



RIGHTS TO OIL THEFT AND ILLEGAL REFINERY IN NIGERIA

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Abstract

The reactions of the ethnic communities which have morphed into violent militant groups and ganglands in the Niger Delta region of Nigeria to State and industry control of land and mineral resources require a very close study. A comparative analysis of the current situation in Nigeria with what is obtained in the early days of the European civilization when the challenges of governance and economic crimes were emerging from the womb of the industrial revolution is equally of importance. If sovereignty resides ultimately with the people and the State governs with the consent of the citizens and the ultimate responsibility of the State and business is the welfare of the citizens, a fundamental breach of the social contract leaves the people with the right not only to abolish the State but to sabotage business in social banditry. This paper tries to apply the general principles of the theories of social banditry and social contract to the phenomenon of oil theft and illegal refineries in the Niger Delta region of Nigeria. It employs the comparative, historical and analytical methodology in presentation while relying on secondary materials and doctrinal research method. It argues that the crimes of oil theft and illegal refineries have arisen from the lack of the development of the Niger Delta by both the State and the multinational oil companies and that they are an expression of the rights to resource control by indigenous communities after 50 years of State and industry control of same have failed to yield development on the ticket of the United Nation's Resolution 1803 of 1962 guaranteeing national sovereignty over natural resources. It finds that they fall within Hobsbawm's social banditry thesis and that the basic conditions for the abolition of the State under the social contract thesis have been largely met by the economic and socio-legal contexts prevailing in the Niger Delta region of Nigeria.

Keywords: *Oil theft, illegal refinery, social banditry, social contract, Niger Delta*

Oil theft as social banditry

Understanding crime as resistance or survival was once an important element of radical criminology. And this continues to be so essentially with regard to this research endeavour. Social banditry is a form of crime that arises out of political and socio-economic crisis especially in areas over which the State can exercise only a very marginal control above all, in the cavernous creeks of the Niger Delta and frontier zones in the sea.¹

By characterization, the legal philosophy of the crime of social banditry recognizes four dominant strains which are perfectly on all fours in this thesis. Firstly, there must be the violation of law (oil theft and illegal refineries) as a more or less explicit form of protest, an ‘organized social resistance with the criminal (militants) acting in some sense as a representative or articulator of (the) social grievance’. Secondly, the violations must enjoy communal support ranging from swift, positive enthusiasm arising from the enormous wealth derivable from them to passive reactions, turning a blind eye to oil theft and illegal refineries because of high incidences of corruption in the State and the failure of corporate social responsibilities.

Thirdly, there must be the criminalization of custom. Just as much of the ‘social crime in 18th Century England involved the attempt to reassert traditional land rights in the face of advancing capitalist property relations’, oil theft and illegal refineries are ‘local expertise’ which implicates the ingenuity of an emerging indigenous technology and economy which ought to constitute building blocks for breakthrough but are criminalized and bombed into extinction by the Nigerian petro-state. Lastly, there is the difficulty of identifying the interface between oil theft and illegal refineries as social crimes and common criminality at large specially so when they graduate from economic provisions for the community and co-mingle hostage taking for ransom and sabotage.²

Social contract debate

For the Niger Deltans, the battle cry seems to be: ‘No development, no oil exploration’. The idea of social contract is one of the foundations upon which the modern political and indeed the legal system are anchored. This is the belief that the state only exists to serve the will of the people, and the people are the source of all political and legal powers enjoyed by the state, and the people can choose to give or withhold the power.³ Consent of the governed has therefore re-emerged as the leading doctrine of political and legal legitimacy. The legal philosophy of consent and contractarianism predated the American Revolution and largely informed and inflamed it.

¹ Bandit: Definition, synonymous from answer. Com. www.answere.com/topic/bandit. Retrieved July 13, 2014.

² John Lea, Loc. Cit.

³ Martin Kelly, *Social contract*. <http://about.com>; <http://americanhistory.about.com>. Retrieved on November 25, 2013.

Hobbes in the '*Leviathan*' argued that the right of all sovereigns is derived originally from the consent of every one of those that are to be governed and John Locke in the second of his *Two Treatises of Government* argued that 'voluntary agreement gives...political power to governors'.⁴

To Amir Paz-Fuchs,⁵ 'social contract' refers to the understandings and conventions within a society that help to explain and justify its legal, political and economic structures. In Hobbes', Locke's and Rousseau's times, it was originally used to justify the obligation to obey the law or, more generally, the acceptance of the decisions of government as authoritative. But in recent modern times when it has re-emerged as stated earlier in the theories of John Rawls, it takes the state as given and is then employed as a mechanism for identifying proper social institutions, policies and laws that reflect justice as the basic virtue in society. Common to both the ancient and modern theoretical perspectives, is the important function of clothing governance with legitimacy. In other words, the principal aim of contractarians is to establish the theoretical and institutional underpinnings that characterize the reciprocal rights and obligations amongst citizens and between the citizens and the state in the modern liberal society.⁶

Comprehensively, Louise Rusling in *Introduction to the social contract theory*⁷ defines it as a sort of hypothetical or actual agreement between society and a state by which citizens abide by government's rules and regulations in the hope that others do same; subsequently leading to more secure and comfortable life. Individuals unite into a society by a process of mutual consent and state authority and legitimacy derive from the consent of the governed. It is an individual's rational self-interest to voluntarily give up his natural freedom in order to obtain the benefit of political and economic order that is the hallmark of social contract theory.⁸ Contractarians typically posit that individuals have consented, either explicitly or implicitly or tacitly, to surrender some of their freedoms and submit to the authority of the state in exchange for protection of their remaining rights. But when do citizens have a right to rebel, to withdraw from the contract?

Right to rebellion and disobedience

Generally, there is no right to rebel or challenge the state except for self-preservation or self-defense purposes. A man has no duty to obey a sovereign that does not have the power to protect him, or that does not keep the peace. The most radical conceptualizations of the theories and doctrines of social contract were developed by Jean Jacques Rousseau in *The social contract* where he postulated that inasmuch as the state arises on the basis of the social contract, the citizens have a right to dissolve the contract in the event of the abuses of the terms of the contract by the regime. In the *Two Treatises of Government*, John Locke equally declared that under natural law, all people have the right to life, liberty and estate and the people could instigate a revolution against the government when it acts against the interest of

⁴ Mark Goldie and Robert Wokler, *The Cambridge history of eighteenth century political thought*, (Cambridge: Cambridge University Press, 2006) <http://universitypublishingonline>. Retrieved on November 25, 2013.

⁵ *Social contract*. www.en.m.wikipedia.org. Retrieved on November 27, 2013.

⁶ *Social contract*. www.encyclopedia2.thefreedictionary.com. Retrieved on November, 27, 2013.

⁷ Right of revolution or rebellion. www.en.m.wikipedia.org. Retrieved on November 27, 2013.

⁸ William Blackstone, *Commentaries on the Laws of England* (Vol. 4 Oxford, 1765 – 1769, Facsimile ed., reprint, 1979) 1: 238. www.en.m.wikipedia.org. Retrieved November 27, 2013.

the people to replace the government with one that serves their interest. The right to rebellion is the right but more importantly, the duty of the people of a nation variously stated throughout history to overthrow a government that acts against their common interests.

The Magna Carta of 1215 and the Golden Bull of 1222 against the kings of England and Hungary respectively were the first constitutional charters of the renunciation of the limitless powers of the state and attempts at establishing the right of rebellion especially when the state acts contrary to the law or against the general will of the people or is an embodiment of corruption as in the case of the Nigerian petro-state. Thomas Aquinas wrote of the right to resist tyrannical rule in the *Summa Theologica*; and John of Salisbury advocated for the revolutionary assassination of unethical tyrannical rulers in *Policraticus*. The 1776 American Declaration of Independence stated the basic teaching that the people were endowed by their creator with certain inalienable rights including economic survival and could alter or abolish any government destructive of those rights. The various states of the United States of America go farther from the mainstream right of rebellion. For instance, Articles 1 and 2 of the Constitutions of the United States of Tennessee and North Carolina provide that government ought to be instituted for the common benefit, protection and security of the people; and that the doctrine of non-resistance against arbitrary power and oppression is absurd, slavish and destructive to the good and happiness of mankind.⁹

The right to rebellion and disobedience is both a natural and a positive law right. Under the common law, William Blackstone's *Commentaries on the law of England*¹⁰ called it the law of redress against public oppression. The law of redress, according to Blackstone, arose from a contract between the people and the king (state) to preserve the public welfare. The paradigm of the contract was rested on a traditional model of government based on the existence of a hypothetical bargain struck in the mists of antiquity between a king and a people whereby the people were protected by the king in return for the allegiance of the people to the king. And as Alexander Hamilton¹¹ noted in 1775, government exercised powers to protect the 'absolute rights' of the people and government forfeited those powers and the people could reclaim those powers if the government breached the constitutional contract.

Conditions and evidence of rebellion

However, for the application of this right and the social contract theory to our discourse the various conditions enunciated by scholars and philosophers would be highlighted briefly. Apart from the views of Morton White¹² that the notion that the people have a duty to rebel is extremely important to stress for it shows that they believe that they have a natural law command to shake off oppression and absolute despotism, it is firstly 'the rights of a whole people' as one of the parties to the original constitutional contract and not an individual's

⁹ Right of revolution or rebellion. www.en.m.wikipedia.org. Retrieved on November 27, 2013.

¹⁰ William Blackstone, *Commentaries on the Laws of England* (Vol. 4 Oxford, 1765 – 1769, Facsimile ed., reprint, 1979) 1: 238. www.en.m.wikipedia.org. Retrieved November 27, 2013.

¹¹ Alexander Hamilton, *The Farmer Refuted*, (February 23, 1775). The Papers of Alexander Hamilton, 1: 88. www.en.m.wikipedia.org. Retrieved November 27, 2013.

¹² *Right of revolution or rebellion*. www.en.m.wikipedia.org. Retrieved on November 27, 2013.

right. It is the ‘last-ditch effort of an oppressed people’. Thus according to Pauline Maier¹³ in *From Resistance to Revolution: Colonial Radicals and the development of American opposition to Britain* it is clearly understood to be a collective right under English constitutional (legal) and political theory although some explanations of the right of revolution leave open the possibility of its exercise as an individual right.

Secondly, the state must have shown itself to be inadequate making change most conducive to public welfare. There must have been perversion of the ends of government endangering public liberty and all other means of redress must have been to no avail. There must have been a long train of abuses and usurpations, pursuing invariably a design to reduce the people to oppression under an absolute despotism: a government which has unlimited powers over its people dictating their mode of economic survival and exchange. Its powers are not subject to constitutional checks and there is no constitution whatsoever. If there had been a constitution, it would have been largely suspended and desecrated. Or the constitution and the laws of the land would have hijacked the means of livelihood of the people such that only the government determines the economic direction of the state living the people in the fringes of society without a say as to how they should run their lives socio-economically.

Again, the legal system would have become so moribund that it predated the current social awareness of the people and there are pervading, conscious efforts of the government to maintain the legal system that has been overtaken, outstripped by socio-economic development to the extent that the people have no recourse to their laws when commercial disputes are called to question but rather prefer to settle them through recourse to violence, extra-judicial measures and largely informal methodologies. The political will of the state must have become usurped by corporate capital sometimes entirely at the whims and caprices of foreign interests which are essentially interested in exporting raw materials to feed colonial interests and industrial societies where values are added and products are returned refined and made to face no domestic competition but a conspicuous consumption market.

Now, the condition for the exercise of the right of redress would have been such that the military is called in by the state and the multinationals to intervene in the domestic economic and security affairs of the people and their communities. The police would have been subdued and conquered by the people and the communities which in fact must have created and built their own militias and vigilantes. The territorial integrity of the state would have no longer been within the purview of the military, the state would have conceded that to a superior ‘world uncle’ but it begins to cow its population into line, rail-loading the population into what it should do economically and abstain from what it should not do economically; in other words, aspects of societal life such as the economy, education, religion and family life would have become regulated by the state.

There would have multiplied all over the landscape, what the Presidency through Kinsley Kuku of the Amnesty Deal aptly called ganglands where the practice of oil theft would have increased dramatically since the 1990s as the syndicates involved would have become better organized and used their oil theft profits to build illegal territories, armies and install illegal

¹³ Pauline Maier, *From Resistance to Revolution: Colonial Radicals and the development of American opposition to Britain*, 1765 – 1776. (Alfred A. Knopf, 1972) p. 33. www.en.m.wikipedia.org. Retrieved on November 27, 2013.

refineries or rogue economies and purchased more sophisticated weapons to call the bluff of the Nigerian petro-state against such economies. Many of these weapons would have been recycled from other conflict zones in the sub-region or from ‘springs’ elsewhere in West-Africa or the Maghrebian sub-region or imported into the state through the porous southern Bights of Benin and Biafra. Investigations by the Guardian¹⁴ have already shown that poorly delineated and policed maritime boundaries between Nigeria and its neighbours account for the increase in oil theft at the periphery of international waters and that foreigners and local thieves use these vulnerable routes to ferry out several thousands of barrels of crude oil.

Furthermore, the condition for the exercise of the right and duty of redress would be the presence of lack of political will to vigorously pursue those involved in oil theft, illegal refining and inability of the security forces to effectively police the local waterways where the barges transporting the stolen oil are hidden and the international waters where the sea crafts ply. And across the ganglands, impunity would have become the other of the day and prosecution of individuals and oil corporate entities responsible for serious environmental offences and human rights abuses cannot take place creating a devastating vicious cycle of increasing conflict and violence. Notions of the rule of law and the law of property are turned inside out and defenses created by the criminal legal system including the bonafide claim of right are taken undue advantage of. For instance, when the Human Rights Watch asked Tom Ateke why he was involved in oil theft, he stated, ‘...I take that which belongs to me. It is not theft, the oil belongs to our people’.¹⁵ It is under such conditions that the Movement for the Emancipation of the Niger Delta (MEND) states to Shell as follows: ‘It must be clear that the Nigerian government cannot protect your workers or assets. Leave our land while you can or die in it...Our aim is to totally destroy the capacity of the Nigerian government to export oil’.¹⁶

It is under these conditions that MEND stated to the Russian President as follows: ‘Greetings from ...MEND and welcome to Nigeria...The Abuja that you see is a child of rape and the President that you signed agreement with is an illegal Commander-in-Chief...You already know that the region where the wealth with which the city has been built remains mired in poverty and lack. That the people who own the resources have no stake in it for which we have now waged a war to emancipate...It would have been nice to visit the region where you hope to develop gas and see the pathetic state the people live in...the type of injustice that led the likes of Che Guevara, Fidel Castro and Patrice Lumumba to stage a revolution’. It is under these circumstances that the multinationals are beginning to divest from the onshore to reinvest offshore.¹⁷

¹⁴ Odittah Chuka, *How Nigeria’s poorly delineated maritime boundaries fuel oil bunkering, insecurity*. <http://www.nguardiannews.com/index.php/nationalnews> retrieved on December 1, 2013.

¹⁵ *Rivers and Blood: Guns, oil and power in Nigeria’s Rivers State: The emergence of armed groups in Rivers State*, A Human Rights Watch Briefing Paper. www.hrw.org. February, 2005.

¹⁶ *Movement for the Emancipation of the Niger Delta (MEND)*. www.en.m.wikipedia.org. Retrieved on November 27, 2013.

¹⁷ Okwelum, C.O. (2011). *Movement for the Emancipation of the Niger Delta (MEND) and legal issues in amnesty: For freedom or for justice*. Nigeria Journal of Education, Health and Technology Research, Vol. 2, No.1. p. 231. See also, Ujah, E. (2009). Okah freed as Yar’Adua signs amnesty deal. Vanguard Newspaper, June 26, p. 11.

State's and industry's reaction to rebellion

On the other spectrum, the bombing of well over 6,000 private refineries in the delta as at 2013 on the basis that they are illegal to the extent that they cannot account for how they came by the crude that they refine apart from by way of the hacks on the pipelines is in the extreme. It is an invasion of the rights of the whole community and even of the individual. It endangers public liberty and private initiative and undermines the defense of claim of right provided for under section 23 of the Criminal Code of the Southern States of Nigeria and the presumption of innocence until the contrary is shown provided for under the 1999 Constitution of the Federal Republic of Nigeria. The theory of military intervention in the socio-economic life of the whole people even when it is led in impunity, criminality and violence justifies the right of rebellion, redress and revolution in the delta especially when it is only the fries that are being brought to book while the big fishes are being left off the hook.

Military intervention in civil life is a mortal blow to the right to human security of the indigenous peoples of the delta and a denial of the right to protection from sudden and hurtful disruptions in patterns of daily life and in many cases, it had led to the invasion and sack of many ethnic communities including Odi, Opia, Umechem, Odioma and Uwheru under several muddy excuses. In these and several other militarization exercises in the delta, soft issues of the peoples' exercise of choice, access to opportunities, security from poverty, diseases, famine, illiteracy and unemployment were effectively suppressed and the state-centric notion of security for the multinationals to plunder the wealth of the people was firmly entrenched according to Ojakorotu Victor in *Military and oil violence in Niger Delta*.¹⁸

The claim by the Petroleum Industry Bill, the 1978 Land Use Act, the 1969 Petroleum Act and the 1999 Constitution of the Federal Republic that all lands in Nigeria and all mineral resources in the lands belong to a corrupt government which shares same to the curse of the people denying them the basic amenities of live is prone to engender crises.

The claim that all compensation for land would be based on the value of the crops on the land instead of the value of the land itself at the time of acquisition, and the political will that hands over such lands to foreign corporations for crude oil exploration without a consideration for the indigenous economic mode of production and reproduction of live creates fertile soil for rebellion and calls for shift in paradigm. It negates the research finding of Agwu M.O. in *Community participation and sustainable development in the Niger Delta* that sustainable development and improved welfare of oil producing communities is to a large extent dependent on community participation.¹⁹ And as concluded by Ugbohem B.A and Atubi A.O., in their research on *The role of oil industry and the Nigerian State in defining the future of the Niger Delta region in Nigeria*, the only way to stop the Niger Delta crisis is to stop systemic corruption by handing over ownership and control of the oil wealth

¹⁸ Ojakorotu Victor, *Military and oil violence in Niger Delta*. Journal of Energy Security. www.ensec.org. August 27, 2009.

¹⁹ Agwu, M.O., *Community Participation and sustainable development in the Niger Delta*. British Journal of Education, Society and Behavioural Science, Vol. 3, No.1, 2013. p. 33-46. www.sciencedomain.org. Retrieved on November 28, 2013.

from the Nigerian state to the owners of the oil bearing lands.²⁰ All these because according to Akpobibibo Onduku, the less a people benefit from a system, the less interest they have in the survival of the system.²¹

To show that the conditions outlined above for the exercise of the right to rebellion and war exist in the delta, Ibaba and Okolo²² in their seminal work in *Resolving militia conflicts in the Niger Delta: The role and strategies of mediation* have not only outlined the four phases through which the crisis in delta have gone through, they have also outlined the five causes of the crisis which invariably have also led to the resource curse of oil theft and illegal refining in the delta to include: alienation and disempowerment, militarization of democracy, human rights violation, failure of corporate social responsibility, corruption and accountability failures in governance, and ethnic based political domination. Way back in the 1980s the struggle and the strategy was in the form of legal actions in courts of law by the delta communities against the multinational oil companies for compensation. When litigation proved of no avail, the struggle graduated into peaceful demonstration and occupation of flow stations to access adequate compensation and amenities and the response of the multinationals was the invitation of the state to provide military cover that largely culminated in the bombardment of whole communities leading to loss of lives and properties.

With military invitation, the youths galvanized into militants and militias groups and transformed into militant occupations, shutting down and outright bombardments of flow stations leading to kidnapping of both foreign and national oil company workers. When the stage of militant occupation proved effective, the governments of the southern states became thrown into the fray with the agitation for resource control and higher percentage in the derivation formula. Not yet satisfied, militancy entered into the phase of completely overwhelming the Nigerian petro-state into the amnesty deal. Now, the amnesty partially failed but the struggle has now graduated into oil theft and illegal refining, a development of a 'rogue economy'.

Conclusion and recommendation:

Developed centuries ago to explain crises of governance and sociological origins of crime in Anglo-American societies, the theories of social contract and social banditry appear to be applicable in the explanation of the crises of the Niger Delta of Nigeria and the emergence of oil theft and illegal refineries. But above all, the debilitating issue is that the economic insurgency of oil theft and illegal refining still carry as their appendages all the other associated crimes of sabotage, vandalism, kidnapping and hostage taking for ransom. In other words, rather than coming to a bail, the hydra is growing more heads like an octopus. Yet, the reaction of the State and the industry to the phenomena does not seem to be in the right and proper gear. Rather than approaching the crimes from the understanding that they are largely

²⁰ Ugbomeh, B.A. and Atubi, A.O., *The Role of the oil industry in defining the future of the Niger Delta region in Nigeria*. African Research Review. An International Multi-Disciplinary Journal, Ethiopia, Vol. 4. No. 2. April, 2010. www.ajol.info/index.php/afrev.

²¹ Akpobibibo Onduku, *Environmental conflicts: The case of the Niger Delta*. www.waado.org. November 22, 2001.

²² Ibaba S. Ibaba and Philips O. Okolo, *Resolving militia conflicts in the Niger Delta: The role and strategies of mediation*. www.webpages.Uidahc. Retrieved on December 16, 2013.

to blame for the conditions that generated the criminal activities in the creeks, they have assumed the wrong posture that the militants and the delta communities are to blame. And rather than encouraging a liberal environment in which these criminal tendencies can be mainstreamed into the national economy, rights violation and brute force is being employed to annihilate the ugly developments. A situation of the shatran logic of the fish that might be right may further resent the criminal elements and shore up further communal recognition of their illegal activities, making military and police presence highly unpopular and unacceptable in the creeks and thus, making the creeks ungovernable and susceptible to the crimes of oil theft and illegal refining.

There is therefore wisdom in simply not to ask for short term ideas about how to deploy more law enforcement resources and military arsenal to suppress the violence of oil theft and illegal refining in the creeks. In fact, this paper undermines and rebuts the role of violence in the resolution of the problem of oil theft and illegal refineries and questions and discounts the extremely popular thesis of the legitimacy of the use of violence in conflict resolution as unacceptable. It tries a takeoff from the premise that the Nigerian State cannot arrest or bomb its way out of the problem of oil theft and illegal refining and mandates itself to look back at the roots where the violent theft and illegal refining are coming from and identify ways of addressing the causes instead of the effects. Therefore, an integrated, collaborative and sustained approach to commit to admitting, recognizing and regulating the informal economy would do.

References

1. Adeola Yusuf, *Rallying international community against oil theft*. <http://www.dailyindependentnig.com>. April 30, 2013.
2. Agwu, M.O., *Community Participation and sustainable development in the Niger Delta*. British Journal of Education, Society and Behavioural Science, Vol. 3, No.1, 2013. p. 33-46. www.sciencedomain.org. Retrieved on November 28, 2013.
3. Akpobibibo Onduku, *Environmental conflicts: The case of the Niger Delta*. www.waado.org. November 22, 2001.
4. Alexander Hamilton, *The Farmer Refuted*, (February 23, 1775). The Papers of Alexander Hamilton, 1: 88. www.en.m.wikipedia.org. Retrieved November 27, 2013.
5. Amir Paz-Fuchs, *The social contract revisited: The modern welfare state: Overview and critical report*. (The Foundation for Law, Justice and Society, 2011) p. 5. www.fljs.org. Retrieved on November 25, 2013.
6. Ibara S. Ibara and Philips O. Okolo, *Resolving militia conflicts in the Niger Delta: The role and strategies of mediation*. www.webpages.Uidahc. Retrieved on December 16, 2013.
7. Louise Rusling, *Introduction to the social contract theory*. <http://www2.econ.iastate.edu>; <http://socialcontractHelium-2.pdf>. Retrieved November 27, 2013.
8. Mark Goldie and Robert Wokler, *The Cambridge history of eighteenth century political thought*, (Cambridge: Cambridge University Press, 2006) <http://universitypublishingonline>. Retrieved on November 25, 2013.
9. Martin Kelly, *Social contract*. <http://about.com>; <http://americanhistory.about.com>. Retrieved on November 25, 2013.
10. *Movement for the Emancipation of the Niger Delta (MEND)*. www.en.m.wikipedia.org. Retrieved on November 27, 2013.
11. Odittah Chuka, *How Nigeria's poorly delineated maritime boundaries fuel oil bunkering, insecurity*. <http://www.ngrguardiannews.com/index.php/nationalnews> retrieved on December 1, 2013.
12. Odunlami Temitayo, Mohammed Hamisu, Hamza Ibraheem and Edozie Victor, *Nigeria: Top politicians, Generals simile as oil theft cripples Nigeria*. <http://www.m.allafrica.com/stories>. July 1, 2013.
13. Ojakorotu Victor, *Military and oil violence in Niger Delta*. Journal of Energy Security. www.ensec.org. August 27, 2009.

14. Okwelum, C.O., *Movement for the Emancipation of the Niger Delta (MEND) and legal issues in amnesty: For freedom or for justice*. Nigeria Journal of Education, Health and Technology Research, Vol. 2, No.1 December, 2011.
15. Pauline Maier, *From Resistance to Revolution: Colonial Radicals and the development of American opposition to Britain, 1765 – 1776*. (Alfred A. Knopf, 1972) p. 33. www.en.m.wikipedia.org. Retrieved on November 27, 2013.
16. *Right of revolution or rebellion*. www.en.m.wikipedia.org. Retrieved on November 27, 2013.
17. *Rivers and blood: Guns, oil and power in Nigeria's Rivers State: The emergence of armed groups in Rivers State*, A Human Rights Watch Briefing Paper. www.hrw.org. February, 2005.
18. *Social contract*. www.encyclopedia2.thefreedictionary.com. Retrieved on November, 27, 2013.
19. *Social contract*. www.en.m.wikipedia.org. Retrieved on November 27, 2013.
20. *Theories of social contract: Thomas Hobbes*. INR1 104 spring 2013- Week-5.pdf. www.fljs.org. Retrieved on November 27, 2013.
21. Ugbomeh, B.A. and Atubi, A.O., *The Role of the oil industry in defining the future of the Niger Delta region in Nigeria*. African Research Review. An International Multi-Disciplinary Journal, Ethiopia, Vol. 4. No. 2. April, 2010. www.ajol.info/index.php/afrev.
22. Ujah, E. (2009). Okah freed as Yar'Adua signs amnesty deal. Vanguard Newspaper, June 26, p. 11.
23. William Blackstone, *Commentaries on the Laws of England* (Vol. 4 Oxford, 1765 – 1769, Facsimile ed., reprint, 1979) 1: 238. www.en.m.wikipedia.org. Retrieved November 27, 2013.