

Armed Militancy in the Niger Delta: The Subtlety of the Amnesty Option and Its Policy Implications for the Nigerian Political Economy

Franklins A. Sanubi

Abstract

The granting of amnesty by the federal government of Nigeria in June 2009 to armed militants in the Niger Delta provides an ambivalence of policy option in dealing with a tricky politico-economic crisis in the region. Using eufunction as a theoretical framework in analysing the place of the Niger Delta crisis in the political and economic development of the region, the article presents the relevant schools of thought implicit in this policy and defines the subtlety of the federal government policy choice. It concludes with an identification of some policy implications including the level of commitments that all parties will now be required to put towards ensuring peace in the Niger Delta region of Nigeria.

Keywords: Amnesty; Militancy; Political Economy; Niger Delta, Nigeria

Introduction and Statement of the Problem

On Thursday June 25 2009, the Nigerian President, Umaru Musa Yar'Adua, through a national broadcast, made a declaration to the effect

of granting unconditional pardon to “all those who have directly or indirectly participated” in the Niger Delta militancy. This amnesty policy, in what has become a show of federal government’s good-naturedness and humanitarianism, has several serious implications on the political economy of the country.

Emerging from a piecemeal discontent of the local peoples with the federal government’s age-long neglect of the region and ignited by a local ethnic crisis in 1996 (Imobighe, 2002), between the Ijaw and the Itsekiri over a disputed relocation of the newly created Warri-South local government headquarters by the federal government, the Niger Delta crisis which gave rise to the militancy in the region, has for almost two decades, impacted serious reverses on the political economy of the nation. The reverses range from stoppage of oil exploitation activities, intermittent closure of oil wells by major oil companies operating in the area (included Shell, Chevron, Pan Ocean and Total), blowing up of oil terminals and installations to hostage taking of foreign staff of these oil companies in return for ransom payment among other activities.

The effects have been very profound; a lull in the nation’s oil production and the consequent loss of oil revenues; and an unprecedented rise in regional insecurity in the Niger Delta. There is also the accompanying surge in nationalistic groups in the area purportedly fighting for the rights of the local people in their protests against intolerably low federal government development activities in the region. The growing insecurity in the area has further impacted on the economic lives of the local people; company workers stayed at home for several months (with the temporary workers or *contract staff* being practically unemployed); domestic production of food plummeted due to insecurity on the farmlands leading to a surge in prices or increased cost of living; and mounting social vices. There has been a proliferation of militant nationalistic groups (albeit criminal outfits) in the region who have found new economic escapades in hostage-taking for ransoms, assassinations, armed robberies and “terror” on the innocent populace. With vagaries in the international prices of crude oil at the heart of a global economic recession, power supply and the economic and social life of the nation and the Niger Delta region has become unpredictable. The organic *stress* created by the troubled Niger Delta

subsystem on the national economic and political system in the wake of this amnesty declaration by the federal government defies category and literal definition. This is the premise upon which we analyse the implication of the amnesty declaration for the Niger Delta militants on the political economy of the Nigerian state.

Amnesty and National Development: A conceptual and Nigerian Historical Perspective

The term amnesty probably stemming from the Greek word *amnestia*, is a legislative or executive act of oblivion by a government in granting a general pardon or forgiveness to an erstwhile offender. Its usage in political theory has more often than not been situated in the foreign than in the domestic policy of nations; perhaps because most national offenders often find external escapades upon their perception of self guilt. In particular, during the cold war period, national political crises often found support in antagonistic expressions. This led to the involvement of a third party (particularly, a foreign state actor) in such crises, thereby pushing them into the realm of international relations between the concerned nations. For instance during the Nigerian civil war, the rebel leader Odumegwu Ojukwu not only found international friends in France, Spain and Portugal in the West (Atofarati, 1992), Haiti in Latin America; and some African states such as Gabon, Côte d'Ivoire, Tanzania and Zambia but also exploited the resources – physical, financial and territorial – of the area in the pursuit of secessionist aspirations against Nigeria. The application of amnesty to an individual may not necessarily mean that such an individual has a criminal background. It may in fact be a rethinking of a nation's policy makers on an earlier policy requiring some amendments or corrections. For instance, the term "Amnesty" is currently being floundered in the United States of America before her policy makers as option to the immigrants' issue of the Obama administration. The debate on undocumented immigrants (numbering about 10 million) into the United States in recent years has centred on "what to do with these immigrants" (Cockrail, 2006). The US President, Barack Obama has spoken in support of this policy stating:

We are not going to ship back 12 million people, we're not going to do it as a practical matter. We would have to take all our law enforcement that we have available and we would have to use it and put people on buses, and rip families apart, and that's not who we are, that's not what America is about. So, what I've proposed... is you say we're going to bring these folks out of the shadows. We're going to make them pay a fine, they are going to have to learn English, they are going to have to go to the back of the line...but they will have a pathway to citizenship over the course of 10 years. (US Immigration Amnesty, 2009)

The ambivalence has been between those who feel that the undocumented immigrants have come to acquire jobs to the detriment of the American citizens and those who feel that the undocumented immigrants have only been invited to take up jobs which the local people would otherwise ignore. The amnesty policy in this circumstance would be seen as corrective policy by government especially as majority of these immigrants have come from Central and Southern America belonging to American sphere of influence.

The history of Amnesty in Nigeria began in 1970 under the Yakubu Gowon's regime 3Rs when he announced the (Reconciliation, Reconstruction and Rehabilitation) programme after the civil war. The policy granted an unconditional pardon to all those who supported and or fought on the side of Biafra in its secessionist struggle against the federal government in the 1967-70 bloody civil war. The policy paved the way for peaceful national integration and development after the war. President Shehu Shagari granted Amnesty in 1983 to Odumegwu Ojukwu the leader of the defunct Biafran insurgent military group. Military head of state Abdul Salam Abubakar granted amnesty to the detained former Head of State Olusegun Obasanjo in 1999 in an effort to reconcile the various political interests as the nation geared up for democratic elections in 1999. Olusegun Obasanjo subsequently emerged the president in the 1999. President Obasanjo in turn granted amnesty to the embattled speaker of the House of Representatives, Salihu Buhari.

A common phenomenon in these amnesties is that, they are strongly rooted in the political pacification drives of the respective federal governments of Nigeria with the realisation that the nation is a potpourri of differing heterogeneous sub-entities harbouring different political and social aspirations. Dinneya (2006) has aptly described the precise picture of the transition status of Nigeria's political economy when he writes that the different ethnic nationalities that were banded together for British colonial administrative convenience have struggled, since political independence in 1960, with the problem of political coexistence as one nation. In the struggle for political control, two broad views have emerged: the *nationalists* and the *ethno-political* factions. Ideologically, the former believe that the colonial crafting of the Nigerian nation, with its concomitant pluralism, is in fact not a disadvantage at all, but rather a healthy aid to democratic development. Ethnic politicians on the other hand hold that the Nigerian nation is artificial, very difficult to govern as one nation and therefore unworkable as a true democracy.

The present amnesty programme is a response by the federal government to the devastating economic reverses suffered by the nation in the disruptions in oil activities caused by militant activities in the Niger Delta.

Eufunctionism, the Niger Delta Militancy and the Amnesty Policy: A Theoretical Framework.

Perhaps a better theoretical framework for analysing the amnesty programme in the Niger Delta by the federal government is the framework of *eufunctionism*. From a sociological parlance and origin, eufunctionism is a variant of functionalism which describes how a process, or event, otherwise unnoticed, hidden, and often thought to have a zero or even negative function can support, strengthen and sustain some *latent* or *manifest* "functions" of a present activity to the benefit and maintenance of order in the subsisting society. Though now an obsolete concept which has been replaced in modern terms by "functionalism", eufunctionism describes very vividly how militant activities in the Niger Delta has propagated some of the wishes and aspirations of their "unidentified" sponsors within and outside the Niger Delta region in the present policy focus. Militancy did not evolve in isolation. It was structurally designed,

resourced and monitored by some unidentified political and social investors with a view to redirecting the federal government's developmental policy in the Niger Delta for the benefit of the people of the subsisting communities/region and particularly for the economic and political capitulation of these "imaginary" sponsors. Most of the militants in the Niger Delta would otherwise have been harmless law-abiding citizens seeking lawful means of economic sustenance within the context of the national economy. Unfortunately, their ambers of militancy were fanned by the avaricious crop of the political and economic class in the region who saw the opportunities of the precedent economic helplessness of these youths in creating a new form of political and economic adventure in the federal government. In the course of events, the militants were financed and equipped with modern arms. The "real militants" therefore are not just the physical youths who, being void of any economic or political alternative in the amnesty policy, have been surrendering their arms voluntarily but, in fact, the "unseen" *eufunctional* investors in this militancy. Implicitly, militancy may have, in some theoretical respect, produced some unexpected results with the amnesty declaration.

The Director of Nigeria's Institute of Advanced Legal Studies, Azinge (2009) has advised that the granting of Amnesty in this circumstance should involve an all-inclusive process whereby consideration is given to all interests including those of the sponsors who may otherwise source other alternative avenues (such as recruiting new crop of militants) for fresh adventures.

Some Policy Implications of the Federal Government's Amnesty to Niger Delta Militants

Two schools of thought view the federal government's amnesty policy for the Niger Delta militants from an ambivalent perspective. One, apparently from a state-centric (or nationalistic) standpoint, views the policy as a renegeing of government's unlimited role in sustaining national security in the face of adversity. National security ranks probably highest in the ladder of a nation's core (or primary) interests and no nation, no matter how poorly disposed militarily, would compromise it under any circumstance. From this school of thought, it would appear that when the federal

government seemed to have discovered a national antidote to the Niger Delta militancy in its recent military expeditions against some of the militants in the riverine enclaves of the Niger Delta, it granted amnesty. Adherents of this school expect the federal government's policy stance at such times to equate that of the United States of America of not negotiating with terrorists - a policy which prepares the minds of terrorists for a loss, even before they engage in any venture. Under this paradigm, the federal government would descend heavily on the militants as saboteurs and "smoke them out". The government would then use the immense power and authority at its disposal.

From this state-centric viewpoint, the government would not have relented in its unrestricted military action against the militants as such option not only conforms to the right of the federal government to do so, but also that she has a comparative military advantage in securing ultimate victory at the end of the day. If it takes the American government to lose several hundred soldiers just to retain its pride from an alleged desecration (as in the Philippines invasion of 1854 at San Juan and the Operations Desert Storm in the Persian Gulf of the 1990s among others), what sacrifice does it matter if any, to the national army, in terms of men and materials, for the federal government to engage the militants on a bare military encounter. Jeremy Bentham would regard such option as utilitarian as it would save the greatest good for the greater number of Nigerians (Hampshire-Monk, 1992). From a *games* theoretical framework, the capture of a major militant would be speculated to mean a lot in infusing fear and instilling a thought of withdrawal on other militants and their sponsors alike.

Some Nigerians express the feeling that it would be pre-mature for the Federal Government to concede amnesty while it is yet to ascertain the gains and prospects of its recent military reprisal on the militants. This is not to ignore the fact that a direct military encounter would produce a mixed impact. On a socio-psychological perspective, early amnesty to the militants would perceive them and their sponsors as having capitulated. In such circumstances, their true motives may never be known, while their ventures may never be destroyed and their orchestrating nexus (whether internal or external) may never be discovered. This would then be a victory in disguise for the militants' cohorts and sponsors who may

overtly rally round calls for more federal presence in the development of the Niger Delta. Besides, the Niger Delta people's struggle for fiscal federalism (otherwise known as resource control) may have been further vindicated. On the other hand, some uncertain results of this policy may include forcing the militants to submission, destroying innocent lives of the local citizens, engaging in an endless battle that may incur the sponsorship of foreign (state and or non-state) adventurers especially those who have stakes in the oil multinational companies operating in the region, in which case a Nigerian Nicaraguan would have emerged; followed by the destruction of oil installations/investments of the federal government. From this school of thought, no individual or group, no matter how highly placed can be bigger or look intimidating to government. Adherents of state-centricism would embrace this option using the guise that the state has a duty to perform in the maintenance of socio-political continuity, stability and order.

The second school of thought views the policy from a win-win theoretical standpoint and disposes the issue on a framework which sees the adoption of the amnesty policy as being borne out of government's tacit acceptance or desire to rethink its prevailing (perhaps indifferent) policy towards the development of the Niger Delta region with attendant budgetary commitments. Adherents of this school would praise the federal government for taking the bold and unusual step of initiating a peace overture to the militants to avert further trouble in the region. It is already a fact in Nigeria that the quantum of development-oriented policies of the federal government towards the Niger Delta region falls far behind its commitments to exploration/exploitation of resources from the area. To hurriedly prevent a total dismantling of the economic nerves of the country, the amnesty may have been contemplated as a panacea for stanching further damage to the economy in the face of a global economic meltdown. Another explanation under this school of thought is that the amnesty option may have been selected to allow the Yar'adua Government scuttle the ambitions of some unseen political adventurers of the region who may be using the militancy as their strategic political and economic launching pad for their bid towards the 2011 elections.

From whatever school of thought one views the issue, a major question should be that of how profound and longlasting the seeming regional peace would be in the post-amnesty period and how committed the federal government packages to the Niger Delta peoples would be in the period of the administration of the policy. The amnesty period lasted for 60 days during which all militant groups were expected to have handed over their arms and ammunitions to security officials at designated centres. This process is also expected to be accompanied by a rehabilitation for which billions of naira have been earmarked.

The subtlety in this amnesty policy is that, while the concession of amnesty to the Niger Delta militants may be seen as a renegeing by the federal government in the use of its limitless state power in the exercise of its expected normal security obligations, it also implies that the militants would, by this policy, have no other option than to embrace peace in the region for the amnesty policy to take effect. However, the guarantee that the later objective would be met is yet very edgy for, as the saying goes, *you can't reverse left-handedness in old age*. For instance, on March 8, 2010, two bombs were detonated in Warri (a Niger Delta city in Midwest Nigeria) close to the venue of a meeting of stakeholders called in furtherance of the implementation of the amnesty policy. This goes to vindicate the edgy nature of the amnesty policy in making the militants depart from these dangerous acts.

Some of the relevant policy implications of the foregoing on the political economy of Nigeria can be identified:

1. The application of the amnesty policy would temporarily restore regional peace in the area. For while the militant activities lasted, illegal economic activities such as oil bunkering refining and distribution were going on simultaneously in informal "camps" amongst the militants. There were thus inter-camp clashes and misunderstandings. Should the militants or their sponsors devise another strategy in this respect, the federal government would then be justified in applying military sanctions against the offenders. The envisaged peace would thus rekindle normal life to the national economy and the oil companies would then go back to work again.

2. The renewed and unavoidable commitment of the federal government towards making manifest efforts in developing the Niger Delta is seriously implied in this amnesty policy. If it intends to reconcile the status of the *nationalists* and the *ethnic politicians* referred to earlier in this analysis, the federal government must go beyond just letters in making the Niger Delta people believe that they are not being exploited by the nationalistic majority in the Nigerian political economy and democratisation process.
3. The amnesty policy would have truncated the economic and political ambitions of some of the adventurers in the militancy game who may not show up in making any demands during the administration of the amnesty policy. This is perhaps one of the greatest praiseworthy points the federal government may have indirectly scored in adopting the amnesty policy. For long, the suspicion that these militants have been operating at the instance of some unknown Niger Delta bigwigs has been profound in the Nigerian polity.

Conclusion

The adoption of the amnesty policy by the federal government may have provided a short cut to the lingering economic crises created by the disruptions in the Niger Delta crisis on the Nigerian economy. Subject to a proper administration and a comprehensive consultative approach in its implementation, the Amnesty policy for the Niger Delta militants would become one of Nigeria's best policy initiatives in recent times in resolving politico-economic conflicts in the nation and an antidote to future crises of this objective and territorial dimension.

References

- Atofarati, A.A.(1992). *The Nigerian civil war: Causes, strategies and lessons learnt*, Retrieved from <http://www.africamasterweb.com/BiafranWarCauses.html> on 23 March, 2010
- Azinge, E. (2009). Focus on the amnesty policy. NTA network news programme. Abuja, 26th June, 2009.
- Cockrail, C. (2006, March 23). A conversation with Cuauhtémoc Cárdenas, *US Berkeley News*,

- Dinneya, G. (2006) *Political economy of democratization in Nigeria*. Lagos: Concept Publication Limited.
- Hampshire-Monk, I. (1992). *A history of modern political thought*, Malden, Massachussets: Blackwell Publishing.
- Imobighe, J. A. (2002) Warri crisis in historical and contemporary perspectives. In Imobighe, J.A., Bassey, C.O. & Asuni, J.B. (eds.) *Conflict and instability in the Niger Delta*. Ibadan: Academic Associates Peace Works. Spectrum Books Limited.
- US Immigration Amnesty (2009). *Immigration amnesty*. Retrieved from <http://www.usamnesty.org/> on 23 February 2010