

NIGER DELTA CRISIS AND THE FEDERAL GOVERNMENT AMNESTY PROGRAMME IMPLEMENTATION IN NIGERIA

By

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Abstract

The Niger Delta since inception of oil exploration in 1956 has been witnessing series of environmental insecurities which culminated into long term sufferings of the people living in the region. The activities of oil companies paid less attention to the well-being of the region and consequently metamorphosed into youth's militancy –in terms of kidnapping and armed struggles. The effects of militancy led to the proclamation of amnesty programme designed to ameliorate the crisis situation and pardon those who were involved in militancy by the President Yar'Adua led administration in 2009. However, the question of insincerity from the government, multinational oil companies, agencies and militants remains a burden undermining the amnesty implementation programme and its successes in post-amnesty Niger Delta. This seminar, therefore, examined the social impact of amnesty programme and its challenges on Niger Delta. Internet explorations, magazines, newspaper cut-outs, books and journals were the instruments of data collection. Suggestions for proper implementation of amnesty programme and developmental actualisation in the Niger Delta Region were proffered.

Keywords: Niger Delta, Crisis, Amnesty Programme, Nigeria

Introduction

The un-remitting agitations for better living condition of the Niger Delta people has turned the region to a prominent trouble spot of pipeline vandalism, kidnapping and armed struggles for more than three decades. The protracted nature of the crisis threatens the stability of the Nigerian economy and reflects implication of Nigeria's failure to diversify their economy. Indeed, over 90% of Nigeria's revenue is derived from the oil and gas of the Niger Delta region, which has recently reduced due to incessant and protracted militancy. Its attendant implication is national budgeting woes or shortcoming for the extant Nigeria State.

Meanwhile, long time before the emergence of incessant Niger Delta crisis and amnesty proclamation of President Yar' Adua's Administration, Ken Saro-Wiwa had predicted wars in the region. Incidents of unrests since then became doubled. There had been 150 to 325 civil unrests (Maier, 2000), which were as a result of poor living conditions. Leton (1995) "... woken up one day, our lands have been devastated by the agents of death called oil multinational companies, our atmosphere has been totally polluted, our land is degraded, our water has been contaminated, our trees have been poisoned so much that our flora and fauna are virtually disappeared. We are therefore asking for the restoration of our environment, and asking for basic necessities of life –water, electricity, education, and above all, we are asking for the rights of self-determination, so that we can be responsible for our resources and environment".

Similarly, the Nigerian National Petroleum Corporation (NNPC) inspectorate in 1994 stated that "...since inception of the oil industry in Nigeria, more than twenty-five years ago, there has been less concern and ineffective effort from the governments let alone the oil operators to control environmental problems associated with the oil industry activities". Ken Saro-Wiwa (1995) "government needs to pay royalty to the landlords of the oil mined land areas, and revenue allocation formula needs to be reviewed emphasising derivation. Citizens from the oil-bearing areas must be represented on the board of Directors of the oil

companies. Prospecting oil areas and communities bearing oil should be given equal participation in oil operation therein. The Niger Delta people must join the lucrative sales of crude oil. Only in this way can the cataclysm that builds up in the Delta be avoided. Is anyone listening?”

Hitherto, the Shell oil company responded to the Ken Saro-Wiwa's position in 1995 by saying that “government and not the oil companies have the responsibility of ensuring that promising revenues from the oil production are delivered to the local communities. The basic infrastructures are to be built and maintained by the government”. The Shell oil company accuses its critics of being responsible for exaggerating the amount of pollution caused by the oil production activities. According to the company, we have never denied that there are no environmental problems connected with the oil production operations, but we are committed to deal with them. Brain Anderson -the Sell Petroleum Development Company (SPDC) Managing Director in 1995, “we totally reject accusations of devastating Ogoni land or Niger Delta in general. This has been dramatised out of proportion. The total land we occupied for our oil operation and building of oil facilities, flow pipelines and roads is just 0.3 percent of the Niger Delta region. In Ogoni land, we acquire just 0.7 percent of the land area, and these are very small portion putting the land scale of Niger Delta's oil operation into firm perspective. In other words, sabotage remains a significant problem despite a wide spread awareness that there will be no compensation for such cases. Of all the annual average of 221 oil spills per year (between 1989 and 1995), shell blamed 28 percent of oil spills on sabotage (Anderson, 1995)”.

This statement consequently resulted into hostage takings of the main oil companies' workers by the youth in the region. Some self-organised groups made up of unemployed youth and men launched dozens of guerrilla actions against the oil flow stations –Shell, Texaco, Chevron, Mobil, Agip and sabotaged oil companies closer to them. By the late 1998, the unrest had sliced oil national production of two million barrels per day to one-third per day, which signified a monumental failure of Nigerian State to take care of its citizens. Decent jobs, clean water, functional health system and schools are dreams of the Niger Delta people. They feel short-changed of their wealth or resources for poverty. According to a Niger Delta front, “since government has failed to pay attention to our plights, the only way we can make the world know our situation is by kidnapping the oil workers and ransacking the oil facilities. The revenues derived from oil production are taken to Abuja by government officials to pay luxurious hotels, office buildings, sprawling commercial centre like Lagos and personal foreign bank accounts while our fishing catches and farming are going down seriously due to oil pollution and gas flaring (Abidde, 2009)”. In other words, there are other better ways of venting anger at what they considered neglects and repressions but ignored, ways such as: dialogue and negotiation should have been engaged.

However, there had been enough early warning signals before the manifestation of Niger Delta crisis. Early warning signal statements such as: (1) all oil companies must stop their explorations and exploitations in Ijaw area; (2) we are tired of gas flaring, oil spills, blowouts and labelling as saboteurs or terrorists, etc.; and (3) we reject this labelling, and therefore advise all the oil companies' staff and contractors to withdraw from Ijaw territories by 30th December, 1998, pending the resolution on all issues of resources ownership and control in Ijaw area are handled. According to the Militants, “this is a way of preparing for a noose of change we are yearning for”. But the Nigerian government and multi-national oil companies failed to take cognisance of this; instead, victimisations of oil producing areas agitating for better living condition were adopted. Human Rights Watch (1995) “... government troops entered towns and villages shooting at random. As the villagers were fleeing to the surrounding bush, soldiers and mobile police stormed their homes, broke their doors and made away with some of their valuable things. The villagers that crossed their paths including the children and elderly ones were severely beaten, forced to pay “settlement fee” (bribes) and their women were raped. The millions of dollars spent on dubious schemes and oil spills compensation by the oil companies and governments ended up in individual pockets of the state's elite. Corrupt government officials or middlemen siphoned the funds that were meant for development, and

brewed mis-feeling or lack of trust across the region. The divide and rule system of oil companies proliferated the crises as oil companies paid little attention to some oil communities and neglected others without help.

In other words, none of the successive regimes in Nigeria had made serious efforts in addressing the problems of Niger Delta before the late President Umaru Musa Yar'Adua that inaugurated amnesty programme on 25th June, 2009 for the Niger Delta militants. Amnesty programme forms one of his regime's cardinal point agenda implemented by a Presidential Technical Committee. His regime created Ministry of Niger Delta as one of its panaceas to ameliorate or manage Niger Delta crisis and its development problem. The problem was however accentuated by unsettled national questions embedded in the Nigerian federal system, citizenship, ethno-religious conflict and corrupt practices which have been asking whether the amnesty would address the issues of true federalism, quality service delivery, corrupt practices, poor leadership, youth unemployment, gender insensitivity and underdevelopment. That is, sustainable peace and security could not be achieved in the Niger Delta without the appropriate development plan and implementation. However, the study examined the social impact of amnesty programme on Niger Delta region. Its specific objective highlights and identified the prospects and challenges of amnesty implementation in the Niger Delta Region. Instruments of data collection were internet exploration, magazines, Newspaper cut-outs, books and journals.

Conceptual Classification

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 conceptualised 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 and 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 and 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 legitimising a regime and delegitimising 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, demobilisation, 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 demobilisation programme involves formal control and discharge of active combatants from armed forces

or armed groups. It provides support packages for the demobilised 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 bedevilled 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 bedevilled 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.

Theoretical Framework

This study examined and discussed post-amnesty situation in the Niger Delta by integrating human needs/strain and differential association theories. Human needs theory like frustration–aggression and

deprivation theories believes that all human beings have basic needs which they seek to fulfil, and denial or frustration of these needs by certain groups or individuals would amount to conflict and insecurity. In other words, the basic human needs are identity, physical, psychological, social, spiritual needs, etc., and providing access to one and denying or hindering access to others would make people resort to violence. Human needs for survival, protection, affection, understanding, participation, creativity, identity, etc. are shared by people; and are irrepressible. The basic needs are components such as recognition, identity, security and autonomy bonded by those features that are unable to give up easily no matter the extent which the political or social system tries to frustrate or suppress them. The theory identifies the needs deprivation as source of conflict and insecurity that must be addressed through amnesty programme.

In view of this, the strain school similarly explains the mainstream of human culture saturated with dreams as opportunity, freedom and prosperity. Merton (1957) opines that the dreams of self-actualisation prompt some people to powerful socio-cultural and psychological motivation. According to Merton, the dichotomy between what societies expect and what they actually get from social practices would amount to social deviance once the difference or gap is unacceptable to them. In other words, once a social structure of opportunities in a society is unequalled and preventing majority from realising their dreams, people affected would not hesitate to turn to illegitimate means (crime) of realising their dreams. They would acculturate subculture of deviance within the society. Such subcultures like gang settings, "hobos", traffickers, criminality, terrorism, kidnapping, hostage taking, etc. would become a common feature just as it was discussed by human needs, deprivation and frustration-aggression theories. The theory identifies needs, deprivation and frustration as causes of conflict, violent acts and criminality.

Likewise, the Differential Association theory was of the view that crime is a product of learning through interactions (Miller, 1941). It identifies social interactions and communication as central roles of learning processes; and that; criminal behaviours are acquired through interactions and participations in social relations, which are in line with the social learning theory views. In other words, social learning occurs through four processes, namely: close contacts, imitation of superiors, understanding of concepts and role model behaviours (Miller, 1941). The stages consist of three attributes that are observations, imitations and reinforcements. The three theories gave reasons for Niger Delta crisis, and since human beings are social elements that operate in socio-cultural contexts in terms of environment, interaction and learning, the Niger Delta people deserve better life and living conditions for peace to rein in the oil producing region of Nigeria. Their right to better living conditions had been long time trampled upon or denied by Nigerian state and multinationals. The region's developmental plans and processes had been overlooked too long by successive Nigerian regimes; and no one should be denied of his/her rights on the grounds of caste, creed, sex, language, region, ethnicity, culture, weakness, etc. Governance in the region should deter arbitrariness and underdevelopment. They should provide for human needs and civil liberties. Human security that guarantees easy access to human needs is synonymous with good governance and true federalism. Given the requisite analysis, the condition for peaceful co-existence in the Niger Delta requires human security, rule of law and true federalism. Amnesty programme needs to be properly implemented if there should be sustainable peace and security. Responsive governance addresses the question of true federalism. The Niger Delta people require better conditions of living from both government and oil companies.

Niger Delta Crisis and Amnesty Emergence

There is no doubt that the over-dependence on crude oil and gas by successive regimes in Nigeria for more than five decades had directly or indirectly brewed the problems of resource control and insecurity in Niger Delta. Along the line, the neglect of Niger Delta region for a long time in terms of human and infrastructural development by successive regimes and oil companies builds or accentuates different cases

of environmental degradation, pollution and violent activities. The sickening of the region coupled with non-regulated environmental activities by oil companies renders the Niger Delta inhabitable and poverty driven in terms of abuse of rights, repression, insecurity and oppression of oil producing communities by government agencies, oil companies, dominance of ethnic groups, obnoxious military decrees, states' edicts, socio-economic injustices and faulty Nigerian federal system.

Abidde (2009) submits that in fifty years, there have been three types of atrocities committed in the Niger Delta by the governments and oil companies. The first and foremost is the ecological devastation of the oil-producing communities, economic and socio-political exclusion and underdevelopment of the region. The second variable is unequal distribution of oil resources profit according to the acceptable international standards. The inhuman attacks of the citizens by the military and constant invasions of their territories are parts of sociological problems facing the region. They are denied of distributive justice, equal economic and political opportunities, true federalism and development. The region's crisis is a crisis of development and social deprivation (Gbadegesin, 2009 and Ogundiya, 2011). In other words, environmental degradation, water pollution and lower agricultural productivity triggered their armed struggles with the government and oil companies. The aforementioned factors worsened their living conditions and directly or indirectly metamorphosed into social insecurity and instability. The devastating effects of oil activities have not only affected their economy but also ecosystem. The effects are similarly having negative impacts on their socio-cultural system. Poverty, deprivation and poor living conditions intensify their crises. The land scarcity or overuse of certain portion of land due to oil spillage led to their soil impoverishment, which in return affects the quality and quantity of crops and aquatic resources. The lackadaisical attitudes of Nigerian leaders that fail to take cognisance of their needs triggered kidnapping scenarios, militant acts, killings, violent protest, pipeline vandalisation, etc., which equally led to the issues of resource control or oil derivation agitations that degenerated into divisions among the law makers at the National and State Assemblies. The incessant confrontation of oil companies by Niger Delta people shows that all is not well with the region.

Similarly, competition among the militants proliferate the problems of cultism and political violence. Cases of land disputes because of oil benefits and power struggles among the communities become a conduit pipe for war economy promoters. Some communities bear the brunt than others. The complicity of the international community on oil bunkering and transaction gains are parts of the complex problems creating dichotomy, divisions and agitations across the region. In other words, the successive regimes in Nigeria failed to be strategic on the Niger Delta affairs except one. The repressive nature of governance in the region metamorphosed into aggressive nature of the Niger Delta people. They have been experiencing series of inhuman miseries. Some have been killed while others were taken hostage (Adeoye, 2009 and Shobiye, 2009).

The aspects of the crisis were politically motivated and rooted in the internecine disputes of the communities. Their struggles for bigger slices of economic gains or political power proliferated intra and inter-ethnic group crises (Oguine, 2009). Along the line, their struggles for better living condition were hijacked by the shadow parties who were interested in their crisis due to selfish ends or vested economic gains. Shadow parties behind the political inspired and criminal insurgency in the region are the frustrated outset politicians sponsoring the militant groups (Ogbebulu, 2009). The insurgency groups divided into principled militants, opportunistic mercenaries and criminals (Soyinka, 2009). Their larger percentages are political thugs and cultists destabilising the region and served as tools in the hands of political stakeholders because of vested interests. While some rogue leaders are using government's resources to sponsor criminal gangs against the oil activities, some hoodlums are employed to silence, intimidate, terrorise and eliminate rivals. Armed gangs gained recognition through patronage and impunity of influential political stakeholders (Guttschuss, 2008).

More importantly, the over-centralisation of political power at the national is raising the question of true federalism, which has amounted to a deep gap between the government and Niger Delta people. While the Federal government is seeing the Niger Delta people as unpatriotic, criminals, saboteur, insurgent and enemy of progress, the oil companies is seeing them as militants, ingrates, trouble makers, kidnappers, criminals, etc. Similarly, the militants see government and oil companies as exploiters, oppressors and destroyers of their means of livelihood. Based on these suspicious attitudes and actions, the crisis in the region gets proliferated and protracted in nature. The militants see themselves as liberators and freedom fighters that were destined to liberate their people from the shackles of injustice and exploitation. Agitation for oil derivation or greater share of oil wealth, political autonomy and environmental clean-up are the tools used against the government, government agencies and security personnel. They constituted threats such as kidnappings and obstruction of oil productions that forms about 90 percent of Nigerian export earnings and weaken the national vital artery of economy. The youth often invade oil companies and take their workers hostage or vandalise their oil pipeline/facilities. The payment of ransoms stimulates the youth rampant disruptions of oil activities. In other words, the total supports of the oil producing communities are crucial to the success of Niger Delta amnesty programme.

The failure of Niger Delta Development Commission on its master plan and policy thrust inaugurated on 21st December, 2000 that stated "...to offer a lasting solution to the socio-economic difficulties of the Niger Delta Region, a mission that facilitates rapid sustainable development economically, socially, politically and ecologically will be carried out (NDDC, 2000)". But the unfortunate corrupt practices in the Commission undermine its vision and mission to the extent that much could not be said about the Commission in the Niger Delta. The necessary infrastructural facilities are given less attention across the oil producing communities. Unemployed youth became the musters that threaten security of life and property in the Niger Delta. Despite the huge allocations from federal, environmental pollution and degradation remained unabated. Ineffectiveness of NDDC culminated into amnesty proclamation by President Umaru Musa Yar' Adua in 2009. Those who have been in-charge of NDDC are just enriching themselves. They left the programme unimplemented appropriately.

That is, while the real agitators for development and resource control are feeling cheated and frustrated by the way their region is being treated, disgustful elements hijacked their agitations. Henceforth, it will take a serious human effort and development to disabuse and disarm the minds of Niger Delta people against the Nigerian State and oil companies. Their perceived injustice is gradually turning into greed. Peace and security have eluded the region (Ikporukpo, 2007). Till date, Nigerian government has not been able to ascertain the people who are behind the Niger Delta militancy. The development of the region requires a strong will of the political stakeholders at both the federal and state levels. The corrupt and frustrated politicians are behind the 2015 and 2016 Niger Delta avenger boys. The concept of Niger Delta development must be based or centred on human development and improvement, because, its features entail a full utilisation of human and natural resources for the betterment of human race (Chinsman, 1995). That was why Chief Jim Beeson Wiwa (Ken Sario Wiwa's Father) observed the following on Niger Delta situation:

"today Nigeria is shouting that they have made peace in the Niger Delta. What kind of peace? Our condition today is worse. Look at our children, see how they are? They have no better education, and yet, the major source of revenue comes from this region. Soldiers are everywhere. If we want to go to farm, you must pay them. You can see our health centre. What kind of peace is...? What a miserable life we are living. Most of the communities live in mud-brick houses. Hundreds of bare footed children and men loiter around the roads without anything doing. Despite the close proximity of the oil companies, there is no fuel to buy except black market at five times of the official price. The flame that burns twenty four hours every day constantly reminds us of how our resources are drained away every day. In return, we receive more of the harm than its benefits. Poverty is endemic in the region. Education and health services are primitively rendered. Few Niger Delta indigenes living closer to the oil companies' building enjoy most basic social services such as electricity and

potable water. The activities of the oil companies brought pipelines, flow stations, gas flaring and oil spills which combine with deterioration of fertile soil and poisonous oil cocktail of living condition. The immense wealth deposited in the region is to be seen but not to be touched or felt by the people of the region. The long-time neglect led to the formation of the Movement for Ogoni People Survival (MOSOP), National Youth Council of Ogoni (NYCOP), Ijaw Youth Council (IYC), MEND, etc.(Maier, 2000:)”.

However, the 1999 Constitution revenue allocation scheme allocated 13 percent derivation was appropriated to the region. But the leaders in the region have failed to justify or give account of their stewardship.

In other words, the development of the Niger Delta region cannot be achieved under a state of fragile peace, instability and crisis situation. The region's gravity of social crises and insecurity necessitated an adoption of certain developmental policies by Federal government and oil companies, which could be grouped into redistributive, re-organisational and regulatory paradigms (Ogundiya, 2001). Its redistributive policy should include infrastructural development such as hospital, construction of roads, schools, establishment of developmental board, intergovernmental relations, etc. But the redistribute approach of Nigerian government fails to meet-up with the expectation of oil producing communities. The Niger Delta Development Commission (NDDC) and other agencies failed the region. They are suffering from credibility problems. Their aim of propelling development and providing solutions for long age neglects failed to be brought into fruition. Its developmental re-organisation which was a creation of Niger Delta Ministry and its agencies are yet to be meaningful in dealings. Their developmental regulatory mechanism including constitutional review of the military decrees, edicts, status that are repressive policies have not been really replaced by democratic status. For instance, section 162 sub-section 2 of the 1999 constitution allocated 13% derivation to the Niger Delta region. The Decree 21 of 1992 that banned association of minority in the oil producing states and areas, etc. is yet to be expunged (Ogundiya, 2011).

United Nations Development Programme Nigeria (2006) indicates that some policies and programmes within the national development plans formulated to address minority problems, agitations and perceived marginalisation are yet to be fully implemented. The most recurring issue is that such policies are being pushed aside within the federal system. The first attempt to address their grievances was in 1957, when the colonial administration set-up Willink's Commission of Inquiry to investigate the fears of the minorities, and how they could be allayed. According to 1958 Willink Commission, the needs of those who live in the creeks and swamps of the Niger Delta are different from those in the interiors. To build in the area is very expensive. The destruction of natural environment such as land, water and air has become a big problem. Exploration of crude oil and gas flaring deprives people of their means of livelihood.

More importantly, in the 21st Century, the impact of the Niger Delta crisis on Nigerian economy has been so alarming and devastating. The falls in oil and gas revenues are parts of the consequences of Nigerian reliance on crude oil and gas. The closure of many oil wells has led to a sharp decline in government exchange earnings and results into poor budgeting (The Guardian Newspaper, 2009). The Presidential Technical Committee on amnesty programme in 2009 affirmed that Nigeria lost at least \$23.7 billion to the oil theft and saboteur in the first nine months of 2008. The Nigerian National Petroleum Corporation (NNPC) in 2009 also announced the short falls of revenues as follow: in 2008 oil revenue was \$2.2 billion monthly. In January 2009, it was reduced to about \$1billion. The Federal Government of Nigeria in 2009 similarly announced that in the first quarter of the year, about 1, 101,488 barrels of oil and 178.9 billion cubic feet of gas production were lost per day due to ugly trends of Niger Delta crisis (Adeoye, 2009).

All these invariably led to the inauguration of amnesty programme by late President Umaru Musa Yar'Adua in 2009. But its poor policy design affected the implementation. The issues of bureaucratic bottle-

necks and political corruption undermine its process. Gas flaring, oil spillage and rapacious destruction of ecosystem are yet to be abated. The insincerity of the Niger Delta people and negligence of the oil companies worsen the situation. In other words, the amnesty without a strict regulatory law of oil activities is a malady. Governments should stop paying lip service to the regulatory law of the oil activities. Issues of corrupt practices and flagrant looting of the oil treasury need to be seriously tackled. The region's crisis is not only degenerating into human tragedies, it has been creating economic crises as well as national insecurity, which in the long run causes human suffering and underdevelopment that proliferated poverty across the land. Complaint about water pollution is yet to be given a serious attention.

Amnesty and Post-Amnesty Situation in the Niger Delta Region

The Niger Delta Amnesty Programme's inauguration in 2009 stated that "inadequacies of previous attempts to meet up the yearning and aspirations of the Niger Delta people set in motion the machinery for sustainable development across the region. The need to restore peace, order and security which had eluded the region for more than three decades cannot be overemphasised (Yar Adua, 2009)". Meanwhile, x-raying the activities of Nigerian government on the amnesty programme shows that the fundamental problems of the Niger Delta region have not been seriously tackled. The sole interest of Nigerian government was to ensure un-hindered access to oil exploration and eradication of notorious or debilitating impacts of the Niger Delta crisis on national economy. The Yar'Adua's regime amnesty was not the first attempt to manage the crisis. Obasanjo's regime also did something similar to that effect but ended up in factionalised hostilities among the militants.

The Presidential Amnesty Programme Technical Committee in 2009 recommended disarmament, demobilisation, rehabilitation and reintegration of the militants. It emphasised human development, increase in oil revenue allocations to oil producing areas, improved infrastructure and human welfare services and establishment of long term development plan. That is, Nigerian government in 2009 declared unconditional amnesty or pardon for all militants with three kin implementation processes -Disarmament, Demobilisation and Reintegration phases (DDR). There is no doubt its disarmament phase had recorded some successes as many militants were turned out to surrender their weapons based on group and individual responses. They surrendered quantum ammunitions and weapons to the Federal Government Technical Committee on Amnesty Programme. Nigerian Television Authority (2010) a total number of 20,591 youth surrendered their ammunitions to embrace peace process, which later metamorphosed into 30,000 youth according to Presidential Technical Committee on the Amnesty Programme in 2012. The weapons and ammunitions submitted to the Presidential Amnesty Committee consist of 2760 arms of different classes and calibre, 287445 ammunitions, 3155 magazines, 1090 dynamite caps, 763 explosives and sticks of dynamite, and 18 gun boats.

However, the huge turnout of the militants might have been misconstrued as amnesty programme success. There are indications that some militants, particularly, the Movement for Emancipation of the Niger Delta (MEND) did not surrender their weapons. The detonations of bombs in March 2010 by MEND and Joint Revolutionary Council (JRC) of Niger Delta affirmed that amnesty programme has not been really a success. The over 1000 ex-militants that broke-off from Aluu Camp on 11th November, 2009 and invaded Port-Harcourt city in a violent demonstration claiming their allowances were not paid called for a re-evaluation or re-assessment of the Niger Delta Amnesty Programme in terms of processes and outcomes. According to militants, "we are tired of the nonsense and stupidity of the Federal Government Programme called amnesty or post-amnesty programme. It has failed to impact on us significantly (The Punch Newspaper, 2012)".

In other words, the apparent failure of the Presidential Committee on amnesty to secure confidence and trust of the repentant militants and oil producing communities indicated that there were laxities in its process, probably, due to lackadaisical attitudes of the Federal Government which failed to put credible people in-charge of the programme. Amnesty process (DDRR) started without a comprehensive detail or

clear peace agreement of those who were involved in negotiation. Its blueprint lacked basic peace agreements. According to a Federal Government Panel of Enquiry on amnesty Programme in January 2010, about 80% of the amnesty budget was expended on consultants, contractors and technical committee, and leaving just 20% of the budget for rehabilitation of the ex-militants. That is, much more resources were expended on the ex-militant commanders, Presidential Technical Committee on amnesty programme, consultants and contractors than the repentant militants that need helps. Their reintegration processes are yet to be holistically carried out and posing challenges to the success of amnesty programme. The programme is yet to be really helpful to the ex-militants. Many ex-militants are redundant doing nothing along the line (Igbuzor, 2009 and Ogundiya, 2011). Majority of them have not given up criminal tendencies. They are involved in kidnapping, pipeline vandalism, extortion, arm robbery, public assault for sustenance, etc., because, they cannot engage on oil bunkering, sea piracy and illegal arm dealings again.

According to Okerebia and Ekong (2013) ...specifically in River State on October 8, 2009, about four (4) ex-militants were caught flashing amnesty identity cards to a Mercedes Benz compelled the owner to drive them down to Azikiwe Street, Mile 2, Diobu in Port Harcourt City. On October 9, 2009 another ex-militant broke up a shop along Borokiri area of Port Harcourt City and made away with some valuable things that worth thousands of naira. The similar incidence occurred at No. 5, Victor Street, Old GRA, Port Harcourt. They were reported of imposing compulsory levies of N5, 000 to N10, 000.00 on some artisans operating along the major roads of Port Harcourt City. Such incidences were also reported in Bayelsa, Delta, Imo and Akwa Ibom States.

In another vein, the high consumptions of illicit drugs by ex-militants such as cannabis, Indian hemp, alcohol beverages and cigarettes are unfortunate activities of the ex-militant in post-amnesty period. The consumptions of these drugs are gradually proliferating in Port Harcourt streets in terms of sales and patronages. Some ex-militants used threat of letters to obtain illegal contracts, most especially, as private security outfit for oil companies. They collected contracts from oil companies to prevent attacks of their facilities. Some threatened local government administrators for ransoms or disrupting their activities when their demands are not met on time. Many of them are yet to denounce their membership as cultists. Bitter rivalries and revenge exist among them (Reuters, 2009). **In Yenagoa, Bayelsa State** – an ex-militant commander Seiyefa Gbereke was arrested by the Military Joint Task Force (JTF) sabotaging oil pipelines, oil wells, particularly, Agip manifold and trunk lines at Azagbene and Biseni communities and Shell Petroleum Development Corporation (SPDC) pipeline at Tuomo (Media Team, 2012).

Drawn on this, their rehabilitation process was not properly carried out. It lacks rehabilitation experts and basic facilities considering their level of mental and spiritual disdains. They need psychiatric or mental rehabilitation system. The delay in the payment of their stipend was also degenerating into threats (Adebayo, 2010). That is, the Niger Delta amnesty programme implementation has been carried out haphazardly. It has become a conduit pipe to some government officials for stealing. It requires a comprehensive review approach. There were cases of inadequacies in its designs and implementations. Obviously, the programme was solely designed as an easy access to crude oil and gas explorations. It is even alien to Nigerian Constitution. According to Nigerian Constitution, only those who have been convicted for a crime can be granted political pardon according to Section 175 subsection 1 (6) of Nigerian Constitution. Nevertheless, its proclamation has provided opportunities for dialogue, peace facilitation and reduction of illegal weapon circulations. It has given rooms for mutual communication and increased production of oil compare to the past in the Niger Delta region. However, it has not been able to address the fundamental issues on Niger Delta crisis which are human security and development, because, it is full of gross patch-patch that couples of stakeholders insincerity. The amnesty in the Niger Delta was a ripple effect of exploitative system and domineering of some ethnic groups that could be aptly described as “internal colonialism”. It was compounded by obnoxious petroleum decrees and status that have degenerated into environmental hardship (Suberu, 2011: 16). The achievement of sustainable or durable peace in Niger Delta is dicey without the effective management of resources.

Abidde (2009) “although thousands of guns and ammunitions have been submitted to the Presidential Amnesty Technical Committee, there is no assurance that sustainable peace and development would be achieved. The dozens of genuine and not genuine fighters may have been given “pilgrimages” to Abuja and elsewhere on rehabilitation. There are tendencies of resurgence of violence in the Niger Delta, because, government does not have proper plans for them. The government has simply failed to know what to do or how to handle this issue”. The successful restoration of sustainable peace requires an in-depth understanding of Niger Delta people and their situations. The 2015 and 2016 rampant Niger Delta avengers in post-amnesty situation are crystal cleared of their nature, characteristics, compositions and landscaping visibility (Guttschuss, 2008). The Nigerian leaders are directly or indirectly sensitising Niger Delta region to crisis situation through their selfish interests and corrupt practices. The psychopathic make-up of British colonialism is still engraved in Nigerian social order. There is less political will to correct the mistakes of the colonial masters or military mis-governed leadership, which are largely responsible for the incessant and protracted crisis nature of the Niger Delta. That is, before amnesty programme could achieve success in Niger Delta, Nigerian Constitution needs to be reviewed. The question of true federalism should be sought out. This is because true federalism is an undoubtedly antidote of persistent crisis in Niger Delta.

Moreover, in spite of huge allocation of resources for the Niger Delta amnesty, the programme is full of inadequacies in terms of poor coordination, corrupt practices, mismanagement of resources, register falsifications, unable to pay allowances of the ex-militants, poor skill acquisition programmes and insufficient training facilities. That was why the 2014 civil society reports faulted the government on implementation, and states thus:

- i. The 80% of the amnesty programme fund spent on consultants, contractors and leaves the ex-militants who are beneficiaries with just 20%;
- ii. The amnesty programme plan has failed to take cognisance of those who were indirectly affected and traumatised by Niger Delta crisis, especially, those who lost their means of livelihood and bread winners as dead militants, such as: fathers, mothers, wives, children and siblings;
- iii. The status of the training given to the repentant militants fell far short of acceptable standards. It can neither be certified nor awarded as an acceptable institution certificate;
- iv. Most of their training camps or centres are inadequately facilitated for proper impartation of knowledge and skills;
- v. the 30,000 numbers of repentant militants recorded by the Presidential Amnesty Technical Committee were over bloated estimate;
- vi. The repentant militants require further academic education to get better;
- vii. The Niger Delta amnesty programme's documents lack evaluation and monitoring phases or frameworks; and
- viii. The parameters of measuring its success or failure were not defined nor included in its documents (Ogbu, 2014).

In other words, the sum of 20 million naira proposed by the Presidential Amnesty Technical Committee for hall rentals and 6.750 billion naira for accommodation were outrageous, and could be used to rebuild the whole destroyed communities in the Niger Delta and set up some skills acquisition centres for beneficiaries. The Presidential Amnesty Technical Committee documents contradicted themselves in the areas of activities and target groups. There was no need for five hundred million naira (₦500m) estimated for the process. The amnesty process and implementation contradicted themselves along the line. There is need for proper monitoring and evaluation of this exercise, if the aim and objective of the programme would be achieved.

Conclusion and Recommendation

Given the requisite analysis, it is evident that a long time neglect of the Niger Delta transformed its youth to militant nature and constitutes cases of insecurity and crimes proliferation across the region. The Region's Amnesty Programme has not been sincerely implemented. Activities of the Presidential Technical Committee on the amnesty are yet to be carefully evaluated and scrutinised. Issues of corrupt practices, mismanagement of resources and falsification of documents undermine its achievement. The people in the region have not given maximum supports for the success of the amnesty programme. Hence, from all indications, the Federal Government of Nigeria has just realised the need to tackle the crisis seriously for it not lose its oil revenues totally. The activities of all its agencies on Niger Delta have been called for more to be desired. All its previous attempts to manage the crises had not been brought into fruition. Serious effort is henceforth required to make the crises in the Niger Delta a thing of the past.

The following measures are suggested for proper implementation of amnesty programme and achievement of sustainable peace in Niger Delta, which is hoped, would reduce the rates of incessant and protracted insecurity, poverty and crime proliferations in the region. To facilitate sustainable peace, security and development required an atmosphere that is free of crimes, illegal arms and weapons trafficking/proliferation. Hence, the following specific recommendations are proffered:

- i. There is need for comprehensive definition of amnesty frameworks and functions that involve sectors or agencies in terms of long term support system and implementation;
- ii. Substantial investment should be carried out on human development, training and empowerment;
- iii. Oil producing community leaders, village heads and local government should be engaged advisory roles;
- iv. Sensitive cultural compositions that facilitate mutual understandings and benefits among the Niger Delta people should be employed to manage their crises;
- v. Infrastructural facilities that improved human development should be jointly provided by oil companies, state and federal governments across the region;
- vi. There is need for rule of law that guarantees fair distribution of resources and justice;
- vii. True federalism that allocates more revenue to the locality where resources are situated should be upheld;
- viii. Activities of government should entrust trust and confidence building in all the dealings;
- ix. There is need for periodic evaluation of amnesty programme implementation in the Niger Delta Region;
- x. Presidential Technical Committee on Amnesty implementation in the Niger Delta need to be transparent and accountable in all ratifications; and
- xi. Good leadership roles and job opportunities should be ensured to prevent further proliferation of social crises in the Region.

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