

Oil Union and Government Dispute in Nigeria 1999 – 2007

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Abstract

The oil union, namely, national union of the petroleum and natural gas workers of Nigeria (NUPENG) in the downstream of the in recent years had engaged government in confrontation that has resulted in strikes. The dispute has shifted from the traditional demand for wage increase to demand for friendly government policies towards its members. The catalyst that has led to this is the increasingly roles that the oil union is playing in the transportation and delivery of refined petroleum products in the country. This came following the infrastructure decay and lack of maintenance of the nations four refineries as well as pipelines. Consequently, the dependence on imported refined petroleum products coupled with the availability of a single importation outlet namely, Atlas Cove based in Lagos made the over one five thousand (5000) tanker vehicles of the oil union members in the country have to converged in Lagos for loading of the products and then moved back to their various stations in the country. The major implications of these are that environmental hazard such as tanker vehicles parking on high ways, pollutions and frequent accidents that made some state governments namely Lagos and Ogun to imposed restriction on their activities. However, the attempt has often resulted in disputes. The paper therefore, focuses on the dispute the oil union had with the Ogun state government over the parking of tanker vehicles and pollution at Ogere along Lagos - Ibadan high way (the busiest road in the country) The paper interviews members of the oil unions, the government officials both federal (central) and state (provincial) government officials as well as consulted relevant publications and archives. Group and frustration theories that posits that when an organised people that has same goals and objectives feel that their interest is being threats would become aggressive due to frustration served as theoretical frameworks. The paper argues that the consequence environmental hazards caused by the activities of the oil union members are a product of the inefficiency and ineptness of successive governments in the country. It further argues that government at both the state and federal levels must made concerted efforts to build and rehabilitated refineries as well as its associated facilities. It could in the short run have a joint monitoring committee be set up comprising members of the stakeholders to regulate the activities of the parties.

Keywords: Oil, Dispute, Ogere, NUPENG, Atlas Cove.

The Socio - Political Environment of Nigeria

Nigeria is the most populous black nation in the world. Put differently, one in every four blacks is a Nigeria. Nigeria is located in latitude 40N and 140N and longitude 20E and 150E. She is divided into two vast unequal regions by a rough letter Y derived from the confluences Of River Niger and its important tributary, River Benue that flows into a network of rivers that empty into the Atlantic Ocean. (Nnabugwu and Ekop, 2002; Ugbudian, 2008)

The country is inhabited by numerous ethnic groups, namely, Edo, Yoruba, Hausa, Ijaw, Igbo, Idoma, Efik and so on. These groups are over two hundred and fifty (250) in number are also distinct in culture however shares some similarities as a result of inter group relations. (Balogun, 1973; Ikime, 1980)

The amalgamation of the southern and northern protectorates in 1914 by the British colonial government led by Lord Frederick Lugard led to the emergence of Nigeria. In the subsequent years series of constitutional development that culminated in Nigeria's independence in 1960. Thus, since 1960 there has been self government in the country (Crowder, 1976; Ezera, 1960, Osaghae, 1998, Ugbudian, 2008).

Introduction

The country has thirty six states and the federal capital, Abuja where the seat of government is located. Ogun state with capital in Abeokuta is located in the south western part of the country. The state with the Motto 'Gateway state' shares international boundary with the Republic of Benin while its shares national boundaries with Lagos in the South; Oyo and Osun in the East and Ondo in the North. It has a population of over 3,441,024 and a landmass of 16, 409.26 Sq Kilometre (NPC, 2007; www.ogunstate.gov.ng).

Ogere is a sleepy town located along the busiest high way in Nigeria, the Lagos – Ibadan expressway. The town is about forty (40) kilometer from Lagos, the commercial and industrial headquarters of the country.

Ogere which used to be a quite farming and trader community has in recent years become a centre of inter state transit point for members of the National Union of Petroleum and Natural Gas Workers (NUPENG). The union members who are tanker drivers from most parts of the country see the town as a safer place to rest and relax. It must be said that the factor that led to the transformation of the town to a mini commercial centre could be traced to 1990s when the military government of President Ibrahim Badamosi Babangida commenced

the importation of refined petroleum products into the country in the attempts to meet local demands. This action of that regime was continued by successive governments that further created its own problem. The precursor to the importation of refined petroleum products was the sheer abandonment of social amenities following the adoption of structural adjustment programmes (SAP) in 1986 by the IBB regime. Consequently, regular turn around maintenance (TAM) of the four refineries located in Port Harcourt, Warri and Kaduna; depots and pipelines were not carried out as out when due that led to its decay (Onyeonoru and Adesina, 2009).

Theoretical Frameworks

Frustration Aggression posits that a state of frustration is reached when individuals or groups that could not get what they perceive they deserve in the society. The objects could be economic, political or socio-cultural. In this Thus, the lack of realisation of their aims in the society intensifies frustration which invariably translates into aggression.

The Group Theory asserts that people who organised themselves into a group exist to protect the interest of its members. In this regard, whenever the interest of the group is threatened or the threat is carried out then the group fights back.

In the context of the dispute between the oil union and government in the Ogere episode the theories are amply demonstrated. This can be seen in the reactions of the union members to the socio-economic and political policies of the Nigerian government. For instance, the union members resisted stoutly and violently against the attempt by the Lagos state government to remove their tankers parked along roads and bridges. In fact the union following the state government seizure of its member's tanker vehicles embarked on wildcat strike that paralyzed socio-economic activities of the country. The trade union were thus aware that any attempt by the government to enforce its laws forcefully with taking their interest into consideration with manifest their frustration that would culminate in aggression (strike).

Industrial Dispute

Government labour dispute falls under the purview of industrial dispute. The trend is however a recent development in the country (Ugbudian, 2011). Industrial dispute has been defined as the existence of incompatible difference between two or more parties, trade unions and government on wide range of issues in their interactions. Industrial dispute can be described as the emergence of disagreement or conflict among parties in the sector that often ends in strikes or lock outs.

Several authors have examined the concept of industrial dispute or conflict. However, in the context of this paper the view of Fajana (1999) will be used. According to him industrial conflict is a total range of behaviour and attitudes that expresses opposition and divergent orientations between individuals' owners and managers on one hand, and working people and their organization on the other hand. He added that industrial conflict is the exchange of relationships between two major actors, employers and employees, as well as the state in which inability of these parties (either between groups) to reach agreement on any issue related to the object of employers-employees interactions whether or not this inability results in strikes or lockouts or other forms of protestations. He categorized the sources of conflict in the industrial sector into two namely Internal and External, the Internal sources deals with conflict orientations within work setting which focus fundamentally on the opposed nature of the interests of the employers and employees. It involves both grievances and collective grievances. The External sources has to do with industrial and economic policies of Government, National Economic Management, distribution of wealth and power in the society, the nature of Labour Legislation and the behavioral orientations and patterns of the economic and political classes. He however, emphasizes that external sources of industrial conflict may not directly lead to conflict although; they do sometime influence the psyche of the workers which often ends up in industrial unrest.

Background and Causes of the Disputes

Nigeria returns to democratic governance in May 1999 after close to two decades of military rule. This was seen as an opportunity for the nation to regain its lost glory and pride of place in terms of economic, socio-political and international developments. The administration of Obasanjo that kicked started the democratic governance enumerated a number of programmes aimed at repositioning the country. These programmes also cover the oil and gas sector of the economy. The key components of the oil and gas programme were the privatization and deregulation of the down stream. It is instructive to note that the programme of the oil and gas sector particularly the downstream according to most experts was importation driven. This was due to the fact that the programme did not make provision for the construction new and rehabilitation of the existing refineries as well as associated facilities a top priority.

The country continued to largely depend on importation of the products to meet the ever increasing domestic demands. At the same time, the numbers of oil union members' tanker vehicles gradually rose from about 1000 in the late 1990s to over 5000 between 1999 and 2007(Ugbudian, 2011). The explosion of tanker

vehicles coupled with the fact that there is only a single importation outlet, Atlas Cove for refined petroleum products in the country meant that all the vehicles have to converge in Lagos for the products for distribution to their various stations. Put simply, the tanker drivers who are NUPENG members have to load and transfer the products to different parts of the country.

The dynamics of the distribution of the products in the country came to the fore when the Lagos state government in 2003 begun to take measures to control the perceived excesses of the drivers.

The drivers also retaliated in declaring and embarking on industrial actions (Nigerian Tribune, 2008; The Punch, 2009). The major ground for the steps taken by the Lagos state government was that the tanker drivers constitute risk to other road users and the environment by parking along major roads and bridges in the states. The NUPENG members however blame the government for it as it failed to provide tank farms for their vehicles. The various moves by the Lagos state government though resisted by the union however could not stop the government from imposing stiffer penalties on offenders.

The actions of the Lagos state government led to gradual movement of some of the tanker drivers from the state to its closest neighbour, Ogun. Ogere community became the port of call for most of these tanker drivers. The inflows of these tanker drivers expanded vehicle activities along the axis. Thus, there gradual and later frequent disputes between the state government and federal agency, and the union members over sundry issues that relates to traffic blockage came to public notice. One of the steps taken by the Ogun state government in late 2007 was the setting up of the task force on decongesting traffic in the state now known as Traffic Compliance Enforcement (TRACE) (Vanguard, 2012). The task force in collaboration with the Nigeria Police and Federal Road Safety Commission officials carried series of activities to rid the state of tankers along the high ways specifically, Ogere. The activities of the taskforce led to disputes with the union members that often resulted in industrial action, namely, the 2007 wildcat declared to force the state government to released tanker vehicles confiscated by the task force (Nigeria Tribune, 2012). It is instructive to state that disputes were took form of back and forth as the issues remain largely unresolved.

The environmental hazards

The obstruction of traffic by the oil union member tankers that begun on a small scale in the late 1990s assumed a higher dimension following the clampdown on their activities such as parking along overhead bridge in Lagos. The union members according to the Oba of Remo land relocated to the Ogere former Toll in large numbers due to the policy of the Lagos state government between 2003 and 2005. In the words of the Ogere unit head of the Federal Road Safety Commission (FRSC) the menace posed by the activities of the tanker drivers made the commission to put him measures to curb it thus

*To curtail the menace posed to FRSC by the drivers,
FRSC officials come out as early as 5:30 a.m.
to remove traffic-obstructing trucks and vehicles.
We leave office at 7:00p.m because when you
don't go at that time, tanker drivers are very careless
and can behave funny. Any traffic gridlock on the
highway is intentionally caused by either somebody
who has been provoked or lawlessness of the truck drivers.*

The consequence of this step by the union members was that their activities became more and more pronounced in Ogere. Some of their activities include parking their tanker vehicles along both sides of the multi-lane Lagos Ibadan highway there by leading to horrific traffic jam or hold up. A good example was at traffic jam incident that happen in 2005 according to the Ogun state federal road sector commander. The traffic hold up was due to the usual obstruction of roads by the union members and it led to motorists and their passages spending up to thirteen (13) hours on the traffic for a journey that is supposed to take less than two hours. The Assistant secretary of the petrol tanker union, Mr. Olarinde Saubana a sub of NUPENG however blamed obstruction of traffic on lack of parking lots in Ogere. Thus:

*The truck drivers are demanded six of 1000-capacity
parking facilities to solve the problem of inadequate
parking space and the dangers posed to motorists and
travellers on the highway permanently. If more parks
are constructed and are made available to the truck drivers,
all of the trucks you see at the road sides today, you won't
see them there anymore. But if we ask them to move away
from the roadsides, where do we take them?*

The traffic obstruction has also resulted in fire incidents that led to the loss of lives, destruction of vehicles and other properties. According to the Assistant Corps Commander, Mr. J.G Samgbaza, Ogere Unit, Federal Road Safety Commission (FRSC) in the state, there have been several accidents caused by the activities of the oil

union members while some were fatal others were minor. To him a very fatal accident that occur due to the mishap of the union members happen sometimes in 2007 and it led to the death of over ten people burnt beyond recognition; burnt of twenty private and commercial vehicles and destruction of some houses around the highway. The official of the union however blamed the extorting attitude of the officials of FRSC and the Nigeria Police as the caused of most of the accidents along the Ogere axis including this one in question.

Another environmental hazard posed by the inflows of the oil members and their activities are the emergence of shanties and unplanned community without basic social amenities such as water, sewage, refuse collection and sanitation. A resident respondent observed that people living in the settlement including the oil union members uses the surrounding bush as toilets. Also, uses papers, metals, bottles and other refuse is dump on the on the community. Indeed, in the course of this study heaps of refuse littered the Ogere community. The implication of the foregoing is that there is lack of sanitation in the community and the chance of the out break of epidemic is on the high.

Conclusion

The paper has demonstrated that the failure of successive governments both at the federal (central) and state levels to provide infrastructure in the downstream of the petroleum sector in the country led to various ad-hoc measures to over come the limitations. These ad-hoc measures such as the importation of refined fuel to the country to served domestic commercial and private users created its own problem. The problem, namely, traffic obstruction, arose out of lack of parking lots for the thousands of tanker vehicles that comes to the nation's commercial capital, Lagos for the loading of the product to the respective states in the country.

The attempt by the states government to addressed the traffic menace occasioned by the union members activities invariably led to a dispute first in Lagos state and later the creation of tanker drivers' enclave at Ogere. The tanker drivers' enclave has thus manifested multifaceted illegalities such as obstruction of the busiest high way in the country, cause of accidents as well emerging fears of epidemic. These environmental hazards are at the root of the frequent disputes between the Ogun state government, federal security and safety regulatory agency on one hand, and the union members on the other hand.

The ideal measures that could stem the tide of the frequent disputes between both parties is revamping of the nation's capacity to produced refined petroleum nationally as well as repairing and reconstructing associated facilities, pipelines and depots. This will go a long way in phasing out drastically the numbers of tanker vehicles that plies the roads. It must be said this efforts requires pragmatic and systematic planning and implementation that should move beyond the present leaders' penchant for abandoned projects.

In the interim, a joint committee comprising the officials of FRSC, Nigeria Police, state government, NUPENG, Press, and Nigerian Labour Congress (NLC) should be set up to monitor the activities of the various parties at the community. The responsibility should include reporting any infraction by the parties for disciplinary measures and preventing fracas among parties. This will provide a platform that will assuage the feelings and fears of the parties as regard allegation and counter allegations thereby bringing peaceful coexistence and safer environment.

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