

A Critical Analysis of the Impact of the Presidential Amnesty Programme on the Unrest in the Niger Delta Region

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Abstract: There is no gainsaying that the Niger Delta region has been a theatre of conflicts since the discovery of petroleum resources in commercial quantities in the area. It has been an unbroken chain of layers of conflicts. What took place in the region at the discovery of oil was akin to the scramble for Africa by European powers. Like in the scramble for Africa, the emphasis was on the control of resources. The control of resources has always been at the center of imperialism and its attendant conflicts. Ontologically, resources are scarce and will always be scarce. It is an existential fact that the scarcity of resources always induces conflicts. However, needs are infinite. Oil is a universally daily needed natural resource. As important as it is, it is not evenly globally distributed. The abundance of oil deposits in the Niger Delta ipso facto makes it a center of multinational economic interest. Naturally, the hawks, economic predators of all shades and hues did swoop in on the region. In the multinational quest for the control of the petroleum resources in the Niger Delta region, different theories of ownership were advanced. The refusal to be bystanders in the control of the oil resources domiciled in their region and the pains caused by the environmental degradation occasioned by oil exploration and exploitation led to series of confrontations that have culminated in a protracted unrest in the Niger Delta region. The introduction of the amnesty program to the region proved to be a game changer. This work critiques the impacts of the presidential amnesty program in the region.

Keywords: Niger; Delta; Oil; Insurgency; Amnesty; Nigeria; Exploitation

I. INTRODUCTION

The socio-economic and political milieu of the Niger Delta region drastically changed at the discovery of crude oil in commercial quantities in the region, few years before Nigeria's independence from Britain, petroleum resources were appropriated by the federal government through the highly controversial Petroleum Act of 1969 [1]. There was oil rush in the region as all manner of multinational oil companies trooped into the Niger Delta region, prospecting for crude oil which was then seen as the liquid gold because of its economic importance. They did not give a damn about the locals. Their oil deals were with the federal government which had appropriated the oil resources in the region. The environmental serenity of the region was obtrusively violated as oil rigs sprout everywhere with the attendant environmental pollutions. The region was suddenly thrown into a new

existential milieu unpreparedly. It was a milieu over which the inhabitants had near zero control. They neither had a say in bringing in the multinationals oil companies nor did they have any control whatsoever over the resources that were being exploited from their land. An abrupt political and economic order sprang in the region. Oil politics, the oil economy and their attendant negative exigencies betook the region. The Niger Delta was never the same anymore. The environment changed permanently. The pristine environmental tranquility bequeathed on the region by Mother Nature altered irreversibly.

It took only a while for the local population to observe that they were sitting on stupendous natural wealth. Incidentally, they did not partake in this wealth notwithstanding that the wealth

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I was of global significance. The local population lost their farmlands, they lost their ponds and streams. They lost the capacity to get clean water from their environment. Yet underneath their grounds flowed on a daily basis, millions of dollars' worth of crude oil conveniently piped to the shore and shipped away to Europe, America and elsewhere; of course, with returns to Abuja. But the people whom nature placed atop the ground that bears the oil wealth languish in abject poverty in a heavily polluted environment bereft of basic government infrastructure. The oil wells are controlled by licensed multinational oil companies while the federal government receives royalties from crude oil exports. The locals are neither involved in the issuance of the oil prospecting licenses nor do they have a say in the exploration or exploitation of the petroleum resources in their environment. They are but bystanders in the management of the natural resources underneath their land. The locals however had to bear the brunt of oil prospecting and exploration activities: ravaged farmlands, perennially polluted rivers and streams and increasingly despoiled environment.

The scenario painted above created the perfect environment for the brewing of agitations and conflicts in the region. Indeed, conflicts did arise.

There were constant disruptions in the operations of the oil industry in the region. Clouds of uncertainty and insecurity often hung in the air. There was widespread poverty and its attendant problems. The region was literally bogged in seemingly endless conflicts. The federal government was not unresponsive to the crises. The government did indeed confront the situation. It has perennially come up with measures to stem the agitation and to deescalate tension ranging from violent confrontations to political responses. The Presidential Amnesty Program was one of the most effective measures taken by the federal government to restore calm in the region. Perhaps it is the biggest intervention of government in the region with regard to conflict resolution. To properly assess the impacts of the Presidential Amnesty Program, the issues in the Niger Delta region have to be highlighted and explained in proper perspectives.

II. ROOT CAUSES OF THE RESTIVENESS IN THE NIGER DELTA

The causes of the conflicts in the Niger Delta basically revolve around oil exploration and exploitation [2]. They are basically oil-generated conflicts.

- a. Oil Exploration Rights and the Ownership Question
- b. Oil Revenues Sharing Formula
- c. Degradation and Pollution of the Environment
- d. Poor Infrastructural Development
- e. Abject and Widespread Poverty
- f. Heavy Unemployment
- g. Youths Restiveness and Armed Struggle.

2.1. Oil Exploration Rights and the Ownership Question

The Petroleum Act of 1969 which came into effect shortly after the discovery of petroleum in the Niger Delta provides that petroleum resources and the land that bears them belong exclusively to

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2 the federal government. The provisions of this law were then and are still perceived by a significant population of the Niger Delta as a ruse by the federal government of Nigeria mostly dominated by the northern region of the country to take control of the oil wealth that naturally belongs to the Niger Delta people. Simply put, the Petroleum Act was perceived in some quarters as a ploy to transfer the ownership and proceeds of the oil wealth from the Niger Delta to the North. The Petroleum Act naturally touches on the nerves of the average Niger Deltan who views the crude oil in the region as a produce from their land, no matter the depth from which it is drilled.

Elsewhere, the title holders to the land drilled the oil and paid royalties to government [3]. In some federal systems, the states took charge of the oil exploration and exploitation

processes and paid royalties to the federal government [4]. The complete takeover of the oil wealth by the federal government was seen by the inhabitants of the region as a hostile takeover. It generated so much resentment among the inhabitants of the Niger Delta. The resentment led to multiple conflicts bordering on the question of ownership of the oil resources in the Niger Delta and clamors for the equitable distribution of the oil wealth [5].

2.2. Oil Revenue Sharing Formula

The oil and gas industry, no doubt is the mainstay of Nigeria's economy. Needless to state, the bulk of Nigeria's revenues comes from the oil economy. The Niger Delta region felt cheated that the wealth that comes from their land is shared among the thirty six states of the federation while they get incommensurate portions of it [6]. This conflicted with the earlier practice where the regions retained 50% of their revenues and remitted the balance to the central government. The resultant agitation led to the increase in the allocation of the proceeds of oil resources to the oil producing states from which they are derived from 1% to 13% which is the barest minimum recommended by the 1999 Constitution [7].

The agitation has not yet ended. What the Niger Delta region actually wants is resource control. It is not just about derivation percentage per se. it is the empowerment of the region to manage the resources in their land and remit 50% of the revenues to the federal government as was originally the case when the British introduced the derivation principle to revenue sharing before the independence of Nigeria [8]. It is a touchy issue in the Niger Delta.

2.3. Degradation and Pollution of the Environment

Oil pollution is a contentious source of conflicts in the Niger Delta region. Oil exploration activities have caused untold damage to the Niger Delta environment. The ecosystem in the region has been significantly degraded. Farm yields have degraded significantly. Arable lands in the region recede year after year due to the pollution that comes with hazards of oil exploration and exploitation especially where there is near zero environmental regulation. Frequent oil spillages and seepages have made it impossible to get clean water in most parts of the Niger Delta. The Ogoni case is singularly pathetic. The ensuing conflicts culminated in the death of the renowned poet and environmental activist, Ken Sarowiwa [9]. The quest to get the oil companies to pay compensations to communities affected by oil spillage and seepages often results in conflicts and confrontations. 3

2.4. Poor Infrastructural Development

It is a severally attested fact that infrastructural amenities in most parts of the Niger Delta are often poor or nonexistent especially in the rural areas. It is a painful irony that most of the rural communities that host the oil wells often lack basic infrastructure while the wealth that is derived from their land is used to develop the rest of the country. Inhabitants of the Niger Delta have often cried out against the poor

infrastructural development of the region, especially, the oil producing communities.

The topographical terrain of the area has not helped matters. Most of the Niger Delta topography is covered with mangrove swamps. Road construction in such terrains is very expensive because of the swampy topography. The late military Head of State Gen. Sani Abacha had his support organizers ferry youths from the Niger Delta region to Abuja to participate in a million-man march to support his administration. That invitation triggered immense conflicts in the Niger Delta region. The youths on reaching Abuja, saw firsthand, the power of petrodollars in infrastructural development. Abuja was wonderfully built, of course with the petrodollars accruing to the federal government from the oil that flows from the Niger Delta while the region that lays the golden egg is left to rot in abject neglect and infrastructural decay.

2.5. *Abject and Widespread Poverty*

The poverty index in the Niger Delta is quite high. The traditional economy has been displaced by the oil economy. Arable lands are increasingly disappearing because of oil spillages and seepages. The inhabitants of the region are traditionally fishermen and subsistence farmers. Most of the streams and ponds in the region are contaminated with oil and unsuitable for the survival of fishes. This makes subsistence fishing harder.

Beyond the traditional economy, when affluence coexists with abject poverty in close proximity, conflicts and crime often result. The sight of Oil Company workers living large from the proceeds of the oil extracted from their land has often led to demands for the communities' share of the oil largesse and the attendant conflicts.

2.6. *Heavy Unemployment*

Most of the communities in the Niger Delta are riverine communities. There is little corporate presence in these communities. There is always high level of unemployment in these communities as there are often zero industries apart from the oil extraction industry whose highly skilled personnel are often sourced outside the oil producing communities and often reside in the city far away from the rural communities where they work. The traditional occupations are mostly gone. An unemployed population is a restless population. There had not been concerted attempts to integrate the youths of the region into the oil industry. Capacity building and training to fit into the oil industry has been poor. The petrodollars often flow from impoverished oil producing communities with very little employment opportunities.

2.7. *Armed Struggle and Youths Restiveness*

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The inhabitants of the Niger Delta region never accepted their bleak economic conditions with meekness and complacency. From the time of Isaac AdakaBoro to the contemporary

society, the resistance has been on. The region always said no to oppression in whatever way it could. Until the introduction of the Presidential Amnesty Program, the Niger Delta region was dogged by severe youth restiveness and armed struggle. The youths took up arms against the federal government and the oil companies in what eventually became a protracted war of attrition. Small arms flowed freely in the region. There were frequent armed confrontations between the armed forces and the youths who increasingly became militant. Oil pipelines and floating stations were frequently attacked [10]. There were constant attacks on oil workers and oil assets. It was indeed a jungle story.

III. THE PRESIDENTIAL AMNESTY PROGRAM

Although the Niger Delta struggle had raged on for over three decades before the emergence of the Late Umaru Yaradua as the president of Nigeria in 2007, Yaradua was determined to end the armed struggle as he believed that the able bodied youths being wasted in the struggle were valuable national assets whose energies could be positively rechanneled. Thus on March 5, 2009, the late president adopted the recommendation of the Presidential Panel on Amnesty and Disarmament of Niger Delta Militants. Subsequently, on June 25, 2009, relying on section 175 of the 1999 Constitution, the late president granted a general amnesty to Niger Delta youths [11].

The militant youths were given between August 6 and October 4, 2009 to lay down their arms [12]. That was the turning point in efforts at resolving the seemingly intractable oil related conflicts in the Niger Delta. Previously, government after government had resorted to armed confrontations in misguided attempts to deal with the Niger Delta issue without meaningful success. The introduction of the amnesty program became the game changer. The amnesty program turned out to be a refreshingly novel and highly successful approach to conflicts resolution in the Niger Delta.

The program focused on DDR – Demobilization, Disarmament and Rehabilitation [13]. The DDR had direct and immediate bearing on the peace of Niger Delta. The program had other components which involved petroleum, infrastructure and the environment.

It is noteworthy that president Yaradua did not impose the amnesty on the militants. It was a deal to be freely and individually chosen by the militants within a 60day window period. It held the possibilities of full and unconditional pardon for any of the militants who accepted it. It also had a program of rehabilitation, vocational or educational advancement within or outside the country for whoever so chose as long as they accepted the amnesty and laid down their arms. The possibilities were awesome. The militants did accept the amnesty, starting with Boyloaf [14]. By the October 4, 2009 deadline, some 20,192 Niger Delta militants had laid down over 20, 000 firearms and embraced the amnesty program.

IV. THE EFFECTS OF THE PRESIDENTIAL AMNESTY PROGRAM

The amnesty program has not solved all the problems of the Niger Delta but it has made decisive inroads toward addressing the issues of conflict in the region. The achievements are outlined as follows:

- a. Immediate Stop to Armed Struggle and Youths Restiveness
- b. Employment Opportunities
- c. Educational and Vocational Advancement
- d. Integration into the Oil and Gas industry
- e. Improved Oil Production/Revenues
- f. Improved Economic Environment
- g. Reduction of Crime
- h. Socioeconomic and Political Empowerment

4.1. Immediate Stop to Armed Struggle and Youths Restiveness

The immediate effect of the Presidential Amnesty Program was the end of armed struggle and youth restiveness in the Niger Delta. As stated earlier on, over 20,000 militants willingly embraced the amnesty program and surrendered over 20,000 firearms and ammunitions. All the militant leaders accepted the amnesty, effectively putting an end to armed struggle in the Niger Delta region. The youths underwent counseling and emotional rehabilitation programmes to fit into the society as law abiding citizens.

4.2. Employment Opportunities

The amnesty program created significant employment opportunities in the region. Many of the former militant leaders were contracted to provide pipeline security services by the government and oil companies. They in turn employed their boys thereby keeping them busy and meaningfully engaged.

4.3. Educational and Vocational Advancement

The amnesty programme provided interested participants with relevant entry requirements to pursue tertiary education both within and outside Nigeria. Those without the necessary educational requirements for employment were encouraged to undergo vocational training to acquire relevant skills in order to fit meaningfully into the economy,

4.4. Integration into the Oil and Gas Industry

One of the biggest grievances of the inhabitants of the Niger Delta region is the feeling of alienation from the oil and gas economy despite being the owners of the land that yields the petroleum resources. The oil blocs are awarded to mostly people outside the region. The operation and management of the oil industry is dominated by expatriates. The locals more or

less look on like bystanders. The amnesty program provided opportunities for the people to participate in the oil and gas industry in varying capacities. It gave them the opportunity to

get involved to some improved extents in the oil industry.

4.5. Significant Improvement in Oil Production and Increased Oil Revenues

The armed struggle in the Niger Delta bombing of oil pipelines and oil production facilities. It also brought about regular attacks and kidnapping of expatriate oil workers. The cumulative effect was the freefalling of Nigeria's daily oil production and the resultant loss of oil revenues. The amnesty program put a stop to that. The attacks on oil production personnel and facilities ceased. Consequently, oil production and revenues improved.

4.6. Ushering of Conducive Economic Environment

The Presidential Amnesty Program ushered in a conducive economic environment in the Niger Delta region. The immediate calm brought to the region had economic multiplier effect in the heavily endowed region. Business does not thrive in a volatile environment. Insecurity drives away present and potential investors. The end of restiveness in the region brought significant ease to doing business in the region. Companies that hitherto left the region kept returning in droves. New businesses kept springing up due to the improved economic environment.

4.7. Significant Reduction in Crime Rate

The prolonged armed struggle in the Niger Delta weakened state institutions in the region, reducing the capacity of law enforcement agents to fight crime. The end of armed struggle lessened the burden on security agents who had more ease to patrol the cities and the waterways. The youths themselves dropped their arms and picked up meaningful engagements that kept them busy and away from crime. It is significant to note that the amnesty program had an elaborate skills acquisition component. It also came with thousands of employment opportunities for the youths.

4.8. Socioeconomic and Political Empowerment

So many youths who were hitherto militants in the creeks made good money through the amnesty program and became respectable social figures and political leaders in the region. Some of them were offered political positions and became a testament of the transformative power of the amnesty program. Most of the youths were integrated into state political institutions and political parties, providing them opportunities for political and economic empowerment.

V. CONCLUSION

The Presidential Amnesty Program has proved to be the most effective tool ever deployed by the government in the management of the peculiar conflict situation in the Niger Delta. For sure, there are still some unresolved issues in the Niger Delta region but the amnesty program has significantly deescalated the conflict. The ending of the armed struggle has created conducive milieu for dialogue between the federal government and the region on the unresolved issues of

conflicts in the Niger Delta region. Although there is significant room for improvement, the program is considered a success in this unbiased appraisal.

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