

**INTERROGATING THE BASIC CAUSE OF THE NIGER-DELTA DEBACLE**

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**Abstract**

The paper seeks to transcend the apparent factors frequently identified as the causes of the crisis of development and the problem of violence in the Niger-Delta region of Nigeria to identify the underlying factor.

The paper contends that beneath the neglect of the ideals of responsible governance, the disregard for the demands for corporate social responsibility and the resort to violence/terror by the militant youths in the region is a more fundamental disregard for the fundamental dignity and basic rights of the human person on the part of all stakeholders in the Delta crisis. And, this we argue is the primary cause of the crisis in the Delta region of Nigeria

**Introduction**

Today, some of the indigenes of the Niger-Delta region in Nigeria have resorted to the use of violence and terror in their quest for justice in their interactions with the Trans-National Oil Corporations (TNOCs) operating in their domain and also with the Federal Government of Nigeria (FGN). Oil installations are blown up, oil workers; especially the expatriates among them are kidnapped, with the corporations often forced to suspend operations for varying periods of time. This resort to violence/terror impinges upon the prospects of development in Nigeria.

Our basic philosophical assumption is that the starting point in any fruitful quest to resolve a problem must be to identify its basic cause and understand how this engenders other causes. Hence, given the failure of previous efforts to resolve the crisis in

the Delta region, our focus is to locate the fundamental cause of the Niger-Delta crisis as part of the first steps that must be taken in a renewed effort to resolve, once and for all, the crisis in the Delta and enhance social development in the region and Nigeria as a whole..

To establish the thesis of this paper we begin with an examination of the idea of development and the prospects of attaining it in Nigeria in the face of the contradiction between the on-going efforts to stimulate sustainable development through various economic reforms and the critical condition in the Delta region. This is followed by an exposition of neglect of the ideals of corporate social responsibility and responsible governance within the context of the Niger-Delta crisis. Finally, we seek to establish that underlying these neglects is a more fundamental disregard for the dignity and rights human persons. This must be urgently addressed before the Niger-Delta problem can be finally resolved in the interest and for the benefit of all stake-holders.

### **Nature and Prospects of Social Development in Nigeria**

There are several conceptions of social development. The first defines development in terms of westernization, using the western society as the standard for measuring the level of development in any society. A society is deemed as developing only to the extent that it is able to adopt western values, western socio-economic and political institutions as well as western patterns of consumption and standards of living. (Rivero, 2001: 110-113)<sup>1</sup> The second conception holds that social development is best accounted for in terms of economic growth and the amount of wealth created in society. This measures development strictly in terms of Gross National Product (GNP), with little or no reference to how this affects actual quality and standard of life (1bid: 66).<sup>2</sup>

The definition of development as the progressive amelioration of poverty, reduction of unemployment and inequality as well as realization of human personality and dignity reflects the third conception identifiable in the evolution of the idea of development. By this definition, adopting western values and institutions, improving the level of GNP, attracting foreign investments and acquiring high level of technological advancement would only amount to social development when there is a concomitant improvement in the standard of living and the overall welfare of the generality of members of society (Harrison and Huntington , 2000: 20-21).<sup>3</sup> This is the conception of social development currently acceptable to the UNDP, which measures the level of development in society with reference to a combination of GNP per capita, life expectancy, access to education, health care, housing, sanitation, drinking water and food (UNDP, 1997:142-143).<sup>4</sup>

The final conception presents social development as a basic structural transformation from a social relationship of dependence based on hierarchy and charity to an interdependence based on symmetry and mutual accountability. This conception of what development is has a clearer meaning if examined in the light of the existing relationship between the countries of Africa, Asia and Latin America and the western industrialized countries. While the former are largely categorized as developing or underdeveloped and dependent on the latter in very significant respects, recording very low levels GNP and human well being, the latter records a very high level of GNP and human well being.

Of the four conceptions identified above, the third appears to be the most acceptable. It accounts for social development directly in terms of how the actual people

constituting society benefit from existing social structures and institutions. This suggests that no matter the level of technological sophistication or economic growth that might be recorded in society, social development must be measured in terms of the impact on the lives of the people making up society. For instance, a society that is technologically advanced and quite independent of other societies, but with a high level of poverty and inadequate access to social amenities should not be classified as truly developed.

In essence, social development may be defined as a process of harnessing all the resources, human, natural, economic, intellectual, technological, available in society in such a way that they are maximized for the benefit of the members of society. Hence, the more developed a society becomes, the better should be the GNP per capita, life expectancy, access to education, health care, housing, sanitation, drinking water and food. What this implies is that, contrary to a common assumption that social development should be measured directly in terms of the level of industrialization and technological advancement available in society, these are mere tools that can facilitate development in society if they are effectively employed towards this end. Otherwise, they may end up as instruments of social injustice and oppression. Ayo Fadahunsi in this regard argued, “the power of science and technology is often the power of some people, some classes, some nations to dominate others” (2003: 37)<sup>5</sup>, as well as deepen social inequalities rather than a source of liberation and positive social development. And, this appears to be the case presently in the Niger-Delta if we go by the high-technological operations of the Oil Corporations and the negative impacts of these on the wellbeing of the people of the region (Ekanola, 2007: 165-168).<sup>6</sup>

Obviously, Nigeria, like other nations of the world, is desirous of social development and is always taking steps in this direction. One of the most recent of these efforts is the attempt to integrate the national economy into the global capitalist economy, through some structural adjustments designed to make the country attractive for foreign investments. The underlying assumption, as presented by the multilateral institutions of the International Monetary Fund (IMF) and the World Bank, and accepted virtually globally, is that for any society to develop, it must embark upon a competitive integration of its national economy into the global capitalist economy, through the adoption of some principles of capitalism in the form of Structural Adjustment Programs (SAP) (Rivero, 2001: 89-94).<sup>7</sup> These programs are expected to enhance efficiency and productivity in the economic sector as well as attract foreign investment, and in the final analysis turn the society into a haven of prosperity, abundance and wellbeing for the entire population.

Sadly, there is a contradiction between the drive for social-economic development as it is being pursued by the FGN and the crisis in the Delta region. While the government, through SAP, is striving to create an enabling environment that would attract those foreign investors who would enhance the technological base of the industrial sector, its productivity and efficiency, and finally the standards and conditions of life for the entire populace, the crisis in the Delta, and the country as a whole, is a great discouragement to worthwhile investors. This is simply because they operate primarily on the basis of the principles of capitalism geared towards profit maximization. For this reason, investors are always looking for locations where prevailing social conditions are conducive for their primary objective of profit making. These conditions include availability of highly skilled human personnel, strong technological competence,

availability of basic social infrastructures like good road networks, regular water and electricity supply, stable political order and relative social stability and peace.

While it is a fact that the social conditions required to attract the kind of foreign investments necessary for socio-economic development in Nigeria is inadequate, the crisis in the Delta is further eroding the little that has been achieved in this regard. The adoption of the techniques of terror is not only destructive of social infrastructure; it also stands as a major impediment for the creation of a stable political order, social stability and peace. And, unless something urgent is done to check this crisis, the vision for socio-economic development in the country would remain a mirage, as it would be difficult to attract worthwhile investors.

Looked at from another perspective, we must understand that contrary to the prevalent assumption that socio-economic development is an automatic concomitant of the adoption of the ideals of capitalism and the integration of the national economy into the global economy, there is really nothing in the global market economy that guarantees the protection of the interest of any group or nation or that would ensure the promotion of a country's socio-economic condition once it becomes integrated into it. Instead, what prevails in the market, which is a human creation, is a predatory instinct manifested in fierce economic competition for profit and prosperity (Ekanola, 2005a:144-145).<sup>8</sup> Economic prosperity and social development is not something that is brought about passively or bestowed simply by integrating a national economy into the global market economy. Rather, it is carefully planned for and aggressively and persistently sought after, and nurtured through the constant and cooperative efforts of all stakeholders in the country (Ibid.).<sup>9</sup> Unfortunately, instead of harnessing the abundant human and material

resources available in the pursuit of development, the country is entangled in a vicious and divisive cycle of violence and terror that is both destructive of the development already attained and inhibitory of further development. Rather than the various ethnic nationalities in the country enter into cooperative relationship that would engender social development across the nation, they are committed to a struggle for the control of the resources in their different regions with the hope that this would enhance the wellbeing of the indigenous people.

The government further complicates the crisis of development in the country as it is related to the Delta debacle for it has “failed to rise above conflicting interests to exist as an objective force for reconciling disparate individual and group interests” (Ekanola, 2005b: 50).<sup>10</sup> Instead, it exists as an instrument for the enhancement of the interest of some groups of people at the expense of the larger population. In the specific case of the conflict in the Delta, the government is seen to pursue more of the interests of the TNOCs and the small crop of elites who derive tremendous benefit from the oil industry. It pays very little attention to the interests of the general citizenry who languish in deplorable, dehumanizing and highly frustrating socio-economic conditions, engendered and exacerbated by the unethical practices of the oil corporations, the corrupt practices of top government functionaries and even some of the leaders of the ethnic groups in the region.

Going by the frustration –aggression thesis, which holds that “a frustrating event increases the probability that the thwarted organism will act aggressively soon afterwards”(Berkowitz, 1973: 120)<sup>11</sup>, it should not be surprising that instead of collaborating in the quest for national development, the people of the Niger-Delta are

now resorting to the use of violence and terror in an effort to have their human rights as well as social needs satisfied having failed to achieve these through peaceful means.

### **Locating the Basic Cause of the Delta Debacle**

To resolve the Niger-Delta debacle in a way that the abundant oil resources in the region would be responsibly harnessed for the overall benefit of all stake holders, with the country placed on a surer path of social development, we need to come to terms with the fact that events in both nature and society occur on the basis of the principle of causality. This suggests that to effectively bring about a desirable social condition/event or prevent an undesirable one, there must be an adequate understanding and effective control of the underlying causes.

Thus, to effectively check the crisis in the Delta and its negative implications for the prospects of social development in Nigeria, we must begin with a clear understanding of its causes before we can identify the effective means of eradicating or at least controlling them. The obvious causes can be broadly classified into two (Raji, Ale and Akinsola, 2000)<sup>12</sup>: First is the negligent and unethical practice of the oil corporations operating in the region; second is the irresponsible and largely corrupt nature of government. However, we would identify a third cause, which although is less obvious than the other two, seems to underlie the two preceding factors. This is the widespread lack of respect for the dignity and fundamental rights of persons in the country.

### **The Question of Corporate Social Responsibility**

The mode of operations of the oil corporations in the Delta region and its consequences on the environment and the socio-economic condition of the indigenes has



been identified as a key factor underlying the crisis there. The corporations are seen to adopt unethical production techniques by failing to maintain “good oil field practices” ( Oyeboade, 2000: 59)<sup>13</sup> as well as refusing to make adequate efforts to check, redress or compensate for the hazardous impacts of their activities on both the environment and the people of the region.

Indeed, it is important for oil corporations operating in the Delta region to adopt the ideals of corporate social responsibility. This simply is

the intelligent and objective concern for the welfare of society that restrains individual and corporate behavior from ultimately destructive activities, no matter how immediately profitable, and leads in the direction of positive contributions to human betterment, variously as the latter may be defined (Andrews, 1971: 120).<sup>14</sup>

In spite of the brilliant arguments put forward by Milton Friedman and other critics of the view that corporate organizations should abide by the demands of social responsibility (Friedman, 1998;: 246-251)<sup>15</sup>, there are some moral grounds why corporate bodies, especially the oil corporations operating in Nigeria, should be socially responsible and begin to pay adequate attention to the legitimate demands of the people of the Niger-Delta region. Below is a summary of three of such considerations (Ekanola, 2006: 286-287).<sup>16</sup>

First, corporate organizations succeed in their ventures partly because society provides a stable and conducive social environment required for their growth and prosperity. They also derive from society various resources, which they utilize for their operations. However, the social reality in the Delta region is that problems of unemployment, poverty and environmental disasters, which predispose people to violence, are becoming rife with dire consequences on social peace and socio-economic

stability and prosperity. Unless these problems are positively addressed, the Nigerian society would become increasingly unfavorable for the prosperity of the oil corporations. Consequently, these institutions should become more socially responsible by directly attending to the problems that threaten social stability and peace in order to guarantee a stable order required for their continued existence and prosperity. At least, the principle of enlightened self-interest or prudence requires them to promote those social conditions that are favorable to the pursuit of their preservation and flourishing.

Second, corporate institutions operate in society from where they derive various facilities, resources and benefits for their profit maximizing ventures. Different institutions within society provide these facilities and resources. As such, corporations should be grateful to society for providing things that are beneficial to them. The duty of gratitude, which corporations have towards society, requires them to repay society with thanks for benefits derived from it. A good way to fulfill this obligation is to contribute positively to the maintenance and promotion of social stability and peace.

Third, human beings are integral components of both society and corporations. They are members of society and owners of corporations. Whether as ordinary members of society or as owners of businesses, we all have a moral duty of beneficence, which requires us to help others in need, especially when the cost would not be too burdensome. By this duty, owners of corporations have a moral obligation to use part of their vast resources to help alleviate some of the most pressing global problems, even if they are not affected by these problems or causally related to them. One of the simple ways corporations can help people in need is to enhance the resolution of their social problems. Conversely, the duty of non-maleficence suggests that corporations should not create

social problems or aggravate already existing ones. For instance, corporations should adopt techniques of production that are environmentally friendly so as not to hinder access to alternative vocations, like farming and fishing.

One of the standard complaints of the indigenes in the Delta region is that the oil corporations through their operations degrade their lands, pollute their waters, destroy their traditional means of livelihood and refuse to adequately compensate for the negative impacts of their activities (Osadebe: 2000: 126).<sup>17</sup> Hence, the resort to various violent and non-violent techniques designed to get both the government and the oil corporations to attend to their demands for social development. However, contrary to the allegations usually appealed to by the indigenes of the Delta region to justify the resort to violence/terror, many of these corporations contend that they pay adequate attention to the social problems in the region, those resulting from as well as those unconnected with their mining activities. For instance, the Shell Petroleum Development Company of Nigeria Ltd (SPDC) in its annual reports supply information on their commitments to the demands of corporate social responsibility and their various efforts to enhance social development in the communities where they operate. Some of these are highlighted below:

- In 1999 the Community Development Function was established as a key business area. A separate department was created for Sustainable Development to directly oversee developmental issues and projects in the local community (SPDC Annual Report, 1999: 2-4).<sup>18</sup>
- Of the 9,000 employees of the company as at 1999, only 200 were expatriates and the others were Nigerians, with 60% of them from the Niger Delta (Ibid).<sup>19</sup> By

2004, 95% of the staff of the company is Nigerian, two-thirds of which come from the Niger Delta region. Besides, the company “employed some 7,000 contract staff. In addition, more than 20,000 people are employed indirectly through the network of companies that provide supplies and services. Over the years, we have also continued to increase our use of local contractors. This not only creates jobs and provides revenue for the local economy” (SPDC Annual Report, 2004: 8-9).<sup>20</sup>

- On the maintenance of peace and social order, the company’s response to community crisis is to “neither use force, nor request its use to suppress peaceful demonstrations by communities, even if production is disrupted”(Ibid: 9).<sup>21</sup> This initiative culminated in 2004 in the pioneering of the Peace and Security Strategy (PaSS) in collaboration with other stakeholders to reduce conflicts and enhance peace in the region (SPDC Annual Report, 2004: 4).<sup>22</sup> An early warning system was also embarked upon as well staff training on human rights and corporate social responsibility to minimize the risk of conflict.
- With regards to the well being of the indigenes of the local community, a range of development initiatives was introduced in response to local demand and capacity. These include “simple cost-effective hand operated water pumps, improved fish smoking, integrated fish and poultry farming and a micro-credit scheme for agricultural development”(Ibid: 11)<sup>23</sup>
- The company engaged in collaborative ventures with NNPC, other oil producing companies and local government authorities in order to harmonize the SPDC’s community development plans and avoid duplication of initiatives (Ibid.).<sup>24</sup>

- Some of the developmental projects embarked upon by the company include the construction of classroom blocks and provision of school furniture, water schemes, maintenance of health facilities, cassava and rice mills, palm oil processing and soap making (Ibid: 12).<sup>25</sup>
- The 2004 annual report of the company opens with the clear statement by the company's Managing Director that the company not only recognizes but is also "deeply committed to help"( Ibid: 1)<sup>26</sup> with the resolution of the basic development problems in the Niger Delta. These include poverty alleviation, bringing law and order, provision of jobs, basic services and education.
- The company also claims that "minimizing the impact of our operations on the environment forms part of our commitment to sustainable development" (Ibid: 11).<sup>27</sup> Thus, as a result, our compliance with the Government's 2002 Environmental guidelines and standards for the Petroleum Industry in Nigeria ( EGASPIN) rose from 72 percent in 2003 to 87 percent in 2004.

However, in spite of the claims by the oil corporations with regards to their commitments to the demands of corporate social responsibility in the Delta region, the fact remains that the region, like other parts of the country, is still largely underdeveloped. The bulk of the indigenes are still languishing in abject poverty with practically very little or absolutely no hope of improving their socio-economic condition. A question that should be raised at this point is "why is the crisis in the Delta intensifying rather than abating despite the alleged commitment of the oil corporations to the ideals of corporate social responsibility and the quest for social development in the region?" Three possible answers may be provided: First is that perhaps the companies are not

doing as much as they claim to be doing; Second is that their efforts are not sufficient to effectively resolve the crisis; Third is that the companies are really not in a position to effectively resolve the lingering Delta crisis.

Authenticating the first answer would require an empirical study, which would be beyond the scope of this essay. However, we may proceed with the assumption that the oil companies are honest about their claims. The second possible answer is obviously correct as the critical condition in the Delta region persists, and this is what engenders the third possibility that perhaps the corporations are really not in any position to, by themselves, provide effective and lasting solutions to the debacle ravaging the Delta. This is given some credence by the fact that much of the efforts of the TNOCs to enhance social development are carried out in conjunction with government or its agencies. Sadly, the standard complaint from these corporations is that “the government has in the past failed to fund its share of the joint ventures operated by the multinationals” (Human Rights Watch, 1999)<sup>28</sup> Besides, government has been found to be consistently inefficient with regards to the enforcement of environmental laws, designed to protect the environment and also enhance the well being of people (Ibid.).<sup>29</sup>

Thus, we would now focus on another institution that should be responsible for the resolution of the crisis in the Delta, that is, the FGN, and the question to grapple with is “to what extent has the FGN been meeting the challenge of good governance, with specific reference to the social condition in the Niger Delta?”

### **The Ideal of Responsible Governance**

To a great extent, the political structure adopted in a society determines its nature and prospects of social stability, development and prosperity. Hence, Emmanuel Hansen

identified the existence of an efficient political structure as one of the preconditions for social development and social peace (Hansen, 1987: 1).<sup>30</sup> This refers to a system of governance that efficiently protects and promotes the rights of citizens and all stakeholders in society; provides for the general welfare and interests of members of society; properly manages and distributes available resources in society; adequately maintains law and order in society. A political structure that has these qualities may be rightly described as practicing the ideals of responsible or good governance. Thus, the notion of good governance is understood to imply the following:<sup>31</sup> Universal protection of human rights; Laws that are implemented in a nondiscriminatory manner; An efficient, impartial, and quick judicial system; Transparent public agencies and official decision-making; Accountability for decisions made about public issues and resources by public officials; Devolution of resources and decision-making power to local levels and bodies in rural and urban areas; Participation and inclusion of all citizens in debating public policies and choices.

Given the above understanding of the notion of responsible governance and the reports from indigenes and NGO's on the role of government in the Delta crisis, it is doubtful that we can consistently maintain that it is truly responsible. Available facts suggest that the government further complicates the crisis in several ways. For instance, the military bombardment of the Odi community implies that the government is not sufficiently committed to the general welfare and interests of members of society. The neglect of the social and developmental needs of the people of the Delta region also indicates an unjust distribution of available resources in society. Indeed, this is often touted as a major cause of the crisis in the region. Likewise, the increasing incidence of

violence and the adoption of terror techniques, with the obvious inability of the government to effectively prevent or at least control these is proof of the fact that government is not able to effectively maintain law and order in the region.

Satisfying the demands of responsible governance in Nigeria, as part of the solution to the Delta crisis, would necessitate some fundamental changes in the nature of governance in Nigeria, especially as this relates to its relationship with the oil corporations operating in the country. In as much as the government should protect the interests of these organizations by providing an environment conducive for their legitimate operations, this should not be at the expense of the general citizenry. Government should enact, enforce and ensure that laws that guarantee conformity with international standards of good oil field practices and grant requisite respect and protection to the rights of the people of the region are actually obeyed by players in the oil industry.

And, here is one of the areas where the challenge of responsible governance lies. To this end, it appears that the FGN has been paying some attention to the oil related problems in the Delta region by enacting laws designed to protect the environment and the rights of the people of the region, guarantee that oil exploration and production conform to international standards and also enhance socio-economic development and security in the region. Some of these laws date as far back as 1963. We have for example the Mineral Oils (Safety) Regulation (1963), Oil in Navigable Waters Regulations (1968) and the Petroleum Decree Act (1969) (Vanguard, 2006: 43).<sup>32</sup> To facilitate the enforcement of the laws guiding the oil industry, the Department of Petroleum Resources (DPR) was created in 1970 and the Federal Environmental Protection Agency later in



1988. The DPR was specifically established to oversee all the activities of companies licensed to engage in any petroleum activity in the country, with the objectivity of ensuring that national goals and aspirations are not thwarted, and that oil companies carry out their operations according to international oil industry standards and practices. It keeps records and other data of the oil industry's operations and informs Government about all activities and occurrences in the petroleum industry. To further ensure that oil operations are carried out according to international standards, the government in the early 1990's set up some "environmental quality standards on emissions and effluent discharge, and laws requiring an environmental impact assessment" (Ibid).<sup>33</sup>

However, there is sufficient evidence that these laws are usually not well implemented, to the detriment of the oil producing communities. According to the UNDP report on Niger Delta Human Development, a reason for this inefficiency is that government-regulating agencies are poorly equipped to check the activities of oil companies (Ibid).<sup>34</sup> Another problem with the environmental laws designed to protect the interest of local communities is that they prescribe that people can only seek redress against the oil and other big multinational companies engaged in the oil industry in the Federal High courts (Vanguard, 2006a: 48).<sup>35</sup> Unfortunately, the local people do not have an easy access to the courts, first for the reason of financial handicap to pay for the services of legal practitioners and second, because the courts are located only in state capitals where the locals can not easily reach. And, this is a major reason underlying the resort to violence by the ethnic youths who are now on rampage in the region.

The determination of the youths in the region to resort to violence is also informed by what has been described as the "benefit captor syndrome" (Ibid).<sup>36</sup> This

refers to the practice of those who are supposed to represent and receive compensation and other resources on behalf of communities to divert such benefits to their own personal advantage. Benefit captors are, very often, representatives of the traditional authority in the region, and the syndrome is largely responsible for the youth revolt against their traditional authority. Hitherto, youths were traditionally at the bottom of social hierarchy, deferring to the authority of traditional rulers and communal leaders. “Today, however, traditional rulers and elders have lost control over the youths. They have worked out their own largely unsustainable ways of reaching and dealing with oil companies, government at all levels, and national and international organizations Vanguard, 2006b: 46).”<sup>37</sup>

In addition to the promulgation of laws, government also creates various parastatals to directly execute and oversee developmental projects in the oil producing states. These were meant to redress the decades of neglect suffered by the oil region. For example there were the Oil Mineral Producing Areas Development Commission (OMPADEC), created in 1992, the Petroleum Trust Fund (PTF), created in 1994 and the establishment of the Niger Delta Development Commission (NDDC) by Act 6 of 2000.

Granted that these parastatals have a semblance of pursuing developmental projects in oil producing areas, the prevailing opinion is that they are largely “a cesspool of corruption that enabled some members of the ruling class to loot the nation’s treasury at the expense of the Nigerian people at large and the oil producing states and communities in particular” (Ihonvbere, 2000: 93-94).<sup>38</sup> The truth is that the change of fortunes, which the government has promised the region’s inhabitants repeatedly, has been painfully slow in coming and now seen as not forthcoming at all. Unemployment

remains high, especially among youths, social services (for education, health, recreation, etc) and physical infrastructure are still poor everywhere in the region, while the problem of poverty in the midst of the ballooning oil revenues remain, spawning discontent and disillusion Vanguard, 2006c: 48).<sup>39</sup>

### **Respect for the Dignity and Rights of the Human Person**

In spite of claims by both oil corporations operating in the Delta region and government that adequate attention is being paid to issues relating to social development in the Delta region, it is rather clear that conditions of life there remains very deplorable. This is commonly attributed to the neglect of the ideals of responsible governance by government and the failure of the oil companies to sincerely put into practice the ideals of corporate social responsibility.

However, the failures on the part of government and oil companies to effectively enhance social development and hold in check the crisis in the region are mere manifestations of a more fundamental problem, which underlie all the factors hitherto identified as the cause of the Niger Delta debacle. This is the disregard for the fundamental dignity and basic rights of the human person on the part of virtually all stakeholders in the Delta crisis. With regards to the essential dignity of man, we must understand and accept that,

Man regarded as a person ...is exalted above any price; for as a person ...he is not to be valued merely as a means to the ends of others...but as an end in himself, that is, he possesses a dignity ( an absolute inner worth) by which he exacts respect for himself from all rational beings in the world. He can measure himself with any other being of his kind and value himself on a footing of equality with them. (Kant, 1991: 230)<sup>40</sup>

The inner dignity possessed by man imposes a duty on human beings generally to treat one another with respect, and this implies that we fulfill at least three conditions: (1) we ensure that our interactions with them are purely voluntary, (2) we ensure that our interactions with them are mutually beneficial or are just and fair, and (3) we ensure that we take account of their needs, desires and interests (Bacalrow, 1994:144).<sup>41</sup>

However, all our considerations of the activities of oil corporations and government in the Delta region points to the fact that the existing relationship between the people or the region on the one hand and the oil corporations and government on the other is not purely voluntary, mutually beneficial, fair and just. Rather, it is one in which, very little or no attention, until very recently, is paid to the needs, desires and interests of the indigenes of the region. And to that extent, we can reasonably contend that underlying the neglect of the ideals of corporate social responsibility, on the part of the oil corporations, the failure of government to respond adequately to the challenge of good governance and finally the resort to violence and the techniques of terror is the disregard for the basic dignity and rights of the indigenes of the Delta region. Put differently, we can state that, in the final analysis, what underlies the crisis of development and the resort to violence in the Delta is the disregard for the dignity and rights of the people of the region. This is so because,

Lasting peace had to be built upon respect for the rights and worth of the individual human being. There cannot be peace in a country wherein people are not free, where they cannot express their thoughts or print their words, where they are not equal before the law, where they are subject to torture and degrading treatment (Lionease, 1972: 388).<sup>42</sup>

Indeed, there is a natural tendency for humans to resent, resist and make efforts to either reform or overturn any social arrangement that violates their rights and disregards

their perceived deserts by whatever means available. Conversely, people are likely to support, protect and perpetuate any order, which effectively protects their rights and honors their desert (Ekanola, 2005c: 52).<sup>43</sup> And, this is exactly what is being played out in the Delta region. Indigenes, especially their youths, are reacting against perceived violation of their rights and neglect of deserts, by both the TNOCs and government, through the resort to the techniques of violence and terror.

Proponents for TNOCs and government may attempt to undermine the above argument that the crisis in the Delta is a product of their neglect of the rights and a disregard of the inherent dignity of the people of the Delta by contending that they have been paying adequate attention to the developmental needs of the people of the Niger-Delta. They may highlight some of the projects TNOCs have carried out in the region for the benefit of the indigenes. Likewise, they may refer to the laws and institutions set up by government to enhance the well being of the people of the region.

To respond to this line of defense, it is sufficient to point out that much of these measures were only adopted after the emergence of the crisis in the Delta, and they were meant to correct the wrong that has already been done as a result of the initial disregard for the dignity and rights of the people of the Delta and placate the people. With specific reference to government, while it is granted that some of the laws promulgated to protect the environment, mitigate the effects of oil exploration and enhance human well being in the Delta region dates back to 1963, the fact remains that serious and consistent effort was hardly made to execute and enforce them. Besides, as we have observed earlier, much of the government parastatals designed to oversee the effective execution of relevant laws

and developmental projects in the Delta region turned out to be mere avenues for corrupt enrichment.

Additionally, we can legitimately question the motive behind the so called measures now being adopted by government and TNOCs. Are they truly borne out of a commitment to the dignity and rights of the Delta people and designed to meet their needs, desires and interests or are they meant to only placate the people and keep them docile so that oil explorative activities can go on unabated in the region? This question is pertinent because in spite of the claims by government and TNOCs to the effect that they are socially responsible and committed to the well being of the people of the region, the obvious fact is that this has not translated into a widespread improvement in the quality of life in the region.

Finally, with regards to the “benefit captor syndrome”, which TNOCs and government often blame for the non-translation of their good efforts into the overall well being of the people of the Delta region, it is pertinent to note that this syndrome is a further manifestation of the lack of commitment to the dignity and rights that the people of the Delta region have as humans on the part of those who are supposed to represent them. And while I do not try to vindicate people engaged in this practice, the fact remains that long before the manifestation of this syndrome, there has been a gross neglect of the rights and needs, as well as a flagrant disregard for the dignity and the well being of the people of the Niger Delta.

### **Conclusion: Resolving the Delta Crisis**

It is evident from facts on ground that previous attempts to resolve the crisis in the Niger Delta have not been effective. The social condition there is worsening: poverty is

deepening and the militant ethnic groups are becoming more vicious and determined in the use of violence. If any set of people have recorded any significant benefit from the previous political/economic efforts to resolve the crisis, this would be the ruling class and their cronies, who consistently pervert the well meaning initiatives to enhance social condition in the Delta.

Indeed, what we see in the case of the crisis in the Niger Delta is the continued exploitation of people and the flagrant violation of their rights. In several ways, they are exploited and treated as mere means of achieving ends, which, impinge upon their well-being. In essence, while it is the case that the crisis in the region has been generated by several social, political and economic factors, underlying these factors is the neglect of the basic rights and deserts of the indigenes, and in effect their dignity as human persons.

Thus to resolve the Delta crisis, we must first find a way of promoting a widespread commitment to the fundamental dignity of the human person that would be evident in a widespread and practical, progressive and reciprocal recognition, protection and promotion of the basic rights and deserts of all the people that are stakeholders in the region. This quest, which would be to facilitate a positive change in the consciousness and mind-set of the stake holders in the Delta crisis would be the focus of another paper.

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4. Lawrence E. Harrison and Samuel P. Huntington (eds.), *Culture Matters: How Culture Shapes Human Progress*, New York: Basic Books, 2000, p. 20-21
- <sup>4</sup> UNDP, *Human Development Report*, 1997, pp.142-143
- <sup>5</sup> Ayo Fadahunsi, "Science and Technology as Promises and Threats to Society" in Ayo Fadahunsi (ed.) *Philosophy, Science and Technology*, Ibadan: Hope Publications, 2003, p. 37
- <sup>6</sup> For an account of how the Niger Delta region has been negatively affected by the activities of Oil Corporations see A.B Ekanola, "Terror Techniques in the Delta and the Question of Justice", *Journal of Sustainable Development in Africa*, Vol. 9, No.2, 2007, pp. 165-168.
- <sup>7</sup> . Rivero, *Op.Cit*, pp. 89-94
- <sup>8</sup> . Adebola B. Ekanola, "Socioeconomic Development and the Myth of the Invisible Hand in the Global Market Economy: Questioning the Ethics of the Global Capitalist Order", *Journal of Social Development in Africa*, Vol.20: 2, 2005a, pp. 144-145.
- <sup>9</sup> . *Ibid*.
- <sup>10</sup> . Adebola B. Ekanola, "Beyond Isolation: Towards Cooperative Relations and the Resolution of ethnic Conflicts in Contemporary African Society", *Africa Insight*, Vol. 35, No.3, 2005b, p.50.
- <sup>11</sup> . Leonard Berkowitz (ed.), *Roots of Aggression: A Re-examination of the Frustration-Aggression Hypothesis*, New York: Atherton press, p. 2, cited in Peter A. Corning, "Human Violence: Some Causes and Implications" in Charles R. Beitz and Theodore Herman (ed), *Peace and War*, San Francisco: W. H. Freeman and Company, 1973,, p. 120.
- <sup>12</sup> . For a detailed account of the roles played by government and oil corporations in the Niger-Delta crisis see Wumi Raji, Ayodele Ale and Eni Akinsola (eds.), *Boiling Point*, Lagos: Committee for the Defence of Human Rights, 2000.
- <sup>13</sup> . Akin Oyeboode, "The legal Framework of oil Exploration in Nigeria: A Critique in *Boiling Point*, *Ibid*, p.59
- <sup>14</sup> Keneth R. Andrews, *The Concept of Corporate Strategy*, Burr Ridge IL: Richard D. Irwin, 1971, p.120
- <sup>15</sup> See Milton Friedman, "The Social Responsibility of Business is to Increase Its Profits" in Laura Pincus Hartman, *Business Ethics*, Boston: Irwin Mcgraw-Hill, 1998, pp.246-251 and Patrick Primeaux and John Stieber, *Profit Maximization: The Ethical Mandate of Business*, San Francisco: Austin and Winfield, 1995
- <sup>16</sup> See Adebola B. Ekanola, The Moral Demand of Peace on the Global Capitalist Order, *Peace Review*, 18:2, 2006, pp. 286-287



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- <sup>17</sup> Onyenwenwa, Ike Osadebe, "Oil Mineral and the Egbema Paradox: Unmasking the Crises" in Wumi Raji, et al, *Op. Cit.*, 2000, pp. 126,
- <sup>18</sup> *1999 People and the Environment Annual Report*, A Publication of The Shell Petroleum Development Company of Nigeria Ltd, pp. 2-3, 4.
- <sup>19</sup> *Ibid.* p. 4
- <sup>20</sup> *2004 People and the Environment Annual Report*, A Publication of The Shell Petroleum Development Company of Nigeria Ltd. p. 8-9.
- <sup>21</sup> *Ibid.* p. 9
- <sup>22</sup> *2004 People and the Environment Annual Report*, p. 4
- <sup>23</sup> *Ibid.* p. 11
- <sup>24</sup> *Ibid.*
- <sup>25</sup> *Ibid.* p. 12
- <sup>26</sup> *2004 People and the Environment Annual Report.* p. 1
- <sup>27</sup> *Ibid.* p. 11
- <sup>28</sup> Human Rights Watch, "The Cost of Oil: Corporate Responsibility and Human Rights Violations in Nigeria's Oil Producing Communities", [http://www.hrw.org/reports/1999/nigeria/Nigew991-01.htm#P198\\_13538](http://www.hrw.org/reports/1999/nigeria/Nigew991-01.htm#P198_13538)
- <sup>29</sup> *Ibid.*
- <sup>30</sup> Emmanuel Hansen (ed.), *African Perspectives on Peace and Development*, London: Zed Books Ltd., 1987, p. 1
- <sup>31</sup> Rajesh Tandon and Kumi Naidoo, "What is Good Governance", *Foreign Policy*, Fall 1999. P. 16.
- <sup>32</sup> Niger Delta Human Development Report, *Vanguard*, Monday, August 14, 2006, p. 43
- <sup>33</sup> *Ibid.*
- <sup>34</sup> *Ibid.*
- <sup>35</sup> *Ibid.*, August 15, 2006, p.48
- <sup>36</sup> *Ibid.*
- <sup>37</sup> *Ibid.* August 16, 2006, P.46
- <sup>38</sup> Ihonvbere, *op.cit.*, pp. 93-94
- <sup>39</sup> *Ibid.* August 28, 2006, P.48
- <sup>40</sup> Immanuel Kant, *Foundations of the Metaphysics of Moral*, 2<sup>nd</sup> ed., trans. Lewis White Beck, New York: Cambridge University Press, 1991, p. 230.

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