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OIL EXPLOITATION AND CONFLICT IN NIGER DELTA REGION: STRATEGIES FOR CONFLICT RESOLUTION

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Abstract

Oil exploitation and exploration in the Niger Delta area of Nigeria started before the nation became a sovereign state. Despite the fact that oil business has brought enormous wealth to the oil companies, governments, and selected elites, it has on the other hand brought environmental degradation, hunger, and disillusionment to the people of the Niger Delta. This often leads to conflict between the oil companies and the people of the Niger Delta. The work is of the opinion that peace and harmony between multinational oil companies and Niger Delta people will be achieved when oil companies operate in accordance with international structure as they do in their home countries and other oil producing countries. The work concludes with pragmatic recommendations that will ensure conflict free business and society.

Key words: Conflict, resolution, exploitation, Niger Delta

INTRODUCTION

The consensus of opinion is that oil has brought much wealth to Nigeria as a whole but ironically the story is that the people in the west

area where oil is produced live in a state of abject poverty. Oil exploitation in the Delta Area of Nigeria has deprived the natives of this area of their old occupation and the vast majority of the people have nothing new to do. To worsen the situation, oil exploitation in this area has led to serious environmental degradation. The people of Niger Delta are dissatisfied with such condition and this has often led to agitation and protest against oil companies and their activities. This work argues that peace and harmony between the people of the Niger Delta and the oil companies will be achieved only when the Oil companies operate in accordance with international structure as they do in their home countries and other oil producing countries.

Historical Background of Oil Exploitation in Nigeria

Oil exploitation started in Nigeria in 1908 when a German firm known as the Nigerian Bitumen Corporation drilled fourteen wells in areas that are within what is today Lagos State. Following the outbreak of the First World War in which both Germany, the company's parent country and Britain Nigeria's colonial master, played an important role the company stopped operation. At the end of the war, however, it resumed prospecting for crude oil (Nigerian Oil Directory 1993:1).

In 1937, Shell-D'Arcy Exploration, a consortium jointly owned by Royal Dutch and British Petroleum, was formed. The name was later changed to Shell Petroleum Development Company (SPDC) of Nigeria Limited. The company secured from the British Government an oil exploration licence covering the entire territorial area of Nigeria. The period between 1938 and 1941 was spent mainly on preliminary geological surveys in what had been a reduced operation of 14,000 square miles around the country's sedimentary coasted region. Shell activities in Nigeria were once again disrupted by the Second World War. The company resumed operations from 1946 and struck Nigeria's first crude oil in commercial quantity in 1956 from a well located at Ologbori in what is today known as Bayelsa State in the Niger Delta region.

This gave Nigeria a place among oil producing nations of the world. Apart from Shell BP, other foreign companies also played a role in the

pioneering stages of the Nigerian oil exploitation in the Niger Delta. It includes, Mobil Producing Nigeria Unlimited, Elf, Chevron, Agip etc.

In England, mineral is owned by the state. This leads to easy recognition of the rights of the host communities. In the United States and Canada, ownership of the mineral belongs to the landowners to whom rents and royalties are paid by the mining companies. In Nigeria, on the contrary, the federal government owns mineral and appropriates mining rents and royalties as well as oil company taxes. It does not recognise the rights of oil producing areas as in Britain or United States (Naanen, 1992). In the early days of oil exploration and exploitation government's interest was limited to the collection of royalties and other dues accruing to it from the oil companies and making rudimentary law to regulate the activities of the oil companies. But with the discovery of oil in commercial quantity in 1956 the country started exportation of the product in 1958. By the mid 1960s the economic significance, of oil had become obvious with the petroleum exports rising to well over 90 percent of the total exports, and constituting four fifths of the total governments revenue (Bienen, 1988:227). Government then involved in oil production through joint ventures with foreign multinational oil companies.

By 1969, the federal government had started to show greater interest in the oil industries by trying to monitor and regulate the quantity of crude oil produced by the oil companies. Federal government did that by promulgating several decrees that helped in regulating oil companies activities. Federal government also embarked on adopting several policies that worked either in favour of the oil companies or the federal government or both. Such policies included creation of incentives to oil companies through letters addressed to them which at times had effect of amending existing provision of pieces of legislation (Etikerentse, 1985). The Petroleum Act of 1969 apart from vesting the control of oil industries on government (Lukman, 1989) also brought appreciable gain to Nigerian government. It is pertinent to note here however, that none of these statutory provisions or policies successfully brought about the development of the oil producing areas whether by the government or the oil companies.

THE IMPACTS OF OIL EXPLOITATION IN THE NIGER DELTA

REGION

The adverse effects of oil exploration and exploitation in the Niger Delta Region are enormous. Despite the fact that the zone is the treasure base of the nation, it has little or nothing to show for it. Neither governments nor oil companies operating in the area have made sincere effort toward development of the area. The environmental degradation and deprivation caused by the oil exploration and exploitation have devastating effects in the Area, indeed as Arnold (1977:62) observes:

Oil may have brought wealth to Nigeria as a whole; but it is ironies of the story that the on-shore areas where it has been discovered are very poor though most of the oil is offshore. Their villages have been deprived of their old occupation without the majority of the people finding anything new to do; and as yet few benefits from the oil boom have filtered through to them.

Concurring, as it were, with Arnold, Robertson (1983:57) asserts that:

Although oil exploitation has created some of the largest fortunes and has helped to achieve impressive economic growth and development, little or no attention has been directed to the impact of this exploitation on the oil producing areas particularly in developing countries.

Also expressing his concern over the situation a villager in Ibena Local Government Area of Akwa Ibom State observes:

The gas flare in my area pollutes the air that we breath causing several bronchial disorders and other sickness strange to the area. This gas flaring also pollutes our water, farmland, and crops and flakes settle on them. Also our roof tops are not spared, as even Aluminium roofing sheets have been destroyed. (Memorandum, Ibena, 1994:2).

The problem does not end there; Uquo Ibeno and other oil producing areas suffer the inevitable degradation of their environment in the course of oil production. Health centres have reported and recorded increase incidence of lung, cardiac and liver problems (Memorandum, Esit Eket, 1994:3).

According to Gberesu (1989:105) the gas flared releases oxides of sulphur (Sox) nitrogen (Nox) and carbon (Cox) to the atmosphere. They expose the inhabitant in the gas flaring zone to the direct heat of ultra-violet rays from the sun which causes cancer and other health problems. He asserts that the carbon monoxide smoke and the in burnt hydrocarbon particles resulting from the gas flare are injurious to human health. Oil spillage resulting from oil production in this area is also a source of environmental hazard to the people, (Awobajo, 1981). The oil spillage and gas flaring have rendered most of the oil producing area so barren that they are now abandoned. This in effect compounds the problem of food scarcity and makes life more unbearable for Niger Delta people. A leader in the area laments:

Farmers have witnessed disappearance of some fauna flora and plant/crop species in the area. Habitats of fishes have been seriously disturbed... sizes of reserved wells can neither be farmed nor occupied for other purposes, while rents on such land are never paid (Memorandums, Ibeno, 1994:3).

Fishing which is the main occupation of the people of Niger Delta is also affected seriously by oil exploration. Fishermen in this area complain that exploration and production activities off shore have combined to drive away fish, making fishing no longer economically rewarding. Consequently the people are left jobless and helpless; they are not provided with an alternative means of livelihood. Water too is polluted. It is not even good for the washing of clothes. In other words, apart from destroying aquatic organisms, oil production and exploration in the Niger Delta area contaminate rivers which are the only source of drinking water (Oteri, 1981).

Oil exploration is the major cause of noise pollution in the area. Gberesu (1989:106) observes that during the exploration of petroleum, explosive are used in seismic surveys to obtain the nature of subsurface rock through the reflection and refraction of seismic waves. At seas and rivers, these shots kill fish in large numbers and they destroy vegetation and farm lands/human settlement etc. Transportation and refining of oil also cause noise pollution. The vibration from oil companies production and accidental collision of tankers transporting petroleum products increase noise pollution. The noise from hovering helicopters and exploration affect how one person speaks to another. Apart from causing damages to hearing in some cases the speaking behaviour of individual is disorganized. One has to strain one's voice and ears to communicate effectively (Memorandum, Ibeno 1994:2).

The exploration of oil in the Niger Delta is instrumental to ravine, gully, and sheet erosions. These erosions have destroyed both farm lands and human settlements. For instance Esit Eket people complained that marine, gully, and sheet erosions are fast destroying land settlement and agricultural soil. The worst part of it is that this problem does not attract counter measures from ecology fund (Memorandum Esit Eket 1994:2). This agrees with the observation made by Ikein (1991) that though Nigerian state benefits from oil royalties by permitting exploration of mineral resources that clearly results in pollution, disruption and deprivation of farmlands and fishing port it has not provided adequate compensation or a planned mitigation policy for affected areas.

Exploitation of local labour is another major problem which results from oil exploration in the Niger Delta. In the contract employment the oil companies employ competent people with qualifications ranging from degree holders to first school leaving certificate and deploy them to any of their major labour contractors. The contract labourers do the same professional jobs with the oil companies regular staff who most often come from foreign countries or other parts of Nigeria. These contract staff salary is paid through the labour contractors who have the authority to determine what to pay to contract workers. Despite the fact that the contract workers face the same industrial hazards as regular staff, no insurance policy covers

them. They do not enjoy any fringe benefit such as house or transport allowance. The contract workers do not obtain medical care from the major oil companies or labour contractors. Yet as confirmed, more than seventy percent of staff from Niger Delta area working in multinational Oil companies operating in the area are contract workers. (NUPENG August 19, 1992).

Concurring, as it were, with the above experience Brown (1950:83) contends that:

The sole aim of multinational corporations is the maximization of profit at all costs. To achieve this, multinational corporations adopt all kinds of devices including bribery and corruption, manipulation of local culture and the exploitation of local labour.

THE RELATION BETWEEN THE OIL COMPANIES AND THE COMMUNITIES: THE NEGATING LAPSES

From all indications the sole aim of these multi-national oil companies operating in the Niger Delta region is the maximization of profit at all cost. In countries of the West where there are well developed infrastructures companies now accept to take some account of social and political development into normal corporate planning. They do not allow the economic success of the society to conflict with their social responsibility. France and Holland, for example, used to compel companies to make annual social reports. In Europe, generally, and in the United States, companies are forced to install treatment of facilities for their wastes before such wastes are discharged into the environment (Umoh, 1995). Certain stipulated percentage of the capital spending of the companies is on safeguarding the environment. In addition to this, many companies produce special reports on their social responsibility annually (Nwokedi -). These practices are not common in Nigeria. Nigerian companies or companies operating in Nigeria should not behave differently. Lack of steady and well throughout social policy is another source of conflict between the oil companies and Niger Delta people. The oil companies lack steady and

well thought out social policy directed towards developing Niger Delta, and because there is no such policy.

No long term measures are put in place to rehabilitate the people, land/water and the environment against when the oil shall have been exhausted. Downstream development projects...etc are in the selfish interest of the members of the Board of Directors of the oil companies being sited away from Niger Delta. (Memorandum Esit Eket 1994:2)

Nwankwo (1981:36) was correct to say that the multinational companies invest in the Niger Delta region not for any altruistic motives, as they claim but for the selfish interest of making profit under the free enterprise system of capitalism. Arising from the apparent planlessness, some of the community projects embarked upon by the companies are either not carefully articulated or carried out on ad hoc basis. The companies have no consistent programmes that help people to know the industry and vice versa. Both parties as Umoh (1995:18) observes, remain strangers to each other regardless of the fact that they live in one and the same community.

Above all, the oil companies operating in the Niger Delta area lack adequate research programmes directed at solving general problems or those that they created in the course of oil production. In France, for instance, Elf has transformed mud from the wells into fertilizer, making it a useful waste to the farmers in their area of operation (The Pioneer, January 14, 1991). But in Nigeria oil companies destroy very useful economic crops with similar waste.

The government has made no efforts to bring the community into the show or establish a platform on which the oil companies and the people could interact for mutual understanding. The oil companies themselves, on their part are not doing better. They took no initiatives to interact with people. As Nwokedi (-) puts it business was "regarded as serving the needs of those who have power rather than the needs of local communities... Attention was concentrated at dishing out petty contracts to the local barons at the expense of the poor populace". "In order to get

maximum publicity", Nwokedi went on, "donations were made to popular academic institutions to the neglect of similar institutions in the company operational areas". Although the oil companies are aware, for over a century, now business is being tailored to serve people and society, they refused to readily recognize their social responsibilities to the communities in which they operate.

The people of the Niger Delta region are denied the services that they deserve as well as the social responsibilities of the companies. The oil companies argue that the government, not an international oil company, has the responsibility to ensure that promised revenues are delivered to local communities and that basic infrastructure is built and maintained (Maier, 2000:95). Even the oil marketing companies which declare millions of Naira as profit yearly as observes Nwokedi (-) are sometimes reluctant to extend social services to some parts of the oil producing areas of the Niger Delta.

The people of the oil producing areas in Nigeria Delta hear and read about the prosperity of the Scottish City of Aberdeen and its surrounding region resulting from the activities of the North Sea Oil Companies. They are also aware of the affluence of the oil Kingdoms of the Middle East due, again, to the contributions of the oil companies, whereas their counterpart in Niger Delta of Nigeria see themselves wallow in environmental pollution, infrastructural degradation, hazards and inconvenience of excessive heat from flared gas and disruption of occupational mainstay, among others.

The people of Niger Delta as any other people do not accept that mineral found in the area and used for sustenance of the nation's economy should turn to a curse upon them. They have justifiably demanded both from the government and the oil companies who are major beneficiaries of oil exploration the construction of access roads, provision of pipe borne water and electricity. They want some part of the wealth gathered from their area to be used to improve their environment and their socio economic life.

Lack of or delayed responses from both the relevant governments and oil companies, make the people of the Niger Delta region to be

whelmed by feeling of neglect. They became disillusioned by government's apparent compliance toward their plight. It appeared to them that they were forsaken, deserted and abandoned to their unacceptable condition.

RESISTANCE IN THE NIGER DELTA

In this circumstance, resistance became the only option as a strategy to change the situation. Pursuant to this, therefore, the people of Niger Delta Area take to occupying rigs, barricading operational areas of oil companies, and have massively demonstrated to draw attention to their plight. They are also blamed of sabotage of oil installation, disruption of oil production processes and the physical abuse of some personnel of oil companies.

Conflict is an overt behaviour arising out of a process in which a party seeks the advance of its own interest in its relationship with others (Schmidt and Kochan 1979:222). Umoh (1996:33) conceives conflict as a relationship between sets of individual or groups that involve incompatible objectives. It includes antagonism, struggle between parties, opposition processes, threat to cooperation etc. As Claude (1964:227) puts it, conflict may be the fruit of non-reflective passion or of deliberate planning, they may represent efforts to settle disputes, effects of undefinable, broad situations of hostility or calculated means to realize ambitious designs of conquest.

It occurs when it is conceived. In such a case parties involved realize that conflict exists because they observe the difference in their goals and that the opportunity for interference also exist. Conflict also occurs when it is felt. It brings about feelings of disagreement, hostility, anger, fear or mistrust between one party and others. Lastly, through behaviour which is the active or passive interference by at least, one party conflict is expressed (Umoh, 1996).

Structural conflict theory argues that conflict is built into the particular ways societies, are structured and organized. The theory according to Faleti (2006) looks at social problems like political and economic exclusion, injustice, poverty, disease, exploitation, inequity etc

as sources of conflict. Structuralist maintains that conflicts occur because of exploitative and unjust nature of human societies, domination of one class by another. Those who share this view are Engels, Marx, Lenin, and Moa Tse Tung. They blame capitalism for being an exploitative system based on its relations of production and division of society into the proletariat and bourgeoisie. The exploitation of the proletariat (the lower class) by the bourgeoisie (the upper class) under capitalism creates conflict. As Brown (1996) observes, structural theory is remarkably strong on the immediate and underlying factors that lead to conflict.

The three forms of conflict which are easily identifiable are social tension, active non violence form, and violence form (Schaller, 1966:73). Admittedly, conflict may be and is often dysfunctional or symptomatic of an improperly integrated society, but it is also agreed that conflict has its utility. The conflict between oil companies and the neglected people of the Niger Delta region viewed within a global context, is normal and there is nothing extra-ordinary about it in as much as it does not threaten the survival ability of the polity and its people. Violence of disillusioned neglected people occurs in many countries of the world; many instances of this have been reported in the United States of America. The Nigerian experience is similar to those of the developed countries of the Western World (Daily Times Oct. 27, 1992 Editorial).

In addition to this, conflict has its utility. Many conflict theorists affirm to this and extol the merits of conflict. Notable among them are Alinsky (1969) of the Industrial Area of foundation of the United States of America and Schaller. Both authorities agree that conflict provides the most fertile ground for creative thinking. Schaller (1966) maintains that conflict not only produces compromises but also yields new ideas which might not have been conceived without the stimulus of conflict. Concurring, as it were with Schaller, Huntington (1969) proposes that development of procedures and organisational devices to solve social problems have historically emerged out of disagreement and interactions among social forces such as it is experienced within Niger Delta. Indeed with the hardy attitude adopted by the multinational companies and government toward Niger Delta people, they provoke hostility rather than solve the problems.

The oil companies and government who are not willing to develop Niger Delta have converted the docile Niger Delta people of yesteryears into militants protest groups of today.

The conflict arising from the situation has yielded some fruits. In 1981 a fund was established under the allocation of revenue (Federation Account-etc) Act of Parliament which came into force in January 1982. This law provided that 1.5% of the Federation Account be set aside and administered by the Federal Government for the development of the oil mineral producing areas of the country. A body known as the Mineral Producing Areas Development Fund Committee was set up. That committee, however, could not do much because its activities were halted by a Supreme Court judgement on the utilization of the fund. (OMPADEC Handbook)

In 1985 another committee was set up by the Federal Government through Decree No. 30 of 1984, the Allocation Revenue Federal Account (Amendment). This also made provision for disbursement of the fund to the same area earlier mentioned and not much was also achieved. Similarly by Decree 25 of 1992, the Federal Government established the Oil Mineral Producing Areas Development Commission (OMPADEC). The body was to use the money allocated to it to manage and address the ecological and other problems arising from the exploration and exploitation of oil mineral in the Niger Delta Zone. This money was doubled from 1.5% to 3%. Lack of sincerity on the part of government, lack of fund, corruption, and mismanagement by OMPADEC officials did not allow the body to discharge its responsibilities successfully. The failure and collapse of this commission led to the establishment of Niger Delta Development Commission (NDDC) in 2001 and the fund to oil producing states being increased to 13%.

More to this, some oil companies have made minimal efforts in providing social amenities to the people of Niger Delta. They have sunk bore holes, constructed some minor roads, carried out renovation of some public buildings such as schools and hospitals and provided electricity to some of the communities in Niger Delta mainly at where their staff reside. The companies have also awarded minor contracts to the local people as

well as appointing very few indigenes of Niger Delta into managerial and executive positions. (Tom 1996:126).

RECOMMENDATION

The government and oil companies should discharge their statutory and social responsibility of providing the Niger Delta people with basic amenities and infrastructures. As in the Western nations and Middle East where operation and activities of oil companies result in prosperity and affluence of these nations, the oil companies should equally make their operations and activities to bring wealth and good fortune to Niger Delta people. People today expect more from business than simply economic performance. They expect business to use its resources and power to help solve broader problems as business has a large stake in the society in which it operates.

There is great need for oil companies to formulate and administer policies on the oil spill prevention and control, gas re-injection etc. Federal government too should be strict on enforcing regulations and laws in respect of the prevention of environmental pollution. The companies need a dedicated spill response team. Provision of fertilizers to replenish soil in areas affected by oil spillage will bring about mutual co-existence. Similarly the companies should acquire pollution clean-up and prevention equipment to combat various types of pollution as well as embark on underground natural gas storages/gas cycling projects instead of flaring the measures should meet international standards.

Indigenes of Niger Delta should be appointed into the Board of Directors as well as trained them to aspire to managerial positions in oil companies. Oil companies should also comply with local labour laws as they affect their operations and staff welfare. The indigenes of Niger Delta should be encouraged, empowered and allowed to own shares in the oil companies. Expressing the same view a former director in one of the companies urged the Federal Government to seek ways of making oil producing communities direct shareholders in the business as well as evolve a system whereby communities reap direct benefits commensurate with the quantity of oil produced in the area. By so doing, the community

should strive to ensure that operations are free of disruption and are carried out in the most efficient manner (The Pioneer July 11-17, 1998).

The oil companies should formulate reasonable and realistic social policy for meaningful community projects. They should make this not only permanent nature of their budgets but also publicise this policy to the people of the Niger Delta. This should include long term plans and ventures jointly undertaken by oil companies and Niger Delta peoples. This management will involve oil community in decision making that concerns them. In addition it creates mutual understanding between the people and the companies.

The oil companies should institute community relations committee that will serve as a forum for interactions between the oil producing areas and the companies. It will also serve as a channel where Niger Delta people get their problem through to the oil companies, thereby reducing the animosities and frictions between the people and the oil companies. The committee should comprise of representatives of the companies, state, local government and the people of oil producing areas.

There is also a great need for oil companies to initiate and maintain a strong research programme geared towards solving community problems including those that do not result from their activities. As corporate members of the area, the natural sense of patriotism should compel them as it does other members of the area to feel as part of the community and help develop it. They should voluntarily join hands with others or even single handedly initiate actions to help alleviate problems that hamper the well being of the area. This is fundamental essence of a company's social responsibility.

It means:

The extension of the concerns of a firm into a new dimension – namely the role of the firm and of industry in general in solving the broad problems of society and the physical environment. (Century, and Tafft 1971:89).

CONCLUSION

The work studies oil exploration and the conflict in Niger Delta area, the strategies for conflict resolution between oil companies and Niger Delta community. It was discovered that while the high production network of oil fields and wells have brought to both the oil companies and government enormous wealth and prestige, it has, however, brought to Niger Delta people environmental deprecation, pollutions, health hazards etc. This study reveals that oil companies and government have neither well thought out and steady social policies directed towards development of the Niger Delta nor genuine and sincere interest in ameliorating the numerous problems faced by this area due to oil exploration.

The conflict arising from the lackadaisical attitude of the oil companies and government toward the plight of the Niger Delta people has its utility. Some of which are the minimal efforts made by both the oil companies and government toward the development of the area. Strategies for conflict resolution between oil companies and Niger Delta people are proffered by the study.

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