

From Militancy to Amnesty: Some Thoughts on President Yar'adua's Approach to the Niger Delta Crisis

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Abstract: This study examines the amnesty programme of the Yar'Adua administration for militants in the Niger Delta region of Nigeria. It argues that against the background of many years of militant activity in the Niger Delta the amnesty programme was a last ditch effort in view of the failure of the many institutional approaches to solving the Niger Delta problem. The study is of the opinion that the amnesty programme was a master spoke in the history of political engineering in Nigeria. This is to the extent that it went a long way to bringing about relative peace and stability to the region in particular and Nigerian general. The study however contends that for the peace and stability to be sustained, the government needs to demonstrate the necessary political will in terms of massive infrastructure development, job creation and confidence building measure among other things. Unless this is done urgently the post amnesty peace and stability will peter out.

Key words: Amnesty programme, Niger Delta, Nigeria, Yar'Adua

INTRODUCTION

On June 25, 2009 President Umar Musa Yar'Adua granted amnesty to all persons who have been directly or indirectly involved in Militant activities in the Niger Delta. From the date of this amnesty, militants had a 60-day period to lay down their arms. The amnesty offer was President Yar'Adua's last ditch solution to the lingering crisis in the Niger Delta region. The crisis in the region had grown to the point of embarrassment for the entire country. In the period before the amnesty, militant activities covered a whole range of activities ranging from kidnapping of expatriates (and even Nigerian) workers in the oil sector, blowing up of flow stations and Sundry activities which sometimes bordered on criminality.

Amnesty was a political solution to a problem, which seemed to have defied other solutions. Before the granting of amnesty President Yar'Adua had tried other solutions such as drawing up the Niger Delta Master Plan, establishment of a Niger Delta Ministry (Ikenya and Iwuagwu, 2009; Omotola, 2010). It would seem that it was the president's frustrations with the failure of these solutions that led to experimenting with the amnesty option. At the expiration of the amnesty period, it was adjudged a huge success by many to the extent that it led to a reversal of most of the problems that had plagued the Niger Delta. With the laying down of arms, by militants relative peace seems to have returned to the Niger Delta in particular and Nigeria in general.

This study examines the crises in the Nigeria Delta from a historical perspective. It specifically discusses the approach adopted by President Yar'adua in tackling the Niger Delta crisis. The amnesty programme of the

administration and the challenges it has been confronted with is critically examined in terms of arguments for and against it. The study comes up with suggestions on the ways in which the gains of the amnesty programme can be sustained and/or improved upon

RESULTS AND DISCUSSION

The Niger Delta region of Nigeria: The Niger Delta region, also called the South-South geo-political zone in the current six geopolitical structures is made up of six states, Delta, Rivers, Bayelsa, Cross River, Akwa Ibom, and Edo. The region is made up of a medley of ethnic nationalities referred to as minorities in relation to the three major ethnic groups in the Nigerian Federation (Obi-Ani, 2004).

The Niger-Delta region is rich in oil and gas resources and also rich in the sheer diversity of its flora and fauna, however, the region like other parts of Nigeria 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, some scholars think that the Niger Delta case is the result 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). As extreme as the above view seems, it may be understandable. 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 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 marginalized 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).

Reactions to these problems of neglect, marginalization and environmental degradation started even before the independence of Nigeria. According to Oloya and Ugbeyavwighren (2009), the struggle for resource control in the Niger Delta dates back to the pre-colonial era when the Royal Niger Company (RNC) by its action tried to deprive the people of their legitimate trade and industry. When then British merchants were challenged by King William Dappa Pepple of Bonny in 1854, he was deposed and exiled to Fernando Po. King Jaja of Opobo was deposed and exiled to the West Indies when he opposed British merchants' direct dealings with his subjects to forestall their exploitation. For moving to prevent British exploitation of his subjects, Prince Nana of Irsekiri was deported to Accra in 1894. In about 1897, the Oba of Benin was dethroned and exiled in Calabar where he died in 1913, also for challenging British authority. When the Royal Niger Company stopped the people of Nembe (Akassa) city-state from trading in their palm oil and other palm produce, there was mass protest, which resulted in the attack on the Royal Niger Company depot in Akassa in 1895. Isaac Adaka Boro's declaration of the Niger Delta Republic on February 23, 1966 was engendered by oppression by the dominant ethnic groups in Nigeria. The Federal Government declared war against him and he was clamped down. Ken Saro-Wiwa who vigorously pursued and internationalized the Niger Delta struggle was sent to the guilloatine in 1994 by the Abacha administration as a deterrent to others. Unfortunately, the death of Saro Wiwa was to be the beginning of militancy in the Niger Delta struggle. Rather than deterring others, the execution of Saro Wiwa has resulted to the emergence of several militant groups in the Niger Delta viz: Movement for the Emancipation of Niger-Delta (MEND) and the Niger Delta Peoples Volunteer Force (NDPVF) among others. In the Niger Delta today, the texture of the struggle has changed from the nonviolent era of the past;

we have today well-armed groups working as it were for the liberation and emancipation of the region. As it has been reported, we have now in the region "a new generation of restless youths who desire change (Newswatch, 2007). It has become clear that their only understanding of how change can come about is violence. This became a sort of article of faith especially after the famous Kaima Declaration of 11th December 1988 (Omotola, 2009).

Furthermore, the hanging of Saro Wiwa and eight others in November 1995 internationalized the crisis. The international outcry that greeted this was indeed loud and led to the suspension of Nigeria from the Commonwealth among other sanctions (Egwemi, 1998). Again the leveling of Odi in 1999 by the army on the orders of President Obasanjo did not help matters. This is because before the leveling of Odi, the army has carried out similar attacks in the Niger Delta area. These earlier attacks in the Niger Delta were not engendered by the killing of policemen as, was the case in Odi (The Nation, 2007). We recall that the action in Odi was consequent upon the killing of some policemen in the town. All these acts against the people made them lack a sense of belonging in the Nigerian federation.

Government responses to the aspirations by the Niger Delta has mostly been institutional, that is to say government has responded by establishing institutions to solve the problems of the region (Omotola, 2009). For example, in 1961 and in response to the recommendations of the Willink Commission, government established the Niger Delta Development Board (NDDB). The next institutional response was the 1.5% presidential committee set up in 1989. This was followed by the Oil Minerals Producing Areas Development Commission (Oloya and Ugbeyavwighren, 2009). The point to note about these responses is that none has tackled the Niger Delta problem to any reasonable extent.

In his determination to overcome the crisis of the Niger Delta, which President Yar'Adua has described as a nightmare (Daily Independence, October 6, 2008) he has set up a Niger Delta Ministry. In the same vein, the Yar'Adua government also set up the Niger Delta Technical Committee, which has already submitted its report. Also the Niger Delta is one of Yar'Adua's much talked about 7 Point Agenda. Thus in terms of government policies and programmes a lot is being done to tackle the problems of the Niger Delta.

The problem with all the so initiatives is that as good intentioned as they are (or have been), the government has yet to really bring the political will to bear on making them succeed. For example, nothing tangible seems to have been done about report of the Niger Delta Committee. Again the government seems to have developed a habit of withholding funds that should accrue to the various institutions over the years (Agbo, 2008).

This brings us to an issue, which we alluded to at the beginning of this section. While it is clear that all of Nigeria is faced with a big infrastructural crisis and an underdevelopment quagmire, the Niger Delta region seems to be unique to the extent that it is the region from which Nigeria gets over 70% of its resources. Thus in its quest for fairness, the region demands for resource control so that it can use its resources to better the fortunes of the region. However, as we have argued elsewhere not much to show in another section of this study not much has been done with the 13% derivation, which the region currently enjoys (Egwemi, 2009).

In May 2009, the federal government launched a full-scale military offensive against the militants. This was consequent upon the kidnapping of some people in the region. This has led to casualty on both sides, the military and the militants and there does not seem to be an end to the hostilities. Also many Niger Deltans have become refugees and something close to a humanitarian tragedy is imminent in the area. As much as the federal government reserves the right to stem criminality in the region, the problems associated with the military option cannot be swept under the carpet (The Nation 2009a, b; Oladesu, 2009).

It would seem that the military action and its seeming futility was the beginning of the move towards amnesty. It would seem that force was a language, which the militants enjoyed and realizing this, government decided to take the more civil path of amnesty.

Amnesty: Yar'Adua approach to resolving the Niger Delta Crisis: From the discussion so far, it is clear that the Niger Delta region of Nigeria the crisis inherent in it and ways of overcoming them have elicited a lot of scholarly reactions (Omotola, 2009, 2010; Ojokorotu, 2006; Dibia, 2005; Egwemi, 2009; Ibeanu and Luckham, 2006; Iyayi, 2007).

This is not wholly surprising. The region is a highly strategic one for Nigeria (Omotola, 2010). First, it occupies a large portion of Nigeria's coastline; it is thus a major gateway to the country. Secondly and more importantly, it is Nigeria's treasure base; the bulk of Nigerians oil resources are located in the region. Thus the effort to maintain peace and stability in the Niger Delta has been a major concern for successive administrations in the country. Over the years, the crisis in the Niger Delta has been a critical component of the Nigerian crisis or what Omotola calls the national question (Omotola, 2010).

Ojokorotu has identified seven causes of conflicts in the Niger Delta. These are (Ojokorotu, 2006):

- The structure of the Nigerian federation
- Perceived/real marginalization of the Niger Delta Region

- Activities of Oil and Gas Companies
- Ethnic identities/Nationalism
- The retention of legislations widely perceived as obnoxious
- The role of government
- Militarization /Proliferation of arms

These reasons are in the opinion of Ojokorotu responsible for the emergence of social movements in the region. Many of these social movements have proliferated in the region and some have assumed a militant tone and this has compounded the crisis in the region (Egwemi, 2009).

At the time President Umar Musa Yar'Adua came into office on 29 May, 2007, the crisis in the Niger Delta region was at its zenith. Resentment in the region had been festering for so long that in fact the crisis in the region had become an albatross to the Nigerian project (Omotola, 2010; Egwemi, 2009).

The initial institutional approaches adopted by Yar'Adua such as the re-organization of the NDCC, the Niger Delta Master Plan and the creation of a Niger Delta Ministry did not seem to meet the wishes, needs and aspirations of the Niger Delta people. This led to the adoption of amnesty as a last ditch option.

The amnesty granted by President Yar'Adua has elicited different reactions. While some think amnesty has been a success, others think it has not succeeded at all. We will examine these two positions briefly. There are many positions on the success of the amnesty offer (Uduagban, 2009; Jega, 2009; Ofehe, 2009). However, Ajaero seems to capture these positions well when he argues.

For those who actually know the cost of violence and the quantity of arms and ammunition in the region, the decision of the repentant militants to embrace peace is one of the best things that have happened to the country in 2009. A state of war has been averted by their decision to lay down arms. This is a great act of patriotism (Ajaero, 2010).

In fact for laying down their arms, the Niger Delta militants were voted man of the year 2009 (Ajaero, 2010).

On the other hand some are of the extreme (?) position that the amnesty programme has failed (Ojo, 2009). Some have more moderate views on the programme. While some think it lacks transparency (Okoko, 2009), others think that the preparation for amnesty was inadequate (Peterside, 2009) and some think that Amnesty alone cannot resolve the Niger Delta question (Mitee, 2010; Adaramola, 2009).

Whatever reactions amnesty has elicited two things are clear. First it is an unprecedented action in the history of political engineering in Nigeria. The amnesty offer was a masterstroke in terms of giving Niger Deltans a sense of belonging in the Nigerian project. As a corollary

amnesty has it helped to advance the course of national integration and the forging of unity in the country.

Secondly and as a fall out of the first there has been a high level of peace and stability in the Niger Delta region in particular and Nigeria in general. The peace and stability in the area have in turn given way to more profitable oil exploration activities in the area, which has impacted positively on Nigeria's revenue profile. This in turn has enhanced development efforts in the area.

Beyond amnesty: Sustaining the post amnesty programme: While in the opinion of this study the amnesty option was largely a success, we are not unaware of positions expressed against the amnesty programme at its very beginning. In fact some commentators thought that the amnesty programme was at variance with Yar'Adua's avowed due process and rule of law disposition (Mato, 2009).

Be that as it may, the critical issue at this point is that through the amnesty the Yar'Adua administration was able to provide peace for all of Nigeria. However as Muogbo (2009a) has argued "sustaining that peace remains the source of concern for Nigerians. Indeed without any doubt sustaining peace in the Niger Delta is imperative. But how can this be done? This question is important because as some people in government are rejoicing about the success of the amnesty, MEND one of the key militant groups is saying that it has not given up on violent agitation (Muogbo, 2009b).

When the amnesty period ended on October 4, 2009 a new phase in the programme commenced namely, making the deal reached with the militants and indeed the entire region work in the post amnesty period.

The first step in this period (for the militants) involved "a rehabilitation process that will ultimately lead to their full rehabilitation and integration back into peaceful life" (Idris and Bello, 2009). Unfortunately the media coordinator of the Amnesty Implementation Programme, Dr. Timiebi Koripamo - Agray did not put a time frame to this process saying, it is indeterminate and could take along time (Idris and Bello, 2009). This study is of the opinion that putting a time frame and working toward achieving it would have been a better option.

As is to be expected in all human activities the amnesty programme had its problems, which the government has been grappling with the best way it can. For example it can be argued that the post amnesty programme was literally speaking at the take off stage when President Yar'Adua its arrow head took ill and left the country in a hurry November 2009.

A major blow on the post amnesty period was the literal disappearance of the President from the country (The Washington Post, 2010). On the 23rd of November the President left the country on what should ordinarily have been a medical vacation. Unfortunately the President

and his men did not handle the issue properly in terms of the constitutional requirements as stipulated in section 145 of the 1999 Constitution. This was to herald the beginning of a major constitutional crisis, which only ended after a national assembly declaration, which proclaimed Vice President Goodluck Jonathan as Acting President on 9th February 2010.

Jonathan's ascension to the presidency as controversial as it was ended 78 days of power vacuum occasioned by President Yar'Adua's failure to properly hand over power to his Vice President as stipulated in the constitution in section 145. As is to be expected while the Nigerian polity drifted as it were, a lot of burning national issues did not get the required attention. One of such issues was the post amnesty (Ojo, 2009).

In his first broadcast to the nation after assuming power as acting president (and specifically in relation to the post amnesty programme) Goodluck Jonathan declared;

The federal government will take every step necessary to consolidate the gains of amnesty in the Niger Delta and execute the post amnesty programme. I, therefore, appeal to all concerned to be patient as there can be no meaningful development without peace and stability (Newswatch, 2010).

As reassuring as these words are there is not gain saying the fact that they would make more sense when practical steps are taken to actualize them.

In the period in which the power vacuum lasted, there were signs that the gains of the amnesty were going to be lost to the uncertainties of the post amnesty period. For example there were signs of renewed militancy in the region and speculations about the oil giant shell relocating from the region.

With the power vacuum taken care of and with a Niger Deltan in power, it is hoped that the post amnesty period is carefully handled so that an end can be brought to insecurity in the region in particular and Nigeria in general.

Concluding remarks: The amnesty programme has without any reason able doubt brought about relative peace and stability to the Niger Delta region. The almost whole scale embrace of the amnesty by the repentant militants has been a great relief for Nigerians. However, after amnesty as some Nigerian have opined may not be an end to crisis in the region (Adaramola, 2009; Nigerian Compass, 2009, Vanguard, 2009; Olowu, 2009).

Such skepticisms are rife because there are fears that the government may not be able to (or is unwilling?) to manage the post amnesty peace. In this light Muogbo (2009a) has argued, "the presidency has given the nation peace, at least for now. But sustaining that peace remains the source of concern for Nigerians (Muogbo, 2009a).

As we have argued almost at the beginning of the post amnesty period, a constitutional crisis, which brought about a power vacuum confronted the Nigerian nation. This no doubt affected efforts aimed at consolidating the amnesty. Now that the constitutional crisis seems to have been taken care of albeit controversially, the need to consciously execute the post amnesty programme cannot be overemphasized.

The relative peace, which the amnesty programme brought to the Niger Delta region, needs to be consolidated. This study is of the opinion that all that is required to do this is the necessary political will on the part of Nigeria's political class especially the executive. Such political will should ordinarily manifest in the form of equitable distribution of revenue derived from the region, a determined effort towards massive infrastructure development, job creation and confidence building measures (Daily Sun, 2009). Again such political will may be demonstrated especially in the post amnesty period inform of enabling law to backup the post amnesty programmes has been suggested (Okoroafor, 2010).

REFERENCES

- Adaramola, Z., 2009. Amnesty May not End Niger Delta Crisis- Dafinone. Daily Trust, December 29, pp: 10.
- Agbo, A., 2008. Another Hope Betrayed. Tell, December 22, pp: 18-25.
- Ajaero, C., 2008. So Much Money, So Much Poverty. News Watch, March, pp: 10.
- Ajaero, C., 2010. The Niger Delta Militants. News Watch, January 4, pp: 11-13.
- Daily Sun, 2009. Editorial: Beyond Amnesty in the Niger Delta. October, 9: 16.
- Dibua, J.I., 2005. Citizenships and resource control in Nigeria: Case of minority communities in the Niger Delta. *Afr. Spectr.*, 39(1): 5-28.
- Egwemi, V., 1998. The annulment of the June 12, 1993 election and its impact on Nigeria's leadership role in Africa. Unpublished M.Sc. Thesis, Ahmadu Bello University, Zaria.
- Egwemi, V., 2009. From minority and oil rights agitation to militancy: Some thoughts on the Niger Delta crisis. *National Development Review, J. Centre Dev. Compar. Stud.*, 1(1).
- Ibeanu, O. and R. Luckman, 2006. *Niger Delta: Political Violence, Governance and Corporate Responsibility in a Petro-state*. CDD, Abuja. ISBN: 1902296303.
- Idris, A. and M. Bello, 2009, Amnesty: Our next step, by Committee. Daily Trust, October 6, pp: 1-5.
- Ikenya, F. and M. Iwuagwu, 2009. Managing the Niger Delta Crisis: The Yar'Adua Experience. *Int. J. Soc. Sci.*, 1(2): 101- 104.
- Iyayi, F., 2007. *The Niger Delta: Issues of Justice and Development Agenda*. Centre for Democracy and Development, Abuja.
- Jega, M., 2009. Amnesty: Off to a good start. Daily Trust, October 7, pp: 2.
- Mato, 2009. Between Rule of Law and Amnesty. Weekly Trust, August 1, pp: 43.
- Mitee, L., 2010. Interview: Amnesty Alone cannot Resolve Niger Delta Question. The Nation, January 12, pp: 15.
- Muogbo, O., 2009a. Still on Niger Delta Amnesty. *Nigerian Tribune*, October 9, pp: 26.
- Muogbo, O., 2009b. No more Militants in Niger Delta - Uduaghan, We have not Given up Violent Agitation - MEND. *Nigerian Tribune*, October 5, pp: 49.
- Olowu, D., 2009. Yar'Adua's Amnesty: Will it Put off the Fire in the Niger Delta. The Nation on Sunday, August 9, pp: 50.
- Oladesu, 2009. How to Solve Militancy in Niger Delta. The Nation, December 3, pp: 15.
- Newswatch Magazine, 2007/2010. August 13, pp:15/February 22, pp: 10-19.
- Nigerian Compass, 2009. Will Amnesty bring peace to Niger Delta? October 9, pp: 3.
- Obi-Ani, P., 2004. Ethnic Militias in Quest for Social Justice in Nigeria. In: Onuoha, J.I. and P.U. Okpoko (Eds.), *Ethnic Nationalism and Democratic Consolidation: Perspective from Nigeria and the United States of America* Nsukka. Great AP Express Publishers Limited.
- Ofehe, S.U., 2009. Interview: Amnesty Best Solution to Militancy. Daily Independent, July 23, pp: 4.
- Ojo, J., 2009. Yar'Adua Amnesty has failed - Niger Delta Leaders. Daily Sun, December 16, pp: 6.
- Ojatorotu, V., 2006. Youth militancy and development efforts in African muttiethnic society. *Asteriskos*, 1(2): 229-242.
- Okoroafor, B.A., 2010. Interview: Post Amnesty requires enabling Law. *Financial Standard*, March 01, pp: 38.
- Oloya, O.B. and M. Ugeyavwighren, 2009. The evolution of the Niger Delta Crisis. *J. Soc. Policy Soc.*, 3(4): 8-14.
- Okoko, K., 2009. Interview: Amnesty Programme Lacks Transparency. The Nation, November 27, pp: 13.
- Omotola, J.S., 2009. Dissent and state excesses in the Niger Delta, Nigeria. *Stud. Confl. Terror.*, 32(2): 129-147.
- Omotola, J.S., 2010. Liberation movements and rising violence in the Niger Delta: The New contentious site of oil and environmental politics in studies. *Confl. Terror.*, 33(1): 36-54.
- Osaghae, E.E., 1995. The ogoni uprising: Oil politics, minority agitation and the future of the Nigerian State. *Afr. Affairs*, 94: 325-344.

- Peterside, S., 2009. Interview: Preparation for the Amnesty Inadequate. *The Guardian*, December 20, pp: 72.
- Tell Magazine, 2007. August 6, pp: 20-26.
- The Nation, 2007/2009a/2009b. May 12/ May 21, pp: 17/ May 24, pp: 2.
- The Washington Post, 2010. A President on AWOL: Who is in charge of Nigeria? Reproduced. *The Nation*, January 14, pp: 5.
- Uduagban, E., 2009. No More Militants in Niger Delta. *Nigerian Tribune*, October 5, pp: 49.
- Vanguard, 2009. Comment: Fragile Niger Delta. 1999 Constitution of the Federal Republic of Nigeria, Federal Government Printers, Abuja, December 29, pp: 18.