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Political Mobilization using Indigenous Peoples' Platforms: The Challenges and Paradox of Ogoni Mobilization for Self-Determination in Nigeria

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Title Page

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Political Mobilization using Indigenous Peoples' Platforms: the Challenges and Paradox of Ogoni Mobilization for Self-Determination in Nigeria

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Dedication

I give thanks to God upon the successful completion of the MIS program. I will be graduating with my head high and walking tall as an ambassador and advocate of indigenous peoples' in years to come. To my darling Doris, for your understanding, cooperation, patience and perseverance despite long months of absence, you remain a strong pillar and stood by me at all times. Thanks so much for being such a lovely wife. I would not have pulled through this without your moral support and encouragement.

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ABSTRACT

Thesis Title:

Political Mobilization using Indigenous Peoples' Platforms: The Challenges and Paradox of Ogoni Mobilization for Self-Determination in Nigeria

Author: Oluwatosin Al-Shakur Abdulsalam

The inalienable right of all peoples' to self-determination under international law equally applies to indigenous peoples and nations around the world. The study investigates what transnational civil mobilization at the global, the regional and local level have contributed towards Ogoni peoples' mobilization for self-autonomy in Nigeria. Using the political theory of civil society and social actions, the study argues that MOSOP's mobilization and social actions towards self-governance in Nigeria are caught up within the paradoxical circumstances where some criminal gangs are taking advantage of the political and economic situation to wreck havoc on the Nigerian state and innocent citizens. Dangerous precedents have been set to label and stereotype civil socio-political movements as violent, terrorists and secessionist movements in Nigeria. That being said, Ogoni self-determination and resource control remains complex and controversial theme, also fishing out the 'bad eggs' among social activists/group supporters is an issue that should not be ignored or taken with levity as the MOSOP continue in its strive mobilizing towards achieving Ogoni self-rule in Nigeria.

Key Words: Political Mobilization, Ogoni Self-Determination, Civil Social Actions, Paradox, Challenges, MOSOP and Nigeria

SUMMARY OF THESIS

The introductory chapter captures the historical background of Ogoni problems within the context of minority agitation and political mobilization for self-identification and resource autonomy in a multi-cultural and pluralist Nigerian State. The chapter traces the problems of the Ogoni to British colonial rule and its political assimilationist effect on the minority groups in Nigeria and the post-colonial reality of maintaining national unity, equality and stability between the majority ethnic groups and under-privileged minorities as the Ogoni people.

Chapter two looks at the theoretical and conceptual tools used to contextualize the study as an indigenous studies research geared towards generating a grounded Ogoni theory on self-determination from the ontological perspective and narratives of the Ogoni people in Nigeria. Previously works related to the study theme on Niger Delta and minority issues in Nigeria, indigenous peoples' rights, civil societies and transnational mobilization are discussed in relation to the study. The action theory and political theory on civil society with Strauss grounded theory, are linearly integrated to frame the study's theoretical and conceptual focus.

The major limitation identified in the course the literature review of the study is the limited availability of indigenous literatures to ground the study as a purely indigenous studies research. This in itself makes the study challenging, interesting and unique in its own sense as the writer was able to transform the difficulties into possibilities and opportunities towards evolving a grounded theory on self-determination from an indigenous studies perspective.

Chapter 3 focuses on the methodology of the study and how the study data was gathered from the informants through interviews and participants during the focus group discussions. Applying the purposive sampling technique location (Ogoni land) and ethnicity (Ogoni) were the two main factors used in selecting the informants interviewed, and control measures were injected to balance gender equality and to achieve informants that cut across different social strata within the Ogoni societies.

The Focus Group 1 in New York was targeted at capturing the general perception of how and what engaged indigenous activists' feelings about the global indigenous peoples' participation and mobilization through the current global political platforms. Focus Group 2 was created as a mini-national discussion forum on the discourse of Ogoni self-determination and its

political and economic implications in Nigeria and among selected ethnic groups that reflecting diversity/plurality of views on the subject.

Chapter four deals with the empirical presentation of the study data, among the important discourse in the chapter are the ethical implications regarding the anonymity of the informants/participants'. Some of the key responses provided by informants/participants are used as the skeleton upon which the main theme of the study is framed. The major themes presented in the empirical chapter are elaborated and discussed extensively in Chapter five.

Chapter five discusses the study findings in relation to how the study resolves the research questions and meets the goals set in the first chapter. Chapter 5 is the discussion chapter where the issues, study themes, the research questions, analytical methods and the data are integrated and grounded to generate an Ogoni theory on self-determination. The study is a means to further studies and not an end in itself, this arguably explains why research question 4 is integrated into the final discussion in chapter of the study.

The sixth chapter sums up the entire study, it reflects on how the study fulfills the main goals set out in Chapter 1 and the broader objectives of the study towards finding a lasting solution and sustainable peace to the issue of Ogoni self-determination and resource control in Nigeria which remains an unsettled discourse in Nigeria for the time being.

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CHAPTER 1

INTRODUCTION

1.1 Introduction to Socio-Political Mobilization in Ogoni land and in Nigeria

I do not see our dream and political liberty in the future of the country called Nigeria.... the Federal Government and the oil companies that have caused these ailments on our land can neither cure our land nor heal our open wounds... our once pristine but now oil infected land as it was made by black gold-digging activities was milked and now we are abandoned to our faith ... 'Gives us our land' Give us our resources...our Liberty,... or 'Give us 'Death' (Victor).

The context of socio-political mobilization for self-determination in Nigeria is a paradoxical and controversial debate within different forums in Nigeria as captured from this quote from Victor, an Ogoni Student, fisherman and informants. With different so-called self-styled civil movements rising up against the Nigerian State, demanding for resource control, self-rule and threatening political secession, the end results have been catastrophic. The national security, as well as the political and economic stability of the Nigerian State is thrown into chaos.

Mobilizing peacefully to demand better treatment from ones country of origin or the State apparatus as Ogoni people are exploring is not the wrong to do thing per se. In Nigeria, the daunting challenge is that civil movements have become a safe haven for uncivil militants and criminal bandits. Political mobilization is seen and used as opportunity to shield criminal activities, and used to rake in personal benefits at the expense of the society.

Since 2010, insecurity and instability have engulfed some communities within the North Eastern States of Yobe, Adamawa and Bornu which fell under the Boko Haram reign of terror. The leader of the newest Pro-Biafra Movement from the Eastern part of Nigeria the Indigenous People of Biafra (IPOB) argues on the need for an independent state of Biafra. 'The political viability and economic viability of Biafra are necessary for Biafrans *'We cannot be economically viable if we are not politically viable, we must be politically independent to be economically viable'*¹.

¹ Biafra TV (2014): Published on You Tube August 1 2014 Access link <https://www.youtube.com/watch?v=2ViaEvV7HB4> Accessed on 24th of April, 2016

In another interview Nnamdi Kanu commented '*Our self-determination (Biafra) has come to stay, should we keep quiet when our brothers and sisters are slain in the north like cows? Nothing but a Biafran secession is acceptable*². Nnamdi Kanu is facing treason charges in Nigeria. It should not be forgotten that small fire arms stockpiled by both surrendered and un-surrendered militant in the Niger Delta including Ogoni land is a security concern for all Nigerians³. Some militants are returning to their old ways and illicit trade in the Niger Delta⁴.

New bombings of oil pipelines by militant in the Niger Delta in January 2016 have resulted in shutting down local refineries (Premium Times, 2016)⁵. The persistent fuel scarcity in Nigeria since January 2016 and the national epileptic power shortage resulting from shutting down power plants are largely attributed to the new waves of attacks on oil installations by suspected militants. Government efforts to fish out suspects led to the man hunt for a gang leader in Ogoni land, serious public criticism and extra judicial killings have been levied against the army for its involvement in the raids on Ogoni land in February, 2016⁶

The focus of the study is to analyze Ogoni mobilization for self-determination within the general context of civil movements in Nigeria. Interaction between indigenous minorities creates room for harmonizing the differences and open avenues to manage the grey areas of the relationship between the parties (Saugestad, 2000:311-312). Ogoni people are of the view that mobilizing politically for self-determination and taking on the dominant power institutions is the best way their participation and interest in Nigeria can be secured. However, the relationship between the Nigerian State and Ogoni people on the issue of self-determination is best described as polar opposites.

Ethnic-movements in Nigeria, like the Movement for the Emancipation of Niger Delta (MEND) rooted in the Niger Delta, earned itself unpopular medal as violent movement in the

² Sahara TV (2014): Published on YouTube March 25 2014 Access link

<https://www.youtube.com/watch?v=XI95DOvNb8Y> Accessed on 26th April, 2016.

³ Soni Daniel Militant Give Conditions to Stop (2016) *Vanguard Newspaper* Access link available at <http://www.vanguardngr.com/2016/01/militants-give-condition-to-stop-bombings-in-ndelta/> Accessed on the 24th April 2016

⁴ Emma Amaize (2016) Return of N-Delta Militancy, Major Crude Oil and Gas Pipelines Bombed *Vanguard Newspaper* Access link available at <http://www.vanguardngr.com/2016/01/return-of-n-delta-militancy-major-crude-oil-gas-pipelines-bombed/> Accessed on 24th April 2016

⁵ Footnotes

⁶ Omololu Ogunmade (2016) Senate Probes Violent Invasion of Ogoni Communities by Soldiers *This Day Newspaper* Access link available at <http://www.thisdaylive.com/index.php/2016/03/11/senate-probes-violent-invasion-of-ogoni-communities-by-soldiers/> Accessed on the 24th April 2016

struggle for social emancipation in the region. Mbah (2013) argues that MEND defended its methods, actions and strategies as the only approach the Nigerian authority understands, for MEND they consider it seeking redress to end their sufferings by whatever means possible. Ibaba described the engagement tactics of MEND using crime and violent tactics for achieving political goals as acts of terrorism (Ibaba, 2011:29).

To say the least, the 2009 Amnesty Programme of the federal Government of Nigeria is a compromise to ending the coalition of attacks against oil equipment in Nigeria. Despite the fact that the Movement for the Survival of Ogoni people (MOSOP) has not been attributable to violent in recent times, its activities are viewed by many Nigerians as ‘a militant movement’ as popularly phrased and commonly used in Nigeria to described civil movements agitating for self-rule and resource control.

Before the federal government of Nigeria launched the Amnesty Programme in 2010, to pardon surrendered militants who were willing to lay down their arms, embrace peace offers of the Nigerian State, it reached an alarming scale where law and order was treated with total impunity. The lives of innocent citizens meant nothing to organized criminal gangs, who were hell-bent on benefitting from their own crimes by wrecking havoc on the Nigerian state and innocent citizens in the name of fighting for freedom. Extra-judicial killings, unlawful arrests and detention of citizens by state security operatives did not help matters.

Amidst these taxing conditions, political paradox and unfavorable circumstances that have to be scaled to mobilize their actions, Ogoni people will not let go of their dreams of actualizing self-rule in Nigeria. Two popular quotes ‘You can kill the messenger but you cannot kill the message’ and ‘You can stop the moving bus but you cannot stop the movement emphasizes their undying passion, doggedness and commitment to their political and economic emancipation in Nigeria.

1.1.1 The Ogoni People in Nigeria

Ogoni people are one of the very few ethnic groups in Nigeria that have openly and self-identified themselves as ‘indigenous people’ within the conception of the term under the Indigenous and Tribal Peoples Convention No 169 (ILO 169). The Movement for the Survival of Ogoni People (MOSOP is a Pan-Ogoni Civil Movement) had sought, obtained legal status, and is recognized within the global indigenous peoples’ circles as the mouth-piece of Ogoni people in the United Nations Economic and Social Council (ECOSOC).

Late Ken Saro Wiwa, an Ogoni Martyr and one of the earliest and prominent figures within the MOSOP describes land as ‘*a material embodiment of Ogoni community and identity*’ (Livesey, 2001:72-73), and this further supports the notion that land is a priceless asset to the Ogoni people, and as indigenous people, they are nothing without their lands since their collective survival, indigenesness, identity and uniqueness devolve from their ancestral ties to land.

Statistically, Ogoni people number about 850,000, occupying roughly 1,000 square kilometers of land in their ancestral territories on the South Eastern fringe of the Niger Delta which they refer to as Ogoni land⁷. Ogonis are traditionally farming and fishing people⁸, they are unique and distinct from other ethnic groups in Nigeria including their close neighboring ethnic groups the Andonis and Okrikas. The Figures below captures geographical mapping of Ogoni land in Nigeria, Rivers state, the Niger Delta region.

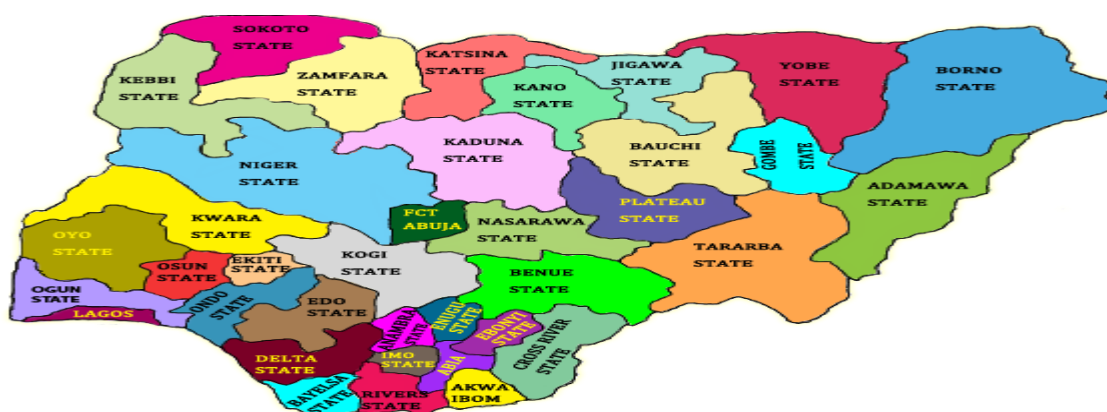


Figure 1, Source: Google Maps

⁷ Pyagbara L, S (2007) The Adverse Impact of Oil Pollution on the Environment and Well-being of a Local Indigenous Community: the Experience of the Ogoni People of Nigeria Pp. 3-4.

⁸ Okwu-Okafor, O.C (1994) Self-Determination and the Struggle for Ethno-Cultural Autonomy in Nigeria: The Zango-Kataf and Ogoni Problems. African Society of International and Comparative Law Pp 113-114,



Figure 2 Source: Google Maps



Figure 3, Source: Google Maps

The Ogonis have closely safeguarded their traditional political structures despite the incursion of western civilization and British colonial rule. Being distinct indigenous minority people in Nigeria, the Ogonis have always clamored for political recognition even since the colonial period, and the Ogoni Native Authority created in 1947 which was later integrated into the Eastern region in 1951 is instructive in this respect (Fagbayigbo, 2009)⁹.

⁹ Fagbayigbo wrote this report titled 'Examining the Constitutional, Legislative and Administrative Provisions Concerning Indigenous Peoples in Nigeria'. The report is available online at

1.1.2 The concept of Indigenous People in Africa and in Nigeria

Sidsel Saugestad contends the definition of the terminology indigenous people in African context is, as important as other nested issues attached to the concept. Many states in Africa have been quite skeptical and are unwilling to accommodate the contentions and conflicts that go side by side with the terminology (Saugestad, 2001) and its possible implications to challenge the dominant state powers especially with regards to sovereign rights to ownership and management over natural resources and the proprietary interest and fair share of the proceeds realized from the natural resources located/exploited within indigenous territories.

For indigenous peoples, their collective property rights to land, natural resources and territories are crucial to their economic and social development, to their physical and cultural integrity, and to their livelihoods and sustenance (Stavenhagen R, 2001)¹⁰. The fundamental issue in relation to the study is: are Ogoni people truly indigenous people in Nigeria as they have self-identified themselves to be, and are they by virtue of that fact entitled to political and economic self-development as part of their self-determination as peoples?

Within the conception of the Jose R. Martinez-Cobo's working definition of indigenous people and Article 1 of ILO 169, it can be argued that the Ogonis fulfill the criteria as indigenous people since they represent a tiny percentage of the total national population, survive mainly on subsistence farming and fishing, are culturally and linguistically distinct from the neighboring ethnic groups around them and they lay claim to a form of autonomy and sovereignty which predates the existence of Nigerian state (Olayode, 2011:72).

Nigeria as a state does recognize every ethnic group including the Ogonis as indigenous to Nigeria and not as indigenous people with the context of the term under international law or as argued above. To this end, the Ogonis are Nigerians and indigenous to Nigeria being members of an ethnic group indigenous to Nigeria. Nigeria's position aligns with the political and analytical perception of the blue-water theory by many African States that since the colonizers are not Africans, all Africans and ethnic groups in Africa are indigenous to Africa.

https://www.google.com.ng/?gws_rd=ssl#q=eaxmining+constitutional%2C+legislative+and+administrative+provisions+concerning+indigenous+people+in+nigeria Accessed on 24th April 2016.

¹⁰ Report of the Special Rapporteur on the situation of human rights and fundamental freedoms of Indigenous people, Mr. Rodolfo Stavenhagen, submitted pursuant to Commission resolution 2001/57. UN Doc. E/CN. 4/2002/97 at paragraph 39

The African Charter on Human and Peoples Rights (African Charter or ACHPR) does not have specific definition for the term ‘indigenous people’ but some of the criteria it provides to identify people as indigenous include self-identification, geographical isolation, distinctiveness, and a high dependence on land as a natural resources; all criteria are which met by the Ogoni people.

The African Human Rights Commission (African Commission) adopted the position of the African Working Group on Indigenous Population and Communities (AWGIP¹¹) in November 2003, which submits that indigenous peoples’ rights have been long entrenched and established within global laws and indigenous peoples framework and is not illusory in Africa. Hence, indigenous rights can be accommodated and addressed within the scope of the human rights mechanism under the African Charter.

However, the ACHPR’s position stated above was first published as a book in 2005 and has been reaffirmed in several other reports related to the subject¹², sharply contrast with the Nigerian view which apparently is shared by many African states based on their responses and official state practices towards indigenous peoples’ issues. One can fairly summarize the position that indigenous peoples’ rights as conceived within the purview of the Indigenous and Tribal Peoples Convention No. 169 (ILO 169) is an alien, an inconvenient and a very problematic concept that has no legal basis in Africa/and or for Africans.

It is quite true and obvious that many states in Africa including Nigeria are adamant and unwilling to recognize concepts and respond to issues relating to or concerning indigenous people, similar situation exist elsewhere outside Africa. The ILO 169 remains a poorly subscribed global convention and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) which many African States have adopted is an unbinding legal instrument on the states.

Even for countries that have ratified the ILO 169, there are `unsettled issues with regards to implementing or adapting some of ILO 169 provisions relating to self-determination and rights over ownership of natural resources, as well as to national legislations which have proved to be both difficult and highly contentious (Irene-Daes, 2004:5).

¹¹ The Report of African Commission Working Group of Experts on Indigenous Populations adopted at the 28 Ordinary Session of the ACHPR Benin in 2000

¹² Advisory Opinion of the African Commission on human and Peoples Rights on the Declaration of Indigenous Rights adopted by the ACHPR at the 41 Ordinary Session in Ghana May 2007, Indigenous Peoples in Africa : The Forgotten Peoples?

Nigeria has not ratified ILO 169 and its abstention from the UNDRIP when the declaration was adopted in 2007 remains unchanged. The implication of Nigeria's neutrality on the UNDRIP as regards the identity of Ogoni people, is that the Ogonis are categorized as an ethnic group in Nigeria from the Niger Delta Region in the South-South Geo-Political Zone. Persons belonging to or identifying with the Ogoni group are considered a member of an ethnic group to Nigeria.

Even if Nigeria ratified ILO 169, it requires the domestication of international treaties by an Act of Parliament before the treaty or any of its provisions can become legally applicable by the domestic courts in Nigeria, this stems from the dualist nature of the Nigerian legal system. In Nigeria, seeking relief under an international statute that has been ratified but undomesticated could be problematic. It is the litigants that are more likely to be on the receiving end and not the Nigerian state.

1.1.3 Ogoni Demand for Self-Determination and Resource Control

According to the United Nations Environmental Programme (UNEP, 2010) pollution and environmental degradation within Ogoni territories have negatively impacted their livelihoods and is considered, a serious threat to their survival and continued existence as peoples¹³. Serious allegations of economic exploitation, political inequality, the denial of equitable share of economic resources taken from Ogoni land are some of the problems that have triggered Ogoni peoples demand for self-determination in Nigeria.

Resource control and fair share of benefits accruing from natural resources is a typical debate in Nigeria: it was among the most-hotly debated issues at the National Political Reforms Conference held in Abuja (CONFAB) in 2005 and 2014. On the issue of resource control and revenue allocation, delegates from the Niger Delta region staged a walk out at the CONFAB 2005 when it became clear that their demands for fifty percent of revenue realized from petroleum would not be met.

¹³ United Nations Environmental Assessment of Ogoni land Report 2010. Full report available online at <http://www.unep.org/disastersandconflicts/CountryOperations/Nigeria/EnvironmentalAssessmentofOgonilandreport/tabid/54419/Default.aspx> Accessed on the 20th April 2016

Drawing on the Ogoni demand for self-autonomy, resource control, and equitable share of resources into the context, Ogoni people as indigenous minorities as stated in Art. 14.1 of ILO 169 are entitled to recognition of their land rights and to be protected with regards to practicing their subsistence activities (mainly land based and sea-based). With the scale of ecological degradation in Ogoni land, it is difficult to argue these rights have been adequately safeguarded by Nigeria.

Looking at some of the issues raised in Articles 15.1 and 15.2 of ILO 169 (participation, consultation before exploration or exploitation of petroleum, fair compensation for damages to land as a result petroleum exploration or exploitations) in relation to the relationship between the Ogoni people and Nigerian state, there are huge gaps to be filled in order to reconcile the positions of both parties. Ogoni ethno-mobilization for self-rule as will be discussed in the study is traceable to the irreconcilable differences between the Nigeria state and the Ogoni people.

1.2 Delimitation of the Scope of the Research

The study seeks to argue that the rights of Ogoni people to political and economic self-determination which Ogonis claim as their legal right and fair entitlements to proceeds of natural resources located within Ogoni land cannot be discussed in isolation of the historic and economic motivations for self-rule, the development of international indigenous peoples' movement which remains a vital platform for their social actions, and the mobilization towards self-identification and self-determination. The contribution of MOSOP (as agency in this context) pursuing and employing necessary strategies to achieve Ogoni self-rule is germane.

The possible limitations and likely implications the demand for an Ogoni self-rule portends in Nigeria and on Nigerians are relevant themes of the study. Every action taken in pursuance of Ogoni self-determination in Nigeria creates some chain reactions which can be positive or negative depending on the lens/perspective the actions and reactions are analyzed through and the person making the analysis.

There are different civil organizations such as the Ogoni Solidarity Forum mobilizing their activities and directing their energy in fighting for Ogoni interests in Nigeria. The study will

keep its focus on the Ogoni people's collective actions and mobilization through the MOSOP. MOSOP was formed in 1990 as an Ogoni civil movement and charged with the responsibility to mobilize and take actions towards achieving the goal of Ogoni self-determination in Nigeria.

Political participation and social actions will be discussed in light of what MOSOP have contributed towards Ogoni self-determination, and what challenges are making the Ogoni self-rule impracticable and unattainable in Nigeria. To this end, the study will investigate and discuss MOSOP's contribution through mobilization and actions towards the path of self-rule, and the obstacles/challenges it deals with at the local, regional and global level.

The local challenges to Ogoni self-determination in Nigeria as presented and discussed in the study is from a more general Ogoni perspective through the interviewed informants who were chosen at random by the researcher. Also, the Ogoni perspective is countered/and or critiqued from diverse opinion of Non-Ogoni perspectives in Nigeria gathered through focus group discussion in Nigeria.

The regional challenges to Ogoni self-determination is discussed from the angle indigenous peoples' right within the context of post-colonial reality in Africa and the lack of strong legal mechanisms under the African Union (AU) to pursue indigenous peoples rights while the global challenges are explained from MOSOP's relation in the power equation through indigenous peoples' social mechanisms used to pursue self-rule at the global level.

In a nutshell, Ogoni self-determination in Nigeria is a broad subject, but the study will focus on some selected aspects of self-determination which pertains to resource rights (land and petroleum), and equitable benefits sharing from natural resources within indigenous communities. In addition, to what extent MOSOP's mobilization through international indigenous movement has brought about progressive social change for the Ogoni people is one of the main highlights of the study.

The theoretical discussion in the study will focus two main theories: social action and political theory on civil society. Ethno-mobilization is a starting point which also revolves around the two theories as discussed in the study. Political and social orientation towards expected political outcomes is role played by MOSOP in its mobilization towards Ogoni self-determination.

1.3 Civil Society and Political Theory

Colonial history had resulted in unjust distribution of political and economic resources that accompany it, rectifying some of these challenges calls for creating Indigenous peoples' movement...the world is a global village where both the States and indigenous peoples cannot go their separate ways...there is the need for drastic social and political changes for indigenous peoples through a long march...one which is guaranteed and secured when indigenous peoples' have their own decision making autonomy (self-determination) (Minde, 2008:60) Emphasis added.

The study select the political theory on civil society and social action theory as the main theories from which the study can be better analyzed and discussed to fulfill the main objectives of the study. Also in a manner that enables the research questions to be sufficiently discussed and answered within the context of an indigenous studies research on how Ogoni people are working towards self-determination and resource autonomy in Nigeria using ethno-mobilization and trans-nationalization to pursue their political objectives.

In using the theoretical concept of civil society and political theory to analyze the study, it can be argued from my own perspective that the Ogoni demand of benefits from the Nigeria State through MOSOP (as a socio-political movement) falls within the context of searching for their political voices as the oppressed and marginalized minority in Nigeria.

Such practice as it is elsewhere is healthy for democratic governance. Moreover, Ogoni people are of the collective view that their political participation in Nigeria could be enhanced and should be pursued through the Ogoni Bill of Rights (OBR). The Ogoni political strategy towards self-determination is pursued as part of Ogoni democratization process aimed at protecting Ogoni interests on the part of their self-governance and political inclusion in Nigeria.

To this end, I elect to be guided by Henry Minde in 'The Destination and the Journey Indigenous Peoples' and the United Nations from the 1960s through 1985' and Cohen Arato's 'From Civil Society to Political Theory'. The idea is to capture Ogoni mobilization within indigenous civil struggle and as a process geared towards equitable democratic dividends and political participation of the Ogonis in Nigeria.

The historical context of the development and institutionalization of indigenous peoples at the global level can be traced along the development of international human rights and minority rights standards and global efforts to combat racism (Minde, 2008: 52-68). The Sami people,

Native Americans and local organizations such as the National Indian Brotherhood, (NIB), and the Indian International Treaty Council (IITC) played instrumental roles in making indigenous peoples' rights visible and in setting up special institutional mechanisms within the UN to deal with indigenous peoples' rights and issues (Minde, 2008).

Among the various events that have shaped the global indigenous peoples rights from the time the Universal Declaration of Human Rights (UN Declaration 1514 Of 1960) up to 2007 when the UNDRIP was adopted¹⁴ are continuing today. The 2016 UN Permanent Forum adopted improvised strategies to follow up on the states' implementation of the UNDRIP and how the mandates of declarations to be adopted in future would be made more concise, realistic and easy to achieve. This captures the global continual wave of changes and advancement in responding to the issues concerning indigenous peoples.

Many indigenous socio-political movements (**in Africa**) including the MOSOP were not part of the nascent development of indigenous peoples' rights at the global level (Minde, 2008). Nigeria gained its independence in 1960, and the tumultuous politics of ethnicity and tribalism that followed the post-independence politics coupled with the military regimes which usually clamp down on civil societies made many civil movements in Nigeria went into hibernation.

On the one hand, **Ogoni** voices picked up again in the early 1990's, which then was an active moment of many actions leading to the establishment of new regimes in the field of human rights and environmental advocacies at the global levels¹⁵. On the other hand, intensified efforts of local human rights defenders and proponents of civil participation in Nigeria strongly condemned and opposed military rule in Nigeria and called for civil participations through the ballot box and via processes to guarantee equity and inclusion for Nigerians including the minorities.

As Henry Minde pointed clearly, the global political spaces was considered attractive to indigenous peoples' in fulfilling their political aspirations, to enable indigenous peoples to

¹⁴ World Council of Indigenous Peoples held at Port Albani on the West Coast of Canada in 1975, the World Conference to Combat Racism 1978, International NGO Conference held in 1979 and 1981 respectively and the International Court of Justice Advisory Opinion in Western Sahara Case which rejected the doctrine of terra nullius were some of the major turning points on the development of indigenous peoples rights at the global level. The individual contributions of some indigenous peoples and human rights advocates facilitated opening the doors for indigenous people into the UN.

¹⁵ The adoption of Agenda 21, Rio Convention, drawing the Convention on Biological Diversity, Convention on Climate Change are developments that characterized the 1990's which have impacts on improving the welfare and general condition of indigenous peoples.

gain global solidarity and securing their interest in the contemporary global society (Minde, 2008:58). More important is the fact it will open up the possibility to put states in the court of global public opinion in their treatments of indigenous peoples.

MOSOP political vision and social aspirations might thus stand a better chance of attracting global solidarity if it were pursued through peaceful civil mobilizations using indigenous peoples' platforms. At the local level, MOSOP is known to adopt the politics of embarrassment as a political strategy to draw the attention of the federal government of Nigeria towards their plight and political struggles¹⁶.

Cohen and Arato stated that egalitarian institutions and civil associations are both desirable and necessary to stabilize and sustain true democratic traditions and to strengthen the political and social institutions of a state (Cohen and Arato, 1992:283). In Nigeria, civil societies are part of the instrument of democratic structure for socio-political change, some large member civil society groups are lobbied by political parties in order to gain their organizational support and that of their members in determining political outcome of elections in Nigeria¹⁷.

Civil societies in Nigeria developed along different streams which include the political, occupational and religious groups. Civil societies are free to operate compared to the case during military era. Civil societies are expected to be registered as non-profit making business entities under Part C of the Companies Act in Nigeria to legitimize and regulate their activities. However, civil societies in Nigeria are not restricted from doing their works provided the goals of the organization and its members are not perceived to violate any laws in Nigeria, contrary to national security, national interest and public policy.

Industrial actions and organized labor strikes encourages actions and the use mass media publicity and broadcast are some of the important tools used by civil societies and pressure groups to bring the government to the negotiation table in Nigeria¹⁸. MOSOP's instigation for civil social actions is focused around using civil political spaces to expand its network and to incite strategies that are feasible to make it offset their perceived political marginalization,

¹⁶ During one of MOSOP's peaceful rallies, they adopted the covering of their noses to shame the government of Nigeria for its failure to clean up the mess (ecological and environmental degradation in Ogoni land) created in Ogoni land through industrial exploration and exploitation in Ogoni land.

¹⁷ Some of the members of the civil society groups are paid to do political biddings for party candidates. They are used as hired thugs to intimidate and oppress the political opponents of preferred candidates. Some are even used as mercenaries to rig elections in favour of their preferred candidates.

¹⁸ MOSOP as a minute ethno-political based institution was able to shut down oil production since 1993.

economic exploitation and disempowerment as indigenous minority people in Nigeria through the OBR.

The use of civil political spaces by indigenous peoples movements help to connect their message faster and to reach out to a wider network of supporters who share their ideas. At the same time, it opens up the activities of indigenous civil organizations to public scrutiny and criticisms. MOSOP's actions and engagements as a local watch dog critiquing policies of the governments that undermine the collective interests and welfare of the Ogonis and its global partnership is designed to achieve Ogoni socio-political change.

The action theory will be discussed in the next theme to further amplify the civil and political mobilizations of the MOSOP's actions and expected goals within the theoretical framework of the study.

1.4 Theory of Social Action

The rationale for the selecting action theory is to broaden and explain how MOSOP's participation as socially engaged political actor is orientated and mobilized towards actualizing peaceful Ogoni self-determination in Nigeria using indigenous peoples' platforms.

Through the trans-mobilization and trans-nationalization, MOSOP as the Ogoni political engine of the movement engage actions towards its political goals in the form of organizing political campaigns and discussion forums, civil protest, and participating within global indigenous peoples forums among other things. These are specific actions driven towards achieving targeted goals of Ogoni self-determination in Nigeria through the OBR.

American Sociologist Talcott Parsons developed in one of his early publications the Structure of Social Action (1937) which established the social action theory in order to integrate the study of social order within the frame of voluntary aspects of macro and micro factors. Parson argues that our individual motives are part of our actions, and the ends, the purposes and ideas are considered when the actions are motives are aligned and executed with our actions.

Based on Parson, Shill work on social analysis, they identified the social orientation and situation as some of the factors that combine to influence the constructions of political and social actions of actors,

'Motivational components of the actions of collectivities are organized systems of the motivation of the relevant individual actors. Action has an orientation when it is

guided by the meaning the actor attaches to it in its relationship to his goals and interests' (Parson and Shils, 2001, p. 5).

Where the personality component of any given actor confluence (entails the orientation, the motivation to act and the integration into socio- political context) with the social context of power and cultural orientation within a social system, it creates an attractive force and bond¹⁹. The bond as explained above can drive processes which civil actions devolve from culturally and ethno-inspired sensations occurring within political contexts. This arguably explains MOSOP's evolution and transformation as a socio-political civil Ogoni movement in Nigeria.

1.5 Objectives of the Study

The objective of this study is to describe the status quo of the Ogoni struggles for self-determination within Nigeria and how the Ogonis and Non-Ogonis and the federal government perceive the subject. The study seeks to uncover some critical but useful suggestions from contemporary indigenous peoples' discourse that can assist MOSOP as the political engine of mobilization for Ogoni self-emancipation using both internal and international social pathways towards achieving Ogoni self-determination in Nigeria.

The study seeks to discuss what MOSOP have contributed to Ogoni self-struggle and also to highlights how the factors militating against MOSOP's activities at local, regional and international level can be surmounted and transformed from difficulties. I call this creating opportunities and possibilities out of difficulties for Ogoni self-rule in Nigeria from their personal challenges and experiences.

The study will add to the ongoing awareness on the need to think, reflect and take actions on how the neo-colonial powers embedded within social structures by the dominant institutions can be decolonized or minimized to aid indigenous people in their mobilization towards self-rule from the states.

The study can serve as recipe for national dialogue among Nigerians within mini-circles to come together to enable Nigerians unite to discuss and understand their national problems (as it concerns self-rule and resource conflicts) as collective problems that require concerted

¹⁹ Parson and Shils *ibid* Pp 6-7

solution to address especially in the areas where majority interest overlap with that of indigenous minorities.

The focus group discussion conducted in Nigeria is meant to capture an overview of public opinion of Nigerians (both Ogoni and Non-Ogoni perspectives) on the issue of Ogoni self-determination and resource control in Nigeria while the interview in New York is meant to analyze how supporters of indigenous peoples' movements perceive and believe in the international socio-political order in pursuing their goals as indigenous peoples.

The study seeks to raise awareness on the need for a coordinated and strengthened regional indigenous peoples' mechanism to address indigenous people issues in Africa. I believe writing about a change of ethnic idealism in Nigeria to a national one is which encourages Nigerians to come together to tackle problems from the roots.

I am optimistic this study will shape the views of some of those who see violence as a shortcut to settle political scores in Nigeria to desist from using uncivil approaches to settle political scores with the State. The international indigenous peoples' movement is a movement which brings a group of people together into a society where the use of violence to pursue political motives is unacceptable.

Keeping Nigeria together as one is an obligation I am bound to observe as a Nigerian; I will have contributed my own quota to peaceful social change in Nigeria through the dissertation. I will also have enlightened readers of this work to imbibe or promote similar ideas and thoughts.

The study also seeks to appraise, interrogate and critique the unequal power relations between indigenous peoples' and the States as this serves as a militating factor in their mobilization for self-rule using the available spaces using the available international indigenous peoples' platforms. One of the ways critical advocates call for political or social change is through critiquing the existing power order.

Criticism will be un-constructive and unbalanced if the critic fails to acknowledge the positive developments within the realm of the process they seek to critique. Therefore, I will try to balance these two bi-polar interests as adequately as possible within the context of the study since the study will talk about the achievements and challenges of Ogoni mobilization using transnational platforms to advance their peaceful demands for self-determination.

Resource conflict has been a major source of controversy in Nigeria; one of the goals of the study is to assist with finding better ways of dealing with issues of Ogoni self-determination in Nigeria and how they can be resolved amicably. The study will try as best as possible to depict how enlightenment and dialoguing between Ogoni and non-Ogonis can be a better way of understanding the problems of one another as Nigerian citizens from the different perspectives.

The study will contribute towards a better understanding on how Nigeria as a sovereign manager/ custodian of its natural resources can ensure better protection of the interest of its indigenous/ethnic minorities in oil producing areas. In addition, the right to life in a decent and healthy environment is an aspect of the fundamental human rights to life which should be enjoyed by the Ogoni people irrespective of whether Nigeria recognizes their status as indigenous people or ethnic minority.

Finally, re-empowering oil ravaged Ogoni communities and boosting their diminished economic base are part of a natural recovery process towards self-recovery which the study seek to emphasize and promote. Ogoni self-determination in Nigeria is marred with multiple controversies but getting Ogoni environmental remediation process on track is a first step in the series of recovery actions needed to restore the breath of life to Ogoni people and Ogoni land.

1.6 Significance of the Study

The study creates pathway for the Ogoni self- determination to be placed within the context of problem solving from an indigenous studies discourse (Ogoni perspective). The study serve as a first step to enabling readers understand and see the need to dismantle the created stereotypes around MOSOP, its political mobilizations and actions (as a violent sponsoring movement) in the process of MOSOP's mobilization for Ogoni self-determination in Nigeria.

Also, the study aims to strengthen the severing cord of national unity between Ogoni and Non-Ogoni persons through a reciprocal understanding of the root of the Ogoni peoples' problems and working together towards seeking collective solutions on how to solve the problems of indigenous minorities agitating for the right to self-rule in Nigeria.

The study is important in that it allows opportunities to discuss what progress MOSOP achieved through global indigenous people networks, what can be done to improve

indigenous peoples' visibilities on a global lens and how their power can be strengthened to increase their political muscles through their integration into the international social process. The study seeks to inspire indigenous participation for progressive development within global political power circles by challenging the dominant power of states through the global political order.

The study helps the readers to understand how the power relations between indigenous people and other institutions within international domain interact. What factors are accountable for the untranslatability of the indigenous political mobilization at global levels into concrete benefits at the domestic domain? This is an important question which is not answered through the study but which gives broader insight into power issues within the discourse indigenous peoples' mobilization for self-determination.

The study will be a compass for discussing the Ogoni issue from the perspective on indigenous studies and international indigenous peoples' rights within in the global socio-political setting. Of special importance and focus of the study, is to discuss and reflect upon the importance of indigenous peoples platforms through which MOSOP as an Ogoni agency take actions and mobilize its political goal towards actualizing Ogoni self-rule.

1.7 Research Questions

To investigate the host of issues raised so far, the study seeks to answer the following research questions:

1. How is Ogoni self-determination and resource control perceived among the Ogonis?
2. What are the national, regional and global challenges/obstacles towards achieving territorial self-determination for the Ogoni people in Nigeria?
3. To what extent do indigenous peoples socio-political platforms serve as centre for orienting and mobilizing MOSOP as an indigenous actor/agent in its actions towards Ogoni self-determination in Nigeria?
4. What options or suggestions can or should be adopted to reconcile the divergent position between the Nigerian State and the Ogoni people on Ogoni demand for self-rule?

1.8 Thesis Overview

This introductory chapter lays down the foundation for the study, the study background and gives readers quick overview of what the study entails. Some of the areas touched and discussed as precursors to main discourse of the study include: Ogoni socio-political and ethno-mobilization, self-determination and resource control, the theoretical discourse of the work, the delimitation of the scope of the study, the objectives as well as the significance of the study, and the research questions.

The study as a whole investigates what trans-national advocacy and actions through the international (United Nations) and internal (MOSOP) indigenous peoples' mobilization have contributed towards sustainable self-determination of the Ogonis in Nigeria. The challenges /obstacles towards Ogoni self-determination at local, regional and international levels is discussed in depth. The motivations and rationale for Ogoni self-determination are introduced.

Political accounts of the challenges Ogonis have experienced as indigenous minority groups in Nigeria with the power apparatus of the Nigerian state (at the state and federal level) are captured in the chapter. Also, some of the sensitivities and complexities associated with the implications of the Ogoni demand for self-determination, as a matter of national (in Nigeria) and regional discourse in post-colonial African context are captured within the chapter.

Possible suggestions on how the political deadlock between the Federal Government of Nigeria and the Ogoni people on resource conflict and demand for self-rule can be resolved in a win-win situation is touched upon in the study. The study contributes to a better understanding of Ogoni issue as a pure discourse within the frame of indigenous minority agitation for self- rule in Nigeria and within the typical context of the associated political realities of seeking self-rule in a post-colonial and a multi-ethnic State in African.

International indigenous peoples' platform is important to the Ogoni people not just because it opens up chances for the Ogonis to peacefully identify themselves as indigenous people ; rather, it strengthens their chances towards pursuing and achieving violence-free self-determination, to create avenues to mobilize their actions towards redressing the political marginalization, economic exploitation, environmental injustice and inequalities Ogonis have

suffered as oil producing minorities and serves as a viable option to the fragile and nearly non-existent mechanism to pursue indigenous peoples' claims in Africa.

The main focus of the study will be to investigate, analyze and discuss Ogoni socio-political mobilization using the indigenous peoples' platforms within the context of the paradox and irony of civil organizations aspiring towards the goal of self-determination in Nigeria. The next chapters will introduce and discuss the political contexts, the background and empirical content of the study before findings are discussed.

CHAPTER 2

POLITICAL CONTEXT, CONCEPTUAL PRESPECTIVE AND BACKGROUND OF THE STUDY

2.1 Introduction

This chapter discusses the political context, conceptual framework and background the study. The chapter also allows the readers to locate, and to understand how the concepts, related literature and the political discourse of minority issues in Nigeria ground the findings in chapter five. In the attached schedule is Appendix 1, which contains a list of political events and developments concerning Ogoni rights within the discourse of minority issues in Nigeria.

In the same vein, literature texts on the subject of ethno-mobilization and indigenous peoples' participation through transnational civil societies within global context relates to the nucleus of the study, are reviewed as part of the background of the study. A general overview of traditional institutions in Nigeria is discussed as part of the study background to further amplify Chapter 1.1.1 on Ogoni self-rule within the context of Ogoni traditional institutions.

The strategy/approach of grounding social science research requires a complete integration of the research from evolution to completion. The concepts used, the political developments and literature cited constitute part of the fulcrum of the study. Data is also an essential part of the support system of the study, and data are sourced by the researcher. Hence, documenting useful political events, the theoretical frame of the study and cited literature sources help to conceptualize the study from the realm abstractness to the realm of reality (Glazer and Strauss 2009: 11)

²⁰This way the study can be linked to previously related works and established theories within the context of contemporary reality of Ogoni mobilization from the post-colonial situation of minority right discourse in Nigeria. For the purpose of integrating and or sequestrating the study as an indigenous studies research from other kinds of research, the theories and concepts literature sources provide good starting point for differentiation. Also, new findings

and theories can emerge using or by probing existing theories and literature sources on the study.

2.1.1 Ogoni Land and Self-Administration in Nigeria

Colonization, state reconfiguration of political structure of governance, geographical re-calibration, power narratives in space and time are some of the developments that have redefined the role of traditional institutions in Nigeria. Nonetheless, traditional institutions continue to remain important in local administration in post-colonial African settings including Nigeria. Ogoni land is divided into six kingdoms (Babbe, Gokhana, Ken-Khana, Nyo-Khana, Eleme and Tai). Figure 4 below captures a comprehensive survey of the six Ogoni Kingdoms.

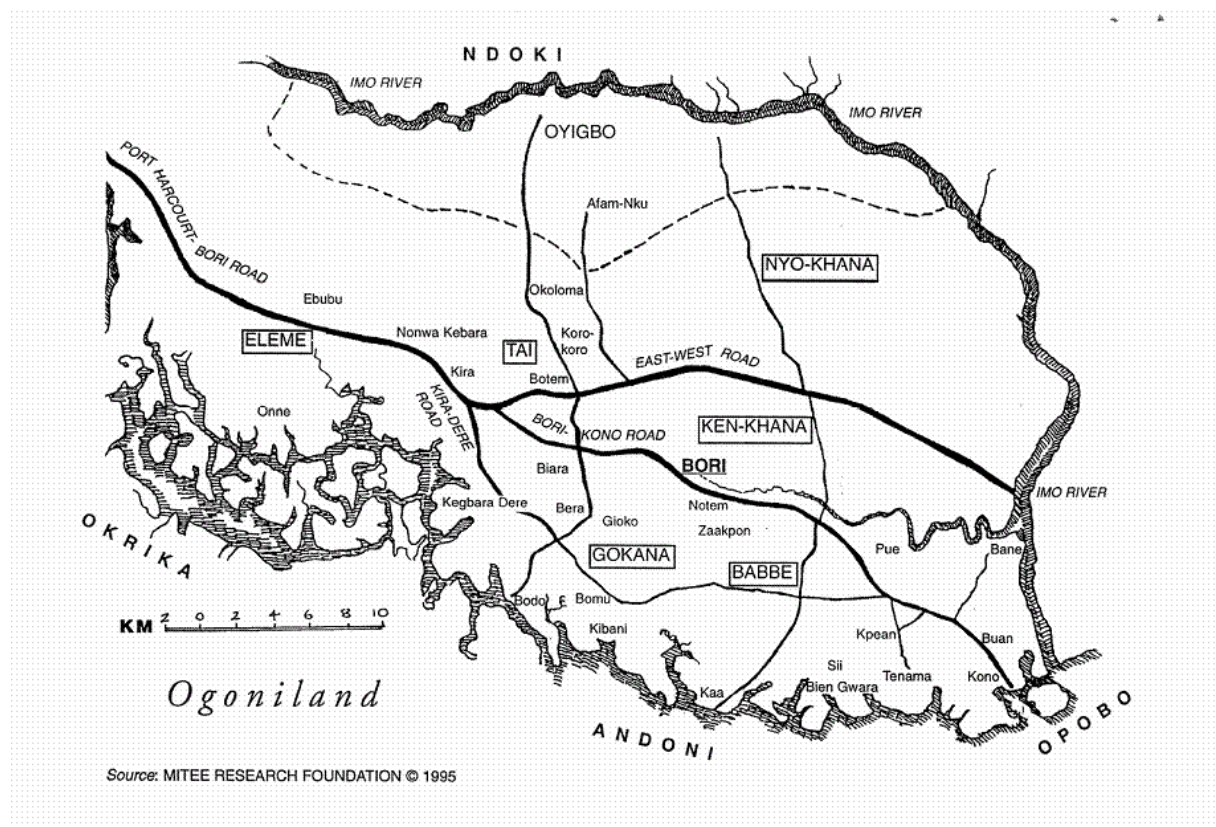


Figure 4, Source: Google Maps

In the core periphery areas far from central authority of the State and its agencies, traditional institutions are an effective agency of social control in the regard (Miles, 1993:48). Traditional rulers have deep knowledge of local customs and their communities politically

and geographically. Traditional institutions do well in maintaining social control because they enjoy legitimacy in the eyes of the people they represent (Tonwe and Osemwota, 2013:138).

Delegating informal authority to lesser subordinates allows traditional rulers to exert wide sphere of influence in broader geographical context. The search for connection, devolution and decentralizing State powers to the relevant traditional authorities is a focal point of discussion within the context of Ogoni internal autonomy in political affairs in Nigeria.

It could be argued that the Ogoni enjoy political participation in local affairs as an aspect of self-determination through the established traditional institutions in Ogoni land, this ranks traditional institution and system in Ogoni land at par with that other ethnic groups in Nigeria. Through the representatives of the six Ogoni kingdoms, Ogoni people can connect to Rivers State and Nigeria.

Even though the Nigerian constitution officially does recognizes government at the level of federal, state and local government, traditional institutions still play very important roles in the ceremonial responsibilities delegated to them as advisors to the government ²¹. Also, certain cadre of traditional institutions including the Ogoni ones, are part of the Rivers state institutional mechanisms of social control and paid wages and other emoluments as State Officials in the fourth tier of governance²².

GNK Giniwa an Ogoni monarch was the outgoing Chairman of Rivers State Council of Traditional Rulers until July 2015 when he was replaced upon the expiration of his tenure as Chairman ²³ (Tide News, 2015). Traditional institutions in the six Ogoni kingdoms are involved in limited capacity when it comes to constitutional issues concerning running the political and economic affairs of Rivers State and Nigeria.

However, this does not mean they are totally excluded or not integrated into main stream politics in Nigeria. Traditional institutions in Nigeria including the ones representing Ogoni

²¹ Traditional rulers were once in integrated within the political and constitutional structure of governance in Nigeria until the 1979 constitutional reforms resulted in the changing from a parliamentary system to a presidential system and the establishment of local government as the third tier of government under the 1979 Constitution. The current 1999 Constitution is not radically different from the 1979 Constitution in this regard.

²² Daily Post (2015) December 30, 2015 Access link available at <http://dailypost.ng/2015/12/30/governor-wike-introduces-security-stipends-to-traditional-rulers/> Accessed on 24th April 2016

²³ Tide News (2015) Available online at <http://www.thetidenewsonline.com/2015/07/03/jaja-rallies-traditional-rulers-support-for-rivers-economy/> Accessed on 24th April 2016.

territories perform advisory roles to the government through the Council of State and the Rivers State Council of Traditional Rulers at the federal and state level respectively.

The extent Ogoni traditional rulers can partake in political affairs as state advisors or in ceremonial capacity may be limited, but the capacity to make positive impact need not be by being assigned direct role in the day to day management of political affairs. A very good example is the Sami Parliament in Norway. The Norwegian Sami Parliament act in its advisory capacity and have been able to influence political decisions in areas where Sami rights and interests will be affected.

The participation and involvement of Ogoni traditional institutions within the national political structure of governance in Nigeria does not meet the threshold Ogoni people would have desired as they are demanding through the Ogoni Bill of Rights (OBR.). The OBR is an organic and autochthonous Ogoni political instrument containing specific demands to the Nigerian State. The OBR as worded is meant to reverse the political marginalization, economic exploitation of the Ogoni by pushing for Ogoni self-determination in Nigeria.

Being able to achieve control over natural resources as envisaged under the OBR calls for a higher standard of political and economic freedom to be able to manage resources and resource revenue. These fall outside the purview of responsibilities within the competence of Ogoni traditional institutions. The Figure below captures how Ogoni land is politically integrated into Rivers South Senatorial Constituency in Rivers state. The past and the current Senator representing the River-South east zone are from Ogoni communities.

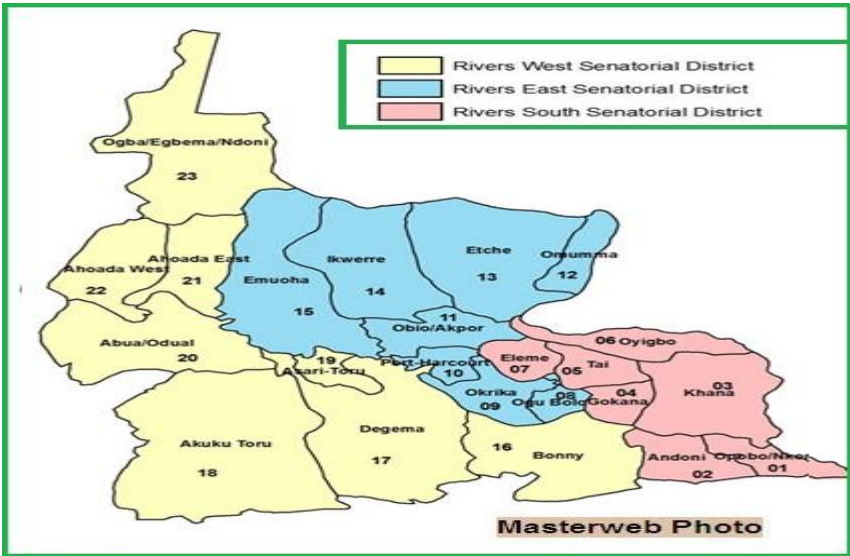


Figure 5 Source: Google Maps

This call will have both political and economic implications, it will invert the Nigerian State powers from that of a sovereign, custodian and manager of natural resources and allocator of resources and resources proceeds to its federating units to that of a receiver of stipends from Ogoni land, a tiny unit within the geography of Rivers State and Nigeria.

MOSOP is a Pan-Ogoni civil movement. It does not derive its authority and agency in isolation of the traditional rulers and the Ogoni people. It is logical to argue that MOSOP's autonomy does not override that of the recognized and established traditional institutions since its authority stems from the apparatus of the Ogoni Kingdoms and the Ogoni people in totality. In practice, MOSOP's actions are legitimized by these two institutions²⁴.

2.2 Political Context of the Study

Nigeria neither recognizes the Ogoni as indigenous people as envisioned under the Indigenous and Tribal Peoples Convention (ILO 169) nor as people entitled to any special status other than as citizens and an ethnic group indigenous to Nigeria. Irene Daes faulted the notion of collectivizing indigenous people as ironical in national context (Irene-Daes 2004:5). She argued that unbundling such principles will enable indigenous peoples to claim their rights and entitlements as enshrined in international human rights law and international conventions relating to indigenous peoples rights.

²⁴ The Ogoni Bill of Rights provide the legal basis for MOSOP's existence, the OBR was drawn and signed by the traditional rulers of the Ogoni Kingdoms on behalf of the Ogoni people. MOSOP is charged with the full responsibility to actualize the demands contained in the OBR.

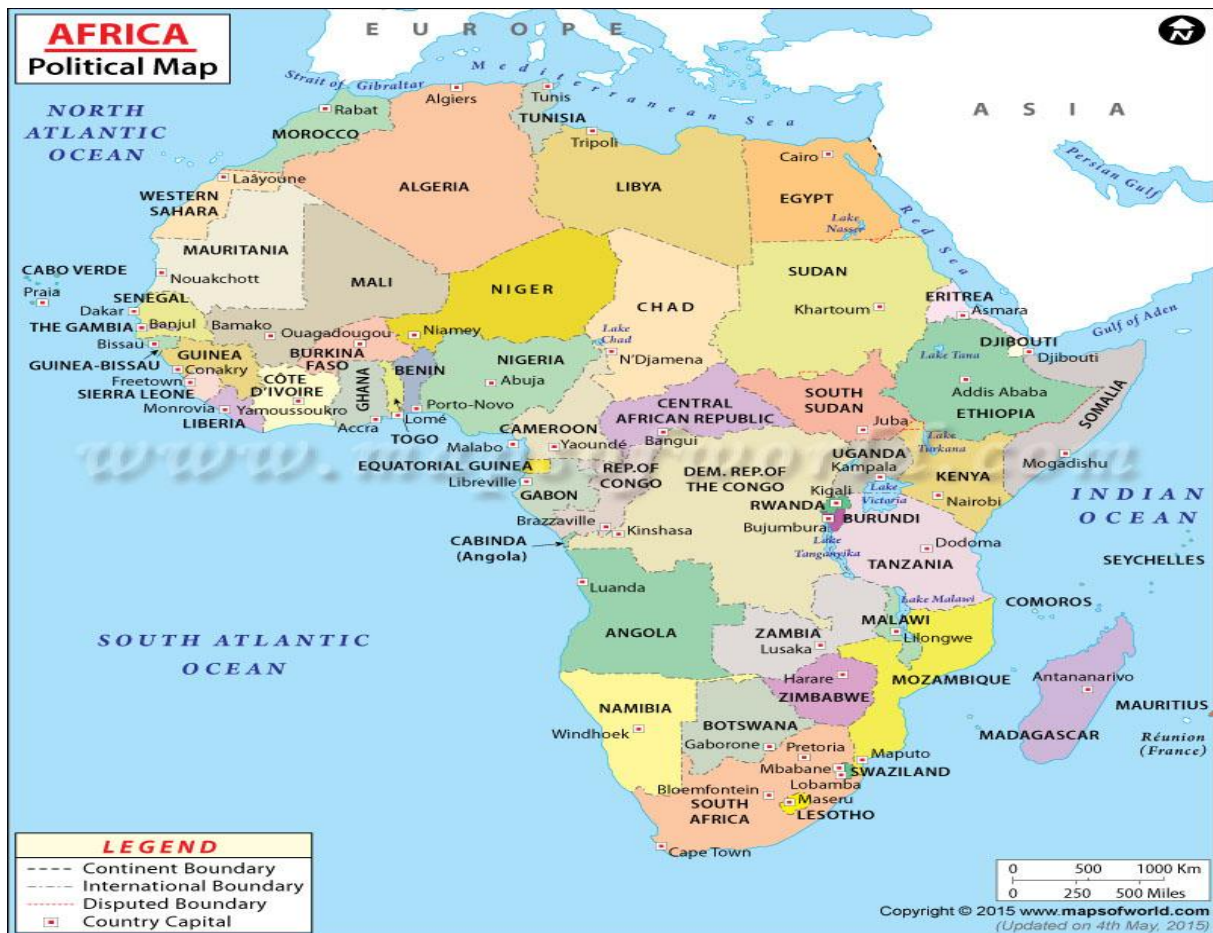


Figure 6, Source: Google Maps

Nigeria is not a colonial settler state like the USA, Canada or Australia, the British left after Nigeria attained its independence from foreign rule on October 1st 1960. However, Nigeria at independence inherited many colonial laws, the common law legal system and the English styled-courts. There was no uniform national law governing land management until 1979 when the Land Use Act was promulgated as a federal law to unify land administration nationwide. The laws and institutionalized state bureaucracies are some of the tools used by Nigeria to internally colonize and marginalize the Ogonis (Nbeta, 2012).

Nigeria is a federal state, with three tiers of government the federal, the state and the local governments. It operates with a written Constitution, bicameral legislature at federal level and unicameral legislature at the state level. Local governments are administered by Council Chairmen who are appointed periodically through elections, while local councils have power to make and implement laws (bye-laws) within their own area of competence. The Figure 7 below gives an overview of the political partitioning of Nigeria into six administrative zones.



Figure 7: Source: Google Maps

Indigenous title claims to land or territory by treaty is non-existent in Nigeria as it is case for some aboriginal peoples from North America (Canada and the USA), or the Maori in New Zealand and the Sami people in Norway and Sweden. Even where aboriginal/ indigenous/ and or tribal people lay title claim to land via treaties with colonial governments, the status of some of these treaties remains contested and unresolved to date.

By and large, the Ogoni land is described as an internal colony of the Nigerian state, the political structure in Nigeria reinforces a system where internal colonialism,

Is result of the systematic exploitation that alienates the minorities from their resources, coupled with a cultural division of labor that excludes them from the most lucrative jobs and appointments (Nbeta, 2012: 59).

The north-south power dichotomy resulted from the Hausa-Fulani dominated north having enjoyed monopoly of power above other ethnic groups in Nigeria for many years, judging by how long power has remained in that region. During the military interregnum, power is usually exchanged from one northerner to another. Appendix 2 in the schedule captures an overview of ethnicity and zones of leaders that have ruled Nigeria from independence to date.

At the 2015 Presidential elections, the political alliance party the Alliance for Progressive Change (APC) that wrestled power from the ruling Peoples’ Democratic Party (PDP) which has dominated the political scene since the transition to civil rule in 1999 produced the current Nigerian President Muhamadu Buhari. The opposition alliance is a product of collaboration between the Hausa-Fulani in the north and the Yoruba in the South-Western Zone. This goes

a long way to highlight to what extent the numerical strength of majority ethnic groups in Nigeria can be driving force in deciding political power equations.

The coming into force of the Land Use Decree abrogates all previous laws on the subject. The Land Use Decree though a military invention but was later restyled as Land Use Act (LUA). It is only titles to land issued under (LUA)²⁵ are recognized by the Nigerian state as valid. The LUA strictly regulates all transactions relating to land, Section 21 provides that,

The holder of a customary or statutory right of occupancy cannot alienate by assignment, mortgage, transfer of possession, or sublease... except with the consent of the Governor or the approval of the appropriate local government.

An overview of the restrictive regulatory regime is captured in Section 1 of the LUA which vest land in the Nigerian state provides as follows:

All land comprised in a territory of each state in the federation in the Governor of that state and such land shall be held in trust and administered for the use and common benefit of all Nigerians in accordance with the provisions of this Act.

Such restrictions challenge the traditional concept of land in Ogoni epistemology as belonging to the living, the unborn and the dead. It also questions their ability to allocate land in Ogoni communities according to their native customs, which takes into account their peculiar circumstances in allocating lands to suit local needs. Ogoni people's perception of land argues that both surface and sub-surface resources are part of land.

For the Ogoni people, the LUA is one of the biggest stumbling blocks to their territorial sovereignty; self-autonomy without land rights and territorial right is pointless. Ogoni people want to be in full control, and as the main actor in the management of land and natural resources attached thereto in Ogoni land, while they would in return pay specific percentage royalties to the federal government. With the LUA, the Nigerian state, has invoked terra nullius claim to all virgin lands and natural resources attached to land within Nigeria and including Ogoni communities.

The executive fiat used for this is to place such lands without a registered government title from the state under government acquisition. Resources control, revenue allocation and some

²⁵ Cited as the Nigerian Land Use Act of 2004 Cap L5 Laws of the Federation of Nigeria 2004

other sensitive matters listed on the exclusive legislative list in Section 256 of the Nigerian Constitution are special areas which only the federal government can deal with²⁶.

2.2.1 Ogoni land and Internal Colonization

Historically, most of the political agitations for self-determination and resource control in Nigeria are more pronounced in the South-South Geo-Political Zone (oil producing communities in the Niger Delta region where many movements have emerged) or from the South-East Zone under two social movements the (inactive) Movement for the Actualization of the Sovereign State of Biafra (MASSOB) and the new Indigenous People of Biafra (IPOB).

British official incursion into Nigeria since 1860 when Lagos was annexed was further legitimized at the 1889 Berlin Conference where the world powers converged and partitioned Africa, in order to impose forced rule on Africans. Colonialism is still having some of its devastating effect of frontiers areas within Nigeria which are claimed as traditional territories.

Colonial land laws recalibrated frontiers and land boundaries in Nigeria, and colonial land laws favored the marginalization of minorities and their territories, lumping their social identity into that of majority groups close to them to suit the administrative convenience of operating indirect rule and imperial ideals of 'divide and rule'.

The minority issues and problems in Nigeria were not hidden from the knowledge of the British colonialist it was just not a prioritized matter. A minority commission set up in 1958 headed by Henry Willinicks (Willinicks Commission) looked into how the marginalization of ethnic minority groups would be addressed in post-independent Nigeria. Among the Willinick's recommendation is that carving out new regions will not effectively tackle the problems of the minority.

From experience, addressing the issue of minorities through the creation of new states do not necessarily solve the political exclusion and marginalization of minority groups in Nigeria, instead it has generated more controversies, problems and competitions between rival groups to land, resources and territories (Fatile, 2011:4). Boundary adjustment within the territory of

²⁶ Other areas include as foreign affairs, policing, currency regulation, national security and defence etc.

a state in Nigeria as it affects the Ogonis is a matter for the constitution to resolve. See Section 8(2) Nigeria Constitution 1999.

Breaking down the stronghold of national separatist movement by creating smaller units was used as a political/military strategy to cut down the power (resistance) of the then Eastern Region agitating to create Biafra Republic in Nigeria²⁷. Agitating and competing for social and political identities among the different ethnic groups exploded after these developments (Fatile, 2011:61). Increased ethnic rivalries and ethnocentrism, tribalism and regional attachment, forced assimilation of minority groups into new political creations and under geographical arrangements are some of the products of state creation in Nigeria.

Many ethnic groups in Nigeria (both the dominant and the minority groups) have untreated requests before the National Assembly for creation of new states or new local councils, these issues came up at the National Political Reform conference Abuja (CONFAB 2014). For instance, among the Yoruba people (one of the three main ethnic groups in Nigeria) who are believed to share common ancestral lineage and culture, speak all nearly similar Yoruba language(s) with variants of dialects etc. these commonly unifying denominators especially the language as well qualify as the basis of separate identifications used to create identity differentiations.

The possibility for a long term solution to the problem Ogoni people face as indigenous minorities as argued from the Ogoni perspective is a simple matter with clear cut solution. Ogoni people consider the issue of their self-determination is solvable and can be resolved by recognizing them as indigenous people and granting them self-determination, resource control and political autonomy through the OBR.

Summing up this sub-heading, Ogoni self-determination as shown above is a complex political discourse pursued within a complex political atmosphere. Land and natural resource legislations, the colonial history are some of the forces that aided the marginalization of minority groups into the majority ones. The conflict associated with agitation for resource autonomy and territorial spaces based on ethnic grounds are all interesting but complicated discourses as far as Ogoni self-rule in Nigeria is concerned.

²⁷ State Creation Decree No 15 of 1967 increased Nigeria from 4 regions to 12 States. Since 1967, the number of states in Nigeria increased from the 3 regions in pre-1967 to the 36 states at present and more demands for States are before the National Assembly. The CONFAB 2014 recommended the creation Of 18 additional States

The unsuccessful struggle with the power apparatus while being left in a state of powerlessness is what some political commentators such as Nbeta (2012) and Naanen (1995) have linked up to describe the Ogoni situation to that of an internal colony existing within an imperialist Nigerian State.

2.2.2 The Ogoni Bill of Rights (OBR) and other legal instruments

Despite several years of political struggle at home with little or no success on the home front and over three and half decades of advocacy on the global radar, the status quo of Ogonis as second class citizens within Nigeria remains largely unchanged (MOSOP, 2015). The strive for recognition of Ogoni self-determination is miles away from reality, Ogonis are not only conspicuously invisible within national politics, they have continually been allowed very limited roles in governance²⁸.

The Ogoni people seek political control of their affairs through the OBR submitted to Federal Government of Nigeria in 1990, the same bill widely acknowledged as the Ogoni political instrument was submitted to the United Nations Working Group on Indigenous Peoples (UNWGIP) in Geneva (1992) and to the General Assembly of the Unrepresented Nations and Peoples Organization (UNPO) in Hague (1992).

The main demands in the OBR cut across different fields and these includes; ecological protection of Ogoni land, protection of linguistic rights, adequate and fair representation of Ogonis within national institutions. Political self-determination and ownership of resource rights were included in 1993 to bring the demands in the OBR in line with contemporary development in global indigenous peoples' movement (Ezetah, 1997:817).

The OBR in its preamble recognizes among other things the rights of Ogonis to 'participate in their political affairs as a distinct and separate entity...rights to control and use Ogoni economic resources for Ogoni self-development' as imperative to their survival and existence.

The issue of Ogoni territorial self-determination and agitation for social identity to own and control natural resources in Ogoni land (petroleum) through the Ogoni Bill of Rights (OBR) usually spark arguments and tensions between supporters and opponents of the subject in Nigeria (Osaghae, 1995:325-326). The controversial subject is becoming increasingly

²⁸ Sobrasuipiri S,(2014) in Environmental Justice in Nigeria : Reflections on the Shell-Ogoni Uprising, Twenty Years Afterwards argue that Ogoni mobilization have resulted in making Ogoni people to be more politically relevant and appointments of Ogoni persons into national positions within Rivers State and Nigeria is an indication of the developments.

unavoidable within public discourse in Nigeria given that petroleum remains the backbone of the Nigerian economy²⁹.

Resource control and territorial self-autonomy demanded from Nigeria by the Ogoni people or some other ethnic group(s) in Nigeria can be described from two perspective, South-South/Oil producing communities perspective which supports resource control by the oil producing communities as against the federal government and the Non-South/South perspective which argues that the federal government should retain its sovereignty over resources and disburse the revenue generated through the States.

The walk out staged by South-South Zone delegates at 2005 National Conference (CONFAB) over failure of the delegates to persuade the Conference to agree on resource control deal that will give oil producing states keep at least 50% share of the oil and gas revenue derived from the respective states zone bear testimony to the complexity of the issue within national political discourse (Sunday Punch, July 17, 2005).

As will be discussed in broader context of the study, the situation of the Ogoni people is that one of the ethnic minority goose laying eggs for the Nigerian state. They have suffered the consequences of oil exploitation activities on their lands, been neglected politically and denied tangible benefits from the oil proceeds (Osaghae, 1995, 326). Ogoni voices are voices of discontent and long term marginalization and assimilation by a political system that has mismanaged and taken their welfare with less attention than Ogonis have expected and desired.

Section 14 of the Nigerian Constitution vests sovereignty in the people of Nigeria as a whole and not in any unrecognized person(s), or as an ethnic group(s) or unit(s) within Nigeria and the supremacy of the Nigerian Constitution over any law that is inconsistent with it is provided in its Section 1. This explains an overview of the non-intersection and non-interaction between the positions on Nigerian state through its laws and that of the Ogoni people as reflected through the OBR.

Putting the OBR side by side with other national legislations relating to land and natural resource management in Nigeria such as the Nigerian Constitution, the Land Use Act and the Petroleum Act can be argued as directly challenging the dominant power and authority of the

²⁹ Petroleum account for over 35% of GDP and 90% of all export revenue (OPEC Annual Statistic Bulletin 2015) available at www.opec.org

Nigerian state. Nigerian laws and other constitutionally recognized institutions saddled with responsibilities within different area of competences in managing natural resources are set up and empowered to perform their roles via legitimacy that flows from the Nigerian state.

The Ogoni people recognized that without agitating to control political machinery of the state and challenge the three dominant super powers in Nigeria (Hausa, Ibo and the Yoruba) actualizing their political and economic self-determination as provided in the OBR will be impossible. A radical change is needed and necessary to offset the power matrix as Osaghae noted, ‘the failure of the state to respond positively... to protect frustrated Ogoni people ...led them to assert their right to self-determination to deal with the oil companies directly (Osaghae, 1995:333.)

High levels of state intolerance and a crack down on civil societies is common practice in many African states (Edmond Keller 1983: 261) though a lot of improvements have been experienced in Nigeria since 1999 after exit of the military from the political scene. Civil societies have more latitude to operate in Nigeria and are actively engaged (Izsak, 2015, 21) during military reign, civil societies were disbanded with oppressive laws, state political might was used to oppress and suppress people from campaigning against the Nigerian state.

The OBR is the legal tool through which the Ogoni demand for self-rule is documented. However, this Bill is not only considered unconstitutional and an affront to Nigerian State’s sovereignty, implementing the two key demands in the OBR ‘self-determination and resource control’ as the study have analyzed are quite difficult and incompatible with Nigerian laws.

2.2.3 Oil Development in Ogoni land Instigating Indigenous Movement

A fundamental issue of concern to the Ogonis is the remediation of degraded land and environment by massive pollution from past petroleum industrial activities within their territories. The petroleum beneath Ogoni soil including that obtained from the sea bed offshore are all considered property of the Federal Government, while Ogoni people argue that they have not only been denied a fair share of the petroleum proceeds but also they have been sidelined from participating in the legal and political forums where the decisions are made.

For the Ogoni people, the 2011 United Nation Environmental Programme (UNEP) Report on Ogoni land can best be described as product of local resistance and collective solidarity locally and internationally with the help of human rights organizations and environmental

NGOs'. Quoting from the report in some of the surveyed sites in Ogoni land as highlighted below:

In addition to spreading literally pollution has spread vertically contaminating more soil and reaching the underground water... soil contamination ...has impacted an extensive area. No effective remediation has taken place...soil contamination extends to the depth of at least five meters below the ground surface and areas apparently uncontaminated at the surface may be highly contaminated underground and soil in the core affected area is considered highly contaminated based on high concentrations of hydrocarbons and is currently unfit for any further use (UNEP 2010: 121-126).

The Federal Government of Nigeria has not taken the practical step towards remediating Ogoni land since May, 2015 as promised by President Buhari when he assumed office (Amnesty International, 2016). It remains to be seen whether the Federal Government promise to revisit Ogoni environmental clean-up process will go farther than the usual expression of goodwill which in the end turns out to be mere promises without concrete actions.

Oil development in Ogoni land is attributed as one of the major causes of environmental degradation including acts of sabotage by oil vandals. The criteria as set out in the OBR for oil production to recommence in Ogoni land is that Ogoni people will be in charge of production and entitled to fifty percent of the oil proceeds as part of their self-determination.

The OBR remain a politically deadlock instrument in Nigeria and it is neither acknowledged nor recognized as having any legal effect on Nigeria. The moratorium on petroleum exploration and exploitation in Ogoni land remain intact since 1993 is worthy of mention. It partly explains the threat of Ogoni people to use whatever means they have to stop any further oil production within their communities until their political, economic and environmental injustice are addressed is not a mere threat.

2. 3 Indigenous Resource Control and Some Conceptual Issues

Ogoni demand for self-rule as indigenous people in Nigeria as it is discussed within the context of the study is clearly understood from the political context of Ogoni struggle as indigenous minority in Nigeria. Nigeria does not recognize the Ogoni as indigenous people as far as the concept is viewed under international law, which one can argue, explains or justifies its refusal to grant self-recognition, political and economic autonomy to control and manage the natural resource within Ogoni territories to Ogoni people as they demand.

Ogoni ethno-mobilization through MOSOP as argued within the theoretical frame of this chapter evolved in response to political and economic marginalization of the Ogoni people as indigenous minorities in Nigeria. MOSOP is a Pan-Ogoni civil organization mobilizing its activities and operation locally in Nigeria and within global indigenous peoples' terrain, its mobilization and activities as a political actor/agency are geared towards achieving political and economic self-determination for Ogoni people in Nigeria.

It can be argued from my point of view that Ogoni mobilization for political and economic self-determination in Nigeria can be analyzed from two main perspectives, the first is under (Ogoni) indigenusness theory and the second is Ogoni resource theory. Ogoni mobilization for self-rule using international indigenous peoples' platforms clearly explains the first part of the argument, while the resource theory laying claim to all the resources within Ogoni territories is intertwined with the first argument.

The second theory of indigenous resources ownership is a legal and logical flow from indigenusness. Both theories are combined and analyzed in the Ogonian context establish Ogoni entitlement through the concept of aboriginal ownership of Ogoni land and the natural resources (traditional and non-traditional) within Ogoni land as demanded through the OBR³⁰.

Ogoni people allege through their resource theory that despite the contribution of Ogoni land to national wealth, they as indigenous minority people, are persistently denied recognition by the Nigerian State so that they can be denied both the legal ownership right over resources within their territories and a fair and equitable Ogoni share of the resource proceeds.³¹ This argument typically captures the internal colonialism concept discussed within the study.

Mattias Åhrén in Chapter 9 of his book *Indigenous Peoples Status in International Legal System* (2016) talked about resource control and benefit sharing (Mattias Åhrén, 2016:214-218). While affirming states sovereign rights over natural resources (both the traditional and untraditional), the state power to determine who can or should exercise proprietary rights to own natural resources should not be used unfairly against indigenous people.

³⁰ The OBR was revised in December 1992 to include political self-determination and ownership of the oil beneath Ogoni land. This reiew possibly is necessitated to catch up with the global indigenous peoples' discourse evolving at the time which MOSOP later subscribed to becoming a part of.

³¹ Ogoni term for fair and equitable share is called Miidekor. Ogoni people agree they cannot part with more than 50% of their resources or its proceeds, any derogation from this will be inequitable and violate their principle of what is fair share of Ogoni resources.

Regarding benefit-sharing, Mattias Åhrén argues that indigenous people are entitled to receive a fair share of the benefits from non-traditional resources (such as hydrocarbon and subsurface minerals) explored from within their traditional territories and reach an agreement in cases with expropriation may be considered (Mattias Åhrén, 2016: 214-218). Applying the benefit-sharing analysis to the resource control aspect of Ogoni self-determination is both logical and paradoxical as will be shown in the main findings of the study.

It appears as double jeopardy and paradox to the Ogonis, given that they claim both sovereign rights and proprietary right over Ogoni land and the natural resources within Ogoni land. Also, environmental degradation linked to pollution from petroleum one of the main (non-traditional resources) have been more of a curse than blessing to the Ogoni people. Their traditional subsistence activities have become economically unviable their farmlands, creeks, rivers and vegetation have been severely impacted due to petroleum pollution (Pyagbara, 2007:9-10)

Arguing from Mattias Åhrén's position highlighted above, it justifies that petroleum beneath and within Ogoni land has to be considered untraditional resources since petroleum does not sustain traditional livelihood. This view is shared from the Non-Ogoni and national perspective on the resource control aspect of Ogoni self-determination. Ogoni people have proprietary interest in their traditionally used territories which entitle them to benefit-sharing when resources are extracted. The sovereignty argument is a hard nut to crack for indigenous peoples since no state will give up or cede its sovereignty over natural resources to its people.

Since 1993, petroleum production has ceased in Ogoni land due to petro-violence, although the unaltered pipeline network that runs through Ogoni communities remains active. It can be rightly argued as a logical flow from the benefit-sharing principle Ogoni communities should be entitled to benefit-sharing even in the absence of physical petroleum extraction activities. The existence of operational petroleum pipeline networks running through Ogoni communities should be considered a sufficient basis for entitlement within the purview of benefit-sharing.

One of the areas of study concentration in chapter five is to investigate how the principle of 'Miidekor' fair share under the Ogoni resource theory and the deductions can be integrated into the main discussion on the resource conflict aspect of Ogoni self-determination. How these divergent positions can be better harmonized and used in the future to resolve resource

conflict discourse on Ogoni self-determination will be summed up in the discussion in the sixth and final chapter of the study.

The study as a whole is webbed and discussed around investigating how the resource control perspective of self-determination is perceived by the Ogonis and Non-Ogonis in Nigeria. How the subject is received within the context of Nigeria as a country built upon multi-ethnic and multi-cultural diversity and whose economy is largely dependent on natural resources being one of the major petroleum exporting nations in the world.

2.4 Background of the Study and Literature Review

Resource Control in Nigeria's Niger Delta by Cyril Obi looked at the campaign resource control from the perspective of the Ogoni and the Ijaws ethnic groups in the Niger Delta region while Solomon C. Madubiike work *Ethnic Conflicts: Social Identity and Resource Control Agitations in the Niger Delta*, share some common denominator that under development, exploitation among other things inspire the resource agitation of oil producing communities. Corruption and maladministration by regional leaders add to these woes, the Nigerian criminal justice system has a way of treating corrupt leaders with kid gloves³².

Many works (Thornberry 1992, 2002) (Minde, 2008) have traced the evolution of indigenous people rights to earlier global human rights instruments before ILO 169 (1992, 2002). The Universal Declaration of Human Rights in 1945 is used as the starting point for legal formation of indigenous peoples' rights as part of human rights; the legal process is inchoate without mention of the struggles and visit of Deskaheh (the representative of the six Iroquois Nations at the defunct League of Nations) to Geneva in the 1920's.

The need to create specific instruments and institutional frameworks to address indigenous peoples and related issues stem from the fact that general human rights instruments did not sufficiently address them. In the African context the only available mechanism through which indigenous peoples claims can be squeezed in through the back door is using the human right mechanism under the African Charter.

³² Late Chief Alameyeseigha, James Ibori, Lucky Igbinedion are 5th Republic regional leaders from the Niger Delta region with massive corruption and or money laundering profiles. Development of the Niger Delta will be a fairy tale if the issue of corrupt leadership is not taken seriously.

In the case of African continent previous research on indigenous peoples focused on specific nomadic and hunter gathering societies/tribes in Africa. Jennifer Hays and Megan Biesele work *Indigenous rights in Southern Africa: International mechanism and local contexts* focus on the San in Botswana. Sidsel Saugestad have worked previously with the San in Botswana, She wrote about the Central Kalahari Game Reserve Case in one of her works titled '*Impact of International Mechanism on Indigenous Rights in Botswana*'.

South Africa after its independence in 1996 as the last colony in Africa was the first and one of the very few African states that openly championed the UNDRIP in Geneva through its effort in the United Nations Working Group on Indigenous Peoples' (UNWGIP). However, South African's official position changed afterwards, commentators such as Crawhall believes the South African support was significantly a calculated attempt for political gains (appointment as non-permanent seat) at the UN Security Council (Crawhall, 2011:20-21).

Nigel Crawhall work *Africa and the UN Declaration on the Rights of Indigenous Peoples* is insightful is an expert in a regional indigenous peoples' network with wide coverage in Africa. He talked extensively about how the political muscles of States within the supra-national power context could be used in a way that indigenous peoples' issues and rights is less prioritized or relegated to near obscurity.

IPACC have may have done well working with hunt-gatherers and pastoralist communities in Africa (Crawhall 2011:18) but its strength outside non-nomadic and non-hunter gathering society have not been tested³³. However, the argument that IPACC's weak coverage in some African state is attributed to limited indigenous advocacies and civil societies in certain regions across Africa could be a strong argument.

William Miles in *Traditional Rulers and Development Administration: Chieftaincy in Niger, Nigeria, and Vanuatu*, and Tonwe and Osemwota in *Traditional Rulers and Local Government in Nigeria: A Pathway to Resolving the Challenge* both looked at the challenges and possibilities of bringing government closer to the people by integrating traditional institutions into the local governance structure (the third tier of government) in Nigeria.

³³ This literarily means IPACC's selective coverage in Africa tactically schemed out groups such as the Ogonis who are nether pastoralists nor hunt gatherers but desirous to be part of the African indigenous peoples' project. Even among well-established indigenous groups such as the Norwegian Sami, more Sami emphasis have been directed towards rein deer herding Sami who are accorded better protection of their traditional activities by the Norwegian State compared to the Sea or Coastal Sami. See Angelika Lätsch, 2012 (Pp 63-64) and Einaarsbøl 2006, 11) for more details on issue relating to identity as a coastal identity as a Sami.

Ogoni traditional institutions as other traditional institutions in Nigeria are part of the State apparatus. Traditional rulers in Ogoni land within the four Ogoni local governments areas as captured on Figure 4, are not precluded from acting in advisory capacities within the political configuration of Nigeria. Despite the existing traditional institutions in Ogoni land, Ogonis through the OBR Paragraph 20(i) seek ‘political control of Ogoni affairs by Ogoni People’

Some of the themes analyzed from reviewing selected literature are touched in the political context of the study as highlighted in the chapter. A more detailed explanation of these themes will be revisited in chapter five, which focus on the discussing the main findings of the study. In areas where primary data is insufficient or unavailable, written texts have proved to be relevant to the study. The next theme to be discussed is ethno-mobilization as it concerns Ogoni political actions and towards the motivation for self-rule in Nigeria.

2.5 The MOSOP: An Ethno-Political Movement

Ethno-political movement in Ogoni land developed rapidly in the early 1990’s (at a time global indigenous peoples movement flourished across the world) in strong opposition to military rule in Nigeria, marginalization, internal colonization, exploitation and exclusion of the Ogoni people (as minorities) from participating in running their political affairs of the nation. Pan Ogoni activism in Nigeria was present as far back as colonial times and was restructured and reshaped in space and time until the MOSOP came on board in the early 1990’s (Osaghae 1995: 329).

Weak civil societies, high levels of intolerance to any form of opposition to the dominant power, and poor funding to mobilize activities are some of the major challenges militating against the development of indigenous peoples civil society movements in Africa (Crawhill, 2011:13-14). The MOSOP, which was established in 1990 is one of the leading social movements in the Niger Delta Region, many civil organizations have spring up since the transition to civil rule in Nigeria since 1999.

Among MOSOP’s demand through the OBR include legal ownership, right to manage resources and right to fair share (Miidekor) of resources within Ogoni territories³⁴. In this

³⁴ The term in Ogoni language is interpreted to mean ‘fair or equitable share’. The term as used in the study will mean the fair or equitable share of natural resources or proceeds from natural resources which Ogoni people are entitled to legally or by virtue of proprietary interest in natural resources under the benefit sharing rule.

respect, MOSOP through its steering committee and with the consent of Ogoni communities adopted the Ogoni Bill of Rights (OBR). The OBR contains a list of demands of Ogoni people presented to the Federal Government of Nigeria demanding among other things for *'local control of their political control, economic affairs'* and *compensation and remediation for the past degradation of their environment, land and water.*

It is believed that being part of the global political processes will draw attention of friendly nations and other human right bodies to the plight indigenous people within global discourse (Minde, 2008). For the Ogoni people, advancing through the global indigenous peoples' platforms is a positive step towards consolidating their self-identity, expanding their political influence with a view to being able to put pressure on Nigeria to meet their demands for self-rule through the OBR and pursuing the goals via indigenous peoples' platform.

Ogoni ethno-political movement spiraled in global domain after the execution of Ken Saro Wiwa and 8 other Ogoni leaders in November 1995 by the regime of late General Sani Abacha (Olayode, 2011: 77). As a prelude to the arrest, trial and conviction of the nine Ogoni leaders for treason by a special military tribunal, four Ogoni leaders were earlier mobbed, lynched and killed by irate mobs (mostly youths) in Ogoni land. The Ogoni four were alleged to have betrayed the cause of Ogoni people (Suberu, 2013:44).

The Federal Government's inquiry blacklisted the Ogoni nine to have instigated the violence and riots that led to the killings of the Ogoni four. For this reason, the Ogoni nine leaders were found guilty by a special military tribunal and summarily executed in November 1995.

Human right violations was one of the trademark of the military regimes in Nigeria, state security agencies both the military and police used brutal force to neutralize resistance. Terms such as 'kill and go' 'unknown soldier' 'junta' were commonly used discreetly by civilians to refer to mobile policemen and soldiers respectively. There are cases of alleged extra-judicial killings when state security operatives are sent out to neutralize riots or civil protests. Most of such cases end up uninvestigated and the culprits are not brought to trial.

The 1995 Umuechem massacre of local protesters for oil pollution on their land in Etche local government area of Rivers state remain fresh in the memory families and relatives of the victims of the attack (National Mirror, 2015). Twenty one year memorial service was held in February 2016 to commemorate the death of the deceased persons. After the carnage, no one was charged or tried for the multiple killings of innocent Umuechem protesters to this date.

Those opposed to military rule during military reign, were commonly blacklisted by Government and tagged enemies of the state. Human rights activists from different parts of Nigeria were arrested and jailed some for many months without trial for different reasons. Some of the Ogoni activists that fled from Nigeria as prisoners of conscience were granted political asylum in USA and Canada. This explains why MOSOP has established independent offices in the USA and Canada as these two countries welcomed a quite number of Ogoni political refugees.

Ethnicity and social identity are controversial topics and both remain tough national questions within many discourses in Nigeria. MOSOP being an ethno-political movement pursuing the goals of self-determination Nigeria is received with mixed feelings. This raises not just legal questions about the MOSOP as a movement representing Ogoni interests within global indigenous peoples' circle signifies, it also draws one into assessing how MOSOP's mobilization and actions connects within Nigeria to actualize its political goals.

2.6 What Motivates Indigenous Struggles as Social Action

The challenges of attempting to define people in Africa as 'indigenous' within the context of the use of the term in international parlance is similar to what is experienced in other parts across the indigenous world. The distinctness and uniqueness of indigenous peoples, their issues and related rights in Africa is better understood given the term is differently interpreted across the Anglophone and Francophone Africa (Crawhall, 2011). Ethnicity and social identity have created major conflicts and crises in Nigeria, Ogoni self-determination is caught with the discourse.

States' sensitivity to sovereignty is a big business and many African States have learned over time to treat these topics with utmost care as past experiences with instabilities and civil uprising had devastating effects on national security. Poor colonial boundary partition and post-colonial boundary demarcations are part of the problems (when ethnic groups are dispersed and become marginalized minorities in different states), also the major discourse on indigenous issues in Africa has been centered on pastoralist, hunting and gathering societies while, people outside these categories such as the Ogonis were schemed out tactically.

Sidsel Saugestad in her work with the San people (hunting and gathering people in Botswana and Namibia) contends that 'the legal basis for claiming indigenous status in Africa is generally weak' is not out of place (Saugestad, 2000:303). However, given that ILO 169, the fundamental international instrument on the subject that creates legally binding obligations on states is poorly subscribed, reflects a general situation of apathy and carefree attitudes of many states across the continents towards indigenous people, their issues and related rights.

Indigenous peoples rights in Africa are not static, progressive developments such as the Enderois Case in Kenya, Central Kalahari Game Reserve Case in Namibia, ratification of ILO 169 by the Central Africa Republic in 2010 and reservation of seats for Batwa in Burundi are worthy of note. The Africa Human Rights Commission's well-crafted advisory opinion on the UNDRIP can serve as a blue print in future for interpreting, integrating and accommodating indigenous peoples issues into the human rights parlance in Africa.

Nbete A. D, (2012) used internal colonialism as a theoretical model for explaining the relationship between Ogonis with the dominant groups within Nigeria (Nbete, 2012, 60). He argued that capitalism and imperialism go hand in hand for the economic exploitation of the weak to thrive and sustain over long term. At the conclusion of the article, Nbete submitted that Nigeria has taken off but have not yet advanced as a capitalist state.

Arguably, invoking social actions/responses by the Ogonis can swing the pendulum in their favor from being swept off by the Nigerian State petroleum capitalism. More important, is the fact that Ogoni communities and the common people bear the full brunt of environmental consequences and negative externalities linked to petroleum pollution of Ogoni land. Yet, Ogoni people have no say in the resource decision or fair share of resource proceeds.

Flowing from above, Nbete describes Ogoni land as an internal colony of Nigeria³⁵, he contends that Ogoni land is economically exploited for the material benefits (petroleum) by the Nigerian State. While Ogoni people are politically marginalized through a relationship (master-slave) which Ogonis as the real owners of the resources neither have a say at forums where key decisions on resources are made nor do they benefit equitably from the resource proceeds realized is both catastrophic and unimaginable.

Nbete's article captures the economic incentives and undying appetite of the Nigerian as an oil dependent economy, although it does not argue for Ogoni self-determination through

³⁵ Nbete ibid 57

political actions and mobilizations as this study is designed to cover. Nonetheless, Ogoni contention that the relationship between Nigeria and the Ogoni creates unequal bargaining power requires a radical social change for the living conditions of the Ogoni to improve.

Mbah C. E, (2013) work on MEND and petroleum violence in the Niger Delta captures lucid reality of the frosty relationship between movements in the oil producing Niger Delta communities agitating for resource control and the Nigerian state. MEND started as movement demanding similar reliefs from Nigeria as the Ogoni people but later spiraled out of control at the point '*where greed met with grievance*' (Mbah, C E 2013:54).

MEND's goal was quickly replaced with that of a sophisticatedly organized criminal gang, perpetrating horrendous crimes across Nigeria with impunity and showing no remorse for any of their actions. While the long standing socio-economic grievances might have driven the establishment of MEND, the outcome and personality damage caused by MEND created the national stereotyping of civil movements linked to ethnic groups in the Niger Delta including the MOSOP.

Hence, MOSOP's an earlier established movement is quickly value-judged in terms of smearing their reputation as MEND (a later formed movement) without a second thought. There is even a conspiracy theory of MOSOP having transformed into MEND because a lot of the attacks on oil installations across the Niger Delta took place in Rivers State, MOSOP's base³⁶.

With the dwindling nations resources and market shock in global oil prices, there are rumors emanating from different quarters the Federal Government will scrap Amnesty before the end of the year 2016. Some militant are threatening renewing strikes if the Amnesty programme is discontinued. The Niger Delta region is still highly militarized with the proliferation of small arms which to a large extent could fall or have already fallen into wrong hands of persons who will use them to pursue criminal acts for personal gains and to terrorize and oppress innocent citizens.

Ogoni social actions are instigated by multiple factors which include but are not limited to the quest for resource control and self-determination, environmental degradation and denial of access to a fair share of Ogoni resources. Rivers State is the richest oil producing State in

³⁶ This conspiracy theory of uncivil society in Niger Delta could be true in scenario where member can switch alliances for personal benefits and the identity of MEND's member are completely hidden from public glare.

Nigeria and one of the most economically viable states in Nigeria. It is ironic that Ogoni demand for self-rule is emanating as a result of State neglect and underdevelopment when Rivers State itself could have used its oil revenue allocation to develop Ogoni land.

In some of the developments in this chapter so far, I have tried to discuss how Ogoni-ethno mobilization through MOSOP found its location within the political theory on civil society and the motivation for Ogoni social action as rooted in social action theory within the context of the study. What really motivate the formation of MOSOP as an ethnically inspired but socio-politically grounded movement is to enable Ogonis to mobilize and pursue civil social actions for political gains (self-determination plus social change) through the OBR.

2.7 Ogoni as Ethnic and Economic Minority in Nigeria

The Report of the Special Rapporteur on Minority Issues in Nigeria (2014) herein referred to as (Izsak Report) from my perspective was carried out as an investigation in the general context of national minorities rather than from the perspective of indigenous group seeking self-determination. Nonetheless, the finding of the Izsak's Report is instructive and relevant to the study in that it open up some of the reason the Ogoni issue as a minority in Nigeria is a complex and complicated discourse.

The Izsak Report found that Nigeria's historical political configuration *'is inextricably linked to the existence of hundreds of ethnic groups and languages coexisting within the citizens that make up the country's population'*. The report noted further that despite the recognition of non-discrimination and the principle of equality in the Nigerian Constitution and mechanisms put in place to cushion the effect of rivalries and unhealthy competition among the ethnic groups, managing Nigeria's national diversity remains a difficult task, *It poses important challenges to manage and appropriately address inter-communal and minority issues and to foster the conditions to ensure peaceful coexistence'*.

On the application of the federal character principle, the report found out that some of the standards and adopted practice set forth by Federal Character Commission in applying the principle makes it challenging to achieve any meaningful progress in addressing the inequality and proportional un-representation of ethnic minority in Nigeria. The report faulted the state of origin criteria applied by the federal character commission in implementing federal character as narrow, it should be made more open to reflect true national diversities.

The non-disclosure of ethnic identity rule as it is being applied in practice in Nigeria is to ensure equal opportunities for all Nigerians irrespective of their religious and or ethnic affiliations. Although the rule can be waived in circumstances where the State interest considers same appropriate in order to protect ethnic minority in applying the federal character principle in national projects such as employment into federal service, admission into federal schools, granting of national scholarships and study incentives etc.

The Izsak Report recommended that the federal character commission should consider including data on ethnicity and religion to be able to clearly see the true picture of diversity among its citizens when applying the federal character principle to make its work more effective in responding to minority inequalities and their disproportionate representations. This could also be applied in practice to population census figures to avoid collating disaggregated data which exclude ethnicity and identity as was done in the last national census conducted in 2005.

The finding of the study on the issue of minority rights in Niger Delta region was devoted to Ogonis. The report gives us a brief overview of how state policies meant to create equal opportunities for political participation have not only underdeveloped the Ogoni people '*who lacked services and adequate facilities within their communities*' but have also ensured the issue of their political and economic marginalization is left unaddressed.

Findings reveal important issue of environmental degradation as undermining the development and traditional subsistence of the Ogoni people to practice subsistence activities.

'soil and water contamination resulting in health problems, limiting farming and creating food crises, under representation of Ogoni in politics, Ogoni language nearly invisible in national sphere'.

Even Nigeria's position that 'every ethnic group in Nigeria is indigenous to Nigeria' arguably from the point of being a Nigerian citizen is straight forward, but when it comes to determining ethnic identity or citizenship of Nigerians through their state or local government of origin it becomes a problematic issue in minority discourse. The criteria for recognizing state indigene-ship is through the issuance of indigene-ship certificate by the local government councils to persons who seek to be recognized as indigene of any State through its local government councils.

Not only have the report rightly acknowledge that indigene/settler dichotomy exist in Nigeria as a challenge for minority, the procedure for obtaining and issuing indigene certificate could

be politicized by ethnic groups occupying power apparatus or vintage position in State affairs and can be used as a political tool to shortchange the ethnic minorities within their local territories. Quoting the report on the ambivalent perspective on the subject,

'some groups regard indigene status as safeguard of their rights in the light of growing numbers, influence and economic dominance of other groups while others consider it as a breach of the right to equality and non-discrimination.

The Ogoni people are described as a minority within a minority in a dual sense, as a River Tribe in the Niger Delta they are from one of the most-economically disadvantaged zones in the country even though the country's wealth comes mainly from the petroleum production in the Niger Delta Region.

In Rivers State, Ogoni people are located within four local government areas in Rivers State (within the pink areas in Figure 2) where they exist as a majority within these communities. However, Ogoni people are minorities in Rivers State compared to tribes like the Ikwerre and the Okrika whose political influences mostly determine who gets what when and how in Rivers State politics.

Rivers State receives allocation on behalf of Rivers State and all the local government areas within the state (including the four Ogoni local government areas) from the federal government. Given the political configuration of Nigeria which makes it possible for the majority (in power) to dominate the minority (not in power) at federal and state level respectively, benefit of oil revenue is hardly felt in Ogoni land.

It can be rightly argued that the economic stagnancy and underdevelopment that remain in Ogoni land despite that it has huge petroleum potential which should have made Ogoni communities economically viable and well-developed is a natural flow of double colonization of the Ogoni people (at the Rivers State government and Nigerian federal government level).

2.8 MOSOP as a Case of African Formation of Indigenous Social Action

Following from the explanation in the chapter so far, MOSOP's evolution as a political actor and as an Ogoni agent was inspired among other things by the political and economic situation of the Ogoni people in Nigeria and the reality that their desire for an Ogoni social change through the OBR can be boosted if pursued beyond local and regional mobilization and

trans-activism especially given the non-recognition politics (as indigenous people) by Nigeria and the weak African regional mechanism to pursue its political goals.

The chapter also frames the struggle of the Ogoni people for self-determination in Nigeria within the political context of State non-recognition of what the MOSOP, its mobilization and activism in Nigeria seeks to achieve. Also, the chapter adumbrates MOSOP's actions and engagement through the context of its participation within global context of indigenous peoples circles as a pan-indigenous Ogoni institution within the trans-nationalism and trans-mobilization and cosmopolitan discourse of contemporary indigenous peoples' movement

It is worthy of note that since 1993 indigenous people are global players in international policy process, while claiming indigenesness or identifying people under the generic term 'indigenous people' could be problematic (Dahl, 2012:7). Indigenous people are now integrated into global space through several mechanisms such as the United Nations Permanent Forum on Indigenous Issues (UNPFII), the Special Rapporteur (SR) and the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP).

However, there are underlying issues of power relations and multiple challenges for the MOSOP beyond national non-recognition of its status, the weak regional mechanism to pursue political goals in Africa and the integration of indigenous people into global politics processes. The capacity of MOSOP to participate as actors (alongside other indigenous people pan-organizations) in pursuing its political goals through the available global forum is greatly determined by the power structure upon which the global social and political is built.

The mechanisms on indigenous people at the global level are designed to shape state behavior in the treatment of indigenous peoples and issues within their territories. In practice, these mechanisms do impact state behavior but to what extent state behaviors are altered are greatly influenced by the state in question, which is based on the circumstances of each case. I can fairly say that Nigeria norms as discussed with the political context of the study have scarcely been influenced or shaped by the global indigenous peoples' activism and mobilization.

The new trend of treating indigenous peoples issues purely as domestic/internal affairs as against international affairs is considered attractive to most states, since it allow the states to pick and choose what they want and how they want indigenous peoples issues addressed without any concrete or binding legal obligation on them to do so. For example, the Political Reforms Conference held in 2014 recommended Nigeria should adapt its laws to the

UNDRIP in its treatment of ethnic minority issues (CONFAB, 2014:344-345) and Japan recognize Ainu people as indigenous without subscribing officially to ILO 169.

As it stands, the global mechanisms on indigenous peoples within the UN creates open platforms, meeting and melting points for discussions and interactions between indigenous people from different parts of the world (Glarius, 2012:357). This allows ample opportunity for indigenous people to pool their political power and resources together and to strengthen their capacity as a political player in global politics.

What remains to be seen is how the global indigenous mechanisms can create power platform that can keep indigenous dreams and self-determination struggle alive. Over three decades of international and internal activism by the Ogonis challenging the dominant Nigerian state power using the available mechanisms have not resulted in self-determination.

The Ogoni people's struggle for self-determination and resource control from Nigeria for over three and half decades using global campaigns and advocacies have not produced the desired goal of true self-determination. This can be argued in the context of existing colonization of the weak by the strong permissible within the global power order. Nigeria is an independent state and treated as a sovereign within the comity of nations, it operates within the UN at a different frequency compared to how MOSOP is represented within global scale order.

The power dichotomy between indigenous sovereignty and state sovereignty can be compatible but are incomparable in reality. The States still pull the plugs in deciding the fate of indigenous peoples within their territory. States own sovereignty over natural resources. The former colonial states (are internationally recognized as states in the UN) have been the major obstacles to the dreams of many indigenous nations. Today, the same states are the key determinants of who get what, when and how within the global power order.

Indigenous people in other parts of the world face similar experiences, although some positive changes in other jurisdictions re-ignite the aspiration that all hope is not lost and there is something worth fighting or striving for. Changes in states attitudes towards indigenous people are evolving in different parts of the world today. For instance, after the widely celebrated Mabo V Queensland Case (1992) Australia recognized aboriginal title for the first time within its legal jurisprudence, thus, a shift from its rigid stance which neither accommodated nor recognized aboriginal title claims to land and territories (Tokinson, 2014 : 50).

Canada's adoption of the UNDRIP at the Permanent Forum in 2016 is a big gain for First Nations in Canada. It bears testimony to the Prime Minister Trodeau's promise to improve the Canadian State relationship with First Nations. It is hoped that by adapting the UNDRIP to national policies concerning indigenous people could inspire other States (especially the rigid ones) to follow suit.

On this note, Ogoni survival through MOSOP doggedness shows the MOSOP have not just distinguished itself as a pan-indigenous institution representing Ogoni peoples interests in trans-global context as a recognized social actor within global indigenous peoples circles. MOSOP's platforms used in pursuing its political objectives includes but are not limited to enlightenment, dialogues, campaigns, demonstration, boycotts, active global and local engagements within Nigeria and across trans-national indigenous civil movements.

CHAPTER 3

CHOICE OF METHODOLOGY

3.1 Chapter Overview

To investigate the research questions raised in the study grounded theory was applied. Grounded theory is a strategic theory and methodical process used in social science research that facilitate the integration of theories into study data, as well as the generation of theory from the study data within a given conceptual framework or studied social phenomena.

Grounded theory is described as an inductive methodology which applies generally to both qualitative and quantitative research used to generate theory from systematic research. (Punch, 2014:131) shares similar views that grounded theory is not a theory in a strict sense but a strategy used in research to generate theory from data. The researcher aligns with a hybrid position that grounded theory is a theory as well as a strategic method used to describe, investigate, analyze, verify and generate data and theory within the context of the study.

Adopting the hybrid position allows the researcher to benefit from the flexibility and fluidity of using grounded theory for the research in areas such as ‘integrating concepts through theoretical explanation of the social phenomena under study’ (Cobin and Straus 1990:5) to uncover how the data and theories used inform the study.

This chapter covers the various methods used by the researcher to gather information for the study. The central themes such as where, when, why and how the data for the study is collected will be discussed. Other key areas such as the researcher’s perception about the reliability, credibility and validity of the study data is brushed through in the chapter.

3.2 Analyzing Data Samples

To ground the study in indigenous knowledge from scratch, a type of qualitative content analysis method called the conceptual content analysis was adopted to analyze the data. Holst 1969 (cited by Babbie and Mouton 2001, defines the conceptual content analysis as ‘*any technique used for making inferences by objectively and systematically identifying specified*

characteristics of the data'. In this study, since data was obtained in slices from different categories, the data have to be orderly put together and summarized from the interviews and focus groups with the informants/participants noting the associated categories evolving from the studies and logically deducing findings from the categories of data as they evolved.

The study data was coded from categories that emanated from characteristic of the informants based on their responses to the questions/discussed theme. There is no hard and fast rule on creating categories for the study data, as Krippendorff puts it, creating category for research is 'an art' (Krippendorff, 1980:76), one that is created or coined by the researcher. Thus, coding from the category as used in the study goes a step further by applying logic to the created art, coding, deducting (from the data obtained from the categories) and drawing findings from it.

The category of informants/participants for the purpose of analyzing the data is delineated within the study is classified under two groups; whether the informants are considered indigenous or non-indigenous within the scope of the study. Being categorized as indigenous in the study is associated with being an Ogoni person or belonging to an internally colonized group that identifies itself as indigenous, share similar history of political oppression, socio-economic marginalization and assimilation within Nigeria.

For instance, FG2 informant (OJK) hails from a majority group (Ibo) and openly supports Ogoni self-determination and resource control but from his own ethno-perspective. He noted that 'Ogoni land including the territories of all Igbo speaking Rivers have always and will always be part of Biafra Republic if the Eastern Geo-Political zone secedes from Nigeria'.

Notably, the 'Ikwerre' are politically and numerically the most influential ethnic group in Rivers State, Ikwerre language and names are nearly if not wholly coined from Igbo. Out of curiosity, I asked an Ikwerre friend of mine BO (artificial name) what ties or ancestral trail link him with the Ibo people, he strongly refuted my assertion, in his words, 'I am not Ibo, I am an Ikwerre man from Ikwerre land in Rivers State'.

Belonging to the non-indigenous category within the study means being a Non-Ogoni person, irrespective the informant comes from another ethnic group be it minority/majority within or outside Nigeria. Being considered non-indigenous for the purpose of data collection/analysis as discussed in the interpretation of the study data is linked to supporting the dominant/majority perspectives which is more likely to support national interests above any other interests put side by side.

However, the personal views of some informants/participant may cut across, as the data they provide in some areas do interlink into either of the two categories under the study. There is a potential assumption that Ogoni self-determination is more likely to be supported by an individual belonging to an ethnic group either from the Niger Delta region or the South Eastern Geo-Political Zone.

Recognizing or supporting movements demanding resource control or self-autonomy is seen as unhealthy for national interest and a threat to the interest of other citizens who desires that Nigeria remain as a united country. This explains why questions of self-determination put non-Ogoni informants at ill ease on whether the Ogoni people should be entitled to self-determination and resource control get unpopular support except with core Ogoni persons.

3.2.1 Choice of Methods and Strategies

Using descriptive analysis to summarize the results obtained from the transcribed interviews with the informants in relation to how they responded to the guided questions put to them and the information gathered from informants, FG1 and FG2 participants. The findings are deduced from the data supplied by the informants and focus group participants using both tabular presentation and explanation to adumbrate the study data.

As part of the methods used for the study the terms ‘informants’ and ‘participants’ are categorized under the two groups stressing their ethno-identities. It should be noted however, that when the term informants/participant is used jointly in the study it applies to both groups but when distinguished, it means either of the categories is referenced.

The persons that participated in the focus group discussions I consider as participants because they are former colleagues or they contributed to the research by thinking together with me on the research questions. The persons that are categorizes as informants were interviewed with me in the role as a researcher rather than a colleague.

The Interviews and Focus group (FG) discussions with selected participants was primarily used to gather data for the study. Coding from data from written/documented sources such as legislations, written literatures, journal articles etc. is part of the methods used by the researcher to gather information for the study. However, being an indigenous research paper

the chapter concentrates on the interview and the focus group discussions, while coding data from texts is strategically integrated and discussed within the empirical analysis of the study.

The primarily sourced data was obtained from transcribed interviews conducted with ten informants between June and August 2015 during field work in Nigeria and thin slices of data gathered from formal discussions on the selected study themes with two focus groups (FG) FG1 and FG2 in New York USA and Lagos Nigeria respectively.

The secondary data for the study is gathered from different sources which include but are not limited to written texts, documented archives, reports, journal articles and information gleaned from the internet and institutional web pages etc. For the purpose of this chapter information is logically inferred, deduced and drawn from both primary and secondary data as part of the strategies/method of the study but the chapter discusses the methods in relation to the primary data while the methods for the secondary data is integrated into the study texts.

There are some limitations with the methodical analysis of the study data and it is important they are discussed and clarified within the study. For interpreting/coding data, it is not the full data provided by all the informants/participants that are under the empirical part in chapter 4. It is important however, that responses obtained on some key theme/questions from the informants/participants are represented on tables 3.1 to 3.6 in the chapter.

The researcher had to make selective choices on how to use, what to and where to use the aggregated data accumulated in the course of the study. Not all the useful data gathered from the informants/participants that can be integrated into the study, hence data selection is narrowed down to the data presented in the empirical part (chapter four) and the discussion part of the study (chapter 5).

The limitations with this methodical part of the study are natural; by focusing on certain informants/participants does not imply that they are prioritized above others only that the researcher have to make selective choices on what data should be used, where they are considered useful in relation to the study structure and how they should be categorized within the study.

These designs are only meant to fit in the data within the study and were not intended to create unnecessary bias of the study. It is also hoped that the representation of the opinions informants/participants on some of the key themes in tabular form buttress the fact that researcher holds the data provided through the fieldwork as useful, relevant and informative.

It is pertinent to note that, the opinions provided by informants, are purely individual opinions. They do not represent the collective view(s) of the group(s) they belong to or the interest of who they claim to represent. The study data was fairly and objectively analyzed based on how the information provided by the informants/participants is understood, interpreted and coded by the researcher within the framework of the study.

3.3 Interview with Research Informants in Nigeria

During my field work in Ogoni land, I was treated with initial skepticism as most strangers as treated especially when the purpose of your visit is to make people speak about the unhealed wounds and pains they live with, in their heart day and night. Despite making it clear to some of my informants that the purpose of my visit to Bori was to make them contribute as informants to my study on political mobilization for Ogoni self-determination in Nigeria some persons would still not talk to me.

It was not until I had interviewed a few people that I fully understood from their stories why they would not talk openly about some issues especially before a stranger Jackson a local Ogoni farmer and one of my informants have this to say:

I had barely entered the room after a heavy day's work on the farm, thirsty and exhausted having to ride home on my rickety bicycle about 10km distance and was preparing to catch a nice bath and retire to the dining table for my supper. Suddenly two hefty men whom I later discovered were police officers knocked at my door they pointed guns at me, accuse me of being a sponsor of militancy and insurgency in the state and they insisted that I must follow them to the Force Head Quarters... Before I could utter a word, I was dragged into the police patrol van and zoomed off to the Police Head Quarters in Port Harcourt where I was to spend the next three months without being put on trial and was tortured daily to confess to crimes I knew nothing about. It was after I was released and return home that my eldest daughter informed me two unknown men had visited our yard some days prior to my arrest asking after me. She could not convey the message to me before I left for the farm the next morning. Moreover, I have no reason whatsoever to think anyone was after me since I am not a fugitive (Jackson).

During the course of fieldwork, the researcher conducted personal interview with ten informants (six males and four females). The choice of informants as envisaged within the framework of the study was to interview both well-informed Ogoni and Non-Ogoni persons on the study. Only the first informant contacted by the researcher was pre-selected in advance as a potential candidate for the interview by the researcher. Some of the informants interviewed were referred by informants that had previously been interviewed (snowball

sampling technique), while a sizeable number of the informants interviewed were chosen upon their open willingness to partake and contribute to the study.

The researcher also set measures in place to achieve a gender balance among informants because the Ogoni women are also actively engaged in the Ogoni political struggle land rights and territorial self-recognition. The researcher had a two hour peer group discussion with five post-graduate students from mixed ethnic backgrounds on the subject of self-determination and resource control in Nigeria. The mixed views obtained from the participants is reflexive in terms of the diversity of data each provide on the discussion, cannot be totally dissected from ethno-based their views even as all the participants are nationals of the same country.

The researcher primarily had to use field notes and structured interview guide during the field work based on the sensitive nature of information provided by the informants. Given the circumstance highlighted above, structured interview questions helped obtain answers to most of the questions engrossed in the interview guide.

However, to relax the mode in such a way that the informants could take lead in the research and express themselves in a manner they choose to, the interview mode was conversational to a reasonable degree. Thus, a hybrid of structured and semi-structured interview was used to obtain data from the study informants.

First after meeting with the informants, I scheduled appointments with them and we both agreed to a convenient time, date and venue where the interview was to be conducted. The shortest interview lasted for 49 minutes while the longest was 118 minutes. Questions contained on the interview guide were put to informants, and the researcher jotted down the informant's responses to the questions and subsequently prepared a summary. The summarized texts were discussed with informants during a feedback session to match the recorded information by the researcher against the information supplied by the informants during the interview.

There was no discrepancy whatsoever observed between the recorded data by the researcher and the information supplied by the informants based on the report from the feedback sessions. The table below structurally captures an overview of the informants, it should be noted that the names reflected are not real the names of the informants but other particulars reflected on the table were supplied by the informants. Non-disclosure of the identities of the informants is important given that sensitive information was supplied to the researcher.

The table below captures a comprehensive overview of the bio data of the informants interviewed during field work in Rivers State Nigeria.

Table 3.1 Informants Table

Informants interviewed in Ogoni land Rivers State Nigeria

| S/N | Name | Age Range | Sex | Ethnicity | Occupation |
|-----|------------|-----------|-----|-----------|---------------------|
| 1 | Sammy | 20-30 | M | Ogoni | Waiter/Student |
| 2 | Victor | 30-40 | M | Ogoni | Student/Fisherman |
| 3 | Ramsey | 30-40 | M | Ogoni | Student/MOSOP |
| 4 | Olivia | 20-30 | F | Ogoni | Student |
| 5 | Jackson | 50-60 | M | Ogoni | Farmer |
| 6 | Lisa Mrs. | 30-40 | F | Ogoni | Trader |
| 7 | Mrs. Chair | 50-60 | F | Ogoni | Civil Servant |
| 8 | Big Boss | 50-60 | M | Ogoni | MOSOP/Civil Servant |
| 9 | Adam | 40-50 | M | Non-Ogoni | Lawyer |
| 10 | Evelyn | 30-40 | F | Non-Ogoni | Teacher |

Source: Field Data, 2015

Four of the informants (three males and one female) are undergraduate students from Ken Saro Wiwa Polytechnic in Bori, River State. One of the male informants under the category is the youth leader of Movement for the Survival of Ogoni People (MOSOP) from an Ogoni village. I also interviewed two non-Ogoni informants one male and one female both are Natives of Rivers State, born, bred and residing in Rivers State and at some point or the other (according to information they supplied) have both resided within Ogoni communities in Rivers State, Nigeria.

The remaining four informants were comprised of two males and two females. A former leader of the MOSOP and one of the hotel attendants that ushered me into where I was lodged in Bori are males. The researcher interviewed two other female informants, Mrs. Lisa, a food vendor and middle aged woman selling roasted plantain, yam and smoked-fish in Bori, and Mrs. Chair, a government official.

The researcher maintained very good interaction with the food vendor for a number of reasons, aside enjoying her tasty and affordable meal (yam, roasted plantain and fish are Ogoni delicacies). After transcribing the interviews and assembling the data obtained from the food vendor, she proved to be very resourceful and well-informed even though according to

her, she did not complete her high school education and our conversations were conducted entirely in Pidgin English.

Most of the informants insist that data they provided from the conducted interviews can be used as part of the study but their identity must not be disclosed on safety grounds. The researcher has to respect the informants' wishes, which explains the non-disclosure of respective identities of informants in the study. Doing this is not just an ethical aspect of the study, rather, it goes into other fundamental aspects of the study such as its authenticity, building trust, partnership, confidence, and respecting fiduciary duties owed to the informants as a researcher.

Bori City in River State Nigeria is considered by the Ogoni people as the headquarter of Ogoni land, the location was pre-selected with a view to enabling the researcher obtain information from Ogoni persons within Ogoni heartland. Being a City, the researcher was able to interact with well-informed Ogoni natives both rural and urban dwellers within a highly referred Ogoni community.

Three out of the four informants who are undergraduate students shuttle between urban and rural life by studying in Bori City during the week and returning to their respective villages on weekend. Out of genuine concern I asked these students the same question how difficult it is for them as student living in the village but schooling in the city especially coping with cost of periodic travelling to their villages. Victor one of my informants revealed to me that he has family in the village and he cannot leave them for a long time.

'Spending the weekend in the village keeps me connected to my people and my ancestral land, I also seize that opportunity to work on my farm during the weekends, we can no longer catch fishes in the streams and river these days, all the fishes are gone'.

My informants here made me realize to what extent their ancestral communities play in his life as indigenous person, he feels safer and more relaxed in the village than in Bori.

3.3.1 Interview questions

Data on indigenous Ogoni views was obtained mainly through interview, although some of the information obtained from some participants of the FG1 on some issues seems to share view that supports the Ogoni perspective on self-determination and resource control. Series of

structured interviews were conducted with ten participants in Ogoni land Rivers State Nigeria. Two focus groups FG1 in New York with five ISSP 2015 participants and FG2 in Nigeria with five post-graduate students. The interview combined with the focus groups discussed the key themes and core aspects of the study.

The interview questions were designed to cover the views of Ogoni in general on self-determination, resource control and fair share of the benefit from oil development, who share the blame and how to resolve environmental degradation, the role of the federal government and the MOSOP in addressing minority problems and the potential of MOSOP to achieve self-determination through the indigenous movement. The theme of FG1 was to investigate the perception of non-Ogoni persons towards Ogoni self-determination and resource control.

Structured interview method was adopted, the interview questions are open and not leading questions, which made the interview conversational and allowed the informants to dominate the conversation/discussion in a manner they choose to. The flexibility adopted also allowed the researcher to take notes and to match informant responses against the interview guided questions while the interview/discussion lasted with the informants.

Ogoni people arguing from their ontological perspective on sovereignty over Ogoni land that their existence in Ogoni land precedes the existence of the Nigerian State and having self-identified themselves as indigenous people believe that they are entitled to self-determination by right. Ogoni people believe that by being indigenous people, they have right to be self-determined, they own all the resources within Ogoni territories and have legal entitlement to 100% of resource and whatever proceeds obtained from the resources in Ogoni land.

A combination of these two arguments under the Ogoni ontology on sovereignty and resource autonomy theory explains the Ogoni resource theory and why they seek self-determination in Nigeria. It can be justified from Irene-Daes propositions on indigenous permanent sovereignty over natural resources that the Ogoni claims are meritorious but in practice this position does not only challenge state sovereignty and its sovereign rights over natural resources it also make the issue of indigenous self-determination a very sensitive subject.

The Non-Ogoni views are gleaned from the information provided mainly though FG1 where participants challenged and critique the Ogoni indigenous analogy and Ogoni resource theory. This strategy allows the researcher to obtain a balanced opinion on the subject from the informants and the participants. Eight out of ten of the informants are Ogoni natives

(indigenous) and they all reside within Ogoni communities in Rivers State while all the five FG1 participants are non-Ogoni persons.

The table below will highlight the questions asked of the informants, how they responded to these questions and possibly how their ethnicity played a role in determining their responses.

Table 3.2 Summary of Answer to Questions/Discussion with the Study Informants

| S/N | Questions | Yes | No | N/R | Summary |
|-----|---|-----|----|-----|---|
| 1 | Should Ogoniland remain in Nigeria? | 8 | 2 | 0 | 8 said Yes 2 said No |
| 2 | Can the OBR address the political inequality of the Ogonis? | 8 | 0 | 2 | 8 said Yes 2 Said No |
| 3 | Does the global indigenous forums support Ogoni cause? | 8 | 0 | 2 | 8 said Yes 2 said No |
| 4 | Do you agree that MOSOP as civil and political Ogoni movement be allowed to continue its mobilization for self-rule? | 8 | 0 | 2 | 8 said Yes 2 said No |
| 5 | Does the current political and constitutional arrangement guarantee the protection of Ogoni | 0 | 10 | 0 | All 10 informants said Yes |
| 6 | What percentage derivation you think meet the criteria of fair share? Is the current 13% given to oil-producing communities sufficient? | 0 | 8 | 2 | 8 said No, 2 N/R's because informants were unsure of their answers |
| 7 | Do you support oil production recommence in Ogoni land and oil proceed can still benefit Ogoni people? | 10 | 0 | 0 | All 10 informants said Yes |
| 8 | Are the federal government policies working to solve Ogoni problems? | 1 | 8 | 1 | 1 believe FG policies is working for the Ogonis, 8 said No, and 1 N/R |
| 9 | Can the implementation of UNEP Report benefit Ogoni people? | 10 | 0 | 0 | All 10 Informants said Yes |
| 10 | Do you express optimism in the current leadership of the MOSOP? | 8 | 0 | 2 | 8 said Yes and 2 were uncertain/unsure |

N/R as used in the table indicates none or partial response to the questions/discussed theme

Source: Field Data, 2015

The table below gives us an overview of some of the questions/themes of the study and how the participants and informants responded to them. The tables are displayed to make readers see how the data for the study evolved. It should be stressed that the table does not necessarily capture complete overview of what was discussed with participants and informants, other

uncovered areas will be further reflected in the interpretation of the study data under this chapter and under chapter five centered on discussing the main body of the study.

With the exception of question 10 that all the informants took unanimous position and answered in the affirmative, the pattern reflected responses as highlighted according to the distribution on the table 4.1. This indicates that eight persons who are of Ogoni origin responded similarly to the same questions as captured on the table while the remaining two informants whose views differ or vary compared to the position taken by the other eight can be attributed to their ethnic differences between the informants as Ogoni or non-Ogoni natives.

3.4 Focus Group Discussion with Research Participants in Nigeria

The theme of FG1 is titled ‘self-recognition/resource control by minority from the Niger-Delta region: Special Focus on Ogonis’. The participants of FG1 are all post-graduate students and working professionals in Nigeria. Each comes from different academic disciplines and ethnic groups that cut across five of the six Geo-Political Zones within Nigeria only the North East is not represented within the participants as the invited participant did not turn up to participate in the discussion. The table 3.3 below gives us an overview of the relevant particulars about the five FG1 participants.

Table 3.3 Focus Group Discussion in Lagos Nigeria (FG1)

| S/N | Name | Age Range | Sex | Ethnicity | Occupation/Profession |
|-----|------------|-----------|-----|-----------|------------------------|
| 1 | OJK | 40-50 | M | Ibo | Political Scientist |
| 2 | Mrs. Tsavi | 30-40 | F | Tiv | Sociologist/Teacher |
| 3 | Mrs. GP | 30-40 | M | Urhobo | Banker/Economist |
| 4 | P. Cesar | 30-40 | F | Yoruba | Lawyer/State Counsel |
| 5 | Dan Mo’ | 50-60 | M | Hausa | Linguist/Civil Servant |

Source: Field Data, 2015

The FG1 participants being experienced professionals from different academic fields are all enlightened and knowledgeable about the theme of the FG1 discussion. Being a topical issue in Nigeria, they are aware and interested in presenting their views on the topic. It should be noted that the view(s) expressed by each of the participants are personal and independent

opinions and hence, cannot be generalized to reflect the position of any ethnic group/tribe of the participant(s) as a Nigerian.

Each of the FG1 participants was allowed about 12-15 minutes to discuss on the theme ‘indigenous self-determination in relation to national stability and security of Nigeria as an independent country. At the end of the participant presentations (PP) was the participant discussion panel (PDP). At the PDP, all participants were given the chance to ask/and or respond to questions from other participants. A summary of the discussion was drawn by the researcher who participated as the Coordinator/Facilitator as an independent and neutral observer whose only job was to collate and summarize the report/opinions of the participants.

All the FG1 participants did canvassed their arguments with each defending his/her position especially on why the political demands of ethnic any group(s) within Nigeria clamoring for any form of self-determination is reasonable/unreasonable, justified/unjustified, practicable and impracticable within the political discourse of Nigeria as an independent country. The table below 3.4 below gives us an overview of the discussed theme and the responses obtained from FG1 participants.

Table 3.4 Discussed Themes and Responses of FG1 Participants

| S/N | Question | Yes | No | N/R | Comments |
|-----|--|-----|----|-----|--|
| 1 | Do you agree Ogoni land should remain in Nigeria as part of Nigeria or to separated country/state outside Nigeria? | 3 | 1 | 1 | The 3 participants that said yes believe Ogoni land is part of Nigeria and cannot secede from it, 1 participant believe Ogoni land should be separated from Nigeria and 1 participant gave a neutral response. |
| 2 | Does the current political and constitutional arrangement guarantee the protection of minorities including the Ogonis? | 2 | 3 | 0 | 3 Participants said No, and 2 see nothing wrong with the national political and constitutional structure |
| 3 | Are the Federal Government policies working to solve Ogoni and other minority problems in the | 1 | 3 | 1 | 1 participant said Yes |

| | | | | | |
|---|--|---|---|---|---|
| | Niger Delta Region? | | | | the policies are working for the Ogonis, 3 said No and 1 participant neutral response to the question |
| 4 | Do you express optimism in MOSOP leadership? | 2 | 1 | 2 | 2 said Yes, 1 said No and 2 were gave neutral responses |
| 5 | Does the 13% derivation to oil producing communities meet the criteria of fair/equitable share of the proceeds from natural resources? | 0 | 3 | 2 | 3 said No and want the revenue formula reviewed, 2 were indifferent they call for accountability on the 13% before any genuine review is addressed |
| 6 | Can the implementation of UNEP Report benefit Ogoni people and Nigeria? | 5 | 0 | 0 | All Participants agree that the UNEP report is useful and Ogoni land should be cleaned up |
| 7 | Do you support good governance and accountability as capable of addressing or resolve the Ogoni/minority crises in Nigeria? | 5 | 0 | 0 | All Participants said Yes |
| 8 | Are the Ogonis the real culprits behind the environmental degradation of Ogoni land? | 3 | 2 | 0 | 3 said Yes that local vandalism and illegal refining ravaged Ogoni land, 2 share the view that the Federal government, the Oil companies and the Ogonis all have hand in degrading Ogoni land |

Source: Field Data, 2015

In general, all five participants share same view that degraded areas in Ogoni land should be cleaned up and that good governance and accountability and better stewardship by the State over natural resources and the revenue realized from natural resources will reduce the ethnic minority and resource tensions in Ogoni land. On the rest of the issues, the position moves mostly in three against two responses. It is also instructive that one of the participants raised a new topical stating issue that Ogoni land should not be part of Nigeria or Ogoni land but in a different Biafra Republic where according to him they rightly and have always belonged.

Two participants of the participants, one from the Niger Delta region and the other from the South Eastern Region share views of the discussed theme FG 2 theme that differ in most occasions from the position taken by the other three participants. The participant from the Niger Delta supports the Ogoni view on self-determination and resource control theory which he believes his own ethnic group should be entitled but he argued that Ogoni land should while they remain in a Con-federal Region in Nigeria.

3.4.1 Procedure and Strategy for Organising FG1

The participant FG1 are all post-graduate masters students in Nigeria from different academic disciplines and ethnic groups that cut across five of the six Geo-Political Zones within Nigeria. (South-East, South-South, South-West, North-Central and North-West, only the North East Zone is not represented) Refer to Figure 7 on page 27 map on the geo-political division of Nigeria. Out of the FG1 participants, all five are knowledgeable on the core subject of the discussion being Nigerian and they align their responses with their ethno-perspective perception on the discussed theme.

Each of the participants canvassed arguments and defended their positions especially on why they consider the demands of the Ogoni people as reasonable/unreasonable or justified/unjustified, practicable and impracticable. Participants were allowed time to present their opinions and brief summary of the discussion was done by the researcher. I participated as facilitator and as a neutral umpire in the discussion. In the end, I summed up the discussion with all the participants at the end based on the aggregated opinion of the FG1 participants.

The fifth participant of FG2 OJK was introduced by one of the FG2 participant (P. Cesar). I know P Cesar as a friend from my undergraduate days at the University. He was nicknamed 'Cesar' because of his flair for politics. It was therefore not difficult for Cesar to recommend his friend OJK, they usually share divergent views on a range of topics from national politics, to sports and even on academic debates as participant in the discussion. I approached OJK even though he was quite reluctant to participate in the focus group discussion.

His initial reluctance disappeared at the discussion, and his contribution as a participant to the study, made me realize some facts that I might ordinarily have ignored and be insensitive to as a matter of national discourse. Being an active Pro-Biafra supporter, OJK argued that

government policies such as demolishing market/stalls where most of his (Ibo Clans ply their trade) is killing business for his people.

If our brothers are being attacked and killed in the North and our interest in other southern states are not protected, why should ethnic groups whether minority or majority want to remain as part of this unfair political arrangement called Nigeria?

As discussed in the introductory part of the chapter, I was able to organize a focus group discussion (FG2) on the study with some of my colleagues/participants through the Indigenous Studies Summer Programme (ISSP 2015) at Columbia University in New York, USA. The next discussion on the method of the study will be on the relevance of the ISSP 2015 and FG2 with participants of the ISSP constitute part of the method of the study.

3.5 Indigenous Studies Summer Programme (ISSP) 2015 at Columbia University USA

A two-week intensive summer programme organized by Columbia University, the Centre for the Study of Ethnicity and Race held in New York between May 26th and June 7th 2015 was attended as part of the data gathering process for the study. The ISSP 2015 afforded me the opportunity to rub elbows with scholars, policy experts, human right activists, indigenous advocates, researchers and participants from over 21 different countries.

From the discussions I had with other ISSP participants especially those working on indigenous land rights and policy-related topics, the opportunity to learn from one another by exchanging ideas, sharing relevant information and building new alliances/networks in our respective studies becomes expedient after ISSP 2015 was concluded.

The ISSP 2015 was divided into three sections: the marathon lecture series, the participants' panel and visitation to cultural/heritage sites. In preparation for the lectures, participants were given reading list to cover before the lectures and analyze the discussions in during lecture. Most of the lectures were delivered by seasoned international experts from different academic fields. Our role as ISSP participants was not just to learn from the programme but also to contribute our different perspectives to existing body of knowledge.

An online data bank containing quite a number of written literature/reading list for the ISSP was made accessible to all the participants, from which I was able to access some useful

written articles during the ISSP. It is interesting to note, that the data bank contains a very rich data source that supports the study in terms of open accessibility to relevant Native American texts related the study. The data bank is kept active and accessible even to date.

Through the participants' panel I had the opportunity to present the research to the ISSP participants for about 25 minutes. After the presentation, about 15 to 20 minutes was scheduled to take and respond to questions from the panel. Some of the questions and feedbacks from the participants' panel help to shape this study.

The Visit to Akwesasne Mohawk Territory in the State of New York afforded the chance to experience/learn from reality how implementing native policies and some of the very many associated institutional challenges are managed between the Tribal Council and Council of Chief in Akwesasne. My question to the Tribal Council Chief (at Division) and to the Council of Chief Representatives (at the Long House) addressed how these two parallel bodies despite their long history of hostilities are able to accommodate each other while serving the interest of Akwesasne people.

Some of the discussions and revelations from the state of affairs in Akwesasne captures a similar political situation to the one discussing Ogoni land since the future in part also rests on how Ogoni people adapt and can maintain the struggle with the opposing power forces. Playing an active role in the present political process is imperative for indigenous people in their political struggle.

The need for Ogoni representatives to co-operate with the main actor(s) with divergent interests is preferred to non-peaceful means of managing grey areas of their relationship with the state, yet, the fear that such romantic alliance can create conflict of interests, disloyalty and cooptation of Ogoni representatives by the state cannot be ruled out.

Relating the data obtained from the Akwesasne experience to the study, if some of these experiences were to be applied by the Ogoni people, the Ogoni people can improve in the area of alliance building and dialoging with Rivers State and the Federal Government of Nigeria. Building bridges across national borders with other indigenous neighbors could be beneficial.

The Mohawks St Regis in New York still maintains contact with their sister tribe in British Columbia Canada, according to an Akwesasne Chief '*drawing post-colonial state boundary through our land is incapable of severing the (aboriginal emphasis added) ties and family bond between us as Mohawks*'.

The ISSP 2015 aside being part of data gathering for the study is also instrumental to making the study more concrete, the infusion of indigenous people in international processes into the study came on board after the researcher met and discussed with two international experts on indigenous issues during the ISSP in New York. Also, the one-day working visit to United Nations (UN) Head Quarters in New York brought the insight of linking the study to power relations between indigenous peoples, the UN and the states within the context of how indigenous participation through the available UN mechanisms shape States behaviors.

The ISSP 2015 afforded me the opportunity to meet and engage with indigenous studies student, activists and scholars from different countries around the world. It was an opportunity to get to know the perception of a mini-global forum such as ISSP 2015 on some related themes connected to my study.

I therefore seized the opportunity to organize focus group discussion with some of my colleagues with a view to sharing and exchanging knowledge, ideas and multi-disciplinary perspectives on what the global indigenous peoples' transnational mobilization symbolizes and how we ISSP Participants as the new breeds of indigenous advocates can contribute towards promoting indigenous peoples rights in our own token way.

3.5.1 Focus Group Discussion in New York, USA

Table 3.5 below, summarizes data obtained through the FG2 discussion with some of the ISSP 2015 Participants 2015 in New York. Out of the total five participants two are from the same nationality while the remaining three are from different nationalities. Four of these participants identify themselves as indigenous persons from their respective countries. Three out of these four indigenous participants are actively engaged in domestic and international mobilization of indigenous movement.

Table 3.5 Focus Group Discussion (FG2) in New York with some of the ISSP 2015 Participants

| S/N | Name | Age Range | Sex | Ethnicity | Engagement |
|-----|------------|-----------|-----|------------|------------|
| 1 | Mr. Black | 20-30 | M | Indigenous | Activist |
| 2 | Mrs. Black | 40-50 | F | Indigenous | Student |
| 3 | Ms. Byanc | 20-30 | F | Indigenous | Activist |

| | | | | | |
|---|----------|-------|---|----------------|------------|
| 4 | Ms. Gift | 20-30 | F | Indigenous | Activist |
| 5 | Mr. AK | 30-40 | M | Non-Indigenous | Researcher |

Source: Field Data, 2015

Focus Group 2 was targeted to the role of indigenous participation in global processes and how indigenous participants can contribute meaningfully to indigenous activism by linking their participation through indigenous platforms to achieve local (political) outcomes. All the five participants are my colleagues from ISSP 2015 in New York, most are knowledgeable on the core subject of the discussion and (three out of the five participants being indigenous) have been actively engaged in indigenous conferences, seminars and workshops at different levels.

The views of the participants were aggregated by the researcher and was further analyzed and discussed in the empirical chapter of the study (chapter 4). Some of the issues discussed with FG2 Participants on global indigenous peoples' transnational mobilization as platform for promoting indigenous peoples rights are highlighted below in tabular form.

Table 3.6 Short Highlight of Focus Group Discussion with FG2 Participants and Data Coded From Some of the Themes Discussed

| S/N | Questions | Yes | No | N/R | Summary |
|-----|---|-----|----|-----|--|
| 1 | Is the global indigenous peoples' forum important to indigenous peoples around the world? | 5 | 0 | 0 | All Participants said Yes |
| 2 | Are you prepared to undertake the challenge as a future ambassador working on indigenous issues? | 5 | 0 | 0 | All Participants said Yes |
| 3 | Do you agree that the global indigenous peoples movement is provided with enough platform to support their mobilization for self-determination against their respective States? | 4 | 1 | 0 | 4 Participants said Yes, 1 participant was of the view that it is oppressive but better than nothing |
| 4 | Are your people truly engaged as actors/stakeholders within the transnational movement of indigenous people in the United Nations? | 4 | 1 | 0 | 4 Participants said Yes, 1 Participant said no, indigenous people is an unreceptive term in his national context |

Source: Field Data, 2015

All the five participants believe that global indigenous peoples' forum is important and they express willingness to work and or continue work, mobilizing indigenous peoples' rights and issues at different level (local, regional and global). One participant expressed optimism on the ability of indigenous people to be able to put more pressure of state in demanding the right to self-determination, he calls for decolonization of social power in the UN to ensure States monopoly in areas such as non-recognition of indigenous peoples' are addressed.

3.6 Data Sampling

The data for the study was obtained using mixed categories under the non-probability sampling with the purposive sampling as the starting point. First, the researcher created predefined category of the informants which included that the informants should be well-informed on the core subject of the study, they should live or have lived within particular territory (Ogoni land) and they should be proponents of Ogoni self-determination or Ogoni or persons whose livelihoods depend on their immediate environment (land in specific).

The category of participants in FG2 was uncontrolled because the researcher had the ample opportunity to relate informally and conducted the discussion based on available conditions and circumstances during ISSP 2015 in a common room at the Student Dorm in Bernard Hall where some of the ISSP 2015 participants were housed for the programme. FG1 participants on the other hand, were carefully selected and the researcher had previous contact with most of the participants as either friends/colleagues met during undergraduate programme.

In the end, a mixture of categories under the non-probability sampling evolved from the informants/participants that participated as evidenced from the diversity reflected on the informant/participants table shown previously under the interview sub-theme of the chapter. Why and how these selections/techniques were made and the inputs they contribute to creating categories for generating data is of immense importance to the study.

The male to female informant on table 1 as depicted shows the ratio of 2:3 (four males against six females), (Quota Sampling emanated) was necessary to avoid a patriarchal or male focused study data because Ogoni women are also actively involved and affected by the political and economic situations in Ogoni land. The control variable based on gender

orientation (male/female) was deliberately used to achieve gender balanced effect among the informants interviewed for the study.

Selecting non-indigenous informants (two out of ten) give room to reflect informed but to a reasonable degree some level of dissenting views as part of the data used for the study data. Both non-indigenous informants interviewed are Rivers State indigenes and well-informed and their inputs are significant to understanding the ethno-purpose of the study.

In the similar vein, the FG2 participants were deliberately selected based on a number of factors to generate data from diverse categories mainly the geographical and ethnicity of origin of the participants. These methods were deliberately injected to capture diversity in the categories and views of the participants from a typical multi-ethnic Nigerian perspective.

The information provided by one of the participants OJK, that Ogoni people are part of a different ethnic movement (Biafra) which I will discuss in the next chapter led me into verifying the accuracy of the information supplied by the participant (Chilisa, 2012:166), I had to confirm the position taken by OJK from someone I consider is in a better position (BO Respondent) to respond to the alleged claim³⁷. Adopting triangulation strategy/method adds credit to the data collected and the study in general (Chilisa, 2012:167).

Using the information provided by eight indigenous Ogoni informants as substantial part of the primary data to ground the study allow the study to accumulate and utilize majorly homogenous data obtained from the fieldwork. Acknowledging the need to include data sourced from non-indigenous informants by combining the element of supportive and diverging views in practice allows the study to use different slices of data from non-indigenous sources. This way, diversity sampling technique is incorporated into the data and study methods.

³⁷ Relevant but useful information obtained by side comments from a non-informant and non-participant within the study. The question was asked to clarify the new issue raised on ethnicity and belonging of the Ogoni people. The information provided by (BO) Non-Informants/ Non-Participant) was to further clarify the controversial topic raised by one of the FG1 participant that Ogoni land belong to Biafra Republic. BO is an Ikwerre from Rivers who are believed to have Ibo ancestry, even BO's name without more would send a signal he was of Ibo ethnic origin but he vehemently denied.

3.6.1 Purposive Sampling

A purposive sample was drawn from 20 persons in total, 10 informants and 5 participants each from the two focus group discussions. Purposive sampling also known as judgmental sampling, is a kind of non-probability sampling technique where the researcher selects the research participants with pre-determined criteria in mind based on expected outcomes.

Properties such as who are to be the informants, their ethnic identity, where the informants resides or the kind of job have, whether they are fit to answer certain question or discuss certain themes in particular manner, whether they are knowledgeable on the subject and if the informants/participant meets certain qualities that can be generalized into specific categories. Purposive sampling allows the researcher to select informants who can provide and are willing to give the information that support the study (Chilisa: 2012: 170, Punch 2014: 162).

The informants consist of 8 Ogoni persons who are residing within Ogoni land in Rivers State Nigeria and 2 Non-Ogoni persons who are residing within or outside Ogoni land in Rivers State. According to Babbie and Mouton (2001) purposive sampling increases the transferability of the study and maximises the range of information that can be obtained about the object of the study. This fits in within the context and purpose of this study to gather data from informants that cut across categories and to obtain their diverse views on the core subject of the study.

The study being a qualitative study, the study sample was allowed to be small (Payze, 2004). The targeted sample size was initially pegged at ten but was later increased by ten to accommodate two focus group discussions on some of the core subject/theme of the study which included: the political demands of the Ogoni people for territorial self-recognition in Nigeria, the visibility of Ogoni people within global political discourses and an overview of the perception of selected informants on the nature of the Ogoni political demand within Nigeria. Focus groups 1 and 2 were conducted in Lagos, Nigeria and New York USA respectively, and both were made up of five participants.

Focus Group 2 was targeted to the role of indigenous participation in global process and how participants can contribute meaningfully to indigenous activism by linking the global platforms to local outcomes. All the five participants are my colleagues from ISSP 2015 in New York, most are knowledgeable on the core subject of the discussion, 3 out of the 5 being

indigenous advocates (Mr Black, Ms Gift and Ms Byanc) and having been engaged as representatives of their people at several indigenous peoples conferences, seminars and workshops at different levels (global, regional and local).

The informants and the focus group participants contacted in the course of data gathering for the study during field work were given artificial names for data presentation. Location was one of strategy used in selecting the informants. Thus, the ten informants are living in Ogoni land, or have previously lived in Ogoni land or reside within Port Harcourt, the Rivers State capital. The informants/participants were given artificial names to conceal their respective identities. This is essential given that informants/participants are better protected if their identities are made as invisible as possible.

3.7 Reflexivity

I find myself in the middle of the discourse as a Nigerian, a human rights advocate and an indigenous studies researcher seeking ways on how the Ogoni self-determination and national unity can be harmonized within the context of addressing a national problem. I am also obliged to observe and balance between academic ethics, moral and human rights standards through the research.

I believe my legal background and previous study experience contribute and influence the study text. My master thesis in law of the sea at UiT looked at the how Nigerian law and the relevant institutions regulate hydrocarbon exploration and development in relation to its international obligation to protect the marine environment. Among the findings by the law of the sea dissertation included: ineffective monitoring of production activities and waste discharge in both onshore and offshore oilfields by the regulatory authorities, duplication of responsibilities and lack of cohesion between the relevant regulatory authorities/institutions, bypassing the prior informed consent of local and or indigenous communities before industrial projects commenced and lackluster environmental impact assessment procedures among other things.

Being a Nigerian and coming from one of the majority ethnic group in the country, I am aware there are several unanswered questions regarding how our multicultural fabric as country is woven. Even though I do not necessarily agree that my ethnic identity has offered

me any special privilege as citizen of Nigeria over other citizens coming from non-majority group, instead it worked to the contrary (against me) in specific circumstances. I still believe every person as a citizen of my country should stand up and resist injustice no matter where it emanates from.

Now as an indigenous studies researcher, I am drawn into reassessing how some of those sensitive issues regarding minority rights and protection in Nigeria can be better addressed and resolved from an emerging but very unpopular perspective in Africa. It is beyond doubt, Ogoni land and some other parts of oil producing communities that were negatively impacted by oil are best described as environmental disaster zones.

Ogoni people have and continue to agitate against the Nigerian State, alleging they feel cheated and have not benefitted equitably the way they ought from Nigeria in terms of development, infrastructure amenities, social and economic wellbeing among others. Citizens as subjects of a State are entitled to demand such rights from their state irrespective of the ethnic group or from the part of the country they hail from.

3.8 Ethical Considerations of the Study

In conducting the data gathering and the study as a whole, I am bound as a student researcher to observe the ethical standards required by the Norwegian Center for Research Data. In addition, I owe a legal obligation as a Student of the Arctic University of Tromso Norway and the Center for Sami Studies to abide by all rules and standards governing research in the university. To this end, I first sought and obtained permission and was cleared by all the relevant institutions before embarking on the field work to gather data for the study.

Respecting the privacy of my informants by not disclosing their identity is a fundamental part of my research which has to be upheld at all times based on the sensitive nature of some of the information divulged by the informants. While most of the informants agreed that I can conduct interviews with them and take notes during interview sessions they were very skeptical and unwilling to allow me record their voices on tape or to take photo shots for personal or security reasons which is best understood in the political context of this study.

I also had also gone out one evening to attend a scheduled interview an informant whom I perceived was drunk. Drinking was a regular thing to my informant, to avoid any controversy

resulting from the interview or information I gathered during the interview, I had to look for an avenue not to upset my informant who aside being a very busy person, had to cancel other commitments that evening to accommodate the interview request.

While I stylishly could not turn him down that evening interview since he was bent on speaking with me, we both engaged in a brief discussion on topics not directly focused on my study for about 20 to 30 minutes. I subsequently told him I had to leave that evening and would be pleased to return some other time. I told him politely I was not prepared that evening because I was a bit indisposed but I had to honor the appointment. So we both later agreed and planned for another interview session selected at the discretion of the informant.

The next appointment was an evening my informant's mood was excellent and I remember clearly stating we had to commence the interview fresh and my informant appeared to be clear on this. We ended up spending more time than we had planned to; he even insisted that I have dinner with his family, which I did. I decided to exclude the information obtained from the first visit with the informant on ethical grounds.

My informants and participants were given artificial names to conceal their identities because protecting their respective identities is necessary given that the Nigerian state does not support anything that have to do with indigenous peoples' rights and related issues. The informants could be victims of ethnic attacks (informants/participants) or be prosecuted by the state agencies as engaging in felonious acts against the state; for this reasons, it is imperative the information provided by the informants and participants be kept safe from third party access and or destroyed upon the completion of the study.

CHAPTER 4

DATA AND EMPIRICAL ANALYSIS OF THE STUDY

4.1 Introduction

The goal of the chapter is to present and analyze the data obtained in the course of field work in the most simple and comprehensive manner for the readers to understand. The area of focus in the chapter is the informants and participants as major contributors to the study, the data they provide and the role ethnic orientation play as a possible explanatory factor that influence why and how informants respond differently to the same questions.

This chapter gives a detailed structure of the empirical study of the research. It provides a comprehensive description of the research informants/participants. It further explains the methodology of the study in relation to how it is used to analyze the data gathered and the different approaches used in the process of presenting and explaining the data obtained.

Analysing the data and presenting the results/findings generated enable readers to evaluate how the data obtained meet the objectives of the study as set out in chapter one. The chapter also integrates the qualitative content analysis in presenting the data to code the information and ground the study in the study data. Finally, the chapter lays foundation that allow readers follow up what will be main discussion in chapter five.

4.2 Perception on the Role of OBR and MOSOP in Ogoni Self-Determination and Resource Control

From the data displayed on table 3.2, eight out of ten informants believe that the OBR is a remedial instrument that can address the problems of marginalization, resources exploitation and unfair treatment Ogoni people have experienced as vulnerable minority group in Nigeria. This clearly shows Ogoni people believe their future is better secured if the federal government of Nigeria recognizes them as sovereign nation within Nigeria and grants them the self-autonomy and resources with their ancestral territories.

The remaining two informants do not share the 100% view that the OBR can solve the problems of the Ogoni people but they agree the document has political relevance to the

Ogoni struggle. The two informants share similar optimism and pessimism that the OBR should neither be overinflated nor underestimated. In practical terms they both agree that the demand for 50% oil royalty and the resource autonomy sounds logical and reasonable from the point of economic exploitation of oil producing minorities in Nigeria which they are part of.

I am persuaded to align with the position of the two informants, given the political reality of national dependence of the Nigerian state on foreign exchange derived from sale of crude oil in the world market. In general, the perception of Ogoni self-determination by Nigerians from ethnic groups outside the Niger Delta region shows low level of support.

The points raised above illustrate the fact that some of the demands contained on the OBR are not clearly understood by non-Ogoni persons to make the OBR gain support from ethnic groups outside Ogoni land and the Niger Delta Region. National support for the Ogoni cause would be incredible, national solidarity from other ethnic groups to the political cause of the Ogoni would be more helpful than harmful to their political goal of self-determination.

In similar vein, as the data captured on table 3.4 shows, participants' response to the question on their level optimism in the leadership of MOSOP as a liberation movement for the cause of Ogoni people reveals only two out of the total five participants answered in the affirmative, two participants gave neutral responses to the question and one participant gave a no response to the question.

Given the ethno-political sentiments built around Ogoni demand for self-determination and the resource control, I understand that it may sound difficult for the selected participants to support ethno-political movements that they consider alien or which they are not ethnically attached or belong to. Nonetheless, national solidarity from ethnic groups and persons outside the minority groups can aid the political struggle and give more legitimacy to the addressing the cause of vulnerable minorities In the case of the Sami, Sami solidarity from within was increased after the Alta Dam Case in 1981.

Table 3.2 shows that, eight out of ten informants want Ogoni land to remain in Nigeria, the other two prefer Ogoni to be administered as a separate country distinct from Nigeria. The position held by the two that Ogoni land should be separated from Nigeria if considered within the context of Ogoni self-determination, does not agree with the spirit of the OBR. The

OBR seeks political recognition and economic dependence from Nigeria but it does not literally advocate that Ogoni land should not remain as part of Nigeria (Para 20 OBR).

Table 3.4 shows that, three out of five participants want Ogoni land to remain as part of Nigeria, one participant is of the view that Ogoni people should decide their faith by themselves but does not support violent secession. It is observed that the notion of Ogoni self-determination is interpreted differently by some of the Ogoni informants interviewed during field work. There are three variants of the territorial self-determination but only two appears attractive to most of the Ogoni informants. The preferred options are: the creation of Bori State out of the current Rivers State as the 37th State (federating unit in Nigeria).

The second variant will tactically reverse the system of governance in Nigeria from federal to confederacy structure, where Bori will be recognized as an autonomous confederation within Nigeria with power to control its political affairs, control its own resources and pay some percentage royalty to the center (Nigeria) for resources such as petroleum within their territories.

The least preferred and third option is that new local government council(s) should be created in Rivers State especially in areas within Ogoni communities. The idea behind this is to enable increased participation and more revenue to be received from federal allocations to the local communities in Ogoni land. That this option appears to be the weakest of the three variants of Ogoni self-determination does not mean that it is easier, more feasible or more practical than the other two options mentioned earlier; the intricacies involved in such issues as a national discourse in Nigeria have been discussed in chapter 2.

4.2.1 Perception on Law and Policies, and the role of the Federal Government

From the response on table 3.1 on the question relating to whether law and policies of the federal government have improved the welfare of the Ogoni people seven out of ten informants were of the view that the federal government policies are not improving the welfare of minority ethnic groups, two informants believe that the federal government policies are partially successful in some cases but failed largely in critical areas and one informant did not comment on the question. Her response is that it is impossible to ascertain if government policies are improving the welfare minority or reducing inequalities they suffer.

From the response on Table 3.4 on the question relating to whether the law and policies of the Federal Government of Nigeria have improved the welfare of ethnic minorities in the Niger Delta including Ogoni people, two out of five participants are of the view that laws and policies of the state have been detrimental to the cause of minorities, two participants believe the policies are working for the minorities and that the minority groups especially ones from the oil producing region have benefitted more than other Nigerians yet are never satisfied.

One informant takes a dual view that most government policies in general fail to meet desired targets and they lack continuity, although the Niger Delta region has benefitted and are still benefiting from federal projects and policies. It can be argued that, if government policies have been favorable to the minorities in Nigeria, they will not feel insecure or vulnerable as most of them are. The agitation for improved welfare from the Nigerian State will be less controversial as a nagging national problem than it is today.

The tendency to demand more from the State cannot be ruled out especially in cases where minorities groups feel they should get a big chunk of the apple whenever they have the chance to take a bite. Trivial issues such as relocating government offices from one town to another within the same State could be given political connotation, this was the case in Warri South local government in Delta state in 1999 where conflict ensued as a result of moving the headquarter of a local government from an Ijaw town to an Itshekiri town. (Ibaba 2011: 24).

4.2.2 Nigerian Judicial Process and its Reflections on Ogoni Issues

The issue of resource control and benefit sharing as it relates to the study have been touched in chapter 2 under the heading Indigenous Resource Control and some Conceptual Issues, political agitation for resource was the central theme of FG1 in Nigeria, as it was also mentioned as the major reason that attracted some delegates at the CONFAB 2005 to walk out of the conference over the failure of the Conference to approve an upward review of resource revenue to the resource communities from the current 13% to 50%. One of FG2 participants had this to say,

I am aware of some the legal battles of the Ogoni people against the Nigerian State for resource rights and environmental issues with Shell Petroleum Development Company but... I am amazed why litigants seeking relief against Shell have to do so in a London and not in a Nigerian Court (Mr Black).

The legal and judicial processes in Nigeria are among the many vital tools and strategies the state designs and uses to re-colonize, dominate and suppress minority groups in Nigeria including the Ogoni people. Section of 1 of the LUA ‘*reserves all interest in land in the state through the Governor*’ and as Mr. Black noted from the Bodo V Shell Case suing a parent company for the acts of its subsidiary for tortuous liability for acts done in Nigeria ‘*is an indication that local remedies are no longer attractive for pursuing such claims in Nigeria*’.

Dispensing justice by law courts in Nigeria is slow and at times can be unpredictable. When federal or state judicial officers embark on strikes for some practical examples in states across Nigeria in 2015 (Rivers State inclusive) the justice process is infracted. Also, with the possibility that big wigs are treated as sacred cows ‘*corporate accountability against multinational oil corporation calls for serious scrutiny of the justice process in Nigeria* (Amnesty International Annual Report on Nigeria 2015/2016).

Mr. Black was of the view that the judicial process in Nigeria might have been militating against the (Ogoni), this view is not incontrovertible. Based on my personal practice experience at the Nigerian bar, I can reflect on how the judicial system operates in Nigeria. A plethora of cases instituted against multinational oil companies in Nigeria by local communities and private litigants have been won in the past, hence the hostility theory of local courts in Nigeria conniving with oil companies to deny litigants justice is quashed.

One thing is clear, Nigerian courts will decide cases using its local jurisprudence and according to the laws in Nigeria in determining liability and compensation where and when appropriate. Judges and court rooms in Nigeria are overstretched which makes the dispensation of justice slow³⁸. Shoaga O, (2014, Pp14-17) added other reasons such as buying off litigants by oil companies, legal intimidation since oil companies have the economy to hire the best lawyers, huge costs of litigation, limited support in the form of legal aid schemes for victims to prosecute their claims among other things make foreign courts attractive. Global human right and environmental agencies also fund some of the local cases instituted in foreign courts.

³⁸ Recent celebrated cases against multi-national oil giant in Bodo Community & Ors. V. Shell Petroleum Development Company (SPDC) Nigeria Ltd (Claim Number: HQ11X01280 was instituted in the United Kingdom Shell settled the matter out of court paying over 55Million British Pounds Sterling in settlement to Bodo an Ogoni fishing communities affected by oil well blow out in 2008. Similarly the case of Friday Akpan V. Royal Dutch Shell Plc Netherlands (LJN BY9854), decided earlier in the Netherlands, the Dutch Court awarded damages to the tune of 51Million USD against SPDC Nigeria as damages for pollution of the Plaintiff’s fishpond in Ikot Ada Udo Village in Akwa Ibom State Nigeria

Evelyn and Adam are Non-Ogoni informants but Rivers State indigenes and residents, for that reason presumed to understand the nature of Ogoni issues/political demands at least from their individual perspectives of the politics of oil in the Niger Delta against the Federal Government of Nigeria. They both share to some extent similar Niger Delta ethno-political sentiments on most of the questions relating to the Ogoni people.

Among the salient points raised by Evelyn is moral decadence that allows common criminals (oil vandals) being accorded status as very important persons (VIP's) in the society, confirming the theory that some of the 'bad eggs' leaders in the region have trumped the progress of the Ogoni political movements and those seeking justice for the people. In her words,

'It is worrisome that some of these problems are engineered by the greed (of both leaders and their followers in Ogoni land)...they are Area Fathers (sponsoring and misguiding some of our youths) to go on rampage and when they get into trouble and they cannot get them out'.

Some of the youths are carefree they could do something meaningful but they choose to do otherwise. According to Evelyn,

'Things were very tough for us...How can my father, a middle ranked policeman have seen me and my siblings through university education with the paltry income he earns as wage (now retired)? Scholarships from oil companies to state residents and the support from Rivers State government also helped me a great deal.

This point to the fact that some persons from the Niger-Delta region with doggedness tenacity and fighting spirit survived the odds by tapping available opportunities and making something out of nothing; oil has brought visible and some hidden benefits to the locals, it have also been a constant source of ethnic and political tensions in Ogoni land, the Niger Delta region and Nigeria.

I will add that state regulation in a way is necessary to ensure effective management of land by the state. Although deeply rooted in the idea of state regulating transactions involving land in Nigeria allows the state to exert its sovereign power over all lands. The Nigerian State in this regard can be argued to represent the Nigerian people and the people created the state by electing who they deem fit into political positions.

To this end, one can say the state derives its legitimacy from the people and the people participate in government by exercising their right in choosing their representatives. Hence, state courts are part of the apparatus of the state meant to safeguard the rights of the people.

4.2.3 Perception of the Role of OBR and MOSOP in relation to Self-Determination and Resource Control

Out of the ten informants interviewed within Ogoni land and in Rivers State, eight of them are Ogoni natives. Six out of eight Ogoni informants expressed a vote of confidence in the leadership of the current MOSOP President, the two consider MOSOP an Ogoni business to assess the level of confidence they have in a movement agitating for their rights. The figure indicates that MOSOP enjoy popular support among Ogoni people and they express their willingness to work for and with MOSOP whenever the need arise.

Big Boss is an experienced, well respected and seasonal Ogoni leader and representatives of the people. Having served as a MOSOP leader during turbulent times, he is quite informed about the demands of Ogoni people and the complexities associated with dealing with the issues within national and global discourse. I choose to represent his very informed position within the study to analyze the data under this chapter.

According to Big Boss,

'We have been through ups and down yet we survived against all odds, we were clamped down by oppressive regimes in the past but we never lost our voices as (people) because we believe in our political freedom. Self-determination is our rights as human beings and we will do whatever is needful and use whatever platforms (local and global) to make our political dreams come to pass'. MOSOP has been very vocal about what the demands of Ogoni people entails as their demands are clearly specified in the OBR. The movement is not and should not be seen as a separatist movement because that was never the idea behind the movement.

How can Ogoni land not be under developed, what answered by Big Boss in his words,

When all we get after decades of industrial exploitation of petroleum from our land is environmental degradation...Our lands are almost as good as dead as the coastal waters around it, poor crop yield (due to toxins in our soil) and fishes cannot breed (in polluted waters) yet we continue to grabble under the threats of land grabs from the State.

As expressed by Big Boss, the Ogoni struggle is fueled by anger over the consequences of oil development on Ogoni land and the economic exploitation of the wealth of Ogoni land by the federal government of Nigeria.

4.2.4 The Ogoni people in Global Indigenous Peoples Movement

As I emphasized in the closing paragraph of chapter 1, mobilizing for self-determination through the international indigenous peoples' platform is very important to the Ogoni people in expressing their political voices around the world. Big Boss, one of my informants who is very knowledgeable on and have been actively engaged in MOSOP's mobilization shares similar views as all FG2 Participants on the role of international indigenous peoples global mobilization. In the words of Big Boss,

Our Government policies have failed us before and we know too well the kind of political leaders we are dealing with in this country. If there is anything I can say to further the dream... of Ogoni nation is kept alive because of our political movement in Ogoni land and in diaspora (Big Boss).

All the five FG2 participants responses as shown on (theme 2 and 5 of Table 3.6) express a high level of optimism in the global indigenous people forums as meeting point for indigenous advocacy and visibility of indigenous peoples presence within local and global political circles as actors, participants and stake holder in their own affairs.

In a similar context, six out of ten informants per table 3.1 rate MOSOP's participation and contribution to Ogoni mobilization as commendable, two informants took neutral position, the remaining two rate MOSOP's performance average. The level of optimism in the current leadership of MOSOP per table 3.1 among the informants is five out of ten informants, two took neutral position and three rated the optimism in MOSOP's current leadership at average level.

Analyzing from Big Boss's statement highlighted above, MOSOP's position is clear that Ogoni political movement is a movement demanding for justice, equal rights and the protection of their threatened existence as indigenous people within Nigeria. This is incontrovertible given the obvious truth about the state of affairs in Ogoni land where their land, water and environment and water have been altered by toxins and the effort to address this issue at least from the political stand point have not yielded many results.

Participation of indigenous people in the global process will be a futile exercise if the benefit cannot be enjoyed (at home or abroad) by the people. Mr. Black one of the ISSP participants stressed that,

'Indigenous movement in Africa is developing at a gradual pace but steady pace. Because the policies and views held by most post-colonial states in Africa do not give credence to the 'international indigenous development is insufficient for one to assume there is little or no ongoing development in the field'.

Citing the revitalization of an endangered indigenous language at a European Language Institute in the Netherlands as one of the benefits resulting from globalizing indigenous people's right.

4.2.5 Views on who is the culprit behind the past environmental degradation in Ogoni land?

From the table 3.4, the information displayed on the table show that two out of five participants blamed the FG and multi-national oil corporation for the environmental woes in Ogoni land, they agree that oil vandalism by the locals were of very small magnitude and were usually escalated by the FG and MNOC to gain cheap publicity. OJK states *'There would have been no retaliatory attacks on oil infrastructure if the federal government and the oil companies had kept their side of the deal.*

The remaining 3 participants shared divergent views from the first two. They attributed the blame majorly on violence and insurgency sponsored by militant groups from the Niger Delta Region. There is a huge gap to be filled especially when it comes to determining who should be held liable for petro-pollution and degradation of Ogoni land.

While the oil companies such as Shell might have flouted some operational rules by operating with scant regard for safety of people and their environment and poor maintenance and non-replacement of obsolete oil infrastructure in clear instances Shell admits (which they rarely do as in Bodo V. Shell). P Cesar commented on using the strategy of violence, kidnappings for ransom and vandalisms of oil equipment against the Nigerian State by the Niger Delta people as erroneous and inappropriate means to express ones views, in his words,

"It does not justify vandalizing and rupturing petroleum pipelines that traverse Ogoni land by the local communities or irate mobs in the name of political agitations for self-rule, stealing national wealth is stealing and criminal".

More often than not, both parties (Shell and oil producing communities in Nigeria) are known to trade blames by point accusing fingers at each other when it comes to accepting responsibility for environmental pollution or pollution. As mentioned in the Bodo Case

instance where Shell decided to settle out of court, Shell has also alleged many instances where oil equipment are ruptured by human acts on many occasions.

Analysts (Ogundele, 2008, Osaghae, 1995, Dagne 2006, Scott, 2007) have stated that organized criminal gangs from the Niger Delta region have enriched themselves by profiting from illegal trading in stolen petroleum products mostly from pipelines (crude or refined products). But the radicalization of Niger Delta youths is a product of neglect by the Nigerian state and the apathy of multi-national oil corporation to their plight (Amaraegebu, 2012, 212)

Government crackdown on such illicit activities resulted in identifying some persons and shutting down the illegal refineries operated by these criminal gangs used to refine stolen crude oil in the Niger-Delta region. Kidnapping oil workers/expatriates for ransom, civil disturbances, killing and maiming when rival groups clash are some of the harrowing experiences people have been through (this is not peculiar to Ogoni land or Rivers State but the Niger Delta region as a whole).

The people behind such activities are tainting the image of the ethno-political movement and agitating for the rights of people in the Niger Delta region. Aside the fact that such acts usually adds to the environmental woes in Ogoni land as much as those alleged complaints against oil companies, P. Cesar believes deterrence as a tool for criminal acts can stop oil vandalism in the Niger Delta region, in his words; ‘crime has no place in any civilized society, oil vandals from any part of Nigeria if found should face the full wrath of the law ... sinners should not go unpunished’.

I am of the view that if Ogoni land desires to remain a self-determined territory and part of Nigeria as envisaged under the OBR, Nigerian laws remain supreme and must be treated with sanctity at all times by all citizens and the same rule applies to Ogoni people as Nigerians. The first point is setting the pace for negotiation between Ogoni people (and or other minorities seeking resource control) with the Nigerian State is to shun violence and law be abiding, violence creates more problems, casualties and have many unintended consequences.

According to Dan-Mor it is absurd, *when heinous crimes are perpetuated against the State and the perpetrators behind the crimes address/present themselves as freedom fighters (heroes of the people)*. Do Ogoni people as a whole benefit collectively from the illicit proceeds of nefarious activities? The answer is no, it is only the perpetrators of such crime that enrich themselves (by benefiting from their own crimes). More painful is the fact that

such narrow minded short-term gains pursued by a few misguided persons (attacking oil installations) in the name of fighting for freedom have devastating long term effects on the local economy, lives of other innocent Nigerian citizens and the Ogoni society as whole.

It can be argued that destruction of oil infrastructure such as the gas turbine by vandals will affect power production on the national grid. Around 2005-2009 the level of violence and wanton destruction of oil equipment by groups such as MEND in the Niger Delta region has increased skepticism about the sincerity of purpose of movements agitating for resource control from the Niger Delta Region.

The Amnesty Programme launched by the Federal Government to train militants that lay down their arms is the first time the Federal Government of Nigeria made such offer to quell insurgency in the Niger Delta Region. Security of lives and property that followed in the aftermath of the Amnesty Programme shows it was not a futile venture. Many critics from the Niger Delta were of the opinion that the Nigerian State negotiated peace with the militants to protect its economic interest in the Niger Delta region and not because it wanted to genuinely address the issue of self-determination or resource control agitations from the region.

Some of the repentant militants are returning to their old ways, new waves of attacks on oil installation since January 2016, open up the possibility that violence in the Niger Delta is appearing to take a cyclical trend. The impact of re-militarization of Ogoni land and other oil producing communities is already a matter of national debate, the security operatives search operation carried out in Rivers State in February 2016 have drawn mixed feelings criticism, condemnation and commendations from different quarters in Nigeria.

4.2.6 Perception on National Revenue Allocation

The issues of resource control and share in oil revenue and how Ogoni people can or should participate in territorial self-governance are all issues beyond the ambit of the OBR. These issues cannot be addressed in isolation of Nigeria/other Nigerians and without clarity on how the connected/controversial issues are to be addressed. That the federal government continues to express willingness to spear head Ogoni clean-up operation speaks in volumes on its willingness to uphold its environment obligations to Ogonis as enshrined in S. 20 of the Nigerian Constitution (Vanguard January 2016).

From Table 3.1, eight out of ten informants are of the view that the current revenue allocation formula in Nigeria do not favor the Ogoni people, rather they believe Ogoni people should be fully in charge, managing the resources located within Ogoni land and to retain at least 50 to 100% of all accrued revenue from the resources to Ogoni people. The Ogoni resource view is not shared by most Nigerians especially citizens from outside the Niger Delta region.

From Table 3.4, two out of five participant completely disagree with the adopted revenue formula of 13% bench mark to oil producing communities as rip off, 2 participants agree that if well managed allocation to Ogoni people and Rivers State should have translated into economic benefits for Ogoni people and is more than sufficient. 1 participant took a neutral stand although he calls for extensive reviews such as proper accountability of federal allocations to the state and equitable sharing of benefits (resource proceeds) between the state and oil producing communities.

Ogoni informants agree that the 13% derivation is far from being a fair share and what gets to the resource community is usually minimal because when Rivers State receives allocation from the federal government, it is at liberty to determine how much should be returned to the resource communities and on what the rest proceeds should be utilized. If the resource communities do not benefit as they should and they have nothing tangible in return when the resource taken from their territories the tendency to revolt against the State is high.

Endemic corruption has been one of the major bane on national development in Nigeria, this has also affected minority issues. Although none of the two past democratically elected Rivers State Governor since 1999, have been charged with corruption or money laundering and found guilty unlike in neighboring Niger Delta States, Edo and Bayelsa where past leaders were involved in massive corruption charges after they exited political offices.

Rivers State remains one of the richest states in Nigeria in terms of internal revenue generating capacity and revenue receipt from petroleum from the federation account, but Ogoni land one of its gold mines is largely underdeveloped and lacks access to basic social amenities (Izsak, 2014). This leads us to a possible analysis that Nigeria operates a dysfunctional political and economic system that is disproportional and unfavorable to the resource communities.

What about federal government policies designed specifically to address the issues of ethnic minority groups who like the Ogonis who feel exploited economically by the Nigerian State

and underrepresented within the political machinery of the state are the effective? All the 10 informants agree unanimously on this that federal policies meant to redress the inequality and empower the ethnic minority groups in Nigeria are ineffective, although two of the FG1 participants were of the view that federal policies are not entirely unproductive and have worked well in several instances where state investment paid off.

From table 3.1, all the informants unanimously agree that the 13% royalty currently paid to oil producing communities by the federal government, is unfair to the oil producing communities. The OBR calls for at least 50% royalty to Ogoni communities but the community should be the one managing their political affairs and economic resources, hence it is the community that should receive the royalty and pay 50% the proceed received to the federal government.

On table 3.4, two participants stood against the current revenue allocation formula that gives 13% of oil royalties to the oil producing communities through their respective states, they see this as exploitation of the highest order. Two participants believe the 13% is sufficient for oil producing communities to develop the state and oil producing communities, their position is that the federal government manage and in turn allocate proceeds (received as royalties from the federal government) to the different state quarters as it deems fit, they argue further that 13% if well managed it is a lot of money. In Mrs. Tsavi word 'we should look at the figures and not the percentage'.

The fifth participant believes that an upward review is necessary and the money should get to the oil communities. What was deduced from the data is that state governments might even be the canker worm under developing their own communities when the fund is not translated into tangible benefits for the communities where oil was lifted.

Also, there appears to be a general consensus among the informants/FG2 participants that partook in the study that the issue of environmental degradation in Ogoni land is one (in local and global domain) driver of political mobilization for resource control. It is acknowledged that the environmental crises in Ogoni land cannot be swept under the carpet. However, that environmental degradation should justify territorial self-determination and resource control is overwhelmingly unsupported from other non-Ogonis and other Nigerians in general.

4.2.7 Perception on Ogoni Self Determination

Comparing the statistics on table 3.1 with table 3.4 show that Ogoni people demand for self-determination gets low solidarity from outside the Niger Delta Region and even some of those that support Ogoni political cause may do so for reasons that conflict with Ogoni interest. Ogoni liberation remains with the Ogoni people but the need for true national solidarity from all quarters especially from other ethnic groups outside the Niger Delta region will help to revive and renew Ogoni dream of self-autonomy.

The Ogoni people's political demand for recognition and territorial self-determination through the OBR presented to the Federal Government of Nigeria in June 1992 is not new in international domain, (the OBR was also presented in 1993 to the UNHRC, before the UNPO in 1993), Paragraph 20 of the OBR states that the '*Ogoni people seek political control of Ogoni affairs by Ogoni people*'.

Ramsey one of my informants, expressed his discontent about apathy of Nigeria for having failed to address the marginalization of the Ogoni people in his strongly worded views captured below:

I do not see our dream and political liberty in the future of the country called Nigeria... the federal government and multi-national oil companies that have caused these ailments on our land which can neither cure our land nor heal our open wounds...our once pristine but now oil infested land as it was made by black gold-digging activities ... 'Give us our land...Give us our resources ...our liberty or 'give us death'.

The democratic process in Nigeria is an unfair process in that ethnic minority groups such as the Ogoni people cannot enjoy the dividends of democracy, because their participation in the process is neither guaranteed nor secured under the current political arrangement where being minority (even within minority) is considered a huge political disadvantage. As Jackson one of my informants, put it, '*Ogoni people have little impact in governance, and no political visibility in official/ political government quarters in Rivers State or in Nigeria as a whole.*

One of the participants GP states that:

'oil producing communities in general have been ripped off by the federal government because the people hardly receive fair returns from proceed of sales of the oil lifted from oil producing communities and this is not restrictive to Ogoni people but to most people if not all oil producing communities in general.

Similarly, Olivia another informant commented *‘how can we earnestly believe granting recognition to Ogoni land and territorial self-determination is an easy task when sizeable part of Ogoni lands is disputed with neighboring communities (Andoni)?’*

On self-determination and resource control Adam aligned his views with the idea of increased funding (derivation) for development of Ogoni land as well as other rural parts of Rivers State as way the forward

‘At least we are all Riverians, we also suffer the negative impacts in our land...we buy goods from the same markets...and should benefit from the oil proceeds. We need accountable and responsible leaders and leadership in the Rivers State not ones that are out to milk the state purse dry with their cronies and abandon the people’.

Government policies for the Niger Delta region are treated with suspicion this possibly explains why minority groups from the region are fighting for self-determination as a means to best protect their interests within the political system. But the issue becomes complicated and indigenous self-determination is ridiculed when all sundries are asking for the same reliefs from the Federal Government of Nigeria. The essence of the concept is lost, when this is seen or being used as the easier way to attract state’s attention towards minority causes. As Adam emphasized *‘If Ogoni people are accorded territorial self-determination and resources control why not us too, are we not from this same region and are they more Nigerian than we are?’*

In Dan-Mor’s strongly worded dissenting view ‘Ogoni self-determination is a misguided priority

‘idle youths from the Niger Delta region and other parts of the country should be rid of the get-rich-quick bug and embrace opportunities to improve and train themselves for the future instead of going after (vandalizing) oil pipelines to scoop petroleum product by exposing themselves to grave dangers (explosion, loss of lives etc.) and later blame others Nigerians for their problems of environmental degradation (effects of spills from ruptured pipeline spilling petroleum into land area and coastal zones’(emphasis added).

The comment by Evelyn adds another dimension to the study *‘Some of our local politicians are the real Judas behind our problems’* suggesting possible cooptation of indigenous representatives or past mismanagement of funds meant for developing (Ogoni) communities

by those at the helm of affairs in the government (be it at the local, state or federal level) and community leaders. Some persons supporting the MOSOP movement might be doing so for personal gain. It becomes a crucial issue, if leaders spearheading indigenous self-determination campaigns are persons with tainted characters and questionable reputations.

Among the salient points raised by Evelyn is moral decadence that allows common criminals (oil vandals) being accorded status as very important persons (VIP's) in the society, confirming the theory that some of the bad eggs leaders in the region have trumped the progress of the political movements seeking justice for the people interest they claim to be representing. In her words,

It is worrisome some of these problems are engineered by the greed (of both leaders and their followers in Ogoni land)...they are Area Fathers (sponsoring and misguiding some of our youths) to go on rampage and when they get into trouble they cannot get them out'.

Some of the youths are carefree they could do something meaningful but they choose to do otherwise. As Evelyn noted earlier things are tough for her coming from a minority oil producing community in Nigeria but with goal-oriented passion, she used her youth to overcome many challenges and turned out successful in the end. Ogoni youths should embrace that kind of spirit instead of looking for short cut to quick riches from illicit sources.

OJK and Dan-Mor, took extreme positions on the theme of indigenous self-determination at FG1 clearly captures what the nature of the subject from a Nigeria/Nigerians point of view. One ethnic group cannot or should not ask for relief that can be detrimental to the sustainability of Nigeria as a country or other ethnic groups in general (OJK).

The demand for Ogoni self-determination is viewed in this light by those opposed to the idea; the fact that Ogoni people seek self-determination through the OBR and claim they want to remain as part of the country is noted in the OBR (merely on paper) but viewed either as conflicting with national interest, national unity and territorial integrity of Nigeria, or as a mission impossible demand which (in reality) should be discountenanced in order to dissuade ethnic groups seeking or willing to secede from Nigeria from legitimating such claims.

4.3 Chapter Summary

There seems to be some kind of disconnect and mistrust of intentions of groups seeking self-determination by other ethnic groups in Nigeria who do not want or seek same. The solidarity

for Ogoni self-determination is perceived more as a Niger-Delta/South Eastern cause, one where the ultimate agenda is to secede from the state because of the oil presence in the region. It is indisputable, Nigeria as a country survives mainly on revenue obtained from the sale of crude oil in the world market and the proceeds realized is shared between the state and its component units and used to support running the state affairs.

The goal of the chapter is to code and saturate the data by simple presentation, succinct analysis and detailed summary in a clear and simple manner that be easily understood by the readers. The chapter captures a comprehensive overview of empirical analysis of the study. The information obtained from the informants and participants through interviews and focus group discussions is presented, analyzed and summarized within the chapter.

Presenting the data gives readers a clear picture of the relevant issues and topics to be discussed in the next chapter. However, not all the relevant information can be integrated or presented in this chapter, and some of the information that could not be presented within the chapter and integrated into the discussion part in the next chapter and the concluding chapter.

In this chapter unlike the preceding methodology chapter that merely glossed over the methods of the study, data is discussed extensively in the chapter. The participants/informants are clearly described and how they participate and contribute to the study data is explained. The empirical analysis of data provides a trail for readers to follow the methodical approach of grounded theory as applied within the context of the study.

Also, a summary of the emerging themes from the analyzed data are noted as having evolved from the raw information obtained from the informants/participants to stress the importance of the informants/participants as main contributor to the study. This will help readers to know/understand better how the study is connected to other key themes/discussions that are directly related to the study which are not the main focus of the study.

The chapter describes the informants/participants and their respective responses to the main discussed/subjects of the study are represented in tabular form and interpreted accordingly. The focus on selected informants/participants was used to capture a general overview of the responses given by the categories as they were created within the study to code, achieve coding and to saturate the study data. The analysis of data and how the findings gradually emanate and were drawn up from the processed data are covered in the chapter.

CHAPTER 5

RESULTS AND DISCUSSION OF STUDY FINDINGS

5.1 Introduction

In general, the chapter discusses the study findings in relation to how the study resolves the main research questions and other related issues. The chapter also allows the readers to investigate the study findings as to whether the study goal is reached. How the study contributes to the existing knowledge on the topic (more from an indigenous studies perspective) and how the study findings permeates within the study themes and the study limitations as it concerns possible suggestions in areas for future research are all discussed.

The discussion in this chapter answers two of the three research questions raised in the study. The two research questions are discussed from the data as presented in chapter four, and from the areas opened up for further research in chapter four and the reviewed literatures sources cited in the studies. Research question one the challenges to Ogoni self-determination in Nigeria is split and discussed under three levels which are the local (in Nigeria), the regional (in Africa) and global (at the supra-national realm under the international legal system).

Local challenges/obstacles to Ogoni self-determination is discussed from responses provided by the informants while the regional and global challenges research are discussed from document/text analysis using literature sources referenced in the study. The second research question, to what extent international and regional indigenous peoples' political mobilization (at the UN level and through MOSOP) is a tool for social action towards self-rule is discussed from the responses obtained from informants in relation to the interview questions and the focus group discussions on the theme.

The third research question is merely highlighted in the chapter as a direct result of the irreconcilable gaps between research questions one and two. The third research question is discussed summarily discussed in the concluding chapter as a problem solving question revolving around the entire study.

5.2. National Challenges towards Achieving Sustainable Ogoni Self-Rule in Nigeria

Nigeria is Africa largest economy and the most-populated country in Africa with a population of nearly 180 million (World Bank 2014)³⁹, and as a natural resource dependent economy it places high premium on its ability to control resource and re-distribute realized proceeds in a manner that fulfill its national objective to allocate and distribute resource revenue to the citizen through the States in Nigeria. Petroleum is Nigeria's largest source of foreign exchange accounting for over 75% of the country's budgetary revenue (United Nations Conference on Trade and Development).

Rivers State is the richest among all the oil producing States in Nigeria, Rivers State is ranked second to Lagos as the only two economically viable states in Nigeria that can survive through their internally generated revenue without receiving any allocation from the Nigerian Federal Government⁴⁰. With these facts stated above, it is mind boggling that Ogoni land and its people are not swimming in oil wealth but rather they are wallowing in poverty and ill-health caused by environmental degradation and negative impacts of petroleum production.

One of the major obstacles to Ogoni self-determination as found in by the study is Nigeria's non-recognition of the status of the Ogonis as indigenous people as defined under international law. Nigeria's State practice towards international instruments that deals with rights relating to indigenous peoples has been that of neglect and apathy. Even if it is arguable from national position, Nigeria as a sovereign can decide to withhold or consent to its being signatory to the ILO169. Nigeria could still adopt the UNDRIP which is a non-binding legal standard setting instruments on indigenous peoples issues.

Since 2007, Nigeria's abstention when the declaration was adopted have not changed, it can be argued logically that its national position and attitude towards the Ogoni demand for self-determination leads to no other conclusion other than 'indigenous peoples issues is not considered as a national priority. In this sense Ogoni peoples' entitlement to self-determination through the OBR would appear a misconception, unacceptable, inexistent incompatible with Nigerian State policies.

³⁹ Information available at www.worldbank.org/en/country/Nigeria

⁴⁰ Information available at <http://www.nigerianmuse.com/20150102131151zg/nigeria-watch/nigerian-states-and-internally-generated-revenue/>

Findings also reveals that both persons that are in support or opposed to Ogoni self-determination want Ogoni land to remain as part of the Nigeria State save for a very few of the of the informants and participants engaged in the course of the study advocated that Ogoni land should be separated from Nigeria for it to be able to exercise the right to self-determination.

In line with the OBR Ogoni land is to remain and be administered as part of the Nigeria by the Ogonis themselves and on the condition that Ogoni 'internal autonomy and resource independence' from both Rivers State and Nigeria is guaranteed. These two gigantic demands are often misunderstood, misrepresented and misinterpreted among Nigerians/Non-Ogonis as calling for political secession whereas it is a legal right Ogoni people are entitled by virtue of claiming indigenoussness and can demand from Nigeria.

Except some established laws in Nigeria such as the Nigerian Constitution, the LUA and the Petroleum Act are repealed it will be impossible for the Ogonis or other minority ethnic group in Nigeria to advocate for self-determination. Nigerian laws mirrors Nigeria's state practice on indigenous peoples issues in reality. Government policies geared towards reducing minority inequalities and empowering ethnic minorities such as the Ogoni people have been counter-productive. As Sammy noted government policy for us Ogoni have been unproductive as *'taking malaria pills to prevent HIV'*.

Some ethno-movement that evolved from Nigeria especially the Niger Delta region agitating for similar reliefs as the Ogoni especially resource autonomy are worst practice of uncivil mobilization one can ever think of, they pursued sinister goals that plunge the people into more problems while they enrich themselves from the pain of others. It is ironical a few tainted criminal gangs are being used as the national baseline and stereotypes to represent the Ogonis and MOSOP. MOSOP and the Ogonis have learnt from the Ogoni Four and Ogoni Nine experience that self-violence is unhealthy for their political dream of self-determination.

If there was no under-development, political marginalization and exploitation, Ogoni people might not really care about the OBR or be striving for self-rule and resource control in Nigeria. A few among the informants interviewed were of the view that a good life is what really matters to them irrespective of Ogoni self-rule or otherwise.

As Izsak noted, *'good governance is a guarantee that minority groups who do not hold dominant positions participate in and are fairly considered when taking political decision*

(Izsak, 2015, 20). Ogoni political and economic marginalization and exploitation would have been minimized if good governance were in place. Corruption, embezzlement, diversion and mismanagement of public funds by public office holders in Nigeria have been linked to the major cause of underdevelopment in Nigeria. It is even worse that minority such as the Ogoni could not have been able to secure political seats at the State level not to talk of the federal level.

The major problem of under-development in Ogoni land can be attributed to mismanagement, lack of transparency and accountability even by political leaders that have run Rivers State. The solution to some of Ogoni problems are not far from Ogoni land and can be improved at the Rivers State level before looking up to the Federal Government for assistance. It is some of these kinds of challenges that further motivate MOSOP to rally round and mobilize its actions towards self-determination as a means to protect collective Ogoni interests.

The federal character principle in Nigeria as a state policy meant to ensure equal participation for minorities including the Ogoni is flawed. As the Izsak Report recommended, the inclusion of ethnic and religious identities in applying the federal character principle could be a serious challenge for the Nigerian state to apply in principle and in practice. Exclusion of religious and ethnic identity was a deliberate innovation applied by the Nigerian State during the 2006 census to foster national unity. Peaceful coexistence remains an ultimate search in Nigeria.

The politics of non-recognition of Ogoni people by the Nigerian State and treating Ogoni self-determination issue as a local affairs is big challenge to the Ogonis, State laws that reserves resource ownership and control in the State are intact and the unsettled issue on what should be the fair share paid to resource communities and who should be in charge of managing natural resource remain a major unsettled about the Ogoni self-determination.

Language policy in Nigeria does not support minority languages, Ogoni languages are endangered. If language is not revitalized it becomes difficult to train indigenous kids of illiterate parents in English language through school the system who may find it difficult to learn at early stage in English.

Nigerian State responses and Education policy covers English and the three main indigenous languages (Hausa, Ibo and Yoruba). Parents have inherited the role of teaching the kids mother tongue education in the home right from early stages in life. Language is part of the right to self-determination, solving the unemployment crisis in Ogoni land will be minimized

if more Ogoni people can go to school, they have better chances of being able to secure jobs elsewhere.

These national problems discussed are some of the major challenges that motivate social action and Ogoni people mobilization through MOSOP. Self-determination is open ended,

5.2.1 Regional African Challenge

One of the major reasons why indigenous social actions in Africa remain at low ebb is because of the absence of potent regional mechanisms to support the local struggles of indigenous peoples in Africa. This could be argued as accountable for why local struggles such as that of the Ogonis in Nigeria are visible and mobilized through the transnational medium of indigenous peoples' movement rather than on the regional African level.

Also, many African State such as Nigeria are uninterested in indigenous peoples' issues as it is constructed within the global context of the discourse. The politics of the African States hostility was at play during the preparatory process for adopting the UNDRIP, in Crawhall's opinion it was responsible for another one year delay before the UNDRIP was eventually adopted in 2007.

African States were vociferous and defended their arguments though the African Bloc in Geneva that their limited contribution and participation during the preparatory process of the UNDRIP call for more time for them to study and analyze the implication adopting the UNDRIP will have on the African State Bloc. Nigeria and Kenya still maintain their neutral position to the UNDRIP, they are yet to adopt the UNDRIP.

Indigenous peoples' rights in Africa, is still evolving and yet to find its deep momentum as it is in the Latin America region. In the case of the Ogoni people, it could be argued that they have benefited more from their mobilization through the transnational network of indigenous peoples' movement at global than they have on the African continent. This however should not be interpreted to mean that the African regional mechanisms have nothing to offer the Ogoni mobilization for self-determination⁴¹.

⁴¹ The case of SERAP V Federal Republic of Nigeria was instituted by a local NGO in Nigeria under the ACHPR, the decision found the Federal Government to have violated the right of Ogoni people as contained in

More often, the focus on indigenous issues in Africa have been on hunt gathering and pastoral societies thereby excluding people from outside these two groups. Ogoni livelihood is fishing and farming, not many examples of indigenous peoples' movement in Africa outside hunt gatherers and pastoralist groups have drawn attention to their cause. From the available statistics of indigenous groups reflected through IPACC studies and within the Africa Commission over 95% of the focus groups are either hunter gatherer or pastoralist groups (African Commission 2006)

The available mechanism legal mechanism to pursue indigenous peoples claim in Africa within the African Union (AU) merely exist on paper. The African Commission on Human and Peoples Rights (African Commission) exist as a quasi-judicial body but is near inexistence in reality. Indigenous peoples issues is coldly received by a handful of African States, this was openly played out when UNDRIP was being negotiated. The ACHPR advisory opinion on the UNDRIP is insightful be the starting point that indigenous peoples issues can be accommodated into Africa if African States and the African Union direct its focus in this regard.

It is imperative to add that dealing with indigenous peoples issues (Ogoni issues) under the African Charter of Human and Peoples Rights (African Charter) is not in itself the problem but how practicable and effective the mechanism can impact Nigeria's behavior as a state is very fundamental. In the case of SERAP V Federal Republic Nigeria decided in 2001, the African Commission resolve the matter in favor of the Ogoni people held among other things that Nigeria violates Article 14 'property right' and 24 'right to a general satisfactory environment' of the African Charter a statute which Nigeria have ratified and domesticated as part of its national law.

Of what relevance is such unbinding decision on Nigeria? Nigeria never sent a single representative to participate throughout the proceedings of the Commission in the SERAP Case and even the judgment entered against Nigeria cannot be enforced against it based on the status of the African Commission decision which does not bind the States. The SERAP V Federal Republic of Nigeria's Case is best described as a mere declaratory judgment which have contributed very little or nothing to the position of Nigeria on matters relating to the Ogoni people.

Sections 1 and 16 under the African Charter. The same case was instituted at the ECOWAS Court in 2012 with the ECOWAS court found Nigeria have violated Articles 1 and 24 of the African charter (Para 120).

As prelude to strengthen the fragile legal structure and institutional mechanisms available to pursue indigenous peoples' issues in Africa, Africa can establish legal and institutional mechanism to suit African conditions as was done in Americas under the Organization of American States. Some of the wonderful precedents set by the Inter-American Court serve as inspiration on indigenous peoples' right and hope for the weak, the powerless and vulnerable indigenous minorities around the world.

These multiple challenges and the absence of an organized and well developed mechanism to pursue indigenous rights claims in Africa is what makes Ogoni people to take their mobilization from local to global. The transnational indigenous peoples movement have been applauded by pundits as opening closed spaces for indigenous peoples' to mobilize their actions but the international system also have its own peculiar problems which make it difficult to challenge national or supra-national authorities. The challenges will be discussed in the next theme.

5.2.2 Global Challenges

Integrating indigenous people into global power structure since the 1990's have brought about changes and created spaces for indigenous peoples to air their voices through available international forums. Ogoni people entered the league of indigenous peoples movement and has been active for over three and half decades but the dream of Ogoni self-rule pursued through these available platforms have had little if not so infinitesimal influence on Nigeria's position or its behavior towards Ogoni self-determination.

What then could possibly be accountable for the inability of the MOSOP to achieve sustainable Ogoni self-rule in Nigeria through mobilization using the global indigenous peoples' mechanisms? It is a welcome development that through global processes compliance standards and best practice are established for states in the treatment of their indigenous people and related issues. However, how can these standards be enforced on the States? Are there existing mechanisms sufficient to compel states especially the unwilling ones to abide by global standards on indigenous peoples rights and related issues?

Analyzing the power relations and power capabilities between MOSOP as NGO mobilizing its activities through the global indigenous peoples' platform to pursue self-determination in

relation to its capacity to put pressure on Nigeria (a sovereign) to an extent that the latter can be bound is both complex and quite complicated. MOSOP as an indigenous people NGO and Nigeria are unequal partners within global political domain and the existing power structure in the global social order.

In addition, Nigeria being the stronger vessel can pull the trigger and set the ball rolling whenever and however it choose to do. Nigeria flexing its muscles have shown that by staying away from the two instruments (ILO 169 and the UNDRIP) relating to all matter that is connected to indigenous people and its blatant refusal to acknowledge or recognize Ogoni as indigenous people leaves the MOSOP and the Ogonis at the receiving end with no law to contractually bind Nigeria and limited means to compel Nigeria to meet its demand.

Decolonization of the power structure within the global social order is a first step creating greater sense of responsibility for the states towards the treatment of indigenous peoples and their related issues. The current global mechanisms as it stands is not the problem per say, it came as reward for the struggle of several years effort of resistance and advocacy, the real fruit of the struggles cannot be reaped by the Ogonis unless the power inequalities unless the power inequalities highlighted above are singled, revisited and dealt with accordingly.

5.3 Contribution of Social Mobilization (MOSOP) using the Global Indigenous Peoples

As argued above, power inequality at the top level (global) and on the regional and local level (Nigeria) have been a major factor in determining political outcomes for the Ogonis and MOSOP. MOSOP's over 35 years visibility through the global indigenous peoples lens may not have produced the expected outcome of sustainable Ogoni self-rule but it have not been totally and exercise in futility some of the achievements are worthy of mentioning.

MOSOP's is today the only civil movement in Nigeria that have recognized status within the UN as representing indigenous people organization from Nigeria. Ogoni issues since the 1990's have gained global solidarity from different political actors at the international stage which include the support of states, human rights organizations, powerful world environmental NGO's as well as indigenous peoples support from across the world. These achievements are remarkable and inspiring for the Ogonis and indigenous peoples in general.

Green Peace and Amnesty International have been very active on the environmental advocacy of the Ogoni issue. Amnesty International in collaboration with local Ogoni residents

conducted investigation on the scale of pollution and the cause of degradation in Ogoni land in 2015. With this transnational support Ogoni peoples were able to take on one of world largest multi-national oil corporation (Shell) resulted into out of court settlement where Shell paid huge sums in millions to compensate Ogoni residents and communities that suffered pollution from oil well blow out in Bodo.

In 2014, Special Rapporteur Rita Izsak conducted a study on minority issues in Nigeria and Ogoni was one of the focus group of the study. It can be argued that Ogoni mobilization through local resistance and international unquiet-(ness) have kept minority and indigenous rights issues in Nigeria within global hot spot. The simple analysis is that Ogoni struggle would have been possible if there was no platform to present their voices to the whole world.

The Ogoni struggle for self-rule is about continuity in their attempt to put international pressure on Nigeria to revisit their issues of self-determination through the OBR. Even if self-determination as demanded through the OBR is yet to be achieved, have achieved global visibility and making the Ogoni struggle known as an indigenous struggle as indigenous people seeking self-determination from the Nigerian State.

MOSOP's mobilization and campaigns have put Nigeria in the eyes the whole world and in the court of global public opinion. It create a sense 'caveat' for the Nigerian State' even if it is not doing anything to support Ogoni case for self-determination its ability to take steps to that can further undermine Ogoni peoples rights will be threaded on carefully so that Nigeria does not earn a bad reputation within the committee of nations. The UNEP Report on Ogoni land is one of the positive gains of MOSOP's mobilization with the assistance of its global partners.

If MOSOP had kept quiet and its global partners such as Amnesty and Green Peace did not offered their support, it is possible nothing would have been done till now to investigate the extent of environmental degradation in Ogoni land. The UNEP report merely confirms what the Ogoni peoples have known and have lived with as a tragedy for a very long time. Continuous mobilization to make the Federal Government of Nigeria kick start the clean-up process in Ogoni land is talked about locally and globally, it is a popular caption in the media.

The Ogoni people celebrate the Ogoni Day on 4th January as an annual ritual on the same date indigenous peoples' day is being celebrated day since 1993. Ogoni people have a national flag, their national anthem and they engaged in global indigenous peoples' mobilization, actions, campaigns, sending representatives to attend trainings, workshops, etc. It is

instructive to note, that MOSOP have official status to attend and participate alongside other registered indigenous peoples institutions within the UN and in other global indigenous peoples' forum.

5.4 Study Findings from Discussions

It is common for people to raise other issues peculiar to Ogoni land such as the environmental degradation and recommencing petroleum development in Ogoni land when asked questions in relation to the Ogoni demand for self-determination in Nigeria. In clear context, the Ogoni self-determination as contained in the OBR rest on two main pillars: *the political control of the internal affairs of Ogoni territory* as part of the federation under a self-made Ogoni political institution and the *economic management, development and utilization* of the natural resource (surface and sub-surface) within Ogoni territories by the self-made Ogoni political institution for the betterment of Ogoni land and its people.

What group rights and collective right to self-determination or self-rule demand by the Ogonis when argued from the Nigerian State position implies that the Ogoni people have never been denied self-rule in Nigeria as it is the case for the different ethnic groups in Nigeria. The traditional institutions does exist not just in Ogoni land but across the different ethnic groups in Nigeria, in this regard the local kingdoms and fiefdoms in Ogoni land act as their local political institutions for self-rule and they are empowered to manage and regulate internal Ogoni affairs in their locality only upon the conditions and to the extent that the laws of Nigeria permit them to so act.

On the Ogoni right to economic self-determination is a complex aspect of the political demand for self-determination because the nature of the demand is irreconcilable within Nigeria's political atmosphere. The Nigerian Constitution reserves the right to ownership and management of natural resources as a sovereign state in the Federal Government of Nigeria.

Also, since the natural resource ownership and management are matters on the exclusive list, both falls within the monopolized area of state control. These are areas as revealed from the study Nigeria is unwilling and unprepared to give up on.

There is not known jurisdiction where a State have ceded its sovereign rights over natural resources to its indigenous people. Canada for instance gives monetary compensation to First Nations and tracts of land as reservations such lands are not completely devoid of State control as legal expropriation is possible in future when adequate compensation is paid. In the USA under the Alaska Native Settlements Act, management over resources is vested in native regional corporations and native communities could partake through minority shareholding in the companies and earn profit accordingly but not as outright owners.

The response one gets is quickly connected to the Niger Delta people and to MOSOP' but the stereo-typing allow Non-Ogoni people to judge the MOSOP from the score sheet of violent movement such as the MEND agitating for self-rule and resource control for the Niger Delta region and its People. There truth is, officially there is no political connection between MOSOP and MEND but there is also no evidence to the contrary to show or prove otherwise.

Through the international indigenous peoples' political mobilization, MOSOP's mobilization for self-rule have paid off in the area of environmental mobilization and transnational environmental campaigns which is a dual development in the field of general human rights which affects the rights of Ogoni as indigenous peoples. But that benefit would have been boosted if Nigeria show open willingness and sensitivity, to embrace, accommodate and prioritize Ogoni issues as indigenous peoples' issues requiring urgent national attention.

As Shown from the study, Nigeria have neither shifted its grounds on how it perceive the issue of Ogoni self-determination nor showing any signs it will do so in the short or long term. This rigidity as it can be argued makes Nigeria insensitive to the global indigenous peoples' movement, which I call a hostile nation to indigenous peoples' rights and issues. It leaves Nigeria among the league of countries that deliberately and consistently downplay indigenous peoples' rights and offer little or no possibilities towards solving them amicably.

The Ogoni mobilization and social actions towards self-rule is caught in the web of dilemma and paradox of other numerous mobilizations for self-determination and resource control in Nigeria. MOSOP's actions through campaigns and peaceful demonstration against the Nigerian State and Shell are targeted towards drawing urgent attention their plight is a model worthy of embracing by civil movements not only in Nigeria but across the indigenous world.

An Ogoni commentator commented and acknowledge some unscrupulous persons might have bastardized what the Ogoni movement stands for, but to him, approach and results that have

been achieved so far described it as *'the triumph of non-violence and framework for resolving conflicts in Ogoni land and the Niger Delta'*⁴².

⁴² International Group Africa Briefing No 54, 18 September 2008, *Nigeria: Ogoni Land after Shell (P7)*. Full report available online link at <http://www.crisisgroup.org/en/regions/africa/west-africa/nigeria/B054-nigeria-ogoni-land-after-shell.aspx> Accessed on 24th April 2016

CHAPTER 6

SUMMARY AND CONCLUSION

6.1 Introduction

In this study, I have explored the importance and contribution of political mobilization using global indigenous peoples' platforms to Ogoni advocacy for self-determination in Nigeria. I also discussed the challenges and obstacles as to why MOSOP has not been able to achieve sustainable self-determination for the Ogoni people after over three and half decades of political activism and campaigns against the Nigerian State using the available indigenous peoples and human right mechanisms to pursue its cause.

The political deadlock between MOSOP and Nigeria as it stands on Ogoni self-determination clearly points at a situation of irreconcilable positions between the Nigerian State and Ogoni people in the row over territorial self-determination, ownership and management of natural resources. An ever-widening power gap is not just created between the parties but sustained over time. The situation is one which continually strains the relationship between the parties and drifts the Ogoni demand for self-determination further from reaching a consensual or long lasting solution.

6.2 Implication for Policy and Further Research

The political deadlock between the MOSOP and Nigeria on Ogoni peoples right to self-determination have opened up many possibilities that can be looked into with a view of addressing and resolving the challenges and obstacles towards Ogoni self-determination in Nigeria. Peace in the Niger Delta Region and in Ogoni land is still very fragile, the post federal government Amnesty Programme and its future implications on peace process in Post Amnesty Niger Delta is uncertain.

The military operation carried out in search of the leader of a local militia and its group members within some Ogoni communities between February 22-23, 2016 is right on point, with an unconfirmed number of lives lost during the exchange of gun fire from both sides.

Some of the locals who deserted the community are scared to return to their respective homes while some whose houses were torn down have no place to return to and there is no government plan on how to resettle members of the affected communities. This calls for proper accountability of service men and extra judicial killing a topic which has often been ignored by the relevant institutions and authorities in Nigeria.

Nigeria should undertake research to look at practical ways and measures which if adopted can better address the major conflicts associated with the Ogoni demand for self-determination. At least a few Ogonis who feel aggrieved and abandoned can be placated if things are changed for better (by developing Ogoni land and empowering Ogoni people) when they know or they have the feeling that the state understand their problems from their own perspective and is willing to tackle them in a manner that produces a win-win situation for all.

The weak mechanism to pursue indigenous peoples rights in Africa remains a major problem militating against internal and regional political mobilization of indigenous groups in Africa. The rights contained in Articles 14 and 21 of the African Charter can be broadened and made applicable to pursue indigenous peoples' claims within the African continent. Lifting the legal blockade on indigenous peoples' rights through the African Union will create a legally binding obligation on African States including Nigeria that have both ratified and domesticated the African Charter into its national law.

Lifting the veil of incorporation on civil societies in Nigeria is needed to dismantle the national stereo-typing of the MOSOP as a violent supporting movement. At least for a movement that is opened and recognized within the UN will do what is best to preserve its reputation, unlike invisible uncivil movements like MEND, whose members are largely unknown but whose visibility is reflected through the havocs it wreaks when it strikes.

It possible, that by including and integrating the Ogoni people as stakeholders in resource management in Nigeria will improve their relationship with the Nigerian State. It is reverberating theme that the 13% derivation allocated to resource communities by the federal government is unacceptable to most of the communities. This is because many communities barely feel the impact of whatever was paid to them through the state; endemic corruption and mismanagement of state fund are two of the causes. If Ogoni land feels the touch of its resources, agitating for self-rule will be less of a challenge/issue to Ogonis than it is today.

Since the UNEP Report on Ogoni land confirms the scale of environmental degradation in Ogoni land which the Ogoni people have been aware of years before and the impacts the degradation is having on their economic and health sustainability is an experienced in their daily lives. It is time the Nigerian State to act upon the recommendations on the UNEP Report. Even if technically cleaning up Ogoni land is not part of the Ogoni demand for self-determination, it is an aspect of their basic human right to life. In addition, environmental degradation is affecting the sustainability of activities that make the Ogonis who they are.

6.3 Reflections

As a concerned Nigerian citizen who believes in freedom and equality for all, an indigenous studies student doing a study to open further open up the problems of marginalization and exploitation of Ogoni people in Nigeria, I find myself caught between these different worlds. I went to Ogoni land and I saw with my own eyes what years of state neglect and insensitivity and actions of a few economic saboteurs have transformed Ogoni land into one of the most unsecured and unhealthy place to live on earth.

Ogoni people should learn more from the past especially the youth as to how to turn their challenges to opportunities, their vulnerability to security, and their political disempowerment to self-empowerment. As a true Ogoni and son of the soil we have *'learn as our way of life to live and smile being alive today, learn from the past and to hope for what goodies tomorrow will bring* (Big Boss). The world is keeping close monitor on Nigeria, political mobilization through MOSOP and the Ogoni people should keep the dream alive until the objective of self-rule through the OBR is achieved in Nigeria.

Advocating for self-determination from a rigid and uncooperative and rigid State like Nigeria judging by its disposition toward Ogoni self-rule is not as practical and easy as it sounds. The issue of national security, national unity, nation sustainability, seeking sustainable peace and stability in Rivers State are intertwined as far as the Ogoni self-determination in Nigeria is concerned. Amidst these complexities lies, the political and resource implications of recognizing Ogoni self-determination as aspects of Ogoni human rights as people, which they are entitled to and can demand from Nigeria since these rights have legal basis in international law and in international instruments.

No matter how long and whatever strategy is adopted by the Nigerian State to halt Ogoni self-determination, the resilience shown by the Ogoni people over the past years is something for Nigeria to think about and reflect upon. Ignoring Ogoni issues or fabricating quick fix solutions for the Niger Delta issues in tackling Ogoni problem do not go into the root to of the political marginalization and economic exploitation such innovations have proved time from time to time ineffective and counter-productive in addressing issue of Ogoni self-rule.

There might the need to re-strategize the demand for self-determination as engrossed in the OBR. There is no jurisdiction where State has granted or ceded its sovereignty over resources to its indigenous peoples. Ogoni people should look at other possibilities such as tri-partite agreements option for new oil deals which will involve (the State, Ogoni people and the oil company) since the demand for resource management and control and entitlement to 50% proceeds of resource profits as it appears in the OBR have been an onerous demand Nigerian State is unwilling to consider.

Moving towards a new equitable sharing of benefit (Miidekor) in a way that local communities where resource are exploited can benefit directly from the resource proceeds is a preferred alternative compared to a few criminal bandits benefitting and causing more pollution for unborn generations. If natural resource proceeds are accountably used and the resource communities benefit fairly and equitably, it will be a win-win situation and everyone will be happy. Accountability and good governance in Nigeria at federal, state and local government levels are required for these suggestions to work.

Identity, ethnicity and religious affiliations should not be used as divisive factors in Nigeria, many Nigerians have fallen and some are still falling into the 'pit of hatred' dug by self-greed in the row over natural resources. That Nigerians cannot peacefully co-exist as a nation is far from the truth, and that Ogoni self-determination cannot co-exist within an independent Nigeria is a fallacy. The earlier Nigerians realize this and stop trading blames at British, the West and one another, the better for the country and everyone.

At the regional level, the human rights mechanisms under the African Charter have been ineffective in addressing indigenous peoples issues in Africa especially the since decision of the African Commission do not have any legal binding effect of African States. Opening up IPACC's coverage to accommodate new groups of persons who feel excluded and seek to be recognized as indigenous peoples in Africa will be a welcome idea.

Transnational networks of indigenous peoples' civil societies is a necessary instrument to support mobilizing and advancing indigenous peoples' right at the local, regional and global levels. Most controversial issues generated by indigenous peoples demand from the state cannot be tacitly resolved if both the states' and indigenous people are unwilling to make compromise.

Nigeria and Ogoni people should return to the negotiation table with a view to finding a permanent solution to the conflict surrounding Ogoni self-determination and agitation for resource control. Nigeria could still adopt the UNDRIP to change its neutral stance on the declaration or as suggested by the Nigerian Political Reforms Conference Report 2014 to adapt its domestic laws to the relevant provisions of UNDRIP to improve the treatment of the minority issues.

Since ethnic and religious factors are some of the aspects that shape identity in Nigeria, it will be beneficial to include those factors when applying the federal character principle in order to see and understand the composition that makes up the identity of citizens instead of attempting to conceal them under the pretext of national unity. Transparency, accountability and good governance are healthy to ensure the protection of both national and Ogoni interest in Nigeria.

Back to the paradox of Ogoni self-determination within the context of civil mobilization in Nigeria many interesting issues are raised some of which I hope to explore in my next research. Divided loyalties of members make some members associate with the so called un-civil movements. When members disagree over issues with regards to personal and or group interests, the style of leadership, the approaches adopted in pursuing organizational goals among other things there is bound to be many unanswered questions.

These unanswered questions open up the paradox and controversies about civil mobilization towards self-rule and resource control in Nigeria. The fact remains that some proponents of socio-political movements are the "bad eggs" that make the general perception about MOSOP as a socio-political movement to be low ranking, stereotyped and blacklisted as a violence sponsoring or militant movement.

The stigmatization effect of civil movements in Nigeria by Nigerians opposed to the idea or interest sought by specific group(s) is a huge factor in determining individual responses and reactions to the subject of Ogoni self-determination and resource control in Nigeria. It is also

a product of the reality, the challenges and impracticability, general reluctance and unwillingness towards accepting indigenous self-determination has a place in Nigeria.

The study is useful in understanding the general context of the challenges and stigmatization of indigenous peoples' mobilization towards the path of self-determination. The springing up of guerrilla movements, mobilizing against the states in Latin America and elsewhere can be discussed through the same lens as that of the Ogoni and MOSOP. Knowing the "who is who" is a first step to being able to fish out and lift the veil of secrecy on uncivil socio-political movements threatening peace and stability in Nigeria.

Nigeria is having its share of violence from ethnic and civil socio-political movements demanding for self-determination and resource control. Confrontational tactics, promoting divisive, parochial sentiments and ideologies, ethnic and race supremacy, tending towards separatism, criminality and violence are self-explanatory trends which put sustaining Nigeria as a nation at grave risks (Ikelegbe, 2001: 18-22). Civil mobilization is not the problem but the motives of the political actors involved, the impacts and outcomes their actions have on the nation could promote as well as undermine national stability (Ikelegbe, 2001:465-466)

The new strains of violent attacks on oil installations by a faceless group known as the Niger Delta Avengers speaks in volume (Vanguard, 2016)⁴³, when such group in the end label itself as a peaceful socio-political movement or defender of democracy. A cyclical trend towards violence, terrorism, youth radicalization amongst other things; are wrapped in an endless paradox of the civil socio-political movements demanding for self-determination, resource control or other forms of attention in Nigeria.

In a nutshell, taking the concept of personality in mobilization for self-determination is a fundamental issue that cannot be treated with kid gloves. The general perception of an indigenous movement from within and beyond plays a crucial role in determining the personality that will be ascribed to the movement, redeeming the damage to genuine and peaceful mobilization for self-rule such as the MOSOP will continue to remain in jeopardy if the weeds are not separated from the grasses.

⁴³ <http://www.vanguardngr.com/2016/05/breaking-oduku-unmasks-niger-delta-avengers/>

List of References

Books

Åhren M, (2016) *Indigenous Peoples in International Legal Systems* Oxford University Press UK. Pp. 214-219

Chilisa, B. (2012). *Indigenous Research Methodologies*. Sage Publications, Inc.

Cohen and Arato (2009) From Civil Society and Political Theory In *Civil Society Reader* by Hodgkinson, V and Foley M, W Tufts Publishers Pp 271-290.

Corbin and Strauss (1990) *Basics of Qualitative Research: Grounded Theory Procedure Techniques*, SAGE Publications, Inc. Second Edition

Dahl, J. (2012). *The Indigenous Space: Marginalized Peoples and the United Nations*. Palgrave Macmillan USA

Fatile, J .O, (2011) *Management of Inter and Intra State Boundary Conflicts in Nigeria: An Empirical Approach*. Dorrance Publishing Inc. Co Pennsylvania USA 4, 61

Glasius M, (2012) *Dissident Writings as Political Theory on Civil Society and Democracy*. Review of International Studies Vol. 38, Issue No. 2 April, 2012. Pp. 343-364 Accessed on the 7th March 2016

Glazer B, G and Strauss A, L (2009) *The Discovery of Grounded Theory: Strategies for Qualitative Research*. Aldine Transaction Publishers, New Jersey, USA.

Johansen B. E, (2007) *Indigenous Peoples and Environmental Issues*, Greenwood Press, USA

Minde, H. *Indigenous Peoples, Self-Determination, Knowledge and Identity* (2008) Delft , NLD: Eburon Academic Publishers Pp 49-86

Parsons T, and Shils E, (2001) *Toward a General Theory of Action: Theoretical Foundation for the Social Sciences* Transaction Publishers.

Punch K. F, (2014) *Introduction to Social Research: Qualitative and Quantitative Approach* . Sage Publications Ltd. 3rd Revised Edition

Saugestad Sidsel *Contested Images: 'First Peoples' or 'Marginalized Minorities' in Africa?* In *Africa Indigenous Peoples: First Peoples' or Marginalized Minorities*, (2001) Centre for African Studies, University of Edinburg, United Kingdom.

Tokinson , R (2014) Native Australians in Neely Sharlotte Native Nations : The Survival of the Fourth World JC Charlton Publishing Vernon BC, Canada

Cases

Centre for Minority Rights Development (Kenya) and Minority Rights Group International on behalf of Endorois Welfare Council v. Kenya, 276/2003, African Commission on Human and Peoples' Rights, February 4, 2010. Available online at

<http://www.refworld.org/docid/4b8275a12.html> [accessed 14 May [2016]

Mabo & Others V Queensland (No. 2) [1992] HCA 23; (1992) 175 CLR 1

http://www.austlii.edu.au/cgibin/sinodisp/au/cases/cth/HCA/1992/23.html?stem=0&synonym_s=0&query=title%28mabo%20%20near%20%20queensland%29 Accessed on May 13, 2016

Mosetlhanyane and others v. Attorney General of Botswana, Civil Appeal No. CACLB-074-10

<https://www.escri-net.org/caselaw/2011/mosetlhanyane-and-others-v-attorney-general-botswana-civil-appeal-no-caclb-074-10> Accessed on May 14, 2016

SERAP V Federal Rrpublic of Nigeria ECW/CCJ/JUD/18/12 (2012)

http://www.courtecawas.org/site2012/index.php?option=com_content&view=article&id=177:case-serap-v-federal-republic-of-nigeria&catid=10:judgements&Itemid=86 Accessed on May 14, 2016

SERAP V. Federal Republic of Nigeria 2009. Insituted at the African Charter of Human Rights 338.07/ Communications 338/07

<http://www.achpr.org/communications/decision/> Accessed on May 14, 2015

Dissertation

Mbah C, E (2013) Is it always Economic Stupid? MEND and Petro-Violence in the Niger Delta of Nigeria Tromso, The Arctic University of Norway Center for Peace Studies. Master thesis

Journals and Online Articles

Allwood J, Theory of Action in Verschueren, J., Östman, J-O. & Blommaert, J.(Eds). Handbook of Pragmatics: John Benjamins Publ. Co. 1995 Available online at <http://sskkii.gu.se/jens/publications/docs076-100/079.pdf> Accessed on April 29th 2016.

Amaraegebu D. A, Violence, Terrorism and Security Threat in Nigeria's Niger Delta: An Old Problem Taking a New Dimension, African Journal of Political Science and International Relations Vol. 5(4), Pp. 208-217, April 2011. [Online] Available at

https://www.google.com.ng/?gws_rd=ssl#q=Violence%2C+Terrorism+and+Security+Threat+in+Nigeria%E2%80%99s+Niger+Delta:+An+Old+Problem+Taking+a+New+Dimension

Accessed on May 15th 2016

Babbie, E. & Mouton, J. (2001) The Practice of Social Research, South African Edition Cape Town Oxford University Press Southern Africa.

Bellier I, and Preaud M, (2012) Emerging Issues in Indigenous Rights: Transformative effects of the Recognition of Indigenous Peoples. International Journal of Human rights 16:3 Pp 474-488. Available at

<http://www.tandfonline.com/doi/abs/10.1080/13642987.2011.574616#.VzclOIH3SXw>

Accessed on May 13th 2016

Crawhall, N. (2011) Africa and the United Nations Declaration on the Rights of Indigenous Peoples'. International Human rights journal 15:1, 11-36 [Online] Available at

<http://www.tandfonline.com/doi/abs/10.1080/13642987.2011.529687?journalCode=fjhr20>

Accessed on May 15th 2016

Cyril I. Obi (2010) Oil Extraction, Dispossession, Resistance, and Conflict in Nigeria's Oil-Rich Niger Delta, Canadian Journal of Development Studies / Revue canadienne d'études du développement, 30:1-2, 219-236

Ezetah, C, R. International Law of Self-Determination and the Ogoni Question: Mirroring African Post-Colonial Dilemma Loy of Los Angeles International and Comparative Law Review 811 (1997) [Online]. Available at

https://www.google.com.ng/?gws_rd=ssl#q=.+International+Law+of+Self-Determination+and+the+Ogoni+Question:+Mirroring+African+Post-Colonial+Dilemma

Accessed on May 15th 2016

Groves, A. (2009) Shell and Society: Securing the Niger Delta? [Online] Available at

<http://www.e-ir.info/2009/06/10/shell-and-society-securing-the-niger-delta/> Accessed on May 15th 2016

Ibaba S, I. Terrorism in Liberation Struggles: Interrogating the Engagement Tactics of the Movement for the Emancipation of the Niger Delta *Perspectives on Terrorism Vol 5, Issues No 3-4* (2011) Perspectives on Terrorism (SB Online) Accessed link <http://www.terrorismanalysts.com/pt/index.php/pot/article/view/153/303> Accessed on 27th April 2016

International Group Africa Briefing No 54, 18 September, 2008, Nigeria: Ogoni Land after Shell [Online] Access link available [Online] at

http://www.genocidewatch.org/images/Nigeria_08_09_18_Ogoni_Land_after_Shell.pdf
Accessed on 24th April 2016

Ikelegbe, A. (2001) The Perverse Manifestation of Civil Society: Evidence from Nigeria. *The Journal of Modern African Studies*, Vol. 39 Issue 1, Pp 1-24. [Online]

<http://dx.doi.org/10.1017/S0022278X0100355X> Accessed on May 14, 2016

Ikelegbe A, Civil Society, Oil and Conflict in the Niger Delta Region: Ramifications of civil Society for a Regional Resource Struggle. (2001) *Journal of Modern African Studies*, September 2001, Issue 39 Vol. 3 Pp 437-469. Access link to article is available at

<http://www.jstor.org/stable/3557319> [Online] Accessed on May 15th 2016.

Jennifer Hays & Megan Biesele (2011) Indigenous rights in southern Africa: international mechanisms and local contexts, *The International Journal of Human Rights*, 15:1, 1-10, DOI: 10.1080/13642987.2011.529686. Available at <http://dx.doi.org/10.1080/13642987.2011.529686> Accessed on May 15, 2016

Krippendorff, K. (1980) Validity in Content Analysis. In E. Mochmann (Ed.), *Computerstrategien für die kommunikationsanalyse* (pp. 69-112). Frankfurt, Germany: Campus. [Online] Access link available at http://repository.upenn.edu/asc_papers/291 Accessed on 24th April 2016

Livesey, S, M (2001) Eco-identity as discursive struggle: Royal Dutch/Shell, Brent Spar, and Nigeria *Journal of Business Communication* Volume 38, Issue 1, 2001, Pages 58-91 [Online] Access link <http://job.sagepub.com/content/38/1/58.full.pdf+html> Accessed on the 27th April, 2016

Mabubuike S, C. Ethnic conflicts: Social Identity and Resource Control Agitations in the Niger-Delta [Online] http://www.ifra-nigeria.org/IMG/pdf/Solomon_C- MADUBUIKE -

[Ethnic Conflicts Social Identity and Resource Control Agitations in the Niger Delta.pdf](#) Accessed on April 30, 2016

Miles W, .F S, (1993) Traditional Rulers and Development Administration in Niger, Nigeria and Vanatu. Studies in international Comparative Development, Fall 1993, Vol. 28, No. 3, 31-50 Access link available at <http://link.springer.com/article/10.1007%2FBF02687120#page-1> Accessed on 29th April, 2016. p. 48

Nbete A, D (2012) Ogoni as an Internal Colony: A critique of Imperialism. [Online] International Journal of Social Science Vol 2 No. 10 Special Issue – May 2012 http://www.ijhssnet.com/journals/Vol_2_No_10_Special_Issue_May_2012/6.pdf

Osaghae E. 1995. The Ogoni uprising: Oil politics, minority agitation and the future of the Nigerian State. Journal of African Affairs Vol No. 94, Issue 376 Pp. 325-344. [Online] Available at <http://afraf.oxfordjournals.org/content/94/376/325.citation> Accessed on May 15th 2016

Okwu-Okafor, O.C (1994) Self-Determination and the Struggle for Ethno-Cultural Autonomy in Nigeria: The Zango-Kataf and Ogoni Problems. African Society of International and Comparative Law Pp 113-114

Olayode, K O (2011) Ethno-Nationalist Movements and Political Mobilization in Africa: The Nigerian Experience (1990-2003) Stichproben. Wiener Zeitschrift für kritische Afrikastudien Nr. 20/2011, 11. Jg. 69 - 93 https://stichproben.univie.ac.at/fileadmin/user_upload/p_stichproben/Artikel/Nummer20/20_Olayode.pdf Accessed May 13, 2016.

Saugestad S, (2011) Impact of International mechanism on Indigenous Rights in Botswana. International Journal of human Rights, 15:1, 37-61[Online]

https://www.google.com.ng/?gws_rd=ssl#q=Impact+of+International+mechanism+on+Indigenous+Rights+in+Botswana.+International+Journal+of+human+Rights Accessed May 15th 2016

Sobrasuaipiri S, (2014) Environmental Justice in Nigeria: Reflections on the Shell-Ogoni Uprising, Twenty Years Afterwards. Available online at http://eadi.org/gc2014/index.php/gc2014-sobrasuaipiri329.pdf@page=downloadpaper&filename=gc2014-sobrasuaipiri-329.pdf&form_id=329&form_index=2&form_version=final Accessed on the 29th April, 2016

Tonwe D, A. and Osemwota O, (2013) Traditional Rulers and Local Government in Nigeria: A Pathway to Resolving the Challenge Common Wealth Journal of Local Governance Issue 13/14: November 2013. P. 138 <http://www.austlii.edu.au/au/journals/ComJILocGov/2013/13.pdf> Accessed on 28th April, 2016

Magazines and Newspapers

Biafra TV (2014): Published on You Tube August 1 2014 Access link

<https://www.youtube.com/watch?v=2ViaEvV7HB4> Accessed on 24th of April, 2016

Daily Post (2015) December 30, 2015 Access link available at

<http://dailypost.ng/2015/12/30/governor-wike-introduces-security-stipends-to-traditional-rulers/> Accessed on 24th April 2016

Emma Amaize (2016) Return of N-Delta Militancy, Major Crude Oil and Gas Pipelines Bombed *Vanguard Newspaper* Access link available at

<http://www.vanguardngr.com/2016/01/return-of-n-delta-militancy-major-crude-oil-gas-pipelines-bombed/> Accessed on 24th April 2016

National Mirror (2015) Memories of Umuechem Massacre

<http://nationalmirroronline.net/new/memories-of-umuechem-massacre-2/> Accessed May 16, 2016

Omololu Ogunmade (2016) Senate Probes Violent Invasion of Ogoni Communities by Soldiers *This Day Newspaper* Access link available at

<http://www.thisdaylive.com/index.php/2016/03/11/senate-probes-violent-invasion-of-ogoni-communities-by-soldiers/> Accessed on the 24th April 2016

Sahara TV (2014): Published on YouTube March 25 2014 Access link

<https://www.youtube.com/watch?v=XI95DOvNb8Y> Accessed on 26th April, 2016.

Soni Daniel, Militant Give Conditions to Stop Bombings in N/Delta (2016) *Vanguard Newspaper* Access link available at <http://www.vanguardngr.com/2016/01/militants-give-condition-to-stop-bombings-in-ndelta/> Accessed on the 24th April 2016

Tide News (2015) Available online at <http://www.thetidenewsonline.com/2015/07/03/jaja-rallies-traditional-rulers-support-for-rivers-economy/> Accessed on 24th April 2016.

Sunday Punch Newspaper, July 17, 2005.

Punch (2016) Militants Blow up Pipelines Linking Warri, Kaduna Refineries

<http://www.punchng.com/militants-blow-pipelines-linking-warri-kaduna-refineries/>

Accessed on May 16th 2016

Reports

African Commission Working Group of Experts on Indigenous Populations, (2000) The Report of African Commission Working Group of Experts on Indigenous Populations adopted at the 28 Ordinary Session of the ACHPR Benin in 2000. Report can be accessed online at http://www.achpr.org/files/special-mechanisms/indigenous-populations/expert_report_on_indigenous_communities.pdf Accessed on the 29th of April, 2016

African Commission on Human and Peoples Rights (African Commission) 2007, *Indigenous Peoples in Africa: The Forgotten Peoples?* Advisory Opinion of the African Commission on human and Peoples Rights on the Declaration of Indigenous Rights adopted by the ACHPR at the 41 Ordinary Session in Ghana May 2007, Available report available online at http://www.achpr.org/files/special-mechanisms/indigenous-populations/un_advisory_opinion_idp_eng.pdf accessed on 29th April, 2016.

Amnesty International (2015) Amnesty International Annual Report on Nigeria 2015

Fagbayigbo B, (2009) Examining the Constitutional, Legislative and Administrative Provisions Concerning Indigenous Peoples in Nigeria'. Country Report of the Research Project by the International Labour Organization (ILO) and the African Charter on Human and Peoples Rights (ACHPR) on the Constitutional and Legislative Protection of the Rights of Indigenous Peoples in Nigeria (2009) published by the ILO. The full report is available online at http://www.chr.up.ac.za/chr_old/indigenous/country_reports/Country_reports_Nigeria.pdf Accessed on 24th April 2016.

Izsak R, (2014) Report of the Special Rapporteur on Minority Issues in Nigeria A/HRC/28/64/Add. [Online] Full report can be accessed at <http://www.ohchr.org/EN/Countries/AfricaRegion/Pages/NGIndex.aspx> Accessed on the 29th April, 2016.

National Conference on Political Reforms in Nigeria held in Abuja, 2014 (CONFAB) <http://media.premiumtimesng.com/national-conference/wp-content/uploads/National-Conference-2014-Report-August-2014-Table-of-Contents-Chapters-1-7.pdf> [Online] Accessed on May 14, 2016

Stevenhagen, R (2001). *Report of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, Mr. Rodolfo Stavenhagen, submitted pursuant to Commission resolution 2001/57*. United Nations. doi:UN Doc. E/CN.4/2002/97 [Online]

United Nations Environmental Programme (2010) United Nations Environmental Assessment of Ogoni land Report. Full report available online at <http://www.unep.org/disastersandconflicts/CountryOperations/Nigeria/EnvironmentalAssessmentofOgonilandreport/tabid/54419/Default.aspx> Accessed on the 20th April 2016

Statutes

Companies and Allied Matters Act (CAMA) 2004 Cap C 20, the Laws of the Federation of Nigeria 2004 Available online at <http://www.placng.org/new/laws/C20.pdf> Accessed on the April 29th 2016.

Nigerian Land Use Act Cap L5, Law of the Federation of Nigerian 2004 [Online] <http://www.babalakinandco.com/resources/lawsnigeria/LAWS/90202land%20use%20act.htm> Accessed on 29th April, 2016

Nigerian Petroleum Act Cap P10 Laws of the Federation of Nigeria 2004

Unpublished Manuscripts /Conference Papers

Akinboye S, O and Oloruntoba S, O (2007) Civil Society Organizations and Transition Politics in Nigeria: A Retrospective Analysis of the 2007 General Elections. Paper presentation at the National Conference on General elections in Nigeria organized by the Department of Political Science University of Lagos held on 26-27 September, 2007 at the Excellence Hotel, Ogba, Ikeja, Lagos

Daes E, A. (2004) Indigenous Permanent Sovereignty over Natural Resources. Lecture delivered at the National Native Title Co, on the 3rd June 2004 in Adelaide Australia. Full report of lecture available online at <https://www.humanrights.gov.au/news/speeches/indigenous-peoples-permanent-sovereignty-over-natural-resource> Accessed on January, 15th 2016

Shoaga O, (2014) Human Rights and Corporate Social Responsibility in Nigeria (Unpublished) Available [Online]

Pyagbara L, S (2007) The Adverse Impact of Oil Pollution on the Environment and Well-being of a Local Indigenous Community: the Experience of the Ogoni People of Nigeria. A *Conference Paper Presented on International Expert Group Meeting on Indigenous Peoples and Protection of the Environment* held at Khabarovsk, Russian Federation on August 27 – 29, 2007 [Online]. Available at https://www.google.com.ng/?gws_rd=ssl#q=The+Adverse+Impact+of+Oil+Pollution+on+the+Environment+and+Well-being+of+a+Local+Indigenous+Community:+the+Experience+of+the+Ogoni+People+of+Nigeria

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List of Appendix

Appendix 1

Table of Some Relevant Political Events on the Ogoni, Ethnic Minorities, Nigeria and the Niger Delta

| | Political Events | Motivation | Political Implications/ Outcome/Action |
|---|---|---|--|
| 1 | Jan 1914 Amalgamation of the Colony of the North and South by Lord Lugard | To entrench British Colonial rule in Nigeria, for effective administrative for the colonial administration | Formation of Nigeria by assimilating many different ethnic groups under a single umbrella. Lay foundation for marginalization of ethnic minority groups into majority group |
| 2 | Aba Women Riot of 1922 pioneered by late Mrs Olufunmilayo Ransome Kuti Though she was a Yoruba Woman from the Western Nigeria | Revolt against oppressive and exploitative tax regime by the colonial government especially with the new policy in 1922 to levy tax on women | First Civil Mobilization in Nigeria, it was also the first organized by the Women who rallied across the province to put pressure on the colonial government economic policies |
| 3 | 1945 Ogoni Central Union was formed to secure the creation of a separate division under the Opopo Division | Ethno-Mobilization Political Awareness | Creating Ogoni ethnic consciousness |
| 4 | 1946 Ogoni Division Created with Head Quarters in Bori | Achievement of political agitation as minority from within majority | Raise hope for increased political engagement, ethno-mobilization and asserting ethnic distinctness as Ogoni |
| 5 | 1946Richard Constitution introduced regionalism principle and (back door) federalism into Nigeria. | Increased Political Participation of locals in the colonial Politics and at the same time increased regional tensions and ethnic rather than national loyalty among Nigerians | Divided Nigeria into three region (West, Eastern and Northern Region) for politics and introduced elections into regional house of assembly where locals can appoint representatives of their choice |
| 6 | Early 1950's Paul Birabi was the first Ogoni graduate with western education from University of South Hampton | As one of the few educated local elites at the time Birabi started to engage local mobilization with the Ogoni and other Rivers minorities | Sensitizing Ogoni people about benefit of social identity and ethnic-minority mobilization to protect their interest against the colonial government and ethnic majority from the East (Ibos) |
| 7 | 1958 Henry Willinicks Commission set up to look into the fear of ethnic minority by majority | First real concrete effort to allay the fear of ethnic minorities in Nigeria preparation for political independence Niger Delta Development Board formed in 1961 | Recommend that creating a region for the eastern rivers minority which cover Ogoni land might not resolve the minority problems. |
| 8 | October 1, 1960 Political | British Union Jack flag | Self-rule as an independent nation, |

| | | | |
|----|---|---|--|
| | Independence from British colonial rule | lowered for Nigerian flag | Nigerian to rule Nigerians, operational federalism to accommodate multi-ethnicity and oneness |
| 9 | Jan 15, 1966 military intervention into national politics in a revolution-like manner core leaders political across Nigeria were assassinated | Elections suspended, political activities suspended and civil mobilization suspended, the intervention was to create stability and stop civil riots across Nigeria | Building up tension from the Eastern and Rivers Tribes and call for trial of young officers from the north partook in the coup and killings, expulsion of Southerners especially the Ibo's from the north |
| 10 | July 29, 1967 the Declaration of Biafra Republic as a separate country from Nigeria by Col Odimegwu Ojukwu. Fall out as a result of the creation of states from 4 4egion to 12 States | Biafra flag, Biafra currency, travel documents etc. were issued | Ogoni land fall under the administration of Biafra from technical point of view. Biafra republic was to cover old area of the Pre-independent Eastern Region |
| 11 | Between 1976 and 1979 National Reforms of laws generally, the Constitution, land and natural resources laws , Restructure Political configuration of Nigeria, laying foundation for smooth transition to civil rule 1979 , Niger Delta Basin Development Authority formed in 1976 | Land Use Act passed in 1979, 1979 Constitution removed traditional ruler as the third tier of tier of government and replaced same with the local government | Re-assimilation policies for Ogoni self-rule, traditional rulers in Ogoni land become mere advisors to State on national and Ogoni issues. The status quo is maintained till date |
| 12 | 1990 the MOSOP was formed, OBR presented to the Federal Government in 1990, OBR presented to the UNWGIP in 1992, OBR presented to the General Assembly of the UNPO at the Hague | Ethno-Mobilization and forging Ogoni national identity through MOSOP | Organizing Campaigns, demonstrations , walk protest, sensitizing Ogoni public etc. |
| 13 | In 1992, the Oil minorities producing and development commission (OMPADEC) was formed by the federal government to coordinate development in oil producing region in Nigeria | National Attention and response to the issues of development in oil producing communities | No real positive impact of OMPADEC projects on development in Ogoni land |
| 14 | 1993 Okrika V Ogoni internal clashes over territories in Rivers State land and resource sharing in the creeks, political interest among other things were attributed as the source of conflicts | Land and Resource competition between Ogoni and neighboring Andoni communities who fled from Ogoni land and resettled within Andoni and Okrika territories. Displacement was a strategy adopted by the military administration to crush Ogoni rebellions. | Believed by the Ogoni people to have been politically induced by the state to cause commotion within Ogoni territories so that Ogoni land can be militarized by the State. It was also perceived instilling fear with heavy military presence in Ogoni land will suppress and or halt Ogoni protesters and civil demonstrators from taking to the streets. |
| 15 | Nation election in June 1992 election, the Ethnic Minorities Rights Organization of Africa (EMIROAF) led by Ken Saro Wiwa called on Ogoni to boycott the election | EMIROAF disbanded by the Federal Government In 1992. The election results were later annulled by the Armed Forces Ruling Council | Ogoni people version is that proscribing the EMIROAF was state attempt to clamp down on Ogoni civil societies, |
| 16 | In 1993-1994 Civil Unrest and Riots continued in Ogoni land, Four Ogoni leaders were killed by | Environmental Campaigns against Shell and the Federal Government of Nigeria, | Shell was forced to shut down its operation in Ogoni land in 1993, Military presence in Ogoni land to |

| | | | |
|----|--|--|---|
| | irate youths and 9 Ogoni leaders including Ken Saro Wiwa were arrested by government | Internal Disagreement within the ranks of MOSOP and EMIROAF, involuntary exodus of Ogoni people due to the political instability and civil unrest in Ogoni areas. Ogoni Movement was seen as means to fight federal government injustice and unfair treatment of the Ogonis | restore civil order and clamp down on protesters, mass movement of Ogoni people and the exodus of their resettlement to Water Fronts near Port Harcourt considered an Okrika area led to internal frictions between the Ogonis and Okrikas |
| 17 | November 1995 | Hanging of nine Ogoni leaders after they were tied and found guilty by the State for treason The trial and conviction was heavily condemned internationally among the response was the suspension of Nigeria from the Common Wealth of Nations, Some countries recalled their Ambassadors and broke diplomatic relations with Nigeria | Resentment and public condemnation of the Nigerian State for the killing of Ogoni leaders. The executed Ogoni leaders increased Ogoni solidarity, their death became an unifying symbol of increased mobilization for Ogoni self-determination |
| 19 | Creation of Bayelsa State as an ethnic Ijaw State out of the Old Rivers State in 1996 | Government target to bring government closer to the people and settle internal rivalries in the Rivers region | Ogoni feel they deserve their own state out of Rivers State same as the Ijaws, Ogoni feel more marginalized by the Federal and River State Government |
| 20 | Transition to democratic rule in May 1999 | Break the circle of twenty years military rule, the longest strain of undemocratic rule in Nigeria's history | Re-organizing Ogoni civil society for political mobilization |
| 21 | Niger Delta Development Commission set up in 2000, Niger Delta Ministry created in 2008, Amnesty Programme for surrendered Niger Delta militants was launched in 2010 | Special attention to dealing with Niger Delta and oil producing minority issues in Nigeria | Assimilating Ogoni problems into national problems and proffering collective Niger Delta solution kept on undermining the Ogoni problems |
| 22 | (a.) Sovereign National Conference held in Abuja the Federal Capital Territory in 2005 and 2014, (b.) National Census held in 2005 excluded ethnic and religious data | a. Forum for Discussing national grievances and to possibly seek solutions to Nigeria's national problems | MOSOP call's for boycott of the CONFAB 2014 , MOSOP was neither invited nor represented at CONFAB 2005 and 2014, it also criticized Federal Government single handed selection of the delegates |
| 23 | The UNDRIP was adopted at the General Assembly 2007 | Nigeria abstained from voting when the declaration was adopted | Preservation of neutral Status quo by Nigeria on UNDRIP literarily explains its unwillingness to look at the Ogoni demands for self-rule and resource control from a different perspective. Resentment on the part of Ogonis that Nigeria deny them recognition as indigenous people |
| 24 | UNEP Environmental Study on | Sense of responsibility to the | Confirmed Ogoni agitation and call |

| | | | |
|----|---|--|---|
| | Ogoni land was financed by Shell and the Federal Government of Nigeria but conducted by independent experts | environmental plight of the Ogoni people Reward for trans-mobilization against the Nigerian State and Shell | for looking into the environmental condition of the Ogoni people |
| 24 | February 23-23 Military invasion of Ogoni land 2016 | Search and pin down suspected militia group members and its leaders who are terrorizing the State through acts of sabotage | Desertion and displacement of residents in the affected Ogoni villages, some were killed during the exchange of gun fire with state security operatives, private properties were destroyed. |

Unpublished Manuscript on Political Events and Minority Issues in Nigeria compiled by the researcher during the course of desk studies and field work

Appendix 2

Captures an overview of ethnicity and the zones leaders that have ruled Nigeria from independence to date come from.

| S/N | Leaders | Form of leadership | Geo-Political Zone, Ethnicity and their state of origin | Tenure |
|-----|------------------------|--|---|--|
| 1 | Abubakar Tafawa Balewa | Prime Minister under parliamentary system operated at independence | North East /Hausa (Bauchi) | Oct 1st 1960-Jan 15, 1966 |
| 2 | Nnamdi Azikiwe | Ceremonial President under the parliamentary system operated at independence | South East/Ibo (Anambra) | Oct 1st 1960-Jan 15, 1966 |
| 3 | Gen. Aguiyi Ironsi | Military head of state | South East/Ibo (Abia) | Jan 15 1966- Jul 29, 1966 |
| 4 | Gen. Yakubu Gowon | Military head of state | North Central/Nga (Plateau) | July 29, 1966- July 28, 1975 |
| 5 | Gen. Murtala Mohammed | Military head of state | North West/Fulani | July 29, 1975- Feb 13, 1976 |
| 6 | Gen. Olusegun Obasanjo | Military head of state | South West/Yoruba (Ogun) | Feb. 13, 1976 – Oct 1, 1979 (Return power to civilian) |
| 7 | Shehu Shagari | Democratic President | North West/Fulani (Sokoto) | Oct 1, 1979- Dec 3, 1983 |
| 8 | Gen. Muhammadu Buhari | Military head of state | North West/Fulani (Katsina) | Dec. 3, 1983- Aug 27, 1985 |
| 9 | Ibrahim Babangida | Military | North Central/Nupe (Niger) | Aug 27, 1985- Aug 26, 1993 |
| 10 | Ernest Shonekan | Interim President | South West/Yoruba (Ogun) | Aug 27, 1993- Nov 17, 1993 |

| | | | | |
|-----------|---------------------------|---|-----------------------------|---|
| 11 | Gen. Sani Abacha | Military head of state | North East/Kanuri (Bornu) | Nov. 19, 1993 – June 8, 1998 Died in Office |
| 12 | Gen. Abdulsalami Abubakar | Military head of state | North Central/Gwari (Niger) | June 8, 1996- May, 29 1999 (Return power to civilians) |
| 13 | Olusegun Obasanjo | Elected President | South West/Yoruba (Ogun) | May, 29 1999- May 29, 2007 Was re-elected in 2003 for another term of four years |
| 14 | Umaru Musa Yaradua | Elected President | North West/Fulani (Kastina) | May 29, 2007- May 5, 2010 (Died in office) |
| 15 | Goodluck Jonathan | President (Vice-President appointed to fill in the vacuum created by the death of President Yaradua | South South/Ijaw (Bayelsa) | May 5, 2010- May 29, 2011 Elected Preident for 4 years in 2011 but failed in his bid for a second term in office |
| 16 | Muhammadu Buhari | Elected President | North West/Fulani (Kastina) | May 29, 2015- Date |

Source: Unpublished Manuscript about the ethnicity of past Nigerian leaders capturing the record of their tenure in office. The record was compiled by the researcher during the course of desk studies and field work