

## **Militancy and Human Rights Violation in the Niger Delta**

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### **Abstract**

One of the biggest security challenges in contemporary Nigerian State is the activities of ethnic militias in the Niger Delta. The formation and activities of militia groups have resulted in the militarization of the region by the Federal Government of Nigeria (FGN) in trying to curb the activities of militia groups which have transformed from fighting a just cause to criminal activities bordering on illegal bunkering of Crude oil, Kidnapping and Hostage taking. In the process of doing this, Human Rights have been violated severally. The central argument in this paper is that the militarization of the region in addressing problems created by the activities of militia groups have resulted in Human Rights Violations in the Niger Delta. It is against this background, that this paper explains the formation of militia Groups in the Niger Delta and how Government interventionist approach has resulted in Human Rights violation in the Niger Delta. The paper concludes by putting up suggestions as policy options for curbing the activities of militia groups without the violation of human rights in the Niger Delta.

**Keywords:** Militancy, Human Rights, Niger Delta, Violation, Militarization.

### **Introduction**

The resurgence of violent crisis in the Niger Delta region of the Nigerian state has resulted in economic setbacks and gross human rights violations. This is occasioned by the incontestable facts about the oil rich region i.e the region is of strategic importance to both national and international economies. Secondly, there are two primary sources of violent crisis in the Niger Delta region of the Nigerian state which have resulted in the state of insecurity. The federal government's historical neglect of the development needs of the region and the extracting the bulk of Nigerian's foreign exchange from regional and centralizing the ownership and control of oil resource which has undermined the interest of the region. The youths and other militia groups have become increasingly restive and inclined to engage in anti-state and anti-social activities (Ikelegbe, 2001). Armed with little by way of a coherent, visionary or sustained economic and social policy, and heavy dependence on oil revenues from the Niger Delta, the federal government has responded continually to the increasing level of insecurity and violence by suppressing dissent with military force rather than addressing the challenges of the region. This has also raised a number of issues bordering on human right violations in the Niger Delta.

The crisis in the Niger Delta region of the Nigerian State has assumed an increasing propensity due to the emergence of militia groups. This is due to the growing security challenges it portends for the Nigerian State and the Niger Delta in particular. Militancy is a direct response to the human rights violations and the perceived neglect, and marginalization of the region by the Nigerian state and environmental and human hazards imposed on the local Niger Delta communities and inhabitants occasioned by exploration and exploitation by oil multinational oil companies. The crisis has taken a new dimension with issues bothering on criminality (illegal bunkering of crude oil, kidnapping and hostage taking). There is no doubt that the rate of militancy in the Niger Delta region of the Nigerian state has made the Nigerian oil fields among the most dangerous in the world and has also become a major threat to Nigeria's main source of revenue. The federal government has lost billions of dollars in oil revenue through activities of militia groups (Ekpo 2007). Similarly, the criminal activities of militancy in the Niger Delta have created a state of insecurity and the distortion of values of the region. The principal director in the crisis, the federal government, its agencies and allies on one hand, and the people and their agencies (ethnic militias) on the other hand, have grounded their position and action on well articulated need to secure their somewhat divergent interests. The clash of these divergent groups and interests which manifestation in occasional violent clashes between the federal government agencies and the various militia group defines and sums up the Niger Delta crisis as a clash of two divergent but mutually reinforcing conceptions of security.

A state – centric conception is held by the state and the multinational oil corporation, while the human-centric conception is held by the deprived people of the Niger Delta and express through the actions of militia groups (Isike, 2005). The federal government in trying to address the state of insecurity in the region have continually regarded the activities of militia groups as criminal and therefore a threat to national security and have accordingly declared war against the groups and the communities where they are located to secure the region and the Nigerian state. The militarization and militarist actions have worsened armed conflict in the region for such violent response worsens the very conditions that gave rise to the violence in the first place thereby creating a conflict trap. The military operations do not affect the militia groups but affect mostly armless civilians who inhabit this community. It is in the light of the foregoing that the paper will attempt to examine the formation of militia groups in the Niger Delta and how the government interventionist approach has resulted in Human Rights violations in the oil rich region of the Nigerian state. The paper will also put up suggestions as policy options without violating human rights in the Niger Delta.

## **Ethnic Militias in the Niger Delta**

Ethnic militias groups can be described as youth based groups formed with the aim of promoting and protecting parochial interest, with activities involving the use of violence. The aim of this group is not to capture political power, but rather serve as pressure group which seeks to influence the structure of political power in the Nigerian State, and draw attention to the deteriorating material condition and perceived marginalization of their social environment. The violence which they exhibit from part of the reproduction of a culture of militarism instituted by the Nigerian State (Adejumobi, 2002). Duverger (1974) provide what may be described as an appropriate definition of militia as:

“A kind of private army whose members are enrolled on military lines, and are subject to the same discipline and the same training as soldiers, like them wearing uniforms and badges, leading like them to march in step proceeded by a band and flags, and like them ready to meet the enemy with weapons in physical combat”.

He noted further that militias differ significantly from armies in the sense that their members remain civilians; and that they may be obliged to meet and drill frequently, and must always be ready to put themselves at the dispositions of their leaders. They are neither mobilized on a particular basis nor maintained on a full time basis. The above suggest that militias are organised as para-military organizations, who are with or without state sponsorship. Several

reasons have been given for the upsurge of militia groups in the Nigerian state. The recent emergence of militia groups in the Nigerian state is a result of the aggressive pursuit of the principle of self determination by the various ethnic groups in Nigeria. Babawale for instance conceives the emergence of these groups against the background of the imperfections inherent in Nigeria's federal system. He further observed that the background of the emergence of militia groups was the manipulation of the factors of ethnicity by the governing elites across the various regions particularly as a means for bargaining for power in the post-independence era. Furthermore, that these organizations were formed as a consequence of the mismanagement of ethnic grievances by the Nigerian state. The origin and growth of ethnic militia groups in contemporary Nigeria can be situated in the internal contradictions and contentions of the political economy of the Nigerian State. First it is the nature of the Nigerian state which has been a violent institution since its inception and has sought to maintain control and hegemony in the society through the mechanics of violence. This has become commonplace under military rule as noted by SaroWiwa:

"The Nigerian militancy dictatorship survives on the practice of violence and the control of the mean of violence (SaroWiwa, 1996:43)"

Ethnic Militia groups emerged in Nigeria during the 1990s when the Nigerian state was under the military dictatorship particularly during the Babangida and Abacha regimes. The contradictions and contentions in the Nigerian State, which acted as a spring board for the rise of ethnic militia groups as one of the consequences of that process. There are three silent features of these regimes that reinforced militarism and promoted primordial loyal ties in the Nigerian state. The first is the phenomenon of personal rule and the high concentration of power perpetuated by these regimes. Evidently, the concentration of power in the hands of one individual has the potential of promoting ethnic tension in the society which create polarization and division among ethnic groups in other to perpetuate their rule (Adejumobi; 2000). It was therefore not a coincidence that the Nigerian state witnessed a number of inter ethnic, religious and communal conflict during these regimes. These occurred in Ilorin, Kafanchan, Kaduna, Funtua, Kano, Zaria, Ile-Ife, Zango Kataf and the oil producing communities in the Niger Delta (Adejumobi, 2000)

The second feature of the regimes was their repressive nature that sought to destroy any group that was opposed to them. Many critical civil society groups like the Nigerian Labour Congress (NLC), the Academic Staff Union of Nigerian Universities (ASUU), the Nigerian Bar Association (NBA) and Human Rights and Pro-Democracy Movements. The implications of the above were that many people retreated into ethnic cocoons while others went underground to organize their activities. This process led to the emergency of groups like the Odua Peoples Congress (OPC). The third feature was the issue of marginalization, Social inequality and deprivation which became rife particularly in the Niger Delta. The politics of Oil plays a significant role here which constituted a major source of the Nigerian state economy is gotten from the Niger Delta, the people and physical environment experience abject poverty. The general perception in the area is that their marginalization is related to the minority status of the region in the Nigerian state and that the dominant ethnic groups use the oil resources from the Niger Delta to develop areas inhabited by the majority groups. The problem and challenges of the Niger Delta people have been well documented in various sources (Civil Liberty Organization, 1996; Ekine, 2001; Obi, 2002; Human Rights Watch, 1999; and Osaghae, 1995). (Adejumobi, 2002). The above have led to the emergence and proliferation of ethnic militia groups in the Niger Delta between 1990 – 1999 not less than twenty – four ethnic militia groups emerged in the Niger Delta. These include the Egbesu Boys of Africa (EBA) Chikoko, Ijaw National congress, Ijaw Youth Council (IYC), Ijaw Peace Movement (IPC), Itsekiri Nationality Patriots, Movement for the survival of the Ogoni people (MOSOP), Niger Delta Vigilante (NDV), Niger Delta Peoples Volunteer Force (NDPVF), Niger Delta Peoples Volunteer Force (NDPVF), Niger Delta Freedom Fighters (NDFFF) and Movement for the Emancipation of the Niger Delta (MEND).

## Understanding Conflict and Violence in the Niger Delta

The discovery of Crude oil in Commercial quantity in Oloibiri in Bayelsa State in 1956, the inhabitants of this region have continually engaged multinational oil corporations and the Nigerian State in a series of protests. At the core of the struggle for participatory governance is the issue of resource control and self determination of the people of Niger Delta. The campaign for resource control derives from the structural deformities of the Nigerian state, which have continually negated the needs and aspirations of the people of Niger Delta. The reality of the Niger Delta is that rather than achieve development and growth oil explorations by the multinational oil corporations in the region have bedevilled the region with environmental degradation, poverty, oppression and various forms of human rights violations by security agents of the Nigerian state. Furthermore, the absence of workable institutional and financial mechanisms to deal with the situation has provided a basis for militant activities in the Niger Delta region (Onduku, 2001). The earliest post-independence act of armed resistance was led by Isaac Jasper Adaka Boro. In the early hours of February 23<sup>rd</sup> 1966, Adaka Boro and his associates of the Niger Delta volunteers services (NDVS) declared 'The Niger Delta Republic which is distinct and separate from the Nigerian state (Teba Kaeni, 1982). This group was provoked by perceived social neglect, ethnic chauvinism, political magnetization and economic deprivation orchestrated by the Nigerian post-independence ruling elites. This was made clear by Boro when he addressed his men (Tebakaemi; 1982); "Let us examine with some latitude whether the state of development is to any extent commensurate with a unit of the bulk of a already tapped mineral and agricultural resources... Therefore, remember your seventy year old grandmother who will still farm before she ears; remember also your poverty stricken people; remember too your petroleum which is being pumped out daily from your veins, and then fight for your freedom. The action was suppressed by the military after twelve days".

The above condition gives credibility to the argument that satisfactory resolution of the resource control complexity can bring about the desired peace in the Niger Delta. Resource control has been seen as the basis of the unending crisis in the region.

Furthermore, the fiscal centralization of the Nigerian federal state has alienated the oil producing minorities in the Niger Delta from the oil wealth emanating from the region. The source which has degraded the physical environment and increased the poverty rate of the people of the Niger Delta. Apart from environmental degradation of the Niger Delta, there are other sources of conflict in the Niger Delta central to the conflict is the perception of being cheated, marginalized, neglected and alienated in the distribution of the wealth from the oil produced from the region (Obi, 1999). The response of the Nigerian state to the crisis in the region has been to militarize the region by stationing an 'army of occupation' with the main objective of keeping them at bay and maintaining peace. The frustration resulting from this has led groups in these communities resorting to armed reactions. The objective of this was to counter the violence of the state. The extra judicial murder of Ken Saro Wiwa in 1996 heightened the resolve and conviction that the Nigerian state are the path of violence and would require organized counter violence to protect themselves and their interests. The Niger Delta people reconceived and sharpened their demands from purely social and economic to political. Their demands at this point became reformed on relative autonomy and self-determination for their ethnic areas within the context of the Nigerian state. They saw this as the only way that social injustice, neglect, marginalization and deprivation could be addressed. The reaction of the state was to intensify its military actions of violence as a means of addressing the state of insecurity in the region. (Adejumobi, 2002).

Successive governments and multinational corporations have failed to address the fundamental issues. This has led to the emergence of militia groups and has contributed to change in the character of their action from peaceful to a violent disposition. These groups were initially formed with the main objective of continuing the struggle for the emancipation of the people and physical environment of the Niger Delta from the group of the Nigerian State and the multinational oil corporations through the use of non-violent approach. The

actions of these militia groups have moved into a violent phase. The tension in the Niger Delta heightened as the Nigerian state transitioned from the military dictatorship to democratic rule in 1999. This raised the hope that the crisis in the Niger Delta could be resolved democratically. These hopes were partly based on wide consultations between the new democratic government and the various ethnic nationalities with the view of addressing the challenges in the Niger Delta.

Within the first year of his administration, President Olusegun Obasanjo deployed more troops to troubled spots in the Niger Delta region. November 20<sup>th</sup> 1999 witnessed violent crisis perpetuated by the Nigerian state. Odi, an oil bearing community in Bayelsa state was razed down by groups at the instance of the President of the Federal Republic of Nigeria. The Odi raid witnessed the death of about 2,483 persons and properties. The invasion was attributed to the murder of nine police officers in the community. (Environmental Right Actions/Friend of the Earth, 2002 and Human Rights Watch, 1999). It was the policy of the Nigerian state to resort to military option in dealing with the situation in the oil producing communities seen to be protesting against the Nigerian state and oil multinational corporation or suspected to be harbouring militant groups. The invasion of Odi was followed by the raid of Odioma in 2005, Egbema and Olugbobiri and Ikebiri in 2004, Okerenkoko in 2006 and Agge in 2008, Gbaramatu, in 2009, and Ayakoromo in 2010. The events following the 2003 elections in the Nigerian state were another turning point in the history of insurgency in the Niger Delta. Some of the militia groups were armed and used by politicians and office seekers against perceived opponents. These led to the destruction of lives and property. The use of violence during elections has also contributed to the acquisition and use of sophisticated weapons and firearms in the Niger Delta and have set the pace for post election armed resistance in the Niger Delta.

Militia groups in the Niger Delta are tagged as militant groups that must be crushed. Reports have also heightened militant leaders in the region and estimates their capabilities, weaponry and manpower, and are marked for annihilation. It is very clear that maximum military force rather than political action was required by the Nigerian state to put an end to militancy in the Niger Delta. This involved the use of coordinated military counter insurgency tactics.

The above show that the lesson of the Niger Delta conflict is the struggle for constitutional and legitimate rights, a struggle against poverty, marginalization, environmental degradation, deprivation and insensitivity of the Nigerian state to the people of the region. Until these issues are fundamentally addressed, violence in the region will continue and assume a more complex form.

## **Human Rights Abuse and Violations in the Niger Delta**

The issues of environmental degradation and human rights violations at local state, national and international levels have attracted interest of social scientists in recent times (Bullard, 1990, Neff, 1990; Nickel 1993; Nicked and Viola, 1994; Adeola, 1994; Neinberg, 1998). Among recent cases of environmental degradation and human rights violations in the third world are: The murder of Wilson Pinheiro and Francis 'Chico' Mendes in the Amazon rain forest, the massacre of father Nery Lito Satur and several others in the Philippines and the public hanging of Ken Saro Wiwa and eight other members of the movement for the Survival of the Ogoni People (MOSOP) in November, 1995 in Nigeria. The subsequent detention, torture, and repression of other members of Mosop are among the most compelling, cases of human rights violations. (Adeola 2001). There have been several other cases of government agents particularly in the Third World, adopting a policy of systematic genocide against members of minority groups in order to appropriate their lands and natural resources. Minority status, lower socioeconomic status, powerlessness, and other conditions of marginalization constitute the major factors influencing the extent of environmental injustice and human rights violations (Adeola, 1994, 2000b; Bullard 1990; Morrison; 1976; Glazer and Glazer, 1998) from the inception of the existence of people in the Niger Delta, the story of the people of this region has been that of misery, deprivation and poverty. Since the discovery of

oil in commercial quantity in the Niger Delta, the oil producing communities have known only poverty, misery and sorrow.

The circumstance of the people's existence and the lack of political will of the Nigerian state in addressing the problems have forced militia groups stated mounting series of violent attacks on oil facilities, workers and state agencies particularly the armed forces. The spate of violence in the region should not be taken to mean that, violence is the only strategy utilized by the people of the region in the struggle for justice. The people of the region have utilized various options ranging from dialogue, litigation, peaceful protest and lately open violence (ogbobbbo, 2005; Ovwasa, 1999). The resort to violence by the people of the region may have been as a result of the unresponsiveness to the Plight and increasing level of frustration with the state. The people of the Niger Delta have not been passive about environmental degradation and long – term neglect. The people have therefore, expressed their dissatisfaction through various forms of protests, which have taken both violent and non violent forms. However, the present situation involving the use of violence epitomized by rising radicalization and militarization of the people's struggles for resource control, environmentally sensitive practices and socio-economic developing clearly shows the failure of response of both the Nigerian state and oil corporation to the challenges of the people of the Niger Delta (Omotota, 2006 & Ikelegbe, 2001).

The Nigerian state in return have not been passive to the crisis in the Niger Delta, successive regime have taken steps aimed at addressing the crisis. However, it is worthy of note that the response of the Nigerian State and multinational oil corporation to the agitations and demands of the communities in the Niger Delta have ranged from double talk, unfulfilled promises and armed twisting strategy (Ovwasa, 1999). State repression and violence have been a common strategy deployed mostly by military regimes in confronting uprising in the Niger Delta. This often involves the drafting armed security operatives to the region with the mandate to put such uprising under control. Instances of state violent repression against oil producing communities includes Egbena crisis 1989 – 91; Oburu violence 1989; Umnechem Massacre, November, 1990; Bonny Tragedy, 1992; Egi-Obaji Mayhem, 1994; Tai-Baira (Ogoni) Massacre, 1994; Ubima tragedy, 1995; Odi Massacre 1999 (Eteng, 1996; Ovwasa, 1999; Raji, 1998). Table 1 shows that between 1990 to 2010 no year ends with a major crisis involving militarization of the Niger Delta by the Nigerian state.

**Table 1:** Militarisation of the Niger Delta, 1990- 2006

Date	Place	Operating Force	Action
October 1990	Umuechem	Security Protection Unit	<ul style="list-style-type: none"> <li>• Killed 80 unarmed demonstrators</li> <li>• Destroyed 495 houses</li> </ul>
1993	Unuechem		<ul style="list-style-type: none"> <li>• Razed houses and destroyed properties</li> </ul>
1999	Odi	Army and mobile police	<ul style="list-style-type: none"> <li>• Razed the entire community as every house and properties worth millions of naira were burnt down</li> </ul>
January 2004	Uwheru	Operation Restore Hope	<ul style="list-style-type: none"> <li>• Killed 20 Persons</li> <li>• Burn down 11 houses</li> </ul>
July 2004	Egbema	Operation Restore Hope Joint Security Task Force	<ul style="list-style-type: none"> <li>• Used gun-boats, militancy helicopters and bombs to destroy 13 communities</li> <li>• Razed a total of 500 buildings</li> <li>• 200 persons, mostly women and children, are fared dead and are still missing</li> </ul>
August 2004	Olugbobiri and Ikebiri	State Security Operatives	<ul style="list-style-type: none"> <li>• Killed 16 youths for agitating for a better deal from multinational oil</li> </ul>

			corporations
October 2005	Odioma	Joint Security Task Force	<ul style="list-style-type: none"> <li>• Killed 77 persons, including youths</li> </ul>
2006	Okerenkoko	Joint Security Task Force	<ul style="list-style-type: none"> <li>• Killed Several People and destroyed properties</li> </ul>
2008	Agge	Joint Security Task Force	<ul style="list-style-type: none"> <li>• Killed Several People and destroyed properties</li> </ul>
May, 2009	Gbaramatu	Joint Security Task Force	<ul style="list-style-type: none"> <li>• Killed Several People and destroyed properties</li> </ul>
December, 2010	Ayakoromo	Joint Security Task Force	<ul style="list-style-type: none"> <li>• Killed Several People and destroyed properties</li> </ul>

Source: Compiled by the author, 2011

In spite of the international community's reaction to human rights violations in the Niger Delta like the Commonwealth of Nations, the United Nations General Assembly, there are cases of human rights violations in the Niger Delta. The response of the Nigerian state to the Niger Delta crisis has been the militarization of the environment. This has had loss of life, and properties, which can best be described as violations of human rights in the Niger Delta.

## Policy Recommendations

Finding a lasting solution to the challenges posed by militia groups and the human rights violations question in the Niger Delta requires coordinated actions by the Nigerian State, government at various levels, communities in the Niger Delta, multinational oil cooperation's and international patterns. The Nigerian state in collaborations with other levels of government and patterns should do the following:

A clamp down on Criminal activities perpetuated by militia groups. This may include crude oil bunkering, illegal arms, deals, hostage taking and kidnapping. This should not entail military attacks on communities in which thousands of innocent citizens were caught in the crossfire that ensued. Rather, Criminal activities that support and encourage military must be stopped. Militants should be denied easy access and path back to crime. The Nigerian state must not turn a deaf ear and blind eyes to bunkering, hostage taking and kidnapping. The federal government must pursue and prosecute all cases of bunkering, hostage taking and kidnapping. The Nigerian state should accept offers of international help in tracking down criminal networks of criminal activities by militia group's persecution armed military /armed groups involved in Human rights violation. There is the need for the federal government to take legal steps towards trial and possible punishment of those involved in human rights violations.

## Recommendation

There is the need for the Nigerian state to put in place a detailed reconciliation plan as part of the peace process in the Niger Delta. The reconciliation plan needs to take place at these levels: within and among communities, between multinational oil corporation and oil producing communities and between government and communities. The setting up of Truth Commission. The true commission would have the primary objective of investigating and reporting cases of human rights violations in the Niger Delta. The truth commission should be an official body of the federal Government that will be responsible for making recommendations that will remedy human rights violations and measurement to the reoccurrence of such abuses.

## **Reform in the Security Services**

The military has often been a hindrance rather than a solution to addressing the crisis in the Niger Delta. There is need for training of the military in handling of armless civilians in trying to deal with the militancy. There is the need for an immediate halt of all forms of offensive military activity in the Niger Delta and put the militancy currently deployed in the Niger Delta on a footing limited to ensuring public safety and peace. The Nigerian state should also be thinking of a tactical withdrawal of military forces from the Niger Delta and a replacement with a well trained and equipped police force.

Amnesty for insurgents. The Federal Government of Nigeria in 2009 declared amnesty from criminal prosecution to militia members with a promise to rehabilitate and integrate repentant members back to the society. Stepping up an effective disarmament, demobilization, and reintegration process of armed groups. In return for handing in of weapons, militants should be offered incentives to get reintegrated into the mainstream of society and give up militancy. This is already been organised through the amnesty programme. There is however, the need for proper implementation of the amnesty programme. The demobilization process should be followed with a census of militants and their possible reintegration into the mainstream of society should be closely monitored and implemented. Giving the people of the Niger Delta control over their resources: There is the need for a reform in Nigeria's land use Act. This is required so that a large proportion of the money realised from oil exploration in the Niger Delta by the Nigerian state is used to develop the region. This will help in erasing one of the main areas of grievance of the Militia groups and the citizenry who are sympathetic to their course. This must be done in such a way to avoid siphoning of funds meant for the development of the region.

In addition to the above, the federal Government should make its promise real by improving the well being of people in the region through the training and empowerment of youths and women and improving the woeful inadequate infrastructure of the region by the Nigerian state.

## **Conclusion**

The approach adopted by the Nigerian State to the problem of insecurity created by militia groups by criminalizing them and militarizing the region rather than formed the basis of the emergency and activities of militia groups. This approach rather than address the challenges has heightened the conflict in the region and led to human rights violations in the Niger Delta. There are issues surrounding militancy and human rights violations in the Niger Delta, marginalization, deprivation and gross marginalization, deprivation and the quest for social equity and justice, and the use of wrong approach in addressing the issue of militancy in the region. These are issues that the Nigerian state cannot run away from and that have to be addressed peace and security to reign in the region.

Thus, the continued militarization of the region will not lead to achieving the desired results in the region, rather it will lead to further violations of human rights and militancy in the region. The resort to militancy option has over the years not only aggravated the problem and has also heightened the problem of human rights violations in the Niger Delta. Accordingly, this will suggest reassignment of the militarization approach to the conflict and insecurity in the Niger Delta. This has become necessary due to the violations of human rights in the region. A step to this is for the Nigerian State to demilitarize the region as a means of paving way for sincere dialogue and addressing human security issues underlying the anti state activities of militia groups and those of criminal elements within the region.

Finally there is the need for reorientation for security operatives in the handling of the crisis in the region in excluding armless citizens in dealing with militancy and militia groups in the Niger Delta.



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