

The Role of Traditional Institutions of Governance in Managing Social Conflicts in Nigeria's Oil-Rich Niger Delta Communities: Imperatives of Peace-Building Process in the Post-Amnesty Era

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Abstract

The central argument in this paper is that prior to the British colonial administration in Nigeria, traditional institutions of governance played very significant roles in conflict management and resolution as they wielded very strong political influences in their domains. It contends that the advent of colonialism and post-colonial state in Nigeria politicised traditional institutions of governance, hence weakened them in living up to their traditional responsibilities of conflict management and peace-building. The paper affirms that this has resulted in the loss of respect for African values and traditional authority, accounting mainly for the decades of social conflicts in the Niger Delta communities. The paper further argues that rather than traditional institutions engage relevant stakeholders in conflict management and peace-building, they have fanned embers of conflicts which have turned the Niger Delta communities into protracted social unrest. The paper further maintains that despite the relative peace the Niger Delta communities currently enjoy through the federal government's amnesty programme, the region still stands on fragile and wobbly legs with some potentialities of a return to status quo if nothing is done urgently to sustain the tempo. The paper recommends that as part of peace-building process in the post-amnesty era, there is therefore the urgent need to re-invigorate and revitalise the traditional institutions of governance in the Niger Delta to work in synergy with other stakeholders such as the Nigerian state institutions and trans-national corporate actors in evolving processes that would lead to sustainable peace in the region. This is with a view to averting a possible relapse to the old days of armed conflicts in the region. Materials for this paper have been drawn mainly from secondary sources found in libraries and archives in Nigeria, in general and in the Niger Delta in particular; academic and other resources available in the internet, local and international publications (books and learned journals). The strategy of content analysis was used to systematically analyse secondary data in view of the historical cum contemporary nature of the paper.

Key words: Traditional Institutions of Governance, Conflict Management, Peace-building Process, Niger Delta, Post-Amnesty Era

1.0 Introduction

Oil wealth enriches Nigeria, but it has not alleviated the poverty and deprivation in the oil-rich communities of Niger Delta (Babatunde, n.d). The Niger Delta region, no doubt, is the economic stronghold of Nigeria and has remained an interest site in history, both in the contexts of development trade and of history of resistance against injustice and depression; some of which pre-dated the discovery of the 'black gold' (Adejo, 2008:378). The efforts of the ruling houses to keep the European traders in check, especially the effort of King Jaja of Opobo to resist white dominance of trade and politics at the time was an exercise worth mentioning here. There is no doubt also that the agitations and conflicts in Nigeria's Niger Delta communities brought the likes of Isaac Adaka Boro, who led the Niger Delta Volunteer Services in 1966 to declare the Niger Delta a Sovereign Republic in a twelve- day revolutionary war. Though crushed by the federal might at the time, the effects of those agitations still live much to be desired in the contemporary time.

It is important to state that the problems of the Niger Delta date back to the colonial period or even beyond, leading to the setting-up of Willink's Commission of Inquiry by the British colonial administration in 1958. The Commission was basically set up to inquire into the fears of the minority groups over perceived marginalisation and domination by the major ethnic groups in the country with a view to recommending ways of allaying them. It was for this reason that the Niger Delta Development Board (NDDDB) was established in 1962, immediately after Nigeria's independence. The Commission's Report revealed that the fears of marginalisation and domination expressed by the Niger Delta people were real, noting that the region was poor, backward and neglected even in the face of bad terrain (Onuoha, 2007:69). In a similar vein, Okorobia (2010) opines that rather than grant the request of the people for the creation of Rivers State then, the Commission recommended the recognition of Niger Delta as 'Special Area' and the establishment of Niger Delta Development Board (NDDDB) with the aim of addressing the pervasive geographical, environmental and developmental challenges prevalent in the region. Recent developments, therefore, after independence, have brought the issues bordering on the Niger Delta region to the front burner of national and international discourse, especially the action of Adaka Boro's revolutionary force. Ogbogbo (2005:169) asserts that historically speaking, it is not the presence or myriad of problems but the utter neglect, levity and indifference of the Nigerian state and oil multinational corporations over the complaints of the Niger Delta people that have activated the degree of agitations in the region despite the enormity of her contributions to national revenues. What was prevalent in the region instead, according to Nweke and Nyewusira (2011), was the continuous groaning of the people in abject poverty, worsening and depleting infrastructure as well as environmental degradation due to oil exploration and exploitation activities in the area for decades. For these abysmal neglect, levity and indifference by the Nigerian state and multinational oil companies operating in the region, the communities of the Niger Delta which used to be relatively peaceful, suddenly had witnessed unprecedented social conflicts that have disrupted oil exploration and exploitation activities, thereby leading to loss of lives and a sharp decline in oil revenues accruing to the Nigerian state and its allies – the oil multinationals.

It is important to restate that agitations in the Nigeria's Niger Delta communities took a dramatic turn in the early 90's when the Movement for the Survival of Ogoni People (MOSOP) led by rights activist, Late Ken Saro-Wiwa took stock of their conditions and discovered that in spite of the abundant oil and gas wealth of their land, they were extremely poor, had no social amenities, yet their environment was being destroyed (Saro-Wiwa, 1995:83; Sado, 2011:126). Also the Umuechem massacre of 1990 and the subsequent killing of the Ogoni four (4) and nine (9), respectively as well as the Kaima Declaration by Ijaw Youths in 1998, all brought the Niger Delta issues to the front burner of both national and

international discourse. Orlunwene (2008:353) corroborates this view when he stated that “this scenario has deepened the conflicts in the Niger Delta with the proliferation of ethno-regional organisations and movements with pronounced agenda all over Nigeria”. Hubbard (2010:1) further affirms the above position when he observed that the region had witnessed unprecedented violence and crises that had persistently disrupted smooth oil exploration and exploitation activities in the area, leading to local social unrest and eventually deteriorated into armed struggle.

No doubt, militant organisations like the Movement for the Emancipation of the Niger Delta (MEND), Niger Delta Volunteer Force and like, all emerged fighting the injustices and repressive regime of both the Nigerian state and oil multinational corporations operating in the region. Apart from the conflicts between the militant groups and the oil multinationals and the Nigerian state borne purely out of the failure of corporate social responsibilities of both the Nigerian state and oil multinationals, there have been inter and intra-communal conflicts arising mainly from the oil exploration and exploitation activities in the Niger Delta region. One major case in point was the Umuechem massacre in 1990 which claimed lives of prominent personalities including the death of the then clan head (Onye-ishi Agwuru) of Igbo, in the Etche Local Government Area of Rivers State, Eze A.A Ordu, as a result of clashes between security agencies and the community (Naagbantom, n.d; Oruwari, 2006). The Rumuekpe crisis which had claimed lives and crippled all socio-economic activities including oil exploration and exploitation in the community for years, is yet another violent social conflict in the Niger Delta communities. Again, the Ogoni killing of those they called ‘vultures’ – the four prominent sons and the subsequent killing of the nine (9) Ogoni activists in 1995 by the Abacha military junta is one too many violent social conflicts in the Niger Delta communities. In all of these crises, the traditional institutions of governance, the elite and the youths were deeply involved. In fact, they were part and parcel of the embers of these crises because at some point they had accused each other of corruptly enriching themselves by their collaboration with the Nigerian state and oil multinationals in terms of benefitting from development projects sited in their domains. Traditional institutions such as the chiefs, age-grades and elders who were supposed to have meddled into these conflicts to bring about peace eventually became engrossed in the crises (Oruwari, 2006). Traditional institutions of governance which used to wield more influences in the pre-militancy era suddenly lost out, hence plunged the Niger Delta region into decades of social conflicts. Traditional institutions of governance which were supposed to be partners with the Nigerian state and oil multinationals in conflict prevention, management and resolution became victims of the conflicts themselves.

It becomes imperative to observe that as the federal government’s amnesty programme, driven by internal capital, has brought relative peace in the region, there is the need to redefine the role of traditional institutions of governance in conflict prevention, management and resolution in the Niger Delta with a view to ensuring that the peace already achieved by the programme is sustained.

It is in the light of the above, that this paper aims to appraise the role of traditional institutions of governance in managing social conflicts in the Niger Delta communities as opposed to the western sponsored formal/conventional methods which have been quite ephemeral in sustaining the peace which the region deserves with a view to avoiding a relapse to the old days of militancy. In doing justice to this, two questions are raised in this paper: What have been the changing roles of traditional institutions of governance in living up to their traditional responsibilities of managing social conflicts in their domains from pre-colonial to post-colonial era in the Niger Delta and what factors account for those? What roles and approaches should the traditional institutions of governance play and evolve in preventing further escalation of social conflicts in the oil-rich Niger Delta communities,

especially in the post-amnesty era given the relative peace achieved by the federal government's amnesty programme? Answers to the above questions are very critical, given the current drive towards evolving traditional institutions of governance in conflict management and peace-building in the Niger Delta as was the case during the pre-colonial era when they wielded stronger political authority and power in their domains as opposed to current global/conventional approaches to conflict resolution on issues that border on indigenous conflicts such as the Niger Delta.

This paper is, however, divided into six parts: introduction, conceptual clarifications, theoretical framework, the changing roles of traditional institutions of governance in conflict management from pre-colonial to post-colonial Nigeria: Niger Delta communities in perspective; traditional institutions of governance and peace-building process in the Niger Delta: post-amnesty era in perspective, concluding remarks and recommendations.

2.0 Conceptual Clarifications Conflicts

Conflicts mean different things to different people. For instance, the Chinese see conflicts in a positive direction. In their language, conflicts mean 'an opportunity or danger' (Nweke, 2003:2). It is the degree of response to conflict that determines how it turns out. One's background, attributes, perceptions and environment, among other things, influence the degree of responses to conflicts.

In his own definition, Ihejirika (2001) opines that what usually comes to people's mind pictures when they hear of conflicts is war, fighting misunderstanding, arguments, anarchy, stress, crisis, aggression and so on between individuals, groups, communities, nations or states. Ihejirika observes that people with negative connotations of conflicts tend to handle them in a destructive manner with negative effects. He advises that having positive a mind-set to conflicts helps to manage them in a constructive manner with positive results such as dialogue, development, change, understanding, friendship, improved communication process, peace, love and relationship building.

Local manifestations of conflicts in Nigeria abound which include but not limited to civil war (the Biafran war). Others, especially in the Niger Delta communities include the insurgencies of 1990's in the Ogoni land, Umuechem crisis in the 1990's, Kaima Declaration by Ijaw youths in 1998, the destruction of Odi in 1999 by Obasanjo's Administration, the Rumuekpe communal conflicts, Warri crises, Andoni/Ogoni crises in 1999, Eleme/Okirika crises in 2003, the Niger Delta militants' conflicts with the Nigerian state and oil multinationals to mention a few.

Central to the Niger Delta conflicts is anchored on consistent and persistent neglect, marginalisation and environmental degradation despite the enormity of the region's contributions to the national revenues. There is no end to Niger Delta conflicts so long as oil still flows beneath their land. What is important is how such conflicts can be managed to build peace bridges for continuous existence. That approach can only be achieved better if traditional institutions in the Niger Delta region are strengthened to work in collaboration with other stakeholders.

Niger Delta

Niger Delta, according to the American Geological Institute, is "a low nearly flat alluvial (River sediment) tract of land deposited at or near the mouth of a river where the river empties into the ocean". Guardian Newspaper Editorial (2000) sees Niger Delta as one of the largest wetlands in the world, covering an area of 70,000 square kilometers and consisting of a number of characteristics of economical zones in sandy coastal ridge barriers, brackish or saline mangrove, fresh water, permanent and seasonal swamp and low land forest.

It went further to state that the Niger Delta is traversed and criss-crossed by a number of rivers, streams, river lets and canals. The hydrology of the region which is determined by ties of the Atlantic Ocean and flood regime of the Niger River is particularly sensitive to change in water quality such as salinity or pollution as well as changes in hydrology.

Omene (2001:2), in his own definition, said “what is known today as the Niger Delta comprises the nine states of Abia, Akwa Ibom, Bayelsa, Cross River, Delta, Edo, Imo, Ondo and Rivers. This definition appears to have been the general understanding of contemporary Niger Delta. Therefore, all communities in these nine states are part and parcel of the Niger Delta. What is common in these communities in the nine states according to Nweke (2011:319) is oil exploration and exploitation activities as all of them suffer almost the same level of neglect, injustice, marginalisation and environmental degradation in the hands of the Nigerian state and oil multinationals.

These clarifications have become very imperative as there are so many conceptions about what Niger Delta means. Different stakeholders have consistently held several opinions as to what the concept means. However, their perceptions as to what it refers are dependent on their background or where they come from. What is most important is that the concept has generally become a household name involving all the nine states of the Niger Delta Development Commission. At least, this has led to a complete rest to different spheres of opinions regarding what the concept means.

Traditional Institutions

By traditional institutions, we refer to the indigenous political arrangements whereby leaders with proven track records are appointed and installed in line with the provisions of their native laws and customs (Orji, & Olali, 2010:402). The essence of the institutions is to preserve the customs and traditions of the people and to manage conflicts arising among or between members of the community by the instrumentality of laws and customs of the people.

Traditional institutions are the custodian of their people’s norms, cultures and practices. In most African setting, just as it is obtainable in the Niger Delta, selection of persons into the offices of traditional institutions is hereditary or by selection or election by the instrument of relevant traditional methods. The mode of selection of the occupant of traditional institutions varies in Africa in general and in Nigeria in particular from ethnic groups to ethnic groups or communities to communities. Traditional institutions are symbols of indigenous peoples’ rights, privileges, laws, customs and traditions which include but not limited to paramount rulers and their councils. The traditional institutions in the Nigerian context is inclusive of the chiefs-in-council, elders-in-council, title holders who may be appointed based on their contributions to the growth and development of their communities with or little no executive, legislative or judicial powers.

In African traditional setting, just as it is obtainable too in the Niger Delta communities, the traditional institutions are charged with legislative, executive and judicial functions. They make laws, execute them and interpret and apply the fundamental laws, customs and traditions of the people for the smooth running of their communities. Conflicts are usually managed and resolved based on the customs and traditions of the people. Traditional institutions have different approaches to conflict management and resolution, depending on the community. What is suitable in one community may not be to another. Boege (2006:6) agrees with this position when he argued that traditional approaches vary considerably from society to society, from region to region, from community to community. Boege (2006) further affirms that “ there are as many different traditional approaches to conflict transformation as there are different societies and communities with a specific history, a specific culture and specific custom even in the global south” just like any other.

He states that traditional approaches are always context specific and are not universally applicable as modern or conventional methods are. Among the Niger Delta communities specifically too, the traditional approaches to conflict management and resolution vary from community to community, especially when viewed against the background of diverse ethnic groups making up the region. However, most of the Niger Delta communities share common traditional approaches, especially the Igbo and Ijaw speaking groups in view of their common historical antecedents - oil exploration and exploitation.

Post-Amnesty

Presidential amnesty was granted to repentant militants in the Niger Delta who were willing to surrender their arms to the Nigerian state. Amnesty, according to Oxford Learner's Dictionary (1995) is "an official act of forgiving people who have committed offences against the state and allowing them go free". It also means "a period of time during which people can admit to do something wrong without fear of punishment". In the case of the Presidential amnesty granted to the militants in the Niger Delta, it was in form of an olive branch extended by the Yar'Adua's led Nigerian state to the Niger Delta militants who had held the region and the country indeed to ransom, destroying pipelines, kidnapping, doing all kinds of oil bunkering and the like. This affected the free flow of oil for a long time, which reduced oil production from 2.7 barrels per day to less than 1 million barrels. Triggered by this and given pressures from international capital, the Nigerian state granted amnesty to bring the situations under control, while pledging to pursue other post-conflict programmes with a view to addressing the fundamental issues that led to the protracted conflicts. It was done on the premise that on returning their arms, and a declaration that they would not return to the same acts in exchange for Demobilisation, Disarmament, and Re-integration (DDR) programmes, they would be forgiven.

The amnesty began August 6, and ended October 4, 2009 (60 days) within which all illegally acquired weapons by the militants would be returned and militancy renounced (Olukoye, 2009). It is important to state that about 26, 358 ex-militants accepted the offer and were being trained in phases, in different skills and levels of education in Nigeria and abroad to fit into the society again. The issues that needed to be addressed include what the post-amnesty programme would offer for Niger Delta communities. After amnesty, what next? Deploying the principles and practices of peace-building in the post- amnesty era will entail deliberate and concerted efforts of all stakeholders in the Niger Delta project to address the core issues that precipitated the ill-feelings that have swept through the region over the years (Akpomera, 2010:123), using traditional institutions of governance to avoid a possible relapse to the old days of militancy.

Governance

Governance refers to the conscious management regimes with the aim of enhancing the effectiveness of political authority (Roberts, 2004:18). Governance is synonymous with applied realm of politics. Governance assumes diverse forms: authoritarian or democratic, good or bad.

3.0 Theoretical Framework of Analysis

The importance of theoretical framework in research cannot be over-emphasised. Nachmias and Nachmias (1981) stated that a theory is a logical deductive statements consisting of a set of interrelated concepts from which testable propositions can be derived. In their own submission, White and Clark (1990:31) conceive a theory as "a set of proposed explanations logically or systematically related to each other that seek to explain or predict a phenomenon".

It is in the light of the above, that this paper has adopted both the dependency theory and African renaissance theory as our combined theoretical framework of analysis.

Dependency theory in this regard, is apt in explaining the problems that militated against the traditional institutions of governance from living up to their traditional responsibilities of conflict management and resolution as was obtainable before the advent of colonialism. The theory, therefore, is of the view that Africa and indeed Nigeria's underdevelopment and by extension the failure of institutions like the traditional institutions was as a result of the integration and incorporation of the continent and indeed the country into the periphery of global capitalist system to play subservient role to international capital. The proponents of this theory have argued that the issues that border on the failure of Africa as a continent and Nigeria as a country can only be explained within the context of bourgeois hangover of colonialism and imperialism. An extrapolation of classical Marxist theory, dependency theory is expounded in the works of Lenin and Luxemburg in the 1910's and 1920's (Lee, 1983 cited in Onah & Nyewusira, 2006:59). Lenin and Luxemburg have argued that what today is known as "underdeveloped" countries can only be explained within the framework of the influences on production relations and capital formation process in the so-called "advanced world". According to Nweke and Nyewusira (2009), dependency theory was propounded by Third World scholars and put together in the sixties by eminent writers such as Luxemburg (1964), Frank (1969), Santo (1970), Cockroft et al (1972), Rodney (1972), Samir Amin (1976), Cardoso and Faletto (1979), Offiong (1980), Ake (1981), Ndoh (1995) and the like.

There is a strong contention by the dependency theorists that Africa has continued to be dominated economically as well as politically by external centres of power. Most noticeable is economic, political and cultural dependence of the continent upon America and Europe (Matunhu, 2011:68). In his own submission, Rodney (1972) has argued that the political independence of Africa from colonialism did not alter the dependency arrangement rather it deepened it. He said the end of colonialism has not deterred the imperialists from dominating Africa. Akani (2010:124) further adds that it is plausible for one to argue that the intractable problems in Africa of late are a precipitate of the merciless looting, imposition of assumed complex and disorientation of the continent. African traditional institutions in this regard were not left out as part of the institutions destroyed by imperialism and colonialism in Nigeria in general and in the Niger Delta in particular.

Matunhu (2011:69) has also lent credence to the foregoing, when he stated that:

to succeed in the improvement operation, the metropolis destroyed the traditional, pre-capitalist structures of Africa in order to pave the way for super exploitation and appropriation of surplus value. Mission education curriculum was the main instrument used to destroy the pre-capitalist social structures in Africa.

Matunhu (2011) has further argued that the educational system brought about mental impoverishment of Africans by emphasising the importance of African value and culture at the same time while glorifying those of the whites.

There is no doubt, therefore, that dependency theory in this respect becomes apt in explaining that imperialism, colonialism and neocolonialism led to the destruction of existing traditional institutions in Africa which facilitated the failure of the institutions in living up to their traditional responsibilities of conflict management and resolution in their domains.

African renaissance theory on its own offers a complimentary role in the explanation of the way out of the problem posed by neocolonialism in Africa and indeed in Nigeria as held by dependency theorists.

Writing on African renaissance theory, Matuhun (2011:71) has opined that the theory is founded on African values and norms which are the very building blocks of African life. The strength of this argument lives in its ability to be adaptable to change and innovations provided they are initiated within the social and value systems of the average African. Unity, communalism and shared purpose for Africa become the basis for thinking of a true African life. His proposition remains that removing Africa from the apron of poverty and underdevelopment must be informed and embroiled in the African values like 'Ubuntu' in South Africa, 'Humwe' in Zimbabwe, 'Harambee' in Kenya and 'Ujamaa' in Tanzania. He contended that the model rejects the main stream growth (modernity) and dependency paradigms because they exacerbate poverty and fail to appeal the African value system. According to him, like other alternative models, it emphasises a social force that opposes and transcends the growth and dependency paradigms. He further argues that "Africans had their own way of dealing with crime, deviance and conflict ... in the name of modernising Africa, the people of the continent lost their identity and development path".

The African renaissance theory is a social movement built on the pursuit of the issue of injustice, inequality and sustainability from a collective or communal approach. It is all about redeeming Africa's past identity and values with a view to bringing about the continent going back to chart a new course to its greatness. The theory mainly advocates for local solutions, pluralism, community-based solutions and reliance on local resources (Matuhun, 2011). Contributing to this theory, Korten (1990:4) has said that 'transformation' for future depends on achieving the transformation of institutions, technology, values and behaviour consistent with ecological and social realities in Africa.

The combined theoretical underpinnings adopted in this paper offer better explanations to the issues raised that Africa's integration and incorporation into the periphery of global capitalism politicised and hence weakened the traditional institutions of governance in living up their traditional responsibilities of conflict management and peace-building as was obtainable in the pre-colonial societies (dependency theory). Moreover, to get Africa to the part of prosperity, there is therefore the need to think of local solutions based on collective communal approach in managing her own affairs (African renaissance theory). Both theories of dependency and African renaissance are quite apt in explaining both the failure in the role of traditional institutions of governance in managing social conflicts in Nigeria's Niger Delta communities and the need for a reinvigoration and restoration of African values with a view to bringing back local or community-based approaches to conflict management and peace-building in the face of globalisation challenges.

4.0 Changing Roles of Traditional Institutions in Conflict

Management From Pre-Colonial To Post-Colonial Nigeria:

Niger Delta Communities In Perspective

Pre-colonial Nigeria was made up of a combination of traditional societies with numerous similarities and differences. It was made up of kingdoms representing cultural entities that were different in many ways including their traditional institutions of governance (Roberts, 2004:25).

There exist two main types of traditional institutions in the pre-colonial Nigeria. These include centralised authority structure and decentralised authority structure. The Hausa/Fulani pre-colonial society falls within the centralised structure whereas, the Igbo society/South-East which the Niger Delta at the time was part of, was a decentralised system. However, the Yoruba pre-colonial society had a combination of both.

Corroborating the above position, Imaogene (1990) cited in Roberts (2004:26) observes that in Nigerian traditional societies, there were a plethora of structures and values in place, for example, there existed centralised political systems with strong monarchies co-

existing with decentralised political structures with the kind of lineage politics characterised as 'excess of democracy'. He asserted that traditional institutions were central feature of pre-colonial governance in Nigeria.

Furthermore, just like other Nigerian traditional societies, governance was carried out within the framework of communities which were a common feature of the republican communities in the Eastern Nigeria such as the Arochukwu community, compounds which were a decentralised structure in local governance within local communities, such as the Agbo-ile among the Yoruba; and 'house' which were a unique institution in local governance in the Niger Delta communities such as the Canoe Houses of Bonny and Kalabari in Rivers State (Roberts, 2004). These kingdoms were, however, presided over by strong traditional institutions corresponding to the geopolitics of tradition. Before colonialism, traditional rulers were the sovereign authorities within their respective jurisdiction. In the Niger Delta, most of the kingdoms were highly decentralised to lower units of governance from traditional rulers to smaller or compound/village chiefs, elders-in-council, age grades and the like (Roberts, 2004). However, the introduction of warrant chiefs, especially in the South/Eastern Nigeria which included the now South/South or Niger Delta region by the British colonial administration is a further indication of the decentralised system. Roberts (2004:26) affirms that:

if Africans were successful in governance in the past, colonialism was equally successful in breaking the traditions of governance through conquest and status. The indigenous political systems were restructured to serve the interest of the colonial state.

It has further been argued that the intervention in the traditional institutions by the state or the governing power can be traced to the colonial era as dramatic changes in the traditional institutions of authority gained momentum (Omotosho, 2010:385). In a traditional setting in the Niger Delta communities, a council of kingmakers was responsible for choosing the successor to a deceased ruler or most elderly or village head but the advent of colonialism completely eroded such practices (Omotosho, 2004).

In the same vein, The underlying logic of indirect rule system was that the colonial government directly interfered with native authority affairs and invariably the authorities of the rulers were undermined as they lost their previous autonomy and sovereign powers; being largely restricted to the dictates of regulatory roles on behalf of the colonial state (Roberts, 2004:27; Omotosho, 2010:385). There is no gainsaying that these actions contributed greatly in the politicisation and the eventual weakening of traditional institutions of governance in the Niger Delta communities from living up to their traditional responsibilities of conflict management and peace-building even at the time. There is, no doubt therefore, that the importance of traditional institutions to conflict management in the Niger Delta communities cannot be over-emphasised. This position is further re-inforced by the assertion of Oruwari (2006:8) when he stated that:

an examination of the way traditional societies deal with conflicts reveals that they are generally better equipped than the Western countries to deal with social and value-related conflicts but less able to resolve interest-related and power struggle conflicts.

Oruwari (2006) further affirmed that because societies, the world over, have different cultures and historical experiences, conflict resolution techniques that have been developed by many nations or societies overtime are not the same and are likely to work effectively outside their own cultural contexts or milieu. The foregoing is the reality in the Niger Delta

communities regarding the social conflicts that had pre-occupied the oil-rich region for decades. This fact accounts, no doubt, for the protracted social conflicts in the Niger Delta communities over the years because the traditional institutions of governance have been relegated to the background in terms of this responsibility. Rather than involve them, the Nigerian state and oil multinational actors have adopted western-induced methods and techniques to solve an indigenous problem. This has resulted in the long years of armed conflicts in the region. The reason for this failure has been attributed to the colossal damages done on the traditional institutions by the British colonial masters, the setting-up of Willink's Commission of Inquiry in 1958 notwithstanding. The traditional powers and authorities which existed *ab initio*, were stripped off them by both British colonial government and Nigerian post-colonial state.

In addition, Orji and Olali (2010:405) have observed that in spite of the perceived absence of very strong traditional institutions in the Oil Rivers Protectorate as claimed by some writers, in reality, there were the Amanyinabos, (Ijaw kingdom), Okan-Obolo (Andoni), Obara-Yok (Yok-Obolo), the national deity), Nye-Nwe-Alis and Owho-holders (Ikwerre Ethnic Nationality) Eze-Ogbah (Ogbah of Northern Niger Delta); all in the Niger Delta who wielded very strong influences in their domains in conflict management and resolution. They asserted that they were the custodian of their people's customs and traditions. This extended to other ethnic nationalities of Ekpeye, Ndoni, Etche, Ogoni, among others. But Orji and Olali (2010) regretted that the arrival of the British colonial administration witnessed a gradual erosion of their powers and authorities from being in-charge of their domains.

Adesoji (2010:417) has held that traditional institutions held tremendous powers and exercised considerable influence in the pre-colonial Nigerian societies. He further affirms that the fraternisation of traditional institutions of authority with the colonial authorities and the post-colonial state adversely affected the traditional institutions, hence weakened the influence of the holders. However, on the areas where a centralised authority structure was non-existent during the colonial era, like former eastern region including the now Niger Delta region, the existence of Warrant Chiefs became prominent in the administration of native authorities. The Warrant Chief System was synonymous with the Native Court System in the Eastern Provinces in the period 1891-1929 (Afigbo, 1972; Adegbulu, 2011:1).

Afigbo (1972) has said that whatever position of influence, responsibility and power which Warrant Chiefs enjoyed during the colonial period derives from their possession of warrant which made them members of the native courts including making of bye-laws to regulate local affairs in their domains. This served the interest of the colonial masters at the time. Furthermore, Crowder and Ikime (1970:xiv) have argued that during the colonial period, in an absolute sense, the authority of the traditional chiefs was limited by the presence of colonial powers in that they were no longer independent. The situation resulted in a manner where a king who wielded some level of authority over his people suddenly started losing them and at some point, others who were appointed Warrant Chiefs gained more influences because the colonial masters needed them to achieve their absolute control of the areas, hence the traditional checks and balances that existed were neutralised.

It is noteworthy to state that the trend of erosion of the sovereignty of traditional institutions in the colonial Nigerian societies including the Niger Delta communities continued unabated. It is also important to state that the setting-up of the Willink's Commission of Inquiry and the subsequent Report it turned out was a further demonstration to silence the traditional institutions in the Niger Delta communities. This is because, contrary to the demand of the people for a separate political entity at the time, the recommendation of the Commission was merely a cosmetic device to ensure that the colonial government had its way. The declaration of the area as 'special' did not in any way bring about fundamental changes in the plight of the Niger Delta communities rather it

compounded the problem, rearing up further conflicts that engulfed the communities even after independence.

Going by the above analysis, Omotosho (2010:387) has opined that after Nigeria's independence in 1960, the post-colonial government began to meddle into the affairs of traditional institutions, thereby continuing what it inherited from the British colonial government. From the South-West to North-East, South-South, North-West, North-Central and South-East, the jostle for royal throne became the order of the day given the influence of the Nigerian post-colonial state. Omotosho (2010) asserted that immediately after independence, the powers and authority of the traditional institutions declined as their continuous existence depended on the whims and caprices of the Nigerian government. During this new period, the closeness between the traditional institutions and the political class affected the institutions so much. The integration of traditional and modern politics helped to retain and reformulate traditional and state's politics in the newly independent Nigerian States. It has been argued that successful military regimes in Nigeria from 1966 relied on traditional institutions for their legitimacy, thereby further politicising the institutions. More traditional rulers were appointed depending on those they supported them in power. With time because of personal aggrandisement, traditional institutions diminished over time in the usual sovereignty over their people. Others who were not loyal, so to say, were removed or suspended. Omotosho (2010:389), Orji and Olali (2010:409) have contended that the post-colonial independence Nigerian governments have relegated traditional institutions summarily, in much the same fashion as in the colonial era. They have argued that government's interference in the affairs of traditional institutions has done great blows to the institutions in terms of their powers and authority to handle conflicts in their domains. Naturally, the traditional institutions are supposed to be depoliticised and neutral as they are supposed to be the symbol of their people's unity but the case is not so with those from the Niger Delta communities due largely to the politicisation of the institutions by successive governments from colonial to post-colonial era. Orji and Olali (2010:410) have further observed that the Niger Delta communities have become very volatile as a result of these teething problems which have bred militancy and hostage-taking. The sources of major conflicts in the Niger Delta according to Alagoa (2004) cited in Orji and Olali (2010), are largely derived from mass poverty, unemployment, marginalisation, environmental degradation, consistently experienced in the region. Orji and Olali (2010:410) contend that:

there is a great pressure on community leaders and elders at a time when federal, state and local governments have taken away most of their political power, oil companies pay them little heed, and the youth take advantage of their destruction of traditional order to go violent.

Orji and Olali (2010) citing Amugo and Orji (2007:280) have stated that the promulgation of Land Use Decree further emasculated the status of traditional institutions in the Niger Delta communities, hence in a bid to boost their economic status, have dabbled into business transactions with oil multinationals and the Nigerian state development institutions in their domains lately and this has brought them into a head-on collision with other interest groups in their areas like the community development committees, youth councils and the like. In other scenario, some traditional institutions have sponsored violence in their areas because of their vested economic interests. All these are manifestations of the conflicts in the Niger Delta communities.

It is imperative to state that the role of traditional institutions in managing social conflicts in the Niger Delta communities has been reduced to nothing but vested economic interests. Therefore, the protracted social conflicts in the Niger Delta were as a result of the failure of these institutions from living up to their expectations in managing the conflicts to

the barest minimum. In fact, some of them had fanned the embers of the conflicts in the region for personal gains.

Arising from the scenario painted above, a number of factors could be identified as responsible for the declining fortunes of the traditional institutions in managing social conflicts in the Niger Delta. Adesoji (2010:427) accordingly, summarised them into one major factor, which include but not limited to their unguarded involvement in modern structure of colonial and post-colonial governments in Nigeria. This has brought about the traditional institutions being mere rituals and ceremonials. Not only were their powers eroded but substantially reduced in living up to their powers and authorities as was the case during the pre-colonial era. Adegbulu (2011:220) further affirms this point when he stated that “the trend since the 1970s has been for government to use traditional rulers to legitimise their powers. Under the military regime of General Sani Abacha, this practice expanded into outright manipulation”.

Consequently, all these were the manifestations of the changing role of traditional institutions in conflict management from the pre-colonial era, through colonial to post-colonial Nigerian state.

5.0 Traditional Institutions of Governance and Peace- Building Process in the Niger Delta Communities: Post Amnesty Era in Perspective

Okoro (2010:137) has unequivocally stated that conflicts of all sorts have ravaged the modern African society, hence created in the minds of the modern people a mentality construct that war or conflict is an indispensable social phenomenon. Thus, conflict is often considered universal, timeless and eternal. Corollary to the above, peace is considered in most modern literatures as an utopian or at best as an inseparable social variable with war or conflict (Okoro, 2009 cited in Okoro, 2010:137).

The nature of conflicts in the Niger Delta can be classified into four: inter-community conflict, intra-community conflict, community versus oil companies conflict and community versus (federal or local) governments conflict (Okoh, 2007). Conflicts in the Niger Delta communities reached a crescendo where it was increasingly frequent and violent, leading to incessant loss of lives and property. The conflicts in the Niger Delta before amnesty programme failed formal/conventional management strategies such as creation of institutions of development (the defunct Oil Mineral Producing Areas Development Commission, OMPADEC, and the Niger Delta Development Commission, NDDC, the creation of more local government areas/councils, the provision of social amenities and payment of compensation for land. The violent conflicts took a turn for the worse with the Umuechem and the Ogoni crises in the 1990s, the emergence of militant groups such as the Movement for the Emancipation of the Niger Delta and the like in the late 90's and early 2000. It got to the point where it became necessary to revisit the management strategies of relations with and between communities of the region and oil multinationals and the communities and the Nigerian state in order to put in place conflict management procedures that would lurch the region into sustainable peace and development (Okoh, 2007).

Despite these new strategies to addressing the problems of the Niger Delta region, the conflicts continued unabated with grave consequences for the communities, oil companies and the Nigerian state as oil production went down to as low as 1 million barrels or even lower per day.

It is in the light of the above scenario, that late President Umaru Yar'Adua driven by pressures from international capital, unveiled the amnesty programme in June 2009, requiring militants to surrender their arms and receive Presidential Pardon. The period for the acceptance of the amnesty lasted up till October 4, 2009 (Niger Delta Amnesty: Dividends,

2009). Since the inception of the amnesty, relative peace is said to have returned to the region, without the fundamental issues that led to the protracted conflicts being addressed.

There is, no doubt, therefore that the relative peace experienced in the Niger Delta of late, has been perceived by stakeholders to be temporary as there are evidences that show that there is a very likelihood of a return to status quo, especially with the renewed threats or hostilities by the Movement for the Emancipation of the Niger Delta, tagged new phase of MEND in the Niger Delta region.

Given this situation, it becomes imperative to advocate the need for a review of the post-amnesty programme put in place by the Nigerian state, especially when viewed against the background that traditional institutions of the governance were relegated in the conflict management process that led to the relative peace when the programme was initially conceived and later implemented. It is not an over-statement to reiterate that there is the likelihood of the failure of the post-amnesty programme of the Nigerian state since it did not take cognizance of the role and input of the traditional institutions of authority, partly because of the politicisation and the subsequent erosion of the powers and authorities of traditional institutions in conflict prevention, management and resolution not excluding peace-building by both colonial and post-colonial Nigerian state. Ishiaki and Nweke (2011:34) agree no less with the above position when they asserted that traditional institutions in the Niger Delta communities of Nigeria have been politicised thus eroding their sovereignty over their subjects in being able to handle violent social conflicts in their domains. Traditional institutions are supposed to be the custodian of peace in their domains.

Therefore, since peace-building in the Niger Delta given the post- amnesty programme on course, is inevitable in consolidating the gains of the Presidential Amnesty, there is the urgent need to adopt new strategies to the current situations in the Niger Delta communities, especially with the renewed hostilities in the region. This is because the other side of conflict, that is, the side that represents harmony and reflects a mutually satisfying relationship is peace (Oruwari, 2006:5). Peace-building through the involvement of traditional institutions in the Niger Delta is a major departure from western-induced methods which have not significantly addressed the much needed sustainable peace in the region given the post-amnesty programme of the Nigerian state.

In his own submission, Tenuche (2009:258) has advocated the need for emphasis on informal approaches to conflict management and peace-building in order to ensure the empowerment of indigenous communities and institutions in the management of conflict in the contemporary time. This position is no less what it ought to be in the post-amnesty era in the Niger Delta. This is because the western sponsored methods of conflict management and peace-building are alien to Africa's traditional setting and have the potentialities of a relapse.

There is no gainsaying that the Nigerian state and its agencies including trans-national corporate actors have always adopted top-down approaches alongside forceful intervention that, in the short run, have the potentialities of returning to status quo in the long run (Oruwari, 2006:8). The current post-amnesty era in the Niger Delta communities is no exception as the fundamental issues involved in the Niger Delta agitation do not require the use of force or litigation. The procedure for conflict handling in the western democracies are enshrined in their legal system and backed by good data. But in the case of Nigeria, our legal system is bourgeois hangover of imperialism and colonialism on existing customary laws and decision-making processes (Oruwari, 2006). Because the Nigerian system does not have the database to quickly resolve conflicts using the legal system available, the better option in this regard including the Niger Delta conflict management and peace- building is through the involvement of informal institutions of governance given the abysmal failure of western sponsored methods/techniques in addressing the fundamental issues in the face of daunting challenges of globalisation.

Oruwari (2006:8) further stressed the usefulness or relevance of traditional institutions of governance in the post-conflict peace-building in the Niger Delta when he said:

peace building is the beginning of sustainable peace in the communities in conflict prone regions and the NDR is not an exception. For successful peace building, it is necessary to establish institutions and mechanisms for: sustaining and expanding peace; revitalizing cultural norms and reconstructing governance systems; and for strengthening communities and stakeholders to have the capacity and skill to contain to conflicts and able to reach out for reconciliation with one other.

It has been observed that all societies, the world over, have a variety of traditional ways of managing and resolving conflicts and building peace whether formal or informal. In the informal setting, respected chiefs, elders within family and community, clan, religion, groups and the like, exist in this regard (Erosion of Traditional Institutions, n.d). Traditional institutions of governance foster mutual co-operation and social conflict management and peace-building process. The failure of contemporary Nigerian state and oil multinationals operating in the Niger Delta communities to imaginatively incorporate traditional institutions of governance in conflict management and peace-building in the post-amnesty era has prevented its effectiveness as an instrument of grassroots governance in the evolving political and social dispensation (Vaughan, 2004:7).

Peace-building through traditional institutions in the post-amnesty era in the Niger Delta has become a matter of necessity in order to avert a reoccurrence of the conflicts that have ravaged the region for decades. Peace-building is divided into two: formal and informal methods. Okoro (2010:140) has admitted that two domains of peace-building process are found in African traditional model. However, he admits that the informal model which includes but not limited to the following activities, is perquisites for sustaining the peace of the post- amnesty era in the Niger Delta communities since it favours traditional African model more than the formal, which is most often and available options at the disposal of the two other major stakeholders (the Nigerian state and oil multinationals) in the Niger Delta conflicts:

- Peace march and protest
- Internal group dialogue
- Promotion of inter-cultural tolerance and understanding
- The empowerment of ordinary citizens in economic cultural and political spheres to broker peace
- Peace education

Okoro (2010) has opined that the level of informal peace-building actors may come from various organisations be it international, regional, national, cultural and grassroots organisations. He emphasised the very essence of informal peace-building process as it offers a leeway for men and women, religious groups, cultural groups and other concerned individuals to participate in the peace-building process of the communities. This is not only imperative but sacrosanct to sustaining the peace in the Niger Delta region given the relative peace offered by the amnesty programme of the Nigerian state.

On the other hand, the formal peace-building process which is a more readily available option for formal actors or stakeholders in the Niger Delta conflicts includes, but not limited to, the following activities, according to Okoro (2010:141):

- Preventive diplomacy
- Conflict prevention
- Conflict resolution
- Peace negotiation

- Reconciliation
- Reconstruction of infrastructure

It is important to state that the above option has been open to use or application by the Nigerian state and oil multinational corporations before and during the upsurge of militancy in the Niger Delta, yet little or nothing was achieved in that direction. It is in the realisation of sustainable peace in the region, that the informal peace-building process relevant to traditional African setting is being advocated for the post-amnesty period in the Niger Delta.

Concluding Remarks and Recommendations

The formal/conventional methods of conflict management and peace-building in the Niger Delta communities have, no doubt, failed to engender the much desired peace in the region rather they have been attributed to have heightened the conflicts in the oil-rich communities. This is due largely to the fact that the conventional strategies were prone to western nations and therefore are only peculiar to their cultural milieu but against African traditional setting. The failure of the choice of these conventional strategies in effectively managing the conflicts and peace-building in the Niger Delta has raised the inevitability of the informal and traditional approaches to the issues which were hitherto relegated, due to the colossal damage done to the traditional institutions of governance by both colonial and post-colonial Nigerian state.

Given this development, there is the urgent need to reinvigorate and revitalise traditional institutions of governance to begin to evolve these informal and traditional approaches to conflict management and peace-building in the post-amnesty era in the Niger Delta communities. By so enhancing the capabilities of traditional institutions of governance in the contemporary time, as was the case during the pre-colonial era so as to get involved in conflict management and peace-building in the post-amnesty period in the highly volatile Niger Delta communities, it is expected that in the long run, the fundamental issues that led to the protracted social conflicts should have been holistically and genuinely addressed by all those concerned. It is by the involvement of the informal and traditional approaches not only relevant but sacrosanct to African traditional setting in conflict management and peace-building in the post-amnesty era in the Niger Delta communities that will sustain the relative peace achieved by amnesty programme, otherwise, the region is likely return to status quo in the very near future, given renewed hostilities of the new phase of the Movement for the Emancipation of the Niger Delta, MEND.

In realising this fit, there is the urgent need for the Nigerian state to strengthen the traditional institutions of governance by quickly redefining their roles and their modus operandi in the Constitution of the Federal Republic of Nigeria to give their actions in this regard some legal framework and backing. By so doing, the traditional institutions of governance would have been completely detached from the aprons of political fraternisation with the political class so that the institutions would regain their lost respects and values in a bid to wielding the kind of influence they had during the pre-colonial era in conflict management and peace-building in their domains.

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