



Situation Report

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The Niger Delta Crisis and its Implications for Nigeria's 2007 elections

Overview of the Niger Delta Crisis

Nigeria, which returned to civilian government in May 1999 after three decades of military rule, will conduct another round of elections for state governors and legislators on 14 April. Presidential and Federal Legislative elections will be held on 21 April. If fair and orderly, this event will mark the third successive time elections have held without a break in Africa's most populous country. More importantly, it will be the first successful transfer of power from one elected government to another since independence in 1960. Previous attempts in 1964 and 1983 had been marred by widespread poll rigging, election-related violence, and bickering among the politicians, obliging the armed forces to seize power.

The elections and their aftermath will be carefully monitored by observers and analysts locally and globally given Nigeria's dominant position in Africa's international relations and her pivotal role as western Africa's economic powerhouse. Nigeria is the world's eight largest exporter of crude oil and the fifth leading exporter to the United States. The Iraq war and the political turbulence it generated in the Persian Gulf, traditionally America and western Europe's oil supplier, has put Nigeria and the Gulf of Guinea, west Africa's emerging oil belt, on the policy radar of the Bush administration. The Niger Delta, Nigeria's oil region, has been mired in crisis since 1990. Industry analysts worry that fraudulent or inconclusive polls in April could plunge the volatile region into bloody chaos, disrupting the flow of oil in an already stretched global market. Nigeria's oil exports have been cut by 20 per cent since early 2006 when the Movement for the Emancipation of the Niger Delta (MEND), an armed militia, began to attack oil installations with explosives.

The emergence of the non-violent Movement for the Survival of the Ogoni People (MOSOP) in 1990, and the hanging of its charismatic leader, Ken Saro Wiwa and eight other Ogoni activists, five years later drew the attention of the world to the plight of local communities in the Niger Delta as they sought to check the adverse impact of oil production on their livelihood base and also obtain from the government a fair share of the oil revenue.² The region, inhabited mainly by ethnic minority groups including the Ijaw, Ikwerre, Itsekiri, Urhobo, Edo, Isoko, Etche, and Ogoni among others, began to undergo significant social unrest following the suppression of MOSOP by the military government of General Sani Abacha, now deceased, in 1997. Youth-led environmental and pro-democracy groups, drawing on Saro-Wiwa's writings and echoing his argument for political self-determination for Nigeria's ethnic minority groups, began to proliferate.

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The military government's heavy-handed response during this period only hardened the resolve of these youth to bring about a renegotiation of the Constitution to enable minority ethnic groups enjoy enhanced political autonomy and an equitable portion of the oil wealth. The election of Olusegun Obasanjo, a former military head of state, as President in May 1999 did not end military repression of these civic and communal groups. But Obasanjo did rush through a bill in the National Assembly, giving states in the oil-bearing region 13 percent of total oil receipts. However, corruption, policy incoherence, and shoddy implementation of infrastructural projects at the local state and federal levels have combined to deny local communities in the region the benefits of the 13 percent award.³ Nor was any effort made to put a stop to the Western oil companies' practice of spilling oil into fishing waters and farmlands, practices which have plunged local peasants into poverty.

The aggrieved, too poor to hire lawyers and obtain redress in the courts, and ignored by local politicians who in any case assumed office by vote fiddling, resorted to militant protest, sabotage of oil installations, and smuggling of crude oil. By 2004, these new developments had reached alarming proportions, causing the Obasanjo government, returned in 2003 after controversial elections, to deploy more armed troops in the region. The crisis took a turn for the worse in January 2006 when MEND declared government officials and oil workers *persona non grata* and commenced a campaign of kidnapping the latter, releasing them only when it felt that these incidents had been widely reported in the international media.

The Niger Delta militias, including MEND, complain that the ethnic minority groups in the Niger Delta and whose cause they champion have been denied civil liberties and the right to participate in free and fair elections by successive governments, military and civilian, since 1960. They have also been demanding that the government free two prominent Niger Delta political figures detained since 2005, adopt the original 1960 constitution that allocated half of all mineral wealth to regions of extraction, and compel Shell Petroleum Development Company, the local subsidiary of the Anglo-Dutch corporation, to pay a court-sanctioned \$1.5 billion compensation to local communities in Ijaw territory whose livelihood base the company's activities had devastated.

Questions have been raised in the Nigerian media regarding the provenance of MEND, the source of its funds, and the extent to which its leaders are linked to the armed gangs that participate in oil smuggling and kidnapping of oil workers for purely pecuniary reasons. However, analysts that monitor MEND's activities insist that there is a distinction between the organisation and the slew of copy-cat youth gangs that emerged in mid-2006 to exploit the new situation in the region for personal benefit. MEND, they argue, is a disciplined armed movement that has clear political goals, even if it utilises unorthodox methods to raise money to fund its project.

The militias are scathing in their verbal attacks on President Obasanjo, the ruling Peoples Democratic Party (PDP) and the governors and other elected officials in the three main deltaic states of Bayelsa, Rivers, and Delta who they regularly characterise in press statements as incompetent and irremediably corrupt.⁴

The April 2007 elections are a window of opportunity for the Nigerian Government and local and international election monitors to work together and deliver free and transparent elections in the conflicted region, and in so doing, pave the way for meaningful dialogue with the armed militias. But there are troubling signs that the Obasanjo government is influencing the Independent National Electoral Commission (INEC). President Obasanjo, it has been alleged, is anxious to manage the succession and ensure that PDP candidates form the next government on 29 May when he is constitutionally required to step down.

If the militias perceive that local people in the region have been cheated yet again at the polls, the exercise will likely become a conflict-generator instead of a political instrument to conciliate rival interests and de-escalate the crisis. This

event, combined with an already restive populace nation-wide, 90 percent of whom live below the UN poverty line, could prove particularly trying for Nigeria's fragile multi-ethnic federation.

The April 2007 elections in the Niger Delta and their aftermath will be shaped by the extent to which the leading politicians address the issues enumerated in the foregoing analysis, the transparency of the election process itself, and how the Federal Government and the armed forces respond to MEND and the other militias were the elections to be bogged down in acrimony.

The Transition Monitoring Group, the influential Nigerian election-monitoring organisation, in December 2006 expressed dissatisfaction with the way the Independent National Electoral Commission had conducted the primary elections that month, preparatory to the April 2007 elections. Incidents of rigging and violence had been reported nation-wide, particularly in the PDP. The voters' registration exercise had been shoddily handled. Citizens had complained that INEC officials had not come to their vicinity to register their names and issue them voters' identification cards. The TMG also drew attention to press reports alleging that powerful PDP members had hijacked the registration process in several states, giving voters' cards to only their followers.⁵ Ken Nnamani, the Senate President, a PDP member, also alleged that the party primaries had been manipulated to favour friends of the Obasanjo government.

The PDP will go into the polls, in the Niger Delta and other parts of the country enjoying the power of incumbency, access to unlimited government funds, and control of INEC and law enforcement officials. The opposition parties are not as well-resourced. The Action Congress, led by Vice President Abubakar, is only a year old, and is yet to be tested in government or the bruising game of Nigerian power politics. Abubakar himself is fighting off corruption charges levelled at him by the government. INEC, reportedly obeying President Obasanjo's dictate, excluded Atiku from the presidential election in February 2007, claiming that this was in keeping with the provisions of the Constitution. The Vice President's lawyers are challenging the INEC decision in court, arguing that INEC is not competent to prevent Abubakar from contesting for the presidency, and that the case requires judicial interpretation.

Obasanjo's personal reputation was also damaged by the same corruption scandal with which his followers sought to ensnare Abubakar. A Senate committee indicted both President Obasanjo and Vice President Atiku Abubakar on 21 March over fraudulent management of the Petroleum Technology Development Fund, meant for the training of Nigerian oil industry engineers and technicians.⁶ Muhammadu Buhari, a retired general and candidate of the All Nigeria Peoples Party (ANPP) is popular but has not been able to mobilise the financial war chest necessary to give the PDP a serious challenge. But he may yet emerge the candidate to beat if the elections become mired in rigging and violence and the National Assembly invokes the Senate committee report and impeaches Obasanjo and Atiku.

The accusations and counter-accusations regarding the embezzlement of the petroleum fund has been resounding in the creeks of the Niger Delta, and has served as grist in the mill of the armed militias. Spokespersons of the militias have stated that the political parties have not offered credible policies that address the problems of the local inhabitants. MEND has also accused PDP politicians of stockpiling lethal weapons with which they hope to muscle their way to power. A MEND spokesperson also stated in late March that the militia was prepared to meet violence with counter-violence. Max van den Berg, head of the European Union Election Observer Mission to Nigeria, put out a press statement on 21 March that his monitors would be deployed in all parts of the country, except the three Niger Delta states of Rivers, Bayelsa and Delta where the armed militias are active.⁷

The three main issues that have led to the present crisis in the Niger Delta – demands for a 50 percent share of the oil receipts by the region's ethnic groups through the vehicle of a new constitutional compact and the central government's

reluctance to grant this request in full; undemocratic edicts deployed to confiscate oil-bearing land and the pervasive presence of federal troops to enforce this inequitable regime; and deepening poverty driven by ecological damage wrought by oil production and sustained by cynical and self-serving political elites – will play out powerfully in the coming elections. The leading actors in this drama – the Obasanjo government and the instruments of violence at its disposal, the youth militias, local NGOs and community based organisations, the oil companies, Western observer missions and a deeply aggrieved and impoverished populace – will play their allotted roles, but without the mediating vehicle of firmly established rules of the game.

These are ingredients for a combustible political outcome. Whether the tinder will indeed be ignited will depend, not on the armed militias who in any case are already on the warpath, but the amount of leverage critical sectors of Nigerian civil and political society including the National Assembly, the judiciary, the media and African and Western countries working through their official representatives are able to quickly deploy to influence Obasanjo and his government to allow the will of ordinary Nigerians to be freely expressed in the polling booths on 14 and 21 April.

The Nigerian government has not adopted a coherent and consistent policy to resolve the crisis in the Niger Delta since 1966. From 1970 onwards government policy has moved from outright military repression to neglect; to conciliatory gestures and then back to repression. Debates about a new constitution and revenue allocation formula have been dominated more by the hegemonic interests of the ethnic majority groups than by a sober assessment of the dire condition of the delta communities, and their ramifications for national unity, social order, and economic development. The government's default response to the Niger Delta 'problem' was clearly enunciated by one of Gowon's policy advisers who wrote in a memorandum, later leaked to the public, that the Federal Government could afford to ignore the protests of the oil-bearing region because they were numerically small and thus were not likely to constitute a threat, militarily or politically. The massacres of local people in Umuechem (1990), Iko (1992) Ogoni (1993–1997) Ikwerre (1997) Kaiama (1998) Odi (1999) and the ongoing military expedition to check the MEND militia constitute the practical implementation of this cynical policy.

Although government officials have drafted robust laws to regulate the oil industry and curb such practices as oil spills and flaring gas into the atmosphere near the homesteads of local communities, enforcement of these laws has been extremely lax. Nor have attempts been made to encourage the oil companies to take their avowals of corporate social responsibility seriously. The companies rarely pay adequate financial compensation to poor peasants whose land they expropriate in the process of oil production. Oil executives deliberately put out misleading information regarding the true location of oil wells, thus pitting villages against each other as they scramble for community development projects such as roads, pipe-borne water and school buildings promised by the oil companies – promises which in any case are rarely fulfilled.

The oil companies began to increasingly rely on military protection from the mid-1980s onwards, as economic crisis kicked in and retrenched workers began to leave the cities and drift back to the delta villages. The returnees, shocked at the state of daily life in a region entirely devoid of basic social amenities and meaningful economic opportunities, turned their rage on the oil companies which they saw as accomplices of the Federal Government in perpetuating their misery. Heavily armed soldiers working alongside oil company staff in drilling sites and oil flow stations became a common sight in the early 1990s, following the arrival of Ken Saro-Wiwa and MOSOP.

The oil companies also maintain private security outfits, with arm caches, attack dogs, and patrol boats. They have also collaborated with Nigerian army officers in attacking protesting local people. Following mounting criticism of this practice by local and international NGOs, and with the return of democratic rule, company

executives sought to distance themselves from the Nigerian military and began to actively recruit and arm local thugs in the Niger Delta to protect their facilities. But this has only had a boomerang effect. A significant portion of the guns in the hands of youth gangs prowling the delta creeks today and kidnapping oil workers and blowing up oil installations were purchased with the money the oil companies paid them in the 1999–2004 period. A study of conflict in the Niger Delta commissioned by Shell International in 2003 concluded that the company's methods in the region served to exacerbate conflicts, that Shell had depleted its social licence to operate in the area, and that it could be forced by widespread communal protests to forfeit its lucrative delta concessions by 2008.⁸

The Obasanjo government has adopted two conflicting strategies in its last year in office. The President's spokespersons regularly brief the press that they have adopted what they call 'a little stick and a lot of carrots approach' to the Niger Delta crisis. The 'carrot' has come in the shape of a new Niger Delta version of the American Marshall Plan implemented in Western Europe after 1945. The specific details of the plan have yet to be unfurled. The president himself formally launched a new Niger Delta Development Master Plan on 27 March, but it is not clear if this is part of the much trumpeted 'Marshall Plan', hastily knocked together in mid-2006 when MEND militias had virtually crippled oil production, or an entirely new initiative. Neither has the relationship between the new master plan and the NNDC, and whether the latter would function as the primary implementation agency, been spelt out. The general impression is one of policy chaos.

Related to the 'carrot approach' is the PDP government's selection of Dr Goodluck Jonathan, an Ijaw and current governor of Bayelsa State, as running mate to Umar Yar'Adua. The calculation is that a PDP victory in April will bring an Ijaw to the very center of power in Abuja, the Federal capital, as Vice President and thus induce the youth militias to drop their weapons and embrace the new government in which their kin will be a prominent player. This is a tried and tested, if ineffective ploy as past regimes had always appointed the petroleum minister from Ijaw or one of the other delta ethnic minority groups. Dr Edmund Daokoru, Obasanjo's minister for petroleum, is an Ijaw. So is Major General Owoeye Azazi, recently appointed head of the Army.

Even so, these high profile appointments have not doused the armed uprising in the delta. Obasanjo's field commanders, General Azazi in particular, have been anxious to project a new image of the Nigerian officer class in a democratic dispensation, promoting dialogue and peaceful negotiation instead of bloody repression. He has also been reluctant to fully implement the 'stick' part of government policy, arguing that the conflict in the delta could only be solved by political dialogue between the Federal Government, the youth militias, and the region's community leaders. President Obasanjo had seemed to follow this track in March 2006 when he invited representatives of these two groups to a parley in Abuja. The 'Marshall' plan and a promise from MEND leaders that they would observe a temporary ceasefire while they monitored the implementation of the plan was the result. However, hostilities broke out again in August, following the massacre of several youth in the creeks near Warri while they were travelling in a boat to rescue a Shell employee held by the militants.

An increasingly abrasive President in January 2007 approved the sum of \$2 billion for new weapons to enable soldiers put down the uprising. He also asked the US government to deploy the Marines to help track down and smash the MEND militia but this request was refused. For its part the American government has adopted a two-step policy. John Negroponte, US National Intelligence Director, told Congress last February that the Nigerian government's 'institutional foundations are hollow from decades of neglect and corruption and will continue to make the country susceptible to recurring crises in the coming years.'⁹ Herman Cohen, former US Assistant Secretary of State for Africa, also wrote a critical article published in the 16 February edition of the *International Herald Tribune* distancing the Bush government from Obasanjo, and acknowledging that the violence in the Niger Delta was partly the result of Obasanjo's 'undemocratic tactics.'¹⁰

The foregoing approaches have sought to suppress the problem, not air them in the clear light of day in order that the complex dynamics of rentier state economics, political authoritarianism, ethnic nationalism driven by the legitimate grievances of marginalised social groups inhabiting oil-rich land and the strategic calculations of global oil corporations might be illuminated and a solution to the conundrum sought for. The Federal Government represents the militants as criminals, and refuses to see the rise of militancy as symptoms of deeper malaise, turning on equity, devolution of power, and democratic accountability. So far, the democratic citizenship option – an alternative political imaginary in which new spaces promoting civil liberties and active participation in elected government and policy making processes anchored on the local people – has not been explored.

Depending on whom one talks to, the Nigerian economy is cresting the wave of a new boom in agriculture, manufacturing and services or has hit rock bottom. An encounter between Nasir El Rufai, a leading member of the President's economic reform team and Adamu Ciroma, former Finance minister at a conference in Abuja on 27 March dramatically illustrated this confusion. Corruption and public disorder had grown worse, argued Ciroma, and these had translated into an underperforming economy. Rufai rose promptly in defence of President Obasanjo and offered a rebuttal: 'The Nigerian economy is the second largest in Africa. It is estimated to be around \$140 billion by 2007 thus making our per capital income about \$1,000, up from less than \$300 in 1999.'¹¹

But what does the evidence on the ground say? Nigeria produces 2.5 million barrels of crude oil daily. At the current price of \$60 per barrel, the country's foreign reserves have swelled to \$40 billion. President Obasanjo also paid off Nigeria's debt to the Paris and London Clubs of creditors. His record at home has been poor, however. Enormous sums were sunk into projects to improve electric power supply to no avail. Rural farmers live on less than one dollar a day while an estimated \$600 billion, stashed away by army generals, politicians and civil servants, in foreign banks has eluded repatriation back to the country. Such physical infrastructure as roads and railway networks are decrepit. The new mobile telephony, regularly cited by government officials as Obasanjo's enduring 'economic miracle,' is one of the most expensive and most unreliable on the continent. The cities and towns are choking with young university graduates looking for work. El Rufai's rosy economic statistics seem to them like a bad joke.

The armed uprising in the Niger Delta has only worsened this despairing scenario. Oil theft in the creeks has risen to an estimated 70,000 barrels per day, depriving the treasury of an estimated \$1.5 billion per year. Michelin, a French tyre manufacturer, closed shop in January 2007 as electricity costs mounted following disruption of gas supplies by the delta militias. Militant activity also has cut oil production by 20 percent. Oil services firms, which handle the bulk of gas and oil production activities for the large oil companies, have been turning down new contracts, worried that their workers could be kidnapped by the militants. They are increasingly looking to Angola, Gabon and the other Gulf of Guinea countries, deemed to be less volatile, for business. The Nigerian government, the majority shareholder in the joint ventures with the oil companies, now pays out far more in escalating costs, including picking up the bill for foreign security companies retained by the firms to protect their workers. According to Timi Alaibe, acting Managing Director of the NDDC, the uprising has cost the government an estimated \$10 billion since it broke out in January 2006.

It is not likely that the oil majors will pull out of Nigeria anytime soon, however. The country's light crude is eagerly sought by American and western European refineries because of its low sulphur content. Before the advent of the armed militias, the oil was also relatively easy and cheap to extract and transport to key American markets. But anxiety that the violence will spread and cut off Nigerian supplies altogether has triggered unprecedented US intervention in the country's affairs. The American Ambassador in Abuja had made it clear at the height of 'Third Term' drama that the US government was opposed to Obasanjo continuing in office beyond May 2007. Herman Cohen, in an abrupt departure from protocol,

accused President Obasanjo of corruptly influencing the National Assembly, also adding that 'the April election may not be the first in Nigeria to be rigged by the incumbent, if it actually takes place.'

But this manoeuvre can cut both ways. It has won temporary plaudits for the US government in opposition and pro-democracy circles, anxious that the elections be conducted in a transparent manner. But there are also those in the Niger Delta who view the new American policy as a Trojan Horse, designed to lull the militants in the creeks into believing that they have a new friend in Uncle Sam while buying the latter enough time to prepare its AFRICOM initiative and roll it into place. An embattled Obasanjo has also turned away from his long-time friends in the American ruling class (he used to proudly count George Bush Sr. as a personal friend) and extended a hand of fellowship to an energy-thirsty China. In what analysts saw as a shot across the bows of the British, Obasanjo asked his Justice Minister to prepare charges against the Managing Director of Shell Nigeria, whom he alleged was culpable in transporting lethal substances in the delta creeks without government authorisation. Shell's chief executive denied the accusation.

The lone silver lining in the story would appear to be the eagerness of the presidential candidates to be seen as on the side of the angels. Muhammadu Buhari made the electoral pledge that he would devolve power from Abuja to the regions and also review the revenue allocation formula to the Niger Delta's benefit if elected President. Atiku Abubakar has been less imaginative, only promising that he would create a government ministry of the Niger Delta, styled along the same lines as that of the British in Northern Ireland. Patrick Utomi, presidential candidate of the African Democratic Party and a leading public intellectual who is also a Niger Delta indigene, took a television crew to Oloibiri, the impoverished Ijaw village where oil was first struck in 1956, and pledged that he would make neglect of the oil region a thing of the past if elected.

Nigeria's economy and politics have at last come together in an as yet uneasy marriage in the turbulent delta. The country, with 150 million people and growing rapidly, badly needs the oil wealth of the Niger Delta to power an ambitious programme of industrialisation and new investments in agriculture and infrastructure. This cannot be achieved without restoring a measure of peace in the region. Nor is it likely that foreign investments will flow into the country while its political elites are still at each other's throats and unable to agree on a common policy to resolve the delta crisis.

The dire situation is concentrating minds, but it remains to be seen whether the parochial and personal ambitions of the politicians will give way to the high politics of statesmanship required in these turbulent times. Whichever way the politicians decide to swing in April, this will not likely dent MEND's hold on the popular imagination in the Niger Delta, at least in the immediate aftermath. For alienated and politically marginalised youth, their Daniel has come to judgement.

Elections in Nigeria have historically been a game for the powerful and wealthy. But the April 2007 elections will be different in two important respects. First, President Obasanjo and Umar Yar'Adua, the PDP presidential candidate, have been considerably weakened by the spate of financial scandals that have rocked the government in recent months, the PDP's inability to grow the economy and lift the country out of poverty, and the fact that Obasanjo himself does not have a secure power base – neither in the armed forces, nor in his Yoruba homeland where he is distrusted as a 'Northern stooge,' nor in popular civic, intellectual and pro-democracy circles who view his policies as hostile to their cherished goals of pan-Nigerian democratic citizenship.

Second, the politicians will have to contend with a well-organised armed militia in the Niger Delta, which has successfully tapped into support for local people in the region in influential international circles, following the suppression of the Ogoni uprising in 1995.

While Obasanjo and the PDP are still in government, they do not appear to have a firm grip on power. Authority and legitimacy are draining away from the government as court rulings increasingly challenge Obasanjo, particularly on the matter of who is legally entitled to contest the election. On 28 March a high court sitting in Awka, capital of the volatile Anambra state, supported Chris Ngige, governorship candidate of Action Congress and a noted critic of Obasanjo's policies on the ballot and ordered INEC to revise its list of candidates to include Ngige. The Arewa Forum, an influential political organisation representing the interests of conservative northern politicians and traditional rulers, also cautioned Obasanjo the same day to exercise his powers judiciously during the elections and refrain from favouring PDP, his party during the 14 and 21 April elections.¹² Buhari has a solid following in the northern states. The elections are slowly shaping up to be a contest between equals, or at least between a tired Goliath and several intrepid Davids snapping at his heels.

The last time in 1965 Nigeria conducted elections with evenly matched candidates and political parties slugging it out, the political system suffered systemic breakdown. It proved unable to resolve the ensuing conflict over values, ideas, and interpretations of fair democratic conduct. The army subsequently overthrew the First Republic. Will April 2007 follow a similar pattern?

Scenario One: Chaotic and Inconclusive Elections

This is a likely scenario. Two weeks before the elections INEC is yet to display an authenticated voters' register. Voters' cards have not been printed and issued. Electoral staff have not been recruited and trained; and voters are still in the dark about polling stations in which they are to cast their votes. Opposition politicians fear that this is a deliberate ploy on Obasanjo's part to disenfranchise the majority of voters for fear they might vote against the PDP.

Election-related violence is also rising in the Niger Delta and other parts of the country. The police are distrusted. The judiciary appears to be exerting its independence, but this new resolve cannot be tested until after the elections are over and the losers and winners repair to the courts to battle it out. The crucial question agitating Nigerians presently is what will happen in the interim between the electioneering period and when the courts begin to address cases of alleged fraud.

The opposition parties do not have the spread or the logistical capacity to ensure orderly elections. They will make a respectable showing at the polls if the exercise is relatively free of thuggish conduct, but will become powerless if serious violence, unleashed by the police and paid thugs acting on the PDP's orders, break out. Civil society is not robust enough or adequately mobilised to serve as a countervailing force maintaining peace. In the delta, the armed militias have more following than community leaders and elders who are seen to have compromised their leadership roles through consorting with the oil companies. The latter have quickly cracked down on community leaders who dared to make political claims on behalf of MEND. For their part, the armed militias have maintained a studied silence regarding what their response might be were the politicians to plunge the delta and other parts of Nigeria in chaos and violence in April. But there is no doubting that they will seek to turn the confusion to political advantage. Precisely how they might do this remains a puzzle.

This is the uncertainty and imponderable, in the delta and the wider country, as the elections loom.

Scenario Two: Impeachment of Obasanjo and Vice President Abubakar

Ken Nnamani, the Senate President, has quietly emerged as one of the more credible serving PDP politicians in Obasanjo's second term. Nnamani played the pivotal role in foiling the third term gambit when he manoeuvred the Senate to debate and then reject a bill calling for an extended presidential tenure. He also encouraged the Senate to intervene in the PTDF scandal and hand out indictments of President Obasanjo and Vice President Abubakar. The Senate subsequently

went on recess, to reconvene on 2 May when the PTDF report will be debated by the full house. Local analysts say the damning report is now an axe dangling over the President's head and could be used to commence impeachment proceedings against him and Vice President Abubakar if INEC conducts the elections in a tawdry manner. A coalition of seven political parties visited the Senate President mid March and urged him to prepare the National Assembly to take power if the elections prove inconclusive.

Ordinary Nigerians and the independent media will support the National Assembly if it chooses to exercise its powers in this direction. But this scenario will depend on two factors: one, the degree to which the elections will be characterised by chaos and violence, thus mobilising popular support for National Assembly intervention; and second, if the Senate leadership is able to summon up the courage and also display presence of mind to out-manoeuvre an increasingly desperate presidency and convene a full quorum to begin impeachment proceedings. This is another imponderable.

Scenario Three: Army Take-over

It is not likely that the Nigerian armed forces or elements within it will seize power in the event of chaotic elections and the National Assembly fails to rise to the moment. The officer class is still struggling to complete an image makeover after three decades of military dictatorship during which it assisted a succession of military Heads of state to loot the national treasury, undermine national cohesion, and destroy all civic-political institutions. Ordinary citizens still view soldiers with profound mistrust and bitterly recall instances of killings in local communities conducted by the army in the 1980s and 1990s. Ambitious officers will think twice before rolling out the tanks again, knowing that they will not encounter cheering crowds eager to be rid of the bickering and thieving politicians as was the case in 1966 and 1983.

Further, it is not at all clear who is really in control of the power levers in the Nigerian armed forces presently. After Obasanjo assumed office in May 1999 he invited MPRI, a US firm of retired military officers to overhaul the command structures of the army and also retrain its officer for life under civilian command. Several officers, the bulk of northern origin said to be 'politically ambitious,' were sacked. Obasanjo seized the opportunity offered by this weeding-out to place senior officers from the Middle Belt, the Niger Delta, and his Yoruba homeland in strategic positions. Ethnic minority elements drawn from both north and south were used to counterbalance the three ethnic majority groups, with Obasanjo holding the reins.

But the reins appear to be slipping in the evening of this presidency. Obasanjo's commanders are increasingly adopting independent positions on key national issues. Even so, there is no evidence that this new assertiveness will shade into a coup d'état. There have been accusations and counter-accusations of coup plotting emanating from the politicians, but these have been largely exercises in cheap point-scoring. Obasanjo's balancing act in 1999-2000, in addition to a likely hostile civilian response, are part of the reason the armed forces have remained in their barracks even when it is now obvious that ordinary Nigerians are disgusted with the PDP's performance. Another reason is that although the northern officer class has been heavily reduced, all the key institutions required for successful coup making – the armoury, the defence academy, the crucial mechanised and infantry divisions – remain headquartered in northern cities. Neither southern nor northern officers can change the government without cooperation from the other. And mutual distrust runs deep after the bloody ethnic-coloured coups (and attempted coups) of 1966, 1975, 1976, 1983, 1985, and 1990.

If however, national unity is seriously threatened by any section of the country, militias or politicians, the armed forces will most likely intervene – not to seize power for themselves (which will not be tolerated) but to stabilise the situation and hand over the reins of government to a neutral civilian organ capable of conducting fair elections.

Scenario Worst-case: Hobessian Spectres and Foreign Intervention

Rear Admiral Phil Cullom, the US Navy's director for strategy and policy, put out a statement in September 2006 that his government would be willing to assist the Nigerian armed forces if the latter required improvement of their own 'skill sets.'¹³ Analysts are divided on whether US special operations troops are already in Nigeria or not. President Obasanjo's personal relations with the Bush White House is presently at its nadir, and it is not at all clear if he will sanction overt American intervention, since it is not likely to be in his favour.

On the other hand, the military capabilities of MEND and the other militias allied to it are not known; nor is there a clear picture of the nature of the arms and ammunition at their disposal. MEND has a coherent control and command structure and has employed hit and run guerrilla tactics against government forces to deadly effect. Its fighters, being locals, are also at home in the intricate creeks and swamps of the delta. MEND is also firmly embedded in the local communities where they are seen as heroes fighting the delta cause in the tradition of Isaac Adaka Boro.

Given past behaviour, it is not likely that MEND will escalate its military activities during the elections or cut off the oil. The militias will seek to maximise political influence if there is an opening, and probably do a deal that will bring them closer to their advertised objectives – freeing of Asari Dokubo and former Governor Alamiyeseigha; return to the 1960 Constitution making for enhanced regional autonomy and control of the oil proceeds; removal of government troops from the creeks; and firm guarantees that culpable oil companies will pay adequate financial compensation to local communities their activities have adversely impacted.

US forces could be sorely tempted to step in if the militias exploit the chaos and violence generated by the elections and cut off oil supplies by disabling the Bonny oil loading terminal and other strategic loading stations. But this action will quickly unite militants and ordinary people alike in the region against US economic interests, particularly the oil companies and there is no telling what will be left standing when the dust settles.

Direct military intervention is not a decision US Departments of State and Defence are likely to take. Officials in the US embassy in Abuja have recently ramped up the 'fair election' call, and have been coordinating efforts with the EU mission to train local election monitors and similar civic education initiatives. In the event of chaotic elections, the likely response will be US support for the National Assembly and the courts to speedily resolve the crisis.

But there is one more imponderable: How will the Americans react if the militias seize the moment in April and cut off the oil?

As already stated, a massive democratic deficit, turning on authoritarian rule since the colonial period, reproduced by Nigeria's power elite following independence and which in turn has generated poverty and grievance, lies at the heart of the Niger Delta crisis. The present situation of militant ethnic nationalism and youth violence, anomie and criminal conduct are the symptoms of a deeper malaise. The task of wise policy is to correctly diagnose the ailment and suggest a cure.

The Niger Delta crisis is deeply entrenched because it took several decades to set into the fabric of the Nigerian political economy. Quick fixes must therefore be discounted. Second, the dominant 'resource curse/greed and grievance' analytic paradigm that sees resource-rich countries in the global south trapped in a vicious cycle of authoritarian rulers, weak and unstable institutions, wasteful use of revenues and an inert citizenry does not grapple with the peculiar historicity of postcolonial states. Violence and cynical political gerrymandering – not the vote – were the instruments of rule in the colonial period. These civic-impoverishing legacies continue to shape political and economic outcomes in Nigeria and other African countries. Past occurrence must be linked with present outcomes for policy-making to get to the root of matter and suggest efficacious elixirs.

Policy recommendations: On ending violence

This two-pronged approach, accenting history, both in its 'deep' sense and longer-term workings, informs the following recommendations.

For the Nigerian Government and the African Union

1. Convene a sovereign national conference to re-negotiate the political and economic bases of the federation. This has been the position of Niger Delta political leaders and youth militants since 1990, and must now be taken seriously by the Nigerian Government. The former's negotiating position is 25 percent of mineral resources to federating regions based on the derivative principle enshrined in the 1960 Constitution. The conference will not necessarily grant the inhabitants of the Niger Delta all their requests, but its convocation will instantly de-escalate the conflict and re-align political and social forces in favour of dialogue. The renunciation of violence will be pressed on the armed militants as the condition for them or their nominated representatives to participate in the talks.
2. De-militarise the Niger Delta and put an end to the practice of the oil companies using federal troops as 'shields' in their operations. The presence of armed soldiers serves as a conflict generator, constricts the civic space, and forces youth to explore extra-democratic options. This policy will be tied with de-commissioning of the guns of the youth militias.
3. Recognise that the years of conflict have severely degraded legitimate political, civic and communal institutions in the Niger Delta, and institute a project of robust re-building of the former even as the national conference commences. Particularly attention must be paid to the accountability and representative organs of the local government areas, the institution nearest to local people, in this regard.
4. Initiate an immediate review of previous development plans for the Niger Delta and integrate a new development strategy with local control, accountability, participation, and policy-making instruments. Clearly delineate short, middle, and long-term goals, and impact benchmarks for development projects. Given that Nigeria will hit peak oil production in 2009 after which the delta oil fields will begin to decline, establish a welfare fund modelled on the Norway initiative in the immediate term, to warehouse funds that will be needed to cushion the inhabitants from the harsh after-effects of a post-oil existence in which farmlands and fishing waters have been severely damaged. Top-down development models have not worked in the region. Ensure that the new welfare fund must be a joint government and local communities initiative, with the latter controlling the funds through the agency of freely elected representatives.
5. Establish a 'Sullivan Plan' for the Niger Delta, binding the oil companies to a new compact to end oil spills and gas flaring on a set date, and place their operations under the check of the local communities they directly impact. For this policy to work, repeal the Petroleum Decree 51 of 1969, the 1978 Land Use Act, and other military-era decrees and edicts appropriating the land and oil fields of the Niger Delta. Replace them with negotiated agreements on taxes, royalties, profits and operational procedures between the central government, local community representatives, and the oil companies.
6. Include robust and justifiable instruments in the new Constitution to emerge out of the sovereign national conference making military coups and military government in any form illegal, and an agreement that the only legitimate instrument to resolve political conflicts and disagreements will be the application of more politics: democratic elections underpinned by rule of law mediated by an independent and empowered judiciary and electoral commission.
7. Initiate a high-level scholarly and policy conference in Nigeria bringing together local and international experts on the politics of development to test the hypothesis, enunciated by distinguished economist Amartya Sen that economic

prosperity is the product of a just democratic political order, and that political order is in turn only guaranteed when the institutions of governance and representation expand and evolve to incorporate marginal political actors. Recognise that there is no 'youth crisis' in the Niger delta but a Nigeria-wide political crisis generated by the exclusion of youth, women, and the poor from critical spaces of power, property and influence. Test the proposition that peace and economic prosperity will break out in the region when there is a fit between representative political institutions and social actors that seek to participate in them in legitimate pursuit of economic and social ends. Draft new policy instruments on the Niger Delta informed by the outcome of this conference.

For the Oil Companies, the European Union, the United States and International Multilateral Actors

8. Accept that the piecemeal 'community development' model favoured by the oil companies and the European Union in the Niger Delta have all turned out disastrous failures because they have been driven by the false assumption that development is a turnkey project that can be delivered even in the absence of social justice and self-representation. Accept that these projects not only clutter up the social space but also distract attention from alternative political and policy possibilities accenting local capabilities and the political settlement necessary to unleash them. Refocus their priorities to include pressuring the oil companies to clean up the ecological carnage and leveraging international multilateral institutions to curb the arm cartels based in Eastern Europe that are flooding the delta with lethal weapons, and also back the project of social re-engineering required in the Niger Delta. Realise that the United States armed forces' recent establishment of an Africa Command and deploying warships to the Niger Delta and the Gulf of Guinea can only escalate violence in the region, not eliminate it.

For Concerned Global Citizens and Advocacy Groups

9. Adopt an intellectual and political disposition that recognises that the damage to the Niger Delta, and indeed Nigeria at large, will take several decades – two at the minimum – to repair. Recognise that what will be required is a strong dose of patience, willingness to make concessions on all sides, and determination to pick things up and continue plodding on even when tempers flare up and affairs look as though about to return to violence. Understand that there is no silver bullet, but that maintaining a civic-political arena in which conflicting interests and values are freely debated can serve as a powerful antidote to the machinations of those pursuing exclusivist and parochial claims through the cynical instrumentalisation of violence.

The present political situation in Nigeria is one of great flux; there are so many uncertainties, as this analysis makes clear. The Niger Delta, and the calculations of the leading actors in the region – state functionaries, politicians, armed militias, Western governments and the oil companies – will play a major role in the unfolding drama as they seek to shape the electoral outcome to their advantage. There are perils, not least the possibility of the armed militias using chaotic and fraudulent elections to force through a settlement of the Niger Delta question through more violence, thus threatening national cohesion, oil flows to global markets, and ultimately the political and economic future of the West African region for which Nigeria serves proudly as a powerhouse.

But there are also opportunities, clearly advertised by the still-ongoing robust debate locally and internationally about the fate of the region as Nigeria attempts its first civilian to civilian transfer of power since independence in 1960. There are tentative buddings of democratic government, which if given time and space to flourish will translate into equity, power devolution, equity and citizen participation in the Niger Delta and other parts of the country. These are the yarn with which peace is woven worldwide. It remains to be seen if Nigeria's elite will see April 2007 for the opportunity it offers and seize it with both hands.

Concluding
remarks

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- 1 Dr Ike Okonta is Leverhulme Early Career Fellow in the Department of Politics and International Relations, University of Oxford. He is co-author of *Where Vultures Feast: Shell, Human Rights and Oil*.
 - 2 Ken Saro-Wiwa made a case for ecological remediation and an equitable revenue sharing formula in several books and pamphlets, some of them published posthumously. See for example, *A Month and a Day: A Detention Diary*, Penguin, London: 1995.
 - 3 Human Rights Watch, *Chop Fine: The Human Rights Impact of Local Government Corruption and Mismanagement in Rivers State*, Nigeria, New York, January 2007.
 - 4 Jomo Gbomo, (spokesperson of MEND), press release, 12 July 2006.
 - 5 Transition Monitoring Group, Nigeria, 'The 2007 Elections and the future of Nigeria,' December 2006.
 - 6 See Sufuyan Ojeifo, 'PTDF: Senate Committee Indicts Obasanjo, Atiku,' *ThisDay*, Lagos, 22 March 2007.
 - 7 European Union Election Observation Mission to Nigeria, Press statement, Abuja, 21 March 2007.
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 - 9 Quoted in Laolu Akande, 'How Political Feud diminishes Obasanjo's profile' *The Guardian* (Lagos), 18 February 2007.
 - 10 Herman J. Cohen, 'Fooling people some of the time,' *International Herald Tribune*, February 16, 2007
 - 11 Kunle Aderinokun, 'Ciroma: Obasanjo has failed Nigerians,' *ThisDay*, Lagos, 28 March 2007.
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 - 13 See ITN, 11 September 2006, p. 1.