Abacha	Head of State 1993-1998	5.01b	4.09b	800m	DM 535m
Mohammed Abacha	Eldest Son of the Nigerian Dictator, Gen. Sani Abacha.	300m	1.2b	139m	DM 471m
Abdukadir Abacha	Younger brother to Gen. Sani Abacha.	700m	1.21b	900m	DM 300m
Alhaji Wada Nas	Special Duties Minister under Sani Abacha 1993-1998, - died 3. January 2005 at 66.	600m	1.32b	-----	DM 371m
Tom Ikimi	Foreign Minister of Nigeria 1995-1998.	400m	1.39b	133m	DM 371m
Dan Etete	Nigerian Petroleum Minister under Sani Abacha 1993-1998, convicted of Money Laundering in France in 2007.	1.12b	1.03b	400m	DM 1.72m
Don Etiebet	Senator during the Nigerian Second Republic 1979-1983, later Governor of Cross River State Oct – Dec. 1983.	2.5b	1.06b	700m	DM 361m
Maj. Al-Mustapha	Chief Security Officer under Gen. Sani Abacha 1993-1998.	600m	1.001b	-----	DM 210m
Anthony Ani	Nigeria's Finance Minister under Gen. Sani Abacha, 1993-1998.	2.9b	1.09b	360m	DM 1.66b
Bashir Dalhatu	Minister of Power and Steel 1993-1997, Minister of Internal Affairs, 1997-1998.	2.3b	1.001b	161m	DM 1.43b
Gen. Washishi	Deputy Treasury Officer of Central Bank of Nigeria under Gen. Sani Abacha, 1993-1998.	700m	1.301b	-----	-----
Alhaji Hassan Adamu	Minister of Agriculture and Rural Development, 2001-2007.	300m	200m	700m	-----
T.Y. Danjuma	Chief of Army Staff, 1979-1980, Federal Minister of Defence, 1999-2003.	1.36b	1.02b	300m	DM 190m
Gen. Ishaya Bamaïyi	Chief of Army Staff under Gen. Sani Abacha, 1993-1998.	120m	800m	-----	-----

Appendix III (a)

SYMPTOMS REPORTED BY RESPONDENTS BY EXPOSURE CATEGORIES AND ASSOCIATIONS

Variable	Exposed (%) (N=210)	Unexposed (%) (N=210)	O/R	P value
Malaise	49 (23.33)	33 (15.77)	1.63	<0.05
Headache	76 (36.19)	27 (12.86)	3.84	<0.001
Nausea	48 (22.86)	11 (5.24)	5.36	<0.001
Diarrhoea	87 (41.43)	28 (13.33)	4.6	<0.001
Sore eyes	69 (32.86)	9 (4.29)	10.93	<0.001
Sore throat	63 (30)	13 (6.19)	6.49	<0.001
Cough	56 (26.67)	17 (8.1)	4.13	<0.001
Itchy skin	103 (49.05)	14 (6.67)	13.48	<0.001
Rashes	90 (42.86)	13 (6.19)	11.37	<0.001
Occupational injuries	51 (24.29)	12 (5.71)	5.29	<0.001

(Source²⁴³)

(The statistics above) show that exposures to the spilled crude oil were associated with significant increases in the period prevalence for diarrhoea, sore eyes, itchy skin and occupational injuries.²⁴⁴ Shock, acute renal failure, extensive epidermolysis, conjunctivitis, mucositis, esophagitis, and chemical pneumonitis were reported in a 2 year old treated for febrile convulsion with a Nigerian crude oil.²⁴⁵ Animal studies, conducted by feeding rats and other experimental animals with foods contaminated with crude oil, indicate that exposures to Nigerian crude oil could result in infertility

Appendix III (b)

CWUR 2014 | Top Universities in Africa

<http://cwur.org/2014/africa.html>



MAIN TOP UNIVERSITIES RANKING BY COUNTRY

CWUR 2014 - Africa

World Rank	Institution	Country/Region	Africa Rank	Quality of Education	Alumni Employment	Quality of Faculty	Publications	Influence	Citations	Broad Impact	Patents	Score
114	University of the Witwatersrand	South Africa	1	79	29	169	456	241	310	472	259	50.4
267	University of Cape Town	South Africa	2	97	169	142	333	244	220	274	552	46.7
311	Stellenbosch University	South Africa	3	355+	64	210+	545	494	310	504	259	46.2
459	University of KwaZulu-Natal	South Africa	4	355+	142	210+	584	436	310	554	737+	45.2
609	University of Pretoria	South Africa	5	355+	233	210+	597	557	493	716	481	44.8
802	Cairo University	Egypt	6	310	473	176	701	729	609	843	737+	44.5
891	Makerere University	Uganda	7	355+	478+	210+	915	708	609	832	737+	44.4
951	Alexandria University	Egypt	8	254	478+	210+	963	950	800+	956	737+	44.3
958	Mansoura University	Egypt	9	355+	478+	210+	978	974	609	923	737+	44.3
985	Ain Shams University	Egypt	10	355+	478+	210+	991	848	609	937	737+	44.3

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(Source²⁴⁶)

²⁴³ Ordinioha, B. and Brisibe, S. "The Human Health Implications of Crude Oil Spills in the Niger Delta, Nigeria: An Interpretation of Published Studies", in: Nigerian Medical Journal, 10-16.

²⁴⁴ Ordinioha B, and Sawyer W. Acute health effects of a crude oil spill in a rural community in Bayelsa State, Nigeria, in: Nigerian Medical Journal, 140-4.

²⁴⁵ Otaigbe BE, Adesina AF. Crude oil poisoning in a 2 year old Nigerian: A case report, 6.

²⁴⁶ Centre for World Universities Rankings (CWUR), 2014 Top Universities in Africa: www.cwur.org/2014.

Bibliography: Primary Sources

- ADEMOMOLEKUN, L: Politics and Administration in Nigeria, Spectrum Books, 1986.
- AFRICAN UNION, African Charter on Human and Peoples Rights, October 21, 1986.
- AQUINAS, T: Summa Theologiae, 1a 2ae, 94.
- CICERO, De Republica 1, 25, 39, LCL 213, in: The City of God, Cambridge: Harvard Univ., 1970.
- CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, "Fundamental Objectives and Directive Principles of State Policy", 1999.
- COURSON, E: Research Paper: Movement for the Emancipation of the Niger Delta (MEND), Political Marginalisation, Repression and Petro-Insurgency in the Niger Delta, GML Print, Stockholm, 2009.
- EMIRI, F. and DEINDUOMO, G. (eds.): Law and Petroleum Industry in Nigeria: Current Challenges, Matthouse Press Lagos, Nigeria, 2009.
- FOREST, T. G: Politics and Economic Development in Nigeria, Westview Press Colorado, 1995.
- FRYNAS, J: Oil in Nigeria: Conflict and Litigation Between Oil Companies and Village Communities, Transaction Pub. New Jersey, 2000.
- GRAF, W. D: Nigerian State: Political, Economy, State Class and Political System in the Post-Colonial era, Heineman London, 1988.
- IBEANU, O: Civil Society and Conflict Management in the Niger Delta, Cleen Foundation, Lagos, 2006.
- LAWS OF THE FEDERATION OF NIGERIA, Environmental Impact Assessment Act, Decree No. 86, 1992: nigeria-law.org.
- LAWS OF THE FEDERATION OF NIGERIA, Land Use Act, 27. March, 1978, Chapter 202 of the Laws of the Federation of Nigeria, 1990: nigeria-law.org.
- LAWS OF THE FEDERATION OF NIGERIA, Oil in Navigable Waters Act 1968, No. 34 (Cap 337): nigeria-law.org.
- LAWS OF THE FEDERATION OF NIGERIA, Oil Pipeline Act 1956, Chapter 338 of the Laws of the Federation of Nigeria, 1990: nigeria-law.org.
- LAWS OF THE FEDERATION OF NIGERIA, Petroleum Act of 1969, Chapter 350 of the Laws of the Federation of Nigeria, 1990: nigeria-law.org.
- LAWS OF THE FEDERATION OF NIGERIA, Federal Environmental Protection Agency Act, Cap. 131, LFN, 1990 (as amended) by Decree no. 59 of Laws of the Federation of Nigeria, 1992: nigeria-law.org.
- OMEJE, K. High Stakes and Stakeholders: Oil Conflict and Security in Nigeria, Ashgate Pub. Ltd, England, 2006.
- OSAGHAE, E. Nigeria Since Independence, Crippled Giant, Hurst and Co., London, 1998.
- Documents of the Church
- LEO XIII, Rerum Novarum, Encyclical on Capital and Labour, Rome, 15 May 1891. Vatican Website.
- VATICAN COUNCIL II (1962-1965), Gaudium et Spes, Pastoral Constitution on the Church in the Modern World, in: The Vatican Collection: The Conciliar and Post-conciliar Documents, Vol. 1, edited by Austin Flannery, 903-1001, Northport, NY: Costello, 1996.
- JOHN XXIII, Pacem in Terris, An Encyclical on Establishing Universal Peace in Truth, Justice, Charity and Liberty, Rome, 11. April 1963. Vatican Website.

- PAUL VI, *Populorum Progressio*, Encyclical On the Development of Peoples, Rome, March 26, 1967. Vatican Website.
- 1971 SYNOD OF BISHOPS, *Justitia in Mundo*, Justice in the World, Statement of the Synod of Bishops, Rome, 1971. Vatican Website.
- PAUL VI, *Evangelii Nuntiandi*, Apostolic Exhortation On Evangelisation in the Modern World, Rome, 8. Dec. 1975. Vatican Website.
- JOHN PAUL II, *Centesimus Annus*, Encyclical on the Hundredth Anniversary of *Rerum Novarum*, Rome, 1 May 1991. Vatican Website.
- JOHN PAUL II, *Laborem Exercens*, Encyclical on Human Work on the Nineteenth Anniversary of *Rerum Novarum*, Rome, 14 September 1981. Vatican Website.
- JOHN PAUL II, *Sollicitudo Rei Socialis*, Encyclical on the Twentieth Anniversary of *Populorum Progressio*, Rome, 30 December 1987. Vatican Website.
- JOHN PAUL II, “Address to the 34th General Assembly of the United Nations”, Apostolic Journey to the United States of America, New York, 2. October 1979. Vatican Website.
- JOHN PAUL II, Address to the Bishops from Nigeria on their “Ad Limina” Visit, 30. April 2002. Vatican Website.
- JOHN PAUL II, “To Serve Peace, Respect Freedom, in: Message for 1981 World Day of Peace, Dec. 8, 1980. Vatican Website. (www.priestsforlife.org.)
- PONTIFICAL COUNCIL FOR JUSTICE AND PEACE, *Compendium of the Social Doctrine of the Church*, Libreria Editrice Vaticana, Rome, 2004.

Secondary Sources

- AGWU, S: Article: Corruption: Bane of Good Governance in Nigeria; in: *The Nigerian Voice* (NTV), 24, July 2011; www.thenigerianvoice.com.
- AKINSELOYIN, C: *Development Problems in the Niger Delta Region*, Peter Lang GmbH, Frankfurt am Main, 2012.
- ATKINSON, D. A. and FIELD, D. H. (eds): *New Dictionary of Christian Ethics and Pastoral Theology*, Inter-Varsity Press, Leicester, England, 1995.
- BARACK, O: Inaugural Speech as President of USA, Washington DC, 20 Jan. 2009.
- BUHARI, M: Maiden Speech as Nigerian Military Head of State, 1 January 1984; www.fortunesoldiers.com/speeches.pdf.
- BUND FÜR UMWELT UND NATURSCHUTZ, DEUTSCHLAND; www.bund.net.
- CATHOLIC BISHOPS’ CONFERENCE OF NIGERIA, *Faith and the Dignity of the Human Person*, Communiqué at the End of the First Plenary Meeting of the CBCN at DDL Retreat and Conference Centre Lugbe, Abuja, 2013; www.cbcn.org.ng.
- CATHOLIC BISHOPS’ CONFERENCE OF NIGERIA, *Statement on the State on the Nation*, June 2012; www.cbcn.org.ng.
- CATHOLIC BISHOPS’ CONFERENCE OF NIGERIA, *The Catholic Church Policy on Education in Nigeria*, 2005, p. ii; www.cbcn.org.ng.

- CATHOLIC SECRETARIAT OF NIGERIA, *The Travesty of Oil and Gas Wealth: A Statement of The Justice, Development and Peace Department of the CBCN, Nigeria*, 2006; www.cbcn.org.ng.
- CBRR Database – Nigeria: Centre for International Environmental Law; www.ciel.org/publications/CBPR_Nigeria_9-18-06.pdf.
- CENTRE FOR CONSTITUTIONAL RIGHTS AND EARTH RIGHTS INTERNATIONAL: www.ccrjustice.org and www.earthrights.org.
- CLAUDE, R. P. and WASTON, B. H: *Human Rights in the World Community: Issues and Action*, Philadelphia, University of Pennsylvania Press, 2006.
- CHUKWUANI, C. M. et al: *A Baseline Survey of the Primary Health Care System in Southern Nigeria: Health Policy* 77, 2006.
- CORNESCU, A. V: *Days of Law: The Conference Proceedings*, Faculty of Juridical Sciences, University “Constantin Brancusi” of Targu Jiu, Romania, Pub. Masaryk University, 2009.
- DYSON, R. W. (ed): *The City of God Against the Pagans*, Cambridge University Press, 1998.
- FEDERAL REPUBLIC OF NIGERIA, *Report of the Constitution Drafting Committee*, Vol. 1 XXIX, 1976.
- FEDERAL REPUBLIC OF NIGERIA: *Report of the 2014 National Conference*, Section 5.4.6, August 2014: www.premiumtimesng.com/nigerianationalconference.
- HUMAN RIGHTS WATCH, *Rivers and Blood: Guns, Oil and Power in Nigeria’s Rivers State*, Briefing Paper, Feb. 2005; www.hrw.org.
- HUMAN RIGHTS WATCH, *The Price of Oil: Corporate Responsibility and Human Rights Violations in Nigeria’s Oil Producing Communities*, USA, January 1999; www.hrw.org.
- IKEIN, A., ALAMIEYESEIGHA, D. and AZAIKI S: *Oil, Democracy and the Promise of True Federalism in Nigeria*, University Press USA, 2008.
- INTERNATIONAL COMMISSION OF JURISTS (ICJ): *Nigeria and the Rule of Law*, A Study, Printed in France, Imprimerie Abrax-Chenove, France, 1996.
- KEENAN, J. (ed.): *Catholic Theological Ethics in the World Church*, Continuum International Pub. Group Inc., New York, 2007.
- KEENAN, J. (ed.): *Catholic Theological Ethics, Past Present and Future – The Trento Conference*, Orbis Books, New York, 2011.
- MBANASO, M. and KORIEH, C: *Minorities and the State in Africa*, Cambria Press, New York, 2010.
- MBITI, J. S. *African Religions and Philosophy*, New York, Doubleday, 1970.
- MISRA, R. P: *Rediscovering Gandhi: Satyagraha, Gandhi’s Approach to Conflict Resolution* by Sharma Jai Narain, Concept Pub. Company, New Delhi, 2008.
- MOVEMENT FOR THE SURVIVAL OF OGONI PEOPLE, *Excerpt from the Forward* written by Ken Saro-Wiwa, *Ogoni Bill of Rights*, Oct. 1990, Pub. Saros International, 1992: books.google.com.
- NIGERIA, Niger Delta Development Commission (NDDC), *Niger Delta Regional Development Master Plan 2006*: www.nddc.gov.ng.
- NWALIMU, C: *The Nigerian Legal System*, Vol. 2, Peter Lang Pub. 2009.
- OGONI BILL OF RIGHTS, December 1992; www.mosop.org/ogoni_bill_of_rights.htm/.
- OJO, B. A: *Nigeria’s Third Republic: The Problems and Prospects of Political Transition to Civil Rule*, Nova Publishers New York, 1998.

- OKOLO, P. O. and ETEPKE, A: Oil Pipeline Vandalisation and the Socio-Economic Effects in Nigeria's Niger Delta Region, Nov. 2010; available at SSRN: <http://ssrn.com/abstract=1723169>.
- OKPALAONWUKA, J: Morality and Politics in Nigeria (Moral Integration in Nigerian Politics as a Way Out), Peter Lang GmbH, Frankfurt am Main, 1997.
- PESCHKE, K. H: Christian Ethics, Moral Theology in the Light of Vatican II, Vol. 2: Special Moral Theology, Goodliffe Neale Ltd, 1993.
- PIUS XII, Radio Message, in: Acta Apostolica Sedis, January, 1943.
- PRÜLLER-JAGENTEUFEL, G. M: Solidarität – eine Option für die Opfer, Peter Lang GmbH, Europäischer Verlag der Wissenschaften, Frankfurt am Main, 1998.
- RAMON, M: "Section 7(1)(a) of the NDCC Act 2000, in: Corporate Social Responsibility: The Corporate Governance of the 21st Century, Pub. Kluwer Law International, 2011.
- SARO WIWA, K: Ogoni Bill of Rights; in: Forward written by Ken Saro Wiwa, Sarol Interl. Pub. Port Harcourt, Nigeria, 1992; [www.mosop.org/ogoni bill of rights.html](http://www.mosop.org/ogoni%20bill%20of%20rights.html).
- SCHAFF, P. (ed): The Nicene and Post-Nicene Fathers, St. Augustine, Vol. II: The City of God and Christian Doctrine, WM. B. Eerdmans Publishing Company, Grand Rapids, Michigan, 1979.
- SCHINELLER, P. (ed.): The Voice of the Voiceless, Pastoral Letters and Communiques of the Catholic Bishops' Conference of Nigeria (1960-2002), Daily Graphics Nigeria, 2002.
- S. E.: Petroleum Prospecting State, Violence and Hostage-Taking in Nigeria: A Study of the Niger Delta Region (1966-2007), in: Emiri, F. and Deinduomo, G. Law and Petroleum Industry in Nigeria: Current Challenges, Lagos, Malthaus Press, 2009.
- SILVER, D: Jean-Jacques Rousseau, On the Social Contract, New York, Dover Publications, 2003.
- SOILLUN, Max: Oil, Politics and Violence: Nigeria's Military Coup Culture (1966-1976), Algora Publishing, 2009.
- TEBEKAEMI, T. The Twelve-Day Revolution, Idodo Umeh Publisher, 1982.
- U.S. CONGRESS, Office of Technology Assessment and Bioremediation for Marine Oil Spills: Background Paper, OTA-BP-0-70, Washington DC: US Government Printing Office, May 1991.
- UNITED NATION ENVIRONMENTAL PROGRAMME, Environmental Assessment of Ogoniland, UNEP Nairobi, Kenya, 2011.
- UNITED NATIONS DEVELOPMENT POLICY (UNDP), Country Report 2003; www.undp.org.
- UNITED NATIONS ENVIRONMENTAL PROGRAMME (UNEP), Background of Environmental Degradation in Ogoniland, 2011; www.unep.org.
- VATICAN CITY ROME, Catechism of the Catholic Church, Theological Publications in India, 1999.
- VATICAN COUNCIL II, Gaudium et Spes, On the Church in the Modern World, 7. December 1965.
- WALI, A. L: Oil Wealth and Local Poverty: Exploitation and Neglect in the Niger Delta, ProQuest LLC, Michigan, 2008.
- WOODROW, W. 28th President of the United States, 1913-1921: <http://www.brainyquote.com/quotes/w/woodrowwil163845.html>.
- WIKIPEDIA, The Free Encyclopaedia; [en.wikipedia.org/wiki/social anthropology](http://en.wikipedia.org/wiki/social_anthropology).
- YOUTHS FOR HUMAN RIGHTS, Making Human Rights a Global Reality; www.youthforhumanrights.org.

Journals and Papers

- ABDUL-JELIL, A. G: "Godfatherism" and Nigeria's Fourth Republic: Violence and Political Insecurity in Ibadan, in: Peace and Conflict Studies Programme, Institute of African Studies, University of Ibadan: www.infra-nigeria.org.
- AKINOLA, S. R. and ADESOPO A: Derivation Principle Dilemma and National (Dis)Unity in Nigeria: A Polycentric Planning Perspective on the Niger Delta; in: Journal of Sustainable Development, Vol. 4, No. 5, October 2011.
- ALLEN, F: The Enemy Within: Oil in the Niger Delta; in: World Policy Journal, Vol. XXIX, No. 4, Winter 2012/2013.
- AROWOLO, D: Nigeria's Federalism and the Agitation for Resource Control in the Niger Delta Region; in: OIDA International Journal of Sustainable Development, Vol. 2, No. 7, 2011.
- CHUKWUANI, C. M. et al: A Baseline Survey of the Primary Health Care System in Southern Nigeria: Health Policy 77, 2006.
- COBBAH, J. A. M: African Values and the Human Rights Debate: An African Perspective, in: Human Rights Quarterly, Vol. 9, No.3, Maryland, John Hopkins University Press, Aug. 1987.
- EBEGBULEM J., EKPE, D. and ADEJUMO, T: Oil Exploration and Poverty in the Niger Delta Region of Nigeria: A Critical Analysis; in: International Journal of Business and Social Science Vol. 4 no. 3, March 2013.
- EDEVBIE, D: The Politics of 13 Percent Derivation Principle, Paper Presentation as a Commissioner For Finance and Economic Planning, Delta State of Nigeria, 5. May, 2000:waado.org/Environment/FedGovtNigerDelta/.
- ESEDUWO, F. S: Petroleum Prospecting State and Violence and Hostage-Taking in Nigeria: A Study of the Niger Delta Region (1966-2007): A Paper Presented at the International Conference on the Nigerian State, Oil Industry and the Niger Delta.
- GOYETTE, J: On the Transcendence of the Political Common Good, Aquinas versus the New Natural Law Theory; in: The National Catholic Bioethics Quarterly, Spring 2013.
- HARRIMAN, T: "Is there a Future for Democracy in Nigeria?", A Paper Presented at the Department of International Development, Oxford University, London, 5 June 2006; orenga.politic.ox.ac.uk.
- HOLLENBACH, D: The Common Good Revisited, Theological Studies, 50:1, 1989.
- KUKAH M. H: Human Rights in Nigeria: Hopes and Hindrances, in: Missio 2003, Pontifical Mission Society, Human Rights Office, D-52012 Aachen, Germany.
- LEFEVERE, P: Nigerian Bishops' Initiate Forum on Oil Industry's Impact; in: National Catholic Reporter, 2011; www.ncronline.org.
- MAKINDE, T: Problems of Policy Implementation in Developing Nations: The Nigerian Experience; in: Journal of Social Sciences II (I), 2005.
- MAREMIN, O: The Anini Saga: Armed Robbery and the Reproduction of Ideology in Nigeria; in: Journal of Modern African Studies, Vol. 25, No. 2, 1987.
- MIER, S: Conference Paper: "Hope in the Midst of Enormous Challenges in Mexico"; in: Catholic Theological Ethics in the World Church, Continuum Interl. Pub. Inc. New York, 2007.

- NGORAN, S. D: Oil Spill Governance in the Niger Delta, Nigeria: Analysis of Gaps and Policy Recommendation, in: Coastal and Ocean Management Institute (COMI) Xiamen University. Course: Marine Policy, 2011: www.academia.edu.
- NYONG, T: Article: “Ineffective Leadership: Bane of Nigeria’s Development”; in Vanguard Nigeria, 17 Sept. 2013.
- ODULARU, G. O: Research Paper: Crude Oil and the Nigerian Economic Performance, Oil and Gas Business, 2007; <http://www.oibus.ru/eng/>.
- OGEGE, S. O: Amnesty Initiative and the Dilemma of Sustainable Development in the Niger Delta Region of Nigeria; in: Journal of Sustainable Development, Vol. 4, no. 4, August 2011.
- OJO, E. O: New Missions and Roles of the Military Forces: The Blurring of Military and Police Roles in Nigeria, in: Journal of Military and Strategic Studies, Fall and Winter 2008/9, Vol. 11, Issues 1 and 2
- OYEBAMIJI, M., and MBA, I: Effects of Oil Spillage on Community Development in the Niger Delta Region: Implications for the Eradication of Poverty and Hunger (Millennium Development Goal One) in Nigeria; in: World Journal of Social Science Vol. 1, No. 1, 2014.
- ORDINIOHA, B. and BRISIBE, S: The Human Health Implications of Crude Oil Spills in the Niger Delta, Nigeria: An Interpretation of Published Studies; in Nigeria Medical Journal, Jan-Feb 2013, 54(1).
- ORDINIOHA, B. and BRISIBE, S. “The Human Health Implications of Crude Oil Spills in the Niger Delta, Nigeria: An Interpretation of Published Studies”, in: Nigerian Medical Journal, 2013 Jan-Feb; 54(1): 10-16.
- ORDINIOHA, B. and SAWYER, W. Acute health effects of a crude oil spill in a rural community in Bayelsa State, Nigeria. Niger J Med. 2010;19:140–4.
- OTAIGBE B. E., ADESINA, A. F. Crude oil poisoning in a 2 year old Nigerian: A case report. Anil Aggrawal's Internet. J Forensic Med Toxicol. 2005. [Last accessed 2012 Sep 19]. p.6. Available from: http://www.anilaggrawal.com/ij/vol_006_no_002/papers/paper004.html.
- OSAGHAE, E., IKELEGHE, A., OLARINMOYE, O. and OKHONMINA, S: Research Paper: Youth Militias, Self Determination and Resource Control Struggles in the Niger Delta Region of Nigeria, in: Conflicts and Conflict Resolution in Africa, Codesria Research Reports, No. 5, Dakar 2011: www.codesria.org.
- OTIOTIO, D: Research Paper: Gas Flaring Regulation in the Oil and Gas Industry: A Comparative Analysis of Nigeria and Texas Regulations, University of Tulsa College of Law, May 2013: www.scribd.com/Gas-Flaring-Regulation-In-The-Oil-And-Gas-Industry.
- SARAKI, B: “Oil Spills in the Niger Delta: The Way Forward”: A Speech by His Excellency, Sen. Dr. Bukola Saraki at the Niger Delta and National Development Working Group of the Nigeria- U.S. Bi-National Commission Meeting, 2012: www.abubakarbukolasaraki.com.
- SHARMA, S: Bioremediation: Features, Strategies and Applications; in: Asian Journal of Pharmacy and Life Science, Vol. 2 (2), April-June, 2012.
- SMITH, AMELIA: Shell Lied to Dutch Court About Oil Spills in Nigeria, Says Friends of the Earth, in: Business and Human Rights Resource Centre: www.business-humanrights.org.
- UKAGA, O., UKIWO, U. and IBABA, S. (eds): Natural Resources, Conflict and Sustainable Development: Lessons from the Niger Delta, in: African Review of Economics and Finance, Vol. 4, No. 1, Dec. 2012, Routledge Pub, New York, 2012.
- WATTS, M: Human Rights, Violence and the Oil Complex, Working Paper No. 2, in: Niger Delta, Economics of Violence, Working Papers, 2004: www.geography.berkeley.edu/ProjectResources.

Curriculum Vitae

Name: Chijioke Francis Nwosu
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Academic Training

1980 – 1986: Primary Education – Nkwo Nnewi Primary School, Nnewi, Anambra State, Nigeria, West Africa.

1988 – 1990: Junior Secondary Education/Seminary Formation – St. Paul’s Seminary, Ukpok, Nnewi South, Anambra State, Nigeria, West Africa.

1990 – 1993: Senior Secondary Education/Seminary Formation – All Hallows’ Seminary, Onitsha, Anambra State, Nigeria, West Africa. Certificate: Senior Secondary Certificate Examination (S.S.C.E) – “*Matura*”

1993 – 1995: Teaching Training/Apostolic Work Experience – All Hallows’ Seminary, Onitsha. Area of Specialisation: Chemistry, Physics and Music.

1995 – 1996: One Year Spiritual Training – St. Pius XII Spiritual Year Seminary, Akwu Ukwu, Anambra State, Nigeria, West Africa.

1996 – 2000: Philosophical Studies – St. Joseph Major Seminary, Ikot Ekpene, Akwa Ibom State, Nigeria, West Africa, an affiliate school of Urban University, Rome and University of Uyo, Akwa Ibom State Nigeria. Degrees Acquired: Bachelor of Arts Degree (B.A), Nigeria; and Bachelor of Philosophy Degree (B.Phil), Rome. Title of Research Work for the Bachelor’s Degree: **The Domain of Man as an Autonomous Being in the Kantian Concept of Moral Law and Right – A Pedagogy of Man in Immanuel Kant.**

2000 – 2001: Teaching Training/Formator -Apostolic Work Experience – St. Paul’s Seminary, Ukpok. Area of Specialisation: Literature in English, Computer Science, Christian Religious Knowledge and Music.

2001 – 2005: Theological Studies – Blesse Iwene Tansi Major Seminary, Onitsha, Anambra State, Nigeria, West Africa, an affiliate school of Urban University, Rome. Degree Acquired: Bachelor of Theology Degree (B.Th), Rome. Title of Research Work for the Bachelor’s Degree: **The Priestly Role in an Age of Social Violence: A Pastoral Theological Approach to the Authentic Pastoral Charity of Pastores Dabo Vobis.**

2006 – 2008: Post-Graduate Studies in Educational and Developmental Psychology – Ahmadu Bello University, Zaria, Nigeria, West Africa. Degree Acquired: Post Graduate Diploma in Education (PGDE).

Vocation/Work

2004: Ordained a Catholic Deacon in Nnewi, Nigeria.

2005: Ordained a Catholic Priest by His Lordship, Most Rev. Dr. Hilary Odili Okeke, Catholic Bishop of Nnewi Diocese, Nnewi, Anambra State, Nigeria, West Africa.

2005 – 2009: Priest-Formator/Teacher – St. Paul’s Seminary, Ukpok.

2010 – Till date: Further Studies – University of Vienna, Austria and the Diocesan Conservatory for Church Music, Vienna, Austria.