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# **OIL AND THE URBAN QUESTION**

## **Fuelling Violence and Politics in Warri**

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# OIL AND THE URBAN QUESTION: FUELLING POLITICS AND VIOLENCE IN WARRI

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Who owns Warri Township? This is a multi-million naira question... Is it the Itsekiri, the Agbassa Urhobo or the Ijaw?

J.O.S.Ayomike, *A History of Warri*, Benin, Ilupeju Press, 1988, p.58.

[Warri] is an age-long conflict. Legally, Warri has been judged to be Itsekiri owned....That the legal system has not been able to effect a permanent settlement of conflict claims of ownership is seen from the bloody clashes....in the past few years. The conflict has claimed over 3000 lives, displaced thousands, and destroyed property worth several billions of naira.

V. Isumonah and J.Gaskiya, *Ethnic Groups and Conflicts in Nigeria: The South-South Zone of Nigeria*, University of Ibadan, 2001, pp.63-64.

The Warri crisis is in many respects a classic example of a “resource war”.

Human Rights Watch. *The Warri Crisis: Fuelling the Violence*, November 2003, p.26.

## INTRODUCTION

Warri represents one of the most important. and most complex. sites of ‘petro-violence’ in all of Nigeria. The current crisis in the oil-producing Niger Delta that emerged in late 2005 with the appearance of the Movement for the Emancipation of Niger Delta (MEND) and a series of abductions and attacks on oil installations, is merely the most recent expression of a long simmering conflict that has engulfed both Warri city and its surrounding hinterlands. According to a recent report by the Nigerian Government’s National Commission on Refugees, the numbers of displaced people associated with the Warri conflict over the last seven years is in excess of 200,000.

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<sup>1</sup> Editorial assistance was provided by Jason Strange and Michael Watts. The fieldwork was conducted in May-June 2004; the author wishes to thank Patterson Ogon of the Ijaw council for Human Rights, ICHR; Dimeari Von Kemedi of Our Niger Delta; Stephen Youyah; and a local Itsekiri informant and assistant named ‘Eric’ who acted as a community volunteer in Warri.

On this larger canvas, the significance of Warri as a case study for the “Economies of Violence” project turns on a number of important factors. First, Warri is in many respects the centre of the Nigerian oil industry. It is much smaller in size than Port Harcourt – Warri had a population of 300,000 in 1991 and is currently [2005] estimated to be slightly over 502,000<sup>2</sup> – but it lays at the very epicenter of Nigeria’s vast oil complex: it has a major refinery, a massive oil infrastructure and is the ‘command centre’ for the export terminus at Escravos, and for the strategically key Benin and Escravos channels which since the late 1990s have emerged as one of the most violent and unstable in the Delta (including a large scale federal military presence most recently operating under the moniker “Operation Restore Hope” whose presence has often been alleged to have contributed to both a deepening of communal conflict and violence and to the illegal oil trade). Second, Warri is located in Delta State (founded in 1991) which accounts for 40% of Nigerian oil output and is an archetypical oil state within the federation<sup>3</sup>. Third, Warri town (as opposed to the wider Warri region, or the previous Warri Division which is sometimes referred to as a Warri ‘homeland’) is not an oil producing community as such – it is rather a centre of refining and processing and oil service industries – but is a case in which access to oil and oil rents (and more generally the land/territory question) is played out at the level of urban ethnic politics, specifically LGA establishment and ward delineation the consequences of which are profound for the ability of differing ethnic groups – Urhobo, Ijaw and Itsekeri – to gain access to oil wealth (which include contracts and government bursaries for education from federal allocations but also contracts derived from local government, and dealings with oil companies, especially Chevron which is the dominate producer in the region). Finally, Warri has been the site of extraordinary violence, oil disruption, and community protest especially since the late 1990s (1997 is usually noted as the watershed). The extent of the loss of life and human displacement over the last decade is hard to estimate as Human Rights Watch admitted in their 2003 report but mortalities must run into the thousands. Into this volatile mix, the conflation of oil ‘bunkering’, a secondary arms markets, and the operations of ethnic militants (whose command structure and organization if often difficult to determine) has made for an exceptionally state of affairs that Human Rights Watch referred to as a “resource war”.

At the heart of the Warri crisis is the complex question of who is indigenous to the region and what are the governance relations between ethnic communities that stand as ‘enclaves’ within larger or smaller ethnic territories. Put differently all three ethnic communities claim to ‘own’ Warri and these claims turn on mobilizing often ambiguous and non-text based historical sources regarding early history, residence, traditional authority and demography (there are absolutely no official or published estimates of relative size of ethnic communities and/or the ethnic enclaves since 1963!). In all of these areas whatever one’s position the historical record is incomplete, often contradictory, and probably impossible to resolve (in spite of the fact that legal cases have

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<sup>2</sup> Warri Division which comprises the local government administrative units of Warri North, Warri South and Warri South-West, had a population of 145,000 in 1963, and approximately 474,000 in 1993 (T.Imobighe et al., *Conflict and Instability in the Niger Delta*, 2002, p.x.).

<sup>3</sup> Currently Delta’s 25 Local Government Areas [LGAs] receive an astonishing N1.7 billion per month in statutory revenues (*Tell*, January 6<sup>th</sup> 2006, p.48), and a total of N7.8 billion per month including derivation and oil excess proceeds (which amounts to roughly N32,000 per capita per year).

made resolutions on certain aspects of the Warri case). In a recent Human Right Watch report, the outlines of the situation are well described:

Only the Itsekeri have been successful in asserting their claim to be true indigenes of Warri. All three of Warri's Local government Areas are run by predominantly Itsekeri administrations and Warri's representative at the federal National Assembly is also an Itsekeri, a fact that the town's Urhobo and Ijaw residents believe has resulted in the economic and political marginalization of their communities. The fraudulent nature of past elections in Delta State has done nothing to discourage these dissatisfied groups... Politics in Warri has revolved around an interminable disagreement about power-sharing in the three metropolitan LGAs and about whether and how new local governments should be created to allow greater Urhobo and Ijaw representations<sup>4</sup>.

As we try and document, this violence is multifaceted involving on the one hand long standing disputes among Warri indigenes over the "ownership" of the town that were exacerbated by colonial rule (but predate colonial rule) and deepened by the growth of the oil industry since 1960, and on the other, long running and multi-layered skirmishes between state (and so called extra-numerary) security forces, and urban youth groups, ethnic associations, political parties and militias. Added to this combustible mix have been disputes over the form of the Warri SW LGA established in 1997 and conflicts over the control of oil bunkering (oil theft)<sup>5</sup>. Not surprising, Warri has been the site of a number of major oil disruptions (200,000 bpd in March 1997, and perhaps double that figure in 2003). In all of this turbulence, Human Rights Watch notes that the exact costs and magnitude of the violence is unreported, that arrests and prosecutions associated with the killings are almost non-existent, and the peace process (currently in late 2005 stalled yet again) has had little to show for its valiant efforts. In a 2006 report by the National Commission for Refugees in Nigeria<sup>6</sup>, an estimated 700,000 people in Delta State had been driven from their homes mostly in and around Warri since the return to civilian rule in 1999.

The question of 'ownership of Warri'<sup>7</sup> is of course curious on its face – as if some ethnic or other group might own New York or Paris. What underlies such a claim – in the context of such ownership conferring control over oil wealth – is the question of who is and who is not indigenous. The settler-indigene question was articulated by the British even if the notion of host/settle-newcomer distinctions long predated colonialism. In the British case indigeneity was wrapped up with indirect rule and the decentralized despotism (the preservation or use of custom and customary rule) in order to rule. The Native Authorities consolidated local class power in the name of tradition (ethnicity) and sustained a racialized view of civic rights. The Nationalist movement as it emerged had

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<sup>4</sup> 'They Do Not Own This Place'. *Human Rights Watch* Volume 18 (#A), 2006, p.55.

<sup>5</sup> In early March 2006 the military head of Operation Restore Hope, general Zamani, was removed for what was widely understood to be his direct involvement in oil bunkering.

<sup>6</sup> "Violence left 3 million bereft in past seven years Nigeria reports", *New York Times*, March 14<sup>th</sup> 2006, p.A6.

<sup>7</sup> See for example O.Edevbie, Who Owns Warri? 2000 <http://www.urhobo.kingsfolk.com>.

two wings, a radical and a mainstream. Both wished to deracialize civic rights but the latter won out and reproduced the dual legacy of colonialism. They provided civic rights for all Nigerians but a bonus “customary rights” for indigenous people. Nigeria continued the distinction after 1960 as a way of preserving the traditions of minorities but also as a way of exercising political power – that is to say of maintaining access to chieftaincy and related land which were instrumental in the ways in which politics in postcolonial Nigeria was exercised through one’s one community. The country had to decide which ethnic groups were indigenous and which were not a basis for political representation, a process that became constitutionally mandated in Nigeria. Federal institutions were (and are) quota driven for each state but only those indigenous to the state may apply for a quota. As Mamdani puts it:

The effective elements of the federation are neither territorial units called states nor ethnic groups but ethnic groups with their own states.....Given this federal character every ethnic group compelled to seek its own home its NA, its own state. With each new political entity the non-indigenes continues to grow.<sup>8</sup>

Once law enshrines cultural identity the basis for political identity, it necessarily converts ethnicity into a political force. As a consequence in Nigeria clashes in the postcolonial period came to be not racial but ethnic, and such ethnic clashes, which dominated the political landscape in the last three decades, are always at root about customary rights to land, and derivatively to a local government or to a state that can empower those on the ground as ethnically indigenous. The Warri crisis is one local iteration of this political problem.

## **A PRE-HISTORY OF WARRI**

The city of Warri is the second most important “Oil City” in Nigeria after Port Harcourt. It is on the border between the dry land and riverine areas of the Niger delta region of Nigeria and has been one of the fastest growing cities in Nigeria (recently growing in excess of 9% per annum). The composition of Warri reflects a larger ethnic cartography of the Warri region (the former Warri Division). The so-called ‘Warri homeland’ is claimed by three ethnic communities, each with longstanding claims to early settlement in the western Delta. The Itsekiri, an ethnic group purported to be of Yoruba origin, are widespread across the territories of the Warri, Forcados and Benin rivers. To the North of Warri on drier upland are the Urhobos who are related to the Edo-speaking peoples of Benin City, Nigeria. To the south, in the swampy riverine areas, the dominant community is the Ijaw. The heart of the Warri crisis turns on the intra-community politics of these three ethnic groups and a long history (predating colonial rule) of disputation over settlement, territory and local political authority.

There are twenty-five Local Government Areas (LGAs) in Nigeria’s Delta State. The region of Warri includes all communities in the present Warri North and Warri South

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<sup>8</sup> M. Mamdani, ‘When does a Settler become a Native?’, Inaugural Lecture, University of Cape Town, manuscript (1998) p.7.

West LGAs. While Delta State has three Senatorial districts – North, Central and South – it can be regarded as two distinct groupings, namely North and South. Delta North occupies the greater land mass in Delta State, while Delta Central and Delta South occupy the lower-lying marshy territory along the coastal territories of the state. The Warri South West LGA is inhabited mostly by members of the three main ethnic groups, the Ijaw, Itsekiri and Urhobo people but there are significant populations of minority communities - Isokos and Ndokwa in the Delta North - also represented.

These three main groups have all crossed swords with each other with growing intensity and violence over the last decade. For example, the Ijaws and Urhobos quarreled over land in Aladja and at Gbarigolo and Esama in 1996; the Ijaws of Ogbe-Ijoh fought their Itsekiri neighbours in 1997 over the relocation of the Warri South Local Government Headquarters from the Ijaw community of Ogbe-Ijoh to Ogidigben, an Itsekiri village, on the far shore of the Escravos River; and the Itsekiri engaged in intense disputes, often violent, with the Urhobos in 2001 and 2003. These conflicts constitute what has been variously referred to as “the Warri Crisis” or popularly known as “the Many Worrying Warri Wars” [MWWW]. Respondents interviewed from all three of the central ethnic communities agree that the genesis of the crisis in Warri cannot be located in the present or indeed in recent history. It dates back to at least the nineteenth century (and in some respects before) but took centre stage just before Nigeria’s independence in 1960 at the moment the oil companies came to explore for oil in Nigeria. To this extent while the discovery of oil in Oloibiri in 1957 did not mark the creation of ethnic conflict in and around Warri, it is indisputable that the presence of oil wells and oil refining and distribution facilities across the Warri region radically transformed the dynamics of the colonial politics in the region and laid the foundation for a precipitous decline, particularly during the 1970s’s<sup>9</sup>, in intra-community relations.

The prehistory of Warri is exceedingly complex. Suffice to say that the genealogy of the dominance of the town and region by the Itsekiri is wrapped up with demography (in 1963 60% of Warri Division was Itsekiri) and colonial geography. The Itsekiri were exposed to colonial traders early, served as middlemen and befitted commercially. As a consequence European educated Itsekiri elites built up a commercial and political system in cahoots with the colonial powers – not least in regard to the early signing of legal documents concerning the control of land at the turn of the century. While political reorganization by the British from the 1930’s brought some measure of peace in the sense that Urhobo and Ijaw were granted their own division the installation of the Olu in 1935 (after a century interregnum) and the fact that enclaves still existed within the Division that mitigated against the indigeneity question, meant that internal tensions were not fully resolved. These tensions broke out in the 1950s’s when the Olu issue reemerged and was shaped by emerging nationalist politics surrounding Awolowo and the creation of the Warri House of Chiefs. Awolowo personally selected the Olu of Itsekiri and made him the Paramount Chief of Warri. Others communities protested but because the legal system at the time was loaded in favor of the Yorubas, each subsequent case over the issue of Chieftaincy positions was found in favor of the Olu of Warri. One

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<sup>9</sup> While a number of legal disputes over land date back to the 1920’s, the conflicts of 1965, 1968-73, 1974-1976 and especially 1977 were key (see Akpotor, W. The Warri Crisis, in T. Imobighe, *ibid.*, 2000, p.160).

aspect of the Warri conundrum is the extent to which Ijaw and Urhobo question the title of the Olu of Warri as the paramount ruler of Warri. In the early 1990's (1991/1992) the breaking of Warri Division into two local government areas reignited the question of Ijaw and Urhobo fears over their ability to control local government and their oil and territory. In this paper I shall focus primarily on the legacy of the 1960's and most especially on the events over the last eight or nine years in the wake of the 1991 decision<sup>10</sup>.

### **CRISIS I: 1997-2003**

The crisis of 1997 arose as a result of the relocation of the Warri South LGA headquarters from Ogbe-Ijoh, an Ijaw community, to Ogidigben, a largely Itsekiri community. Prior to the crisis, the federal government of Nigeria in late 1996 created a local government for the Ijaw and Itsekiri communities in Warri. The Ijaw resisted the decision to relocate the headquarters, and after more than a year of anxiously waiting for the federal government to create a homogenous and contiguous LGA for them, protested the decision – which led to considerable violence on May 17<sup>th</sup>, 1997, in which houses were destroyed in seventeen Itsekiri and four Ijaw villages. General Sani Abacha (deceased), head of the Nigerian state at the time, set up a commission following this crisis. The Commission of Inquiry - headed by the late Justice Alhassan Idoko, a former Chief Judge of Benue State - was charged with the responsibility of probing both the immediate and remote causes of the crisis. The Olu of Warri, Ogiame Atuwatse II, brought suit against the Commission, but it sat nonetheless and in due course submitted its report to the federal government. The Commission recommended, *inter alia*, that the federal government should create three local governments for the three ethnic groups in Warri. This was not put into effect in the period following the submission of the report, as a result of which Ijaw youths of Warri issued a seven-day ultimatum to the federal government to implement the recommendations of the Commission.

The ultimatum deadline was not met, and on October 5, 1998, a number of the youths stormed the northern swamp of their homelands in speed boats, where the Shell Petroleum Development Company (SPDC) had various installations. Staff were intimidated and ultimately fled, and the flow stations in Egwa, Odidi and Batan were taken over (the militants also allegedly took over a rig at Azuzu). The Commission of Inquiry's recommendations were also rejected by the Itsekiri, culminating in a lawsuit instituted by them at the Federal High Court, Benin which they lost. On April 6, 1998, the Delta State government received judgment from the Federal High Court to the effect that the Itsekiri monarch (Olu) had no standing to challenge the federal government's settling of the Warri crisis through the late Justice Alhassan Idoko's Commission of Inquiry. In the process of settling the crisis, the Delta State Military Administrator, Colonel John David Dung, constituted the Delta State Elders Forum which was headed by Professor Obi Chike Edozien, the Asagba of Asaba. One of the Forum's recommendations was that the Ijaws of Warri be granted autonomous and homogenous LGAs.

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<sup>10</sup> Many of the historical documents concerning chieftainship in Warri and contestation over land rights and authority are available on [www.waado.org](http://www.waado.org). See also J.Ayomike, *A History of Warri*, Benin, Ilupeju Press, 1988.

General Abdussalami Abubakar's Administration also set up a special Presidential committee on to address the central issues under dispute under the chairmanship of Major General Bashini Magashi, a member of the then Provisional Ruling Council (PRC) and former commandant of the Nigerian Defence Academy (NDA), with representatives of the Ijaw, Itsekiri and Urhobo ethnic groups. The committee's report is said to have favoured the relocation of the headquarters of the Warri South LGA to Ogbe-Ijoh. But while the Ijaws of Warri see the creation of separate LGAs as a solution to the Warri problem, the Itsekiris conversely believe it would be irresponsible to create local governments for all three ethnic groups of Warri because there has been a dispute over the ownership of Warri and more precisely because the Ijaws are "tenants" in Warri.

The contradictory claims and counterclaims over territorial claims, legitimate residence and landlord-tenancy relations proved to be as intractable in 1997 as in previous periods. The 1997 crisis left in its wake severe human and material loss, especially for the Itsekiri. About thirty people were killed and thirty-five Itsekiri homes burnt by Ijaw youths in one attack on October 22, 1998 alone. The palace of the Olu of Warri in Ode-Itsekiri was also allegedly burnt to the ground by the Ijaws (together with its centuries-old antiquities and priceless cultural objects), despite the presence of armed soldiers who are said to have been outgunned by the militant Ijaw youths. Thousands of Itsekiri people were displaced internally, while many fled as refugees to neighboring Asaba and Benin City. But the Ijaws say the attacks on the Itsekiris are mainly retaliatory, responses to alleged prior Itsekiri provocations and attacks. They allege, for instance, that prior to the October 22, 1998 attack on the Itsekiris, Itsekiri youths had attacked the Ijaw, killing three young men. Violence continues to the present, leading to the recurrent deployment of military task forces and troops to the region. In October 1998, a curfew was imposed on Warri town by the then military administrator, Navy Commander Walter Feghabor, on account of the crisis in the town. Five people were reportedly shot dead in clashes between the Ijaws and Itsekiris, while many houses were burnt. Despite the curfew, violence continued unabated.

On May 29, 1999, the military (then led by General Abdulsalami Abubakar) handed over power to a civilian government (headed by Chief Olusegun Obasanjo). Barely two weeks after the assumption of office, on June 11, 1999, President Obasanjo held a peace meeting in Port Harcourt with leaders and representatives of the warring factions in the Warri crisis. This meeting was preceded by another, held two days earlier on the directive of the presidency, by Chief James Onanefe Ibori, Governor of Delta State, with leaders of the Urhobo, Ijaw and Itsekiri communities. That meeting, it was expected, was to form the basis of the following meeting between the president and leaders of the Niger delta, with a view to finding lasting solutions to the violence in the Niger delta region.

Just before these meetings, however, renewed violence broke out in Warri and a 6 pm curfew was imposed on the city on June 6, 1999 by Governor Ibori. It was reported that some youths - dressed in military uniforms - attacked a security post along Cemetery

Road in Warri and engaged militarily a security detachment, but they were repelled by superior firepower. Soldiers later opened fire on a passenger bus believing the bus was conveying militant Ijaw youths. Casualties were considerable, often caught in the crossfire. A family from the Odibo area of Warri was almost wiped out when bullets hit the bus it had hired to carry family members out of the troubled city of Warri. A nine-year-old child was killed instantly, while two others received serious wounds.

The June 1999 violence in Warri was largely between the Urhobo and the Itsekiri people. What seemed a minor disagreement grew to become a disaster of much greater magnitude. Many houses were destroyed and scores of human lives lost, and as always, troops deployed to the city and curfew imposed. The city was again brought to its knees, while economic and social activities came to a halt; so much that companies began moving out of Warri to other towns and states with a more peaceful environment, notably Port Harcourt. According to a respondent, “it is unfortunate that what Warri lost, is Port Harcourt’s gain”.

Across the period under consideration, the military in Warri seemingly contributed to the mayhem in the city. The Urhobo community has accused the commanding officer of the 20<sup>th</sup> Amphibious Battalion, Lt. Colonel G. M. Garka, and his men, of joining forces with the Itsekiri people to attack them in the early hours of June 4 and 6, 1999. Six people were allegedly killed in the attack of June 4, while Wing Commander J. D. Eburu of the Nigerian Air Force, who had come to Warri because of the killing of his uncle (Mr. Edward Eburu, aged about seventy years), was also allegedly shot dead by an officer of the 20<sup>th</sup> Amphibious Battalion on the orders of a superior officer.

According to local reports, Commander Eburu had gone to the officers of the 20<sup>th</sup> Amphibious Battalion to plead for “fairness” in the handling of the Warri crisis by the soldiers. The report also alleges that the Itsekiris had bribed military officers of the battalion to attack the Urhobos. It further accused one of the oil companies operating in Warri of providing logistic support – a helicopter with which dynamite was reportedly deployed on the compound of the Okumagba family of Urhobo on June 6, 1999 – and appealed to president Obasanjo to call the Olu of Warri and his people and the military officers in Warri to order, so as to check further bloodshed in the area. Major Lawal, however, who held brief for the commanding officer of the 20<sup>th</sup> Amphibious Battalion, dismissed the allegations against the command and denied allegations of bribes.

On August 31, 1999, at Asaba, the Delta State capital, the vexed issue of the Warri South LGA headquarters again came to the fore. The Delta State Governor, Chief James Ibori, relocated the headquarters of the LGA to Ogbe-Ijoh from Ogidigben following the passage of a bill on the establishment, structure, finance and functions of Local Government Councils by the Delta State House of Assembly. The bill was signed into law by the Governor on September 9, whereupon the Itsekiris went to the Asaba High Court to challenge it.<sup>11</sup> In no small measure, the Itsekiri felt, with good reason

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<sup>11</sup> It is worthy to note that one Megbele Francis (now deceased), an Itsekiri, was the speaker of the Delta State House of Assembly at the time.

perhaps, that the decision in favor of the Ijaw community (Ogidigen is an Ijaw town), could only be read an endorsement of the position that violence and force rather than law or constitutional debate produces the desired outcome. Either way, for a moment in the wake of the decision, attacks against the Itsekiri community abated.

## **CRISIS II: 2003 AND THEREAFTER**

The fundamental issue surrounding the most recent (2003 and thereafter) crisis in Warri is the attempt to annex Warri politically by one group or another of the three main ethnic communities in the township and environs. While this crisis is not too different from the others before it, the scale of military deployment, carnage, and material loss is far beyond that of the earlier conflagrations and points to the fact that Warri is a city haunted by the ghost of war.

On January 31, 2003, the city was calm; no one expected or anticipated the major crisis that was to follow. The only portent of violence that day was the PDP Senatorial primaries, due to be held at the Warri Township Stadium. The PDP, for the second time, attempted a repeat of the primaries after the first efforts at primaries had failed. The election venue was saturated with mobile policemen and soldiers from the Amphibious Battalion, who frisked everyone entering the stadium complex. The repeat primaries were specifically meant for delegates from the three Warri Councils: Warri South, Warri South West and Warri North.

When it was time for the Warri South Council Delegates to vote, the issue came up of whether to use ten or twelve wards in the conduct of the election. The PDP panel conducting the elections, headed by Professor Ofoegbu, opted to use ten wards. It was at this point that some aggrieved youths alleged to be Urhobos marched to the Okere area of Warri and began burning houses and shooting guns. Several houses were burnt down later the same day around the Ogorikoko Road and Okumagba Avenue, Warri, which belong to the Itsekiri. There was commotion everywhere and people ran for their lives to sections of the city that had not been affected by the fighting.

The casualty figure later that day was seven Itsekiri people, and fifteen houses were burnt. Soldiers stationed in Warri since the earlier crisis intervened in the crisis of January 31, 2003, and in the process one of them was shot and killed in an attempt to stop the riot. Many of the deaths that followed initially were reprisal killings by the military, although it is not certain whether the casualty was killed accidentally by the rioters or by other security forces.

In the meantime, most Itsekiri youths were still at the Warri Stadium voting for their son, Mr. Adolo Okotie-Eboh, who was contesting the primaries with James Manager, an Ijaw, and Mrs. Stella Omu, an Isoko, for the Delta South Senatorial Seat. As news of the mayhem reached the Stadium, many dashed toward Okere – purportedly to scavenge what they could from the burnt houses – but ran headlong into an army

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detachment. According to one version, the soldiers opened fire on the Itsekiris in reprisal for the death of the soldier, perhaps unaware that the earlier burning and shooting had been committed by the Urhobos, or not realizing that the people they had encountered were Itsekiris (and not Urhobos). The indiscriminate shooting left a number of Itsekiri people dead. Over the next two days, the Itsekiris attempted to avenge their loss, taking the killing, looting and burning of houses to surrounding neighbourhoods. The Itsekiri allege that by evening of that day, they had lost seven community members slaughtered in cold blood, over twenty houses due to arson, and countless numbers scattered in disarray. While the soldiers had laid siege to the area, the Urhobo youths who committed the havoc had disappeared. The Itsekiris also allege that they unfairly lost the election (having not voted due to the mayhem of these events) to the Ijaw candidate, Mr. James Manager.

Although the military intervened early, they were unable to halt the violence completely and the fighting renewed and intensified on February 2, 2003. But the Itsekiris allege that 48 hours after the gruesome attack on their community, the government did not react or issue any statement on the crisis despite overwhelming evidence as to who the perpetrators were. Further, no government delegation sent to address the situation, compounded by the fact that the Governor was away in the United States of America. He in turn left responsibility in the hands of his Deputy, Ighoyota Amori and James Erhuero, the Secretary to the State Government (SSG).

The events of Saturday and Sunday, February 1<sup>st</sup> and 2<sup>nd</sup> 2003 marked something of a watershed in the dark history of communal violence in Warri. Governor Ibori, who after touring the affected areas said “what I saw today especially around the Okere area, I think in any judgment is two or three times more than what happened in June 1999”. During these two days, the Itsekiris took vengeance against the Urhobos. Itsekiri militants shot their way to major Urhobo targets around Okumagba Avenue in Warri, burning down the Idama Hotel and a large estate owned by Chief Benjamin Okumagba, the President General of the Urhobo Progressive Union (UPU), who at the time was in London for medical reasons. They also torched and looted the police station, and many houses belonging to the Urhobos in other parts of the city, particularly across Iyara and Mcaiver wards.

The military troops that had responded swiftly when the violence broke out on January 31, were inexplicably withdrawn between Saturday and Sunday, allowing Itsekiri youths to march unimpeded to Urhobo targets to set them ablaze. The Urhobos allege that the troops were complicit in the whole crisis, and that soldiers were seen shooting at Urhobo targets. It was further alleged that a particular detachment of troops were bribed to participate in a partisan manner (though the commanding officer absolved the soldiers of any complicity or blame, and denied withdrawing the troops from the area).

On February 3<sup>rd</sup> 2003, the state government imposed a dusk-to-dawn curfew on the Okere area of the city and sent military reinforcements, forcing commercial and economic activities in the city to complete halt. In spite of the curfew, there were still reports of attacks and counter-attacks. On Tuesday, January 4, the Governor summoned

the Itsekiri monarch, the Olu of Warri and the Commanding Officer of the Amphibious Battalion to explain their roles in the mayhem of January 31, 2003. An emergency Executive Council meeting was held same day, wherein the earlier curfew imposed around the Okere area was expanded to cover the whole city.

On March 13, 2003, serious fighting broke out again, primarily in the Warri South West LGA, between the Ijaws and the Itsekiris, and between the Ijaws and the military, leaving scores of people dead and villages razed. Massive dislocation and intense fight continued over a two-week period. A precipitating reason for the conflagration between the Ijaws and the Itsekiri this time was a dispute over the distribution of electoral wards which the Ijaws believe favoured the Itsekiris. Ijaw opinion is that the 1991 census gave them a 63% majority, against the Itsekiris' 37%. Other censuses conducted since 1963 affirm that the Ijaws hold a demographic majority in the Warri South West LGA, but successive governments – the Ijaws claim – have ignored this statistical fact. They argue that the wards are delimited in such a way as to favour the Itsekiri and that they resisted peacefully until the issue arose of relocating the Local Government Headquarters which proved to be the straw that broke the camel's back. For the Itsekiris, the relocation issue was a violation of their rights enshrined in the ruling of the state administration of the then Delta State Military Administrator, Colonel David Jung and that the various governmental panels set up by Delta State (for example the late Justice Alhassan Idoko Commission).

The Ijaws of Warri South West, in protest of the ward delimitation exercise, boycotted the voter registration exercise because the registration materials were kept in Itsekiri towns, and because the wards to be used did not reflect demographic realities. Some registration materials were reportedly seized by protesting Ijaw youths but were later retrieved by a team of military operatives. Reference is also made, in relation to the ward delimitation exercise, to the fact that the Ijaws of Warri South West Council have remained disenfranchised from 1997 to the present without any effort by the Delta State government of Chief James Ibori or the Federal Government of Chief Obasanjo or its electoral agencies to address finally the problems faced by the Ijaws of Warri South West LGA (namely, the communities of Gbaramatu, Ogbe-Ijoh, Isaba and Diebiri).

Further, the Ijaws contend that the National Electoral Commission of Nigeria (NECON, as it then was) of the late Justice Ephraim Akpata created ten homogenous electoral wards for them as follows: Gbaramatu 5; Ogbe-Ijoh 3; Isaba 1; and Diebie. INEC adopted NEC's delimitation of 1992 because it had limited time to administer the transitional programme, but subsequently failed to redress the situation. The Justice Omo-Agege led Delta State Independent Electoral Commission recommended ten electoral wards each for the Ijaw and Itsekiri of Warri South West LGA, which though was unfair to them in view of their numerical strength and population figures, was never implemented and or approved by the Delta State Government. The Ijaw allege that INEC in consolidating Itsekiri domination over them, unjustly allocated 147 registration units to the Itsekiris; the Ijaws were allocated 64 registration units and suffered the indignity during the registration exercise of having their communities in Warri South West LGA placed under heavy security presence of the Army, Navy and Police.

The other clashes during 2003 - between the military and the Ijaws - is reported to have been the biggest military operation ever mounted in Nigeria in peace time against a civilian population. Militant Ijaw youths and the military clashed in the 3<sup>rd</sup> week of March, 2003, in Okerekoko and Gbaramatu villages. Four military personnel were allegedly killed on March 13, 2003, by people said to be Ijaw youths. As a result, large contingents of the Nigerian Army, Navy and police were deployed to the area. There were reports of indiscriminate reprisal attacks by the security forces, particularly in Okerenkoko and Gbaramatu, both oil-rich Ijaw communities in the Warri South West LGA. Dozen of Ijaws were reported to have been killed in the "military operations". According to reports by the Ijaw Council for Human Rights (ICHR), six armoured fast-attack gunboats, 63 uncovered passenger-type speed boats and five armored tanks were moved into the creeks with the mandate of "opening the water ways for navigation and uninterrupted flow of economic activities." In addition, the ICHR further reported, 1,500 soldiers from the David Ejoor barracks, Effurun, near Warri were deployed. Naval personnel from the Western Naval Command and police from Zone 5 were also involved in the operation. Scores of Ijaw youths were reportedly killed in the clash. The ICHR was more emphatic, claiming that 72 Ijaw youths and three soldiers died in the confrontation; the number of injured could not be ascertained. Three Itsekiri and two Ijaw communities have been destroyed in the operations. It is beyond doubt that the dislocation and displacement, and the loss of property, was simply enormous. The recent (2006) report by the National Commission on Refugees estimates that over 500,000 persons were displaced in the Warri region during 2003.

In late July 2003, a reprieve came to Warri when Governor James Ibori ordered the curfew imposed in February, to be partially lifted to ease the plight of residents, some of whose businesses had suffered under the dusk-to-dawn curfew. This measure brought some relief, but it was later abused by Warri militants who once again saw the relaxation of the curfew as an opportunity to resume midnight and early-morning burning of houses. The Delta State Government responded swiftly by re-imposing the curfew, and security forces were ordered to shoot on sight anyone who disobeyed it.

In Warri, hope of finding a lasting solution to the violence seems almost lost, and not even the presence of soldiers can restore peace. Governor James Ibori at the height of the crisis in 2003 even had to temporarily move his office from Asaba to Warri and personally went to the creeks of the delta to talk to the youths and elders to give up their arms, but this too could not achieve the purpose of restoring peace in the area. Consequently, the federal government of Nigeria launched in 2003 a new squad tagged "Operation Restore Hope" [ORH] to tackle violence in the city.

The deepening presence of ORH forces have proved to be a very mixed blessing. On the one hand there has been an ostensible need to have a capability to address the increasing oil theft in the Warri axis but there is a strong sense of military complicity in the bunkering. On the other, the right and proper presence of forces to prevent and limit communal violence has often produced accusations of partisanship, corruption and undisciplined violence. For their part, Warri leaders have failed to find lasting peace, and

appear interested only in further feuding over narrow sectarian interests, deepening the crisis in the city. Warri has devolved into a city under siege. Residents do business with gun-toting soldiers, navy, and mobile policemen monitoring transactions in every part of the city. Youths carry sophisticated arms such as AK-47s; even deadly pump-action rifles are common in Warri. It is believed that there are more guns in Warri than people. According to a youth activist, “the number of sophisticated weapons in the hands of youths is alarming. Government needs to do something urgently about this because it portends grave danger to the whole state and the Niger delta region”. The youths are so used to the sight of guns that they have coined names for them, calling them “knock-out,” “toy,” or “pure water” depending on their make and sophistication. There has been a deadly ‘democratization’ of the means of violence across the city.

The violence, kidnapping and killings in Warri have had negative impacts not only on the residents, but also on the wider Nigerian economy. It is reported that the 2003 Warri crisis led to the suspension of production of about 140,000 barrels per day of crude oil by Chevron Texaco and the loss of about 60,000 barrels per day of oil production by SPDC. Militant youths reportedly blew up the Escravos crude pipeline, which cut supply to the Warri and Kaduna refineries and led to the eventual closure of the plants. At the peak of the disruption in March-April 2003 over 40% of total Nigerian output (amounting to perhaps 10% of total exports by value) were directly compromised.

Recently, efforts by government aimed at achieving lasting peace appears to be yielding positive results. On June 1, 2004, leaders of the Ijaw and Itsekiri ethnic groups in Warri declared a total cease-fire as part of the peace process. Similar positions on peace are also reported to have been taken by members of the Warri/Itsekiri/Ijaw Grassroots Peace Front (WIIGPF), a coalition of grassroots leaders from the Itsekiri and Ijaw. And on June 23, 2004, after six months of sustained dialogue, a formal peace accord was signed by leaders and representatives of Ijaw/Itsekiri people. The Warri Peace Accord took place at the senior officers mess, NNS Delta Navy base, Warri. Among the signatories to the peace Accord were the following persons: Chief Wellington Okrika (Ijaw); Rev. Sam Ken (Ijaw); Chief E. E. Ebimami (Ijaw); Chief Abel Ugedi (Ijaw) and Chief Jonathan Ari (Ijaw). Others included Chief Isaac Jemide (Itsekiri); Chief O. P. Edodo (Itsekiri); Mr. J. O. S. Ayomike (Itsekiri); and Mr. A. S. Mene (Itsekiri).

About three weeks to the signing of the peace deal, youth militia groups are said to have signed a similar accord declaring a total ceasefire across the troubled area. A joint press statement was issued by the Ijaw of Warri/Itsekiri Peace Forum disclosing that peace was achieved through dialogue. Similarly, Chief Gabriel Mabiaku, the Iyasere of Warri, addressed a news conference on behalf of the ethnic groups to the effect that both groups have agreed to abhor violence as a means of solving political or any other problems, and are committed to dialogue as the only means to peace in all situations. Mr. Ovuzorie Macaulay, Chairman of the Warri Ijaw/Itsekiri peace meeting and former Delta State Commissioner for Inter-Ethnic Relations and Conflict Resolution was Government’s representative and chief mediator at the peace deal. He described the Peace Accord as not being an end in itself, but a means to an end.

In a sad repetition of previous peace initiatives, however, this recently brokered peace deal appears to have broken down. Three Ijaw leaders – Chief Wellington Okrika, Chief Jonathan Ari and Mr. Clark Gbenewei – withdrew from the Accord, alleging that government officials coerced them into signing the deal without giving them an opportunity to weigh their actions. The Urhobos of Warri are also reported to have rejected the Ijaw/Itsekiri peace agreement. Since the signing of the peace agreement, the Ijaw of Delta State have been in disarray, with some alleging that the peace deal failed to address certain contentious issues which had pitched the other two ethnic groups against the Itsekiris, especially the issue of a separate local government for each community in Warri.

The Delta Ijaw leader and a former minister of information, Chief Edwin Clark, is also reported as having rejected the peace deal and of advising his kinsmen to jettison it, claiming that the Itsekiris cheated them on the several resolutions documented at the end of the peace meeting. The Ijaws in a letter of July 6, 2004, addressed to Mr. Ovouzourie Macaulay, stated that they were coerced to sign the agreement without the mandate of the members of their ethnic group. Macaulay states that by rejecting the Peace Accord, the Ijaw leaders were in effect beating the war drums again and plotting to plunge Warri and its environs into a fresh round of ethnic violence. As if to enforce the sense of impending conflict the December 2004 local elections (postponed from the previous January) were once more postponed for “logistical reasons”. Added to the complexities of the Warri situation were the dramatic development of late 2005 when the Movement for the Emancipation of the Niger Delta (MEND) – a hitherto unknown militant group with Ijaw affiliations – garnered international visibility with a series of hostage taking and attacks on oil facilities in the Warri area up through March 2006. While not a part of the Warri crisis as such, the sense of an elevation and intensification of Ijaw militancy has added fire to the smoldering embers of communal tensions in the city.

At the present, it is not known if the Peace Accord will eventually become acceptable to all concerned and lasting peace achieved thereby. It is hoped it works. But the enduring background is a struggle over who controls the Warri South Local Council, and since none of the parties are willing to lose that battle, it rages on and on. In March 2006 a local newspaper referred to Warri as “still in the throes of war”.

## **CONCLUSION**

There is a sense in which Human Rights Watch is correct in designating the Warri crisis as a ‘resource war’. What is at stake is the various and complex ways in which access to oil takes on a political character. In practice, however, such a generalization underestimates, and somewhat obscures, the complex dynamics of the Warri case. This complexity is reflected in the fact that the oil conflicts are multifaceted and many-layered. First, access to oil is itself encompasses a variegated set of practices encompassing the theft of oil (through small scale hot tapping or large scale bunkering), access to federally allocated statutory and excess oil funds (through grants, contracts, and formal allocation procedures at the level), and rents (of legal and illegal sorts) derived by

differing communities (youth groups, well connected local politicians, women's groups) from oil companies operating in the region. Second, oil provides the strategic resource around which 'wars' – to use the language of HRW - are fought but it no more determines their political character that might gold in South Africa or diamonds in Sierra Leone. These political dynamics we have identified (which the struggle for oil has activated and animated) include the following:

- Longstanding ethnic tensions in Warri town concerning land, royal succession and relative demographic significance of three ethnic groups
- The key role played since 1999 by local and national elections and the funding of various youth groups to intimidate voters and deliver votes to local politicians
- The establishment of LGA's – and relatedly the location of LGA headquarters – as a form of inter-ethnic struggle
- The dynamics of ward delineation as a basis for establishing ethnic domination with key LGAs as a precondition for access to oil revenues
- Inter-generation political tensions associated with struggles over customary rule and royal succession
- Conflicts between youth groups and oil producing communities and state security forces
- The role of non-local elites ('warlords' in effect) who fund and provide arms to the differing ethnic constituencies (itself not unrelated to the electoral cycle)
- The role of oil companies in the oil conflicts largely through failed community development programs, the close links between oil operations and the security forces and political involvements in working with host communities that, by design or by default, have the effect of pitting communities and groups against one another and against state forces.

Politics in this sense, then, operates at a number of levels and between differing political actors. The complexity of the Warri case stems from the fact that inter-(ethnic) community, intra-community, community-company, and community-state tensions all operate simultaneously in quite different political forms (party politics, elections, LGA operations, youth militancy, women's empowerment, ethnic mobilization, and radical [ant-state] insurgencies) in and around access to oil and oil revenues in a variety of forms. The bunkering-arms nexus has so deepened in its extent and magnitude – the PaS report refers to losses of between 50 million and 300 million barrels annually between 2001 and 2003, perhaps 10-15% of total Nigerian production<sup>12</sup> - that petrodollars are producing a militarization of all aspects of civic, corporate and state practice<sup>13</sup>. Each tends to feed off of the other and to render the city largely ungovernable.

The policy implications that emerge from the Warri case are unequivocal. First, any solution must address the twin problems of illegal bunkering and arms acquisition. Second, corruption at all levels of government serve to deepen and intensify a form of

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<sup>12</sup> Stephen Davies and Von Kemedi, *Illegal Oil Bunkering in the Niger Delta*, The Niger Delta Peace and Security Working Group, Port Harcourt, Working Paper, 2005.

<sup>13</sup> In the first half of 2002, the Nigerian Customs service purportedly intercepted arms and ammunition to the tune of \$30 million (HRW 2003, p. 25).

cultural politics in which more or less violent and well-connected groups and individuals privatize a public resource and the means of violence. Third, and relatedly, the close relation between the electoral cycle (and party politics) and the extent of both corruption and political thuggery only serves to intensify the volatile and conflicted nature of urban politics in and around Warri. Forth, the undisciplined and unaccountable nature of the deployment of military and security forces has not only militarized the region but feeds an endless cycle of recrimination and violence at all levels. Finally, the Warri case demonstrates that the companies themselves are inextricably part of the dynamics of violence<sup>14</sup>.

If there is a larger moral in the story it is that oil wealth and indigeneity as politics do not mix. The reality is that indigeneity has become in Nigeria a means by which communities are discriminated against at the local and state level. In this sense the problem predated oil but the presence of a vast territorial resource in and around Warri has converted the discriminatory potential of the indigene question (against a backdrop of highly contested histories of residence and occupation) into a volatile and violence resource.

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<sup>14</sup> WAC Global Services, *Peace and Security in the Niger Delta*. Working Paper for SPDC, Port Harcourt, 2003.

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