# THE AMNESTY PROGRAMME: A PANACEA FOR ACHIEVING SUSTAINABLE PEACE AND DEVELOPMENT IN THE NIGER DELTA

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### **Abstract**

Oil spillage, gas flaring and environmental pollution and gradation are common features in the Niger Delta region of the Nigerian State. The agitations from the people of the region and non-governmental organizations for attention to the area given its strategic place in the economy of the Nigerian State have at interval been rebuffed with crackdown and repression leading to the militarization of the region by successive regimes. This led to the emergence of militia groups who took to violence in other to address these perceived marginalization, exploitation and dehumanization. The Nigerian State in order to put an end to the conflict in the region and the drop in oil productions which have substantially affected its revenue base set up the amnesty programme in 2009 as a resort to the quagmire. The paper is aimed at examining the causes of the conflict and the related consequences to the people of the region. It will attempt a critical analysis of he amnesty programme of the Federal Government aimed at achieving peace and sustainable development in the Niger Delta.

**Keywords:** Amnesty, Peace, Sustainable Development. Niger Delta

#### Background to the Study

The commencement of oil exploration in large quantities in Oloibiri in the Niger Delta in 1957 came with excitement and expectation for rapid development of the oil rich region of the Nigerian State. The adverse effects have been the lots of the people of the Niger Delta. The long years of neglect and conflict have promoted a feeling of a gloomy future and see conflict as a means of ending deprivation, marginalization and under development (Niger Delta Human Development Report: 2006). This resulted in the militarization approach by the Nigerian State. The consequences were such that by 2006 there were a large number of militant groups in the region. The activities of these groups turned the Niger Delta region into a region characterized by conflict and criminality.

The Nigeria's oil and gas region, the Niger Delta has been on the front burner of global discourse in recent times. The reason for this is the fact that, the Nigerian State's treasure has been characterized by neglect, underdevelopment, deprivation and conflict in the midst of oil wealth. Successive regimes and Multinational Corporation have made no attempt to address the challenges in the oil rich region of the Niger Delta. The response of the people which began with a non-violent approach has snowballed into large scale violence involving, Hostage taking, Kidnapping, pipeline vandalization and criminality.

The Nigerian State rebuffed various attempts by the people to draw attention to the plights and develop the region instead adopted a militancy approach to redress the marginalisation negelct and underdevelopment

of the Niger Delta. The response of the Nigerian State to the claims of the oil producing communities has been classified by (Suberu, 1996) into three forms (i) redistributive, (ii) reorganizational and (iii) regulatory State responses. For Suberu, (1996) redistributive policies are state decisions that consciously dispense valued resources to one group at the expense of other claimants to state resources. Reorganizational policies refers 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: the redistributive policies of the Nigerian State include the increase in the percentage of revenue allocation based on deprivation from 1.5% to 3% in 1992 and 13% in 1999 (Osaghae, 2008). The reorganizational polices of the Nigerian State includes the installation of His Excellency Dr. Goodluck Jonathan as the Vice President of the Nigerian State in 2007 and his election as President of the Federal Republic of Nigerian in May 2011 and the establishment of development agencies such as NDDB, OMPADEC, NDDC etc. The Reorganizational policies include the creation of new separate States in the Niger Delta, namely Akwa Ibom. Delta and Bayelsa State in 1987, 1991 and 1996 respectively (Omotota, 2007).

The repressive response of the Nigerian State include the execution of Ken Saro Wiwa and the eight Ogoni leaders in 1995 by the Military regime of late Gen. Sani Abacha, the Umuechem massacre of 1990 (Suberu, 1996), the Ogoni genocide (Suberu, 1996), the Odi Massacre of 1999 (Aghalino, 2009). the Odioma Killings in 2005 (Aghalino, 2009) the Gbaramatu Massacre of 2009 (Adebayo, 2009), and Ayakoromo in 2010.

Oil exploration and exploitation in the Niger Delta region increased the revenue of the Nigerian State with an expectation of rapid development and peace in the region. However, this was not the case in oil rich region, because there was no sustainable evidence to show in terms of human capacity and infrastructural development. Also about 90 percent of the inhabitants of the Niger Delta region live below the poverty level of \$1 per day (Walts, 2008). A situation which can be described as a curse rather than blessing. Hence, rather than the oil wealth being a blessing, it has impoverished the people and creating conflict in the region. This situation snowballed into insurgency against the Nigerian State and Multinational Corporations (MNC'S) and led to the emergence of militant groups which engaged security operatives in armed struggle, as they made demands on the Nigerians State (Osaghae, Ikelegbe, Olarinmoye and Okhomina, 2007: Watts, 2007). The consequences of the violent phase of the conflict are traceable to the drastic cut in Oil exploration and production and by extension oil revenues. Oil production dropped from 2.6 million barrels per day in 2005 to 1.3 million barrels per day in 2009 (Obi, 2010). There was also a threat to national security.

The amnesty which started May, 2009 was schedule to run between 6th August to 4th October, 2009 that is a 60 day period and was based on the willingness and readiness of the militants to give up all illegal arms in their possession, completely renounces militancy and depose to an undertaking (Federal Government of Nigeria, Niger Delta Amnesty Programme). In the first three quarters of 2008 about 1,000 people lost their lives, 300 were taken hostage and the Nigerian State lost US \$23.7 billion due to various forms of violence, oil bunkering and sabotage (Report of the Technical Committee on the Niger Delta, 2008). Apart from the inability of the Nigerian State to meet up with its OPEC quota and other negative economic set backs, the Multinational Corporations lost billions of dollars as a result of the conflict in the region. Shell Petroleum Development Company (SPDC) lost about US \$10.6 billion with a total loss of not less than US\$21.5 billions by the Multionational Corporations since 2003 (Nwozor, 2010).

However, several development programmes have been initiated by the Nigerian State to boost the human capital and socio-economic development of the region, such as establishment of development boards and commissions and provision of basic infrastructural facilities and peace initiatives. However, some of these initiatives are laudable; they need to be strengthening (Ukiwo, 2010). These initiatives have failed to ensure peace and development because they have failed to address the root causes of conflict in the Niger Delta. It is the search for peace which will give room for sustainable development that forced the Nigerian State to proclamation of an amnesty to the militant groups in the Niger Delta in 2009 by President Umaru Yar' Adua in exchange for disarmament, rehabilitation and reintegration, concerns have however been raised on its capacity to bring to an end conflict in the Niger Delta region. The failure of the amnesty programme to follow the conventional Disarmament Demobilization and Reintegration (DDR) procedure which requires negotiations and establishment of a framework of implementation has been noted as a major setback of the amnesty programme (Ikelegbe, 2010; Davidheiser and Kiabe, 2010; Adeyemo and Olu Adeyemi, 2010). The consensus is that addressing the fundamental issues which underline the transformation and sustainable development is crucial to achieving peace in the Niger Delta and the Nigeria State.

The paper therefore is an attempt to critically analyse the amnesty Programme of the Federal Government of Nigeria (FGN) as a panacea for peace and its impact at ensuring durable peace and sustainable development in the Niger Delta region. The paper will also conclude with the suggestions on the way forward.

## **Conceptual Framework**

An attempt is made in this section of the paper to provide a theoretical guide to the Amnesty Programme and Peace - building. The paper will rely on the Frustration. Aggression explanation of violence and explanation of conflict. This will also explain peace - building and a linkage of this to the Amnesty Programme established by the Nigerian State.

The frustration - aggression explanation of conflict by John Dolland, Leonard Doob, Neal Miller; O.H. Mowrer and Robert Sears in 1939 (Berkowitz, 1959) has been used severally as one of the dominant explanation of violence in the Niger Delta region of the Nigerian State. This theoretical position explains violence from a psychological perspective and attributes violence to the inhibition or blockage of goal attainment Felete, (2006) provides an explanation to this with the "want – get ratio", expected need satisfaction" and actual need satisfaction". The theory posits that there is, a gap between what people want or deserve and what they actually get and this gives room for frustration and results into aggression and violence. Although frustration does not always lead to violence due to variables such as fear of being sanctioned, but the linkage between the two can not be disregarded (Bekowitz, 1989). The targets of violence in this context are the individuals, institutions and the State, who are perceived to be the cause of the deprivations and marginalization.

Psychologist attributes violence to frustration arising from unresolved challenges or obstacles, suggestion that conflict will always occur as long as such challenges are left unresolved (Anikpo, 1998). Frustration aggression theory thus refers to a condition where individuals or groups cannot get out of frustration because their environment and State policies reinforces the blockage or inhibition of goals attainment or ignore it totally. The implication of this is conflict transformation from ono stage to another, as people respond to changing situations of frustration in society (lbaba, 2011).

Violence in the Niger Delta region is a function of several factors that are linked to the inhibition of goals attainment, centred federalism and inequity distribution of oil wealth, neglect of the regions development, oil induced environmental degradation and occupation displacement of the inhabitant of Niger Delta region, poverty, dehumanization, corruption, the lack of good governance, poor service delivery and the lack of social responsibility on the part of Multinational Corporation (MNC's) involved in oil explorations and exploitation. The frustration arising from these triggered the violence and non resolution of these challenges leads to violence. The presence of ineffective policies of agencies and the Nigerian State to address fundamental causal variables which link the blockage of attainment to frustration. Consequently, the People of the Niger Delta region are unable to escape from frustration, thus creating a circle of aggression which snowballs into violence and criminality in some cases.

Galtung (1996) sees conflict as a triangular form, with three basic concepts, structure, attitude and behaviour as its vertices. The structure is the conflict situation itself, the parities and the conflict of interest among the major players in the conflict situation. Attitude refers wan inclination to view conflict from their own point of view. Behaviour includes gestures and communications which many convey either a hostile posture or conciliatory posture.

Conflict is a pervasive phenomenon in human relationships and can also be viewed as the basic unit of understanding of social existence (Nnoli, 1998). Conflict can he described as violent, when there is an inevitable use of force or the use of arms in the resolution of differences (Francis 2006). Conflict turns into violence when anger and worries transforms into frustrations. Conflict can also become violent when there is avoidance or denial, group ignore seeks to redress the conflicting issues (Albert. 1999; Francis, 2006).

Conflicts in the development nations have he attributed to a number of factors such as greed (Collier and Hoefler, 2000; Mwanasali, 2006), economic deprivation and social disorganisation (Ikporukpo 2003; grievance (Ikelegbe, 2006): frustration and aggression (Goor et al. 1996; Emuedo et al., 2007), different interpretation of rights and responsibility resulting from value differentials. (Olokesusi, 1996); exploitation and domination (Anene, 1990); and the failure of social contract (Murshed and Jadjoedin, 2008). The Niger Delta is characterized by most of these features. It is only when the above issues are properly articulated and addressed with or without amnesty there can he no sustainable peace and development in the Niger Delta.

## Methodology

The paper relied on secondary sources of data which includes textbooks, journals and periodicals. These involved contextual analysis.

## An overview of conflict in the Niger Delta

The struggle for supremacy over oil wealth of the Niger Delta region, particularly the quest to correct abnormities embedded in the separation of those who profit from oil exploration and exploitation. (i.e. The MNCs and the Nigerian State), from the dispossessed people of the Niger Delta, whose land and waters is exploited and damaged has led to the violent agitations in the Niger Delta region (Obi, 2010). The tempo of agitation began in 1990 with the formation of the movement for the Survival of Ogoni people (MOSOP), the killing of Ken Saro-Wiwa and 8 Ogoni leaders in 1995. These gave rise to formation of countless number of Militia groups. It is important to role that since 2005, the pattern of unarmed protests and demonstrations adopted by the groups has snowballed into violent agitations and criminality in some cases.

The rise of groups like the Movement for the Emancipation of the Niger Delta (MEND) and the Niger Delta peoples volunteer force (NDPVF) is traceable to the failure of the Nigerian State to address the Perceived Marginalization, deprivation and lack of development in the region. The pace of violent agitations has led to displacement of individual and communities. Vandaligation of oil installation, kidnapping and hostage taking, crude oil bunkering, security challenges and, a drop in oil production and revenue to the Nigerian State. It is in line with the above situation that led President Umarm Yar' Adua to resort to the amnesty Programme.

## Amnesty Initiatives by the Nigeria State

May 2007 witnessed the inauguration of the amnesty programme by President Umaru Yar'Adua with a promise of addressing the violence in the Niger Delta region. This became part of his administrations seven point agenda. In fulfillment of this promise, he inaugurated the Technical Committee on the Niger Delta. The 45 man committee has the mandate to collate and review all past reports on Niger Delta appraise their recommendations and come up with proposals that will help the Nigeria State to achieve peace, human capacity and sustainable development in the conflict ridden region of the Nigerian State. The committee's recommendation includes appointing a mediator to facilitate discussions between government and militants groups, granting amnesty to militant leaders. Lunching a disarmament, demobilization and rehabilitation campaign and increase in the percentage of oil revenue to the State in the Niger Delta to 25 percent; establishing regulations that, compel oil companies to have insurance bonds, making the reinforcement of critical environmental laws a national priority, exposing fraudulent environment clean ups of oil spills and prosecuting operators, ending gas flaring by 31st (Report of the technical committee on the Niger Delta, 2008). It is in line with urgency in addressing the problem of the Niger Delta, the Federal Government of Nigeria (FGB) set up a presidential panel on Amnesty and Disarmament of militants in the Nigeria Delta, the committee on the 5th of May, 2009 had the mandate to implement the recommendation pertaining to the granting of amnesty to the militants in the Niger Delta. In pursuant to section 175 of the 1999 constitution of the Federal Republic of Nigeria granted amnesty and unconditional pardon to all person's who have directly or indirectly participated in the commission of offences associated with militant activities in the Niger Delta (Vanguard, 2009).

The Nigerian state demonstrated committment to the amnesty programme through the huge financial allocation to the programme. The Nigerian state committed N127 billion between 2009 and 2011 (see Table 1 below).

| Year  | Budget Receipt (N) | Purpose   |
|-------|--------------------|---|
| 2009  | 3bn                | Program take-off grant                                    |
| 2010  | 30bn               | Feeding, stipends and reintegration for the ex -militants |
| 2011  | 90bn               | Feeding, stipends and reintegration for the ex -militants |
| Total | N127bn             |   |

**Source:** Author's compilation from media source

#### The Amnesty Programme and DDR

The Disarmament, Demobilization and Reintegration (DDR) are one of the most important strategies for the resolution of conflict and management of post conflict situations in the world today. This approach has been widely used by the United Nations and similar organizations as an instrument for achieving sustainable peace (Ibaba, 2011). There are three majors' Phases to the amnesty programme, viz the disarmament and demobilization of militants: the rehabilitation and integration of ex-militants and, the

post amnesty package of huge infrastructural development. The Nigerian State adopted the amnesty programme. However, the programme has fallen short of the expectations of some scholars who argue that by it conception and operation. the amnesty programme has not conformed to DDR in its fundamentals (Ibaba, 2011). According to Dandheiser and Kialee (21)10):

ADDR program is typically adopted as a means of transition from conflict to Peace since its function is to remove one or more of the disputing parties from the scene. Accordingly, peace negotiations generally include DDR clauses, yet in peace – building theory, a DDR programme is only expected to complete the preliminary phases of a much broader process of addressing root causes that initially motivated the combatants. By failing to include the later, the Amnesty program does not confront to this model.

The lack of negotiations between the government and combatants is identified here as a major defect which differentiate the amnesty from DDR. However, lkelegbe (2010) list other defects such as the absence of cease fire and cessation of hostilities before the proclamation of the amnesty programme and the lack of gestures such as the release of detained combatants, and those on trial and the non-involvement of international organizations are evidence why the amnesty programme deviate from DDR.

It is evident that these are essential components of DDR however: the absence of those in the amnesty programme is not enough to dismiss it as non DDR compliant, because DDR are core policies of the amnesty programme.

There is no single path to DDR, as it can he secured in three major ways:

- Negotiated settlement between parties in conflict with support from a third party.
- II. It can be established by one party after defeating others.
- III. It can be the result of peace agreement midwifed through international intervention (UN Report on DDR, 2007).

The policy recommendations on DDR states in part that:

- I. Federal government should establish a credible and authoritative DDR institution and process including international negotiators to plan, implement, and oversee the DDR programs at regional, state, and local government levels.
- II. Grant amnesty to all Niger Delta militants willing and ready to participate in the DDR program.
- III. Work out long term strategies of human capacity development and reintegration for ex-militants.
- IV. Exclude from amnesty and criminalize the activities of 'those militants not committed to the DDR process and unwilling to surrender to arms (NDTC, 2008).

Furthermore, states, local governments committees, militias groups and security operatives were given specific assignment to ensure the success of the programme.

State government were required to support the rebuilding of communities destroyed by militancy invasions and establish youth development centres and community demobilization and reintegration committees to enhance reintegration and capacity building. State governments were also required to ensure and provide social amenities at the sites of former militant camps (NDTC, 2008).

## $Prospects\, and\, Challenges\, of the\, Amnesty\, Programme$

The relative peace ushered in by the cease fire resulting from the amnesty declaration, the Nigerian Stale witnessed an improvement in oil production and revenue. An increment of 1 .5 million barrels per day indicates 120.45 million dollars revenue to the nation's income daily (lgwe, 2010).

The amnesty programme is expected to improve human capital development Nigerian's Human Development Index (HDI) which comprises of three dimensions of human development: a long and healthy life, access to knowledge and a descent standard of living for 2011 stands at 0.459, placing Nigeria at 156 out of 187 countries (UNDP, 2011).

The review panel set up in January 2010 to review the rehabilitation aspect of the DDR indicates some inadequacies which led to calls for dissolution of the Presidential Amnesty Committee. Some of these inadequacies include, the fact that about 80 per cent of the budget had gone on payments of consultants and contractors with only 20 per cent committed to rehabilitation of ex-militants, the over bloating of the number of registered militants, some of the training centres fall short of acceptable standards and operating inadequate facilities (Obi and Rustad, 2011). The Federal Government of Nigeria scrapped the Presidential committee on disarmament and Amnesty fro Militants in the Niger Delta in December, 2009 and in its place five new committees were set up to handle post amnesty programme and fast tract development challenges in the Niger Delta (Adebayo, 2009).

The major challenges of the amnesty programme are poor implementation. The amnesty programme was not implemented as recommended in the report of the Niger Delta Technical Committee, rather than engage in Open negotiations or at least a formal peace agreement with the militant, the consultation were at the highest level of federal government involving Niger Delta elites/elders and top government officials of Niger Delta origin negotiating with militant commanders (Obi and Ruslad, 2011).

The total number of ammunitions / weapons handed in by the militants totalled 1,798 rifles, 1,981 guns of various types, 70 RPG's, 159 pistols, one spear and six cannons (Agbo, 2011) were low compared with 26,358 militants who registered for the amnesty programme. The region is still ridden with a lot of ammunitions / weapons. The percentage of violence in the region shows that all is not well with the amnesty programme.

The amnesty programme only targets militants without due consideration for the victim of violent activities of militancy. Apart from deaths recorded a lot of people have been displaced and families dislocated. The exclusion of grassroot organization and the exclusion of local knowledge from the construction of peace building process in the Niger Delta region raise some doubts on achieving sustainable development in the region (Obi and Rustard, 2011, Ibaba, 2011). The empowerment policy of the government through training programmes and providing employment opportunities must riot only be limited to militants. It must be extended to non militants. This is not only unfair because some of these people are victims of militancy. Furthermore, it will send a wrong signal that crime pays and may serve as a driving force for those who want to take up arms.

## Post Amnesty, Peace and Sustainable Development in the Niger Delta.

Agitations and violence have been based on issues that are vital for peace and development of the region. The resultant frustration from the failure on the part of the state to develop the region and the attitude of the Multinational corporations to the challenges facing the region gave rise to countless violent agitations in the region. The Nigerian State's negative response to agitation escalated and fuelled further violent agitations which had serious effect on the major source of revenue for the Nigerian State compelled the State to declare amnesty. The amnesty programme has no doubt brought 'relative peace' to the conflict ridden region. This is reflected in the volume of oil production which stands presently at 2.3 million barrels. As a result of this relative peace the state seem to have forgotten the root cause of conflict in the region. The state has failed to

implement other vital aspects of Technical Committee. This includes increase of derivation revenue from it present 13 per cent to 25 per cent, restructuring of the federal Units. Five years after the proclamation of amnesty, the Nigerian State is yet to release a white paper on the report of the Technical Committee.

Flaunting of the amnesty as a panacea for peace and sustainable development in the region has created unease as this optimism appears not real. One source of such apprehension is the perception that the militants may not have emptied their arsenal. Furthermore, over 16,336 out of the 26,358 militants who were granted amnesty currently have been sent to undergo one form of training in and outside Nigeria. The question is, where are they going to work, when they return? This is because the Niger Delta Master plan which is supposes to be the pivot of infrastructural development and job creation in the region has not been given the necessary attention. The issue is what will the ex-militant do when government eventually stops the monthly N65,000 stipends? The amnesty programme has become a source of self enrichment by those charged with implementing the amnesty programme. Consequently, the amnesty programme may not be able to achieve peace and sustainable development in the Niger Delta. Beyond amnesty, the underlying problems that triggered militancy in the region needs to be addressed. This is because amnesty alone cannot bring the desired peace that sets the base for sustainable development.

Peace and sustainable development in the Niger Delta can be achieved by looking beyond amnesty. The question here is, can amnesty to militants bring about peace and sustainable development? The answer to the question is not farfetched. Amnesty without addressing the root cause of violent agitation in the Niger Delta cannot bring about sustainable peace and development in the region. Militant activities in the Niger Delta are are a product of neglect, marginalization and underdevelopment. It is only when the major challenges of the Niger Della have been addressed that peace and sustainable development can be achieved. The post amnesty programme will be more challenging than the amnesty a, Positive peace can only be ensured if there is a well articulated plan for addressing the root cause of underdevelopment and sources of structural violence in the Niger Delta.

## Conclusion

There is an urgent need to look beyond amnesty, the underlying economic, social and environmental problems that triggered militancy in the Niger Delta region need to be addressed. This is so because amnesty alone can not bring about sustainable peace and development to the volatile region. The relative peace experienced in the Niger Delta since the proclamation of amnesty has impact on the Nigeria economy and potentials to generate revenue for development. Amnesty alone will bring a temporary peace. The amnesty programme must be backed by human capacity and socio-economic development of the region. This paper ha demonstrated that the amnesty programme was forced on the Nigerian State due to reduction of oil production and drastic reduction of state revenue by the conflict in the Niger Delta. The amnesty programme as a good idea that was expected to usher in peaceful environment, a requirement for the state to embark on infrastructural development. This is because security challenges have been used as excuse by the state for the lack of development. It seems that the amnesty programme is only a time buying device. The Niger Delta Master plan and other programmes associated with amnesty programme that were expected to commence immediately after amnesty have remained untouched.

## Recommendations

- i. The need to address the issue of corruption. This will help to ensure that budgetary provisions particularly for the amnesty program are put into proper use.
- ii. There is the need for proper monitoring of funds meant for the amnesty programme to avoid embezzlement and waste of fund.

- iii. The need for job creation that will accommodate ex-militant on the return from their training.
- iv. There is the need to implement the recommendation of the technical committee.
- v. Strict environmental standards for air, land and water pollution should be enforced. The environmental protection agency should be strengthened.
- vi. There should be rapid development of the Niger Delta region by providing infrastructural facilities.

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