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Petroleum Exploitation or Human Exploitation? An Overview of Niger Delta Oil Producing Communities in Nigeria *(Pp. 111-124)*

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Abstract
This paper examined the impact of petroleum exploitation on the environment of the Niger Delta oil producing communities in Nigeria. This is in furtherance of the understanding that human beings are at the centre of concerns for sustainable development. The paper observed that there was need for the adoption of measures that would provide a reasonable degree of protection of ecological and human environment from the activities of the oil industry in Nigeria.

Introduction

The Nigeria nation has come of age to be able to answer some pertinent and timely questions, which is of national interest. Just as it's commonly said, where purpose is not well defined, abuse is inevitable; likewise the situation of petroleum exploitation in the country. For example, when the purpose of a wooden chair is not well defined by its user, there is the possibility of using it as fire wood.

The extinction of biodiversity, e.g. Flora and Fauna, destruction and contamination of soil, and the much obvious air/atmospheric pollution in the

Niger delta has not only deteriorated the environment, but has also brought hopelessness to the inhabitants of the land. As a result of this, one ponder and ask, is the Nigeria nation exploiting Petroleum resources or exploiting the people of the area under the disguise of Petroleum exploitation, since no amount of money made from Petroleum exploitation can substitute for the life and comfort sniffed out of the people?

In a bit to combat this menace currently and succinctly being discussed in this paper, it is important to assess the United Nation's Principles declared in a world conference on human and environmental problems, in Rio de Janeiro (1992). Principle 1 states that human beings are at the centre of concerns for sustainable development. They are entitled to a healthy and productive life in harmony with nature. Also, Principle 2 states that States have, in accordance with the Charter of the United Nations and the principles of international law, the sovereign right to exploit their own resources pursuant to their own environmental and developmental policies, and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction. In Principle 3, it was stated that the right to development must be fulfilled so as to equitably meet developmental and environmental needs of present and future generations; while Principle 4 states that In order to achieve sustainable development, environmental protection shall constitute as an integral part of the development process and cannot be considered in isolation from it.

In all these Principles, it is evidently clear that an opportunity that warrants human exploitation under the disguise of any national development is frowned at.

The Study Area

The Niger Delta is located in the central part of Southern Nigeria. It covers a total land area of 7,000km^2 and is the Africa's largest Delta (Shell Petroleum Development Company, Annual Report, 1997). About one third of the land area in wetland contains the third largest mangrove swamp forest in the world. Petroleum production in Nigeria had a modest beginning with the discovery of petroleum in commercial quantities in 1956 at Oloibiri (Rivers State), with an average production of 5,000 barrels per day (bpd) in 1958. Petroleum production reached an all time peak of 2.3 million barrels per day in 1979.

Impact of Petroleum Exploitation

Aghalino (2000) observed that the various stages of mineral oil business-geophysical/prospecting, drilling, production, refining and distribution cause significant environmental stress. As a result of operational accidents, equipment failure and other reasons, some quantities of oil are released into the environment during oil exploration, storage, processing and distribution. This consequently causes environmental pollution. Between 1976 and 1980, the country recorded 784 incidents of oil spillage which culminated in the loss of 1,336,870 barrels of oil (Awobajo, 1981). Apart from the physical loss to the nation, the impacts of this spillage are noticeable in the flora and fauna of the oil producing communities (Ikporukpo, 1983).

Agahlino (2000) opined specifically that the oil spillage has latent physical impact on the people arising from land preparation for seismic activities, oil platform sites, access roads, right of ways for pipelines and test-samples pits. This inevitably has resulted in land alienation, deprivation, deforestation and degradation, the scanty compensation paid to land owners notwithstanding. Associated with the above problem of land is the removal of soil cover land and attendant soil and coastal erosion as the case may be (Ikporukpo, 1983). The long term effect of this incidence is usually a reduction in crop yield in an environment not known to be naturally fertile (Odu, 1972; Ikporukpo, 1983).

In the more than 1,000 oil fields located in the Niger Delta Region of Nigeria, the towering flames resulting from gas burning now seem to the host communities as an inevitable consequence of oil production without any health or environmental risk. The effect of gas on the environment is negative. The main impact that sour gas has on the environment comes in the form of acidic precipitation. The incineration of sour gas (hydrogen sulphide) produces sulphur oxides, which are released into the atmosphere. The end result of these compounds when they combine with other atmospheric components, namely: oxygen and water, is what is called acid rain. Acid rain produces several negative effects on the world in which we live. Considering the great health and environmental implications of gas flaring, the Ministry of Environment proposed for the year 2003, the application of zero gas flares policy in Nigeria. The oil producing companies in the country jointly attack the policy as technically not feasible. In a communiqué at the end of the meeting, the oil companies argued that accelerating the flare programme is a

national policy and an issue of great economic importance that requires huge investment for the acquisition of the required technology. Consequent upon the pressure from the multinational companies, the government rescinded its initial 2003 deadline and extended it to the year 2008. Such a compromise on the part of government makes one to wonder how committed these companies are to attaining terminal flares in the next five years (Charles, 2003).

All the specific impact these has had on the people of the area are discussed under the following heading.

Exploitation of Socio-economic Activities

It is certainly no new thing to expect that the ecological and economic consequences of petroleum development would have multiplier effects on the social and cultural life of the people in the oil producing communities. Farmers are forced to turn to other occupations as a result of the degradation of their land (Ikporukpo, 1978). Farmers and Fishermen who are unable to adjust usually migrate to nearby urban centers such as warri, Eket, Port-Harcourt and Ughelli in search of greener pastures. The implication of such movements is that the problem of unemployment is worsened in the aforementioned urban centers (Agahlino 2000).

Exploitation of Socio-cultural life

Aside from the deleterious impact of oil exploitation, and more ills associated with oil industry, there are several socio-cultural setbacks suffered by the communities. Itinerant oil field workers find the teenage girls in their immediate host communities a ready pool with which to gratify their sexual urge. In each exploration site, these migrant oil workers leave behind an amazing corpus of veneral diseases and morally polluted girls and school drop-outs (Agahlino 2000). Likewise, the displacement of certain villages in the Niger Delta has seriously affected their social and cultural lives. For example, the forceful displacement of Igolu village in Isokoland as a result of massive oil spillage in 1973 at Shell's location 13 and 18 has posed for the villagers, problem of social and cultural adjustments" (Eniola, et.al. 1983: 233-248). Most societal life support systems like village gods and divinities have been violated. Yet, unlike labor-intensive agricultural practices, the petroleum industries offer little or no employment to the displaced people in the sub-region (Agahlino 2000).

Exploitation of plants and aquatic animals through displacement

One conspicuous aspect of the negative impact of the oil industry is certainly the alteration of the aquatic ecosystem. Spilled oil get washed into the channels of rivers and streams in the Niger Delta which cause great havoc in the short run. This havoc includes surface and ground water quality deterioration in terms of portability, aesthetic value and recreational functions (Agahlino 2000). The ecosystem impairment also involves destruction and reduction of fish and aquatic life of the waters. Further findings by Alakpodia (1990) reveal that there is a vegetation gradient that slopes towards the gas flare sites. Perhaps more serious than the colossal waste in the environmental impact of gas flaring by rendering the land unsuitable for cultivation, is the charring of the mangrove and rainforest vegetation of the Niger Delta. This has inevitably led to loss of numerous economic and botanical valuable plants. Plants that save life have been destroyed. Traditional healers must now search further into the "interior before they can obtain herbs, roots and barks of trees for treatment of diseases" (Lengwati, 1995: 99), (see Plate 1).

Exploitation of Human Health

In one fundamental way, the free disposal of natural gas through flaring demonstrates the marginality of the health interests of the oil producing communities in particular and Nigerians in general (Agahlino 2000). The Nigeria Conservation Foundation reveals that in 1994 alone, Nigeria emitted 34millio tones of carbon dioxide and 12millio tones of methane. This means that Nigeria oil fields contribute more to global warming than the rest of the world (National Concord, 30/5/96:17). Ikelgbe (1993) reveals that gas flaring sites around the western Niger Delta generates tremendous heat which is felt over an average radius of 0.5 km, thereby causing thermal pollution in the sub-region. Alakpodia (1990), carried out measurement around several flare sites, temperatures were as high as 40^{o}C. Indeed the high temperatures around the gas flare sites are an indication that a distinct microclimate has been created by gas flaring. Researchers have shown that the pollution caused by oil spillage does not end with the mopping up of the spilled oil. It is now known that health risk is not averted by abstinence from fish killed by spilled oil. Some of the fishes and animals that escape instant death from pollution are known to have taken in some of the toxic substances, which in turn get into human beings that eat them. This will in turn cause infections on man coupled with other "side effects inform of genetic mutations" (Olusi, 1981). Another very disastrous environmental threat is occasional fire

resulting from vandalized pipelines as it is seen in Plate 2. This fire lasted from December 3rd 2003 till February 24th 2004. The Rukpokwu community is near the oil city of Port Harcourt where Shell has been extracting mineral resources since 1963.

Exploitation through Political Antics

From the political angle, it is no exaggeration to say that the Niger Delta people, more than any other group, have suffered undue political manipulation, intimidation, degradation, victimization, oppression, neglect and injustice without due regard to their loyalty, support and contribution to the Nigerian nation. Associated gases are routinely flared in the course of producing and processing oil. This is a common practice in the oil production process. It is not necessarily an ecological or social crime to flare gas. It seems that the Nigerian case attracts more attention, given the volume of gas flared since the beginning of commercial oil production in the country. For example, when compared with oil production in the advanced countries, data collected by the Alberta Energy and Utilities Board (EUB) in Canada shows that in 1996, about 92 % of gases were conserved or used in some other ways. The remaining 8 % was flared. This socially responsible attitude towards gas conservation, as demanded partly by environmental requirements in Canada and other advanced countries, does not apply in Nigeria (Charles 2006).

The multinational oil companies made huge investments in the oil sector, which was quite technological and capital intensive. New laws were made which include the petroleum act of 1969 and the land use decree/act of 1978. The legislation regulated community access to communal or open access land and they were primarily promulgated to restrict access to such land, while at the same time, making it possible for multinational investors to have unrestricted access to explore for oil unchallenged even on sacred land. These have led to a series of social conflict between host communities and multinational companies. The multinational companies operate in order to satisfy their own interests. As a result, they do not supply technology as a community that can be purchased in the market. Rather, they supply it as their own investment, packaged up in materials and in their own nationals whom they bring along with the materials. One thing stands clear in the above point, that is, the companies do little to impact the transferred technology on the local communities. Rather, they come with experts in numerous numbers from their home countries. The role

of the oil companies in the development of oil producing communities of Niger Delta is not encouraging. This is because their sole objective is maximizing profit without taking corporate social responsibility (CSR) into consideration.

Despite the change from military to civilian government in 1999, there is still widespread deployment of army, navy and paramilitary Mobile Police at oil facilities across the delta. Much greater sums of money are flowing from the federal government to the delta region, but ordinary people living in the delta see little if any benefit from these funds. The 40-page report, "The Niger Delta: No Democratic Dividend," considers several recent violent incidents around oil facilities, and concludes that both the government and the oil company have failed to fulfill their responsibilities. Security forces continue to commit human rights violations with impunity in response to protests and acts of violence at oil facilities. The oil companies remain complicit in many such abuses despite their stated commitment to respect human rights Human Rights Watch (2002).

Exploitation through Land Use Act

As is the case with other oil-producing countries, the exploitation of oil in Nigeria is carried out under some legislation. The most important oil-related legislation in Nigeria include: the Petroleum Act 1969, Oil pipelines Act 1956, Oil in Navigable Waters Act 1968, Federal Environmental Protection Agency Act 1988, and the Land Use Act 1978. By the petroleum act (continuing a colonial policy) the entire property in petroleum (mineral oils) is vested in the state. The result is that the federal government has absolute right and control over oil resources in the country, which is found only in the Niger Delta region of the country. It farms out oil mining rights to oil companies and receives rents and royalties from them. As has been seen above, oil has realized so much money for the Nigerian state over the years.

One unique aspect of Nigerian law can be found in its law of property. Under the laws of most common law countries 'land' includes mineral oils entrapped in the land. But this is not the case with Nigeria. Section 16 of the Interpretation Act 1964 explicitly excludes mineral oils from the meaning of land. And while oil is vested in the state ownership of land supporting oil remained vested in communities and families until 1978 when the Land Use Act (hereafter LUA) was made. The Act (promulgated as a Decree by a military government) vests all the lands comprised in the territory of a state

of the federation in the governor of the state in 'trust' for all Nigerians. It is significant to note that before the promulgation of the Act oil companies that had obtained mining rights from the federal government approached oil-bearing/land-owning communities for a right of access to the land for its operations. This was a way by which the communities had some sense of participation in oil operations, as they received some compensation for granting access and for any damage to land and any surface rights thereon. It would appear that this sense of participation has been lost since the unity of land rights with oil rights in 1978. Most scholarly works on oil exploitation activities in the Niger Delta have concentrated on the environmental impact of oil exploitation and the under-development of the region despite the huge revenue oil exploitation has yielded to the Nigerian state. There has not been any systematic scholarly analysis of the impact of the LUA on the Niger Delta people. This is the *lacunae* which this paper attempts to fill. It will be shown that the impact of the LUA on the Niger Delta people raises questions of injustice which themselves could exacerbate an unstable position in the region (Kaniye, 2006).

As a result of the afore mentioned, the Ijaw nation made a declaration at a conference on 11 December 1998 called the "Kaiama Declaration" (monitored on www.dundee.ac.uk) and it states that, "All lands and natural resources (including mineral resources) within the Ijaw territory belong to the Ijaw communities and are the basis of our survival…We cease to recognize all undemocratic decrees that rob our peoples/communities of the right to ownership and control of our lives and resources, which were enacted without our participation and consent. These include the Land Use Decree and the Petroleum Decree…"

Some Comments on the Negative Impact of Oil Exploitation on Niger Delta People

Seven East Timorese activists selected by organizations focusing on environmental issues, human rights, analyzing development, labor rights, women, and other sectors traveled to Nigeria for two weeks in December, 2003 to observe and learn about the effects of petroleum development, and how communities and local people respond to them (www.laohamutuk.org). The Nigerian people have decades of experience with war, corruption, environmental devastation and destruction of local communities resulting from the exploitation of their petroleum. Since East Timor expects to rely on petroleum revenues to finance most of its national development, it is crucial

for this tiny, nascent democracy to avoid the destructive impact that the oil industry has had on Nigeria.
The communities visited were as follows:

Rukpokwu Community
The Rukpokwu community is near the oil city of Port Harcourt where Shell has been extracting mineral resources since 1963. The participants visited the Rukpokwu-Rumuekpe pipe-line which runs through community settlements and fragile environmental areas. They also saw the massive fire still raging from the December 3rd explosion at the pipeline line. On February 24th it was finally put out after causing untold environmental damage.

Erema and Obagi Communities
In Erema, the participants met with local communities and discussed the impact of oil and gas exploration on their environment and livelihoods. The Erema community has been the site of a number of demonstrations against the notorious French oil company TotalFinaElf by local women's groups.
Obagi is the site of TotalFinaElf's first oil well in Nigeria which started production in 1962. TotalFinaElf has shown little regard for the environment and local population. The delegation observed gas flares which regularly burn for days near residential areas.

Akala-Olu Community
The Akala-Olu community is in Ahoada West Local Government Area of Rivers State. The area has been exploited by the Italian Agip Oil Company. The participants were shocked by the amount of pollution produced by Agip's facilities.

Ogoni Community
This area was the site of huge Shell facilities that have devastated the local environment. Prior to Shell's arrival in 1958 the Ogoni community were prosperous farmers and fisherman. The environmental impact of oil extraction has destroyed their livelihoods. Angered by the devastation and desecration of the local environment and people, Ken Saro Wiwa, a famous Ogoni writer and activist, mobilized the Ogoni people and stopped oil operation in the area. He was eventually executed with other activists for his actions and Shell has not resumed activities in the area.

Bonny Island
Bonny Island is the location of a plant for liquefying natural gas. The participants met with the Finima community who had been relocated for the construction of the plant. The Finima community has lost their ancestral homes and traditional sources of livelihood.

Akassa Community
The Akassa community has traditionally survived by fishing. Oil extraction by Texaco Overseas operating in the Akassa waterways and offshore has polluted the water and destroyed the local fishing economy.

Kolo Creek
In and around Kolo Creek Fires resulting from Shell's facilities have destroyed local forests and pollution has impacted on streams and farmlands. Shell has refused to repair the damage. The participants met with the Otuasegha community and visited polluted and damaged areas.

Rumueke Community
The area hosts many oil facilities belonging to TotalFinaElf, Agip and Shell and serves as a transport route for crude oil and gas to Forcados and Bonny Island. The participants visited a large horizontal flare pit.

Conclusion
It is clear that this country needs to adopt measures that would provide a reasonable degree of protection of ecological and human environment from the activities of the oil industry. The measure so adopted must discourage indiscriminate release of damaging discharges into the environment through appropriate programmes, such as contingency planning, adoption of best available pollution control technology and autonomous monitoring of the state of the Nigerian environment.

The 'negative' reasons for environmental commitment are abundantly clear the extremely high cost of "getting it wrong", the potential liabilities arising from emissions or waste disposal, and the disturbance that can be caused to local communities. In the environment world, as elsewhere, prevention is almost much better than cure (Adeyemi 2004).

In a related development, major oil operators have indicted successive governments in the country for failing to use the $400bn accrued from the

sale of oil and gas for the transformation of the country into a developed economy. He said that between 1956 when shell discovered oil in Oloibiri, field, till date, 60bn barrels of oil had been discovered while 183tn standard cubic feet gas had also been discovered. Out of this, 27bn barrels had been produced, while 137tcf of gas had been produced, and 83 per cent flared, with the nation earning $400bn from oil. "With a very large population of the employable population essentially engaged, either in the distribution of this rent or just queuing up to somehow, receive a portion of it, the result is a large measure of unemployment, widespread frustration and instability,…" (Avuru, as cited in Punch, 2006). Oil and gas were the birth right of present and future generations of Nigerians, hence, wealth derived from it should be managed in the context of sustainable development, with enough put away for generations unborn. (Punch, 2006)

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Plate 1 Ecological damage resulting from the explosion and fire at the Rukpokwu-Rumuekpe pipeline Source: www.laohamutuk.org

Plate 2 Visitors at the site of a fire at the Rokpokwu-Rumuekpe pipeline
Source: www.laohamutuk.org

Table 1 Potential Impact of Oil Operations on the Environment

Oil Operation	Potential Impacts on the Environment
Exploration:	Destruction of vegetation and farmlands/human settlements
(a) Geographical Investigation	Noise pollution and vibration seismic shooting
	Disturbance of fauna and flora habitat
(b) Geological Survey	Accumulation of toxic materials from drilling materials, oil pollution of the sea, beaches or land
(c) Drilling	Destruction of breeding and spawning grounds for some marine organisms. Alteration of the taste of fishes, pollution of underground water.
Production/processing	Water pollution from long-term cumulative effects of produced water (with high salinity) Water and land pollution from sanitary wastes, used lubrication oil, solid waste.
(a) Platforms and	Air pollution from gas and oil processing and Tank farms flaring production of heat. Kills vegetation around the heat area and suppress the growth and flowering of some
(b) Gas Flaring	plants diminish and reduce agricultural production destruction of mangrove swamps and salt march.
Tank Loading	Water pollution from ballast and tank washing
Locations and offshore	Deck drainage and spillage during loading operations with all its accompanying effects on the fauna and flora destruction of seabed by dredging.
Storage Depots	Land pollution from effluent water and solid waste of chemical cans and rums
	Air pollution from storage tanks destruction of farmland for the establishment of the storage depots
	Water pollution from the gaseous fumes during loading.
Transportation:	Destruction of seabed by dredging for pipeline Pipelines, Tanks installation sedimentation along pipeline routes. Water pollution from consequences of leaks from fracturing or breaking of pipe, caused by metal figure, trawlers and dredged, of seafloor failures or sabotage. Air pollution by transport tankers.
	Erosion and flooding. Destruction of environmentally sensitive are Lowland where estuaries wet land dune exist.
Refinery	Water pollution from effluents, which contain wide range of organic and inorganic pollutants such as phenols, hydrogen sulphide, ammonia, oil and greases, phosphates, cyanide and toxic metals.
Health Effect	All above have serious adverse effect on health

Source: Babalola, (1999)