

Oil Exploitation, Environmental Injustice and Decolonial Nonrecognition: Exploring the Historical Accounts of Host Communities in South-Eastern Nigeria

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Abstract—This research explores the environmental justice of host communities in south-eastern Nigeria whose source of livelihood has been destroyed due to oil exploitation. Environmental justice scholarship in the area often adopts Western liberal ideology from a more macro level synthesis (Niger Delta). This study, therefore, explored the sufficiency or otherwise of the adoption of Western liberal ideology in the framing of Environmental Justice (EJ) in the area which neglects the impact of colonialism and cultural domination. Archival research supplemented by secondary analysis of literature guided this study. Drawing from data analysis, the paper first argues that micro-level studies are required to either validate or invalidate the studies done at the macro-level (Niger Delta) which has often been used to generalise around environmental injustice done within the host communities even though the communities (South-eastern) differ significantly from (South-south) in terms of language, culture, the socio-political and economic formation which indicate that the drivers of EJ may differ among them. Secondly, the paper argues that EJ framing from the Western worldview adopted in the study area is insufficient to understand environmental injustice suffered in the study area and there is the need for EJ framing that will consider the impact of colonialism and nonrecognition of the cultural identities of the host communities which breed EJ. The study, therefore, concludes by drawing from decolonial theory to consider how the framing of EJ would move beyond the western liberal EJ to Indigenous EJ.

Keywords—Culture, decolonial, environmental justice, indigenous environmental justice, nonrecognition.

I. INTRODUCTION

THIS study focuses on the denial of the right to development that the host communities in south-eastern Nigeria deserve, despite their substantial contributions to national development. The study on the marginalisation and environmental degradation of Nigerian oil host communities is well documented and reported in the literature [1]-[3]. EJ scholarship in Nigeria has mostly focused on the South-south region of the country, which contributes about 80% of the Nigerian oil and gas to the neglect of the study area (South-eastern Nigeria), where about 15% of the Nigerian oil and gas are derived [4]. Interestingly, several of these studies on EJ done at the micro-level (Niger Delta) adopt the western liberal perspective (distributive, procedural, and recognition) in their

framing. For instance, some scholars have highlighted how there is distributive injustice in the sharing of environmental good and bad in the Niger Delta [2], [5]-[7]. The discourse on EJ in Nigeria has been extended beyond distributive arguments to procedural and recognitional inequalities. References [8] and [9] have explained the procedural justice issues in the Niger Delta from the perspective of politics around oil resources, which are allegedly skewed towards the host communities and do not sufficiently reward the host community's post-colonial era. Reference [10] used the concept of petrol state and resource capitalism to buttress EJ from the distributive, procedural, and recognition lenses in explaining the role of political economy and resource curse in the underdevelopment of the Niger Delta. As true as these cases mentioned above established EJ concerns by adopting the western liberal worldview in their framing, they were also all studies done at the macro-level (Niger Delta) compared to a few studies done at the micro-level (South-eastern Nigeria).

In the study area, South-eastern Nigeria, few studies have focused on the distributive and procedural lenses. For instance, [1] posited that the land use Act of 1978 excluded the host communities from being actively involved in the oil exploitation exercise, while [11] argued that the revenue allocation formula decrees were exclusive in nature and hence, promoted downward derivative formula. Reference [1] argues that there is both distributive and procedural injustice in the appointment of government agencies in charge of oil exploration and revenue generation. However, what is worrisome is that most of these studies done at the macro-level (the Niger Delta region) focus on the south-south region [1], [2], [3], however, the results of these research are extrapolated to other regions, including south-eastern Nigeria. Such generalisation is considered in this study as an ecological fallacy. It is against this backdrop that this study adopts a micro level approach to validate some previous studies done at the macro level [1], [2], [5], as well as to consider how the framing of EJ in the study area should reflect indigenous peoples' understanding of the concept and how it requires a decolonial framework.

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II. LITERATURE REVIEW

Previous research on EJ evaluated how risks are dispersed inequitably and how physically proximate some people are to those risks [12]-[15]. Some scholars describe it based on the relationship that exists between poverty and race, as well as the struggle for equitable distribution of environmental resources [12], [16]. This distributive justice argument was anchored on [17] liberal political theory of justice, which describes justice as a standard whereby the distributive aspects of the basic structure of society are to be assessed. However, there has been debate around the inadequacy of the conceptualization of EJ based solely on distributive inequalities [18], [19]. These scholars argue that in defining the concept based on the equity in distributing environmental resources and burdens, the procedure for ensuring such equitable distribution should be considered as important as the equity in distribution [18], [20]. In other words, the process leading to the development, implementation, and enforcement of environmental decisions that affect people must be transparent. Reference [18] criticised the way distributive theories of justice assume that goods are static, without due consideration of the impact of social and institutional relations. Reference [18] adopted distributive justice thinking as a suitable model through which effective distribution could be made but argued that it negates the impact of cultural and institutional factors as the basis for poor distribution. Although she believed that distributional issues are critical in defining justice, [18] posited that it is incomplete in the conceptualization of justice, contending that there is a reason why people receive more than others during distribution, either because they are privileged, or because they enjoy some level of recognition over others. Similarly, [19] contends that there is a need to examine the root cause of inequalities and how to approach them optimally. Reference [19] contends that culture is essential in understanding this disparity in distribution and that when individual and community cultural attributes are not recognized, they manifest in the form of non-participation and economic inequalities. The overall argument of [18] and [19] is not that distributive injustice is not crucial in the conceptualization of EJ, but that it is not comprehensive in understanding the broader context of the manifestation of the concept.

As with many academic theories, this viewpoint has also not gone uncriticized as some scholars perceive the inclusion of recognition as an affront to Rawls' liberal social theory of justice [21]. Reference [21] argued that the issue of recognition was considered by Rawls and that it is incorporated into the wider understanding of distributive justice. The claim is that equality of person is central in liberal theories of justice, as Rawls referred to self-respect as a primary good and, as such, has taken care of the issue of recognition as a precondition for distributive justice. Dismissing the recognition argument as a distinct category of justice, Miller [21] contends that the issue of recognition is already assumed and integrated within distributive or procedural justice. Reference [22] has equally opined that justice demands a focus on recognition, distribution, and participation, suggesting that the distributional paradigm is not the only articulation of justice, especially in practice. In the

US, for example, the issue of distribution is always present and always key but is always tied with recognition and political participation [20]. This explains [15]'s argument that the concept is usually situated, contextual, and grounded in the circumstances of time and place, hence defying universal definition. From this survey in the global North, it is evident that the EJ concept is conceptualised on a tripartite footing- distributive, procedural, and recognitional justice.

In the global South, EJ framing has adopted this tripartite conceptualisation of the EJ debate in the study area [8], [1], [11]. Like some other Indigenous EJ scholars, this study argues that globalized theories of EJ overlook the internal/indigenous socio-political (and ecological) disparities found within postcolonial societies. This is the crux of this research.

III. METHODOLOGY

This study methodology relies on retrieving and analysing archival documents essentially because conducting this kind of historical orientated analysis requires documented evidence. As shown in Table I, 36 documents were retrieved from national archives in Enugu, South-eastern, Nigeria. These were correlated with articles obtained from the literature. The study keywords used to retrieve these data from the chosen databases and archive are: discovery of oil in Nigeria, oil exploitation, derivation-based system, compensation, oil well allocation, oil spillage, EJ, Nigeria National Petroleum Corporation (NNPC) and the Niger Delta Development Commission (NDDC).

TABLE I
 LIST OF DOCUMENTS RETRIEVED FROM ARCHIVE

Documents	Number
Reports from revenue allocation commission	8
Annual reports of the department of petroleum resources	6
Annual reports of the federal ministry of mines and power	5
National conference reports	1
Spot lite Newspaper	1
Eastern Nigeria Guardian	3
Daily Champion	2
Daily Times	3
West African Pilot	3
Pictures	2
Petitions	2
Total	36

To ensure the reliability and validity of the data collected, content analysis and systematic review of all documents followed the process summarised as search, identify, screen, evaluate for eligibility, analyse, and summarise [23]. This adopted methodology is consistent with the systematic approach to literature review. This search strategy includes identifying, evaluating, and synthesizing relevant articles, reports, publications, and documentation on the subject between 1914 and 2020 in the national archives in Enugu, which serves as the regional headquarters, warehousing relevant documents for the region. The retrieved documents, reports, or articles are analysed, summarised, presented, and discussed. Contrary to traditional reviews of literature, which have received several criticisms for lack of validity, reliability,

and bias in evidence-based knowledge [24], this systematic study, on the other hand, offers enhanced transparency as omissions of reports and biases are minimised [25]. This position is possible because reports and documents retrieved from archives are used to augment and support information obtained from the literature. In other words, it is an evidence-based approach.

IV. CRITICAL EXAMINATION OF THE HISTORICAL EVOLUTION OF OIL EXPLOITATION IN THE STUDY AREA

Historically, the discovery of oil in South-eastern Nigeria was associated with two key events. Firstly, the need to meet the oil demand of the industrial revolution in the twentieth century propelled Great Britain to develop an oil policy to expedite oil exploration in British-controlled territories, including Nigeria [26]. Secondly, traces of bitumen and crude oil films on shores due to the tidal effect of the Atlantic Ocean and rivers were found on the West Coast of Africa, which intensified the search for oil in Britain's African colonies [27]. The dual events necessitated the granting of oil prospecting licenses by the colonial government in the 1920s to the Nigerian Bitumen Company, the Whitehall Petroleum Corporation, and the Anglo-Dutch consortium, Shell D'Arcy, later Shell-BP, and now Shell Petroleum Development Company (SPDC) for oil exploitation in Nigeria [28]. However, it took Shell D'Arcy 15 years before the discovery of oil in the study area due to the emergency of the Second World War [29] and the spiritual attachment the South-eastern Nigerian people have to overland degradation, essentially as they perceive land as the ancestral home of the people [30]. For instance, the documents from the archives indicate various petitions emanating from the local communities, indicating that they perceived the multinational oil companies as invaders, dispossessors of land, and destroyers of farms and sources of livelihood, and this was corroborated in literature [28]. However, this situation did not deter the multinational oil companies, as D'Arcy renewed their license in 1933 in a joint venture with Royal Dutch. In 1937, Shell D'Arcy discovered oil in the Iho Dimeze community in Ikeduru local government in present-day Imo State, South-eastern Nigeria. As a result, an operational base was established in Owerri by Shell D'Arcy, as shown in Fig. 1 [31].



Fig. 1 Iho oil well [68]

Although the oil discovered in the study area was not in commercial quantity, it boosted Shell D'Arcy, promoting continuing oil exploration and exploitation in South-eastern Nigeria [32]. Nineteen years later, oil was discovered in commercial quantity in Oloibiri still within the study area but in present-day Bayelsa State, South-south region, after an estimated £40 million investment by Shell D'Arcy [33]. After this discovery, Nigeria shipped its first 5000 barrels of oil to the Shell Haven refinery in the United Kingdom, where the first-ever Nigerian oil was refined [34].



Fig. 2 Oloibiri oil well [67]

With the commercial discovery of oil in commercial quantities, resources from oil were expected to bring about improved living conditions, employment opportunities, and encouragement of economic development in the host communities [35]. This is due to the fact that the south-eastern region controlled the resources and that the central government only had a 5% tax share of the oil revenue [36]. However, the expected social investment, employment creation, and infrastructural development have remained a perpetual dream in the study area, yet environmental pollution, with its associated health challenges, continues to ravage the area. This, therefore, calls for a reappraisal of the oil exploitation exercise and government policies around the oil business.

V. GOVERNMENT POLICIES AND REGULATIONS IN THE OIL BUSINESS AND EJ IN THE STUDY AREA

In this section, specific government policies made in the colonial era, which manifest in the post-colonial area, are considered as pathway to environmental injustice in the study area. First among equals are the land use and administration policies [30]. Prior to the colonisation of the territory known as Nigeria in 1914, the host communities in South-eastern Nigeria had complete control over their land and resources through a communal system of land ownership. This right was further given a boost by the enactment of the Land and Native Rights Ordinance of 1916, which ensured security for indigenous customary rights on the lands located in South-eastern Nigeria [37]. This means that the multinational oil companies in Nigeria usually obtain the necessary consent from the host communities in the form of unhindered access to land, either through outright

purchase, lease, or by continuing to pay an annual rent for the land usage [38]. This practise involves discussions on a range of issues, including oil well allocation, concessionary rights, and taxes, negotiated through collective bargaining among the oil companies, the host communities, and the government [1]. This ensured that the host communities are involved in the process of oil well allocation and concessionary rights. Failure to consult the communities has tended to attract confrontation, litigation, and rejection of oil exploitation exercises in the area. For instance, [28] observed that in 1948, an oil exploration exercise in the study area by Shell D'Arcy received severe opposition because they did not consult the people before the commencement of the exercise. This observation was affirmed by the archival records studied by the author, which indicated petitions from some individuals in the host community who were not merely opposing oil exploitation per se but were trying to protect the land tenure system bequeathed to the elders by the ordinance, including the protection of the way of life of the people. However, during the colonial administration, several laws and regulations were enacted around land use, land ownership, and administration in Nigeria, which affected the study area. Important among these laws is the Crown Land Ordinance of 1900, which made the first attempt to unify the system of land ownership between the South and the North, the Public Lands Proclamation of 1902, the Land and Native Ordinance of 1927, and the Mineral Oil Ordinances, which ensured that the state had unlimited surface and subsurface access to customary lands owned by local people. These pieces of legislation were enacted to enhance state supremacy over land-related issues and thus ensured that the new framework of land ownership profited not only the state but also European mining companies [39]. In addition, [40] suggests that the main reason for promulgating the land use decree was to make land available to the government for ventures perceived as economically advantageous, in which case the land of the host communities became available for petro-business. Not only did these laws impact the host communities, as will be seen later, but they also continued in the post-colonial era in the form of the land use decree, now Act of 1978, as the legacies of the colonial era. These laws, including the Land Use Act, removed the right to own land from the people and gave it to the government [41], which led to EJ issues.

Firstly, by virtue of the provision of the land use Act, the host communities had lost their right to communal ownership. And because the host communities were consulted during oil exploitation as the custodians of the land whose right of ownership was revoked by the Land Use Act (LUA) in 1978, the right to the consultation was also lost. This is because multinational oil companies now prefer to deal directly with the national government, the new custodian of the land. The LUA empowers the government to become a primary beneficiary and the only recognised institution that oversees land and oil exploitation [39]. Second, you will recall that the host communities are involved in the process of oil exploitation, which offers them the opportunity to contribute to determining

the compensation payable in the case of oil spillage. With the promulgation of the LUA of 1978, both the process of paying compensation and the principles of determining the value of compensation to be paid are now determined by the government and their agency [41]. Reference [42] argued that one drawback of the LUA is that the compensation payable by the multinational oil companies after oil spillage is limited to improvements made on land and not the right of ownership per se. Compensation will be paid based on the value of crops, economic trees, buildings, or works damaged, removed, or destroyed on the land, according to Section 95(1) of the LUA. It is argued that to this extent, the Act limited compensation payable to only the value of improvements on the land, with no recourse to the value of future earnings on the land [43]. The infringement is to the extent that the Act makes provision for the appointment of the land use act and allocation committee by the governor, whose decision shall be final in determining the compensation to be paid [41]. Even in the case of disagreement between the host communities and oil companies on matters of compensation, the law requires that the committee's decision be final, considering that the Act denies every other court jurisdiction on such matters as provided in Section 47(2). These are two major areas where government policies on land administration and ownership become EJ concerns for the people of the study area.

There are still regulations and policies around derivation-based systems in Nigeria. Oil exploitation in Nigeria has often been linked to derivation, notably one of the sharing formulas applied in sharing Nigerian national resources [11]. In principle, the idea behind derivation is to make regions with natural resources benefit from the natural endowment in consideration of pollution and loss of livelihood associated with resource extraction. This arrangement is usually achieved with the allocation of a certain percentage of the total earnings of the country's resources to the host communities, which could be used for poverty reduction, employment creation, and encouragement of economic development in the area [44]. A study indicated that derivation-based systems of revenue distribution might help restore peace in a conflict situation and again could compensate the producing region for environmental damage and loss of livelihood associated with oil exploitation [45]. The idea of a derivation-based system emerged in Nigeria in 1946. Before the emergence of the derivation-based system in Nigeria, the northern and southern protectorates were in total control of their resources [11]. However, 1946 drafted Richards' constitution, which was preparing Nigeria for independence, recommended three regions: the predominantly Christian Ibo-speaking people of Eastern Nigeria; Muslim and Christian Yoruba-speaking people of western Nigeria; and the predominantly Muslim Hausa/Fulani of Northern Nigeria, with a central pool of all resources into a central account, now referred to as the Federation Account Allocation Committee (FAAC), which is to be distributed among the three regions for economic and national development, see Fig. 3 for the geographical map of Nigeria showing the three regions.

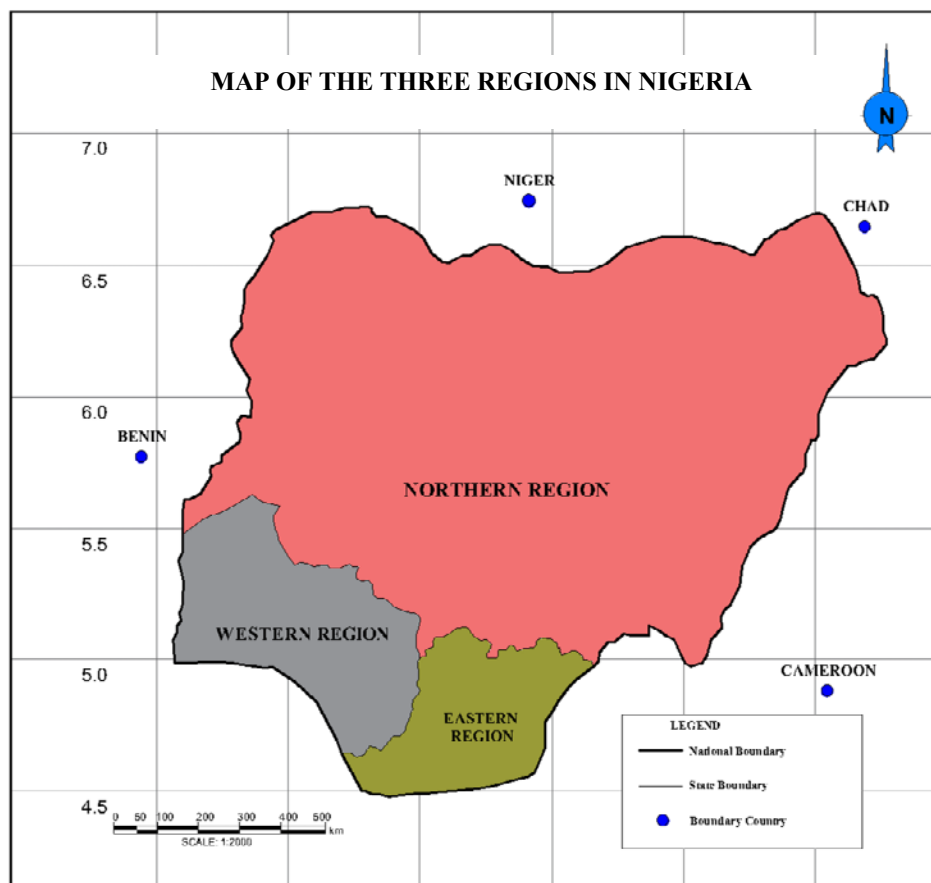


Fig. 3 Map of Nigeria showing the three geographic regions; Source: Designed by author on a scale of 1: 2000

TABLE II
 PERCENTAGE OF DERIVATION-BASED SYSTEM IN REVENUE ALLOCATION
 FORMULA IN NIGERIA

Year	Derivation formula in percentage	System of governance	System of governance in percentage
1958 - 1964	65%	C A - 3 years (1958-1960) D G - 3 years (1960-1964)	CG - 7.31 DG - 7.31
1964 - 1971	45%	D G - 2 years (1964-1966) M G - 5 years (1966 - 1971)	DG - 4.87 MG - 12.20
1971 - 1981	20%	M G - 9 years (1971-1979) D G - 1 year (1979-1980)	MG - 21.96 DG - 2.44
1981 - 1984	5%	D G - 2 years (1981-1983) M G - 1 year (1983-1984)	DG - 4.87 MG - 2.44
1984 - 1989	1.5%	M G - 5 years	MG - 12.20
1989 - 1999	3%	M G - 10 years	MG - 24.40
Total		41 years	100%
1999 to date	13%		

CA = Colonial administration, DG = Democratic government; MG = Military government

Sources: Computed by author from various revenue allocation commission reports

Resources from oil exploitation are negotiated directly with the oil companies through a government agency, the NNPC, which operates as a joint venture with these companies. Taxes, royalties, and other forms of revenue are collected from mining companies and remitted to the FAAC for sharing. There are, however, parameters for sharing these revenues in the FAAC, which have been determined by various revenue allocation committees in the past, including a derivation-based system,

population, equality of states, and even development, and based on the number of local governments in each area [46]. As shown in Table II, the derivation-based system represents 65% of the sharing formula between 1958 and 1964. However, between 1964 and 1999, the derivation-based system witnessed a sharp decline from 65% to 3% based on the recommendation of the various revenue allocation committees appointed by the different successive military governments in Nigeria.

Table II indicates that over four decades of governance in Nigeria was dominated by military rule at 73.2%, apart from 19.49% of democratic government and 7.31% of colonial administration. This result suggests a strong correlation between the downward review of the derivation-based system in Nigeria and the system of governance, in which case there was a preference for equality of state and the number of local governments over the derivation-based system. Another fact is that the country's leadership within the period in question all came from one section of the country, northern Nigeria, except for 1999-2007 during the democratic government of President Obasanjo and the years between 2010 and 2015 during the government of President Jonathan. This development seems to suggest that the northern region capitalised on the coercive nature of the military government to de-emphasise the derivation-based system, as shown in Table II. According to [11], the practicability and functionality of a derivation-based system in addressing justice issues is a function of how those in

authority can manipulate the principle for either economic or political gain. Building on the Adangor argument, we argue that a derivation-based system ought to have been used to resolve the justice challenges by compensating the host community for economic loss and environmental pollution. This has, in the context of South-eastern Nigeria, been used to legitimise injustice during the military era. This situation explains the downward review of the derivation percentage from 65% in 1958 to 3% in 1999 by the military government. To put this into perspective, the state's political apparatus was used to achieve this during the military era. The enforcement coincided with the period of the oil boom, in consideration of which various revenue allocation committees appointed by the military government and the National Revenue Mobilization and Fiscal Commission Act of 1978 drastically reviewed the percentage of the derivation formula in preference for equality of states and local governments. Furthermore, when we considered Table III, which eventually became the major criteria for sharing the national resources, it shows that the South-eastern region has the least number of states and local governments, implying that fewer resources are allocated to the region even though it contributes more to the national budget than any other region in northern Nigeria. Reference [4] has argued that such a reduction in the revenue base would reduce the level of physical and economic development of the host communities and their ability to deal with the challenges of environmental pollution. Hence, some scholars have called for an increase in the derivation formula. For instance, [47] recommended the increase of the derivation formula from 13% to 20%, noting that such an increase would bring about fairness and create room for improved physical and socio-economic development in the region. In 2014, the national conference set up by the government of President Jonathan recommended the review of the derivation from 13% to 25%, and just recently, [4] developed a model that suggests the review of the 13% derivation to 21% in the interest of equity, fairness, and peace in the host communities. The derivation-based system is another area in which government policies and regulations borrowed from the colonial administration have been used to the detriment of the host communities in South-eastern Nigeria, a practice that has now outlived the colonial period.

TABLE III
 STATES AND LOCAL GOVERNMENTS DISTRIBUTION ACROSS THE SIX GEO-POLITICAL ZONES IN NIGERIA

Geopolitical Zone	Number of states	Number of Local Government Area
North Central	6	120
North East	6	113
North West	7	186
South East	5	95
South-South	6	123
South West	6	137
Total	36	774

Again, let us consider government legislation and policies around the establishment of the NNPC and the NDDC. They are the two most important government agencies in the oil and gas industry. Understanding the creation, role, and composition

of the governing boards of these agencies is crucial in understanding the nature of injustice in the sector. The Nigerian National Petroleum Corporation (NNPC) was established in 1971 as the Nigerian National Oil Corporation (NNOC) and later renamed the NNPC in 1977, with a critical role in the exploitation and marketing of Nigeria's oil and gas. The NNPC operates as a joint venture with multinational companies in the oil and gas industry, and the law empowers the NNPC board to conduct the corporation's affairs. It is expected that, considering how important the NNPC board is, the composition of the governing board should reflect inclusivity. This has not been the case with the composition of the NNPC board, which is frequently lopsided in favour of the north at the expense of South-eastern Nigeria. It is not that there are no qualified people in South-eastern Nigeria but rather that the President who has been empowered by the NNPC Act to appoint the governing board is not from the region and would want to appoint people from his region given the political economy of Nigeria. Reference [48] observed that the board of NNPC comprises seven people from Northern Nigeria, one person from Southwestern Nigeria, and one from South-south Nigeria without a single representative from South-eastern Nigeria where about 15% of the oil and gas is derived. What an injustice that people who had no oil had seven representatives whereas people who had oil are not represented.

The case for NDDC, which is an intervention agency, is not different. The Oil Mineral Producing Areas Development Commission (OMPADEC) was established by decree No. 23 of July 23, 1992, to rehabilitate and develop Nigeria's oil mineral-producing areas. The rehabilitation and development exercises were envisaged for both human capital development and infrastructural development. Reference [49] observed that the commission concentrated on equipping schools in the host communities and preparing postgraduate scholarship schemes with minimal achievement in infrastructure before the democratically elected government of President Obasanjo repealed the decree with the NDDC Act in 2000. The primary role of NDDC is to oversee the development of the Niger Delta region, to which South-eastern Nigeria belongs. Again, the NDDC Act is evident in the composition of the board members of the commission. Sections 1 and 2 of the Act empower the President to appoint the board members subject to the confirmation of the Senate of the Federal Republic of Nigeria. By implication, oil communities have no control over the decision relating to the appointment of the NDDC board members because the Act explicitly empowers the President to make the appointment. This finding from the NDDC Act relates to that from the NNPC Act, indicating that the host communities have no influence over decision-making regarding the appointment of board members of two principal agencies of the government that oversee the day-to-day running of the oil business and the use of the accruing resources for the development of the host communities. What is more is that these two agencies of the government were created by the military, who borrowed a leaf from the colonial administration on the policies of control and regulation of essential resources, but in this case, control of oil resources, not land.

VI. EJ IN THE STUDY AREA AND DECOLONIAL APPROACH

This section builds on the discussion started in the preceding section around EJ in the study area. However, it explores further the sufficiency or otherwise, of the adoption of western liberal ideology in the area. In addition, it makes a case for the decolonial framework as a panacea in adopting an EJ framework suitable for addressing the host communities' challenges. As discussed earlier, adopting the EJ approach from a western worldview has not really been helpful in addressing the EJ issue in the study area. Often, environmental challenges are case-specific and could require indigenous knowledge and expertise in dealing with such issues, which may be lacking in the framing [50]. References [51] and [52], for example, argue that western liberal ideology is inadequate for conceptualising EJ, arguing that such a narrow framing of EJ eliminates the opportunity to explore and engage with the cultural and institutional context in which EJ occurs, as well as the role of colonialism and capitalism in driving and legitimising environmental inequalities. Other scholars, however, have argued that EJ is frequently case-specific, and that if the factors driving the EJ are not identified, there is a risk that urgent action will not be taken to address it, potentially reinforcing environmental injustice to indigenous people [53], [54]. Similarly, [55] argues that recognitional justice is very critical for Indigenous people, especially when such recognition is bottom-up and allows for the capacity of people to determine their interpretation of what environmental (in)justice is and what it is not. To achieve this form of recognition, [56] argued for decolonisation. Reference [56] argues that this situation requires some form of indigenous policymaking around the re-recognition of decolonisation, hence correcting the challenges of indigenous people occasioned by post-colonial area [56]. The framing of EJ around this form of recognition for decolonisation is considered an essential ingredient in the study area where there are concerns that the state continues to determine the indigenous people's rights over land. The study area exemplifies a good case study of indigenous people who suffer neglect from the narrow conceptualisation of EJ by western liberal ideology and where recognition of decolonisation is required. To explore this further, let us first consider that in the culture of the study area, land-based activities are some sources of identity, and everything is interwoven back to and within reciprocal relationships with the land. The communities' lives on the land, accessed the resources, and returned to the land as ancestors, indicating a strong link between the communities and their ancestors. To explore more of the ancestral ideology and its relationship with the land, the study examines how an Igbo man welcomes a visitor. Reference [57] affirms that in Igbo culture, kola nuts are offered to a visitor as a symbolic ritual of respect by the hosts. The kola presented is often supported with money in what is regarded as "imachie Orji akwa," meaning you need to cover the nakedness of the kola. Among the rituals performed are praying and breaking of the kola nut before any discussion can commence. However, prior to sharing the kola, the smallest part, or cotyledon, is thrown away to the land for the ancestors to eat before the rest is shared with the people [57]. This

symbolises the deep relationship that exists between the living and the dead in the study area's sociocultural philosophical ideology, especially in relation to land. In effect, ancestor ideology represents the Igbo belief systems, which bequeath power over the dead over the living. Like the general reincarnation belief system, it demonstrates that death does not result in the total annihilation of life, but rather that life continues but in a different cosmic realm. According to [58], in the Igbo worldview, individuals, ancestors, and spirits are major players. Among the Igbo, the fear of the ancestral wrath is one of the main reasons for the Igbo's living a decent life. Building upon this, [59] argued that it is believed that the ancestors can affect their earthly relations' lives and actions. Therefore, depending on how the living view and remember them, they might bring them prosperity or misfortune while also shielding them from the malicious schemes of wicked people. In essence, this suggests how they look after their "land" in terms of preventing land pollution and all forms of unacceptable land-related activities.

Regrettably, this inherent link between the living and the dead with respect to interest in the land has been impacted by colonialism, and such an impact has equally outlived the colonial era. Reference [60] argued that colonialism impacted so much on the cultural ideals and traditional institutions of the people that among the people at present, there is this belief that such cultural ideals amount to paganism. This impact of colonial legacies of land administration and management results in land pollution, land alienation, and all sorts of land-related businesses that are alien to the indigenous people of South-eastern Nigeria [37] and can only be addressed via a decolonial approach. Also we consider that in the study area's indigenous mythology, the surface of one's land is reserved for the living, while the subsurface is reserved as the eternal resting place of the ancestors [61]. It implies that the dead (ancestors) are not cut off from the living but remain an integral part of their community and family, but with the acquisition by the state of subsurface rights by the colonial regime, the link between the abodes of the living and the dead members of the communities seems disconnected. This peculiarity of the indigenous people of the study area, among others, is not captured in the western worldview of EJ framing and would have several effects. The first is that compensation due to pollution in this instance would be based on the pollution of the land of the living, not the dead. Secondly, such nonrecognition would manifest in the devaluing of the polluted land and, in addition, would attract fewer resources for the control of pollution, both by the oil expatriate and the government. There are more such cases, but the above demonstrates that host communities (indigenous people) in South-eastern Nigeria have suffered some form of neglect, especially in the recognition of their cultural identities, which is land-related. This has unavoidably increased the risk of conceptualising EJ in the study area through western liberal ideology, thereby ignoring the opportunity to engage with the impact of non-recognition of the people's cultural ideals and colonialism's overbearing role. Reference [62] contends that despite how well-intended the EJ scholarship from the western liberal approach is, its global application continues to disrespect

the unique experiences and collective suffering of Indigenous populations as a result of colonisation. Like other indigenous EJ scholars, this study argued that what is ultimately required in this case is some form of EJ conceptualization that will engage with this impact of colonialism and cultural domination rather than such a narrow view of EJ that does not capture the experience of those in South-eastern Nigeria who have been impacted by colonialism and cultural domination. This position builds on the argument of some scholars who call for the colonial structures that underpin EJ to be overthrown to allow space to both acknowledge and enact the knowledge, rights, and sovereignty of indigenous peoples [63], [64]. It also draws from [65] and [66], who highlight how issues of land justice and security are not merely about indigenous peoples being able to access land fairly, but also about justice for land as a more-than-human entity that possesses its own rights and responsibilities, which need to be recognised and provided for. This framing of EJ certainly captures the EJ issue from both indigenous and western thoughts and could be extended to the case of the study area. It would evolve an indigenous EJ that challenges the supposed universal applicability and superiority of Western liberal thought, but rather includes and encourages Indigenous EJ and western liberal ideology.

VII. CONCLUSION

This study explored the historical accounts of oil exploitation in Nigeria and how government policies in the colonial era, which manifested in the post-colonial era, paving the way for the EJ suffered in the study area. These findings at the micro-level (South-eastern Nigeria) correlate with most of the findings made at the macro-level (Niger delta). The study further suggested that the conceptualization of EJ from the western liberal perspective (distributive, procedural, and recognition) is insufficient in understanding the broader conceptualization of environmental injustice suffered by the host communities (indigenous people) and that a better understanding would go beyond the western liberal approach to consider the indigenous approach to EJ. It also demonstrate how policies on land made during the colonial era manifest in the post-colonial era and how the EJ framework, at present, does not sufficiently consider the influence of colonialism on Indigenous peoples, even when the impact of colonialism breeds environmental injustice. It draws from decolonial theory to think about how the way people think about EJ might change from Western liberal EJ to Indigenous EJ, which shows some kind of interaction between humans and nonhumans on a spiritual, cultural, and time level.

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