

FEUDALISM, CAPITALISM & OIL IN THE NIGER DELTA

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1 THE DECLINE OF ENGLISH FEUDAL LAND RIGHTS

At the beginning of the 13th century a typical English peasant owned servile rights to the use of land that were equal to the rights of his feudal lord to demand feudal dues in return. Typically, the peasant had the use of arable land organized in a range of ways and, agriculturally vital, common grazing rights, often on land unsuitable for arable agriculture. The land involved was part of the estate of a lord who also paid feudal dues to his own lord who might be the king or an intermediary tenant-in-chief. The key legal point in this arrangement was the ownership of immemorial and inalienable rights of use. In feudalism no one owned land except the king. The state was his personal estate. He was, therefore, landlord of England. If a peasant felt aggrieved in respect of his immediate lord, he could appeal directly to the king as the paramount landlord. However, given that control or, better still, absolute ownership of land was the foundation of wealth and consequent political power, the inevitable human tendency was to strengthen your hold onto as much land as you could, be you the lowliest of serfs or a magnate desiring to hold political power.

William I wanted to reaffirm the feudal principle that England was the king's estate. However, from the beginning, in order to reinforce his claim to be the rightful feudal successor to Edward the Confessor, he needed to recognise the feudal organization of his worthy predecessor. This included the courts and the rights of feudal tenants who had proved their loyalty to the rightful heir to Edward the Confessor, (as William wilfully understood himself to be). To deny the feudal rights of his tenants, most particularly his tenants-in-chief, those who held land directly from the king, would have undermined his feudal argument to be king of England. Significantly, this meant recognizing land rights belonging to the English church, some of which had been denied in the heady few months after the conquest. In the years that followed, the church regained much of its pre-conquest estate; about 20% of English land, albeit that most of the senior church hierarchy was, by that time, of Norman origin. Rather than being understood as a constitutional climb-down by the Conqueror, William's recognition of feudal law enabled him to legally dispossess most of the Anglo-Danish aristocracy, and its subordinate landed

class. This was because it had manifestly broken its implied oath of loyalty to the king by supporting Harold Godwinson, the nephew of Edith, wife of Edward the Confessor. This usefully enabled most English land to be redistributed to William's backers.

The Norman feudal ideal was a delusion. As life settled down, as the economy recovered and began to grow, so the human tendency towards economic security, political significance and accumulation of wealth, re-established itself. By various economic, legal and political processes, through Black Death, rise of woollens industry, growth of commercialism and of entrepreneurial towns, increasing parliamentary power of landowning class, and Dissolution of Monasteries that released a third of the nation's land into a burgeoning land market, the feudal tenant became an historic relic. By the end of the 16th century enclosure and engrossment was concentrating legally recognised freeholds into the hands of the politically well-placed. A capitalist land market was established. Feudalism was dead.

The economically well-placed included the descendants of peasants who survived the Black Death. They were able to take over the holdings of the deceased, subsequently able to make advantageous arrangements with feudal landlords desperate for tenants. At this time also, given the shortage of labour, many a lord had no option other than to rent out his demesne to erstwhile feudal peasants who became, in the process, something like leaseholders, again, on conditions most favourable to the tenant. Significantly in the tenant's favour, annual rents tended to be fixed. Ultimately, this new type of farmer (farmer from the Latin, *firmarius*, one who rents land), popularly known as 'yeoman', having proved his right to hold land by payment of fixed annual rent, might, by way of good agriculture, good fortune and a growing body of land law that favoured land ownership, come to be a secure leaseholder and then freeholder. In an increasingly capitalist economy, the big landowner got bigger as the small man withered away.

Agricultural enclosures before the industrial revolution gave technological and economic benefits to the small peasant farmer. This was especially the case with land cultivated in common fields where the peasant's rights were characteristically distributed over a thousand acres (400 hectares) or more; often, also, subject to onerous communal agreements including fallowing and fallow grazing. For this reason, voluntary enclosures were not uncommon in the 15th and 16th centuries. Following this type of 'Tudor' enclosure, the farmer ended up with a block of land that could be more conveniently, independently and efficiently farmed. However, he retained certain common grazing rights on land that was unsuitable for arable agriculture or that had been retained, because of its comparative unsuitability, for that very purpose.

The rural landscape arising from Tudor enclosure is characterised by small albeit regularly sized fields. Where evidence remains, Tudor fields tend to fit snugly into and around ancient features such as lanes, woodlands, common pastures and water meadows. These Tudor landscapes should not be

confused with land that was never farmed as common fields, and which was never, therefore, 'enclosed'. Such landscapes not only feature older dykes, hedges (if they survive) and rubble stone walls but also less regularly shaped fields and woodlands apparently defying rationalisation until, that is, variable soil conditions are understood. In general it seems that common agriculture was most likely to have arisen where potential productivity was high, and realized by communal efforts such as drainage. These areas consequently carried the highest rural population densities. A good example is the clay – boulder clay – area of the Midland lowlands. Cleared of post-glacial woodland comparatively late but once taken in hand and subjected to the iron tipped plough of 'Saxon' farmers, this land was highly productive.¹

The availability of common grazing was often the factor that determined the viability of small farms, not only in terms of the ability to grow wool and graze draft oxen but also in terms of the maintenance of soil fertility. In this last respect, nutrients are transferred from rough pasture to arable land by grazing animals. Later enclosure, often inspired by and even forced by lord and yeomen, and backed by Act of Parliament, tended to include common grazing land, which was often claimed by the lord. This was the general effect of the mass parliamentary enclosures of the later 18th and early 19th centuries. These erased what was left of English feudal farming patterns. The loss of grazing rights undermined the economic sustainability of the smallest farmers who were thus more likely to sell out to larger land-owning neighbours. The big got bigger; the small withered away.

2 THE CONCENTRATION OF CAPITAL OWNERSHIP

Despite the onerous duties visited upon the feudal peasant, necessary to ensure the survival of the community as a whole, he enjoyed a socially just access to land. The feudal system gave him a specified right of land-use that seemed as strong as freehold ownership is today. However, throughout the later medieval period, this apparent security was eroded. More evidence is available for medieval England because there was more, and more sophisticated, economic activity. There survive, therefore, more records than for other parts of Britain, most valuably the Norman Domesday Book, (not without its flaws) and, no less significant, manorial court records. However, the processes of capitalisation and the concentration of land ownership were much the same in Wales and Scotland, for which manorial court records are also available. Scottish religious houses, for instance, declined in the same way as they did in England. In 1587 James VI claimed church estates by the

¹ There is much speculation about the evolution of common field agriculture. There appears to have been a tendency for dispersed Saxon homesteads to coalesce into nucleated settlements in the 9th century, possibly in response to the external threat of Scandinavian invasions. The creation of Saxon burghs as part of Alfred the Great's counter offensive against the Danes enforced defendable, nucleated, martial settlements supported by surrounding communal agriculture as the Danes were pressed north and east. The offensive 'front' included the boulder clay areas of the East Midlands.

Act of Annexation. Moreover, thousands of highland crofters were brutally cleared from their land by their ancient lords in the later 18th and early 19th centuries.

By the middle of the 19th century, most British land was in the hands of a few powerful families representing, 5000 to 10,000 individuals. The dispossessed constituted what Karl Marx described as the proletariat, a class that owned neither land nor other “means of production” (neither agricultural nor industrial capital) despite the reality that their labour realized national wealth. In this same period, and despite the impact of over 6000 miles (nearly 10,000 kilometres) of railways built during the 1840s, the landscape of Britain was still overwhelmingly rural and, in the lowlands, intensely, even industrially, agricultural. But it was not, and had not been for centuries, a countryside where a busy community of feudal tenants tilled soil to which they had an inalienable right and maintained their crafts under the benevolent eye of a paternal feudal lord, (if it ever had been).

Indeed, the landscapes of Britain were perceptibly industrialising in the 17th and early 18th centuries, albeit within a rural setting. A growing demand for iron, for instance, dependent upon fuel for smelting, consequently encouraged the demand for coal (the availability of which defined the locations of iron furnaces and foundries) mined from ever deeper mines. By the middle of the 18th century there were over fifty collieries in Warwickshire alone, some shafts significantly exceeding a hundred feet in depth.

Throughout the 17th and 18th centuries a large proportion of the British textile industry was rural, based on the ‘domestic’ (or ‘cottage’) system. Raw materials and semi-finished products were distributed by merchants for weaving or for finishing in villages accessible to the major urban centres and ports. The ‘domestic’ system ran alongside the development of centralized factories based on water power. The first ‘modern’ factory, a silk mill in Derby, appeared in 1702. Mill factories, in many cases, designed to enhance the landscape, were built wherever water-power might be harnessed. The development of coal-fired steam power at the end of the 18th century and the evolution of the railways forty years later were what most abruptly urbanized the industrial revolution.

By this time the landscape of agricultural Britain, at any rate in the lowlands, was more one of large, rectangular fields, studded with the grand houses and parks of the landowning elite. At the same time, the uplands were transforming into sheep ranches. A landscape from which a good proportion of the immemorial population had been banished. This new countryside produced food on an industrial scale for industrialising towns into which the railways and poverty concentrated a fast growing national population suffering living conditions the novelty, degeneracy and horror of which has corrupted British society ever since. Between 1701 and 1801 the population of Britain grew from six to ten millions. By 1850 it had reached twenty-two millions. London alone contained two millions; Glasgow, half a million; Birmingham three

hundred thousand. The population of south Lancashire, including Manchester and Liverpool significantly exceeded a million. The census of 1851 revealed that half the population lived in towns of over 10,000 people. This means that almost the entire population growth since 1801 had been taken up by towns. Upland areas, particularly the highlands and islands of Scotland, lost population.

3 THE BRITISH LANDSCAPE OVERSEAS

Thus the British landscape in the middle of the 19th century. The prelude to the urbanised, ghettoized, polluted, dehumanized landscape within which most of humanity is confined in the 21st century. An unjust landscape from which only the rich can escape. Let it be known, however, that the British landscape is not confined to Britain. This is because the ramifications of the evolution of the political animal that was and is Britain, involve the British Empire and the more modern nation states that have evolved out of it.

For a start, there is Ireland, the history of which has been, since the withdrawal of the ice sheets 15,000 years' ago, inevitably intertwined with that of Britain. A relationship, moreover, that can only be viewed through the glass of the economic domination of the British Isles by England.

Leaping the complexities of history, the modern nation states that were kindled by the British Empire began to emerge with the declaration of independence by the United States of America in 1776, continuing over the following two hundred years. Australia, Malaysia, Nigeria and Papua New Guinea were as much spawned by British imperial activity as was the USA. They are political realities in the 21st century.

No less real are the commercial international corporations that also evolved out of the British Empire. Two examples have been of particular interest to my ecological career: Royal Dutch Shell and Unilever. Others will spring to the mind of the reader: BP (British Petroleum), Tate and Lyle, or HSBC (Hong Kong and Shanghai Banking Corporation). Multinational corporations, which represent mature capitalism.

The United States, Australia, Malaysia, Nigeria and Papua New Guinea are capitalist states. With the exception of Papua New Guinea, which is unduly oppressed by the capitalism of its neighbours and trading partners, these states are aggressively capitalist. No less so than their model and progenitor, Britain, where the propagation of capitalism and empire were dynamically related. Capitalism engenders empire which enables capitalism. In this respect, the modern landscapes of North America and Australia are British landscapes, the genocide and oppression of the aboriginal inhabitants of the two continents, which enabled their 20th century landscapes, a result of the British Empire. By the same connections the plantation and logged-out landscapes of Malaysia and Papua New Guinea are no less British.

The colonial landscapes of Papua New Guinea are especially useful examples of second generation British landscapes. They arose from exploitation by

imperial Australia because what became Papua New Guinea was handed over by the imperial British government to the Australian government during the First World War when German New Guinea was added to British Papua and thereby absorbed into the British Empire. The gold-fields of Bulolo and the coffee and tea plantations of the Wahgi Valley are second generation British landscapes. By the same logic, modern American multinational corporations such as Amazon.com and Apple, are no less part of a second generation multinational corporate British landscape.

I suggest this British inheritance not from a sense of national pride (ridiculous emotion in any event) or, for that matter, from a sense of national shame (although historians need to understand the potential implications of the national characteristics from which they imbibed). But, rather, as a matter of historical fact. Investigating the heritage of any number of economic phenomena brings the historian back to earlier British activities, amongst, inevitably, the activities of other societies and civilizations. For instance, the nature of the British economy in the 17th and 18th centuries was a prime factor in the Atlantic slave trade, the development of sugar plantations in the West Indies, and the opening up of North America to European settlement, albeit that other nations were involved. The negative ramifications of these activities include the disruption (to say the least) of West African society, the destruction of the indigenous peoples of the West Indies, the ecological degradation of the North American Prairies and the consequent 'Dust Bowl' conditions of the 1930s. Historical events from which British history cannot detach itself. The slave trade and the establishment of the slave based economies of the Caribbean and the 'Southern' states of the United States are a root cause of the crises of race relations that exist in the United States and in Britain in the 21st century. The genocide and mistreatment of indigenous peoples in Australia and the degradation of that continent's fragile ecosystem is a particular legacy of the British Empire. But it is no less undeniable that had British power and technological knowhow not been in just the right position to claim Australia at the end of the 18th century, another European power would have jumped in.

THERE IS A TENACIOUS HISTORICAL THREAD THAT LINKS THE EMERGENCE OF CAPITALISM IN MEDIEVAL BRITAIN TO THE ECONOMIC AND CONSEQUENT POLITICAL REALITIES MANIFESTED BY THE LANDSCAPES OF SIGNIFICANT PARTS OF THE MODERN WORLD.

4 THE MODERN NIGER DELTA IS A BRITISH LANDSCAPE

An example is the modern landscape of the Niger Delta, devastated by the oil industry. A British landscape arising from a precedent that rationalized imperial expansion. The precedent was set by William of Normandy when he conquered England in 1066. As conqueror, he claimed England as a personal estate. Thus did Britain, in the name of the crown, claim Nigeria as a personal

estate and therefore, inevitably, proclaim by imperial ordinance in 1914, that any oil and mineral under Nigerian soil was the property of the British Crown.²

The Anglo-Dutch, multi-national corporation, the Royal Dutch/Shell Group, began operations in Nigeria in 1936 as Shell D'Arcy. In 1938 the company was granted an exclusive exploration licence to prospect for oil throughout the British territory, striking its first commercially viable well in 1956, at Oloibiri in the Niger Delta. In the same year, and in order to better exploit the oil producing potential of the Niger Delta, Shell associated with British Petroleum forming the Shell-BP Petroleum Development Company of Nigeria Limited. The first Nigerian oil exports were achieved by Shell-BP in 1958. The company dominated the oil industry in post-independent Nigeria, initially negotiating a 50-50 profit sharing deal with the new government. By 1979 BP had been nationalized and the Shell Petroleum Development Company of Nigeria (SPDC) established. Today [2021], the Nigerian National Petroleum Corporation (NNPC) owns 55% of SPDC, Shell owns 30%, French Total owns 10% and Italian Eni 5%. Shell runs the operation [2021]. In 2014: -

“ . . . Shell-operated ventures in Nigeria produced an average of 739,000 barrels of oil equivalent per day . . . ”

About 40% of total production, which averaged a daily 1,955,000 barrels between January 2002 and January 2020.³

I first visited the Niger Delta in 1993, investigating the social and environmental impact of the oil industry. For a decade thereafter much of my interest was focused on these issues, with particular reference to Shell. The over-riding impression of the area is of a landscape blasted by the oil industry, the lives of millions of people wasted and corrupted. Visitors to the area either vigorously support the oil industry as an economic benefit to Nigeria or else are outraged by the resulting human rights violations. No one is indifferent.

Depending on local people for shelter and for my own well-being, I vividly understood the daily struggle for survival that is the grim reality of life in the Niger Delta, where an entire people has not only been dispossessed of its land rights, but of its dignity also. For the millions of people of the Niger Delta, so for most of mankind in Africa, Asia and South America. The massively

² A politically useful precedent used by the inheritors of the British Empire in North America and in Nigeria. After independence from Britain in 1776, the United States, in a variety of ways constitutionally convenient to itself but regardless of existing indigenous nations, expanded westwards, eventually into the Pacific Ocean, claiming the land as the property of the United States. In Nigeria, a procession of legal instruments brought the geographical assets of the country into the hands of a president able to act more absolutely than a medieval English king. Towards the end of the Nigerian civil war (1967 to 1970), all oil mineral exploitation rights were transferred to the Federal Government. By a decree of 1975, the Federal Government's share of oil revenues was increased from 50 to 80%. The Land Use Act of 1978 vested the ownership of all land into the hands of state governors as representatives of the Federal Government, while the 1979 constitution vested control of all minerals with the Federal Government.

³ [Computer and Enterprise Investigations.](#)

unjust social economy of the Niger Delta has been designed by an oil industry that is capitalism at its most ruthless. The cost to the local people is the destruction of their ecological and social environment. The 21st century costs to the planet include the crises of the degraded global ecosystem, of mass migration and of social disintegration.

Experiencing the Niger Delta intimately I was bound to ask myself, **How had humanity come to this cruel and unjust state of affairs?** Why had it engineered and subsequently tolerated such degradation of nature and its dependant humanity? I was already sure, even in those days, that part of the answer was capitalism. Which, far from being an efficient economic instrument for managing resources, is, rather, a manifestation of a self-perpetuating psychology of ignorance, greed and stupidity.

Finding the answer dominated my life thereafter. Thus I understand that a significant part of the history of the oil industry can be traced back to the British Empire. The British Empire was the child of the Industrial Revolution spawned by the capitalist ethos born in the 17th and 18th centuries. This capitalist ethos was a product of the medieval English woollens industry, the antecedents of which can be traced back to the misty times before the Roman invasion of Britain.

5 THE NIGER DELTA OIL INDUSTRY CONNECTS WITH THE MEDIEVAL ENGLISH WOOLLENS INDUSTRY

The nature of the capitalism which has imposed a devastating oil industry upon the Niger Delta can be traced back to the capitalism that emerged from England in the late middle ages as a result of the profitability of the English woollens industry.

The wealth of medieval England was made upon the back of the sheep. The profitability of the medieval woollens industry, moreover, was what defeated feudalism by igniting capitalism. This was a pan-British affair but it was dominated by England because medieval England was, essentially, the geographical and consequent political manifestation of the most agriculturally favoured part of Britain. Thus did it contain most of the British population, (no less than 75%), and consequently most of the wealth. The economies of medieval Scotland and Wales were no less geographical and consequent political manifestations, in their cases, of upland Britain. Their medieval economies, however, had to be cognisant of the English economy if they were to rise above subsistence, which they manifestly did. The Welsh livestock industry, for instance, evolved to supply the English market using a system of drove roads aimed at centres over the border.

By the middle of the 13th century, the wealth of England, and thus of Britain, manifestly involved and was increasingly dominated by the woollens industry. Exports were dominated first by the finest wool in Europe and then by the finest woollens. Eventually the sophistication of the capitalist woollens industry

provided the platform from which the industrial revolution was launched and which led to the exploitation of the oil resources of the Niger Delta.

What made medieval England especially wealthy (albeit not the wealthiest of European regions) was the reality that its wealth did not depend on the woollens industry, in the way, for instance, that the wealth of some of the small modern states of the Arabian Gulf is based entirely on oil. Without woollens, medieval England was a prosperous and well organized agricultural economy less subject, because of its island nature, and after the Norman settlement, to the sort of violations of territorial, political and economic integrity, than were other, no less potentially productive, regions of Europe. Indeed a near subsistence agricultural economy, but one which was able to supply a reasonable standard of living to all its citizens albeit that the bottom 10-30% got a less than average portion of what was going while the top 10% captured substantially more. Nobody starved for long because a prolonged food shortage reduced the population. Once things settled down after the Norman Conquest the population stabilized to between 3 and 4 million, (the maximum population that 12-15 million hectares of potentially arable land was capable of supporting given contemporary technology). Moreover, the economy generated a surplus much of the time sufficient to maintain an efficient army, to deter invasion, to build some of the most advanced stone buildings in Europe, to maintain an unproductive feudal aristocracy, (no less than 3% of the population), to import gallons of French wine, and to wage a continental war in France for over a hundred years.⁴

Thus there are two aspects to the English medieval economy. The first, based on agricultural primary production sufficient to maintain the nation. That is the subsistence part of the economy that generally produced a small surplus, no less than was necessary to support the unproductive feudal aristocracy. The second, based on secondary production for export dominated by wool and woollens. The export of secondary production was what made England rich. English wealth drew in Scottish and Welsh wool and woollens in addition to other commodities including cattle. The economies of the neighbouring countries were thereby stimulated both in the primary and secondary sectors.

All the same, the additional wealth generated by the export of wool and woollens was a factor that pushed the British population above sustainable levels thereby opening it to the ravages of the Black Death.

⁴ The 'Hundred Years' War, 1337 to 1452, depending upon interpretation. For most of the period England dominated France but was ultimately defeated at the Battle of Formigny in 1450. The loss can be attributed to the logistical problems of maintaining an overseas war amongst a resentful local population and against an increasingly powerful adversary having the advantage of fighting on home territory. The end of the Hundred Years' War initiated a middle-class revolution in England characterized by the beginning of the ascendancy of a parliamentary House of Commons, which represented the tax paying middle-class, the consequent decline of the feudal monarch and aristocracy, and a re-focusing of the national entrepreneurial energy upon capitalistic trade, industry (initially dominated by woollens) and, subsequently, empire.

Most significantly, however, the medieval English economic surplus created by the woollens industry was what ignited the capitalism that spawned empire, colonialism and the capture of natural resources including the oil of the Niger Delta.

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