

NIGERIA'S NIGER DELTA MILITANCY AND THE AMNESTY POLICY: BEYOND THE AMNESTY

Dr. Robert O. Dode

Dept. Of Political Science and Public Administration
University Of Uyo, P. O. Box 4262
University of Uyo
Uyo

ABSTRACT: *Despite the existence of a sizeable theoretical and empirical literature, no firm conclusions have been drawn regarding the impact of the amnesty policy and the elimination of militancy and acts of oil theft from the Niger Delta Region of Nigeria. This article challenged the consensus of an inconclusive relationship between the amnesty programme and increased crude oil production in Nigeria. It adopted the elite theory in shedding deeper light on the lapses existing in the formulation and implementation of the amnesty policy. It concluded that although the Niger Delta citizens had their expectations dashed; with regard to oil discovery, they resorted to acts of militancy which had negative effects on the image and economic fortunes of Nigeria. However, the amnesty programme which was thought out as a viable policy thrust that could douse the air and bring peace to bear on the region, neglected the women, children and non-violent youths of the area. It is to this neglected, but significant wing of the Delta that this article drew attention, with the firm projection that with such lie the prospects of a lasting peace in the Niger Delta. The paper observed further that when a state policy thrust becomes overtly discriminatory, another round of militant activities in the delta region seems inevitable, hence the need for a policy review for a broad based system that will capture majority of the excluded but potentially dangerous segments of the delta struggle in Nigeria and deliberate moves aimed at installing effective governance at all levels of the Nigerian state.*

KEYWORDS: militancy, kidnapping, pipeline vandalism, amnesty policy, non-militant segment.

INTRODUCTION

The growth and development of countries are to a large extent directly related to their socio-economic and political environment. It is therefore an incontrovertible fact that the existence of a peaceful polity could pave way for the achievement of rapid development by a country. It was on this wise that the discovery of crude oil in Nigeria in 1956 and in commercial quantity in 1958 at Oloibiri, raised the hopes of the government and people of the country, of having a future (oil-driven economy) that would be largely characterized by better life for all citizens (rise in expectations).

Crude oil discovery and exploitation has indeed constituted a primary source of money spinning for Nigeria for over five decades, and counting. Studies have however, demonstrated in strong terms the reality that most countries that hinge the doors of their economic future on the extraction of natural resources (like crude oil) only have remained

largely poor and unstable (see the resource curse theory). This is a factor of the rentier status which the crude oil processing industry bestows on the countries that are so endowed. This reality is further necessitated by the fact that although countries like Nigeria could boast of having billions of barrels of crude oil reserves (deposits) in their water and land boundaries, they lack the requisite technology and manpower to exploit this natural resource. This reality thus compels such countries to look outwards for multinational firms from advanced, industrialized countries, with which they sign memoranda of understanding (MOU) for the exploitation of the crude. It is from such arrangements that the multinationals have continuously made millions of dollars on monthly basis, while the Niger Delta (base of oil exploration and exploitation in Nigeria) people have remained largely poor. To stop this ugly trend, Nnoli (2011), et al, has recommended a 'masses war' against the exploitative system that has been foisted on the country. In the words of Nnoli (2011:247):

...the masses must wage a relentless struggle against the domination of the Nigerian economy by external forces. This must go hand in hand (sic) with a struggle to dismantle the economy imposed by colonialism and replace it with one that is based on the daily economic activities of the masses, which innovates products within the country because research and development takes place within the country. This struggle must ensure that external actors within the economy, including multinational companies conform to the dictates and requirement of the new economy. Incentives for foreign companies to operate in the economy must not be at the expense of the masses.

These constitute noble recommendations indeed, with regard to how Nigeria could break away from the existing chain of dependency. The question of the alternative technology is however, still begging for an answer. Does the country at this stage possess the requisite manpower and technology to exploit crude oil? Do the actions of the elites at the three levels of government in the country portray those of leaders who are serious with inward – looking and sourcing technology? These do not constitute core reasons for this research work, but became necessary here as a reaction to some of the propositions of Nnoli (2011) in his work. As eluded to above, the multinational companies draft and sign MOUs with the Federal Government of Nigeria before they begin operations. Studies have shown that the MOU attempt in their contents to restrict the relationships of the oil conglomerates to the central government of the country (Federal Government). Consequently, they have argued severally that whatever services they render to their immediate host communities is a factor of good will, not an obligatory duty (corporate social responsibility).

Researches and historical facts have confirmed in unambiguous terms the reality that before the discovery and exploitation of oil in Nigeria, the Niger Delta was about the most peaceful region of the country. That environment prided itself with an abundance of flora and fauna which enhanced massive economic activities. With increased exploratory and geo-physical activities however, came attendant negative consequences on the environment. Soon, the people's hope of a better life was dashed and depression which gave way to aggression gradually set in. The Niger Delta people soon came to the understanding that the oil multinationals had little or nothing to offer that would add value to their existence. Consequently, they began to make representations to the Federal Government of Nigeria, requesting that their plight be looked into and remedies provided.

BEGINNING OF AGITATIONS IN THE NIGER DELTA REGION OF NIGERIA

The seeming neglect which greeted the feelings of expression of the citizens' requests led to agitations by the Niger Delta people. These began with letter writing, to peaceful demonstrations from the Adaka Boro era to Kenule Saro-Wiwa, who alongside eight others were summarily executed by the Abacha junta in 1995. A number of analysts have hinged the violent phase of the Niger Delta struggle (militancy) on that execution of the Ogoni nine in 1995. The Niger Delta environment suddenly got bugged by acts of violence like pipeline vandalism and hostage taking (kidnapping) for ransom money (Dode, 2005).

These militant activities would negatively impact on the image and economy of Nigeria. As a response, the Obasanjo administration (1999 - 2007) applied the military action option, and in the process, bombarded a number of communities in the Niger Delta like Odi and Gbaramatu. Rather than solve the problem, such drastic measures led to the escalation of militarism in the Niger Delta; with a number of splinter groups springing up. The picture of the country's financial records in the closing days of the Obasanjo led administration was not very good because it posted an oil production capacity that had gone below 1.5 million barrels per day (bpd), from the previous record of 2 million bpd and above. It was this unstable economy, heralded by a crisis – ridden Niger Delta region that President Musa Yar'Adua inherited in 2007. Unlike his predecessor, Yar'Adua chose the dialogue option which culminated in the declaration of amnesty for suspected Niger Delta militants who were willing to surrender their arms. Such arms surrender exercises were to be conducted openly in different parts of the region, covered by various print and electronic media.

While the amnesty policy was hailed by many because of the believe that it would usher in the much desired peace in the region, it received outright condemnation by others. The chief 'denouncer' of such declaration was an ex-militant (freedom – fighter) known as Asari Dokubo. His major argument was that only people who had committed felony against the state and had received pardon could be described as having benefitted from an amnesty. He argued further that in the case of the Niger Delta militants, they took up arms to fight against injustice, as perpetuated by the state over a number of years.

This paper did not set out to assess the propriety or otherwise of the amnesty policy thrust. It is rather a discovery mission, aimed at ascertaining whether or not the major reasons for the policy initiative have been achieved or are likely to be achieved, vis-à-vis the huge public funds that have been expended into executing the programme. Can it be asserted to a large extent that the Federal Government declared amnesty programme implementation has brought lasting peace to the Niger Delta area? Has the amnesty programme implementation led to the complete eradication of militancy, hostage taking and pipe lines vandalism in the Niger Delta? Has the amnesty policy help dowse the feeling of marginalization prevalent in the oil bearing communities of the Niger Delta? These questions are indeed relevant to the achievement of the objectives of this paper. This is so because there seem to be a relationship between the mode of implementation of the amnesty programme and the achievement of lasting peace in that region.

A number of national events in Nigeria (2011 – 2014) necessitated the writing of this thesis. The Boko Haram threat, amidst a number of other security challenges had claimed many souls in the Nigerian territory, especially in the north East Zone and Abuja (the Federal

capital city), with the Nyanya recording two separate and deadly bomb blasts between March and April, 2014. Again on May 20, 2014 Nigeria recorded two more deadly bomb blasts in Jos, Plateau State. It is instructive to observe that before the end of the first quarter of 2012 (when the Amnesty programme was into the second year), the Movement for the Emancipation of the Niger Delta (MEND) issued releases to the effect that it would attack South African Oil and telecommunications investments in Nigeria, based on the arrest and threat of extradition of Henry Okah (suspected militant) to Nigeria for trial on charges of bombing during Nigeria's 2010 independence day celebration. The MEND statement in the Nation (April 15, 2012:2) added further that the "planned attacks on the Nigerian oil industry would also affect all pipelines and facilities remotely related to the oil and gas sector". Consequently, although oil production in the Niger Delta improved significantly since 2010; as a result of the amnesty policy, it appears that a number of other factors were ignored by the framers of the policy thrust. It is this vacuum that this work intends to fill, as it has not been fully covered by a lot of the existing literature on the amnesty programme in Nigeria.

THE NIGER DELTA ENVIRONMENT AND OIL DISCOVERY

The Niger Delta region of Nigeria is located largely within the South-South region of the country. The practical sense of the region, according to Duru (2010:106) refers to that part of Nigeria "comprising the area covered by the natural delta of the Niger River and the areas to the East and West, which also produce oil". Consequently, most literature on the Niger Delta region describes the area from the point of view of its geology and hydrology.

Ikhuria (2005:442) had given a more geographical description of the region when he observed that:

The Niger Delta is a wetland of about 70,000 km². It spreads over a number of ecological zones: sandy coastal ridge barriers, brackish or saline mangroves, freshwater permanent and seasonal swamp forests, and low land rain forests. The area is inhabited by 13,000 settled communities with a total population of over twenty eight (28) million. The upland areas, particularly the urban areas are densely populated, while the swamps have scattered settlements established on higher grounds. Subsistence farming and fishing are the mainstay of the people.

The above description of the Niger Delta region affirms the fact that the dominant economic system before the discovery of crude oil was largely agro-based. Research indicates strongly that to date, agriculture constitutes the mainstay of over 80% of the population. This fact was affirmed by Alamieyeseigha (2005:2) when he argued that: Because of the riverine setting of these areas, fishing, farming, trading and forest product gathering remain the primary occupations and means of sustenance of the people and despite the emergence and subsequent dominance of the hydrocarbon industry, over 80% of the people are still dependent on the traditional agrarian trade.

Of the above analyzed setting of the Niger Delta region, one factor that regularly arouse controversy is what constitutes the exact geographical size of the area. While some sources record about 70,000 km² (See Ikhuria, 2005, Akpan, 2008) others claim it is an area of 75,000 km² (Duru, 2010). To make matters more complex, the Niger Delta Development Commission (NDDC), an intervention agency established by Nigeria's federal government

for the region, has posted a figure of about 25,000 km² on its website (www.nddc.online.org).

The seeming controversy surrounding the actual size of the region notwithstanding, a major factor that has made it a significant hub of the country is the fact that more than any other resource showcased by the country, and indeed the Delta region, oil has become the most important and dominant. Hence, Ikhuoria (2005:443) observed that oil has become “by far the most valuable (resource) to the national economy”. In painting this stark fact in percentile terms, Eke (2010:50) has it recorded that “Nigeria’s oil-dependent economy is measured by the 85 percent share of all export earnings of the federal government of Nigeria”. It is however, an observable fact that while the nation’s economy is largely dependent on the proceeds from the exploitation and sale of oil, the region from which the resource is derived is characterized by what Eke (2010:144) has described as a “regrettable economic and environmental catastrophe”. This reality constitutes a major regional paradox. Indeed, the oil-dominated environment of the region which ought to have turned it into a hub of economic activities in the nation, has paradoxically contributed largely to a highly degraded and uninhabitable environment. This problem, Ikhuoria (2005:443) again captured in these words:

The literature is replete with oil spill incidents and notable catastrophic effects and disruptive stresses on the entire Delta ecosystems: offshore, mangrove swamps, and rainforest uplands, which constitute the most productive biological habitats in Nigeria (Akene, 1987; NEST 1991; Ikhuoria and Avwunudiogba, 1995, World Bank, 1995).

In the same vein, Eke (2010:136) has argued strongly that “The Niger Delta region has been despoliated environmentally, strangulated economically and raped politically”. These studies speak on the Niger Delta ecological frameworks, with emphasis on the environmental conditions of the states involved and the impact of oil on the lives of the citizens. Few intensive studies have however, focused on the fall out of this oil infested environment and the amnesty policy of the federal government of Nigeria. The analysis of the post amnesty era and militancy in the Niger Delta region thus constitute the major thrust of this paper.

The history of how oil became the mainstay of Nigeria’s national economy dates back to 1956 when oil was discovered in the slippery town of Oloibiri (in the present Brass Local Government Area of Bayelsa State). The commercial status of this resource was established in 1958, thus heralding intense exploration and exploitation activities in the land and water boundaries of the Niger Delta. These activities have adversely impacted on the environment and lives of the people of the region, with attendant reactions from the affected citizens. Such reactions got to the peak with high level of militancy experienced during the Obasanjo administration (1999 – 2007) and the declaration of the amnesty policy by the Yar’Adua administration (2007 – 2010), which was inherited by the Jonathan administration (2010 - 2015). This thesis submits that there is a relationship between the composition and implementation of the amnesty policy and reduced acts of militancy in the Niger Delta region. This development equally has an inverse relationship with increased oil production. The work proceeds further by adopting the elite theory of public policy making in analyzing the contents and implementation of the amnesty policy. That theory, among others states that public policy reflects the values and preferences of the elite, rather than the demands of the masses (Ikegbe, 2006). To Eminue (2005 : 256):

Public policy is no more than a reflection of the values and preferences of a governing elite, so that it is not the people or the “masses” who determine public policy through their demands and actions; rather, public policy is decided by a ruling elite and carried into effect by public officials and agencies.

Eminue (2005) and others have given the names of the most outstanding proponents of the elite theory to include Robert Michels, Vilfredo Pareto and Gaetano Mosca. Others are Thomas Dye and Harmon Zeigler who through their work; ‘The Irony of Democracy’ provide excellent summary of the elite theory.

These views tend to expose the nature of the formulation of the amnesty programme in Nigeria because the vocal arm of the militants, represented by Asari Dokubo has continuously argued that the amnesty policy thrust is not a direct consequence of their (masses) demands but the idea of a few political elites domiciled in the federal capital city of Abuja.

Dokubo and others argued further that they are freedom fighters who have been struggling for better attention to be paid to the Niger Delta environment. To this group, the act of hand picking a few so called ex-militants for presidential treats does not in any way address the problems that gave rise to the Niger Delta crisis. Hence, Dokubo has argued through several fora that the Niger Deltans do not need any amnesty because they are not criminals who had committed known offenses against the state, to require state pardon. They thus see themselves as ‘freedom fighters’ and oppose the amnesty initiative of the federal government.

THE WORKINGS OF THE AMNESTY PROGRAMME IN NIGERIA

Consequent upon the afore analyzed and the theoretical leaning of this paper is the fact that the Niger Delta indigenes feeling cheated and marginalized, asked for intervention measures from the federal government. When the desired action was not forthcoming from the agents of the state, the Niger Delta youths took to militancy. The Yar’Adua administration chose to allay such fears of the people by declaring amnesty over militants who would have been arrested and tried under normal circumstances. Four years and counting into the implementation of the amnesty programme, how successful has it been with regard to ensuring lasting peace (environment devoid of militancy) in the Delta region?

A holistic assessment of the present state of the Niger Delta region would point to the fact that despite the declaration and implementation of the amnesty programme, that region remains a keg of carbide that is waiting for explosion; if permanent structures are not put on ground to forestall a reoccurrence of militancy, hostage taking and pipe lines vandalism in that region.

The observation that the amnesty programme has helped to reduce the incidents of militancy and thus contributed to increased oil production can not be controverted. However, this paper observes that the programme was initiated in such a hurry that it underrated the unintended consequences of such a capital intensive policy. Using the case study approach, this work picked on the aspect of the policy which focused on merely identifying some ‘ex-militants’ who were subsequently sponsored for skills acquisition in different parts of the world. Some

militants that have returned to the country are rumored to be receiving plum contracts from the NDDC, even where they lacked the capacity for such jobs.

Noble as the training of ex-militants policy was, a number of analysts have questioned the rationale behind isolating only the 'ex-militants' of the region for special treatment. Accepting the reality that these constituted the visible, aggressive segment of the region, what remedy was thought out for the youths who restrained themselves from carrying arms, the women and children who were rendered widows and fatherless; displaced by the militant activities?

The framers of the amnesty policy, in not seeing the need to make provisions for the non-militant segment of the region, overlooked a major source of the resurgence of militancy. It is note worthy that most of these abandoned Niger Delta children took notice of and at some point, participated in the militant affairs by rendering one service or the other to the militants and their war-lords. Consequently, a policy aimed at stopping violence in that region, which however, leaves out the non-violent, women and children amounts to adopting a temporary solution to a volatile problem, thus postponing the dooms day. A broader measure (policy) should have made adequate provisions for these non-militants who had gone through some psychological trauma while the entire agitation process lasted.

The basic point of emphasis in this research is the fact that by ignoring the women and children who served either as food vendors and errand boys/information gatherers, the policy framers erred. A vacuum definitely existed when most of the ex-militants were taken abroad to acquire one skill or the other. Such lacuna could be and definitely was eventually filled by this neglected segment of the Niger Delta struggle. Else, it should have amounted to a surprise to read on the pages of newspapers in Nigeria of how gunmen took hostage three Dutch nationals in the creeks of the Delta on Sunday, May 4, 2014 (news 24 nigeria). Oil theft in the delta region is taking another dimension. In this regard, news 24 nigeria reported on May 02, 2014 that the Joint Task Force (JTF) destroyed nine illegal refineries along the Brass Creek, Brass Local Government Area of Bayelsa State. Such comes with the impounding of a number of oil barges that convey stolen crude.

The JTF was again reported to have located eight illegal oil distillery camps on the Tebidade Brass Agip pipeline in Gbamatoru Community in Southern Ijaw Local Government Area of Bayelsa State. Again, the Maritime component of the JTF patrolling on Okpumani Creek in Warri South Local Government Area of Delta State reported the interception of two wooden boats laden with suspected stolen crude. In the wake of intense insurgent activities in some North-Eastern states and the capital city of Abuja, an explosion was reported near the Port Harcourt Refinery complex on May 18, 2014 MEND would later take responsibility for that explosion. With regard to that development, The Nation Newspaper (front page) of Tuesday, May 20, 2014 reported thus:

MEND said it would persist in its attacks on the oil industry, in view of the alleged inaction of President Goodluck Jonathan, who it said continued to rely on an "unsustainable" and "fraudulent" Niger Delta Amnesty programme.

In an attempt to buttress their point further and justify the blast near the refinery, the MEND source (The Nation, May 20, 2014:60) averred that "Thorough investigations will reveal bomb fragments are the same used in the Warri (Delta State) Refinery explosion of Tuesday,

22nd October, 2013". That source equally described the Nigerian Amnesty programme as a fraud on the people who were promised peace in the Niger Delta in the absence of justice.

CONCLUSION

The aim of this article was to review the accumulated evidence on the impact of the amnesty policy on peace and economic growth in the Niger Delta region. Existing reviews and authors of primary studies on the Niger Delta have drawn inferences largely from a limited set of information revolving around the areas of geology, hydrology and environmental impact; and have failed to give the needed attention to a post-amnesty Niger Delta. In contrast, we foreclosed most other factors to beam our search-light on the effect which the neglected segment of the amnesty programme could have on long-term peace building and sustenance in the Niger Delta. The study thus identified the existence of a peaceful environment as a sine qua non for the achievement of rapid economic development.

Results presented here reveal that the discovery of oil led to a rise in citizen expectations. This hope was however, largely truncated because studies have indicated strongly that countries that depend solely on a natural resource for income, like Nigeria, showcase citizens that are relatively poor. While the foreign oil companies and the state earn enormous wealth from crude exploitation, the people and environment of the Delta have remained endangered and impoverished.

The resultant effects of this reality were the various agitations for attention on the Niger Delta by the Nigerian State. Such agitations became full blown into acts of militancy, with its attendant negative effects. The work adopted the elite theory as its frame of reference and highlighted the fact that the amnesty policy concentrated largely on the ex-militants, to the utter neglect of women, children and the non-violent youths of the Niger Delta. Such discriminatory policy, the study noted, could spark off another round of militancy in that region. We discovered that the perpetrators of these sabotage activities are to a large extent, the apprentices and "boys" of the now celebrated and settled militants of the Niger Delta. This analysis suggests that the policy should be reviewed and broadened to accommodate the neglected segment of the Niger Delta Region, while efforts should be fast-tracked to implement the Niger Delta Master Plan for environmental improvement, the primary factor that necessitated the armed struggle.

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