

“However Long the Night, the Dawn Will Break”:
The Hope in Nonviolent Direct Action in the Niger Delta: A Case Study of Nonviolent
Protests by Women in the Niger Delta against Chevron

by

Annette Melaine Fraser
B.A., Mount Royal College, 2003

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MASTER OF ARTS

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Supervisory Committee

Dr. John Borrows (School of Law)
Supervisor

Dr. Patricia Mackenzie (School of Social Work and Institute of Dispute Resolution)
Departmental Member

Dr. Lyn Davis (Studies in Policy and Practice)
Outside Member

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Supervisor

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Departmental Member

Dr. Lyn Davis (Studies in Policy and Practice)

Outside Member**ABSTRACT**

This thesis assesses the impact nonviolent protest has on structural conflicts when used by groups of people who are marginalized by repressive socio-economic institutions of society. Conflict Transformation focuses on changing the relationships between oppressive societal institutions and its people into just cooperative relationships through third party processes. Veronique Dudouet's Contingent Conflict Transformation model focuses on the efforts of 'ordinary people' to address the destructive effects of structural violence. This model will be applied to a case study where two groups of women from the Niger Delta executed nonviolent campaigns against the Chevron oil company. The case study methodology is employed to analyze data to support the model's confidence to effect change as well as offer considerations for improvement. The women of this study moved from a position of disenfranchisement to a position of empowerment when they negotiated an Agreement that reflected their demands in light of Chevron's broken promises.

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Chapter 1: Introduction

A professor, Dr. Elias Cheboud, gave me this advice concerning writing my thesis. He said, “Don’t write your thesis on something you are not passionate about.” For me, I look to two moments which sparked this passion. The first moment came from viewing a video about the victimized people of the Rwanda genocide forgiving their perpetrators. In a situation as grave as this, I wondered how it was possible for people to forgive others when they have suffered such horrific atrocities? After much thought and pondering, the second moment came when a verse of scripture from the Book of Mormon, a religious canon, came to my mind. The verse states. “Wherefore, men are free according to the flesh; and all things are given them which are expedient unto man. And they are free to choose liberty and eternal life, through the great Mediator of all men, or to choose captivity and death... (2 Nephi 2: 27). The key phrase that penetrated my mind was “men [and women] are free to choose.” This is what Diana Francis, a peace activist and researcher, depicts as the “paradox” of human nature; in light of great human suffering, humans can use their agency to choose to live (2002, 5). My thesis explores this paradox.

People suffer from violence at all levels of human interaction ranging from violence inflicted upon the individual to violence between nations of people. The visible forms of violence, such as, physical abuse and war can be easily observed. However, systemic violence is less visible because it is not “recognized as a ‘conflict’ or ‘mass violence,’ because the direct violence takes the form of endless numbers of seemingly isolated acts” (Fisher 2002, 5). Systemic violence is less visible because it is

institutionalized into a system comprised of exploitative relationships by state, corporate, and other institutions. Alleviating any form of violence in the international system is the focus of the practice and study in the field of conflict resolution. The field of conflict resolution is influenced by the study of international relations, which is the study of competitive and cooperative relationships between and within states. Changes in world politics in the last few years have influenced the theory and practice of conflict resolution when it is used to address conflict in the international arena.

The Cold War maintained competitive relationships between communist and liberal democratic countries. To combat the fear of annihilation, states accumulated military and economic resources to defend themselves, thus military and economic resources became a form of power used to dominate in international relations. The concerns and needs of ordinary people had no place in international politics. At the end of the Cold War, competitive relationships between states were transferred into relationships of competition within states, where “ambitious demagogues grabbed the opportunity to promote crude nationalism as a substitute for lost economic and existential certainties” (Fisher 2004, 3). The global market economy influenced these relationships and reinforced an attitude of domination where people continue to be marginalized in countries disguised as “democratic societies”. These societies are often under the control of corrupt political leaders who usurp power for political and economic gain. In the international system, political stability is equated with the absence of physical violence; the thought of intervention “is only seriously considered when a full blown ‘crisis’ has developed” (Fisher 2002, 8). Military interventions, such as the United States intervention into Afghanistan, is motivated by self interest and not

on any objective criteria applied to uphold justice and challenge relationships of inequality (Fisher 2002, 8). What are marginalized populations of people who suffer from systemic violence to do? Are they to continually wait for someone to intervene on their behalf? Are they completely powerless? I believe people who are politically and economically marginalized have the power to effect changes in their lives by challenging relationships of domination by nonviolent means.

The field of conflict resolution has theories which address these issues. Three paradigms within this field have enjoyed particular salience: Conflict Management (CM), Conflict Resolution (CR) and Conflict Transformation (CT). While this thesis will introduce the reader to all three models, the CT model most particularly addresses systemic violence by focusing on reforming “structures of domination” by applying various skills and processes to increase the political and social participation of the oppressed. The practice of CT “means enacting democracy at all levels of public life; international, national and local, working in ways that increase participation” (Francis 2002, 8). The three models are all somewhat inter-related. Third party intervention is a key process used extensively in all three paradigms to bring conflict parties to the “bargaining” table to work out mutual agreements. The problem with mediation alone is that mediators often focus on reaching an agreement to reduce the manifest effects of physical violence, while unfortunately neglecting to address the “root causes” of relationships of competition and domination thus perpetuating the conflict. The techniques used in the dominant three paradigms advocate for nonviolent interventions, however, few scholars incorporate the technique and theory of nonviolent direct action (NVA) into their writing and practice. This is the problem I want to address and

counteract in this thesis. NVA is a powerful technique that not only has the potential to reduce violence; it also can be used to directly address issues of injustice in a party's relationship. NVA captures the ability of ordinary people to challenge relationships of domination of state structures, through empowerment and nonviolent confrontation, thus increasing their power to participate in decisions which affect their well being. I am particularly attracted to Veronique Douduet's (2004) model of Contingency Conflict Transformation (CCT). Unlike many of her academic colleagues she directly incorporates the efforts of ordinary people by incorporating both the techniques of NVA and mediation and negotiation into the framework of CT. This more effectively challenges exploitative relationships and thereby transforms them into more appropriately balanced power relationships, supported by mediation and negotiation efforts.

With this explanation as background I have focused my thesis on the effective incorporation of NVA into the CT framework because I believe this approach can best reduce structural violence *and* address issues of injustice. I believe this best provides an opportunity for people who suffer from structural violence to actively participate in challenging the status quo of exploitative relationships by nonviolent means. In making these claims my thesis will examine a case study involving groups of marginalized women in the Niger Delta (ND) who used nonviolent action against Chevron, a multinational oil company, to secure a promise of peace outside of third party mediation. These women were partially successful in transforming aspects of their conflict with an oil company by securing an Agreement that acknowledged the women and the affected communities as stakeholders in the use of natural resources in their

area. While much work is left to fulfill the Agreement they negotiated, this thesis examines these women's contribution to the overall structure of resource control in the Niger Delta, as well as the impact transnational oil companies (TNOCs) have on resource control in the Niger Delta. In noting these victories I will also examine areas where conflict remains, as evidenced by the negotiated Agreement not being fulfilled.

This thesis will use the methodology of a case study to analyze the nature of NVA in a CT framework in the specific case of the resource conflict in the ND. The purpose of this research methodology is to collect and analyze data to produce evidence sufficient to answer the general research hypothesis, but this study doesn't have one. Bill Gillham, a social science researcher, uses the example of the legal court system as analogy to explain the case study methodology. When a case is examined in a court of law legal counsel "seek a range of different kinds of evidence" to prove their case according to the law in question (2000, 1). The analysis of this case study will rely on a relational analysis, a form of content analysis used by Kathleen Carley (1993). As such, I will sample fifty newspaper articles, including: reports, journal articles, and books as evidence to prove that the women's nonviolent protest had an impact on the conflict, based on Dudouet's CCT model. This will enable me to draw implications from other people's reports of these women's experiences, and demonstrate why and how NVA is relevant to a CT approach to dealing with instances of systemic violence and the power marginalized people have to effect change.

1(A) - Positive Peace and Structural Violence

As an introductory matter, a brief discussion of conflict and peace is appropriate to give the reader a better understanding of how these terms are used in my field. The basis of any conflict in society is found in the “interaction of interdependent people who perceive incompatible goals and interference from each other in achieving those goals” (Bush and Folger 1994, 3). Conflict exists at all levels of human interaction. The field of conflict resolution encompasses the works of academic scholars and practitioners who work to address various forms of conflict within the international relations system. Therefore the context of conflict for this thesis is based on interactions of groups of people within a political state system, and the interaction between these two actors; an interaction of this nature is still considered part of international relations because of state involvement. Johan Galtung (1996), a peace researcher, has developed a conflict triangle which outlines three sources of conflict, which contributes to three types of manifestations of violence.¹ Galtung’s diagram outlines the sources and types of violence; combined with Galtung’s definition of peace provides the basic theoretical foundation of conflict used in the field of conflict resolution. Galtung defines **Direct Violence** as the intent to inflict physical or verbal pain; this intent is a violent behaviour **(B)** or a reaction to an incompatibility in interests between parties (1996, 2). Indirect violence is defined as **Structural Violence** where violence is inflicted upon people by systemic oppression with social structures of society i.e. family, community, government (Galtung 1996, 2). The incompatibility found in the relationship between parties is the contradiction **(C)** of the perceived or actual oppressive relationship.

¹ Please refer to Galtung (1996, 72) for a complete diagram of the Conflict Structure

Galtung further adds that **Cultural violence**, is the symbolic use of language, arts, and law to legitimize the use of any type of violence, which supports a negative attitude (A); for example the use of propaganda during World War II (Galtung 1996, 2). The conflict incompatibility in this example is the use of symbolic artifacts based on real or perceived perceptions which encourage negative behaviour. From these observations, Galtung defines peace in two ways. He defines negative peace as the absence of direct violence, and positive peace as the absence of structural and cultural violence. The absence of one type of violence alone does not ensure the elimination of the others.

To truly have positive peace, requires changing the behaviours, attitudes, and contradictions that contribute to the intent to use direct and structural violence. The efforts to obtain peace in the international system has been divided among a plethora of international, regional, and local organizations, including non-government affiliated groups and individuals who are motivated to maintain peace in the international system. In the preamble of the Charter of the United Nations it states, “We the peoples of the United Nations determined to save succeeding generations from the scourge of war” (Charter of the United Nations, 1945). Organizations and non-state actors affiliated with the work of United Nations are guided by this preamble, where their efforts seek to maintain negative peace by reducing violence. After the Cold War, civil wars emerged at an unprecedented rate. In the *Agenda for Peace*, UN secretary Boutros Boutros Gali outlined four efforts which involved the international community, despite the view that insufficient efforts were made by the UN to address violent conflicts.² Policy frustrations at the UN came from trying to provide humanitarian assistance while at the same time maintain peace in countries where government institutions were insufficient

² See <http://www.un.org/docs/SG/agpeace.html>

to maintain governance.³ The focus on direct violence and negative peace is the antithesis to positive peace because positive peace requires addressing issues that exist beyond the manifestations of direct violence; it requires addressing “deep rooted” or the structural and cultural sources to conflict.

Thus, positive peace is the elimination of both direct and structural violence, which requires addressing structural conflict. Structural violence is more than the existence of war it is “those factors that cause people’s actual physical and mental realizations to be below their potential realizations. Structural violence, often referred to as institutional violence, arises from social, political, and economic structures that sanction the unequal distribution of power and resources” (Botes 2003, 271) Examples of societal structures are “legislative, political, family, or any other kind of societal structure that are unavoidably reflective of underlying power structures”. These structures are the sources to the “production, allocation, and utilization of the sources that are needed to satisfy basic human needs” (Botes 2003, 281) and thus must be the focus of any conflict transformation. Failure to do this was the key problem found in the efforts of the UN and regional organizations when they faced conflict. Their various actions did not address the relationships between those who govern the social structures, and the people affected by the decisions made by people in authority. Structural peace requires more of people and decision makers; it is positive peace. Structural peace requires changing power from domination and exploitation towards producing cooperative relationships where human needs can be met.

The remainder of the thesis will unfold in the following manner. Chapter Two reviews the literature on three collective models of conflict resolution to demonstrate

³ See the Supplement to the Agenda to Peace: <http://www.un.org/Docs/SG/agsupp.html>

the effectiveness of the CT framework in addressing issues of justice and power and thereby reducing structural violence. Chapter Three focuses on the Niger Delta. It presents the context of the conflict in that region by looking at its history, the involvement of key actors, and key issues on resource control in the region. Chapter Four contains an analysis and discussion of the theories of CT as applied to the Niger Delta. Finally, Chapter Five discusses what we can learn from the theory and case study presented herein, as I draw conclusions based on the analysis.

Chapter 2: Literature Review

Bringing Nonviolent Action Theory and Practice to Conflict Transformation

Every thesis is built upon the ideas and contributions of others. In this respect my work follows in the footsteps of other writers who have discussed the implications of the CM, CR, and CT paradigms. In this vein I will engage in a literature review to demonstrate CT's potential to transform conflicts that are structural in nature, by creating the social space for the oppressed to challenge relationships of domination through nonviolent means. Building on these insights will provide the basis for a discussion about the theory of NVA and Veronique's Duduoet's CCT model, which incorporates the nonviolent approach to conflict into the model of CT. This discussion will allow me to say why NVA should be incorporated in a CT framework as I compare it against the current models in CT. After the theoretical framework has been reviewed, this chapter will conclude with some theoretical considerations, related to the case study of the Niger Delta which will follow in the next chapter.

Understanding the nature of conflict is separate from the practice of conflict resolution.⁴ In fact, "few authors make explicit connections between the theory of conflict and its resolution. It is the explicit link between theory and practice that now concerns students and scholars of conflict resolution" (Tidwell 1998, 60). Literature on the practice of conflict resolution focuses on skills and processes used by practitioners to address conflict, and the theory that informs the practice. Three models of conflict resolution represent the ongoing interdisciplinary literature. These models are inundated

⁴ The nature of conflict refers to its ontological component, in other words how does conflict exist.

with concepts and frameworks from various disciplines that incorporate conflict into their own respective studies. Dennis Sandole states,

Practitioners of conflict resolution work at different levels, ranging from interpersonal to the international. They operate in different domains, such as the court system, public policy, labour-management relations, inter-ethnic relations, or international diplomacy. They derive their ideas from a variety of sources, such as law, theory, the study of conflict resolution in traditional societies, and theoretical models based in the entire range of social science disciplines (1993, ix).

Sandole's statement reemphasizes the broad and diverse nature in which conflict resolution is practiced. In some aspects, various discipline conceptual limits overlap and in other aspects they are quite distinct. The way to differentiate between the three models derives from how they view conflict, how they use various dispute resolution processes (such as mediation and negotiation) and what actors are considered to be a party to the conflict.

2(A) - Conflict Management

CM is considered to be a classical model of CR, because it primarily deals with conflicts between nation states during the World War and Cold War eras. CM seeks to prevent violent escalations and destructive outcomes by containing direct violence. Conflicts of this nature consisted of "situation[s] in which the basic national interests of contending nation-states are opposed or contradictory" (Rothman 1992, 99). National interests include: economic, territorial, military power and resources (Rothman and Olson 292, 2001). The conflict management model is derived from the epistemology of *Realpolitik*, which views reality external to and independent of human thought. Conflict is a natural part of life because the world is a battleground due the "negative human"

fear of dying (Sandole 1993, 4). At the international level, states feared annihilation. To combat the fear of extinction, states sought security through obtaining military and economic resources; for states more power meant more security. The “arms race” between former superpowers of the Soviet “East” and the North American “West” indicated this view of human society. Thus, the only way to have handled inevitable conflict at the international level was to contain it by orchestrating an agreement between the parties to prevent the escalation of overt violence.

All processes within CM seek to contain violent behaviour by discovering ways to appropriate interests to obtain state security. Adjudication, negotiation, and mediation are the main mechanisms used to produce settlements in the traditional model of CM.⁵ Adjudication requires an approved official to mandate a decision, which becomes legally binding.⁶ Negotiation is a direct “face to face” interaction between parties where parties seek to resolve the conflict over the contradiction between interests (Tidwell 1998, 20). Mediation requires an impartial third-party to act as a bridge between parties to assist parties in reaching a settlement. Third party mediators focus on helping parties obtain the best options within a negotiated agreement as a means to manage the conflict and contain violence, because conflict was considered to be inevitable the work of third parties was exclusive; their work did not give any thought to why parties employ violence to advocate their interests. Alan Tidwell describes CM as the management of surface level issues where,

The management of conflict requires a level of analysis, but analysis need only go so far as is absolutely required in making the level and intensity of conflict

⁵ Third party mechanisms also include: facilitating communication, enunciating issues, fact finding, and supervising agreements (Dixon 1, 1996).

⁶ The best example of this process is the administering of the law in a legal system, where officers of the court have their decisions made by a judge.

acceptable to the parties involved...The level of amelioration sought goes only as far as is necessary for the parties to cope with the result (1998, 38).

CM also assumes nation-states are composed of unified political and social institutions, acting on behalf of their citizens and constituents.⁷ This is not always the case. The engagement of top level political leaders and those in authority to make decisions concerning national interests is what Lederach describes as the “top down” approach or Track I diplomacy (Lederach 1997, 38). Bringing states to the “bargaining table” involves parties who are heads of states. It also involves elitist political leaders who are focused on meeting so called national interests. Unfortunately, these people often neglect the interests of other parties to the conflict by formulating agreements and settlements that are “short-term material ‘fixes’ that leave underlying sources of conflict untouched” (Rothman and Olson 2001, 292). The containment model is a “band aid” approach to conflict resolution because ending conflicts by agreements does not alter the behaviour that most often contributes direct violence. The model elicits narrow conflict strategies, because it focuses only on containing violent conflict. It has little regard to addressing other types of violence as postulated by Johan Galtung. The containment model is influenced by management theory where it is felt that reaching an agreement is a more efficient way to contain violence. In essence, the containment model reinforces competitive behaviours in the international state system. This is a problem. The interests of the parties are temporarily fulfilled, but their competitive nature, or human flaws are left unchanged; thus conflict will always abound according to this model. The containment of violence best suited the high profile Cold War conflicts of that time. It was primarily concerned with preventing the escalation of full

⁷ In Eriksson, Wallensteen, and Sollenberg (2003), their research indicate contested incompatibilities over governance between a state and non-state actors existed since 1946..

out world wars between superpowers. Unfortunately, the CM model is ill equipped to deal with the structural conflicts that are prevalent in the world politics of today. It simply fails to address the larger issues of justice that are usually embedded within conflicts. An African proverb best describes this deficiency, “When two elephants fight, it is the grass that gets trampled.”

2(B) - Conflict Resolution (Integrative Model)

Feuding between “elephant” superpowers in the Cold War era presented a paradigm shift in the field of conflict resolution. Following this era the dissolution of the Soviet Union fueled a new type of international conflict. National interests and resource based conflict no longer ignited primary contentions between warring nation states. International conflict between nation-states evolved into internal intrastate conflict. These conflicts occurred between state institutions and its constituents, including disputing between ethnic and political groups. The use of the word “nation-state” in international relations changed in meaning. Jay Rothman states:

It is not quite accurate nor fully descriptive to call many of these conflicts “international” in the traditional power-politics meaning of between ‘nation states’. Instead, by disaggregating nation from state in such situations, greater conceptual precision may be had. Here, as in many other parts of the world (particularly in the Third World) where the experience of state building in the twentieth century has negatively interacted with ethnic cleavages in plural societies, the conflicts constitute a complex inter play between national issues and state issues (1992, 38).

Ramsbotham, Woodhouse, and Miall describe this as a shift from symmetric conflicts to asymmetric conflicts. The former involved conflict between parties with similar

characteristics, such as, political status and resource ability⁸; the later, asymmetric conflict is described as follows:

[Asymmetric conflict is conflict] between dissimilar parties such as between a majority and a minority, an established government and a group of rebels...here the root of the conflict lies not in particular issues or interests that may divide the parties but in the very structure of who they are and the relationship between them (2005, 21).

The change in international politics deepened the scope of conflict resolution to include new actors and new approaches to conflict beyond the surface of “superpower” politics. Researchers and theorists also contributed to the shift in paradigms by delving further into understanding why inherent behaviours of conflict existed. These scholars sought to seek ways to resolve conflict based on such knowledge.

Conflict Resolution is another model developed by academics to reduce violence within societies. This model draws more heavily on organic analogies to address the question of violence and its implications within societies. For example, biological studies of the human brain crossed over into conflict resolution studies. This shift provided a creative angle to begin studying the “untouched” attitudes and behaviours that are conducive to all types of violence (Sandole 1996, 10). Biological studies linked irrational human behaviour to the unfulfilled human need of belonging (Sandole 1996, 10). John Burton, a peace researcher, developed a theory and practice based on human needs which he extended to include: the need for dignity, expression and development of distinctive identity, meaning and purpose, safety, control over destiny, and justice (Rothman 1992, 46). Burton’s *Human Needs Theory* (HNT) made a clear distinction

⁸ The Cold War is an example of symmetric conflict where the former Soviet Union and United States held the same political status, as developed industrialised nations with the resources to influence and support political activity, thus the “arms race” was played out on an even playing field.

between what is a need and what is an interest.⁹ Human needs¹⁰ cannot be negotiated nor mediated in the same manner as interest based conflicts despite the universal use of mediation and negotiation techniques (Burton 1993, 5). CR addresses the conflict through problem-solving workshops to identify unmet human needs and interests common to all participants. This approach is known as the integrative model of CR, because it works outside the normative processes of mediation and negotiation. The attention given by this theory to human needs shows how its proponents viewed the importance of psychology.

Burton's research inquiry was spearheaded by the work of the David Memorial Institute whose research explored the reason behind the motivation for political leaders to agree to mediation by,

Falsifying the proposition that disputing parties were unwilling to cooperate in resolving conflicts. Their hypothesis was that parties to disputes would endeavour to resolve their conflicts if they were placed in an explanatory and analytical framework in which they remained free decisions makers...(Burton 1986, 46).

The research, including Burton, concluded that despite the resources and tools available to handle conflict at the international level, parties were not inclined to use them (Burton 1986, 48). The research and Burton attributes this unwillingness to use international resources due to the lack of faith in the UN system (ibid). There is a fine line which restricts the UN from intervening in international conflicts. Military or coercive intervention may intrude on a state's right to sovereignty, in addition a sovereign state has the right to "refuse to cede ultimate authority to any external body" (Rothman 1992, 42-43). Another reason for the lack of faith in the UN system relates to

⁹ John Burton's development of the HNT is based on Paul Sites (1973) and Abraham Maslow's (1954) work on social control and human needs.

¹⁰ Needs are not discrete units that can be bargained because they are infinite in nature, one cannot exchange a double portion of dignity in exchange for half a portion of identity.

its legal structure. Membership in the United Nations assumes heads of states are legitimately constituted, which is not always the case¹¹; therefore people are hesitant to use a system which is structurally ineffective in enforcing decisions (Burton 1986, 42). The Centre for Analysis used two test cases to support their conclusions. The first case dealt with former British Prime Minister Harold Wilson who acted as a mediator in a conflict between Indonesia, Malaysia, and Singapore. It was felt that nothing was accomplished in the matter until the parties were invited to attend a problem-solving forum to discuss and analyze the conflict (Burton 1986, 47). The second case study focused on the failed efforts of UN mediator Ralph Bunche to bring parties together in examining a major conflict between Greece and Turkey. The representatives failed to make any progress in mediating conflict over territory in Cyprus until representatives from both sides accepted an invitation to a problem solving workshop (Burton, 1986, 47). Burton's problem-solving approach offered an alternative to traditional mediation and negotiation by setting a forum for analysis to discover the "deep rooted" issues not afforded by mediation and negotiation in the CM approach. Burton's HNT accepts humans have an inherent nature. The CM model labels this inherency as the fear of dying; whereas Burton assigns inherency to the desire to fulfill human needs. Burton departs from the CM model by finding that violent behaviour is not inevitable. Rather, Burton concluded that behaviour is socialized through human relationships. The failure to attend to relationships in an appropriate manner, he explains, is the reason for people's lack of faith in the UN model of international power mediation. As Tidwell explains

¹¹ For example, Myanmar (Burma) is a member of the United Nations despite being ruled by a political despot for over 20 years.

Human behaviour is represented by a broad diversity of forces, many of which are influenced by socialization. That is, humans are socialized into types of behavior, into adapting social norms...When humans engage in conflict, represented by their issues, they will use power and coercion in an attempt to get those needs satisfied. Thus by imposing their power relationships on others, needs satisfaction can become not the source of conflict reduction, but the cause of conflict (1998, 77).

Therefore, when the problem solving method was used it focused on socializing the party's behavior towards a more cooperative approach, and away from the adversarial model exhibited in power politics. The CM is similar to the legal adversarial system, which places parties into a competitive nature of viewing each other in the "us" versus "them" mentality, thus seeing the other as the source of the conflict (Rothman 1992, 49). As a result, someone will "win" and someone will "lose", which is a limited solution to complex conflicts involving human needs.

Burton's theory opened a critical door in the field of CR for conflict analysis to be based on the ability or inability of groups and individuals to fulfill human needs in the context of relationships found in sociopolitical institutions. The analysis and explanations of conflicts provided a more predictive outcome about which types of conflict resolution to avoid. It was said that "failures, such as revolutions and wars, could not be explained except by failure to employ sufficient power" (Burton 1993, 57). Rothman labels this new dimension of conflict resolution as the "human dimension" (1992, 54). This model invites conflicting parties to a dialogical forum to address and solve their problems. CR seeks to create conditions that encourage parties to collaborate, through dialogue, on issues of mutual concern. It is hoped that they will address their needs as mutual partners, instead of viewing each other as the aggressor - inherently prone to belligerent behaviour. Resolution under this model is accomplished when parties fully support an agenda based on mutual needs that they have created

themselves, as opposed to an agenda formulated by a third party (de Rueck 1990, 185).

Anthony de Reuck provides a summation of this problem-solving process:

The essence of the problem-solving procedure is this: that representatives of the parties in a dispute should meet in the presence of a small panel of disinterested consultants, professionally qualified in the social sciences, in order to analyze and possibly also to resolve their conflict, in conditions of total confidentiality. The parties should be enabled by the panel to negotiate not by bargaining in the conventional manner, but by collaboration in the solution of their joint predicament through the discovery of accommodations affording net advantages to all concerned. Their joint predicament is the problem to be solved (1990, 183).

In participating in this process representatives are usually midlevel actors who do not have political authority, but have substantial political influence to act on behalf of political leaders to whom they report (Francis 2002, 24). By involving midlevel actors, the theory anticipates an environment that is somewhat neutral and free of political and social hierarchy (Fetherston 2000, 5). As a result practitioners are to facilitate dialogue by “inject[ing] theoretical ideas into the discussion...to invite the response that in that case it can hardly influence the outcome except conceivably to speed-up or slow down! - the process of reaching it” (de Reuck 1990, 187). Burton’s problem-solving workshops initiated solutions beyond mere interests. It did this by providing an environment to explore and express the underlying “root causes” of conflict as needs. Despite these aspirations the common ground developed by the integrative model of CR does not attend to vital factors that are part of most conflicts.

Unfortunately, Burton’s involvement of state representatives does not ensure the representation of all parties affected in the conflict. There is no mention of how the conflict is assessed to determine who participates in the process. This can limit comprehension about the context of conflicts despite the presence of a collaborative mutual needs agenda. As a process, the problem-solving approach provides an

excellent source for “laying the groundwork” between international political actors, and regional/national political actors. However, it does not have the structural capacity to incorporate the needs of local actors, such as, communities and organizations, into the decision making process. I believe Burton’s HNT is a benefit to the field of conflict resolution because it opens up opportunities to discuss the frustrations of people afflicted by conflict, but his problem-solving technique requires technical adjusting.

John Paul Lederach’s description of “top-down” approaches can also be applied to the problem-solving technique to reveal some of the limitations of Burton’s theory. Lederach’s lack of faith in the problem-solving approach is uncovered by examining several assumptions that underlie Burton’s theory. In Burton’s opinion, the problem solving approach would occur in an environment that was non-hierarchical, non-competitive, and non-coercive (Burton 1986, 19). Unfortunately, no such environment exists in international conflicts, which brings into question the holistic usefulness of Burton’s model. To achieve the ideal environment for problem-solving, would require one to distance themselves from their subjective frame of knowing (me) in order to become an objective neutral actor (we). A. B. Fetherston (2000) cites this discursive approach to conflict as a usurpation of power. It asks parties to distance themselves from their subjective knowledge of everyday experiences by engaging in a process influenced by third-party “theoretical injections” of what they deem acceptable in the process. Burton’s problem solving approach is regrettably bound by strict theoretical discourse and thus leaves little room for exploring and discovering conflict contradictions. Fetherstone states:

Set within an unproblematised version of a discourse of modernity, conflict resolution assumes that we can ‘know’ - objectify, make rational, understand -

violent conflict to such an extent that we can have power over it, and thus solve the problem of it. Eventually, *a la* enlightenment, violent conflict will cease to exist-(2000, 12).

I find Fetherstone's critique persuasive. The formulation of an agenda of mutuality speaks to the "psychological or inter-individual meaning of relationships" of a limited participant pool who have no political authority (Dudouet 2004, 6). While Burton's focus on mutual needs is noble, in reality he excludes too much. His theory does not incorporate the needs that require the most attention in formulating a mutual agenda for they represent the contradiction in Galtung's conflict triangle. Overlooking these issues prevents a fuller discussion and appreciation of the issues of exploitation and repression found in structural violence. Burton's theory does not allow us to understand the associated attitudes, and power imbalances that are found within asymmetric conflict (Dudouet 2002, 6). With the lack of legitimate authority, Burton's problem solving technique does not contain sufficient power to affect changes in political and economic structures of domination.

While we should acknowledge and applaud Burton's attempts to build relationships through mutual needs instead of interests, we should remain concerned that his theory is incomplete. While he and others brought a much needed focus on the "human dimension" of conflict, more needs to be incorporated. The theory may be useful when conflicts are symmetrical in nature, however, when conflicts are asymmetrical more is needed. Areas of mutuality within the CR approach assume that parties have an equal ability to accomplish their goals through agreement. There is also an assumption that the parties possess a degree of mutuality sufficient to help one another to achieve their goals (Curle 1971, 15). This is not always the case. Scholars

have shown that conflict can often occur between parties that do not have equal access to resources. For example, Diana Francis captures the nonexistence of mutuality in the South African apartheid conflict.

The fundamental weakness of ‘restricted’ conflict resolution seems to be that it assumes that parties can be persuaded to see their mutual dependency, regardless of their relative power. But as the history of South Africa would suggest, those whose power is overwhelming, and whose comfort is in no way disturbed by the misery they cause to others, have no awareness of their dependency on them and no interest in talking about change (2002, 29-38).

Francis makes an excellent point. Mutuality does not always acknowledge the power disparity between the parties. This is the problem with conventional conflict resolution models, like those developed by Burton and others in their respective fields.¹² They limit the content of the problem solving approach to those matters where there is objective mutuality; this wrongly delegates the needs of those with less power in a conflict and transforms their subjective knowledge into the category of the “other”. In an indirect way, the problem analysis approach discards the value of subjective needs found in the attitudes and beliefs in Galtung’s triangle, and any manifestation of violence that derives from it. Fetherstone has cautioned us against this approach:

This othering of violence makes its practice separate from ourselves, thus, silencing ways in which we are part of a discourse of violence that supports, legitimises, and normalises war. War and other forms of violence, e.g., systems of oppression (Fetherstone 2000, 12).

Discarding the “other” sources of violence legitimises the power imbalance by CR facilitators as they seek to focus on mutual needs and interests in the problem-solving

¹²¹¹ Tidwell gives three criticisms of standardized conflict resolution practices: 1. They trivialize conflict by downplaying emotional and physical pain people suffer from conflict. 2. Routinized methods of handling conflict assumes all conflicts are the same. 3. They undervalue the role of situation and context (1998, 25).

process as a way to reduce direct violence. This is inappropriate and demonstrates the under-inclusiveness of the conventional CR approach.

CR also suffers from other defects. The involvement of third parties also threatens to undermine the effectiveness of the problem solving approach. The role of third party facilitation was to provide academic interdisciplinary expertise to create space for exploration and identification of human needs. Burton states, “Indeed, the major role of panels associated with conflict resolution seminars is to be innovative in translating the shared values into political structures and institutions that will promote their fulfillment” (1986, 47). Yet there are potential problems involving third parties in dispute resolution in the way conventional CR theory envisions. For example, one is immediately brought to question how practitioners can function in an intercultural context. They may not be able to effectively translate shared values into a method that properly accommodates cultural patterns of knowing. The conventional CR method of problem solving implies all needs are universal. This assumption is problematic. For example, researcher Mary Clark believes mental cognition is an interpretation of one’s environment. As members of the human race we all share in the ability to think, but “what” we think about is a separate to “how” we think (Clark 1993, 44). Thinking is influenced by culture, and Burton does not mention nor address how culture can affect the problem solving process, because it is implied that human needs are universal. Kevin Avruch and Peter Black’s extensive work on the implications of culture in conflict resolution processes finds the problem solving technique limited.¹³ Avruch and Black argue, culture is more than just anthropological artifacts. Avruch and Black state,

¹³ See Avruch (1998) and Avruch, Black and Scimecca (1991) for the topic of culture in conflict resolution.

“Culture provides the ‘lens’ through which we view and bring into focus our world...our culture provides ways of seeing, thinking, and feeling about the world which in essence define normality for us - the way things are and the ways things ought to be” (1993, 133). Applying their theory of culture to Burton’s problem solving process demonstrates how cultural analysis has no place in the process. It assumes the universality of human needs which implies that all people think and act the same (Avruch and Black 1993, 131). Avruch and Black’s criticism is like Fetherstone’s postulation about the subjective *other*, where different cultures illuminate the differentiation in the communicating of needs. The reason for this cultural insufficiency is because the theories and practices which construct the field of conflict resolution are derived from Western intellectual perspectives. Clark cautions theorists and practitioners to not overcompensate for acultural practices because a worldview, [much like a “cultural lens”], has the potential to generate social pathologies, which are destructive (Clarke 1993, 45).

Third-party interventions found in CR, can at times exacerbate the conflict by reinforcing power imbalances. This is particularly the case when the parties’ relationships fail to address culture in developing mutual agendas. The idea behind third-party intervention is to have someone act as a neutral actor having no “vested interest in the outcome” (Tidwell 1998, 154). Every party, whether it is the third-party or primary actor to the conflict, will be guided by their worldview. Therefore in the problem-solving process a neutral actor has the potential to manipulate the process by controlling the content of a mutual needs agenda by excluding cultural explorations (Tidwell 1998, 154). Diana Francis recognizes power imbalances perpetuated by third

party interventions. She says that impartiality also potentially restricts third-parties' abilities to address social and moral injustices caused by unbalanced relationships. This failure results from the fear of "taking sides" and can thus prejudice the process. Francis criticizes the excessively high priority that is given to bringing conflict parties to the bargaining table, with a too-specific focus on reaching a settlement. Such processes, at times, overlook the injustices of the conflict. These processes fail to account for the imbalance of power in people's relationships to political and social institutions.

According to Francis,

[There is] too much emphasis on the role of third parties and non-partisan action, particularly on the role of outsiders. Indeed, the emphasis on impartiality is so pronounced to seem to imply that 'taking sides' is bad, leaving no room for moral judgments, or indeed for realistic assessments of the effects of major power asymmetries (2002, 37).

The critique of CR model demonstrates that theories which inform conflict resolution do not always appropriately inform their practices. The premise for a healthy CR model is to find conflict's root causes by conducting an analysis that explains why human needs are unmet. There are problems when theorists exclude cultural analysis, over-emphasize mutual needs agendas, and mischaracterize third-party neutrality. Theorists must find ways to remove hierarchal and competitive relationships found within social, political, and economic structures that influence and formulate the attitudes, beliefs, and behaviours.

2(C) - Conflict Transformation

Conflict transformation (CT) is another approach that has its strengths in dealing with structural violence by promoting a more comprehensive analysis of conflict. CT purports to assess, “the pattern of relationships between the actors in conflict, and the surrounding social and political forms and institutions which determine these relationships and the societal factors that also influence the institutions” (Miall 2007). Both CR and CT view conflict as the pursuit of compatible or incompatible goals, which are perceived or misperceived due to behaviour learned from social institutions. These theories focus on the literal deprivation of human needs by “fundamental asymmetries, such as dominance over minorities by majorities or similar power relations between groups stratified by class, ethnicity or beliefs” (Miall 2007). Conflict transformation focuses on transcendence within conflict; it is not merely concerned with the techniques of mediation and negotiation of conflicts. Webster’s Dictionary defines transcend as a verb which means to rise above, overpass, and exceed (Webster’s Dictionary 2007). Applied to CT discourse, transcendence of conflict strives to resist the domination of power in hierarchal relationships and structures. Transcendence requires an inclusive approach to locating all sources of conflict, which “involves a new set of lenses through which we do not primarily see” (Lederach 1995, 7). Looking at conflict through a new lens requires us to see conflict as it exists today.

Contemporary conflict is defined as the “prevailing pattern of political and violent conflicts in the post-Cold War” (Ramsbotham, Woodhouse and Miall 2005, 28). Today’s violent conflicts are linked to the civil and armed conflicts prior to the Cold War’s termination. Research indicates that today’s armed conflicts existed prior to and

throughout the Cold War's duration. However, the Cold War masked these internal conflicts because of the prominent focus on the feuding between superpowers. The masked Cold War conflicts take place as intrastate conflict. They are armed conflicts that are defined as a "contested incompatibility that concerns government or territory or both where the use of armed force between two parties results in at least 25 battle-related deaths" (Eriksson, Wallensteen and Sollenberg 2003, 597).¹⁴ The research indicates that armed conflict is terminated by the reduction of deaths and the existence of a negotiated settlement, thus ignoring on the "contested incompatibility" altogether. Industrialized nations often delude ourselves into thinking that physical violence is the source of conflict, whereas it could be said that violence is a *symptom* of conflict not the source (Nathan, 2000, 189). Violent conflict is a manifestation of "historically dysfunctional political relationships and structural factors that undermine human security" (Nathan 2000, 188). In the case of the Africa,

Such problems include the lack of coincidence between nation and state as a result of the colonial imposition of borders; the colonial legacy of ethnic discrimination and favouritism; unstable civil-military relations; land, environmental, and demographic pressures; arms supplies and other forms of foreign support to authoritarian regimes; the debt burden; and the imbalance in economic power and trade between the South and the North (Nathan 2000 192).

The new lens spoken of by Lederach must seek to analyze the new sources and actors that contribute to these sources of structural violence.

In this context Edwar Azar¹⁵ introduced the terminology of protracted social conflicts (PSC). This term invited researchers to question and analyze the dynamics of

¹⁴ Intrastate conflicts are defined as conflicts where at least one of the actors is state government actor. The classification of such conflicts of war depends on the number of deaths totaling a thousand deaths in one year or through the course of the conflict (Eriksson, Wallensteen and Sollenberg 2003, 597). This data is used to determine the existence of conflict while neglecting structural factors.

¹⁵ See Azar 1990 for a more in-depth description of protracted social conflict.

conflicts which continue to persist over long periods of time. This work critiqued the CM model because of its failure to acknowledge and address other types of violence within relationships that contribute to destructive conflict. This criticism held that when violent conflict is present one could no longer assume that social and political institutions have the ability to fulfill the needs of members of society. Azar's work made transparent many factors which contribute to direct, structural, and cultural violence. For Azar, the main source to conflict is the denial of human needs, in particular the needs for "security, distinctive identity, social recognition of identity, and effective participation" (1990, 147). Burton acknowledged and incorporated Azar's work into the HNT, hoping to "translate the shared values that are discovered into political structures and institutions that will promote their fulfillment" (Burton 1986, 49). This hope has rarely materialized because CR failed to explain how relationships of power between people and social institutions are used to deprive people of the ability to fulfill their needs. It also failed to explain how power in asymmetric conflicts can be used cooperatively to resist domination.¹⁶ This is why CT is more apt to address asymmetric conflicts. It seeks to transform destructive conflict into constructive conflict by advocating for the redistribution of power.

Adam Curle (1971), a peace activist, had already come to this conclusion based on his professional experiences back in the 1970's. In book *Making Peace*, Curle outlines the progression of unpeaceful to peaceful relationships.¹⁷ This idea has been used extensively by CT researchers and practitioners. It has been helpful because it adapts to

¹⁶ The problem-solving approach advocated by Burton and Rothman have been used extensively in the Palestine-Israel relations in the Oslo Process and Camp David Accords. See Barak 2005 for a discussion on why these processes failed.

¹⁷ See Curle (1971, 186) for complete diagram of "The Progression of Conflict."

all types of relationships found in asymmetric conflicts. In particular his approach to conflict is a process that outlines the requirements needed for the transformation of conflict. Curle's typology of relationships demonstrates how relationships contribute to destructive cycles of conflicts in the realms of positive and negative peace. Curle uses a broad definition of violence to categorize relationships that contribute to constructive or destructive behaviours. He writes: "Violence...exists whenever an individual's potential development, mental or physical, is held back by the conditions of a relationship"

(Curle 1971, 2). Curle uses the relationship between a master and a slave to

demonstrate a destructive relationship in a condition of negative peace. He observed:

The slave does not question the rightness of his role and sees no other part for himself; the two work together in perfect harmony. This, in the subjectivist view, does not constitute a state of conflict. In the objectivist view, however, there are certain privileges and possibilities that are not open to the slave. To the extent that he is unaware of them, ignorance may be bliss, but the fact remains that his existence is narrowed by social factors rather than by his own personal qualities (Curle 1971, 4).

In this example conflict exists based on Curle's definition, but it requires one to perceive an incompatibility (Deutsch 1991, 30). In Curle's diagram, balance in relationships occurs when "one party to a relationship is [not] able to dominate another" (Curle 1971, 6).¹⁸ Under this process, education is used to create "awareness" of the imbalance. Education is necessary because it is possible for oppressed actors to be unaware of their oppression, as in the case of the master and the slave. Therefore, awareness gives one the opportunity to become apprised of one's unfulfilled needs and the vision of one's future fulfillment. Complete awareness requires reciprocated

¹⁸¹⁶ Examples of unbalanced relationships would be the treatment of non-white South Africans by the white population during apartheid or the economic exploitation of industrialised nations of developing countries; he also notes unbalanced relationships that can be peaceful, such as parent-child relationships (Curle 1971, 7).

reflection of “self” in relation to “other” for both parties (Curle 1971, 211-213). Without such awareness it can be difficult for an actor or group to perceive themselves to be in need of change, or to see the potential to create change. In Curle’s diagrams, there are four mechanisms that can be used to transform a relationship into high awareness and peaceful relationship quadrant.

Education is one of the elements Curle identifies as being necessary for transformation, Education seeks to develop awareness by imparting knowledge to the oppressed, thereby assisting them in understanding their oppressive environment. Education is important because it can furnish the desire and hope to change (Curle 1971, 192). However, education is not always easy to provide. Dissemination and assimilation of knowledge is difficult because the learning process cannot force one to receive knowledge; it must come through one’s own choosing. This means that a person’s agency must be actively engaged. The education of the oppressor comes by confrontation with the oppressed (Curle 1971, 192). Curle defines confrontation as “the state at which the weaker party to an unbalanced relationship attempts to achieve equality with the stronger so that they may both, on this basis, reorder their relationship” (1971, 196). Various techniques of confrontation will correspond to low or high levels of awareness.¹⁹ Moral confrontation seeks to raise the levels of awareness to create space for learning the plight of the oppressed, and the space for actors to accept responsibility of their own volition (Curle 1971, 201). Quadrant three which prescribes

¹⁹ Bush and Folger further expound upon Curle’s work by developing the concepts of confrontation and awareness with their respective concepts of empowerment and recognition. Empowerment is directed towards the individual’s realization of their ability and capacity to address conflict through strengthening of self by exploring goals, options, skills, resources and decision making (Bush & Folger 1995, 89). Recognition is a process of changing one’s perception of the other by choosing to become more open through expressions and actions without fear of one’s personal welfare (Bush & Folger 1995, 89). Emphasis is placed on improving the goodness of humans (empowerment), by doing so people will want to treat each other better as a natural side effect (recognition).

when it appropriate to use negotiation, is only activated when relationships between the oppressed and oppressor are balanced. Based on Curle's prescription of balance, negotiation is initiated when both parties realize the interdependent nature of their relationship through mutual recognition (Lederach 1997, 65).²⁰ Negotiation is the common technique used in all the conflict resolution paradigms but Curle makes the point that how the technique is used can make all the difference. In the process of CT, negotiation and mediation is used only when relationships are balanced. This is unlike CR and CM where mediation is essential to reach the ultimate goal of an agreement. In the last quadrant, Curle prescribes the mechanism of conciliation or reconciliation, where what is discussed is the attitudes, behaviours, and the "fundamental substantive and procedural concerns of those involved" in a dispute (Lederach 1997, 66). Conciliation involves processes which promote change in perceptions, such as problem-solving workshops where dialogue is used to openly discuss attitudes and behaviours. Without this last step, the process of CT would be more revolutionary in nature, rather than evolutionary. Revolutionary change would result in the change of those who are in power. Revolution would not necessarily address the relationship's balance because the sources of destructive behaviours and institutions would remain. Thus, Curle advocates for evolutionary change, a change that evolves into a balanced relationship devoid of destructive force. He says evolution is necessary to establish a balanced relationship and an environment of positive peace. The Conciliation stage requires an intermediary, someone who can remain impartial and not be emotionally "caught" up in the situation (Curle 1971, 173). Yet this raises an issue addressed earlier in this thesis when a forceful critique of third party involvement in the CR model was addressed. How does

²⁰ This process is not limited to the negotiation only, parties may choose to use mediation.

Curle's proposal fare any differently? Why should his use of an intermediary be any different?

In answer to this question I refer the reader to Curle's diagram where conflict is outlined in different stages. At stage three, conciliation and bargaining are entered into once relationships are more balanced than in their previous state. The progress of conflict is represented in stages, which are not linear because he recognizes the dynamic nature of conflict, a key aspect missing from the CR paradigm. Johannes Botes states, "social structures are ultimately the dialectic, or interplay, between structural entities (their histories and uses), and the human enterprise of producing and shaping new structural realities" (2003, 271). The idea of "resolving" conflict from the CR paradigm suggests that conflict becomes dormant and no longer changes once direct violence is reduced or mutual interests have been met. However, Curle helps us realize that when we are dealing with structural violence, we must understand that the "social system [governed by humans] is the unit of analysis where attitudes and behaviours are always changing. Therefore, CT possesses a more sophisticated view of conflict. It does not focus on individuals alone as an agent of change, rather it shows how we must also attend to flux and constant fluidity when changes are made to improve social structures (Botes 2003, 276).

Adam Curle's process of CT is thus an important model because it allowed theorists to move beyond the limitations found within CR. For example, John Paul Lederach (1995, 1997), Diana Francis (2002) and Veronique Douduet (2004) built upon Curle's framework, with each model carrying its own variation of addressing structural violence. In his books, *Preparing for Peace* and *Building Peace: Sustainable*

Reconciliation in Divided Societies Lederach builds upon Curle's framework by merging the CT process into a framework. This work supports the building of a comprehensive infrastructure to create and support positive peace on a long-term basis. In other words, the same amount of time invested in prolonging conflicts should be spent in addressing conflicts (Lederach 1997, 150). CT addressed a profound weakness of the CR model which was its inability to develop appropriate self-reflection and acknowledgment of personal experiences of the lives of people who are disenfranchised. In Lederach's opinion, conflict is the product of an inter-subjective process of creating meaning from cultural patterns based on social interactions with one's environment (Lederach 1995, 8-9). In Lederach's view, CT is not a new phenomenon. It is a natural by-product of the everyday experience where humans reconstruct their social reality periodically throughout time (Lederach 1995, 17).

Realizing that violence is an expression of pain and suffering Lederach proposes a framework founded upon the principle of reconciliation. As a principle in CT, reconciliation brings together the realities of pain and suffering of destructive conflict with creativity (Lederach 1997, 25). Reconciliation is the means needed to create CT *and* it is the end goal of CT (Lederach 1997, 29). By making reconciliation the focus of CT's work this automatically pushes human relationships into the fore. It compels parties engaged in conflict to deal "with each other as humans-in-relationships" (Lederach 1997, 26).

Lederach outlines five key elements for the success of creating a peacebuilding infrastructure. These steps involve actors in developing leadership capacity representing all levels of governance. First, addressing structural violence requires the balancing of

relationships. The best actors are ones who can contribute to this process are mid-level actors, those who “have the capacity to impact processes, and people at both the top and the grassroots levels” of conflict (Lederach 1997, 151). These actors are the same type of actors involved in Burton’s problem solving workshops. Second, a thorough analysis of deep rooted issues must include surveying the societal forces which contribute to the issues. This must occur on all levels of interaction in which these forces exist (Lederach 1997, 151). For example, globalization is a world-wide factor which contributes to the national and local arms trade proliferation, which fuels armed conflict. Third, as already mentioned, reconciliation should be the means and goal of CT. Fourth, to avoid the pitfalls of the inappropriate use of mediation and negotiation, Lederach advocates for innovative approaches to CT. This includes indigenous knowledge and skills training to better handle conflict (Lederach 1997, 152). Lastly, vertical and horizontal coordination of CT activities should include all levels of governance. It should be inclusive of all people affected by conflict (Lederach 1997, 152).

The strength of Lederach’s peacebuilding infrastructure comes from his vision to build a structure that is unrestricted by the UN’s political bureaucracy. He is truly focused on building and reforming social institutions which acknowledge human suffering. However the approaches attached to this infrastructure are more focused on third-party involvement.²¹ The main objective of “top-level” approaches is to bring key leaders to the bargaining table to negotiate settlements (Lederach 1997, 44).

Intermediaries work in various capacities to build trust and end violence. This is a “step-by-step, issue-oriented, and short-term achievement process engaged in by top-level leaders” (Lederach 1997, 45). At the second level “middle-range” actors are involved

²¹ Please refer to Lederach’s diagram Actor’s Approaches to Peacebuilding (1997, 39).

promoting and building a peace infrastructure due to their unique location in the conflict (Lederach 46, 1997). Middle-range peacebuilding is Lederach's signature contribution to the CT framework. As mentioned before, problem-solving workshops resemble workshops promoted by Burton, where participants are leaders who do not hold official power, but have enough influence to change perceptions at both the top and grassroots level. This ability is more likely to inspire change because they can affect more people (Lederach 46, 1997). Middle-range approaches also include conflict resolution training. Their goal is to build peace commissions as social institutions to "facilitate the negotiation and conciliation efforts" (Lederach 1997, 50). An example of this type of commissions is the Truth and Reconciliation Commission used to transition South Africa to democratic rule. Finally, "grassroots" approaches involve building peace at the local level with peace conferences that promote conflict resolution between leaders (Lederach 52, 1997). To build such an infrastructure, requires time. The amount of time needed to build this infrastructure cannot be predicted because of the complexity of protracted conflicts. This leaves us with an important question. How should oppressed people confront and challenge relationships of domination when time is such a crucial element?

Lederach does not give us much guidance on this question. He agrees confrontation is necessary to bring "deep rooted" issues to the surface and to re-balance relationships, but he does not make any in-depth prescriptions on how confrontation is to be created and executed. Another oversight of Lederach's framework is his emphasis on the potential of "mid-range" actors to make a deep impact on the relationships between political heads of state and local citizens. All the actors involved in

peacebuilding processes at this level involve actors in leadership capacities. Such an emphasis truncates ordinary people's efforts and potential to confront dominant power structures and relationships. The models presented by Adam Curle and John Paul Lederach provide excellent frameworks for handling structural conflicts. However, as extensive and innovative as they might be they are still limited. They are both insufficient in providing an analysis for how ordinary people can work to transform conflict. They do not tell us how these people can move conflict from a confrontational phase to a rebalanced asymmetrical order, which is a key aspect of CT.

The two models presented here are a few of the many models found in the CT framework. NVA is a technique and body of literature which is used as a form of confrontation in latent conflicts by ordinary people; as a theory and technique NVA explains how confrontation can be used by conflict parties to overcome the effects of power disparity found in asymmetric conflicts.

2(D) - Nonviolent Action

It is difficult to locate literature that fills the gap between the CT and NVA paradigms of conflict resolution. Yet NVA is the idea which has the best potential to address issues of injustice if it were more fully recognized by researchers and practitioners in the conflict resolution field. In this regard Diana Francis suggests the following for the lack of integration:

It is interesting to speculate as to why the two fields have remained to a large degree separate, in theory if not in practice. Maybe postmodern angst and the seeing away from ideological certainties made for discomfort with the absolutist flavour of Gandhian nonviolence and its arguably extreme moral demands. Perhaps the analytical-psychological mix of conflict resolution is more in tune with our times than the leftist political flavour of nonviolent activism (2002, 41).

Thomas Weber, a researcher, also expressed his concern for the lack of research continuity he states,

It would seem to be a reasonable assumption that...nonviolent resistance...set the tone for the later development and phenomenal growth of conflict resolution literature...However, the two bodies of knowledge...seemed to have developed in mutual ignorance. This raises the issue of how they may enrich the field of they are seen as part of a larger whole (2001, 493).

Nonviolent action has made a difference in the world and deserves to be considered an important part of CR and CT. Several significant events of global importance have come about through the techniques of nonviolent action.²² Despite its obvious power to effect social change, few theorists (Francis 2002) (Dudouet 2004) have incorporated NVA into the body of literature of conflict resolution field. If more theorists consistently thought about how ordinary people could use their agency to effect change NVA would be more prevalent in the study of CT. Yet, when incorporating NVA within CT one must enter this field with an appreciation of the different emphases found within non-violence models. One should not presume non-violence has a singular focus. Two models, principled nonviolence and pragmatic nonviolence, differ in their respective approaches. These differences can be explained as follows.

Principled nonviolence is a way of life, in which followers seek to obtain truth. In finding truth, the followers of this life style hope to also persuade others to seek after truth. It is the notion of the “true meaning of life” that attracted Mahatma Gandhi into developing a discourse on nonviolence called *satyagraha*. The “soul force” behind the practice was the moral commitment to truth in relation to all aspects of life. At first glance, *satyagraha* appears to be a form of passive resistance. To obtain truth one must

²² See Ackerman and Duval (2000) for several examples of nonviolent movements.

live in a “spirit of openness” not by force but by embodying the “core values” of nonviolence. This is called passive resistance. The commitment to renounce immorality in all aspects of life can often lead to suffering. Such commitment to human equality can sometimes be misinterpreted by others as an expression of civil disobedience. Nonviolence of this nature has been characterized as principled nonviolence because the motivation to use this approach was based on moral principles and often became a way of life for the followers.²³

Pragmatic nonviolence is another way this practice might be theorized. This approach differs from principled nonviolence and demonstrates how advocates of nonviolence vary in their objectives and approaches to addressing conflict. The American civil rights movement was an example of pragmatic nonviolence. It caused changes to a repressive and unjust system that marginalized the African American population. With this focus nonviolence made an impact on the civil rights movement in the United States. As a primary leader in the movement, Martin Luther King Jr. used pragmatic nonviolence to cause changes in the legal tapestry of the federal laws and regulations that systematically discriminated against the African Americans in the US. Employing nonviolence in the movement was “both a philosophy and a method of social persuasion” (Smith 1969, 89). Unlike Gandhi, King used nonviolence as a means of promoting change.²⁴ He realized that the conversion of his opponents through love was not hopeful.

At the beginning of his public career...he was inclined to stress the importance of converting his racist opponents by reason and love. But after the wave of student sit-ins...King increasingly perceived the coercive essence of nonviolent

²³²⁰ See Bondurant (1988) for more teachings on Gandhi.

²⁴²¹ A study by Amrut Nakhre revealed that “few satyagrahis believed that the opponent was converted to their point of view as a result of the *satyagraha*” (1976, 179).

direct action. As he developed a more realistic view of humanity and the nature of political power, he saw that most racists were compelled rather than converted (Colaiaco 1986, 18).

The differences between Gandhi's and King's use of non-violence are apparent. Yet we may ask: How do Gandhi's conversion approach versus King's nonviolent persuasion approach differ? Their objectives were the same but they were different in their philosophical reasoning regarding the use of nonviolence, but they both managed to change unjust and oppressive practices directed against their people. They accomplished more in a shorter time span than social reforms that use violent means. This is the reason I believe NVA should be an important part of CR. It has the potential to achieve change because it considers issues of justice even as it seeks to deal with profound conflict.

Like Gandhi and King, Gene Sharp fervently advocates the use of nonviolence as a means of achieving social justice. His work has increased the study of nonviolence within academia and has brought it to greater prominence within the literature. Sharp's extensive contribution to this field has helped others with their research. The implementation of his ideas has caused people to change their views. His highly acclaimed book *The Politics of Nonviolence* documents one hundred and ninety-eight techniques of nonviolence implemented in the twentieth and twenty-first centuries.²⁵

Sharp employs nonviolence as a technique to obtain social justice, freedom, and peace. Known as the chief scholar of pragmatic nonviolence, Sharp approaches the study of nonviolence from that of a strategist, who bases the effectiveness of nonviolent actions on how the technique is applied. Sharp counsels scholars and researchers to

²⁵ Active nonviolence has existed well before the pre-Christian era (494 BCE), Sharp records the acts of the plebeians who, "withdrew from the city to a hill. There they remained for some days, refusing to make their usual contributions to the life of the city." (Sharp 1999, 237).

think of NVA not as a “one time” event, but as a form of resistance unrestricted by time.²⁶ This “type of fighting which although nonviolent, is exactly the equivalent to military warfare” (Sharp 1990, 6). The ability for nonviolent actions to generate a change in outcomes is grounded in political power. The nature of political power creates and directs all systems and institutions of society. Sharp identifies the following as sources of political power: authority, human resources, skills and knowledge, intangible factors, material resources, and sanctions (Sharp 1990, 19). Sharp believes that any form of society holds within it a source of political power, which plays a significant role in governing all related bodies. He explains:

‘Power’ is used here to mean the totality of all influences and pressures, including sanctions, available to a group or society for use in maintaining itself, implementing its policies, and conducting internal and external conflicts. Power may be measured by relative ability to control a situation, people, and institutions, or to mobilize people and institutions for some activity. Such power may be used to enable a group to achieve a goal; to implement or change policies; to induce others to behave as the wielders of power wish; to oppose or to maintain the established system, policies, and relationships; to alter, destroy, or replace the prior power distribution or institutions; or to accomplish a combination of these (Sharp 1990, 3-4).

In its simplest form, power requires two agents; one agent exerts power and the other agent experiences the effects of the exertion of this power. In a political forum such as this, Sharp dichotomizes the agents of political power into a subject and ruler relationship. When political power is used as a tool of domination and repression, it creates relationships that are unpeaceful and imbalanced. Because power generated by human beings is relational, it cannot exist if there are no human relationships or interactions; thus, Sharp distinguishes the relationship between the subject and ruler to demonstrate how power is generated.

²⁶ This infinite timeline is the same as Lederach’s approach to sustained CT.

...Power wielded by individuals and groups in the highest political positions of command and decision in any government-whom we shall for the sake of brevity call 'rulers'-is not intrinsic to them. Such power must come from outside themselves...The rulers of governments and political systems are not omnipotent, nor do they possess self-generating power (Sharp 1990, 3).

Sharp's discourse demonstrates how nonviolent actions can be just as powerful as violence. This is the main reason I am attracted to his theory. He focuses on how power can be used to change asymmetric conflicts by employing nonviolent techniques other than mediation, negotiation, and violence. He shows how subjects have the ability to change the status quo. At the same time he reveals how power is contingent upon the cooperation and manipulation of the sources (people, institutions, systems, etc.) and means (violent versus nonviolent techniques). The ability of contingent forces to transform power is the cornerstone of Sharp's *Theory of Consent*.

When people refuse their cooperation, withhold their help, and persist in their disobedience and defiance, they are denying their opponent the basic human assistance and cooperation which any government or hierarchical system requires. If they do this in sufficient numbers for long enough, that government or hierarchical system will no longer have power. This is the basic political assumption of nonviolent action (Sharp 2001, 147).

The application of this theory reveals the abundant sources of untapped power within repressive societies as well offering alternatives to acts of violence.

Nonviolent resistance fights oppressive power through nonviolent means; oppressive power is deflected back to the oppressor by revealing the inhumanity of domination, which Sharp describes as political *jiu-jitsu* (2003, 11). Sharp's concept of *jiu-jitsu* addresses the ability NVA has to elicit power to change social structures. This is accomplished because nonviolent struggle provides the opportunity to include all parties afflicted by violence. It provides the means to challenge dominant powers through nonviolent confrontation. Sharp's extensive research reveals the power of those

afflicted by structural conflict is found *in* the power of NVA. This is the hope that I referred to in the beginning of my thesis: that humans have the ability exercise their agency even amidst great suffering. For this reason I strongly advocate for an improved inclusion of this literature into general body of conflict resolution research.

Evidently CT and NVA both attempt to transform unpeaceful relationships, Diana Fisher (2002) and Veronique Douduet's (2005) are the only researchers who have attempted this feat. Fisher's model of CT is an extension of Adam Curle's model.²⁷ Fisher's diagram expands each stage of a conflict cycle in an asymmetric conflict. To avoid duplication of Curle's diagram I will focus on those stages that Fisher makes different in her extended diagram. At the confrontation stage oppressed groups have mobilized to form groups committed to change. They then engage in reflection and analysis to design a strategy for confrontation. At this point groups choose principled or pragmatic NVA as their source of confrontation (Fisher 2002, 50). Once a choice has been made and applied open confrontation will eventually lead parties to some form of dialogue, once the oppressed group has enough leverage to be acknowledged (Fisher 2002, 50). At this point the integration of the theories suggests parties will seek settlement. Third party involvement is welcomed because mediators can assist in the pre-negotiation stage and in the actual negotiation process itself (Fisher 2002, 50). Fisher openly acknowledges conflicts are susceptible to breaking down and re-escalating at any stage. It is therefore vital that the model not be viewed as an exclusive linear model (Fisher 2002, 51). Visually, Fisher's model is not much different to Curle's model, but instead of relying on third-party involvement to mitigate the conflict, she places the responsibility to act on the oppressed. They can help to "maximise the role

²⁷ Please refer to Fisher (2002, 69) for the diagram on the Stages and Processes of Conflict.

and effectiveness of those local initiatives which contribute to forms of human security that are self-supportive and sustainable” (2002, 8). Informed by her experience as a peace practitioner, Fisher shifts from the theoretical explanations of CT to focus on strengthening the oppressed through training workshops. These workshops are the same type of workshops used by Lederach, except he applies the skills and training at the mid-range level. Conversely, Fisher focuses her efforts on developing workshops for constructive confrontation at the grassroots level. Fisher’s model is a vital tool to visualize how NVA can be used in the CT framework. Despite these strengths what is nevertheless lacking is a comprehensive theoretical model which integrates the theory and practice of NVA into the CT framework. This leads me to Veronique Dudouet’s Complementary model of Conflict Transformation. Douduet’s model is unique because it attempts to develop a model of CT by addressing some of the limitations of both the models of CR and NVA.

Gene Sharp’s pragmatic discourse on NVA is limited by its lack to transcend conflict. The main purpose of pragmatic NVA is to challenge authoritarian rule and reduce violence. There is no mention of how the challenged relationships are transformed into symmetrical relationships. According to Adam Curle, the effects of pragmatic NVA on structural conflict are partial due to the reversal of positions where the “underdogs” become the “topdogs” with no effect on the relationships of the structural sources of conflict (1971, 197). Dudouet advocates for a process that ensures a commitment to resistance and establishing balanced and peaceful relationships based on Lederach’s praxis of reconciliation to sustain positive peace over a long period of time. Gandhi’s principled nonviolence fulfills this requirement. The philosophical

premise of principled NVA requires its followers to treat their opponents with warmth and respect, which fosters a continuum of positive balanced relationships; which then creates an environment of positive peace. Veronique Dudouet recognizes that not all parties will adopt a principled approach to conflict, so “in these situations, mediated or direct negotiation remains necessary to facilitate the articulation of legitimate needs and interests of all concerned” (2005, 12).²⁸ Dudouet compensates for issues of third party impartiality by delegating mediators that advocate social change and justice on behalf of both parties. As a result, the maintenance of power parity achieved by the oppressed group is not compromised. NVA is essential to the practice and discourse of CT because it has the ability to address power imbalances by making manifest the social injustices and destructive nature of structural violence without having to resort to violence.

This insight is central to my thesis. I find the theoretical precepts of Dudouet’s model ideal in exploring the impact of nonviolent women’s protest on structural conflict in the Niger Delta (ND), as I will explore in the next chapters. Veronique Dudouet’s model is fairly new to the body of literature in conflict resolution. She is aware that the model is not perfect, and will require adjustment. In terms of theoretical considerations, I am curious about one specific consideration: how does globalisation factor into structural conflicts and associated theories. Globalisation has formulated new forms of dominance that Dudouet’s model will one day address. Global markets influence regional and national governments desire for foreign development investment as a means to compete in the global market. Restructuring economies to accommodate foreign investors is often the result of a nation’s weak legal conventions on resource

²⁸ Dudouet recognises parties can also negotiate as a result of pragmatic NVA tactics, but they are short lived because they address only issues that reduce violence (2004, 7).

extraction of non-renewable resources. As a result, a greater competition exists between large-scale and small-scale economic activities (Hassan, Olawoye, and Nnadozie 2002, 2). Market economies thrive on competition to gain profit, yet changes in how people maintain their livelihoods remain unseen for several reasons. The maintenance of one's livelihood in a developing nation is composed of several activities and resources for survival purposes. This is not to be confused with generated income in exchange of employment (Hassan, Olawoye, and Nnadozie 2002, 8)

The conflict in the Niger Delta, as we shall see, is about resource extraction. Trans-national oil companies (TNOC) have extracted natural resources with catastrophic consequences. In the case of the people in the Niger Delta, part of their identity comes from their everyday agricultural activities of farming and fishing. Ecological systems cannot support not sustain the livelihoods of the people of the Niger Delta. Lack of economic diversification in Nigeria provides no room for economic development. Slain environmental activist, Ken Saro-Wiwa, described the effect of environmental degradation on the people of the Niger Delta.

An ecological war in which no blood is (apparently) spilled, no bones are (seemingly) broken, no one is (assumedly) maimed, but men, women and children die. Flora, fauna and fish perish, air and water are poisoned, and finally, the land and its inhabitants die (Wiwa quoted in Hassan, Olawoye, and Nnadozie 2002, 7).

Environmental degradation of the Niger Delta region is a culmination of poor resource based management and monitoring of intrastate policies, as well as the lack of integrity of TNOCs to uphold ethical industry standards. TNOCs, such as Chevron, act as global actors in the market system. Their foreign investment represents the financial means to develop economic infrastructures in developing countries. The collapse of national and

international barriers has contributed to minor growth and the continued economic social inequality within nation states (Hippler 2005, 3). TNOCs business practices are often unrestricted because they are not held accountable by the current international monitoring boards. This allows them to operate freely with little to no remorse for their actions. Mary Clark, the UN Human Rights Commissioner defines the relationships between unrestricted TNOCs and financially dependent nation states as complicit. She states,

Corporate complicity in human rights abuses means that a company is participating in or facilitating human rights abuses committed by others, whether it is a state, a rebel group, another company or an individual. A company is complicit in human rights abuses if it authorises, tolerates, or knowingly ignores human rights abuses committed by an entity associated with it, or if the company knowingly provides practical assistance or encouragement that has a substantial effect on the perpetration of human rights abuse. The participation of the company need not actually cause the abuse. Rather, the company's assistance or encouragement has to be to a degree that, without such participation, the abuses most probably would not have occurred to the same extent or in the same way (Clark cited in Amnesty International, 2005).

Complicit relationships between TNOCs and nation states perpetuate the exploitation of people who are economically and politically marginalised. All of the theories of CT involve re-balancing relationships between people and state institutions. However, in today's "New World Order", how do we restructure a relationship between a nation state and its people when the state institutions are deeply influenced by global actors? What would be the possible effects on complicit relationships between TNOCs and state institutions if marginalised groups of people were to directly protest against a TNOC? These are the questions I hope to answer in the remainder of my thesis. In the chapter to follow, I present my case study of the conflict in the Niger Delta by conducting a

conflict analysis of the key actors and the historical and current factors which contribute to the context of the conflict.

Chapter Three: Structural Violence in a Community Context - The Niger Delta

My review of the literature in the first chapter outlined how asymmetric conflicts can be transformed. I suggested this was best accomplished by resisting structures of power through bringing latent conflict into the open through nonviolent confrontation. In my view this is the best way to rebalance behaviours in the relationships of people who participate and regulate social institutions. This chapter will also reveal a context in which these insights can be applied in a subsequent chapter. I have chosen to focus on recent events in the Niger Delta (ND) because it will show how CT can be combined with NVA in a structural conflict when nonviolent techniques are used by groups of people who are marginalized. While the situation remains far from ideal, there is much that can be learned from this case study.

The conflict in the ND is an example of structural violence because the government and transnational oil companies (TNOCs) economically, socially, and politically repress and exploit the local communities. These relationships all revolve around the main issue of control over oil, a non-renewable energy source found in the Delta. Energy resources are in high demand and can command high profits. The accumulation of profits from the sale of energy in a global market economy has resulted in 20 percent of the world's population using 80 percent of the natural resources (UNEP 2003). This is the problem in the ND. Since 1970, over \$400 US billion has been collected by the government of Nigeria in oil royalties from TNOCs, yet the average person in Nigeria lives on less than a dollar a day (UNEP 2003). It is blatantly obvious that these profits do not benefit the people of Nigeria, especially the ND communities. This chapter will explore the relationships between the state, the communities in the

ND, and the TNOCs to provide the necessary context for understanding why the people of the ND are suffering from structural violence.

3(A) - Nigeria - Country Profile

The Federal Republic of Nigeria is located in the western region of Africa along the coast of the Gulf of Guinea. Nigeria, formerly a British colony, gained independence on October 1, 1960. It has been mainly ruled by military governments from 1964 - 1999. April 2007 marked the first time a government has transitioned from one civilian government to another. It is home to approximately one hundred and forty-eight million people which is composed of approximately 400 ethnicities and dialects (World Book 2007). The main ethnolinguistic groups are the Hausa Fulani located in northern part of the country, who are predominately Islamic and the Yoruba in the south-west section and the Igbo in the south-east, where the predominant Christian population live (Omeje 2006, 26). Nigeria is endowed with many natural resources, such as cocoa, petroleum, petroleum products, and rubber. Oil production is the country's main industry. As of 2006 Nigeria holds 35.9 billion cubic tonnes of oil reserves; oil produces ninety-five percent of the country's export revenue, and contributes to ninety percent of its federal revenue (World Factbook) Nigeria's gross domestic product (GDP) is \$132.9 billion US , which equals to \$390 US per capita (World Factbook). Nigeria is the most populated and richest African country; however, 44 to 48 percent of the population does not have access to clean water and proper sanitation (United Nations Children's Fund) The poorest of the people who live in abject poverty are the communities of the Niger Delta where the majority of petroleum products are extracted and refined. One main reason for this economic disparity is due to the government's corruption and lack of

transparency. According to the World Bank, 80 percent of Nigeria's oil revenues benefit only 1 percent of the population (World Bank). The republic is ranked 147 out of a total of 169 countries as being corrupt in its practices of federal, state, and local governance.²⁹ Corruption in the Nigerian government stems from factors originating from the colonial rule and is perpetuated in the present day government. The provinces of the ND have been subjected to abject poverty due to the structural strains of the federation and the lack of expertise to manage the revenues of the country. Problems in the ND date back to relationships and structures created at the time of Independence.

3(B) - Federal Republic of Nigeria - Pre-Colonial Era

When Africa was carved up by European colonizers its boundaries did not correspond with traditional African communities and empires. Nigeria was no exception. Like many African nations, its boundaries were arbitrarily drawn. This was the conclusion of the Hilton Young Commission on Closer Union in Eastern and Central Africa:

[The Nigerian boundaries] are the effect of historical accident and not of any reasoned plan. They have grown up piecemeal as a result of the labours of the early travelers, who wandered at large, and of international diplomacy in search of round-and-ready compromises...and with little knowledge of geographical conditions and less of ethnographical (Anene 1970, 4).

These artificial boundaries are a problem because they are not drawn around communities that feel a sense of obligation to one another. The anthropology of the region reveals that African communities historically lived together due to patterns of

²⁹ See Transparency International Index
http://www.transparency.org/policy_research/surveys_indices/cpi/2007

locality, ecology and ethnicity which were native to African communities. J.C. Anene (1970) describes three patterns indicative of the societies of Africa. Firstly, communities lived and communed amongst each other in accordance with locality. Close proximal living is characteristic of politically active groups of the Yoruba states, Dahomey (currently known as Benin), East and West Africa. Secondly, the topography of the varied sub-Saharan desert and the marsh filled delta provided natural barriers. Northern Nigeria is surrounded by deserts; “the states of the Central Sudan, including Bornu, Maradi, Air and the Fulani empire had frontiers of separation” (Hatch 1970, 176). Thirdly, the migration patterns of various groups resulted in multiple boundaries created by different ethnicities. The arbitrary divisions of ethnic groups presented a direct threat to cultures held together by traditional political and economic institutions (Hatch 1970, 176).

Implementation of colonial boundaries was the result of competition amongst European powers to accumulate land (Hatch 1970, 176); thus, creating forced division and amalgamation of traditional African communities. Little attention was given to the effects it had on the communities. As demonstrated in a personal communication of a German delegate at the time of partition: “The few square miles of bog, and one or two negro villages which would be added to German territory by giving up the present frontier... ‘These protected subjects’ ...easily rebuild their huts” (Anene 1970, 81). It is difficult to know whether the colonial powers were cognizant of the repercussions of

such actions on African people, but it is evident these decisions had a profound effect on the formation of Nigeria as a nation.

A country demarcated by an arbitrary border is home to four hundred ethnic groups. The Nile and Benue Rivers have naturally divided the country into geographic regions, known as the North, East and South; within these divisions you will find the major cultural and ethnic³⁰ groups of the Hausa-Fulani, Igbo, and the Yoruba, referred to as “tribes” in historical and current literature. Respectively, the North is home to mostly the Hausa and Fulani people. Enclosed by sub-Saharan desert, the Fulani settled in the northern region of Nigeria. Originating from Senegal, the faith and the culture of the Fulani people were influenced by political and social culture of the Muslim due to the sub-Saharan trade routes. Influences of Islam encouraged the infiltration of the faith and political administration by the inducement of jihads; as a result followers of Islam "controlled all the north of modern Nigeria except Bornu, parts of Kebbi, Gobir, and Tghe hill areas of the middle belt" (Hatch 1970, 115).

All regions of Nigeria had a form of traditional governance; the northern region and the Yoruban people were the most politically stable. The western sector of the country is home to mainly the Yoruban communities, near the city of Ibadan. At the outset of the nineteenth century, the city was highly populated due to its lucrative markets of trade (Hatch 1970, 62). Politically, the Yoruban communities organised

³⁰ “Ethnicity is one of the key to understanding Nigeria’s pluralistic society. It distinguishes groupings of peoples who for historical reasons have come to be seen as distinctive-by themselves and others-on the basis of locational origins and a series of other cultural markers” (Metz 1992, 97).

themselves into a complex system conducive to the culture and lifestyle of the people.

These patterns of living were explained by John Hatch:

The political system of Oyo was complex. The alafin was selected from among the royal family by a kind of cabinet formed from the principal councilors of state and known as the mesi. It also controlled state policy under the leadership of the basorun, a type of prime minister...Nominally, the king was absolute, but the system was clearly designed to ensure that he ruled in accordance with the wishes of his people...(1970, 62).

The other main groups of people found in the eastern section of modern Nigeria are the people of the Ibo communities. The Ibo have been characterized as a single people due their shared language, religion, and cultural patterns among five cultural groups (Hatch 1970, 76). Politically, the groups organized themselves along family bloodlines, which made the basis for the village system. Two central bodies coincided in this system, the council of elders and the village assembly; the latter acted as the representative body for the people, and acted as the check and balance to council of elders (Hatch 1970, 77). In brief, he describes three distinct societies imbued with a sense of governance, a sense of identity and a way of life, yet the amalgamation of such societies have placed great strain on the birth and life of what is called Nigeria.

3(C) - Amalgamation of Protectorates

The implementation of the constitution of 1914 marked the beginning of many decades of strife due to the structural problems of the Nigerian political system. Commissioned by the British Empire, Lord Lugard amalgamated the Northern and Southern protectorates into one nation known as Nigeria. Technically, Nigeria operated as a unified state, but in reality the country was politically fragmented because of ethnic rivalries. The northern political system functioned under the Islamic feudal system, with emirs acting as heads of state as stewards of the British. The indirect rule of the British over the Northern protectorate worked to Lugard's advantage.³¹ By allowing the Hausa/Fulani cultural and political institutions to remain intact, the British Empire had the means to fund further exploration projects from the taxes collected.³² Lugard relied heavily on levied taxes to the point where an attempt was made to replicate the political system of the North by implementing tax laws in the southern regions (Metz 1990, 32).

Influenced by Christian missionary work, the people of the South were educated and influenced by the British system of governance to the point that the South produced a self affluent African “middle class” (Hatch 1970, 178). The development of an African political elite system posed a threat to the British, “whom the colonialists generally looked down upon as upstarts and political agitators” (Okonta and Douglas 2001, 16). A warrant chief system was created to generate revenue and contain the further development of the African political elite system, yet it was not fully integrated due to the difference in the political systems found in the South. As a protest against further taxation, the women from the neighbouring towns that surrounded Aba protested

³¹ Lugard defeated emirs by armed force, where he could control them by indirect rule (Metz, 1990, 32)

³² The practice of the Islamic Sharia Law in the Northern states in present day Nigeria is an example of a cultural political institution that has remained intact.

against the government, which resulted in the dismantling of the system (Hatch 1970, 99). In the years that followed, the indirect ruling of the British over the protectorates was financially burdensome. This was one reason the British granted independence to its colonies. It allowed the British to reap the benefits of importing and exporting goods without having to financially support the colonies.³³ In preparation for Nigeria's independence from colonial rule, information was gathered to construct a political system fit for transition of power from the colonial powers to an independent Nigeria. The British found that the people of the North wanted no interaction with the South; therefore, they agreed to a tri-regional government. In 1939, the Southern protectorate was divided into the East and Western regions, which institutionalised a geo-demographic imbalance for the "Northern [was] far larger than the Western and Eastern regions together" (Omeje 2006, 26). Due to the political partnership of indirect rule with Lugard, the Northern region had political sway over the formation of the government system, which reinforced a distinct identity division between the "North" and "South".³⁴ Instead of promoting political pluralism, the Northern region continued to insulate itself due to its political partnership with the British Empire. The underhanded relationship between the Northern protectorate and the British was perpetuated in the constitutional legislation of Nigeria, and the 1952 Macpherson Constitution, crafted by Sir John Macpherson; this constitution further instituted ethnic rivalry.

³³ The Northern protectorate was not producing enough revenue, which required Britain to financially support them in a form of a grant-aid (Hatch 1970, 186).

³⁴ The Northern protectorate was favoured by Lugard because he did not appreciate the economic affluency of the southern protectorate consisting of liberal educated Igbo (Hatch 1970, 187). This division still permeates in Nigerian society today.

The Macpherson Constitution divided Nigeria into three regional state governments under a federal executive; it was described as the "marriage of the irreconcilables". The formation of a federal parliament system required the election of political parties; in this case political parties were not drawn along party platforms but on ethnic regional boundaries. Each major ethnic region was represented by a political party. Crafting Nigeria into a federal state was not the consensus of the people of Nigeria; this monumental decision was independently made by the Nigerian elites and colonial powers. (Adamolekun and Ayo cited in Suberu 2001, 24). For this reason, the Northern protectorate was supported by the constitution because it "was given half of the seats in the central legislature of 148 members, ensuring its near total dominance of the nascent country's politics" (Okonta and Douglas 2001, 17). The political elites in the east and west were satisfied because of the increase to their stature. Regional governance under a federal union provided each region to sustain itself within the federation, which worked to the advantage of those regions endowed with economic wealth due to the commodity boom of the 1950's. Rotimi Suberu further explains ethnic regionalism:

Indeed, the strongest supporters of the 1954 federal constitutional settlement were the political elites of the groundnut-producing North and the cocoa-rich West, the regions that benefited most from the commodity boom. The dominant Hausa-Fulani and Yoruba elements in these regions perceived federalism as a means of protecting regional power and resources from the poor but ambitious Igbo in the East (2001, 25).

In preparation for complete separation from Britain, a House of Representatives was created with a Senate in 1957 after consultations with regional governments. In October

1960 Nigeria became officially independent. The Nigerian federation was a parliamentary system similar to the British Westminster model.³⁵ Nigeria was an official federation but with political lines drawn by entrenched ethnic boundaries, it made it difficult for a unified federation to exist (Hatch 1970, 257).

3(D) - Independence - Military Government Era

The Independence Constitution of 1960 outlined the division of powers between federal and state governments. The delineation of these powers gave the federal government “power to “assume extensive and intrusive unitary powers, including the appropriation of the executive and legislative functions of the regional governments” (Suberu 2001, 28). The first elected government of Nigeria was formed by a coalition between the National Council of Nigeria and the Cameroons (NCNC) and the Northern People’s Congress (NPC) to form a majority government. Political parties’ policies were enshrined in regional boundaries, which was unique to Nigerian politics. Within three years, the federal system began to show signs of weakness. Distaste for political campaigning of other parties not aligned to ethno-regional boundaries transformed the federation into a political monster. The Western region, represented by the Action Group party (AG), suffered a political split. AG party leader Azikewe was found guilty of embezzlement and corruption when several million British pounds were transferred into his own private company to fund the training of militants in Ghana in preparation for a political coup (Metz 1992, 50). The disarray caused by the political upheaval allowed the federal government to invoke the emergency measures to appoint members

³⁵ Nigerian scholars cite the Westminster model as a form of British imperialism because it forces a “divide and conquer” mentality created by the ethnic-political regions which is different to Western countries where ethnicity is not a factor (Suberu 2001, 20).

of Parliament to govern the Western regional government (Suberu, 2001, 26). As a result, the federal government appointed leaders from the federal party as “retribution for two and half years of the AG’s opposition to the federal government and to the parties forming that government in their home regions” (Suberu 2001, 28). Political federations like Sweden and Canada govern according to political platforms, in a vertical harmony between local, provincial, and federal forms of governance and a horizontal harmony to include all citizens. But the institution of federalism in Nigeria, demonstrates the disharmony between ethnicities, which creates competitive relationships institutionalized vertically and horizontally in the institution that regulates the social, political, and economical relationships in Nigeria.³⁶ Regional autonomy hung in the balance, with the “Northerners” dominating at the federal level; the people in the remaining parts of Nigeria were frustrated, and the 1964 elections brought no relief. Electoral representation was based on the 1963 census, which gave majority representation to the region in the North.³⁷ The political federal monopoly of the North instigated “systematic obstruction of opposition campaigns”, which infuriated the NCNC of the East (Suberu 2001, 29).³⁸ As for the West, regional government was indirectly dismantled by the election of an unpopular NPC government in opposition to the dominant Action Group. As a means to legitimize its authority, the NPC formed a ghost alliance (NNDP - NNA) between itself and several opposition and minority political parties against the NCNC ghost alliance of the United Progressive Grand

³⁶ The nature of vertical relationships in a nation state is the relationship between levels of governance i.e. the national, state, and local bodies of governance. The nature of horizontal relationships is relationships which reflect all people of society i.e.) the elderly, women, children, and ethnic minorities.

³⁷ This census figure was used for successive elections and allocations in all Federal Military Government administrations all the way up to 1991 (Suberu 2001, 154).

³⁸ Disputes over the census arose from the discrepancies in the total figure and count technique. The second census figures were adopted as the official figures, despite arguments of inflated figures by demographers (Metz 1992, 52).

Alliance (UPGA) to gain power over the three regions versus the UPGA's plan to create more states to balance federal power. Despite boycotts and raising public consciousness, the UPGA was defeated, which triggered riots and left two thousand people dead (Metz 1992, 55). Eventually the NPC and its coalition leaders were assassinated by Igbo insurgents, which put the military into a position to seize control over the country by declaring a state of emergency and formulating a Federal Military Government (Metz 1992, 56).

From 1966 to 1979 and again from 1983 to 1999, Nigeria was ruled by military governments with several coup d'états in each administration. The decrees of 1966 and 1975 gave the military unlimited powers to make laws on behalf of the country; thus, regional powers were in effect subordinate to the central governing body (Suberu 2001, 31). Military rule sought to equalize the balance of power among the regions by forming six provinces in the North and South, and an additional seven in the West in 1976. Military regimes brought structural stability between the two levels of government by creating the Constituent Assembly to monitor the internal structure of the central governing body. Political elitism acted as an undercurrent to the political life of the federation. The second elected government was dismantled by a military coup as the result of political opposition to the federal governing bodies.

By word the 1979 constitution allowed for unrestrained political campaigning by ensuring that all unregistered political parties be registered in two thirds of the states. By deed, "the ruling elite at the center betrayed its weak commitment to federalism and toleration by crudely attempting to dislodge its opponents in the states" (Seberu 2001, 39). The military coup reinstated the military as the chief governing body. Again the

idea of federalism was nothing but an abstract idea; in reality the struggle continued between the regional and central governments. Fear of political upheaval was evidenced by the dismantling of several media operations that held critical opinions of General Ibrahim Babangida's decision to annul the 1993 political election, which was won by a southern Yoruba candidate, Chief M.K.O. Abiola, for the first time in Nigerian political history (Suberu 2001, 39). The Abiola administration was replaced by an interim civilian government appointed by the military. Within three months of the civil government appointment, it was ousted by a coup d'état staged by General Sani Abacha who illegally refused to uphold the results of the 1993 elections (Suberu 2001, 42). After the death of the despotic President Abacha, General Abubakar sought to restore stability to the federation by prohibiting political candidates from the northern parties from participating in the 1999 political elections (Suberu 2001, 42).³⁹ This agreement was considered a compromise with the North; former Yoruban military leader Olesegun Obasanjo became the first civilian president to serve a full term. Once appointed Obasanjo's political reign was considered a betrayal by the North for the following reasons.

This alleged betrayal involved the dismissal of several northerners from the military and the bureaucracy, the relocation of important federal institutions from North to the South, and the disproportionate assignment of key ministerial appointments to figures from the president's Yoruba southwestern region (Suberu 2001, 43).

³⁹ The 1999 election was monitored by the Carter Centre. The Centre agreed the elections were compromised, but not enough to make a difference and given the previous reign by several military governments, it choose to remain indifferent to the election results. For a full report see: <http://www.cartercenter.org/documents/1152.pdf>

Obasanjo's political administration has incited ethnic conflict reinforcing the polarization of the North's and South's ethnic, religious, and political identities.⁴⁰ Nigeria recently participated in a political election that is laden with controversy and is currently being contested in the Nigerian court system. The struggle remains; how to run a country considered the most ethnically diverse with one of the greatest potential for economic affluence.

3(E) - Institutional Fiscal Mismanagement

The economic and political conflicts present today in Nigeria can be traced back to the various military federal administrations. Politically, a federation organizes itself vertically by dividing its powers and responsibilities with state and local polities. Federal and sub-national governments derive majority of its revenues from taxes collected from its people, and on goods and services. The allocation of funds has been the main source of contention between the federal government and state authorities. Three federal statutes crafted by an elitist bureaucracy driven by ethnic ties combined with poor financial planning forced a crippling reliance on the central body by the regional and local authorities.

The first statute, Decree 13 of 1970, stipulated that states, where natural resources are derived, should share their revenues equally with all states and the federal body. These measures included "excise duties on tobacco and petroleum products and import duties on motor fuel...[in addition] the federal government assigned to itself all

⁴⁰ Since Obasanjo's appointment in 1999, Human Rights Watch has reported over 11 000 people killed from intra-state conflict in the Niger Delta. See <http://hrw.org/backgrounder/africa/nigeria0207/2.htm>

rents and royalties from offshore oil operations”(Suberu 2001, 51). The change in revenue allocation deprived oil states of almost half of their revenues, which was further reduced by the abolishment of various taxes, such as gaming and casino taxes (Suberu 2001, 52). The purpose of the federal government’s firm hold on revenues was to institute political and economical equality with all the states by collecting and redistributing revenues from a Federation Account (FA). Decreased revenue made it difficult for states to fulfill their responsibility to fund primary education, health, agriculture, industries, water supply, and housing (Suberu 2001, 34). Instead of states generating revenue from their natural resources, the federal government disabled state economic powers by seizing control over resources inherent in the regions. The creation of 36 states by 1983 did not generate more revenue, but it created more pieces of the “revenue cake” to deal out.

Further restrictions on regional authorities came by way of the introduction of the 1978 Land Use Act, which stipulates that all land is owned by the federal government to be used for the purpose of benefiting “all Nigerians” (Amnesty International 2005). This statute implanted a form of political apathy amongst regional authorities; there was little incentive to develop revenues because finances for development were managed federally. The statutes sought to maintain the “spirit” of federalism but it was the poor economic planning along with issues of corruption which saw the country’s economy plummet into debt.

Since 1960, the regional and federal public service has been run by unqualified employees who represent a workforce consisting of 70 percent of staff in lower paying positions; overall only 13 percent are university graduates and 8 percent are trained in a

field related to economics (Okonjo-Iweala and Osafo Kwafu 2007, 15). The fruits of this labour force are reflected in the fiscal management of the Nigerian economy. The agricultural and oil markets were inverted in 1970, where the agricultural market decreased in profit and oil manufacturing sky rocketed (Lewis 2004, 99). Profits from the oil sector continued to increase to 95 percent of the government's revenue (Lewis 2004, 102). On a federal level, oil production created surpluses in the federal budget compared to the minute increase in state revenues. Despite increases in federal and state expenditures, the 1970's began the proliferation of the "Dutch Disease" syndrome, where everything that was not associated with oil production became stagnant and non productive because the increased reliance on oil revenues (Lewis 2007, 124). Poor policy management by federal policy makers failed to diversify revenue generation. Money invested in non-oil, nominal compared to oil production, did not produce regenerative profits. For example, \$6 US billion was invested in the steel industry; except for a record year in 1985, the steel industry still contributed to 5.4 percent of the GDP in 1995, which was the same contribution in 1965 (Lewis 2004, 103). Low oil prices in the 1980's caused the government to begin borrowing from outside lenders like the Paris Club and the International Monetary Fund (Lewis 2004, 102).

In 1986, head of state General Babangida, attempted to balance the economy by diversifying the import and exports sectors. Babangida banned the exports of cocoa beans to increase the domestic market, but the infrastructure was not equipped to process the cocoa bean crops (Abiola 2005, 274). In the 1990's many of the federal agricultural enterprises were privatized, but with high inflation little room was left for

expansion in the private business sector. Again to counter act failing profits in the agricultural sector more money was rolled into expanding the oil industry, increasing the national debt load. Low quality public project and arrears in civil servant salaries are some of the results of poorly run state institutions. As a result many federal projects have produced low quality projects and arrears in civil servant salaries; corruption entrenched in the fiscal management of federal funds also affect the federal government's ability to maintain human security for all of its citizens (Abiola 2005, 274).

Corruption has been a bedfellow to the political and economic activities of Nigeria since independence. Independent firms like Transparency International (TI) have done surveys to gain a sense of how corruption impacts the economy. TI's survey report done in 2007, ranked Nigeria 147th out of 179 countries in levels of corruption and 70 percent of Nigerian firms surveyed, acknowledged bribes were used in everyday practices in the public service sector.⁴¹ Military regimes ignored constitutional laws concerning funds allocation. In 1997 \$208 billion naira was collected out of a possible \$452 billion naira, and in 1998 \$189N billion naira was collected out of a possible \$424 billion naira. These deficits have not been compensated, which makes it difficult for regional authorities to fulfill their constitutional responsibilities (Suberu 2001, 55). Holding the military regimes accountable for misallocation of funds is difficult because political leaders ran the government with a tight fist, acting superior to any law or

⁴¹ See note 26.

governing board. Daniel Jordon Smith's research and personal experience concludes that corruption has to do with its perpetuation both by the public and private sphere of society. The economic pinch felt by regional and local authorities has created a system of patron - clientalism. Patrons are people who have access to revenues, and provide services and goods in exchange for political loyalty or user fees. The exchange of bribes for goods and services in Nigeria is a common everyday practice (Smith 2007, 9). For example, it is not uncommon to have to pay an extra toll fee for travel purposes.⁴² Allocation of revenues and revenue expenditure is also dependent upon population aggregates, which has been a source of contention between the ND states and the federal government (Suberu 2001, 146).

The little money that was transferred to the states was to be divided equally between 36 states, along with an equalization payments based on census aggregates. The purpose of equalization payments is to put each state within equal economic standing of each other. Equality between states assumes each state bears the same economic and social conditions, which is not the case. Census population alone does not account for "economic circumstances". Suberu explains, "to be meaningful and useful, it is argued, the population principle must incorporate such characteristics of the population as sparsity, density, age composition, rural-urban distribution, and so on" (2001, 62). Equalization gives the appearance that every state would receive its equal share of federal funds; therefore, groups of people argue for the creation of more states

⁴² For more detailed experiences of corruption see Smith 2007

to obtain an equal share of revenues. These assumptions do not account for the reality which is faced by the ND communities. States that are heavily populated have a larger tax base to generate funds, so it makes no sense to financially equalize states with a smaller populated state that have less of a tax base (Suberu 2001, 62). In essence equalization creates another reason for state apathy, because states are not inclined to generate profits when funds are guaranteed by the constitution.

Political instability created by ethnic tensions within the ND increases contention between the federal governing body and regional state authorities. The ND states are the heart of Nigeria's wealth and home to the majority of the ethnic minorities who do not benefit from oil revenues. Centralization of oil revenues has left state governments with little to generate funds in the ND; because the ND states are densely populated in urban areas, requiring economic development, their population size is used against them. They are further penalized by the destruction of viable land due to oil extraction.

3(F) - Environmental Degradation: Marginalization of the Women of the Niger Delta

The entrenchment of complicit relationships and collusion at all levels of government places the ND communities in dire straits. Oil produced from their land brings no promise of benefits only curses. Besides the loss of revenue legally owed to them, oil production continues to devastate the environment to a point where the environment cannot sustain the people of the ND communities. Oil spills and oil

extraction are the two activities that have the most impact on the environment (Onwuka 2005, 655). Arable farmland has decreased steadily over a period of thirty years and the toxicity of soil has affected the production of arable crops that visible changes can be easily observed (Jike 2004, 690). Oil toxicity has also affected marine and fauna life, the sources for revenue and sustenance for the ND people. V. T. Jike eloquently describes today's reality in the ND of thirty years of oil production activities.

The little school child is truant because the parents, having been displaced from their farms, are unable to meet their obligations to provide food and the recommended textbooks for the child at school. The fisherman sits very early in the day guzzling locally brewed gin (*ogogoro*) in his sitting room because the fish in his domain have been depleted not by the plunderous activity of humans but by spillage and industrial effluents that have begun to introduce toxicity and distort aquatic balance, thereby forcing whole species to migrate or die (2004, 692)

Several hundred oil spills occur every year in the ND. Between the years of 2000 and 2003 the Shell Corporation recorded that over 40,000 barrels of oil had been spilled, but attributes over half of the oil spilled to sabotage by armed insurgents (Omeje 2005, 326). The combined damage of oil companies operating in the ND has amounted to 1.5 million tonnes of spilt oil (Igbikiowubo, 2004). Contaminants are present in soils from oil spills since the 1960's, and they have been there for too long to reverse the effects. Gas flaring is another side effect of oil extraction. Gas flares have been ongoing for over 30 years in some communities. When oil is extracted, natural gas forms as a by-product; in most cases the gas is disposed by flaring. Toxic contaminants released into the air affects the ecological system. Plants are starved of quality air, humans develop

respiratory diseases directly from the air, and from the plants and wild life they consume (Gabriel 2004, 7).

Environmental degradation affects all people in the Niger Delta, especially the women. The women of Nigeria are known for their skills and expertise in supporting community market places in the Delta region. Fishing and agriculture are the main traditional industries where women participate and have main control (Gabriel 2004, 1). Fish processing, fish smoking, harvesting staple foods and wood collection are just some of the daily activities women participate in for subsistence and economic purposes. The erosion of the coastal line has degraded to such a point where coastal villages are slowly being submerged. Flooded waterways make it difficult for women to fish locally; they must go out into the dangerous high seas or be forced to buy seafood from the men-folk or commercial “ice fish” (Gabriel 2004, 6). Oil extraction has curtailed their economic activities and has forced them into alternative employment like prostitution, house staff, and bar attendants (Hassan, Olawoye, and Nnadozie 2002, 23). Lack of attention to the environment has marginalized the women. Environmental degradation suffered by the ecological system has a direct effect on the women’s ability to provide for themselves and their family. Traditionally, in the ND communities, land is owned and inherited by a patriarchal system; therefore, any compensation for oil spills goes directly to the men and not the women who depend on the land (Gabriel 2004, 3).⁴³ From a Nigerian perspective women’s roles are complementary to men. They are responsible for rearing their children, making sure they receive proper

⁴³ Women may rent land from male land owners based on their ability to generate income (Gabriel 2004, 3).

education, and taking care of the elderly.⁴⁴ With changing conditions there is no access to proper health-care and education combined with decreased space for subsistent living. The women of Nigeria have much to gain by taking their future into their own hands.

State and Federal infrastructure put the women and the ND communities at a disadvantaged position because states lack revenues to invest in non-oil sectors. Also, the federation's focus on controlling oil revenues rather than protecting the environment puts these women in a disadvantaged position. Currently the federal government controls 13 percent of the Federal Allocation (FA) account that is allocated for special funds otherwise known as derivation funds. At the onset of 1960, states endowed with mineral and petroleum reserves received 50 percent return on revenues, which created financial imbalances between populated Northern regions and lesser populated states of the South (Suberu, 2001, 63). With the continued perpetuation of the ethnic groups, derivation currently stands at 13 percent for onshore oil revenues that is to be used for maintenance and economic development, which is jointly shared by the NG and TNOCs (Amnesty International 2005).

Under Obasanjo's government, the Niger Delta Development Commission was formed to monitor the transfer of these funds and plan and implement development initiatives, as well as, act as an advisor to the oil companies on environmental issues (Amnesty International, 2005). The NDDC has received only 20 percent of funds from the NG who have been in arrears since 2001, and several TNOCs are also in arrears. Hypothetically the NDDC is to act as an independent non-aligned entity, but all

⁴⁴ Hassan, Olawoye, and Nnadozie 2002 report on ND gender activities discusses how environmental degradation affects gendered activities in the Niger Delta.

members are appointed by the federal executive with no local or NGO members (Amnesty International 2005). The NDDC does not have the political power to demand the NG and the TNOCs to bring their account into a current standing. The Land Use Act also prevents the judiciary from making TNOCs accountable for environmental degradation. The Act stipulates: “No courts shall have jurisdiction to inquire into any question concerning or pertaining to the amount or adequacy of any compensation paid or to be paid under this Act” (Omeje 2005, 4). These are only a few of the infrastructure restraints that force the ND communities into abject poverty. With no recourse from the federal and state governments, this leaves a bleak outlook of the future for the citizens of the ND.

3(G) - Local Impacts

Oil companies have been in Nigeria for over thirty years, and despite the enormous revenues drawn from oil production, there is little to show for this in the communities. Communities in the Delta have no access to electricity, portable water, and proper health care and education. With this knowledge staring them in the face, tensions have grown to the point where people are protesting through violent and nonviolent means. The Delta communities are in a precarious position because federal armed forces act on behalf of the federal government on all affairs that pertain to Nigeria. These forces are often very disrespectful of human rights. When people protest against the government’s faulty resource management these demonstrations are used to justify the deployment of armed services to supposedly maintain order. The excessive use of force by armed forces is the source of many of the human rights abuses, as reported by Human Rights Watch and Amnesty International. Members of the armed

forces are employed by the federal government, and although their salaries may be tied up in arrears by their employer, they still regard it as an income. Protecting all things associated with oil revenue, is also part of protecting the joint interests of the oil companies. Thus, to supplant their meagre income the soldiers are also paid bonuses and incentives to protect oil interests (Amnesty International 2005). When it comes to issues or resource control, armed forces are not there to uphold the peace but to protect the interests of the federal government and oil companies. At the same time the soldiers can also line their own pockets with more money; which gives rise to the question who protects the community?

The lack of protection for the communities was brought to the international forum with campaign for human rights and resource control by the people of Ogoni lead by acclaimed activist Ken Saro Wiwa. Wiwa made representations to the UN, and campaigning with other NGOs to bring attention to the suffering the Delta communities. Two years of political upheaval was attributed to General Abacha's refusal to uphold the promise of a restoration of civilian ruled government. As a result, elected member politicians were imprisoned. In his continued acts to suppress dissent Ken Wiwa along with eight others were arrested and executed on false murder charges on November 10, 1995. The collusion of the judiciary and armed forces denied proper due process to the trial. The execution caused several international heads of states to condone the illegal actions, but they were ignored. After the execution, the Nigerian government was expelled from the Commonwealth (Amnesty International 2005). The muted recognition of human rights abuses by those outside of Nigeria demonstrates the unwillingness of those at the centre of power to change a system based on conspiracy and corruption.

Closer to home, the African Commission on Human Rights found the Nigerian government in violation of the African Charter in regards to economic and socio-political rights. Unfortunately, this decision has made little effect on the governance in the Delta, for there has been no official recognition of human rights abuses within Nigeria. The judiciary compiled a report of human rights abuses between 1966-1999, by Justice C.A. Oputa which has not been made public, thus circumventing any attempt to make the government accountable (Amnesty International, 2005).

Frustration as a response to the lack of access to justice has sparked an increase in militia and youth criminal activity in the ND. The Movement for the Emancipation of the Nigeria Delta (MEND) is an umbrella militia where insurgents work together to undermine the TNOCs and NG with a black market on petroleum. To ensure jobs, and to bring money into the Delta, many insurgents have resorted to kidnapping and illegal oil bunkering to change the tide of suffering (International Crisis Group 2006, 5). Illegal bunkering consists of tapping into pipelines and siphoning oil. The illegal activity is tolerated by the community, law enforcement and political leaders. Shell calculated a total of 20,000 barrels per day (bpd) are siphoned at a daily profit of \$2.67 million dollars (International Crisis Group 2006, 8). Unofficial corruption is tolerated just as much as official corruption. Armed forces and local law enforcement tolerate illegal bunkering by accepting money from the rebels to transport oil in broad daylight. It is difficult to determine how communities benefit from these practices when corruption is entrenched in the political fabric.

3(H) - Transnational Oil Companies (TNOCs)

Oil companies are not the source of the ethnic rivalries and state and federal incompetencies, but their actions do perpetuate the problem. The basis of this perpetuation is based on the relationship oil companies have with the government of Nigeria. OPEC requires companies and host countries to share in the maintenance costs of oil production. It is in the best interests of both parties to protect oil facilities from illegal bunkering and sabotage, because it is cheaper to prevent damage to pipelines than to repair them after the fact. The hiring of security forces by oil companies consist of government forces and private companies, who are paid by the company (International Crisis Group 2006, 8). Civil servants of the government receive bonuses from oil companies, and private militia companies. Civil servants will give allegiance to whoever is the source of financial gain. These companies perpetuate problems by not maintaining human rights standards within their security forces that attack communities as a form of repression to secure their job and company interests. Official company reports show that companies are aware of such practices but they choose to ignore them. Indirectly, companies perpetuate the problem by not reporting abuse by government forces because they are protecting their business efforts in light of their awareness of human rights abuse (International Crisis Group 2006, 8). Human Rights Commissioner, Mary Robinson, defines relationships between TNOCs and host communities lacking in integrity as complicit; she states, "Corporate complicity in human rights abuses means that a company is participating in or facilitating human rights abuses committed by others, whether it is a state, rebel group, another company or an individual" (Robinson

cited in Amnesty International 2005). Robinson's statements acknowledge the extensive and influential role TNC plays in the international conflict system.

Mutual interests between TNOCs and the NG inhibit the reporting of human rights abuses. There are also external pressures for maintaining a close relationship between corporations and the state. U.S. based companies do not want to lose access to markets by criticizing countries in which they do business. In a global market economy, India and China are entering into the competition for oil (International Crisis Group 2006, 26). This puts pressure on American and European companies to remain competitive by tolerating actions of the government to stay in the good graces of NG. Governments tolerate unethical environmental and human rights practices to ensure the continued collection of revenues at the expense of the suffering Delta communities. The TNOCs passively allow conflict to continue, and their presence actively contributes to the violence in the region. Corporations defer their corporate responsibilities to the Nigerian government instead of actively adhering to international standards of human rights. They do this with the full knowledge that, the Nigerian government has no intention of acting to overcome human rights abuses or helping out local communities. Spokesman for Chevron Nigeria alluded to this notion with this statement.

The needs of the communities in the areas where we operate are many and we are not in a position to provide all of them. While we are committed to partnering with other stakeholders to contribute significantly to the improvement of the conditions in the communities, we cannot and should not be expected to do this alone (Amnesty International 2005).

The corporations should not be able to escape their responsibilities so lightly. There are standards that address these issues. International laws and regulations compel companies to hold their business practices to a non-negotiable standard of human rights.

For example, the UN Norms on Responsibilities of Transnational Corporations and Other Business Enterprises with regard to human rights holds companies to a high standard of conduct.⁴⁵ It is the responsibility of Transnational corporations and other business enterprises to inform each other of the impact of their principal and proposed activities on human rights abuses (Amnesty International 2005). This is not happening in the ND. The business relationship between the Nigerian government and oil corporations is poisoned. It breeds complete collusion between them. The government's reliance on oil revenues leads them to give human rights abuses a low priority. Nigeria simply values money more than people, and with Nigeria producing a fifth of the world's oil supply, it is beneficial to oil companies to continue operations. Citizens have no remedy against environmental degradation and human right abuses. One can see why I have chosen this case study as an example of structural violence that could benefit from CR and NVA resolutions.

The Nigerian law places minimal consequences on oil corporations for environmental infractions. In situations where there is evidence of sabotage, oil companies are not required to compensate for injuries and damages (Amnesty International 2005). Legal cases brought before the court are often stayed or dismissed. The main reason cases are dismissed is due to the lack of funds by petitioners to employ legal counsel for lengthy court proceedings. Another reason cases are dismissed is found in the difficulty in proving corporate neglect instead of sabotage due to the lack

45 see [http://www.unhcr.ch/huridocda/huridoca.nsf/\(Symbol\)/E.CN.4.Sub.2.2003.12.Rev.2.En](http://www.unhcr.ch/huridocda/huridoca.nsf/(Symbol)/E.CN.4.Sub.2.2003.12.Rev.2.En)

of funds to support lengthy investigative processes within a complicit legal system (Amnesty International 2005). The *Land Use Act* undermines the rights of citizens by extinguishing the rights of people to question and protest against the government concerning land use, for all land belongs to the federal government of Nigeria who acts on behalf of all citizens. Furthermore:

The state governor may expropriate land for mining or oil purposes; communities may not question the entry of an oil company on its communal land and do not receive compensation for its loss; the compensation goes to the state governor (Amnesty International 2005).

Furthermore, the oil companies are simply not proactive in addressing the abuse caused in the extraction of oil. The oil companies' sins of omission are evident in their unwillingness to uphold international human rights standards. Although they are not government bodies, they indeed have political clout and economic means to bring about change. Yet they do not fulfill this role.

In the eyes of the citizens of the Delta, they look to the oil companies for compensation, because at times the oil companies are the only means of providing for their needs where the government has failed. In fact, government authorities encourage the communities to turn to companies and to negotiate terms directly with them (Amnesty International 2005). Oil companies provide water and electricity, and the building of medical facilities. In recent years agreements have transpired between oil companies and communities in the forms of Memorandums of Understandings (MOU).

Agreements such as these are effected only by the integrity of the oil companies with little participation by the Nigerian government.

The government generally stays out of negotiations of such agreements between the community and the company, but sometimes acts as witnesses to the signing of the agreements. When it does participate...it absolves itself of any responsibility to provide a mechanism to settle disputes, or arbitrate and fails to monitor performance. The government accepts little responsibility to enforce company commitments... (Amnesty International 2005).

International regulations do not absolve oil companies from acting with integrity.

Indeed companies have a “sphere of influence”; the question is who can influence the TNOC? This question brings us back to the purpose of this thesis, to inquire about the impact that nonviolent protest had on the conflict of resource control involving the NDC, NG, and Chevron.

Chapter Four: Applying Theory to Practice: Conflict Transformation and Nonviolent Action in the Niger Delta

4(A) - Review - The Law of Complementary Conflict Transformation (CCT)

In my first chapter I discussed the relevance of Conflict Transformation and Non-violent Action as a means to deal with structural violence. My second chapter provided the context for understanding structural violence in the Niger Delta. Readers will remember that the purpose of this thesis is to explore the effects of the nonviolence within a framework of Conflict Transformation, when used by marginalized groups of people. I was attracted to this idea because I wanted to examine the role of individual human agency in a situation of structural violence that produces great suffering. I have described events in the Niger Delta because they provide a case study of structural violence where CT and NVA were used. Understanding the protests by the Niger Delta women over resource control involving Chevron, the NG, and the communities of the NDC provides an excellent context for considering these issues.

My literature review in the first chapter outlined the limitations of CM and CR in addressing asymmetric conflicts. These models used third-party interveners and did not sufficiently consider the power imbalances found in social structures of society. This potentially encourages oppressive relationships and prevents people from obtaining access to political and economical power. CM was based on actors who shared the same ability to gain access to power, and CR assumed that parties could reframe subjective issues into a mutual framework, and thus automatically address power imbalance found in asymmetric political and economic structures. As a result of these critiques I suggested that CT is a better model because it advocates for the transformation of

vertical structures and in the process opens opportunities for disadvantaged people to access power and resources to fulfill basic human needs such as security and identity. John Paul Lederach's model incorporates NVA as a descriptive outcome, and Francis and Curle both incorporate NVA and mediation or negotiation as a technique for dealing with violence. Gene Sharp's *Theory of Consent* acknowledges the need for power to dismantle relationships of exploitation but does not provide a prescription for developing symmetric social institutions and relationships. This is particularly the case when NVA relies on the actions of the disadvantaged and mediation requires the involvement of third parties. Despite the strengths of these approaches each fails to fully explain how the techniques work together to transform asymmetric conflicts from its latent phase to an open phase where issues are brought to the forefront to raise awareness to the point where attitudes, behaviours, and contradictions are changed into symmetric relationships. Therefore I believe the complementary model of CT (CCT) introduced by Veronique Dudouet (2004) is a preferable model because it specifically incorporates both NVA and CR strategies to support structural transformation and achieve positive peace found within the CT framework of conflict resolution.

4(B) - Purpose of the Law - Positive Peace

Dudouet's CCT incorporates NVA and CR strategies in situations of structural violence to achieve the twin goals of justice and reconciliation, which are necessary elements of positive peace. Structural violence is found in the relationships between social institutions, which are responsible for the fulfillment of basic human needs outlined in Burton's HNT, and the people that they preside over. The ability to secure

positive peace in asymmetric conflicts requires a redistribution of power between the parties. Dudouet defines justice as the equal distribution of power, where all parties have the opportunity and resources to make decisions which affect their current and future goals in life (2005, 3). Achieving positive peace also requires changing attitudes and behaviours to allow others to empathize with their opponents and thereby foster cooperative relationships. This works towards parties developing empathy for one another as humans and not as enemies (Dudouet 2004, 3). The element of justice is achieved when the redistribution of power in asymmetric conflicts is preceded by making the conflict manifest through nonviolent confrontation. This assists in bringing issues to the surface and allows actors to better perceive aspects of the conflict which afflict them (Dudouet 2004, 8). The purpose of confrontation is to provide the pressure needed to make parties reassess the costs of continuing the imbalanced relationship. NVA is a technique that can be used to apply the necessary pressure to persuade or coerce the parties to reconsider their positions. It also provides the oppressed access to sources of power to increase their bargaining power.

Despite its strengths, the application of NVA alone is not sufficient to change the attitudes and behaviours of parties involved in conflict, especially when the end goal is to achieve positive peace. It will be remembered from chapter one that NVA has two approaches: principled and pragmatic. A principled approach to NVA seeks to establish cooperative relationships in all aspects of life. A pragmatic approach to NVA is used because it is considered more efficient than taking violent measures (Dudouet 2004, 11). Principled NVA has the most potential to create cooperative relationships but “most nonviolent movements worldwide seek to reach their objectives by coercion rather than

conversion of their opponents” (Dudouet 2004, 11). The limitations of NVA in CT are complimented by strategies of mediation and negotiation techniques of CR. This is because mediation and negotiation still provide the means for “the articulation of legitimate needs and interests of all concerned into fair, practical, and mutually acceptable solutions” (Dudouet, 2004, 12). Critics of CR and CM feared the use third party involvement because of the impact they have on the process and content for mediators were either focused on attaining agreements to reduce direct violence or developing a mutual agenda, which excludes the needs which forms the contradictions in the conflict structure. Dudouet improves upon third party involvement by assigning third parties to the role of an advocate instead of intervener. This assignment of advocate compensates for mediators having fear of “taking sides” in the conflict. Third parties participate in addressing structural violence by supporting local activists through training and education at the grassroots level, as previously mentioned by Fisher (Dudouet 2005, 14). This model provides the framework for analysis to explore the effects the strategies of NVA and negotiation had on the conflict. I will now present the evidence that relates to the model followed by a discussion on the remaining evidence and conclusions.

4(C) - Submission of the Evidence

As is evident in the last chapter, my case study for illustrating the application of NVA and CT is related to the Niger Delta. I have decided to use the content analysis methodology to collect and generate data because it provides the best means for me to use a variety of resources to collect and generate sufficient data for analysis without

having been to Nigeria to conduct research. The process of the case study methodology, seeks a range of different kinds of evidence, “evidence which is there in the case setting, and which has to be abstracted and collated to get the best possible answers” (Gillham 2000, 1). Case study methodology tests evidence found in the context of the case according the theoretical framework (Gillham 2000, 1). In this particular case study, the theoretical frame is Dudouet’s model of CCT. Case study methodology uses different methods to analyze data; because my raw data consists of various texts, I will “extract” the evidence using the relational analysis, which is a form of content analysis. Relational analysis shares similarities and differences to content analysis. Both techniques share the common technique of analyzing text, the main difference is “content analysis focuses on the frequency with which words or concepts occur in texts or across texts” whereas relational analysis focuses on locating and understanding relationships between common concepts (Carley 1993, 78). Both natural and social science research requires research evidence to be valid, that the evidence collected reflects the research purpose when the data is analyzed, which is known as *triangulation* (Gillham 2000, 13). I rely on the testimonies of the Nigerian women collected by Sokari Ekine in the book *Blood and Oil: Testimonies of Violence from Women of the Niger Delta* and the testimonies collected by Environment Rights Action/Friends of the Earth. The evidence also includes a relational analysis of 51 news reports and various academic journal articles to form the basis of the research data. To test the evidence’s validity I have used Raimo Varynen’s (1991) typology of transformations as a guide to explain the relationships between the actors and issues found in the relational analysis

supported; these explanations will be used to support or deny the key elements of justice and reconciliation found in Dudouet's CCT model.

4(D) - Actor Transformation - Empowerment

In order for change within any given situation of conflict to be meaningful actors have to undergo a transformation. At the mobilization stage of conflict, people will undergo transformation. Raimo Varynen defines actor transformation as "either internal changes in major parties to the conflict or the appearance and recognition of new actors" (Varynen 1991, 4). Actor recognition requires an "acceptance that something is true" (Webster's Dictionary 2007). Applying these definitions to the local community level within the Niger Delta, an internal transformation was observed within the traditional governance system of the NDC population between the women and male actors. What is true and accepted in the Niger Delta struggle is the fact past protests by men result in violence and are ineffective in achieving peace or justice. Statements in Appendix C show that past protests demonstrations by male community members were ineffective because they either resulted in violence or because the protest participants were male.⁴⁶ The statements suggest violence is more likely to be used against men than women, as suggested by statements 1- 8. Men feel that women will not suffer from physical violence because they are women. The statements also express the opinion that women are not disposed to violence. In statements 9-11, youth leader Omadelli suggests, "Women are not violent like men and are disciplined, focused and determined where armed young men resort kidnapping sabotage...who threaten violence if their demands

⁴⁶ Youths are considered to be, "males under the age of thirty-five, though older men may also don the title 'youth leader' (Ikefa 2000, 3).

are not met” (Newswatch 2002). The frustrations of the male youth should not be summarily dismissed. Their frustrations are justified based on previous protests.

During the 1990s the people of the ND experienced several organized protest movements by the youth, which resulted in physical violence. This included the killing of several hundred people, mostly males of the NDC. The most prominent protest of the 1990’s was “Operation Climate Change” by the Ijaw Youth Council. The protest was the result of a social movement created by the Kaima Declaration, which admonished “all oil companies stop all exploration and exploitation activities in the Ijaw area” (Reuters 1999). This was a nonviolent 10 day protest, which extended to several weeks, affecting the oil production profits of four major oil giants (Reuters 1999). In response to the protest “two warships and up to 15,000 troops were deployed” to the Delta regions (Reuters 1999). A series of community raids involved the shooting and killing of several men, including chief Sergeant Afoniama of the Nigerian Armed Forces (Human Rights Watch 1999). A total of 67 men were beaten and tortured and left to stand in the sun for three days; approximately 200 men were killed, while the number of women raped is unknown (Human Rights Watch 1999).

The men and youth’s willingness to concede to the idea of having women as the primary leaders in the protests is part of an acceptance that there is a more effective way to advance the NDC struggle. Here is a site of transformation in the relationship between the men and women in the NDC, where seeing the women as better able to protest is to see the women as having the ability to produce positive social change. On a local level this actor transformation is a step towards the empowerment of the women in addressing the conflict with Chevron. The NDC struggle’s internal changes marked a

shift in the protest leadership, which is monumental for the women for the following reasons.

Before colonialism, the roles of men and women in traditional African communities were complementary, meaning the roles of men and women were different but equal. The Igbo people had an intact dual sex system where their social institutions were organized on “age, grades, and secret and titled societies to manage their own affairs and to interact with each other as equal partners”(Mba 1982, 3). On the other hand the Western world would seek to have a division of labour based on specific sex roles (Oyewumi 2005, 99). This sometimes presented a problem within the ND. One cannot assume the Western dichotomization of sexual roles is applicable across cultures.

Oeronke Oyewumi states:

The social categories ‘women’ and ‘men’ are social constructs deriving from the Western assumption that ‘physical bodies are social bodies’...the original impulse to apply this assumption transculturally is rooted in the simplistic notion that gender is a natural and universal way of organizing society” (2005, 99).

In traditional communities, women participated in community through the dual political system. Women held positions of authority, which involved communal decision making, including leading men in warfare (Akiyode-Afolabi and Arogundade, 2003, 9). This has not always been the case in the history of the traditional systems in the ND. Over time the implementation of colonial political traditions changed and undermined the significant role of women in the communities, which has contributed to their political and economic exclusion found in roles of women of today.

Prior to colonization, traditional societies of southern Nigeria women held positions as chief rulers over kingdoms; after the 1700’s women no longer ruled over kingdoms but held the highest rank next to the king (Mba 1982, 3). As an advisor, the

aya ifin performed administrative duties, such as, monitoring local markets and acting as a community advisor (Mba 1982, 3). An all female society called the *iyalode* became a part of traditional communities, where women held seats in courts of justice and had an active role in arranging food and ammunition supplies during war times in the 1800's (Mba, 1982, 8-9). In various societies, women shared equal rights of inheritance from her father, and children could inherit personal possessions from their mother; although a wife did not inherit her husband's property, she could inherit if it was willed to her by her husband (Mba 1982, 13). One main difference between Western models of governance and traditional Nigerian communities was found in the role of women.

Colonialism used its "divide and conquer" regimen not only to divide ethnic groups, but to create dissonance between the male and female community leaders. This was accomplished by the division of labour into public and private spheres based on sex. These ideas were influenced by the Victorian era where women's roles and work were made invisible, and the work and roles of men were made public (Mba, 1982, 39). In the south-western section of colonial Nigeria the Sole Native Authority replaced the traditional chief system where chiefs were devolved of their capacities as decision makers, which also removed the political capacities of women leaders and groups (Mba 1982, 40). Women activities were channeled into the Christian missionary systems where their roles and titles became symbolic (Mba 1982, 41). Women's societies in the south-eastern communities regulated all matters pertaining to their welfare and livelihood. Women were given liberty to impute punitive measures in matters concerning domestic abuse, the active use of sitting on man was a ritualistic punishment used to publicly ridicule a man for abusing his wife. With the institution of the warrant

chief system, women had no power to address domestic violence (Mba, 1982, 42). The replacement of women in their traditional roles sparked many protests against the colonial system. Such protests include the Aba women's riots where women protested against being taxed by a colonial appointed chief who had no traditional jurisdiction.⁴⁷

The postcolonial political system modeled after the British did more to repress women than to "liberate" them for women were not allowed to vote until 1959 and 1978 respectively in the southern and northern regions (Akiyode-Afolabi and Arogundade 2003, 13). Furthermore, during the military administrations, few women held political positions. If a woman held any political office they were selected as a "token" commissioner. Additionally, civil administrations of government have done little to improve women's participation in politics. In Obasanjo's first term of civilian government administration, "women held less than three percent of elective positions", and this result was experienced only five years ago (Akiyode-Afolabi and Arogundade 2003, 17). The acceptance of women's ability to participate in community politics by their male counterparts shows them reclaiming their traditional political authority. The appearance of the women in the community political system is an example of actor transformation. This is because a political space was created for the women to voice their concerns and be recognized as a viable actor to the conflict within the public sphere of the NDC traditional community system.

The creation of the political space for political participation through actor transformation is a source of empowerment for the women. This is because the female populations in Nigeria, especially in the NDC, are a marginalized population. Political elitism by male civil and traditional leaders induced by the dismantling of the traditional

⁴⁷ See Mba 1982 for a detailed historical account of the Aba women's riot.

dual sex system has made the women more prone to protest. Furthermore, land inheritance in the colonial system institutionalized the marginalization of women. Women remained in the domestic private sphere, where their work is to contribute to the sustaining of life of their families and communities and not the amassing of material wealth. With very few women active in politics reflects the disregard of women's issues. Here is an excerpt from a woman who describes the difficulty in claiming a voice in community politics.

The time the women came out to tell them (elders and chiefs) we want to have such power They said: Do you want to have this power that men have? This is what the men say and they will not allow us to have any power in Egi land. The Egi Women's Council asked the Council to give us our own chair - so the chairman called the women and asked them what is our right to ask such in my own area of gathering, that if we have it he will sue us to court. And that they will throw itching powder on any person that insists on her right; so we have to calm down. Women have no chance. We don't want to remain in this position because we suffer in this land. We bear and bring up the children, we feed them, I tell you it is very difficult for women (This Day 2005).

Another example of the disregard of women's issues is the legal attitude towards domestic violence. Moreover, domestic violence is a grave issue for most women in Africa, where "there are no official records kept for reports of violence in the family." Domestic violence is considered a "private matter" which has yet to be criminalized.⁴⁸ In the pre-colonial system, women social institutions were organized to deal with domestic violence. Today in Nigeria women have few resources to rely on, and as a result physical and sexual assault go unreported because women fear of being left to support themselves and being socially ostracized (Amnesty International 2005). I have

48 For a detailed report on the plight of domestic abuse in Nigeria see Amnesty International Resource report http://www.amnesty.ca/resource_centre/reports/view.php?load=arcview&article=2504&c=Resource+Centre+Reports

selected a few excerpts of violence suffered by the women of the NDC from Sokari Ekine's book *Blood and Oil: Testimonies of violence from women of the Niger Delta*.⁴⁹ I chose these testimonies to add further support to the marginalized position the women of Niger Delta are in. In most of these incidents, the perpetrators are male soldiers and police officers, and in one of these instances a woman was raped in front of her husband, and later the woman's husband ostracized her by "driving her out" of the home. In testimonies #2 and #5 the women were elderly or pregnant but this did not stop the male officers from physically and verbally abusing them.

The transformation achieved by women in the Niger Delta in using nonviolent action brings hope that these negative vestiges of colonialism and corruption can be overcome. While many problems of domestic abuse and gendered violence remain this new process has provided some hope. In particular, one positive outcome evident in this case study, is the fact the women obtained an agreement with Chevron to change the situation of their community. Moving from a marginalized position to holding a TNOC to a financial disposition required overcoming power deficits, which required the women to be motivated to overcome these struggles by taking action; this is known as empowerment in the CT framework. Several authors have given their respective definition of empowerment (Francis 2002) (Bush and Folger 1994) (Lederach 1995). Common to all definitions is seeing oneself beyond being disadvantaged; it is not only seeing but placing the vision into reality by employing action. Lederach explains this concept in his own words, "I understand 'empowerment' to simply refer to the movement from 'I cannot' to 'I can' (Lederach 1995, 213).

⁴⁹ see Appendix B, statements 13-17

Empowerment creates a new self awareness and movement towards balancing power by the refusal to exploit or be exploited. In Dudouet's model the end goal of conflict transformation is the achievement of justice and peace; therefore, empowerment is considered the "guarantor of social justice" (2004, 3). This process happened in the Niger Delta. Statements 18 and 19 express the women's understanding of their position in relation to the conflict. Mrs. Ogon speaks to the lack of Chevron's poor environmental standards, and the Nigerian government's inability to address these issues because of corruption in the federal government. These statements express an awareness of their state of poverty due to environmental degradation, which they attribute to the natural resource exploitation by TNOCs as the main cause. Statements 20 and 21, express a resistance to exploitation by committing their life to the cause of conflict transformation through nonviolent action. In these statements the women expressed their determination to resist domination and their commitment to overcome fear because of the knowledge of their legal rights. Given the grave situation of the women in the NDC, a life commitment to change, motivates them to resist. Sokari Ekine, an international representative for the Nigeria Delta Justice for Women, further explains, "Women are very often empowered by the same events and experiences that seek to destroy them. This may include, becoming politically active, taking on new roles in defense of their property and maintenance of their household" (1999).

Participatory governance requires one to advocate for a political agenda, whether it be personal or group oriented. Varynen classifies the prioritizing of agenda items as a form of issue transformation. He states, "Issue transformation means that the political constellation supporting the previous agenda will have to change; in other

words, the transformation concerns simultaneously several actors and connects issues and actors with each other” (1991, 5). In the news report data, the primary issues and actors involved in the protests the women and Chevron. Issues articulated by the women were prevalent in the relational analysis. The issues and demands articulated by the women pertain to the issues that affect them as women in the NDC, and as a community. The collective news reports and supportive data can be narrowed down to the following issues (Wokoma 2005, 176).

- Provide jobs for their husbands and sons
- Clean up of oil spillage and protection of the environment
- Provide clean water, electricity, health care and free education
- Assist the people in setting up micro-economic enterprise

The majority of these issues pertain to assisting the women in their work to sustain their livelihood including the request for employment for husbands and sons.

For women, men’s income supplements the household expenses and housing provisions (Ikelegbe 2005, 254). Sustaining husbands and sons will keep land inheritance within the family, preventing women from having to rent land to grow cash crops. The work of women is a key factor to the sustaining of families and communities due to their sustaining and producing what Terisa Turner, a researcher who has done extensive research on the economic plight of women in the ND, calls “social production.” It is the women who are responsible for the social, mental, and emotional well being of their children, and they are responsible for the elderly population who are the source of traditional education (Turner 2002, 155). Turner states: “Under these dire circumstances, elders are in crisis because they cannot count on their children or

grandchildren to take care of them. The destruction of nature and consequently of livelihoods has put the very survival of the elderly in question” (2002, 155). When the men of the community are unemployed, the maintenance of the home, community, schools and other social facilities falls on the shoulders of the women, making it all the more difficult to sustain the community. These thoughts were expressed in the testimonies of two women. Christina Mene states, “We want Chevron to employ our children. If Chevron does that we the mothers will survive we will see food to eat” (Abiola cited in Brownhill and Turner 2004, 67). Queen Uwaru, deputy chair person of the Escravos Women coalition states: “A mother gets old someday, she becomes weak, the same with the father. It is your son and daughter who will be feeding you. If our children are not given work, then the mothers cannot survive” (Environmental Rights Association 2002).

The clean up of the oil to further protect the environment also pertains to the women’s work of the NDC. Fishing and the farming of agricultural products, affects the women’s ability to participate in the regulation of the market system, which is their niche. Natural resources are sources to meet human needs, and for the Nigerian women the environment is their source of employment. The consistent articulation of these issues supports the existence of political space for women to participate. It also demonstrates the women were not compromised. This was one of the concerns mentioned by critics of empowerment in CT. Meyerding was concerned women’s issues would be demoted to a lesser degree of importance when expressed in a patriarchal system, where women’s issues were superceded by issues considered to be more important, such as civil rights (1982, 8). The political system of the NDC is

traditionally and secularly patriarchal, but advocating for their cause in spite of physical threats demonstrates the women's courage and commitment to their cause. In the words of Esther Tolar, a protester: "History has been made. Our culture is a patriarchal society. For women to come out like this and achieve what we have is out of the ordinary" (Associated Press, 2002).

The women's ability to advocate their issues produced a "rule transformation" by excluding their male kinsmen from the protest and negotiations. According to Varynen,

A rule transformation may try to redefine the norms which the actors are expected to follow in their mutual relations. In the structuralist approach to rules of behaviour have been assumed to be dependent on the position of an actor in the structure and in that way on its relative power and interests (1991, 6).

This rule transformation reflects the main interaction between the women and Chevron, which resulted in Chevron agreeing to several of the demands made by the women. In the pre-colonial times, it was expected for traditional male leaders to be responsible for community politics with close consultations with counsel of women leaders. Past protest efforts of the menfolk has caused change in the women's faith in the effectiveness of male leaders to advocate on their behalf. Josephine Ogoba, a protest leader, said: "They (Chevron) want us to meet the community leadership who are men, who live in Warri, and who don't know our suffering" (Doran, 2002). This lack of faith is also expressed about state leaders who are majority male. A protester states, "It is said that the crop of governors we have now have disappointed the Niger Delta people, they are not interested in the suffering of the people" (Nwanko, 2002). The youth populations have also expressed a change in their behaviour towards the traditional leaders. Their attitude towards community leaders have become indifferent to the

extent “in many communities, the youths have sidelined and subdued or driven into exile traditional rulerships” (Ikelegebe 2005, 38). In one instance a traditional ruler was killed by youths who accused the leader for misappropriation of funds (Ikelegebe 2005, 38). Politically, the position women are currently in the NDC would never suggest the possibility of an interaction between oil executives of a TNOC and the women of the NDC. If we were to look at the structural upheaval to the traditional communities due to colonialism, the articulation of issues which affect the welfare of the community, especially women, is not necessarily a redefinition of mutual relations between the men and women. I believe it is a re-emergence and a re-establishment of the traditional roles women had prior to colonialism. The culmination of the women’s assertive attitude, and articulation of issues along with the support given by the youth and male leaders, empowered the women to make a conscious decision to take action in a situation where they were oppressed.

Empowerment must precede confrontation. These examples illustrate the importance of transforming relationships of violence subordination through nonviolent action in the Niger Delta. Thus, this chapter demonstrates a central component of this thesis. Women of the ND can exercise agency in times of great suffering and can take action to transform conflicts they encounter.

Chapter Five: Confrontation as a Means to Challenge Relationships of Domination

The final chapter in this thesis examines how confrontation occurred between women and corporations in the Niger Delta to produce a shift in power in the resource control conflict in the ND. The women's use of nonviolent protest in the context of Dudouet's CCT model created a change in the relationship between Chevron and the host communities, where Chevron was compelled to enter into negotiations with the women. This change brought about some of the conditions of positive peace though much work remains to be done to consolidate and solidify gains women made during their protests.

5(A) - Confrontation and Shift in Power

An important aspect in the shifting power of the women in the Niger Delta was the support they received from their youth and kinsmen. This empowered them to articulate their needs and enabled them to exclude men from the protest. This transformation placed the women in the position of being able to bring their issues into the public sphere and confront Chevron via public protest. In fact, the protests even resulted in an Agreement being signed between the women and the company. In the steps leading up to the Agreement there was a need for confrontation. Dudouet's model demonstrates how nonviolent confrontation is needed to bring relationships into greater balance. Such confrontation escalates the conflict to help parties reassess the costs of continuing in their status quo relationships. In the Escravos conflict, Chevron lost approximately 450, 000 barrels per day (bpd) of oil, which cost them anywhere between

to \$2.5 US and \$7.8 US million dollars a day. The Abiteye protests cost Chevron approximately 110,000 bpd (Brownhill and Turner 2004, 67). At the end of the year 2000, the combined losses of the two protests, along with several other protests inspired by the women's actions, contributed to an overall loss of 40 percent of oil production (Turner and Brownhill 2002, 139). During that period of protests in July of 2002, Chevron had to eventually invoke a *force majeure* clause in their supply contracts because the company could not meet its production obligations (The Guardian, 2002). In this respect the women's non-violent action made a difference. The economic losses suffered by Chevron represented a shift in the balance of power, which persuaded Chevron to support negotiations with the women. In Dudouet's model the commencement of negotiation signifies that relationships are becoming balanced because tensions have been brought to the surface and perceived by actors (2005, 9). The shift in power came from the challenge to the status quo of complex exploitative relationships between Chevron, NG, and the NDC. It was this shift in power, which made it possible for the women to negotiate an Agreement with Chevron.

Turner and Brownhill attributes the adjustment in the parties relative power to the exclusion of the complex web of exploitive relationships between Chevron the NG and the NDC, which she describes as the "male deal". The "male deal" is a relationship which creates division amongst those who are already exploited (2004, 25). Male leaders (whether it be militants, youth, or traditional leaders, all of them being male) are more enticed by the financial underpinnings of capitalist power and "are susceptible to the influence of capitalists demands such as military service, the expropriation of areas of land, and especially the disciplining and supply of unwaged labor" (Turner 2004, 25).

Turner classifies the work of women as “unwaged labor” because women hold little to no positions of authority and their labor is subsistent work where they do not receive an income for their work; most often they receive goods and services in exchange for the goods and services they provide. On the other hand, male traditional leaders hold positions of authority in all levels of governance, and also work in the oil industry because of their greater access to education; therefore it is the “male deal” that directly supports the web of corruption due to the economic demand supplied by TNOCs such as Shell and Chevron. Women of the NDC, in this case study, are not as susceptible to capitalist power. The roles and positions they hold in the community are not positions of political power and rarely are they ever positions of waged labour. Therefore they are less likely to receive financial gain from Chevron. This situation sheds light on Omadelli’s statement (statement #12) that predicts that the women’s “focused” and “disciplined nature” makes them more effective in achieving their goals.

The women were effective in this case because they were not in positions to make political and economical decisions to contribute to the system of corruption found the in traditional and modern social institutions of Nigeria today. By excluding the “male deal” from the protest and negotiation, this prevented Chevron from using their influence to exploit the people of the NDC. The oil industry is profited and sustained by two groups of people, oil consumers and oil producers. The women prevented Chevron’s and its beneficiaries from profiting from oil production by physically taking over the oil facilities which prevented workers from producing oil to be utilized by international consumers. Furthermore, the exclusion of men folk from the protests prevented the oil companies from taking advantage of the situation by using the “male

deal” to protect their business interests. Ultimately, the financial shortfalls suffered by Chevron compelled them to negotiate with the women. The money lost during these protests was far greater than paying off supporters of the “male deal” system. This is why the power in the relationship between the women and Chevron was able to become more balanced. Chevron was not in a position to use the power of the “male deal” to dominate the women; they could not use their complicit relationships with the NG to force the women off the property, nor could civil and traditional leaders use their corrupt relationships for personal gain because they were excluded from the protests and negotiations. The use of military force was accessible, some troops were deployed, but there were no reports of use of force used in these two protests. I could only speculate that the international media attention brought enough awareness to the situation, where invoking military measures would be detrimental to Chevron’s financial disposition and corporate image.

5(B) - Negotiation: Articulation of Issues

Thus, it is important to conclude that the interaction between the women and the oil companies formed a relationship where both parties were dependent upon each other to change the current condition of the conflict. On a minimal basis, a relationship was necessary to conduct direct negotiations, to articulate issues. By examining the terms of the Agreement, one can determine to an extent what issues were discussed and accepted between the parties. Chevron’s agreement to the issues presented by the women indicates recognition of the women as a legitimate actor within the conflict. The company conceded to the women’s demands after an attempt to deflect the women’s

concerns to their community leaders. A MOU was signed with the Itsekiri and Ijaw women. In both instances the company agreed to installing water, electricity, schools, locally employing men and youth, and creating micro-finance credit for the women to develop fish and poultry farms. Interestingly enough there was no agreement by Chevron on environmental issues.

5(C) - The Law of CCT - Beyond a Reasonable Doubt?

The purpose of the CCT in the ND was to use NVA to challenge systems of domination and to shift power to dismantle power structures and to legitimize issues through negotiation and mediation. The arguments the women put forth show how they were becoming empowered by their frustrations and growing need to be active participants in the struggle for resource control. Empowerment was facilitated by their male kinsfolk recognizing the women as able actors who can effect change. Through their efforts, the women were able to wage a protest to confront Chevron on their issues which pertain not only to the community but to them as women.

As noted, public protest enabled the women, who were politically and economically marginalized, to bring forth their issues into the public sphere. As a result the protest forced Chevron, who suffered from major financial losses, to reassess the costs of holding their polarized positions. An agreement was negotiated between the local women and Chevron, which was subject to review after five years.

Before the end of the Agreement's five year term, the Ugborodo community protested against Chevron for not upholding its bargain for supplying employment and community development to the area (Amnesty International 2005). This demonstrates

that success through nonviolent action must be continually reproduced to transform the relationship between the parties. Since this did not occur the Ugborodo protest was met with violent retaliation, by the security forces against male and female protesters. As a justification for its use of force Chevron officials stated: “The invasion was violent, premeditated and unexpected. It was certainly not a peaceful protest. Some of the invaders were armed, several people were beaten and valuables stolen from rooms. The fence was cut at five different locations, several helicopter windscreens were smashed” (Amnesty International 2005). Amnesty International observed minimal destruction to Chevron property but protesters suffered from serious wounds requiring medical attention (Amnesty International, 2005). Because of onset violence, Chevron has halted its only community development project of sand-filling land for the building of a town hall in 2003 (Amnesty International, 2005). The Itsekiri people complained of receiving no jobs. One protester stated:

We don't get the jobs even to cut grass. We don't get contracts even to provide toilet paper. The company is run by Igbos and Yorubas [two of Nigeria's largest ethnic groups]. They look after their own people. The Americans [senior Chevron Nigeria executives who are US nationalities] don't know anything. They fly their employees from Lagos. Why can't they hire people locally” (Amnesty International, 2005).

In response to the protest, Chevron announced they had re-assessed their efforts, and created a new Global Memorandum of Understanding, an agreement which was signed by a non-accredited representative of the Ugborodo community (Vanguard, 2005).

The submission of findings demonstrates the nonviolent protest and negotiation by the women exemplified key components based on the CCT model. At one level nonviolent action worked to partially transform the conflict. Unfortunately, at another level the remaining evidence and arguments put forth by others suggests that

transformations were incomplete, which led to Chevron reneging on the 2002 MOU agreement by Chevron. All this evidence indicates that more work needs to be done to secure peace and justice in the Niger Delta. However, just because perfection has not been achieved by the women's previous success is not a reason to discount their contributions. Conflict transformation through nonviolent action is a process that cannot be judged in an all or nothing way. The fact remains that the issues advocated by the women was a success because Chevron acknowledged the women as actors and recognized their issues, except for the fact that there were no concessions on environmental issues. An indirect isolated statement by a news reporter suggested Chevron's avoidance to environmental issues; it states, "Chevron Texaco and other oil companies say there is no evidence of negative health or environmental effects" (Doran, 2002). The negotiations between Chevron and the women were not expedited processes; the women would not leave until they felt their demands were met. Managing director Jay Prior and company negotiator Dick Filgate were involved in the negotiation processes. There was a discrepancy in the time commitment to the agreement where "village values and corporate realities clashed during days of heated negotiations as the women demanded lifelong employment promises while oil executives insisted on shorter-term commitment" (Doran, 2002). The discrepancy resulted with the women agreeing to leave on condition the agreement will be subject to a review and renewal after five years (Doran, 2002). After the signing of the agreements both executives expressed opinions indicating the need to change how the company interacts with host communities. Filgate states "In the past we basically dealt with things issue to issue, which basically meant paying money (to villagers). It's an

easy solution but after paying the money there is nothing to show for it...We now have a different philosophy and that is to do more with communities” (Associated Press, 2002).

5(D) - Transformation, Regression and Continuation

What can be determined about conflict transformation and nonviolent action based on the arguments presented in this thesis? The purpose of the CCT was to use NVA to challenge the status quo and end exploitative relationships by shifting power to dismantle repressive structures and articulate substantive issues through mediation. The arguments and evidence in this thesis show how the women were empowered by becoming active participants in the struggle for resource control. Empowerment was achieved by the recognition of their male kinsfolk as better able to protest. Through their efforts, the women were able to wage a protest, to confront Chevron on their issues which pertain to them as women and to the community.

Beyond a reasonable doubt, there was a structural transformation in the Niger Delta, but it was a partial structural transformation. I argue that the shift in power did occur at the community level and momentarily at the national level. On the community level, the shift in power occurred when the women took the role of leading the political protest. Due to their planning and use of resources their efforts were accepted and supported by the male kinsfolk. Iyenemi Wokoma’s research on this incident, acknowledges the change in attitudes of the men towards the women, but she states it was not sufficient.

Though nonviolent actions by women reflect a change in gender roles considering the very patriarchal structure of Nigerian society, these changes were not sustained. Women have not been able to capitalize on their gains and

acquire more political power. Decision making is still a male dominated affair even when it involves the environment, which directly affects women (2005,182).

On the other hand, a lack of a sustained change in the political system on a local and state level should not blind us to the achievement made by the women. They took a strong action in moving their issues from a private sphere into a public sphere and successfully communicated issues which affected them as women and as a community. This is a positive form of political participation and should not be undermined or overlooked.

However, there were other limitations to what these women achieved if we examined their conflict in the larger sphere. On a national level, the relationship between Chevron and the women was unsustainable because the relationships between the NG and the NDC were left unchanged. Also, the stipulation made by the women to clean up the environment was not included in the agreement. Charles Ukeje describes the demands Chevron agreed to as “bread-and-butter” in nature, because the demands did not address the main source needed to fulfill human needs, which in this case is control over natural resources. The use of negotiations had little long-term effect on changing Chevron’s attitudes and behaviours towards the environment. Although the protests allowed the women to attain power sufficient to negotiate with Chevron on immediate “bread and butter” issues; the process did not allow for the dialogue to openly discuss behaviours and attitudes concerning the resource conflict, to achieve reconciliation in the CCT model. Chevron’s agreement to meet “bread and butter” agreements while blatantly excluding to meet environmental demands is what Dudouet classifies as the case of a “myth of false equals” where, “it means that participants are

treated with parity of esteem and external power imbalances are excluded. However, if this parity is too distant from the external realities of power, the chance of immediate applicability...will be slim (2005, 6).

I believe the transformation of the conflict was partial for these two reasons. First, the women initially asked for a tripartite negotiation process to include the NG as well as Chevron, but in these two protests the only government presence were government soldiers. Involvement of the NG was needed to provide the resources needed to institute structural change for the Niger Delta Development Corporation are the government agency responsible for the social and environmental concerns of the Niger Delta. The absence of the government body placed the women in a position where “inequality of resources, of abilities to exercise influence, and of bargaining and diplomatic skills, will generally lead to asymmetric outcomes reflecting the original balance of power between the contestants” (Dudouet 2004, 7). The NG had no direct involvement in the negotiations between the oil companies and the communities. The negotiations between the women and Chevron were far removed from addressing the power imbalances found between the NDC and the NG. The government’s involvement remained linked to their armed forces, which were deployed to protect joint Chevron and government properties. This is an extremely negative role to play from a community perspective, particularly in the case of the ND women.

Armed security forces have repeatedly been reported as using excessive force on protesters. The testimonies given by the Nigerian women of their physical abuse suffered at the hands of the security forces are harrowing and appalling. This raises the question, who is protecting their rights and interests, let alone the interests of the

community, when their supposed protectors are their biggest abusers? The negative answer to this question is a reflection of the true nature of the state. The government of Nigeria does not protect nor fulfill the political and socio-economic rights of its people because the political elite see no benefit in reorganizing the exploitive relationship between the state and the people nor is Chevron compelled to break their complicit relationship. As a result the complicit relationship remains intact, thus the structure of the NG remains intact, and without a viable infrastructure to implement the agreement, one might as well consider the agreement as null and void.

After the signing of the agreements both executives expressed the need to change how the company interacts with host communities. This is a significant success. However, Chevron's commitment to its word reached through their Agreement is questionable. The non-government organization, Environment Rights Action recorded, "The women (and the communities) do not have any copy of the 'agreement' (signed or unsigned) reached with Chevron. Chevron told the women that at the time the agreement was reached their photocopiers at Warri and Abiteye were faulty" (Environmental Rights Action 2002). At the end of the day, oil companies resumed oil extraction and continued to diminish the viability of the ecological environment. By Chevron not acknowledging or committing itself towards the environment, the company still controls the resources. This is the second reason why the transformation was partial.

The exclusion of environmental issues does not help the women on a long-term basis. Employing men and assisting in fish and poultry farms will not help in the long term when there is no arable land sufficient to sustain the actual political and

economical well being of the communities. The process of negotiation did allow for the articulation of interests but it was not a horizontal process where the root issues to the resource control conflict could be discussed to increase understanding. The attitudes exhibited by the blatant exclusion of addressing environmental issues is discouraging to say the least, and indicates that in these circumstances the women were not successful in transforming Chevrans' environmental attitudes, though they did bring about other important changes.

5(E) - Conclusion: Ruling and Recommendations

The combined use of nonviolence and negotiations as stated in the law of CCT provided the following results. Women who were marginalized changed the attitudes of their male kinsfolk by their protest, and they were supported in their role as lead promoter of the protest. By excluding the males, women avoided the “male deal”, which had contributed to the exploitation of their political leaders and community members in the past. Excluding the “male deal” also allowed the women to challenge the exploitative system of relationships between Chevron, the NG, and male community leaders. The women were able to exercise power to the extent that the company agreed to negotiations with the women, which ultimately allowed them to directly articulate their needs, and the needs of their communities. As a result an Agreement was signed in which Chevron promised to provide water, electricity, and jobs. Unfortunately, the Agreement did not include any clauses pertaining to the clean up of the environment. The failure to include environmental protection has led to the result that no effect can be

observed in the nature of the complicit relationship between Chevron and the NG; therefore, there was no change to the control of resources in the Niger Delta.

In order for the community to enjoy future changes the communities need to continue fostering structural change by focusing on eliminating the “male deal”. The process to bring about this change should begin with strengthening community based governance, where the decision-making includes the full participation of traditional, male, and female leaders. A system which reflects the traditional dual system integrated into the civil political system would help people be accountable to each other. This would greatly help in resisting exploitation by oil companies and the NG. Pro Natura International Nigeria, a non-government organization, is making marked improvement in the Delta region with assisting in creating and implementing development projects, which are governed by the community.⁵⁰ It is recommended that the communities of the Niger Delta all work together to form a united front to resist against the “divide and conquer” tactics used by Chevron and the NG, thus promoting change from the “bottom up”. Forming change from the “top down” will require the dismantling of the complicit relationships between Chevron and the NG. How can this be accomplished, what benefit could Chevron or the NG gain from having a relationship based on accountability to the rights and responsibilities of international human rights legislation? Recent developments in the US Alien Torts law hold some potential for enforcing human rights law in Nigeria. A judgment is pending on the court case *Bowoto v. Chevron* where Chevron has been charged of having complicit relationships with the security forces.⁵¹

50 see <http://www.pronatura-nigeria.org/ndcoastal.html>

51 see <http://www.ccrjustice.org/ourcases/current-cases/bowoto-v.-chevron>

However, as this thesis has argued, perhaps the best response to creating change and overcoming structural violence begins with communities using nonviolent action to increase awareness by conflict escalation. Two recent examples of “conscious raising” have recently been in the news. The first is the recent protest against the Chinese government regarding their authoritarian rule over the Tibetan people. This conflict is well known around the international community, but it is the nonviolent protests from various groups of people around the world that has heightened the awareness of this conflict. This has escalated to the point that countries are considering partially boycotting the 2008 Summer Olympics. My second example comes from the recent events where Buddhist monks were physically attacked during a nonviolent protest on the streets in Burma, also known as Myanmar, which has been under authoritarian rule. After these nonviolent events, little has been reported by the international media about the government’s move to become more oppressive by adopting a constitution. The global market will forever influence the actions of governments and transnational companies. The key to addressing structural violence is to bring awareness to conflicts in equal measure to the attention that is given to direct violence. This process, while slow and imperfect, can address the justice of the situation, as well as the violence found within relationships. When ordinary people can use means that lie at their own disposal, such as nonviolent action, this demonstrates how agency is an important element in overcoming great human suffering. This observation brings me full circle in my thesis to earlier reflections on Genocide and words found in the Book of Mormon. People are “free to choose” their responses to instances of great human suffering. While the results of these choices may be constrained by those who have asymmetric power, it

is not futile for people to act even in these instances. Sometimes transformations can occur, and while they may never produce the greater freedom sought by those protesting injustice, these transformations can secure certain benefits that makes the pursuit of change worthwhile.

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Table I, Primary and Secondary Data Resources**Primary Resources**

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Appendix A - Description of Events

July 8, 2002 Escravos Protest

In response to the ignored correspondence of a letter address to Chevron officials, 600 women took possession of Chevron's Escravos⁵² terminal in the Warri South-West Local Government Area of Delta State on July 8, 2002. The take over was the result of a three month planning process (Okan, 2002). Over 700 women were in attendance at the meetings where they "resolved that they were going to occupy the premises of Chevron and disrupt work, to force officials of the company to dialogue with them" (Wokama, 176). The women, in total 150, took over the oil terminal by first obtaining boat transportation to access to the terminal, which is an island surrounded by natural delta water systems.⁵³ Once the women arrived at terminal. they organized themselves into task oriented groups. Each group was responsible for seizing control over access points

They divided themselves into 7 groups, one of the groups took over the airstrip to ensure that no plane leaves the place. Others took over the security posts, some other group occupied a place they call 'Aso Rock' and other strategic positions in the tank farm, including the main office building (Okon, 2002).

The group of 150 women, between the ages of 30 and 90, prevented over 700 Chevron employees⁵⁴, mostly men, from leaving the terminal for approximately two weeks. The women were armed with no firearms but with sheer will to protest for change. One reason the women were able to maintain control over the facility is due to their weapon of defense called the "Curse of the Nakedness". If threatened, the women would expose

⁵² Escravos is Portuguese for slave.

⁵³ Chevron security claimed the women hijacked the boats (Hasan 2002)

⁵⁴ Staff members included Americans, Britons, Canadians, and Nigerians.

their naked bodies as a form of protest and invoking a curse. This form of protest⁵⁵ is a symbolic act of protest which is cultural in nature. For women to expose their sacred body states the ultimate protest to protect life, symbolic of the women's body.

Ultimately the women are protesting against the slow death of their livelihood by the oil companies, therefore they will take life from you by cursing you with the taken life, symbolically their body. In light of the protest, Chevron security was deployed to the terminal site, no one was killed but "rifles were fired" as a scare tactic.

The ten day siege cost Chevron to lose four hundred and fifty thousand barrels a day of oil (Turner and Brownhill, 2004, 35). The company was forced to shut down other flow stations connected to the Escravos terminal and eventually the company was forced to seek an exemption from its contractual obligations by invoking a *force majeure* (Ukeje, 2004, 612). The strong, steadfast, and immovable women were committed to protest unto death to have their demands be heard, which got the attention of senior Chevron officials. Direct negotiations between the women and Chevron resulted in a Memorandum of Understanding (MOU). Once the terms of the agreement were satisfactory to the women, they voluntarily vacated the premises of the oil terminal. This protest was a catalyst to several other protests lead by groups of women in the ND communities.

July 15, 2002 - Protest at Abiteye Flow Station

The Abiteye flow station is also located in the Warri Southwest local government area in the Kenyagbene village, which is occupied by the Ijaw ethnic

⁵⁵ Traditionally the Curse of Nakedness is a shaming tactic, see the following for a more detailed account see Carwile

community (Okon, 2002). Prior to the protest in July, the women blocked access to the flow station in protest of Chevron's cancellation of supplying boats to the community (Okon, 2002). Chevron security reacted by using "the gunboat to hit the women's blockade and capsized their boats, emptying the women into the water. Five boats were sunk and a girl got drowned" (Okon, 2002). After the Escravos occupation, the Ijaw followed suit by occupying four Chevron flow stations, which cost the company a loss of one hundred thousand barrels per day of oil (Wamala, 2002, 38). Lead by Chief Josephine Ogoba, the women took over key access points, working in three hour shifts; although they may have been inspired by the Itsekiri women Chief Ogoba stated, "their action has no connection with the Ugborodo women" (Okon, 2002). In good faith the women released staff members held as hostages in exchange for negotiations (Doran, 2002). Ten days after occupation, the Deputy Managing Director of Chevron engaged in negotiations with the women where traditional clan leaders and community chairpersons acted as observers only (Okon, 2002).⁵⁶ An MOU agreement was brokered between the women and Chevron.

⁵⁶ The women were angered when Chevron asked the women, "to meet with the women to send representatives to a meeting with company officials and tribal leaders in the southern city of Warri" (Doran, 2002).

Appendix B - Statements

Men are not effective:

1. The women's intervention could have been informed by the fact that previous resistances of oppression by the men - folk were often marked with violence (This Day, 2002).
2. "It used to be the men who did the protesting," he said. "But the police and soldiers would use guns, chains and whips to drive us out. So now it is the women who have taken action. They cannot be touched." - (The Philadelphia Inquirer, 2002).
3. The youths on the other hand were said to have failed because of their restive and wild approach. Some of them were brutalised, tortured and consequently imprisoned. "That is why I and my subjects have resolved to use women. You know, nobody in his right senses would kill or injure a woman for harmlessly demanding for her rights. And I must admit we are making progress as they have succeeded in making Chevron enter into a memorandum of understanding with us," Ojogor told Newswatch. (Okereke 2002).
4. The peaceful, all- women protests have been a departure for the Niger Delta, where armed men frequently use kidnapping and sabotage to pressure oil companies into giving them jobs, protection money or compensation for alleged environmental damage (Associated Press, 2002).
5. "Our women are now ready to confront Chevron after peaceful negotiations by the men and youths yielded no success," Baro said. (Africa News 2002)
6. Some more radical Ijaw activists have threatened violence if their demands are not met. Kingsley Kuku, spokesman for the tribal Ijaw Youth Council warned Ijaw men would "burn down all Chevron oil facilities" and attack Itsekiri villages (Grand Rapids Press 2002).
7. According to Ojogor, Ugborodo community had in the past tried to use the elders and youths in settling the age-long problem of neglects with Chevron to no avail. The Eghare stated that the elders failed because the oil company capitalised on their old age to take them for granted and refused to meet their demands. But some people faulted the Eghare, arguing that he is economical with the truth. Gregory Clarke, a contract staff of Shell, told Newswatch that the elders were not able to effect a change in the community because they were corrupt and often collected bribe from Chevron to the detriment of the over-all interest of the community (Okereke 2002).

8. The women's blockade marks a departure in the Niger Delta, where armed men frequently resort to kidnapping and sabotage to demand jobs, protection money and compensation for alleged environmental damage (Associated Press 2002)

Statements that attest to the effectiveness of the Women

9. Wallington O. Ojogor, the Eghare (traditional ruler) of the community, told Newswatch in Ugborodo that his people decided to use women in their fight against Chevron because women are a more viable means for getting the oil company to meet the demands of the community (Okereke 2002).
10. The youths on the other hand were said to have failed because of their restive and wild approach. Some of them were brutalised, tortured and consequently imprisoned. "That is why I and my subjects have resolved to use women. You know, nobody in his right senses would kill or injure a woman for harmlessly demanding for her rights. And I must admit we are making progress as they have succeeded in making Chevron enter into a memorandum of understanding with us," Ojogor told Newswatch (Okereke 2002)
11. Churchill Omadeli, Ugborodo Youth leader and foreman Boskalis EgtlProject, said women were allowed to fight Chevron on behalf of the community "because as mothers, they are not violent like men and are capable of achieving a lot. We also believe they cannot be bribed into betraying the course they are fighting for. In fact, we are optimistic they will not fail."

Omadeli said women are disciplined, focused and determined and thereby are capable of achieving a lot. He extolled the way women leaders promptly disengaged some very young ones among them who tried to turned their protest into an avenue for chasing white men at the Chevron farm, adding, it is a mark of people who are determined to succeed in their fight.

On whether the youths feel threatened by women taking over the work of 'defense' which ought to have been handle by them, Omadeli frowned saying: "Who cares as long as the women succeed in controlling activities and effect a change inUgborodo" (Okereke 2002).

Women's testimonies of violence - Sokari Ekine *Blood and Oil: Testimonies of Violence from Women of the Niger Delta*

12. **Blessing:** I fear again but think that since I am a woman they [army] will leave me but they came back and drive me from my house. I was very angry and wanted to fight with them but I could not go back to my house at that time, so I went to my friend's house and stayed there. Shame will not let them speak. One woman who is married, MOPO come and rape in her husband's presence then her husband came and drove her out. Everyday they worry any girl they see. They come force girl to "befriend them" and when the girl refuse they say we will beat you and rape you.
13. **An Ekopeneikamio: Elderly Married Woman:** The soldiers came and wounded me when they push open the door and I beg them please, I be old woman they should leave me. They hold their gun on my body and tell me to bring water.
14. **Kawayorko, Housewife:** They asked us to lie down on the road - it was not merely caning. After suing their *koboko* (whip) on us they started kicking us with their foot. They dragged some of the women into the bush. We were naked; our dresses were torn - our wrapper were being loosed by a man - a man who is not your husband. They tore our pants and began raping us in the bush. The raping wasn't secret because about two people are raping you there. They are raping you there in front of your own sister. They are raping your sister too in front of your mother. It was just like a market.

After some time, about 3 o'clock, he ordered us to go home, naked, just like that. Our brothers and sisters living in Bori, seeing us like that naked along the street, the women asked us to enter the bush that they will go and bring clothes for us.

15. **Mercy Nkwagha:** As she was going another army man just draw her back. They started beating us, carrying to market to sell, they took all. they took our things, took our bags at the same time they asked us to raise our hands. The woman put their loads on the head as they were raising their hands. Then they asked us to jump, to frog jump. There was an old woman with us that could not jump. What the army man did was to use his double barrel gun to beat on the old woman's back and she fell down.
16. **Alice Douglas:** Because the men, many of the men escaped, many young boys were killed. the young ladies were being raped. Even pregnant women were forced. When they (they army) meet you they will order you to 'deliver now, now, I say deliver that child now, let me see'.

Testimonies of Empowerment

17. Annunu Uwawah - “We will no longer take this nonsense and this is the beginning of the trouble they have been looking for”. “I give one piece of advice to all women in all countries: they shouldn’t let any company cheat them” (Rosen 2002)

18. Dorcas Karaki - She vowed that her group would barricade the facility until their demands were met. “The way Chevron treated the 10 communities is unfair” she said. “For a long time Chevron has neglected us; they treat us as if we do not exist, yet we are part of the host communities to Chevron” (Panafrican News Agency 2002)

19. Mrs. Bouma Timipere Ogan - It was Shell and Chevron that mobilised troops during the peaceful demonstration in Warri. But I can assure you that Shell and Chevron will not know peace again. We will continue to confront them until they do what is right in the Niger Delta. They generate immense wealth while we the people suffer increasing poverty, deprivation and a general decline in the quality of our lives. Since these oil companies cannot protect our environment, they should leave out land. The problems of the Niger Delta cannot be addressed by NDDC which is being dribbled by Abuja. We are talking about 100 percent derivation which the Nigerian government was practicing during the First Republic. There is no way 13 percent will cater for the damage already done in the region

In fact, it is said that the group of governors we have now have disappointed the Niger Delta people, they are not interested in the suffering of the people. So, you see them organizing parties everyday for themselves and their friends. It is a shame that Niger Delta produces these type of governors... (Owanko 2002)

20. Queen Uwara - Last month, June 2002, we the women of Escravos wrote to Chevron. They have been cheating us, we knew this before, but we decided to act now. We have become wiser now. We persisted in this, Chevron didn’t take us serious. For about 38 years Chevron has been taking oil from here, nothing to show for it. No development. We cannot bear it again. Chevron brought soldiers and police to threaten us when we were at Chevron yard. If Chevron wants to kill us, we are no longer afraid. We women have taken over the yard. But we are not afraid because Chevron is on our land (Environmental Rights Action 2002)

21. Kate Ajagbawa - These are the reasons why the women are provoked; no water, good roads, nothing at all. We the women have decided to die at Chevron and Shell's gate [rather than] die intallmentally from gas flares and frequent oil spills (Environmental Rights Action 2002)