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Environmental Impact Assessment and Political Instability in the Niger Delta, 1999-2016

Ogbodo Stephen Ofordi
Department of Political Science, Enugu State University of Science and Technology, Enugu, Nigeria

ABSTRACT
Globally, effective enforcement of environmental regulations plays significant role in the reduction of greenhouse gases. In Nigeria, however, the enforcement of environmental standards and regulations appear to have become a difficult task due to the complex interactions between the Nigerian state and the multinational oil companies, with implications for political security in the Niger Delta. Against this backdrop, the study examined the link between Environmental Impact Assessment and political stability in Niger Delta between 1999 and 2016. Two research questions were posed (i) Why was the process of Environmental Impact Assessment a major factor of political stability in the Niger Delta between 1999 and 2016? (ii) Could adherence to the Environmental Guidelines and Standards for Petroleum and other enterprises have stemmed militancy in the Niger Delta between 1999 and 2016? Two hypotheses were posed to guide the study, namely (i) The ineffective enforcement of Environmental Impact Assessment by the multinational oil companies in connivance with the Nigerian state was a major factor of political stability in the Niger Delta; (ii) In terms of security and economic benefits, non-adherence to the Environmental Guidelines and Standards for Petroleum and other enterprises in the Niger Delta would heighten militancy by militant groups and other ethnic militias. The theoretical framework was anchored on the Marxist Structuralist theory of the state. The *time series* research designwas adopted. Both primary and secondary data were generated using documentary method and survey technique. Data collected were analyzed using content analysis, rooted on systematic logical deductions. The study ascertained that conflicts, rather than abate, have become pervasive and intense in the Niger Delta, due to the perception of the Nigerian state and the MNOCs as being uncommitted to environmental regulations. The study equally noted that the Nigerian state lacks the political will to enforce environmental laws. Among others, the study recommends effective utilization of modern technology by the NNPC and other stakeholders in the enforcement of environmental regulations, guidelines and standards.
Keywords: Environmental Impact Assessment, petroleum industry, political stability, militancy, Niger Delta, environmental regulations.

INTRODUCTION

Nigeria's political economy relies heavily on oil production. The oil industry located in the Niger Delta is the mainstay of Nigeria's economy. By geo-political definition, Niger Delta includes the following oil producing states: Akwa Ibom, Bayelsa, Delta, Cross River, Edo, Ondo, Rivers, Abia and Imo [1,2,3]. Ethnically, it comprises the Ijaw, Urohbo, Efik, Ibibio, Ogoni, Edo, Yoruba (mainly Itsekiri and Ilaje) and the Igbo [4,5,6]. This region is Nigeria's largest oil producing zone, and one of the highly productive oil exporting regions of the World [7]. One prominent feature of Nigeria's oil and gas industry, however, is the domination of the International Oil Companies (lOCs). The oil-bearing areas of the Niger Delta have the largest mangrove forests in Africa and the third largest in the world. The advent of oil production in the region has led to deforestation and ecological degradation, which threaten the renewable natural resources and the ecosystem in a number of ways [7]. On account of oil exploitation, the states in the Niger Delta have faced so many environmental problems caused by pollution arising

from drill cuttings, drilling mud, fluids used in production, chemicals injected to control corrosion or to separate oil from water, and general industrial waste. Added to this are problems of gas flaring and incidents of oil spills and blowouts [8]. While spills inevitably accompany oil production, in Nigeria they occur with an alarming frequency and magnitude because most of the oil delivery infrastructure is obsolete and inadequate [9,10]. Also, sabotage of pipelines is a persistent problem, and spills and pipelines leaks are poorly monitored and often not reported and repaired on time. In the midst of the foregoing challenges, the bane of the Nigerian oil and gas industry is the environmental policies and regulations of the government. For example, inadequate attention appears to have been accorded to the issue of gas flaring as demonstrated by the myriad of extension of the gas flaring deadline by the government, the latest of which is 2030, when the country intends to sign the United Nations Agreement on Zero Routing Gas Flaring [11,12,13]. Furthermore, the regulating agencies are negligent of their responsibility as evidence from the recent subsidy scam in the Nigerian National Petroleum Corporation (NNPC) and the Department for Petroleum Resources (DPR). The abuse of the Environmental Impact Assessment regulations by the major players thus stems from negligence by the relevant government officials. This is further compounded by the fact that environmental impact policies are rarely accorded due attention by the multinationals.

Meanwhile, the history of environmental policy in the Nigeria's petroleum industry dates back to 1914 when the Minerals Ordinance was enacted by the colonial administration. The main objective of the Ordinance was to prohibit the pollution of watercourses in the process of mining and prospecting for any mineral, including petroleum. The Mineral Oils (Safety) Regulations (1963), Petroleum Regulations (1967), as well as the Oil in Navigable Waters Act, among others, are examples of post-independence statutory efforts directed at environmental protection in the petroleum industry [6]. Environmental policy in the industry did not however enter into an active phase until the enactment of the Petroleum Act in 1969, which gave the Minister in charge of petroleum matters significant powers to make regulations relating to all aspects of petroleum operations, including protection of the environment [14,15,16]. More specifically, as from 1988, after the establishment of the Federal Environmental Protection Agency (FEPA), the Department of Petroleum Resources (DPR) became more proactive in its role as the environmental watchdog of the petroleum industry; with its activities closely guided within the framework of the National Policy on the Environment (NPE) launched in 1989 [17]. Drawing its authority from the numerous statues and regulations, which conferred on the Director of Petroleum Resources (DPR) the power to set up strict environmental standards for the petroleum industry, the DPR, in 1991, released the Environmental Guidelines and Standards for the Petroleum Industry (EGASPIN). The EGASPIN was reviewed in 1998 and 2002 [16]. But, as previously stated, most of the legislations and statutes were on the operations and control, but not the wider implication of the impacts on the environment. Environmental Impact Assessment (EIA) is a tool used for decision making in projects, developments and programmes. It may be defined as a formal process used to predict the environmental consequences of any development project [12]. EIA tries to ensure that potential problems are foreseen and addressed at an early stage in the planning and designing of projects. EIA is also intended to identify the environmental and socio-economic impacts of a proposed development project prior to final decision making. The EIA process has also been widely recognised within the international circle. In Nigeria, there is multiplicity in the amount of EIA legislation. Unlike in the UK and US, where one law governs nationally-funded projects, in Nigeria three distinct national EIA systems govern nationally funded projects [13]. The Federal Government of Nigeria enacted

the Environmental Impact Assessment (EIA) Act No. 86 of 1992 as a demonstration of its commitment to the Rio Declaration. Prior to the enactment of the EIA Act in Nigeria, project appraisals were limited predominantly to feasibility studies and economic-cost-benefit analysis. Most of these appraisals did not take environmental costs, public opinion, and social and environmental impacts of development projects into consideration.

METHODOLOGY

This chapter discusses two critical aspects of this study. First, we set out the theoretical basis of the study, which also entails deriving a number of hypotheses. Second, we outline in a comprehensive manner, the methodology we shall use in collecting and analyzing the data for testing our hypotheses.

Hypotheses

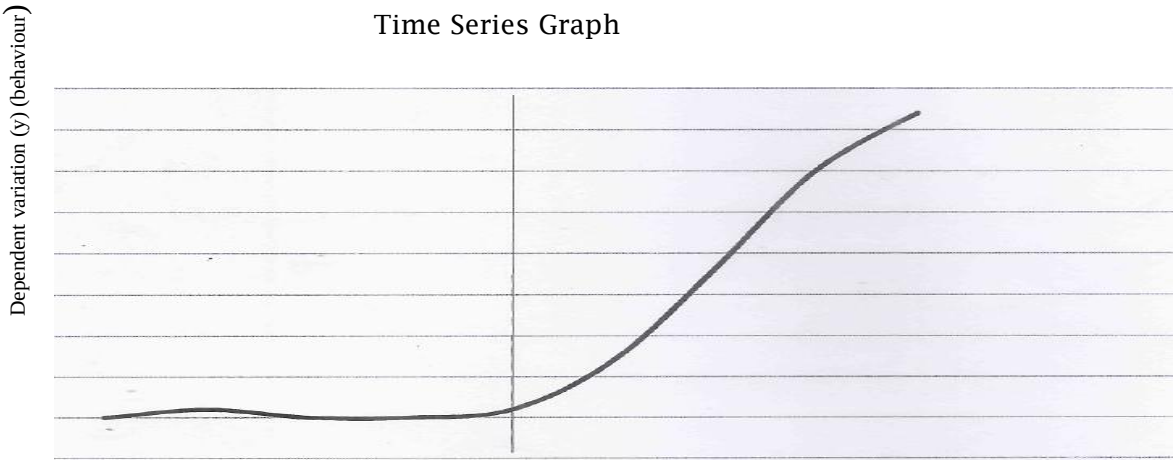
The following hypotheses guided the study:

1. The ineffective enforcement of Environmental Impact Assessment by the multinational oil companies in connivance with the Nigerian state was a major factor of political instability in the Niger Delta.

2. In terms of security and economic benefits, non-adherence to the Environmental Guidelines and Standards for Petroleum and other enterprises in the Niger Delta would heighten militancy by militant groups and other ethnic militias.

RESEARCH DESIGN

Research design is the plan and structure of investigation so as to obtain the answers ofresearch questions [3]. Against this background, this study adopted the *time series .* research design. In this design, measurements of the same variables are taken at different points in time so as to study social, political or economic trends. This design calls for a lengthy series of observations and measurements of the dependent variable (Y) before the occurrence of a presumed causal event or intervention (X). This is followed by another series of measurements of the same dependent variable (Y). The change between the last measurement before the intervention (X) and the first measurement after it, is the principal focus for measuring the effects of the experiment [4]. These successive observations and repeated measurements of target variables are carried out at equally spaced intervals of time. The time series design is descriptive, which is particularly important when the effect of the causal event or intervention extends over a considerable period of time. It requires little more than good graphing skills for organizing, storing and interpreting results. The interpretation of the data occurs through visual inspection and analyses of graphical patterns which reveal trends, levels or variability [6]. The fact that a lengthy pattern of performance data is available makes this design far more useful than the one-group pre-test-post-test design, and despite any deficiencies it may have, the design is a fairly powerful tool which may be applied to many existing databases at minimum cost [7]. The design is represented as follows:



Where:
'X* axis = independent variable/observationovertime/interventio n/causal event*Y* axis = dependent variable/behaviour or occurrence
O1-O4 = baseline phase before the intervention demonstrates the normal state of behaviour of the dependent variable (y).
In applying the *time series* research design to our study, the test of our first hypothesis involved observing and measuring the behaviour of 'Y% that is, the dependent variable over a period of time, prior to, and after the intervention of 'X' which is a presumed causal event
The test of our second hypothesis equally involved observing and measuring the behaviour of 'Y', that is, the dependent variable over a period of time, prior to, and after the intervention of 'X' a presumed causal event.
The observed changes in 'Y', was attributed to the intervention and impact of 'X', which is our independent variable. Thus, the observation and measurement of 'Y' over a lengthy period of time, the introduction of an intervening variable 'X', and the observed and measurable changes in 'Y', were used to validate our hypotheses. The rationale for adopting a combination of research design was basically to enhance the reliability and validity of the findings.

In carrying out our investigation, therefore, our first observation was on political stability in the Niger Delta before the enthronement of civil rule in 1999, particularly from 1988. After the establishment of the Federal Environmental Protection Agency (FEPA), the Department of Petroleum Resources (DPR) became more pro-active in its role as the environmental watchdog of the petroleum industry; with its activities closely guided within the framework of the National Policy on the Environment (NPE) launched in 1989. It was observed that there were government's neglect and lack of concern for the degradation of natural environment resulting
from the continuing petroleum exploration and exploitation which engendered insecurity, poverty, unemployment and restiveness to the environmental degradation in the region.
Our second observation extended from 1999 to 2014. This period witnessed the emergence of new guidelines and establishment of many agencies to tackle environmental challenges such as the 1972 Stockholm UN Conference on Human Environment, the 1992 UN Rio de Jeneiro Earth Summit and among others. Nigeria established some national policies on environment, including the Federal Environmental Protection Act in 1988 and attendant Environmental Impact

Assessment Act of 1992, as well as the Federal Ministry of Environment in 1999.1n July 2002, the Nigerian government ordered oil companies operating in the country to comply with EGASPIN guidelines published by the DPR, the monitoring arm of the Nigeria National Petroleum Corporation (NNPC), or risk a fine. Nigerian government have responded to these environmental problems through the creation of the Federal Environmental Protection Agency (FEPA) which was merged with the Ministry of Environment in 2000, and more recently the creation of the National Environmental Standards and Regulations Enforcement Agency (NESREA) which by its creation effectively repealed the Nigeria flagship laws on the environment i.e. FEPA. There have been little impacts, if any of these agencies activities on the lives of the people directly affected by the negative externalities of oil production. While environmental laws exist in checkmating the effects of oil exploration and production, these laws are seldom applied and when even enforced, it has always be in the favour of these oil companies to the detriment of the host communities.

Methods of Data Collection

To generate the relevant data for this study, we used survey method, using instruments of
key informant interview (KII), focus group discussion (FGD) and field observation; and documentary method. Documentary method is a way of collecting data by reviewing existing documents. It refers to the analysis of documents that contains information about the phenomenon we intend to study [5]. [6], see the documentary method as the techniques used to categorize, investigate, interpret and identify the limitations of physical sources, most commonly written documents. Documents are produced by individuals and groups in the course of their everyday practices and are meant for their own immediate practical needs [8]. There are two types of documents that are used in documentary study. These are: primary documents and secondary documents. Primary documents refer to eyewitness accounts produced by people who experienced the particular event or the behaviour we want to study. On the other hand secondary documents are documents produced by people who were not present at the scene but who received eye-witness accounts to compile the documents, or have read eye-witness accounts [8].

Documentary method is used in qualitative research. Qualitative research, according to [5], is "a detailed and systematic examination of the contents of a particular body of materials for the purpose of identifying patterns, themes, or biases". In agreement, [9] broadly defined qualitative research as "any kind of research that produces findings not arrived at by means of statistical procedures or other means of quantification." It seeks for a better understanding of any phenomenon about which little is yet known. It can also be used to gain new perspectives on things about which much is already known, or to gain more in-depth information that may be difficult to convey quantitatively. Documentary method is used basically to generate secondary data.

Secondary data, as explained by [3] refer to a set of data gathered or authored by another person, usually data from the available data, archives, either in the form of document or survey results and code books. [8], articulated the advantages of secondary sources of data to include that of economy. Secondary data are usually adapted from other existing studies, in some cases extrapolating or interpolating such data [9]. Again, the information of this sort is collected periodically thereby making the establishment of trends over time possible. Another good source of data in qualitative research is archived documents that can be analyzed for richer thesis. In writing thesis where theoretical issues will extensively be raised, secondary data offers one fundamental advantage for the researcher. It's a potential source of good quality data, easily within reach and cost effective too. It equally provides an avenue for cross-cultural analysis of events, issues and perspectives.

Secondary data include data collected from external sources such as official documents, books, journal articles, conference papers and so on. The secondary data for this study were drawn from Energy Information Administration; African Network for Environment and economic Justice; Environmental Rights Action; Department of Petroleum Resources, Nigeria; Human Right Watch; Niger Delta Natural Damage Assessment and Restoration; Oil Spill and Oily Waste Management Regulation; and Niger Delta Environmental Survey. This study also relied on official documents from the Niger Delta Development Commission (NDDC); Niger Delta Human Development Reports; Nigerian Institute of Social and Economic Research, Ibadan Nigeria; United Nations Development Programme; Human Development; World Health Organization; World Bank; among others. In addition to official documents, this study equally relied on other secondary data drawn from books, journal articles, conference and workshop papers and other written works which would provide a veritable tool for understanding the topic under study. In addition to secondary data, the study also utilized Key Informant Interview, Focus Group Discussion and personal observation to generate primary data for this study.

Field Observation

The researcher visited selected areas in the region to personally observe theenvironmental challenges arising from the ineffective enforcement of environmental regulations, which has given rise to conflicts between multinational oil companies and the host communities in the Niger Delta.

Population of the Study

The population of this study consisted of the entire population of the Niger Delta. The 2006 population census put the population of the region at 31,224,577 million.

Sample and Sampling Techniques

The sample for this study consisted of 1281 respondents drawn from the entire population in proportion to the population of each of the Niger Delta state (states with larger population size were given larger sample than those with lesser numbers, see table 2).We used the Yamane's Statistical Formula to determine the sample size of the study due to the high ability/capacity of the formula to control sampling error. Yamane (1973, p. 727-728) stated the formula as:

$$n = \frac{N}{1 + Ne^2}$$

Where:

n = the sample size

N the total population

e = tolerable error (which is normally 0.05%)

$$n = \frac{N}{1 + Ne^2}$$

$$n = \frac{31,224,577}{1+31,224,577 \times (0.05)^2}$$

$$n = \frac{31,224,577}{1 + 31,224,577 \times 0.0025}$$

$$n = \frac{31,224,577}{1+78061.445}$$

$$n = 39.9997335466$$

$$n = \frac{1}{1 + 78061.445} = 1282.0257222.$$

The multi-stage purposive probability sampling which gives the probability that our sample is representative of our population was used in selecting the sample for the study and determining the sample size of the population. The use of purposive random sampling technique enabled the researcher pick those that best meet the purpose of the research and can respond to the questions perfectly well. In the first stage, we employed cluster sampling technique to group, and divide Niger Delta into nine states, from which one senatorial zone was chosen using purposive sampling from the three senatorial zones in each state. The respondents were segmented along the rural -- urban divide and, sampling accommodated the diversity of these areas in terms of religion, ethnic groups, gender and other social categories.

Table 1: Distribution of Population of Oil-Bearing States and Samples.

States	Population	Sample
Abia	2,833,99	141
Akwa-Ibom	3,920,20	135
Bayelsa	1,703,35	133
Cross river	2,888,96	146
Delta	4,098.39	149
Edo	3,218,33	142
Imo	3,934,89	145
Ondo	3,441,02	138
Rivers State	5,185,40	152
Total	31,224,577	1281

Source: Adapted by the Researcher from Table 1.

Methods of Data Analysis

We utilized content analysis, rooted on systematic logical deductions to analyze the mass of our data that was generated in the course of this work. As aptly captured by [5], a rigorous use of the technique of content analysis could help one select what is dependable from what is not. It is used with reference to the meanings, contexts and intentions contained in messages. In agreement, [6], posits that content analysis is a technique of making inferences by objectively and systematically identifying specified characteristics of messages. In this study, we adopted content analysis to organize and synthesize the textual data, with a view to searching for patterns and discerning what is relevant from the interviews, books, documents, journal articles, conference papers, among others and on that basis, draw our inferences and conclusions. Furthermore, content analysis was utilized to enable us holistically sift through the data with relative ease, and to systematically reduce them to logical, meaningful and coherent interpretation that can be communicated to others. It is evident, therefore, that a distinguishing feature of content analysis is that large volumes of textual data and different textual sources can be dealt with and used in corroborating evidence [7]. This is so because the method moves farther into the domain of interpretation

to understand not only the manifest, but also the latent content of data with a view to providing knowledge, new insights, facts and a practical guide to action [8]

The Management of Oil Industry in Nigeria

Nigeria is blessed with abundant mineral resources. It is estimated that Nigeria has an estimated 37.2 billion barrels of proven oil reserves as of the end of 2017 (Energy Information Administration [9]. With the aid of multinational oil companies, the Nigerian government has mined and earned a stupendous amount of money from the sale of these resources, particularly crude oil. On account of this, Nigeria is ranked the largest oil producer in Africa. Majority of reserves are found along the country's Niger River Delta and offshore in the Bight of Benin, the Gulf of Guinea, and the Bight of Bonny. Current exploration activities are mostly focused in the deep and ultra-deep offshore with some activities in the Chad basin, located in the northeast of the country. Production of oil in Nigeria began in the late 1950s with the discovery of oil in commercial quantity in Oloibiri, a community in the present day Bayelsa State. Since then, exploration and exploitation of oil have been going on in the nine states of the Niger Delta, with huge environmental implications. Proceeds from the sale of oil has generated billions of dollars in the last forty years such that oil wealth is responsible for over ninety-five percent of the Nigeria's foreign exchange earnings and about one-fourth of Gross Domestic Products [7]. Apart for the revenue it generates, available and affordable energy is critical to the provision of fundamental and often life-sustaining goods and services. This has increased the reliance on oil products which are an important source of energy in Nigeria. In fact, virtually all aspects of the Nigerian economy have a multiplier relationship with petroleum products [8]. Improving energy access is obviously an important strategy for promoting economic development. However, despite the overall importance of petroleum products, particularly in driving economic development in Nigeria, the country's enormous oil wealth has not been effectively managed. Disappointingly, the government still grapples with the problem of dealing with the enormous wealth that accrues from the sale of her oil resources. In fact, corruption and mismanagement have blossomed on such a massive scale that the nation's refineries could not be adequately maintained to ensure smooth and effective processing, supply and circulation of petroleum products. All these ensured continued dependence of Nigeria on foreigners for oil exploration and production, with serious implications for the ecosystem of the oil producing areas. Attempts to address the environmental challenges arising from petro-business in the Niger Delta have given rise to the implementation of environmental regulations cum policies in the region. In the next sub-section, attempt is made to examine the implementation of environmental regulations in the Niger Delta.

Implementation of Environmental Regulations in the Niger Delta

A number of approaches that have been developed for the safety and management of environmental impact of oil and natural gas exploration and production operations in the Niger Delta. This is as a result of the fact that Niger Delta has remained one of the most ecologically sensitive regions in Nigeria. The environmental challenges occasioned by petro-business in the Niger Delta have therefore led to the institutionalization of several statutory laws and environmental regulations to regulate the oil industry. Over the past years, the Nigerian Federal Government has promulgated laws and regulations so that oil and gas exploration and production operations, on both onshore and offshore oilfields, could be controlled by systems of limits which aim at minimizing the associated environmental impacts [9]. Some of the related environmental laws and regulations in the oil and gas sector include: Oil Pipelines Act 1956; Mineral Oils (Safety) Regulations; Oil in Navigable Waters acts; Petroleum Acts; Associated Gas Re-injection Act; the Federal Environmental Protection Agency (FEPA)

Act; the National Policy on the Environment; National Environmental Protection (Effluent Limitations) Regulations; Environmental Protection (Pollution Abatement in Industries Generating Wastes) Regulations; Environmental Impact Assessment (ElA) Act, and Department of Petroleum Resources (DPR) Environmental Guidelines and Standard for the Petroleum Industry in Nigeria (EGASPIN).

Meanwhile, most of these statutory laws and regulations provide the framework for petroleum resources exploration and exploitation in Nigeria and only some of these environmental regulations give guidelines on issues of petroleum pollution [9]. Although the environmental laws and regulations in Nigeria have been poorly implemented, numerous environmental agencies have regulations that affect the exploration, development and production operations in the petroleum industry in Nigeria. For instance, the main objective of the Minerals Ordinance, enacted by the colonial administration, was to prohibit the pollution of watercourses in the process of mining and prospecting for any mineral, including petroleum. The Mineral Oils (Safety) Regulations (1963), Petroleum Regulations (1967), as well as the Oil in Navigable Waters Act (1968), among others, are examples of post-independence statutory efforts directed at environmental protection in the petroleum industry [11]. It is worthy to note that environmental policy in the oil industry in Nigeria did not enter into an active phase until the enactment of the Petroleum Act (1969), which gave the Minister in charge of petroleum matters, significant powers to make regulations relating to all aspects of petroleum operations, including protection of the environment.

In 1988, the Federal Environmental Protection Agency (FEPA) was established. The establishment of FEPA significantly changed the legal status quo of environmental regulation in the Nigeria petroleum industry. Under the 1988 FEPA Act, penalties and enforcement mechanisms were imposed, multinational oil companies could be held liable for costs of cleanup, restoration and multinational oil companies could pay compensation to parties injured by their illegal practices [3] This notwithstanding, the existing statutory laws and regulations for environmental protection applicable to the Nigerian petroleum industry appear to be grossly inadequate and ineffective because their implementation did not effectively regulate the activities of multinational oil companies. The government's environmental regulations are often affected by the limitations of technology [6,7,8].

Overlap of Functions among the Regulatory Agencies

There are numerous overlapping functions and responsibilities for environmental protection, monitoring and enforcement among the regulatory agencies. For example [10], submits that "processing of EIAs is a federal function but the role of the state ministries and state EPAs does not appear to be consistent or clear ... monitoring and enforcement standards and regulations are unclear and divided." The discordance in the relationship among the three tiers of government, which profoundly limits their effectiveness in carrying out their environmental management function, has been aptly underscored by the [5], when it stated that the relationship between all the federal and state ministries and agencies as well as the local government is discontinuous and inconsistent. The problem appears to be mainly between the centralized federal functions and those at state level, with rivalries and jealousies, resulting in top-down legislation having limited perceived applicability or relevance at state and local government level. Managing the EIA procedure in countries with a federal system of government is usually characterized by conflict of roles, mandates and responsibilities between the different levels of governments, namely federal (i.e., central), state (provincial or regional) and local government authority. The causes of conflict resolve around overlaps, duplications or inconsistencies in the constitutional and legislative mandates

and functions which govern federal-state-local government relationship. These discords, overlaps and duplications are in turn transferred to the management of the country's environmental impact assessment (EIA) process among the jurisdictions of the three tiers of government. Despite explicit provisions in the EIA Act 86 of 1992 for decentralization of EIA responsibilities to the state level and other legal and legislative instruments in managing the EIA process in Nigeria, in none of these is the mandate to the states clearly defined. There is therefore a wide gap between sewage and refuse disposal, which functions border on environment sanitation, as against issues of environmental management and pollution control [6]. This to a very large extent contributes to the overall challenges in the implementation of environmental policies/laws in the Niger Delta.

What the foregoing analysis reveals in bold relief is that over the past 50 years, the multinational oil companies in connivance with the Nigerian state have failed to swiftly deal with environmental contamination resulting from oil spills, bunkering and discharges of petroleum-contaminated wastes in the Niger Delta. The failure of existing government statutory rules and regulations for environmental protection applicable to the Nigerian oil industry have led to troubling environmental outcomes, failure to implement proper control and effect preventative measures. However, the petroleum industry has influenced important political decisions by the government and most of the environmental issues in the Niger Delta are linked to poor governance in its entire dimension. Therefore, the fundamental sources of environmental degradation are social problems that occur through the failure of societies' institution to deal adequately with a broad range of socio-economic and environmental problems. Put differently, the oil-induced environmental issues and socio-economic problems in Nigeria's oil industry are consequences of unsustainable exploitation of petroleum resources, poor governance and ineffective environmental regulations. All these are implicated in the rising incidence of political instability in the Niger Delta.

Conformity to NOSDRA Mitigation Measures by the MNOCs

In reality, oil companies still conduct business activities in ways that damage the environment. For example, there are regular cases of leakage at various pipelines as a result of failure of equipment and sometimes sabotage from third parties. The consequence can only be imagined in most cases as crops, farmlands and other economic resources are damaged, with huge health and livelihood implications. Oil companies have responsibility for the proper maintenance of pipelines. But they hardly do. Officials at the National Oil Spilt Detection and Response Agency (NOSDRA) claim that it is the responsibility of oil companies to ensure that their pipes do not leak irrespective of how they leak or who caused the leakage. Failure to adequately and regularly maintain pipelines speaks volume of both oil companies and government's inability to enforce the relevant sections of the Acts.

In reality, oil drilling companies still discharge associated water into the seas in Nigeria unchecked by government officials at the Department of Petroleum Resources. Wastes are discharged into the sea recklessly. It is really amazing these things are happening in the face of laws prohibiting them. Corruption, weakness of institutional framework, lack of expertise and necessary equipment and personnel are some of the most significant explanations for the ineffectiveness of government officials at the DPR, FME and NOSDRA to adequately enforce these laws. The Harmful Waste Decree No. 42 of 1988 was promulgated by the Federal Government to prohibit the carrying, depositing and dumping of harmful wastes on any land, territorial waters, contagious zone, exclusive economic zone of Nigeria or its inland water ways.

Table 2: Factors Affecting Compliance Monitoring

Factors motivating compliance	Barriers to compliance and factors encouraging non-compliance_____
Economic Desire to avoid *a* penalty Desire to avoid future liability Desire to save money by using more cost-efficient and environmentally sound practices	Lack of funds Greed/desire to achieve competitive advantage Competing demands for resources
Social and moral Moral and social values for environmental quality Societal respect for the law Clear government will to enforce environmental laws	Lack of social respect for the law Lack of public support for environmental concerns Lack of government willingness to enforce
Personal Positive personal relationships between programme personnel and facility managers Desires, on the part of the facility manager, to avoid legal process Desire to avoid goal, the stigma of enforcement and adverse publicity.	Fear of change Inertia Ignorance about requirements Ignorance about how to meet requirements
Management Jobs and training dedicated to compliance Bonuses or salary increases based on environmental compliance	Lack of internal accountability for compliance Lack of management systems for compliance Lack of compliance training for personnel
Technological Availability of affordable technologies	Inability to meet requirements due to lack of appropriate technology Technologies that are unreliable or difficult to operate

The basis of the work of environmental enforcement authorities is environmental regulation [5]. It is important to note that there are many companies that have complied and have actively changed their practices to meet the objectives of the regulation. However, noncompliance also do occur and, although sanctions might be imposed to encourage future compliance, but there are still cases of deliberate non-compliant behaviour that are either undetected or for which responsibility cannot be assigned. There is a wide range of factors that can affect whether a company or individual might comply or not comply with an environmental regulation; these factors are summarized in Table 2. There are some pitfalls observed in Nigerian EIA practice. Some observers have criticized the language of the decree for its obscurity and poor grammar. The EIA process commences after notice is given of a project, despite the absence of regional, urban, and rural development plans by which probable, maximum capacities of planning areas might have been determined. Indeed, Decree 86 contains no provisions for proponents to assess different locations and select the optimum from a socioeconomic, biophysical, or political context. Most proponents select project locations and sites without regard to alternatives, prior to seeking EIA approval. Meanwhile, a UNEP Environmental Impact Assessment of $9.5 million was conducted in August, 4 2011, at the request of the Nigerian government, funded by Shell. Noting that the soils and drinking wells have been

polluted affirmed by the UNEP assessment, as it was also found that benzene, a known cancer-causing chemical was in drinking water, at a level 900 times above World Health Organization (WHO) acceptable levels was deposited by Shell's unabashed and crude drilling and exploration activities in the region. Afterwards, the pollution was analyzed to take 30 years to remediate. Nnimmo Basssey stated that $1 billion initial restoration fund cannot compare to the ecological disaster caused by Shell and urged the Nigerian government to immediately compel the company to halt the routine gas flares and leaking pipes in that pollute streams, rivers and farmlands in Niger Delta. Meanwhile, Bassey noted that ERA's demand for $100 billion in remediation fund is because, aside Ogoniland, Shell has contributed in the ecological onslaught found in other Niger Delta communities which should be through a comprehensive environmental audit(http://nnimmobl ogspot.com Retrieved 7/5/17) Evidences abound that officials of the government at the Department of Petroleum Resources (DPR), Federal Ministry of Environment (FME) and National Oil Spill Detection Agency (NOSDRA) are faced with situations that hinder best practice in their statutory obligations to environmental problems created by operators. Even the state security is unable to stop the illegal puncture of oil pipelines and stealing of oil products by some armed groups in the Niger Delta. For example, NOSDRA is the lead agency in oil spill matters created out of the Oil and Gas Department of the Federal Ministry of Environment. Presently, the agency merely estimates volumes of oil spilled by oil companies from simple geometrical interpretation based on reported oil spill cases. This is more or less guess work. Ideally, the agency ought to be equipped with all necessary tools and not depend on guesses and laboratories belonging to oil companies. Also, as an agency, FEPA did not achieve much in many respects such as monitoring of operator compliance with standards.

Kidnapping of Oil Workers by Militants

Following the environmental destruction of the Niger Delta region by the activities of the Multinational Oil Companies (MNOCs), the total neglect of the oil bearing communities by both the government and the lOCs and the weak compliance of the MNOCs with Corporate Social Responsibility (CSR) in the Niger Delta, youths of the region have resorted to violence to express their grievances against the State and the MNOCs and to extract economic gains from the MNOCs. One of such strategies adopted by the Niger Delta youths is kidnapping or hostage taking of oil workers, mostly the expatriates. Expatriates and other workers in oil servicing companies and oil firms were usually abducted/kidnapped and required to pay a ransom for their release. Their major targets have remained the expatriate oil workers, as the militants perceived them as constituting instruments in the nature and dimension of the underdevelopment of the Niger Delta. The fear of being kidnapped, abducted, taken hostage further heightened the level of insecurity in the region as the militants also abducted expatriates from personal quarters, clubs, en route hotels and so on. Hostage-taking and kidnapping for ransom therefore constitute another dimension of oil banditry in the region. On 11 January 2006, the first reported case of kidnapping of expatriates took place when four foreign oil workers working on the AE fields of Shell petroleum were abducted by militants in Port Harcourt, Rivers State [3]. Again, on 3 October 2006, a militant group, the Niger Delta Freedom Fighters (NDFF), abducted seven expatriate oil workers of contracting firms to Mobil Oil, in Akpan Estate in Eket, Akwa Ibom State. They "demanded $10 million ransom for the release of the hostages" [9].

SUMMARY, CONCLUSION AND RECOMMENDATIONS

To assign empirical meaning to the foregoing contention, we formulated the research questions that directed the study. More so, broad and specific objectives which derived strictly from the focus of the study were outlined, and

empirical significance of the study articulated. Furthermore, we embarked on the review of the extant literature relevant to the study to establish whether the two research questions we raised for empirical investigation has been satisfactorily addressed. The review created a gap which the study addressed. To do this, we formulated two hypotheses that were linked in a consistent manner to the research questions and objectives of the study. We also relied on the Marxist theory of the post-colonial state as our theoretical framework to provide philosophical justification for our hypotheses. To generate pertinent data for the study, we utilized the qualitative method of data collection to gather data from documentary sources like books, journals, articles, conference and seminar papers, official publications of government agencies and institutions, as well as other relevant articles. Data were analyzed using descriptive qualitative method. From the analysis, the study found that the government has been unable (unwilling) to implement environmental impact assessment and to monitor adequately oil company compliance with sustainable development principles embedded in environmental public policies of Nigeria. As lives are shattered by the negative effects of environmental degradation ~ even as local communities watch as their resources continue to be pillaged by oil companies and the national ruling elite - government failure to carry out its governance mandate has led to deep local frustrations and the predictable emergence of local justice and environmental groups with antagonistic intentions toward both the government and the oil companies, with serious implications on political stability in Niger Delta.

CONCLUSION

The study examined the link between implementation of environmental impact assessment and political instability in Niger Delta between 1999 and 2014. The study specifically seeks to ascertain the link between the weak enforcement of environmental regulations and conflicts between multinational oil companies and host communities in the Niger Delta, and the inability of multinational oil companies to adhere to Environmental Guidelines and Standards for Petroleum Industry and militancy in the Niger Delta. The findings indicate that there is poor implementation of Environmental Impact Assessment as environmental practice by Multinational Oil Companies (MNCs) and the Nigerian state degrade the environment and alter the livelihood patterns of local oil bearing communities of the Niger Delta. In addition, our findings show that the political class has declined to regulate gas flaring, pipeline maintenance or levels of spillage. The Niger Delta youths frustrated by the degradation of their environment and exclusion from the benefits of oil, attack oil company installations, hijack personnel, and lay waste to villages believed to have oil reserves, leaving many homeless. There is loss of farmsteads to oil exploration/ spillage, the displacement of peasant farmers as a result of oil exploration/spillage and the displacement of fishermen as a result of the toxicity of oil effluents on aquatic life altogether provoked general unemployment in the rural peasant economy and the incipient informal economy in several metropolitan centres in the Niger Delta. MNOCs are still predominantly involved in the use of inappropriate and inadequate technology for the purpose of clean up and prevention of pollution due to oil spill.

Our hypotheses that, the weak enforcement of environmental regulations gave rise to conflicts between multinational oil companies and host communities in the Niger Delta; and that the inability of multinational oil companies to adhere to Environmental Guidelines and Standards for Petroleum Industry intensified militancy in the Niger Delta between 1999 and 2014 were therefore upheld in the light of the findings. Thus, the implication of the study is that the Nigerian government's reluctance in enforcing its environmental laws to the later, derives from the nature of the Nigerian economy which has tilted it towards the production of a single

commodity that has had the greatest impact in weakening the political will of the Nigerian leaders and has effectively made it rely on rent from oil companies for its survival.

RECOMENDATIONS

To achieve effective and efficient environmental management, and eventual environmental sustainability in the Niger Delta region of Nigeria, it would be imperative to implement vigorously the understated recommendations. The government, through the NNPC, DPR, FME and NOSDRA, NESREA should equip officials for more effective involvement in enforcing policies such as the EIA and post environmental impact assessment with modern technological tools and skills for laboratory work.

· The government should insist on the end to gas flaring in Nigeria without further postponement.

· Inputs by local oil bearing communities should be included in environmental policy of the government. The right to a clean environment should be entrenched in the Nigerian Constitution in order to ensure access to environmental justice for those whose environments are violated.

· Updating and revising the legislations, reviewing the license of the oil companies and reviewing the fines will go a long way in ensuring compliance, even though the government cannot systematically or frequently monitor these sites.

· Adoption of environmentally friendly technology that will minimize impacts of petroleum development on the environment; gas flaring, the gas can be converted to alcohol for diverse uses or used as an alternative energy source.

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