

**INDIGENOUS PARTICIPATION IN RESOURCE
EXPLORATION IN NIGERIA'S NIGER-DELTA,
1960-2005**

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Abstract

The issue of ownership and control of resources in the Niger Delta, Nigeria, is a serious question that has remained unanswered. The question has continued to generate discussions in the polity. Much has been written on the pages of newspapers regarding the ownership of oil resource in the region. This article seeks to interrogate the claims of the Niger Delta people on conspiracy between the Nigerian government and the multinational oil companies operating in the Niger-Delta in view of exploration of oil resources in the area without the active involvement of the people. It adopts the historical method, relying on primary information obtained from archival sources and secondary sources. The paper tries to bring to the fore the conflict of interests between the host communities and the activities of the multinational oil companies operating in the areas. It highlights a tale of woes and lamentations of the people whose natural resources and means of livelihood are taken away without their full involvement. The paper establishes a link between militancy in Niger Delta and neglect of host communities which pushed the youth, the most threatened group by way of neglect to react against this injustice. The youth has reacted negatively by hostage-taking of their perceived enemies and demanding ransom from the multinational oil companies operating in the



Niger Delta. The paper concludes by looking at the new approach of understanding among stakeholders based on dialogue with all the stakeholders in the exploration of the resources in the Nigeria's Niger Delta.

Key words: Indigenous, Participation, Resource, Exploration, Niger-Delta

Introduction

The Niger Delta region is located at the centre of the Gulf of Guinea. It lies on the west coast of Africa, and in the southern most extremity of Nigeria that border the Atlantic Ocean. The area covers six states in Nigeria with about some 31 million people occupies a total area of about 75,000 km² and makes up 7.5% of Nigeria's land mass.¹ The states that make up the Nigeria's Niger Delta are Akwa Ibom, Bayelsa, Cross River, Delta, Edo, and Rivers. The ecological zones in the Niger Delta region can be broadly group into tropical rainforest in the northern part of the Delta and mangrove forest in the warm coastlines of Delta. Mangrove forests and swamps, which are characterized by regular salt-water inundation, lie at the centre of a complex and sensitive ecosystem which is vital to the local economy and accommodates important flora and fauna.²

The importance of oil to world economy, especially, the third world countries in the 21th century cannot be over emphasised. It is not only the basis for economic life but also the largest source of income for countries that are blessed with it. It is both the most important source of energy and the largest commodity in the international market. The demand for oil in the world is also due to the twenty-first civilization which makes it almost compulsory to depend on petroleum more than any single commodity.³ The growing need of petroleum products to power our automobiles, generate electricity, operate tractors among others has made its an international product that countries can do anything to have enough of it for running its economy. The



amount of capital involved in oil development, exploration and production, the scope of the trade in oil, the size, sophistication and complexity of the organizations involved and the potential financial rewards make the industry different from others sectors of any economy.

The discovery of oil in Niger Delta region in the late 1956, has become a great asset to the country and has provided all the necessary capital that the country needs for her economic development. It is the mainstay of the Nigerian economy, contributing over 95 per cent of Gross Domestic Product (GDP) and about 87 per cent of government revenue. As a per centage of the gross domestic output, the sector has accounted for about 12 to 13 per cent and its downstream operations currently contribute as much as 20 per cent of GDP, so much so that it has tremendous impact on other sectors of the economy, especially manufacturing and transport services.⁴ With a daily average production of about 2.5 million barrels of oil a day, Nigeria is rated Africa's largest producer of oil and seventh largest oil-producing nation in the world.⁵ Incidentally, most of the Nigeria's crude oil production and oil exports as well as the revenue derivable from this oil are produced from the Niger Delta.

The importance of the region is therefore predicated on its oil and gas resources. Nigeria's dependence on income from oil and gas is currently over 80 per cent of the total Gross National Product. The Niger Delta accounts for 90 per cent of Nigeria's total export of crude oil.⁶With an oil reserve of over 35 billion barrels and 75 million cubic metres of natural gas, the Niger Delta is currently the richest region in Nigeria.⁷ In spite of the contribution of this region to the Nigeria development, the Niger Delta still remains one of the most underdeveloped region of the country. The revenue generated from petroleum resources has become a major source of conflict and crisis between the Niger Delta people, Multinational Oil Companies



and the Nigerian State. This has created serious problem for the people of Niger Delta in particular and Nigeria in general as the region has become the hotbed of a plethora of conflicts in recent times. This has made it one of the main trouble spots in the African Continent and a major hostage-taking region in the world.⁸

The thriving agrarian and fishing economy of the region has declined, giving way to oil pipelines, flow stations, oil wells and platforms. These has created serious problems as the economic activities of the people are now affected negatively Farmers and fishermen are claiming that they are deprived of what they considered as their right in terms of their land and natural resources by the Nigerian State through the instrumentality of laws, such as the Land Use Act of 1978 and the Petroleum Act of 1969. The acts transfer ownership of their land and resources to the Nigerian State. This situation has created serious problems for the nation, as the country has not known peace as a result of claims and counter claims between the government who is the major beneficiary of the oil revenue and the Niger Delta people who on the other hand are the owners of the land where the oil exploration activities takes place. While the Nigeria Government has continued to maintain that oil is an asset to Nigerian state, as such the government has the absolute right to oversee its exploration and production as the law clearly states, that the state and the local governments are the owner of the land. The government position on oil exploration and exploitation which is also viewed by the people of Niger Delta as northern Nigeria position was recently captured by Mohammed Gambo during National Political Conference held in Abuja as fellow:

Indeed, many of our people lost their lives in the defence of this country and I have their mandate to restate here today that we are again ready to spill our blood in defence of this country... our fore fathers and



indeed, the whole federal arrangement in the world have recognised the wisdom in putting the question of mines in care of the federal government with the realisation that in the event of anything, it is the collective responsibility of the people in the country to defend this land, including the minerals and natural resources that are underneath the land. This is because this minerals has not been put there by any individual...since there is not only one spot in this country where one could say is the only place where oil could be found, you will find that there will be a belt covering a number of states that contains oil and minerals, thus the federal government certainly has the responsibility of coordinating and supervising, in a harmonious way, the people in getting out those minerals.⁹

On the other hand, the position of the Niger Delta people is that, even though the government and the oil companies has made so much money from the exploration of oil from their ancestral land, the people who owns the land has continue to remain in poverty with little or nothing to show from the exploration of oil in the area. They claimed that the activities associated with petroleum exploration, development and production operations have negative and significant impacts on their environment, health, occupation, income, safety and social-economic life of their people. This is as a result of the fact that, some of the multinational oil companies operating in the region have failed to adopt international best practices for risks mitigation and are not complying with the environmental regulations. The poor environmental management practices by the petroleum industries and the failure of Nigeria's environmental regulations has therefore contributed towards environmental contamination with direct consequences on the socio-economic wellbeing of the people.



This environmental contamination and degradation associated with both onshore and offshore petroleum exploration and production operations in the Niger Delta has not yet been properly and adequately taken care of years after oil exploration was carried out in this area. This position was endorsed by Chiefs of Kula Kingdom. According to them, “It is saddening to note that with the above production figures, the federal government, state government, National Petroleum Corporation (NNPC) and multinational companies have not initiated any comprehensive development, employment of youths, women empowerment and capacity building in the Niger Delta.”¹⁰ In the same vein, Chief Dan Oposingi, Chairman, Kula Council of Chiefs had vowed that members of his community have decided to take their destiny in their hands by stopping the oil production because the community cannot boast of any concrete development for the past 45 years of oil exploitation in their communities.¹¹ According to Itse Sagay:

Central to the struggle for resource control, is the right of the states and communities most directly concerned to have a direct and decisive role in the exploration for, the exploitation and disposal of, including sales of the harvested resources.¹²

According to Ogbogbo, “We can surmise that from the Niger Delta people, resource control means ownership, management and exercise of authority over oil, gas, land, forest, water and any other identifiable resources within the region’.¹³

History of Oil Exploration in Nigeria

The search for oil resources in Nigeria started in 1908 when a German firm know as Nigeria Bitumen Company started drilling and exploring for oil within Lagos area of Nigeria.¹⁴ Although the search was not successful as oil was not found in a large commercial quantities in the area as only small quantity of oil was discovered at Araromi-Ilaje 1908 in present day Ondo



state.¹⁵ But by 1938-1939, the company moved to the Owerri area, where the company drilled seven holes for about 16,296 pound without any success.¹⁶ The Company, however had some interruptions in its efforts at getting oil out of the ground as a result of the outbreak of the First World War in 1914. The war terminated the first effort by the company in search for oil in Nigeria. The continuing searching for oil in Nigeria was however revived with the coming of Shell D Arcy (a consortium of Iranian oil company, later British petroleum and Royal Dutch Shell Development Company of Nigeria, an affiliate of the Mineral Oil Company and British Petroleum Company) received sole concessionary oil exploration license in 1938 from the colonial authority in Nigeria for the whole country covering 357,000 square miles. The company operated under the Mineral Ordinance No. 17 of 1914 which gave companies registered in Britain or any of its protectorates the right to prospect for oil in Nigeria.

With the outbreak of the Second World War in 1939, Shell's initial activities of oil exploration in Nigeria was thwarted. But with the end of the war in 1945, the company resumed intensive oil exploration in Nigeria. It was not until 1956 however, that its effort payed off as the company drilled its first commercial quantity of oil well after several failed attempts. The discovery of large quantity of oil by Shell in a place called Oloibiri and a second oil field which was later discovered at Afam both in River State ushered in Nigeria in international oil market.¹⁷

From 1938 to 1956, almost the entire country was covered by concession granted to Shell D' Arcy (later Shell-British petroleum) to explore for petroleum resources. The complete monopoly and the dominant influence enjoyed by Shell in Nigeria oil and gas industry continued for many years (1938-1955), until when section 6(1)(a) of the Mineral Oil Ordinance of 1914, which disqualified non-British companies rights from receiving exploration licences was amended. The monopoly of



exploration rights given to Shell-BP in 1938 was then broken.¹⁸ Some International Oil Companies (IOCs) appeared in Nigeria, when the country became an independent state in 1960, taking up Oil Prospecting Licence (OPLs) on concessions voluntarily relinquished by Shell-BP.¹⁹ According to Atsegbua, this development was in line with the government's policy of increasing the pace of exploration while at the same time ensuring that the country was not over dependent on one company.²⁰ Thus, after Nigeria's independence in 1960, the Nigeria Gulf Oil Company which was a subsidiary of Gulf Oil Corporation of America, now Chevron was licensed to explore for petroleum in 1961.²¹

Other IOCs that were represented in Nigeria and which secured exploration licence about the same time, included Mobil Oil, Texaco Oversea Nigeria Petroleum Company 1961, Amoseas in 1961, SAFRAP a French company in 1962, which later became Elf Nigeria Limited in 1974, Sunray-Tennaco in 1962, Azienda Generale Italiani Petroli (Agip) in 1962, the Italian State owned oil company Philips Oil Company in 1964 and Pan Ocean Oil Company in 1964 among other oil companies. The appearance of these IOCs, opened up a new phase of development in the oil industry. According to Ajomo, The open door policy which began in 1959 engendered a spirit of healthy rivalry from which the industry benefited tremendously as most of these multinational oil companies recorded considerable successes in oil and gas exploration and production in both on shore and offshore fields in the Niger Delta.²²

The open door policy also enabled the Nigerian government to be involved in the oil businesses beyond receiving only royalties from the oil company for crude leaving the country, to becoming one of the major players and having greater share of the crude oil production through the establishment of its first national oil company called Nigeria National Oil Corporation (NNOC) in 1971. These developments qualified the country to



join OPEC in 1971. The country joining of OPEC marked the beginning of Nigeria government taking firm control of its oil and gas resources, thereby reducing the dominant role of Shell in the Nigeria oil and gas industry in line with the practice of other members of OPEC. Shell BP's holding was completely nationalised by the Nigeria government in 1979. The company became Shell Petroleum Development Company of Nigeria (SPDC). However, as against what obtains in some OPEC member countries where National Oil Companies (NOCs) took direct control of production operations, in Nigeria, the Multinational Oil Companies (MNOCs) were allowed to continue with such operations under Joint Operating Agreements (JOA), clearly specifying the respective stakes of the companies and the Government of Nigeria in the ventures.²³ The MNOCs however still constitute the major players in the Nigeria oil industry, with Shell still maintaining a leading role in the industry. The dominance of SPDC among the MNOCs is the fact that, they have the largest acreage in the country from which it produces some 39 per cent of the nation's oil. This has made them to remain the major producer in Nigeria's petroleum industry.

The Niger Delta region which is richly endowed with 31 giant oil and gas fields and each has an estimated ultimate recoverable oil of more than 500 million barrels and produces in excess of 1 million barrels a day out of the nation's total production of about 2.1 million barrels per day.²⁴ Currently, there are over 18 multinational oil companies which are involved in oil and gas exploration and production in the Niger Delta. The major players include Dutch Sell, ExxonMobil, ENI/Agip, Total, EIF, Chevron and Texaco.

The dominance of oil in the Nigeria's economy in the early 1970s which was as a result of oil boom resulted in declined agricultural sector as the country's major earner. During this period oil played more vital roles in the Nigeria economy than



any other commodity. It became not only the basis of the economic life of the country but also the main foreign exchange earner. From 1970-1977, the oil industry produced a daily average production of 2 million barrels of oil, and it contributed over ninety per cent of foreign exchange for the country during this period. Effective understanding of sustainable method of exploration of natural resources to be deployed by the government and multinational companies helped economic development from narrow economic interest of not only the Nigeria government and multinational to one that will comprehensively embrace the people of Niger Delta.

Causes of Oil Conflict in Niger-Delta

The Niger Delta region of Nigeria is now one of the most militarized parts of Nigeria. This is as a result of oil question, which have to do with the issues of who control oil resource in the area. Some Niger Delta militants see the issue of resource control as second to that of self-determination. According to Alhaji Asari Dokubo, leader of the Niger Delta Volunteer Force, who claimed that, they wanted their own nation in order to control the oil resource.²⁵ In line with this kind of claim, the Ijaw leaders called on her people to support the Sovereign National Conference where they could meet and decide the future of the Niger Delta. According to a report cited by Charles Azgaku, the progressive armed wing of the Ijaw people have never accepted Nigeria because Nigeria is born out of imperialism and colonialism, hence they are calling on their people to support Sovereign National Conference so that the future of their resource will be decided.²⁶ The issues of resource control is of importance to the people that some governors of the Niger Delta States formed alliance with the people to put pressure on the federal government to allow them control over their resource. Obong Victor Attah, the former governor of Akwa Ibom State was quoted to have said that;

The issue of resource control is a wind of revolution blowing across the country today. He believed that if



the Niger Delta does not control her resources, she would forever become a vassal of the federal government. The federal government can decide at what point it will come and develop your minerals for you. Why should that be? He said all they wanted is let the people get involved in the exploitation, in the control of their resource endowment and develop it because they will do it better than any other government and the federal government that is at a distance from you and whose function should be strictly administrative and protective. He added that the centre as it is today, is too awesome, powerful and heavy, and that a return to true federalism remains the only path to greatness and development for the nation.²⁷

In fact a prominent leader of the Niger Delta, Dr E. K. Clark, once claimed that the conspiracy between the Nigeria government and the multinational oil companies to deny the people of Niger Delta control of their resources could be seen in the companies having their headquarter in a place outside the Niger Delta region. To him if the issues of conflict in the region must be resolved the oil companies must reallocate their headquarters to the region.²⁸ These kind of views expressed by the leaders of the Niger Delta, caused youths of the region to take to various kinds of crime and criminality such as bombing of pipelines, kidnaping, militancy among other anti-social activities in order to draw government attention to their conditions of marginalization, exploitation and degradation of their communities by the oil companies. The government has responded to the crime and criminal activities by the people through multi-dimensional approaches such as, by using security force against the people of Niger Delta. This approach had not helped to solve the problem; rather it has received strong resistance from the people who have continued to engage the security forces. Another approach adopted by the



government is the establishment of some agencies like (Oil Minerals Producing Areas Development Commission (OMPADEC), Niger Delta Development Commission, (NDDC) among others agencies to take care of the development of the region. The agencies have rather become pipelines of corruption in which government officials saddle with the responsibility of developing the region continue to derange resource located to the area. The derivation principle was also adopted by the government to ensure that the region also benefited from the income derived from the area. However, the derivation principle has a serious problem than being a solution for solving the conflict in the region. While the people have claimed that the revenue derivation due to the people of the region in 1946 during the colonial period which was 100 percent from their cash crops has dropped to 13 percent presently. They are calling for 50 percent derivation from oil exploited from the region. The government has refused to accept the 50 percent derivations proposed by the people of the region.

Neglect of indigenous participation in Oil Exploration

Since the discovery of oil in the Niger Delta region, the people of this region have seen how the huge revenue from crude oil export benefited other regions, Nigerian nation and the foreign companies. Environmental challenges such as pollution has tormented the indigenous owners of the land where this oil is situated. In addition, the various appeals made by various leaders and interested organizations in the Niger Delta to solve the issue of neglect of indigenous people's involvement in oil exploration in Niger Delta by international oil companies and the federal government of Nigeria failed without any positive response to address the demands and agitations made by the representatives of Niger Delta people.²⁹

There is evidence of intimidation and dehumanization meted on the people of Niger Delta people by the Federal Government of Nigeria under the civilian and military governments and



supported by Multinational Companies operating in the region. The IOC in Niger Delta had committed a crime against the people of Niger Delta by encouraging continuing siphoning of the oil resources of the area and extra judicial killings of those they called militants. The Niger Delta people have become powerless, homeless, living in abject poverty condition, and endangered by the government of their land as a result of oil exploration in their area. Every interested and concerned citizen of Niger Delta through different media has condemned the oil exploitation taking place in the region without the full participation of the indigenes of the Niger Delta. In the fight for the participation of the indigenous people of Niger Delta in oil exploitation it has led to the subjection of some of the agitators to brutality, imprisonment as the region is even labelled state enemy. This paper has argued that for there to be sustainable peace in Niger Delta; there is need for updating and revising the legislations, reviewing the licences of oil companies to incorporate indigenous rights of participation in matters related to oil exploration since the resource control is creating fear in the minds of other geopolitical zones. The federal government must adopt a comprehensive framework for indigenous participation in the exploration, production, marketing, and distribution of oil related matters. The government must adopt an indigenous friendly corporate social responsibility with focus on education, health, agriculture, technology, and transportation with a view of empowering the Niger Delta people. The Federal Government of Nigeria and the operating Multinational Companies must sincerely identify means economically, politically, socially, and technologically that will promote and encourage indigenous participation in the resources available in their land. The post amnesty experience has demonstrated that there is need to urgently formulate integration policy to ensure participation in oil related matters. The people of Niger Delta will not be silent but must show active participation in the management of resources available in the region.



Conclusion

This paper has shown that poor management of the petroleum resources that are derived from the Niger Delta has led to socio-economic and political problems involving the people of Niger Delta. It has demonstrated how it concerns the Nigerian government and the multinational companies. The paper argued that the indigenes of the Niger Delta believed that they have not been able to see the socio-economic benefits of oil since they are not part of those involved in the oil exploration in the area. The paper maintained that it is not enough for the government to provide some amenities and payment of compensation to the people. It argued that the people must be given the right to own their resource. The profits from resources in the area had come with serious consequences to the people as their socio-economic life has declined. Oil resources which was to be a blessing to the people has rather turned out to be the major cause of conflict in the area as a result of claims and counter claims of whom owns the oil resources. The major actors in the conflict are the Nigerian government who has formed alliance of interest with oil companies operating in the area to explore the resources of the region on one hand, and the people of the area who has become the victim of their resources on the other hand. The conflict has resulted in loss of lives, properties, capital and investment among others.

The paper has demonstrated that, there is high level of abuse of human rights of the people by state agents, environmental degradation and marginalization by the oil companies operating in the region. The people have also responded to the inhuman treatment from the government and the multinational companies by engaging in high level criminality such as militancy, kidnapping, hostage taking, and destruction of pipelines among other anti-social activities. The way forward to reduce the conflict hence ensuring the full involvement of the indigenes of the area in the exploration of the resources in their domain. The current situation whereby the major beneficiary of



the oil resource in the area is the Nigerian government who make huge income from the area and the multinational companies that make huge profit from their investments in the area, while the people have nothing to show for it is injustice. New approach has become necessary where revenue from oil resource in the area must be evenly distributed among the major players. These players which must include the communities that own the land, the government that approves the investment and multinational companies that owns the investment.



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