

**ASSESSMENT OF AMNESTY POLICY IN NIGERIA  
UNDER PRESIDENT UMAR MUSA YARADUA'S  
ADMINISTRATION**

**By**

**Alabi Abdullahi**

Department of Politics and Governance,  
Kwara State University,  
Email: [maletealabi.abdullahi@kwasu.edu.ng](mailto:maletealabi.abdullahi@kwasu.edu.ng)

**ABSTRACT**

An amnesty deal in Niger Delta offered during Yar'adua administration was aimed at reducing the state of lingering unrest in the oil rich region. The region is indeed the cash cow of the nation where the chunk of revenue is realized. The incessant neglect over the years of the oil rich communities by the federal government has spurred agitation for resource control. The study assesses the effectiveness of the policy in relation to the policy thrust. It adopts secondary source of data through the use of textbooks, journals, internet among others. The paper infers that, the policy had failed to achieve its objectives since the restiveness among Niger Delta Youths remain unabated. The study concludes that the government must be proactive and strengthen the enforcement institutions to be able to live up to expectation.

## **INTRODUCTION**

Amnesty policy was a mechanism sought by late President Yaradu'a as a political solution to the problem of agitation by the people of Niger-Delta for the loss of what they referred to as environmental degradation and resource control which according to Nwaodike and Ebienfa (2010) referred to fuelling the state violence that has resulted in the militant approach by the youths in the region. Since 2006, these, little known militant group have emerged in Nigeria's oil Niger-Delta, making life difficult for the Nigerian government and the oil companies in the region. Their activities include errant violent movement, sea piracy and bunkering of oil installations, communal clashes. Although there were various policies adopted by the government since the discovery of oil as a major revenue drive in Nigeria, such policies could be traced to the master plan that established the Niger-Delta ministry, derivation principle in the allocation of revenue that gave larger shares to the communities where the oil is found. However, the amnesty policy clearly represents a victory for short-term crisis management over resolution or transformation. Omotola (2010) acknowledged the fact that policy granted amnesty to all persons who have been directly or indirectly involved in militant activities in the Niger-Delta from the date of the pronouncement of the policy, militants were given a 60-day period to lay down their arms. Though before the amnesty policy, militant activities covered a whole grant of

events ranging from kidnaping of expatriates and even Nigeria workers in the oil sector, blowing up of flow stations and sundries which sometimes bordered on criminality. The implications of these militant activities, among others, are social instability, tension in the region and loss of oil and gas resources by the federal government of Nigeria and the oil and gas companies.

In an effort to bring peace and free flow of oil in the region, the federal government under the presidency of late Yaradu'a in 2008 initiated an amnesty programme for all militants in the region. The policy thrusts of the policy programme are to required militants to surrender their arms and in turn are pardoned for their activities (Chukwu and Oben, 2010). In spite the fact that the policy was structured, and the implementation was immediate, yet the militia actions is still prevailing in the region. In the final analysis, the work is designed to examine the reasons why the policy failed to achieve its objectives, effort was put in place to offer recommendations that will enhance good result of policy implementation. The Niger-Delta region is rich in oil and gas resources and also rich in diversity of it flora and fauna, the region like other parts is poor in terms of amenities and infrastructures. (Tell Magazine, 2007). The Nigeria infrastructural crisis does not seem to respect natural resources endowment. In spite of this, the Niger Delta case, is the of oppressive, exploitative, and discriminative

policies of the federal government aimed at marginalizing and rendering irrelevant, the people of the Niger Delta (Oloya and Ugbeyavwighren, 2009). This is to the extent that the Niger Delta may be considered as the proverbial goose that lays the golden egg. The grouse of the people of the region seems to be that the goose is treated with disdain and may even be faced with the risk of death. Osaghae sums up the problem of the region very nicely. According to him, although the bulk of the crude oil, Nigeria's main source of revenue is derived from the Niger Delta, the region belongs to the ranks of the most backward and politically marginalised groups in the country (Osaghae, 1995). The picture of infrastructural neglect painted above is made worse by the menace of environmental degradation. This largely unintended consequence of oil exploration activities is a threat to the livelihood of majority of the inhabitants of the region. The devastation caused by oil spillage and gas flaring has made it virtually impossible for the people to eke out a living. As Ajaero argues, exploration activities have led in some cases to the "systematic debasement and assault on the oil communities leading to the collapse of the eco-system in some areas, and to negative impact in terms of livelihood of the people and the survival strategies they have designed for generations" (Ajaero, 2008).

The Niger Deltans have expressed dysphoria and discontent of their conditions through several peaceful means including

appeals, petitions and litigation. Unfortunately the Nigerian state has not adequately shown any sympathy for this affliction. Being so angst about their future consequent upon the state's irresponsible response to their plight the Niger Delta youths resorted to violent actions to register their anger. This is what is today referred to as militancy in the region. 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. Yar'Adua stated that "with a view to engendering lasting peace in the area, we proclaimed a general amnesty... on this day and in the spirit of rededication, we renew our commitment to confronting the challenges of critical infrastructure in the Niger Delta, food security, security of lives and properties, human capital development, land tenure and wealth creation" (The Guardian, October 2, 2009).

The amnesty clearly represents a victory for short-term crisis management over resolution or transformation. The amnesty Programme neglected basic tenets of international good practices in conflict resolution. It was marketed as a 'comprehensive' DDR exercise, yet reintegration was scarcely addressed. There was no provision for mediation, dialogue, reconciliation or institutional reform. Local-

level disputes within and between communities over natural resources were not addressed by the amnesty, and thus remained as open sores and a breeding ground for re-radicalisation. The highly selective approach to DDR with its limited emphasis on reintegration does not have the capacity to deliver employment at anything like the levels necessary to ensure stability in the region. The programme has excluded those who have not borne arms but have played important roles in the conflict and been impacted by it, including women and girls, and there is no vehicle for facilitating access health services by the most vulnerable, or for addressing the psychological traumas of the conflict on victims and perpetrators of violence, apart from a small victim's compensation fund. The criteria for selection were unclear, leaving scope for abuse and resentment. Disarmament was not conducted transparently, so that a considerable number of arms remain in circulation. Some practices, including contract awards for security, appear to have rewarded criminality, with precarious long-term consequences.

#### **THE STATEMENT OF THE PROBLEM**

despite the fact the policy is to address the issues center around the hostages, killings and pipe vandalism in the region, the policy failed during the implementation as a result of lack of proper consultation by the government, also the policy gave room for the militant to take the government

responsibility to monitor the government properties not only that the policy did not take into cognizance the following:

- i. Relevant information about the origin of militia actions in the region;
- ii. Resources at hand to cater for the policy; and
- iii. The evaluation programme to see extent at which the policy achieves its objectives.

#### **THE OBJECTIVES**

To examine the historical track of politics of agitation for the resource control by the Niger-delta of Nigeria;

To examine what promote the interest of the federal government to proclaimed the establishment of amnesty programme in the Niger-delta of Nigeria;

To assess the actual implementation of the amnesty programme and its impact on the militants in the Niger-delta;

To evaluate the impact assessment of the amnesty programme on the violent and militias action eradication.

#### **THE RESEARCH QUESTIONS**

Following to the above problems encountered in the implementation of the amnesty the research work is aimed at looking into the following questions:

- i. To what extent would the programme, amnesty policy achieves its objectives

- in terms of eradication of militias' action in the Niger-delta?
- ii. What are the impacts of the policy on the socio-political economy stability of Nigeria?
  - iii. How would the Nigerian government sustain the policy in the region and beyond?

### **THE METHODOLOGY**

This research work is basically placed on the secondary source with emphasis on the textbooks, journals, newspapers and the internet.

### **LITERATURE REVIEW**

The following concepts will be developed in relation to the subject matter, such as:

#### ***THE AMNESTY AND THE POLICY***

##### ***Amnesty***

*The action of a government by which all persons or certain groups of persons who have committed a criminal offense—usually of a political nature that threatens the sovereignty of the government (such as sedition or treason)—are granted immunity from prosecution.*

Amnesty allows the government of a nation or state to "forget" criminal acts, usually before prosecution has occurred. Amnesty has traditionally been used as a political tool of compromise and reunion following a war. An act of amnesty is generally granted to a group of people who have committed crimes against the state, such as treason,

rebellion, or desertion from the military. The first amnesty in U.S. history was offered by President George Washington, in 1795, to participants in the Whiskey Rebellion, a series of riots caused by an unpopular excise tax on liquor; a conditional amnesty, it allowed the U.S. government to forget the crimes of those involved, in exchange for their signatures on an oath of loyalty to the United States. Other significant amnesties in U.S. history were granted on account of the Civil and Vietnam Wars. Because there is no specific legislative or constitutional mention of amnesty, its nature is somewhat ambiguous. Its legal justification is drawn from Article 2, Section 2, of the Constitution, which states, "The President ... shall have Power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment." Because of their common basis, the difference between amnesty and pardon has been particularly vexing. In theory, an amnesty is granted before prosecution takes place, and a pardon after. However, even this basic distinction is blurry—President GERALD R. FORD, for example, granted a pardon to President RICHARD M. NIXON before Nixon was charged with any crime. Courts have allowed the two terms to be used interchangeably.

The earliest examples of amnesty are in Greek and Roman law. The best documented case of amnesty in the ancient world occurred in 403 B.C. A long-term

civil war in Athens was ended after a group dedicated to reuniting the city took over the government and arranged a general political amnesty. Affected by LOYALTY OATHS taken by all Athenians, and only later made into law, the amnesty proclaimed the acts of both warring factions officially forgotten.

In other nations in which amnesties are accepted parts of the governing process, the power to grant amnesty sometimes lies with legislative bodies. In the United States, granting amnesties is primarily a power of the **Executive Branch**, though on some occasions Congress may also initiate amnesties as part of legislation. The Immigration Reform and Control Act of 1986 (100 Stat. 3359, 8 U.S.C.A. §1101) attempted to reduce the number of **Aliens** illegally entering the United States by punishing employers who knowingly hired them. However, because of concerns voiced by both employers and immigrant community leaders, the act compromised: it contained provisions for an amnesty giving citizenship to illegal immigrants who had been residents for a set period of time.

Though the Supreme Court has given the opinion that Congress can grant an independent amnesty, it has never expressly ruled on the issue. However, the president's power to grant amnesty autonomously has never been in serious question. The president always has recourse to the pardoning powers granted the office by the Constitution.

During the Civil War period, President **Abraham Lincoln** offered a series of amnesties without congressional assent to Union deserters, on the condition that they willingly rejoin their regiments. After the war, Lincoln issued a proclamation of amnesty for those who had participated in the rebellion. Though Congress protested the leniency of the plan, it was helpless to alter or halt it. Lincoln's amnesty was limited, requiring a loyalty oath and excluding high-ranking Confederate officers and political leaders. Lincoln hinted at but never offered a broader amnesty. It was not until President **Andrew Johnson's** Christmas amnesty proclamation of 1868 that an unconditional amnesty was granted to all participants in the Civil War. Amnesty used in this way fosters reconciliation—in this case, by fully relinquishing the Union's criminal complaints against those participating in the rebellion.

Amnesty was used for a similar purpose at the conclusion of the **Vietnam War**. In 1974, President Ford attempted reconciliation by declaring a conditional amnesty for those who had evaded the draft or deserted the armed forces. The terms of the amnesty required two years of public service (the length of a draft term), and gave evaders and deserters only five months to return to the fold. Many of those whom the amnesty was designed to benefit were dissatisfied, viewing the required service as punishment. On the other hand, many U.S. citizens agreed with President Nixon that

any amnesty was out of the question. It was left to President JIMMY CARTER, in 1977, to issue a broad amnesty to draft evaders. Carter argued the distinction that their crimes were forgotten, not forgiven. This qualification makes clear the purpose of an amnesty: not to erase a criminal act, nor to condone or forgive it, but simply to facilitate political reconciliation. Although an amnesty can be broad or narrow, covering one person or many, and can be seriously qualified (as long as the conditions are not unconstitutional), it cannot grant a license to commit future crimes.

The amnesty program is made up of four components, namely, the environmental, petroleum, infrastructural, and Demobilization, Disarmament, and Reintegration (DDR) components. The DDR component has direct bearing on the successful rehabilitation of armed youths in the region. DDR refers to “the process of demilitarizing official and unofficial armed groups by controlling and reducing the possession of arms, by disbanding non-state armed groups and rightsizing state security services and by assisting former combatants to reintegrate into civilian life” (Ball and Van de Goor, 2006). It is used to consolidate peace and to promote stability within conflict-affected communities. The DDR is a proven instrument of conflict resolution and peace building, but it cannot and should not be substituted for peace enforcement activities.

The Niger Delta DDR component of the

amnesty program according to Okonofua (2013), though, might not achieve the desired results, which stakeholders expect or desire because it failed to address the causes of the conflict. In other words, Okonofua (2013) is insinuating that the DDR process might not produce the desired stability and consolidation of peace in Nigeria's delta region because fundamental issues that gave rise to the militarization of youths in the region were not addressed in the amnesty document. The DDR component of the amnesty program is an integral part of the intervention. The amnesty program was designed and established to tackle the problem of insecurity and youth restiveness in the Niger Delta, and by implication, to restore peace and stability to the region. Adejumobi (2009) has opined that: Political amnesty is usually a product of two contexts. The first is a negotiated settlement in which two warring parties have arrived at a dead-end in their conflict, and decided to settle their differences politically. The second context is one of a victor's amnesty in which a party overwhelms the other, claim victory and decides to be magnanimous in victory by offering amnesty to some or all of the combatants on the defeated side.

Amnesty as a concept is regarded as a general pardon for offences, especially political offenses, against a government, often granted before any trial or conviction. The term **amnesty** is also any initiative where individuals are encouraged to turn

over illicit items to the authorities, on the understanding that they will not be prosecuted for having been in possession of those items. A common use of such amnesties is to reduce the number of firearms or other weapons in circulation. Adeyemo, et. al. (2011) when they argued that the 2008 Niger Delta amnesty is:

***Neither a negotiated settlement in the Niger Delta, nor a victor's benevolence of any kind. There is no peace truce and the federal government has not won the military battle in the creeks, in spite of its heavy artillery and weaponry. Why then offer an amnesty in a vacuum?***

Amnesty policy programme is refers to a general pardon of offence by government or deliberate overlook of offences against the state. It means to cancel or not to exact punishment due for an offence

### **POLICY**

A **policy** is a deliberate system of principles to guide decisions and achieve rational outcomes. A policy is a statement of intent, and is implemented as a procedure or protocol. Policies are generally adopted by the Board of or senior governance body within an organization whereas procedures or protocols would be developed and adopted by senior executive officers. Policies can assist in both *subjective* and

*objective* decision making. Policies to assist in subjective decision making would usually assist senior management with decisions that must consider the relative merits of a number of factors before making decisions and as a result are often hard to objectively test e.g. work-life balance policy. In contrast policies to assist in objective decision making are usually operational in nature and can be objectively tested e.g. password policy.

The term may apply to government, private sector organizations and groups, as well as individuals. Presidential executive orders, corporate privacy policies, and parliamentary rules of order are all examples of policy. Policy differs from rules or law. While law can compel or prohibit behaviors (e.g. a law requiring the payment of taxes on income), policy merely guides actions toward those that are most likely to achieve a desired outcome.

Policy or policy study may also refer to the process of making important organizational decisions, including the identification of different alternatives such as programs or spending priorities, and choosing among them on the basis of the impact they will have. Policies can be understood as political, management, financial, and administrative mechanisms arranged to reach explicit goals. In public corporate finance, a critical accounting policy is a policy for a firm/company or an industry which is considered to have a notably high



subjective element, and that has a material impact on the financial statements.

### **THE MAIN THRUST**

According to Oluokun (2012:38-40); ... about N 127 billion was budgeted for the Niger Delta amnesty programme from 2009-2011. A further analysis indicated that of the amount, N 3 billion was spent in 2009 as take-off grant for the initiatives, while N 30 billion and N 96 billion were spent respectively in 2010 and 2011 for payment of stipends and training of the ex-militants; N 74 billion, equivalent to the budget of some states in the country, was allocated for the programme in the 2012 budget... N 15 billion contracted awarded to the Global West Vessel Specialist Limited GWVSL, a firm widely believed to be owned by Tompolo, to supply 20 vessels for the use of the nation's military authorities to secure the waterways... the federal government maintain an annual pipeline and maritime security contract with Asari Dokubo for US \$ 9.5 million, or N 2 billion, ...Boyloaf and Ateke Tom are annually being paid US \$3.8 million (N 1.2 billion) each to protect pipelines in the Niger Delta. However, the above does not suggest under funding but reckless and senseless spending which has created problem for the amnesty. The amnesty has sharply deviated and has culminated into bribery of militants for peace. The effect is already manifesting as many jobless youths in the region and outside have taken the title of ex-militants and are agitating to partake in the amnesty

banquet. Apart from the 6,166 militants who were incorporated into the programme in November 2010 after the October 4, 2009 deadline another 3,642 persons have formed the third phase making up the number to 30,000 ex-militants now in the programme (Ibid. 38-39). This is a product of over funding and deviation from the objectives of the programme. It will not be a surprise that fourth, fifth and sixth batches will soon follow. Opeyemi (2012: 79) states "this has made even the non-militant youths to begin to indulge in militancy in order to become beneficiaries of such economic packages that accompany the amnesty programme.

In October 2010, the government of President Yar' Adua, in demonstration of evident political will, announced an amnesty for the leaders and the militant groups in the Niger Delta. This initiative came against the background of tenuous security conditions and instability which characterized the region. The various militant groups had intensively engaged in series of kidnapping and abduction of prominent citizens of the region, government officials and workers in the oil and gas sector. Their activities included vandalism of oil pipelines which resulted in the disruption of oil and gas production in the country. At the peak of the insurgency, oil production dropped from 2.6 million barrels per day to merely 600,000 barrels per day. This represents about more than 70% drop in production with significant impact on revenue accruing to the

Federation Account. Regional underdevelopment has been advanced as the key driver of instability in the region. And it was against this background that the government initiated dialogue process with the leaders of the region aimed at ending the state of insecurity as a precondition to responding to the development challenges in the region.

The following constitute key elements or components of the negotiation; securing the “buy-in” of the political leadership of the Niger Delta people; secondly, initiating the “buy-out” of the militant leaders from the region through award of contracts and other financial considerations; thirdly, implementing the short term security stabilization program for the various rank and file of the militants through a formal disarmament, demobilization and reintegration program initiatives; and fourthly, the design and implementation of comprehensive development program directed towards addressing the development challenges in the region.

In response to this agreement, the Federal government established the Presidential Amnesty Commission charged to design and implement the Disarmament, Demobilization and Reintegration of the various militant groups in the Niger Delta. The government further mandated the Ministry of Niger Delta Affairs (MNDA) to coordinate and promote concerted development strategy for the region with the aim of addressing underdevelopment as a

major driver of instability in the region. It was envisaged that the MNDA will undertake this huge responsibility in concert with Niger Delta Development Commission (NDDC) and other local and international development partners working in the region.

In October 2010 and after series of delayed consultations, the Presidential Commission on Amnesty commenced the process of implementation of the programme. This included the design of the DDR framework and the recruitment of staffing and the contracting of implementing partners and formal launching of the programme. The programme was envisaged to last for a period of three years and then be mainstreamed into the broader development framework of the Ministry of Niger Delta Affairs. This is in line with prevailing international norms where such programmes are not implemented for long period to avoid fostering dependency and a sense of entitlement among the militants as well as minimizing the perception of rewarding militants for violence among other population targets. The conventional norm requires shifting from the targeted approach to a broader community-based, demand-driven development measures covering the needs of every population targets especially the high risk and vulnerable groups (leadership *Jun 19, 2015*).

The amnesty officially resulted in the

demobilization of 30,000 militants, paying them some allowances and providing training for a smaller number. It has markedly reduced conflict in the region. However, the amnesty was not part of a coherent and co-ordinated peace-building and reconciliation plan, and is unlikely to be able to facilitate sufficient employment for demobilized militants. In its partial nature, it has also neglected non-combatants who had been impacted by violence. On these and other grounds, the sustainability of its achievements remains in question. The brief advocates a number of measures; among them a broader strategy for reconciliation and peace building, including action at the community level, and a coherent, co-ordinated and rigorously implemented development vision for the region, with a concerted focus on employment generation.

#### **THE REASONS FOR THE MILITANCY ACTIONS IN THE NIGER-DELTA REGION**

One of the reasons for militia actions in the region referred the inability of government to deliver the most basic services and meet vital development needs, inability to maintain a monopoly of the possession and use of instruments of violence and high propensity for persistent violent conflicts or agitations for justice and social needs.

Others are identified by Ugwanyi et al (2014), an articulation of the features as :

- i. Persistent condition of extreme poverty;

- ii. Insecurity of lives and properties;
- iii. Persistent social tensions;
- iv. Undemocratic governance;
- v. Low human capital development; and
- vi. Wide inequality in income.

#### **ESTIMATED ARMS AND AMMUNITIONS SURRENDERED**

- 1 Solomon Ndigbara alias Osama bin Laden 26 June 2009 Gave up 11 arms and 1,000 ammunitions.
- 2 Henry Okah 13 July 2009 Though the supposed leader of MEND, Okah did not surrender any arm because he had been arrested in Angola and extradited to Nigeria since February 2008; where he was detained and was facing closed trial on 62 count charges.
- 3 Victor Ben Ebikabowei alias General Boyloaf and 31 other militants; including African Owei, Joshua Macaiver and Ezizi Ogunboss 7 August 2009 Surrendered an assortment of arms totalling 520, ammunitions valued at 95,970 rounds and 16 gunboats.
4. Soboma George of Outlaws cult group. 13 August 2009 Surrendered 36 assorted weapons
- 5 Kile Silkey Torughedi (Young Shall Grow). September 2009 Gave up an assortment of arms totalling 100 weapons, ammunitions worth 100,00 rounds and 3 gunboats
6. Ateke Tom of NDV 3 October 2009 Exact number is unknown but it included: anti-aircraft launchers, GPMG, Ak-47 rifles, Mark 4 rifles,

- pistols and loads of ammunition.
7. Manfimisebi Othello and the Gwama Boys of Ilaje 3 October 2009 Surrendered different weapons, such as: sub-machine guns, AK-47 rifles, hundreds of live ammunition and arrows.
  8. Biibo Ajube, second in command to Tompolo 3 October 2009 Surrendered several AK-47 rifles, heaps of ammunitions, hand grenades, rocket launchers and explosives.
  9. Fara Dagogo of NDSF 3 October 2009
  10. Government Ekpemupolo (aka Tompolo or GOC), a key militant of MEND 3 October 2009 Surrendered over 117 assorted weapons, 20 bullet proof jackets, numerous boxes of ammunitions, 26 camouflage uniforms, loads of dynamites, tear gases cans, on 4th October 2009; the last day of the amnesty. Lysias (2011:60)

The table below shows the amnesty policy programmes of the Yar'adua's administration

Disarmament	Demobilization/rehabilitation	Reintegration
Duration: August 6 -oct. 4, 2009	6 to 12 months	Up to 5 years
Key activities	Key activities	Key activities
<ul style="list-style-type: none"> <li>• collection of arms and ammunition, explosive, etc</li> <li>• documentation and biometrics</li> </ul>	<ul style="list-style-type: none"> <li>• ex-militants report to camp</li> <li>• verification and documentation</li> <li>• transformational training</li> <li>• peace building and conflict resolution</li> <li>• counselling</li> <li>• career guidance</li> <li>• wellness assessment</li> <li>• reintegration classification</li> <li>• education and vocational placement</li> <li>• graduation and demobilization</li> </ul>	<ul style="list-style-type: none"> <li>• knowledge and skills acquisition</li> <li>• finance empowerment</li> <li>• placement programme</li> <li>• micro-credit</li> <li>• education</li> <li>• reconciliation and local community</li> <li>• conflict resolution framework/mechanism</li> <li>• monitoring and evaluation</li> <li>• exit of amnesty</li> </ul>
Key enablers	Key enablers	Key enablers
<ul style="list-style-type: none"> <li>• Disarmament camps massive campaign</li> </ul>	<ul style="list-style-type: none"> <li>• Transformation training centres</li> <li>• Rehabilitation centres</li> </ul>	<ul style="list-style-type: none"> <li>• Partnering government agencies, NGOs and private organizations, OIGs</li> <li>• Tracking and support.</li> </ul>

**Sources:** Niger delta amnesty programme (2009) in Ugwuanyi, et, al (2014) review of public administration and management vol.3, no. 6, December, 2014

Political economy of the amnesty policy programme in the Niger Delta region The political economy tradition is rooted in Marxist historical materialism and it holds that any form of exchange inherent in human nature depends on the production and distribution of surplus value (Pereira, 2009 quoted by Akeem, 2010). The political aspect of this approach is rooted in the issue of power, which differs according to structures of control in a society. The evolution of amnesty for militants in the Niger Delta is occasioned by incessant violence and colossal wastage of oil resources in the region. It is a radical shift in attempts to address the crisis of underdevelopment in Nigeria. While extant official measures to ensure peace for development in the Niger Delta were largely coercive, amnesty was highly persuasive. Official attempts to manage the social movement for the recognition of the need to develop the Niger Delta resulted in the death of Isaac Adaka Boro and the creation of mid-western region in the 1960s, followed by environmental degradation and neglect of the agricultural sector in the Niger Delta since the 1970s. In light of this situation, the Niger Delta has witnessed an upsurge in identity-based social movements in the 1990s especially with the popularity of the Movement for the Survival of Ogoni people (MOSOP), which was under the leadership of Ken Saro Wiwa and other key members, who were murdered in 1995 by the Nigerian military government. The murder of the MOSOP leaders coupled with mounting

socio-economic malaise in the Niger Delta created an atmosphere for the emergence of a new wave of militancy characterised by mass destruction of lives and properties and hostility against the Nigerian government. Studies have shown that activities of the militants adversely affected the Nigerian economy. An installed capacity of Nigeria's oil sector declined from 3.2 million barrels of crude per day (mbpd) to 1.3 mbpd in 2008 and it fluctuated between 800,000 bpd and 1.2 mbpd until June 2009 (Essien, 2008 quoted by Akeem, 2010). The amnesty was politically motivated as the Nigerian government used it to demonstrate its interest in promoting peace and development in the region. A major motivation for the use of amnesty in the management of oil-driven militancy in Nigeria is the belief that peace rather than violence is a necessary condition for sustainable development. However, the amnesty is exclusive; it targets only militants without consideration for the victims of militancy and hostage taking in the region. According to Economic Confidential (2009), the amnesty has ushered in the cessation of arms conflict, the wanton destruction of lives and properties and other forms of criminality in the region with recorded improvement in the economic sector and the barrel of crude oil jumping to 1.84 million per day from 1.3 million barrels within the space of time.

#### **FINDINGS**

1. The amnesty proclamation and its

implementation is that it has not addressed the issue of resource control for the region, which is one of the key demands of the militants. The present allocation formula of 13% derivation (federal allocation) fund to the region is not acceptable to the militants (Dokubo-Asari, 2011).

2. The amnesty package was not part of a broader peace-building strategy for the region. For stability to be sustainable beyond the amnesty, a comprehensive post-conflict reconciliation and peace-building programme for the Niger Delta will be required as a priority. This should be inclusive, and should recognise the damage done by the violence of various actors.
3. A considerable volume of arms remain in circulation as the disarmament elements of the programme were weak. Comprehensive security-sector reform, along with the reconciliation-building programme recommended above, is needed in order to build trust as the basis of effective and rigorous disarmament.
4. Security provision is short-sighted and incoherent, focused mainly on providing security for the oil industry rather than on broader human security. Under the amnesty, security has come to be provided by a combination of, on the one hand, an unreformed Joint Task force with an enlarged mandate, and, on the other, government-sponsored former militant leaders awarded large

contracts for pipeline security. While this arrangement may have deterred armed militia action, the price has been to institutionalise criminality. There is an urgent need for control over the oil theft economy, as it is responsible for massive and ever-rising losses. Suppression needs to go beyond targeting the artisanal refineries that provide livelihoods for small-scale producers and petroleum products for localities where both are scarce.

5. The amnesty programme is not part of a coherent, well-designed and effectively implemented vision of development for the region. Agencies charged with responsibility for the provision of infrastructure need a clear sense of direction, and to be seen to deliver timely results. The Office of the President should provide leadership in this area and sanction those federal institutions that persistently underperform, so as to improve implementation and deliver development benefits to the Delta.
6. Another challenge of the amnesty package is in the area of poor implementation. The amnesty programme was not implemented as recommended in the report of the Niger-delta technical committee. Rather than engage in open negotiations or a formal agreement with the militants, the constitutions were at the highest levels of federal government, involving Niger delta

elites/elders and top government officials of Niger delta origin negotiating with the militants' commanders (Obi and Rustad, 2011 quoted in Ejovi and Ebie 2013). The top down non inclusive approach invariably.

7. The amnesty is exclusive package, it only focusing on militants without consideration for the victims of militancy and hostage taking in the region (Ejovi and Ebie, 2013) mothers and children who had lost fathers and sons and homes and have been displaced by the conflict were not included in the package. The question here is that, are the militants the only actors deprived in Niger delta?

### **CONCLUSION**

The policy really structured to put an end to the issue of insurgency, vandalism and undemocratic agitation for resource control but the empowerment policy of the government did not considered the ecology of the militant activities rather the programme limited to the militants. However, the programme must be extended to all the local inhabitants in the region, otherwise, it could send a wrong signal to others who have been excluded from the exercise that crime pays and may serve as a driving force for others to take arms for recognition. The amnesty package should not be implemented as a standalone act, but must be carried out within a comprehensive peace process, as recommended by the

technical committee (International Crime group 2009). Thus, government must not only publish the white paper on the recommendation of the Niger Delta Technical committee, but also embark on a holistic rather than the current fractured approach to the implementation of the report. This report is believed "Offers an opportunity to reduce the violent conflict significantly and begin long term regional development in the oil – rich region and could help to 'save the region from further violence and organized criminality. (International Crisis Group, 2009). Addressing the militants alone while neglecting the deplorable situation, the underdevelopment and poverty, governmental and corporate misgovernance, all of which led to the militancy and later criminality in the region will no doubt spell doom for the amnesty programme. this is because the number of militants presently being reintegrated under the programme constitute only a small percentage of the Niger Delta population, which under the 2006 population figure is 31,224,577 million people (Nigerian News Census, 2006) Efforts must be taken to remove the Niger Delta people from what Sacs (2005 refers to as poverty trap – a situation in which degraded environment, poor health, poor education, poor infrastructure and poor standard of living reinforce one another (Ogege, 2011 adopted by Ejovi and Ebie, 2013). In addition, it was revealed that some of the rehabilitation centers and demobilizing campus are

lacking in even the basic facilities for proper impactation of knowledge and skills. Shortages of bed spaces beds and other basic facilities in some of the centres made only few militants to be accommodated (Ikelegbe 2010 adopted by Ejovi and Ebie, 2013). Also in compliance with the UN code of DDR, it is expected that in the implementation of the DDR programmes, the ex-militants must be taken away from their natural habitats for transformation and reintegration purposes.

#### **RECOMMENDATIONS**

it is imperative to follow the amnesty policy on Niger-Delta region and see how it has been implemented, looking at the implementation process. The policy must put into consideration the following:

- i. Consultation with various stakeholders and inclusion of all youths in the training programmes that will cater to essential needs of the majority in the Niger delta.
- ii. The increase in the living standards of majority of people in the region will drastically will improve the sustainable peace and security.
- iii. The success of peace making initiatives in the Niger Delta communities will be guaranteed if the unequal exchange relationships that place the region in a disadvantaged position are balanced. In this regard, the Nigerian government and multinational oil companies should

- unanimously agree to put the Niger Delta at the centre of their priorities.
- iv. Furthermore, there is a need for private-public partnership to reinforce the implementation of human capital development agenda for the Niger Delta. Emphasis should be placed on the provision of modern technological facilities and social welfare package that can transform the region from its present situation to an industrial area.
- v. The hide out of ex-militants should be opened up and replaced with attractive development projects such as broad streets, tarred road, regular lights, modern schools and centres for information and communication technology.
- vi. Also, the political economy of underdevelopment in Nigeria should be revamped to accommodate an effective management of resources through forward and backward linkages. This process must be anchored on a good-quality institutional framework. An efficient institutional framework of development and effective management of resources can counteract rent seeking activities, which have been building structural imbalances that fuel militancy in the Niger Delta (Akeem, 2010).
- vii. There is need to reduce the level of unemployment, under-employment and economic powerlessness of the citizens of the region. The federal and state governments should address this



by the provision of opportunities for employment, training for skills acquisitions and overall socio-economic empowerment. This, implemented, will engage the masses of violent youths and frustrated citizens of the region, who might be tempted to go back to militancy.

- viii. The federal government should ensure massive investment in critical social infrastructures in the region. The emphasis should be on water services, transportation services, educational services, health services, energy supply services, etc. With these provisions, the development indicators of the region will definitely increase to ameliorate the present underdevelopment in the region.
- ix. The check on corruption and its impact in the region is necessary for good governance. This should be implemented through the intense use of anti-corruption institutions like EFCC and ICPC etc. This will checkmate these governance excesses as showcased in the former Governor DSP Alamieyeseigha's incidence of 2005.
- x. There is the relevance of resocialization and re-conscientization of the political leaders of the region towards people-oriented development programmes. This can be done through conferences and development-oriented retreats for these leaders.
- xi. The multinational organizations

engaged in oil and gas explorations in the region should be influenced by the federal government of Nigeria to adhere to right environmental practices devoid of environmental degradation and destruction of the ecology of the region. This should be done through sanctions on poor environmental practices as is obtainable in developed countries of the world. Additionally, these companies should imbibe greater social responsibility practices that will develop the Niger Delta region in comparison with other areas of the world, where oil and gas resources are found (Chukwuka and Oben 2010).

#### **REFERENCES**

- Adejumobi, S. (2009) "Niger Delta: What Amnesty? The Guardian, July 13
- Adeyemo, D. and Adeyemi, O. (2011) Amnesty in a Vacuum: the Unending Insurgency in the Niger Delta of Nigeria, in Checkmating the Resurgence of Oil Violence in the Niger Delta of Nigeria. Ojokrotu V. and Lysias, D. (eds) Berlin: Lambert Academic Publishing, July. Chukwuka E. U and Oben, A. N (2010), an Assessment of the Amnesty Programme Implementation In The Niger Delta Of Nigeria (2009-2011). Bassey Andah Journal Vol3
- Ajaero, C., 2008. So Much Money, So Much Poverty. News Watch, March, pp: 10.

- Akeem, a (2010) Amnesty and Human Capital Development: Agenda for the Niger Delta' *Journal of African Studies and Development*. Vol. 2(8).
- Chukwuka E. U and Oben, A. N (2010), An Assessment of the Amnesty Programme Implementation in The Niger Delta Of Nigeria (2009-2011). *Bassey Andah Journal Vol3*
- Dokubo-Asari (2011) Nigeria: We are on Sabbatical: Niger Delta- Armed Struggle, Last Resort, and This Day Lagos 18 May. In Chukwuka E. U and Oben, A. N (2010), an Assessment of the Amnesty Programme Implementation in The Niger Delta Of Nigeria (2009-2011). *Bassey Andah Journal Vol3*
- Essien A (2008), Nigeria: Militancy, Amnesty, Power and Economic Growth (an intricate mix). *J. Agric, for. Social Science* 6(1) in Akeem, a (2010) Amnesty and Human Capital Development: Agenda for the Niger Delta' *Journal of African Studies and Development*. Vol. 2(8).
- Ejoovi, A. and Ebie C. S. (2013), Niger Delta: A Critical Appraisal of the Amnesty Programme and Social Political Development in Nigeria: Research On Humanities and Social Sciences. vol. 3 no. 22, 2013
- Ikelebe, I S (2011) Population and Criminal Violence as Instrument of Struggle in the Niger Delta Region. London, 2 (ed) books in Ejoovi, A. and Ebie C. S. (2013), Niger Delta: A Critical Appraisal of the Amnesty Programme and Social Political Development in Nigeria: Research On Humanities and Social Sciences. vol. 3 no. 22, 2013
- International Crisis Group (2009) Seizing the Moment in the Niger Delta. Africa briefing No. 60 in Ejoovi, A. and Ebie C. S. (2013), Niger Delta: A Critical Appraisal of the Amnesty Programme and Social Political Development in Nigeria: Research On Humanities and Social Sciences. vol. 3 no. 22, International Crime Group, 2009 Leadership June, 19 2015
- Nigeria's Amnesty Programme: An Overview of Successes, Failures and Lessons— *Jun 19, 2015*
- Lysias, D. (2011) Youth Militancy, Amnesty and Security in the Niger Delta Region of Nigeria" in Checkmating the Resurgence of Oil Violence in the Niger Delta of Nigeria. Ojatorotu V. and Lysias, D. (eds) Berlin: Lambert Academic Publishing, July.
- Niger Delta Amnesty Programme (2009) in Ugwuanyin el, ta Militancy in the Niger Delta Region of Nigeria: A Reflective Discourse on the Cause, Amnesty and Imperatives Review of public administration and management vol. 3 no 6, December 2014. ISSN: 2315-7844.
- Nigerian News Census, 2006 Nigeria Stability and Reconciliation Programme a Policy Brief on the Niger Delta Amnesty Lessons (4 years) extracted from [www.nsrp-nigeria.org](http://www.nsrp-nigeria.org)

- Oloya, O.B. and M. Ugeyavwighren, (2009) the Evolution of the Niger Delta Crisis. *J. Soc. Policy Soc.*, 3(4): 8-14.
- Ogege, S (2011) Amnesty Initiatives and the Dilemma of Sustainable Development in the Niger Delta of Nigeria' *Journal of Sustainable Development*. Vol 4 NO. 4.
- Omotola, J.S., 2010. Liberation movements and rising violence in the Niger Delta: The New contentious site of oil and environmental politics in studies. *Conflict. Terror*. 33(1): 36-54.
- Opeyemi, A.I (2012) Militancy in the Niger Delta and National Integration in Nigeria: A Historical Analysis in Victor. O. Edo and E.F Kennedy Salami (eds) *Issues and Trends in Nigeria's Development*. John Archers Ltd, Ibadan
- Osaghe, E. E (2008) Social Movements and Rights Claims. The Case of Action Volunteers, 19, 189-200 in Ejoovi, A. and Ebie C. S. (2013), *Niger Delta: A Critical Appraisal of the Amnesty Programme and Social Political Development in Nigeria: Research On Humanities and Social Sciences*. vol. 3 no. 22, 2013
- Ugwuanyi, B. I. Et, al (2014), *Militancy in the Niger Delta Region of Nigeria: A Reflective Discourse on the Cause, Amnesty and Imperatives*. Review of public
- Pereira .C (2009). *Inequalities on the Web: Strengths and Weakness of a Political Economy Analysis*. *Media Cult. Sociology*. 31(2) in Akeem, a (2010) *Amnesty and Human Capital Development: Agenda for the Niger Delta' Journal of African Studies and Development*. Vol. 2(8).  
Tell Magazine, 2007  
The Guardian Oct, 2, 2009