

Ethnic Militias in Nigeria and Their Impact on Democratic Consolidation

by

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Declaration

By submitting this thesis electronically, I declare that the entirety of the work contained therein is my own, original work, that I am the owner of the copyright thereof (unless to the extent explicitly otherwise stated) and that I have not previously in its entirety or in part submitted it for obtaining any qualification.

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Abstract

As the ethnic militias increased in strength after the transition to democracy, voices were raised whether they could pose a threat to the consolidation of democracy. In order to *understand the problems that ethnic militias pose for the consolidation of democracy we try to show how they were established and how they have influenced the consolidation of democracy in Nigeria*. Further, we ask if *the ethnic militias have outplayed their role in Nigerian society*.

The main results show that the ethnic militias arose because of necessity, in an environment where ethno-nationalism was prevalent because of a repressive state's inability to take care of its own people. The violent activities of the ethnic militias was not good for democracy in the short run, but as a counterweight to the state the ethnic militias played an important role in what can be described as civil society taken up arms. This militarising of society seems to have forced the state to take the ethnic militias more seriously. Hence, it can be claimed that the ethnic militias served as a midwife to the current Nigerian transitional democracy.

However, as the state recognised the ethnic militias as a part of the political realm, and not just violent groups, the legitimacy for the ethnic militias eroded. The Oodua People's Congress (OPC), which was the most influential ethnic militias in Nigeria, has now changed its agenda, and has not gone back to being the socio-cultural organisation as they were formed as. There is an important role for the OPC and the Niger Delta ethnic militias as a counterweight to the state, but dialogue should be the main way of communication, as violence will only foster violence. It seems clear that the state needs to take the first step in order to make this happen.

The conclusion is that ethnic militias have had, and still have an effect on the consolidation of democracy by holding the state responsible for its actions, and by punishing the state when it does not act according to its people's wishes. It can be claimed that they forced out democracy by highlighting the flaws of the Nigerian state even if the way they operated, was not democratic. By highlighting corruption, lack of law enforcement and unnecessary use of force, they were able to bring down the authoritarian rule and make way for the transition to democracy. However, they do not seem to pose a threat to consolidation in the short term, rather they can have a positive effect, as they can act a counterweight to the ruling elite and other forces obstructing democracy. As we show, ethnic militias are and have been a part of

civil society, and the focus of the future should be how to incorporate them into civil society, especially the Niger Delta ethnic militias as they are still active. Ethnic militias (except for some ones in the Niger Delta) were a brief phenomena in Nigerian history, and the focus should be on understanding the reason for them coming into being, in order to avoid it happening again.

This thesis tries to give a holistic view of the Nigerian political situation. This thesis fills a gap in the literature concerning ethnic militias, by incorporating the most important factors into a framework. This makes it easier to make an accurate conclusion on how they have affected democracy, and questions the opinion that militias were only harmful to Nigerian development. It is the author's opinion that this thesis will give scholars a more nuanced perspective of the ethnic militias, and lead to more accurate research in the future.

Opsomming

Namate etniese burgermagte ná die oorgang tot demokrasie in Nigerië versterk het, het stemme begin opklink oor die potensiële bedreiging wat dié magte vir die konsolidasie van demokrasie inhou. Ten einde dus *die uitdagings te begryp wat etniese burgermagte vir die konsolidasie van demokrasie meebring, bestudeer hierdie navorsing die magte se totstandkoming sowel as hulle invloed op die konsolidasie van demokrasie in Nigerië*. Voorts word daar gevra of *die etniese burgermagte se rol in die Nigeriese samelewing dalk uitgedien is*.

Die studie toon dat die etniese burgermagte hoofsaaklik uit nood gebore is in 'n omgewing waar etno-nasionalisme weens 'n onderdrukkende staat se onvermoë om na sy eie mense om te sien, aan die orde van die dag was. Op kort termyn was die gewelddadigheid van die etniese burgermagte nie goed vir demokrasie nie, maar as 'n teenwig vir die staat het die magte tog 'n belangrike rol gespeel om die burgerlike samelewing die wapen te laat opneem. Hierdie militarisering van die samelewing het die staat oënskynlik gedwing om die etniese burgermagte met groter erns te bejeën. Daarom kan daar beweer word dat die etniese burgermagte as 'n ware as vroedvrou vir die huidige Nigeriese oorgangsdemokrasie gedien het.

Namate die staat egter die etniese burgermagte as deel van die politieke sfeer, en nie net as gewelddadige groepe nie, begin beskou het, het die regmatigheid van die magte begin verwater. Die Oodua People's Congress (OPC), eens die invloedrykste etniese burgermag in Nigerië, het sy agenda verander en nie aan sy aanvanklike beeld as sosiokulturele organisasie getrou gebly nie. Die OPC en die etniese burgermagte van die Nigerdelta het inderdaad 'n belangrike rol te speel as teenwig vir die staat, maar gesprekvoering, en nie geweld nie, behoort die hoofkommunikasie-middel te wees. Enige geweld sal immers net met 'nóg geweld beantwoord word. Dit is duidelik dat die onus op die staat lê om sodanige gesprek aan te voor.

Die navorsing kom tot die slotsom dat etniese burgermagte 'n uitwerking op die konsolidasie van demokrasie gehad het, én steeds het, deur die staat oor sy optrede tot verantwoording te roep, en boonop die staat te straf indien sy optrede lynreg ingaan teen wat die mense wil hê. Daar kan aangevoer word dat die burgermagte demokrasie afgedwing het deur die tekortkominge van die Nigeriese staat uit te wys, selfs al het die magte self nie juis demokraties opgetree nie. Deur korrupsie, power wetstoepassing en onnodige magsgebruik

aan die lig te bring, het hulle daarin geslaag om die outoritêre bewind tot val te bring en die weg vir die oorgang tot demokrasie te baan. Die magte blyk nie op kort termyn bedreiging vir die konsolidasie van demokrasie te wees nie, maar kan eerder positiewe uitwerking hê aangesien hulle as teenwig vir die elite in beheer sowel as ander magte wat demokrasie teenwerk kan dien. Soos die studie toon, is en was etniese burgermagte nog altyd deel van die burgerlike samelewing, en die toekomsfokus behoort op hulle integrasie by die burgerlike samelewing te wees, in besonder in die geval van die etniese burgermagte van die Nigerdelta wat steeds aktief is. Etniese burgermagte (buiten sommige in die Nigerdelta) was kortstondige verskynsel in die geskiedenis van Nigerië, en die redes vir hulle ontstaan behoort ten volle begryp te word ten einde herhaling te voorkom.

Hierdie tesis poog om holistiese siening van die Nigeriese politieke toneel te bied. Dit vul leemte in die beskikbare literatuur oor etniese burgermagte deur die belangrikste aspekte van die onderwerp in raamwerk saam te vat. Hierdie metode maak dit makliker om tot korrekte gevolgtrekking oor die burgermagte se impak op demokrasie te kom, en bevraagteken die siening dat burgermagte slégs skadelike uitwerking op die ontwikkeling van Nigerië gehad het. Die navorser is van mening dat dié studie meer veelkantige beskouing van die etniese burgermagte gee en in die toekoms tot akkurater navorsing sal lei.

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Abbreviations

APC	Arewa People's Congress
ANPP	All Nigeria Peoples Party
CDD	Centre for Democracy and Development
CFCR	Citizen's Forum for Constitutional Reform
EFCC	Economic and Financial Crimes Commission
ECOMOG	Economic Community of West African States Monitoring Group
ECOWAS	Economic Community of West African States
FNDIC	Federated Niger Delta Ijaw Communities
FPTP	First past the post
INC	Ijaw National Congress
IYC	Ijaw Youth Council
ICPC	Independent Corrupt Practices and other Related Offences Commission
INEC	Independent National Electoral Commission
JACON	Joint Action Committee Of Nigeria
LGA	Local Government Area
MEND	Movement for Emancipation for the Niger Delta
MOSOP	Movement for the Survival of the Ogoni People
NCC	National Constitution Committee
NDPVF	Niger Delta People's Volunteer Force
NRMAFC	National Revenue Mobilisation Allocation and Fiscal Committee
OPC	Oodua People's Congress
PDP	People's Democratic Party
PHC	Primary Health Care
SAP	Structural adjustment program
SEA	Supreme Egbesu Assembly

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Introduction

1.1 Background

Nigerians were optimistic about the future as their country entered the fourth republic in 1999, but as ethnic tensions arose and thousands were killed in communal violence, this optimism has faded away to some degree. Mr Umaru Musa Yar'Adua, elected as President in 2007 has promised to tackle the problems facing Nigeria, but the question remains whether or not he has the power to oppose the various ethnic militias, which have increased in power since the early 1990s. There is a common understanding that the ethnic militias arose as a direct consequence of the annulment of the wealthy Yoruba businessman M. K. O. Abiola's apparent victory for the presidency in 1993, with the Yoruba establishing the Oodua People's Congress (OPC) and that this again triggered the Hausa and the Igbo to respond to this mobilisation. It is feared that this militarization of civil society could jeopardize the fragile Nigerian democracy and that because of this; the federal response of attempting to eradicate the ethnic militias is legitimate by the international society.

1.2 Problem statement

The problems when analyzing the ethnic militias is that they arose at a particular time in Nigerian history, a time where over two thirds of the population were poor and authoritarianism was the norm. Therefore, it can be argued that they arose for a particular reason. In the 1980s, when the Nigerian economy felt the strain of having many military rulers, President Babangida chose to adopt the World Bank's structural adjustment program (SAP) which came into effect in July 1986. Even if the SAP cannot be blamed for all the negative things that have happened to Nigeria, it can be argued that it triggered underlying problems, like unemployment and poverty, and that the SAP sent Nigeria into a situation where the state was no longer able to take care of its citizens. In order to survive, Nigerians needed to realign and find something to rely on, whereupon ethnicity increased in salience. In this way ethnicity in Nigeria could be used in order to benefit from the state. With this shift from feeling Nigerian to relying more on ethnic identity, the consequence was that the strong sense of nationalism that united Nigerians to gain their independence, faded away.

In order to be able to *understand the problems* we have to *understand the causes* of their occurrence. By looking only into single fields of study, be it anthropology, economy, conflict

studies or political science, it is hard to get the full overview of the Nigerian situation. The consequence of not fully knowing the whole situation can lead to distorted outcomes and improper remedies. Failure to understand why the militias came into being may result in the state continuing to fuel grievances: by being aggressive towards the people who they are supposed to take care of, the state will continue to encourage resentment and a weakening of democracy.

This thesis hopes to shed light on *why* the ethnic militias came into being by showing *how* they arose. Further, this thesis will look at the effects of their coming into being on democratic consolidation. It is hoped that this thesis will contribute to the future work on resolving Nigerian conflict by putting forth a new perspective based on using a holistic perspective. This perspective holds that the ethnic militias have had a positive impact on consolidation of democracy after 1999, rather than a negative impact as often assumed. The outcome of this thesis is to increase the understanding of the Nigerian political/conflict situation, making other scholars better suited to focus on the important root causes by offering a different angle on the Nigerian situation. Further, it will bring more attention to the negative aspects of ethnonationalism, which the author believes to be the biggest obstacle to democratic consolidation.

1.3 Research questions

By explaining *how* the militias came into being, and by showing that they are a result of the state's inability to be responsible towards its citizens, our first research question is two-fold: Firstly, we ask *how did the ethnic militias emerge* before asking *how they have influenced the consolidation of democracy in Nigeria?* The argument will then be raised that the ethnic militias had a role to play in the emergence of democracy, by bringing attention to Nigeria's deep-rooted problems. As transitions towards democracy began, the military-repression eased up, making the ethnic militias society's mouthpiece against collective problems. Nonetheless, as democracy appears to strengthen in Nigeria, the next research question we ask is: *have the ethnic militias outplayed their role in Nigerian society?*

From the three research questions asked we have three objectives. The first objective is to try to accurately find out more about the origin and nature of the ethnic militias, whereas the second objective is to see if the findings we get from the first objective change the way the ethnic militias have been viewed in the past, concerning how they have influenced the

consolidation of democracy in Nigeria. The last objective is to see how important ethnic militias are in Nigeria today in order better to understand how the state should act against them. Hence, a general objective will be to illuminate and explore the concept of ethnic militias and to look into how they influence the consolidation of Nigerian democracy.

1.4 Methodology

As the main task of this thesis is to illuminate and explore the concept of ethnic militias and to look into how they influence the consolidation of Nigerian democracy, the author believes that a qualitative approach is the best way to solve this task. Therefore, the intention is to understand what goes on inside people's minds and not focus on statistical data. The thesis will have an ontological position, meaning that we see reality as subjective and we will seek to answer "what happened" (Harrison 2001: 77). This implies an ethnographic approach focusing on explanatory understanding, rather than predicting what will happen in the future. In order to understand we must, in Neuman's words, "learn the personal reasons or motives that shape *a person's internal feelings* and guide decisions in particular ways" (Neumann 2001: 70, own italics). In our case, this *person* will be the ethnic militias and their members. It will be an interdisciplinary study in the sense that we will draw lessons from the fields of social anthropology, history, sociology and political science to provide the most exact depiction of the Nigerian setting and to explain how the dynamics of Nigerian society work, which is often referred to as grounded theory (Babbie and Mouton 2007: 500). The thesis will be inductive in form and try to show connections among micro-level events and situations, and between larger social forces for the purpose of reconstructing existing theory or informing social action. The authors will be aware of the fallacy of using general theories on our Nigerian case as that could result in distorted outcomes.

The thesis relies on printed material as its primary source of data; even if there have been some formal and informal interviews. Talking to scholars, master students, politicians and Nigerian lay people has been done in order to get a better understanding of the situation in Nigeria. These talks have given us a better understanding of the various books and articles, as it is easier to understand the Nigerian way of thinking by talking to people from all layers of society. There were also informal focus groups with political science masters and PhD students in Ibadan, an informal talk with one of the militants in Port Harcourt and a meeting

with Professor Kimse Okoko¹ personal assistant. It soon became clear that Western scholars have a very different perception of reality than Nigerians in general as western scholars are lacking a holistic perspective of the situation. Hence, the data collection is based on our subjective interpretation of talking to people and this has again coloured how we have picked out and interpreted the various written material. Except for the interview with Gani Adams there have only been jotted notes taken. It was also possible to meet with prominent Nigerian scholars outside the CDD and Stephen Lafenwa², Dr. Charles Ukeje³ and Ukoha Ukiwo⁴ have provided us with much insight into the situation in Nigeria.

1.5 Scope and limitations of study

The study is limited in time and space as it is a circumscribed Master thesis, hence having about eight months at our disposal puts further constraints on the depth of the study. Because there is limited time the study will focus on showing *how* things are, leaving out the more resource demanding *why* questions. As the research question is what effect the ethnic militias have on democracy, the thesis will incorporate several major subjects: ethnicity, nationalism, democracy and conflict being the most prominent. Again, this means that there will be limited field research. The field research will mainly be informal discussions with scholars to better understand Nigerian society and to gain insight into complex matters, such as the citizenship question and Nigerian social life. This is done in order to better understand how Nigerians perceive the social reality.

1.6 Delimitations

The choice of staying two months in Abuja is a delimitation, as it is debatable how long one needs to stay in order to gain the insight required to write this thesis, in addition financing was an issue. Because of time limitations, we had to delimit the breadth of the study, and we have chosen to start at independence in 1960 and finish at end in end of April 2008. This does not mean that we will not mention the colonial time, but this will not be the focus. Since Nigeria was a British colony, English is not surprisingly the most common second language and there should be no problems regarding language, written or spoken. The literature about Nigeria is vast and at a point when the deadline approaches, there needs to be delimitation on

¹ Professor Kimse Okoko is the President of the Ijaw National Congress, an umbrella organisation for the various Ijaw groups in the Niger Delta. A meeting was set up to meet him, but due to medical reasons, his assistant has to step in at the last minute.

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³ Departmental Lecturer in African Politics and Development at oxford University

⁴ Research Fellow at Centre for Advanced Social Science

incorporating texts into the study, as there is a time limit. Hence, the delimitation will be to only use some of the many examples of conflicts and clashes, as too many examples may be confusing to readers who are unfamiliar with Nigerian history.

In early works about ethnic militias, it was the Oodua People's Congress (OPC), the Arewa People's Congress (APC), Bakassi Boys and the Egbesu Boys who were singled out as the most prominent ethnic militias in Nigeria, and they were most often used in written material. The problem however is that only looking into these four will not be sufficient to understand how ethnic militias came into being. In order to understand this, we also need to look at the complex situation of multiple militias in the south and finally the evolution of the Movement for Emancipation for the Niger Delta (MEND). There are many ethnic militias that could have been incorporated in the study but due to limitations of space, we have chosen five of the most prominent. Movement for the Actualization of the Sovereign State of Biafra (MASSOB) is one important case, which we leave out, as we will focus on MEND instead. There will be an emphasis on the OPC and the Niger Delta ethnic militias, as the APC rose as a counterweight to the OPC, and because the government disbanded the Bakassi Boys after they had been operating for a short period. The same happened with the APC, which only lasted around two years. The origins of the Niger Delta ethnic militias on the other hand, arose under very special circumstances and are important to analyze. This is important in order to understand the nature of the ethnic militias. Lastly it is important to delimit the impact of federalism, which is a very important factor concerning the ethnic militias and democracy, but so encompassing that we cannot do more than give a short overview over the subject to show how complex the Nigerian federal situation is. This leaves the national question unresolved. The findings of this study cannot easily be reproduced and they are limited to the Nigerian case only.

1.8 concepts

This section discusses the most important concepts of this study in order to arrive at nominal definitions most suitable to the Nigerian context, which will help us better understand the setting in which we are going to discuss Nigerian political life.

1.8.1 Ethnicity

Even if the term ethnic is very old, deriving from the Greek word *ethnos*, the term ethnicity is relatively new and arose in 1953, and is attributed to the American sociologist David Riesman (Eriksen 2002: 4). The concept itself distinguishes between an *-us* and a *-them* and if there

was no distinction there would not be any 'ethnicity'. The use of stereotypes to categorise self or others is a way of creating differences, and these stereotypes can in some cases become self-fulfilling prophecies (Eriksen 2002: 25). An important distinction needs to be made between ethnic origin and ethnicity. Alugbo claims that the former does not necessarily lead to the latter (2004: 37).

This leads us to the debate about Primordialist and Instrumentalists, that Eriksen broadly divides the field of ethnicity into (2002: 53). The former school see ethnicity as something inherent and given, whereas the latter claims that ethnicity is not so. Fenton further divides the latter into three different models. The three models are seen as non-primordial as they involve calculation of some sort as opposed to the Primordialist view, which is fixed (Fenton 2003: 84):

Circumstantial: that ethnic identity is important in some contexts and not in others: the identity is constant but circumstances determine whether it matters.

Situational: that the actual identity deployed or made relevant changes according to the social situation of the individual: the situation changes, the relevant identity changes.

Instrumental: that the deployment of the identity can be seen to serve a material or political end and is calculated thus.

According to Fenton these latter definitions are based on a constructivist language and he claims that to talk about 'invention' and 'imagining' ethnicity is to go too far, as there are some social realities: language, religion and corporate organization (2003: 74). Many scholars who write about Nigeria choose the instrumentalist approach (Alugbo 2004, Igwara 2001, Osaghae 1995, Ukiwo 2003), and it seems to be a common understanding that ethnicity in Nigeria is 'the employment or mobilization of ethnic identity and difference to gain advantage in situations of competition, conflict or cooperation' (Osaghae and Suberu 2005: 11).

In Osaghae's definition it is implicit that ethnicity is not negative per se, because it can also be positive. After the economic struggles during the 1980s, ethnic groups mobilized around ethnicity to take over state responsibilities, as the state could no longer perform its duties, and the various ethnic groups built schools and took care of health care in their respective local

areas (Alubo 2004: 146). Hence, it is important to bear in mind that ethnicity as a concept is not always negative, but that we seldom hear about it in positive terms and it is often perceived as negative.

Ethnicity in Nigeria is a complex matter, not only because there are so many ethnic groups, but because there is also so much at stake. Nigerian politics is often seen as a zero-sum game, and hence it is perceived that if one does not seize all that is possible, someone else will instead. This is a typical example of tautology and shows that this thinking is irrational. Even if these non-Primordialist models are not mutually exclusive, *the instrumentalist model is the one we will refer to when we mention the term ethnicity, as in Nigeria there seems to be a choice to use identity in this way.* This is illustrated by Igwara (2001: 87):

öEthnic identification is a real matter for social calculation and negotiation in Nigeria. People use their ethnic ties to attain their aims, whatever these are: housing, employment, scholarship, school admission or political officeö

This means that we can define *ethnic politics* as using ethnicity as a political tool to gain benefits, which is done by playing people against each other in order to take advantage of the tensions that often arise from this situation. More specifically we can say that elites elevate minority ethnic groupsøethnicity level to, for example Yoruba, Hausa or Igbo in order to pit them against each other.

1.8.2 Nationalism

The concept nationalism is easy to understand but hard to explain, therefore we shall let Gellner, who is a prominent scholar of nationalism, do it for us. He defines it as follows:

öNationalism is primarily a political principle, which holds that the political and national unit should be congruent.ö

öNationalism as a sentiment, or as a movement, can best be defined in terms of this principle. Nationalist *sentiment* is the feeling of anger aroused by the violation of the principle, or the feeling of satisfaction aroused by its fulfilment. A nationalist *movement* is on actuated by sentiment of this kindö (Gellner in Eriksen 2002: 98).

It is clear that Gellner sees a link between the state and ethnicity or ethnic groups, and from this it follows that nationalisms are "ethnic ideologies which holds that their group should dominate the state" (Eriksen 2002: 98). Other scholars are more concerned with understanding the force of national identity and sentiment, and that people are willing to die for a political unit indicates astonishing force, as Benedict Anderson showed in his seminal work, *Imagined Communities* (1991).

There are, according to A. D. Smith, three main paradigms within nationalism, and we will present a short outline of them.

Organic or voluntarist

In the voluntarist type of nationalism, the individual can choose which nation to belong to, meaning that an Ijaw can choose to be part of an Igbo nation, or to pursue an Ijaw nation. The organic version of nationalism rejects this freedom of choice, sees the individual as born into a nation, and will forever be filled with this nation's character, even if this individual chooses to migrate (2000: 6).

The nation, modern or perennial

According to Kedourie "nationalism is recent, novel, European, and invented" and as such profoundly subversive of political social order (2000: 26), hence it is nationalism that creates nations where they do not exist, even if some pre-existing cultural markers are needed to guide the process of creating the nation (2000: 30). The perennialist sees nationalism as an old, even ancient phenomenon. Nations like France, England, Scotland, Holland, Poland and Hungary arose with the fall of the Roman Empire and was a spontaneous process, whereas the recurrent perennialists also sees nations like the Jews (Israel) and the Persians (Iran) as old nations which disappeared for a while, but then came back again (2000: 35)

Social construction or ethnosymbolism

Some scholars see nationalism as a complete work of fiction, an elitist project in order to reach a certain agenda. Invented traditions of the nation like sporting contests and national festivals, and sometimes forging of culture in order to create a common mythology, are tools which are used to create a sense of belonging to the nation (2000: 53). Ethnosymbolists, like A. D. Smith⁵, claim that the past is related to the present and people can rediscover their roots and memories of a golden era, and this then be used to form a nationalistic sentiment, leading to a nationalistic movement (2000: 63-66)

⁵ A. D. Smith is often perceived as a primordialist, even if he claims himself to be an ethnosymbolist (2000)

It seems clear that even if Nigerian ethnic groups have a long history, Nigeria as an expression arose in 1897, and hence they have no common history. The various ethnic groups have more legitimacy in forming a nation than Nigeria, but as things are now, that is not likely to happen. *When discussing Nigeria what should be kept in mind that Nigeria is a modern invention, socially constructed⁶ by the British in the late 19th century where one can choose which nation one prefers to belong to, be it Ijaw(micro-level/local), Igbo(meso-level/regional) or Nigeria(macro-level/national).*

However, it is important to notice that nationalism in the Nigerian context refers to the feeling of being Nigerian. A feeling of belonging to an ethnic group (and a wish for a nation for this group) will be called ethnonationalism in this thesis. Ethnonationalism means that the feeling of belonging to an ethnic group is stronger than within the (nation) state.

1.8.3 Democracy

Democracy as an idea is an essentially contested concept, and it is hard to agree on a core meaning, as the meaning will depend on the specific historical context in which it is used, whereas democracy is also a process where we should use multiple meanings in order to understand this historical context (Williams 2003). Much has been written in the field of democracy, but some of the older axioms still have much validity. Przeworski (1992) states that *Democracy is a system in which parties lose elections*, meaning that even if a party has come to power by free and fair elections; this does not mean that the country has a democracy. This party can rule for 15 years but the day they refuse to hand over power, we know they were never democratic. Robert A. Dahl's 1971 classic book *Polyarchy* treats as democratic all regimes that hold elections in which the opposition has some chance of winning and taking office. Further he claims that democracy is a political system characterized by responsibility towards the citizens by the people elected by the citizens. This means that politicians act on the behalf of their constituency, and that people have the opportunity to: formulate their preferences, signify preferences and have their preferences weighted equally in conduct of government (1971: 3). Along the same lines is Schumpeter's definition, which holds that democracy is *that institutional arrangement for arriving at political decisions in which individuals acquire the power to decide by means of a competitive*

⁶ It is important to notice that the name Nigeria and how the people living in that geographical area perceive it is a modern invention. As we will see in 2.2.1 the first traces of people living in the geographical area dates back much further.

struggle for the people's vote (Schumpeter cited in Beetham 2000: 2). According to Beetham, this 'most celebrated definition of all twentieth century definitions of democracy' is erroneous, as it identifies democracy with a particular set of institutional arrangements, instead of the principles they are designed to realize (Beetham 2000: 3). Further, Beetham argues that there are two principles that constitute the core meaning of democracy, be it direct or representative, namely popular control and political equality (2000:5-9). Hence, he is saying that democracy is not just another contestable concept.

It is obvious that African 'democracy' is different from Western democracy, as the African continent has raged with civil wars, one party states, and military rule disguised as democracy. Most scholars in the field of democracy discuss the liberal democracy, which is found in the West, but African countries do not always fit into this picture, as the cultures are inherently different. Nonetheless we will see democracy as a normative ideal when we apply it to Nigeria, as Nigeria is far from having a democracy according to any definition of the word. Our nominal definition will therefore be a mix of Schumpeter, Przeworski and Beetham. Democracy is by our definition *that institutional arrangement for arriving at political decisions in which individuals acquire the power to decide by means of a competitive struggle for the people's vote (popular control) where each vote counts equally (political equality), and where ruling parties accept defeat and step down.* As such Nigeria is not a democracy per definition as neither of the two core concepts are in place, as the people can not control the state (massive corruption) and each vote does not count the same (election rigging), and it would make sense to characterize. It can be argued that Nigeria is a transitional democracy, meaning that it is neither authoritarian nor democratic, but heading towards democracy by allowing for the core concepts of democracy: voting and some freedom of speech. Further, it implies that some basic democratic principles like elections and separation of powers are in place.

1.8.4 Democratic Consolidation

Originally 'democratic consolidation' meant how to make fragile democracies immune against the threat of authoritarian rule, and building dams against 'reverse waves' of democratization (Schedler 1998: 91). A standard definition of democratic consolidation is from Przeworski who claims that democracy is consolidated when under some given political and economic conditions some (democratic) institutions become *the only game in town* and when no one can imagine circumventing these institutions (1992). In this definition, it is

implicit that civil society has control over the state, which in turn has control over the armed forces, which is also emphasized by Kohn (1997). Huntington's common definition of consolidation from 1991 which is referred to as the *the two-turnover test* (Haynes 2001: 36), states that a democracy is not consolidated until the opposition gets into power, and loses by fair elections. Hence, not until People's Democratic Party (PDP), which has ruled Nigeria since it became a democracy in 1999, lose, another party or coalition win and then in turn lose, can we talk about true consolidation. Haynes (2001) introduces three points, which are necessary in order to recognize a consolidated democracy:

1. There has to be a general acceptance of democratic oriented political rules of the game
2. Stable and lasting democratic institutions
3. A broad scope of governmental guaranteed civilian and political rights, supported by the law.

Only when these conditions are in place are we able to speak about a consolidated democracy which is accepted by the elites and by society (Haynes 2001: 38). However, in a very influential article by Przeworski et al, which build on the Przeworski definition and conclude that consolidation is an empty term, in so far as passage of time does not make a democracy's demise less likely. It is rather economic growth combined with control of distributional pressures, by allowing some inflation and reducing income inequality, that decides whether a democracy survives or not. They do not claim that institutions do not matter; in fact, they claim that parliamentarism is more likely to make democracy endure than presidentialism (Przeworski et al 1996: 182).

In Nigeria's case it does not seem likely that the *the two-turnover test* will lead to a stable democracy, as a coup could easily happen in Nigeria even if the PDP lost the election in 2011, and were forced to step down. Whether we call consolidation an empty term or recognize that there is no time limit for it to get into place, the notions that economic growth along with a reduction in income equality and distribution of resources are more important for democracy to last, is persuasive in the Nigerian case. Nigeria is a very fragile state and even with democratic institutions in place, much relies on the state addressing the deep-rooted problems, which are present today. Even if Nigeria has had nine years of democracy and has a relatively high GDP, countries surrounding Nigeria that have significantly lower GDP have more stable democracies. *Therefore the nominal definition for democratic consolidation will be when (democratic) institutions become the only game in town and when no one can imagine subverting these institutions, and persistent economic growth is achieved along with*

a reduction in income equality and a fair distribution of resources, this coinciding together with the state handling deep-rooted problems, real or imagined.

In order to measure this we will take use of Leftwich's five conditions for democratic consolidation (2000: 136-144).

1. Legitimacy
 - a. Geographical legitimacy means that the people who live within the state accept its territorial definition and the appropriateness of their place within it.
 - b. Constitutional legitimacy refers to acceptance of the constitution
 - c. Political legitimacy refers to the extent to which the electorate regard the government in power, procedurally to be there. Hence, the outcome reflects the voting preferences and there is no rigging of elections.
2. Adherence to the rules of the game
 - a. Losers must abide by the result and form an opposition to gain power.
 - b. Winners must know that they are not in power for ever and will have to compete for power again at the next election
3. Policy restraints by winning parties refer to how fast the democratic government move in changing long-established powerful interest groups that were formed in the pre-democratic era. An example of this might be how fast the newly elected party tries to get rid of generals affiliated with the authoritarian regime.
4. Poverty as an obstacle to democratic consolidation. Even if Leftwich argues that poverty is an obstacle to democracy, we will instead agree with Przeworski et al (1996: 42) who argues that it does not matter much whether a country is poor or rich, but that the faster the economy grows the more likely democracy is to survive. Hence, it is whether a country experience growth and are able to reduce poverty and inequality that matter for democratic consolidation, as a high GDP does not necessarily bring development to all its citizens, and in worst case scenario only to the elite.
5. Ethnic cultural or religious cleavages as constraints on democracy make both transition to and consolidation of democracy difficult. But this can be overcome by carefully crafted institutions and other arrangements.

1.8.5 Decentralisation

Decentralization is the diffusion of autonomy/authority from a higher to a lower level of government (periphery to centre). A local government is a sub level of the national government, usually in smaller constituencies, and responsible to their residents. Olowu and Wunsch make implicit in their analysis that decentralization should only take place if it leads to effective *local governance*, which is when local leaders are able to manage their public affairs and are accountable to local residents (2004: 2). According to Olowu and Wunsch, decentralization reforms are those legal acts and administrative measures taken to reassign responsibilities, resources, accountability and rules from central government to local entities (2004: 5), but they stress that *devolution* is the only real form of decentralization as it encompasses political accountability. *De-concentration* is when responsibility is transferred but not resources or local accountability, whereas *delegation* is when resources, local accountability and responsibility are transferred, but accountability still resides in the centre. Olowu and Wunsch sees five contextual problems for local governments, and their notion that some traditional leaders may try to erode local governments, which are perceived as a threat to their winner-takes-all benefits, is especially interesting (2004: 21). The growth of democratic decentralization after 1980 can be explained by many factors: Economic and political crisis, pressure from donors, growing urbanization, decentralization as a conflict-resolution strategy and globalization (Olowu and Wunsch 2004: 48-51). Although decentralization in most cases worked for the West, the colonial legacy complicates matters for African countries as they are institutionally weak, ethnically fragmented, pre-capitalist and weakly tied to the global economy (Olowu and Wunsch 2004: 56). Further there is a fear that democratic decentralization may become a victim in the disaffection that might come if democracy fails to solve Africa's problems (Olowu and Wunsch 2004: 79; Brosio 2000: 4).

1.8.6 Corruption

According to Jordan Smith, corruption has become an 'organizing lens', meaning we tend to blame many of society's failures, especially concerning democracy, development and other expectations of modernity on corruption (2007). Further, he claims that corruption as an organizing idea for understanding the world can be both a strategy of the weak and a weapon of the weak, but even if we can understand why people engage in corrupt practices, it is by almost any definition a pervasive social problem (2007: 1). Joseph Nye's widely quoted definition that 'corruption is behaviour which deviates from the formal duties of a public role

because of private-regarding (personal, close family, private cliques) pecuniary or status gains (Nye in Jordan Smith 2007: 2) is problematic in several aspects.

Firstly, there is no clear-cut distinction between the private and the public sphere in Nigeria when it comes to economy and family, as loyalty is closer to kinship and family than to company and the public (Olivier de Sardan 1999, Jordan Smith 2001). Hence the definition used by Transparency International stating that corruption is 'the abuse of public office for private gain' (Jordan Smith 2001: 344) can hardly define the Nigerian situation. Smith argues that corruption in Nigeria must be understood in the context of interpersonal association, patrimonialism, kin-networks and the community, which are so entrenched in society that to 'decide to take it away' is more difficult than it sounds (Jordan Smith 2001). Secondly we need to understand that (government level) corruption in Nigeria is a rather recent phenomenon, as it can be traced back to the early post-colonial times when it was about getting as much as possible from the 'national cake' in what was perceived as a 'zero-sum game' (Jordan Smith 2001). Thirdly, what is perceived as corruption in the West, for example bribing a school principal to get your child into a better school, is not perceived the same way in African societies. In Africa, this is seen as a way of life, dating back to the days where paying 'gratitude' was a part of everyday life (Olivier de Sardan 1999, Jordan Smith 2001).

This thesis separates 'corruption' as a counterpart to 'petty corruption' in its nominal definition, where the former is defined as (somewhat accepted⁷) abuse of office for personal gains, and the latter is defined as society's commonly accepted avoidance of bureaucratic institutions by reliance on kinship or other identity affiliation (or similar). Even if it can be claimed that this type of institutionalisation of petty corruption can lead to a continuum between petty corruption and major corruption, this distinction is necessary in order to understand corruption in the Nigerian case.

1.7 Outline of the study

The outline of this analysis of Nigerian society is divided into three main categories. A general chapter dealing with an historical overview and the bridging knowledge in the

⁷ In this context we mean accepted by the public as it is expected to use office for personal gain, however, as we have explained, this does not mean that people accept it when they do not benefit from it, whereas they will accept it when they themselves benefit from it

literature review, then two chapters engaging in a thorough analysis of the ethnic militias before an examination into the state of Nigerian democracy.

Chapter two discusses common assumptions made about the political situation in Nigeria and how the ethnic militias fit into this picture. The literature review tries to show the limitations in the area of study and what needs to be done to correct these limitations. The chapter starts with an historical overview in order to give the reader a deeper understanding of the short but complex history of Nigeria, which is helpful in order to maximize the benefit of the literature review.

After the review we show how the ethnic militias came into being, before we discuss what they are and what they are not. The thesis look at how they were founded, who founded them, who followed them, how they evolved and what their special characteristics are, and further we take a look at what happened in colonial times in order to understand why the different groups act the way they do today. Further, we look whether there are any common denominators between the ethnic militias.

Chapter four builds on the third chapter examining the ethnic militias' effect on democratic consolidation. First we look at the state of Nigerian democracy before we assess how the ethnic militias fit into Leftwich's framework. Lastly we look at the consequences of the ethnic militias and what these have meant for democracy.

The conclusion sums up the findings from the previous chapters explaining why the ethnic militias came into being and how they have affected the consolidation of democracy. It start by stating the problem before we revisit the research question and conclude what has been found, in addition to looking at the prospect this thesis has for further research.

Theoretical framework⁸

2.1 Introduction

Despite the existence of a number of books/articles on the subject of ethnic militias in Nigeria, the subject is most often studied on its own, and not with a holistic perspective. The problem is not that there are gaps in the literature, but rather the existing literature is very immature and descriptive. This chapter will expose the weaknesses in scholarship in this field, as well as demonstrating where it is possible to build on and combine thoughts. The review will focus on informing the reader about existing literature, before building on it in the following chapters. Hence, the literature review will not focus on theories, but rather on different concepts, which can help us explain ethnic militias in a better way. Before we engage in the literature review, a give a brief historical overview will be given in order to make it easier for the reader to understand the context in which things take place.

2.2 Brief overview of the Nigerian historical and political development⁹

2.2.1 Colonial rule

The first known traces of Nigeria date back to 500 B.C. when an Iron Age civilization emerged, but not until around 1000 A.D. were the first kingdoms formed. Between 1450-1870 A.D. Nigeria were exposed to Europeans and the massive slave trade affected the relationship between the African and European cultures. In 1804, an Islamic revolution took place in the north, which led to the creation of a huge caliphate and a spread of Islam, with Christianity arriving some 40 years later in the south, leaving Nigeria dominated by the two world religions. In 1887, the name Nigeria was officially adopted and three years later, the British established a protectorate in the north. By now Nigeria was ruled as three Nigerias a large North (Hausa), the smaller southeast (Igbo) and southwest (Yoruba), but in 1906 the two latter ones were merged into one, dividing what is now Nigeria into two. In 1914, the two parts amalgamated into one large protectorate, mainly for economic reasons, as the north was

⁸ Figure one in the appendix shows a map of Nigeria's 36 states. This map could be useful from this chapter onwards.

⁹ This section is based on the book *The history of Nigeria* by the prominent Nigerian scholar Toyin Falola and it is meant to help the reader better to understand the main literature review by giving a brief chronological overview of the Nigerian history.

poor and had no access to the sea. Hence, money shifted from the south to the north on a large scale.

2.2.2 Military rule

After a strong national movement, Nigeria gained its independence in 1960 only four years after oil exploration had begun. After only three years of independence, the first republic ended when the president was deposed resulting in 13 years of military rule. After only six months in power, General Johnson Aguiyi-Ironsi was deposed and murdered, and was succeeded by General Yakubu Gowon. Gowon was in power for eleven years in which Nigeria experienced a devastating three-year civil war, expansion from four states into twelve and an economic upturn because of increasing oil prices. The civil war was an Igbo fight for secession as they felt that they were being exploited and left out of power, and the war left over one million dead. From 1975 to 1979, General Murtala Mohammed and General Olusegun Obasanjo introduced far-reaching reforms and handed power over to the civilian Shehu Shagari in October 1979. However, as Shagari was unable to create discipline among his men, his rule was ended by a coup d'état, and Muhammadu Buhari took over. His regime was noted for firmness, but as the whole world turned into recession, he was not able to prevent Nigeria from economic downturn and he was deposed two years later, leading to the eight-year military rule of General Ibrahim Babangida. As the oil price plummeted and Nigeria's revenue fell, the grandiose development projects undertaken by General Gowon started to become a burden for Nigeria. As Nigeria was unable to pay its debt and feed its people, Babangida was forced to implement the Structural Adjustment Program (SAP) in July 1986. The effect of the SAP was disastrous for the average Nigerian, and the amount of people living in poverty increased greatly. In 1993, free and fair elections were held, and the popular Yoruba businessman M.K.O Abiola was proclaimed the winner, but the sitting regime annulled the election, causing the country to go into civil disorder, and the forming of militant groups. After a short interim government, General Sani Abacha took over and led the country with an iron fist characterised by open corruption and brutal repression, with the blessing of Abiola's supporters as they thought he would support them, which he did not. Abiola therefore declared himself the winner of the election early in 1994, but was detained and later assassinated, which further worsened the already tense situation.

2.2.3 Return to democracy

When Abacha died in 1998, General Abdulsalami Abubakar took over but handed power over in 1999 to Obasanjo, who won what can be called 'flawed but fair' elections. This time ruling

the country as a civilian, Obasanjo engaged in a large-scale fight against corruption. After the introduction of democracy several explosive issues occurred. The northern state of Zamfara's choice to implement Sharia law in 1999, led most of the other northern states to follow, with the result that 12 states by 2007 were under effective Muslim law. Another issue was the south's outcry for more just distribution of revenues, and their taking to arms in the Niger Delta region, which led to an eruption of communal violence. Obasanjo was re-elected in 2003 in flawed but fair elections, with the prior problems accumulating. Even if his wish to do something might have been sincere, his accomplishments were rather unimpressive. After serving two terms, and trying to change the constitution to apply for a third term, Obasanjo was forced to step down and handed over power to his fellow PDP party man, Yar'Adua in 2007, in blatantly fraudulent elections (Suberu 2007). Yar'Adua became the first president with a university degree, he has promised to fight corruption, and he chose Jonathan Goodluck as his vice president, an Ijaw from the Niger Delta, in order to show that he wants to be approachable in his presidency.

2.3 Literature review

Nigeria has a volatile past, and the complexity of the political situation makes it difficult to solve the problems. This thesis will try to give an overview of some of the literature in order to make the reader more equipped to follow the forthcoming chapters and the authors aim to point out gaps and problems in the literature and to explain how some important concepts are interlinked.

2.3.1 The role of ethnic militias

Yoroms gives a theoretical explanation of the concept of civil militias, which he sees as distinct from the military. The military is supposed to protect the citizens in a social contract, where people give up their partial freedom for secured freedom from the state (2005:31). Yoroms argues that due to the military's inability to protect its citizens, the emergences of civil militias (which can be ethnic in nature, as in our case) have emerged. Further, he claims that it is due to their weak capacity they are forced to terrorism and guerrilla attacks to express their frustration as this is the most effective way to express their grievances (2005: 33). Further, he claims that the overall purpose of the militias is to draw attention to their cause when the state neglects their demands. From this Yoroms identifies three classifications of civil militias, namely the state-centric theory, the non-state theory and the fluid theory.

The first theory states that militias are a legitimate part of the standing army, for use in special circumstances, and they are trained in tactics and military discipline. The state may not have standing militias, but can create one in a short while in order to secure regime stability (2005: 35). The second theory is the non-state theory, where the reactive militias as opposed to the state-militias who have the task of maintaining the status quo. The reactive militia wants to change the status quo, which according to the theory of social contract is illegitimate because they use coercion, which by definition is appropriated by the state. Yoroms claim that the militias in this category are organized into armed men for the purpose of challenging the status quo, or with the purpose of achieving their goals and objectives within the larger environment where they are marginalised, denied their rights and/or alienated (2005:37). It is important to note that there is an impression that the state only understands the language of violence, and that the solution is for the militias to turn the anger and frustration into threats and make the state ungovernable. Yoroms further claim that this can drive them underground and make them fight an invisible war against the state (2005:37-38). The last theory is fluid-theory, which argues that militias cannot be categorically identified, but rather they arise in times of social and economic upheaval and while they have no clear objective they could pose a threat to the destabilisation of the state. Within this category Yoroms identify mercenar, vigilante and criminal militias (2005: 39). According to Yoroms, mercenar militias have fuelled most of the communal conflicts in Nigeria, and he sees Area Boys as criminal militias. However, as we will argue below, the communal conflicts are more complex than they appear at first sight, and they are fuelled by the problem of the settler/indigenous question. In addition, Momob claims that the Area Boys have an undeserved bad reputation and are blamed for almost everything that happens in their area, and he finds that they are not as criminal as perceived and that most writing about them is characterised by arm-chair theorising, relying on hearsay and simplistic empiricism (2000: 185). The vigilante militias are not a new thing in Nigeria as they have been around for over a hundred years, but the second-generation militias, the non-state and fluid militias are newer and date back to late colonial times. The emergence often came about due to dissatisfaction with the political economy of the society, in particular issues concerning resource allocation, greater autonomy, provision of security and protection from environmental degradation (Yoroms 2005: 45).

2.3.2 Ethnic militias in Nigerian politics

One of the problems in the literature concerning the ethnic militias is the vagueness of the concept, and the fact that not too much has been written explicitly about the militias, rather they are mentioned as a part of other studies about conflict, ethnicity, identity, nationalism or democracy. Agbu's research report on the topic of ethnic militias in Nigeria and their threat to democracy (2004), Babawale's book *Urban violence, ethnic militias and the challenge of democratic consolidation in Nigeria* (2005) and Sesay *et al's* book on ethnic militias in Nigeria and the future of democracy (2003) are three of the most prominent books dealing with the concept of ethnic militias. Sesay *et al* makes a thorough analysis of the ethnic militias by looking at: nature and dynamics of the militias, factors of motivation, how they are funded, nature and extent of their nature and activities, how people perceive them, how they perceive themselves and finally how big of a threat they are to democracy (2003: 3-4). The study is a result of a research program consisting of primary data collection and it is arguably the most important study on the topic. However, there are limitations to the study. They claim that the term ethnic militias is generic and that it refers to any 'armed group based in any of Nigeria's regions which claims to be defending some common ethnic or geopolitical interests, no matter how narrow or hazy they might be' (2004: 27). The definition means that all fighting groups in Nigeria could be ethnic militias; hence, the term is rather loose and does not explain much. Hence, we cannot easily draw conclusions based on generalisations, as that is likely to lead to distorted outcomes. Further, it can be argued that their choice of only studying the four biggest ethnic militias from the major ethnic groups also yields distorted outcomes. Agbu, on the other hand, includes the four biggest ethnic militias: The Arewa Peoples Congress (APC) in the north, The Egbesu boys in the south, Oodua Peoples Congress (OPC) in the west and the Bakassi Boys in the east (2004a). In addition, he also includes the middle belt and the Niger Delta militias, which gives more depth to the understanding of the concept. Ifeka, as opposed to Agbu and Sesay *et al* defines all (criminal) groups with ethnic affiliation as ethnic militias, taking the concept to the furthest extent (2006: 723). This has implications for discussing the impact of ethnic militias, as the way the term is defined makes the distinction between the groups difficult, and it becomes harder to find the root causes for them coming into being, which again makes it harder to draw any type of conclusion about them.

The problem with the field of ethnic militias is that the research is not overlapping, and authors are doing a great job 'with their piece', but fail to put the pieces together. Several

authors claim that the fact that the government scaled down the police force, contributed directly to a series of clashes between the main groups in all parts of the country (Agbu 2004, Alubo 2004, Sesay, et al 2003). Williams notes that these ethnic groups are large in number and have much power, but because of their structural weaknesses, they represent the most explosive challenge to Nigerian Democracy (2000: 9). The study of ethnic militias is well carried out, but they often focus on different aspects, which makes generalisation difficult. Even if the 12 June 1993 incident is often seen as the starting point for ethnic militias, Ukiwo shows that the ethnic militias in the Niger Delta arose prior to 1993 (2007). Simply put we will refer to an ethnic militia as an armed group with an ethnic agenda that involves itself in violent mobilization and use of coercion to attain its objectives.

2.3.3 Levels of identity and conflict

The way the different levels of identities overlap in Nigeria make the political situation difficult to understand, however we need to understand how these levels overlap in order to understand that there are several conflicts in Nigeria, which are all taking place simultaneously. Firstly, there is the bipolar North (Hausa/Fulani) ó South (non Hausa/Fulani) identity that primarily involves Christians and Muslims. According to Chudiuwazurike and Mbabuike (2004: 208) and Ukiwo (2003: 124-6) this religious identity goes back over a century and has its origin from when the two world religions arose in different geographical areas and which has been enhanced by the implementation of Sharia in 12 northern states. Secondly, there is the tripolar framework, consisting of the Hausa/Fulani, Yoruba and Igbo. According to Ibrahim, This division is more recent and closely related to the introduction of the SAP regime (2000: 51); even if there have been tensions since the 1930s between Yoruba and Igbo (2000: 55). The last major level is the multipolar one consisting of the minority ethnic groups. These groups vary from a few thousand to a million people and the minority groups have been repressed over a long time under the fight for power between the majority groups, but they have survived under military rule and are now gaining momentum again, which according to Ibrahim could explain the rise in communal violence (2000: 51).

The borders between these divisions are not clear-cut and Osaghae and Suberu identify a variety of identity-based conflicts in postcolonial Nigeria: ethnic conflict, religious conflict, communal conflict, ethno-regional conflicts, ethno-religious conflict, and ethno-cultural conflict (2005: 14-15). Omeje also claims that there are conflicts going on between the state and its citizens and between ethnic groups and MNOCs. He further finds the way the state

handles conflict management-strategies to be very confusing, as it treats every conflict in the Niger Delta, including some episodic conflicts orchestrated by the state itself, as oil conflicts. Omeje calls this tendency 'oilifying' and claims that the present civilian administration has employed this strategy more than the former military regimes (2004: 427). He also implies that 'oilification' is something the state undertakes in order to justify its security actions, which are often conducted ruthlessly (2004: 430). According to Obi the reason for oil becoming more important in the conflict situation is the fact that the ethnic groups are becoming aware of the power oil can have and they are now using it as a tool to gain influence (2001, 2005), which makes sense in the Niger Delta conflict dynamics.

2.3.4 Root causes for Nigerian conflicts after 1960

Idemudia and Ite shows that proximate or trigger causes are often given focus in the Niger Delta conflicts, leaving the root causes unidentified (2006)¹⁰. Idemudia and Ite claim that political and economical factors are the root causes of the Niger Delta conflict, and it can be argued that the root causes are the same for the whole country, even if the proximate and trigger causes can vary from region to region. Idemudia and Ite claim that the amalgamation of the north and the south in 1914 the most salient political factor causing conflict in Nigeria and to illustrate they quote Awolowo, the most prominent Yoruba political leader at independence, who once argued that 'Nigeria is not a nation, but a mere geographic expression' (2006: 393). The economic root causes they address are political-economic and economic-environmental. Where the latter is particular to the Delta region, the political-economic nexus rests on the allocation of oil revenue. However, it is important to note that the 1914 amalgamation of the north and south cannot be blamed for every problem, as the two parts were not internally homogeneous. In fact, the two parts were very different within and the Ibo and the Yoruba had not yet gained their own identity, the ethnic identity was also on a lower level as Ijebum Ekiti, or Egba (Momoh 2003).

Paul Collier's claim, that 'conflicts are far more likely to be caused by economic opportunities than by grievance' (2000: 91) is heavily contested by several scholars. Ballentine and Nitzschke claim that 'while there is overall agreement that economic factors matter to conflict dynamics, there is little consensus as to how they matter and how much they matter relative to other political and socio-cultural factors' (2003: 2). Charles Carter also warns against oversimplifying conflict, stating 'that these conflicts were both caused and

¹⁰ See appendix figure 6 for the Idemudia and Ite's model.

sustained by a complex and shifting interplay between political and economic factors (Carter quoted in Ballentine and Nitzschke 2003: 3). Further, Carter strongly cautions against reductionist causal models of conflict and strategies of conflict management directed solely at putative economic factors. Most authors specialising on Nigeria refute the notion that the country has greed wars, as a thorough study of Nigeria will show that conflicts started a long time before oil was found. Collier's attempt to explain the onset of civil war as a 'greed conflict' does not seem to fit the Nigerian case and as both Ikelegbe and Obi point out, the greed did not cause the resistance in the Niger Delta, it came two decades into it as looting and illegal oil extraction is a phenomenon that occurred in the 1990s (2005: 229, 2001: 174). Ukeje and Adebani (2007) and Ukiwo (2007) show how the conflict between Ijaw, Itsekiris and Urhobo is complicated by the location of oil in the south and has led to a multifarious conflict picture, even if it is not the reason for the conflict. In addition to fighting other minority ethnic groups, the largest majority-minority ethnic group, the Ijaws, has taken on the state and the MNOCs. Ukiwo shows in a persuasive way that the Ijaws were discriminated against during colonial rule, and that the Itsekiris and Urhobo given special treatment by the British (2007). This has been a base for the contemporary conflicts over land and 'looting of oil' and it shows that the contemporary conflict is more intricate than is often perceived. Studies like Collier's falling under the 'greed-grievance dichotomy' fail to consider Nigeria's complex history. As both Ukiwo (2007) and Agbu (2004) claim, in order to draw conclusions about anything in Nigeria, one is likely to fail if one neglects the colonial past.

2.3.5 The influence of SAP on the Nigerian society¹¹

Jega (2000eds) Ukiwo (2005) and Osaghae (1995) argue that the implementation of SAP was a crucial turning point when it comes to the establishment of ethnic militias. The authors in the book edited by Jega stress the SAP's effect on Nigerians' identity in general, whereas the latter two look at how SAP made Nigerians' ethnicity more salient. Hence, SAP did not change identity of Nigerians from nationality to ethnicity; rather SAP led to an increase in salience of ethnicity in the competition for scarce resources, thus SAP led to the resurgence of ethnicity. *Identity* is a broad concept and can be defined as 'a person's sense of belonging to a group if (it) influences his political behaviour' (Erickson in Jega 2000: 14). Jega argues that ethnicity is only one of many identities an individual can take on, but normally we only use one at a time, whenever it is best-suited (2000a). Ukeje and Adebani claim that Nigerian

¹¹ For a better understanding of the complex situation, figure 2 in the appendix shows principal linguistic groups in Nigeria.

nationalism, which arose after 1914, was a 20th century nationalism that was directed at channelling grievances towards the British and to prepare a framework for self-autonomy for different groups (2007: 5). This meant that with the withdrawal of the British, the nationalistic sentiments faded and the state had problems pursuing pan-Nigerian nationalism. Moreover, Ibrahim claims that it also became evident that elites used the label 'Nigerian' in order to get access to the state assets (2000: 44). The reason for this, according to Jega, is that the hardships that SAP imposed on the average Nigerian led them to see the state as reckless, insensitive and irresponsible, which again eroded the state's legitimacy (Jega 2000b: 30). The result of SAP (combined with falling oil-prices) was a sharp increase in debt, to US\$11 billion from a reserve of only US\$5 billion, rendering the state unable to buy machine tools, which again led to a 50 percent decline in industry-output with the end-effect of unemployment reaching 35 percent (Uwasurike 2003: 87). Osaghae shows how SAP transformed the social terrain in Nigeria (1995: 36-7). The 'rolling back of the state' which began in July 1986 led to a surplus in the workforce and the competition for work turned a major middle class into poor people, as the informal economy got exhausted. This led to an increase in prebendalism, corruption and patrimonialism at the government level, while the mushrooming prices in schooling made it impossible for poor people to send their children to school, leading to a rise in inequality. Mustapha, who focuses on minority identity change, notes that the transformations of identity is best understood in a wider dynamic and not just SAP on its own (2000: 107). Ibrahim, on the other hand claims that, the main outcome of SAP is identity changes because of fear of domination (2000: 57).

In order to understand Ibrahim's claims that fear is the main reason for identity change, it is important to be aware that Nigerian politics is considered a zero-sum game, which is also recognized by several authors (Obi 2004: 5, Chudiuwazurike and Mbabuibe 2004: 226, Ukiwo 2003: 117). This implies that whatever one side gains is lost by the other and cooperation is not a rational strategy. Hence, Obi claims that in order to get access to Nigeria's vast oil assets, one has to be able to capture state power (2004). Before SAP, Nigeria had a relatively sound economy and the feeling of being Nigerian was relatively strong. With the major upheavals in the world economy Nigeria suffered severely, as it had become a mono-commodity economy. With revenue from oil decreasing sharply, the Nigerian state found itself in a position where it could not take care of its own citizens, which again led people to realign and seek economic assurance within other realms. Hence, Osaghae claims

that the Nigerian identity, which had unified them through many hardships, lost importance, and ethnicity rose as the most important identity in order to cope in hard times (1995).

2.3.6 Fear of domination

In a 'first come, first serve' society people with newly founded identities had to struggle in order to survive, and a sense of distrustfulness arose. Kirkgreene claims that it is not the fear of retribution of any kind, but rather the fear of not getting one's fair share of the deal, fear of being dominated and discriminated against which has caused the change in Nigerians' identity (Quoted in Ibrahim 2000: 57). Igwara captured this excellently noting that this fear led to a domino effect where ethnic groups align with other ethnic groups:

Majority ethnic groups fear being dominated by each other; minority groups fear being dominated by majority groups, especially those contiguous to them and, because of such fears, minority groups form political alliances with geographically distant majority groups against contiguous majority groups. Sub-groups and religious groups replicate these fears, which increasingly become translated into resentment and discontent and subsequently protest and conflict (2001: 95).

Igwara further states the irrationality of these fears that make them important for ethnic conflict, as these fears can be manipulated by self-interested individuals (2001: 98), and Alubo claims that the fear of being dominated has led to many 'blowouts' and conflicts in Nigeria (2004: 139).

This fear of domination has greatly affected the social fault lines in Nigeria, the composition of alliances and most importantly the notion of citizenship, which is a very important ingredient in ethnic tensions. Alubo notes that the 'indigenous' versus 'settlers' problematic, where people from other states cannot achieve complete citizenship even after living in a place for generations, has led to clashes and vicious cycles of violence (2004). The problem is, as Igwara notes, that when resources are scarce, people tend to have lesser tolerance in general, and 'settlers' are easy targets, which angers 'settlers' who feel they should have the same rights as the 'indigenes' (2001: 90). In Nigeria, this is a particular problem as some groups live in pockets surrounded by 'rival' groups. Examples are the many Christian groups encircled in the Muslim dominated north and the Muslim area in the predominant Christian town of Ibadan. Ukeje and Adebani points out that fear is an important factor in the salience

of ethnicity within the Yoruba and the Igbo society, and the state's violent response to the tension has exacerbated the situation (2007: 25)

2.3.7 Nigerian democracy

Obi (2004) and Sklar et al (2006) state that for democracy to stand a chance, there has to be a focus on removing incentives for 'big men' or 'godfathers' to obstruct democracy. One of the major undertakings by the Obasanjo administration was the creation of the Niger Delta Development Commission (NDDC) and the Economic and Financial Crimes Commission (EFCC), which show that attempts have been made in order to do something about the situation in Nigeria. Sklar *et al* find the situation where Obasanjo tried to run for a third term, which would undermine the Nigerian democracy (2006). However, they claim that because Obasanjo had not found a real successor to his presidency he did what he did in order to fulfil his legacy. After Obasanjo came to power in 1999's 'flawed but fair' elections, there has been an increase in ethnic violence. Ukiwo claims that this is because in a fragile democracy, the former power bloc loses power and the former suppressed have high expectations from the new democracy; hence, there are no actual winners in the short term (2003). It seems evident that this escalation in violence has roots in the annulment of the 1993 elections, which were deemed to be fair and free by everybody except those in power (Imade 2001, Abubakar 2006, Sklar et al 2006, Suberu 2001, and Obi 2004).

Another obstacle for democracy is massive corruption. As national revenue shrunk from low oil prices, the implementation of SAP worsened the standard of living of most Nigerians, and there arose a separation between the civic and the primordial public (Ibrahim 2000: 43). Furthermore, the civic public realm is perceived as amoral and it is a custom that it is legitimate to loot the public sphere to enhance the private one, as the state is considered as the 'enemy' (Ocheje 2001). According to Jordan Smith, corruption in Nigeria is so embedded in society that corruption is only frowned upon when it is done by 'others' and not by relatives and friends (2001). Therefore, this corruption keeps on reproducing itself, because there is a lack of will to do something about it. Even if there is will, people benefiting the most from corruption will do a lot to prevent anti-corruption crusaders from succeeding (Olivier de Sardan 1999)

Akinyele claims that the threat that ethnic militias pose to the nation is exaggerated, even if it has the potential to spiral out of control (2001: 640). Ikelegbe, who focuses mainly on the

southern ethnic militias, finds that the ethnic militias have lost some of its legitimacy, as some of them have been corrupted by the MNOCs (2006: 103). Agbu (2004a) and Sesay et al (2003) on the other hand claim that the ethnic militias are a major threat and have to be dealt with, as they are a potential trigger for major conflict. Even if many scholars were afraid that the 2007 elections could set the country in fire, the election was carried out in relatively quiet circumstances, even if Rawlence (2007) and Suberu (2007) claims that the elections were so flawed that they should not have been approved.

However, we claim even if the elections were flawed, it should be seen as positive that the ethnic militias did not revolt and lead the country into disorder. This could be a sign that the state has increased its legitimacy, or at least that they are capable of controlling the means of coercion at the same time, as they are not too repressive. It is in this light that we start to analyze how the ethnic militias came into being and what the consequences are. This thesis have now tried to show the complexity of Nigerian ethnic politics in order to engage in a more analytical discussion, of how the ethnic militias fit into the whole picture and how they affect the future of Nigerian democracy.

The Origins of Ethnic Militias

3.1 Introduction

As noted in the literature review, the term ethnic militia is completely generic, and the definition does not let us separate which groups are ethnic militias and which are merely gangs. Talking about ethnic militias is also very confusing, because different scholars use the term differently. This chapter will show how the various ethnic militias came into being and the next chapter will show that the common denominator between the militias is not as strong as perceived, and also try to identify the consequences of the formation of the ethnic militias. It is important to note that the ethnic militias are not party political movements, even though they have affiliation with political groups, as the OPC has affiliation with the Yoruba party, Action Groups, the APC had relations with PDP, and the Bakassi Boys had affiliations with different parties in the Ibo region. The ethnic militias are most often led by youth organisations, and recruit their base from the lower class of society. If we are to categorise the ethnic militias in this study according to Yoruba classification, it would be accurate to call all the militias second generation militias with no affiliation with the army. Whereas the Niger Delta militias could be characterised as reactive non-state militias, the OPC and the APC are on the borderline between reactive and vigilante/criminal militias and Bakassi Boys is a clear example of a vigilante militia turned into a mercenary/criminal militia.

3.2 The origins of the militias

Even with a common understanding that the annulment of the 1993 elections led to the formation of ethnic militias in Nigeria (Agbu 2004, Sesay et al 2003), a claim can be made that the ethnic militias have different aims, and were formed for different reasons, and that the annulment was merely a trigger cause (Adebanwi 2004, Ukiwo 2007). The annulment and the later detention of Abiola seem to have triggered the formation of Oodua People's Congress (OPC) as the feeling of injustice, anger and resentment grew within the Yoruba community. This again made the north feel threatened, and the Arewa People's Congress (APC) was formed as a counterweight to the OPC. The other ethnic militias did not arise as a counterweight to this; rather they came about for other reasons. The Bakassi Boys was formed as a vigilante group in the Anambra state, as crime got out of control in the largest Igbo market in Nigeria, and the Niger Delta militias arose as response to the repressive state and

MNOCs' irresponsible environmental policies, and because of tension between the dominant minority groups. Hence, the origin of the militias is more complex than at first perceived. It seems clear that an annulment of an election and even an assassination of a leader is in most cases not enough to trigger the formation of militias, so it seems evident that the annulment of the 1993 election and the crime fighting in Anambra were trigger causes. The Yoruba and Hausa/Fulani have been at loggerheads with one another for a long time, and there has been tension between Igbos and Yoruba and to a lesser extent between Hausa/Fulani and Igbos. Therefore, it seems that the key to understanding how the ethnic militias originated lies in understanding these tensions, and the sub-tensions at the micro level. By showing how the different ethnic militias came into being we will try to show that the way the state addresses the problems is in vain, as the ethnic militias arose for a particular reason at a particular time in history.

3.3 Oodua People's Congress (OPC)

3.3.1 The emergence of OPC

Even if 12 June was the main trigger for the emergence of the OPC, Agbu claims that the forming of the OPC was also a way of keeping the suppressive Abacha regime in check (2004: 16) and the OPC was formally founded the 24 August 1994 (Akinyele 2001: 625). The events in 1993-94 must be seen in an enduring pattern of ethnic antagonism and inequality, where the Hausa/Fulani is perceived as the 'other' (Adebanwi 2004: 15). The ultimate goal of the OPC is the call for a national conference dealing with the future of the federation, questions of autonomy, self-determination and social emancipation (Akinyele 2001: 627). Ikelegbe also shows that it is also about Yoruba (ethno) nationalism, hence the objectives are to 'defend and protect the integrity of the Yoruba race; unite and liberate the Yoruba from oppression; foster Yoruba unity; and seek devolution through a federal restructuring and a sovereign national conference of ethnic nationalities' (2001: 15). Dr Fredrick Fasehun decided to start a socio-cultural organisation that would promote unity in his national (Yoruba) group (Sesay et al 2003: 32) and by 1999 the OPC had established 2786 branches all over Western Nigeria, and they claimed that they had three million members enrolled in the organisation (Akinyele 2001: 626).

3.3.2 The Fasehun/Adams split

The split in the OPC began in 1998, when, with the sudden death of Abacha, there was discussion of whether to be a part of Abubakar's transition programme. In 1999, the OPC was split by a disagreement between two of its leaders, Dr Fasehun and Gani Adams. Adams was a school dropout, and hence he was a semi-illiterate who started working as a carpenter after he ended his education (Adebanwi 2004:18). Nonetheless, he was a part of the OPC ruling elite at a young age. Since its creation in 1994, both Fasehun and Adams have had different views on how the OPC was formed (Adebanwi 2004: 34-35). Fasehun was of the opinion that the OPC should be a part of the transition programme and that this was the best way to gain political leverage in order to secure Yoruba interests (Adebanwi 2005: 343).

Adams, on the other hand, claimed that cooperation with the government would weaken the Yoruba struggle and when Fasehun honoured an invitation from Obasanjo, this was seen as a betrayal of the Adams faction and the reason for 'sacking' Fasehun (Sesay et al 2003: 36). The split was, according to Fasehun, manipulated by the Lagos based lawyer Gani Fawehinmi for selfish political gains (Adebanwi 2005: 344). At the time, Adams was a 29 year-old 'youth' whereas Fasehun was a doctor and an elder. The split could therefore be seen as realignment along class lines, where Adams was the 'man of the people' who had grown up under the hard conditions of the SAP, opposed to the other founding fathers of the OPC that were more privileged (Agbu 2004: 17). When Fasehun was incarcerated, Adams gained in popularity. In addition, he got support by the Joint Action Committee of Nigeria (JACON), which in an open letter to Fasehun explained that he had betrayed the Yoruba race by endorsing Obasanjo, after earlier claiming that the Yoruba candidate, Chief Olu Falae, was the Yoruba's last chance (Adams 2007: 248). The numbers of members increased rapidly during Fasehun's incarceration, which could be explained by Adams' charismatic leadership, as he was more in touch with people than Fasehun.

After the split, the OPC became more militant (Agbu 2004: 18). Fasehun argues that the formation of the youth wing had negative consequences; firstly, it laid a foundation for misguided militancy in the OPC, and secondly he claims that Adams led the OPC into darkness and 'spiritism' (witchcraft) characterized by secrecy and superhuman powers (Sesay et al 2003: 37). Thirdly, he claims that Adams made the OPC into a veritable way to make money, and lastly that it scared away the intellectuals in the organisation (Adebanwi

2004:24). Moreover, it can be argued that Fasehun sees these effects as making the organisation lose its legitimacy in its proclaimed goal of a national conference.

3.3.3 The turn to violence

The demise of the repressive Abacha regime in 1998 also meant that crime rose as the fear of repressive punishments disappeared, which led to an increase in violence in the whole of Nigeria. This coincided with a weakening police force that was not able to protect ordinary citizens. In 1999, vigilantism became the OPC's main activity (Guichaoua 2007: 12). Crime is a high concern in Yoruba land and the police are a highly distrusted institution because of their passivity to engage in crime prevention, corruptness, and their propensity to overreact when they actually do engage. Hence, the OPC became the police that poor people could rely on (Guichaoua 2007: 12), and the ethnic militia has gained much credit for containing violence albeit by perpetrating its own violence (Akinyele 2001: 628).

The OPC first came under public scrutiny in November 1999, even if there were reasons to examine it earlier. On 17 July 1999, the OPC engaged in large ethnic clashes with Hausas in Sagamu, and on 9 September, they intervened on the side of the Yoruba, in clashes between Igbo and Yoruba dockworkers in Lagos. However, it was the battle for Ketu between the Yoruba and Hausa (APC) on 26 November, which criminalized the OPC. Akinyele claims that the death toll reached 115, and in an act of desperation, the federal government ordered the OPC members to be shot on sight (2001: 627). When the OPC was accused of abducting and murdering the Divisional Police Officer for Bariga, Sunday Afolabi, on 9 January 2000 Obasanjo imposed a ban on ethnic militias in the country and threatened to impose a state of emergency on Lagos State if it failed to flush the OPC from the state (Akinyele 2001: 629). However, as Sesay et al point out, Lagos's governor, Bola Tinubu had his hands tied by the constitution, which did not give him any control over the security apparatus in his state including the police (2003: 38). A reward of 100 000 naira (US\$ 1000) was given for Adams's head, which was formally increased to 300 000 naira (US\$ 3000) by the APC (Akinyele 2001: 629). This could be interpreted as a sign of the APC's discontent with the way the government handled the situation. Some Yoruba governors claim that the arson and some of the criminality are the work non-OPC groups that wants to destabilize the country, and not the work of the real OPC (Ikelegbe 2001: 17). As the biggest tension in Nigeria is between the Hausa and the Yoruba, this establishment of the OPC pulled the APC into the conflict and most of the communal violence at the turn of the century was between these two groups.

According to the OPC zonal coordinators, some criminals are killed or set on fire because they are a menace to society and they are afraid that the police will release them straight away. This could be dangerous for the OPC members, as the perpetrators who are released by the police tend to seek revenge against the OPC members who tried to incarcerate them (Guichaoua 2007: 13). The OPC takes responsibility for the extra judicial killings they carry out, and most of the other attacks they carry out, but claim that the police stage some attacks as an excuse for killing the OPC members (Ikelegbe 2001: 16). Further, the Adams faction claims that they have been the victims of police brutality and harassment and they claimed that 94 of their members were killed in the Bonny military camp in March 1999 (Sesay et al 2003: 39).

Lately, the OPC have changed and Adams claims that their course and are now looking more like the socio-cultural organisation they were formed as. There have been few if any clashes since Adams were released from prison in 2006. Adams claims that the violent turn was a matter of necessity for the OPC and hopes it never happens again (Interview Gani Adams, 13 April 2008).

3.3.4 Who joins the OPC?

Adebanwi claims that the OPC consists mainly of unskilled workers, street gangs and ex Area-Boys (name of a particular type of gangs in the Lagos area) (2004:22). According to Akinyele, the Police Commissioner for Lagos, Sunday Aghedo, claimed in April 2000 that criminals and hoodlums hijacked the OPC, and that they were only out to create trouble. However, Akinyele's findings contradict this and he argues that the OPC has highly educated members as well and he totally rejects the claim that people joined because they were jobless or social misfits (2001: 631). Further, he notes that the OPC consists of doctors, lawyers, engineers, opinion leaders, prominent traditional rulers and artisans.

Guichaoua (2007) has carried out interviews with 167 OPC members, mainly from the Adams faction (which could be because the Fasehun faction has lost prominence among rank and file), who answered a questionnaire describing their socio-economic profile, their life histories, how they were recruited and their duties and gains from being a member. Adams's perspective of what a good OPC member is closer to the loose molecule type and he distances himself from the capitalist class and claims that the real members are the ones on

the street, who for some reason are frustrated and feel deprived (Guichaoua 2007: 12). In addition, a new philosophy arose where Adams took in every one from the streets.

The demography of the OPC members shows that the average age is 31 and that 90 percent are men. More surprisingly, the interview revealed that 80 percent of the sample was Muslim, a surprisingly high number taken into consideration that the South often is perceived as predominantly Christian. As a large part of the members in the OPC are Muslims it seems evident that the struggle between the OPC and the APC is not religiously motivated, but rather that it is motivated by ethnic differences. Within Yoruba land there is a mix of Muslims and Christians living side by side without clashing, and some large cities of the west Muslims outnumber Christians, like in Ibadan which is one of Nigeria's largest. The average interviewee spends seven hours per week on OPC events, and 92 percent of members attend cultural events, whereas actions against other groups (60 percent) and crime fighting operations (84 percent) are the other events on which members spend time, which means that OPC members are very active and participate in several events during the week. Nine out of ten joined because they wanted to be able to defend themselves and their relatives, whereas 45 percent did it in order to improve their social status in the neighbourhood. One in five joined the OPC because of a personal event and friends and neighbours recruited most members (60 percent) (Guichaoua 2007).

Most OPC members are still in the danger zone when it comes to economic security and 80 percent are employed in a vulnerable informal market, hence the average OPC member is not rich (Guichaoua 2007: 15). The OPC helps its members in case of injury in operations, illness and other urgent needs in close to 100 percent of the cases, and therefore it appears that security is the main reason for joining the OPC, and not materialistic reasons. The OPC's success could be traced to their ability to ensure and deliver public services in areas completely abandoned by formal institutions (Guichaoua 2007: 13). The OPC also encourages the returning of stolen goods to a person who has been robbed, who again is expected to pay some tribute to. If the victim fails to pay tribute, there is a danger that the OPC vigilantes will conduct a reprisal against the victim because of what they see as lack of respect (Guichaoua 2007: 14). This makes the OPC an attractive organisation for ordinary people, as the benefits are immediate and directly linked to the member's wellbeing. Solidarity, oneness and togetherness are words often used to describe the OPC, all being expressions with connotations of protection (Guichaoua 2007: 17). Even if Guichaoua (2007) does not mention

it explicitly, his findings are much the same as Akinyele, who also focused on the OPC in his research, and he claims that all the respondents agreed that the emergence of militant ethnic organisations could be traced directly to the fear of domination (2001)

3.3.5 Reinventing culture: From merry to violent

According to Adebani, the Yoruba have come to be known at best as loving the easy-life, at worst as cowards, and that the formation of the OPC was in Adams' words 'self-defence against the oppressive state and in fear that their race will be wiped out (2004: 35-36). Even if Yoruba land is split between Christian and Muslim, Yoruba see themselves as Yoruba rather than Muslims or Christians, and there has been a shift in how they perceive themselves hence contemporary Yoruba nationalism is about writing modernity into the culture rather than Christianity (Adebani 2004:11-12). Even Muslims in the OPC rejected the implementation of Sharia and saw it as a way to disrupt the Yoruba-led Obasanjo government in its attempt to create viable solutions to Nigeria's problems (Adebani 2004: 29). Yoruba identity is constructed as modern, educated, progressive and enlightened, as opposed to Hausa/Fulani who are perceived as backward, conservative and irrational by the Yoruba (Adebani 2004: 21). Due to this, Adebani claims that the rituals that Adams asserted were just as much an invention of tradition as a reiteration of culture, meaning that the Yoruba make traditions from scratch while claiming they have roots in the past (Adebani 2004: 28). This is a very instrumentalist argument, and he claims that Adams has invented Yoruba identity in order to pursue some goal, selfish or altruistic. It seems like the Yoruba are willing to sacrifice their identity to achieve their goal of a national conference¹². The reinventing of culture is a major undertaking and, according to Guichaoua, because the OPC is so popular within the youth and inspires fear among local communities, it becomes a perfect mobilizing tool for local politicians (2007: 14).

3.4 The Arewa People's Congress (APC)

3.4.1 The emergence of the APC

the APC was the ethnic militia that was least known to the public, and northerners knew less about the APC than they knew about the OPC and the Bakassi Boys (Sesay et al 2003: 86).

¹² A national conference is a meeting where all ethnic groups will be gathered to discuss how Nigeria should be ruled and governed, and which rules that should guide the federation. Questions that will be raised in such a conference are number of states, allocation of resources, the citizenship question, how the federation is handled and other salient issues.

According to Agbu (2004a: 27), APC was officially launched 13 December 1999, by a former operative of the Directorate of Military Intelligence and the Nigerian Army, Sagir Mohammed. The launch of the APC coincided with the ñmilitarizationø of the OPC and the riots between Yoruba and Hausa/Fulani in Saguma and Ketu, and between later between Egbesu Boys in the Niger Delta (Ozekhome 2003: 191). Therefore, it seems clear that the APC was formed as a reaction to the OPC. The main goal of the APC was ñto preserve the indivisibility of the countryø and this was ñnon-negotiableø which was very conflictual as regional autonomy is the main goal of some of the other ethnic militias such as the OPC and some of the Niger Delta groups.

3.4.2 The struggle for hegemony and fear of retaliation

As with the OPC, the founders of the APC were economic and political elites. Sesay et al sees the APC as a manifestation of elite discontent against the new regime, as the elite lost power that they had previously enjoyed (2003: 53). Having 73 percent of the land mass and 50 percent of the population, the north, prior to 1999, had a virtual monopoly of the political and coercive powers (2003: 53). However, within weeks of taking power, the Obasanjo administration retired a large number of northern ñpolitical soldiersø within the armed forces and the police. The outcome was that southerners and minorities held the top positions in these two establishments for the first time since independence (Sesay et al 2003:55). This led to a massive loss of leverage for the northerners, and the elites in the north were angry at the new administration, which they perceived as ungrateful because Obasanjo had won the presidency with their backing as it was expected that he would take care of their interests (Sesay et al 2003: 56-7). Sesay et al (2003: 57) claim the pan-northern agenda in reality is more a Hausa/Fulani agenda, and that the APC was formed by the very same people that got stripped of power by Obasanjo, and further they claim that that the APC was formed because of the shift of power to the Southwest. That the APC was a Hausa/Fulani agenda became clear when it was pointed out to the APC that six of the highest ranked officers in the armed forces were northerners, but being from the outskirts of the core-north, they were not perceived to be ñreal northernersø (Sesay et al 2003: 57).

As the Hausa/Fulani had lost their monopoly of coercive force, now had to form an ethnic militia in order to defend it citizens from OPC attacks, as the army was no longer at their disposal. Hence, the APC served two purposes, one elite-based faction as a counterweight to the Obasanjo administration, and one middle-class faction to counterbalance the OPC. The

problem for the APC was that they lacked the strong ethno-cultural base that the OPC has built its organisation on, and therefore they have not turned into a mass movement. As Agbu (2004) points out, the APC has the potential to become a strong ethnic militia if they need to, but as Akinyele (2001: 633) states, the APC has not reacted violently to all of the OPC's moves, and because of this Nigeria has avoided a vicious cycle of violent counterattacks.

3.4.3 Introduction of Sharia Law

Even if the APC is seen as a counterbalance to the OPC, they have triggered violence, especially with the implementation of Sharia Law in 12 of the northern states in January 2000. The Zamfara governor promised that Sharia would only apply to Muslims, but not even a year later he later went back on his word, to much frustration among Christians (Ukiwo 2003: 124-5). It can be argued that this measure by the 12 states was taken in order to show that the north are still to be reckoned with, and that they still possess some relational power¹³. However, the implementation of Sharia also marginalised the Middle Belt¹⁴. The Middle Belt is predominantly Christian and now feels threatened by the Hausa/Fulani core. The APC was briefly disbanded in 2000 by one of the founders, but Abdulkareem Mumuni stated that it would be quickly re-launched, and henceforth only for people from the core northern states, excluding the Middle Belt and with the sole interest of protecting Muslims and Hausa/Fulani (Akinyele 2001: 633)¹⁵. However, it should be mentioned that the APC is subsumed under the Arewa Consultative Forum, which is a broad-based pan-northerner affiliation. This affiliation has been able to control the APC, as it was feared by the Forum that if allowed to be autonomous, the APC could spin out of control and become more violent as the OPC did (Sesay et al 2003: 60). According to Gani Adams, the APC was only an ethnic militia for a brief period, and he claims that were only operational for about two years, from late 1999 to the end of 2002 (Interview Gani Adams 2008). This seems to fit with the assumptions that they arose as a counterweight to the OPC, and was an elite project without the support of the rank and file.

3.5 The Bakassi Boys

Even though the federal state disbanded the Bakassi Boys in 2002, it is still important to analyse them in order to understand the concept of ethnic militias in Nigeria. It is debatable

¹³ The ability of actor A to coerce actor B into complying with its will

¹⁴ The geopolitical zone called Middle belt consists of eight states of the federation, namely Adamawa, Taraba, Niger, Kogi, Plateau, Nasarawa, Benue, Kwara and the Federal Capital Territory.

¹⁵ It has been difficult to find out exactly when it was relaunched.

whether Bakassi Boys was an ethnic militia, but as they were seen as ethnic militia by academic scholars, we choose to incorporate them. The Bakassi Boys era can be divided into two phases; one legitimate struggle where they dealt with increasing crime and took on the role of the police, and another that was perceived as illegitimate, as they were turning into the criminals from which they were supposed to protect the people.

3.5.1 Cleaning up crime in the eastern states

The people in southeast city of Aba base their livelihood mainly on the enormous market (selling everything between heaven and earth), one of the largest in West Africa, therefore the reign of terror caused by criminals gangs was not just about crime, it was also the very foundation of social and economic life as the livelihood of the (Harnischfeger 2003: 23). The Bakassi Boys arose in late 1998 and grew quickly into a regional force covering several cities in three states (Abia, Anambra and Imo) in 2000, also enjoying official backing from the state governors (Jordan Smith 2004). The killing of a tradeswoman triggered the formation of Bakassi Boys, by market traders, who fought for several weeks until the criminals left Aba (Harnischfeger 2003: 24). Fear of crime and horrific stories affected the poorest in the area, as the rich had ways of protecting themselves, and criminals go after the easy targets, not necessarily those that have much to steal from (Jordan Smith 2004). The belief that Bakassi Boys were "superheroes" seemed to blind the local public from condemning the fact that innocent people might be killed, and from condemning Bakassi Boys' corrupt practices. People were so happy about being able to live without fear after Bakassi Boys arose that they seemed to accept the potential negative consequences of the Bakassi Boys' actions (Jordan Smith 2004). The Bakassi Boys had allegedly killed about 3000 people, but still Bakassi Boys enjoyed much support among ordinary people. Before they were banned in 2002 a local minister of police, wanted the Bakassi Boys to be banned because they had no regard for the law but the police were "hated" by ordinary people and perceived as even more arbitrarily violent (Jordan Smith 2004). Petty corruption was a part of the police's livelihood, and the police and the judiciary had lost all respect among people as all Western concepts of justice have been discredited (Harnischfeger 2003: 26). The Bakassi Boys were perceived to be incorruptible by the people, which gave them legitimacy, and even high profile members of society, who were regarded as "untouchables" were executed to set examples if they were perceived to be guilty of crimes by the Bakassi Boys. Edward Okeke, or Prophet Eddy, who was known as "Jesus of Nawga" was one of the men who thought that he could act with impunity. However, Bakassi Boys executed Eddy in spite of the authorities who pleaded with

them not to kill him. It seems like this was done in order to provoke a confrontation with the political establishment and to show that they were incorruptible, as the police was known for taking bribes and releasing criminals without trial (Harnischfeger 2003: 41).

The Bakassi Boys were perceived to be less arbitrary when it came to handling criminals than the police and the local population had more control over them (Harnischfeger 2003: 31) as opposed to the police who allegedly killed criminals without trial because it saved them time (Harnischfeger 2003: 28). The Bakassi Boys were well known for using magic and superstition, and they relied heavily on charms that would protect them against bullets and other lethal weapons (Baker 2002, Harnischfeger 2003 and Jordan Smith 2004). When rumours of Bakassi Boys killed in battle emerged, people started to question their superhero status, even if some claimed that these were not the 'real' Bakassi Boys, that the stories were untrue or that they were not wearing protecting magical charms.

3.5.2 Vigilantes spiralling out of control

The Bakassi Boys could not have carried on their business without the support of Dr Chinwoke Mbadinuju, governor of Anambra State. Although Governor Mbadinuju was sceptical of the Bakassi Boys in the beginning, he soon saw the benefits of having an armed force on his side, and he was soon able to guarantee the people security from criminal gangs, something which was deeply needed (Harnischfeger 2003: 39). Governor Mbadinuju's opponents claimed that he was using the Bakassi Boys as his private army, but he denied this, even if the evidence seems overwhelming (Harnischfeger 2003: 40). Some of the Bakassi Boys groups turned 'bad' and the original Bakassi Boys had to intervene in order to rectify law and order, and after a while there was confusion who the real Bakassi Boys were, and even the traders who had founded the Bakassi Boys turned against them (Harnischfeger 2003: 42).

As the Bakassi Boys were predominantly Igbo, they were after a while used as ethnic militias against other groups, mainly against the Hausa/Fulani. The governor in Abia state, Orji Kalu, has been the most open about the use of Bakassi Boys and other similar groups. The change from vigilantes to militia can be traced to Sharia riots leaving hundreds of Igbo dead in the north. As a response to this, Governor Kalu stated in March 2000 that 'If they kill an Igbo man we will retaliate immediately' and within 24 hours the Bakassi Boys and similar groups had killed over 400 Hausa migrants living in the southeast (Harnischfeger 2003: 44).

When the federal government imposed a ban on the Bakassi Boys in late 2002, there was a mix of relief and anger. The relief was because the Bakassi Boys were looking more and more like an ethnic militia that could exacerbate the political tension in the region, and the anger was because the people in the area felt the state did not do anything to protect them against the crime they experienced. The Igbo politicians made an effort to avoid referring to the Bakassi Boys as an ethnic militia, yet pride in the Bakassi Boys by the people in the area clearly led to strong regional and ethnic sentiments (Jordan Smith 2004).

3.5.3 Bakassi Boys as Igbo Sharia

The police often let criminals go without being convicted, often because of technicalities or corruption, which has appalled the Igbos. Different legal codes exist in Nigeria as a result of the colonial past, and most Nigerians believe that justice should be administered in many different ways and in the north 80-95 percent of disputes are held before traditional courts or Islamic Kadis (Harnischfeger 2003: 36). In addition, even if the people hate the police, the reason the police kill perceived criminals is that they do not trust judges to convict the criminals, but rather fear that judges will let them go for money, and that the criminals will go after the police officers that caught them. The tolerance of the Bakassi Boys could also be interpreted in an ethno-regional way, and the parallel between Sharia and vigilante justice is apparent. The question Igbos asked is why they were not allowed to have their own justice when the north has the right to stone people to death. Therefore, the banning of the Bakassi Boys was also seen as illegitimate by some Igbos, as it could be seen as discrimination in comparison to the north. Hence, it seems that the Igbo were also clinging to the Bakassi Boys because they were their own and because the positive aspects outweighed the negative ones. On 3 August 2002 the Bakassi Boys headquarters was destroyed, which resulted in the disbandment of the official Bakassi Boys along with it, although it is believed that the vigilantes are still controlling the markets in the region.

3.6 The Niger Delta ethnic militias

3.6.1 The emergence of the Niger Delta militias¹⁶

The origin and chronology of the various ethnic militias in the Niger Delta are much more complicated than in the other parts of the country. This is because the Niger Delta has seen

¹⁶ Figure 3 in the appendix shows the locations of oil and gas fields in the Niger Delta region

more conflict, due to the Civil War, and because the presence of oil has made the region valuable to the whole country. Hence, a full overview of the ethnic militias in the Niger Delta is hard to achieve, as it would take too much space. The thesis will shed light on the most important ethnic militias, and only enough to illuminate similarities and differences from the other ethnic militias. The thesis will look at the Egbesu Boys, which is the armed faction of the Ijaw Youth Council (IYC) (which arose from the Ijaw National Congress), the Movement for Emancipation for the Niger Delta (MEND) (which arose from Niger Delta People's Volunteer Force (NDPVF)) and Federated Niger Delta Ijaw Communities (FNDIC)

According to Ikelegbe, there has been five distinct phases in the Niger Delta struggle, the fourth starting around 1990. This phase, which lasted to 1996, was characterized by the insensitivity of the MNOCs and the state in the struggle against the host communities¹⁷, and later by the state's support for MNOCs in the tension with the host communities. Lastly, awareness arose over the massive environmental degradation in the region and the state's neglect of it (2006: 105). The fifth phase is still ongoing and is characterized by the communities and militias mobilizing and unifying across communal, ethnic, pan-ethnic and regional ties, over the concern for human and environmental degradation. This phase has also changed in several ways. Firstly, the youths have taken over the struggle; secondly, the demands have changed more towards political autonomy; thirdly, the state is now the main target and not the MNOCs; finally, the actions have become more violent and direct as opposed to the previous period where the protests were vocal and also through poetry and books (Ikelegbe 2006: 106).

3.6.2 The Ijaw struggle¹⁸

Current Ijaw nationalism is due to a lack in confidence in the government to take care of its citizens and a feeling of anger about how Nigeria is run (Ukeje and Adebani 2007: 21). Ijaw is the fourth largest group in Nigeria and consists of about 3 million people, but they are scattered around the whole south-south region (Ukeje and Adebani 2007: 16). The current fighting between Ijaw and Itsekiri in the Niger Delta region could be seen as a result of ancient Ijaw envy of the Itsekiri. The Ijaw blames Itsekiri prosperity on the unfortunate location of the Ijaws in the area and as being a disadvantage for their own prosperity. In addition, in post-colonial times the constitution legalized Itsekiri domination as Ijaw were

¹⁷ A host community is an area where MNOCs have their production, but which is inhabited by indigenes.

¹⁸ Figure 4 in the appendix shows the location of the Ijaw, Itsekiri and Urhobo within the Niger Delta.

not able to vote their representatives into the Warri division (Ukiwo 2007: 593). This is apparent even in contemporary times, as all 413 staff members of the North Warri Local Government Area (LGA) in 2006 were Itsekiri (Ukiwo 2007: 596).

Introduction of the Land Use Act in 1978 transferred ownership of land from the locals to the state took away the bargaining power of the host communities, allowing the state to dictate affairs (Ukeje and Adebani 2007: 17). As a result of the Land Use Act, the Niger Delta went from receiving 50 percent of the revenues based on resource derivation in 1960, to a mere 1.5 percent in the 1990s (Omeje 2004: 426). Because of this, the situation for the all groups in the Niger Delta worsened, which has led to increased tension between the Ijaw and the Itsekiri.

This Ijaw-Itsekiri rivalry led in the early 1990s to the formation of an irredentist¹⁹ movement under the supervision of the Ijaw National Congress (INC) (Ukiwo 2007: 599) and the call for a Sovereign National conference²⁰ (Agbu 2004a: 33). In addition the Ijaw youth began to revolt against the elders, as the elders were seen as incapable of leading the fight for the Ijaws (Ukiwo 2007: 600). Youth militancy started within the Ijaw community. As they are largest minority group, they had the most unemployment and were angry, bitter and hostile because of poverty, neglect and marginalisation. This led to the replacement of the elders and to the youth asserting their rightful place in the community (Ikelegbe 2006: 108). In addition, as with OP the OPC C it was decided that the only way forward was violence. The militant groups did not only arise so as to unify against the Itsekiri. They also arose to fight the military as they were protecting the MNOCs, which the ethnic militias were at loggerheads with (Ukiwo 2007: 601). Ukeje and Adebani conclude that the Ijaw feel deeply threatened by the state, which exacerbated the violence and militarization of the region, and that this is the most salient issue in the Ijaw struggle (2007: 26).

3.6.3 Fighting for their rights- MOSOP²¹

The minorities of the Niger Delta do not trust the ethnic majorities that are in political control of the country, and their fight is about political control and access to oil revenues (Obi 2001: 174-175). The protest movements in the Niger Delta have developed over time due to

¹⁹ Irredentism is to advocate the restoration to their country of any territory formerly belonging to it.

²⁰ As opposed to the national conference, the sovereign national conference seeks to address the federation as a whole, and to figure out how best to give territories sovereignty, leading to a split up of Nigeria as state into several new states.

²¹ MOSOP is not an ethnic militia, but a protest movement, and they are only mentioned to give a better understanding of how the situation has evolved in the Niger Delta region.

increasing grievances against the state and the MNOCs. The protest groups' main claim is that a greater amount of the resources extracted from their land should be returned to them (Frynas 2000: 46). There have been grievances in the region for most of the country's independence, although the struggle has been intensified since the late 1980s (Obi 2001: 174).

One of the most important challenges to the state came from a small ethnic group called the Ogoni, which are an indigenous people of southeast Nigeria. The Movement for the Survival of the Ogoni People (MOSOP) gained international support and attention in their struggle against the government and the Shell oil company, through political campaigning by an active diaspora as well as through the charismatic leadership of Ken Saro-Wiwa (Frynas 2000: 47). The criticism of Shell in the Ogoni-area was too much for the company and in 1993 it withdrew from this part of the country (Frynas 2000: 57). The movement however gained too much attention for the government's liking and after a 'bogus' trial Ken Saro-Wiwa and seven other leaders were executed in 1995, an execution which was deemed illegal by international observers (Obi 2001: 179). This quieted the movement to a large degree. After the executions, the pressure from the Niger Delta has been mostly from youth movements that challenge the state as well as the MNOCs (Zalik 2004: 406). MOSOP's struggle showed that the Nigerian state was favouring the three majority ethnic groups as well as supporting the MNOCs more than the minorities. According to Agbu, the seeds of revolution that Saro-Wiwa planted will one day grow into radical changes (Agbu 2004a: 32).

3.6.4 Egbesu Boys: Fighting for Ijaw pride

Egbesu is a deity in Ijaw culture. Specifically it is the god of war; hence it is an important god in the violent struggle. The initiation of warriors involves sprinkling of Egbesu water onto the warriors whereupon the spirit is invoked (Ikelegbe 2006: 94), and with Egbesu by their side, they are believed to be 'invincible' (Agbu 2004a: 30). As the youth became more involved in combat the need for 'invincibility' became imperative, hence the priests became more involved in the Niger Delta struggle.

The Egbesu Boys are believed to be the common fighting arm of all the different ethnic militias in Ijaw land, and the Ijaw Youth Council (IYC) coordinates the various ethnic militias. Hence, the Egbesu Boys is the militant faction of the IYC in the struggle for equality and justice (Sesay et al 2003: 44). The Egbesu Boys became more relevant from 1998 as the youthful and progressive IYC had increasingly taken the lead in mobilizing Ijaw nationalism,

which resulted in the Kaiama Declaration on 11 December 1998 (Agbu 2004a: 31). The Kaiama Declaration is a document containing the objectives, grievances and demands of the Ijaw in the area. It was adopted by 5000 youth from 500 different communities, 40 different clans and 25 different organisations from the Niger Delta, and it was the start of one of the most militarised struggles in Nigeria's history (Ikelegbe 2001: 12). The Egbesu Boys is not a close-knit organisation, but a coalition of militias. The two most important factions of the Egbesu militias are the Niger Delta People's Volunteer Force (NDPVF) and the Supreme Egbesu Assembly (SEA) (Ikelegbe 2006). Even if the Egbesu Boys have a clear leadership, little is known about its internal dynamics, as its activities are rooted in constructed mythology and secrecy (Ukeje and Adebaniwi 2007: 23). Most civil society groups identify with the IYC in the advocacy of resource control, self-determination, federal restructuring and equity, but the IYC has also engaged in combat against the Itsekiri and the Urhobo (Ikelegbe 2001: 14). The Egbesu Boys came under public scrutiny when they fought the OPC in an all-out combat in Lagos, after the OPC claimed they were armed robbers. This shows that the Egbesu Boys have significant powers, as they are able to fight the OPC on their own territory (Agbu 2004a: 32). This can lead us to believe that even if the Egbesu Boys are mainly fighting in the Niger Delta, they have the potential to fight majority groups even if they rarely do.

3.6.5 Who joins the Egbesu Boys?

In a study incorporating questionnaires, focus groups and interviews of opinion leaders, Ikelegbe finds that the demographic profile of Egbesu Boys is largely male, young and that the majority joined between 1995 and 1999. Further, members are poorly educated, from the lower class, and most have joined out of free will and not due to peer-pressure (2006: 94). All three groups find ethnic marginalisation and neglect the most salient reasons for the youth militia phenomenon, with unemployment, political exclusion and state repression also being important factors (2006: 95), whereas the main objective seem to be struggle against injustice and neglect (2006: 96) and they perceive themselves as aggressive and violent (2006: 99). Further, they believe that it is the state and the MNOCs that are hindering their prosperity, especially among the Youth interviewees who also have conflicting relations with the high social economic class (Ikelegbe 2006: 101).

The findings of which impact the ethnic militias have on democracy have resulted in conflicting answers. The (anonymous) interviews showed that close to 50 percent thought the

ethnic militias were undermining democracy, national unity and development, whereas the focus groups show the complete opposite, which could lead us to believe that the members of the focus groups could be afraid of showing negativity in front of fellow members (Ikelegbe 2006: 102). This could mean that peer pressure is an important determinant for joining the Egbesu Boys, which contradicts the previous finding that they join out of free will.

3.6.6 The state response

The transitional government did not simply accept the violent turn which arose around 1999, and the position of the Obasanjo government was that the militant uprising by the youth was lawless and could result in anarchy (Ikelegbe 2001: 13). The incident of the Odi Massacre, where militant Ijaws in late 1999 abducted seven policemen conducting an investigation on an alleged upcoming Ijaw attack on Lagos, is an example of how the newly elected Obasanjo-government used militarization to carry out atrocities. The federal government claimed the Odi militant youth were a threat to the oil industry, and within two days, 2000 federal troops killed almost 2500 civilians in Odi on the pretext of preventing these militant youths attacking MNOCs installations (Omeje 2004: 432). Omeje claims that since the crushing of the Ogoni resistance in the 1990s, massive attacks have been employed against the Ijaws (2004: 430). It would also appear that the IYC has lost some control, as the Odi clashes, which led to the Odi massacre, do not seem to have been mandated by them (Ikelegbe 2001: 13).

3.6.7 Federated Niger Delta Ijaw Communities (FNDIC) and Movement for Emancipation for the Niger Delta (MEND)

Because of this militarization of the region, the conflict has become more complicated; the Nigerian Federal forces have launched pre-emptive attacks on Ijaws, turning the conflict into a vicious circle. Ijaw groups have intensified their attacks on MNOCs in response to the federal attacks, and more groups have been formed because of the discontent over incidents like the Odi massacre and the alleged state's lopsided interventions on the Itsekiri side in the Ijaw-Itsekiri conflict (Ikelegbe 2001).

Federated Niger Delta Ijaw Communities (FNDIC) is, together with Egbesu Boys, one of the most prominent groups in the Niger Delta and they are mainly fighting Itsekiris and claim that the conflict is a result of a divide and rule strategy from the Nigerian state (Ukiwo 2007: 603) The FNDIC has been somewhat corrupted by the state and this has led to the formation of MEND, which arose shortly after Asari was charged with treason after he threatened 'all out war' (Ukeje and Adebani 2007: 22). Together with the impeachment of Diepreye

Alamieyeseigha, the governor of Bayelsa State, and Ebitimi Banigo, an Ijaw business magnate, this was seen as a way of humiliating the Ijaw nation (Ukiwo 2007: 606). One of MEND's main conditions for releasing hostages have been that these three are set free (Ukiwo 2007: 606) and it is important to mention that MEND do not claim ransom for their hostages, rather they want development for the population and justice for people living in the Delta. (Ukiwo 2007: 607). Their objective is clear: if they do not benefit from the oil production, they will do what is in their power to make sure that nobody else does (Ikelegbe 2005: 215). MEND does not engage in direct negotiation with the government as they have seen that other leaders have been charged with treason after being invited to talk (Ukiwo 2007: 607).

It seems unlikely that a band of illiterate and unemployed youth would be able to articulate themselves and give substantial expression to the collective ethno-communal grievances the way the Egbesu Boys has done. Further, Ukeje and Adebaniwi claim that much of the literature has taken away the youth's agency, and that they are portraying them as tool of the elite (2007: 24), which Ikelegbe's study shows is erroneous. The militant struggle has given some results and the Ijaw land is now recognized as host communities, and his recognition have given the host communities more rights. Therefore it is not a surprise that the struggle continues, and their goal of increasing the revenue allocation from 13 percent to 25 percent seems within reach and is currently up for discussion (Ukiwo 2007: 610). Asari and Alamieyeseigha were freed in 2007, showing that the state is starting to take the ethnic militias more serious (Africa research bulletin 2007).

It is now apparent that the grim predictions that ethnic militias could lead Nigeria to spiral out of control, have not materialised. The APC and Bakassi Boys arose and descended in about two-three years. Their establishment can be said to have been due to the special circumstances in the wake of the transition towards democracy. The APC materialized as a direct consequence to the OPC, but they did not have support from its rank and file, hence their lifespan was short. Bakassi Boys arose due to the lawless circumstances in the eastern markets, and initially they had legitimacy within the ranks of the people. However, as they were captured by the elite, their actions were condemned by the state and partially by the easterners as well. The Niger Delta ethnic militias arose mainly as an Ijaw led struggle against discrimination by the state concerning local politics, revenue allocation and massive environmental degradation. Today, the only ethnic militias left are a radically changed the

OPC and the ethnic militias in the Niger Delta region, hence the predictions made by Sesay et al that ethnic militias was going to be with us for a long time (2003:142), seems to be exaggerated.

3.7 The link between the ethnic militias

By describing how the ethnic militias came into being, we have tried to show that even if there are some commonalities between the militias, the ethnic militias arose for different reasons. The Yoruba struggle for political power can be traced back to independence, and the Niger Delta ethnic militias fight against political marginalisation has its roots to the beginning of the last century. The OPC has been fighting both Hausa and Ijaw mainly over ethnic matters, the Bakassi Boys started as a vigilante force to rid the markets in Aba of criminals, but they transformed into thugs, performing extra judicial killings, usually at the request from political leaders. The APC arose due to elite discontent of losing power, as Obasanjo replaced highly decorated Hausa military officers with officers from other parts of the country. Hence, it may appear that for the APC the fighting against the OPC and Bakassi Boys were mere excuses to form an ethnic militia. The Egbesu Boys, the NDPVF and MEND have engaged in conflict with actors at all levels. They have fought the OPC in Lagos, and they have been in fierce clashes with the Urhobo and Itsekiri in the Delta states over old grievances. Moreover, they have attacked the MNOCs and their installations in the Niger Delta, kidnapping more than 100 people in recent years (Economist 15 March 2007). Lastly, they have engaged the state in clashes in what Omeje calls extra-oil conflict, where the state has accused the Niger Delta ethnic militias of sabotage of the oil industry, whereas the ethnic militias claim that, this is the only language, the federal state understands. Nevertheless, even if there are few common denominators between the militias, one binds them together. Harsh economic times and economic inequality has lead to a fear of being dominated by other ethnic groups, which seems to be the one feature they have in common. This means they are all non-state militias according to Yoroms claim, that the militias in this category are organized into armed men for the purpose of challenging the status quo, or with the purpose of achieving their goals and objectives within the larger environment where they are marginalised, denied their rights and/or alienated (2005:37), hence they have more in common than economic hardship.

3.7.1 Grievance

It is important to stress that there are some 'criminal elements' in Nigeria and in the Niger Delta in particular. These range from people carrying out oil bunkering in the Delta to vigilantes using their power as 'local police' for selfish gains. However, many scholars argue that Nigeria is the prime example where greed does not play any major part in the conflicts (Obi 2005, Ukeje and Adebani 2007 and Ukiwo 2007). The only extremely important commodity Nigeria possesses is oil, and even if oil bunkering is a multi-million-dollar industry (Economist 15 March 2007) there seem to some legitimacy to these actions as the grievances due to unemployment and a general sense of hopelessness. What is particular about MEND is that they do not claim money for the hostages they take. Rather they have put forward political claims like the release of 'freedom fighters'. Moreover, their objective is clear: if the local population does not benefit from the oil production, they will do all in their power to make sure that nobody else does either (Ikelegbe 2005: 215). This could be argued to be a legitimate grievance as they only want what is rightfully theirs. As shown earlier, the main reason for joining the OPC is security, and not material gains. Hence, the conflicts in contemporary Nigeria are grievance-driven and not founded in greed. Nevertheless, the elites in the APC were formed because they lost their jobs. This is neither greed nor grievance, but is rooted in fear of domination

3.7.2 Mistrust and fear

After the rather remarkable reconciliation process that arose after the Biafra War, the downturn that arose because of a drop in oil prices, together with the building of many mega projects heavily curtailed the Nigerian economy. When President Babangida was forced to implement SAP as a last resort, as the country did not have money to pay their debts, it had great consequences for Nigeria. Even if SAP cannot be blamed for everything going wrong in Nigeria in the late 1980s, it had a major impact on society as a whole, as the economic situation led a great number of Nigerians into poverty. It is claimed by Uwazurike that the second republic fell due to great upheavals in the world economy that triggered excessive short-term borrowing, which was a direct consequence of the oil price falling from US\$40 to US\$27 from 1983 to 1984 (2003: 87). This resulted in a sharp increase in debt, to US\$11 billion from a reserve of only US\$5 billion, rendering the state unable to buy machine tools, which again led to a 50 percent decline in industry-output with the end-effect that unemployment reached 35 percent. With this new situation, going from surplus to deficit, Nigeria entered a period where the external debt rose quickly in addition to the two brutal

dictatorships of Babangida and Abacha. These harsh times made groups afraid that the other groups should get more of the national cake than themselves, in what Babangida labelled a 'cake-sharing psychosis' (Suberu 2001: 10), due to the fact that the states and LGA relied on 70-80 percent of their revenue from the national treasury (Suberu 2001: 48).

As noted in the literature review, fear has been the source of many conflicts, and it plays together with the fact that when resources are scarce people are willing to fight for them, and many conflicts between ethnic and religious groups revolve around economic issues in addition to security issues. A prime example is the indigenes/settlers dilemma which is often over farming, fishing pounds, market stalls and opportunity to be engaged in own economic activities (Fadahunsi 2003: 153). Claude Ake calls this phenomenon 'politics of anxiety' and he claims that it has the potential to trigger latent ethnic conflicts (Osaghae 1995: 23). As the north is a resource scarce area, the north has been depended on revenue allocation from the south in order to sustain its development, and both Babangida and Abacha were accused of spending a disproportionate amount of money on developing the north, which has led to great resentment in the south (Jega 2000b: 33). In contemporary Nigeria the north has lost its control over the coercive means and are now in no position to 'cheat and steal' as blatantly as earlier, hence the north fears that they will now have to pay the price as the south wants justice for the years they were 'short-changed'. The Hausa are often accused by the other ethnic groups of being those who have *ruled* and *ruined* Nigeria, which have made them upset and they have now started to express their own grievances, and makes claims that they are underrepresented in the state apparatus (Ibrahim 2000: 52). The Yoruba claim that they are cheated out of power in the political arena, especially the 1993 election, but also the rigging of the three 'democratic' elections. Nevertheless, the northerners' claim that they are underrepresented in the state apparatus is in fact correct. Numbers show that even if they have more than half the population they have less than 30 percent of the federal officials, and less than 30 percent of top management positions, whereas the South-West²² region with under 20 percent of the population has close to 30 percent representation in the two respective arenas (Suberu 2001:125,127). On the other hand, power is not solely about top management positions; the military is also a very important actor. As the north have 16 of 21 of the most important military installations, and with only one of the installations being in Lagos, it is clear that the north can take use of the armed forces in order to gain political leverage

²² Ekiti, Lagos, Ogun, Ondo, Oson and Oyo states

(Chudiuwazurike and Mbabuibe 2004: 214-5). The Ibo fear being neglected in the political sphere, as the Yoruba and the Hausa are struggling for domination. The Delta minorities fear that their struggle for more autonomy is going to drag out until there are no resources left, which is going to leave them unemployed, insolvent and in an environment where farming is impossible due to environmental degradation. It seems clear that for the different groups, the perceived truth about political matters seem to mean more than the truth, and the elites use this perception of truth to create fear, which is the foundation for ethno-nationalism. The southerners do not easily forget the domination of the south by the north, dating back to the colonial time, and which continued during the military rule period. This fear of domination and the fear of not getting one's fair share is a source for fuelling ethnonationalism, which has led to the foundation of ethnic militias. Paradoxically all the groups feel unrightfully treated, and this is probably because they solely are focusing on what the others have, and not what they self possess. The north fear the south will revenge the harm done unto the north and the south fear that the north will never let go of power because of this fear of revenge, a vicious cycle that is hard to break out of.

The ethnic militias Effect on democratic consolidation

4.1 Introduction

Nigeria is currently in a crucial phase in history. With over 8 years of transitional democracy, or at least absence of authoritarianism, Nigeria is at a crossroads, where the next elections will be decisive for the long-term prospects. Nigerians were optimistic about democracy when the fourth republic began with 80.9 percent of Nigerians stating that "Democracy is preferable to any other form of government" (Bratton and Lewis 2000: 6), but these hopes have faded as expected dividends from democracy did not materialise. It appears that people are losing faith in democracy and that a relapse into authoritarianism could make Nigerians give up their hopes of democracy. On top of this National chairman of the PDP, Chief Vincent Eze Ogbulafor is hoping for "a time when all Nigerians would become members of the ruling party and the country would become a one-party state" and claims that PDP will rule for another 60 years (Leadership Nigeria April 17, 2008b). There are three factors which play an important role in the future of Nigerian democracy. Firstly, it is important to consolidate while the country still has high oil revenue, so there can be economic growth, used to close the widening inequality. As we have noted earlier, it is very important for a nascent democracy to have economic growth and to reduce income inequality in order to ensure that democracy survives. Secondly, one potential obstacle to Nigerian consolidation is that of a "population explosion" Nigeria has today close to 150 million inhabitants. As the human imprint increases (see appendix, figure 5), the likelihood of tensions arising due to resource scarcity could become a problem. However, this is not a given, but as unemployment is already high and rising, it is plausible that population growth will have a major impact on unemployment and aggravate the situation. Thirdly, and on top of these other factors is Nigeria's aspirations to become a regional hegemon. Being an aspiring regional hegemon, Nigeria plays a major role in determining the future of the region. The regional body in Western Africa is Economic Community of West African States (ECOWAS). As Nigeria is promoting peace and democracy through ECOWAS, it seems rather obvious that they need to have some kind of democracy at home, be it true democracy or semi-democracy, in order to have some credibility in pursuing these aspirations. For these reasons, it seems important that what Nigeria undertake in the near future, will affect the democratic consolidation one way or the other, hence we will now address the status on Nigerian democracy. This chapter will first address the situation of Nigerian democracy before engaging in an analysis of how the ethnic

militias have affected democracy by using Leftwich's framework for democratic consolidation before we identify four consequences of their actions since they came into being.

4.2 The state of Nigeria's democracy

4.2.1 The 2007 elections

The third 'democratic' election was to be a test of whether Nigeria was heading for consolidation of democracy or not. Suberu claims that if the 2003 elections were 'hardly credible' the recent election was 'blatantly fraudulent' (2007). Even if it was clear, in advance that Yar'Adua was going to win because the PDP being by far Nigerian's largest party; the elections were not carried out according to democratic rules. Obasanjo's choice on Yar'Adua as the next president was seen by many as an attempt to keep control over power, as Yar'Adua is seen as 'reluctant and frail' (Suberu 2007: 97). In addition to this, the Nigerian media claim that Yar'Adua was 'selected not elected' (BBC Online 26 February 2008). Another important actor in the 2007 election was the Independent National Electoral Commission (INEC). Even if INEC is supposed to be an independent commission securing free and fair elections, it is common knowledge that Obasanjo and the PDP have captured the institution. INEC's chairman and its twelve officers are effectively in the hands of the president even if they are subject to the senate's approval. In addition, a major problem is that the commission is dependent on funding from the federal executive, hence its independency is disputed (Suberu 2007: 98), and according to Sklar et al, Obasanjo had starved INEC for funds prior to the 2007 election in an attempt to hold on to power (2006: 106). In addition to helping Obasanjo obstruct his competitors from political power, INEC also failed miserably in carrying out their obligatory tasks: namely to regulate campaign financing, to conduct voter education and to recruit and train 500 000 temporary staff in order to run the elections properly (Suberu 2007: 99). The result of this, was that instead of an election where the different parties would have gotten a fair share of seat in the national assembly, PDP achieved a near monolithic domination over the Federal and state level of government (Suberu 2007: 102).

In an election with extensive rigging and flawed results one positive point has been the judiciary, which through electoral tribunals has been able mitigate some of the distorted outcomes. The judiciary and especially the Supreme Court have been praised for their

independence and non-partisan staffing of the judiciary (Suberu 2007: 104). Nonetheless, the judiciary has limited powers. One problem is that newly elected governors, whose legitimacy is contested, immediately start to spend the state resources to consolidate their powers, by bribing and coercing the judiciary and other actors to keep themselves in power. Even if the Supreme Court is immune to this, the lower tiers of the judiciary have shown to be heavily influenced by corruption. In addition, the sheer magnitude of legal cases (1250 separate legal challenges) has led to a 'overheating' of the judicial system (Suberu 2007: 104). There are indications that Yar'Adua is trying to reform the INEC (Suberu 2007: 108), but for now it is still too early to say whether he will be able to carry out reform as he still has to report to the PDP (which in practice controls the commission). Further, Ibeanu claims that with today's rigging, Nigerians have no illusions about how much their vote counts, resulting in voter fatigue as there is no psychological satisfaction from voting (2007: 5). In addition, Ibeanu makes a bold claim that the ruling PDP has changed from being a facilitator for other actors to rig elections, into being a direct party in implementation of rigging, which he labels 'direct capture' (2007: 5). According to Ibeanu there are many consequences of this direct capture: low confidence in government, its institutions and those who occupy them; political instability are the most negative, whereas the most positive is that it has unleashed a national movement in favour of credible elections (2007: 13). In addition, there is no gender quota system in Nigeria, and female participation is very low. Out of the 109 seats on the Senate, women contested less than 20 and fewer than 10 won. The House of Representatives had 390 seats; fewer than 30 women were elected (Badawi 2007).

Another problem Nigerian parties have is internal democracy. As mentioned above, Yar'Adua, then a little-known governor from Katsina state, was nominated by Obasanjo to run for president on the PDP ticket. Questions have also been asked about Yar'Adua's health, and in April 2008 he was again flown to Germany for treatment (Nigerian Leadership 17 April 2008a), and questions have been asked by the opposition parties whether his weak health has been a factor for nominating him. In addition to this, the other major contestants were forced to step down by Obasanjo and other forces within the PDP (BBC Online 26 February 2008). The most prominent candidate the PDP Big Men effectively pushed out of the race for presidency was Vice-President under Obasanjo, Atiku Abubakar (Sklar et al 2006: 106). Another problem about party democracy is the fact that presidential candidates often are affiliated with the military. Badmus shows that the former military generals and heads of state General Babangida and General Buhari, in addition to a plethora of other

military officers, heavily supported Obasanjo (2005:62). Further, Badmus concludes that military generals will heavily influence Nigeria in the near future as former military generals dominate the political space (2005: 62). In addition to the many election-related problems, Yar'Adua also faces the threat of military intervention. Even if Obasanjo did a good job in curtailing the military's powers when he got into power, the military could intervene if Yar'Adua fails to persuade Nigerians that he is able to run the country. Chief of the Defence staff, General Martin Luther Agwai, asked rhetorically in June 2007 if the military was expected to fold their arms and keep quiet if the government was mismanaging the country, with clear connotations that they were willing to act if they felt the need to do so (Suberu 2007: 196). Mohapatra also shows that most private and state owned companies have retired military officers on the board, and this vague line between the civilian sphere and the military sphere pose a major threat to democratic consolidation (2003)

4.2.2 Nigeria's electoral system

The Nigerian electoral system is very straightforward, and both houses are elected by direct popular vote in single-member constituencies to serve four years terms in a first past the post system (FPTP). Election of the president is different, and instead of FPTP, a two-round system is used. This means that a candidate must have over fifty percent of the votes to be elected. In the 2007 election, Yar'Adua had about 80 percent of the votes in the first round and a second round was not necessary. The Nigerian presidential system has many negative aspects, and Beetham argues persuasively that the FPTP system in general has a lot of disadvantages and few advantages. According to Chief Tony Momoh, a lawyer and prominent leader of the All Nigeria Peoples Party (ANPP), Nigeria should return to the parliamentary system again, as it is less expensive, easy to implement, and produces more acceptable and credible leaders (Guardian April 03, 2008). Professor Harry Garuba, from the University of Cape Town, claims that electoral reform is gradually taking over from civil society as the guarantor of true (Guardian April 03, 2008). Further he goes on to say that it has become clearer to experts that many new democracies may not survive without electoral reform, which the experience of the 2007 election has brought into focus (Guardian April 03, 2008). Arguably, the biggest problem with the FPTP system is that there are a great number of wasted votes. In principle, 49 percent of votes can be wasted as the mandate is given by 50 percent. As for Nigeria, the problem is even bigger, as the result can be altered by rigging and stealing of elections. Hence, one party can get 60 percent of the votes, but after rigging they could be left with less than 50 percent and losing the election, leaving a waste of 60 percent of

the votes. Therefore, it seems like the current system does not correspond well with one of the two core values of democracy, namely political equality. Further, Przeworski et al claim that parliamentary regimes last much longer, than presidential ones, and even if both systems are affected by economic performance, presidential systems are particularly vulnerable. Presidential systems are less likely to survive experiencing economic growth than parliamentary systems experiencing economic decline (Przeworski et al 1996: 47). Regarding institutions, they conclude that evidences, that parliamentary democracy survives longer and under a broader spectrum of conditions than presidential democracy thus seems incontrovertible (Przeworski et al 1996: 47). Hence, the current electoral system seems to be an obstacle the future of the Nigerian democracy.

4.2.3 The 1999 constitution

The 1999 constitution was imposed by the interim government led by Abubakar, and was an amended version of the previous one, which was made under military rule. It is common understanding in Nigeria, among scholars as well as lay people, that the current constitution is out of date. There are several reasons for this, but the main reason seems to be that the constitution is not rooted in the will of the people. The preamble starts by stating that "We the people of the federal republic of Nigeria do hereby make enact and give to ourselves the following constitution", which leads Kuye to state that this, is a false claim (2001). Hence, even if the constitution is legal it lacks legitimacy, as it fails to take the wishes and aspirations of the people into consideration (Igbuzor 2002: 17). According to Igbuzor another problem with the constitution is not only the process which it was made, but also the content (2002: 18-19). Firstly, even if Nigeria is a federal state on paper, the constitution is very unitary in its language, one example being that the federal state appoints both federal and state judicial officers. Secondly, the language in the constitution is gender biased and it is written in legal language which is inelegantly drafted, making it hard even for lay people to understand it, and which further gives too much room for much interpretation. Ihonvbere goes as far as to claim that the Nigerian constitution has failed in every aspect of what it was supposed to do, namely to be a constitution by the people, for the people (2000).

The Presidential Committee on the Review of the 1999 Constitution was set up by Obasanjo and it resulted in 17 points that the average Nigerian have raised about the constitution (Igbuzor 2002). In addition to the points mentioned above, another salient issue is that the problematic about how to share the revenue is not properly addressed. The issue of secularity

in not properly addressed, the constitution is very weak on the issue of human rights and the guarantee of socio-economic rights, it does not properly address how to put the army under civilian control and the LGAs are barely mentioned (Igbuzor 2002: 21-23). Further, the Citizensø Forum for Constitutional Reform (CFCR) has identified ten other issues, which are meant to compliment the 17 ones mentioned above (Bamidele and Ikubaje 2004: 21). The two lists show that the constitution has some major flaws that need to be addressed in order to have democracy, and before these are dealt with, it seems unlikely that democracy will survive in the end.

One of the most potentially dangerous issues unresolved is the issue of citizenship, which is often dubbed the ñnational questionø. The term indigenous was introduced by the British to support their divide and rule strategy, and with independence this concept was past on by communities to offer their people special protection (Hembe 2005: 101). Citizenship can be referred to as ñ the membership of a political community, based on the recognition of a man or a woman as a ñpolitical beingø (Bamidele and Ikubaje 2004: 65), whether it is a village, town or local government. The problem of citizenship in Nigeria refers to the ñlocalø citizenship at state level (or even lower levels). The exclusion of settlers is based on indigenousø right to rule over their ñownø territory, and this leads to the denial of settlersø²³ rights, their respect, their dignity and even their humanity (Bamidele and Ikubaje 2004: 67). The concept of citizenship, the way it is used in the constitution, appears clear enough. However, the way it is interpreted by different groups has resulted in many conflicts all over Nigeria, and it has even led to several full-scale war in Nasawara and Tabara states (Middle Belt) resulting in large-scale loss in lives and property (Hembe 2005: 115). In order to claim rights to ancestral land people resort to histories of migration and patterns of settlement to prove their rights. However, it seems clear that over time this will lead to problems, as historical facts seems to change and there is a tendency for facts to be carefully selected to make them count in oneøø favour (Bamidele and Ikubaje 2004: 78). Even if Nigerians can work and reside freely in every state in the country, they cannot claim citizenship outside the state from which their parents originate, which leads to confusion, anger and bitterness, and most importantly it precludes a sense of national unity (Egwu cited in Hembe 2005:102).

²³ Who is a settler is a vague concept and does not have a precise definition. People seen as not belonging in the area for various reasons are labeled settlers by others in the area. This is not a religious cleavage, but rather an ethnicity/identity divide. Who is a settler is often a word against word situation which can not be solved in court.

The real problem concerning the constitution however is not how to identify the flaws, but rather how the state should deal with them. CFR, which is Nigeria's main forum for constitutional change, consisting of over 200 civil society groups and NGOs with Centre for Development and Democracy (CDD) having a leading role, has arranged many conferences since the first being held in 1999. The last conference, held in Abuja the 15 April 2008, consisted of civil society groups, party leaders and media actors. Most participants were addressing what was wrong with the constitution, but they failed show how to change the constitution (Own observations based on the one day seminar on constitutional change 15 April 2008). Further, it seemed as though some of the politicians were more interested in getting their say rather than solving the important issues, in what can be said to be the most important forum for constitutional change. The communiqué that was released the following day listing ten observations showed that it was much the same as has been discussed before, which can also be said about the 13 recommendations (Igbuzor 2002, Bamidele and Ikubaje 2004). Electoral reform was only briefly discussed, and it seems clear that if the constitution is supposed to result in democracy, a fragmented federal state as Nigeria should seek to implement an electoral system that produces less wasted votes. Another issue that was discussed was whether to draft a new constitution, or to amend the current one, which the different actors did not address properly. This leads to another problem, namely the pace of reform, which is an important factor concerning the state of democracy. Should there be a quick reform in order to make right some of the most grave flaws in the constitution, or should the next constitution to be implemented be one to last a hundred years? A brand new constitution would probably take more than 10 years to make, and the question is whether Nigeria has the time to wait that long for a new constitution. On the other hand, the big differences on issues like citizenship, the federal system and the (sovereign) national conference make it very hard to agree on a constitution for the different ethnic groups. There is a wish for a dual process where the 1999 constitution is amended in the short term, while working on a new and more inclusive constitution in a long-term perspective (10-15 years). Further, there is the issue of implementation. A new constitution depends on approval in both houses, which are controlled by PDP. As PDP control both houses, most of the states and most LGAs, they have no incentives to implement a new constitution that could drive them out of power. This could be the reason for them not sending a representative to the latest CFR dialogue, even if most of the other important parties sent their representatives (Own observations based on the one day seminar on constitutional change 15 April 2008). Hence, the issue of the constitutional reform is a potential minefield for Nigerian democracy,

4.2.4.1 The battle against corruption

One of the biggest obstacles to Nigerian democracy is corruption. Corruption is a major reason why GDP per capita has dropped from US\$ 1010 in the early 1980s to less than US\$ 300 in 1999 (Agbu 2004b: 4). The large-scale corruption is the most damaging in terms of economic loss, even if the petty corruption also has an effect on the GDP. As Obasanjo came to power, he embarked on an anti-corruption campaign that was triggered internally by Nigeria rather than externally exposed by other countries. Still, not much has been achieved, even if there are some positive aspects, such as the strengthening of institutions like the Independent Corrupt Practices and other Related Offences Commission (ICPC) and Economic and Financial Crimes Commission (EFCC). The latter institution has recovered more than US\$757 million over the past two years and has arrested more than 500 people for money laundering (Agbu 2004b: 16). Nevertheless, Ocheje asks whether the corruption-crusade is another symbolic crusade, and whether the corruption act from 2000 will actually work (2001: 174). The Nigerian government has earned more than US\$340 billion in oil revenues between 1964-2004, (Obi 2004: 6), and according to Agbu, the federal government lost an estimated US\$ 6,8 billion to inflated contracts over the past 20 years, mainly because the process of contract awarding did not follow due process or the principles of transparency (2004b: 19). However, Ocheje claims that 1999 was a turning point for Nigerian corruption, as for the first time corruption was publicly discussed and challenged, and as Nigerian citizens realized that corruption was a problem that could be overcome (2001:193). The problem, however, is that the independent anti corruption institutions like EFCC, ICPC, INEC and the judiciary are only independent in name. They all rely on the federal state for funding, appointments and dismissals. In addition, institutions like EFCC and ICPC are slowed down by the fact that there are no anti-corruption courts, leading to corrupt criminals being set free due to low capacity in the judicial system, which is not able to trial all of them (Ikubaje 2006: 76)

4.2.4.2 Can the institutionalisation of corruption be won over?

At his inauguration, Yar'Adua promised to make the battle against corruption one of his main tasks. However, there are strong forces that do not wish Yar'Adua to engage in this battle: namely the people who benefit from corruption, the elites. The tripod of corruption in Nigeria consists of the judicial branch, the police and politicians. According to Agbu, Political corruption is hard to overcome, as Nigerian politics is a zero-sum game and there have been many examples where corruption has been discovered without being taken to court (2004b: 11). Police corruption operates on both large-scale and petty corruption, but they are mainly

involved in petty corruption. However, the problem is that the police, which are supposed to uphold the law, are regarded as an enemy of the public, and there has been little change in attitude even after the huge amount of resources spent on reforming the institution (Agbu 2004b: 15). Further, he claims that the judiciary has been manipulated and corrupted first by military rulers, with the result that the legal system is a cumbersome system unsuitable for ICPC and EFCC (2004b: 15). A formal study of the Lagos state judiciary, which is the largest judiciary in the country, showed that 99 percent of lawyers (frequently in court) agreed that corruption was present in courts, and that 53 percent would not report corruption if seen, in fear of reprisal (Suberu 2007: 104). In spite of this the judiciary and especially the Supreme Court has been praised for its independence and non-partisan staffing of the judiciary, which could lead to a trickle down effect (Suberu 2007: 104). This could mean that the work of EFCC and ICPC has been effective and that people's attitude towards corruption is changing. This is combined with the fact that the independent media have been very good at covering corruption matters and how to fight corruption is now a part of everyday discussion. It appears, as large-scale corruption is easier to overcome in Nigeria, as it is easier to notice, the stakes are higher and the consequences are more serious. A NGO like Transparency International is a watch dog that done a good job in illuminating large scale corruption around the globe, and they have made people aware of how encompassing large-scale corruption is. Petty corruption on the other hand is not so easy to point out. Firstly, there is not as much at stake, which makes it less prioritized, and secondly it appears as it arises because of necessity, in a society with low wages and lacking bureaucracy. Hence, petty corruption will be easier to address if the state tackle large-scale corruption first, and leadership by example is important to show Nigerian's that corruption should not pay off (Agbu 2004b).

4.2.4.3 Current corruption issues

Even if it were apparent that cases of (alleged) corruption were swept under the carpet by Obasanjo during his presidency, the full picture of his eight years in office are now being revealed. Even if his legacy was already somewhat muddled by his attempt to cling to power by seeking a third term, there was little knowledge about his alleged corrupt practices during his presidency. Nevertheless, the deals he made with cronies and Big Men are now reaching the surface. His strengthening of EFCC, which allegedly was established to pursue political enemies, has now gained more independence and is looking into Obasanjo's time as president (The Guardian 4 April 2008). In addition, his daughter, Iyabo Obasanjo, who is a senator, recently went undercover to avoid persecution by EFCC (The Nation 17 April 2008). The

question remains whether Yar'Adua is sincere in his anti corruption struggle. At inauguration, he declared his assets in an attempt to show that his battle against corruption was sincere, further stating that he would try to eradicate "the culture of impunity" (Daily trust 4 April 2008). Moreover, it can be claimed that he has achieved some results, even if he is being accused of moving too slowly by the ANPP (Daily Sun 29 March 2008). To his defence it can be claimed that all the trials in the wake of the April elections have been an obstacle to start reforms in various sectors, and that he will have more capacity to undertake reforms when these trials are over (BBC 26 February 2008). It was the president himself who alerted the nation that over 10 billion naira has been wasted in the power sector (Daily Sun 29 March 2008). Further, he has also revoked a steel mill contract after reviewing the Economic and Financial Crimes Commission (EFCC's) interim report, ordering the criminal prosecution of indicted officials of the Federal Government (The Guardian 3 April 2008). In addition, he has introduced a law, which states that "any minister or head of government agency that refuses to execute any project for which money has been appropriated, and released, will be prosecuted" (Daily Trust 28 March 2008).

However, the question remains whether these efforts are sincere attempts to stem corruption or mere superficial acts to gain the trust of the public. The Centre for Democracy and Development (CDD), which is one of Nigeria's leading NGOs, has raised concern about dangerous signals in Yar'Adua's proclaimed fight against corruption, and they claim that he says one thing but does something else. Their biggest concern is the government's decision to send the very successful Chairman of the Economic and Financial Crimes Commission (EFCC), Mallam Nuhu Ribadu on a nine month training course at the National Institute for Policy and Strategic Studies (NIPSS), Kuru, through the directive of the Inspector-General of Police (Pambazuka news 18 January 2008). This happened at a time when EFCC was investigating influential personalities in some high profile investigations. CDD are convinced that "this action is negatively affecting the credibility of the anti-corruption campaign and is diminishing the confidence of the international community in the country's sustained fight against corruption including the gains of the anti-corruption war" (Pambazuka news 18 January 2008). Yar'Adua is also derailed by opposition forces, including Obasanjo's former Vice-President Abubakar (The Guardian 4 April 2008), and the Secretary of Afenifere, a very influential Yoruba social-political group (Tribune Saturday 12 April 2008), to look into Obasanjo's time as President as a sign of his sincerity in the war against corruption, as being demanded by some Nigerians. Nevertheless, even if Yar'Adua still has to prove his sincerity,

prominent Yoruba leaders from the South Western states have said about the 10-month-old YarøAdua administration that -it has been doing wellø (Daily Trust 04 April 2008). It is unclear who ordered Ribadu to take a nine-month training course, and whether YarøAdua endorsed this. However, it seems clear that YarøAdua will have to pick his battles carefully as he will get many enemies as he tries to tackle corruption. Hence, the prospects for YarøAdua war against corruption are promising as he has uncovered much corruption and he has not tried to cover it up as his predecessor.

4.2.5 The role of federalism

Suberu claims that Nigerian federalism is a genius construct because it has yet to collapse (2005:2), whereas Agbu sees many possible seeds of destruction (2004a: 38), and he states that revenue allocation is a recipe for inter-ethnic tension and that this among other things has led to the rise of ethnic militias (2004: 41). In his seminal work, *Federalism and Ethnic Conflict in Nigeria*, Suberu gives a detailed overview of the flaws in todayø federal system. Firstly, he addresses the issues of revenue allocation, which has two dimensions: vertical and horizontal revenue allocation.

Table 4.1. Vertical allocation of the federal account (Percentages)

Items	Initial 1981act	Revised 1981 act	1990	January 1992	June2000 to date	NRMAFC	Proposal of the NCC on revenue allocation
Federal government	55	55	50	50	48,5	47	33
State government	26,5	30,5	30	25	24	30	32,5
Local government	10	10	15	20	20	15	20
Subtotal of special funds	8,5	4,5	5	5	7,5	8	14,5
Total	100	100	100	100	100	100	100

Source: Suberu 2001

As table one shows, vertical allocation is how the state distributes between the tiers of the federation (Suberu 2001: 54). As of today, the state takes about half of the revenue, while the other state government and local government divide the other half. Whereas the local government areas (LGA) have previously been disadvantaged in the past, the state level has been more or less the same. The National Revenue Mobilisation Allocation and Fiscal Committee (NRMAFC) proposed in 1988 to strengthen the state level at the expense of the LGA, whereas the National Constitution Committee (NCC) on revenue allocation suggests

strengthening the state level at the expense of the federal government. The NCC proposal seems like a real attempt to decentralise and devolve power to the lower levels of the federation, whereas the NRMAFC proposal is not reallocating resources from the centre to the periphery, but only from the LGA to the state level. The horizontal revenue allocation formula (see Table 2) is more disputed.

Table 4.2. Revenue allocation Formulas (Percentages)

Principles	Percentage of Weight Assigned					
	1970 to 1980	Initial 1981act	Revised 1981 act	1990 to date	NRMA FC	Proposal of the NCC on revenue allocation
Equality of states	50	50	40	<u>40</u>	40	30
Population	50	40	40	<u>30</u>	30	40
Social development factor			15	<u>10</u>	10	
Internal revenue generation effort			5	<u>10</u>	20	10
Land mass and terrain		10		<u>10</u>		10
Population density						10
Total	100	100	100	<u>100</u>	100	100

Source: Suberu 2001

The issue concern revenue sharing among the states and is contested for various reasons. Today, 40 percent of the revenue is distributed equally among the 36 states and 30 percent is based on how many people living in the state (more people, more money). The last 30 percent are based on social development factor (infrastructure and unemployment), internal revenue generation effort (how hard they try to create new industry and workplaces) and Landmass and terrain (how hard it is to build infrastructure and prospects for farming etc.) and they are all weighted 10 percent each. Whereas NRMAFC suggests to not to assign any weight on how much land mass and which terrain a state has, they rather want to increase the internal revenue generation effort, in order to create an incentive for states to become less dependent. The NCC on the other hand proposes to increase the weight of population. Suberu sees the horizontal derivation formula as more problematic as it relies on the simplistic and politically counterproductive principles of population and interunit equality (2001: 76).

Another issue about Nigerian federalism is population counts. The major issue in census figures in Nigeria is that there is a major incentive to give false numbers, as 40 percent of state revenue is allocation according to population. Hence, there has in all of Nigeria

censuses been an attempt to manipulate and falsify data in order to get more revenue, which has been successful due to technical and administrative flaws in the organizing of the census (Suberu 2001: 167). According to Adetokunbo Ademola –a good head count in this country is hardly possible as long as the allocation of revenue and representation in parliament are tied to census figuresø (Suberu 2001: 169). A clear example of this is the last census which declared that Lagos had about eight million people, whereas it is among scholars we have spoken with believed that the number is closer to the sixteen (This number is a number that we have heard repeatedly during our stay, also at CDD and among other scholars).

Suberu claims that the proliferation in number of states is threatening to make a mockery of the Nigerian federalism, as it is clear that not all ethnic groups can have their own state (Suberu 2001: 109). The Proliferation of states started with ethnic minority statesø fear of political repression, discrimination and even cultural extinction by the three dominant groups and they were convinced that creation of states would mitigate this risk if not even eliminate them (Suberu 2001: 82). Paradoxically, the state creations came successively with every new military ruler, starting in 1975. Now at 36 states it seems clear that the creation of more states could be counterproductive, as it would fragment the country into smaller and increasingly unviable states (Suberu 2001: 109). Suberu further claims that the lower levels of the federationø implementation of educational and governmental policies could end up discriminating against settlers as the federal government would loose control over all the states and LGAs, meaning that creation of new states and LGAs could undermine or erode the federation instead of creating unity (2001: 109).

Giving more autonomy to the lower tiers could be a catalyst for ethnic tensions over the control over recourses which could jeopardize the democratic system (Brosio 2000: 4). LGAs are only as good as the people it is composed of, and if the LGAs suffer from a lack of social capital, the whole decentralization process could be in vain. In addition, the federal state is reluctant to devolve tax powers. By being dependent on the state the LGAs can never be fully independent, as it is hard to collect taxes on things that are perceived to be common goods, as education and health care (Dwiedi 2002). Nigeria has previously tried decentralization, and the Primary Health Care (PHC) case as shown by Olowu and Wunsch (2004) is a good example. PHC was carried out after a ten-year pilot study and covered over seven hundred local units, and was an instance of devolution rather than de-concentration. Initially the reform went well, but after some time it more or less failed. There were many problems: Lack

of infrastructure, few skilled personnel, no local revenue and perhaps most important was the lack of cooperation between the 774 LGAs spread across the states which are described by Olowu and Wunsch as all trying to re-discover the wheel without asking the others for help (2004: 118). A lack of incentives at the LGAs led to the erosion of what seemed like a good reform. As Suberu shows, federalism has many obstacles in Nigeria and it seems, as there has been a failure to carry out federalism, rather than a failure in federalism. One of the major problems in Nigeria seems to be the task of decentralisation through devolution of power. This is a difficult task in many aspects. Decentralisation is expensive and with corruption at all levels, it is not sure that LGAs are able to carry out the tasks given them by the federal state, as there is a lack of social capital. However, this is having a very negative influence on Nigerian democracy as the lower tiers of the federation demand more power, while the federal state is very reluctant to give it to them, leading to a conflict of interest.

4.2.6 Economic development and redistribution

Poverty in Nigeria increased from 27 percent of the population in 1980 to 46 percent in 1985; it declined slightly to 42 percent in 1992, and increased very sharply to 67 percent in 1996. By 1999, when the present administration came to power, estimates showed that more than 70 percent of Nigerians lived in poverty (Fidelis and Ogwumike 2000). The United Nations claims that 80 percent of the Nigerian population lives in slums (Nigerian Tribune 16 April 2008) in spite of the fact that Nigeria has earned about US\$340 billion from 1964 to 2004 (Obi 2004: 6). When it comes to development and redistribution, the Niger Delta faces the greatest problems in Nigeria. While Nigeria in general has around 5 percent unemployment, the Rivers and Akiwa Ibom states have close to 20 percent, while Delta state has 10 percent in addition, these numbers are from 2000 (NDDC 2006: 71), hence the numbers are more likely to be higher than lower. Around 50 percent of people in the Niger Delta region²⁴ are employed in the agriculture sector (NDDC 2006: 69), hence the amount of pipelines (over 7000 km), the amount of space they cover (31 000 sq km) and the number of oil-wells drilled in the area (5285) gives a good indication of how difficult it is for host communities to find a livelihood (2004 numbers, NDDC 2006: 75). In addition to this, the population in these states is expected to rise from 28 million in 2005 to 45 million in 2020, adding more pressure to the situation²⁵. One of the problems is that the oil business creates wealth on a large scale, but it is a not a labour intensive industry. Furthermore, there are grievances among the minorities of

²⁴ Abia, Akiwa Ibom, Bayelsa, Cross River, Delta, Edo, Imo, Ondo and Rivers

²⁵ See appendix, figure 5

the Delta because they are not hired by the oil companies, as other Nigerians with better education and foreigners are hired instead (Zalik 2004: 405). The Niger Delta Development Commission (NDDC) was founded to address the problems in the Niger Delta and to increase the standard of living in the Delta region. In 2006 the federal state, LGAs, MNOCs, civil societies and communities of the Niger Delta published a 260-page document called the Niger Delta Regional Developmental Master Plan (NDDC 2006). This rigorous document is impressive in content, however it is unclear if the ambitious goals are achievable, as the way to achieve them are not very specific. At this time there is enough funding, supplied by the MNOCs, the federal state and civil society. However, there are some tensions concerning releasing of the funds, as it is a well known fact that corruption is a major problem when it comes to releasing money. These tensions could jeopardise the Niger Delta Regional Developmental Master Plan. Nevertheless, if they are achieved it would possibly get the most backward region in Nigeria into a major development process for the first time since independence.

The state of the Nigerian democracy is not good. The most recent elections were blatantly fraudulent in an electoral system that encourages rigging, as the election winner captures most of the power in the country. Even if Yar'Adua had won the 2007 election without rigging, the process in the elections were the most disturbing as the rigging was more sophisticated than the previous two elections. One of the problems with the election process is that the 1999 constitution is out of date, and does not allow for free and fair elections, as the INEC, which is supposed to monitor the election has been hijacked by the PDP. Further, the constitution has many detrimental flaws, but there seems to be a problem both with how to change it and with how to implement these changes when they are made. The issue of citizenship is also a major threat to democracy as it is a potential time bomb when it comes to latent communal conflict. On the fiscal side, corruption, revenue allocation and redistribution are problems that hamper the transitional democracy. As money is allocated according to population numbers, there is an incentive to give false numbers in order to get more revenue, which is a source for conflict. In addition, as corruption makes resources scarce, redistribution is a very important issue in contemporary Nigeria. Large-scale corruption is the common denominator in all the issues mentioned above, and it has a negative effect on all levels of society, affecting elections, the federal system, and economic development, it will also affect ethnic identity in the end. Hence, corruption is the major obstacle to overcome in order to strengthen Nigeria's fragile democracy. As this battle seems to be gaining some momentum,

cautious optimism could be valid, as less corruption could turn a vicious cycle into a virtuous one, and boost the nascent democracy.

4.3 Assessment of Leftwich's framework

As we have shown, Nigeria faces many obstacles in its transition towards a full-fledged democracy, which is necessary to deal with in order to consolidate. Hence, we will now try to show how the establishment of the ethnic militias fit into the five point agenda offered by Leftwich. It is important to remember that a phenomenon like ethnic militias has direct and indirect effects on democracy, and some are hard to notice and measure.

4.3.1 Legitimacy

Geographical legitimacy means that the people who live within the state accept its territorial definition and the appropriateness of their place within it. Most ethnic militias do accept the Nigerian borders; even if MASSOB has a non-violent plan to secede from Nigeria. The OPC has said that they will respect the borders, even if they want more autonomy from the federal state. As the Niger Delta has gained more attention the cry for secession has somewhat faded and this means that the *ethnic militias have not had a negative effect up to this point.*

Constitutional legitimacy refers to acceptance of the constitution, and the ethnic militias together with civil society have been advocates for changing the constitution. This is because the people do not see the 1999 constitution as legitimate, and it is an obstacle to a strengthening of democracy. Hence, the ethnic militias have been a societal mouthpiece in this context; the militias have endorsed and amplified the lack of legitimacy of the current constitution. This may eventually be indirectly positive, but only if they, and the rest of civil society can support a new, different constitution somewhere in the future.

Political legitimacy refers to the extent to which the electorate and other institutions regard the government in power, to be installed in terms of correct procedures. Hence, the outcome reflects the voting preferences and there is no rigging of elections. This point is divided in two. Some of the ethnic militias have been used to carrying out rigging and intimidation of voters, like the Bakassi Boys and some Niger Delta ethnic militias. In addition, the clashes between the OPC and the APC led to forced voting, as the respective organizations told their constituencies who to vote for. This was negative for the consolidation. However, the ethnic militias have challenged the rigging of election and their formation was triggered due to the 1993 and 1999 elections. Today there is no confidence in the outcome and the ethnic militias are doing a good job in addressing this. As the concept of ethnic militias is not so prominent

anymore, they have gained more legitimacy and have chosen to be vocal rather than violent when it comes to acting against people they feel should not be in power, hence the ethnic militias have had a positive effect on political legitimacy, even if they have not done too much in order to make sure rigging is not carried out, as the 2007 election showed.

4.3.2 Adherence to the rules of the game

Losers must abide by the result and form an opposition to gain power in the future and winners must know that they are not in power forever and will have to compete for power again at the next election. Adherence to the rules of the game is a point where the ethnic militias have been prominent, especially in regards to the 1993 election, where the military rulers did not accept defeat and the ethnic militias challenged them. This point is closely related to the point about legitimacy, even if this point is more on the macro level. As we have shown in section 4.2.4, corruption is all about breaking the rules. The ethnic militias have been very vocal when it comes to making sure that losers abide by the law, by making sure that the leaders in power know what might happen if they choose to bend the rules to stay in power. The OPC in particular was very vocal when Obasanjo tried to get his third term in order to stay in power, and the Niger Delta ethnic militias have been very clear that Yar'Adua has to perform in order to keep his job, as they have enough power to get him sacked if they decide to increase the level of violence. Hence, the ethnic militias have had a positive effect on making leaders in power adhere to the rules and to make sure it is possible for another party to take over, even if the effect have not been very significant and has involved the threat of violence.

4.3.3 Policy restraints by winning parties

This point refers to how fast the democratic government move in changing long-established powerful interest groups that were formed in the pre-democratic era. In Nigeria, the problem is that the process of changing the authoritarian and other undemocratic elements is moving too slow and people are getting impatient. The ethnic militias have done a god job in speeding up this process of change, especially in the Niger Delta, which has been neglected since the Biafra war. In addition, they are not too demanding, which will not take the change too far from the status quo, which is important in order not to tempt the army into interfering in politics as they have done in the past. Hence, the ethnic militias have not had a negative effect on changing long-established powerful interest groups, rather they have been modest in their demands, and they in fact given the government time to improve the situation for the better.

Even in the war against corruption, the ethnic militias have not been too strident in their demands against the former administration. It is now clear that the two former Obasanjo terms were marked by large-scale corruption, but still the ethnic militias have not tried to interfere much, and also to this point, the ethnic militias have had a rather small impact on the consolidation of democracy. It has to be noted however that MEND is still active and has engaged in actions against MNOCs during the first half of 2008, with an increase from June and onwards.

4.3.4 Poverty as an obstacle to democratic consolidation

Even if Leftwich argues that poverty per se is an obstacle to democracy, we will build on this and use Przeworski et al (1996: 42) arguments that it does not matter much whether a country is poor or rich, but that the faster the economy grows, the more likely democracy is to survive. Hence, it is whether a country experience growth and are able to reduce inequality that matter for the democratic consolidation. The ethnic militias have caused lower investment in Nigeria with attacks on MNOCs, which has hampered growth and investment. Even if their goals are legitimate, the outcomes are still negative as it could jeopardize the government's strategy for growth. On the other side, it is clear that ethnic militias have deliberately focused on addressing the question of poverty and increasing inequality, especially in the Niger Delta. The OPC have supported the ethnic militias in the Niger Delta and it seems clear that this is the main struggle for groups like MEND. Hence, this point is the one that ethnic militias positively affect the democratic consolidation, as it is more important for Nigeria to even out inequality than achieving high growth. If inequality in Nigeria is evened out (by distribution more to places like the Niger Delta), the feeling of neglect within the Niger Delta will ease, and this would have positive side effects. For now, the Niger Delta is the hotspot in Nigeria, and perhaps the most sensitive area in the country, which means that it is the most important area to address.

4.3.5 Ethnic cultural or religious cleavages as constraints on democracy

Ethnic cultural or religious cleavages make both transition to and consolidation of democracy difficult. Carefully crafted institutions and other arrangements like federalism and coalitions can overcome this. Even if the federal structure has been able to keep Nigeria as one country, the ethnic militias cannot be credited for this achievement. This point is the only major point where the ethnic militias have had a solely negative effect on the consolidation (some points have negative and positive effects), this because of the role of ethnonationalism. As we have

explained, the fear of domination has led to the rise of ethnonationalism, as the majority groups have been afraid of being left out of power. This has a negative effect on democracy, especially since the probability for recurrence of latent conflict and the negative effects of the settler/indigenous problematic. The weakening of the feeling of being Nigerian has made it more difficult for the federal state to govern, and Nigeria has become more fractionalized.

4.4 Ethnic militias and the Nigerian state: Consequences

As we have just shown, the impact of ethnic militias is not as negative as often perceived by media and several scholars, even if their impact is not significantly positive either. To show this we will try to point out what we perceive to be some of the consequences that have come from the ethnic militias. In order to draw conclusions about how the ethnic militias affect democracy we need to look at the consequences of their activities, and look at what time in history they arose. Even if Yomoros (2005: 47) has identified five direct consequences which are valid in a general context²⁶, we have identified two direct and two indirect consequences of the ethnic militias' existence in Nigeria. The different consequences seem to appear in chronological²⁷ order with one major consequence leading to another, partially taking over for the previous one. The two first consequences we address appear to be very negative for Nigeria curbing both democracy and development, whereas the latter two are solely positive even if these consequences that are more indirect. Important to notice is that the increase of violence that arose after 1998 coincided with the death of Abacha, and that this played an important role, as there was no longer a repressive state to intimidate people from illegal and criminal activities.

4.4.1 Ethnonationalism as an obstacle to nationhood

Instead of building a nation where the citizens all work together to achieve a common goal, Nigeria has been characterized by ethnonationalism, which has made the nation building project difficult for the state. Nationalism, as opposed to ethnonationalism, seems to foster political, economic and social growth and its practical application can produce a feeling of belonging for the citizens of a nation (Adekunle 2002: 209). As the ethnic militias gained more prominence from the mid 1990s onwards, it became clear that the ethnic cleavages that arose after the implementation of SAP were reinforced (Sesay et al 2004, Agbu 2004).

²⁶ Deconstruction of community spirit, a return to a one-party repressive state due to chaos, crippling of the economy, a renegotiation of the state (sovereign national conference), and a recruitment base for national and international terrorism

²⁷ By chronological order, we do not suggest that there is a clear-cut beginning and end, but rather that one consequence led to the other, even if the previous consequence not necessarily ended. Ethnonationalism did not end even if direct investment degreased, but investment decreased because of ethnonationalism.

When the ethnic militias started attacking each other, the instinctive reaction for people was to rely more on the ethnic group, which after 1986 had become the identity that people identified with the most. Hence, a vicious cycle began where people felt forced to cut their ties with other ethnic groups, which often led to a point where it was difficult to return to the former ethnic group. This ethnonationalism was elite-based and the ethnic militias played a large role in perpetuating this trend, as it gave more legitimacy to their cause. As the ethnic militias took over many of the state's traditional roles, like security and health care, the state's legitimacy eroded even further. According to Ehidamen, ethnic militias might help to stem crime in the short run but as they have no rules on how to act, they usually spiral out of control (2003: 161). The vigilante services provided by most of the ethnic militias put the police in a bad light and made people believe that the state was not able to care for its citizens. Hence, the attempt to build a nation was mitigated by the strong belonging to the ethnic group, which came as a consequence of the ethnic militias being able to offer basic services which the state could not. In addition to this, there was also a reinvention of identity within the Yoruba from 'merry' to 'violent' in order to be able to fight for what they perceived to be unrighteous (Adebanwi 2004). This happened because the Yoruba 'nation' was feeling threatened and it was a measure taken in order to 'secure survival' (Adebanwi 2004). As the OPC turned more violent towards the police and other ethnic groups, the APC and Egbesu Boys responded to this and more people were left dead in the streets. At this point, the state was left out of the equation, and the clashes made the ethnic groups more nationalistic in their language (Agbu 2004). Because of thousands being killed in ethnic clashes, the government posed a ban on ethnic militias on Tuesday 9th April 2002 (Ehidamen 2003: 162).

Also related to a strengthening of ethnonationalism is the issue of citizenship, even if it only involved Nigerians (but relates to which state people come from). Because it is very hard to be recognised as an indigenous in Nigeria, there is a weakened feeling of being Nigerian. The indigenes often feel threatened by settlers over the competition for scarce resources, which leads to clashes between the indigenes and settlers. Settling the settler/indigenous division is a very important matter in order to solve the national question, as many small conflicts arise from this problem and as the population is increasing, the problem is likely to get worse. The ethnic militias affected the settler/indigenous in the way that ethnic groups became more xenophobic towards each other, which led to retaliation attacks by the ethnic militias if their ethnic fellows were threatened (settlers) or invaded (indigenous). Hence, the first major consequence of the ethnic militias was that the level of violence arose drastically. In the Ibo

camp, there was a wish of self-determination, and secessionist movements arose with detailed plans on how they were going to form their new state (Agbu 2004: 19-20).

4.4.2 Decrease in foreign direct investment in Nigeria

Investment in oil is a costly affair as it requires long-term planning, and a high oil price is not essential in deciding whether to invest. Long-term stability and security are the main variables that investors look at before investing in oil. As the ethnic militias arose it was clear that Nigeria could offer neither, which led to a decline in MNOCs investing in Nigeria. Even if the OPC, the APC and Bakassi Boys had little to do with the Delta region, their activity seems to have fuelled and aggravated the situation within the Niger Delta ethnic militias. During 1990 and 1999 over 20 different groups arose in the Delta, mostly radical bent (Adejumobi 2003: 171). Bunkering of oil (oil-theft), which is the main source of funding the militant struggle, has led to many negative outcomes. Firstly, oil production had to be stopped, and in the run up to the 2003 election, violence in the Delta forced Nigeria to shut down 40 percent of its oil capacity (The Economist 15 March 2007). Secondly, broken pipes need to be fixed, meaning that skilled personnel from the MNOCs are exposed to the threat of kidnapping as they are forced to work in hostile territory. Higher security costs have led to a shrinking number of people willing to work there, and because fewer qualified personnel enter into Nigeria, investment in Nigeria have sharply slowed down (The Economist 15 March 2007). In addition, the Niger Delta unemployment is soaring, because oil-spills make great parts of the farmland and rivers useless for food production, and because the oil sector has no use for unskilled labour. A feeling of hopelessness has led many young unemployed men to join ethnic militias and armed groups in order to cope with their frustration. In addition, environmental degradation lowers the threshold for illegal activities and fuels ethnic tensions, as there is a feeling that the state does not care.

The state's response to the ethnic militia's violent activities has been to militarise the area, which has further aggrieved the Delta citizens as the militia's actions are actions of last resort. Incidents like the Odi Massacre²⁸ perpetuate violence, as local populations feel that violence is the only language the state understands (Omeje 2004). Further, the ethnic militias have accused the MNOCs of environmental neglect and not paying tribute to the host communities (Matt 2006), and because of this, the ethnic militias attack the MNOCs on a frequent basis. However, there is still a misconception that MNOCs should 'do more' because oil prices are

²⁸ See point 3.6.6 for more about this event.

at a record high. The high oil price does not benefit the MNOCs much; it is the state that benefits from high prices because of its derivation system (Shell Nigeria report 2005), whereas the MNOCs receive (more or less) the same revenue whether the oil price is US\$40 or US\$70. Hence, with high oil-prices, the state gets most of the money, while the MNOCs in addition to money experience problems like; bunkering, kidnapping, production stoppages and attacks on their installations. As a result of this Shell Petroleum Development Company (SPDC), are considering pulling out of Nigeria, as they claim the state gets 95 percent of the profits from its joint venture, whereas Nigeria claims to be short-changed by the company (Nigerian Tribune 14 April 2008). This again, leads to decreased foreign investment, other oil companies are scared to undertake expensive investments in a conflict-ridden area because in the worst-case scenario, hundreds of millions of dollars worth of investment may not yield a single dollar in return if production never gets up and running.

The problem of decrease in foreign investments are twofold, Firstly, less revenue leads to less money to use on infrastructure, social development, poverty eradication and other necessities which are needed to build a country. Secondly, less revenue leads to less money to be captured by elites. In the Niger Delta, the Federal state, which by definition should be responsible for its inhabitants and their well-being, is a major force in fuelling the conflict by neglecting the problems in the Delta, and by cultivating its interests with the MNOCs and dominant elites. It is unclear whether it is MEND's magnanimous role as watchdog of the delta, or if it is the state's sudden change of policy, but it appears as the state now finally is starting to take the problems more serious. Acknowledging that the Niger Delta is the 'breadbasket' of Nigeria, the state has now started a dialogue with the ethnic militias, instead of forcing them underground, which lead us to the next major consequence.

4.4.3 Ethnic militias as a part of civil society

The Obasanjo government's approach to the ethnic militias was to use coercive power to break their resistance. However, according to Adejumobi, many civil society activists claim that the 'ethnic militias are mere manifestations and frustrated expressions of the dysfunctional structure of the Nigerian federation and the character of the Nigerian state' (2003: 165). Further, he states that the solution to this problem is, according to civil society groups, solved through addressing the national question, which should be solved through a Sovereign National Conference (SNC). As the ethnic militias arose, they were treated as illegal militant organisations, which is evident by the ban imposed on them in 2002.

Adejumobi claims that groups like the OPC, the APC and MEND are not rebel movements, as their goal is not to capture state power, but rather to serve as society's mouthpiece in order to influence the structuring of power in the country, and to create awareness to the deteriorating political situation and perceived marginalization of their group or social environment (2003: 167). Hence, it would be wrong to see the ethnic militias as de-linked from civil society, as they gain their meaning and realize their objectives in relation to and in interaction with the state. As Bjorn Beckman argues, civil society does not exist independently of the state; it is situated in rules and transactions, which connect state and society (quoted in Adejumobi 2003: 167). The OPC arose in the 1990s as a response to a repressive dictatorship, and the state turned this civil society group into an ethnic militia with its repressive actions. The OPC's activities were initially non-violent, but became violent when the state criminalized and outlawed the organization, arrested and detained the leaders and killed many of its members (Adejumobi 2003: 172-4).

As the ethnic militias gained momentum it seems like the Federal state was afraid that the ethnic militias could become a threat to their rule. Initially incarcerating leading ethnic militias leaders like Adams, Fasehun and Asari, and labelling MEND as a terrorist organisation, the government have now engaged in a dialogue, were these leaders are seen as potential collaborators to solve conflicts. The challenge has been how to extract violence from their social activities. Adejumobi claims that this can only be done as a wider project where the state is demilitarised and built on trust (2003: 167). The OPC is a good example on how this has been achieved. The OPC has changed from its militant form to becoming a cultural promoter for the Yoruba culture, with Adams as a front person for the Yoruba culture (Adams 2007). It should be clear that the OPC have the potential to return to violence if needed, hence the state seems to understand that they need to take the ethnic militias seriously. Since Adams and Fasehun were released from prison in 2006, the Niger Delta is the only place where large scale violence has taken place, but even here the level of conflict is drastically reduced after the Yar'Adua administration promised to tackle the problems in the region. Nonetheless, the state has realised that the Niger Delta ethnic militias and youth groups are a part of civil society. The fact that the state is taking the host communities more serious seems to have eased the tensions in the area. The Nigerian politicians, who aspire for a hegemonic position for Nigeria, seem to understand that how they deal with the problems in the Niger Delta will play an important role in how they are perceived by their peers and neighbours. The ethnic

militias have not lost their potential power and the state has realised that they need to treat them as serious actors and not as criminals as they have an agenda for a better Nigeria.

4.4.4 Facilitating the movement towards democracy

As a sum of these major consequences, which came about more or less in chronological order, the final consequence can be said to be that ethnic militias have forced democracy to come about. Their formation, their turn to violence and their effort to scale back the state's repressive behaviour, show that actions were done in order to achieve a goal. By showing the state that they were not going to let the repressive state dictate their affairs, they have indirectly played an important role in transition to democracy. This role as midwife for democracy needs further explanation.

Babangida's transition without end which resulted in the annulment of the 1993 elections, deemed free and fair by most people, seems to have triggered the formation of the OPC. As the OPC's strength grew in both numbers and leverage, it became apparent that they were fed-up with authoritarianism, and their agenda was clear: The Yoruba would not tolerate their rightful part in Nigerian politics being taken away from them. When Abacha suddenly died in June 1998, it appears the military and the ruling class were not ready to act. An implementation of an authoritarian state needed planning and when Abubakar took over the interim government there was much pressure from the civil society, especially by the OPC, which by then was a formidable force. In addition, the ethnic militias in the Niger Delta were showing strength in unity with the signing of the Kaima declaration, a document containing the objectives, grievances and demands of the Ijaw in the area, by over 5000 youths from 500 different communities. This occurred together with an increasingly strong media, who was able to analyze the various conflicts, de-objectifying the protagonists from each other, identifying the interests underlying the issues, encouraging the balance of power and to show that they were an independent part of civil society (Alorunyomi 2003: 74-6). This coalition made it hard for the ruling PDP to disregard the demand for transition to democracy. The violence, which arose after Obasanjo was elected, between the various ethnic militias and the state, could be an indication what could happen if democracy was to be reversed. The state has shown, by incarcerating and releasing Adams, Fasehun and Asari that they acknowledge the power the ethnic militias possess. MEND was able to force the state to release Asari and former governor Alamiyeseigha (who is charged with corruption and most certain to be guilty), after carrying out many operations against foreign oil workers and oil installations.

In addition to this, the ethnic militias have put Nigeria in the international media and they have been able to create awareness about the intolerable situation in Nigeria with election fraud and environmental degradation. Especially the Niger Delta ethnic militias have been good at using the diaspora in order to expose the Niger Delta situation into the limelight. The Movement for the survival of the Ogoni People (MOSOP) gained international support and attention in their struggle against the government and Shell²⁹, through political campaigning by an active diaspora as well as through the charismatic leadership of Ken Saro-Wiva (Frynas 2000: 47). The critique of Shell in the Ogoni-area was too much for the company and in 1993 it withdrew from this part of the country (Frynas 2000: 57). As Nigeria has experienced international attention, it has become harder for the governments from 1999 to be as repressive as the Babangida and Abacha regime had been, as Nigeria is dependent on foreign investment from the western world, which is very critical of Nigeria's poor human right record.

The argument can be made that the ethnic militias served as midwife for the Nigerian democracy. As a counterweight to the repressive state, they were able to show that they were a formidable actor that was able to challenge the status quo in Nigeria. As the ethnic militias' activities curtailed foreign direct investment, the state needed to take the ethnic militias more seriously in order to avoid an all-out conflict, which would have resulted in MNOCs fleeing the country, leading to an economic disaster, which the government could not allow. From being on the defensive, the ethnic militias were now gaining the upper hand. By taking their role as a part of civil society seriously, they have now refrained from violent activity, strengthening their role in civil society. This means that the ethnic militias can be said to be a positive actor in the struggle for Nigerian democracy. Indeed it can be argued that the one of the most important ethnic militias, namely the OPC (as Bakassi Boys and the APC no longer exist), has transformed back to being a socio-cultural organisation and a member of civil society. The OPC is still an important actor, and after Adams' release from prison, they have become more respected in Nigeria as a socio-cultural organisation.

²⁹ Shell was the first company to enter Nigeria and to start drilling for oil. Because of this, some of the areas they drilled in were heavily damaged by oil-spills. The Ogoni area was one of these areas and they felt they had the right to control their own land, as they did not receive enough to cover the vast environmental damages that occurred.

Conclusion: Ethnic militias impact on democratic consolidation

5.1 Introduction

The final chapter sums up the thesis and concludes the findings. The thesis revisits the problem statement and research question in order to make conclusions about how the ethnic militias affect the democratic consolidation in Nigeria. Further the thesis also tries to show the prospects for further research and lastly what the contribution of this research might be. On the questions *how did the ethnic militias emerge* before we ask *how they have influenced the consolidation of democracy in Nigeria*, we argue that the ethnic militias arose as a consequence of necessity and that they have had an overall positive impact on democracy in Nigeria. On the question *on the ethnic militias outplayed their role in Nigerian society*, we find that they still have a role to play in shaping democracy as a counterweight to the dysfunctional state, and that this is best done with dialogue as opposed to conflict.

5.2 Problem statement

As we can see, the ethnic militias are not as harmful as perceived by some scholars like Agbu (2004) Badmus (2006) and Ikelegbe (2001), and we argue that the *ethnic militias arose at a particular time in Nigerian history and they arose for a particular reason*. They arose as a consequence of a repressive state forcing them underground and making them illegal, turning them into ethnic militias after being formed as civil society groups. As the political situation calmed down the level of violence also dropped sharply. Bakassi Boys and the APC do not exist as ethnic militias anymore, and the OPC has transformed into the socio-cultural organisation, as they started. It is nonetheless important to understand the reason for the ethnic militias coming into being in order to be able to understand the dynamics of the ethnic militias, which will make it easier to use the right tools to prevent an escalation of conflict if it reoccurs. The militant groups in the Niger Delta are fighting a battle for survival in the Niger Delta. However, as environmental degradation and unemployment soar, it creates an environment suitable for recruitment into youth militias. The implementation of SAP, coinciding with low oil prices, was a major event in Nigerian society, which is not likely to occur again; hence, the ethnic militias must be analyzed within this framework in order to arrive at the right answers.

5.3 Revisiting the Research Questions

5.3.1 How did the ethnic militias emerge?

Since independence, Nigeria has been haunted by military rule and catastrophes. A devastating civil war that left over one million people dead and economic collapse because of a plunging oil price, which again resulted in a ethnicity increasing in salience in Nigeria. As the state was not able to take care of its citizens, Nigerians turned to ethnicity as a way of coping with their problems. This had the effect that ethno-nationalism became more prominent, and tensions arose on several levels, especially between the ruling authoritarian north and the ruled south. When the 1993 election were annulled in spite of being fair and free, the OPC turned into a counterweight to the state. The state did not tolerate the opposition from the OPC and other civil society groups and forced them underground. As the OPC became more violent, especially towards northerners, the APC was formed as a counterweight to the OPC. This coincided with the rise of the Bakassi Boys and groups in the Niger Delta to engage in ethnic clashes, even if these groups did not arise as a counterweight to the OPC / the APC, but because of an absence of the state to tackle problems in their respective region. These formations coincided with the lifting of Abacha's repressive regime, which, may also have led to increased violence in the country.

5.3.2 How have they influenced the consolidation of democracy in Nigeria?

The violence that occurred in the wake of the ethnic militias was devastating, but it can be argued that it had a positive consequence, even if this consequence was not very significant. The ethnic militias' power seems to have made the state to take the ethnic militias more serious, as it felt the need to incarcerate some of the ethnic militias' most prominent leaders. The leaders were released, which is promising taken into consideration the tragic execution of Ken Saro Wiwa in the previous decade. Hence, the ethnic militias' powers seem to have made the state think twice about brute repression, and rather try to resolve problems with dialogue. This we claim, means that the ethnic militias had a positive effect on the transition to democracy in the early part of the decade, as the power they possessed led the state to fear the outcome of engaging in an open fight with them. By analysing the ethnic militias in the framework of Leftwitch we have found that they have had little impact on the consolidation, and the impact they have had have mainly been positive, if we take into account the indirect consequences. The one major negative impact is ethnonationalism, which arose because of the

tension in the late 1990s. By using Leftwich's framework it is easier to be neutral and to analyze their impact on the democratic consolidation, rather than their impact on society and people. There is no doubt that for the families losing their loved ones, ethnic militias may seem as having a very negative impact on democracy, but for us analyzing a concept we claim that the concept of ethnic militias have had a slightly positive impact on the democratic consolidation as they have indirectly been able to oppose the repressive state, which continued after the 1999 election. Further, they have made the root causes in Nigeria more visible to people in power, scholars and the international world, which is important in order to consolidate democracy, as only solving the trigger causes will not solve any problems. This illuminating of root causes for conflict and fighting the repressive state can be said to be made possible by the ethnic militias, as civil society during the pre-democratic period was weak and ineffective. According to our nominal definition, *democratic consolidation will be when (democratic) institutions become the only game in town and when no one can imagine going around these institutions, and persistent economic growth is achieved along with income equality and a fair distribution of resources, this coinciding together with the state handling deep-rooted problems, real or imagined.* As we have tried to show, it seems as the ethnic militias are more likely to make democracy the only game in town, than not. This is because democracy is the will of the people by free and fair elections, and the repressive state has never been inclusive and it is guilty in election fraud and brute force. Further, the ethnic militias have an aim of a fairer redistribution of resources and power and they try to coerce the state to act less irresponsible in the fragile Niger Delta area.

5.3.3 Have ethnic militias outplayed their role in Nigerian society?

As the OPC now seem to have changed their course and are now engaging more in cultural activities, than in violent clashes, and it is the ethnic militias in the Niger Delta that are the only active groups left in Nigeria. The concept of an ethnic militia gains meaning in relation to other ethnic militias, and as the only ethnic militias left are Ijaw, the term seem to have lost some of its lustre. The groups in the Niger Delta mainly engage the state and MNOCs and occasionally other militant groups, and as their goal is not to capture any sort of power, it is rather a fight for justice and self-determination, and a discussion should be held regarding the accuracy of the term ethnic militias. Even if there are some criminal elements in the region taking advantage of the situation, most groups struggle for survival and for the state to take responsibility in a hopeless situation. The state has with the 2006 Niger Delta Master Plan taken more responsibility in the region. Further it has treated the ethnic militias as civil

society groups, which they claim to be. Whether we call them ethnic militias or civil society groups, they still have a role to play in the consolidation of democracy.

5.4 Prospects for further research

As we show, ethnic militias arose as civil society groups, and the focus of the future should be how to incorporate them back into civil society after they were forced underground. This is true especially so for the Niger Delta ethnic militias as they still are active. Ethnic militias (except from some ones in the Niger Delta) was a brief phenomena in Nigerian history, and the focus should be on understanding the reason for them coming into being, in order to better understand their dynamics so violent conflict can be avoided in the future. This can only be done by dealing with the root causes, which lies within the national question and addressing of the federal structure. This could solve the problem that occurs by the fear of being dominated, which has led to the strengthening of ethnonationalism. By mitigating ethnonationalism, there is a hope that Nigerian nationalism could get a foothold, which would be very positive for the democratic consolidation. Little work has been done on constructing Nigerian nationalism, even if it is clear the nationalism very seldom arise on its own, rather it is a elite led project.

Further, there should be more research on the Niger Delta ethnic militias. They are the only active ethnic militias and their impact could be potentially dangerous. However, it is important that there is a holistic approach and a focus on understanding, rather than analyzing one subject disintegrated from the others. It is also important to understand the blurred link between ethnic militias and civil society in Nigeria because of 40 years of military rule and oppression.

Conclusion

The conclusion is that ethnic militias have had, and still have an effect on the consolidation of democracy. It can be claimed that they facilitated movement towards democracy by highlighting the flaws of the Nigerian state even if the way they operated, was not democratic, as they were forced underground by the repressive state. Currently, they do not seem to pose a threat to the consolidation, rather they can have an positive effect as they can act as a counterweight to the ruling elite and other forces obstructing democracy.

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Daily trust 04 April 2008. Yoruba leaders blast Obasanjo's tenure.

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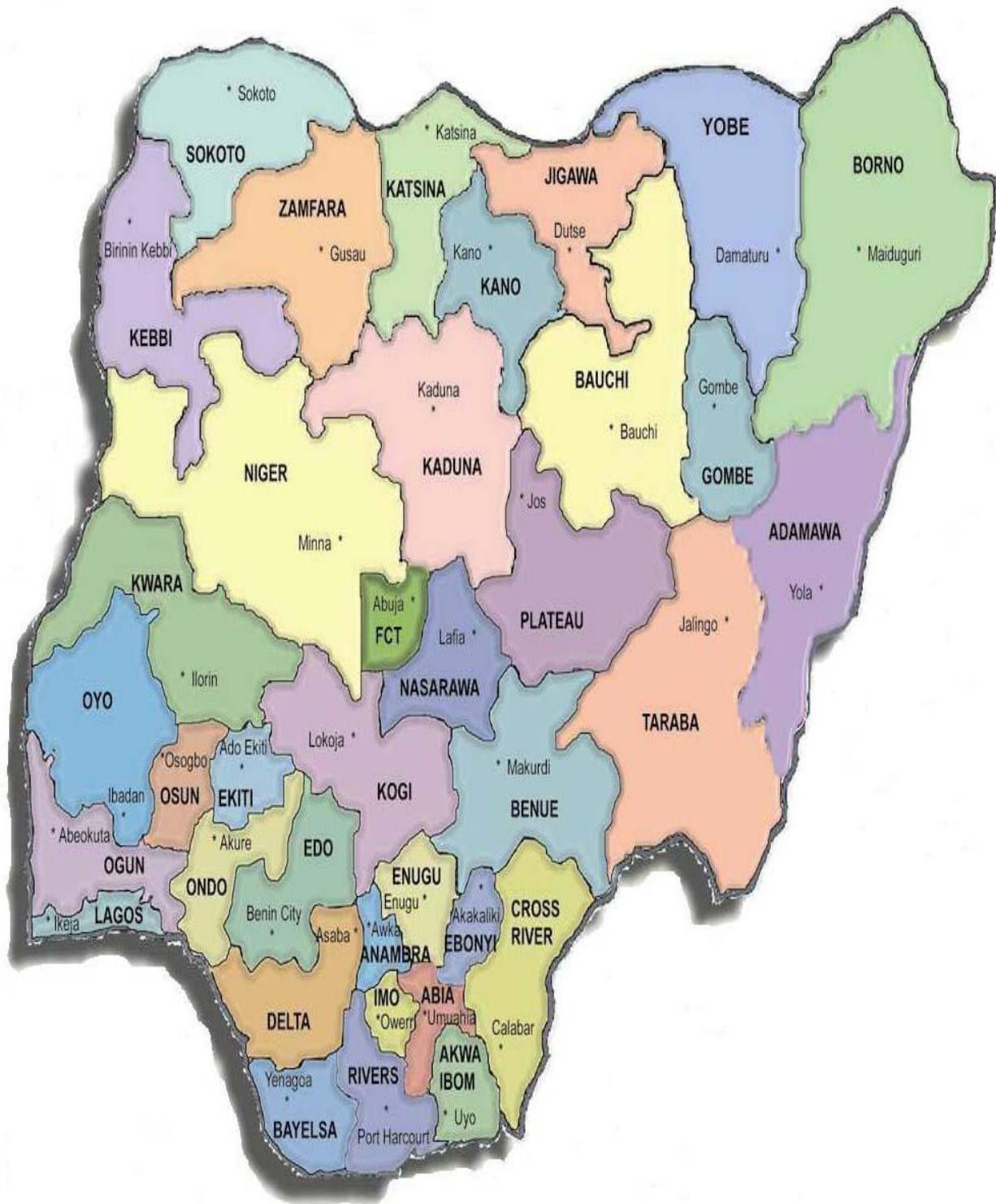
Tribune Saturday 12 April 2008. You Can't Probe OBJ, Afenifere Leader Dares Yar'Adua -
Gbonigi Wants Sweeping Probe For Ministries.

Interviews

Interview with Gani Adams 13 April 2008. Olokun Festival Office, Lagos

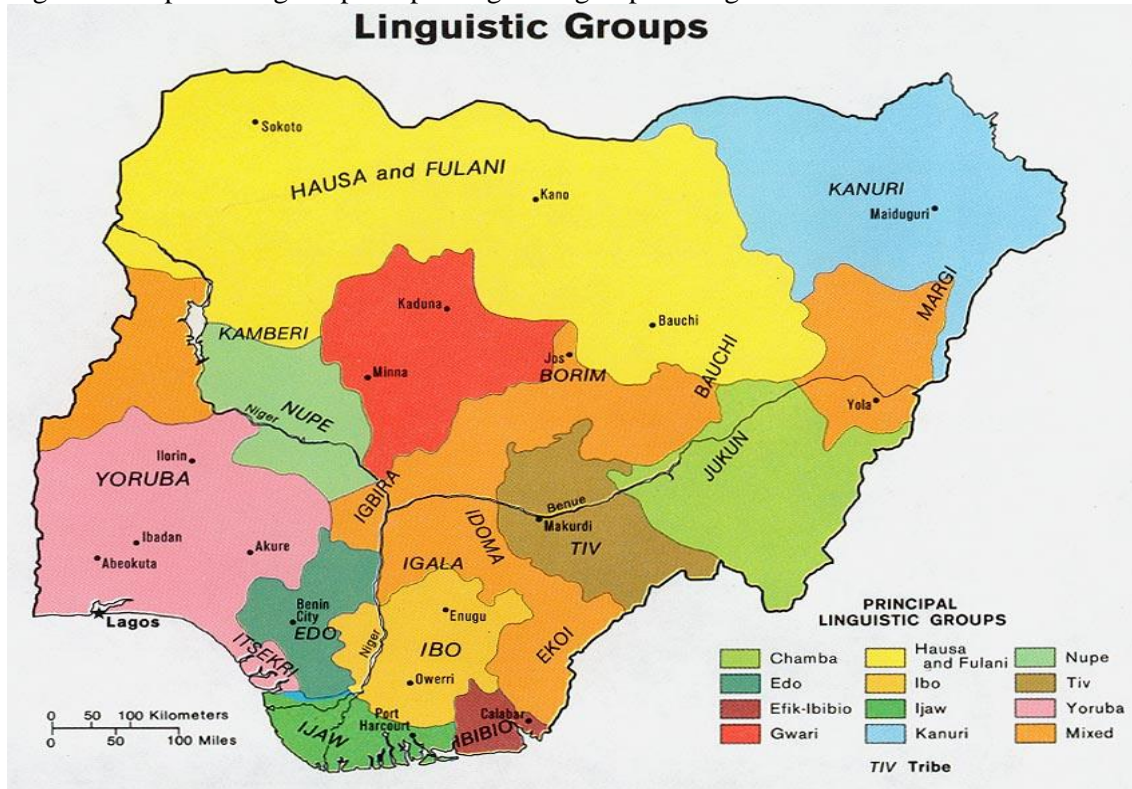
Appendix

Figure 1: Map of Nigeria showing all the 36 states and the Federal Capital Territory, Abuja



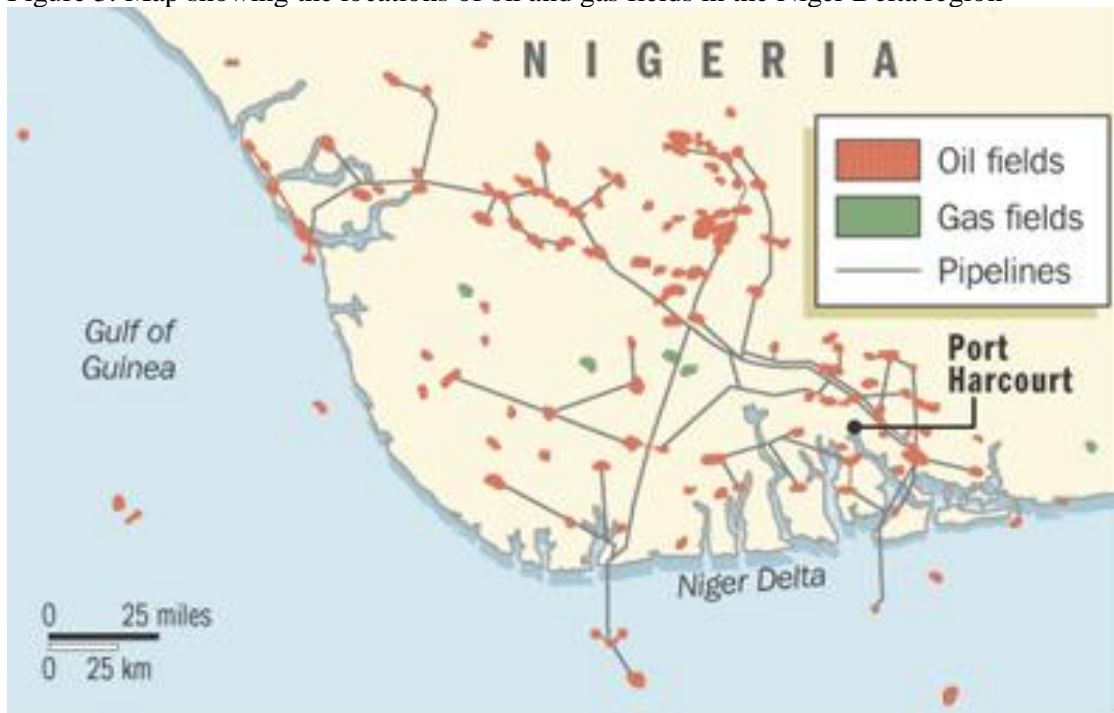
www.unodc.org/nigeria/en/social_context.html

Figure 2: Map showing the principal linguistic groups in Nigeria



www.lib.utexas.edu/maps/nigeria.html

Figure 3: Map showing the locations of oil and gas fields in the Niger Delta region



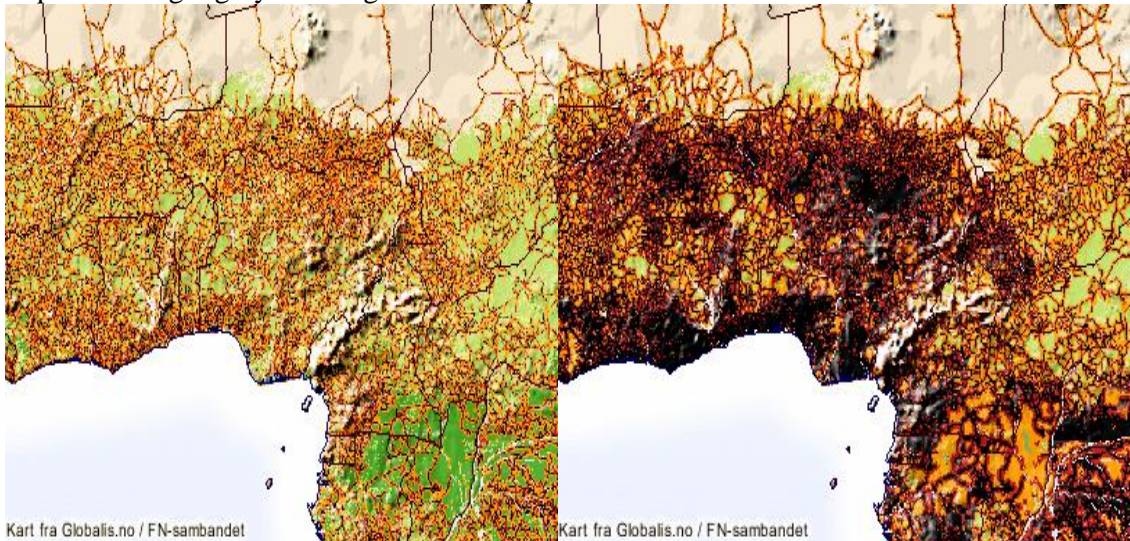
www.agonist.org/story/2004/6/14/122041/463

Figure 4: Map showing the location of the main fighting groups in the Niger Delta region



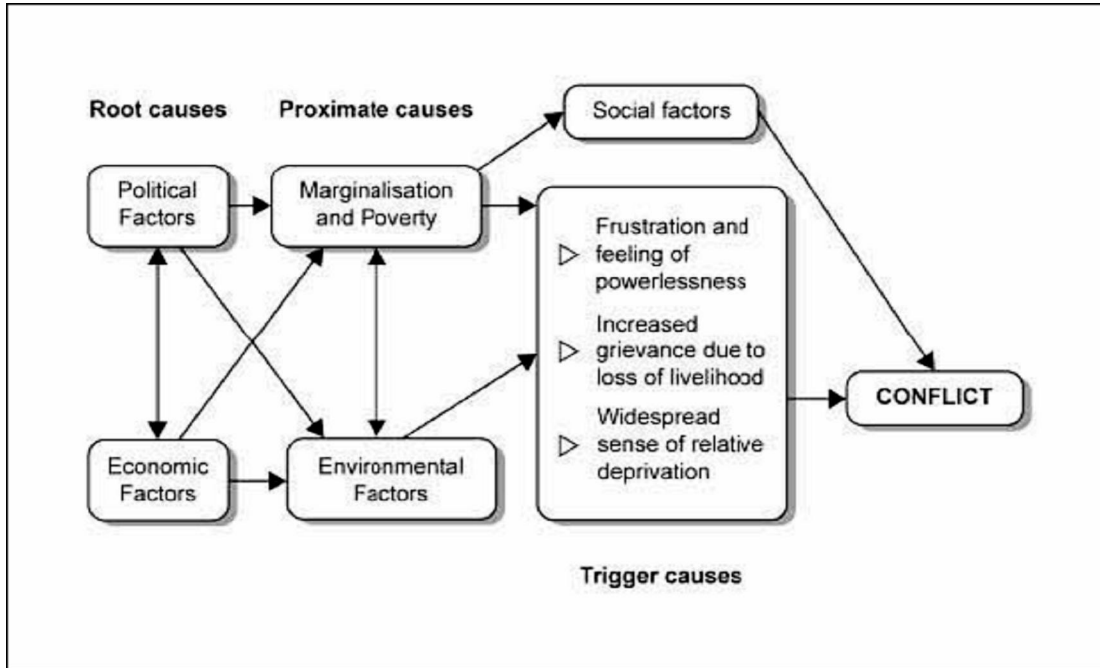
http://news.bbc.co.uk/olmedia/360000/images/363220_nigeria_map_ethn.gif

Figure 5: A map showing human imprint on Nigeria 2008 and 2050, dark grey meaning major imprint and light grey meaning medium imprint



[http://www.globalis.no/Land/Nigeria/\(show\)/maps](http://www.globalis.no/Land/Nigeria/(show)/maps)

Figure 6: Causes for conflict in the Niger Delta region



Idemudia and Ite (2006: 393)