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The Right to Pollute? Climate Justice, Energy Poverty, and Nigeria's Dilemma in the Shadow of the Niger Delta

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ABSTRACT

This paper examines the ethical trilemma confronting Nigeria as it navigates the conflicting imperatives of global climate mitigation, domestic energy poverty, and reparative justice for the ecologically devastated Niger Delta. We argue that Nigeria's position represents a "triple injustice," wherein the global demand for decarbonization constrains its developmental rights, while the legacy of local environmental violence and persistent energy deprivation remain unaddressed. The analysis critiques the Nigerian government's "Decade of Gas" strategy, revealing its inadequacy as a just transition framework. We contend that leveraging fossil fuels for development is ethically untenable without first discharging the nation's ecological debt to the Niger Delta. The paper concludes by advocating for a conditionality-based approach, positing that a just and viable pathway requires a moratorium on new fossil fuel projects contingent upon the full remediation of the Delta and a strategic pivot toward decentralized renewable energy systems as the primary solution to energy poverty. This framework reconciles Nigeria's right to development with its local and global responsibilities, offering a critical alternative to the prevailing policy discourse.

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Keywords: Climate Justice; Energy Poverty; Niger Delta; Nigeria; Fossil Fuels; Ecological Debt; Decarbonization.

INTRODUCTION

The international climate regime, underpinned by agreements like the Paris Accord, presents a universalizing narrative of decarbonization that often obscures the starkly differentiated realities and responsibilities of nations within the global political economy. For countries of the Global South endowed with significant fossil fuel reserves, this narrative creates an acute ethical and developmental paradox (Heras & Gupta, 2024). Nowhere is this paradox more vividly embodied than in Nigeria, Africa's most populous nation and its largest economy. Nigeria sits at the epicenter of a perfect storm of conflicting justice claims, making it a critical case study for applied environmental ethics. On one hand, it is a petro-state whose economic fate has been tethered to oil and gas for over half a century. On the other, it is a nation where a staggering proportion of its citizens—over 40%, representing approximately 85 million people—live in abject energy poverty, devoid of access to reliable electricity, which fundamentally constrains their health, education, and economic prospects (Akubor, 2024).

This paper argues that Nigeria's position cannot be understood through a binary lens of development versus environmentalism. Instead, it is trapped in a “triple injustice” that pits three compelling ethical claims against one another. The first is the claim of global distributive justice: the argument, rooted in principles of historical responsibility and equitable burden-sharing, that nations like Nigeria, with low per capita emissions and immense developmental needs, are entitled to a larger portion of the remaining global carbon budget to fuel their growth. The second is the claim of local commutative justice: the long-overdue reparative justice owed to the peoples of the Niger Delta, whose homeland has been systematically degraded by the very industry that promised national prosperity, creating an ecological debt of monumental proportions. The third is the claim of basic rights justice: the fundamental right of all Nigerian citizens to modern energy services, a prerequisite for a life of dignity, security, and opportunity.

The core research question this paper addresses is: How can Nigeria navigate its ethical obligations to its energy-poor population and its Niger Delta communities within the constrained carbon space dictated by the global climate crisis? This investigation moves beyond theoretical climate justice to grapple with the non-ideal, politically fraught reality of a nation seeking a path forward. It critically examines the Nigerian government's proposed solution, encapsulated in its “Decade of Gas” initiative, which posits natural gas as a “transition fuel” that can simultaneously boost the economy, reduce energy poverty, and lower emissions by displacing more polluting fuels like diesel and kerosene. This paper subjects this proposition to rigorous ethical scrutiny, questioning its underlying assumptions and its compatibility with the demands of justice at all three levels.

The structure of the paper is as follows. First, it will delineate the contours of the triple injustice, providing a conceptual framework for understanding Nigeria's unique predicament. Second, it will empirically substantiate the scale of the energy poverty crisis in Nigeria, establishing the moral urgency of expanding energy access. Third, it will detail the ecological and social catastrophe in the Niger Delta, framing it as an unpaid ecological debt that must condition any future energy policy. Fourth, it will analyze the “Decade of Gas” strategy, exposing the gap between its rhetorical promises and its operational realities. Fifth, the paper will articulate and defend an alternative pathway centered on a just transition to decentralized renewable energy, arguing that this path offers the most ethically coherent and practically viable route to resolving Nigeria's triple injustice.

Finally, the paper will consider objections and conclude by synthesizing the argument for an integrated justice approach.

THE CONCEPTUAL FRAMEWORK: UNPACKING THE TRIPLE INJUSTICE

To fully grasp the ethical complexity of Nigeria's position, one must move beyond a simplistic dualism and appreciate the three interconnected layers of injustice that constrain its policy choices. This triple injustice framework provides the analytical structure for evaluating any proposed energy or climate policy for Nigeria. The first layer is the Global Distributive Injustice inherent in the international climate regime. The atmosphere is a global commons, and its capacity to absorb greenhouse gases without triggering catastrophic warming is a finite resource. The industrialized nations of the Global North have overwhelmingly appropriated this commons to fuel their own development, accruing immense wealth while generating the bulk of historical emissions. This creates what theorists like Henry Shue (2014) identify as a dual responsibility for these nations: to lead in drastic emissions reductions and to assist developing nations in pursuing a low-carbon development path. The principle of Common But Differentiated Responsibilities and Respective Capabilities (CBDR-RC), enshrined in the UNFCCC, acknowledges this historical disparity. From this perspective, Nigeria's claim to utilize its fossil resources is not a "right to pollute" but a claim to a fair share of a common resource from which it has been largely excluded. To demand that Nigeria forgo this development pathway without providing adequate financial and technological support for alternatives is, as political theorist Olúfẹ́mi Táíwò (2022) might argue, to perpetuate a form of climate colonialism that locks in global inequality.

The second layer is the Local Commutative Injustice embodied by the Niger Delta. Commutative justice concerns the rectification of wrongs between specific parties. In the Niger Delta, this wrong is the systematic destruction of the region's ecosystem and the violation of the human rights of its people by the joint operation of multinational oil corporations and the Nigerian state. Scholars like Michael Watts (2001) have documented this as "petro-violence," a violence embedded in the very logic of extractive operations. The harm is not merely environmental; it is a profound assault on the relational personhood and livelihoods of the Ogoni, Ijaw, and other Delta communities, whose identity and survival are tied to the land and water. This has generated an immense "ecological debt" owed by the oil companies and the state to these communities—a debt for stolen resources, degraded land, poisoned water, and lost lives. Any new fossil fuel project that proceeds without first settling this debt compounds the injustice, demonstrating a continued prioritization of resource extraction over human dignity and ecological repair.

The third layer is the Basic Rights Injustice of energy poverty. The lack of access to modern energy services for tens of millions of Nigerians constitutes a violation of basic human rights. Energy is not a luxury; it is a fundamental enabler of the rights to health (powering clinics and refrigerating medicines), education (lighting for studying), clean water (powering pumps), and livelihood (running businesses). Philosophers like Sovacool and Dworkin (2015) frame this as a core issue of "energy justice." The Nigerian state has a primary duty to uphold the welfare of its citizens, and the persistent failure to provide electricity represents a gross dereliction of this duty. This creates a powerful, internally-directed moral imperative to rapidly expand energy access, which inevitably gets entangled with the global and local justice dimensions.

These three layers of injustice are not separate; they are deeply intertwined. The global pressure to decarbonize can be perceived as limiting the tools available to address the national energy crisis. The revenue from fossil fuels, which could theoretically fund a energy transition and Niger Delta cleanup, is itself sourced through a process that perpetuates local injustice and contributes to the global problem. This creates a policy trap where actions to address one injustice can inadvertently exacerbate another. The ethical challenge, therefore, is to identify pathways that simultaneously advance distributive, commutative, and basic rights justice, rather than trading one off against the others.

THE SCALE OF THE CRISIS: ENERGY POVERTY IN NIGERIA

The moral imperative to address energy poverty in Nigeria is grounded in the stark reality of its scale and its human consequences. Despite being Africa’s largest oil and gas producer, Nigeria has one of the lowest rates of electricity access in the world. The World Bank (2021) estimates that 43% of the population, approximately 85 million people, have no access to grid electricity. For those who are connected, supply is notoriously epileptic, forcing households and businesses to rely on expensive, polluting, and inefficient backup generators.

The socio-economic impacts of this energy deficit are catastrophic. In the health sector, hospitals and primary health centers routinely experience power outages, jeopardizing the functionality of diagnostic equipment, the preservation of vaccines and drugs in cold chains, and the ability to perform surgeries under adequate lighting. Maternal and infant mortality rates, which remain high in Nigeria, are inextricably linked to these energy failures. In the educational sector, students lack light to read or study after dark, and schools cannot utilize modern teaching tools like computers and projectors. This cripples human capital development and perpetuates intergenerational poverty.

Economically, the cost is immense. The Nigerian Bureau of Statistics and the International Monetary Fund consistently highlight the lack of reliable power as the single greatest constraint to business growth and economic diversification. Small and medium-sized enterprises, the backbone of the economy, spend a disproportionate share of their operational costs on diesel for generators, rendering them uncompetitive and stifling job creation. The reliance on generators also creates a massive secondary public health crisis through air and noise pollution, contributing to respiratory illnesses in urban centers like Lagos and Abuja.

This situation represents a fundamental failure of the social contract. The state has failed to translate the vast wealth generated from fossil fuels over decades into basic infrastructure for its people. The national grid is dilapidated, and governance of the power sector is plagued by corruption and inefficiency. Therefore, the demand for energy access is not merely a technical or economic issue; it is a profound ethical demand for the fulfillment of basic rights. It is the legitimate cry of a population that has seen the wealth of their nation extracted and exported, while they are left in the dark. This context is essential for understanding the powerful appeal of any policy, such as the “Decade of Gas,” that promises to finally leverage the country’s natural resource wealth for the direct benefit of its citizens.

THE SHADOW OF THE DELTA: ECOLOGICAL DEBT AND THE FAILURE OF PETRO-DEVELOPMENT

Any ethical argument for utilizing Nigeria's fossil fuel resources must be made in the long, dark shadow cast by the Niger Delta. The Delta stands as a haunting monument to the broken promises of petro-development and a glaring testament to the local commutative injustice that remains unaddressed. The region, which produces the wealth that funds the Nigerian state, has been subjected to what can only be described as ecological and social warfare.

The empirical evidence of destruction is overwhelming. According to a landmark report by the United Nations Environment Programme (UNEP, 2011) on Ogoniland alone, widespread contamination of soil and groundwater has occurred, with some water sources containing carcinogens like benzene at levels over 900 times the World Health Organization guideline. The report estimated that a comprehensive cleanup would take 25-30 years and require an initial investment of \$1 billion. This is for a single ethnic nationality area within the larger Delta. Across the entire region, gas flaring—the burning of associated gas extracted with oil—continues unabated despite being illegal, releasing toxic pollutants and contributing significantly to Nigeria's greenhouse gas emissions while poisoning the air of local communities.

The harm, however, transcends environmental metrics. It is a harm to human flourishing and cultural survival. The Ogoni, Ijaw, and other delta communities are historically fishing and farming peoples (Orugbani & Benson, 2016). The destruction of their creeks and farmlands has annihilated their traditional livelihoods, leading to widespread poverty and food insecurity. The constant oil spills have poisoned their sources of drinking water and desecrated sacred sites. This represents a violation of the relational ontology central to many of these communities' worldviews, where identity is tied to the land. As Ken Saro-Wiwa, the executed Ogoni activist, famously declared, "The land is our God." Its destruction is thus a form of cultural genocide.

This history creates an immense ecological debt. This debt, as conceptualized by Joan Martinez-Alier (2002), is owed by the polluters—the multinational oil companies like Shell and Eni—and the beneficiary, the Nigerian state, to the people of the Niger Delta. It is a debt for the stolen resources, the cost of ecological restoration, the compensation for lost livelihoods and health impacts, and the cultural and spiritual loss. The establishment of the Hydrocarbon Pollution Remediation Project (HYPREP) to implement the UNEP report has been characterized by delays, corruption, and a lack of transparency, meaning this debt remains overwhelmingly unpaid.

Therefore, proposing new fossil fuel projects, such as those under the "Decade of Gas," without a credible and fully-funded plan to remediate the Niger Delta is ethically indefensible. It signals that the state has learned nothing from the past and is willing to perpetuate the same cycle of extraction, accumulation, and abandonment. It makes a mockery of justice to argue for a "right to pollute" for new development when the historical pollution from the same industry has not been rectified. The shadow of the Delta thus imposes a stringent ethical precondition on any future energy policy: it must be contingent upon the full settlement of the existing ecological debt.

THE "DECADE OF GAS": A CRITICAL ETHICAL AUDIT

In response to these intersecting crises, the Nigerian government has launched its "Decade of Gas" initiative, officially spanning from 2021 to 2030. The official narrative,

as promoted by state agencies and the Nigerian National Petroleum Corporation (now NNPC Limited), positions natural gas as the perfect “transition fuel” for Nigeria (Adamolekun, 2025). The ethical claims made for this strategy are threefold: first, that it will provide a cleaner-burning domestic fuel to displace biomass and diesel, thereby improving public health and reducing emissions; second, that it will provide reliable feedstock for power generation, finally tackling energy poverty; and third, that it will boost the economy through both domestic use and export. A rigorous ethical audit, however, reveals significant contradictions and flaws in this proposition.

Firstly, while gas is indeed less carbon-intensive than coal or diesel at the point of combustion, this analysis is misleading when applied to Nigeria’s context. A full lifecycle assessment must account for the rampant methane leakage from Nigeria’s aging and poorly maintained oil and gas infrastructure. Methane is a potent greenhouse gas, with a global warming potential over 80 times that of CO₂ over a 20-year period (Severinsky & Sessoms, 2021). Furthermore, the continued investment in gas infrastructure risks “locking in” fossil fuel dependency for decades, creating stranded assets and making a future transition to renewables more difficult and expensive. This contradicts the urgency of global decarbonization and jeopardizes Nigeria’s own long-term economic interests in a carbon-constrained world.

Secondly, the promise that gas development will directly alleviate energy poverty is highly questionable. The historical precedent of the oil industry is instructive: decades of oil extraction did not lead to widespread prosperity or reliable energy access; instead, it bred the “resource curse” characterized by corruption, conflict, and inequality. The core infrastructure plan of the “Decade of Gas” revolves around large-scale projects like the Ajaokuta-Kaduna-Kano (AKK) pipeline and new LNG export terminals. These are capital-intensive, centralized projects that primarily serve to connect gas fields to power plants for the national grid (which is already broken) or for liquefaction and export. They do little to address the root cause of energy poverty, which is the failure of the centralized grid model to reach dispersed rural and peri-urban populations.

The political economy of gas in Nigeria suggests that the primary driver is revenue generation for the state and corporations, not energy justice for the poor. The lure of the European gas market, especially post-Ukraine invasion, creates a powerful incentive to prioritize exports over domestic needs. There is a real danger that the “Decade of Gas” will follow the oil paradigm: wealth will be extracted, local communities (in new gas-rich areas) will bear the environmental and social costs, and the majority of Nigerians will remain in the dark, all while the nation accumulates a new layer of ecological debt and carbon liability. An ethical audit, therefore, finds the “Decade of Gas” strategy wanting. It fails to adequately address the commutative justice of the Niger Delta, offers a dubious solution to the basic rights injustice of energy poverty, and pursues a development path that is misaligned with the demands of global distributive justice in the long term.

AN ALTERNATIVE PATHWAY: A JUST TRANSITION TO DECENTRALIZED RENEWABLES

Given the ethical failures of the gas-based strategy, a viable alternative must be articulated. This paper proposes that the most ethically coherent and practically sustainable path for Nigeria lies in a just transition that leapfrogs centralized fossil fuel systems and embraces a decentralized, renewable energy-led model. This pathway offers the most promising route to simultaneously addressing the triple injustice.

Technologically and economically, the viability of this alternative is no longer in doubt. The cost of solar photovoltaics and battery storage has plummeted dramatically over the past decade (Dada & Popoola, 2023). For a country like Nigeria with abundant solar resources, the potential is immense. Decentralized systems—ranging from pico-solar home systems and mini-grids for rural communities to commercial and industrial-scale solar for businesses—can provide rapid, scalable, and affordable energy access without the need for massive, centralized grid infrastructure that has consistently failed. This model directly targets the basic rights injustice of energy poverty by delivering power to where people live and work, much faster than any fossil fuel project could.

This pathway directly addresses the commutative injustice of the Niger Delta by fundamentally shifting the economic model away from extractivism. A renewable energy transition, if consciously designed, can be labor-intensive, creating a multitude of new jobs in manufacturing, installation, and maintenance across the country, including in the Niger Delta (Ballard, 2023). It avoids creating new “sacrifice zones” and can be coupled with a massive, publicly-funded remediation program for the Delta, financed by a combination of existing oil revenues, levies on the industry, and international climate finance. This would begin the process of repaying the ecological debt.

From a global distributive justice perspective, this path allows Nigeria to claim the moral high ground. By choosing a low-carbon development pathway, Nigeria can legitimately demand substantial financial and technological support from the Global North, in line with the CBDR-RC principle. This could take the form of grants, concessional loans, and technology transfer under the UNFCCC’s financial mechanisms. This approach reframes Nigeria not as a nation demanding a “right to pollute,” but as a climate leader in the making, asserting its right to develop cleanly and justly. It aligns the national interest with the global ecological imperative, avoiding the carbon lock-in and stranded asset risks associated with new fossil fuel infrastructure.

A just transition policy framework for Nigeria would include: a moratorium on new fossil fuel exploration; the redirecting of fossil fuel subsidies towards a national renewable energy fund; the development of a skilled workforce for the green economy; and the implementation of a robust, community-owned cleanup of the Niger Delta. This is not an anti-development stance; it is a proposal for a more sustainable, equitable, and ethically defensible form of development that finally learns the lessons of the Niger Delta.

OBJECTIONS AND REBUTTALS

Objection 1: The Cost and Intermittency of Renewables. Critics will argue that renewables are too expensive and unreliable to power a modern industrial economy. They point to the intermittent nature of solar and wind power and the high upfront costs.

Rebuttal: This objection is based on outdated information. The levelized cost of electricity from utility-scale solar is now cheaper than that from new gas-fired power plants in most of the world, including Nigeria. Regarding intermittency, a mix of solar, wind, battery storage, and smart grid management can provide reliable power. For a nation where the existing grid is already chronically unreliable, a decentralized renewable system would represent a dramatic improvement in reliability for the majority of the population. Furthermore, Nigeria has significant untapped hydropower and biomass potential that can provide baseload power to complement solar and wind.

Objection 2: The Revenue Imperative. The state depends on oil and gas revenues for its budget. Abandoning these resources would lead to economic collapse.

Rebuttal: This argument confuses a transition with an immediate shutdown. A just transition is a managed process. It does not call for turning off existing oil wells tomorrow. It argues for a moratorium on *new* exploration and a strategic wind-down of the industry, using the declining revenues to fund the shift to a new economic base. This includes optimizing existing production while ceasing to invest in new, long-lived fossil fuel assets. The goal is to avoid economic collapse in the future when global oil demand inevitably declines, by building a new, resilient economy today.

Objection 3: Technological and Institutional Capacity. Nigeria lacks the technical capacity and strong institutions to manage a complex energy transition.

Rebuttal: While capacity is a challenge, it is not an insurmountable barrier. The current system has also failed to deliver energy access or manage the oil sector without corruption. The transition requires building new capacity, which can be supported by international partnerships and private sector investment. The decentralized nature of renewables can actually reduce opportunities for large-scale corruption compared to centralized, mega-projects. The institutional framework can be built, and the necessity of the task demands that we begin.

CONCLUSION

Nigeria's energy and climate dilemma is a microcosm of the broader ethical challenges of the Anthropocene. The question is not simply whether Nigeria has a "right to pollute," but how it can justly navigate its interlocking obligations to its people, its polluted regions, and the global community. This paper has argued that the triple injustice framework—encompassing global distributive, local commutative, and basic rights justice—reveals the profound ethical shortcomings of a strategy centered on further fossil fuel development, as exemplified by the "Decade of Gas."

The legacy of the Niger Delta imposes a non-negotiable ethical precondition: the ecological debt must be paid before new fossil fuel projects can be legitimately considered. The scale of energy poverty creates an urgent moral imperative for action, but the solution cannot be one that perpetuates the very model that caused the problem in the first place. The alternative pathway of a just transition to decentralized renewables, while challenging, offers the only route that holds the promise of reconciling these competing justice claims. It aligns Nigeria's developmental aspirations with the global climate imperative and offers a chance to build a more equitable, sustainable, and democratic energy future.

The international community, particularly the historically high-emitting nations, has a corresponding duty to support this transition through finance, technology, and capacity building. For Nigeria, the choice is clear: it can remain trapped in the extractive past, perpetuating old injustices while accumulating new risks, or it can embrace its potential as a leader in a just, renewable future. The ethical course is to choose the latter, forging a path of development that is finally worthy of its people.

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