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National Security, Religious Anarchism and the Politics of Amnesty in Nigeria

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Abstract: The Nigerian state is caught in the crossfire of national insecurity arising from the insurgency of various rogue groups. The most prominent of these groups, and one whose activities have had far-reaching destabilising effect on the polity, is the Boko Haram sect. The Boko Haram sect, which uses the Taliban- and al-Qaeda-style terrorist tactics of suicide bombing and targeted assassination, is responsible for between 3000 and 4000 deaths since it declared war and engaged in armed insurgency in 2009. The sect has targeted and bombed state institutions, the United Nations building as well as many Christian worship centres in furtherance of its avowed objective of deploying terror to achieve the islamisation of the Nigerian state. Relying on secondary sources of data, the paper interrogates the force theory that underpins Nigeria's security engineering and contends that the continued insecurity in the polity is a demonstration of its ineffectiveness. The paper also contends that the proposition by the Federal Government to grant amnesty to the Boko Haram sect is not as simplistic as it appears as it transcends the narrow definitional criteria of bartering forgiveness for peace. While the paper is critical of the proposed amnesty programme, it advocates a holistic approach that incorporates other issues that are promotive of justice, morality and ethicalness in the polity.

Introduction

The major challenge of Nigeria's national security is the containment of diverse manifestations of violence spearheaded by various rogue groups. The major group in contemporary Nigeria that has stretched the resources, expertise, patience and even the competence of Nigeria's security apparatuses to the limit, both individually and collectively, is the Boko Haram sect. The sheer number of deaths arising from bomb attacks orchestrated by the Boko Haram far outstrips any

other cause of death in Nigeria, including epidemics (Bankong-Obi 2012).

One of the shortcomings of Nigeria's security management is its pro-realist orientation that accords the deployment of force preminent position. Thus, the strategy of choice among national security managers is the use of force in various guises to subdue those identified as threatening national security. But the government's supposed superior force has not rolled back the menace

of insecurity which creates the impression that the government is not doing enough to secure the people. This mindset led Bankong-Obi (2012) to attribute Nigeria's intractable security challenges to government's apathy towards exterminating the terror group and inefficiency on the part of the security agencies. The Boko Haram sect poses a security challenge that is alien to Nigeria's regular security problems. While the use of force might have worked in the past, it has proved inefficient in the case of Boko Haram. This is so for four major reasons: one, the Boko Haram uses al-Qaeda-style terror strategies, which combine suicide bombing, targeted assassination and guerrilla strategies to unleash violence on the polity; two, the sect has diffuse leadership system, making it impossible to initiate dialogue; three, its ideology is anchored on irrationality driven by utopian anarchism; and lastly, it has shifting membership that is patently faceless. The anarchist bent of the Boko Haram worldview is validated by its bomb attacks on Christian worship centres as well Muslims considered as not practising orthodox Islam (Onuoha 2012:2).

The persistence of bomb attacks by the Boko Haram sect despite an all-out deployment of force by the state and the clamour by Nigerians for the government to find a lasting solution to the problem of insecurity appeared to have swayed government towards the adoption of non-military option

of amnesty. The present amnesty being proposed by the Jonathan administration seems to be driven by narrow political considerations. Amnesty is not imposed by fiat but emerges through negotiated arrangement based on certain defined conditions. The government had unequivocally set those conditions earlier namely, that it would not negotiate with ghosts, due to the sect's faceless leadership and membership; and that the sect must present its basis of grievances as a platform for dialogue (BBC 2012; Guardian 2013a).

The paper acknowledges that amnesty is a political tool designed to stop violence and restore peace but argues that it must be driven by the tenets of justice. The paper further contends that the unilateralism of the proposed amnesty represents a policy summersault which might deepen insecurity rather than resolve it. It holds that the sustainability of any form of amnesty programme for the Boko Haram sect must factor in the victims of their terrorist attacks.

Contending Issues in Nigeria's National Security Architecture

Internationally and domestically, the issue of national security is constantly on the front burner (Obi 1997; Tyoden 2005). Irrespective of the regime type that is in control of governmental powers within states or the configuration of powers in the global arena, the preoccupation with national security has not diminished in importance since the emergence of

state system. Within nation-states, whether it is military authoritarian regimes or civil democratic governments, considerations surrounding national security sit at the apex of the hierarchy of states' national interest. At the core of these considerations are the twin issues of regime survival and the preservation of the territorial integrity of the state system.

Overtime, especially in the cold war era, the preoccupation of states with national security defined within the parametric confines of regime and state survival made its pursuit an end by itself rather than a means to an end. The effect was that states became fixated with developing the necessary capacity to ensure the survival of the government in power as well as preserve the state system from collapse arising from both internal and external threats and sabotage.

This traditional realist mindset underpinned the equation of national security with the absence of threats to governmental authority or the presence of domestic capacity to contain centrifugal forces within the polity (Omeje 2006). Thus, under this paradigm, national security was conceptualised within the parametric context of innate and acquired capacity of governments to ensure the protection of their countries from external attacks or internal subversion, as well as the preparedness of the military to protect state territories. It also was interpreted as diligence in matters of

intelligence gathering and secrecy, and the protection of resources and rights considered critical to the functioning of states (UNDP 1994; Encarta 2008; Nnoli 2006).

The core essence of this conceptualisation is that national security is motorised by the possession of the ensembles of warfare as well as the existence of military formations to deploy them. The implication, therefore, is that threats to national security are mainly external rather than internal. Thus, the whole essence of the apparatuses of force is to rebuff and defeat any form of threat to the state. As such, the achievement of national security falls under the exclusive domain of the military and paramilitary formations across the state. The shortcoming associated with this conceptualisation is its seeming restrictive boundaries and analytical inadequacy (UNDP 1994; Onuoha 2008:101; Adelugba 2008:20; Nwolise 2008:348).

The concept of national security has mutated from its static preoccupation characterised by narrow, restrictive, militaristic and strategic perspective to dynamic, broad-based incorporation of ensembles of various factors. The shift and expansion in the paradigmatic preoccupation of national security from traditional realist orientation to multilayered and broad perspective draws from deeper insights generated from other schools of thoughts. The various inputs from diverse intellectual traditions in the attempt

to elucidate and expand the traditional frontiers of national security have imbued the concept with certain mystique (Nnoli 2006:1; Adelugba 2008). But attempts by various scholars to add quality and dynamism to the concept of national security are principally concerned with the issues of whose security is paramount and how to provide it (Omeje 2006:14; Onuoha 2008:102). The intellectual and ideological ferment in the expansion of the domain of national security is exemplified by their emphases on a bouquet of factors as its constitutive parameters. Thus, the traditional realist approach and its contemporary variations situate the core concerns of national security within the framework of the state and its national interest anchored on its military capability to protect both; the idealist school focuses attention on the emancipation of the individual rather than the state; the neoclassical/liberal economic theorists see national security from the context of economic security or security of the economy, which is achieved through the free interplay of market forces in the resource allocation processes within and between societies; the structural ecologists focus on the linkages and interactions of ecology and politics especially in terms of the sustainability of the planetary ecosystem and the balancing of the negative impacts of economic activities on natural resource exploitation and the unhindered

opportunity to non-human lives to thrive; and Marxist political economy focuses on the reconciliation of the competing interests of the various classes in the state. To them, therefore, the national security cannot be understood apart from the interests of the social forces as they struggle with one another (Obi 1997; Omeje 2006; Nnoli 2006).

The expansion in the constituent elements that shape national security has produced a paradigmatic shift in contemporary definitional criteria of the concept. National security, thus, transcends the traditional frontiers of state to incorporate man and his environment within the milieu of sustainability. Sustainability in national security means that actions taken by states in furtherance of the security concerns of the present generation must be such that cater for present needs of humans and non-humans alike while making allowances for the unconditional meeting of the security needs by future generations (UNDP 1994; Dobson 2000).

National security in Nigeria is still conceived from the prism of the realist paradigm. Thus, the strategy often adopted by the Nigerian state to tackle insecurity consists of, and is anchored on, the deployment of superior fire power to contain what the state has identified as threats to it, which often coincide with the interest of the ruling elite. As a result of the realist orientation and mindset of Nigerian security thinking, the

Nigerian government perennially earmarks larger and larger portions of state funds for security. In the 2012 federal budget, the Nigerian government allotted 19.4 percent of the total budget to the security sector. Thus, in concrete terms, the security sector gulped N921.91 billion of the N4.75 trillion budgeted for the year (Leadership 2012). The logic behind the huge budgetary allocation to the security sector was to tackle the “the threat of Boko Haram, Niger Delta militants and increasing spate of insecurity and wanton destruction of lives and property by criminals which are on the rise”(President Jonathan cited in Leadership 2011).

Horsfall (2013:71) observes that the security budget for 2012 was not only phenomenal but was the largest allocation any government had budgeted in the history of Nigeria for the security sector. The phenomenal increment in the security vote not only enlarged the resources available to national security managers but also expanded the frontiers of the militarisation of the polity. It equally acted as a necessary fodder to the blossoming of corruption (Elombah 2010). In Nigeria’s government circles, the security vote is not subject to audit verification. Once the security vote is captured in the budget, its spending is within the competence of the government officials authorised to spend it and the manner in which they deem its spending necessary is beyond audit

query. The unaccountable nature of security vote led El Rufai (2012) to call it “slush fund”. The Human Rights watch (2007:39) captures it more succinctly thus:

The security vote is a budget line that is meant to act as a source of discretionary spending that the executive arms of government can use to respond quickly and effectively to threats to peace and security in their jurisdictions. However the use of those funds is notoriously opaque; there is generally no requirement that governors or local government chairpersons account for their use of those funds. In many cases security vote money has been used by state and local governments to foment violence and co-opt political opponents or has been lost to graft and patronage.

The militarisation of national security underpinned the setting up of coalition forces or joint task forces (JTF) to address sundry security threats. The Nigerian security architecture has, as its building blocks, such organisations as the police, the armed forces, and the various state security apparatuses, which are concerned with intelligence gathering. A consistent trait across the various security formations is the conscious efforts to militarise them. The Nigeria Police, whose primary responsibility is to maintain law and order, breaks them by converting their position into

veritable instrument of oppression and extortion (Carter and Marenin 1979; Walker 1999:56; Hills 2007:408; Alemika 2010).

Another aspect of the militarisation of the police is the creation of the pseudo-military formation known as the Mobile Police (Mopol) with access to helicopter gunships and armoured personnel carriers (APCs) as well as other ad hoc units that regularly compete amongst themselves for unleashing violence on the people. The JTFs are conferred with wide-ranging repressive powers. As oppression begets resistance, the deployment of force by the JTFs has neither diminished nor eliminated the incidence of insecurity in Nigeria. It has fostered the spirit of daring the state apparatuses of force, especially the JTFs. The creation of an alternative model of security framework to maintain internal security by the Nigerian government is a tacit acknowledgement of the incapacity of the police and other traditional institutions law enforcement to tackle crime.

Part of the underlying causes of insecurity in Nigeria is the appropriation, personalisation and privatisation of state power by the elite and the exclusion of the masses from access to secure material base (Ake 1981:125-8; Nnoli 2006:70). The emergent ruling elite at the period of independence did not dismantle the apparatuses of oppression used by the retreating

British colonialists but consolidated on them. Thus, it was merely, a handover from one oppressor to another. As Onyeozili 2005:) observes, “the nationalists against who (sic) police terror and violence were used by the colonialists, and to whom power was subsequently transferred at independence, cushioned themselves into employing police brutality and terror against their opponents in post-independence political power struggles”.

Another cause is the tendency of the Nigerian security apparatuses to reify force as the whole essence of security. For instance, the Boko Haram was in existence before it embraced violence as its primary tool of operation. Its origin is traced to 2002, with some scholars dating it as far back as 1995, which suggests that prior to 2009, it operated as a non-violent organisation (Connell 2012:88; The Nation 2012; BBC 2012a; Onuoha 2012:2). It was when the Nigeria Police applied extreme force which led to the death of its leader, Mohammed Yusuf and over 1,000 members of the sect that violence became its weapon of martyrdom (Onuoha 2012:3).

The de-federalisation of security through the takeover of every aspect of security by the federal government created certain rigidity in the security system. The erosion of the federalist principles that ought to undergird the Nigerian state and all the apparatuses of governance, including its national security system

originated from two interrelated factors, namely, military adventure into the political arena and the unfortunate Nigerian civil war and its after-effects (Babawale 2007: 65). Although the earliest effort to centralise the police system was in 1958 through the Police Act, Cap.154, Laws of the Federation (Onyeozili 2005:40), its consolidation was during the successive military regimes. One of the fallouts of Nigeria's skewed federal structure is the removal of real constitutional responsibility from the state governors and local government chairmen and the transference of same to the federal government. Contradictorily, the governors and local government chairmen allocate and appropriate enormous resources as security vote under the guise of being the chief security officers of their respective domains, a situation that has the trappings of sleaze around it (Human Rights Watch 2007b).

The security theorisation and preoccupation of the Nigerian state does not factor the human misery as a major constituent of the centrifugal pressures on national security. Human misery is seen as a manifestation of the consequential effects rather than a driving force of insecurity. This mindset could be responsible for the reactive rather than proactive orientation of the security strategies of the Nigerian state (Obi 1997). What this implies is that not only is there an absence of strategic security plan but also a lack

of linkages between national security and provision of conditions for the material wellbeing of a significant percentage of the population. But the pursuit of security ought to start and end with the elimination of the factors that create, intensify and sustain human misery in the polity. As UNDP (1994:22) observes, "human security is not a concern with weapons-it is a concern with human life and dignity". The dignity is conferred on the people by the responsiveness of the government to their social, economic, political and ethical needs.

The Terrain of Amnesty in Nigeria

Amnesty is a concept whose relevance is brought to the fore in conflict situations. It is associated with the preparedness of the state to suspend its powers to prosecute and punish individuals and groups who have contravened fundamental provisions of the laws. It involves the invocation of the powers of the state to cleanse from the official records of those under the purview of the amnesty arrangement, their culpability against it. Thus, amnesty does not operate in a vacuum but within the context of certain conditions. These conditions include:

- It applies to rebellious acts against the state;
- It is offered to a group or a class of criminals who may have committed a crime against the state;
- They need not be convicted by a court of law. It is enough that there is a constitutional

- basis upon which they can be ordinarily prosecuted;
- It is extended by the state in order to restore tranquillity within its territory;
- The felonies are expunged from the records of those concerned;
- It is anchored on the fulfilment of certain conditions by the intended beneficiaries of the amnesty programme. It could be in form of signing pledges of good behaviour, community service and surrendering of firearms (Encarta 2008; Akinwale 2010:204; Olatoke & Olokooba 2012:27).

There is fundamental misconception among scholars and analysts about the meaning and purpose of amnesty. This misconception is a product of conceptual confusion arising from the extrapolation of the meaning of amnesty from pardon (Ukaogo 2010; Akinwale 2010:202; Olatoke & Olokooba 2012:27). Sections 175 and 212 of the Nigerian Constitution, 1999, confer on the president and the governor of a state the power to exercise the prerogative of mercy after consultation with the Council of State or relevant advisory council respectively.

Embedded in Section 175(1a) are the concepts of amnesty and pardon. The subsection provides that the president may “grant any person concerned with or convicted of any offence created by an Act of the National Assembly a pardon, either

free or subject to lawful conditions”. An analysis of the provision brings to the fore its contemplation of the two concepts in one fell swoop. While the first part of that provision, that is, “any person concerned with” contemplates amnesty; the second part which refers to any person “convicted of any offence” falls under the purview of the concept of pardon. Thus, the distinction between the two concepts is that while pardon is given after a conviction and exempts the criminal from further punishment, amnesty is usually granted to persons who may have committed a crime but not convicted.

Amnesty as a state strategy is deployed to contain centrifugal forces and maintain the corporate unity of the state in the face of seemingly intractable threats. The effectiveness of amnesty as a state strategy lies is given impetus by two factors: one, an unimpeachable demonstration of the superiority of the fire power of the state; and two, the willingness of the intended beneficiaries to discontinue the criminal activities for which amnesty is contemplated. The objective of amnesty is not to punish but to choose a path that will yield the best possible scenario for the triumph of peace. Thus, amnesty emphasizes the supremacy and expediency of a conducive atmosphere promotive of public welfare than prosecution (Olatoke & Olokooba 2012:26).

In the course of Nigeria’s post-colonial experience, it has deployed

the tool of amnesty on two occasions. The first was in connection with the Nigerian civil war. At the end of the war in 1970, the federal government declared the outcome of the war as “no victor, no vanquished”. This was a general amnesty that served the purpose of closing the unfortunate chapter which the war opened (Ukaogo 2010). The introduction of what came to be known as 3Rs (reconciliation, reconstruction and rehabilitation) was a state policy designed to open a new chapter of reintegration of the secessionist Biafra into Nigeria.

Although, the amnesty policy of 3Rs has been criticised as an empty rhetoric peddled to contain the security threat that open marginalisation of the Igbos would have spawned (Ukaogo 2010), it achieved the purpose of procuring a peaceful polity. The amnesty of the Nigeria-Biafra civil war appeared to be one-sided: rather than facilitate the integration of the Igbos, it fostered their alienation and relegation from the mainstream of Nigerian governance and economic structures (Ojukwu 2002; Ukaogo 2010). What the Nigerian state granted Chief Chukwuemeka Odumegwu-Ojukwu under the presidency of Shehu Shagari was state pardon, an action that actually closed the chapter of the process that started in 1970.

The next instance of amnesty was on 25 June 2009 when Nigeria’s former President, the late Umaru Musa

Yar’Adua granted amnesty to the Niger Delta militants. For years, the Niger Delta was transformed into a cauldron of anti-state activities, which not only embarrassed the Nigerian state and undermined its economy but also spawned ripple effects in the international oil market. As the CBN (2009:130) corroborates, “declining production had characterized oil output over the previous five years due largely to militant activities and the attendant destruction of oil-production facilities”. The amnesty was the third in the line of strategies evolved by the Nigerian state to contain the destructive consequences of armed onslaught of the Niger Delta militants on the state. The two previous strategies were the bureaucratisation of the Niger Delta region through the creation of the Ministry of Niger Delta and the Niger Delta Development Commission (NDDC), under whose auspices the Niger Delta Master plan to anchor the sustained development of the region was evolved (Egwemi 2010:136).

The Niger Delta amnesty programme represented a milestone in several respects. Firstly, it showed that a government was listening and willing to engage in peaceful resolution of the people’s grievances. Secondly, it marked a shift in the security and strategic orientation of the government: the government stood down its reliance on its seeming superior fire power to cow the people and embraced dialogue

anchored on voluntary renunciation of violence by the militants. And lastly, the government was willing to make investments outside its traditional security window as it conceptualised the amnesty programme to have rehabilitation and reintegration components. Indeed, the Nigerian government projected then that the amnesty programme would cost the state some N10.14 billion (Nwozor 2010:29).

Undoubtedly, the Niger Delta amnesty programme was a policy attempt to seek an alternative route to peace within the triad framework of anti-violence, pro-dialogue and welfarism (Nwozor 2010:33). But the pursuit of this peace was not without conditions. As Nwozor (2010:33-34) avers, “the president hinged the amnesty on several conditions: the willingness of the militants to give up all illegal arms in their possession, a complete renunciation of militancy in all its ramifications, and deposition to an undertaking to this effect”. The embracement of the programme by the militants enthroned peace in the region, which had multiplier effect on the Nigerian economy. As CBN (2009:130) acknowledges, “the federal Government’s amnesty programme brought relative peace to the Niger-Delta area in the second half of 2009. Consequently, production level rose from 1.75mbd [million barrels per day] in January [2009] to 1.94mbd in September

[2009] and closed at the end of the year at 2.02mbd.”

Boko Haram and the Spectre of Religious Anarchism

The Boko Haram insurgency has been at the epicentre of Nigeria’s security crisis since it upped its terrorist activities in 2009. While both the origin and leadership composition of the Boko Haram sect are subject of speculation, their ideology and terrorist activities are not. Bagaji et al (2012:33) find semblance between Boko Haram and Maitatsine sects in terms of shared anarchic philosophy and objectives. The Boko Haram sect is professedly anti-west and considers terrorist strategy as a veritable jihadist tool to conquer the “infidels” (Onuoha 2012:2). Here, infidels are defined as those who are outside the template of orthodox Islam or those who condone or are sympathetic to western education and civilisation (Connell 2012:90). Thus, the literal meaning of Boko Haram is “western education is sin”.

The arbitrary targets of Boko Haram’s sustained terrorist attacks appear to create analytical problems with regard to who it categorises as an infidel. There has not been any boundary in the targets of its attacks: it appears to attack everybody but with preponderance on Christian institutions. Essentially, the targets of the attacks masterminded by the Boko Haram have not followed any particular pattern to lead to a plausible conclusion about their driving motives and ultimate goals.

The immediate deducible interpretation of their motives is that it intends to undermine the sovereignty of the Nigerian state through the creation of general insecurity by turning the country into a territory of anarchy. Their strategy could be likened to religious anarchism as it manifests the nature of, and also exemplifies the mainstream, terrorist tradition of the al-Qaeda and Taliban-style organisational planning and armed resistance (Bagaji et al 2012:33).

The peculiarity and invincibility of the Boko Haram sect lie in its daredevil attacks, loose organisational structure, facelessness and surreptitious operational modalities. The Boko Haram does not seem to harbour any genuine grievances against the Nigerian state either for its actions or inactions. The sect is driven by objectives, which are anchored on primitive utopianism. It is fixated with the irredentist quest to reconfigure and readapt the Nigerian state to an Islamic world created by them. As Onuoha (2012:2) puts it,

Its ideological mission is quite clear, namely to overthrow the Nigerian state and impose strict Islamic Sharia law in the country. Members of the sect are motivated by the conviction that the Nigerian state is filled with social vices and corruption, thus 'the best thing for a devout Muslim to do was to "migrate" from the morally bankrupt society to a secluded place and establish an

ideal Islamic society devoid of political corruption and moral deprivation'.

The philosophy of religious bigotry which motorises the Boko Haram insurgency is undoubtedly at variance with the notion of peaceful coexistence, especially in a multi-ethnic, multi-religious state like Nigeria. The Nigerian security cart has not tipped over the precipice because of the sense of restraint displayed by Christians in the face of consistent bombing of churches during worship. The Boko Haram has unleashed unprecedented mayhem on the Nigerian people, creating insecurity in its wake and calling to question the sovereignty of the Nigerian state. In 2012, it was estimated that the Boko Haram attacks were responsible for 750 deaths (The Nation 2012).

Apart from the human casualties, the use of improvised explosive devices (IEDs), targeted assassinations and suicide bombings have created pervading atmosphere of uncertainty, psychological trauma and general insecurity in Nigeria. According to Onuoha (2012:4), between July 2009 when the Boko Haram ostensibly declared war on the Nigerian state and January 2012, Boko Haram had carried out over 160 separate attacks which accounted for over 1000 deaths. These attacks involved high-alert security targets like the Police Headquarters in Abuja, Police and Military Barracks, the United Nations Building in Abuja, and the

Eagle Square situated at the centre of the seat of power in Abuja.

One of the major attributes of Boko Haram, the one that has made its defeat problematic is its facelessness. There is no reliable intelligence to mount surveillance of its leadership or predict, with assurance, its next move to enable intelligence agencies to checkmate them. The call by certain analysts and statesmen for government to initiate negotiation with the group led Nigeria's president, Goodluck Jonathan to challenge the sect's leadership to identify themselves and state their demands as a basis for dialogue (BBC 2012b).

Added to this is the air of suspicion in the security agencies and the presidency about the existence of fifth columnists that are sympathetic to the Boko Haram. No less a personality than President Jonathan acknowledged this (BBC 2012a). The implication is mutual suspicion and structural difficulty in honestly dealing with the menace engendered by Boko Haram. The situation is made even more complex by lack of objective modalities to assess the level of loyalty of government officials and security operatives to the government or the level of their sympathy to the sect.

Certain interpretations designate the Boko Haram violence as religious war which also has the potentiality of leading to ethnic cleansing. The linkage between religion and ethnicity in Nigerian polity is

because of the domiciliation of the major religions (Christianity and Islam) along discernible geographical lines. The targeting of Christian worship centres by Boko Haram bombers led the president of Christian Association of Nigeria (CAN), Ayo Oritsejafor, to describe the attacks on Christians as a "systematic ethnic and religious cleansing" and threatened that "we have the legitimate right to defend ourselves. We're also saying today that we will do whatever it takes" (BBC 2012a).

Rolling Back the Boko Haram Umbrage? State Security and the Politics of Amnesty

In the face of the apparent failure of the various joint military task forces to bring the menace of Boko Haram under control, it was not surprising that the federal government decided to extend the olive branch to the sect as part of its non-military strategies to bring the human carnage and psychological trauma, which the sect has engendered, to an end. In June 2012, Jonathan sacked his Minister of Defence, Haliru Bello and National Security Adviser, Andrew Aziza as a demonstration of their ineffectiveness in tackling the country's security crisis. In an interview, Jonathan was quoted to have said, "if you study the evolution of Boko Haram, they are changing their tactics every day, so you also have to change your staff and personnel to beat their styles." (Vanguard 2012).

Perhaps the success of amnesty in the Niger Delta must have underpinned the favourable disposition of the Nigerian government to extending same to the Boko Haram sect. The logic seems to be that since it worked for Niger Delta militants, it must also work for Boko Haram insurgents. The amnesty programme in the Niger Delta appeared to have worked like magic. With the announcement of the programme and positive response from the militants, there were perceptible results. Oil and gas production which had suffered acute reduction as a result of security threats in the region recovered dramatically, rising from 1.75mbd to 2.02mbd by the end of 2009 (CBN 2009:130).

The logic surrounding the replication of the Niger Delta amnesty “miracle” in the case of the Boko Haram is non sequitur. The conditions undergirding both scenarios are not the same to warrant the optimism that amnesty would become the magic wand to rein-in the Boko Haram menace. While the Niger Delta militants had grievances and demands, which were variously articulated, especially those encapsulated in the “Ogoni Bill of Rights” and “the Kaiama Declaration (Obi 1997; Sampson 2008; Omotola 2009), the Boko Haram does not have any document that consistently projects its demands.

The Niger Delta agitation was a specific reaction to three scenarios: one, Nigeria’s skewed federal system

which eroded their access to resources produced in their region; two, the impunity of the multinational oil companies (MNOCs) that destroyed their environment and rendered their lands infertile and incapable of sustaining livelihood dependent on them; and lastly, the strong-arm tactics of the Nigerian state that tended to intimidate them (Ofuebe & Anierobi 2006; Nwozor 2010). The Boko Haram insurgency, on the other hand, is anchored on the pursuit of an agenda of atavistic islamization of the Nigerian state (Onuoha 2012).

The leaders of the various Niger Delta militant groups were known to the intelligence agencies which facilitated discussions between them and government agents. In other words, at every point, the identity of the militants was neither in doubt nor a subject of conjecture. Since the death of Mohammed Yusuf, the Boko Haram sect adopted diffuse leadership model which eliminated the identification of the sect with a single individual as its leader. The sect is believed to include various factions in addition to impostors and imitators. This poses a serious problem of legitimacy.

The Niger Delta amnesty was facilitated by unfolding events at the national level. For the first time in democratic Nigeria, a Niger Deltan assumed the second highest position as the Vice President. This effectively shelved the allegation of marginalisation and paved the way

for dialogue. This kind scenario is lacking in the case of the Boko Haram.

Now, the question is: what has fundamentally changed to necessitate a volte-face by the government. Before now, the Government position has always been, and correctly too, that it could not dialogue with faceless individuals whose grievances were unknown (BBC 2012b). There are other questions whose answers are neither here nor there: is it more fruitful to placate “ghost terrorists” or to uncompromisingly and aggressively run them aground? Does it advance the cause of peace if amnesty is granted to a group that believes in its invincibility and unready to recognise the undisputed sovereignty of the state?

The granting of amnesty to any group must undergo “justice impact assessment” (JIC). JIC evaluates the general multiplier effects of the amnesty against people’s perception of justice, that is, how the exercise of the amnesty by the state will impact on their fundamental rights and expectations. It also involves the appraisal of the amnesty within the context of whether the interest of justice has been served.

Certain pertinent issues whose unsatisfactory resolution could complicate rather than normalise the security situation must be properly addressed. Such issues as the level of injury suffered by the people, the percentage of atrocities that was deliberately targeted at civilian

population; effect of the injury on life chances and livelihood of the people and the level of psychological trauma must be satisfactorily settled. For instance, it is estimated that between 3,000 and 4,000 people have brutally lost their lives in the various attacks orchestrated by the Boko Haram between 2009 and 2012 ((Omo 2013; Guardian 2013b), prompting Rupert Colville, spokesman for the United Nations Office of the High Commissioner for Human Rights (OHCHR), to aver that some of the attacks carried out by Boko Haram could "amount to a crime against humanity." (UPI 2012).

While amnesty is a political tool deployed to address issues which military actions may not resolve satisfactorily, it has elements of justice. The logic associated with the proposal to grant amnesty to the Boko Haram insurgents is patently deficient as it does not appear to address the issues of justice, morality and ethicalness contingent upon the extension of amnesty to the sect. The federal government set up a committee with its attention directed to working out modalities for amnesty without a corresponding committee to evaluate the effects of the Boko Haram violence on their victims (Channels Television 2013).

Even though the Boko Haram claimed they have been waging war against the state (Onuoha 2012; Connell 2012:87), the abstract nature of the state which places it above the status of a victim, coupled with the targets of their attacks, renders its

claim a falsity. There is neither connection between the state and several Christian churches that the Boko Haram sect has bombed nor is there any connection between the state and several private establishments that have suffered under the hands of Boko Haram bombings. Recently, the Boko Haram detonated IEDs in a luxury bus garage in Kano destroying over five buses and killing 60 persons (Punch 2013). Going by empirical evidence, the state is the least affected of the various terrorist attacks of the sect. Indeed, the victims are the people who are caught in the crossfire of secularity and the deployment of terror to achieve the islamization of the country. (Bagaji et al 2012:37).

A fundamental question is whether the Boko Haram sect is qualified for amnesty. There are no objective criteria to anchor arguments on any side of the divide. Amnesty is at the discretion of the state and as has already been mentioned, it is a political tool that enables the government to save face, cut its losses and create a tabula rasa for the reengineering of its security system. But the powers of granting amnesty are not exercised in isolation but within the context of its overall costs to the state. The cost, here, does not just connote the financial burden on the state but includes the intangibles such as justice, psychological reassurance of the people and the general and specific repercussions of the amnesty both currently and in the

future. The consequence of politicising amnesty lies in the devaluation and erosion of its relevance in the resolution of security problems outside the framework of legal and military actions.

Conclusion

The tool of amnesty is exercisable in conjunction with the intending beneficiaries. And its effectiveness lies when it is granted by one party and accepted by another. In the Nigerian context, the government seemed to have announced the amnesty programme without engaging in requisite consultations. This might have underlined the discordant tunes among officials in the presidency about the strategic merit of the amnesty programme as well as its outright denouncement by the Boko Haram sect, the supposed beneficiaries (Alli 2013; Guardian 2013b).

The denouncement of the proposed amnesty by the sect is demonstrative of unrepentance, a condition that does not conduce to amnesty. However, whether the Nigerian government goes ahead with the amnesty or decides to shelve it, any workable and sustainable amnesty programme must include the victims of the terrorist attacks of the Boko Haram sect; otherwise an omission will spawn the ground for the enthronement of anarchy that might create new centres of negative pressures and strains on the fabric of Nigeria's national security.

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