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Amnesty Policy: Temporal Salvation in the Niger-Delta

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Authors' contributions

This work was carried out in collaboration between authors LJ and OOO. Author LJ designed the study, performed the literature search, wrote the protocol, and wrote the first draft of the manuscript. Author OOO managed the analyses of the study and general corrections. The authors read and approved the final manuscript.

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ABSTRACT

After years of neglects, late President Yar'Adua eventually came up with a step of redressing the social problems amidst the Deltans. He introduced a five years amnesty program starting from year 2009 through 2014 with the aim of alleviating poverty, stopping deprivation and also to control crime as well as re-integrate and rehabilitate militants within the environment. Amnesty policy has paved ways for the Niger delta militant such that a lot of them benefited through vocational training as well as scholarships for studies abroad. Even those who were not militants declared themselves as one just to have a share of the amnesty package from the government. This in a way shows how underdevelopment and deprivation has made the Deltans take to violence and criminality as a way of life. In the country today, it seems the amnesty program produced peace in the Niger-Delta, but the question is: is it a relative peace or a lasting one? Hence this paper argues that amnesty policy is just a temporal tool of salvation for the militants. This study therefore focuses on the question whether the root causes of the conflict have been addressed by the policy. The methodology adopted for this work is precisely survey derived from secondary data like academic articles, books and newspapers on Niger-Delta crisis and various government approaches in resolving it. The finding of this study reveals that the Niger-Deltans are enjoying a temporal

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peaceful atmosphere because the electioneering process is yet to start which is apt to breed political thugs with ammunitions and all sort of deadly weapons thus enhancing new trend of criminality in the environs.

Keywords: Amnesty program; militant; violence; criminality.

1. INTRODUCTION

The Niger Delta region of Nigeria known for production of oil is not only famous for its natural endowment, but also for conflict in the Nigerian state which went on for several decades. The conflict which emanated as a result of socio-economic deprivation and not having access to resource control is between the Militants of the region and the Federal Government as well as the multinational oil corporations that dominated the region. Despite the oil boom in the Niger-delta which yields a large profit for the Nigeria economy, the people of the region are wallowing in poverty, and have suffered ecological destruction that their means of livelihood which is predominantly farming and fishing have been abandoned. This is as a result of oil exploration that has destroyed the lands, farms and contaminated the seas as well. The major problem that became a serious challenge and concern for all in Nigeria is the incessant violence especially as a result of the emergence of deadly militant groups in the Niger Delta since the 1990s. The most disturbing militant activities in the region include oil pipeline vandalisation, hostage taking, massacre and assassination. Having realised the need to seek redress for several years of neglect and marginalization, militancy groups started emerging. The degree of decrepitude in the Niger-Delta did not only fathom the birth of the militants but also why the militants took to criminality as an adaptive means of survival. [1] pointed out that some of these groups were not only into militancy for change but for pecuniary gains by vandalizing oil pipelines and stealing the crude oil and selling it into lucrative 'black' market, kidnapping of expatriate workers and demanding ransom for their release and extortion. This of course was against the true spirit of the struggle and it reveals the prevalence of corruption in the system.

Amidst these agitations for change that includes struggles and violence, the Nigeria State used repressive violent approach to subdue the crisis while the militants in return made oil exploration and exploitation difficult hence the fall in the oil production which had implications for the

Nation's economy revenue that is solely generated from oil produce. Gradually, the 2.5 million barrels of oil production per day in Nigeria dropped to less than half of that number, making Angola which was the second highest oil producing country in Africa to become the first [2]. Taking cognizance of this effect on the nation's economy, the president and his think tank team introduced the most recent approach of the conflict resolution "Amnesty Policy" in 2009. The question emanating from the above is whether this new approach would provide a lasting peace in the Nation as well as meeting the demands of the Niger- Delta people? Therefore this paper tends to provide answers to this using secondary data.

2. NATURE, ORIGIN AND PURPOSE OF THE NIGER-DELTA CRISIS

The oil boom era of the 70's began the genesis of the crisis in the Niger-delta region. Activities that surround the exploration of oil that generates robust revenue for the Nigeria nation left the region in a state of dilemma. The environment became polluted with oil spillage thus faced with ecological challenges leaving the people without means of livelihood. Perhaps the consciousness of the people on the state of their land led to the crisis in the region. There are many sides to the nature origin and purpose of the crisis in the Niger-delta region as explored by many scholars. Among all various opinions, the most prominent is on the devastated situation of the land and the loss of hope by the people of the region.

[3] attributed the origin of the crisis to the dashed hopes of the people of the region and the unfulfilled promises made by the government. He further noted that the explosion in the number of youths who have obtained higher education, who as it were feel they should be absorbed as pledge by the oil firms and the federal government, led to their agitations. To corroborate this view, is the opinion [4] who said "it is not out of place to stress that, it is the combination of the educated elite, angry unemployed youths and their parents, frustrated by diminishing opportunities in the oil industry, as well as the stagnant development in the region

that seems to be the plausible underlying factors of the anti-oil protest". In the line of this argument is that of [5] who posit that despite the region is being noted as the host of much wealth of the nation, it has witnessed much poverty, disease, death, loss of livelihood, etc as a result of the destructions caused by the activities of the oil industries. He further pointed out that the people were denied basic amenities and employment into the oil industries hence their demands for compensation for damages on their land were neglected. Thus he said "Even the hopes, they may have laid in the constitution have been laid to rest as it failed to address issues of critical importance to them". Thereby he concluded that all these issues highlighted led to the militancy resistance in the Niger-delta region.

Aghalino [6] brought to limelight another issues such as the question of derivation as a revenue allocation formular. The people of Niger-delta agitation on this is that a significant quantity of oil revenue should be returned to their areas on the basis of derivation principle which signifies that a fixed proportion of the revenue should returned to that area [7].

As said inter-alia, another factor that gave rise to the prevalent nature of the crisis is the response of the government to the need and agitation of the people. As elaborated in the next heading, the death of Isaac Boro, Ken Saro wiwa and some others resulted into different forms of criminality from the rebellious youth of the region such as kidnapping foreign oil workers, blowing up of oil pipelines and closing down of oil wells [8].

3. GOVERNMENT RESPONSE TO THE NIGER-DELTA CRISIS: A BRIEF OVER VIEW

Nigerian government has not relented in its efforts of providing peaceful atmosphere within the Niger-Delta ranging from discuss, provision of security for the Multinational Oil Companies (MOCs) and subjecting the communities to draconian measures of eliminating social movement leaders and members. For instance as pointed by [9], instead of Nigerian Government to address the issues in Ogoni Bill of Right, the then military junta, General Sani Abacha in collaboration with Shell Company on May 22, 1994 arrested Ken Saro-Wiwa along with eight other Ogoni leaders, tried in a kangaroo court on trumped charges and sentenced them to death.

Oluduro [10] also submitted that the response of the government to the claims of the oil producing areas has been classified by [11] into three forms:

Redistributive, reorganizational and regulatory state responses. [12] further argued, 'redistributive policies are state decisions that consciously dispense valued resources to one group at the expense of other claimants to state resources. Reorganizational policies refer to state efforts to restructure or reconfigure political or administrative institutions and relationships in order to accommodate group demands or strengthen the efficacy of centralized state power. Regulatory policies entail the mandatory imposition of sanctions or restrictions on individuals or groups that are perceived to pose a threat to state cohesion and order.' These [13] illustrated as the creation of separate federal States in the Niger Delta, viz Akwa Ibom, Delta, and Bayelsa States in 1987, 1991 and 1996, respectively (reorganizational policies) [14]. On redistributive, he highlights the increase in the percentage of revenue allocation based on derivation from 1.5% to 3% in 1992 and 13% in 1999 [15]. The installation of His Excellency, Dr. Goodluck Jonathan, the former Governor of Bayelsa State, an Ijaw man, as Vice-President of Nigeria in 2007 under the People's Democratic Party (PDP) (now President of the Federal Republic of Nigeria in May 2010 following the death of President Umaru Yar'Adua on the 5th of May, 2010) and his subsequent election in May 2011 for another four year term and the establishment of development agencies, such as NDDDB, OMPADEC, NDDC, etc (regulatory policies). Other forms of responses were mass killings of the Niger-Deltans such as the Gbaramatu Massacre of 2009 [16], the Odi Massacre of 1999 [17], and the Odioma killings in 2005 [18]. All these measures rather than resolving the crisis fueled it the more hence portrayed the degree of failure on the part of the Nigerian State.

Having tried all these means, the Nigerian Government resulted to the non violent approach of conflict resolutions by disarmament, demobilization and reintegration (DDR) conflict resolution measures thereby introducing the Amnesty program. In 2009, a deal was struck between the government and the militants in order to create a peaceful environment for the Niger – Delta people. Precisely on the 24th June, 2009 the Late President Yar'Adua announced the 60 day amnesty policy. Thus saying:

I hereby grant amnesty and unconditional pardon to all persons who have directly or indirectly participated in the commission of offences associated with militant activities in the Niger Delta [19].

This policy which eventually came to be was the outcome of various report submitted by 45 members Technical Committee on the Niger Delta that was inaugurated on the 28th September, 2008. The Committee recommended that government should appoint a mediator to facilitate discussions between government and militants; grant amnesty to some militant leaders; launch a disarmament, demobilization and rehabilitation campaign, and increase in the percentage of oil revenue to the Delta to 25 percent from the current 13 percent. Others are to establish regulations that compels oil companies to have insurance bonds; make the enforcement of critical environmental laws a national priority; exposing fraudulent environmental cleanups of oil spills and prosecute operators, end gas flaring by 31st December 2008 as previously ordered by the Federal Government (Report of the Technical Committee on the Niger Delta, 2008). In line with this report, the government further set up a Presidential Panel on Amnesty and Disarmament of Militants in the Niger Delta on the 5th of May, 2009 to implement the recommendation concerning the granting of amnesty to Niger Delta militants. In its recommendations, this Panel set out the terms, procedures and processes of the grant of an amnesty to the Niger Delta militants. Amnesty policy was eventually unveiled on 25th June, 2009 and scheduled to run, for a period of 60 days dated to be effective from between 6th August to 4th October, 2009. A condition was attached to it; that is, 'the willingness and readiness of the militants to give up all illegal arms in their possession, completely renounce militancy in all its ramifications unconditionally, and depose to an undertaking to this effect' (Federal Government of Nigeria, Niger Delta Amnesty Programme 2009). This in a way reflects the input of a learned leader in making attempt to attain peace and revive the incurred lost in the economy.

4. THE AMENSTY PROGRAM: PROSPECT AND CHALLENGES

No doubt, the Amnesty program was the best DDR program to ensuring peace within the Niger-Delta. The fact remains that, in Nigeria,

policies are easily made but implementation is always a major problem of the Government policies. However there are two sides to a coin, this implies that the assessment of the policy has been rated well but not without its loopholes. Some scholars and militants are of the opinion that, to an extent, the amnesty program has reduced the insurgency in the Niger – Delta, but not withstanding it has introduced a form of alienation in the process. To some, the policy has not bridged the initial gaps and reasons for agitation but rather an opportunity for the Niger-Delta elites and militants leaders to enrich themselves more.

4.1 For Igboanugo (2012) he viewed the Policy as Advantageous

The advantage so far is government and the ex-militants see the three years amnesty programme as a win- win situation with a happy ending. There is peace in the region and the oil output has reached a peak of nearly three million barrels per day. There is no longer bloodletting in the region in the name of militancy. The local and international investors are going to the region in large numbers to put their money where their mouths are because of the peace that is securing their investments [20].

4.2 Bebenimibo (2012), also Corroborate the above Saying

I will score the amnesty programme 80 per cent. Some of the boys trained overseas and are already engaged. It is unfortunate that Umaru Yar'Adua is dead, but I see him as one of the best Presidents that understood the feelings of the Niger-Delta people and we thank God for him [21].

All these imply that the potency of the policy cannot be totally refuted and viewed as one of the 'Nigerian Factor Policy' a-such. But there is always a weak point for everything in life thus in turn bring to limelight the other phase of the challenges and imperfection of the policy. A former Minority Whip, House of Representatives see the program as been hijacked:

The amnesty programme was no doubt a wise reconciliatory and affirmative program by the government of late President Yar'Adua to bring peace to the region and bridge the developmental gap created by years of neglect by past leadership of our country of the nation's

revenue sustaining region. However, I am sure that the hijack of the process by some opportunistic people has given further projection of this measure an impression distinct from the original design, which is, being a reward of some criminality which might encourage unfortunate and unintended measures across the nation. The mere fact that the prevalence of years of bad governance still exists today might have given the majority of Nigerians the impression that the only way to get respite from neglect might be collective agitation and arm struggle, even if it requires some level of illegality for the government to hear your cry before it acts or does something about it. What a shame! It is unfortunate that this present government is surprisingly going the bad path of its predecessors [22].

4.3 Another Analyst in this Line of Argument Posits That

While I admit the Amnesty programme is indeed running and expensive, I dare say it was not introduced because the federal government loves the people of the Niger Delta. It was more or less an economic strategy by the Federal Government to tame the violence in the region so it could maximize oil exploration and exportation, all for the huge economic benefits thereof to the treasury of the entire nation. Thus far, the volume of crude oil export which dipped to about 700,000 bpd in the troubled days has long risen to about 2.6million bpd. The logic therefore is that if it costs the Federal Government 'X' amount to sustain the Amnesty programme and in return gains 'XY2', then it is worth a price to pay for peace and economic buoyancy. But the fact remains that beyond the Amnesty Programme, which is benefitting just a handful of erstwhile dangerous militants, the rest of the Niger Delta is writhing in painful neglect. Thus far, the administration of President Good luck Jonathan has turned upside down, the wisdom in the saying that "Charity begins from home". As far as we can see, Charity is neither beginning at home, nor even abroad. There is a disturbing state of inertia, or so it seems [23].

Ex-militants are not left out with their grievance about the policy as well, hence portraying it as a failure from its initial purpose. General Bush Tom a former militant said that initially the peace was of benefit to all."It is because of the amnesty they granted us that we decided to leave the violence and embrace the amnesty," he further claimed that the amnesty program could work if it is

distributed equitably. But, he says, the first round of militants who turned in their weapons got cash and job training. He says the second wave - more than 6,000 fighters - have not been trained and are getting less money than they were promised [24]. Another Ex-militant General Don Thomas, says that the backlog of the amnesty policy has instituted anger among the former militants -- against the government, and against the first wave of militants. "The federal government recognizes the first phase more than the second phase, which is bad because we are all in the same struggle," said Thomas. "If today the federal government is going to give us jail terms, we are going to face equal charges." [25].

4.4 Another Dimension to All These Arguments Which Affirms the Main Purpose of this Paper is Ofehe (2012)'s Position That

The amnesty granted to Niger Delta militants can be seen from a tripod point as a temporary achievement looking back the last three years. First, it brought the current peace to the hitherto restive region. Secondly, it has restored Nigeria's position as Africa's leading oil exporter a position it had lost to Angola. Thirdly, the damaging international image of the region as a result of the kidnappings of oil experts has also improved. I say temporary because a few factors are inimical to the sustenance of these achievements. The major success story so far from the amnesty granted is the international training program that has brought exposure and higher learning opportunities to Niger Delta youths that had lost hope in life and become frustrated [26].

The various evidence showed that Amnesty policy has been viewed both from the positive and negative impacts on the Niger-Delta communities and the Nation respectively. Positive in the sense that it has contributed towards the peace building of the Niger-Delta community and has restored Nigeria back to the position of the highest oil producing country in Africa. It has also redeemed the damaging international image of the nation and region as a result of the kidnappings of oil experts, hence, providing explanation for the influx of investors in the nation. It has also increased the Nation's economy and treasury with the volume of crude oil export which dipped to about 700,000 bpd [27] in the troubled days. It has long risen to about 2.6 million bpd [28]. On the other hand, its

negative impact cannot be disputed because despite all its advantages, it has neglected the main reasons for the agitations in the region which is the pauperization of the people. This has begun to generate various negative notions about the policy and the government as well as among the other members of the Niger-Delta who are not militants such as the people who played the role of informants for the militants. Others who never had anything to do with militancy are beginning to see the criminality as a justification for gainful and opportunistic ideal way of survival and climbing the ladder of wealth acquisition in the country. The government has also not fully addressed the rehabilitation and reintegration part of the policy because the militants are complaining. The various phases of the amnesty policy shows there is a probability that not all the militants appeared and released their weapon for the sake of amnesty. This may be as a result of mistrust of the government by the militants which in a way is sending signals that the so called disarmed militants may return back to militancy for the fear of uncertainty. Another vital implication of these evidences is that Nigerian government has not changed from being the capitalist who engages only in all types of exploitation to accrue profit for itself.

5. CONCLUSION AND WAY FORWARD

With several discourse and evidences, this paper concludes that the Amnesty policy is a mere temporal salvation to the Niger-Delta region because the root cause of the crisis and reason for agitation has not been addressed. No doubt the policy has made the conflict region a peaceful environment where oil business operation can be carried out without disturbance. The fact remains that the Niger-Delta people are still impoverished and their environment is still far from experiencing infrastructural development and cleansing from oil spillage that has rendered the farmers unemployed within the region. Besides the Nigeria electioneering process is yet to start whereby the politicians will begin to recruit the jobless Nigerian youths and supply them with sophisticated weapons to eliminate and terrorise their opponents. It could also be that Niger-Delta militants paved way for peace because their son (son of the soil) is at present steering the ship of the nation. This in a way explains the politicisation of the Nigerian crisis and terrorism because not sooner than this was resolved that the Boko-haram (Islamic terrorist) emerged for which the government has not been able to proffer solution to till date.

For the Niger-Delta militancy not to remain an ailment which symptom is been treated while the ailment still persist. It implies that the ailment will eventually resurface and may be in a worse form because it is still untreated. The Government needs to go back to the drawing board and review all the loopholes of the policy and also go back to the initial reports that gave birth to Amnesty policy which is still undergoing nurturing process and address the neglected part of it. The government should not also forget that the unemployed members of the region who are not militant need to be empowered so that it will not be a situation of giving them fish all the time and not teaching them how to catch fish for their own betterment. The people also need re-orientation about the policy if the government is able to fulfill all that the Technical Committee on the Niger Delta presented in the report submitted in order to disabuse their mind of the notion of alienation. Finally, the corruptions within the system need to be looked into to checkmate the political elites and leaders of the region. This is to eliminate the possibility of siphoning funds meant for the restructuring of the communities but are siphoned by the so called leaders. The fact cannot be disputed because it has always been the practice of the successive government and leaders to embezzle funds meant for developing the Nigerian society.

COMPETING INTERESTS

Authors have declared that no competing interests exist.

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