



## THE CHALLENGE OF MILLITANCY AND IMPUNITY IN NIGER- DELTA REGION

**Abonyi, Anselm Uchechukwu (Ph.D.) & Jude Nima Esq.**  
Department of Commercial/Property Law  
Faculty of Law, Chukwuemeka Odumegwu Ojukwu University  
Igbariam, Anambra State  
08033887683; [barristeruchechukwu2002@gmail.com](mailto:barristeruchechukwu2002@gmail.com)

### ABSTRACT

*The problem in Niger- Delta as a result of militancy in the region is a national problem. The crisis has received national and attention concerns and attention as many have lost their lives and others displaced while others have migrated from the region and resolved never to come back. The root of the problem in the region is the complete neglect of the oil region by the government even though the nation depends for its survival on the national resources for which the region is endowed. There is high oil politics in such a way that the oil money which is expected to improve the well-being of the traditional owners of the resources is used to develop other parts while the region remains stagnant devoid of development. This paper looks at the region and x- rays the root and case of militancy, the response by government and the challenge of realizing a peaceful Niger- delta and ended with recommendation calling Nigerian government to address the problem of Niger- delta and see it as a national emergency.*

**Keywords:** Niger Delta Region, People of Niger Delta, Oil Rivers to Oil Delta, Environmental Conservation and National Development.

### Introduction

Nigeria is one of the independent states in Africa. No doubt, the Nigerian state is a great one; but its greatness is mainly on its diversity, which varies from ethnicity, languages, religion and other considerations. Her diversities instead of being a blessing has been its bane. According to Abonyi, (2020), this has impacted negatively on the Nigerian state. With a vertically three tier administrative structure, Nigeria operates a government comprising a federal government, 36 state Government's structure and seven hundred and seventy-four Local Government Councils as provided for by the Constitution, which distributes powers to them (CFRN, 1999).

It is observed that besides running the state of Nigeria on the basis of the three tiers federation, the structure of administration politically recognizes the existence of regions from where the 36 states of Nigeria were created. Those recognized includes the South East, North East, North Central, South West, North West and the South-South geo-political Zones. The South-South Zone of the country is also known, called or referred to as the Niger-Delta Region of Nigeria.

Indeed, the Niger-Delta (region) of Nigeria is among the richest deltas in the world (Petters, n.d). Other major deltas famous for crude oil and natural gas are the Amazon in Brazi, Orionoco in Bangladesh and Mekong in Vietnam. However; in the case of Niger-Delta of Nigeria, there is a huge oil and gas reserve and it ranks as the world's sixth largest export of crude oil and the second largest producer of palm oil after Malaysia, which even obtained its palm seedlings from Nigeria (Petters, n.d; Abonyi, 2021) The huge oil deposits in the Niger-Delta



region made it a prize possession of Nigeria. Similarly, multinational oil corporations have also become interested in that region, due to its natural resource potentials.

Notwithstanding, the interest demonstrated by the government of Nigeria in Niger-Delta (Anushiem, (2017); Iloka & Nwakoby (2025), as well as the multi-national oil corporations, the question of conservation and development of the region still remain a source of worry and subject of real agitation of critical minds. This is as a result of lack of plan for the people of the region by multi-national oil Corporations (Amnesty International Report, 2004). Moreover, the structural aspect of the administration of governance in Nigeria, as it relates to governments relations with the region in the distribution of resources and utilization of revenue accruing therefore for purposes of development is nothing to write home about (FGN, 2007).

Under Section 16 of the 1999 Constitution of the Federal Republic of Nigeria, (as amended in 2011), all revenues of the federation are paid into the Federation Account. According to Nwankwo, (2022); Ugwaka and Igbokwe (2020), among the principles for the distribution of the funds in the federation account are: derivation (not less than 13%), equality of states, internal revenue generation, landmass, terrain, population density and ecological damage. This principle of distribution has not changed since its evolution during military rule several years ago, thus has remained the same even in the present democratic Nigeria.

The Niger-Delta, no doubt, has played and indeed is still playing crucial role in Nigeria's economy and survival (Nonyem & Chimaa, 2020; Ojimba, 2020). Again, Ezeaku (2019); Ekwesianya, Okaforcha and Okeke (2020) noted, however, that the strategic importance of the region seems to have been down-played by the government, due to government's lack of attention to its land resource degradation, renewable resource depletion and oil pollution, which are irreversible consequences of dependence on the natural resources of the region by the nation without environmental protection scheme and a reciprocal development agenda for the region. According to Abonyi (2022), because the clamor of the indigenes of the region for participatory continuity have not been attended to, the people of the region still depend for their living, on unsustainable agriculture, fishing, forestry, and wildlife exploitation. As noted by Ibe, (2022); Okoye and Ezeaku (2025), this cannot sustain life because the forest, and the ponds that sustain them are about being extinguished as a result of unregulated human activities. This has caused crisis and unrest in the region. The crisis has not only threatened the region but has also threatened the security and existence of the Nigerian state (Okechukwu 2025; Ugwaka & Igbokwe, 2023).

As a result of the militant activities of the Niger-Delta youths, the region hitherto known to be peaceful, stable and hospitable has become a hotbed of impunity, lawlessness and terrorism (Onyekwelu, 2024; Adinna & Onyekwelu, 2021). As noted by Abonyi (2023), the militants in the region became "terrors" and life became unbearable as private citizens including government officials; their establishments, as well as multi-national corporations and their installations, were not left out; but were at receiving end of the terror unleashed by the militants.

According to Ucheagwu-Okoye (2021) and Ezeaku (2025), indeed, kidnappings, hostage taking, abductions, rape, armed robbery and other violent crimes became the order of the day in the region. This does not end there, for, time passed by, the crisis in the Niger-Delta triggered other violent groups in other regions in the country. For instance, in the west, the O'dua People Congress (OPC) sprang up. Similarly, in the east, Movement for the Actualization of the Sovereign State of Biafran (MASSOB) sprang up. Later the dreaded Boko Haram sect sprang up in the North-East. Although, each of these group had a specific agenda and philosophy, which is different from that of the Niger-Delta militants. However, what is common to the entire groups is their use and application of impunity and violence in the carrying on of their activities against the Nigerian state. While it is understandable that O'dua People's Congress, Movement for the Actualization of Sovereign State of Biafra are



struggles for self-determination from the entity called Nigeria, Boko Haram Islamist Sect on the other hand is more or less a terrorist organization working “as a sect” to bring or run down the government of Nigeria.

In contrast to O’dua People’s Congress, Movement for the Actualization of Sovereign State of Biafra and Boko Haram Islamist Sect, the Niger-Delta militants are seen as a people engaged in the serious business of agitation against the violation of the economic, social and cultural rights of her people. This indeed is the cardinal focus of this research. The research also tried to find out whether the militancy in the Niger Delta region of Nigeria which though involves acts of lawlessness and impunity among the militants is however a crisis fueled by the failure of government of Nigeria to provide or guarantee the economic, social and cultural rights of people of the region in particular and the Nigerian state at large. This is deducible from the intention of the militant. This is not withstanding that there is a manifestation of lawlessness in the pursuit of their goals.

Lawlessness simply means, the doing of acts prohibited by a written law or the failure or refusal to do what the law commanded. As for impunity, it means, exemption from punishment or loss or escape from fines (Free dictionary, 2009). Under international human rights law, impunity means and refers to failure to bring perpetrators of human rights violations to justice. This constitutes a denial of the victim’s right to justice and redress (Principles for the protection and promotion of human rights, n.d). Taking it from there, the act of lawlessness and impunity on the part of the militants in the Niger-Delta is a serious pain to many Nigerians living in the region, foreigners operating one business or the other and even government institutions. The issue is, must the militants engage in violence and impunity to achieve their goal? They have acted as if they are above the law of the land. They have no regard for constituted authorities, as well as the rules and principles prescribing order in Nigeria.

Though, the government in the face of the crisis has made efforts to address the situation but all such efforts have been criticized as another form of impunity on the part of government for instance, the deployment of troops in Odi in 1999 by ex- President Olusegun Obasanjo.

Reacting to the above action, the immediate past-President of Nigeria, Goodluck Ebele Jonathan retorted thus:

We saw some dead people; mainly old men and women and also children. None of those militants was killed. So, bombarding Odi was to solve the problem but it never solved it. Of course, if the attack of Odi had solved the issue of militancy in the Nigeria-Delta; the Yar’dua government, which I had the privilege of being the vice-president wouldn’t have come up with amnesty program (News Magazine, 2012).

Responding, ex-President Obasanjo said that his administration’s deployment of troops in Odi, a community in Bayelsa state in 1999 was to “uproot” the operational base of a terrorist group (News Magazine, 2012). The issue as to whether the militants in Niger-Delta is a terrorist group as Obasanjo alleged is another side of the coin and it demands more explanation than the one given by the former president.

It is however important to appreciate the facts leading to the deployment of troops in Odi. As stated by Obasanjo the Federal Government, decided to deploy Troops to Odi when five police men who went to Odi to effect arrest of some militants accused of terrorist activities were allegedly killed by the militants. As a result of the brutal killing of the security personnel, ex-president Obasanjo asked the then governor of the state, Governor Alami yeseigha to identify, locate, apprehend and handover the perpetrators of that crime to the Federal government. The governor did fail to do so and President Obasanjo, as the Commander-in-Chief of the Nigerian Armed Forces, under the belief that, security personnel cannot be killed with impunity under his watch without a strong and appropriate response from the federal government, consequently, sent a military force to Odi to uproot, kill the terrorists and destroy their operational base. The operation as argued by Obasanjo retorted in his response



to Goodluck's attack on his action was carried out with military precision and its aim achieved (News Magazine, 2012).

Looking at the Odi saga, one can make the following observations: (i) a crime was allegedly committed by killing some security personnel who were said to be in Odi on a lawful duty, though the Federal Government did not disclose the identity of the security personnel killed for Nigerians to know whether there was such killing or not, (ii) the alleged crime involved the killing of security personnel who were in Odi to effect the arrest of members of an alleged Niger-Delta terrorist group, (iii) the troops were deployed following the perceived inability of the Government of Bayelsa State to identify, apprehend and handover the alleged terrorists to the Federal Government and (iv) following the deployment of troops; many people men, women and children were killed. However, there is nothing to show that the alleged militants were among those killed at Odi.

Furthermore, if there was indeed killings of security personnel, was deployment of troops the procedure permitted by law to fish out the culprits? Without mincing words, the above observations made from the facts of Odi incident raises some fundamental questions to wit: (i) assuming there was a crime as alleged by the Federal Government should their arrest under the Nigerian law be effected by a joint action of the police and the army?, (ii) assuming further that they were arrested by the institution with conventional duty to prevent, detect and prosecute citizens for crimes, were they subjected to any investigation, arraigned and tried by a competent court? (iii) if all these were not done, it gave foundation for public outcry against what the previous government did which did not address the issue and because of this, President Yaradua who took over from Obasanjo introduced the amnesty programme.

According to the constitution and the Police Act and other relevant laws (CFRN, 1999 Sect. 35), it is the police rather than the army that has the conventional duty to arrest any person or persons suspected to have committed a crime or offence in Nigeria. It is clear that the constitution, as well as, the police Act did not vest the duty of arresting suspected offenders and criminals on the military. No law has done so in Nigeria. Similarly, neither the constitution nor the Police Act vested powers on the governor of a state to identify, apprehend and handover suspected criminals to the federal government. Thus, the directive of Obasanjo to Governor Alemeiseigha to identify and handover the perceived or alleged terrorists is unfounded.

There has been much argument over the perceived status of the governor of a state as the chief security officer of the state as it relates to crime prevention, protection of property and lives in the state. This issue is important because, it is on that basis that President Obasanjo asked the governor of Bayelsa to detect, apprehend and handover the alleged militants that killed five security personnel in Odi. The germane question to consider is whether the governor indeed is the chief security officer of the state?

The perceived status of the governor as the chief security officer of the state is derived from section 10 subsection 2 of the Police Act. The said act is hereunder reproduced thus:

2. Subject to the provisions of subsection (1) of this section, the commissioner of a state (i.e. commissioner of police) shall comply with the directions of the Governor of the state with respect to maintaining and securing public safety and public order within the state, or cause them to be complied with.

In order to appreciate the above subsection, it will be nice to reproduce section 10 subsection(1) of the Act thus:

1. The President may give to the Inspector-General such directions with respect to maintaining and securing public safety and public order as he may consider necessary, and the Inspector-General shall comply and cause them to be complied with.





It is important to note that the provisions of subsection 2 of section 10 above is subject to subsection 1 of the Act. What it implies is that, whatever direction or directive the governor may give to the Commissioner of Police in his state is dependent on the President's directive to the Inspector-General of Police. The law is evident and clear by section 9 (4) and (5) of Police Act to the effect that the President of Nigeria is in charge of the operational control of the police force while the Inspector General is charged with the command of the force subject to the directive of the President. This shows that the force, practically speaking, is under the eyes and control of the President. Whatever command the Inspector General of Police gives must be with the knowledge and consent of the President. This view is also supported by the proviso to section 10 (2) of the constitution which provides that "before carrying out any such direction (by the governor, the commissioner may request that the matter should be referred to the president for his directions".

The community reading of the foregoing sections of the Act show that though the governor has powers to give direction to the Commissioner of Police on issue of public safety and order in the state, the commissioner reserves the right to make a request that the matter be first referred to the President for his directions. The purport of this is that, the governor's directive or directions in any situation or circumstance to the Commissioner of Police is not automatic nor is it final as the proviso to subsection 2 of the section 10 of the Act gives the Commissioner the authority to request that the directive of the governor be referred to the President. It is therefore evident that the President's power in respect of public order and safety is wide and it extends to all the nooks and crannies of the country.

The President is vested with the operational control of the police force while the Inspector General who commands the force takes directives from the President. A governor under the constitution can direct the Commissioner but he can for one reason or the other, request that the directive be referred to the President through the Inspector General of police and whatever the President says in that regard is final. This is a fair view of the constitution and I stand to be corrected. This being so, the issue of the governor being the chief security officer is more or less academic than real.

Further to the above, where a governor makes a reasonable request, the President can still exercise his powers and override or accede to the request but in doing so, he is expected to consider the circumstance(s) surrounding the request and take into consideration public interest before taking his final position on the issue. Where however, the President overrides governor's reasonable request and directs the performance of ultra vires act by Inspector General of Police, his act may be challenged in the court of law or provide ample evidence for his impeachment. Nonetheless, this issue of reasonable request presents another problem because what may be reasonable to one person may not be so to another. In such situation, the only solution will be recourse to the court for interpretation.

Relating the above with the subject matter of discussion, this raises the issue which is whether Obasanjo led Federal Government was right in compelling the Bayelsa government to identify and handover the militants was an aberration of police powers to investigate crime. However, it must be noted that not only there was no investigation, the President by his act of impunity commanded the deployment of troops, which led to the killing of many Nigerians in Odi including; indigenes and non-indigenes. This was done without finding out who were behind the alleged crime and the factors that may have facilitated the alleged crime. All these are critical issues the government failed to address.

The argument of the federal government is that the acts of the militants which allegedly disrupted the perceived lawful engagement of the security personnel is unlawful. If the acts of the militants is unlawful, is the amnesty programme of government introduced to address the militancy in the region justified and should resort



to violence and impunity to realize the economic, social and cultural rights be the only option available to the militants?

Looking at the above issues, one will agree with the growing and emerging global thinking that impunity and lawlessness reigns in countries that is deficient in the rule of law, infused with corruption and entrenched system of patronage. Such country has judiciary that is very weak, etc. Indeed, Nigeria clearly exemplify this specie of a state because her leaders are still ruling with military instincts, which continue to impoverish and pauperize the people. The Odi incident is a semblance of what happened when the Abacha led government ordered the execution of the Ogoni nine activists that were clamouring for environmental rights and development of Niger-Delta.

The Odi incident is something that should be given global attention and investigation. It is our considered view that the incident was an attempt by the government of Nigeria to combat an alleged impunity and violence by a people who feel that they are under a scourge perpetrated on them by their government. The government's action is a serious violation of the rights of the people and the action failed to address the source and root causes of the crisis in the region which among others include: lack of development agenda to improve the welfare, conditions and standard of living of the people of Niger-Delta region and protect their ecosystem devastated by oil exploration activities. Unfortunately, this is a region that provides and assures the country the highest and largest revenue base. That notwithstanding the region is in pains owing to failure by state to secure its development.

The amended Set of "Principles for the Protection and Promotion of Human Rights Through Action to Combat Impunity" submitted to the United Nations on the 8<sup>th</sup> of February 2005 (UN Document, 2005) supports the argument that impunity and lawlessness could arise from failure by states to investigate human rights violations and address their root causes. This could make perpetrators of acts of impunity to act lawlessly. To combat impunity, as is the case in Niger-Delta, states must be ready to follow due process of law and prosecute the perpetrators. This is better than adopting amnesty laws.

Reviewing the incidents at Escravos Terminal, Odioma and Ugborodo (all in the Niger-Delta region), the Amnesty International recommended to the Federal Government that government must, as an issue of importance, devise strategies to progressively achieve full realization of the economic, social and cultural rights of the people of the region. The organization recommended further that Nigeria in accordance with the government's obligations, as a state party to the International Covenant on Economic Social and Cultural rights (Amnesty International Report, 2005), ought to heed to the above suggestion. The report of the Amnesty International supports central problem of the research which is that the crisis in the Niger-Delta region should be regarded an outcome of the failure by government of Nigeria to provide economic, social and cultural rights for the people.

In this regard, a look at the Nigerian constitution will show a clear protection of civil and political rights of the citizens, which are not only inalienable, but also enforceable (CFRN, 1999 Chapt. 4). The same constitution made provisions relating to economic, social and cultural rights but subordinates those rights to civil and political rights. This is because the constitution prescribed that the satisfaction of the aforesaid rights shall be dependent on the availability of resources (CFRN, 1999 Chapt. II Sect. 15-18) this provision which has its place in other countries constitution has been a weapon in the hands of African states including Nigeria to escape in this respect from enshrined social, economic and cultural responsibilities to her citizens. This is in spite of progressive promotion of economic, social and cultural rights by other civilized countries like United Kingdom, Sweden, Norway etc. and some African States like South Africa, Ethiopia and Senegal.

Even though, the United Nations Universal Declarations on Human Rights; the Inter American Convention on Human Rights; the African Charter on Human and Peoples Rights as well as, International Covenant on Economic, Social and Cultural Rights, all support the protection of this generation of rights contained



in Economic, Social and Cultural rights; however, the International Covenant on Economic, Social and Cultural Rights (ICESCR) on the other hand allowed states to pursue the realization of Economic, Social and Cultural rights at their own pace. This has made countries in Africa, Nigeria inclusive, not to take the issues of these rights serious.

Under International law, both civil and political rights as well as the economic, social and cultural rights are recognized as interrelated (Zechariah, et al., 2013). Thus, the realization of civil and political rights is not complete or possible, without the actualization of economic, social and cultural rights. Some African states have incorporated in their bill of rights, the economic, social and cultural rights and gave them broad protection. This is the case within the provisions of the 1996 Constitution of South Africa, Senegal and Ethiopia.

Relating this to the issue of the militancy in the Niger – Delta region, it will be clear that the region provides the highest percentage of resources and revenue accruable to the federal government which is used to improve and better the life of all Nigerians; but the region remains backward. This is owing to environmental destruction caused by petroleum exploration activities. Sadly, at the moment, there is no initiative to conserve the environment. Thus, what is on ground is a wasted climate that cannot sustain agriculture, fishing and other nature based economic activities. There is no development plan to address the economic needs of the people. There is also no agenda to guarantee good food, improved standard of living, job creation and employment opportunities, education, health care; which are the hallmark of economic, social and cultural rights.

Unegbu (2015) reasoned that the challenges of impunity have become a reality in modern Africa, and Nigeria is not exempted. In driving home his point, the learned scholar is of the view that impunity cannot be detached from government's failure to meet the yearnings and aspirations of the people in terms of employment, educational support, health facilities, food, improved standard of living and provision of other social needs. He recaptured the situation in Niger-Delta and argued that the government's recourse to amnesty as political solution to the crisis cannot work, as the implementation of the amnesty constituted for the militants is unconstitutional and has no legal basis under Nigerian law. This is a sound argument and forms part of the inquiry in this study as the amnesty programme is re-evaluated and examined to validate its legality or otherwise. Thus, unless the government attack corruption head long and address poverty by reducing it to the barest minimum, pursue law enforcement with vigor and ensure that justice and truth reigns, the crisis will spread from Niger Delta to other areas of Nigeria. This will be of no good to anyone in the country.

Nigeria has the capacity to provide economic, social and cultural rights for her citizens particularly the people of Niger-Delta region. The states in Africa that made economic, social and cultural rights realizable and enforceable under their law are not better off than Nigeria. States like South-Africa and even Ethiopia has by their Constitution made economic, social and cultural rights justiciable and enforceable (Constitution of South Africa, 1996 Article 9). The problem with Nigerian is corruption and failure to harness the richly endowed resources. If some African states can make the economic social and cultural rights justiciable, then one good question to be addressed in this study must be to determine the institutional, constitutional and other challenges that makes impossible the realization of economic, social and cultural rights in Nigeria.

Like we have submitted before, many international legal documents support the universality of human rights for example civil and political rights, as well as, economic, social and cultural rights. These rights are recognized human rights which government of states must see to their full realization as non-achievement of one generation of the rights will make the realization of the other impossible (UN Committee, 1993). This view is also supported by the Tehran Declaration on the universality of human rights. The declaration confirms the fact that social and cultural rights Economic, Social and Cultural rights are human rights. Hence, unless the individual



need of food, work, education and employment, are realized; the life of an individual will be useless for this will impact negatively on his dignity and humanity.

In facing the reality, as it relates to militancy in Niger-Delta, the dominant view, supported by renowned legal minds is that, militancy in the Niger-Delta is occasioned by the endemic poverty of the people, environmental degradation and destruction of the source of the livelihood of the people of the area by multi-national oil corporations in the region, marginalization, inequitable distribution of revenue, repression and human rights abuses. Poverty can arise from government's failure to provide some basic needs that support the people for example promoting and protecting the environment and all the above, ensure the economic, social and cultural rights of the people living in the region (Okeke, Okaforcha & Ekwesianya, (2019). This means that, government must re-dedicate itself to face the challenges in the region and in the country. These are the challenges which make the realization of economic, social and cultural rights impossible. This is the crux of the matter.

A close perusal of resolutions, declarations and communiqués arrived at by different groups and ethnic nationalities in the Niger-Delta, at one time or the other, points to the fact that the crisis in the region arose as a result of failure on the part of government to address the critical areas and issues touching on the very existence of the people. Thus, there is a need for the protection of the region's environment which is being devastated by oil exploration activities. Similarly, there is a need to improve health care, housing, standard of living of the people of the region; elimination of poverty, increased employment opportunities, repealing or abolishing of laws that strangled oil producing communities. Incidentally, these are some of the recommendations mentioned in some resolutions such as, the Resolutions of First Urhobo Economic Summit, the Bill of Rights of the Oron people, the Warri Accord, the Aklaka Declaration, the Kiama Declaration, and the Ogoni Bill of Rights etc. (Oloibiri, 2016).

According to Ojimba, (2024); Okeke, Okaforcha, and Ekwesianya, (2019), one of the objectional legislations which the region has continued to reject and which has also impeded development of the region and people is the constitution of the Federal Republic of Nigeria which the people of the region insist was foisted on them by military cabals. This has continued to inflict great injury on the region with its undemocratic derivation principle which made the federal government the controller and custodian of the oil revenue in the federation account to the peril of the masses in the region. In addition, some promulgated Petroleum legislative instruments remain a torn in the flesh of the region. Some of these laws are the Land Use Decree 1978 now Act, the Interpretation Act of 1964, the Petroleum Act, the Petroleum Trust Fund Decree and the Oil Minerals Producing Areas Development Commission Decree, Exclusive Zone Act, Lands (Title Vesting) Act, Oil and Minerals Act and Special Tribunal (offences) Decree 1984 (Abila, 2004).

With the above laws and others still in application in Nigeria, there is a tendency that the militancy in the Niger-Delta will not end in the nearest future. This is our candid view notwithstanding the so-called amnesty programme of federal government of Nigeria (Abonyi, 2019).

## **Explanation of Concepts and Terms**

It is important to consider in more practical terms the region which is the subject of the study and in doing so make important observations concerning the people of the region, the land, the oil and other issues.

### **i. The Niger-Delta Region**

The Niger-Delta region of Nigeria is situated in the Gulf of Guinea and extends throughout the Niger-Delta province (Osegbue, 2022). The Niger-Delta province contains only one identified petroleum system which is referred to as the "Tertiary Niger-Delta". The minimum extent of the system is defined by the area extent of





the fields. It contains known resources (cumulative and productive) petrol reserves of 34.5 billion barrels of oil and 93.8 trillion cubic feet of gas. From the US Geological Survey carried out by the Central Region Energy Resources Team of the US Department of Interior, in the Niger-Delta currently, most of the petroleum deposits stated above is in fields that are onshore or on the continental shelf inside waters less than 200 metres deep and occurs primarily in large, relatively simple structures.

The Niger – Delta province is the twelfth richest Delta in petroleum resources amongst all the Deltas' surveyed by the US Energy team with 2.2% of the World's discovered oil and 1.4% of the world's discovered gas.

In 1908, the German Nigerian Bitumen Corporation drilled the first wells in the vicinity of the seep deposits in the northern portion of Delta and in early fifties, Shell petroleum brought the first well on stream at 5,100 barrels per day (Osegbue, 2022). It is important to Note that exploration activities have increased in the Niger-Delta even during the Nigerian civil war of 1967 – 1970 and to 1971 when Nigerian joined the Organization of the Petroleum Exporting Countries (OPEC) to the present. What is important in the above highlights is that oil which has its base in the Niger-Delta region has remained overtime, a viable source of revenue for the people of Nigeria.

Identifying the geographical extent and the component ethnic communities of the Niger-Delta region in a more appropriate term is problematic (Peters, 2015). However, linguistically, ethnographically and culturally, the Niger-Delta of the pre-crude oil and gas era, comprised a bewildering mix of ethnic groups among which are the communities of Ijo (in eastern, western and central Niger-Delta) the Ogoni, Itsekiri, Urhobo, Isoko, Ikwere and Delta Ibo. According to Tamuno report, the Niger-Delta comprised about 70,000 sq k.m. This is a contrast to the 1995 World Bank Technical Report which gives the total land area of Niger-Delta as 20,000 sq km located in Southeastern Nigeria. Thus, the Tamuno study which gave the Niger-Delta area coverage of about 70,000 sq km is not in tandem with the later report of the World Bank. This confirms the existence of finding the area that can best be defined as Niger-Delta region in Nigeria.

The term "Niger-Delta Oil Province" was introduced for the first time at the 7<sup>th</sup> World Petroleum Congress in 1967 by Franki and Cordry for the region Southward from Onitsha, Benin and Umuahia where oil and gas occur in commercial quantities (Peters, 2015).

In our view the Niger-Delta region is the coastal, riverine parts of the Niger-Delta. Our view which seems to be the dominant view is that there is problem in attempting to define the Niger-Delta region. This problem arises because individuals and groups have their divergent and different positions as to what is in their mind is the proper definition of Niger-Delta, hence, historians, geographers, petroleum

Geologists, politicians, farmers, fishermen and other classes of people perceive the Delta differently. What is however needed is a bird's eye view of the entire Niger-Delta region.

The recent Niger-Delta Development (Bill) now Act equates the Niger-Delta with the South-South geopolitical zone, comprising Edo, Delta, Bayelsa, Rivers, Akwa Ibom and Cross Rivers state to which neighbouring oil producing parts of Ondo, Abia and Imo states must be added. This notwithstanding, the controversy associated with determining the geographical extent of the region is that the whole area regarded and recognized as Niger-Delta, extends from east of Imo-River to the nearby Cameroun Republic where it is referred to as the Rio Del Rey Basin. The entire eastern part of Nigeria's oil producing offshore-On-Shore region called the Cross-River Delta belong to Niger Delta region. The Cross River delta is the most prolific oil producing area in the Niger-Delta (Peters, 2015).

Certainly, the problem in defining Niger-Delta region is a complex one. However, to resolve this complexity, two questions are important for consideration. First, is Niger-Delta region restricted only to communities that find themselves in the South-South geopolitical zone (which is a political designation and



arrangement of the federal government)? Second, is Niger-Delta the area called the South-South geopolitical zone of Nigeria and in addition to other oil producing states in other geopolitical zones and other states where oil may or will likely be discovered in the future?

Attempt at resolving the two issues and questions will help greatly in the efforts at defining Niger-Delta region but addressing the questions often lead to confusion. The study conducted by the Earth Rights Institute; shows that before oil became the issue in Nigeria and before its unwholesome political influenced, the true definition of the Niger-Delta, was less contiguous with the old Ahaoda, Degema, Opobo, Ogoni, Brass, Western Ijaw and Warri Division (Earth Right Institute Report, 2003).

However, some people defined the Niger-Delta in terms of the ethnography as the region principally occupied by the Ijaw people together with other smaller ethnic groups including Itshekiri, the Urhobo and the Isokos in the western delta (Earth Right Institute Report, 2003). On the other hand, many Nigerians perceive the Niger-Delta as being synonymous with oil-producing areas of Nigeria. In their own thinking, the Niger-Delta is the same as the oil producing areas. In other words, by such calculation, the Niger-Delta region include the following states Abia, Imo, Edo, Delta, Rivers, Bayelsa, Cross River, Akwa Ibom and Ondo.

However, an independent authoritative study by a non-governmental organization) the Niger-Delta Environmental Survey in its first report 1997 gave a cartographic and ethnographic and political setting of the region (Niger-Delta Environmental Survey, 1997). It gave a political definition of Niger-Delta as being synonymous with the Government's definition under the Oil Mineral Producing Areas Development Commission Act to the effect that Niger-Delta Region comprises all oil producing states (Niger-Delta Environmental Survey, 1997). From the above views, it is implied that the political definition of Niger-Delta region appears to make no clear distinction between states who are geographically located in the delta and states that now form part of the region for the mere fact that oil is discovered in such areas. Thus, politically, the definition of Niger-Delta region is the same and synonymous with oil producing state. This in our considered view may not be the correct view bearing in mind that geographical expression and political expression are not the same.

Prior to the departure of colonial administrators in Nigeria, it was recommended in the 1956 Nigerian Constitution that: In order to allay the fears of the minority indigenes of the Niger-Delta and address the development needs of the peculiar terrain of the Niger-Delta, the area called the Niger-Delta should be declared as a special federation Territory. From the above proposition by the British Colonial government To the incoming government of Nigeria, it is clear that the area conceived as Niger-Delta is a definite area comprising of a group united by geography, culture and environment and not necessarily oil. The misconceptions that subsequently trailed the issue of proper definition of Niger-Delta region made the whole thing more controversial, complex and politically incorrect. Take for instance when the then president, Olusegun Obasanjo presented Niger – Delta Development Commission Bill to the Senate, the President included, Ondo, Imo as part of the region, leaving aside Anambra and Abia State who asked to be included (Niger-Delta Environmental Survey, 1997). The episode in our view became a comedy of errors and it made nonsense of whatever intentions the government may have had on the issues.

A more brilliant response to the controversy is the one made by Rev Dadikumo Odondiri, the Secretary General of Niger-Delta Ethnic Nationalities. According to him

There is a specific geographical location referred to as Niger-Delta with a peculiar terrain and peculiar development needs. These states are basically Rivers, Bayelsa, Delta, Akwa-Ibom and parts of Edo, not even Ondo. We have a rural area in Cross River, but the Niger-Delta is a specific area inhabited by the Ijaws principally, the



Isokos, Urhobos, Itsekiris, the Ogonis as well as some kwale areas. These are the areas that ought to benefit (Niger-Delta Environmental Survey, 1997).

From the above, the political definition of Niger-Delta which was conceived by the government was indeed hatched for one motive which was for “benefit of the people” included in the area covered by the commission and Niger-Delta region not necessarily any sincere attempt or effort to discover the real people of the area regarded as Niger-Delta. This in our view is very unfortunate.

The fact is clear that, over the years, money from the Niger-Delta has been spent prospecting for oil in Sokoto and some other states. This may mean if oil is discovered in Sokoto, it could be included as forming part of Niger-Delta region. To permit Sokoto to become a member of the Niger-Delta Commission is indeed ridiculous. Our strong argument is that such should not be the case.

In a paper submitted to the President of Nigeria by the World Environmental Movement for Africa; the President of the body, Stephen Siniktem Azaiki stated inter alia:

We have studied the position papers of the Bayelsa Leaders of Thought, the movement for the concerned people of Niger-Delta, Major Isaac Adaka Boro's papers and they hold almost the same views as the report of the WEMFA study on the Development Needs of 1995. It is our understanding that the Niger-Delta of truth, historically and cartographically is the present Rivers, Bayelsa and Delta states. But the geographical proximity and the gross neglect of Akwa-Ibom could earn it a place in the proposed Niger-Delta Commission (WEMFA, 1999).

It is evident from the above, that the WEMFA position paper is inclined to the definition of Niger-Delta with reference to geography and not necessarily on the politics surrounding the oil resources.

The differences between Oil Producing States and the Niger-Delta States is quite distinct and must neither be confused nor be used interchangeably. The Niger Delta Development Commission appears to have confused the Niger-Delta with the Oil Producing states. This should not be the case at all (WEMFA, 1999).

Part 1, Subsection 2(1) of the Niger-Delta Development Commission Act, which deals with the establishment of Niger-Delta Development Commission, and the persons who shall be members of the commission clearly shows that what the Act intends to solve is the problem of Oil-Producing states and not necessarily that of the Niger-Delta region *per se* (Niger-Delta Development Commission, Act 2000). Although the Niger-Delta region happens to fall into oil and gas producing states, she has her own peculiar perennial problems and terrain which had been highlighted before oil and gas exploration in Nigeria.

From the Berlin Conference of 1885, the Willink Report of 1958 and the World Conference on Environmental and Development in 1978, it is evident that neglect and extensive environmental damage cause poverty (Willink, 1978) and to adequately address the problem, the Oil Minerals Producing Areas Development Commission Act 1999, it was suggested should be recaptioned Oil Producing States Act while a Special bill (Act) be put in place to reflect the age long view and aspirations of Niger-Delta people. This is because evidence abound showing that there is a great difference between Niger-Delta states and Oil Producing states. Therefore, there is no basis for any controversy in the definition of the two concepts as highlighted above. Any effort to give Niger-Delta region the same meaning as oil producing states is a selfish attempt to continue the marginalization of the minority people of the delta.

Our view is that the Niger-Delta region should be viewed as the areas that reflect the settlement of Ijaw ethnic nationality and states such as Rivers, Bayelsa, Akwa-Ibom, Cross River and Delta states and no more



for anything short of that is political. There is no gain saying that the controversy as to the definition of Niger-Delta has its origin on the politicization of the concept of oil producing areas or states in Nigeria. This, more or less, arise from oil politics in Nigeria which led to the enactment of Oil Minerals Producing Area Development Commission Decree (Decree, 1992 No. 23). The said decree in its Section 1 established a commission to be known as Oil Minerals Producing Areas Development Commission with a corporate body, perpetual succession and a common seal. The Decree in question made no mention of Niger-Delta but merely provide for its objectives in sections 2 (1), the objectives of the commission which

Shall be targeted towards development of oil mineral producing states of Rivers, Delta, Akwa-Ibom, Imo State, Edo State, Ondo State, Abia State and Cross River.

The inclusion of three representatives of non – oil producing areas as members of the commission justifies our view that the issue of oil producing areas is a political one in Nigeria. Moreover, the area so stated is not the same with Niger-Delta region, if not, why are members from non-oil producing areas included in the composition of the commission? Perhaps there is inclusion is to advance the interest of a given set of people that have nothing to do with oil resources.

In attempt to validate the Oil Minerals Producing Areas Development Commission Decree, the Federal Government through the National Assembly in 1999 repealed the decree with a new Act that came into force in 2000 called the Niger-Delta Development Commission (Establishment etc.) Act. The Act which provides for the management and administrative structure of the commission also have provisions for more effective use of sums received by the producing commission from the federation account for tackling ecological problems, which arise from the exploration of oil minerals in the Niger-Delta area and other purposes connected with. This is because it merely connected purposes to remove the phrase “Oil Minerals producing Areas” and replaced it with “Niger Delta area”

Our view is that the said removal of Oil minerals producing Areas and replacement with Niger-Delta Area” makes no meaning as long as in Section2 (1) of the Niger Delta Development Commission Act (Decree Act, No 6 of 2000), the Act still mentioned the oil producing states as they were listed in the Oil Minerals Producing Areas Development Commission Decree of 1992 without reference to the core communities found in Niger-Delta areas.

Moreover, any definition of Niger-Delta region which does not recognize the Niger-Delta people with their peculiar problems of poverty, backwardness and neglect is a mere political definition and does not reflect the people contemplated to be Niger-Deltans in the pre-crude oil era as those who should still remain in that status even after the era. Anything short of the above is tantamount to shortchanging the Niger-Delta people by other stronger and bigger nationalities. This has been the bane of crisis in the region.

## **ii. The People of the Niger-Delta Region:**

As viewed by Peters,

The peoples of the Niger-Delta are, like other Nigerians, highly diverse culturally. Historical differences in their political behavior have been imposed by their peculiar riverine geography in which isolated settlements on the little available dry land, surrounded by mazes of creeks, fostered small ancient city states and kingdoms such as Bonny, Brass, Akassa, Okrika, Nembe, Ogoni, Opobo, Bassan Andoni, Itsekiri, Urhobo (Peters, 2015).





The above observations by the learned writer gives credence to the fact that the people of Niger-Delta comprised of people who mainly find themselves residing in the riverine areas of the swampy deltas, dominated by Ijaw ethnic nationality.

The people of Niger-Delta have a harsh physical background and this induced a somewhat republican political behavior unlike many other Nigerian Societies who were traditionally used to more centralized authority (Peters, 2015). It should be noted that youth alienation, dissent and radicalism is an open rebellion against unemployment, frustration and exclusion from the flourishing petroleum economy of the delta. As we reasoned earlier, one of the main reasons and grounds for the emancipations struggle by people of Niger-Delta is for the control of their God-given resources which the federal government has for years monopolized with little or nothing to show the people of Niger-Delta in terms of development in the region.

Ethnically, the people of the Niger-Delta comprise those in Rivers and Bayelsa states (Kalabari, Ikwere, Ijo, Okirika, Nembe, Ekpeye, Ogba, Epie, Etiassa, Akwa-Ibom state (Ibibio, Anag, Oron) Delta state (Urhobo, Igbo Isoko, Itsekiri, Ijo) and some Ijo settlers in Ondo state (Ijo Ilaje), Edo state (Edo. Etsakos. Igbira and Okpemerri, Cross River (Efik Ejiagham, Kwarra) and some Ijo's that settled in Abia States and Imo States (Peters, 2015). It is worthy of note that the above-mentioned areas are the indigenous people of the Niger-Delta. At all material times, such areas had delta and were surrounded by riverine wetlands with oil fields. These areas in our view cannot be equated with other parts in the country in which oil deposits were later discovered or could be discovered in the future. Therefore, the expression of Niger-Delta in our view relates to "geography" and is an expression peculiar to people of Niger-Delta aside the oil, hence the categorization of all oil producing states as Niger-Delta region is not a proper and constructive classification (Ofozoba & Ofozoba, 2023; Anushiem, 2023). This indeed creates doubt as to the motive behind the designation of all oil producing states as parts of Niger-Delta region as stated in the Niger-Delta Development Commission Act (Niger-Delta Development Commission, 2000).

A look at the title of the above referred Act shows clearly that a deliberate but selfish effort was made in not only removing the phrase "oil producing areas" that was initially included in the Oil Minerals Producing Areas Development Commission Decree by replacing it with oil minerals producing areas in the Niger-Delta. By this, it is now perceived that all the states listed in the Act are in the Niger-Delta region which in our considered view, is not correct. The Willinks Report in its findings and recommendations supports the view that Niger-Delta people and region relates to geography not oil. In adopting the report, the erstwhile Rivers State leaders of Thought restated that, the Niger-Delta is principally peopled by the Ijaw ethnic nationality covering the Ijaws of Degema Division, Ogonis and Elemes of Ogoni, Ikwerres and other tribes in Porthacourt, Ethes, Ekpeyes, Egbema, Ogbas, Engenes and Abuas of Ahoadia Division and Obolos and Opobians of Opobo Division including also the Itsekris, the kwales etc. (Earth's Right Institute Report, 2015).

Of importance to the people of Niger-Delta is the issue of population distribution and pattern or settlement which are largely determined by availability of dry land and the nature of the physical landscape of the region. The Niger-Delta has low relief and poor ground drainage which is responsible for the paucity of settlements of considerable size in the heart land of the Delta. Large settlements are found in the interior parts of Delta where drainage conditions and accessibility are better.

Due to the activities in the Delta, there is pollution from air, water and environment. This, according to Osegbue (2019) and Anushiem and Anushiem, (2023) affects the fertility and life span of the inhabitants, birth of abnormal babies and plants may increase and malnutrition among children, women, and the aged coupled with diseases like worm infestation, gastro enteritis, hypertension and sexually transmitted diseases mainly among adolescents.



From earlier studies, including the Federal government master plan on the Niger-Delta, the studies shows that the area referred to as Niger-Delta includes all oil producing states. This is against the geographical area called the Niger-Delta as the information below shows (Niger-Delta Baseline Survey (NDBS, 1999).

According to 1991 Population Census, the population of the area is 20 women. This has been projected to be 27million in 2005 and to 30million in 2015 respectively.

The gender make-up of the region shows that the area is significantly dominated by young people with over 62% of them below the age of 30years while the number of persons below 70 years and above is estimated to be about 2% of the population. The employable population of able-bodied men is put at 36% while the mortality rate among infants and women is high and life expectancy low owing to deprivation.

The Niger-Delta has diverse and rich mosaic. It is an ecological zone with low sandy wet lands, mangrove forest and high tidal creeks. The people of Niger-Delta apart from oil, contribute to national economy through agricultural production with food sources such as yam, cassava, maize etc.: tree such as oil palm, rubber, raffia palm, cashew, pawpaw etc.; and livestock such as goats, pigs, rabbits, fish etc. One peculiar nature of the region which aids agriculture is that the soil is rich and there is abundant water for cropping.

The climate as well as soil fertility in the region varies. It varies from hot equatorial forest type in the south towards the humid tropical type in the northern highlands of the region and the cool type in the Obudu area. The soil fertility varies from top soil to subsoil depending on the location. This has implication on the type of fertilizer needed for optional production.

The economy of the people of the region is driven by the informal private sector. Most survey show that majority of the people are engaged in the information sector.

The highest population of the people of Niger-Delta employed is engaged in agriculture which forestry and fishing accounting for 44.02%, Trading or selling activities is put at 17.4%, education and health at 7.1%, service at 9.8% administration at 5.4%, transport at 2.2%, construction at 2.8% while the combination of other activities, accounts for 11.1%.

With regard to income level, ascertainment of income level is difficult. This is because many respondents are reluctant to give accurate information of their real income, more so most of the products of the income earners are consumed directly and does not get to the market. Even though it is agreed that statistics most times are unreliable; the painful truth is that the unemployment rate is significant.

A look at all these shows that the petroleum industry remains the backbone of the Nigerian economy accounting for over 90% revenue estimates. This oil comes from Niger-Delta. The same thing applies to gas production. The region is also endowed with solid minerals including lime stone, coal, kaolim etc. That notwithstanding, there are tourist centers and attractions i.e., the ports in the region accounts for 94%. Sadly, roads in the region are in poor conditions and the region lack behind in rail transport. Aviation wise, out of over 19 domestic airports in Nigeria, five of them is located in Niger-Delta with an additional shall Petroleum AirPort in Warri.

The region suffers from poor housing culture in the riverine areas. Also in the region, there is a weak infrastructure for efficient and effective delivery of water supply while, communication is slow but is improving with the coming on board of *GSM* technology. Municipal and Industrial waste management is one of the serious environmental problems the region is facing. This decline is also noticeable in the health sector. In that regard, available study carried out by the Delta Region Baseline Survey and the study on the Development of Master plan in the region show that water contamination and associated diseases are a problem throughout the region (NDBS, 1999).



### **iii. Oil Rivers to Oil Delta**

The violent agitations by the people of Niger-Delta for the control of their petroleum resources and involvement in the petroleum industry is a serious threat to the Nigerian economy as well as national security. The treat involves agitation and protest which has caused loss of life, damage, seizure of oil installations and hostage taking in the region. Attempts to suppress them has not succeeded (NDBS, 1999), for instead of peace, the attendant violence has escalated into inter-communal hatred and clashes i.e., the war between the Ijos, the Itsekiris and the Urhobos, and the Ilaje-Ugbo and the Arogho – ijo communities in Ondo State.

As observed by Ezeaku, and Okoye (2025); Osegbue (2022) and Ibe, (2019), the root causes of these violent agitations are the fact that there is a missing link between past and present, the control and management of the economy of the oil producing communities, and apparent lack of consideration by the operators of the petroleum economy for the social needs of the people called the oil river protectorate during colonial period. The Oil Rivers was the name given to all the Oil trade regions of the Niger-Delta and Calabar during the 1880's when slave trade was abolished. Slave trade existed right from early Portuguese contacts in the 16<sup>th</sup> century with Africans in Nigeria. However, the abolition of slave trade witnessed a switch to palm oil economy. The demands for palm produce by Europeans stimulated palm oil trade with Bonny and Calabar acting as rival trade towns, since the days of slave trade. They also became the dominant ports that controlled palm oil export with Bonny emerging as the most powerful city, with larger interior markets in Essene, Ibibio land, Ngwa, Obunku and Ndele in Ibo land. In 1890, Bonny defeated Kalabari kingdom and forced its people to route their palm produce through Bonny. Though, today, Bonny is not an oil producing community, its strategic natural port is serving the petroleum industry as in the days of palm oil export, Bonny Kingdom hosts Shell's export terminal, Mobil's gas refining plant and the Nigerian liquefied gas plant (NLNG). The Bonny people have shut down these plants before and demanded benefits in terms of development and employment in the petroleum exporting industries. In our view; it is only natural that they should be involved.

### **iiii. Environmental Conservation and National Development**

The Niger-Delta is one of the richest deltas in the world. It ranks as the 6<sup>th</sup> largest exporter of crude oil and second largest producer of palm-oil after Malaysia. However, the region still lags behind in terms of development and infrastructural base (Earth Rights Institute Report, n.d). Environmental conservation and economic development in the region depend on the flow of federal funding and goodwill into the region. This unfortunately is in short supply, the inadequacy of capital inflow resulting in neglect is the root cause of the unrest in the region.

The erudite legal icon, Itse Sagay, in his contributions on the issue at stake explains that the militancy in the Niger-Delta has assumed an alarming proportion because of the continued oppression and gross underdevelopment of the area that virtually produces the entire wealth of the nation (Newswatch, 2008). "This crisis has brought untold hardship and instability to the polity leading to loss of revenue, disruption of electricity supply as a result of disruption of gas supply in the Niger-Delta" (Abonyi, 2003).

In my humble view, the foregoing analysis confirms the Marxist assertion that history is the history of class struggle against a ruling class by an opposing group – the oppress. This could, if successful, usher in a new economic, political and social system. In a more precise term, the reason for the agitation in the Niger-Delta, which culminated in the lawlessness and militancy, is expressly stated in the Ogoni Bill of Rights which was presented to the government and people of Nigeria in November 1990. According to the declaration:

- i. The Niger Deltas insist that in over 30 years of oil mining, the Ogoni nationality have provided the Nigerian nation with a total revenue estimated at over 40 billion naira or 30 billion dollars.



- ii. That in return for the above contribution, the Ogoni (as well as the entire region) have received nothing, no pipe-borne water (portable water); no electricity; no job opportunities for the citizens in federal, state and public/private sector companies; no social or economic project of the federal government.
- iii. The ethnic policies of successive governments are gradually pushing the Ogoni people to slavery and possible extinction.
- iv. There is severe land and food shortage caused by degradation and ecological disaster.
- v. Ogoni people lack education, health and other social facilities.
- vi. It is intolerable that Ogoni, one of the richest areas of Nigeria should wallow in abject poverty and destitution.
- vii. Successive governments have trampled on the minority rights of the Ogoni people, by introducing policies and acts which sapped the wealth of the Ogoni to the benefit of other parts of the country.
- viii. As a result of the above issues, the people declared to take control of the affairs of their area (Ogoni, 1990).

In our view, not granting the control or autonomy sought by the people and yet fail to address their grievances is the root cause of the Niger-Delta crisis. Thus, the Kaiama Declaration recaptures the grounds for the agitations and crisis which is summarized below

- i. The quality of life of the people of the region deteriorates as a result of neglect, suppression and marginalization by the Nigerian state.
- ii. The resources from the region amount to over 80% Gross Development Product and 90% National budget yet there is no development on ground in the region.
- iii. There is unabating damage to the environment yet; there is no sign of ecological rehabilitation as the dispossessed people of the region cannot rely on any legal instrument granting ownership of their land to them. No thanks to the Land Use Decree Cap L5 Laws of the Federation of Nigeria 2004 and other federal laws; from the foregoing analysis, the root cause of the Niger-Delta crisis is no longer a mystery (Oloibiri, 2009).

### **The Niger-Delta Crisis, Issues, Challenges and Prospects**

The armed struggle, internecine conflicts and insurgency in the Niger-Delta, all of which have been subsumed under the general term, Niger-Delta crisis, may be seen in three basic dimensions supplying the real issues involved in the conflicts (Okaforcha, & Okeke, 2020). The first among the issues is the Ijaw national struggle for self-determination. This is a struggle spearheaded in the 1960s by the late Ijaw patriot, Isaac Adaka Boro. This struggle is for an independent Ijaw nation. This perhaps is the spirit behind the formation of the Movement for the Emancipation of the Niger-Delta as the military arm of the Ijaw National Congress (INC) and the unity and co-operation among the various militant groups whose membership are drawn almost exclusively from the Ijaw nation.

The second dimension, according to Enwezor, (2021); Onyekwelu and Adinna (2022), relates to the various bands of criminal and cult gangs that are established, encouraged and funded by political godfathers. Often these criminal outfits are involved in theft of crude oil, kidnapping for ransom, assassination of political opponents' piracy and various acts of brigandage in the region. This second set of Niger-Deltans also maintain their political connections at all levels of government and in the military ((Anushiem, 2022; Obumse, 2022); Ofozoba (2020). The former Governor of Rivers State and incumbent minister in the Federal Republic, Rotimi Amachi referred to the activities of this set of militants at the legislative retreat organized for South-South Zone on Constitution Review thus:





The attempt by militants to hijack the Niger-Delta struggle was proving increasingly counter-productive to the regions overall interest as their indiscriminate killings, kidnapping activities and attacks on oil and other business facilities have made the entire area unsafe for legitimate business to thrive. While the sustained campaign and struggle to reverse the prevalent injustice against the Niger-Delta enjoys the support and blessing of most well-meaning people in and outside the country, any criminal variant of this expressed in the form of militant activities will certainly erode the nobility of the course (Vanguard, 2008).

From the second dimension, as stated above, it is understandable that the Niger-Delta struggle against injustice, neglect and suppression is a genuine and noble cause. However, violent militant activities leading to various crimes like kidnapping; hostage taking and even killing will no doubt erode the good will behind the struggle. It is equally evident from the foregoing that the combative and criminal activities of the militant is not only instigated or encouraged by years of neglect but also by selfish aims which are at variance with the aspiration, objective, commitment and dedication towards the liberation of Niger-Delta from injustice and suppression.

The third dimension in the struggle, as noted by Ucheagwu-Okoye (2025); Okaforcha, and Okeke (2020), consist of those who are genuinely concerned with the struggle for the actualization of a truly developed Niger-Delta free from poverty, environmental degradation, unemployment, environmental pollution, etc. Majority of activists of this type are not involve in violent activities nor do they integrate criminality in their struggle for Niger-Delta emancipation. Rather, they involve intellectual engagement, awareness campaign and adoption of the philosophy of zero tolerance to the use of arms and armed hostility in the pursuit of justice and development for the people of the region (Osegbue, 2022).

There is no doubt that all the ethnic nationalities in the region are equal stakeholders in the Niger-Delta struggle. Yet, there is no militant group collectively put together by all the nationalities in the region, as a bloc; and no militant group manifests a representative profile; as virtually all the active militant groups are almost exclusively Ijaws. From the foregoing, Okaforcha, and Okeke (2020) concluded that the genuine and true struggle for economic and socio-political emancipation of the Niger-Delta people is yet to assume a militant posture. Our view with every respect to that is that the conclusion of Okaforcha, and Okeke above may not be the correct position. Understandably, while the first dimension may not be in most serious sense for self-determination as what the Niger-Delta people wants, in our view, those engaged in the militancy, especially the violent side of it may not necessarily be doing what they are doing under the influence of any godfather or for promise of any reward but may be doing it as a result of frustration arising from unfulfilled expectations and failure of the state to address the needs of the people. Thus, these set of militants may well have genuine grievances which needed to be addressed by the state but seen to be pursuing it illegally. This in itself does not mean that their course is not genuine. In our view, the course may be genuine but carried out in a wrong way even though it can achieve result similar to those that pursue their grievance in a peaceful manner intends to achieve.

Generally, the discovery of oil in an area and its exploitations is always a welcome development for the inhabitants of such communities. The same is true with the people of Niger-Delta. They hope that they will automatically enjoy the benefits that come with oil producing communities i.e., the provision of modern social amenities such as electricity, equipped hospitals, better and more modern equipment for exploitation of the regions fish and fauna etc. All these expectations failed as no plan was put in place, either by the Nigerian state or the multinational oil companies. The greatest disappointment to the people was that in spite of oil exploitation, many youths of the region still roam the streets unemployed while the oil companies domiciled their communities employed mostly foreigners and provide for their comfort, state of the art facilities. Frustrated and confronted by



stark realities of unemployment and other problems plaguing the region and their homeland, even after their getting education abroad, one took to oil bunkering and other act of criminality. This is the root cause of incidence of pipeline vandalisation, illegal bunkering and associated crimes of gun-running, cult gang building and militancy as defense mechanism.

While the violent youths are agitating against social injustices, the elites in the region like Kenule Saro Wiwa used peaceful and intellectual dimension to press home the agitation of the region. As stake holders in the Niger-Delta struggle, they have the same aspiration but different strategies of getting their message across to the government.

As Okaforcha, and Okeke (2020) had argued, one of the major political attractions of the oil revenue in Nigeria is that it brings huge advantages and opportunities to those who hold the reins of political powers. For example, the holders of political power through hostility to those excluded from it, systematically and effectively disenfranchise the people, striping them also of basic human rights. Since state officials manipulate and monopolize oil policy and revenue to the exclusion of others, especially the oil-bearing communities, frequent frictions and disagreement become inevitable.

In addition to the act of government, the oil companies surreptitiously and deliberately contribute to the grave human rights violations in the Niger-Delta region but give the government the false and deceptive impression that they are victims of lawlessness. Good evidence of this is the policies of the oil companies which does not encourage employment of indigenes including those who had their trainings outside Nigeria. Rather; they employ whites with similar qualification and provide them with sophisticated facilities for their comfort. From the foregoing; it is a good argument that as far as the oil politics in the Niger-Delta is concerned, the infrastructure of oil and repression are closely linked in such a way that power and repression flow simultaneously from both the barrel of the gun and the barrel of the crude oil. This generates struggle for the development of basic infrastructure in the region. According to Osegbue (2022), nothing typifies the state of socio-economic-political subjugation of the Niger-Delta people better than the description as “Privatization of the state”. This phenomenon is evident in the large number of military and paramilitary personnel guarding oil facilities. The use of the military and police by oil companies to quell community disturbance has worsened the violence. In this state of affairs, most operational areas of oil companies are turned into garrisoned enclaves. Through the unnecessary creation of excessive concern about security, oil companies instead of keeping their corporate social responsibility, reinforce coercion and violent subjugation of the people. The people of the region see the action of government in using their resources without developing their communities or provide them with social needs as internal colonization which should not be accepted or tolerated. Today, the region is shifting their demands and agitation from mere bread and butter but now raise questions concerning fiscal allocation; resource control, fiscal federalism, minority rights and indeed a challenge to everything that will withhold or jettison their demand and agitations. While some pursue their agitation peacefully, others took up arms. Faced with these successive governments tried some measures to address the problems of the region. For instance, the Babangida administration introduced the Oil Minerals Producing Areas Development Commission which failed due to corruption and mismanagement.

The Niger-Delta Development Commission was established in 1999. It built schools in the Creeks without good roads and qualified teachers. This does not help masses and the violence continues. Unfortunately, the government also failed in its duties i.e., it failed to compel oil companies to obey the various laws on gas flaring, oil spills and environmental pollution. This act alone discredits government’s efforts and creates doubt as to government’s sincerity (Nwakoby & Iloka, 2025; Osegbue, 2021). To worsen the situation, there are external forces causing misunderstanding among the people of the region such that there is growing suspicion by the elders



against the youths and by the youths against the elders. Whereas, the elders insist that the agitation must be focused and assertive in dimension, the youths accuse the elders of being self-centered and not having the interest of the region in mind. Whichever way one looks at the two sides of the coin, what is clear is that unless the distrust is resolved, the crisis of lack of trust may engender a new generation of tension in the region. The above notwithstanding, evidence abound to the effect that the region needs socio-economic development. This demand that the elders and the youths work together with one spirit so as not to allow violence and impunity to frustrate their genuine grievances and aspirations which may, if not controlled, make their desires and needs unachievable (Azubuikwe, 2024; Okoye, 2021). Put in another sense, the elders and the youths are veritable stakeholders in the quest for the resolution of problems in the Niger-Delta region. To achieve this, many strategies and measures must be adopted including peaceful struggle. This demand that the elders and the youths work together. Here lies one of the prospects of amiable solution of the Niger-Delta crisis.

The second prospect which is fundamental is the fact that all ethnic nationalities in the region favour dialogue and negotiation as a means of resolution of the conflict and would be ready to shift grounds on some issues e.g. resource control. This no doubt will give opportunity and room for the peaceful settlement of the problem not just among the people but between the people on one side and the government and oil companies on the other side. This proposal gives room for negotiation and provides a good window of opportunity for resolution (Okaforcha & Iloka 2025). Another point is if this multinational oil corporations in the region perform their corporate social responsibility to the people of the region, the crisis will subside.

### **Recommendations**

The agitation for the emancipation of Niger-Delta seriously speaking is no longer a struggle of today. The fight to address the grievances is as old as the region. The agitation is not only targeted towards control of the resources in the region by the indigenes but is also aimed at pressing on the government of Nigeria to address development question and the improvement of the region. In addition, it is also intended to address the issue of environmental degradation and devastation arising from oil activities in the region by the federal government in partnership with multi-national oil companies. It is also a challenge against the government over its oppressive and deceptive derivation principle, which more or less, allows the federal government to have tacit control over revenues in the federation account notwithstanding that the revenues are earned from the resources located in a given place.

At the beginning, the struggle was peaceful and devoid of violence. It was more or less an intellectual warfare in which the people of the region especially the leaders resolved to intellectually state their grievances and let those concerned hear them out. Although the struggle received stiff opposition leading to the killing of Kenule Saro Wiwa and his other associates in the vanguard for environmental protection and conservation, the struggle has not stopped (Free Wikipedia, 2015).

The emancipation struggle later became sour and turned to crisis scenario when governments (military and civilian) resorted to the use of oppressive and repressive policies and options in order to check the increasing impact of the militants. The government involved impunity in her measures towards addressing the militants and from there, violence dominated the operation of the militants in the region. This sparked off other dangerous activities by the militants including hostage taking, kidnapping, abduction of oil workers, government officials, destruction of oil installation, terminals and pipelines etc.

Government's reaction to the alleged abduction of some security personnel who had gone to a location in Odi to rescue some oil expatriate workers held by the militants was the climax of the impunity and violence. The Obasanjo led government deployed troops to Odi and the soldiers killed innocent and hapless women and children



(young and old) as well as men, who had no knowledge about militancy, let alone, know the militants. The incident was a reckless violation of the rights of the innocent victims who did nothing but lost their lives (Amnesty International Bulletin, 2015).

The immediate past president of the country, Goodluck Ebele Jonathan described the incident as man's inhumanity to man and the worst form of impunity in the life of Nigeria as a state ((Anushiem, 2022; Obumse, 2022; Ofozoba (2020). Notwithstanding the above condemnation of the act of the government, the federal government led by Obasanjo did not see anything bad in the Odi incident but defended the operation as an operation executed with precision. It was in the wake of all these crises that the Ya'radua led government weighed all options and settled for the amnesty programme for the militants in 2009. The initiative is still on but it does appear that the crisis has not abated.

The Niger-Delta has experienced three phases of progress in economic development: slavery, palm oil production and petroleum (Okaforcha & Iloka 2025; Ekwesianya, 2022). These phases had radical implications for its society, culture and politics and each phase is marked by periods of boom and bust, volatility or turbulence against a back drop of commercial dynamic and political vitality seen in the rise of great trading empires. Sadly, when the federal system emerged the region became excluded from the dynamics of central political authority. This led to a four decades long process, during which, various forms of protest, political mobilization and violence have channeled local grievances and political aspirations into something like an armed rebellion. It is interesting to note that the clear exclusion of the region and the feeling of alienation from their resources by central authority facilitated in the speediest manner the commitment of the region to mobilize their people for a protest to protect, secure and preserve their destiny.

The government did not pretend not to notice the protests and the mobilization by the region; hence, the militancy across the oil field and creeks and the proliferation of non-state armed groups in the region was addressed and punctuated by some political concessions and measures including state creation, and most recently the amnesty programme of the governments. Notwithstanding the perceived efforts of the government to address the situation as shown in 1965, mid 1980s, 1990 – 1995, 1997 to 1999, 2003 – 2004 and 2005 – 2009, the descent into insurgency and ungovern ability over the two last decades has been dramatic as the escalation from forms of popular mobilization from below to armed resistance and deepening criminality (United States Institute of Peace, n.d.) The recent history of the delta certainly does not readily conform to a simple evolution from grievance to greed. The simple dichotomies between state and the militants, in historical terms is a shift from non-violent protest to the politics of the gun and this was a swift. This continued the premonition of Kenule Saro Wiwa in 1990 when he spoke about a “coming war”.

A plotted history of the politics of Niger-Delta highlights a number of key moments of mobilization for the survival of the region. They include:

1. Post-Colonial period. During this period ethnic mobilization was often an elite enterprise of elders i.e. Ijaw National Congress
2. The 1990 era was an era for the younger generation of more radical youth leader's example the Ijaw Youth Council
3. Post-Independence period and prior to Biafran war. During this period an insurgent/secessionist movement emerged i.e., the “12-day Revolution of Isaac Adaka Boro in February, 1966 which was quickly confronted and quelled.
4. The Late 1960s and early 1970s witnessed popular reactions to the oil industry's ecological foot print and its impact on rural livelihoods i.e., they were visible signs how oil operations affect community interest leaving a bitter and lasting legacy of local resentments and grievances.





5. The Mid 1980s saw the first forms of organized protest from communities (often involving women) and the crisis of livelihoods.
6. The establishment of Movement for the Survival of Ogoni People in 1990 by Kenule Saro Wiwa and the execution by hanging of Ogoni, 9 led to the subsequent militarization of the region between 1990 and 1998. This represented a fundamental shift in the struggle i.e. It marked not simply the proliferation of a large number of ethnic mobilizations across the region but a passing of political torch to a generation of more militant and active youths.
7. The 1990s and the 2000s, witnessed the birth of Movement for the Emancipation of Niger-Delta. This marked the appearance of a more organized and militarily capable insurgency. This emerged from warri axis and the group proved itself capable of closing down oil industry.
8. Finally, full blown crisis erupted in the region and violent criminality of all type emerged like kidnapping, hostage taking for ransom, thuggery, which led to deaths, destruction of installations, vandalism of oil pipelines, rape and so on. This triggered both a military counter insurgency by the military joint task forces (JTF) and the subsequent 2009 amnesty which is still operating till date. In all these stages and periods, properties and lives were lost.

It is evident from the above that Niger-Delta struggle is as old as the region and has undergone one stage or the other or moved from one dimension to another. In our humble view, amnesty programmer, has no foundational focus to address the root causes of the militancy and cannot provide solution to the crisis.

Thus, efforts must be directed toward the following:

1. Government of Nigeria should step efforts and programs towards cleaning oil Delta.
2. Building capacity for peace and dialogue with the militants and rehabilitating them is the key and the government and NDDC board must see this as a priority.
3. Supporting the host communities and empowerment of youths in the region should be seen as an emergency.
4. Multinational oil companies in the region must be steadfast in the provision of their social responsibility obligations.
5. Government policies and decisions that can trigger tensions must be discouraged while the suspension of rural governor.



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