Oil Crimes, National Security, and the Nigerian State, 1999–2015

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Abstract

The discovery of oil in commercial quantity in Nigeria in 1956 ushered in a period characterized by endemic crises of oil rents management and corporate insecurity. From 1999, democratic renewal, backed by excess oil rents returns, made the popular democratic control of oil wealth critical. The consequent rentier management of oil wealth, excluding the citizens and their huge expectations occasioned threats to national security, thus punctuating limited democratic control of oil wealth, or lack of it. Employing the ex-post-facto research design, primary data for the study were generated from focus group discussions with experts in the oil sector, while other sources were from observations of the Nigerian Navy, Nigerian Customs Service, Nigerian Police, Nigerian National Petroleum Corporation, Nigerian Extractive Industries Transparency Initiative, National Bureau of Statistics, and the Central Bank of Nigeria. Logical induction was used to analyze the data. Anchored on a frustration-aggression conceptual and theoretical framework, the study found that deprivation of oil benefits to Nigerian citizens manifested in illegal oil bunkering, pipeline vandalization, crossborder smuggling of petroleum products, attacks on oil installations, kidnapping, and piracy, with attendant threats to national security.

Introduction

For close on two decades, the incidence of criminality in Nigeria, due to poor governance and subsequent security challenges, has engendered much debate. These criminal activities have centred mostly around the control of the rich oil and gas deposits and the manner of their exploitation. Being the mainstay of the economy, the modes of utilization of the proceeds from the sale of these resources, which have not been transparent, have caused instability and endangered national security.

Writers on Nigeria's oil wealth management and violent conflicts (HRW, 1999; Ibeanu, 2002a,b; Joab-Peterside, 2005; Aaron, 2006; Omeje, 2006; Ibaba, 2008; Basedau and Lay, 2009; Ibaba and Olumati, 2009; Watts and Ibaba, 2011), allude to alienation, ethnicity, and environmental degradation as the major causes of conflict in the Niger Delta specifically. This study, however, focuses on how democratic control of oil wealth has engendered threats to national security in Nigeria since 1999, with the specific objective of establishing whether the deprivation of oil benefits to citizens resulted in oil-related crimes with grave implications for national security.

Extant literature indicates that there are internal conflicts as a result of many factors such as the struggle for control of oil and gas resources, which increases Nigeria's vulnerability to conflicts. Greed for economic gains is the primary motivation for resistance and struggle for the control of oil and gas resources. Community leaders, warlords, and traders profit from the resources-related conflict situation and thus stoke the embers of crisis for private interests. Warlords characterize the insurgency and militancy in such a manner that they become the subject of discourse and negotiations which gives them bargaining power. There is a high level of economic and financial crimes involved in the struggle for control of oil and gas resources through pipeline vandalization, piracy, oil bunkering, small arms proliferation, hostage taking, and kidnapping. Government's militarization of the oil-rich region leads to a sense of insecurity and the people feel constrained to take up arms against government forces; and, finally, the inadequacy of democratic institutions means that there is little accountability and transparency in the management of revenues accruing from the exploitation of natural resources in Nigeria.

The Nigerian State has been beset with continuous struggle for control of oil and gas resources, which has consistently increased the country's vulnerability to conflict. As noted by Paes (2004: 87-91), petro-states are usually developmental failures as none of the established producing countries has managed to turn their wealth into development opportunities; thus, petro-states are particularly prone to armed conflict, despite the fact that they spend more on their security forces than most other developing countries. In trying to explain state failure and effects of patronage on national security in resourcerich states, he notes that the diversion of public funds, mostly from oil resources, into private pockets means that public utilities, including most prominently the provision of security and the state monopoly on coercive violence, become increasingly rare. However, once the supply of fresh cash dwindles, clientele networks quickly cease to function. Potential challenges can no longer be bought off and the previous erosion of state structures means that the security apparatus is often unable to offer a credible deterrence to a rebellion. In the same vein, Tonwe et al. (2011) stated that the Nigerian oil industry is the conduit through which a cabal of a few influential individuals manipulates the economy in their own personal interests such that billions of Naira from the Nigerian government subsidy on fuel every year goes to the pockets of just a few persons who constitute the cabal.

Greed for economic gains is the primary motivation for resistance and struggle for the control of oil and gas resources. Scholars such as Tonwe *et al.* (2011) noted that availability of natural resources in a country causes conflicts because the huge rents that accrue from such resources serve as spoils for potential rebels who use violence to capture such rents extra-legally. This has been the case, as many of the oil-producing communities in the Niger Delta have been known to be complicit in hiding these warlords from government security operators. Moreover, rebellion is equated to organized crime as it thrives only through predatory activities such as the levying of protection charges, extortion, sales of extraction rights, and ransom kidnapping that renders the organization as viable. Further, the propaganda of grievance is a functional deployment to garner some sympathy and legitimacy from members of the public.

Community leaders, warlords, and traders profit from resources-related conflict situations and thus stoke the embers of crisis for private interests given that those not involved are left to wallow in poverty. Thus, another assumption is that poverty causes militancy. For multinational agencies such as the United Nations Development Programme (UNDP), the United States Agency for International Development (USAID), the World Bank, and other international donor agencies that work in the Niger Delta, it is poverty that causes militancy. Their belief is that if people have the basic essential needs, they will stop militancy, which will engender peace and development, making economic activities thrive and creating jobs for the common people. If people are gainfully engaged, they will not take up arms against government or multinational oil corporations in the region. That is why they deal more directly with the communities involved.

Warlords characterize the insurgency and militancy in such a manner that they become the subject of discourse and negotiations, which gives them bargaining power. This has been the manner of acquiring wealth by the militants. This is precisely the reason why the Jonathan administration began the process of 'empowering' even avowed enemies of the Nigerian state - the ex-militants - all in the name of ensuring peace in the Niger Delta in order for the oil to continue flowing. According to Salaudeen (2012), the Nigerian government adopted a policy of 'buying' peace in the Niger Delta region through instructing the Nigerian National Petroleum Corporation (NNPC) to pay ex-militant leaders to protect oil pipelines. Mujahid Dokubo-Asari gets \$9 million a year to pay his 4,000 former foot soldiers to protect the pipelines; 'General' Ebikabowei Victor Ben (Boyloaf) and 'General' Ateke Tom get \$3.8 million a year apiece, and Chief Government Ekpemupolo (General Tompolo) maintains a \$22.9 million-a-year contract, all to protect these same pipelines. There is concern that after the Nigerian State has spent well over \$1 billion on the amnesty programme for ex-militants since 2009 (Aghedo 2013), the award of pipeline security contracts to such individuals puts the nation's security at risk as it would be better and more cost effective if a special military task force was set up to deliver a more efficient and effective role. After all, protecting critical oil infrastructures against vandalism was among the policy objectives for establishing the Nigerian Security and Civil Defence Corps (NSCDC).

There is high level of economic and financial crimes involved in the struggle for control of oil and gas resources through pipeline vandalization, piracy, oil bunkering, small arms proliferation, hostage taking, and kidnapping. As noted by Katsouris and Sayne (2013:1), Nigerian crude oil is stolen on an industrial scale and the proceeds are

laundered through world financial centres and used to buy assets all over the place. In Nigeria, politicians, government security forces, militants, oil industry personnel, oil traders, and community members benefit to varying degrees, along with organized criminal networks. The trade in stolen oil also supports the spread of other transnational organized crimes in the Gulf of Guinea.

Government's militarization of the oil-rich region gives a sense of insecurity and the people feel constrained to take up arms against government forces. This has been the situation in Nigeria over the past two decades as the government felt there was need to militarize the region in order for the oil to continue to flow. Consequently, the people have felt the need to protect themselves and have therefore taken up arms, as there have been collateral damages in the fight to ensure continuous oil flow from the Niger Delta region.

Inadequacy of democratic institutions means that there is little accountability and transparency in the management of revenues accruing from the exploitation of natural resources. Resource governance of the oil sector, which has had a telling effect on the security policy of the government on the Niger Delta, resides basically in the issues of transparency and accountability. Transparency is not an end but a means. Thus, there is an assumption that when citizens have information, they can engage government but the dearth of information on what goes on in the industry leaves a lot to be desired. For instance, NEITI lacks capacity to compel agencies and companies to do what is needed. Accountability means that there is an existing relationship between government and the people, such that when the people give government legitimacy and authority, they can also sanction government if it errs. But this is not the case in Nigeria. From experience, most development partners take the easy option of engaging government to do what they are supposed to do in order to claim to have worked and report back some level of success to those who fund their activities in Nigeria and in the Gulf of Guinea region generally. The works of these development partners and international donor agencies seem to simply end in bringing about programmes and legislations that could be used to make progress. In Nigeria, the successes of the work of these developmental partners have resulted in such legislations as the Fiscal Responsibility Act, the Nigerian Extractive Industries Transparency Initiative (NEITI) Act, the Public Procurement Act, etc. Now there are rules in place; the question, however, remains how to use them to make for transparency and accountability in the oil and gas sector. Non-transparency and inconsistency in the accountability process leads to suspicion and extends to conflict in the region. If there is judicious application of the resources in such a way that both the government and the people know what is going on, there will be less violence in the region. For NEITI, the discrepancies noticed in the various Hart Group audits of the oil and gas sector of the Nigerian economy did not mean there is any fraud but that the identified financial discrepancies, mispaid/unpaid taxes, and system inefficiencies are just what they are - human errors and mistakes that should not be blown out of proportion.

The above are all germane but do not do justice to the issue as they neglect the rentier management of oil wealth by successive Nigerian leadership since independence, and especially since the era of continuous democratic governance from 1999. This study thus remains apposite given the current era of economic crunch/recession, resurgence of hostilities in the Niger Delta, and growing national insecurity.

Theoretically, this paper is significant as it examines the relationship between popular democratic control of oil wealth and threats to national security in Nigeria since 1999. By exposing the dangers of the rentier nature of the Nigerian government, the problems of oil wealth rentierism, democratic resource governance, and national security, the consequences of the absence of democratic management of oil wealth in Nigeria, and the insecurity it engenders thus come under critical review. Practically, it contributes to knowledge about the potential of Nigeria's huge oil wealth and the best solution to the myriad of problems associated with the oil sector, with the confidence that it will help the Nigerian government and policy-makers to ensure her national security as internal conflicts have implications for the country if not resolved. It will help the civil society to continue to guide the government, as a vital tool of nationhood and development, on international best practices in the oil and gas sector for the democratic appraisal of the economic mainstay of the Nigerian State.

Frustration-aggression: conceptual and theoretical framework

Efforts have been made by scholars to explain the problem of criminality in the Nigerian state occasioned by resource wealth, and this has been given a fillip by abysmal governance. Scholars have tried to understand this phenomenon using the queer ladder theory, which is an attempt to explain the functional significance of organized crime as a desperate tactic for socio-economic empowerment and social climbing. As popularized by Lyman (2007), its basic assumptions are as follows:

- Organized crime is an instrumental behaviour/practice; a means to an end.
- It is an instrument of social climbing and socio-economic advancement.
- It is a means to accumulate wealth and build power.

The assumption of this theory as clearly extrapolated by Okoli and Orinya (2013: 68) is that:

Organized crime thrives in contexts where the government's capacity to dictate and sanction crime is poor; where public corruption is endemic; and where legitimate livelihood opportunities are slim. Under these circumstances, the incentive to indulge in life of crime is high, while deterrence from criminal living is low. This creates room for criminal impunity and franchise.

Further, Okoli and Orinya (2013) used the theory to situate the prevalence of organized crime and other acts of criminality in the Nigerian oil sector. In this regard, the incidence of oil pipeline vandalism has been driven by the hectic rat race for material aggrandizement, which has been made worse by the prevailing socio-economic malaise and concomitant livelihood crisis in the country. The inability or failure of

government agencies to ensure efficient enforcement of appropriate sanctions against crime has complicated and accentuated the problem. The notion of 'ladder' in the theory symbolizes social climbing or mobility as those who take to organized crime as a means of social climbing (mobility) are thought to be toeing the awkward, unconventional (queer) path. The above explication, though sound, did not take into consideration the general feelings of marginalization which kick-started the crisis due to poor governance on the part of the political elite in Nigeria.

Thus, this paper is anchored in frustration-aggression analysis, which deals with expectations and realizations, and the resultant conflicts and violence when the expected goals are less than the actualized goals. Aggression is not just undertaken as a natural reaction or instinct, but is a natural outcome of frustration given a situation either where the legitimate desires of an individual are denied directly or by the indirect consequence of the way the society is structured. The feeling of disappointment may lead such a person to express his anger through violence that will be directed at those he holds responsible or people who are directly related to them. Berkowitz (1962) explained violent behaviour from the standpoint of inability to fulfil needs; Davies (1973) used the psychological theories of motivation and behaviour to explain frustration-aggression. Davies (1973: 251) sees the existence of frustration of substantive (physical, socialaffection, self-esteem, self-actualization) or implemental needs (security, knowledge, power) as the essential conditions for one non-violent conflict to escalate into violence: 'violence as a response is produced when certain innate needs or demands are deeply frustrated'. Gurr (1970) focused on frustration-aggression in his thesis on relative deprivation, and is a good insight into a better understanding of our argument in this paper. The greater the discrepancy, however marginal, between what is sought and what seems attainable, the greater the chances that anger and violence will result. This has been the situation in the Niger Delta – the exclusion by the Nigeria State of oil-producing communities from democratic dividends and the destruction of their environment (through endless gas flaring and incessant oil spillage) by oil companies, all of which have never really been addressed despite government avowals to the contrary, propelled the youth in the region against the State and multinational oil companies. The youth were forced to instrumentalize oil crimes as a survival strategy owing to State insensitivity and poor corporate responsibility by the oil companies. Since 1999, when the military was forced to relinquish power to civilians, the citizens have had their hopes crashed due to loads of promises that came to nothing and so they engaged in wanton criminality in order to make ends meet and get back at the government that did not seem to care enough about their welfare.

Typology and trends: excursion into oil crimes

There is no doubt that Nigeria is groaning under tensions tainted with ethnic jingoism and the quest for political capture of leadership positions. There are a series of complaints of marginalization and disempowerment and total denial of the gains of the huge oil wealth. Thus, the direct consequence of government's denial and deprivation

of oil wealth benefits to citizens is the deluge of organized crime, the broad range of activities undertaken by criminal organizations having the following characteristics: a hierarchical organizational structure; a territorial imperative; a predilection for violence; and the capacity and funds to corrupt public officials.¹ While it is debatable that the issue in Nigeria started as a hierarchically organized structure, the deluge of oil-related crimes, which started in the Niger Delta and spread to other parts of the country, include illegal oil bunkering, oil pipeline vandalization/fuel scooping, cross-border smuggling of petroleum products, oil terrorism/attacks on critical oil installations, piracy, kidnapping of oil workers, revolt of oil host communities, and general banditry. An excursion into these crimes buttresses the claim that deprivation of oil benefits to Nigerian citizens has resulted in oil-related crimes and security threats since 1999.

Illegal oil bunkering/oil theft

This is the theft of crude oil directly from pipelines, flow stations, and export facilities. While bunkering is the term used to describe the process of filling up a ship with oil (Garuba, 2010), its illegality is an euphemism for theft (HRW, 2003), and has become a generic term encompassing not only unauthorized loading of ships, but also all acts involving the theft, diversion, and smuggling of crude oil (Obasi, 2011). The theft in question is premised on the constitutional provision that ownership and control of all minerals in, under, and upon any land, and of rivers, streams, and watercourses in Nigeria are vested in the Federal Government (Section 44(3) of the 1999 Constitution, as originated in the 1946 Mineral Ordinance).

There have been shifting trends in oil theft in Nigeria from militia-assisted, to local community-assisted, and to official-assisted oil theft.² It is a thriving business in the Niger Delta; and 'the three types of illegal oil bunkering are small-scale pilfering for the local market, large-scale tapping of pipelines to fill large tankers for export, and excess lifting of crude oil beyond the licensed amount' (Asuni, 2009: 1). The principal militia group was the Niger Delta People's Volunteer Force (NDPVF), headed by Asari Dokubo and later joined by the Movement for the Emancipation of the Niger Delta (MEND) and Niger Delta Volunteer Force (NDVF) led by Henry Okah and Tom Ateke, respectively, who resorted to illegal oil bunkering as means of financing their operations. Oil bunkering is organized through a vast state-centred syndicate, implicating highranking military officers, politicians, the security apparatuses, and even the Niger Delta special military task forces and the Navy coast guards (Watts, 2008: 59) which are deployed by the state to maintain peace in the region. Substantial evidence indicates that the militia only engaged in theft and bunkering to a small degree, but provided cover and security to various local and international oil theft cartels for huge fees. At the local level, the security forces, including the Nigerian Navy were also 'settled' with

¹ http://what-when-how.com/sociology/organized-crime/, accessed 27 March, 2016.

² www.legaloil.com, January 2007.

cash payments to ensure military operations and patrols did not interfere with illegal bunkering. As noted by Garuba (2010: 12):

The soldiers are deeply involved. There is no bunkering activity that is taking place in the Niger Delta that the military is not involved in ... 80% of soldiers in the region own the best cars – these are people who did not own a motorcycle before coming to the Delta.

Thus, top government officials, the military and some highly placed Nigerians, including top traditional rulers in the oil-producing areas had been labelled as some of the culprits, and none has ever been interrogated or charged, thus buttressing the report by Fortune and Class (2010) that officials in the NNPC and the Ministry of Petroleum Resources established 'an enduring platform by which they continue to divert crude oil sale opportunities to their preferred middleman at a discounted premium leaving enough premium margin for the cabal members when the middle man sells off the crude in the international market².³

This is corroborated by Asuni (2009: 1) as, 'the enabling environment for illegal oil bunkering includes high levels of unemployed youth, armed ethnic militias, ineffective and corrupt law enforcement, protective government officials and politicians, corrupt oil company staff, established international markets for stolen oil, and the overall context of endemic corruption'. Thus, the complexity of players in the illegal oil bunkering business, including local youth, members of the Nigerian military, the political class, and foreign ship owners, makes it difficult to tackle the problem unilaterally. This is why previous attempts by the Nigerian government and international community to address illegal oil bunkering had limited success in reducing the flow of blood oil (Asuni, 2009; Odalonu, 2015).

The techniques employed in oil bunkering makes it Nigeria's most profitable illegal private business in the petroleum industry (Onuoha, 2009). It is a hazardous process that is very pervasive in the creeks of the Niger Delta where oil pipelines criss-cross the region. When crude oil is being pumped through the pipelines, sometimes at a pressure of 600 pounds per square inch, the bunkerers are able to fill up to a 1,000 metric tonne barge in a matter of hours. The barge is then moved offshore to a transport ship and the oil is sold on the high seas. The oil bunkerers' sophisticated operation does not require the co-operation of oil company staff as the bunkerers tap directly into the pipelines at a site removed from oil company facilities, and connect the pipes to barges that are hidden in small creeks under cover of mangrove forests (HRW, 2003).

The reasons for these nefarious activities are not far-fetched. Armed militia groups in the Niger Delta extend their politico-criminal agenda out to sea and those involved in illegal bunkering also perform attacks on ships at sea with attendant incidents of piracy. These groups target the country's mainstream crude oil production as a grand strategy of pressurizing the Nigerian State to accede to their demands for true federalism and a greater involvement in the management of oil wealth.

³ http://fnco486.wordpress.com/2010/04/10/barkindo-diverts-125m-barrels-of-oil-in-15-months/.

Year	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Incidences	39	28	16	12	42	40	29	19	10	17	31	18	14

Sources: Adapted from ICC-IMB Piracy and Armed Robbery against Ships Annual Reports, 2003–2016.

Maritime piracy

Maritime piracy, especially in the Gulf of Guinea (GoG) region, has grown at an alarming rate, posing risks to international shipping along one of the continent's busiest routes. Nigeria loses about \$9 billion per annum to piracy and \$15.5 billion annually to illegal oil bunkering as well as other security breaches and leakages, which are features of, and contributors to the complexity of maritime insecurity in the Gulf.

According to Onuoha (2012), piracy in African waters is a subject of serious concern to not only African states but also the international community. These activities are concentrated in the Somali coast/the Gulf of Aden along the East African Coast; Nigeria's territorial waters in West Africa; and the Mozambique Channel/Cape Sea route in Southern Africa. Since 2003, maritime piracy has been on the increase around Africa in spite of growing national, regional, and international efforts at improving security in these sea routes. As shown in Table 1 below, all efforts at stopping the problem are yet to yield dividends.

There is collusion and a high-wire political network involved in the attacks, even from government officials. According to a *PMNews* of 17 October 2012, the pirate hijack of *MT Energy Centurion* was coordinated by a gang comprised of both Nigerians and foreigners. As at 2012, there are about 1,250 trained pirates across Nigeria, having about 3,000 high calibre military weapons kept in different parts of the country. The syndicate involves a network that works closely with them by giving them information regarding the vessel to hijack. 'Operations are sponsored by powerful people ... even in the Presidency [because] there is a lot of money in oil theft as each member of the gang of pirates makes not less than N10 million from each operation. The NNPC and Ministry of Petroleum and security agencies feed them with relevant information on vessels to hijack, and the gang starts work after part payment has been made, with the balance paid after the operation.'⁴ As noted by Akinsola (2015), once pirates are on board, they hold crews at gunpoint until a ransom is paid, with amounts usually paid in millions of US dollars.

Pirates increasingly modify their tactics by hijacking fishing vessels, particularly within Nigerian waters, and using the same methods to attack other vessels operating off the coasts of neighbouring countries such as Benin and Cameroon. Recent attacks have extended further out at sea and have focused largely on oil-laden

⁴ http://pmnewsnigeria.com/2012/10/17/i-got-n10m-in-one-operation-pirate/.

vessels, to steal the petroleum product. A powerful transnational mafia – with a vast knowledge of the operation of the oil industry – finances and facilitates the operations of the pirates that target oil tankers, by giving them vital information such as names of ships, the course they will take, value of cargo, and extent of insurance cover. When taken hostage by pirates, the period of captivity lasts an average of ten days.

Piracy in the GoG has not been evenly distributed. The incidents of piracy in the region decreased from 64 attacks in 2003 to 56 in 2004 and 25 in 2005, and increased from 31 in 2006 to 53 in 2007 and 59 in 2008. Although it declined from 48 in 2009 to 39 in 2010, it picked up again with 53 cases recorded in 2011 (Saul, 2012). The majority of the attacks recorded between 2003 and 2011 occurred in Nigerian waters (55%), even as most attacks in Nigerian waters go unreported. Between 2003 and 2005, there was a decline in the number of attacks in Nigerian waters, and overall in the GoG. However, there was an increase in the number of attacks between 2007 and 2008. The increase is mostly related to the upsurge in the activities, in Nigeria's oil-rich Niger Delta region, of ethnic militants who were protesting perceived marginalization of the region by successive governments in Nigeria. Characteristic of the militant protests was the emergence and activities of the MEND, among other groups. The operational tactics of the militant groups included hostage taking of oil workers, sabotage of oil facilities, attacks on oil vessels, illegal oil bunkering, kidnapping, and ransom receipts, among others.

In a bid to contain the destructive and disruptive activities of militant groups, the Nigerian government granted amnesty to militants in three phases starting from August 2009 to free them from prosecution for participation in different acts of violent criminality in the region. The amnesty initiative saw over 30,000 militants surrender large cache of arms and weapons (Aghedo, 2015: 1). About 2,760 assorted guns, 287,445 ammunitions of different calibre, 18 gun-boats, 763 dynamites, 1,090 dynamite caps, 3,155 magazines, and several other military accessories, such as dynamite cables, bullet-proof jackets, and jack-knives, were recovered from them (Onuoha *et al.*, 2014: 131) were recovered from them.

The acceptance of amnesty by most militants partly accounted for the decrease in the number of attacks witnessed in 2009 and 2010. However, the rejection of the amnesty by a faction of MEND partly explained the resurgence of pirate attacks in 2011. There were ten reported piracy incidents in the first two months of 2012 alone, and in early March 2012, MEND claimed responsibility for shooting four police officers on a boat patrolling the Nembe River, while indicating ties with pirates groups in the region (Alessi and Hanson, 2012). After the 2015 general elections in which the incumbent, Goodluck Jonathan, a Niger Delta indigene, lost, there was another upsurge which was expected. There is always the strong fear that any action by government viewed with suspicion by the ex-militants could trigger crisis. A recent invitation of Chief Government Ekpemupolo (General Tompolo), erstwhile militant leader, by anticorruption agency, the Economic and Financial Crimes Commission (EFCC), to answer

Table 2.	Incidences of	of pipeline	vandalization i	in Niaeria.	2002-2015

2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
490	950	1000	2360	3760	3140	2340	1520	892	2790	4468	3708	3571	3700

Sources: http://en.wikipedia.org/wiki/Piracy_in_the_Gulf_of_Guinea; and other sources.

to charges on 40-counts of an alleged N45.9bn fraud against him and nine others led to an early morning blow-up of strategic oil pipelines in Ikpokpo and Odidi flow stations, mostly in Gbaramatu kingdom in Warri South Local Government Area in Delta State, barely hours after the charges were laid at the Federal High Court in Lagos (Dubem, 2016).

Oil pipeline vandalization/attacks on oil installations

The vandalization of oil pipelines, particularly for petrol, became commonplace in the terminal stages of military rule in Nigeria, but it has recently assumed alarming proportions. A closer look at the nature and trend of oil pipeline vandalization in Nigeria reveals three important dimensions, namely an increase in the frequency of attacks on the pipelines, increased sophistication in the technology used, and concentration on the three axes that are crucial to petroleum products distribution in the country.

The vandals are mainly unemployed youths operating in remote areas and communities through which oil pipelines pass. They puncture the pipes or take advantage of ruptured/leaking pipes to siphon fuel or other petroleum products into drums, plastic containers, or storage cans for sale on the black market. The technology employed is quite rudimentary, involving the use of funnels, drilling tools and plastic hoses to siphon the products. Before 1999, there were just few cases: 7, 33, 34, and 57 reported cases in 1995, 1996, 1997, and 1998, respectively. The return to democracy in 1999 witnessed an unprecedented increase in the rate of oil pipeline vandalization. From 497 cases reported in 1999, it increased to 909 cases in 2000, 971 in 2004, 3,224 in 2007 (Onuoha, 2007; *African Oil Journal*, 2007; NNPC. 2010). Table 2 below shows it all:

The rise in incidents of pipeline vandalism was accompanied by more technologically sophisticated methods, and complicity of government officials and security agents also seems to have grown. Thus, Ahmed (2007) noted:

They no longer use simple funnels and buckets. For instance, it has been determined that the vandals at the Egborode, Oviri Court broke the pipeline through hot tapping, a process restricted to experts in the oil industry. Apart from the issue of changes of technology, there are increasing allegations of complicity between oil marketers, traditional rulers, politicians, security agents, and NNPC staff in the growing incidence of vandalization. Such

complicity has been confirmed in confessions by vandals, and suspected vandals caught by the police at Awawa in October 2006 for example confessed that a Local Council Chairman gave them money, arms and tools to vandalise pipelines.

In the same vein, there are allegations that security agents connive with vandals to steal oil from the pipelines. It has been submitted that security agencies abdicate their responsibility of providing security for the pipelines, as a successful vandalization would be difficult without security connivance (Onuoha, 2009).

Oil terrorism

Oil terrorism is the deliberate attack of pipeline systems by militias, freedom fighters, and insurgents. In Nigeria, oil terrorism includes the blowing up with explosives of oil pipelines, installations, and platforms, and the seizure of oil barges, oil wells, flow stations, support vessels, and other oil facilities in order to prevent the exploitation and/or distribution of crude oil or its refined products (Onuoha, 2009; Alawode and Ogunleye, 2011). Having started in Nigeria in December 2005 when MEND blew up Shell's Opobo pipeline in Delta State (Ibinabo, 2007: 3), it has continued unabated.

The major perpetrators of this sabotage are armed groups, particularly militant groups who profess to be defending the cause of the Niger Delta people. Gradually, but steadily, these militants have developed both the tactics and weaponry that have enabled them to launch devastating attacks on onshore oil installations and near offshore rigs. After the arrest of the leader of the NDPVF, Mujahid Asari Dokubo, in September 2005, militant groups in the region instructed all multinational oil companies to leave the region, as they were preparing for a war with the Nigerian government. Since then militants in the region, seeking to control a greater share of the nation's oil wealth, have adopted a terrorist strategy to inflict serious damage on the Nigerian economy with the objective of impairing the capacity of the petroleum industry to export crude oil. By doing so, the Federal Government would lose substantial revenue needed to sustain the machinery of government, and be forced to respond to their political, economic, and environmental demands.

Kidnapping/hostage-taking

Kidnapping applies to all situations where a person is forcibly seized and taken to a place where he/she is held against their will in unlawful confinement. It also describes incidents when persons are lured away and then held illegally (Akpan, 2010). This may involve force. It is a very serious crime, and access to known kidnappers and even kidnapped persons in the past was difficult due to its rarity. However, kidnapping or hostage taking in Nigeria assumed a frightening dimension in the wake of the militancy in the Niger Delta, leading to incessant kidnapping of expatriates working with oil firms and affluent Nigerians or their relations. According to Muozoba (2009), the present-day kidnapping in Nigeria began in the form of hostage taking, both of which were alien to Nigeria until they were employed by the militants of the Niger Delta region in January 2006 to press home their demands for equity and resource control. At the time, MEND had kidnapped four expatriate oil workers to draw national and international attention to the plight of the people of the area, and also demanded the sum of \$1.5b as ransom; the sum they claimed would be used for the development of the region. Through the special intervention of Goodluck Jonathan, then Governor of Bayelsa State, the oil workers were released after 19 days.

Starting from then, and with the international attention given to it, kidnapping became a daily occurrence in the Niger Delta. As it spread, its purpose also shifted from freedom fighting to a full money-making venture, so much so that many people took it up as a full-time job, and with the connivance of some 'big men' believed to be working behind the scene. The victims also cut across all segments, in so far as they could be used to extract reasonable sums of money from their relatives. Men, women, and even children have at one point or another been kidnapped and have stayed for days in the hands of their abductors. Many of them have very horrible stories to tell. Some men were said to have been beaten terribly when there was delay in bringing the ransom. The women are the most vulnerable as the kidnappers sometimes rape them as they await the ransom. Some women are also said to be among the kidnappers, but their works are mainly culinary and luring the victims to their trap.

According to Osumah and Aghedo (2011: 6), the geography of ransom kidnapping in Nigeria is varied. Although it started in the Niger Delta region, it later spread to other parts of the country, particularly in the south-eastern states such as Anambra, Abia, Enugu, Ebonyi, and Imo; Edo, Delta (South-South), Lagos, Ekiti, and Ondo (South-West), Kaduna and Kano (North-West), and the Federal Capital Territory, Abuja (North-Central).

Many states have had their own shares of kidnapping incidents. The south-eastern states have recorded quite a high rate of kidnappings but the south-southern states remain the origin and home of kidnapping as far as Nigeria is concerned. A study by the Campaign for Democracy in 2012, notes that:

A total of 938 prominent citizens of the South-East geo-political zone were kidnapped between 2008 and August 2012, and about N1.2 billion was paid as ransom by the kidnapped persons, as they paid between N5m and N30m each. Anambra State has the highest incidence of 273 persons, Imo recorded 265 cases, Abia follows with 215 known and recorded victims; Enugu had 95 cases, while Ebonyi recorded about 90 cases plus its troubling communal crisis. (*Saturday Sun*, 18 August 2012: 3)

Thus, as widely reported by several media and noted by Taire (2011), the spate of hostage taking in Nigeria has shot her to number four in global ranking, according to the American Federal Bureau of Investigations. Although the Bureau did not disclose the three countries ahead of Nigeria in the ranking, it explained that the cases of hostage taking across the world have been under-reported.

Assessing the impact: oil crimes and national security

The spate of oil-related crimes, especially in the Niger Delta, is consequent upon the insensitivity on the part of the Nigerian government that turns a blind eye to the debilitating oil exploration and extraction, which have caused tremendous environmental and social damage in the region. These include seismic surveys, drilling, road and pipeline construction, river dredging, and unending gas flaring. Long-standing pollution also resulted from pipeline leaks and oil spills, waste dumping, and blowouts, all exacerbated by the neglect of proper maintenance and management, with government seeming unable to handle the situation despite several promises. Thus, local communities eking out subsistence through fishing, cassava processing, palm oil processing, orchard tending, and non-timber forest product gathering experienced devastating changes in their lives. Deforestation, air and water pollution, desertification and loss of arable land contributed to high rates of disease and physical, mental, and social ill health. According to Ghazvinian (2007: 18):

The problem, in a nutshell, is that for fifty years foreign oil companies have conducted some of the world's most sophisticated exploration and production operations, using millions of dollars' worth of imported ultramodern equipment, against a backdrop of Stone Age squalor. They have extracted hundreds of millions of barrels of oil, which were sold on the international market for hundreds of billions of dollars, but the people of the Niger Delta have seen virtually none of the benefits.

Not surprisingly, conflict and violence have become defining features of the Niger Delta. Protests by local communities have often resulted in brutal repression. The murder of the environmental activist, Ken Saro-Wiwa and the Ogoni Eight, and the massacre of citizens in Odi in Bayelsa in 1999, in which the army killed 2,500 civilians, 'typifies the oppression in the region, such that over 4,500 oil-related deaths in the Niger Delta have been recorded since 1999' (Watts, 2005: 24). This has definitely doubled as even the military incursion into the area was done in such secrecy that the casualty figures reeled out are often false.

In his discourse on the factors that facilitate the emergence, growth, and persistence of organized crime and criminal organizations, Alemika (2009: 15) noted deprivations such as 'mass poverty, unemployment, low income and wide economic inequalities which motivate people to seek for illegal incomes that cannot be legitimately earned, as being part of the reasons'. He noted that:

economic crises and adjustment policies that created growth in the nominal and speculative financial sector simultaneously with steady decline in the industrial and agricultural sectors, produced high unemployment and underemployment especially among young and educated citizens, deterioration of infrastructure especially energy and transportation, large informal sector, mass poverty, scarcities, widespread corrupt and financial malpractices. (Alemika, 2009: 20–21) Using the five-level analytical framework of the military, environment, economy, society and politics in analysing the implications of transnational crime for national and sub-regional security, Oche (2009: 80) concluded that it is only when governments tackle the underlying factors that dispose people towards crime such as 'social inequalities and injustice, deprivation, widespread youth unemployment and alienation, unmanaged urban or rural spaces, and displaced populations', would there be peace in the Niger Delta. This is because 'bad governance, corruption, poverty, unemployment, collapse of industries, dearth of values and failure of government to provide the basic necessities of life and infrastructure accentuates such crimes like smuggling' (Wakili, 2009: 97).

In the same vein, as West Africa's major oil producer, illegal oil bunkering is exclusively the domain of Nigerians. The people in many communities feel that they are deprived of the benefits from the oil trade and therefore collaborate with criminal networks in the illegal export of oil (Olayode, 2009: 123). This was also corroborated by Obasi (2011: 2) when he stated *inter alia* that 'seven countries produce and export oil in the Gulf of Guinea, with Nigeria and Angola as the leading exporters, but oil bunkering as an organized criminal activity appears to be largely, if not exclusively, limited to Nigeria'. This has serious implications.

Following years of neglect and marginalization by the Federal Government, corruption at federal, state, and local government levels in Nigeria, and ecological devastation by oil exploration and production activities of multinational oil companies, the Niger Delta is extremely poor, despite its huge oil wealth. This grim reality provided a fertile ground for conflict and wanton criminality to erupt. Protests and agitations by communities, demanding an adequate share of the oil wealth and environmental protection led to the emergence of militant groups that have adopted hostage taking as strategy of protest. The desperation by government and the oil companies to secure kidnapped staff, usually expatriates, turned hostage-taking to a means of livelihood and a medium for the accumulation of wealth; and despite the destructive impact of this on the economy and image of the country, threats and militarization of the Niger Delta, the situation is only being managed and not eradicated (Ibaba, 2008: 23).

Perhaps, it is not out of place at this point, to state that the citizens find it difficult to differentiate between the Nigeria State and the multinational oil corporations (MNOCs), as they are both in cahoots in the despoliation of, and the exacerbation of the problems facing the ordinary citizens in the region. Being aware of the contradiction of riches between themselves and the MNOCs, the oil-producing communities hold the former responsible for their deprivation and poverty.

This has shown in the demands that are made on oil companies: roads, schools, hospitals, employment, support for farming, indeed everything to improve their livelihoods and everything that in fact should be the responsibility of government. Part of the problem is the strong affinity and coziness between oil companies and government, including the most oppressive ones. In any case

... if oil companies can easily call out military detachments to quell protests at their facilities, there is no reason to make a distinction between them and government. (Ibeanu, 2002a: 7)

The literature on the Niger Delta agrees that the oil industry has not promoted the development of the region; rather, it has undermined the area's development. For example, Aaron (2006: 194) has noted that:

Oil has meant for the indigenes of the Niger Delta, wrenching poverty ... Peoples rights have come under severe assault by the ecologically unfriendly practices of oil Transnational Corporations. In addition, State laws and policies as they relate to petroleum resources, expropriate the indigenous peoples of the Niger Delta of their 'right' to their natural resources.

The above situation, Aaron (2006) noted, has ensured that the local economies of the oil-producing communities have collapsed, they are not integrated into the oil economy of Nigeria, and the success of the oil economy has not promoted the communities' capacities. The situation has not promoted self-reliance of the local economies, has not promoted the social engine of the society; the pace of development has left them behind. Thus, oil-based environmental degradation and ethnic-based political domination have combined to alienate the people from the use of their natural resources for their own development, especially given that oil exploration and production have been associated with a number of activities that devastate the environment, and impact negatively on economy and society.

The protracted violent conflicts, which have had far-reaching consequences for the Nigerian State, were simply a result of the fact that oil is the main object of the intra-elite, and factional, regional and identity struggles over who controls and benefits from it. The struggle engendered policies which were adverse to the citizens of the region and thus led to conflict. According to Watts and Ibaba (2011: 7):

Mapping the conflict reveals multiple periods, such as a time when the central issue was community agitations for development attention and demands for the payment of compensation for damages caused by oil company activities. Succeeding events resulted in sabotage of oil installations, oil theft, militarization of the region by the Nigerian State and the militarization of the conflict by the raft of different groups which cross-cut villages, classes, social networks, ethnic groups, and oil companies.

The protests were initially peaceful but escalated for a number of reasons, such as the obnoxious policies of the MNOCs, which often neglected the local populace, and their inability to engage in meaningful corporate social responsibility. This was coupled with their use of security operatives to quell protests; and the irritating arrogance of the Nigerian government, which did not feel that the resentments of the oil-producing areas could threaten the stability of the Nigerian State nor affect its continued economic development. More so, the militarization of the region as a direct consequence of the strong state security presence, which the people did not take kindly to in the midst of the deprivation, despoliation, disaffection, and debilitating disenchantment they were experiencing in the face of the direct connivance of government and the MNOCs, ensured that they naturally engaged with both government and MNOCs and threatened national security in Nigeria.

From the above analyses, the impact of oil-related crimes on national security visà-vis contemporary socio-economic realities in the country is manifest more vividly in the effect they have had on the country recently where even oil-producing states can no longer pay workers' salaries on time because of dwindling oil revenues. Besides the fall in the global oil price, economic crisis in Nigeria has been occasioned by renewed attacks on oil facilities by the new militant outfit called the Niger Delta Avengers and a few emergent criminal gangs whose campaign of violence has reduced oil production to a 22-year low. Coupled with the Boko Haram insurgency in the Northeast and other low intensity conflicts, these crises have not only destroyed livelihoods but have also scared away prospective investors. As noted by Onuoha (2016), the renewed militant attacks on oil infrastructure in the Niger Delta not only undermine Nigeria's economic stability, but also risk exacerbating maritime insecurity in the Gulf of Guinea. It has reduced Nigeria's oil production from 2.2 million bpd to about 1.4 million bpd. With Nigeria already losing about N2.79 billion (\$14 billion) daily to the closure of the ExxonMobil-operated Qua Iboe terminal, following the evacuation of Exxon-Mobil's workers, this has compounded government revenue losses caused by the fall in global oil prices since mid-2014. In addition to crippling oil exports, the new wave of militancy in the region has also choked the supply of gas to local power plants, thus hobbling Nigeria's power grid. Electricity generation in Nigeria has been unstable, sometimes going up to, but never exceeding 4200mw and most times going down as low as 1,000 mw.

The renewed violence has also impacted maritime security in the GoG as 70% of all piracy-related incidents in the GoG are directly related to Nigerian criminal gangs, mostly originating from the Niger Delta. Sustained attacks on these critical oil infrastructures in the region could further dampen the interests of foreign investors who are already wary of their investments in Nigeria.

Conclusion

The importance of oil in any economy cannot be overemphasized, as it has become a major constituent of the classification of countries as strong and economically viable. Thus, oil-rich countries that do not assiduously pursue economic and development policies end up becoming solely reliant on oil revenue and thereby relegate other sectors to the background, to the detriment of their citizenry. Nigeria has proven to be a classic case of a rentier state. The theoretical postulations of the rentier state theory show that they spend oil revenue on placating and repressing the population, do not rely on taxation for income, and thus are released from democratic obligations, thereby leaving very little room for democratic opposition.

From the above indices, we observed that since 1999, the leadership of Nigeria had continuously employed the tactics of 'settling' oppositions with remnants of oil wealth

through allocation of oil blocs, appointments into positions where they are given leverage in looting the government treasury without serious questions being asked. Even when questions are asked, they are not taken seriously. Also, there had been no serious effort on the part of the Nigerian government to put pressure on the citizens regarding payment of taxes, and, at the same time, there was serious deprivation of the citizens which was manifested in abject poverty, neglect of citizens' standard of living, inadequate provision of infrastructural amenities, non-enforcement of citizens' human rights, poor federal allocation to education and health, high rate of unemployment, low wage policy, and frequent increases in the pump price of petroleum products. There was however suppression of protesters of human rights violations.

This parlous state of affairs equally led to organized criminal tendencies within the citizenry such as illegal oil bunkering; oil pipeline vandalization; cross-border smuggling of petroleum products as exemplified by the International Monetary Fund report of 31 October 2012 which stated that '80% of fuel consumed in Benin Republic is smuggled out of Nigeria' (The Sun, 2 November 2012); revolt of oil host communities; attacks on oil installations; kidnapping of oil workers; banditry and piracy. Thus, the blame for the insecurity in Nigeria generally is a direct fallout from the oil industry that ruined the environment, caused devastating ill-health, and engendered gross unemployment. For many of the gangsters, criminality was the only employment they could find, as the in general the populace lacked good education, good food, clean running water, and electricity, except for the ruling elite. The gangs are funded by oil theft. The transfers are made in high seas where they are not easily tracked. With Nigeria's oil production capability of 3.2m barrels per day, the oil smugglers were profiting \$60m per day. They were greatly feared and would kill anyone in order to protect their part of what they feel is 'legal theft', believing that what they are taking is rightfully theirs to take. They have also leveraged on the fear they have generated to perpetrate other crimes like kidnapping of both oil and non-oil workers and highly political targets in order to make quick money for themselves and for their causes, and also to stay alive in a country that has a very low quality of life and a rising unemployment rate.

This study found that the deprivation of oil benefits to citizens manifested in illegal oil bunkering, oil pipeline vandalization, cross-border smuggling of petroleum products, attacks on oil installations, kidnapping of oil workers, political sabotage of maintenance of refineries, banditry, and piracy. The misappropriation of trillions of Naira through the phantom oil subsidy regimen and illegal exports and imports, as shown in the fuel subsidy probe of the House of Representatives Ad-hoc Committee on the Management of Fuel Subsidy in Nigeria, also showcased the blatant misuse of oil wealth. The benefits that are denied and deprived the citizens are used to keep those in the corridors of power in perpetual comfort to the detriment of the poor citizens. All these have coagulated in series of threats, and posed serious dangers to the national security of the Nigerian State since 1999 when the military handed over power to civilians.

About the author

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