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Tipping Point: Slipping Into Darkness

Michael J. Watts

Professor of Geography, University of California, Berkeley, USA

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Institute of International Studies, University of California, Berkeley, USA

The United States Institute of Peace, Washington DC, USA

Our Niger Delta, Port Harcourt, Nigeria

SLIPPING INTO DARKNESS

Michael Watts

In the events unfolding across the oilfields of the Niger delta, the Yar'Adua government is facing one of the most profound political crises since the civil war. The Nigerian government now confronts an insurgency - there is no other word to describe the spectacular descent into militancy and state violence since the 1990s, and most especially since the dramatic emergence of MEND in late 2005 - and in turn launched a full-scale military counter-insurgency on May 13th 2009. In the decade since the Kaiama Declaration, the region has become largely ungovernable. The events of the last two months have pushed Nigeria to a tipping point.

Whether from the vantage point of the comfortable confines of Port Harcourt's old GRA, from the misery of the oil communities in the creeks, from the plush government compounds in Yenagoa, or from the fortified corporate headquarters of the oil companies, the picture is the same: lawlessness and violent disorder along the oil frontier. To presume that the politicians, the JTF or the oil companies can exercise any degree of authority or legitimate control over the operations of the oil and gas industry is nothing more than a massive delusion. The game is clearly up. The fury of MEND's Hurricane Piper Alpha - and now Operation Moses detonated at Atlas Cove in Lagos - has exploded the myth of business as usual. My point is not to endorse militancy: it is rather a stark assessment of the situation as it exists. For the most part the so-called international community - Messrs Obama and Brown included - seem uninterested in the deteriorating conditions or at the very least unprepared to consider any serious mediating role between the warring parties. The dark cloud of Ken Saro-Wiwa's premonition - his desolate prediction in 1990 of a "coming war" - hangs like a pall over contemporary Nigeria.

The grim realities of a half century of oil and gas development in the Niger delta are clear for all to see and the facts speak for themselves:

- Nigerian oil production has collapsed, spectacularly, to perhaps 1.3 million barrels per day (at least a million barrels a day are shut-in),
- Shell has closed its Western operations entirely, and its Eastern operations are barely functional (less than 150,000 barrels per day),
- Hundreds of civilians have been killed, and thousands displaced by the current military sweep launched in Gbaramantu by the military task force (the true extent of the casualties are unknown since the military have the

creeks, especially in the Warri axis, under lockdown), 12,000 oil workers have been made redundant, having fled the rigs, platforms and other facilities due to security problems, The coastal waters of the delta are, according to the International Maritime Bureau, a pirate-haven, comparable to the lawless seas surrounding Somalia and the Maluccas, A new report *Transnational Trafficking and the Rule of Law in West Africa* by the UN Office for Drugs and Crime estimates that 55 million (!) barrels of oil are stolen each year from the Niger delta, a major security threat in their assessment, Amnesty International's report *Petroleum, Pollution and Poverty in the Niger Delta* released in June grimly inventories the massive environmental despoliation caused by 1.5 million tons of spilled oil, describing the situation as a "human rights tragedy", The lethal cocktail of unaccountable oil revenue transfers to the states and the local government councils and electoral fraud has provided since 1999 a fertile soil in which the militants - and criminals - were nourished, promoted and armed by the political Godfathers and their *apparatchniks*, in short by Nigeria's 'oilgarchy'.

By any estimation, the costs of the oil insurgency are unimaginably vast. A report prepared for the Nigerian National Petroleum Company (NNPC) published in 2003 entitled *Back from the Brink* painted a very gloomy "risk audit" for the Delta. NNPC estimated that between 1998 and 2003 there were four hundred 'vandalizations' on company facilities each year; oil losses amounted to over \$1 billion annually. Already by 2003, 750,000 b/d were shut-in as a result of attacks on oil installations and beginning in April 2004 another wave of violence erupted this time triggered by Ateke Tom (leader of the Niger Delta Vigilante [NDV]) and Alhaji Asari Dokubo (leader of the Niger Delta People's Volunteer Force [NDPVF]) internecine struggles along the Port Harcourt-Okrika-Kalabari axis. But NNPC's predictions – back from the brink – proved premature. Things spiraled downwards. The extraordinary attack on Bonga in June 2008 marked the power and audacity of the militants. According to the Technical Committee report, Nigeria lost a staggering \$24 billion in revenue due to sabotage and oil theft in the first nine months of 2008 (this would be perhaps 20% % of gross domestic product for the year!). The hemorrhaging is now on such a scale that massive organ failure seems inevitable. MEND spokesperson Jomo could plausibly boast in March 2007 that he had "the oil industry by the balls". Whoever he was (or is), he wasn't kidding.

In effect, the pipe-smoking writer equipped with the power of the pen has now been replaced by the figure of the masked militant armed with the ubiquitous Kaloshnikov, the typewriter of the illiterate. None of this should come as a surprise. An Amnesty report entitled *Ten Years On: Injustice and Violence*

Haunt the oil Delta", released in 2005 to mark the ten year anniversary of Ken Saro-Wiwa's death, confirmed his worst fear, that conditions across the oilfields remained the same, only worse. But even Saro-Wiwa's gravest fears could not have anticipated the calamitous descent into violence over the last decade, culminating with the dramatic appearance of the Movement for the Emancipation of the Niger Delta (MEND) in late 2005. Claiming to be a 'union of all relevant militant groups' MEND's public face is a shifting, and sometimes contentious cadre of aliases: Major-General Godswill Tamuno, TomPollo, Oyinye Alaibe, Cynthia White and an articulate spokesperson Gbomo Jomo. Beginning with a massive attack on the Opobo pipeline in Delta State in December 2005 MEND subsequently destroyed the off-shore Forcados loading platform, the Ekeremore-Yeye manifold and the state oil company Escravos-Lagos gas pipeline in Chanomi Creek. In a single day something like 20% of output was compromised. MEND insurgents, claimed Jomo in 2006, "were not communists...or revolutionaries. [They] are just very bitter men". With a year of their appearance MEND had, as they themselves predicted, shut-in over one third of Nigeria's oil output.

Writing in mid-2007 the *International Herald Tribune* (April 22nd 2007) captures vividly the brave new world ushered in by MEND:

Companies now confine employees to heavily fortified compounds, allowing them to travel only by armored car or helicopter.....One company has outfitted bathrooms with steel bolts to turn them into "panic" rooms, if needed. Another has coated the pylons of a giant oil-production platform 130 kilometers, or 80 miles, offshore with waterproof grease to prevent attackers from climbing the rig. Some foreign operators have abandoned oil fields or left the country altogether. "I can't think of anything worse right now," said Larry Johnson, a former U.S. Army officer who was recently hired to toughen security at a Nigerian site operated by Eni, an Italian oil producer. "Even Angola during the civil war wasn't as bad".

For their part the oil companies have lost their license to operate. They claim that they are held hostage by government, while their employees are held hostage by militants. In the last year or so - especially in the US - the companies have spend time fending off legal cases (most recently Chevron in San Francisco and Shell in New York) regarding their relations with, and deployment of, government security forces.....which of course they claim *must* be deployed since the companies, after all, are the weak and willing supplicants of sovereign governments!

The Niger Delta's long festering crisis is nourished by a gigantic reservoir of anger, rage and dissent. Ike Okonta has been writing to this effect for years, but nobody in government seems to listen or fully understand. The reality on the

ground now is a dizzying and bewildering array of militants groups, militias and cults: the Niger Delta Militant Force Squad (NDMFS), the Niger Delta Strike Force (NDSF), the Grand Alliance, Niger Delta Coastal Guerillas (NDCG), South-South Liberation Movement (SSLM), Movement for the Sovereign State of the Niger Delta (MSSND), the Meinbutus, the November 1895 Movement, ELIMOTU, the Arogbo Freedom Fighters, Iduwini Volunteer Force (IVF), the Niger Delta People's Salvation Front (NDPSF), the Coalition for Militant Action (COMA), the Greenlanders, Deebam, Bush Boys, KKK, Black Braziers, Icelanders and a raft of other so-called cults. Some of the military camps dotted around the creeks have been destroyed by the latest assault by the JTF - but everyone understands that other camps will be back in operation soon enough.

How did it all come to this? How did a story that began with wildcatters and company officials preaching the virtues of oil to chiefs and traditional diviners in Oloibiri culminate in car bombs, rocket-propelled grenades, and counter-insurgency? Some sources estimate the number of trained militants now operating in the creeks at over 25,000 commanding monthly salaries of over N50,000 – well above the wage that might be secured by an educated youth employed in the formal sector. It is a measure of the utter political bankruptcy at Aso Rock and beyond, and indeed the lack of anything like a plan for the future, that many of the political class across the core Delta states have shipped out their families to Lagos, Abuja or even to the faraway comforts of the UK and the USA. Those in the know vote with their feet.

The Niger delta, let us speak plainly, is a trainwreck. But a train-wreck the full consequences of which, if the situation were to deteriorate further (and it most certainly can and likely will), will have massive domestic, regional and international ramifications. This is not simply a matter of oil prices and what US consumers will pay at the pump. It is a question of political stability, the prospects of meaningful democracy, the possible descent into internecine conflict, and the evisceration of any hope for real human development in Nigeria for the next generation. By the time Nigeria resolves the issue the world will depend upon alternative sources of energy.

The world does not need another apocalyptic assessment of Nigeria (or for that matter's Africa's) predicament penned from afar. I write as someone who first came to the Niger delta after the civil war and in the many years since then have watched how oil has simultaneously held the country together and pulled it apart. Reluctantly, I have come to have considerable intellectual sympathy with Nuhu Ribadu's assessment that the Niger Delta situation is "not being taken seriously" and might "end up like...Somalia". Whatever one thinks of the EFCC's role in the Obasanjo period, nobody doubts Ribadu's courage and the fact that he has been compelled to flee Nigeria in the wake of two attempts on his life and politically-motivated efforts to silence his voice as a corruption czar,

speaks powerfully to the crisis that the Nigeria political class must now starkly confront.

Curiously, the immediate crisis is something of a paradox. The April 2007 elections were widely held to involve massive electoral fraud and ballot rigging and nowhere was the fraud and intimidation more pronounced than in the Delta. Nonetheless, the elections produced an Ijaw Vice President, Goodluck Jonathan, from Bayelsa State, with strong connections to a younger generation of activists and civic groups. All of this was a source of guarded optimism as regards the Delta question. A number of the IYC 'graduates' and veterans of the delta struggle were drawn into government at various levels – providing another window of opportunity. There was talk of a Niger Delta summit, the release from detention on June 14 2007 of Asari Dokubo, and the July 27 freeing of Chief Alamieyeseigha all of which met key demands of the militants. Several all night meetings were held in July and August 2007 in the creeks. Senator David Brigidi and other representatives of the oil states' Peace and Rehabilitation Committees were present; the Vice President himself met with a number of key actors in the Warri creeks in June. There was talk of rebuilding of Odi and Odiama, two towns destroyed by federal forces, as well as the demilitarization of the Delta on the part of federal forces and a one-month truce was declared by MEND and the Joint Revolutionary Council, a group that purportedly speaks for all militant groups.

But it all fell apart very quickly amidst ineptitude and acrimony and fundamental lack of trust and understanding. It is easy to blame government and the hawks within and outside of the security forces. But any government must have a disciplined and, in political terms, an internally coherent movement or organization to negotiate with. Whatever MEND may be - Ike Okonta calls it an idea not an organization - it has not been able to provide this function, neither for that matter have civil society organizations. An militant movement with a strong ethnic coloration and a program consisting of rhetorically colorful emails communiques can hardly claim to be a cosmopolitan and progressive representative of "the Niger delta". There are, in seems to me, failures on both sides.

It needs to be said that government failure on the Delta question is profound and multi-faceted. Standing at heart of the matter are of course the powerful and vested political interests who reject any hint of 'petro-nationalism' from communities within the Niger delta, and whose own horizons are determined by the venality of business as usual. This is not simply a question of northern interests or the 'Kaduna mafia' obviously (as important as such communities are). There is the question of the military. Some wish to use the on-going disorder and violence in the creeks to legitimate their role (and budget!) or to rationalise the imposition of law and order. Others want to make use of the

“criminalization” of the delta to further their own ambitions or indeed to use political instability as a vehicle for military intervention (political or strategic). And there are those - the JTF is simply one manifestation - for whom employment in the security forces is a way of doing business (otherwise known as oil bunkering). The Nigerian state (both Obasanjo and Yar'Adua administrations) has made stupendous blunders. In arresting Asari, Banigo, Alams and Okah - characters over whom there is I appreciate a wide array of opinion - it was inevitable that politically motivated ‘paybacks’ could only fire Ijaw nationalist sentiments (in their own way each of these figures was, and is, seen among broad swaths of the Ijaw public as a sort of hero or liberator). The failure to address the Ogoni question has been a long running open sore (except through duplicitous campaigns and programs using intermediaries like Father Kuka). Under Yar 'Adua we have seen the aborted Niger Delta summit (including the massively inept appointment of Ibrahim Gambari), the languishing (really the sinking) of Ledum Mittee's Technical Committee Report, the establishment of a Ministry of Niger Delta Affairs with dubious funding and jurisdiction, and now Timi Alaibe as a special advisor. The Vice-President looks like a lame duck. It is not a pretty picture.

But perhaps more than anything else the federal government and many of the elected representatives (I use the term advisedly) have failed conspicuously to grasp the gravity of the prevailing political sentiments across the multi-ethnic oilfields. They can only be characterized by what Ken Jowett, in referring to the anti-communist mobilizations of eastern Europe, called “movements of rage”. The well of popular outrage is now very deep yet the prevailing government view (expressed also in the survey data in the new NOI Polls report and in the House of Representatives discussions over the military offensive launched in May) is that the problem is one of ‘criminality’. Yet take the following. A large survey of Niger delta oil communities by Professor Aderoju Oyefusi published in 2007 by the World Bank discovered that an astonishing 36.23% of youth interviewed revealed a “willingness or propensity to take up arms against the state”. Much of this sentiment is clearly contained in the NOI Polls *Niger Delta Survey 2009*. What is striking in the report is the extent to which views over key issues (the rights to protest, the sources of the discontent, priorities for revenue allocation) differ so markedly between south-south and other regions of the federation. Government and large swaths of public opinion outside of the delta express their frustrations of falling oil output through the language of criminality but the existence of extortion, racketeering and organized criminality (of which the now burgeoning hostage industry is one expression) will not suffice as a cover term for contemporary delta politics any more than ‘terrorism’ is a plausible description for the multiplicity of politics made in the name of political Islam. The movement for resource control or for that matter MEND are not simply cases of organized crime - even if Paul Collier of the World Bank thinks so. History teaches us that any insurgency is a complex mix of greed and grievance - and one person's criminal or terrorist is another's liberation fighter. The NOI report

shows clearly that local communities have no faith whatsoever in the state and local government systems of revenue allocation but government acts as if they do (and offer palliatives in that time honored Nigerian tradition of hoping to purchase consent with oil revenues). The incontestable fact, as Ledum Mittee the Ogoni human rights campaigner has noted, is that there is overwhelming popular sympathy across the Delta for what the militants are doing and saying.

The government response has typically been to reluctantly (and under pressure) throw money at the problem. The possibility of a 'Marshall Plan for the Delta' was first voiced in March 2007 by President Olusegun Obasanjo as the Niger Delta Master Plan (NDMP), but the NDMP or the NDDC for that matter simply offers the prospect of recapitulating the sordid history of large state interventions in the Delta. Why would pouring huge quantities of petro-dollars into special development agencies have any chance of success unless other things - transparency, elections, accountability, fiscal management, local institutions at the community level - change *radically*.

Which brings me to the current amnesty plan announced by Yar 'Adua on June 25th and the release of Henry Okay on July 13th 2009. Good news in principle. Except that Asari Dokubo and his group have rejected the amnesty and immediately prior to the release of Okay after 23 months of incarceration, MEND launched an extraordinary attack on Atlas Cove in Lagos. There are two things to be said here. First, an amnesty may well draw the criminals and political thugs out of the creeks (people who were put there in effect by their political Godfathers in the 2003 and 2007 elections). But this assumes that the problem is largely or wholly criminal - which it is not. Those with a political project will not be so easily convinced. And why should they? Those that take the amnesty will be fickle in their commitments. For the others, the history of state promises has been one of duplicity, violence and repression. Trust is a word rarely heard in the creeks. So an amnesty is hardly a solution. As Okay himself said upon his release: "no one is fighting for an amnesty". It is, as the latest MEND missive says, an opportunity for "frank talks" and discussions of "root problems". But there is precious little of this in the offing right now. Second, the attacks of the last two months raise the question of strategy. And this is why the attack in Lagos is so ominous - perhaps even a tipping point. After closing down the oil installations MEND's new frontier - unless convinced otherwise by more than an amnesty - will be Lagos, Abuja and Kano. The security forces cannot fight an insurgency in the creeks: how can it possible do so in the slum word of major Nigerian cities? The Nigerian press mocks the short-sightedness of attacking Lagos, but MEND has always exhibited an acute sensitivity to getting attention and retaining a foot in its own constituencies. From the outside, I have been surprised over the last four years at what MEND has not done in relation to its obvious capacity to cause irrevocable harm. It is now flexing its muscle and making that capacity clear to all.

The descent of the region into its current state of violence and pent up anger means that radical changes - and enormous political courage - will be required if there is to be lasting peace. Some of these, such as large-scale training programs and mass employment schemes, major infrastructure projects, and environmental rehabilitation, will take many years, perhaps even generations. To confront resource control – not as a matter of money or percentage of revenues but as a constitutional and political project - will require a radical rethinking, and perhaps a restructuring, of both the constitution and institutions of governance. But for the immediate present the temperature within the Delta must be reduced and a meaningful peace established capable of providing a ground on which serious dialogue can occur. As Okah himself said at an Abuja press conference following his release, other militants are unlikely to follow his example and accept the amnesty (in his case he was driven solely by the need for medical treatment). In any case it is not at all clear what legitimacy or role Okah has in the reeks and among Boyloaf, Farah Dagogo and company. MEND has now decreed a 60 day ceasefire – precipitated by the release of Henry Okah. It is not too much of an exaggeration to say that the future of Nigeria rests on how government responds to this window of opportunity.

Another failure of will, at this juncture, could prove to be catastrophic. The amnesty covers the period August 4th to October 4th: the MEND ceasefire, in principle, until September 15th. Something bold has to happen soon. And yet the new Defense Minister refuses to consider a withdrawal of JFT troops from the region until “normalcy” returns. At this moment there is a role for the international community as the Niger Delta Working Group in Washington DC suggests in their briefing “Crisis in the Niger Delta” but the usual shopping list of noble exhortations (“engage with the oil companies”, “diplomatic initiatives”) seem stale and thin. At the very least the old platitudes about holding international oil companies accountable and of deploying soft power must be rethought. The Washington Group is right to emphasize, however, a “comprehensive approach to resolving the crisis in the Niger Delta” but this can and must occur on and with the ruins of two decades and more of broken promises, suspicion, and violence. It will not be easy. In the lull in the fighting a serious mediation by a person or persons - perhaps the Elders or US Senator Russell Feingold, or even Bono - with credibility, knowledge and expertise might begin to layout such a comprehensive framework. Perhaps the sort of experiment that produced, through Senator George Mitchell’s efforts, a scaling down of tensions in Northern Ireland. And as regards substance, the Technical Committee report is a good place to begin.