**Review**

**The movement for the survival of the ogoni people: A case of nonviolent campaign against environmental degradation**

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This paper is focused on the Niger Delta Region and Ogoni land in particular with respect to the nonviolent demonstration of the Movement of the Survival of Ogoni People (MOSOP) against environmental degradation from 1970 to 2005. The effects of oil exploration and production on Ogoni people are examined. Trail of reactions by the Ogoni people, Shell and the Nigerian government is also discussed. The main objective of this paper is to inquire deeper into the real causes of the environmental degradation in Ogoniland and re-awaken the clamor for Shell and the Nigerian state to clean up the oil spills in the Niger Delta Region and make Shell Petroleum Development Company in particular and other oil companies in general engage in best practices as it concerns oil exploitation and exploration.

**Key words:** Nonviolent movement in Nigeria, Ogoni, Shell operations in Nigeria, MOSOP.

**INTRODUCTION**

"Peace cannot be kept by force. It can only be achieved by understanding. You cannot subjugate a nation forcibly unless you wipe out every man, woman, and child. Unless you wish to use such drastic measures, you must find a way of settling your disputes without resort to arms." – Albert Einstein.

Non violent movements end in different ways. In Africa where the respect for Human Rights is highly disregarded by the ruling class, only few promoters of such movements usually live to see the outcome, like Prof. Maathai Wangari of Kenya, Nelson Mandela of South Africa, Leemah Gbowee of Liberia, etc, whereas many others paid the ultimate price, like Steve Biko of South Africa, Ken Saro-Wiwa, Saturday Dobee, Nordu Eawo, Daniel Gbooko, Paul Levera, Felix Nuate, Baribor Bera, Barinem Kiobel, and John Kpuine (known as the Ogoni 9) of Nigeria among others.

The Movement for the Survival of Ogoni People (MOSOP) is a Nigerian based non-violent movement championed by Kenule Beesom Saro-Wiwa popularly called Ken Saro-Wiwa. He was a writer, publisher, businessman and human rights crusader. MOSOP became a household name across the globe when he and eight other men were hanged by the Nigerian government.

MOSOP was the first organised and the most strident nonviolent critic of the Nigerian government’s neglect of the oil-producing Niger Delta region, particularly the long-suffering Ogoni people whose interests it represents. Saro-Wiwa became an icon of the human and civil rights movement in Nigeria. He was also famed internationally as an environmental activist, for his non-stop struggle towards a better life and a cleaner environment for all. Saro-Wiwa won several awards at home and abroad during his life time. He was also given posthumous awards as a result of MOSOP’s nonviolent approach to remedy the environmental pollution in Ogoni land primarily caused by Shell operations in the area.

Although there are various movements against environmental degradation in the region, MOSOP seems to be the most outstanding, primarily because others are majorly into armed struggle. Isaac Adaka Boro being the first known voice in this struggle had adopted a violent approach with his Niger Delta Volunteer Force, (Boro, 1982). Saro-Wiwa continued the struggle but he substituted Isaac’s gun with pen.

This paper critically examines the impacts of oil exploration in Ogoni communities, the activities of the Movement for the Survival of the Ogoni People, the roles...
of the Nigerian Government and Shell Petroleum Development Company (SPDC) in the repression of the nonviolent campaign. It is safe to conclude that MOSOP is synonymous with Saro-Wiwa. Therefore, the story of MOSOP is the story of Ken Saro-Wiwa.

Overview of Nigeria

Nigeria is the most populous nation in Africa and is situated in West Africa. The country covers an area of 923,768 km², with an estimated 4,049 km of land boundaries, shared with Cameroon in the east, the Republic of Niger in the north, Chad in the north-east and Benin in the west. In the south, Nigeria’s 853-km long coastline opens onto the Atlantic Ocean (Udo, 1978).

Nigeria gained independence from the United Kingdom in 1960. Its population is in excess of 158 million people, it is a multi-ethnic federation divided into 36 states and the Federal Capital Territory, within which lies the capital city of Abuja. More than 250 ethno-linguistic groups made up its six geopolitical regions (Figure 1), but the three dominant groups are the Hausa/Fulani in the three Northern regions, the Igbo in the South-East and the Yoruba mainly in the South-West.

The Ogoni land

Ogoni land covers some 1,000 sq km in Rivers state in the South-South Region. It has a population of over 832,000 (Diigbo, 1998). It is divided administratively into four local government areas: Eleme, Gokana, Khana, and Tai. Traditionally the area is formed by six kingdoms (Babbe, Eleme, Gokana, Ken-Khana, Nyo-Khana and Tai) with a King as the area’s Paramount Ruler. While to the outside world the communities of Ogoniland may appear similar, they have distinctive differences, including traditional institutional structures, languages and cultural features.

The riverine area, with a land surface between 2 and 5 metres above sea level, covers about 40 per cent of Rivers state, while drier uplands occupy the remainder. Most water channels in the freshwater zone are bordered by natural levees that provide the basis for settlements and agriculture. The upland area varies in height from 10
to 45 metres above mean sea level, but the majority is below 30 metres above sea level. Its surface is interspersed by small ridges and shallow swamp basins, as well as by gently sloping terraces intersected by deep valleys that carry water intermittently (Omoweh, 2005).

The southern part is subject to tidal influences and is highly susceptible to recurrent inundation by riverine flooding. These flow patterns are responsible for the deposition of fine-grained sediments in the delta. Its topography is mainly characterized by rivers, lakes, creeks, lagoons and swamps of varying dimensions. The land surface can be grouped into three main divisions from north to south: the freshwater zone, mangrove swamps and the coastal sand ridge zones (Figure 2).

Religion/Occupation of the Ogonis

Despite the introduction of Christianity, many aspects of the indigenous Ogoni culture and religion are still evident. The land on which they live and the rivers that surround them are very important to them, they do not only provided enough food, they are also believed to be gods and are worshiped as such by non Christians. This explains why the Ogoni people have so many difficulties with the degradation of the environment as a result of oil pollution. The fruit of the land, especially yams, are honoured in festivals. The annual festival of the Ogoni people is held during the period of the yam harvest.

The planting season is not just a period of agricultural activity, but a spiritual, a religious and a social occasion. Doonu kuneke which means ‘tradition’ in Ogoni local tongue is the honouring of the land (Diigbo, 1998). Many Ogoni people believe that the soul of every human being has the ability to leave its human form and enter into that of an animal, taking on a shape of the animal (Diigbo, 1998). These characteristics show that nature is very important to them.

Poverty/Unemployment in Ogoni

Poverty has worsened in the Ogoni areas during the past years. Nearly all oil workers are people coming from outside the area, the local people have to compete with them for basic commodities. Besides the oil installations and refineries, (which do not employ qualified Ogoni indigenes) there are no meaningful manufacturing industries or other corporate organisations in Ogoni to reduce unemployment. This situation increasingly results in psycho-social degradation. There are also no meaningful government projects to address the problems of development in Ogoni-land which could create jobs and thereby reduce the already high rate of unemployment plaguing Nigeria, including Ogoni.

Health care/Education/Transportation in Ogoni

Health care facilities are almost non-existent and school buildings are collapsing with the classrooms and laboratories empty. Attracting foreign aid to Ogoni-land...
has been very difficult and a couple of community self-help initiatives by the people were branded ‘MOSOP-inspired’ and stopped by state authorities, whereas the living conditions in Shell quarters are at par with that of developed world. This is an unambiguous evidence of class discrimination initiated and promoted by Shell to the detriment of its host communities. Examples of school buildings in Ogoni communities and that of Shell quarters in Ogunu, a town close to Ogoni are shown in Figures 3a and b.

**IMPACTS OF OIL EXPLORATION AND PRODUCTION**

The environmental costs of the oil exploration have been and still are, very high. Ogoni being an agricultural and fishing community experienced huge oil spills and pollution of drinking water, fishing grounds and farmlands with large flares burnt gas from the oil extraction process, illuminating the sky day and night and polluting the air. The 1980’s brought increasing activity from the oil companies, claiming more spaces for flow stations and oil
fields in the already crowded communities, thereby resulting to a deteriorating environment and decreasing crop yields and fish catches for the residents. Oil exploration in Ogoniland commenced in the 1950s and extensive production facilities were established during the following three decades. These operations were handled by Shell Petroleum Development Company Nigeria Ltd (SPDC), in a joint venture between the Nigerian National Petroleum Corporation (NNPC), Shell International, Azienda Generale Italiana Petrolì (Agip) and Elf. Oil exploration and production projects may have impacts on the natural environment long before any oil is actually produced. These are complex, multi-faceted projects, with many different phases, including: land survey, land clearance for seismic lines, establishment of seismic and drilling camps, site preparation, infrastructure construction, drilling for oil (even when the effort is unsuccessful) and development of transportation infrastructure (Table 1).

Once a facility begins operating, other issues have to be dealt with, such as spills caused during oil production and the disposal of water (often salty and known as ‘produced water’) and flaring of gas (‘produced gas’) generated alongside the oil. All of these activities and their effects leave hazardous ecological trails in Ogoniland. The oil industry’s environmental awareness and standards in the 1960s were very different and lower compared to those of the present day.

Impacts on the people

Petroleum hydrocarbons can enter people’s bodies when they breathe air, bathe, eat fish, drink water or accidentally eat or touch soil or sediment that is contaminated with oil. Crude oil contains many compounds, primarily volatile and semi-volatile organic. Petroleum hydrocarbons differ with respect to their behaviour in the environment which defines whether they are more likely to be in air, water, soil, sediment, food or other media that people might come in contact with. Petroleum products contain hundreds or even thousands of individual compounds that differ with respect to their potential impacts on people with regard to both exposure and degree of toxicity. The dose and duration of exposure has a direct influence on the effects that may follow.

Some petroleum hydrocarbons are soluble in water, while others might be present in water as a separate phase of oil. The Ogoni people of all ages are daily exposed to petroleum-contaminated surface water or groundwater when used for bathing, washing, cooking and drinking. They are also exposed to petroleum that evaporates into the air. The fishermen are exposed to petroleum when they drink, bathe or collect shellfish in contaminated water, or when they come into contact with or accidentally ingest contaminated sediment while engaged in any of these activities. While most foods are therefore likely to be chief sources of exposure to petroleum hydrocarbons, Ogoni farmers suffer direct exposure from contaminated soil.

THE ADVENT OF MOVEMENT FOR THE SURVIVAL OF THE OGNONI PEOPLE (MOSOP)

The need to address these dangers discussed in the previous paragraphs gave rise to MOSOP. Its mandate of nonviolent campaign are to: promote democratic awareness; protect the environment of the Ogoni people; seek social, economic and physical development for the region; protect the cultural rights and practices of the Ogoni people; and seek their appropriate rights of self-determination. This movement is similar in nature to that led by Ayed Morrar in the Budrus town of West Bank against Israeli Occupation, because it was fashioned against oppression by much stronger state power and believed in the tenets of nonviolence, notwithstanding the state’s violent responses.

As noted earlier, Shell started producing oil in the Delta in 1956 (Omoweh, 2005), and its continued degradation of the host environment sowed the first seed in 1970 when Ogoni leaders handed a petition to the Military Governor complaining about Shell, then operating a joint venture with British Petroleum. According to the petition, the company was “seriously threatening the well-being, and even the very lives” of the Ogonis. That year there was a major blow-out at the Bomu oilfield in Ogoni which continued for three weeks, causing widespread pollution and outrage, (Badom, 1995). Shell neither responded nor addressed the issues raised; rather it carried on as if all was well.

Other communities joined the clamour for a better environment by the eighties. The Iko people wrote to Shell in 1980 demanding damages and restoration of their rights to clean air, water and a viable environment which would support their means of livelihood, yet Shell remained adamant. Two years later, when the Iko organised a peaceful rally against Shell, the company called the police, (ERA, 1995). When they once again held a peaceful demonstration in 1987 against Shell, the notorious Mobile Police Force (MPF), locally known as “kill-and-go” was called. The Police Force of course, is among the most corrupt public institutions in Nigeria. Consequently over 40 houses were destroyed and 350 people were made homeless by the MPF’s attack, (ERA, 1995). Shell’s use of its police (Shell is the only company in Nigeria that had and still has its own police force called the Shell Police) and that of the state to intimidate the people was one of the company’s strategies to continue with its impunity. This calls to mind of Professor Paula Rayman’s tutorials about oppressors.1 Narrating her firsthand experiences in the troubled Mid-East region, she spoke among other things about the unjustifiable

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1 See Prof. Paula Rayman’s lecture series: Gender, Work & Peace (Peace and Conflict Studies Class, Spring 2013).
belligerence of the state towards unarmed protesters. In August 1990, the Ogoni elders signed the Ogoni Bill of Rights, which called for “political control of Ogoni affairs by Ogoni people, control and use of Ogoni economic resources for Ogoni development, adequate and direct representation as a right for Ogoni people in all Nigerian national institutions and the right to protect the Ogoni environment and ecology from further degradation” (Ogoni Bill of Rights, 1991). That year the Movement for the Survival of the Ogoni People (MOSOP) was formed, and community protests against Shell continued to spread across the Region. Next was the turn of the Umuechem community. In response to their peaceful demonstration, Shell as usual requested the presence of the dreaded MPF which in its normal disposition, massacred up to 80 people and destroyed nearly 500 homes (Inko-Tariah, 1991). The community submission to the official inquiry into the disaster argued that “Shell’s drilling operations have had serious adverse effects on the Umuechem people who are predominantly farmers…Their farmlands are covered by oil spillage/blow-out and rendered unsuitable for farming” (Inko-Tariah, 1991). At this point, other communities seemed to have become weak because of Shell’s use of force to quell their agitations, but MOSOP continued relentlessly. In the Prisons That Could Not Hold, Barbara Deming recognised that this type of movement has its shortcomings too. She wrote, “one thing that makes nonviolent struggle difficult is that usually one must wait so long to see the effects of one’s action. [Whereas] the effect of a violent movement is immediately visible…One who relies on nonviolence hopes to force the other person to acknowledge a human relationship and act accordingly” (Deming, 1995). Sadly, only MOSOP was able to be acquainted with this.

Exactly a year after the Ogoni Bill of Rights was first signed; by August 1991 it was amended to authorize MOSOP to make appeals to the international community for assistance, after they had received no reply from the Nigerian government (Beole, 1995). Consequently, Saro-Wiwa who was primarily an author and a businessman jettisoned his private businesses and started spending much of his time abroad, especially in the US and Europe, garnering support for the campaign.

With the Land Use and Mineral Acts in Nigeria, it is impossible for the likes of the Ogonis to get justice over environmental degradation. Omoweh confirmed this when he submitted that “[t]he state has always invoked the provision of the Land Use Decree of 1978 to nullify most of the suites filled against Shell by inhabitants of its host oil areas” (Omoweh, 2005). The Land Use Decree of 1978 and the colonial Mineral Act of 1914 as amended in 1967 vested all powers and ownership over natural resources both solid and liquid on the Government. The Mineral Act of 1914 guaranteed the colonial government the exclusive right to grant mineral prospecting and mining licences and to collect royalties, rents and miscellaneous fees from oil companies (Federal Ministry of Information, 1969). The only modifications between the 1914 Act and that of 1967 are the name change from Colonial government to Nigerian government and the granting of oil exploration licenses (hitherto reserved for Shell BP) to other foreign oil companies. As a result, no other party has the locus standi over Shell’s abuse of the environment, apart from the state.

Whereas the Act as it implies in the US and other European countries is to prevent the oil companies from deliberately trespassing on other parcel of land and to operate with ecological consciousness, the reverse is the case in Nigeria as the state’s only concern was the revenue accruing to it from the oil exploration and exploitation.

However, Saro-Wiwa’s efforts to attract international attention got a boost in 1992 when he got the opportunity to address the United Nations Working Group on Indigenous Peoples in Geneva. He said, “I speak on behalf of the Ogoni people. You will forgive me if I am somewhat emotional about this matter. I am Ogoni … Petroleum was discovered in Ogoni in 1958 and since then an estimated 100 billion dollars worth of oil and gas has been carted away from Ogoniland, in return for this, the Ogoni people have received nothing” (Saro-Wiwa, 1992). He was so passionate about the degradation of Ogoniland by Shell and was ready to go all the way to salvage the situation. But this did not make any significant impact on the situation as Shell carried on as if nothing was wrong because it has the backing of the Nigerian government, which at this point was seen as very corrupt and insensitive to the plight of the masses.

As part of his evidence to the UN Working Group, Saro-Wiwa submitted the Ogoni Bill of Rights and a new book he had published, called Genocide in Nigeria: The Ogoni Tragedy. In the book, Saro-Wiwa wrote about how he had helplessly watched as Ogoni had been gradually ground to dust by the combined effort of the multinational oil company - Shell Petroleum Development Company - “the murderous ethnic majority in Nigeria and the country’s military dictatorship” (Saro-Wiwa, 1992). He wrote of Shell’s double standards, comparing the standards of its Nigerian operations to its European ones. Because of this, and the affect oil was having on the Ogoni, he accused Shell of ‘genocide and racism’.

Beyond doubt, Shell’s operation in Nigeria is absolutely different from its operations in Europe. While Shell holds sacrosanct all environmental laws in Europe, it treats same with disparagement in Nigeria. Shell in Nigeria receives orders from Shell Group in Europe, so Saro-Wiwa was not far from the truth when he accused Shell of racism.

The Ogonis started gearing up their campaign against the oil industry by the last quarter of 1992. In October, Saro-Wiwa was in London again. He warned, “It’s just going to get worse, unless the international community intervenes” (Rowell, 1996). Some Schools of Thought
argue that it is not the duty of Shell as a corporate organisation to provide basic amenities for the host communities, since taxes are paid to the government. These groups however, failed to recognize that every organisation has its Corporate Social Responsibility (CSR) towards the communities in which they operate. Shell apart from the CSR is bound by law to clean up oil spills resulting from its activities in the area. This it never did. Rather, contracts were awarded to cover some of the spills sites with laterite sand.

In two months' time, precisely on the 3rd of December, MOSOP presented its demands to those oil companies operating in Ogoniland, including Shell, the Nigerian National Petroleum Corporation (NNPC) and Chevron. The companies had to pay back-royalties and compensation within 30 days or quit Ogoniland (Boele, 1995). But like in the past, the oil companies ignored their demands, drawing courage from the weakness of the corrupt Nigerian government.

A PEACEFUL PROTEST AND THE BIRTH OF OGONI DAY CELEBRATION

By the 4th of January 1993, over 300,000 Ogonis celebrated the Year of Indigenous Peoples by peacefully protesting against Shell’s activities, and the environmental destruction of Ogoniland. It remains the largest demonstration against an oil company ever. An Ogoni leader said to the crowd, “…we have woken up to find our lands devastated by agents of death called oil companies. Our atmosphere has been totally polluted, our lands degraded, our waters contaminated, our trees poisoned, so much so that our flora and fauna have virtually disappeared…” (Bakwuye, 1993). Consequently, 4th January became known as Ogoni Day.

Shell’s reaction

Leaked minutes of meetings held by Shell the following month indicate that the company was worried by the protests. The minutes show that Shell departments in London and Nigeria were “to keep each other more closely informed to ensure that movements of key players, what they say and to who is more effectively monitored to avoid unpleasant surprises and adversely affect the reputation of the Group as a whole” (Shell Petroleum Development Company, 1993). Shell defiantly refused to improve on their standards of operation in spite of efforts to persuade it to do so.

By April 1993 Saro-Wiwa had been arrested twice (Boele, 1995). This is not unconnected with the January 4th protest. In one of those protests, Willbros, one of the many foreign contractors working for Shell, called in government troops in response to a peaceful demonstration by the Ogonis. As a result, eleven of the protesters were injured from the live bullets that the security forces fired at them. One woman, Karalolo Korgbara, later lost her arm to the soldiers’ brutality. According to a memo from Willbros to Shell, “fortunately there was a military presence to control the situation” said Willbros in the memo (HRW, 1995). A month later, another Ogoni was shot dead and a further twenty were injured (Boele, 1995). Shell had started to physically and openly fight back. It found willing collaborators in the corrupt security agencies, which were eager to do its bidding for some cash rewards. Omoweh corroborated this, he wrote: “…there were overwhelming evidences of Shell’s complicity in financing, procuring arms and providing logistics for the Colonel Okutimo led team…” (Omoweh, 2005).

The act of bribing security agencies to carry out Shell’s orders was the order of the day and bribery was part of the Multinational companies’ strategies to maintain the act of suppression. Shell later admitted that “field allowances and transportation” of an army unit were provided by Willbros, but denied that this unit were involved in the shooting (Nickson, 1996). Amnesty International later issued an “Urgent Action” request, concerned about possible extra-judicial executions by the military against Ogoni protesters (Amnesty International, 1993).

Saro-Wiwa was repeatedly denied from travelling abroad and in June he was arrested again and charged with six counts of unlawful assembly and conspiring to publish a seditious pamphlet (Boele, 1995). Soldiers were moved into Port Harcourt, in response to demonstrations about the arrests, MOSOP later reported indiscriminate beatings and arrests (Boele, 1995). This “seditious pamphlet” accusation later gave rise to the present violent conflicts in the Niger Delta. The militants took to arms claiming that Saro-Wiwa fought with pamphlets and was murdered; they will continue the struggle with arms and ammunition. However, that is a different chronicle.

The health of Saro-Wiwa deteriorated in custody, suffering serious heart problems during interrogation; he was then moved to a hospital. He however, complained of “psychological torture” (Saro-Wiwa, 1993). Saro-Wiwa later published an account of his detention in a book called “A Month and a Day” in which he gave details of how he was ill-treated.

By now the Ogonis were suffering escalating violence, supposedly from neighbouring ethnic groups. Much of the violence was being orchestrated by the military; consequently, MOSOP openly blamed the military for inciting the clashes and Shell for its complicity in the violence (Saro-Wiwa, 1996). It should be noted that there are other ethnic groups in the region who are also hôsts to oil corporations, like the Ijaws, the Kwales, the Urhobos etc. These groups equally suffer a similar fate but lacked a centralised movement which could champion their case, at a point they became envious of MOSOP and were easily used by the military to create a
Throughout the year the masterminded attacks of neighbouring ethnic groups against the Ogoni continued and so did the violence against protesters by the government security forces. In October 1993, two Ogonis were wounded, and one killed by soldiers, who had been transported by Shell, in the company’s words, to “dialogue” with the community. These soldiers from the 2nd Amphibious Brigade, under the control of the notorious Major Okutimo, were paid “field allowances” by Shell, although Shell expressed “doubt as to whether any member of the community was shot or wounded”. Saro-Wiwa’s brother, Omws, who is a medical doctor, carried out the autopsy, (Ashton-Jones, 1996) that confirmed that people were actual shot and killed by soldiers.

Harassment of other key MOSOP members continued too and in December 1993 Owens Wiwa and a senior MOSOP official, Ledum Mitee were arrested and detained without charge until the 4th of January 1994 (Boele, 1995). All these while, the military (representing the state) in collaboration with Shell had been scheming on how to silence the movement for Shells impunity to continue.

The Grand Plot to Nail Saro-Wiwa and Silence MOSOP

The situation worsened for MOSOP when General Sani Abacha overthrew the Interim National Government headed by Chief Ernest Shonekan in 1993. Abacha appointed the Rivers State Internal Security Task Force under Lt. Col Komo and Major Okutimo (the same Okutimo) - its members were drawn from the Second Amphibious Brigade, Port Harcourt and members of the Mobile Police Force, Air Force and Navy (Saro-Wiwa, 1993). Their mission: to crush MOSOP and put an end to the “embarrassment” it was causing the Federal Government.

By April 1994, a memo was sent from Komo to Okutimo, entitled “Restoration of Law and Order in Ogoni land”. It gave details for an extensive military presence in Ogoni, drawing resources from the Army, Air Force, Navy, and Police, including both the Mobile Police Force and the conventional units. In a move meant to facilitate the reopening of oil installations, one of the missions of this operation was to ensure that “those carrying out business ventures... within Ogoni land are not molested”, (NPF, 1994). This obviously was to accomplish the directive of the state concerning MOSOP. Shell’s clandestine action and double standard was unearthed when MOSOP, individuals and other groups sympathetic to the Ogoni cause, provided overwhelming evidences of its complicity in financing, procurement of arms and provision of logistics for the Colonel Okutimo’s military team.

Saro-Wiwa, commenting on the aforementioned memo, said “This is it -- they are going to arrest us all and execute us, all for Shell” (Kretzmann, 1994). This statement was very prophetic, for indeed, they were arrested. He was aware of the level of wrong practices going on within the government circles and multinational oil companies only that he lacked the powers to correct them.

The following month Okutimo sent a “restricted” memo back to Komo remarking that “Shell operations still impossible unless ruthless military operations are undertaken for smooth economic activities to commence”. To actualise this, Okutimo recommended: “…wasting operations during MOSOP and other gatherings making constant military presence justifiable (Okutimo, 1994). Nine days after Okutimo’s memo, on 21st May, four conservative Ogoni leaders were killed in Gokana (Rowell, 1996), giving the military an excuse to “justify” a military presence, to undertake “wasting operations”.

There is no gainsaying the fact that the killings of the Ogoni leaders were vicious. According to Human Rights Watch, “…these men were reportedly attacked by a mob and beaten and hacked to death…” (HRW, 1995), but the precise chain of events leading to the murders is a source of great controversy. There are disputed reports as to what happened that day, the UNPO that sent a delegation to Ogoni in 1995 raised questions about other circumstances surrounding the murders. One of these was the tension between the Gokana Ogoni leaders and MOSOP, but MOSOP denied any involvement in the killings (Boele, 1995). Andrew Rowell writing in the book, Green Backlash argued that:

“Other suspicious happenings occurred that day too, which have led MOSOP to believe that the whole event was a complete set-up. Eye witness accounts talk of Ogoni ‘filled with soldiers’ in the morning before the killings, as if they were waiting for something to happen. These security forces did nothing when alerted of the disturbances to prevent the killings, although they were asked to quash the growing dissent. …There are too many other coincidences to suggest that agent provocateurs were not used, although conclusive proof will probably never be discernible” (Rowell, 1996).

An anonymous Ogoni interviewed for the film “Delta Force” premiered in the United Kingdom on 4th May 1995 recalled:

“Everywhere was quiet and then on the morning of May 21st … as we woke up in the morning most of the Ogoni communities were filled with soldiers and mobile policemen armed with sophisticated weapons. We don’t (sic) know why they just came, it was only when four prominent Ogoni sons were killed later in the afternoon of that day that we in Ogoni ever knew that there was a grand design to cause disturbances in Ogoni in order to create an excuse for the government to send in more troops” (Delta Force, 1995).
Arrest and detention

The following day, Saro-Wiwa, Ledum Mitee and several others were arrested in connection to the deaths, although not formally charged. Amnesty International issued a statement that Saro-Wiwa's arrest was “part of the continuing suppression by the Nigerian authorities of the Ogoni people's campaign against the oil companies” and declared Saro-Wiwa a “prisoner of conscience held because of his non-violent political activities” (Amnesty International, 1994).

Whilst Saro-Wiwa was routinely tortured in prison, put in leg-irons, and denied access to family, friends, a lawyer and medication, the Internal Security Task Force, supposedly searching for those directly responsible for the killings, started deliberately terrorising the whole community, assaulting and beating people indiscriminately, according to Amnesty International.

“Over the next few months, hundreds of Ogoni were arrested, beaten, intimidated and killed. Many young girls, older women and pregnant women, were raped. Thousands fled in terror into the bush as Okutimo’s soldiers looted hundreds of communities destroying houses in a systematic campaign of terror to 'sanitize Ogoni'” (Amnesty International, 1994).

Okutimo told a British environmentalist he detained that “he was doing it all for Shell ... But he was not happy because the last time he had asked Shell to pay his men their out-station allowances he had been refused which was not the usual procedure” (Ashton-Jones, 1995). This claim corroborates the initial position that corruption and criminality is one of Shell’s strategies to continue with the perpetration of its inhuman activities in the host communities.

Saro-Wiwa and MOSOP were later in 1994, awarded the “Right Livelihood Award” (known as the alternative Nobel peace prize), for Saro-Wiwa/MOSOP’s “exemplary and selfless courage and in striving non-violently for the civil, economic and environmental rights of their people” (Right Livelihood Award Foundation, 1994). This however, was a major recognition for the struggle. Nonetheless, it neither deterred Shell nor the Nigerian government from their reigns of terror. Rather the plot to murder Saro-Wiwa and others thickened.

The teleguided trial

Some eight months after being arrested, in January 1995 Saro-Wiwa and eight other Ogonis were finally charged with the murder of the four Ogoni leaders. It was clear that the charges were concocted. The following month an affidavit was signed by one of the two chief prosecution witnesses - Charles Danwi, it alleged that he had been bribed by Shell and others to testify against Saro-Wiwa. Birnbaum wrote:

“He was told that he would be given a house, a contract from Shell and OMPADEC (an agency responsible for the development of the oil producing regions) and some money. Another affidavit from the other Chief prosecution witness, Nayone Akpa, was signed alleging that he was offered 30,000 Naira, employment with the Gokana Local Government, weekly allowances and contracts with OMPADEC and Shell” if he signed a document that implicated Saro-Wiwa too (Birnbaum, 1995).

Shell as usual denied interfering with the case and bribing the prosecution witnesses, yet it was meeting secretly with the Nigerian Military and Government agents and in March 1995, a meeting took place between four senior Shell officials, the Nigerian High Commissioner and the Nigerian Army and Police at the Shell Centre in London where a strategy was planned against the protests (Nigerian High Commission, London, 1995). Saro-Wiwa’s brother, Owens Wiwa, severely met the head of Shell Nigeria, Brian Anderson between May and July 1995 in order to explore ways of securing Saro-Wiwa’s release. Anderson reportedly told Owens in one of the meetings - as quoted in the Daily Observer - that “He would be able to help us get Ken freed if we stopped the protest campaign abroad” (Ghazi, 1995). Of course, this condition was very difficult to accept because it will contradict every effort that has been made by both Saro-Wiwa as an individual and MOSOP as group. It will also question the authenticity of the struggle. The condition was therefore not considered as an option by Saro-Wiwa when it was tabled before him.

The military tribunal/trial against Saro-Wiwa and the others started in February 1995, when the men were finally allowed to see their lawyers. In May 1995, Saro-Wiwa smuggled a letter out of a military hospital. He wrote: “...for two nights I have not slept a wink, I am being intimidated, harassed and de-humanized, even though I am supposed to be receiving medical attention ... I am like Ogoni, battered, bruised, brutalized, bloodied and almost buried” (Birnbaum, 1995). This kind of situation is not strange to those being hounded by the Governments in Africa. In the documentary, Taking Root2, Wangari Maathai suffered similar fate at the hands of the Kenyan Government while she was campaigning for tree planting and against environmental degradation. She was arbitrarily arrested, beaten and detained by the state on flimsy grounds.

A Report into Saro-Wiwa’s trial written by a leading British counsel, Michael Birnbaum QC, concluded “It is my view that the breaches of fundamental rights are so serious as to arouse grave concern that any trial before this tribunal will be fundamentally flawed and unfair” (Birnbaum, 1995). Amongst many misgivings, Birnbaum was particularly concerned about the undue influence of Major Okutimo at the trial. He was clearly acting out a

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2 Taking Root: The Vision of Wangari Maathai was one of the numerous of Professor Paula Rayman’s tutorial DVDs on nonviolent movements, used for the Gender, Work & Peace Spring Class of 2013.
script handed to him by those interested in the death of Saro-Wiwa.

The scripted court verdict

In Late October 1995, Saro-Wiwa and eight other Ogonis were handed the death sentence. Six of the fifteen defendants were released, including Ledum Mitee, Vice President of MOSOP. The discharge of Mitee without Ken is controversial because presidents and their deputies make joint decisions. Why would Ken and others be killed while his second in command is acquitted of the same charge? This was in fulfilment of the Nigerian junta and Shell’s grand plot. Saro-Wiwa wrote for his closing testimony at the trial:

“I and my colleagues are not the only ones on trial. Shell is here on trial and it is as well that it is represented by counsel said to be holding a watching brief. The Company has, indeed, ducked this particular trial, but its day will surely come and the lessons learnt here may prove useful to it for there is no doubt in my mind that the ecological war that the Company has waged in the Delta will be called to question sooner than later and the crimes of that war be duly punished, the crime of the Company’s dirty wars against the Ogoni people will also be punished” (Saro-Wiwa, 1995).

As leaders of the Commonwealth gathered in Auckland, the Nigerian government’s Provisional Ruling Council confirmed the death sentences. Despite Shell’s repeated claims it could not get involved in the legal process in Nigeria, the company issued a statement in response to the confirmation of the death sentences which acknowledged that a letter had been sent to Abacha asking for clemency (Shell International Petroleum Company, 1995). Shell and its collaborator (the Nigerian government) however, saw the sentence as a relief, notwithstanding the public outcries it generated both at home and abroad.

The execution

The MOSOP’s struggle may not have yielded immediate result and may also be classified as partly unsuccessful, but it became the catalyst that led to the process of sanitizing the oil companies’ operations in Nigeria. It confirmed the hitherto covert corrupt deals by the Government and the oil companies that impoverish the Nigerian masses. Professor Wangari Maathai in her book, The Challenge for Africa, argued that leadership issue is the major contributor to the underdevelopment in Africa. She called the leaders ‘the Big Men’ (Wangari, 2009). In Africa, the word ‘big man’ is synonymous with indolence and the desire to get rich quick through the back door. Although Nigerian political leaders are known to be pawns of foreign business interest, this case of the Ogoni also has an ethnic undertone. The federal government of Nigeria as at the time was dominated by the Northern Hausa/Fulani ethnic group who have always seen other ethnic groups as a threat to their ‘political hegemony’ in Nigeria. To this end, MOSOP must be crushed.

It is worthy of note that the Special tribunal that tried Ken Sars Wiwa and others had no jurisdiction to do so, because the tribunal itself was constituted in violation of section 1 of the Civil Disturbances (Special Tribunal) Act of 1987. The Act says that if the president forms the opinion that a civil disturbance or commotion has been committed, he must constitute a special investigation committee whose report would determine if a special tribunal would be constituted, and who will be arraigned before it. In this case, investigation committee was never set up by state before the Ogonis were arraigned, a clear violation of the Act. On the strength of this, one can unequivocally conclude that the trial of Ken Saro Wiwa and others was null and void.

A few days after the execution, Shell announced that it would continue with its $3.8 billion liquid natural gas project in Nigeria claiming that though “there have been suggestions that the project should be deferred or cancelled because of recent events in Nigeria. But you have to be clear who would be hurt” (Shell International Petroleum Company, 1995). Greenpeace criticized the move as sending the strongest possible message to the international community that it was business as usual. Of course, the death of Saro-Wiwa was mainly to pave the way for Shell to operate ‘freely’.

The next month, Brian Anderson, the Managing Director of Shell Nigeria admitted to the “Sunday Times” that a “black hole of corruption” existed in Shell's Nigerian operations. Ledum Mitee interviewed by the same newspaper recalled that, “He [Okutimo] admitted he was being paid by Shell”. Mitee also explained that, “Shell provided vehicles for military operations” (The Sunday Times, 1995). These allegations did not come to the people as surprises because it was glaring that Shell’s operations in Nigeria was fraught with corrupt practices backed up by the state.

By January the following year, thousands of Ogoni celebrated Ogoni Day despite a military clampdown.
Sarowiwa’s name. Even at that, thousands of Ogonis defied the heavy military presence to hold remembrance church services at designated locations. In the normal tradition of recklessness of the army, women were raped at Sarowiwa’s home town and protesters shot. Omoweh aptly summarised the situation, he said: “[n]o other area has the state declared a full scale war against the youths than in Ogoniland. In fact, it was not surprising that the state sent its guerrilla-trained officers and men to dislodge and kill youths of the MOSOP who were bent on chasing Shell out of the area (Omoweh, 2005).

After the international condemnation and adverse publicity of the year before, Shell paid for a number of journalists to visit the Niger Delta in a desperate bid to protect some of its PR initiative. Journalists were flown to the region to sell Shell’s side of the story. It was not long before articles started appearing in the international press, dismissing the claims of the Ogoni and various human rights and environmental organisations. One of those journalists was Richard D. North, whose article in “The Independent” newspaper accused Sarowiwa of incitement to murder (North, 1996). Mr. North’s (that flew in Shell helicopter and was shown around by the company) reports was however, easily predictable. He could not have wrestled himself from bias having benefited from Shell’s “munificent”. Over 80,000 Ogonis celebrated Ogoni Day on the 4th of January 1997 in spite of the increased repression. Thus, four people received gunshot wounds whilst 20 people were arrested, tortured and detained (World Council of Churches, 1997). According to MOSOP, “in recent months since the anniversary of the judicial murder of the late Ogoni leader, Ken Saro-Wiwa, and eight others, a frightening wave of state terrorism has been unleashed on the area with the deployment of over 2000 armed soldiers...Ogoni stands in the threshold of complete extinction” (Goodman and Scahill, 1998). At this point, MOSOP was more on the recoiling side from the incessant government attacks. Consequently, they could no longer forge a common front to advance the Ogoni
cause; that other agenda have infiltrated their ranks was apparent.

After Gen. Sani Abacha died in office on the 8th of June 1998, in September same year, twenty Ogonis who had been imprisoned since May 1994 on the same charges as Saro-Wiwa were finally released by Gen. Abdusalami Abubakar, and all charges against them were dropped. Amnesty International had reported how the “Ogoni 20” as they were known, had suffered from ill-treatment, torture, and denied access to lawyers and families. One of them, Clement Tusima, died in detention due to medical neglect, another had gone blind - an aftermath of torture (Rowell and Wiwa, 2000).

Two months later, in November 1998, Shell issued a four-year “Ogoni Work plan”, including inspection and repairing of facilities, as well as prospecting for “new oil” (Shell, 1998). This has further proved that the Nigerian Government and Shell had no substantive case against Saro-Wiwa and others that were perceived very vocal in the struggle for the right for the Ogoni cause.

In January 2000 a report by US NGOs Essential Action and Global Exchange who had toured the Delta concluded “…that oil extraction and the related operations of multinational oil corporations pose a serious threat to the livelihood of the people of the Niger Delta” (Essential Action and Global Exchange, 2000). Later in April, there was a symbolic burial for Saro-Wiwa after the authorities blocked the release of his remains. Placed in his coffin were two of his favourite novels and his pipe, requests that he had made in his will and over 100,000 Ogonis attended the ceremonies in the week-long events to mark the occasion (Rowell and Wiwa, 2000).

Early the following year, the Niger Delta Development Commission (NDDC) which replaced OMPADEC began operations. The commission had been set up by President Obasanjo in response to the continued community clamour for “greater ownership” of oil resources – it has become a tradition in Nigeria for leaders upon assumption of offices to change the names of most agencies, while the structures and modus operandi remain the same - but this did not stop the violence. Nor did it change the behaviour of the oil companies. The introduction of NNDC is akin to putting old wine in a new wineskin. At this point, the struggle had gone violent. Other movements sprang up and employed diverse means like kidnapping of oil workers (mostly foreigners) for ransom, bombing of oil pipelines, flow stations and other vital installations etc. In October 2002, the commissioner for the environment in Bayelsa State in the Region told Human Rights Watch that:

“The situation of Shell is abysmal. It has not changed and we do not believe there is a possibility of change … As far as relations with communities are concerned we have not seen any changes at all. The flow stations are protected by armed soldiers; they don’t give any employment to the youth. As commissioner of the environment, I have not seen any changes in corporate philosophy” (Human Rights, Watch 2002).

In January 2004 Shell’s record in the region once again came under scrutiny when a report was published by Christian Aid that looked into claims of Shell’s corporate social responsibility. The report read:

“Shell claims that it has turned over a new leaf in Nigeria and strives to be a ‘good neighbour’. Yet it still fails to quickly clean up oil spills that ruin communities and runs ‘community development’ projects that are frequently ineffective and which sometimes divide communities living around oilfields …Just as in 1995 and before, Shell presides over a situation in which the violence in the communities around the oilfields, exacerbated by cash payments made by the company, this is spiralling out of control” (Christian Aid, 2004).

Rather than clean up the spills, Shell gave out contracts to those who would secure adequate laterite soil to cover the spills from visibility while the impact on the soil continues.

Also that month, the “Financial Times” reported how Shell was unable to shake off troubled Ogoni legacy as a dispute over a pipeline deepened. The paper reported how inappropriate payments had been made to a local chief by a contractor working for Shell supposedly cleaning up an oil spill in Ogoni (Peel, 2004). Shell’s corrupt ways were very glaring but the support it gets from the government strengthened its immunity.

It is pertinent at this juncture, to observe why the state has been so supportive of Shell’s inhuman operations. Shell is in partnership with the NNPC (which represents the state), and given the provision of the joint venture agreement, Shell is officially regarded as the ‘junior’ associate to the state (NNPC), notwithstanding that it is the company that operates the joint venture which produces crude oil. To this end, it is Shell and the state that pollutes the environment. Therefore, the responsibility of maintaining a green environment rests on both. But, the state being insensitive never deemed it expedient to play its constitutional role; rather it was concerned only by the huge revenue accruable therefrom. Shell therefore, capitalized on this flaw to wreck havoc on the people.

Just days before the launch of the Remember Saro-Wiwa project, six people were feared dead after an inter-community clash that had been sparked by an anti-Shell demonstration. Anti-riot police and soldiers had also been called in by Shell. One of the communities told the Nigerian press according to Ebiri, that “they wanted to engage Shell and the government in discussion as to how certain issues concerning environmental devastation, the loss of their means of livelihood could be solved. They also wanted to request for the provision of basic amenities like potable drinking water, electricity and all that but instead of addressing this, Shell invited the
military” (Ebiri, 2005).

The demise of Saro-Wiwa and his eight vocal colleagues decentralised the struggle. Perhaps this was the main objective of the government. The government knew that without a Saro-Wiwa, MOSOP will become a toothless bulldog.

CONCLUSION

Over the years and in different climes, negative peace, structural violence and social injustice which are marks of frail leaderships have caused a group of progressives to ‘fight’ for the redress of the malaise in the society. Some of these ‘freedom fighters’ took up arms against their governments while some resorted to nonviolence as admonished by Mohandas Karamchand Gandhi (Mahatma) in his autobiography, My Experiment With Truth (Gandhi 1994). MOSOP belongs to the latter category and did very well under the leadership of Ken Saro-Wiwa until the Nigerian government executed him and eight others who were very vocal in the struggle, all in the bid to silence a good course.

Their execution indeed dealt a serious blow on the activities/agitations of MOSOP and other similar non violent movements in Nigeria. MOSOP was the brain child of Ken Saro-Wiwa, so his death almost meant the death of the group. This notwithstanding, MOSOP’s message spread like wild fire, similar to that of Budrus in the West Bank of which activities and doggedness led to the formation of other nonviolent movements in nearby communities and the retreat of Israel from the building of barriers in their villages. A sort of reprieve came at last. Shell’s active presence in Ogoniland was suspended, though their pipelines still run through the communities.

Several administrations in Nigeria both Military and Civil have very bad reputations as regards conflict management and peace building. The issue of endemic corruptions has made it very difficult for civil organisations to thrive. The continued suppression of people’s right resulted into many arm struggles in the Niger Delta and other geopolitical regions: Boko Haram Sect in the North; the Movement for the Sovereign State of Biafra (MASSOB) in the east; the Odu’a People’s Congress (OPC) militia in the West; the Movement for the Emancipation of Niger Delta (MEND) and the Niger Delta People Volunteer Force (NDPVF) in the South. Unlike MOSOP, these groups use force on the oil companies, fight Government soldiers, destroy public facilities and even occasionally take the expatriates into captivity. Ransom is usually paid to secure their releases and in some cases they are executed.

Whereas MOSOP which activities are nonviolent was suppressed by the government, MEND (Movement for the Emancipation of Niger Delta) and NDPVF (Niger Delta Peoples’ Volunteer Force) which are violent movements were invited for dialogue by the government and amnesty granted to their members in return of their willingness to lay down their arms. This is similar to what was shown in the documentary Pray the Devil Back to Hell where arms were exchanged for money after the protracted Liberian civil war. It is widely believed that Nigerian Government adopts the carrot method for violent groups but the nonviolent ones confronted with the stick approach. The activities of these loosely militias nearly brought oil production to near zero, this might have caused the government to consider the carrot method. The criminalities by these militias persist, government amnesty program notwithstanding.

Although the Federal Government of Nigeria has been making several pronouncements with respect to the development of Ogoniland in particular and the Niger Delta in general, it is very unfortunate that these pronouncements are mere political rhetoric. The government seems completely detached from the problem of oil spills. Up to 1.5 million tons of oil has been spilled in the Niger Delta in the last fifty years - Ogoni taking the lion share, this is far ahead of the amount of the Exxon Valdez Disaster of March 1989. The clean-up of the polluted Ogoniland is estimated to last for thirty years. Life expectancy in the rural community has fallen to little more than 40 years over the past three decades and will continue to decline because of the effect of the oil spills, yet the government seems to be detached from these problems.

The UN Fact-finding mission reports on the trial and conviction of the Ogoni 9 cleared the way for the Ogoni people to take legal action against the Nigerian government, Shell and their collaborators, to seek redress for wrongful convictions and executions. However, for some obvious reasons MOSOP, the organization which Ken Saro Wiwa founded and led has developed cold feet for all these years on the issue of seeking legal redress. A legal action is the only way to end the continuous breach of their fundamental human rights. Presently, no step has been taken towards this exercise in Nigeria owing to the obnoxious Land Use Act of 1978 and the Oil Mineral Act of 1967.

A group of Ogonis acknowledging that Nigeria is characterized by weak laws and feeble dysfunctional institutions, coupled with corrupt and conniving governments, decided to explore a rare United States jurisdictional statute to bring actions in the U.S. Courts against rights violators in foreign countries. The statute in question is known as the Alien Tort Statute (ATS), passed in 1789 by the U.S. first congress as part of the Judiciary Act of 1789. Unfortunately, the U.S. Supreme court recently ruled against the Ogonis citing a portion of

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3 Budrus is a movie named after the town of which nonviolent activities it captured. *Budrus* was one of the numerous lecture DVDs used in Professor Paula Rayman’s 2013 Spring class of Gender, Work & Peace.

4 One of Professor Paula Rayman’s lecture materials in Gender, Peace and Work for 2013 Spring Class

5 Feedbacks from author’s field work in the Niger Delta Region.
the ATS which states that the doctrine requires that before the U.S. District Court could exercise jurisdiction in this type of cases, the plaintiff must have exhausted all alternative remedies in the foreign country where the tort occurred.

That MOSOP is now a shadow of itself is not majorly because of the death of Ken Saro-Wiwa. To some extent, the death affected the movement but the greatest problems with MOSOP are lack of these three cardinal issues in leadership namely: Vision, Choice and Resolve. The Vice President of MOSOP (during the time of Saro-Wiwa) Mr. Ledum Mitee, took up an appointment with the Federal Government after his release from prison, even the son of Saro-Wiwa became a Special Adviser to the President, and many others became government contractors – which is another way to become rich overnight in Nigeria. These run contrary to the philosophy of MOSOP. As a result, cracks in the leadership were created, things fell apart and the centre could no longer hold, as the late Chinua Achebe wrote in his book, *Things Fall Apart*.

The questions yet unanswered remain: When will Shell ever clean up Ogoniland? When will the Nigerian Government get policy formulation and implementation right? Will the Ogonis ever get the justice they deserve? However, it is hoped that the situation will not perpetuate for long.

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