Oil Resource as a Major Source of Insecurity in the Niger Delta of

Nigeria

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Abstract

Resource conflict in the Niger Delta of Nigeria has become hydra-headed despite the amnesty granted by the Federal Government in 2009. Historically, the discovery of oil in commercial quantity and its exploitation rather than become a blessing to the local communities have become a source of worry, tension, and contestation over resource control, environmental degradation, and minority marginalization. The government and multi-national companies exploring the oil resource are pitched against the minority oil communities. While the minority oil communities see oil as God's gift for their benefit, the Nigerian state sees it as a gift to the geo-political entity called Nigeria. These different perspectives have engendered low and high intensity conflicts with the state using state-centric security strategies to suppress rebellion or opposition to oil exploitation. In view of this state centric approach to security problems in the Niger Delta, this paper examines the various asymmetric methods used by the militants to counter government's state centric measures. It is revealed that militants use sabotage, vandalism, kidnapping, oil-bunkering, hostage taking, killings, assaults and disruption of oil business as asymmetric methods. While these asymmetric methods have forced government to put in palliative measures, it is discovered that Niger Delta still remains largely militarized. It is, thus, argued in this paper that only proper legislation on resource management in a democratic setting can solve the problem of resource conflict and insecurity in the area. It is suggested that the New Petroleum Industry Bill should be given accelerated hearing by the legislators to enhance local communities' participation in oil business in Nigeria. Government also needs to develop Niger Delta area and address environmental challenges.

Keywords: Niger delta, Oil resource, Asymmetric method, Resource management, State-centric security

1. Introduction

The Niger Delta houses more than 90% of Nigeria's oil and gas industries as well as many ethnic groups who are regarded as the minorities in Nigeria population graph. Petroleum products have been the mainstay of the Nigerian economy. Well, over 90% of Nigeria's foreign exchange earnings come from oil royalties and sales. Export taxes also provide the lion's share of national revenues and accrue directly to the Federal Government which retains more than half of the income 52% and doles out only 42% to the various states and local government authorities (Welch, 2008). It is in the light of this improperly skewed revenue sharing formula that majority of the federating units have become dependent on the federal government for survival. Their clamour for new revenue sharing formula has also assumed a high crescendo in recent times.

The sharing of revenues received by the Federal Government from natural resources has long stirred hot political debates. Should the inhabitants of a major mineral producing area have a legitimate primary claim on royalties from the extracting companies based on the principle of derivation? Or, should positions be filled by people from that area or be based on other criteria? If environmental damage occurs, who takes responsibility? Should the funds be allocated on the basis of population and need, in order to foster more balanced national development? All these issues have become contentious in Nigeria's political economy and they provide vital grounds for conflicts of all sorts.

No doubt, the demands of the Niger Delta communities arise from the accident of their location as an oil producing area. Nigeria as a whole has received billions of dollars from oil-most of which seems to have disappeared into the national economy and/or private hands without satisfactory accounting, and without perceptible benefits to most local inhabitants. Few petrodollars have trickled back to the area of extraction, represented mostly in investment in capital-intensive wells, pipelines and refineries. Niger Deltans argue that only a few of them benefit from jobs, development or amenities in the oil industry. They complain that they

suffer serious environmental degradation that has polluted fishing streams and fresh water sources, poisoned land through spills and blow-outs, and created an atmosphere fouled by decades of gas flaring.

Years of oil and gas exploration, degradation and neglect have created a restive environment in which militarized section of the communities are ready to adopt asymmetric threats in their confrontation with the state. The Niger Delta today is a region of intense violence and criminal activities. Coupled with this, the proliferation of small arms and light weapons in the area has not helped matters. Thus, this article examines the nature and types of asymmetric threats faced by the oil and gas multinationals as well as the government as consequences of the demands of the oil producing communities, the role of militia in the conflict and the response of the federal government.

1.1 Conceptual Clarification

This sub-section explains resource conflict, militancy, and asymmetric threats as they are used in this paper. These concepts are germane in putting in proper perspective the security situation in the Niger Delta as outcome of grievance which is allowed to metamorphose into greed. Resource Conflict is now a major phenomenon in academic discourse. Citing other authorities it is affirmed that developing countries with abundant natural resources underperformed compared with those that are deficient in natural resources. It is noted that the per capita incomes of the resource poor countries increased at rates two or three times faster than those of the resource abundant countries and that the growth rate equally widened significantly since 1970s (Akinlo, 2012). This situation has greatly validated the resource curse thesis. Nigeria is a typical example of a country with abundant human resources whose oil wealth has not translated to human development though with paradoxical economic growth. There is poverty across the land and unpalatable measures of human growth indices. Thus, conflict arising as a result of perceived failure of the state to manage resources of a state in a way that everybody benefits abundantly is described as resource conflict.

Militancy has often attracted derogatory meaning from scholars. The word militant is believed to be a derivative of the Latin word 'militare' which means 'to serve' as a soldier. The modern concept of the word militia as a defensive organization is said to have grown out of the Anglo-Saxon 'Fyrd' (Firdous, 2013). Militants are now described as persons who are not afraid to use verbal or physical violence to further a cause and they are sometimes associated with extremism and even terrorism due to the fact that they are closely linked with violent activities (McMahon, 2012). Militancy is, thus, an art of using both physical and psychological violence as means of achieving a set of socio-political goal.

A militant engages in violence as a method of struggle against perceived or glaring marginalization, oppression or exclusion. Militants usually hold strong views about a socio-political situation. This attitude makes them to embark on aggressive and violent promotion of political philosophy in the name of a movement which is often tagged by the state as militia group. Militants often see themselves as people who are ready to lay down their lives in the pursuit of a goal and become martyrs for the cause. It is thus apparent that militants use both conventional and unconventional methods to achieve a desired goal. They are described as armed ruffians and non-conformists with status quo because they use arms. They usually embark on training with weapons and military tactics which pitch them against the state in their use of illegitimate force. It is in the use of illegitimate force that they pose danger to the safety and security of people and government of a state. Militants usually organize themselves into groups sharing common ideological pursuit under a charismatic leader. The leader is seen as the arrow head in the promotion of political philosophy and he enjoys loyalty from his followers.

Some scholars see militancy as the highest stage of alienation from social reality. They opine that militants talk a lot about the masses and they pretend that their activities are centered on them to make them achieve consciousness about their socio-political environment; yet, they are separated from the masses in their method of pursuing their goals. The militant tends to kill, maim, injure and endanger the masses they pretend to be fighting for. This is why it is assumed that militancy group will become more counter-revolutionary in the future. (OJJTR, 1992).

Asymmetric threat is a term used in security and strategic studies to explicate on balance of terror and balance of power by a weaker party in a conflict situation. Explicit mention of asymmetry first appeared in the 1995 Joint Publication 1, Joint Warfare of the Armed Forces of the United States, (Armed Forces of the United States, 1995). The doctrine defined asymmetric engagement as those between dissimilar forces, specifically air versus land, air versus sea and so forth. The Joint Doctrine Encyclopedia, 1997). This narrow concept of asymmetry had

limited utility. The 1995 United States National Military Strategy approached the issue somewhat more broadly, listing terrorism, using or threatening to use weapons of mass destruction and information warfare as asymmetric challenges. In 1997 asymmetric threats began to receive greater attention. The Report of the Quadrennial Defence Review states that U.S dominance in the conventional military arena may encourage adversaries to ... use asymmetric means to attack US forces and interest overseas and Americans at home (Cohen, 1997).

However, the broadest official treatments of asymmetry in the United States intelligence described it as:

Attempts to circumvent or undermine U.S strengths while exploiting U.S weaknesses using methods that differ significantly from the U.S expected methods of operation ... Asymmetric approaches generally seek a major psychological impact, such as shock or confusion that affects an opponent's vulnerabilities. Asymmetric approaches often employ innovative, non-traditional tactics, weapons or technologies and can be applied at all levels of warfare, strategic, operational and tactical – and across the spectrum of military operation (Joint Strategy Review, 1999).

Retired Brigadier-General David Granges is however of the opinion that asymmetry is best understood as a strategy, tactics or method of warfare and conflict. He notes that strategists define asymmetric warfare as conflict deviating from the norm or an indirect approach to affect the balance of forces (Grange, 2000). However, the U.S Army War College gave another visionary definition of asymmetry as acting, organizing and thinking differently than opponents in order to maximize one's own advantages, exploit an opponent's weaknesses, attain the initiative or gain greater freedom of action. It can be political-strategic, military-strategic or a combination of these (John and John, 2001). They also state that asymmetry could be short-term or long-term, deliberate or by default, discrete or pursued in conjunction with symmetric approaches and can have both psychological and physical dimensions (John and John, 2001). Another scholar was of the opinion that it would perhaps be more precise and possibly even more instructive to use the term asymmetric with respect to strategies and enemies when he observed that a true asymmetric conflict is where not only the means used but the ends, and vulnerabilities are quite different (Christopher, 2002).

From the foregoing and for the purpose of this paper, asymmetric threats is conceptualized as unconventional methods of warfare by the state and non state actors in a way to compel the dissident or the state to accede to the needs of either party. The use of asymmetric threats usually prolongs a conflict situation making it become protracted social conflict (Azar, 1990). He describes protracted social conflict as a situation whereby communities are deprived of satisfaction of their basic needs on the basis of the communal identity in which the deprivation is the result of a complex causal chain involving the role of the state and the pattern of international linkages. It is often characterized by assumed dominance of one group over the other as presumed in the Hausa-Fulani hegemony in the distribution of oil- wealth in Nigeria. Niger Deltans argue that Northern dominated administrations over the years collaborate with multinational oil companies to deprive the people unfettered access to their land once oil is discovered there. This is often done with the presence of non-indigene military and Para-military personnel as response of the states to communal grievances is usually one of coercive repression. Grievances resulting from need deprivation are usually expressed collectively and that failure to redress these grievances by the authority makes it intractable thus becoming a protracted social conflict. When a conflict is protracted, greed enters the psych of the major actors and they employ all available means to sustain their positions. The current conflict in the Niger Delta arose in the early tensions between the foreign oil corporations and a number of the Niger delta minority ethnic groups who felt they were being exploited particularly the Ogoni and the Ijaw. Ethnic and political unrest, agitation and militancy continued throughout the 1990s and persist as at 2013 despite the democratic rule and declaration of amnesty in 2009 by the Federal Government of Nigeria (Wikipedia Encyclopedia, 2013).

1.1.1 Political- Economy of Oil in Nigeria

At independence in 1960, Nigeria was essentially an agrarian country, with most of her export-earning coming from cash crops. The agrarian economy has almost entirely given way to a mono-cultural regime with the discovery of oil in 1958 at Oloibiri. Today, oil and gas constitute Nigeria's major foreign exchange earner, yielding over 20 billion United States Dollars yearly (Lukeman, 2000). They account for over 90% of the

nation's export earnings and over 70% of the total government revenue (Udofia, 2003). Moreover, Nigeria's proven oil reserves had been projected to reach 40 billion barrels by the year 2010 while the gas reserves were expected to be about 159 trillion standard cubic feet (Lukeman, 2000).

Another account reveals that crude oil production increased from 395.7 million barrels in 1970 to 776.01 million barrels in 1998. It is further reported that the Figure increased to 919.3 million barrels in 2006 and that the Figure however decreased to 777.5 million barrels in 2009. The account also relates that crude oil exports increased from 139.5 million barrels in 1966 to 807.7 million barrels in 1979. The volume of crude oil exports dropped to 390.5 million barrels in 1987 but increased to 675.3 million barrels in 1998. The trend continued for most years after 2000. In the same way, oil revenue increased from \$166.6 million in 1970 to N 1,591,675.00 million and \$6,530,430.00 million in 2000 and 2008 respectively (Akinlo, 2012) Corroborating the above figures Isha cites the figures accessed in the records of BP Statistical Review of World Energy (1960- 2011) as stated below.

TABLE 1: OIL PRODUCTION TREND IN NIGERIA FROM 1958-2011

Nigerian Crude Oil Production, 1958-2011 Veca	Production (000s barrels/day)	% share of the World total	Year	Production (000s barrels/day)	% share of the World total
Year	_	0.02	1005	1 500	0.(1
1958	5	0.03	1985	1,500	2.61
1959	10	0.05	1986	1,465	2.42
1960	20	0.09	1987	1,325	2.18
1961	55	0.23	1988	1,445	2.28
1962	70	0.27	1989	1,715	2.67
1963	75	0.27	1990	1,810	2.75
1964	120	0.41	1991	1,890	2.89
1965	275	0.87	1992	1,950	2.97
1966	420	1.22	1993	1,985	3.01
1967	320	0.87	1994	1,990	2.97
1968	145	0.36	1995	2,000	2.95
1969	540	1.23	1996	2,150	3.09
1970	1,085	2.25	1997	2,285	3.16
1971	1,530	3.01	1998	2.377	3.18
1972	1,815	3.39	1999	2.337	3.17
1973	2,055	3.51	2000	2.372	3.19
1974	2,260	3.86	2001	2.256	3.16
1975	1,785	3.20	2002	2.117	3.08
1976	2,065	3.44	2003	2.275	3.15
1977	2,085	3.33	2004	2.356	3.18
1978	1,895	3.01	2005	2.451	3.19
1979	2,300	3.50	2006	2.439	3.18
1980	2,055	3.28	2007	2.352	3.19
1981	1,440	2.43	2008	2.168	3.09
1982	1,285	2.25	2009	2.345	3.18
1983	1,235	2.18	2010	2.440	3.21
1984	1,390	2.41	2010	2.456	3.21

Source: BP Statistical Review of World Energy (1960-2011) (Isah, 2012).

The greater proportion of Nigeria's oil and gas reserves are in the Niger Delta. Much of the activities aimed at expanding this vital sector of the economy continue to affect the rural communities in the Niger delta with adverse consequences on the inhabitants' socio-economic well being. However, income to the government of Nigeria continues to be on the increase over the years. Ironically bad roads, poor electricity supply, environmental degradation and unemployment are rampant in the Niger Delta area.

This pathetic situation has always been the cause of agitation and internal conflict in Nigeria. Emordi and Nugokocha cite Greene and Obasanjo separately to ascertain that crude oil played a significant role in the Nigeria civil war and that this partly explains why the fiercest battles were fought for the control of areas of Port Harcourt, Uyo. Calabar, Ikot Ekpene, Owerri and Aba (Emordi et. al. 2012). However, Isha opines that the importance of Nigerian oil to the economy was in 1971, one year after the Nigerian civil war, when the Nigerian National Oil Company (NNOC) was established to maintain governmental control in the oil industry. He notes that in 1971 Nigeria joined the Organization of Petroleum Exporting Countries (OPEC) as the eleventh member and that in 1977, the NNOC was merged with the Ministry of Petroleum Resources under Decree, No. 33. NNOC was thus changed to Nigerian National Petroleum Company (NNPC) in 1977.

State laws when show the importance of mineral resources (oil inclusive) to the Nigerian economy include the Land Use Act of 1978 which vested land trusteeship in Nigeria on the state governments, the petroleum decree No 51 of 1969 which vested oil ownership and control of petroleum in the federal state, the National Inland waterways authority decree No. 13 of 1977 and the controversial issue of maritime boundary of coastal state solely for the purpose of derivation. Isah (2012) lists some of the legislation on oil and gas which reveal their economic importance to government to include among others:

• Minerals Ordinance (1914). Prohibits the pollution of water courses in the process of mining and prospecting for minerals in Nigeria. Amended 1925, 1950, and 1958, including petroleum.

• Oil Pipeline Act (1956). Provides, among others, for the prevention of pollution of land and water resources. Amended 1965 to include petroleum and production activities.

• Petroleum Act (1969). The major legislation on the petroleum industry to date. Provides encompassing framework for related regulations of upstream and downstream petroleum activities so as to protect the environment.

• Land Use Act (1978). Reforms existing land ownership rights through nationalisation with adequate and fair compensation to be paid for loss of surface rights.

• Associated Gas Re-injection Act (1979). Statutory basis for the regulation of gas flaring in Nigeria. Amended 1984 and 1985.

• Guidelines for Establishment of Petroleum Refinery, Petrochemicals, and Gas Processing Plants in Nigeria (1993). The guidelines contain procedures and regulation governing the establishment or building new refineries and gas plant in the country.

• Environmental Impact Assessment Procedure for Nigeria (1994). Contains regulation and process for guiding prospective companies to operate in accordance with law and to abide by the country's environment regulation.

• Petroleum Drilling and Production (Amendment) Regulations (1995). Contains methods and procedures regulated by law for drilling operations to be conducted in any part of the country.

• Sectoral Guidelines for Oil and Gas Industry Projects (oil and gas exploration and production – onshore/off-shore) (1995). This outlines strict regulation for exploration of oil and gas in Nigeria.

• Oil and Gas Free Export Zone Decree No.8 (1996). This allows free trade and export within the gulf of Guinea, Sao Tome and Principe (Isah:2012).

• Environmental Guidelines and Standards of Petroleum Industry in Nigeria (EGASPIN) Department of Petroleum Resources (2002). This guideline is used by the department of petroleum resources to enforce standards and compliance to environmental regulation in the country.

Unfortunately, the mineral producing areas have not benefitted sufficiently from the proceeds of the laws, policies and regulations which are forcefully imposed on Nigerians through military fiat. In the same vain government has not sufficiently invested the revenue from oil on human development in the area. In the light of the deplorable socio-economic situation in the Niger-Delta, (Babatunde:2010) asserts that government has not invested in the people of Niger Delta area and in infrastructure that will make life meaningful. As a result, the government has created a situation of violence called structural violence in the Niger Delta, a region where so much revenue has been derived, but without much to show in terms of development. In the same vein, it could be argued that the crisis in the Niger Delta is more than environmental issue, it involves the development of the area and government's resolve to sustain economic preponderance of oil in its GDP.

Indeed, the legal framework for oil production provides no space for local participation in decision-making.

Multinational oil companies (MNOC) have been unable to show sufficient evidence of detailed environmental impact studies and implementation outlines of its activities in the Niger Delta. Thus, their operations have been marked by the pursuit of profits at the expense of the welfare of the people and total lack of commitment to environmental considerations in the region. Very little is ploughed back into the oil communities that bear the heavy environmental costs of oil production, and are impoverished by it.

In the main, the Niger Delta represents a kind of socio-economic paradox in that it is the poorest and most unindustrialized enclave in Nigeria despite that fact that it has many oilfields. Although, Nigeria's only major fertilizer plants, three of the country's oil refineries, a large petrochemical plant, the second and third largest ocean port in the country, and several oil-servicing companies, are located within a few kilometers of each other, yet, the level of unemployment in the oil-producing communities is highest because the people are not able to benefit from the lucrative business opportunities that these enterprises provide. In frustration, unemployed youths have on several occasions gone on the rampage, which has always been broken by the deployment of troops. The youths graduated to the stage of militants because of frustration.

Government resistance to any disruption of oil production in the Niger- Delta is understandable from the perspective of the construction of oil revenue to Gross Domestic Product (GDP). Akinlo (2013) argues that the contribution of a product or sector to the national economy can be measured by its size in the GDP. The contribution of oil to the GDP in Nigeria increased steadily over the year. He notes that oil accounted for just 3.43 per cent of the GDP in 1965, the share of oil in the GDP increased from 9.27 per cent in 1970 to 19.37 per cent in 1975. The figure increased to 38.87 per cent in 2005. It is common knowledge that the share of oil in the GDP decreased to 37.44 per cent in 2009 when there was heightened militancy in the Niger-Delta area. Oil therefore remains the ultimate prize in Nigerian politics, and constitutes the core interest of state control and security. Beyond this it sums up the complex contradictions that explode from time to time in the cycles of conflict repression and crises surrounding oil resource conflict.

From the above, it can be seen that oil conflict reflects the contradictions embedded in Nigeria's federalism. The most critical point revolves around the oil-producing minority – nationalities of the Niger Delta and the Nigerian state as well as her partners in oil prospecting business.

1.1.2 The Demands of Niger Delta Oil Producing Communities

Oil and minerals-related conflicts are rooted in the inequitable social relations that govern the production and distribution of profits from oil, and its adverse impact on the fragile ecosystem of the Niger Delta. It involves the Nigerian state and oil companies on one side, and the six million people of the estimated eight hundred oil producing communities concentrated in the seventy thousand square kilometer Niger Delta, on the other. In contention is the oil-rich environment, the manner of distributing its wealth, and the survival of its inhabitants who depend on the ecosystem for their basic needs and livelihood. The host communities contend that because the oil is mined in their land, and they suffer from the pollution and environment, and a fair share of oil rents, while the state and its partners, the oil multinationals, insist on the optimization of rents and profits on the basis of modalities defined exclusively by the partnership and the law of the land.

The tension arising from this conflict situation has been further escalated in recent times by two factors: the economic crises that has engulfed Nigeria since the 1980s leading to the adoption of a World Bank-IMF inspired monetarist economic rescue package in 1986, which emphasizes the principles of the free market and the maximization of export earnings as a strategy of crises and debt management. Secondly, the increasing awareness of democratic values and global best practices adds impetus to the agitation for resource control. Awareness about the effects of pollution has aroused the anxieties of the people that, they will lose out totally in the politics of Nigeria's skewed federalism that has historically marginalized ethnic minorities.

In retrospect, the control of the oil-producing areas had been a decisive, but hidden factor in the outbreak of the Nigerian civil war in 1967. Specifically, the other regions of the federation (north, west and later the Midwest) had opposed the attempt by the eastern region to stake an exclusive claim to the oil-rich ethnic minority areas within its territory, more so in the wake of declining prices of traditional cash crop exports in the global markets, which had formed the fiscal basis of these regions. The ethnic minorities in the eastern region, seeing an opportunity to end majority Igbo ethnic domination, largely supported the federal side during the war, and

defeated eastern claims to its oil. Although they were "rewarded" with more states of their own in the 36 state structure of the Nigeria federation, the oil-producing minorities' elite soon discovered that although the quest for self-determination had been largely won, they had "lost" the control of oil to the strong, central federal government and the "big" ethnic groups that controlled political and economic power in Nigeria (Akinlo: 2013). The trend is still the same today as the majority ethnic groups continue to oppose the demand of the Niger Delta people. It is reported that seven North West states of the country have decried the moves by the federal government to increase the 13% derivation fund to the Niger Delta region. The position of the federal government on the planned upward review of the derivation fund was made known at a two day public hearing organized by the revenue mobilization, allocation and physical commission, but Kaduna, Katsina, Kano, Jigawa, Sokoto, Kebbi and Zanfara states vehemently opposed the move (Sun Newspaper: 2013).

Thus, the elites started another struggle for a larger share of oil rents based on the argument that those contributing most to the national wealth should get the largest share. Because oil accounts for the bulk of national revenue, the argument is that the oil minorities should get a larger share, more so as they also bear the environmental costs of oil production. The agitation for resource control continues with greater vigour up till now. They further argue that because under the old regional system, the big ethnic groups controlled the bulk of revenues generated within their territories, it is only fair that now that the minorities "bake the national pie" they should get the largest slice. This is stoutly resisted by the other ethnic nationalities, whose counter argument is that it is absurd for a "few" to get more than the "most". Others even go further to contend that because the minorities do not "put the oil there"; they have no right to claim it as being exclusively theirs. This way the struggle over oil define the question of the rights of ethnic minorities as a critical issue in Nigeria's troubled federal experiment.

In regard (Michael: 1995) to the Niger Delta oil-producing communities, an appropriate conceptual framework to explain their situation giving rise to their present struggle is that of "internal colonialism" as well as resource curse syndrome. As originally formulated resource curse results from initial, often accidental, economic advantages held by the core areas result in an unequal distribution of resources and power, which is subsequently institutionalized into a rigid system of stratification. While ethno-regional stratification persists, the limited measure of industrialization that does occur in the periphery tends to be unbalanced, distorted, dependent on, and subsidiary to the core. The peripheral economy is more sensitive to the vagaries of international trade, while investment decisions take place at the core. If cultural differences are super imposed on the stratification divisions between the core and the periphery, the periphery will develop a sense of separate nationhood and will start to seek greater autonomy or independence. It is proposed that a modified version of "internal colonialism" will substantially help in illuminating the relationship between the central Nigerian states and its oil producing periphery ((Michael: 1995).

Internal colonialism began in Nigeria, not through economic domination (it was precisely the lack of it), but through political penetration deriving from a skilful pursuit of political control, aided crucially by numerical preponderance. The power was then used to transfer resources from the numerically weaker groups to develop the dominant areas, creating in the process an economically advantaged and powerful core and an impoverished periphery. In the case of the oil-producing communities of the Niger Delta, this process of ethnic domination and peripherisation was aided by the presence of multinational companies (MNCs), especially oil companies, as well as state-owned enterprises.

This internal colonialism in Nigeria's oil-producing communities can be located in three principal developments stages, First, ethnic-based political domination, which is used to expropriate the resources of the oil communities for the benefit of the dominant groups; second, the alliance between the dominant groups, the oil companies and state enterprises, which restricts the minorities' access to the modern and more rewarding sectors of the oil economy; and third, oil-based environmental degradation, which undermines the traditional peasant or fishing economy of the oil producing areas without providing a viable economic alternative.

Demands for more equitable and privileged treatment by communities of the Niger Delta, as well as struggle by them and other minorities to redress power imbalances in the federation which makes them "internally colonized people" are not new. Beginning from agitations for separate states in the 1950s and 1960s which led to the setting up of the Minorities Commission in 1956, to attempts by politicians from the minority groups to wrest political power from the majority elements, the people of the Niger Delta have been in the forefront of agitation

for self-determination. Put precisely, the grievances and demands of the Niger Delta have involved three closely interrelated, but analytically distinct issues. First, these communities contend that mineral land rents, and perhaps oil royalties, should rightly and naturally belong to the community or state of derivation. Second, the Niger Delta communities are of the opinion that a significant proportion of federally collected mineral revenues, including the lucrative petroleum profit taxes, should be returned to the communities of the Niger Delta in consonance with the principles of derivation. Third, the Niger Delta communities contend that appropriate institutional and financial agreement should be put in place by the Nigerian state and oil multinationals to compensate their communities for the developmental and ecological problems associated with mineral exploration and exploitation.

It is in the light of the failure of the state to heed to local calls and abundant evidences across the globe of neglect that (Akinlo: 2013) contends that large windfalls from the resource tends to generate and promote rent-seeking activities that involve corruption, voracity and civil conflicts and that empirical studies have confirmed resource curse hypothesis. Decrying the disastrous impact of oil pollution in a report submitted to the World Conference of Indigenous Peoples on Environment and Development at Rio's Earth Summit in June 1992, (Dapa-Biriye: 1992) a prominent Rivers' state chief noted inter alia that:

Thus apart from the oil pollution from the oil industry's emissions and flares day and night, producing poisonous gases that are silently and systematically wiping out vulnerable airborne biota and otherwise endangering the life of plants, game and man himself, we have widespread water pollution and land pollution that respectively result in the death of most aquatic eggs and juvenile stages of life of fin-fish and shellfish and sensible animals (like oysters) on one hand while on the other hand, agriculture land contaminated with oil spills become dangerous for farming, even where they continue to produce any significant yields.

The waters of the Niger Delta contain contains a lot of petroleum and often up to 60 ppm. He also vividly captures other horrendous dimensions of oil pollution in the Niger Delta based on figures obtained from a 1995 World Bank study "Defining an Environmental Strategy for the Niger Delta": The study reveals that as much as 76% of all the natural gas from petroleum production in Nigeria is flare compared to 0.6% in the United States, 4.3% in the UK, 21% in Libya. At temperatures of 1,300 to 1,400 degrees centigrade of flares in the Niger Delta heat up everything, causing noise pollution, and producing CO_2 VOC, CO, NO_x and particulates around the clock. The emission of CO_2 from gas flaring in Nigeria releases 35 million tons of CO_2 a year and 12 million tons of methane, which means that Nigerian oilfields contribute more in global warming than the rest of the world together. However, in its defense, Shell maintains that it does not site flares or pipelines near places of human habitation, and that its practice is to relocate pipelines when they interfere with a community. It also claims that villagers encroach on such sites only to turn round to make claims on the company.

1.1.3 Internal Threats in the Niger-Delta Area

The issues of internal threats from militants manifest in the form of sabotage, subversion, vandalisation, smuggling, militancy/community terrorism and kidnapping. The oil producing communities in Nigeria see oil proceeds being used as Nigeria's national economic development machine, while their area remains worse off due to pollution, environmental degradation and neglect. The feelings that the area is neglected caused agitation in various forms. Hence, former National Security Adviser has classified them among social threats to the Nigeria nation state. Gwarzo stated that 'in addition to communal agitations in oil producing areas there is also the threat to law and order (Ajawo: 2007)." A classical example of such agitation is Ogoniland that produces 4% of the oil in Rivers State. Widespread unrests and agitations have caused incalculable damage to the economy. Oil companies operating in Ogoniland have been suspending activities since 1993 due to the Ogoni uprising led by Movement for the Survival of Ogoni People (MOSOP). Before the oil companies stopped operations, 28,000 barrels of crude oil were being lifted daily from Ogoniland. This amounts to loss of millions of Naira daily by the Nigerian government.

In order to cool nerves of the rampaging youths, militants and minority communities the palliative measures put in place by the Federal government to take care of the welfare of the Niger Delta area include among others:

• Willink Commission of Enquiry set up in 1957.

- Niger Delta Development Board in 1962.
- Creation of more states for Development purposes.
- Oil Miniral Producing Area Development Commission, OMPADEC 1992,
- Presidential Task Force 1980.
- Niger Delta Basin and Rural Development Authority, NDEDA.
- Niger Delta Development Commission, 2000.
- Niger Delta Ministry, 2009.
- Amnesty. 2009
- Implementation of 13% Derivation Formulae 1999 (Majebi: 2012).

These measures are aimed at dousing tension and improving internal security of the area. However, these efforts have not met the aspirations and yearnings of the oil producing communities as they call for regular Federal Government assistance in the development of the area and to increase oil derivation to 25%. Arising from the constant agitation in the area, the Economist predicted that "oil production will be particularly vulnerable to continue social unrest in the oil producing region, unrest that is likely to increase should the government fail to address the peculiar demands of the riverine communities. As more powerful weapons became available through state-centric approach to security issue in the Niger Delta in the 1990s the dispute became more violent and more asymmetric methods were employed by the rampaging and restive youths as well as the government.

Government response to the failure of peace initiatives and political solutions has led to the adoption of military options. These include militarization of the Niger Delta area by sending army of occupation code-named Joint Task Force (JTF). This is aimed at maximization of oil production and its monetary profits. Thus government began to measure the success of its response by the increase in daily crude oil production in the area. With this belief, state violence is unleashed on the restive villagers, militants and youths. The Odi massacre of 1 November 1999 in which over 2000 people were killed and property worth over 25 billion destroyed was a regrettable step which only aggravated the asymmetric approach by militants in the area. Initially, the internal threat profile could be classified as low level for which counter measures are that of the police and oil companies with assistance from the military placed in reserve, however with improvement in weaponry by the militia groups, government at the centre has also changed its strategies. Thus, several military operations have been clamped down on the Niger Delta people and these have further aggravated the use of asymmetric methods by the aggrieved oil communities. These military operations included but not limited to the following:

- Military clamp down on Isaac Boro in 1966.
- Rivers State internal security Task Force in between 1993-1998.
- Operation HAKURI II of December, 1998.
- Military Task Force Deployed to quell the Odi uprising in November, 1999.
- Operation FLUSHOUT III, 2004.
- Joint Task Force popularly Known as Operation Restore Hope from 2003-2013.

From the catalogue of problems stated above, it is quite clear that Nigeria is faced with a lot of internal security challenges and there is an absence of national security strategy and national military strategy to effectively address them.

Other Armed Militancy Strategies in Oil Rich Niger Delta

Inequitable distribution and state repression against a background of exclusion and marginalisation constitute the explosive elements of the unfolding scenario. The tension has also been intensified by the impact of new neoliberal economic reforms widening socio-economic cleavages, undermining the welfare basis of state legitimacy, which in turn, has reinforced social crises and militarism. All these constitute threats to the Nigerian state and its rentier context that is immersed in a crisis of accumulation and faced by the increased militancy of oil minority movements and democratic forces in civil society. The resource conflict of the Niger Delta is thus a critical prism through which internal threat can be understood in a democratic setting.

It has been assumed and claimed that the illegal oil trading is undertaken by rival and well-armed ethnic based militias. However, there were no such organized militias when the illegal trading began in the 1980s. When militias became active in the region in the late 1990s, they were engaged in violently compelled benefits from the MNCs, but not in illegal theft, smuggling and sale. However, when they began to be involved in the illegal

theft and trading, they were only the foot soldiers. The militias and community members don't have the funds and the ships, barges, heavy trucks and arms needed. Rather, it is the very top and rich elites who can muster the materials and the connections with the military and the government to sustain the business. There is emerging evidence that the militias and armed gangs are linked to and funded by the illegal oil bunkering and trading. Oil theft syndicates form militias, enrich them and import weapons to arm them for the purpose of securing and defending their operations. It is the militias, armed gangs and pirates who are the armed guards and escorts of the bunkerers.

The militias who control the creeks and have access to bunkering now participate autonomously in oil theft. There are actually two types of autonomous participation. The first is the stealing and sale of crude oil. Some of the militias gang and cult leaders have become bunkerers. The former leader of the Niger Delta Peoples Volunteer Force (NDPVF), Alhaji Muhajeed Asari Dokubo, (Dokubo: 2004) was a self-acknowledged oil bunkerers. However, bunkering is seen as part of the struggle by the militants. It is seen as taking albeit illegally, what naturally belongs to them but is appropriated by non-indigenes. The former NDPVF leader was said to have regarded bunkering as legitimate because the crude oil found in their land is their property. Furthermore, bunkering is also seen by militias and youth activists as a source of funding for the struggle. As the NDPVF former leader claimed "We are using the resources of our land to fund this struggle."

The second form of participation is the processing of stolen crude in local refineries. The fuel is sold to the Niger Delta people in the reverine areas and creeks of the Eastern axis. It is giving back to Ijaws what naturally belongs to them and providing a commodity that is exorbitantly priced in the creeks at low cost. It is seen as a service to oil owing communities. According to (Asari Dokubo: 2004):

"there is nothing wrong if I take the crude oil found in our land, refine it and sell to our people at NGN 15 per litre. The real bunkerers are the federal government, which has been stealing oil from Ijawland since 1958".

Just as direct smuggling and international sales, the earnings from the small refinery are utilized to sustain the militia movement and the resource control struggle.

1.1.4 Responses of Actors to the Use of Asymmetric Method in the Niger Delta

The official paradigm of national security in Nigeria is statist and is reflective of the skewed power relations in the country. This is more so in the face of economic crises, social stresses arising from the harsh consequences of adjustment and democratic transition. The state views such "challenges" to its authority and its external economic allies as a threat to itself.

Sabotage is an aspect of asymmetric attack use by these militancy groups. There is gross and deliberate destruction of the oil refineries, pipelines and depots. There is disruption of fuel supply leading to shortage of petroleum and its products in the country. In December 1994 both the Enugu and Edo States NNPC Depots caught fire within a space of one week just before the Christmas period of 1994. There were reported leakages in the oil pipelines of both the Warri and Port Harcourt Refineries. The former Petroleum and Minerals Resources Minister Chief Don Etiebet had said that sabotage by some unknown persons could be responsible for the fire outbreaks and non-functioning of the nation's refineries (Newswatch: 1994). The Kaduna Refinery got burnt in the last quarter of 1993 and investigation report pointed at an act of sabotage by workers of the refinery. The Managing Director and others were indicted. Also, the pipeline running from NNPC Tank from Escravos to the Kaduna refinery was sabotaged around the Auchi area during the June 12 crisis of 1994. Since then many incidences of pipe-line vandalism have been recorded in many communities of the Niger-Delta area.

The actors in the conflict are the state-oil multinationals partnership against the radical oil producing communities. While the state-oil multinationals partnership seeks more oil, the oil communities seek to block access as a means of forcing the partners to address certain grievances. Of all the oil companies, Shell has been a prominent actor in the conflict. There are several reasons for this: Shell is the oldest and largest producer of oil in Nigeria (51%) and the largest contributor to export earnings, most of its operations are in the Niger Delta, where the oil minorities live, and Nigeria provides between 8 and 14 percent of Shell's oil outside the United States. Thus the relationship between Shell and the Nigerian state is bound by an economic mutuality that is underscored by the states/dependence on Shell for oil rents, while Shell is dependent on the state to guarantee the

conditions necessary for oil extraction. Shell's business ethic in the rentier nexus is hinged on reducing its costs and maximizing profits, an ethic that reaps the full advantages of operating in a political context marked by the lack of accountability and responsibility (Welch: 2008). Militants decide to deal ruthlessly with the oil multinational companies and government officials by keeping them hostage and demanding for ransom. In the process most of these foreigners and officials were killed.

At stake is the right of the oil communities to save their environment against state-oil multinational extraction and degradation. Oil pollution and degradation strike at the heart of the survival of the oil producing communities: polluted rivers and ponds render the water unsafe for drinking, fishing and recreation, polluted land results in the killing off of plants and fauna, adversely affecting their natural habit and putting an end to local economic practices and livelihoods such as hunting, farming, craft-making as well as a multiplicity of nutritional, health related and socio-cultural practices. They therefore embrace to all forms of environmental activism directed toward drawing attention to their sad plight such as campaigns in the print media and later, through violent protests, demonstrations and blockades of oil installations using all types of lethal weapons.

The two levels of conflict, local and national discussed in this paper clearly bring out the actors and the stakes involved in the struggles around oil producing environment. The oil companies operate standards of environmental practices in Nigeria that are very low compared with those in Europe or North America, by taking advantage of the weak environmental-legal framework, the weakness of the state and the absence of an enforceable set of international regimes directed at protecting the oil environment in Third World countries. Their quest for profit and the virtual autonomy they enjoy vis-à-vis the state and societies in which they operate have drawn them into the crises of governance, particularly in Nigeria, where they are central to the sustenance of the state and the pattern of power relations prevalent in Nigeria society. Militants thus resort to stealing oil and even robbery in order to appropriate to themselves what they have been denied from oil proceed.

What comes out boldly from the foregoing is that extant statist conceptions of security based on the short-term view of maximizing oil rents and forcibly eliminating threats to the exclusive control of oil by the state-oil multinational alliance, fail to deal with the wider ramifications of the conflict. Except this is addressed militarizing the conflict will continue to achieve very limited success as a huge cost. Indeed, the real threat – the rentier trap in which the state is immersed – will further spawn sustainable patterns of oil production, inequitable distribution of its proceeds and its harsh environmental consequences and further crises whose impact may transcend Nigeria's borders (Welch: 2008). Asymmetric methods in the Niger Delta continue to worsen as a result of proliferation of arms and ammunition coupled with assistance from oil bunkering magnates across the globe. Trans-border criminal organizations and illegal arms dealers also collude with militia groups to disrupt peace in the Niger Delta area. The simmering discontent and disagreement over the issue of resource control snowballed into guerrilla warfare until the Federal Government offered amnesty to the militants in 2009. Groups that were involved include Niger Delta People's Volunteer Force (NDPVF), Movement for the Emancipation of the Niger Delta (MEND), Egbesu Boys, Ijaw Youth Congress and other splinter groups.

1.1.5 CONCLUSION

Although, all communities in the Niger Delta started agitation for resource control and enforcement of environmental best practices by oil multi-nationals, the Nigerian state took only ameliorative measures to heed their requests.

Gradually, the Niger Delta area becomes tension soaked as a result of neglect, unemployment, environmental degradation and government's high-handedness in response to agitation by the people. The killing of Isaac Boro, the state murder of Ken Saro Wiwa, the Odi massacre and militarization of the region have led to militancy of high intensity. Government responses are outcomes of globalization and neo-liberal economic policies which favour the rich at the detriment of the poor. Thus, we agree with the position of (Asirvatham and Misra: 2008) that today corporate globalization is propelled by an international confederation of corrupt loyal and authoritarian regime in poorer countries who push through neo-liberal, unpopular reforms and suppress mass protests. It is the resistance of suppression of peaceful protests that militants now employ asymmetric methods to counter the state's militarized approach. Despite the declaration of amnesty in 2009, and the embrace of amnesty by some militant groups, some splinter groups who feel marginalized are now back in the creeks. These militia groups are aided with assault weapons supplied by trans-border criminal organizations who profit from

oil bunkering and arms deals. Oil for arms deals continue to aid asymmetric strategies by Niger Delta militants. The wide dimensions of the oil induced conflict in Nigeria are not adequately addressed by the state officials due to limited notion of security. The groups involved in the Niger Delta conflict have continued to adopt asymmetric tactics. Also, the roles played by external actors – the oil multinationals, the global oil market and the internal actors in the rentier context, continue to aggravate resource conflict in Nigeria. Within the rentier context, the present conjuncture blocks out possibilities for equity and economic development. The hegemonic, but unstable oil-fed patrimonial networks fear that any minor shift in the locus of power, either through legislation, increased autonomy for oil minorities, or even the emergence of a strong indigenous business class, autonomous of the state and outside the rentier sector, could spell disaster for its legitimacy, rule, access to, and control over oil-based accumulation.

The skewed nature of power relations within Nigeria, the current inequities in global economic relations that exploit the fragile resource-rich third world ecosystems, cannot proffer adequate solution to the impasse. The alternative framework must contend with the transformation of the rentier context, before security can be rooted in the welfare of the people, equal access to power and resources and the protection of the ecosystem from unsustainable exploitation through necessary amendments to the existing laws and policies.

The basic issue remains that of a productive economic base that does not cede control to external economic agents. Possession of resources like oil need not be a curse or blessing. They only become one or the other, through unfair relations of production and distribution involving local and external exploiters. This is why only a new legal framework can provide succour to Nigeria at this critical point of our democratic experience and create the economic space necessary for the transformation of the oil production practices to align with global best practices. The new petroleum industry law (PIB) may challenge the problems of legitimacy, development, participation and equity differently and open up channels hitherto blocked for dialogue, negotiation and the peaceful settlement of conflicts. Again, the new petroleum industry bill offers the best platform for resolving the national question and making elected rulers and even external economic agents accountable to the people. More fundamentally, the interest of the people becomes the basis of policy. It allows for a better placed deal to negotiate better terms of equitable interactions with external economic actors. That way, a more sustainable form of security sensitive oil-producing environment can be forged. The rights of the oil-producing communities can then be guaranteed without undue advantage over Nigeria as a state.

We thus posit that for the Niger delta resource conflict to be addressed properly, a new legislation is required. The legislation as it is being conceived, in the New Petroleum Industry Bill should allow enhanced participation of the local communities in oil business. In addition, the development of the area has become an imperative. Finally, the state-centric approach to security needs to change to be able to deal with asymmetric threats. By becoming more adaptive, flexible and strategically agile negotiation will be preferred to confrontation. Finally, it should be borne in mind that the crisis in the Niger Delta is a political one, and the only avenue for redress should be in the political arena through appropriate legislation in a democratically involving setting.

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