
AMNESTY AS A METHOD OF CONFLICT RESOLUTION: A TACTICAL DENIAL OF NIGER DELTA RIGHTFUL STRUGGLE

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ABSTRACT

Conflict resolution is a variety of approach aimed at terminating conflict Through the constructive solving of problems; as distinct from management and transformation. Amnesty as a means of conflict resolution is more or less like scratching the problems on the surface. This study explores the Amnesty approach to the Niger Delta and analysed its suitability for solving the Niger Delta crisis and problems. Since Amnesty is seen more as a parole rather than constructive problems solving method. However, the study intended to suggest more appropriate approach to actualize the Amnesty approach as chosen by the Federal Government of Nigeria in order to achieve its objective of bringing lasting peace to the Niger Delta area.

Keywords: *conflict, conflict resolution, Amnesty, Niger Delta, militant*

INTRODUCTION

The current crisis in the Niger Delta is not the first faced by the Nigeria project, the Biafran succession of 1967-1970 nearly brought Nigeria to its knees. However, at the end of the war, the then Head of State declared "a no victor no vanquish" and rolled out the 3Rs; Reconciliation, Rehabilitation, and Reconstruction. The Niger Delta issue shares semblance with the agitation of the Biafrans-equity and fairness. However, in case of the Niger Delta it was a Disarmament Demobilization and Rehabilitation (DDR) kind of agreement in the Federal Government of Nigeria's Amnesty Plan. Hence the rehabilitations are confined to the militants and not their grievances, curse and struggle, not to their people and the area in general. These scenarios show a kind of scratching the problem on the surface, which portends a resurfacing of the problem since cure was meant for the symptom and not the disease. Even before the final implementation of the Amnesty, complaints and threat of returning to the creek has been going round. Amnesty, has been an instrument of conflict resolution since time immemorial. It has succeeded in solving major local and international conflicts, but fails some other times, especially where the victims seek justice and or reparation. The Niger Delta conflict is a kind bordering on economic sabotage and aggression on civilian, military and destruction of Government property. However, having dangled the carrot on the militants and their acceptance of the Amnesty which has led to normalcy and improved production and output of crude oil in the area, approximately from a meager 800,000bpd to 2.3mbpd. (Essien, 2008) Hence the Federal Government of Nigeria felt fulfilled, but occasional skirmishes and eruption of violence, including the Golden independence anniversary bombast near the venue of the celebration, this calls to question whether the amnesty tool is enough to bring a lasting solution to the crisis in the Niger Delta area. Especially, when people of the area were

still wallowing in abject-poverty, wants, hunger, disease and deprivation and are desperate to change their destiny their own ways.

CONCEPTUAL CLARIFICATION

Conflict, which was derived from the 15 century Latin word „konflikt which means to strike together, fight etc. (Miller, 2003) Encarta dictionary (2009) defined conflict as military war between opposing forces, differences, disagreement or clash; between ideas, principle or people. Conflict according to Festinger (1957) arose as a result of resources scarcity or position scarcity. This presuppose that at least two or more people desire a particular resource or position and were unable to agree on a compromise. Forest (1977) sees conflict as a fiction, which will always occur wherever people, groups, society and states find themselves together. Gurr (1970) define conflict as overt coercive interaction of contending collectives. Mcenery (1985) sees conflict as; “ a group process which emerges wherever two or more people (or group) seeks to possess the same object, occupy the same position, play incompatible roles, maintain incompatible goals or undertake incompatible means of achieving their purpose”. Social conflict was seen as purposeful struggle between collective actors who use social power to defeat or remove opponents and to gain status, power, resources and other scarce values. (Himes, 1990)

Conflict resolution; Conflict resolution refers to behaviors taken by states to reduce conflict levels, to control it expansion and to avoid certain kind of conflict such as major war. For instance Miall argues that;

Conflict resolution is a fundamental change in dyadic relationship where the resort to militarized action is no longer considered a serious alternative by the protagonist...” (Miall, 1992, 1999)

To Hill (1982) Conflict resolution is measures taken to resolves conflict to the satisfaction of both parties and, to the greatest extent possible, by the party themselves, to Swanstrom and Weissman (2005) conflict resolution refers to resolution of underlying incompatibilities in a conflict and mutual acceptance of each party’s existence.

Conflict resolution is a give and take in order to resolve the differences that led to crisis and allow peace to reign. Peace in this case is an agreement to end the war, resulting in a relationship of harmony and tranquility between parties hitherto in open armed conflict, in the place of conflict carried out by force of armed between aggrieved parties. Thus there is an agreement for cessation of hostilities and commencement of relationship based on the reconciliation of differences that led to the conflicts or war.

Amnesty; according to Goldman (2002) is a general pardon of offence by government, a deliberate overlooking of offences against a government. Amnesty was defined by Encarta (2009) as an international law and an act of effacing and forgetting past offences granted by the government to person(s) who have been guilty of crime and

rebellion against the state. Weisman (1972) sees it as an act of sovereign power designed to apply the principle of "tabula rasa" to past offences usually committed against the state. He noted that the offences which amnesty generally applies include political delicts, such as treason, sedition or rebellion... (Weisman. 1972) To be given Amnesty means one is guilty of an offence, especially against a sitting government, which are usually-open war against the government. In such instance Government usually decides in order to bring lasting solution to the problems to first pardon the aggrieved individuals who have mostly take to arms, thus labeling them criminals and by implication saying that the struggle or war is unjust, therefore they should count themselves lucky for escaping prosecution.

Militant; Encarta dictionary, define militant as aggressive- extreme action in the defence or support of a cause. (Smith 2011) sees militant as someone who is not afraid to use verbal or physical violence to further a cause. In recent time according to Smith (2011), militant have been loosely associated with extremism and sometime even terrorism. In the Niger Delta two types of militant emerged, one the youth, who out of frustration and lack of work (unemployment) forced them to embrace the activities of militancy first to redeem their livelihood and later to make a living. The second was the ethic militancy that first started to fight for the promotion of their ethic grouping this is especially true of the major ethnic groups in the Niger Delta. However, whatever their shape and colour the militant in the Niger Delta came to been as a result of deprivation and wants that pervaded the region. At the least it did provide an excuse for the militant venture to flourish.

FACTORS RESPONSIBLE FOR THE NIGER DELTA CRISIS

The real fact of the matter is that discovery of oil in Niger Delta region at Oloibiri in 1956 actually triggered a chain of events that eventually led to the present crisis that impelled the area to militancy and unimaginable destruction. Though the discovery of oil was not a cause on itself, other factors that contributed to the crisis includes absence of good things of modern livelihood, poverty, marginalization and wants that pervaded the region where large revenue of the Nation supposedly come from. However, the indigene of the area complained that the revenue or benefit from oil did not trickle down to the people either from the Federal Government or the Oil Companies. According to Ejibunu (2007) the government of Nigeria has made hundreds billions of dollars of oil revenue in the last 40 years of oil production in the Niger Delta. Despite this large amount of money, the local people remain in abject poverty and deprivation as they lack basic thing of life like water and electricity, not to talk of access roads or habitable habitat. Supporting the above assertion Ejibunu (2007) quoted Makagbo the anchorman for BBC Inside Africa, who equates the region to;

a region where time seem to have stood still and where people live the most meager of existence, leaving them bitter and angry for not having benefit from the black gold that makes Nigeria African largest Oil producer.(Makagbo, 2004) He further said of the region that In Niger Delta scenes of abject poverty that pervades the area, very similar to what you

find in a refugee camps (Makagbo, 2004) Still trying to locate the causes of the Niger Delta crises, a look at the evidence gave by Ken Saro-Wiwa the late leader of the Movement for the Survival of Ogoni People (MOSOP), he said, we all stand before history; i am a man of peace, of ideas. Appalled by the denigrating poverty of my people who lived on a richly endowed land, distressed by their political marginalization and economic strangulation, angered by the devastation of their land, their ultimate heritage, anxious to preserve the right to life and to a decent living ..." (Saro-Wiwa)

It is observed that oil based environmental degradation and ethnic based political domination, have combined to alienate the people from the use of their natural resources for their development. Oil exploration and production it is belief associated with a numbers of activities that devastate the environment and impacted negatively on the economy and the society in the Niger Delta. (UNDP 2006, Aaron 2006, Worika 2002, Okoko. 1998) In its report the UNDP rationally portrayed the Niger Delta situation as a region where development has stagnated, and no matter how hard a peasant work he still remain in the same point and sometime their situation get worst (UNDP, 2006) This had naturally resulted in frustration, while Anikpo (1998) observed that conflicts are a response to frustration, which occurs as a result of obstacle against the actualization of a set goal.

Above all the inter and intra ethnic crisis, most especially those between the major groups in the region was another cause of the frustration that escalated the Niger Delta crisis. These various intra and inter ethnic groups crises led to the availability of small arms and weapons that actually encouraged the rage to spiral, and thus as many groups has access to weapon they continue to multiply and since the region is still pervaded in poverty and backwardness every Tom, Dick and Harris militant groups has a ready - made excuse for engaging in militancy to the detriment of the nation and the region. The seemingly neglect of the area which is common to every region of the Nation actually give impetus to the struggle it equally allowed the struggle to be hijacked by people that has no business demanding freedom for others.

METHODS TAKEN TO RESOLVE THE NIGER DELTA CRISIS

It is observed that since Nigeria independence the Niger Delta region has been fighting for an egalitarian society because of the peculiarity of the region. The most glaring is it smallness against the three dominant ethnic groups. Suffice to say that their struggle has never been in vain. Omotola (2009) observed that government responses to the aspiration of the Niger Delta has mostly been institutional, hence government has been establishing institutions to solve the problems of the region without achieving the set objectives.

For example Omotola says; in 1961, in response to the Willink Commission government established the Niger Delta Development Board (NDDDB). The 1.5% Presidential Committee set-up in 1989, this was followed by the Oil Mineral Production Areas Development

Commission (OMPADEC) in 1992. The Niger Delta Development Commission was established in year 2000 to help end the violence and spur socio-economic developments. (Omotola, 2009) By 2007, the challenges of Niger delta region weigh heavily on the regime of President Umar Musa Yar'adua, with heavy drop in oil production as a result of militant activities coupled with drop in oil prices in the international market, which led to low revenue for the government to execute its programmes. Thus the need to resolve the Niger Delta crisis once and for all became paramount and inevitable.

In his determination to overcome the crisis, the Yar'adua government set up a Niger Delta Ministry, the Niger Delta committee, also Niger Delta was equally included in the 7 points Agenda of the Administration. However, the various initiatives with their good intention were unable to succeed simply because they lacked political will to back it up. For example (Agbo, 2008) noted that the government has mostly developed the habit of withholding funds that should accrued to the various institutions over the years and when release they sometime find their ways to private pockets. Thus, despite the efforts been made, nothing tangible seems to change in the condition of the Niger Deltans, and the crisis rage on.

THE AMNESTY APPROACH

By May 2007, when President Umaru Musa Yar'adua came into office, the crisis in the Niger Delta has reached it greatest peak. Omotola (2010) was of the opinion that resentment in the region had been festering for so long that in fact the crisis in the region had become an albatross to the Nigeria project. To the extent that the South – South are calling for secession, hence the urgent need at this material time is to bring an end to the crisis and restore normalcy in the region. The Amnesty granted by President Yar'adua as elicited scholarly reaction, opinions however differs. Those scholars that supported the amnesty sees it as success and a good thing to have happened to the region, great public commentators and scholars commend and elicited supports for the amnesty Uduaghan (2009), Jega (2009). Ajaero view best capture the opinion of this group, when he observed that Those who actually know the cost of violence and the quality of arms and ammunitions in the region, the decision by the repentant militant to embrace peace is one of the great thing to have happen to the country in 2009. As a situation of war has been averted by their decision to down arms, this is a great act of patriotism. (Ajaero, 2009)

In the opinion of others the amnesty program might fail because it lack preparation, transparency, and therefore, it was inadequate Okoko (2009), Peterside, (2009), Clark (2009). While others still think that the amnesty alone cannot solve the Niger delta conflict. Adaramola (2009) asserts that, for sure the Amnesty programme has brought about a peaceful atmosphere to the region and the country at large, stabilizing the crude oil output to above 2.3m bpd from its lowest ebb of less than 1.8mbpd. It equally reduced drastically the incidences of hostage taking and other acts of vandalism and oil bunkering.

However, granted that the Amnesty programme was a government gesture to placate the militant but not the host communities that breed them. Therefore, to make success of the Amnesty programme, a holistic assessment and solution must be provides for the gamut of

problems in the Niger Delta in order to achieve peace and prevent interested militant and insurgent from having any excuse to indulge in such activities in the future. This statement was born out of the fact that prior to the 2009 Amnesty programme, various approaches such as NDDDB, OMPADEC, NDDC, and the Niger Delta ministry etc these are good and fulsome approaches that might have solved the crisis before now, but for lack of political will they all failed.

CONCLUSION

The grievances of the oil producing communities and states must be addressed urgently. There will be need to increase greatly the resources allocated to alleviate the distress and accelerate development of the oil producing areas. The Niger Delta ministry and Amnesty programme is a welcome idea, however, specific fund must be provided to it for the purpose of funding practicable, useful, and well-articulated project with the aim of accelerating development and promoting the standard of living in the areas. However, areas of leakage in resources allocate to the region must be seriously checked and blocked.

RECOMMENDATIONS

A serious and all encompassing dialogue and negotiation, to address the problems of the areas should convene. The process of this negotiation should be transparent and the right of the aggrieved should be respected. As in many oil areas of the world, the regions where oil is found in this country are very inhospitable. They are mainly in swamps and creek. They requires massive dose of money if their conditions and standard of living must be compare with what is obtains elsewhere in the country, however, a comparable development should maintain in order not cause another problem elsewhere. The issue of power is indispensable in Nigeria politics and the ongoing crisis in Niger Delta, a fair and egalitarian power sharing formula that gives all the region of the country fair representation is very essential, equitable and egalitarian access to source of power will give everyone a sense of belonging.

Government should check the issue of unemployment not only in the Niger Delta areas but the country at large, because of the saying that; "an idle mind is the devil s workshop".

Government should explore various mineral and other resources in other states of the federation to make them viable and strong for a true Federalism, which should replace the present "semi-federalism". A massive agriculture development should be embarked upon in states where it is practicable

Lastly, the issue of good governance and a low corruption record will go a long way to redress most if not all the problem of aggrieved Nigerians including the Niger Deltans. Our problems and it solutions i belief lies with good government and good governance, justice egalitarian and equity.

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