PHILOSOPHY AND PEACEFUL CO-EXISTENCE AMONG THE NIGER DELTA PEOPLE AND OIL COMPANIES IN NIGERIA

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Abstract

The word peaceful-coexistence alludes to a suppressed assumption of an atmosphere of peace. In a peaceful atmosphere, progress, growth, development and general well being is experienced. But also, peaceful-coexistence can connote a situation of healing that follows a period of rancor or 'unwellness' of interpersonal relationship, inter-communitarian relationship, or international relationship; which is expected to make room for prosperity in matters of social or economic welfare, the establishment of equity and working political order that serves the true interest of all. The co-existence of the Niger Delta people and the oil companies operating in the region is everything but peaceful. Through critical philosophical analysis, this essay intends to show that solutions have been proffered, yet the lack of application of the principle of true federalism has left the problem unresolved. The study employs the method of exposition and critical analysis.

Keywords: Philosophy, Peace, Co-existence, Niger Delta, Oil Companies,

Peaceful-coexistence, True federalism

Introduction

The Niger Delta region in Nigeria is blessed with abundant crude oil resources, and this has helped to place Nigeria as an important player among oil producing nations in the world. A great deal of Nigeria's wealth comes from her crude oil, but unfortunately, this oil wealth has not translated into the expulsion of wide spread poverty and social development characteristic of the Nigerian nation, especially in the oil producing areas of the Niger Delta. Owing to this, youth restiveness and various forms of militancy have enjoyed media attention in the Niger Delta region of Nigeria, especially in the 1990s when the conflict escalated to the point of receiving international coverage. Though government, the international community, and some organizations have tried several interventions to stem the tide of youth restiveness and militancy in the region, but their results have been often negative and disappointing. But has it always been the case that there has always been a situation of almost never ending youth restiveness and militancy in the Niger Delta region of Nigeria?

There was a time, even far back to the colonial era, when the Niger Delta region was a peaceful region known as the 'oil rivers'. This region had early contact with Europeans, especially those of British and Portuguese extractions who began their expedition of the area. "They had combined trade, Christianity and forced control, which happened by way of unjustifiable invasion, hence conquering and subsequent colonization."¹ The Niger Delta region has had a long economic viability because,

About 1885 to 1893 Niger Delta, which then comprised aspects of eastern region was known as the "oil rivers" because it was an important palm producer. It was known also as the "British Protectorate" but changed to the Niger Coast Protectorate. And

during this time a British company known as the Royal Niger Company was effectively stationed to collect and ship palm produce to Britain and other parts of the western world and also collect levies or taxes and make treaties up to the early 1900s.²

Before the discovery of crude oil in 1958, the Niger Coast Protectorate region was a major producer of palm oil, and the predominant occupation of the people was fishing and farming, especially in the production of palm oil which made the area to be called the Oil River Protectorate. The environment was pristine, supporting subsistence resources like fish, shrimps, crabs, medicinal herbs, wood for energy and shelter, good farming soil and habitat for exotic wildlife. There was the Delta elephant, the white crested monkey, the river hippopotamus, a colorful array of exotic birds, crocodiles, turtles and alligators, etc. The region also accounted for a large percentage of Nigeria's commercial fisheries industry.³ At the discretion of the Nigerian government, the region became officially defined as the Niger Delta region, and this region, making up 7.5% of Nigeria's land mass, seats on an area of 70,000 kilometer square. The present States of Bayelsa, Delta and Rivers were historically the constituent States of the Niger Delta region, but in the year 2000 the Chief Olusegun Obasanjo regime included six other oil producing states to the region: Abia, Akwa-Ibom, Cross River, Edo, Imo and Ondo states.

Nigeria is currently the largest producer of crude oil in Africa, and it is the Niger Delta that produces this oil wealth for Nigeria, but this region remains one of the least developed regions of the country. The region is reputed to be the third largest wetland in the world, which sustains a complex biodiversity, otherwise alternative to tourists, explorers-adventures, traders, businessmen/ women, academicians and a variety of researchers.⁴ This would have ordinarily brought immense development to this region but the reality is that it has not, rather, it has left the region in a state of gross socio-economic dependence, underdeveloped and persistent disempowerment, political marginalization and psychological alienation. The end result of these is the infestation of anger into the minds of the population of the region, especially the youths who feel that their lives are being short-changed, and so resort to restive conflicts and militarization of the region to press home their claims. These have escalated into militant violent attacks on the multinational corporations, especially oil companies, kidnap of expatriates and demand of huge ransoms to be paid for their release, piracy and theft of oil vessels by some persons, illegal refining of crude oil, destruction of oil installations, intra and inter-ethnic conflict, community and militia conflict, and militants and government agents conflicts, etc. All of a sudden the once peaceful region of the Oil River Protectorate, now called Niger Delta, has evolved into a very volatile area just because of the discovery and exploration of oil, which at the long run has rather become more of a curse to the region than a blessing.

The presence of crude oil in Niger Delta region of Nigeria has been everything but a blessing because it has thrown a once peaceful community of persons living side by side in peaceful co-existence into a community of people suspecting themselves and hardly ever trusting themselves, thereby fueling violent conflicts in the region. The aim of this study, therefore, is to, with the aid of philosophy, identify and question the underlying principles hampering peaceful co-existence in the Niger Delta region of Nigeria, especially among the host communities and the oil companies operating there. It is hoped that with a philosophical analysis of the phenomenon of peaceful co-existence in the Niger Delta, that possible solutions to certain factors that endanger peaceful co-existence in the region may be offered, and the living conditions in the region may be enhanced.

What is Peaceful Co-existence?

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To define the term 'peaceful co-existence' may not be an easy task because it is a compound word of arguable ideas, but these words below of George F. Kennan may help put the definition of 'peaceful co-existence' into perspective:

In the public debate that has marked the progress of what is called the cold war, no term has been used more loosely, and at times unscrupulously, than the word "coexistence".... Mr. Khrushchev has given us an interesting definition of what he understands by this term. Peaceful coexistence, he says, signifies in essence the repudiation of war as a means of solving controversial issues. It presupposes an obligation to refrain from every form of violation of the territorial integrity and sovereignty of another state. It implies renunciation of interference in the internal affairs of other countries. It means that political and economic relations must be put on a basis of complete equality and mutual benefit. It involves, he says, the elimination of the very threat of war. It is something which "should develop into peaceful competition for the purpose of satisfying man's needs in the best possible way."⁵

From the above quotation, 'peaceful co-existence' is a term that defines the relation that takes place between two parties or entities, especially with regard to moderating and containing their idiosyncrasies from spinning out of control. 'Peaceful co-existence' is an obligating term that restricts parties or entities from violating the agreed and defined space in which the parties or entities live. The term connotes the self moderation from arbitrarily interfering in the internal affairs of others, parties or entities to which one has not been invited to take part in. The term 'peaceful co-existence' is an equating term, in the sense that equality and mutual benefit is to characterize relationships of parties or entities, especially economic and political relationships. It is the abhorrence to any threat to peaceful living, while encouraging healthy competition among parties or entities that will help enhance general living condition. So with A. E. Bovin, 'peaceful co-existence' can summarily be said to be:

A type of relation between states with different social systems. The underlying principles of peaceful coexistence include the renunciation of war and the adoption of negotiations as a means of

resolving disputes between states; equal rights. mutual understanding, and trust between states, as well as consideration of each other's interests; noninterference in the internal affairs of another state; and recognition of each people's right to choose freely it own socioeconomic and political system. In addition, peaceful coexistence presupposes a rigorous respect for the sovereignty and territorial integrity of all countries and the development of economic and cultural cooperation based on full equality and mutual benefit. A policy aimed at establishing and developing this type of relations between states is called a policy of peaceful coexistence. Its intent is to eliminate from the international arena relations of dominance and subjugation and to affirm the general democratic norms that have been crudely violated by imperialism.⁶

Historical Development of the Term 'Peaceful Co-existence'

In discussing 'peaceful co-existence,' it can be placed within the realm of discussions concerning a principle or set of principles of international law, since it may not be out of place to claim it as the basis and most important principle of international law. In this regard then, discussing 'peaceful co-existence' merely as contemporary international relations is not sufficient. Leon Lipson portrayed such insufficiency when he said:

A Polish Ambassador to India has written (in 1961) that coexistence is the norm applicable to present-day international relations, that coexistence besides being a concept of international relations becomes also a concept of the law of nations, that the principles of international law applied to contemporary relations are the principles of the conduct of coexistence, and that international law is the law of coexistence.⁷

The new entrance of the concept of 'peaceful co-existence' into international law had been echoed earlier in 1958 by the Soviet scholar of international law, Professor Gregory Tunkin, when he said: "A new page in the development of international law constitutes the principle of peaceful coexistence," and then in 1963 he also said: "There is every ground to call present-day international law the law of peaceful coexistence".⁸ Signifying the big change going on in international law, the Committee on Peaceful Coexistence of the Soviet Association of International Law declared in 1962, "The principle of peaceful coexistence is a universally recognized principle of modern international law; ... whereas international law of the past was a law of war and peace, it has today become a law of peace and peaceful coexistence;"⁹ and the association went on to propose to the United Nation to proclaim the principle of peaceful co-existence as a fundamental principle of modern international law.

As far back as 1920, Soviet literature talked about 'peaceful co-existence', and the contemporary Soviet writers have ascribed the idea to Lenin, who may have never even used the term at all. But "western scholars have recalled that it was Chicherin,

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the People's Commissar for Foreign Affairs, who referred to the peace treaty with Estonia in 1920 as the first experiment in peaceful coexistence with bourgeois states."¹⁰ Peaceful co-existence can mean countries or neighbours living in peace side by side, or it can also mean living in peace with a country or neighbour that has 'swallowed' up her less powerful neighbour; as can be said to have been the case with Estonia that was 'swallowed' up by the Soviet countries in the 1940s.

The 1950s witnessed the struggle to make 'peaceful co-existence' central in international law, especially contemporary international law. Lispon notes this thus:

It is true the slogan [peaceful coexistence] has become central only since about 1956. At that time it took off from the Pancha Shila, the five principles which had been proclaimed in the Sino-Indian Pact of 1954 and expanded in the Bandung Declaration of 1955. As a proclaimed principle of international law, peaceful coexistence has been pressed with vigor by Soviet representatives at national meetings of governmental and non-governmental organizations. The thrust of the massive effort now being exerted in many forums is to place that which is called principles of peaceful coexistence in the center of contemporary international law.¹¹

The Soviets stood at the forefront of the propagation of the concept of 'peaceful coexistence' and its principles, such that they did all in their power to maintain the purity of the slogan, defending and rejecting any effort within or without to tamper with the concept of 'peaceful co-existence'. "Thus, in the summer of 1962 when an attempt was made in the International Law Association to change the title in line with that which was used in the United Nations, the Soviet delegation quit work in the committee until the change of name was blocked."¹² In the same vein of protecting the concept and principle of 'peaceful co-existence' as sacred, a Soviet jurist was opposed in 1963 at a meeting of the Soviet Association of International Law without having anyone rise to his defense because he made the error of depreciating the slogan of 'peaceful co-existence' in such manner as to contend that the principles of cooperation and friendly relations between states (a term used in the United Nations) were identical with the principles of peaceful co-existence. The slogan and principles of 'peaceful co-existence' have lived on into the contemporary age. While the slogan of 'peaceful co-existence' appears untouched, the principles have lost their rigidity and have become more fluid. Even some Soviet jurists have added some principles designed to have general appeal and some designed for particular advantage, and "they have been hospitable to lists advanced by others of only the others were willing to go along with the idea that an agreed list of peaceful coexistence should be worked out."¹³ By and large, it is to be understood that peaceful co-existence, especially its principles, are sustained in the contemporary age by the principles of mutual dialogue and negotiation.

Philosophy and Peaceful Co-existence in the Niger Delta

The Niger Delta region of Nigeria lies between latitude 4^{\Box} and 6^{\Box} north of the Equator and 4^{\Box} and 8^{\Box} east of the Greenwich. The states that make up the Niger Delta region of Nigeria are Delta, Edo, Bayelsa, Akwa Ibom, Rivers, Cross River, Imo, Abia and Ondo, and a common denominator of these states is that they all are Crude oil producing states. The Niger Delta region covers over 20,000 km² of swamp land in the litoral fringes of Nigeria. It embraces one of the world's largest wetlands, over 60% of Africa's largest mangrove forest, and one of the most extensive in the world.¹⁴ The Niger Delta region prides itself of a rich aquatic environment which embraces marine, brackish and fresh water systems, encompasses the most extensive fresh water swamp forest in West and Central Africa, and has an intricate network of creeks, rivers, streams, swamps, braided streams, Oxbow lakes, and a stretch of flat and fertile land mass. The Niger Delta region of Nigeria is home to an array of ethnic nationalities, among which are, the Ijaw, Itsekiri, Urhobo, Ikwere, Andoni Efik, Ibibio, Kalabari, Okrika, and some sections of the Yoruba and Igbo. The over 35 billion barrels of proven oil reserves of Nigeria is found in this region,¹⁵ and so also is an even larger deposit of natural gas. The region is very important to the Nigerian economy because it accounts for over 80% of the country's Gross Domestic Product (GDP). As the economic hub of Nigeria, this region is alive with many international and local oil companies, whose operations of oil extraction and exploration are almost never ending; running from year to year. In like manner, this region is equally home to many ethnic militia and insurgent groups with differing goals and objectives, ranging from nationalism and freedom fighting to criminality and terrorism. "This region is therefore Nigeria's hot bed of ethnic violence, terrorism and insurgency."¹⁶ With such a picture painted of the Niger Delta region of Nigeria, can it then be possible to talk of 'peaceful coexistence' among the people of this region, especially among the people and the oil companies operating in the region?

With the application of the critical and analytic methods of philosophy, one can raise at least three fundamental questions on the Niger Delta region of Nigeria that can either aid or mar peaceful co-existence in the region. First, are all the ethnic nationalities in Niger Delta of equal size, if they are not, which one is the largest, and how does that affect the other ethnic nationalities in the region? Second, the Niger Delta region of Nigeria is rich with both natural resources and ethnic diversity. How have these contributed to the development of the region and the people; and is the development sustainable? Third, how well integrated to the Niger Delta region are the oil companies operating in the region; how far reaching is their corporate responsibility to the people and environment of the region? These questions will be analyzed one after the other below. On the first question concerning the largest ethnic nationality or group in the Niger Delta region of Nigeria and how the size of the group affects the other ethnic nationalities or groups in the region, the Ijaw ethnic nationality or group may be considered to be the largest group in the region, as they can be found in good numbers in more than three States that make up the Niger Delta, yet, this does not amount to sufficient reason for the ethnic group to claim the lion's share of the natural resources in the region or be at war with other ethnic groups when their claim for entitlement to the

lion's share of the resources in the region is denied; such a claim to be entitled to the lion's share on the basis of being the largest ethnic group in the Niger Delta is largely self-serving.

All the ethnic groups in the Niger Delta are interested in the development of the region, but that does not remove the fact that these ethnic groups can sometimes have selfish interests meant only to benefit their group, or they may have a common interest meant to benefit all the ethnic groups of the region but their particular ethnic group is to take the lion's share. This creates clash of interest, and it was such clash or conflict of interest that led to the bloody Ijaw-Itsekiri war of the 1990s, the root of which can be traced to the 1960's in "the Ijaw national struggle for self-determination."¹⁷

This is a struggle that was spearheaded in the 1960s by the late Ijaw patriot, Isaac Adaka Boro. This struggle is on-going, and is aimed at building a strong and independent Ijaw nation. This is perhaps the spirit behind the Kaiama declaration, the formation of the Movement for the Emancipation of the Niger Delta (MEND), as the military arm of the Ijaw national congress (INC), and the unity and co-operation among the various militant groups whose membership are drawn almost exclusively from the Ijaw nationality.¹⁸

The demand for self-determination of a people, like that of the Ijaw nation, is a noble cause, but to take by force of military might against one's neighbours is a direct attack against peaceful co-existence. The breakdown of peaceful co-existence in the Niger Delta region of Nigeria manifests itself, in that a militarized region gave room to criminal groups, often supported and funded by political godfathers, ceasing the opportunity to carry out kidnapping for ransom, political assassinations, crude oil theft, various acts of brigandage and piracy in the creeks, and upon the territorial sea. Decrying the breakdown of peaceful co-existence in the Niger Delta region of Nigeria as a result of militarizing the region in the name of selfdetermination by some ethnic groups of the region, Rotimi Amaechi, a former Governor of Rivers State, said: "The attempt by militants to hijack the Niger Delta struggle was proving increasingly counter-productive to the region's overall interest, as their indiscriminate killings, kidnapping activities and attacks on oil and other business facilities have made the entire area unsafe for legitimate business to thrive...."¹⁹ Legitimate businesses bring meaningful development to areas, so that brings us the second question concerning whether the rich resources of the Niger Delta and her diversity of ethnic group have helped in the development of both the region and people; and how sustainable is the development if any? Following from the picture of the region painted above, it hardly can be said that the rich resources and the diversity of ethnic groups of the region have helped to develop the region. This may not be farfetched because there cannot be any meaningful development without peaceful co-existence; in fact, it can be said that peaceful co-existence is the foundation upon which any meaningful development is built. Note that development is here qualified as 'meaningful development', because even with the chaotic nature of the Niger Delta region of Nigeria, one can see one form of

development here and there, even though this can best be said to be window dressing, especially on the part of government, yet such developments cannot really be said to be meaningful development, and are not also sustainable development because of the absence of peaceful co-existence.

The absence of peaceful co-existence can be said to be synonymous to the absence of sustainable development. To put this into perspective, A. A. Agagu said:

Sustainable development has been described as that development that meets the needs and aspirations of the present generations, without compromising the ability to meet the need of future generations. Sustainable development strategy may therefore be seen as facilitator for balancing the conservation of nature's resources with the need for industrial and technological development and advancement put differently, it connotes the capacity to improve the quality of human life while living within the carrying capacity of the supporting ecosystem.²⁰

The reality on ground in the Niger Delta region of Nigeria is that the present level of development can hardly meet the needs and aspirations of the present generations, meaning therefore that the needs of future generations are already compromised. To talk of having a sustainable development strategy of balancing the conservation of nature's resource with the need for industrial and technological development and advancement cannot be realized outside of peaceful co-existence, and in like manner, the capacity to improve the quality of human life, even when living within a favourable ecosystem is hardly possible without peaceful coexistence. This will lead us into the third question concerning the integration of the oil companies to the Niger Delta region and the level of their corporate social responsibility. The ecosystem of the Niger Delta region is supportive to both habitation and business activities, especially for oil companies; but how much sense of belonging does these oil companies feel for the region? With the manner in which the oil companies devastate the region of the Niger Delta with oil spillages, and the seeming lopsidedness on the part of both State and Federal government in handling the matter, which most times is in favour of the oil companies, one can conclude that the oil companies are not well integrated into the Niger Delta region where they carry out their business activities, and feel little or no sense of responsibility for the well being of the region. These oil companies may have some form of corporate social responsibility rendered to the people of the region, but this must be done with the full realization that "the concept of corporate social responsibility embraces the notion that organizations have moral, ethical and philanthropic responsibilities in addition to their usual responsibility to earn a fair return for investors, and comply with the law."

How can it be said that the corporate social responsibility of the oil companies operating in the Niger Delta region of Nigeria, rendered to the people of the region, have the elements of morality, ethics and philanthropy, when through their business

activities farmlands and crops are destroyed, rivers are grossly polluted and fishing business is almost wiped out from the region, the environment is polluted with dangerous petroleum chemicals that pose various kinds of health challenges to the people of the region? Even though oil companies boast on how uncompromising they are in the area of rendering corporate social responsibility to their host communities in the Niger Delta, it cannot lead to any meaningful development because the quality of corporate social responsibility that they give is devoid of morality, ethics and philanthropy, and all these elements are found in the concept of 'peaceful co-existence,' which has been established above as the foundation for any meaningful development.

Conflicts in Niger Delta

The conflict in the Niger Delta region of Nigeria is to be understood from the root cause or causes, what is sustaining the conflict, and what can possibly be done to bring an end to the conflict. Beginning with the root cause or causes of the conflict in the Niger Delta, one is to understand that the Niger Delta region predates Nigeria as a country. This is so because in the 1800s, as stated above, there was already commerce and interactions with Europeans on various levels, especially on economic level. The economic viability of the Niger Delta heightened with the discovery of crude oil by Shell BP or British Petroleum, transformed from Royal Niger Company, in 1956 in a small village called Oloibiri in the present day Bayelsa State. Oil extraction in Oloibiri lasted for two years and it dried off, and that area suffered gross neglect from both the Federal Government and Shell BP, because they carted away the petroldollars got from the area and felt no qualms of conscience to use some of it to develop the area. In 1958, oil extraction activities moved to Ogoni land where a large commercial quantity of oil had been discovered. The experience of Ogoni land with regard to oil extraction is the same as that of Oloibiri, but worse still because the large commercial quantity of crude oil in Ogoni land has translated into long stay of the oil companies, especially Shell BP and Nigerian Federal Government through NNPC (Nigerian National Petroleum Corporation). This further translates into longer period of the flight of petroldollars from Ogoni land with little or nothing invested in that area, longer period of environmental pollution through oil spillages in that area, longer period of the devastation of the people's health, especially children who struggle to live past the fifth year of their lives, long period of underdevelopment of the essential social infrastructure of the area, long period of gas flaring carried out by Shell BP and other oil companies in the area, etc. These de-formative actions against the Niger Delta region have been said to have persisted, by some social activists, especially from the region, because of the lack of the political will to declare these actions as unjust and get the oil companies to engage in best practices. The lack of political will to condemn injustice against the Niger Delta region has a long history because,

During the colonial era and between 1939 and 1951, the Eastern region of Nigeria was created as one of the three components of the nation. It was dominated by the Igbos, whiles the North and west dominated by the Hausa Fulanis and Yorubas respectively. No

Southern enclave was created because it was where the most socalled minorities came from. The minority ethnic groups in the South were split between the East and West. Conscious of the fact that the Niger Delta minorities were becoming more agitative, and showed discontent about their inclusion in the Eastern region, due to repression, and aware of the fears expressed by these groups, the Colonial Government set up the Sir Henry Willink Commission in 1958 to look into the fears for possible redress.²¹

The Colonial Government could not afford to have any unrest in the Eastern region of the country because of its economic strength, so for this reason, the Willink Commission was charged with the duty of making sure that there was division in the Eastern region because,

The commission came after a conference was held in London in 1957. This conference had in attendance members of the Rivers Chiefs and Peoples Conference (RCPC) who went there to demand a separate state or region from the Eastern region. Unfortunately, the commission did not do anything to resolve the fears. It nevertheless created the Niger Delta Development Board (NDDB). This deceit and lack of political will to allay these fears by creating a new and separate state for the Niger Delta was perceived as grave injustice. The funds from oil were not going directly to people.²²

The deceit of convoking an ineffective Commission and lack of political will to correct the injustice taking place in the Niger Delta, which the people of the region felt against the Colonial Government, angered the Niger Delta people but also emboldened them to take their own destiny in their hands:

As a result Isaac Jaspa Idaka Boro (1938-1968) took offence against what has become the norm today; a lack of political will and deceit whiles the region's oil resource rest in private pockets of the privileged and also carted to other regions for development. By 1966 (few months before the Nigerian Civil War of 1967 to1970) therefore, Boro formed his rebel group and declared the Niger Delta Republic from the country. The declaration and secession bid lasted for 12 days. They were rounded up by the Federal troop. Members of the militant group were detained; their leader, Boro, was released and sent to the war front where he was killed in 1968. He was reported to have been deliberately killed at the front to avoid further insurgency. Notwithstanding, the government's violence and injustices perpetrated and still perpetuated against the land and people of Niger Delta did not stop.²³

From the foregoing, one can see the beginning root cause or causes of the Niger Delta conflict, but equally from the foregoing, one would perceive that the conflict

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is sustained till date because of the lack of the political will to stop and re-write the injustice against the region, and to desist from further deceit, especially on the part of the government and oil companies, in handling the matters and grievances of the people of the region. It was the continued deceit and lack of political will to stop the injustice against the region that gave rise to Ken Saro-Wiwa in 1993; being twenty-five years after the death of Boro.

Saro-Wiwa was a learned man, who had occasionally being involved in politics, was an international businessman and lived in London. Having seen how Oloibiri was treated and abandoned, and watching the reckless activities of the government and oil companies in Ogoni land, "he wrote and presented the Ogoni Bill of Rights to the elders, chiefs and leaders of Ogoni in 1990, and it was signed. The Bill of Rights was then presented to the Federal Military Government of Ibrahim Babangida and Shell Oil. And it was only acknowledged without any other action."²⁴ This showed how much contempt the government and the oil companies had for the Ogoni people and the content of the Bill of Rights, which simply requested for:

The political control of the Ogoni affairs by Ogoni people; the right to control and use a fair proportion of the Ogoni economic resources for Ogoni development, adequate and direct representation as of right in all Nigerian National Institutions; the use and development of Ogoni language in Ogoni territory; the full development of Ogoni culture; the right to religious freedom, and the right to protect the Ogoni environment and ecology from further degradation.²⁵

To continue to push for these rights to be granted, Saro-Wiwa formed the Movement for the Survival of the Ogoni People (MOSOP). This was "a non-governmental, non political and non religious, but cultural, environmental and human rights grassroots movement. Its principle was based on nonviolence, freedom, justice and peace."²⁶ At the end, all these led to the death of Saro-Wiwa by hanging on November 10, 1995 under the Military Government of General Sani Abacha, who framed him up with a murder case that he knew nothing of. The calculation of the government, backed by their rich friends from the oil companies, was that the application of systematic terrorism on the people of the Niger Delta would scare them away from persisting in their struggle for a stop to the injustice against them and their land by the government and oil companies through their dangerous activities in their region.

The tactics of the government, in collaboration with the oil companies, of systematically terrorizing the people of the Niger Delta into keeping quiet over their dangerous and reckless oil extraction activities, may have seemed to work but it did not last too long, just as had been predicted by Saro-Wiwa in his forty paged defense, which he was never allowed to present before his death, saying:

I am a man of peace of ideas appalled by the denigrating poverty of my people. Yet, today is a black day for the black man. By this show of shame it means even the best of black men is nothing but a criminal. "I predict that a denouncement of the riddle of the Niger Delta would soon come. The agenda is being set at this trial. Whether the peaceful ways I have favored would prevail depend on what the oppressors decide, what signals it sends out to the waiting public."²⁷

Saro-Wiwa's prediction came true just nine years after his death, when in 2004, Mujahid Dokubo Asari formed the Niger Delta People Volunteered Force (NDPVF), as a result of the anger he felt because of the injustices, devastation, poverty and killings going on in Niger Delta. This group fought with arms against the government and oil companies, leaving them considerable damage to the oil business in the region. Asari was tricked into surrendering, but soon after he was arrested and charged for gun-running, treason and treasonable felony or offenses. Shortly after this, in 2006, the Movement for the Emancipation of Niger Delta (MEND) emerged; a deadly dreaded group. It demanded the unconditional release of Asari and resource control of the Niger Delta. The group was dangerously fierce, that it disrupted oil production to almost zero level, shocking both the government and the oil companies to the point that some of their demands were quickly met; but as usual, the government and the oil companies played them out through handouts, in form of amnesty, and empty promises. Other groups, branded as militants by the government emerged at one point or the other, but the government and the oil companies have mastered the game, so they always have a way of satisfying their 'needs' and playing them out; while still sustaining the conflict in the region through their lack of political will to stop the injustice against the region, with regard to oil extraction, and continue in a game of deceit in handling the concerns of the people of Niger Delta.

With such a bleak picture painted above about how lack of political will to take the right action and stop the game of deceit with issues concerning the people of the Niger Delta, one may ask if there can ever be an end to the conflict in the Niger Delta? To resolve the conflict in Niger Delta would entail understanding the dynamics of the causes to the conflict. It is to be understood that among other perceptions that one can have from the causes of the conflict in the Niger Delta, one can perceive the causes from these dimensions: resource control, psychological needs, and conflicts involving values.²⁸ The case of conflicts dealing with resource control is not too difficult to identify, because it normally is the case that two persons want to have the control of a material or resource that is either in short supply or not adequately managed. In such a case, one would most likely see either of the parties attacking the resource or material itself, so that the other party will cease to benefit from it, or be forced to consider managing it better for the benefit of all. This can be seen in the manner the so-called militants of the Niger Delta blow up crude oil installation in an attempt to force both the government and oil companies manage the extraction process and dividends from the petrodollas better

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for the benefit or all, or hand over the management of the crude oil to the people of the Niger Delta.

Conflicts over psychological needs are not visible, but their effects affect both the individual's psyche and productive capacity. Needs like security, friendship, love, etc. fall within the psychological needs of people. In the Niger Delta, one can say that the psyche of the people have been battered over the years by the feeling that those who carry out the oil business in the region, especially the Federal Government, have little or no love for the people of the region, while having extreme love for the crude oil from the region. The people feel that the lives and livelihood of the Niger Delta people can be sacrificed at anytime in exchange for the crude oil from the region. This kind of feeling causes a lot of insecurity to life, property and livelihood for the Niger Delta people, and thus makes them see both the government and oil companies in the region as enemies and not as friends. "Conflict involving values are the most difficult to understand and resolve. Values are one's basis. They are the belief system, and what people do not want to negotiate. When people in conflict talk about transparency, honesty, fairness, equality, they are talking about different values."²⁹ The conflict in the Niger Delta appears to be unending because both sides accuse and counter-accuse themselves on values such as transparency, honesty, fairness, equality, etc. While the people of the Niger Delta accuse the government and oil companies of not being transparent and honest in their talk of doing things that will lead to the development of the region, and further accuse the government and oil companies of being unfair to the people and the region as a whole in the way and manner oil business is carried out in the region, and then conclude that both the government and oil companies consistently shown inequality in the management of the affairs and concerns of the region as against those of other regions of the country, the government and oil companies accuse the people of Niger Delta of lack of transparency and honesty in the manner claims are demanded, and the choice of people sent to represent the people and the region in the negotiation of the claims of the region. They have equally accused the Niger Delta people of being unfair in using destruction of oil facilities and kidnapping of expatriates as a means of pressing home their claims. Such accusations and counter-accusations involving conflict of values deepen the conflict in the Niger Delta, and make the resolution of the conflict very difficult.

Philosophy and need for Peaceful Co-existence in Niger Delta

With the almost never ending situation of conflict between the Federal Government of Nigeria cum oil companies and the Niger Delta people, a good number of persons are still of the opinion that there is need for peaceful co-existence of all the parties in the Niger Delta region, especially between the oil companies and the people. But why should there be the talk of the 'need' for peaceful coexistence in the Niger Delta region? With the instrumentality of critical philosophical analysis, the foundational principles for the need of peaceful coexistence in the Niger Delta will be interrogated in order to determine if really there is need for peaceful coexistence in Niger Delta. Guided by the definition of the word 'need' in the *Cambridge Advanced Learner's Dictionary* (Third Edition), one is to understand

'need' to mean something that someone or something has to have for its own benefit. In this regard, there is a recognition of a lack or the absence of an essential quality or thing, without which another thing cannot actualize its full potentials. So, when it is said that there is the 'need' for peaceful co-existence in the Niger Delta, it is in recognition of the fact that the lack of peaceful co-existence in the region means that the region cannot attain her full potentials. It is equally an affirmation of the fact that the Niger Delta region of Nigeria lacks the quality of 'peaceful coexistence', which she essentially needs for her own benefit, and the benefit of the nation at large.

To talk of the need for peaceful co-existence in the Niger Delta region of Nigeria is to acknowledge the fact that coexistence already exists in the region, but at the same time, it is to allude to the unhealthy state of the already existent co-existence in the region, and to declare that 'peace' is lacking in the co-existence that already exists, and this quality of 'peace' is essentially needed to enhance the already existent co-existence in the Niger Delta region. There have been accounts of warring parties co-existing in the same region, but never for the benefit of the region; because the more they try to destroy themselves, the more the region takes the direct hit; without peace infused into the co-existence existing in the Niger Delta region, the region will more than often be counting losses rather than gains. There is the need for peaceful co-existence in Niger Delta because the mere fact of the existence of 'peaceful co-existence' means that there also exists a healthy struggle between two parties. To show the presence of the healthy struggle that exists in peaceful co-existence, A. E. Bovin said:

Peaceful coexistence is a specific form of class struggle between socialism and capitalism in the international arena.... The basically antagonistic conflict between the two opposing socioeconomic systems is transferred from the level of military clashes to that of economic competition, comparison of political systems and ways of life, and ideological struggle. The organic relationship and unity of struggle and cooperation are characteristic of peaceful coexistence and are both the source of its internal contradictoriness and a continual stimulus for seeking mutually acceptable solutions that preclude military conflict.³⁰

The healthiness of the struggle in 'peaceful co-existence' is in the moving away from violent militarized clashes between the two parties, into competitive ideological exchange and relationship, intended for the growth and development of the two parties. The healthy struggle in peaceful co-existence is the struggle for the two parties to maintain peace between themselves as they co-exist through the instrumentality of exchange of constructive ideas that can maintain peace between the two parties, rather than the exchange of raw passion and greed that destroys peace in co-existing. Following from this, one can see the need for peaceful coexistence in the Niger Delta region. There is a developmental and well meaning compromise inherent in peaceful co-existence, in the sense that it is based on the

quest for a reasonable balance of interest and for mutually acceptable agreements. The balance of interest is borne out of a recognition of the fact that every society is a congregating arena of varied interests, clashing and inter-play with themselves. The respect for the presence and existence of the arena where various interests congregate and inter-play creates a balance for the many interests at play. But this balance is actually sustained and maintained by the mutually acceptable agreements by all in the society not to allow any interest have an edge over other interests, or should there be any interest to have an edge over others, then it must go through an adequate and proper consideration of all in the society or the agreed representatives of the members of that society. The Niger Delta is a convergence arena of clashing and inter-playing interests, but unfortunately there is a lack of reasonable balance of interests because of the lack of adequate recognition of all the interests interplaying and lack of any mutually acceptable agreements of any interest(s) having an edge over other interests at play.

There is need for peaceful co-existence in the Niger Delta because with the convergence and inter-play of interests that characterizes the region, which is actually a positive phenomenon for the region, there will be created a means for development of mutual assistance while the situation of healthy struggle persists in the region. This goes to mean that while the healthy struggle of competitive ideological exchange and relationship remains in the Niger Delta region, there will be a natural coming into being of mutual assistance among individuals or groups of the region to bring to practicable reality those interests that will be most beneficial for the region. In the final analysis, there is need for peaceful co-existence in the Niger Delta region because the adoption of peaceful co-existence as a policy for the region meets the overall interest of the revolutionary struggle against all forms of oppression and exploitation.

Mediation and Peaceful Co-existence in Niger Delta

It has just been discussed above how there is the need to have peaceful co-existence in Niger Delta, but the ordinary question that will follow is "how can peaceful coexistence be achieved in the Niger Delta?" To answer this question, some methods of achieving peaceful co-existence in the Niger Delta may be adduced, but this study will just focus on 'mediation' as that tool or method by which peaceful coexistence can be achieved in the Niger Delta. It is to be noted that adopting the method of mediation to achieve peaceful co-existence in Niger Delta has a long history; Ola Abegunde gives a clear picture of this when he said:

The protracted Niger Delta violent conflict that started in the 1950s has attracted a lot of recommendations and suggestions for its resolution, but for varied reasons none has worked to achieve peace in the region. The first initiative was the setting up of Sir Henry Willink"s Commission in 1957 in response to the concern of ethnic minorities over their perceived slim chances of survival in the Nigeria enterprises, by the colonial administration. In 1959, there was establishment of Niger Delta Development Board Authority

(NDDB) through supplementary Federal Government Gazette no 56 vol. 46 of September 1959. In 1979, the Niger Delta Basin Authority was established. There was a creation of special fund for the oil producing areas, by the revenue Act of 1981. In 1989, there was inauguration of Presidential Task Force for the development of oil producing areas. Subsequently in 1992, Oil Mineral Producing Areas Development Committee (OMPADEC) was established.³¹

To note that the mediation interventions of the 1990s did little to ameliorate the crisis situation in the Niger Delta, which robbed the region of the needed peaceful co-existence, Abegunde continued:

In year 2000, Niger Delta Development Commission (NDDC) was created. In 2002, there was General Ogomudia Committee. The Niger Delta Peace and Conflict Resolution was instituted in 2007, this was followed by Technical Committee on Niger Delta in 2008. After a careful assessment of the performance of the various institutions established by government to develop Niger Delta region, it was discovered that they have failed in their responsibilities and purpose of their establishment. Based on this, there was establishment of Ministry of Niger Delta in 2008 to replace the earlier established institutions.... On 8 September 2008, a technical committee headed by Ledum Mitee was inaugurated to "distill the various reports, suggestions and recommendations on the Niger Delta from the Willinks Commission Report of 1958 to the present and give a summary of the recommendations necessary for government action".... The Amnesty Programme is one of the recommendations of the 2008 Mittee Committee report which was based on the need to achieve sustainable development, peace, human and environmental security in the region.³²

Though the Amnesty Programme that was instituted by the then government of President Musa Yar"Adua seemed to have brought a resolution to the crisis in the Niger Delta, but it only seemed like that, but it never really settled the problem because it did not touch at the root of the problem. The problem going forward would be, why is this study still pointing to mediation method as that which is needed to bring about peaceful co-existence in Niger Delta? This study adopts mediation as that which can help bring peaceful co-existence in the Niger Delta because of certain requirements that need to be in place for proper mediation to be effective; failure of which mediation can be said to be ineffective. It cannot be said that there is proper effective mediation taking place in the Niger Delta crisis, when the process is marred by selfish interest of the stakeholders:

The militants are benefiting financially through bunkering, hostage taking among other activities. The multinational corporations are maximizing their gains when they are not performing their social Philosophy and Peaceful Co-existence among the ...

responsibilities to their host communities through payment of royalty and provision of basic amenities in substitute for destroyed natural habitat of the region. While on the other hand, the major source of government revenue is from the region, because of the greed on the part of government to maintain the statoscope in the country, the needed support were not always given to the various established institution for the region to make success of their assignments.³³

Proper effective mediation in Niger Delta crisis would have to sincerely and boldly confront the selfish interest of the stakeholders, and bring them to jettison their selfish interests and positions for the good of the region at large. In like manner, proper effective mediation cannot take place in a situation where the agent(s) for perpetuating crisis in the Niger Delta is not removed; one of such agent is employment of the teeming youths in Niger Delta. These youths need daily livelihood, and insofar as the government and the oil companies operating in the Niger Delta are not sincerely and fully committed in providing meaningful employment for these youths, then they become easy preys in the hands of mischief makers in the region who will use them to satisfy their own selfish desires, while at the same time providing these youths with resources to meet their needs.

For peaceful co-existence in the Niger Delta, there must be policies and the implementation of those policies that would bring about peaceful co-existence in the region. But the question that arises from this is: "Who are those involved in the making of these policies and their implementation?" There cannot be effective mediation that would bring peaceful co-existence to the Niger Delta when those involved in the policies making process for the region and their implementation are persons strange to the history and dynamics of the region, or the representation from the region is grossly inadequate in the whole process. Also, it is to be noted that mediation will be ineffective if the political leaders from the Niger Delta region and Federal level do not show sincere and passionate commitment to bring the crisis in the region to an end. Paying lip service to the resolution of the crisis in Niger Delta and making empty promises to end the crisis has never worked and cannot work. So the belief of this study in mediation as that tool or method by which peaceful co-existence can be achieved in the Niger Delta rests on the fact that the requirements for effective mediation in the crisis in Niger Delta will continue to make all the stakeholders to start shifting grounds and leaving their comfort zones in the interest of bringing a lasting end to the crisis in Niger Delta.

Peaceful Co-existence in Niger Delta through True Federalism

Though some methods may have been adopted to bring about peaceful co-existence between the people of the Niger Delta and the oil companies operating in the region, yet failure or partial success has characterized these methods. This study is of the belief that applying the principle of true federalism will bring about the much desired peaceful co-existence in the region. But why this optimistic belief in true federalism? In a true federalism, there is a clear cut power division between the

national government and State government. With regard to right of existence, both the national and State governments have right of existence, without any trying to erode each other's powers. In Nigeria, federalism is in operation as the system of government adopted by the country, but "federalism as a form of government in Nigeria was the result of social forces at work within the country. It was not an attempt to realize the ideal of a model of government."³⁴ The amalgamation of 1914, which gave birth to the country called Nigeria, was a 'forced marriage' of people with varying differences; and these differences were not carefully studied to find out if they could permit a co-existence that would lead to growth and development. Not too long after the 'forced marriage' of the amalgamation of Nigeria, seeming irreconcilable cracks started raring their heads, and to which it was expected that the adoption of federalism as the system of government in Nigeria would solve. So, "Nigeria federalism was created as a political solution to the problem of regionalization and politics of ethnicity. The hegemonic political power between the north and south disintegrated them despite the amalgamation."³⁵ Unfortunately, "in any federal system, sharing of power between the state and the national government is always a major cause of political instability;"³⁶ and it is not a different case in Nigeria.

Though political instability caused as a result of sharing of power in a federal system may be true, yet it is largely caused when true federalism is not in operation. "The concept of federalism is that there should be a separate and independent unit of government with no interference between governments in exercising the power in the area of constitutional competence. There should be supremacy of the constitution of all government and their actions. That is, their power should be derived from the constitution; one government is not inferior or subordinate to the other but rather coordinating."³⁷ This presupposes that the process that brings about the constitution and its implementation must be flawless. This cannot be said of the 1999 Nigeria Constitution, which was drafted by the military, with a military outlook of centralization of power and hierarchical structure. With such a constitution, the kind of federalism that can exist would at best be called a unitary federalism. Such federalism is driven with the misconception of federalism as "a form of government whereby the central government is supreme to all governments and can distribute national resources to others at its own whims and caprices."38 Such misconception of federalism robs federalism of the fact that it does not entertain master-servant relationship; rather, it encourages unity and diversity, legal equality among government in status, acknowledges the presence of different ethnicity, religion, economy and cultures of the people, yet recognizes the need to co-exist. Nigeria can largely be said to be operating a unitary federalism, not just because of the 1999 Constitution drafted by the military but because it finds it root in the intention the British had for the amalgamation of Nigeria and how Nigeria was later managed:

It was Fredrick Lugard who brought amalgamation of the North and South in 1914. The two regions were amalgamated for the selfish interest of the colonialist rather than proper political integration. Philosophy and Peaceful Co-existence among the ...

After amalgamation, the two regions were separately administered thereby creating imbalance in their level of education, socio-political and economic. Against this background the amalgamation in 1914 had implanted the seed of discord that will mar its future political stability.³⁹

The implantation of the seed of discord can be seen in Richard Constitution of 1946, which was the brain child of federalism in Nigerian political system, even though it had some unitary elements in it, yet it institutionalized the principle of regionalism, failing to put into consideration the ethnic plurality of the country.⁴⁰ Another constitution:

Macpherson constitutions of (1951) made provision for federalism where the centuries over centralization of power was out rightly rejected by the delegates to the constitutional conference that held in Ibadan. Macpherson constitutions concretize the autonomy of the regions by providing for bicameral legislation for the Northern Region, Western Region and a unicameral for the Eastern Region. Nigeria Independent Constitution (1963) provided for stronger regions, this is evident in the division of power between the center government and regions. 1960 to 1966 was said to be a better time when federalism as a model of government thrived. The regions were autonomous and viable then the military began to swing the pendulum from one military dictator to the other for until about 30 years. The military rulers, who did not enjoy the mandate of the people and not accountable to the electorate, through the tradition of central command and hierarchical structure has turned the table around from regional autonomy to dependent and unviable states. The heterogeneous nature of our society and military politicization of its diversity has been a factor in dividing and producing a fragmented society.⁴¹

Since it has been established above that there was a time when federalism in its true form, as a system of government, worked effectively well in different regions of the country, and then led to a general well being of Nigeria as a country, this study advocates a return to the drawing board on true federalism as the system of government for Nigeria. The study objects to the current form of the system of government in Nigeria, which is claimed to be federalism, but in the real sense is 'unitary federalism.' 'Unitary federalism' encourages inferiority complex and subordination among the various levels of government in Nigeria, whereas all these levels of government are equal by status in the eye of the constitution, that should and is the only regulating organ for all the various levels of government in Nigeria. This goes to mean that in a 'unitary federalism' the constitution of the country is presented as working, whereas it has been suspended or partially captured by some elements in certain level of government who lord it over other levels of government in the country. The Niger Delta region, like other regions in Nigeria, should be allowed to operate with its own constitutionally approved governmental bodies or agencies, and then make returns to the federal government in line with the constitution of the Federal Republic of Nigeria. Not to allow this to operate, is also to disapprove of peaceful co-existence in the Niger Delta; a region that is currently the mainstay of the Nigerian economy.

Conclusion

Though, to talk of peaceful co-existence is to acknowledge first the existence of coexistence, then to go on to either acknowledge that the co-existence is characterized by peace or deny the existence of peace as a make-up of the co-existence, but in the case of the Niger Delta region, the talk of peaceful co-existence is with reference to the fact that the co-existence of the Niger Delta people and the oil companies operating in the region have largely being chaotic. So the discussion of peaceful coexistence in the Niger Delta region has an underlying intention of determining the cause of the often rancorous relationship between the people of Niger Delta and the oil companies operating in the region, and the best way of finding lasting solution to the rancorous relationship, so as to usher in a period of true peace that makes room for true and meaningful development.

It is true that this study subscribes to 'true federalism' as that system of government, if adopted and truly practiced, which will bring peace to become a composite element of the co-existence of the Niger Delta people and the oil companies in the region, but the bottom-line remains the issue of sincerity of purpose on the part of all those involved in the issue of resolving the conflict in the Niger Delta so that peace can reign in the region. Can it be said that the conflict in the Niger Delta is in some way beneficial to the government, oil companies, and some prominent persons in Niger Delta, who are sacrificing the peace of Niger Delta for their own selfish interest? If the answer to this question is yes, then the application of 'true federalism' as a system of government that can help bring peaceful co-existence to the Niger Delta region will only be wishful thinking.

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