

**AMNESTY TO NIGER DELTA MILITANTS  
AND OPPORTUNITIES FOR FUTURE PEACE MISSIONS IN  
NIGERIA**

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**ABSTRACT**

*The Niger Delta militants' disposition against the Federal Government of Nigeria and the oil firms coupled with international pressures compelled the federal government to grant amnesty to the Niger Delta militants. The amnesty deal is a desperate effort by the Nigerian state to end the Niger Delta crisis, and thereby restore some dignity and pride to itself. This study therefore investigates the nature and character of the amnesty deal, examine the rationale behind it with the objective to find out reasons why the amnesty deal may not work and proffer solutions that can help sustain and strengthen the programme for peace to reign in the Niger delta and Nigeria.*

**INTRODUCTION**

Since the independence of Nigeria in 1960, the Niger Delta region has contributed tremendously to the development of the country from Lagos to Abuja. Abuja showcases enviable infrastructures, good roads and amiable environment yet; there is no human, environmental or infrastructural development from the area that produces the oil and gas which account for 90 percent of Nigerian foreign exchange (Tell magazine, July 13, 2009 p. 25). Consequently, over the years, the elites of the area have been into a civil agitation

against marginalization. Isaac Boro, a foremost freedom fighter from the Niger Delta area was imprisoned, while a prominent writer and environmental rights activist, Ken Saro Wiwa, who used the Ogoni as a case study to protest against the injustice meted on the Niger Delta area was executed by the federal government in a very provoking manner, This action infused fear and restraint on the elites of the region in their continued struggle against marginalization.

The two million - man march that was organized by Daniel Kalu for late Sani Abacha's regime was aimed at Abacha's transformation from a military ruler to a civilian President raised the Niger Delta militant struggle to a higher dimension.

The two million - man march in which youths were mobilized from all states of the federation, exposed the youths of Niger Delta, especially those from Ijaw extraction to feel too marginalized after seeing the aesthetic beauty of Abuja - a new city that was developed with the oil and gas money from the Niger Delta. This renewed feeling of marginalization by the Ijaw youths motivated them to protest against the federal Government and the oil Companies through the famous Kaiyama declaration of 11th December, 1998. One of the crucial resolutions at Kaiyama was to order all oil producing companies to vacate the region latest 30th December 1998. It was in this frenzied atmosphere that the democratic process resumed in Nigeria in 1999. The politicians shopped for thugs and provided those guns that were used to intimidate political opponents and rig elections. After the election, the arms were still in the hands of the thugs. This situation boosted the ego and preparedness of the youths in their bid to confront the federal government and oil firms to protest the marginalization of the Niger delta area. In a bid to pursue their course, miscreants were recruited to execute "dirty jobs" that will force out money to sustain the struggle.

The militant disposition of the Niger Delta against the Federal government of Nigeria and the oil firms coupled with international pressures compelled the Federal Government to grant Amnesty to the Niger Delta militants. Thereafter, the President of the Federal Government of Nigeria announced the Amnesty deal to the Niger Delta militants on 25<sup>th</sup> of June 2009. Since then, there has been a lot of controversial arguments and confusion on the prospect of the amnesty to sustain the peace in the Niger delta region. The focus of this paper is to find out reasons why the amnesty deal may not work

and proffer solutions that can sustain the amnesty, and bring peace to reign in the Niger delta and Nigeria by extension. It is the contention of the authors to advocate for "a better Niger Delta for a greater Nigeria". Therefore, if Nigerian leaders are patriotic enough and wish Nigeria's greatness to blossom, they should be sincere in the way and manner they sow the seeds of peace and development in the Niger Delta region.

The amnesty received mixed reactions. There are some misgivings that it could be a panic measure by the Presidency to calm all nerves. (Tell magazine JULY 13, 2009 p.24). Though in his statement, retired Major General Godwin Abbe, the Chairman of the Presidential Panel on Disarmament and Amnesty to the militants in the Niger Delta said "that the government is sincere in implementing the programme of amnesty" (ibid p. 24). How do we ensure mutual trust between the government and the militants? How can a platform for peace be created and sustained? What are the threats to the successful implementation of the amnesty? How can we make the amnesty programme to be successful? These are the challenges of this paper.

### **Theoretical Framework**

The theoretical framework for this study is the functionalist theory. Functionalism is one of the approaches for "studying politics which concentrates on the functions which any political system must perform if it is to survive and operate effectively" (Chaturvi, 2006: 124). Even though specifying the anticipated functions is problematic, the approach is accepted as a framework for analyzing revolutionary changes that concentrate on government's inability to discharge functions and duties expected of it (Chaturvi, 2009: 124). '

The implication here is that functionalists believe that institutions and organizations have functions and obligations to discharge and this justifies their existence. Functionalists conceptualize the system that is comprised of interdependent components: the effective and efficient functioning of which is a pre-condition for proper and orderly existence of the system. Indeed, it is predicated on an organic analogy (Thompson and Hickey, 1996: 24). Functionalists stress concepts such as stability, equilibrium, harmony, latent and manifest functions, and homeostasis, amongst others. The functionalist perspective is almost the opposite of the conflict framework. Functionalism contends that the society is held together by consensus because "most people agree

on what is best for the society and work together to ensure that the social system runs smoothly" (Thomas, 1995: 13). Consensus usually emerges out of the customs and conventions of the society, and may find expression in the constitutional and legal framework of the state.

Following from the above, we can safely assume that the Nigerian state has in place, constitutional, legal and administrative framework for maintaining law and order and tackling demands made on the state by individuals and organizations within the state. In the remaining segment of this study, we shall examine the strength of the structures put in place, their capacity and ability to handle the tasks assigned to them, and their ability to adjust and accommodate stress and challenges.

### **Definition of key terms**

**Amnesty:** Is defined as a legislative or executive act by which state restores those who may have been guilty of offences against it to the position of innocence (The guardian, Sunday, November 8,2009:72). Amnesty is a situation of general pardon for, especially, those who have committed political crime. It is a prosecution free period, a period which crimes can be admitted or illegal weapons handed in without prosecution.

**Militancy:** An English dictionary sees militancy as the act of using, or the preparedness to use force or strong pressure to achieve one's aims, especially to effect social and political change (Oxford Advanced Learners Dictionary). The major point here is that the militant, or indeed, the act of militancy itself is a goal oriented venture-the primary objective is to effect social-political change in a direction, they feel, will benefit them better than the status quo ante. Militancy is therefore a struggle for those who engage in it as a liberation movement. Thus, Isaac Boro, giving his 'marching orders' to his troops on February 23, 1966, told them:

*"Therefore remember your seventy-year old Grandmother who still farms before she eats; remember also your poverty stricken people; remember too your petroleum which is being pumped out daily from your veins, and then fight for your freedom" (Boro, 1982: 116-117).*

Militants often use "rudimentary military technology and relatively rudimentary military organization" (Mazrui, 1977: 179), but are able to achieve more remarkable non-

military victories. The Mau Mau revolt in Kenya suffered a crushing military defeat due to the inferiority of arms and strategy. Yet, significant non- military successes were achieved. Mazui (1977: 190-191) contended that without the Mau Mau rebellion, "the era of Kenya under the domination of white settlers would have been substantially prolonged".

### **Emergence of the Niger Delta Militants**

Given the tempo and intensity of militant activities and operations from about 2001 to date, there is the mistaken belief in many quarters that militancy is a recent development in the Niger Delta. The militant group led by the late major Isaac Adaka Boro, known as the Niger Delta Volunteer Service, actually operated in the Niger Delta in 1996. The Niger Delta Volunteer Force led by Asari Dokubo presently is only an attempt by elements of the current struggle to gain widespread acceptance by referring to the pioneer militant group in the region. However it must be understood that the emergence of militancy in the region was a reaction of the people to the failure of peaceful means to address the neglect and suppression felt in the region. Leaders in the region made representations to the federal government with a view to righting the wrongs. For instance, the leaders of the region, along with other minority groups called on the colonial authorities to create states before granting the country political independence, believing that the exercise will help to reduce the degree of marginalization in the region. The Willink Commission which was set up by the colonial authorities to investigate the fears of the minorities, while agreeing that the minorities fears were real and factual, recommended a two-prong approach to address the plight of the minorities, especially the Niger Delta's.

It called for the inclusion of fundamental human rights in the 1960 and 1963 Constitutions. Section 159 of the Republican Constitution created the Niger Delta Development Board while chapter three of the same constitution dealt with fundamental rights (Constitution of the Federation, 1963). Evidently, these constitutional provisions failed, and so, prompted the emergence of militancy in the Niger Delta. Observations however indicate the existence of other pre-disposing factors. In 1990, a community in Rivers State, Umuechem, protested peacefully against their neglect and destruction of their environment by Shell. The state unleashed its agents of coercion and violence on the

defenseless people of the community which led to the loss of lives and properties.

Another predisposing factor was the execution of Ken Saro Wiwa, the leader of the Movement for the Survival of the Ogoni People (MOSOP) in November 1995 by the military administration of Gen. Sani Abacha. Saro Wiwa was convicted on trump up charges of murder of nine Ogoni leaders. However, many people saw the conviction and hasty execution as a ploy by the state to get rid of Ken Saro Wiwa who led an Ogoni revolt against marginalization and neglect of his people and the destruction of the Ogoni environment by irresponsible approach to oil exploitation in the area. This singular act, i.e. the conviction and execution of Ken Saro Wiwa, led to series of revolts against the federal government.

There is however, a paradox that accentuated militancy in the region beginning from about 1999. The military decided to hand over power to the civilians in 1999 after many years of military rule. The then Head of State, General Sani Abacha in a bid to transform himself from military ruler to a civilian President mobilized people to display his support base - to enjoy some advantages in the negotiations for political power and position. This demanded taking young people from the villages in the Niger Delta to a famous two million man march, requesting General Abacha to transform to civilian President. The youths, especially those of the Ijaw extraction were dazzled by the beauty and splendor of Abuja.

The magnificence of Abuja contrasted sharply with the poverty and squalor of their forgotten communities in the Niger Delta. Yet, it is a common knowledge that Abuja was built with oil money from the Niger Delta - money made from, as Boro (1978) put it, "petroleum which is being pumped out daily from your veins". Those trips to Abuja became an eye opener to the possibilities of development in the Niger Delta. Militancy became a vehicle for calling the federal authorities to order, to prevail on the government to do in the Niger Delta what it did in Abuja. This recent consciousness led to an organized clandestine youth convention at Kaiyama in Bayelsa states, a meeting which led to the historic Kaiyama declaration. It was one of the historical landmarks that led to the emergence of youth violence which later metamorphosed into militant groups and the use of violence to prosecute the Niger Delta struggle.

### **Operations and activities of militants & state response**

(Jega, 2007:222), contends that unsafe oil exploitation methods, neglect and marginalization of Niger Delta communities led to increased anger in the region, and produced a proclivity towards militancy. Thus "between 1990 and 1999, at least 24 of such groups were formed, which have intensified struggles, often with violent outcomes, against the companies and federal and state agents and agencies, such as the police and the armed forces." The initial stages of the struggle witnessed limited military operations but more of declarations characterized by self-assertion, demands for resource control and greater local autonomy. The number of groups and modis operanda changed before long.

### **Government initiatives to address the Niger Delta Crisis**

The response of the state to the agitation in the Niger Delta is as old as the agitation itself. In the First Republic (1960-1966), the Niger Delta Development Board was the reaction of the federal government to the demands for states creation and development in the region. The board died alongside the first republic in January 1966, following the first execution of the first military coup in Nigeria. As already indicated in this presentation, the Niger Delta Volunteer Service, led by Isaac Adaka Boro, took up arms against the federal government, declaring a Republic of Niger Delta. The response of the state was a military expedition against the "rebels" which achieved the ultimate aim of uprooting the insurrectionists. The aggrieved Niger Delta thereafter decided to avail themselves of political, administrative and constitutional means of seeking redress. One of the outcomes of this approach was the creation of states in the region; beginning from 1967. Rivers, Cross River, Akwa Ibom, Bayelsa, and Delta states could be described as products of the process of redress. In addition, the federal government, which had hitherto centralized revenue under its control, began to make room for derivation as a principle for sharing petroleum revenue. There has been a progressive increase in the percentage going to derivation –1%, 3%, 3%, and now 13%.

The bottled up tensions in the Niger Delta were vented and given violent expression following the reinstatement of civil rule in 1999. The response of the state to this spate of agitation has been varied. The federal government created the joint (military) task force, JTF, to contain/checkmate the armed struggle in the region. The confrontation

between militants and the JTF left in its trail loss of military, militant and civilian lives, as well as the destruction of communities in some instances.

The Niger Delta became a theatre of war, manifesting all the characteristics of the Hobbesian state of nature. The heightened agitation of the conflict in the Niger Delta, and the internationalization of the struggle (through attacks on the oil infrastructure and kidnapping of foreigners) forced the federal government to rethink its position on the Niger Delta agitation. Government was forced to consider non-military options. The amnesty offer is one of the non-military options, though not the first. The administration of Gen. Ibrahim Babangida created the Oil Mineral Producing Areas Development Commission (OMPADEC) to address the issue of development in the oil producing areas. Headed by Chief A.K Horsfall, OMPADEC made a bold attempt to discharge its mandate as best as it could under the circumstances prevailing at the time.

However it was a typical Nigerian institution; internal jealousy and conflicts within its rank and file, as well as the lack of political and financial will on the part of the federal government killed the Commission. The civilian administration of Chief Olusegun Obasanjo bought the idea of using another Commission to address development issues in the region. He set up the Niger Delta Development Commission (NDDC) - much like the defunct Niger Delta Development Board that existed in the first Republic. Evaluating the work of the NDDC is certainly outside the purview of this study; however, one can note in passing that the inability of the commission to reduce the outcry of Niger Deltans implies that it has yet failed to meet the expectations of the people. Several committees and technical committees such as the technical committee on the Niger Delta chaired by Ledum Mitee, the President of the Movement for Survival of Ogoni people (MOSOP) were put in place by the Federal Government as a confidence building measure. As already stated in this study, the granting of amnesty to the militants is the latest in the attempts to address the agitation in the Niger Delta. We have argued in our introduction that the amnesty programme will fail. The reason for our position is obvious. All attempts at resolving the Niger Delta crises, from independence to date have a predictable pattern. All of them have failed, and there is no reason to believe that the amnesty programme will not follow this path, after-all, and the entire institutional,

constitutional, administrative and legal framework has not been altered in any significant way.

### **Challenges of the amnesty programme**

The amnesty is faced with several challenges that threaten its success and endurance. The challenges are:

**Bureaucratic lethargy:** The institutional and administrative environment of Nigeria has not changed. What made previous attempts at Niger Delta development to fail is already at work, the sociology of development and political will to implement government programmes has not changed. When the federal government announced amnesty in June 2009, they disclosed that the sum of N50 billion naira had been earmarked for the implementation of the programme. The mere mention of the amount of money is already creating problems. The militants, who have embraced Amnesty, it appears, are principally interested in getting their cut of the amnesty money. Each participating militant (or ex-militant as they are called under the amnesty programme) is entitled to 65,000 naira a month. When the payments will cease is not clear, but the militants have already carried out several violent protests as a result of delays in the disbursement of the funds.

**The Substance of the Re-orientation programme:** How do we change the attitude of these ex-militants engaged in amnesty deal? What is the content of the re-orientation programme, how knowledgeable and skillful are their facilitators, can skills and knowledge acquired in the orientation camp equipped them with necessary skill to deal with conflict situation that confront them either in their personal life's or within their various communities? Can the programme impact on the attitudinal change of their character and approach to issues? These fears has been necessitated due to the rancorous reaction of the ex-militant that are camped whenever they feel aggrieved or challenge with the process of re-orientation or nonpayment of their allowance on time.

### **Identification of the militants**

Unemployed youths who are not militants in other for them to benefit from the monthly remuneration of sixty five (65,000) thousand naira per month claim to be militants, while the real militant may be looking for bed space within the camp. If the real

militants that need to be rehabilitated are not properly identified to avail themselves of the rehabilitation exercise, the amnesty programme will be jeopardized.

### **Expediting infrastructural Development within the Niger Delta area:**

Neglect, marginalization of the people and the area is one of the root causes of militancy. Can the federal government expedite the development of physical infrastructures, and social amenities in the Niger Delta region within a short possible time? The amnesty programme should be a comprehensive and sustainable package. It should not only seek to collect guns from the militants and pay them their monthly stipend, but should be sincere in effecting infrastructural development and positioning social amenities that will assist to boost the environment in which the people live.

**Preventing the Ex-militants from being used as political thugs:** is a major challenge to the Amnesty programme. Politicians should be prevented from the use of thugs in the subsequent approaching election. The content of the re-orientation programme should be rich and focused enough in order to change the orientation and psyche of the militants from violent dispositions and the use of force in settling scores. There is great need to de-politicize the Amnesty programme. It should not be seen as a political party affair or a game of political adventure, but rather as a societal problem, civil organization group should be used to re-orient these militants.

Another challenge is that of evolving a workable strategy to address the issues raised. Weeks after the expiration of the amnesty deadline, and the embracing of amnesty by over 15,000 militants, the Federal Government has not come out with a comprehensive post-amnesty programme. Frustrations have started manifesting as shown in the various riots and protests carried out since the end of the amnesty - Yenagoa has been shut down several times by the militants who have embraced peace including one on Friday, September 25, 2009. Those camped at the Citizenship and Leadership Training Centre, Aluu, Rivers State, went on rampage on Monday, 16th November 2009, disrupting academic programmes at the neighboring University of Port Harcourt (there were reported cases of rape, theft, and assault) and blocking traffic on the Choba Junction of East-West Road. These are early warnings on the non-workable of the amnesty. The Nigerian state has shown itself repeatedly as being Incapable of tackling such challenges.

## **Strengthening the Amnesty programme**

It is true that the Amnesty programme is not an end in itself but a means to an end. It will be worse for our national security for the militants to surrender their arms and be constrained to go back to the Creek. Therefore, making the Amnesty to achieve its purpose is a responsibility of Nigerians and the International Community. To make the amnesty succeed, the researchers recommend the following in other to strengthen the programme. These are:

- **Good Governance:** Bad governance is being increasingly regarded as one of the root causes of all civil strife within our societies (United Nation Economic and Social Commission for Asia and the Pacific, "what is good governance?" 2009). Nigeria needs a government that is participatory, consensus oriented, accountable, transparent, responsive, effective and efficient, equitable and inclusive and follows the rule of law. Nigerian government should assure that corruption is minimized, the views of minorities are taken into account and that the voices of the most vulnerable in society are heard in decision making. Government should be responsive to the present and future needs of the society. Agitation in Nigeria is a result of poor governance and failure of government to live up to their expectation. Good governance will reduce the excesses of leaders, their bias, nepotism, corruption, and strengthen them and their policies. In this case, diverted and looted funds will be deterred and its proceeds used for development projects that will impact on the daily lives and living standard of the masses.
- **Political Reform:** The Niger Delta cry is a product of Nigerian political situation and so, its associated problems must be tackled politically. Nigerian constitution provides for federalism as a form of her government structure. But in practice, reverse is the case. A true federal system of government should be practiced in Nigeria where the principles of subsidiarity in which people who have resources use some for their self-development. In Nigeria power and governance responsibilities are not, decentralized, the central government bears all the problems of governance and development while the States are not positioned to

manage their resources and to compete and trade among themselves. The political system Nigeria is operating will not make her grow; neither will it lead to good governance nor reduce corruption. More so, the imposition of candidates by political parties on their people is another gray aspect of our political practice that needs to be properly checkmated. This approach leads to agitation and lack of legitimacy of the said imposed candidate. Parties should endeavor to conduct transparent primary elections among contending candidates.

- **Resource Control:** Decentralization of our natural resources is a key factor to strengthening the Amnesty programme and the rapid development of the country. Nigeria has over concentrated her foreign exchange earnings and her economy on oil and gas hence abandons all other resources like solid minerals- gold, diamond, bitumen, coal, palm oil and its fruits, even agriculture and food processing, etc. This over concentration narrows our economic development and reduces employment opportunities for her growing youth. Government idea of owning everything that is under the ground is completely outdated. It deters effective utilization of her natural resources, growth and development of her economy and people.
- **Involving the various militant camp commandants**  
In the post Amnesty programme, this will assist in the genuine identification, control and discipline of the Ex-Militants including commitment in undergoing an orientation and regimentation programme.
- The **location of the rehabilitation centre** should be inside a military formation; this will facilitate regimentations and project the civil populace from unnecessary harassment by the ex-militants. The ex-militant cannot change their crude behavior and approach to issues but with time and competent facilitators, they can be gradually reformed and transformed. In addition to this, the arm of the military that is responsible for the rehabilitation of the army when they are about to be retired, should be involved in the training exercise.
- **Quality of the facilitators:** People with requisite knowledge and experience on society and human behavior should be recruited as facilitators. Social scientists should be used to train and rehabilitate the militants. In a situation where the ex-

militants will display unruly behavior after they have been camped for over six weeks is an indication that their re-orientation programme is questionable. The militants should be thought (emotional intelligence) to be patient and diplomatic in their approach to issues and equipped with skills on conflict resolution. United Nations agencies and other international and regional organizations should be involved in re-habilitating ex-militants.

**Depoliticize the amnesty programme** by involving NGOs and civil organization. There should be public private partnership between the federal government and other competent bodies to train and employ militants who display good profession skills.

### **Conclusion**

The Niger Delta crisis is a political situation which must be tackled politically. The theoretical framework of functionalism conceptualize the state as a system comprised of interdependent components whose effective and efficient functioning is a pre-condition for proper and orderly existence of the system. The provision of the constitution or the legal framework on federalism should be practiced in its decentralized form. Federalism is a system of component parts vis-a-vis the society, all the parts of federalism must be allowed to function effectively. When federalism is centralized in practice, there will be no consensus hence the nation/state cannot run smoothly. In the same pattern, resources allocation should be decentralized to create healthy competition amongst the states of Nigeria. The area or people that produce the resources should use the resources to primarily develop her area and people. It can pay a certain percentage of her income to the federal government for federal upkeep in servicing her National defense and security, and sustain and promote her foreign relations. The Amnesty deal is a desperate effort by the Nigerian State to end the Niger Delta Crises and thereby restore some dignity and pride to itself. The paper contend that Amnesty deal is not an end itself that can end the conflict but, a means to ending the crises.

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