

IMPACT OF FEDERAL GOVERNMENT AMNESTY PROGRAMME ON PEACEBUILDING IN NIGER DELTA, NIGERIA

By

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Abstract

Over the years, as a result of its strategic importance to national development, coupled with perennial and fierce resource-induced agitations, the Niger Delta, Nigeria has become a veritable laboratory for all sorts of government interventionist and management policy measures. Although the implementation of the peace building initiative has brought about cold peace to the conflict-ridden region, this seminar paper offers a critical account of the amnesty programme introduced by the Nigerian state in 2009. It examines the impact and limitations of the amnesty as an instrument of peacebuilding, and emphasizes the need for wider reforms that address underdevelopment and poverty in the Niger Delta region. The seminar argues that the amnesty programme is a laudable effort but is by no means a silver bullet. It is better understood as a specific response to a resource-driven conflict that requires a broader, comprehensive resolution. The post-amnesty security environment is characterized by kidnapping, hostage-taking, oil-bunkering and attacks on critical national oil assets, a vivid indication of the deceptive peace the programme may have fostered on the oil-rich region. This has given peace-loving humanity cause for anxiety. In appraising the amnesty peace initiative, the study adopted a combination of descriptive qualitative and case study research design, with insights from structural violence paradigm. The paper concluded that, until and unless the real drivers of restiveness and violence are holistically and constructively engaged, genuine and sustainable peace and security will continue to elude the region.

Keywords: Federal Government, Amnesty Programme, Peacebuilding, Niger Delta, Nigeria

Introduction

Nigeria's resource wealth has been a major driver of conflict in the past 40 years. The Niger Delta region has been plagued by simmering grievances that blossomed over time into a popular insurgency against the Nigerian state and multinational oil companies (MOCs) (Ukiwo 2011; Obi 2006; 2010). Indigenous communities have been adversely affected by oil extraction, with destruction of local livelihoods and severe environmental pollution. Nigeria's military rulers used repression and centralized violence to suppress dissent in oil-producing communities (Eberlein 2006; Omeje 2006; Watts 1999; 2004a; 2004b; Okonta 2005). However, the militarization of the Niger Delta paradoxically facilitated the entrenchment of a lucrative 'conflict economy', which extends from kidnapping oil workers for ransom, to crude oil theft (or 'bunkering'), and the criminal activities of urban confraternity groups and local warlords (Kemedi 2003; Ikelegbe 2005).

Since 1999, democratization has created additional cleavages, with intense resource struggles by political entrepreneurs to create and sustain networks of distributive patronage (Ifeka 2000; Gore and Pratten 2003, Watts 2004b; Obi 2006), leading to political violence and the proliferation of arms in the Niger Delta region (Human Rights Watch 1999; 2002; 2005), and the failure of social provisioning, reflected in a lack of basic amenities, high poverty and unemployment (Oluwanniya 2010), which undermine peacebuilding efforts. At the height of the Niger Delta militant struggle in 2006, the Nigerian state suffered severe disruptions to oil activities and significant revenue losses (Nairne 2007). It is against this socio-economic backdrop that the current amnesty programme

was introduced in 2009, in a bid to address the Niger Delta crisis. In this light, the amnesty programme is arguably the most prominent peacebuilding infrastructure in post-democracy Nigeria.

The federal government of Nigeria and the host communities of Niger Delta have different positional views about the crisis which has contributed to its lingering. Paradoxically, what peace and security means for the federal government is at variance for the people as well as development. To curb this militancy in the region the government of President Umaru Musa Yar'Adua introduced the amnesty programme in order to ensure peace and security. Notwithstanding, the amnesty has guaranteed negative peace in the region with its high skepticisms of transforming it to enduring and lasting peace. This paper will make a brief overview of the Niger Delta crisis, for a proper understanding of the different opinions of the actors. It will discuss the amnesty programme as a means to peace building in post conflict Niger Delta. Finally, an appraisal of the amnesty programme will critically be looked at with recommendations that will strengthen the peace process for a long lasting peace to be the lot of the Niger Delta and Nigeria in general.

While it is commonly believed that the amnesty programme has promoted stability in oil production, there are underlying socio-political contradictions that undermine its effectiveness and credibility. This paper offers a critical account of the amnesty programme in Nigeria. The analysis is located within a narrative of the overarching political economy dynamics in Nigeria which are influence violence, underdevelopment and poverty in the Niger Delta region. The paper argues that the amnesty programme should be complemented with wider reforms that tackle the root causes of the Niger Delta crisis.

In June 2009, Nigeria's President Umaru Yar'Adua astounded critics of the Nigerian state's woeful treatment of the perennial Niger Delta crisis by announcing a 60-day amnesty for combatants in the Niger Delta region. The amnesty was to be operationalized through a Disarmament, Demobilization and Reintegration (DDR) scheme (see Table 1). In return, the militants were expected to surrender weapons and ammunition and renounce their cause. The stated objective of the amnesty programme 'was to contribute to "security stabilization" in the Niger Delta through the DDR programme, as a precondition for medium and long term development.

This unprecedented move was a sharp departure from the typical use of state violence to suppress dissent by indigenous civilian and militia groups in the Niger Delta, and signified a realization that the Niger Delta crisis required a democratic, participatory solution and not one that legitimized militarization and brutal oppression of impoverished maritime communities. Furthermore, this action reflected a new political reality for the Nigerian state—it had to 'pay attention' to the people of Niger Delta, beyond empty rhetoric and cooptation of regional political actors. Shortly before the amnesty declaration, a Ministry of Niger Delta Affairs was created in September 2008 to coordinate the previously dysfunctional development and security interventions in the region. In addition, a new position in the Nigerian presidency called the 'Special Adviser to the President on the Niger Delta' was charged with the implementation of the amnesty programme.

According to the records of the office of the Special Adviser to the President on the Niger Delta, up to 26,358 militants accepted the amnesty offer, and have participated in the amnesty programme since 2009. The militants were demobilized in two batches in designated camps spread across six states in the Niger Delta region. Each militant was to receive N65, 000 (US\$420)2 per month, and another N3, 000 (US\$20) daily during the reintegration phase. The forgiven militants are currently in the reintegration phase of the amnesty programme, with an emphasis on formal and vocational education, skills acquisition and entrepreneurial development. The amnesty programme has largely

proceeded without any delays to its schedule in the last three years, principally due to the economic and strategic importance of peace and stability in the Niger Delta. However, the long-term impact of the amnesty is dependent on wider political and structural reforms, which I will discuss in subsequent sections of the paper.

Table 1: Structure of the Niger Delta Amnesty Programme

Disarmament	Demobilization/Rehabilitation	Reintegration
Duration: 6 August to 4 October 200	Duration: 6 to 12 months	Duration: Up to 5 years
Collection of arms, ammunition, explosives	Ex-militants report to camp	Financial empowerment
Biometrics	Verification and documentation	Placement programmes
		Microcredit
	Transformational training	Education
	Peacebuilding and conflict resolution	Reconciliation with local community
	Counselling	Conflict resolution Framework/mechanism
	Career guidance	Monitoring and evaluation
	Wellness assessment	Exit from amnesty
	Reintegration classification	
	Education and vocational placement	
	Graduation and demobilization	
Key enablers	Transformational training centres	Partnering government agencies, NGOs and private organizations
Disarmament camps	Rehabilitation camps	Oil and gas institutions (OGIs)
		Tracking and support system

Source: Federal Government of Nigeria—PAO, Niger Delta Amnesty Programme

The amnesty programme has served a strategic purpose of increasing stability in the Niger Delta region, which has enabled the state to pursue its economic interests in conjunction with the MOCs. Nigeria's dependence on petroleum is structural—up to 95% of exports and around 85% of state revenues are generated from oil and gas. Likewise, the entire state architecture and political system is underwritten by a profitable network of distributive patronage between competing ethno-regional interests, lubricated by enormous oil rents. At the height of the Niger Delta crisis, oil production dropped to around 700,000 barrels per day (bpd). The relative stability that accompanied the decline in oil-related violence, conflict and criminal activities has resulted in an increase in oil production to 2.2 million bpd in 2012. However, this rosy picture is not without its incongruities. Illegal oil-bunkering (or the theft of oil from pipelines and other installations for sale on the international black market) remains extremely significant. The Nigerian National Petroleum Corporation (NNPC) says that Nigeria is losing around 180,000 bpd of crude to criminal oil-bunkering syndicates, amounting to US\$7 billion per annum (Amaefule and Opara 2012). This forgone output exceeds the entire daily production of Ghana, which is 120,000 bpd. Furthermore, and in spite of the lull in violence, unemployment, poverty and inequality in the region are endemic.

Up to 68% of the Delta's residents are poor, and unemployment stands at 27%, six points above the national average (Nigerian Bureau of Statistics [NBS] 2012).

The Nigerian state has devoted substantial resources to the amnesty programme. Between 2009 and 2011, the programme was allocated N127 billion (US\$819 million) in the national budget. Of this amount, N3 billion was the 'take-off' grant, N30 billion was spent on militants' stipends and N96 billion on feeding the militants. In 2012, a massive N74 billion (US\$477 million) was allocated to the amnesty programme. When this is juxtaposed with similarly humongous fiscal transfers to the Niger Delta region between 2009 and 2012—for the Ministry of Niger Delta Affairs, N241 billion (US\$1.55 billion), and for the Niger Delta Development Commission (NDDC) N 246.6 billion (US\$1.6 billion)—the scale of state largesse is astonishing. These fiscal transfers are separate from the subnational budgets of the six core oil-producing states in the Niger Delta, which totaled N1.74 trillion (US\$11.2 billion) just for the fiscal year 2012.

The evidence presented here illustrates a peculiar feature of Nigeria's peacebuilding strategy: fiscal profligacy has accompanied the settlement of the grievances of Niger Delta communities. However, the state's monetization of community grievances is unsustainable, because it implies that the state is simply paying militants to be peaceful based on oil revenues which are finite and volatile. The transformation of Niger Delta militants and activists into genuine power-brokers with previously aloof hegemonic interests in the state has altered the political calculus in Nigeria. Thus, in the aftermath of the crisis that buffeted the region, the Niger Delta has emerged as a credible power bloc, exemplified by the ascendancy of Goodluck Jonathan, an Ijaw from Bayelsa state, to the presidency of Nigeria in 2011. The political elevation of the Niger Delta has also positioned ex-militants and their acolytes as government contractors, middlemen, private militia and leading political actors. This redistribution of political power, influence and patronage has occurred against the backdrop of the deployment of the amnesty programme as the major instrument of conflict resolution and peacebuilding in the restive Niger Delta. The next section provides a critical discussion of the amnesty programme.

Conceptual Clarifications

Amnesty laws are longstanding political tools used by the states or societies wishing to quell dissent and introducing reforms in order to achieve peaceful co-existence with enemies. It is a political tool used or has been used to achieve political goal that was circumstantial or necessary for social peace and security. Amnesty is a political pardon of deviants, offenders of social norms or criminals that are subjects of trial. In a legal sense of it, "amnesty is conceptualized as parts of government efforts to obliterate crime records or civil law suits (Sear, 2002 and Mallinder, 2008)". In other words, "amnesty is a legislative act by which a state can restore its people who may have been guilty of an offense against the position of innocent persons (Wikipedia & Ogundiya, 2011:7)". To some scholars, amnesty, pardon and forgiveness are synonymous. Indeed, amnesty as a policy of forgiveness should be a product of negotiation, which may diametrically oppose asymmetry of forgiveness. Its monotheistic tradition is inseparable from power of pardon (Nasongo, Achoka & Wanmocha, 2009).

It takes different forms or dimensions, which can be conditionally or unconditionally attached, being selective or collectively carried out. Its law or programme exhibits different characteristics. The rationale or motivation behind amnesty proclamation is informed by internal crises management in terms of nature, reconciliation process, response to peace advice, socio-cultural traditions, return of exile citizens, rights protection, political strategy, protection of state's officers from prosecution, peace, etc. It could be introduced to attract support or serve as strategy to legitimizing a regime and delegitimizing or undermining a popular oppositional group. Amnesty can be used to cover state's incapacitation or inability to contain rebellion or militancy acts.

Declaration of amnesty depends on socio-political context and domestic legal framework -in terms of discretion exercise, peace negotiation and agreement, referendum, etc. In whatever forms, amnesty is identified as part of peace processes, and to some extents, it is morally or politically just. But to some people, amnesty could be an attempt to cover-up certain crime, or, to connive with the criminals (Adedoyin, 2014).

Amnesty programmes like post-war activities involve disarmament, demobilization, rehabilitation and reintegration of those who are deviant to socio-political regulations. Its disarmament process involves collection, documentation, control and disposal of small arms and ammunition, explosive and light or heavy weapons of the ex-combatants through the help of arms management programme. While its demobilization programme involves formal control and discharge of active combatants from armed forces or armed groups. It provides support packages for the demobilized combatants, basic needs and financial assistance for their families (Bryden, 2007), which have become problems to the Nigerian government on Niger Delta in terms of implementation. Its rehabilitation process transforms violent psyches of the militants or combatants to a civilian status or non-violent nature, which should be carried out in designated camps after a cessation of violence.

Its reintegration process involves acquiring or regaining of civilian status by ex-combatants including viable sustainable empowerments. It is primarily a socio-economic process that involves an open time-frame in community or society bedeviled by violence. Its reintegration is a long term socio-economic involvement and inclusiveness of ex-militants or ex-combatants in developmental programmes. Implementation determines its outcomes in terms of sustainable peace and security, which has become a problem to Nigeria's amnesty programme. The Nigerian government has not been able to execute Niger Delta amnesty programme to the letter due to its defective political structure and constitutional World of views. The technical committee that was constituted by the Federal government benefited more than the militants the beneficiaries. There is no doubt, amnesty programme in the Niger Delta is a child of circumstance that its birth took place in an environment bedeviled with different controversies, policy ambiguities and poor focus (Ogundiya, 2011). In other words, has amnesty programme become a magical potion to a long term Niger Delta crisis? The answer is no. The question of true federalism still remains un-answered. The fact that the militants submitted their weapons in the region should not be mis-understood for the success of amnesty programme. The intended programmes and their processes need to be properly implemented if sustainable peace and security would be achieved in the Niger Delta. Amnesty programme and its process need to go beyond political proclamation, but live up to the expectations.

Boutros Boutros-Ghali first conceived of post-conflict peace-building as a framework for ensuring that violent conflict would not reoccur in post-conflict settings. The process originated as a response to the Brahimi Report²⁶, which explicitly linked the peacekeeping, peace-building, and socioeconomic development functions of the United Nations (UN) system. This was later elaborated by Kofi Annan (Knight 2008). The UN adopted "peace-building" as part of its official discourse in 1992, when former UN Secretary-General Boutros Boutros-Ghali used the term in his Agenda for Peace. In Boutros-Ghali's view, peace-building was an activity to be undertaken immediately after the cessation of violence. In his words, it was 'an action to identify and support structures which will tend to strengthen and solidify peace in order to avoid a relapse into conflict' (Boutros Boutros-Ghali cited in Knight, 2008:24). Knight (2008) concludes that from this conceptualization of peace-building, one can easily discern the early outlines of what later became known as the DDR process. In his words:

From this time onwards, the UN has adopted the DDR process as an indispensable element of post-conflict peace-building; this has been utilized in various peacekeeping missions of the UN. The sole aim is to enhance internal security and build human capacity, and thereby to ensure that sustainable peace is entrenched and becomes a permanent feature of countries and regions coming out of conflict (Knight 2008). Making further exposition on this, Tschirgi (2004 cited in Knight, 2008) explains that post-conflict peace-building has become an international growth industry. This also came as a response to a UN Blue Ribbon Panel Report²⁸, at the turn of this century that called on the world body to expand its global peace support role. When the Report of the Panel on United Nations Peace Operations (known as the Brahimi Report) was released in August 2000, the link between peacekeeping, peace-building and socioeconomic development was fully acknowledged. The panel recommended a number of peace-building tools and strategies that could become part of any peace support operation.

These included the adoption of quick impact projects (QIPs), the establishment of a fund for disarmament, demobilization and reintegration (DDR), the adoption of a doctrinal shift away from civilian policing to rule of law teams, the creation of a pilot Peace-building Unit, and regularized funding of the Electoral Affairs Division³⁰ at the UN Headquarters in New York (Knight, 2008). Former UN Secretary-General Kofi Annan wrote in his report to the Sixtieth Session of the UN General Assembly³¹ that since February 11, 2000, six UN peacekeeping operations have included disarmament, demobilization, and reintegration as part of their mandate. The DDR tasks involved in those operations included, inter alia, the broad provision of security; collecting, securing, and destroying light and heavy weapons; de-mining; demobilizing ex-combatants; dismantling militia groups; enhancing regional security to stem the spillover of conflicts across borders; identifying and resettling foreign ex-combatants, including children and women; supporting national disarmament, demobilization, and reintegration programs; promoting sensitization programs within communities; and meeting specific needs of women, children, and disabled ex-combatants (Knight 2008, p.29). DDR programs do not have a single definition. Isaczai (2006) argues:

That integrated disarmament, demobilization and reintegration (IDDR) principles assert that the reintegration of former combatants should be the essential focus and objective of DDR programming and should involve national ownership, capacity development, and be situated within the larger recovery strategy, from the support of individuals, to the community at large (2006 cited in Obi 2014, p.251).

From the perspective of the UN Secretary-General (1992), discussing the background to conflict in Africa, in most of the insurrections in Africa, irregular militia groups and large numbers of soldiers are recruited (which includes both children and women). This conflict has also included the proliferation of lethal weapons, mostly small arms and light weapons (SALW). It is therefore argued that this group of people requires special attention since they portend a threat to the peace process and could also undermine progress towards the development of security (UN Agenda for Peace 1992).

Theoretical Framework

Generally, social contract theorists advance the view that the state or, more precisely, civil society is the product of a contract, a covenant, an agreement, or a compact. Its earliest recognizably modern form dates back to Thomas Hobbes, John Locke, Jean-Jacques Rousseau and others (Nbete, 2012). However, Lockean social contract theory is adopted as the theoretical underpinning for the Nigeria's Niger Delta phenomenon but later supported with peace-building theoretical

proposition. John Locke (1632-1704), as an English philosopher, titled his major political writing, "Second Treatise of Government" (1690) at the dawn of the English Glorious Revolution of 1688. Locke's was primarily concerned with providing a justification for government by consent (that is limited government) and a right to revolution where the government fails. As such, Locke posited that men in a state of nature are capable of rational thought and of moderate, practical behavior even without a government (Deutsch cited in Epelle, 2010). Since this state of nature was social but lacking in the political, it means that some persons will naturally infringe on the rights of others. Since covetousness was part of the nature of man, there was the need to set up a civil-society based on their collective consent to which they will voluntarily submit themselves.

The civil society so established is for the greater assurance of the preservation of their lives, liberty and property (Sabine and Thorson, 1973). Having created a political society and government through their consent, men then gained three things which they lacked in the State of Nature: laws, judges to adjudicate laws, and the executive power necessary to enforce these laws. Each man therefore gives over the power to protect himself and punish transgressors of the Law of Nature to the Government that he has created through the contract. According to Locke, the purpose of the Government and law is to uphold and protect the natural rights of men. So long as the Government fulfils this purpose, the laws given by it are valid and binding, but when it ceases to fulfill it, then the laws would have no validity and the Government can be resisted. Hence, John advocated a state for the general good of people. He pleaded for a constitutionally limited government (Manzoor, 2013). In connection with Locke explanation, the amended 1999 Constitution of the Federal Republic of Nigeria (CFRN) required the Nigeria state to respect and protect the fundamental human rights of her citizens including the protection of lives and property. The Government is expected to be guided and to govern based on the principle of the rule of law or rule of the constitution (CFRN, signed 2011).

Hence, it follows from Locke's explanations that: first, the three tiers of government in Nigeria (Federal, State and Local) are set up by the citizenry and owe their continuous existence to the periodic mandate of the citizens. Second, these Governments are set up by the collective will of the citizens to protect their lives, liberty and property. Man's acquisitive tendencies in the state of nature are likely to make him infringe on other people's properties (whether God-given or laboriously acquired) and government's main duty is to mediate amicably between the aggressor and the oppressor not to take sides. Thirdly, in light of the above, Locke's theory is unequivocal in its insistence that once a Government reneges in its duty to safeguard the interest of its citizens, the latter has the right to resist its tyrannical, biased, prejudicial or cavalier tendencies (Epelle, 2010).

Logically therefore, Niger Delta's agitation sprang out of discontent by the most vocal part of the Niger Delta population to draw Government's attention. As earlier noted, Egwu (2013) has made it known that despite the discovery of crude oil in commercial quantities in the Niger Delta region since 1956, the Niger Delta region remains poor, her people have remained unemployed and the region is underdeveloped due to blatant environmental pollution, despoliation and political marginalization while the post-colonial Government of the Nigerian state has failed to pay adequate attention to their expressed dissatisfaction that were communicated through several peaceful means. Hence, Ojakorotu and Gilbert (2010) pointed out that this act by the Nigerian state led to constant oil related violence in the Niger Delta in an attempt to compel the Nigerian state and MNOCs to remedy the injustices perpetrated in the region. It is no wonder, Epelle (2010) discloses that the post-colonial Nigerian state's failure to tame and ensure the MNOCs operate the policy of best business practices as it is obtainable globally; and to constantly exhibit Corporate Social Responsibility (CSR) in Niger Delta states where they operate, bearing in mind that the oil minerals they are mining are properties of the inhabitants of the Niger Deltans who are morally

justified to call them to order, in the event of any breach of the memorandum of understanding signed by both parties have all contributed to Niger Delta rebellion or revolution given credence to the Locke's social contract theory on the right to revolution when the Government fails to discharge its duty.

To support the above, amnesty introduced as a peace-building mechanism to curtail Niger Delta agitators, appears not to be taking care of the root cause as reveals by Adeyemo and OluAdeyemi (2010); Epelle (2010); Azinge (2013); Moshood (2016); Dudu and Odalonu (2016). The DDR process in connection with amnesty also constituted a peace agreement between Nigerian state and Niger Delta militants. Yet, if xrayed or mirrored by extant peace-building theoretical propositions for transforming a violent-habituated system into a peace system, seems to fall below expectations which may have accounted for post-amnesty crisis in the region further gives credence to Locke's social contract theoretical foundation in all ramification. Hence, according to peacebuilding expert, Peek (2016) for peace-building to be truly successful, it must include comprehensive efforts to identify and support structures which will tend to consolidate peace and advance a sense of confidence and well-being among people. It is believed that, to determine success or failure, one can distinguish three different standards.

First of all: a maximalist standard: The maximalist standard is the most ambitious of peace-building practices. Its goals reach as far as addressing the actual root causes of the conflict. The maximalist standard seeks to end conflict, keep the peace and address deeply rooted issues in a society. Secondly, the minimalist standard, this practice only seeks to end an immediate conflict and keep the peace. It does not delve deeper into the war-torn society trying to determine and solve grievances that could be pointed as a cause for the conflict. Lastly, the moderate standard entails that peace-building is assessed by determining the quality of post-war governance and the absence of a recurrence into conflict. All in all, the success of any post-conflict peace-building operations depends largely on the preceding expectations. However, this present study would not only help to understand and classify the peace-building programme in Niger Delta properly but to propose a new model that will help the Nigeria state to build a peace system.

Amnesty and Peacebuilding in Nigeria Impact and Limitations

Using the DDR approach, Nigeria's amnesty programme has catered to two batches of Niger Delta ex-militants since 2009. Following their acceptance of amnesty and surrender of ammunition across eight Niger Delta states (Akwa Ibom, Bayelsa, Delta, Rivers, Cross River, Edo, Imo and Ondo), the first set of ex-agitators, numbering 20,192, were demobilized at the Obubra Demobilization Camp. The second set of militants, numbering 6,166, completed demobilization in December 2011, bringing the total number of amnesty beneficiary's to 26, 358.

Table 2: Participants in the Niger Delta Amnesty Programme.

States	Male	Female	Registered
Akwa Ibom	155	8	160
Bayelsa	6,900	61	6,961
Cross River	159	1	160
Delta	3,361	-	3,361
Edo	450	-	450
Imo	297	3	300
Ondo	1,198	2	1,200
Rivers	6,958	39	6,997

NDDC	571	19	600
Total	20,049	133	20,192

Source: Federal Government of Nigeria—PAO, Niger Delta Amnesty Programme

A cursory glance at the statistics on participation in the amnesty programme (in Table 2) shows that around 85% of demobilized ex-militants are from the core oil-producing states of Bayelsa, Delta and Rivers which bore the brunt of the conflict. The gender imbalance between male and female participants is striking, as only 0.65% of total registered participants are female. This outcome raises questions about the exclusion of women by the amnesty programme, since women have been active participants in the Niger Delta struggle (Ikelegbe 2005).

The recovery of over 2,700 sophisticated guns and 300,000 rounds of ammunition surrendered by 15,000 militants to the Presidential Amnesty Committee in 2009 is a notable achievement of the amnesty programme. However, the exclusion of certain militant groups, arising from the balkanization of the militant movement itself and deep-rooted skepticism and mistrust of the state's motives, resulted in the withholding of ammunition by some militant groups, while others, such as the Movement for the Emancipation of the Niger Delta (MEND) commanders John Togo and Tamunotonye Kuna, who seemingly accepted the amnesty soon returned to the creeks, rearmed and continued their hostilities against the state (Davidheiser and Nyiayaana 2011, 51–52)

After the demobilization period, the PAO states that 7,556 former militants were placed in skills acquisition training centers in 33 locations across Nigeria. Militants were also sent on skills acquisition training to countries such as South Africa, the US, Russia, Israel, India, Poland, Cyprus, Poland, Ghana, United Arab Emirates, the Philippines, and Trinidad and Tobago. In reflection of the emphasis on building skills to encourage eventual reintegration in their communities, amnesty beneficiaries were presented with the choice of a specific vocation from a diverse bouquet, for which they would receive formal training (see Table 3).

As an indication of the impact of the reintegration phase of the amnesty programme, in 2012 several ex-militants were offered jobs by training centres at home and abroad after completing skills acquisition; notably, the 89 ex-militants were offered employment in Nigeria, Ghana, South Africa and the United Arab Emirates (UAE) after completing their training in maritime activities, welding and fabrication. In a region with high youth unemployment, the creation of jobs for previously frustrated youth is highly commendable.

Table 3: Summary of Skills and Vocational Training for Amnesty Programme Beneficiaries.

Artisanship	Environmental and sanitation management
Oil and gas	Small-scale manufacturing
Agriculture	Creative arts and theatre
Transportation	Educational services
Information technology	Building and construction
Maritime	Professional disciplines
Culture, tourism and hospitality	

Source: Federal Government of Nigeria—PAO, Niger Delta Amnesty Programme

Despite the Nigerian government's rhetoric on the success of the amnesty, the question arises of whether it has been inclusive and whether it addresses the underlying grievances of the Niger Delta indigenes which manifested in violence and criminality. Previous attempts to 'forgive' Niger Delta militants in 2004 and 2007 were plagued by poor implementation. Cash for arms deals, which

purportedly involved the exchange of arms for cash payments, did not make a dent on the conflict, and only aided more stockpiling of weapons by armed groups, ironically funded by cash transfers from the Nigerian state. The present amnesty programme differs from previous attempts in its depth, given the level of organisation, political commitment and delivery of stated objectives. However, it has been dogged by criticisms of poor planning and implementation, large-scale corruption and the exclusion of important stakeholders (Oluwanniya 2011; Ojeleye 2011; Davidheiser & Nyiayaana 2011; Nwozor 2010; Akinwale 2010).

Firstly, critics argue that the amnesty programme is too top-down and susceptible to the discretionary influence of powerful ex-militant commanders without reflecting local needs and aspirations. This undermines the government's credibility, as the excommanders appear to have been more interested in newfound access to state patronage than in addressing the needs of their local fighters (Oluwanniya 2011, 51). Similarly, the monetization of the grievances of oil-producing communities by undue emphasis on monetary payments to ex-militants is a questionable approach. Coupled with the wider access to political patronage for ex-militant commanders, these substantial monetary transfers paradoxically reinforce the vicious cycle of conflict that the amnesty was designed to break. They place unrealistic expectations on the provision of state largesse and employment, and raise the prospect of arms proliferation and further violence in the long term as job opportunities and easy money fail to materialize and idle youth seek refuge in the conflict economy. Relatedly, corruption and nepotism have taken root in an otherwise laudable initiative. The amnesty appears to have created a new 'peace industry' in Nigeria, with the emergence of contractors, consultants and mediators or 'peace ambassadors' who have cynically positioned themselves to benefit from state largesse. A damning review of the rehabilitation component of the amnesty programme in 2010 revealed that 80% of the programme budget had been expended on payments to consultants and contractors, while just 20% was devoted to the rehabilitation of ex-militants (Oluwanniya 2011, 52).

Another important criticism of the amnesty is the exclusion of important conflict actors, which fuels grievances and could result in inter-communal strife. The scale of the amnesty programme, which has targeted about 27,000 former combatants in a region with high poverty and youth unemployment, is far from adequate and has created disaffection among militant groups that feel excluded from the entire exercise. For instance, the failure to include several MEND warlords and neutralise MEND's infrastructure created room for aggrieved MEND elements to continue with their violent struggle. While leading MEND commanders such as Generals Boyloaf, Ateke Tom, 'Young Shall Grow' and Government Ekpemupolo (a.k.a. Tompolo) have embraced the amnesty and rapidly established themselves as regional power-brokers, the detention and trial in South Africa of Henry Okah, another central figure in the group, points to the exclusionary, divisive legacy of the amnesty programme. This has allowed aggrieved MEND elements to carry out sporadic, deadly bombings such as the Independence Day 2010 bombing, and engage in criminality, including kidnapping and oil-bunkering (Davidheiser and Nyiayaana 2011, 52–53).

Grassroots community, civil society and vulnerable groups, such as women and children that shunned violent struggle have also been inadvertently excluded from state largesse, while continuing to grapple with the adverse effects of oil activities, particularly environmental degradation and the loss of livelihoods (Nwozor 2010; Oluwanniya 2010). The failure of the local and federal governments to address environmental management issues (Christian Aid et al. 2004; Adekola and Mitchell 2011; Edu 2011) and institute a systematic approach towards providing public infrastructure and social goods has also reduced the effectiveness of the amnesty programme (Akinwale 2010, 207). Furthermore, delays in paying militants' allowances and allegations of government insensitivity have undermined the integrity of the programme (Oluwanniya 2011, 50). Aggrieved amnesty beneficiaries have resorted to public demonstrations,

issuing threats, engaging in violent protests, destroying public property, and in some cases have returned to criminality as a result of their frustrations (Davidheiser and Nyiayaana 2011, 53).

Furthermore, the cost of executing the amnesty programme is substantial, and, due to volatile oil revenues, the government's commitment to maintaining cash payments and support to militants to abandon violence will be put under pressure. Aside from these economic concerns, other ethnic groups that are perceived to be excluded from the distribution of state largesse may turn to violence, in expectation of some form of monetary settlement. The commitment of the region's political elite to genuinely supporting the amnesty in the medium term can also be questioned, as political electioneering in the Niger Delta has been linked with violence, criminality and arms proliferation (Human Rights Watch 2002; 2005; Omeje 2006).

Above all, the continued use of military force in the Niger Delta undermines the avowed commitment of the Nigerian government to peace, and prevents a wider engagement with local communities on their grievances against the state and MOCs.⁵ As a direct consequence of the violence and conflict that have plagued the region, the militarization of the Niger Delta has created a siege mentality among indigenes and legitimized the instrumentation of violence by militant groups to confront the Nigerian state and MOCs (Obi 2010; Watts and Ibaba 2011; Idemudia 2009; Ukiwo 2011). The Nigerian military continues to maintain a significant presence in the region, although its mandate has recently been changed from suppressing a popular insurgency to 'providing security to oil installations, tackling oil bunkering, illegal oil refining, oil pipeline vandalism and sea piracy'.⁶ While maintaining security over oil installations is of strategic interest to the state and MOCs, this should not be at the expense of peacebuilding. Security initiatives would be much more effective if local stakeholder's communities, former combatants, youth groups and civil society activists—were actively involved and considered important partners in protecting oil investments in the region.

The Akassa model of institutionalized community ownership of oil resources, in which the Akassa community has enjoyed a good relationship with Statoil and regularly works with law enforcement agencies to protect the company's facilities in the area, shows that conflict between local communities, MOCs and the state is not inevitable (Ukiwo 2011, 27). Thus, 'winning the hearts and minds' of the local people in the Delta is crucial to the long-term interests of the Nigerian state and MOCs operating in the region. The preceding discussion clearly illustrates the limits of the amnesty programme as a peacebuilding infrastructure, while noting the relative progress it has made in improving peace and stability in the Niger Delta region. In order to be truly effective, and address the multiple, complex grievances that underlie the Niger Delta conflict, amnesty must be complemented by political, economic and structural reforms. In the following section, we discuss the wider reforms that could strengthen and deepen the impact of the amnesty.

Challenges of Nigeria's Amnesty Programme

The Amnesty Program faced some challenges. One major challenge was the poor planning and implementation of the programme. It has been argued that the programme was rushed to prevent possible disruption of the under 17 World Cup tournament, held in Nigeria (Ojo 2009). This rush affected the implementation of the rest of the program. Part of the reasons for the hasty planning was the pressure from foreign actors on the Nigerian government for peace and stability in the Gulf of Guinea for the sole aim of ensuring constant flow of oil. The demobilization camps in Okrika, Aluu, and Tombia, all in Rivers State and Agbarho, Delta State opened without any camping facilities (Davidheiser and Nyiayaana, 2009). The camps had no medical facilities, no electricity and had no water supply and the general living conditions in the camps were grossly insufficient. In fact, one of the ex-militants died in the camp due to lack of medical care (p. 6). In Aluu camp, some of the ex-militants slept on bare floor and even outside in the cold. Subjecting

demobilized ex-militants to a living condition worse than they had in the creeks was not the best for group that needed rehabilitation and reintegration.

The amnesty programme was also faced with delay in the payment of the US \$40 subsistence allowance approved for the militants. This led them to engage in post-amnesty criminal activities. For instance, the ex-militants camped in Aluu went on rampage, robbing both students and staff of the University of Port-Harcourt, disrupting academic activities and looting any available shops. There were protests over unpaid allowance in other parts of the region such as Yenagoa and Warri. Similarly, the crime rate in some of the communities in the region rose. Epona, reports of the arrest of four ex-militants by the police in Akwa Ibom State for kidnapping. In Okrika, residences complained of sudden disappearance of live stocks, a situation they attributed to the presence of the “boys”.

The amnesty did not also follow any known conventional pattern. A political amnesty is usually a product of negotiation between warring parties in the absence of victory by any of the parties. The terms of the amnesty would be contained in a comprehensive accord which the parties in conflict would be signatory to. Political amnesty could also be at the discretion of the winner in an armed conflict where the victorious party decides to announce amnesty for the vanquished (Adejumobi, 2009). However, Nigeria’s amnesty did not reflect any of the above conventions. There is no any peace agreement between the government and the militants nor did the government win the battle in the creeks. Although it may be argued that the amnesty programme needed not follow any conventional method because the state never officially declared war on the militants. Notwithstanding, contemporary conflicts, especially intra-state conflicts, do not necessarily need official declaration of war but still accommodate ceasefires, peace agreement, and post-conflict structure.

The fact that the government retains the operations of the Joint Task Force (JTF) in the region is a problem that should have been taken care of in the conceptualization of the amnesty programme. Perhaps, the fear of the unknown made the government to allow the JTF to run in parallel with the amnesty programme. But this would have been taken care of if there was a peace accord. The negotiating process will afford the militants opportunity to discuss their grievances in details with the government and their demands accommodated in a peace accord.

The second flaw in the conceptualization of the amnesty is the way the programme was rushed. Government had no reason to rush the process. Rushing the program gave the government no time to explore the potentials within the amnesty to achieve lasting peace in the region. The government would have thoroughly examined the various ways amnesty could be exploited to, not only achieve true cease fire, but also promote genuine peace and development by extending the programme to communities in the region.

The militants-centered nature of the amnesty reduced the potentials for post-conflict peace building in the region. The amnesty from its conception narrowed the problem in the Niger Delta to activities of militants that make development impossible. But the militants were products of neglect and systematic deprivations of people in the region, thus the amnesty could have also focused on the communities in order to adopt a holistic approach to resolving the crisis. It seems what the government did was to yield to external pressure with economic interest in the Gulf of Guinea and provide a short cut to resolving the problem. The argument here is that genuine and rapid development should go simultaneously with the declaration of an amnesty. While the youth are being disarmed, demobilized, rehabilitated, and responsibly reintegrated, the communities are being developed in terms of physical infrastructural and social amenities and the various obnoxious

laws that have repressed the people are reviewed. The narrow focus of the amnesty programme denies Nigeria the much needed opportunity to ensure a lasting post-conflict peace in the region.

Beyond Amnesty: Addressing the Root Causes of the Niger Delta Crisis

As the discussion of the amnesty programme in Nigeria above suggests, a pragmatic approach towards peace, security and development in the Niger Delta region is needed. As a matter of principle, this approach must strike a balance between economic, structural and political reforms which allows policymakers to identify entry points for policy reforms that target incremental, progressive changes over time.

The most paramount constraint on peacebuilding and development is the failure of social provisioning in the Niger Delta, which has aggravated class and social inequalities. There is an urgent need for redistributive investments in infrastructure and social amenities, provision of key public goods such as education and healthcare, microcredit and soft loans for petty commodity production, and public investment in agrarian activities. By providing basic amenities to the teeming population, the popular view of the state as inherently corrupt and ineffective would be gradually displaced. Importantly, the emphasis must be on creating sustainable livelihoods for local communities. This requires a two-pronged approach of creating an enabling environment for the emergence of backward linkages arising from oil activities (including supply of raw materials, labour and support services), and creating non-oil employment in agriculture, fisheries and small-scale manufacturing. The government and oil industry should work closely with other development partners to create jobs and opportunities, using existing community development (CD) initiatives of the oil companies, and also scaling down national employment interventions such as the YouWin programme to a regional level. The introduction of a Local Content Act in 2010 to support indigenous participation in the oil industry must go beyond creating white collar jobs to supporting vocational skills such as those gained by beneficiaries of the amnesty programme.

Extreme poverty and social inequality manifest in vicious struggles for various forms of state patronage. The availability of public goods (education, health, potable water, and energy and transport infrastructure) would reduce the intensity of these demands on the state, and also shore up its legitimacy and credibility. This calls for more innovative ways of providing public services that avoid the waste and ineffectiveness of government initiatives such as the NDDC. For instance, the use of community-based public expenditure tracking to monitor social and direct labour schemes for infrastructure projects would put the millions of idle, unemployed youth to work. The use of 'inclusive' models of creating sustainable livelihoods that extend beyond direct monetary transfers to individual militants would also enhance the impact on women, children and other vulnerable groups that may have seen little or no benefits from the amnesty programme. Nigeria's federal legislature is currently debating a new Petroleum Industry Bill (PIB) that would create a Host Community Development Fund to provide a fixed portion of oil revenues for the development of host communities. The discussion here has shown that there is an enormous, steady flow of oil largesse to the Niger Delta political elite and power-brokers through various channels.

Creating new mechanisms to funnel oil revenues to the region will not reduce poverty nor unemployment if these revenues are simply being cornered by the regional elite, and if sub-national and federal governments do not improve their capacities to deliver development projects and manage oil revenues in a transparent, efficient manner. The emergence of anti-corruption legislation such as the Freedom of Information Act 2011, Fiscal Responsibility Act 2007 and Extractive Industries Transparency Initiative Act 2007 indicates a growing awareness of the

importance of resource revenue accountability and transparency. This growing scrutiny of natural resource management in Nigeria should be extended to the sub-national level with the adoption and enforcement of similar legislation while strengthening the capacity of law enforcement and judicial agencies to tackle deep-rooted political corruption. In order to justify the massive flow of oil revenues to the Niger Delta states and create broad incentives for peace in the region, oil revenue transfers must be matched with effective public spending that delivers sound, sustainable development projects that create jobs and reduce poverty.

In addition, alternative property rights in the exploitation of oil should be considered, including private ownership of oil-bearing land, increased royalties to landowners and oil-bearing communities, and investment schemes for the oil-bearing communities, such as the Akassa community initiative. The role of political actors in diverting royalties and compensation for oil spillage intended for impoverished indigenes must also be curtailed. The Land Use Act should be abrogated, to reverse the ingrained practice of the expropriation of oil-bearing land by the state, and address the grievances of Niger Delta oil-bearing communities regarding land alienation and environmental damage. Customary rights of the Niger Delta communities to the ownership of oil-bearing land should be legally recognised, and the process of granting oil licences should be more inclusive and participatory, with the adoption of innovative models of resource governance such as 'free, prior and informed consent' (FPIC).⁷ Compensation for land acquisition and oil spillage must be reviewed upwards to meet international standards, and implemented within a coherent state policy on the usage of oil-bearing land. Given the scale of gas-flaring by MOCs, the federal government should introduce strong penalties, and enforce robust sanctions to discourage gas-flaring and associated air, marine and land pollution. The failure to prevent and remediate environmental damage arising from oil activities has put the fragile ecosystem of the Niger Delta in peril and will remain a sore point if the Nigerian government and MOCs do not adhere to global environmental standards.

The role of corporate practices of the MOCs in the festering crisis in the Delta also requires a novel approach towards community engagement which addresses issues of environmental damage and poverty alleviation in oil-producing communities. The emphasis must be directed away from monetary rewards to youth and other social actors, to agrarian production, small business enterprises and other resource-based petty economic activities. Within the global oil industry, a universal compact that guides individual oil companies on gas-flaring standards, oil spillages and other forms of ecological despoliation is needed to improve the credibility of the oil-companies operating in the Niger Delta. Engagements between local communities and oil companies should be structured around FPIC, mutual respect and consent, local participation, community empowerment and corporate accountability. Such participatory, open engagement is needed to tackle the menace of oil-bunkering and reduce the attractiveness of the conflict economy for youth in the region.

Furthermore, the underlying tenets of the Nigerian federation must be revisited to address structural issues such as fiscal federalism and minority rights. In the first place, the viability of Nigeria as a unified political entity is being tested in the face of increasing agitation for self-determination by various ethnic groups⁹ and the impact of popular struggles on the legitimacy of political leadership. The tenets of the Nigerian nation have never been fully addressed, and the arrival of petroleum on the national scene lubricated an extensive network of state patronage while concealing deep fissures in the polity. The insurgency in the Niger Delta shows that this compromise is now untenable. There is an imperative need to address the national question, and minority rights within the federation. Thus, the clamour for a Sovereign National Conference (SNC) to discuss the tenets of the Nigerian nation is not out of place. The political system must protect the rights of ethnic minorities while reducing the excessive powers enjoyed by the federal

government. The politics of fiscal federalism in Nigeria has created an anomaly of a powerful, distant federal government and weak states that depend solely on statutory oil revenue allocations. The adoption of a truly federal structure and extension of the principle of derivation, where federating units retain a majority of derived revenues, would blunt the tensions between the ethnic minorities of the Niger Delta and the Nigerian state by instituting a more equitable and fair allocation of oil revenues and encouraging states and regions to be less fiscally dependent on the centre. Fighting corruption at all levels is central to repairing the broken trust between Nigeria's political leadership and the teeming masses. This cannot be achieved without strong political will to undertake difficult reforms, which has been lacking so far. Above all, political reforms aimed at strengthening the electoral process would go a long way to enhance the credibility of the state. Deepening democracy requires credible institutions—political, legal and legislative—that can engender socio-economic development and manage natural resource wealth for the benefit of Nigeria's multi-ethnic population.

Conclusion and Recommendations

Nigeria's amnesty programme is a bold and unprecedented move by the ruling elite to restore stability in oil output and revenues that arise from the turbulent Niger Delta region, which are central to the current system of resource appropriation. This seminar paper has provided a detailed examination of the amnesty programme, including its impact and limitations, and offered policy recommendations on broader economic, political and structural reforms that could deepen and strengthen the effectiveness of amnesty as a peacebuilding intervention. There are several key lessons to be learned from Nigeria's experience with the amnesty, which may be relevant for other peacebuilding initiatives in fragile, resource-rich states. These are now discussed.

The first point is the transparency and accountability of state institutions charged with implementing amnesty programmes. The size of oil revenues devoted to Nigeria's amnesty programme warrants greater scrutiny of the activities of the Presidential Amnesty Office (PAO) and other relevant state institutions, as the amnesty should not be seen as another conduit for accumulating state largesse. Corruption and poor administration by amnesty officials only serve to undermine the credibility and effectiveness of the amnesty itself, and weaken the legitimacy of the state. In this light, it is imperative to ensure that monetary and material benefits are paid to ex-militants in a timely fashion, that amnesty beneficiaries' and broader stakeholder needs and concerns are fully recognized and that skills acquisition and reintegration activities are matched with viable employment opportunities, which in turn requires the commitment and full participation of the oil and gas sector and other local industries in the Niger Delta.

The second lesson from Nigeria's experience with amnesty is to ensure the inclusion of important conflict actors in the process of peacebuilding. It is essential to continue the dialogue with aggrieved elements of the militant community, and possibly extend the amnesty programme to previously excluded militant groups, in order to break the cycle of violence in the region. The role of social, political and community institutions in the Niger Delta in ensuring that grievances are addressed without recourse to violence will also be instrumental in peacebuilding, security and overall stability.

Thirdly, amnesty may not immediately address security concerns in conflict-affected areas. Certainly, security challenges remain in the Niger Delta, particularly illegal oil bunkering, which appears to be on the increase, and other criminal activities such as sea piracy, pipeline vandalism and kidnapping. This underscores the need for a participatory approach to building peace and security which involves local communities, youth groups, ethno-cultural associations and civil society.

Perhaps the most significant message to be learnt from Nigerian experience is that amnesty is not an end in itself and wider, complementary efforts are still required to resolve resource-driven conflicts. Economic, political and structural reforms can deepen and strengthen the effectiveness of amnesty as a peacebuilding intervention. The discussion presented here challenges the perception that the Niger Delta is being starved of oil revenues. What has been demonstrated by this paper is that enormous state largesse is being funnelled into the Niger Delta, particularly through the amnesty programme. However, these resources are not reaching the poor, marginalized communities that are in desperate need of help. The pervasiveness of accumulation through access to state patronage, political corruption and impunity are intrinsic to the political economy of oil in

Nigeria, and not peculiar to the Niger Delta. Thus, the effectiveness of peacebuilding initiatives such as the amnesty programme is constrained by the national political economy. Amnesty in the Nigerian context is best understood as a specific response to a crisis that still requires a much broader, comprehensive resolution.

In order to be successful, peacebuilding initiatives in fragile states such as Nigeria must engage with multifarious grievances that manifest themselves in violent conflict. The nature of the state itself is perhaps the most crucial determinant in a successful peacebuilding and development strategy. Where predatory interests dominate the state, and there are impunity and collapsed institutions, amnesty cannot be the magic solution to socio-political crises. The lure of unearned income derived from oil is simply too significant in a society scarred by extreme deprivation. In conclusion, the crux of the argument presented here is that the amnesty programme is a laudable initiative, but no silver bullet, and must be complemented by broader socio-economic, structural and political reforms that address the deep-seated grievances that have resulted in violent conflict in the Niger Delta.

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