

THE RELATIONSHIP BETWEEN OIL INDUSTRIES AND THEIR HOST COMMUNITIES IN NIGERIA'S NIGER DELTA REGION

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Abstract

This study assessed the relationship between the Oil Industries operating in Nigeria's Niger Delta Region and their host communities. In so doing, the researcher evaluated the problems and prospects prevalent as a result of the presence of Oil Companies such as Exxon-Mobil, Chevron, Agip, Elf, etc. on the inhabitants of the Oil bearing communities in the entire Niger Delta region of Nigeria. In order to guide the study, three hypotheses were formulated which emanated from the main variables of the study. The design adopted for the study was Ex-Post-Facto. Data was collected using a researcher developed instrument called Oil Industries and Host Community Relations Questionnaire (O.I.H.C.R.Q.). Using a Stratified Random Sampling technique, a sample of 293 subjects, the hypotheses were tested with Pearson Product Moment Correlation Coefficient (r) at 0.05 level of significance. Results obtained revealed that: there is a significant relationship between Niger Delta indigenes' attitude and the scope of activities of Oil Industries in the Niger Delta region; there is also a significant relationship between the company-community relations and the scope of activities of Oil Industries in the Niger Delta region; and that there is equally a significant relationship between the host communities' perception of the employment policies of Oil Industries operating in the Niger Delta region and the scope of activities of the various companies. It was therefore concluded that the relationship between Oil Industries and their host communities is significant in ensuring a peaceful and productive undertaking of their activities. It was finally recommended among other things that there is an urgent need to strengthen the relationship between Nigeria's Oil Industries and their host communities to engender an improved and symbiotic relation that will improve industrial output and growth without violating the rights of the host communities.

Keywords: Attitude, Perception, Relationship, Human Rights.

Introduction

In his efforts to meet his socio-economic needs, quest for industrialization, development, science and technology, man has significantly altered the natural environment thereby causing considerable damage to the biosphere. Indisputably, the bitter experience of the Oil producing areas in Nigeria generally has been both unprecedented and indeed regrettable. Unfortunately, most of the multinational Oil companies operating in the Niger-Delta region of Nigeria have failed to adopt best practices regarding strategies for risk mitigation and compliance with environmental regulations (Ite, Ibok, Ite, & Petters, 2013).

According to historical sources, the environment in Nigeria's Niger Delta has been completely devastated by six decades of Oil exploration, exploitation, and ecological warfare by Oil companies led by Shell, Exxon-Mobil, Agip, Elf, etc since the discovery of crude oil in Nigeria in 1956. There have been cases of Oil spillage and devastating ecological damage which have crippled agricultural activities, fishing, and the entire economic life of the people. It is now generally acknowledged that the level of agricultural productivity is almost non-existent in the entire Niger Delta coastline having been on the decline in most of the Oil

producing areas of the country (Godson-Ibeji, 2016).

Apart from physical destruction to the plants and rivers around the areas where such spillages occur, gas flaring is known to cause the deposit of thick soot on the roofs of buildings in the areas where flaring is done in addition to the excessive heat it produces which depletes the ozone layer. The soot is believed to contain some dangerous chemicals such as amorphous carbon that adversely affect the fertility of the soil, as well as contaminate the rivers, streams, and other sources of natural water. These gas flaring facilities are often located close to local communities and typically lack adequate protection for villagers who regularly get exposed to the heat from the flaring in their daily activities (Nriagu, Udofia, Ekeng, & Ebuk, 2016).

According to Akinyemi *et al* (2012), many pipelines and flow lines are old and subject to corrosion. Indeed, while fifteen to twenty years is the estimated lifespan of most pipelines, in many parts of Nigeria's Niger Delta region, pipelines aged forty to sixty years old can be found. Expectedly therefore, the consequences of this neglect and poor maintenance culture have begun. There have been Oil blowouts and spillages in several Oil bearing communities with the attendant contamination of farmlands, rivers, streams, and all other sources of natural water, killing of marine life, general malnutrition of the inhabitants of the affected communities, and by extension an outright disruption of the entire ecosystem in the area concerned.

This increase in industrial waste released in the course of Oil related activities which are often times channeled into farmlands and water bodies have further devastating effects on the communities in question such as navigational problems, depleting of aquatic life and the general aesthetic value of society. Since the problems of environmental management and resolution of industrial relations disputes is the responsibility of all of us – sociologists, lawyers, and environmentalists in liaison with relevant government agencies, and being an issue that involves the cross-pollination of man with his socio-economic environment, there are bound to exist conflicts, disputes, clashes, and aspirations.

Indisputably, these disputes arise from the use of the social environment by fellow human beings, and aspirations on the part of the indigenes of the Oil bearing communities in question who see their environment as a divine gift that ought to be enjoyed by them exclusively and uninterrupted especially in view of the constitutional requirement that government has a duty to protect same in line with its environmental objectives as provided for by *Section 20* of the 1999 Constitution of the Federal Republic of Nigeria as amended. Thus, the interplay of these disputes and aspirations have generated a lot of heat, sometimes resulting in the loss of human lives and protracted litigations. It is therefore in the light of the foregoing that we require not just scientific, technological, economic, and legislative cum legal solutions, but also a sociological perspective to the problem.

This is not to say that this research is seeking to instigate any form of strife or extra-legal formula designed to undermine the authority of the legislature or the courts, for as we are aware 'strife produces strife, and injury produces injury'; nor is it intended to create a gap in the relationship between the two major actors, to wit: the Oil industries and their host communities, rather the aim here is to highlight the trend of the subsisting relationship between the two sides with a view to evaluating same and especially to further see how mitigation of areas of conflict can be achieved. In so doing, the role of the federal government of Nigeria itself, which is the shadow actor in these tripartite relationships, will be assessed equally in the light of extant laws, policies, and best practices.

Historically, the Niger Delta region of Nigeria was one of the first parts of the country to have extensive contact with the Europeans and was profoundly affected by both the slave trade and other forms of commercial activities. Initially, commerce revolved around oil palm derivatives and other local cash crops and products which altogether attracted increased market and patronage until crude oil was eventually discovered at Oloibiri community in the Niger Delta region by Shell Darcy in 1956. This led to the naming of the first crude oil well 'Oloibiri Well' after the said community by Shell (Oyadongha & Idio, 2016).

Although the general impression previously was that the coming of the Oil industry positively transformed

the local economy of the Oil producing host communities, the reality seems to be that the perceived changes may not in summary be said to be altogether positive in nature. The effects of Oil exploration activities are at best ambivalent, and most local activists insist that they have proved negative for the host communities. The Oloibiri community, for instance, till today still lacks the basic necessities of life as the 'black gold', an exhaustible asset has since dried up and the company moved on regardless of the dislocation caused to the natives.

It is conceded that the theory of Corporate Citizenship which was originally confined to the field of labour relations has progressed to consumer protection and more recently has become all embracing covering product safety, official corruption, and indeed environmental protection, to the extent that questions as to how to build mechanisms for the protection of those interests have become a major preoccupation of the company law of most countries including Nigeria. Unfortunately in Nigeria according to reports, despite the vast Oil wealth of the Oil producing areas, the Niger Delta region remains poor – though detailed and accurate data on the economic situation do not exist (World Bank, 2016).

For the purposes of this study however, reliance will be had on the recent World Bank reports which indicate that Gross National Product per capita dropped to \$2,260 in 2016 down from \$3,268 in 2014; education levels are low standing at approximately three quarters of Nigerian children being able to attend Primary school, while national adult illiteracy is estimated at 43 per cent; the poverty level is exacerbated by the high cost of living due to the influx of people employed in the high paying Oil sector in cities like Eket, Port Harcourt, Uyo, Warri, etc; state governments reported that only 20 – 25 percent of rural communities and 45 – 50 percent of urban areas have access to safe drinking water; there is no extensive sewage system and water related diseases are widespread; electricity supply is erratic and several communities are yet to be connected to the national grid; local population growth coupled with the influx of people from other parts of Nigeria attracted by economic activities has put serious pressure on the agricultural land and by extension led to decrease in yields (Nwosu, 2013).

Problem and aim of the study

The major problem that inspired this research is the fact that Nigeria's Oil bearing communities such as Ibeno, Port Harcourt, and Warri have been plagued by communal unrests involving the Oil multinational companies and the host communities of the Niger-Delta region largely due to the fact that the bounties of nature bestowed on this geographical area has gradually metamorphosed into an instrument of pain, poverty, and squalor. The Niger Delta region of Nigeria therefore has assumed a central position in extreme socio-economic problems requiring multi-dimensional strategies to ensure sustainable development since the adverse effects of Oil spillages, gas flaring, and continuous acquisition of farmlands to sustain the activities of the Oil industries are irreparable.

At the root of these challenges is the question of Corporate Social Responsibility. The problem is thus primarily that of poor infrastructural development and the perceived non-responsiveness of government to the friction caused by constant interfaces between these Oil multinational corporations and their host communities. The reality appears to be that while the Oil industries prosper and grow with their personnel who are mostly not indigenes of the host communities living in affluence, the indigenes of these host communities whose environment have been constantly polluted live in abject poverty with very few of them having the opportunity of occupying meaningful positions in these companies while majority are at best engaged as casual or non-managerial staff. This has led to the recurrent calls for resource control, restructuring of the polity, review of the Derivation formula, and more recently demand by the Niger Delta indigenes for allocation of Oil Blocks, which up till now appeared to be the exclusive preserve of only the Northerners (Jeremiah, 2017).

Theoretical framework

This research, though hinged primarily on the Conflict theory equally has some bearing on other theoretical

perspectives particularly functionalist theory otherwise known as functionalism. It is therefore necessary at this stage to delineate the assumptions of these two theoretical perspectives and thereafter apply these assumptions to an analysis of social stratification as demonstrated in the relationship between the Oil industries and their host communities with a view to illustrating how this has led to further strife.

Functionalist theory according to Bhushan & Sachdera, (2011) was created by Herbert Spencer and carried forward by Emile Durkheim into the twentieth century. All functionalist theories examine the social universe as a system of interconnected parts to be analyzed in terms of their consequences or functions for the larger system. The three main points are: culture is made up of interacting, interdependent parts; shared values and expectations, needs, requisites among the members of the society help to hold the society together; these systems have a need for stability and a need to try and keep all the parts working together congruously in a sort of system.

There are certain institutions, among them include the family, the political system, religion, economy, etc which aid the structure of society. Those institutions, working in order and harmony will not only increase the stability of the social stratification, but will add to it. The functionalist will then point out that these institutions while independent of each other have a shared system of values which guides them and helps hold the society together. Where therefore one raises the question – what are the consequences of Oil exploration activities on the life pattern of the indigenes of the host communities of these Oil multinationals?, a functionalist perspective will be seen to have been adopted in the inquiry.

Conflict theory on the other hand has Karl Marx and Max Weber as the intellectual fountainheads that gave prominence to it. It is centered on the tension or struggle that goes on in every life. Conflict occurs whenever disagreements exist in a social situation over issues or substance and / or emotional antagonism. It deals with the incompatible aspects of the society. According to Subedi, (2014) viewed from this perspective, change emerges from crisis between human beings and their society, and so human beings have capacity to think and act against situations that are not satisfactory to their existence. The major assumptions of the conflict theory are as follows:

First, society promotes general differences in wealth, power, and prestige, qualities which everyone desires; Second, the different parts of the social system are intertwined especially because one group is inherently dominant over the other; Third, society does not necessarily have needs, but individuals and groups do. The needs of the dominant group are however perceived as 'system needs'; fourth, there is a basic question of 'who benefits from the social arrangements of the day? The inherent conflict always gives the advantage to the stronger party; fifth, the conflict itself which leads to tension, hostility, competition, disagreement over goals, as well as other violence may not always be negative. Indeed, in some instances, they can act as an adhesive to help join groups together in the pursuit of a positive goal; and sixth, to understand society, we have to realize who holds the power and also the ability to use it.

The conflict theorist will state that the main characters will cause some very defined conflicts. These conflicts are usually based on the organization of similar interests and concerns and this clearly depicts the situation in most of our Oil bearing communities. It must however be borne in mind that not all social systems in which individuals participate segmentally allow the free expression of antagonistic claims. Social systems tolerate or institutionalize conflict to different degrees. There is no society in which any and every antagonistic claim is allowed immediate expression. Societies dispose of mechanisms to channel discontent and hostility, while keeping intact the relationship within which the antagonism arises. Such mechanisms frequently operate through 'safety-valve' institutions such as the various commissions which provide substitute objects upon which to displace hostile sentiments and aggressive tendencies.

Unfortunately, although in Nigeria safety-valve institutions may serve to maintain both the social structure and the individual's security system; they are not completely functional for both of them. This is largely due to the fact that in reality, they prevent modification of relationships to meet changing conditions and hence, the satisfaction they afford the individuals or communities can only be partially or momentarily adjustive. In

fact, they lead to a displacement of priorities on the part of the companies such that they no longer aim at devising a final solution to the unsatisfactory situation, but focus mainly on merely releasing the tension which arose from it.

Methodology

The research design adopted for this study was Ex-Post-Facto which involves testing or analyzing possible antecedents of events that had occurred before the researcher got to the field. In so doing, data was collected using a researcher developed instrument called Oil Industries and Host Community Relations Questionnaire (O.I.H.C.R.Q). Using a stratified random sampling technique, a sample of 293 subjects were drawn from the nine Oil producing states that constitute the Niger-Delta region of Nigeria. The data obtained was a continuous one which came from the opinion of the sampled subjects concerning the relationship between the Oil industries and their host communities across the Niger-Delta region of Nigeria. The hypotheses were tested using Pearson Product Moment Correlation Coefficient (r) at 0.05 level of significance. A summary of the analysis revealed the following:

- There is a significant relationship between the attitude of the indigenes of the host communities and the scope of activities of Oil multinational industries operating in the Niger-Delta region of Nigeria.
- There is a significant relationship between the companies' and host community relations and the Oil multinational industries' scope of activities throughout the Niger-Delta region of Nigeria.
- There is a significant relationship between host communities' perception of the Oil multinational industries' employment policies and the scope of activities of the companies operating in the entire Niger-Delta region of Nigeria.

The above findings suggest that the attitude of the host communities towards the Oil companies in the Niger-Delta region of Nigeria affects the scope of activities of these companies. Thus, if the attitude of the indigenes towards these companies is positive, the scope of activities of the various multinational Oil companies will naturally be enhanced in the face of support by the immediate population in their operational environment and this by extension is likely to better satisfy the needs and aspirations of both parties to this relationship in the long run. Conversely however, if the attitude of the indigenes towards the Oil industries is negative, it will naturally disrupt and reduce the operations and output of the companies.

Similarly, the type of relationship that exists between the Oil industries and their host communities in the Niger-Delta region affects the scope of activities of the various Oil industries either positively or negatively. Thus, if the relationship between the two actors is positive, the production activities of the companies naturally goes on uninterrupted thereby reducing down-time to the barest minimum while enhancing productivity and investors' confidence. If on the other hand their relationship is negative, the Oil industries' activities will suffer intermittent disruptions which lead to loss of revenue, drop in productivity, and sometimes total withdrawal of some of the companies from the region or country on the basis of insecurity. These are the consequences of disenchantment by the indigenes of these host communities and have become hallmarks of the Oil industries in recent times.

Finally, the host communities' perception of the employment policies of the Oil industries in the Niger-Delta region has a significant impact on the scope of activities of the companies. Thus, the employment policies of these companies have the propensity to attract positive or negative reactions from the indigenes of these host communities and by implication the level of peace and security prevailing in the region. This naturally determines the degree of productivity of these companies since the youths are often more likely to demonstrate and shut down the activities of the Oil multinationals when they feel shortchanged or outrightly marginalized in the employment ratio of these companies. Where however the employment policies are perceived as being fair or positive, this will engender peaceful coexistence and by implication a smooth operational timetable.

Discussion

The emergence of conflict in the relationship between the Oil industries and their host communities is largely due to the perceived role of the companies in the socio-economic status of the people of the Niger-Delta region of Nigeria. Local fishermen complain of reduced catches in recent years and this is a direct result of the persistent contamination of rivers and the seas by Oil operations particularly spillages and increased turbidity of the water bodies caused by dredging or traffic of large motor-powered vessels. These pollutants remain in the water which in freshwater areas is usually the same one that the indigenes of the host communities drink, wash, and cook with, thereby endangering their livelihood generally.

Beyond the contamination of rivers and streams, the destruction of undeveloped lands and forests is as much a source of concern to local communities as the destruction of cultivated land. While mangrove has over seventy major uses and once covered three-quarters of the coastline of the Niger-Delta region (James, 2013), non-timber forest products collected from the mangrove forests include herbs, dyes, thatching and food species as diverse as monkeys and snails. In the freshwater swamp forests, raffia palm, mango, land snails, and a wide range of other products are significant.

The situation is even more worrisome in the light of the statutory provisions by the Nigerian Land Use Act, 1978 regarding compulsory acquisition of land by government for overriding public interest. This is the case notwithstanding the constitutional provision that no right or interest in property may be acquired compulsorily except under a law providing for the prompt payment of compensation. The Oil companies in connivance with relevant government agencies have taken advantage of our ineffective laws as the said compensation when paid is either belated or inadequate thereby engendering further strife.

A more critical evaluation of the causes of conflict between the two major actors will show that at the root of all these crises is the question of Corporate Social Responsibility for developing the Oil producing communities. This is especially so because, under Nigerian petroleum laws, the federal government appropriates the right over crude oil and gets all revenue accruing from its production including taxes. Thus, the Oil companies argue that the primary responsibility of developing the host communities is that of the federal government. The practical implication is that under Nigerian law, the Oil companies do not have a legal responsibility to develop their operational areas, in this case the Niger-Delta region. Their statutory obligation is limited to payment of charges, rates, royalties, taxes, and all sundry license fees to the federal government.

Corporate Social Responsibility is therefore a demonstration of magnanimity and so is not justiciable. Indeed, according to most of the companies, theirs is a business and so they cannot be called upon to take over the responsibility of government. Against this background therefore, for decades the Corporate Social Responsibility schemes in the whole Niger-Delta area were designed without clear provisions detailing the developmental roles and responsibilities of these multinational Oil companies and many of their executed programmes have retained an outdated shareholder-centric focus that fails to account for the views of other stakeholders (Aaron, 2012).

It is against this background that the crisis situation in the Niger-Delta region of Nigeria has been building up for decades primarily due to poor infrastructural development and non-responsiveness to the needs and aspirations of the indigenes of the host communities. The companies however insist that despite the lack of legal obligation to develop the region, they have been trying their best in demonstration of good corporate citizenship. Amuyou et al (2016) for instance observed that Exxon-Mobil Nigeria spent N29,908,285,941.00 in 2009, while Shell Petroleum Development Company (SPDC) spent \$73.8 Million in 2011 on community development projects. Yet, scholars have attributed many of the fundamental problems regarding Corporate Social Responsibility to poor and weakly implemented policies, the most significant of which is the widening gap between the actual community needs and the Oil industries' perception of what the communities should have (Nwosu, 2013).

The communities on their part do not care whose responsibility it is to provide them with basic infrastructures and empowerment programmes. As far as they are concerned, the Oil companies have a responsibility to them. This, according to Nwosu, (2005) has led to the unfortunate belief that when they harass the companies via protests, government will be more willing to listen to their complaints, needs, and aspirations. This is obviously predicated on the argument that if the Oil companies do not have a statutory responsibility, they do at least have a moral obligation to develop the communities where they operate their businesses. Consequently, there has been a growing and unprecedented surge in social conflicts in the entire Niger-Delta region in recent times involving the host communities and the Oil industries notwithstanding the commendable efforts already made by most of the multinational companies operating in the area. The most recent of these incidents involved a coordinated attack on several facilities in the course of which the youths from these host communities resorted to blowing up of a number of Oil installations.

Besides, there is a growing consciousness about the diminishing livelihood and deteriorating infrastructure caused by a deep sense of loss and deprivation in the Oil producing communities. Indeed, according to Sunkin *et al* (2002), it has been held that identified polluters should be required to pay the full cost of the rectification of any environmental degradation that has occurred as a result of their activities. The Ogoni pollution and total devastation of the environment therein resulting from six decades of Oil exploration and exploitation activities all go to show the ambivalence and indifference of the companies in the course of their business. The recent efforts at clean-up of the environment in Ogoni land was clearly not voluntary but the outcome of several years of both domestic and international litigation which is proof that the companies are not sincere in their claim of caring about our ecosystem. This is the root of the clashes and sabotage by the indigenes.

Moreover, it is now on record that despite their significant investments in the Niger-Delta region of Nigeria, the Oil industries create limited job opportunities for the indigenes of their host communities in this sector notwithstanding the existence of the Nigeria Oil and Gas Industry Content Development Act, 2010 which makes it mandatory for foreign companies to give Nigerian Independent Operators first consideration in the award of Oil and gas related contracts while Nigerian service companies should be given exclusive consideration for contracts for services. Basically, this law seeks to increase indigenous participation in the sector by prescribing a minimum threshold for the use of local services and materials and to promote transfer of technology and skills to Nigerians in the industry. Unfortunately, the annual Practical Nigerian Content (PNC) meeting an event which brings stakeholders together to discuss and debate key issues regarding compliance with the Act is organized by CWC Group; a UK based global company in partnership with the Nigerian Content Development and Monitoring Board (NCDMB).

Experience has also revealed that even in instances where Nigerians are employed, the bulk of the opportunities are usually skewed in favour of particular tribes or ethnic groups mostly outside the Niger-Delta region which further fuels the existing discontent thereby leading to further strife. Besides, technological development over the last five decades has not been responsible for a higher Capital ratio with the result that employment in most extractive industries has actually fallen particularly as regards indigenes. Job cuts are now commonplace and the mostly unskilled Nigerians who are at the base of the human resource pyramid are usually the worst hit.

Adumbrating on this unfortunate state of affairs over four decades ago, Barnet & Muller (1974) stated that it is an unhappy fact that the development track pursued by the global corporations contributed more to the clear exacerbation of world poverty, world unemployment, and world inequality than the solution. According to them, the unfortunate role of the global corporations in maintaining and increasing poverty around the world is due primarily to the dismal reality that global corporations and poor countries have different and indeed conflicting interests, priorities, and needs. This seems to be the root cause of the problem.

Indisputably, the Oil industries are responsible for the wage differentials between National enterprises and the transnational enterprises such as theirs. This is clearly shown by the fact that the average earnings of the employees in the Oil multinational companies far exceed those of their counterparts in most other national

firms. Wage differentials are precursors of economic disparities and this fact instead of being bridged has actually increased over the last decades in most of the developing countries particularly Nigeria. Thus, the benefit of the economic growth registered in many nations has not reached the needy segments of the population thereby exacerbating the social consequences of excessive income inequality (Andrews and Leigh, 2009).

Assuredly, economic help in the form of importation of foreign machinery and equipment into backward countries to enable them promote a measure of economic progress is no substitute for the domestic changes that are mandatory if economic development is to be attained. Such help may actually do more harm than good for in most cases, these Oil exploration and exploitation industries in the course of their activities have habitually failed to take positive steps to conduct proper Environmental Impact Assessments (EIA) of their intended activities beforehand and so disregard the need for a healthy economic growth. Indeed, according to Jennifer (2008), while countries with longer experience and more advanced EIA practices tend to include a standard set of components in their EIAs, the same companies in developing countries such as Nigeria often fail to include certain basic elements in such EIAs in line with best practices. In the circumstances, foreign assistance or investment thus supplied ends up setting off an inflammatory trend, environmental degradation, and aggravation of the existing social and economic tension.

Unfortunately, the underdevelopment of the Oil producing host communities of the Niger-Delta region in Nigeria has largely been understood in the context of lack of social amenities such as pipe-borne water, tarred roads, hospitals, basic electricity, etc. This is probably because experience has shown that even when these Oil companies provide these amenities, they only do so to the extent that it facilitates the exploitation and exploitation of the Oil in the communities in question as evidenced by the construction of mostly access roads that link up their various Oil and Gas fields, or the provision of the barest of other infrastructure to prevent unrest and minimize friction, and not necessarily borne out of a genuine desire to develop the host communities.

The companies, licensees, and lessees have argued and maintained that there is widespread sabotage of Oil installations and attacks on their equipment, facilities, and personnel in several instances. This has been the case for decades and in fact assumed an alarming dimension in 2017. This situation has however been widely justified by the natives particularly their elites who have persistently argued that a people whose land produces the wealth that sustains the entire country should not be made to dwell in poverty (Babalola, 2014).

Underneath all these claims and counterclaims lies the real substance and truth of these conflicts and bad blood existing between the Oil industries and the Oil bearing host communities. The following would appear to be the real bone of contention giving rise to the perceived conflicts:

- The laws establishing the petroleum / Oil industries and the laws granting them license to explore and exploit petroleum products in Nigeria do not impose strict duty of care on them to maintain their host communities.
- The petroleum / Oil industries do not perform their Corporate Social Responsibilities to the communities in which they operate to the satisfaction of the actual needs and aspirations of the indigenes especially by involving the said indigenes in the implementation process.
- The legal framework regulating the petroleum industry in Nigeria is both ineffective and inadequate. This is because in most cases the laws are either couched in such general terms that they become incapable of strict application and implementation, or the penalties prescribed for non-compliance are so meager that they do not constitute enough deterrent to the companies while the general enforcement mechanisms remain weak.

The Oil industries in the face of this state of affairs pay scant regard to environmental issues. This is notwithstanding the fact that even where the law does not impose a duty of care on them specifically, it is trite that these same companies in other countries particularly in developed nations where they operate give priority to environmental issues and legislation in line with international best practices. Little wonder then there exist such conflicts in areas where there is high environmental awareness such as Rivers, Bayelsa, Delta, and Akwa Ibom states.

Tijani (2015) therefore asserted that Ken Saro-Wiwa had paid the price for the environmental consciousness of the Niger-Delta people, and as a result, they would never let him down. Such awareness and consciousness of the dangers posed by environmental pollution by Oil exploration activities ignite in the people a sense of direction, patriotism, and desire to stand up for what is true. It is respectfully submitted that such desires are in line with the contemporary thinking and standards all over the world, and is further supported by legal thought for as Roscoe Pound in Study Moose (2016) noted, 'law is a process of balancing conflicting interests and securing the satisfaction of the maximum of wants with the minimum of friction'. It is further expected that even on moral grounds, the Oil industries should be environmentally friendly.

To assuage the concerns of the host communities, the federal government of Nigeria set up the Niger Delta Development Board (NDDDB) of 1958, the Niger Delta River Basin Development Authority (NDRBDA) in 1976, the Oil Minerals Producing Areas Development Commission (OMPADEC) in 1992 established by Decree No.23 of 1992, the Niger Delta Development Commission (NDDC) in the year 2000, and subsequently the Ministry of Niger Delta in 2008 all charged principally with the responsibility of managing the development of the Niger-Delta region. Despite these numerous efforts, violence has been on the increase and indeed has assumed more sophisticated dimensions in addition to hostage taking as a means of negotiation. The summary is that the Niger-Delta region in Nigeria has a history of non performing government institutions which are at best a conduit for looting by government officials noted for serial corruption and ineptitude (Nwosu, 2006).

Summary and Conclusion

Disaffection arising from the inequalities attributed to the Oil economy has led an increasing number of people particularly youths from the Oil producing Niger-Delta region of Nigeria to protest the exploitation of what they see as their Oil. This is despite the statutory provision that all mineral resources in Nigeria including crude oil belong to the federal government. This position has not been perceived as palatable throughout the Niger-Delta region especially given the fact that government has not been responsive regarding the protection and preservation of the entire ecosystem in the Oil bearing communities in the Niger-Delta region. The most recent coordinated attacks on Oil installations across the region was therefore a demonstration of the obvious disaffection by the indigenes of these communities.

These protests, though staged against the companies directly thereby resulting in damage to their facilities, equipment, installations, and personnel are in reality indirectly targeted at the federal government to drive home demands for a greater portion of the Oil revenue to be spent on the development and general welfare of the Niger-Delta region. The demand for the Oil companies to relocate their operational headquarters to the region is equally aimed at boosting economic activities while improving the job opportunities available to the indigenes both directly and indirectly. In most instances, such protests have led to successful halting of production at flow stations. This has significantly affected profits for both the companies and the federal government reducing same due to increased down-time.

The Oil industries on their part have out of desperation liaised with the federal government to set up extensive security architecture for the protection of their facilities and personnel. Unfortunately, some of these efforts have proven to be counter-productive and indeed aggravated the existing discord rather than preserving or improving the *status quo*. The reality therefore is that as the companies and government improve on their security apparatus and network, the youths who have now metamorphosed into full-blown militants are equally stepping up their game by deploying more destructive strategies and explosives often

times far ahead of the security personnel in terms of acquisition and use of weapons.

The multinational oil companies must take proactive steps to ensure that Oil production does not continue at the cost of environmental safety of the host communities. Resort to threat or actual use of force to contain the resistance by the indigenes that protest against their activities can only be counter-productive as recent experiences have shown. There is an ever-growing likelihood that unless corrective action is taken, crises in the Niger-Delta region of Nigeria will continue to get more violent and sophisticated with consequent cost to all the actors in this tripartite relationship.

Recommendations

In the light of the forgoing situation the following recommendations are put forward to stem the tide and better manage the *status quo* in the Niger-Delta region of Nigeria:

- The federal government should ensure that the interests of the entire Niger-Delta region is prioritized in the developmental agenda of government particularly from the Oil revenue.
- The National Assembly should immediately pass a Law mandating all Oil multinational companies operating in the Niger-Delta region to observe and comply strictly with the highest environmental protection standards in line with global best practice.
- The courts in Nigeria should enforce and ensure the compliance of all Oil companies operating in the Niger-Delta region with environmental laws whether legislated at the domestic or international level particularly those bothering on the right to a healthy ecosystem.
- The Oil industries in Nigeria's Niger-Delta region should review their Corporate Social Responsibility programs and ensure that a participatory rural appraisal approach is adopted to avoid engaging in projects that have no significant impact on the livelihood of the people.
- The federal government should restructure the Nigerian governance architecture to reflect the true meaning and purpose of federalism to ensure the Niger-Delta region takes significant control of its wealth in order to achieve meaningful development.
- Both the federal government and the Oil industries operating in the Niger-Delta region should effectively support the activities of civil society and non-governmental organizations with clear focus on the monitoring and protection of violations of environmental and human rights standards in the entire region.
- The current Niger Delta Development Commission should be placed in the hands of eminently qualified and tested technocrats with proven professionalism in project delivery and public works management backed by a strong political will on the part of government devoid of executive interference.
- There is an urgent need for the Oil multinational companies operating in the Niger-Delta region of Nigeria to strengthen their relationship with their host communities to engender an improved and symbiotic coexistence that will enhance industrial output and growth without violating the rights of the host communities to a safe environment.

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