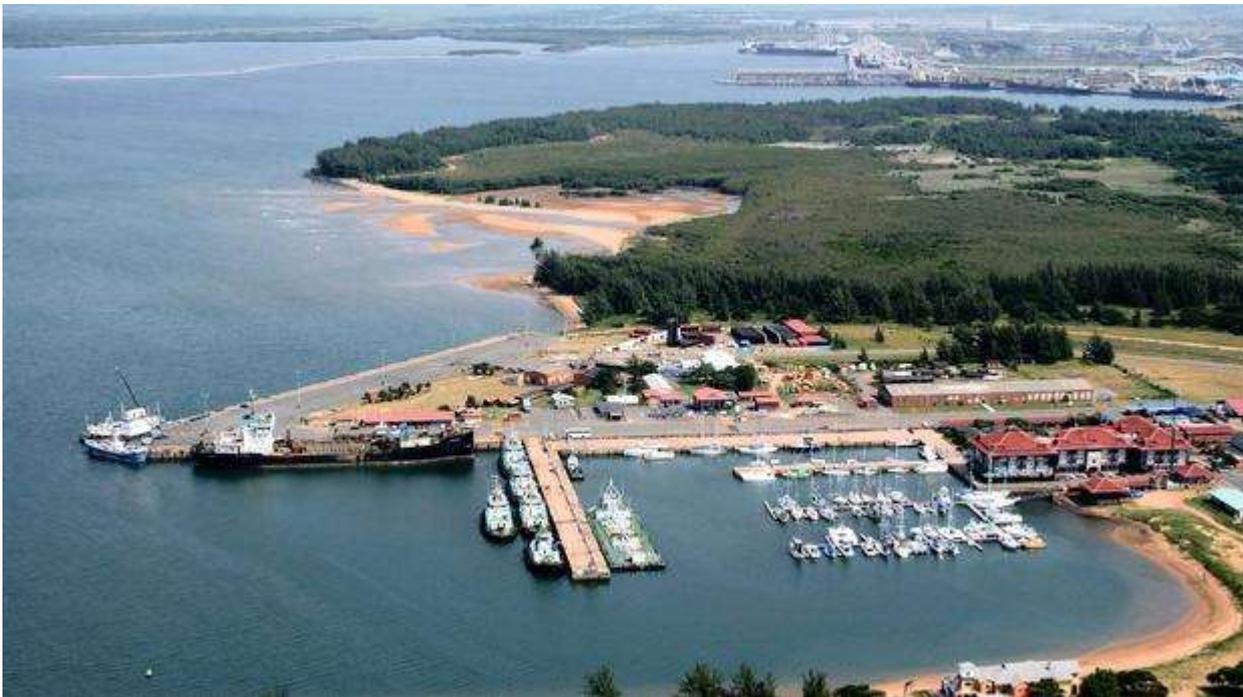


OPINION: Rumbblings in the belly off the waters of Port Shepstone

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Richards Bay. Chas Corbett Photography

Hear ye all compatriots

CAPE TOWN – Here is an express announcement detailing plans and intent to drill for crude oil on the waters off the coast of Richard Bay all the way down to Port Shepstone in KwaZulu Natal. It arrives at a time when South Africa is gripped in a svengali hold of ever rising fuel prices. And before I get ahead of myself, let's pay attention to the enormity of the announcement and the implication of what ENI of Italy and Sasol Oil intend to do.

Besides, until we resolve the question of who owns our natural wealth, there can be no direct correlation between the oil find whenever it materialises and the prices of petroleum products that burden our lot. For the umpteenth time, it must needs be emphasised that the genesis of our fuel woes, is not the petrol price. It is in the petrol pricing mechanism, in short the BFP. We would be unable, despite our collective altruistic intent, to change the petrol price without changing the petrol pricing mechanism.

What does ENI and Sasol Africa plan to do?

The consortium wants to drill some exploratory wells from Richards Bay in the North to Port Shepstone in the South. Ostensibly, this is a manifestation of the broad ambitions of Operation Phakisa. The grand designs of this maritime project have been spurred in part by the CSIR estimates that there are approximately 11 billion barrels of recoverable crude oil in our Exclusive Economic Zone.

And such announcements would not have gone unnoticed to those whose business it is to seek the black gold and dispose it to the world markets as they fancy. They have come to Port Shepstone, making Austerville and its proximate environs the frontline of the battle of wills and a poster child for resistance to Big Oil. The Oil Sisters have big responsibilities however. In a post

Deep Horizon blow up and the resultant environmental disaster, there can be no more glossing over on the dangers of offshore drilling. And so the Austerville townsfolk and their supporting experts, came in fairly prepared.

What is the problem?

The problem simply stated is that a multidimensional social problem has been strained to assume the appearance of a false dilemma. A dilemma by its own insistence, represents a two sided problem. An either or. An us against them. The falsehood for its part, relies on the same theory used by the Greeks in the procrustean bed. It forces every argument to fit a construct, in this case, one of two sides. It would take a dishonest device to bend all reason, just so it must conform either to the side of the environmental activists or that of the oil companies. Society with its many interests, can hardly fit snugly into such narrow categorisations.

There are other facets to this problem. They are emblazoned on the front of sponsored apparel and many emotive placards reflecting the mood of the Austervillians. 'Go back to Italy', they suggest. 'No oil drilling in our waters.' There are a few other bold suggestions. While the suggestions by themselves are not problematic, to construct a legal dispute out of them will take some doing however. Oil and gas drilling on our exclusive economic zone is legal. It would not be made illegal by the fact that the EIA applicants are from Italy. PetroSA is still drilling for gas outside Bredarsdorp, and there is no suggestion of illegality, of willful destruction of the environment, not even of undertones of reprehensibility.

There are many parties to this build up, government being one of them. And as they pile up, so would be the number of sides to the definition of the problem. There are other intangible partners, such as poverty, whose voice despite our pretences, shouts the loudest. No definition of the problem of exploiting natural resources would be complete if it does not allow the all too pervasive and tempestuous voice of poverty to speak. As such, as the parameters of the problem statement expand, slowly does it drift away from being a classic legal problem of compliance with and to environmental laws. To accomplish the objective of stopping drilling offshore may turn out to be a long drawn legal battle. A complicated one at that. And with many sides to it.

In the intensity of the disputation, it is important that the battle cry of society's moderate voices should not be drowned out by the catcalls of groups on the fringes representing profit fundamentalists on the one side and various shades of lobbyists and extremists on the other. In between, resides a middle cushion that can accommodate any contemplated compromise. Put differently, what do the average people in the middle want? Shorn off all the verbosity of technological speak, at the heart of the quest of the 1994 pledge to create a better life for all, is a humble prayer. This is that any significant improvement in the life of one person, a group or groups for that matter, should result in the qualitative betterment of the lives of all.

Translated into our relationship with the environment would mean that the betterment of the bottom line of Big Oil must directly result in the qualitative betterment of the state of the environment. The simplicity of such theory and the suggestion of its balance is truly attractive. Yet, the mechanics of achieving it are notoriously difficult. Therefore, notwithstanding the difficulties of execution, still no activity should be suffered which would have a zero sum outcome. In the first equation of the zero sum calculus, the extraction of hydrocarbons must not result in the destruction of everything in its wake. The math of the opposite side of that equation is that we should not promote the doing of nothing in the name of the environment, purposely avoiding the exploiting of hydrocarbon wealth from our waters.

The unseen hand of politics

Since the advent of democracy, South Africans have been gradually introduced to the sleight hand of politics of patronage and graft. Like fog growing thicker, blinding the vision in its gossamer spread, it has taken over the rational instincts of our accountability culture wholesale. The effects are fairly widespread. And so, the discovery of oil in that part of the Republic would not have escaped the strenuous fault lines of patronage.

While Project Phakisa was intended to unlock the commercial potential portended by the 3900 kilometers stretch of coastline and 1.5 million square kilometers of its Exclusive Economic Zone, or so it seemed, the activists in Port Shepstone for their part, are sworn to their conviction that President Zuma had his machinations fully manifested, an allegation they have liberally peppered along the many objections that motivate their opposition.. To some degree therefore, in that politically charged townhall in Austerville, there is a chance however minimal, that the divide is between those who are for and those who are against our erstwhile and arguably the most colorful and controversial leader of the Republic.

Eleven billion barrels of crude oil, proven or projected, are a lot of barrels. PetroSA used to commercially exploit the Oryx and Oribi oilfields from Outeniqua 95 block on the Atlantic seaboard , an indigenous light molecule that has since paled out of significance. At its peak, it yielded an approximated 40 000 barrels per day, contributing handsomely to the financial well being of the National Oil Company. The presence of 11 billion barrels on our shores therefore, interrupts our conversation about the country's ownership of its mineral and hydrocarbon resources.

There was once a heated conversation over a bill that sought to reserve 30 percent free carry for the National Oil Company in respect of all hydrocarbon resources discovered on our shores. In a sudden turn of events, the bill has been prorogued indefinitely. Port Shepstone and the northern parts of Richards Bay may be repositories of prodigious hydrocarbon wealth of our people, both for the present and future needs. If we do not resolve the issue of ownership of that wealth, Port Shepstone and its rumblings would be a missed opportunity forever.

The application to carry out an EIA on the deep offshore acreage, presents us with the opportunity to have deep introspection about our hydrocarbon wealth and what to do with them. For our compatriots who live in those parts of the eastern seaboard, they have the pressing need to decouple the claim that what is financially profitable, is good for everyone else and therefore good for the environment. In truth, there are times when the interests of private gain and that of the environment coincide. But those times are increasingly becoming rarer. And the more vexing question, the defining facet of the Port Shepstone crisis, is what happens when the two interests are irreconcilable, with a whole community taking the side of the environment. From this vantage, it looks like a perfect political whirlwind, and it will blow no one any good. What to do, what to do?

In a more pointed enquiry, the activists on behalf of our common heritage, are asking the question whether or not what ENI and Sasol Africa want could be reconciled with what we all want, a better life for all. Whilst different people will answer that question differently, it behooves the attention of the representatives of the people in parliament to answer that question. Not because they have the correct and value free responses to such highly charged enquiries.

Rather, they are the most accessible arbiters who can resolve political questions which not even the competent courts of record are willing to consider.

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