

**Rethinking Conflict Management Strategies in Nigeria:
A Critical Review of the MEND Amnesty**

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Abstract

Since the declaration of amnesty in 2009 by Nigerian government as a strategy for resolving the Niger Delta crisis, violence has only declined but has not disappeared. Many state officials attribute this relative calm to the amnesty programme whereas, analysts and scholars alike see it as a temporal suppression of violence through cash incentives. It is against this backdrop, therefore, that this paper seeks to critically and holistically explore the events and terms embedded in the 60-day ceasefire truce between the federal government of Nigeria and the Movement for the Emancipation of the Niger Delta (MEND) militants which provided the negotiating platform that led to the current amnesty and integration programmes. The paper argues that the Niger Delta conflict has continued despite the amnesty declaration because both the government and the militants failed to satisfy some of the conditions of the peace agreement. In this, the paper recommends that both parties in conflict and other stakeholders should reengage in multilateral dialogue to address those issues captured in the amnesty deal.

Key Words: Conflict Management, Amnesty, Militant, MEND, and Niger Delta.

Introduction

This paper contributes to the emerging discourses on strategies for effective conflict management and human security approach in Africa, from a Nigerian perspective. The focus in this study is to critically evaluate the Nigeria's government strategic approach to conflict management, with the aim of highlighting the inherent limitations and critical gaps. Using Movement for the Emancipation of the Niger Delta (MEND) as a case study, the study will critically and holistically explore this research question: **why is it that the amnesty strategy adopted by the Nigerian Federal Government failed to resolve the conflict in the Niger Delta region and will amnesty work as a single mechanism in the broader sense of conflict management?**

In order to answer this question, the study will adopt a qualitative evaluation methods (Clarke, 2005) and a single case study design (Yin, 2009); for data analysis, the emphasis therefore, will be to critically explore the conceptual subtleties of MEND militancy in Nigeria to produce an alternative analytical framework that will ultimately offer a new perspective in the understanding of conflict management practices in Nigeria. The paper also seeks to dialectically examine why government's multidimensional efforts toward the resolution of the conflict have so far yielded no meaningful outcome (Okonofua, 2013).

The current discourse on regional conflicts in Nigeria have made little or no attempt to provide a comprehensive analysis that unpicked the issues necessary for the collapse of the peace agreement between government and MEND groups and how amnesty can contribute to internal peace. In the same vein, none of the literatures surveyed explained how state responses to conflicts through amnesty approach underpin conflict management; instead the focus has been mainly on the descriptive explanation of the root causes of the conflict and, in most cases, placing emphasis on governance failure. To an extent, these publications have provided the basic platforms for conflict management analysis in Nigeria; however, it is essential, therefore, to develop more comprehensive analytical framework that highlights and explains why and how government failures to address the grievance of the Niger Delta communities contributed in shaping the MEND conflict. This is essential because it will offer both theoretical and empirical basis for a better understanding of MEND's continuous hostility.

Further, this study examines the suitability and applicability of amnesty in the Nigerian context to ascertain how amnesty tends to address some, if not all the social, political and economic problems that motivated the militant group to challenge the authority of the state. Amnesty has been highly criticised and contested in the global discussions by scholars and practitioners alike. One of the major issues in the debate is the difficulty of balancing between punishment and reconciliation. For instance, some international lawyers view amnesty as issues of international concern; they often challenge its legality on constitutional and international law ground, while others see justice as the precondition for reconciliation of internal conflict (Naomi and Gibson, 1998).

Regardless of the controversies, amnesty is still considered a useful tool for conflict resolution, this assertion is validated by some cases where states have in the past utilised the concept in resolving internal conflicts (e.g., South Africa, Haiti, Rwanda, Chile and elsewhere). These examples differ in many ways in comparison with the Nigerian case, one of the differences is that traditionally amnesty is used in a post-war society to prevent further conflicts by granting pardon to the perpetrators of war crimes and integrate them into the circular community; a typical example is the Truth and Reconciliation Commission in South Africa (TRC), where the state granted amnesty to some perpetrators of crime during the apartheid struggle, on the condition that they apply for the amnesty and confess their crimes, but in the Nigerian case, the amnesty deal was part of the 60-day ceasefire agreement proposed to end the violent confrontation in the Niger Delta region.

Against this backdrop, therefore, this paper argued through a critical evaluation approach that the Nigerian government's strategic responses (e.g., amnesty and integration programmes) are grossly inadequate to address the security challenges of MEND. In addition, it opined that the amnesty approach failed to resolve the Niger Delta conflict because its mechanisms were grounded in an incomplete understanding of the conflict. These propositions can be verified and tested by examining the events that took place before and after the 60 day ceasefire truce between MEND and the federal government of Nigeria.

Trajectory of Ethnic Violence in Nigeria

To understand the origin and dynamics of MEND armed struggles and the Nigerian government's approach to conflict management, at least a glimpse of the historical

background of regional and ethnic conflicts is essential. The origin of conflicts in Nigeria date back to the outbreak of the civil war in 1967 which lasted for about three and half years, claiming millions of lives and property (Kirk-Green, 1975). The years that preceded the civil war were also characterized by coup and counter, coups, usually described as a costly political decision of the elites which left the country in its current tragic consequences (Raph, 2004 and Kirk-Green, 1975). The civil war was fought between the federal government and the South Eastern region (Igbos), who alleged political marginalization and ostensibly declared the region an independent state of Biafra (Herskovits, 1973).

The post-civil war years marked the beginning of further ethnic and sectarian conflicts in Nigeria (Margery, 1970). First, was the Maitatsine sectarian uprising, which occurred in various towns and cities of Northern Nigeria. Between 1980 and 1985 the sect successfully organised attacks in Kano, Kaduna, Bulumkutu, Yola and Bauchi (Frances, 2011 and Ibrahim, 1997). Scholars (e.g., Adesoji, 2010) submit that these were the early attempts to impose radical and sectarian ideologies on the peoples of Nigeria; this marked the beginning of insurgency in the country (Isichei, 1987 and Ibrahim, 1997).

After the Maitatsine uprising were other series of conflicts, these include the "University of Ibadan Crisis of May 1986, Kaduna Polytechnic riot of March 1988, and the Sagamu conflict of July 1999" (Ibrahim, 1997; Enwerem, 1999; and Akaeze, 2009:11). Some of these crises are still recurring, for instance, the Jos crisis of 1994, 2001, 2002, 2004, 2008 and 2010 (Imo, 1995; Akaeze, 2009; Omipidan, 2009; and Adesoji, 2010). Analyst and practitioners alike argue that the government inability or lack of political will to deter the perpetrators and sponsors of the previous ethnic violence in various parts of the country created an impunity culture which paved the way for the MEND uprising in Southern Nigeria.

MEND is a militia group in Southern Nigeria agitating for resource control and regional development. This group have launched numerous attacks on oil installations, government buildings and in the worst cases abducted or killed expatriate workers and members of the public in protest against the government and oil company's activities in the region (Levan, 2013). The Niger Delta communities accused the oil companies and federal government of marginalization, deprivation and environmental pollution (Elias, 2009 and Ikelegbe, 2005). This has led to different forms of confrontation especially between government forces and the MEND group.

The federal government in joint effort with the oil companies have made several attempts to resolve these problems, but their efforts are yet to effectively address the grievances of the local communities (Shola, 2010). Hence, the conflict has become highly radicalized and militarized struggle. This has brought about an "unprecedented rise of ethnic militia groups competing with the state over its monopoly on the instrument of force clamouring for resource control" (Elias, 2009:16). Unlike the crises in the North, the Niger Delta crises poses a more complex situation to the government as it has to face diverse interest groups in the region fighting for their political and economic interests (Frances, 2011 and Ross, 2004). There are so many groups fighting in the Niger Delta area, but the identifiable ones include the (Egbesu Boys, the Niger Delta People's Volunteer Force 'NDPVF'; Niger Delta Avengers 'NDA' and the Movement for the Emancipation of the Niger Delta 'MEND'), which became an umbrella force for the struggle in 2005 following a joint meeting of all the groups (Shola, 2010) except the NDA.

Consequently, the regional conflicts in Nigeria since the 1960s, especially the MEND crisis have constantly threatened the peace and security of the entire sub-Saharan Africa (Falola, 1998; Kirk-Greene, 1975 and Raph, 2004). The impacts are devastating and still threatening political and socio-economic development of Nigeria (Raph, 2004). This crisis have plagued Nigeria with divisive social disorganization, ethnic and religious diversity; it promoted class conflict and unhealthy competitive interest, (Edgerton, 2000). Hence, it introduced the culture of violence in Nigeria (Ikelegbe, 2005; Margery, 1970; Kukah, 1994; Collier, 2003 and Akaeze, 2005) leading to the present Niger Delta crisis.

The crisis in Niger Delta is not a recent development, it has been there since the discovery of oil in the 1970s (Sango, 2009). Many activists in the past who started the struggle in the late 1970s; example, Ken Saro-wiwa adopted more subtle approach in the fight against the state and the oil companies before the emergence of the militant groups. Ken Saro-wiwa, through demonstrations and non-violent protests organised campaigns demanding a stop to environmental pollution and political marginalisation. Some commentators argue that Ken's trial and execution in 1995 by the federal government may have compelled MEND to adopt a militarised approach to their struggle.

In the next pages, a more detailed clarification of the analytical framework and a brief overview of the existing literature regarding the conflict in the Niger Delta will follow.

Conceptualising the Import and Applicability of Amnesty

After the Nigerian civil war of 1967–1970, a lot were written by scholars who wanted to understand what happened during and after the uprising and why they happened. In the recent times, researchers from various aspects of (political science and international relations) have tried to study the regional, religious and ethnic violence that occurred in the years preceding the end of the civil war. In this area of conflict management, there are myriad of rich publications, most of these studies lay emphasis on governance and other social problems that necessitated the formulation of MEND. According to Clinton, (2009) in Adegbulu (2013:p10):

The most immediate source of the disconnect between Nigeria's wealth and its poverty is the failure of governance at the federal, state and local levels ... Lack of transparency and accountability has eroded the legitimacy of the government and contributed to the rise of groups that embraced violence and reject the authority of the state.

Clinton's statement has become a useful clarification for the understanding of some underlying issues inherent in the ongoing regional conflict in southern Nigeria. From the analytical perspective, Clinton believes that the absence of rule of law in Nigeria contributed to weaken the legitimacy of the state, therefore, paving the way for militia groups (e.g., MEND and NDA) to challenge its authority. Edgerton (2000) and Ikelegbe (2005) submit that the inability of the state to resolve MEND conflict is to an extent a direct consequence of governance failure, corruption, class conflict and unhealthy competitive interest within the ruling class. Implicitly, it would seem that the pervasive tendencies that characterised the system since independence profoundly undermined the capacity of the state to effectively extenuate the violence in the South.

The emerging debate in conflict management field focuses largely on highlighting the historical descriptions of the regional and ethnic violence in Nigeria, especially the MEND uprising. While this helped to understand the nature and causes of this conflict, it is also important to evaluate the Nigerian government's strategic approaches to conflict management and how these approaches (e.g., amnesty) underpin peaceful resolution and the stability of the nation. This will foster alternative analytical framework through an in-depth study of the suitability and applicability of amnesty in a continuing conflict. However, a survey on literature (e.g. Omipidan, 2009a; Elias, 2009; Ismail, 2013; Adegbulu, 2013; Omede, 2011; Onuoha, 2009; Bette & Ude, 2011) indicate that the events that took place after the declaration of amnesty and how the events contributed to the collapse of the peace process have been undoubtedly understudied.

Instead, the common theme in most of the conflict management studies in Nigeria has been, to some extent, a focus on the economic impacts of the conflict and the political marginalisation in southern Nigeria. Indeed, ethnic and religious diversity are other dominant concepts in conflict management discourses among scholars (Reno, 2003 and Paul, 1996). These studies are rich and have provided both the historical and descriptive framework for understanding conflict management in the Nigerian context, but unfortunately, they do not place much emphasis on the in-depth evaluation and critical analysis of amnesty in the context applicable to the MEND case.

The term amnesty is a political tool used since ancient time by states to achieve peaceful resolution with political or criminal offenders (Louise, 2008 and Sango, 2009). In other words, it is a process of reconciliation between government and opposition after a long period of violence. The concept is ambiguously defined in that it did not specify the categories of crime that must be punished or the type of offense considered pardonable, neither did it draw a line between what is classified as politically motivated crime and crimes inspired by personal pursuit. These raised controversial debate among scholars and practitioners in many quarters, especially within the social sciences (e.g., international relations and political science). Louis observed that in recent years, amnesty has been criticised due the perception that it violates individual rights of the citizens and could encourage further violence. This view is contested by some political negotiators who argue that amnesty is an important mechanism that can be used to achieve peace, stability and equitable system of government.

In addition, some international lawyers argue that amnesty approach poses a difficult balance between truth, justice and reconciliation. Naomi and Gibson (1998) explored the linkages between international justice system and the jurisprudence of national laws. They summarised the historical setting and scope of amnesty laws in (Chile, El Salvador, Guatemala, Honduras, Peru, South Africa, Hungary and Argentina) with the aim of evaluating the extent and on what terms emerging international laws influenced national court decisions on cases relating to amnesty and human rights violations.

In the Nigerian context, Edgerton (2000), Adesoji (2010) and Ikelegbe (2005) acknowledged that the adoption of amnesty by the federal government in resolving the MEND conflict indirectly promotes violence. The argument here is that offering money and/or overseas training to militants, while ignoring the actual grievance that caused the

violence will encourage more people to violently challenge the authority of the state. Bette and Ude (2011) added that amnesty is a misplaced priority and argued that lack of commitment by the state to address the issue of political marginalisation and economic deprivation forced the youth to seek alternative methods of drawing government's attention towards their problems.

Further, Levan (2013) in his work outlined some of the problems associated with the peace process in the Niger Delta. First, he found that the present regime is divided over tactics, with some politicians and sympathisers of the militant groups supporting amnesty approach, while the security services favours counterterrorism. Second, the community leaders fear that the use of force on the militants will further worsen the sufferings of their people.

There are also problems of ethnic and religious sentiments that greatly permeate the Nigerian political system, especially within the dominant ethnic groups, namely the Igbo, Hausa/Fulani and Yoruba. These divides are further deepened by various waves of belief system and the notable ones include the African traditional beliefs, Islam and Christianity (Margery, 1970; Otié, 1990; Kukah, 1994; Collier, 2003; and Akaeze, 2005). Arguably, noticeable heterogeneity in most states of Africa has proven over and over again to be problematic, and Nigeria is not an exception (Edgerton, 2000).

Otié challenged Edgerton's submission; to him, cultural and ethnic diversity is not a disadvantage, neither has it impacted the lingering violence, rather ideological differences and the Nigeria's dysfunctional social structure have made the society prone to conflict. It is outside the scope of this research to verify this claim, however, a separate examination is required to understand how ideological differences among the key stakeholders contributed to the MEND conflict.

Over the years, governments in Nigeria have found expression in the use of amnesties to mitigate violence. The first attempt was in 1970, after the civil war, General Yakubu Gowon, the former military head of state declared 'no victor no vanquish' meaning no side of the parties in conflict is declared winner or loser, following that declaration was the amnesty and integration programmes which were intended to reintegrate the rebels. Some of the Gowon's amnesty initiatives are now incorporated into the national development schemes (e.g., the National Youth Service Programmes) designed to promote peaceful coexistence.

The study of Gowon's amnesty and why it succeeded is important in many ways: first, it provides the basis for critical analysis of the current amnesty and integration programmes; second, the comparison helps to identify key issues and limitations inherent in the attempt by the present government to resolve regional conflicts through amnesties, and third, it provides the knowledge and conceptual boundaries necessary for evaluating conflict management practices in Nigeria.

Margery (1970), Herskovits (1973), and Raph (2004) offered an extensive historical analysis of Gowon's amnesty and the reactions that trailed the declaration. In Eastern Nigeria, the amnesty was widely hailed among the Igbos, who saw the offer as sheer generosity of the government; however it provoked bitterness among the Hausa and Yoruba, triggering off the ethnic violence that followed. Some Igbo commentators suggested that the very grant of amnesty was based on the misguided belief in the accuracy of Biafran

propaganda. Through Raph and Margery's analysis, it became clear how government in the 1970s applied their amnesties.

However, the current discussions on how to effectively measure the progress of the MEND amnesty have remained inconclusive, simply because of the complex nature of the conflict, which makes it difficult for both government and independent researchers to systematically assess the progress made since June 25, 2009 when the former Nigerian President Umaru Musa Yar' Adua declared amnesty in fulfilment of the ceasefire agreement with the Niger Delta militants (Ubhenin, 2013). The declaration was criticised by scholars and practitioners alike, arguing that it is a tool for enriching individuals (Levan, 2013), which encouraged unemployed youth to embrace violence as a means for daily survival.

Both Levan (2013) and Voice of America (2013) compared MEND and Boko Haram (BH) responses to the amnesty offer and added an insight in the assumptions surrounding the philosophy and ideologies of the two groups. They found that about 26,000 members of MEND in 2010 accepted the amnesty offer while the Boko Haram sect rejected it on the ground that they have not done anything wrong that required amnesty. Many perceive this reaction as a failure on the part of government to effectively and strategically implement the amnesty programme. In the word of Herskovits, much of the government's strategies are still in the nature of experiment.

One of the controversies in the study of amnesty is whether or not it is suitable for an ongoing conflict. Evidence has shown that not much has been written in this area. Most of the studies on conflict management do not engage critically in analysing the applicability of amnesty. Traditionally, amnesty tries to balance between the human rights abuses of the previous governments and integrate perpetrators into the circular society after a long period of violence (Samii, 2013). The Nigerian case contradicts this normative, because the MEND conflict is still ongoing. Similarly, the recent development in Ukraine also depicts a shift in the traditional use of amnesty. The former acting president Mr Turchynov Oleksandr announced that the government in Kiev is offering amnesty to the "pro-Russian activists occupying government buildings in the eastern cities of Donetsk and Luhansk" (MSN (2014: 2)).

Olsen (2010) contributed to this emerging debate by arguing that, although amnesty is viewed as a controversial and unjust practice, however, it has the 'mechanisms to reduce future injustices or to protect society against grave social harms, such as continued political violence or authoritarian reversals'. Neither Olsen nor Gibson tried to explain how amnesty can be applied in a continuing conflict; both of them agree that in a post-war society amnesty can be a useful mechanism for peace.

In the case of South Africa, Gibson (2002) investigated the process of truth and reconciliation and started his research on the premise that granting amnesty to those who have confessed their crimes and gross human rights violations is inherently unfair to the victims and a reward for those who perpetrated evil. He wanted to know from the local South Africans if there will be any other form of justice that will compensate the unfairness of amnesty, about 72.7 percent of the respondents believed that amnesty is unfair to the victims, while 33.5 percent view it as fair. Such survey is needed in Nigeria in a separate study to understand how the public perceived the amnesty strategy and how their perceptions impact the general outcome of the peace process.

Multidimensional Approach to the Niger Delta Conflict

Aside the use of amnesty, the Nigerian government also sought other ways of approaching the insurgency problems in the Niger Delta. In June 2000, the Niger Delta Development Commission was established as part of the bilateral peace agreement reached with MEND to meet the demands and grievance of the Niger Delta people. The objective of the commission is to develop the impoverished communities and make it an economic vibrant region that is socially stable and politically peaceful but unfortunately, the commission failed to deliver its mandates resulting to the creation of the Ministry of Niger Delta Affairs in 2008 by President Umaru Musa Yar'Adua.

Although in principle these interventions appeared strategic and perfect fit for restoring order in the region, however, they lacked the competence, policy coherency and structured implementation plans capable of delivering its mandates. Omotola (2007) while offering a comprehensive overview of the violence in the South presented a detailed analysis of the structural problems that incapacitated the NDDC. He analysed the performances of the commission and found that though the commission appears to be one of the most outstanding institutional responses from the government, it remain inadequate and ineffective given the increase in environmental pollution and human rights violations in the Niger Delta region.

On the other hand, the government also made several attempts toward resolving the conflict through military confrontation but failed to defeat the militants. There is a consensus amongst scholars (e.g., Falola, 2009), Omipidan, 2009a; Omede, 2011 and Adegbulu, 2013) that the military crackdown initiated by the government contributed to the escalation and radicalisation of the militants. In the same vein, civil society leaders and local elites have criticised the government for adopting military strategy in 1999, 2002 and 2009. They argue that military will not be able to defeat the insurgents and if the militants see the commitment on the part of the government to address their resentment about underdevelopment, political marginalisation, and environmental destruction, they will lay down their weapon since that is the purpose for the struggle (Levan, 2013).

Further, Akinwale and Osabuohien (2009:5) in their review of the NDDC's master plan which is designed for employment generation, education, and healthcare delivery concluded "that the commission's master plan is not radically different from the extant policies and may aggravate antimonies to development in the region". They were critical of political and military approaches to the conflict and recommended that the local communities whose lives have been affected by the crisis should be reckoned with in arresting the situation by positively responding to their grievance.

The dominant themes in the analysis of MEND conflict is the question of grievances, inequality and deprivation. The arguments suggest that unless the Nigerian government addresses the grievance of the Niger Delta communities, it may not be easy to negotiate peace. Recent studies also suggest that inequality and grievance provokes collective behaviour of rebels or criminal groups, for example; the high level criminal groups in Brazil and the crises in Uganda, Cote d'Ivoire, Sri Lanka and elsewhere (Ostby, 2013). Some scholars dispute this view and argue that grievances are not sufficient to cause internal conflict; however, those who argue for inequality assert that social and economic justice issues generate the motives behind insurgencies (Regan and Northon, 2005).

Generally, it has been acknowledged that leaders or financiers of rebel group may seek control so that they can help address the actual grievance, especially where loss of economic or social advantage exist, it is highly likely to encourage support for terrorism (Adegbulu, 2013). In addition, Ross (2000), Addison and Murshed (2003), World Bank (2007) and Elias (2009), assert that power struggle among the elite class contributed to the problem of insurgency. Given that Nigeria is a vast country with diverse ethnic, religious and political divides, it is imperative, therefore, to understand how government can harmonise and influence regional interests to ensure that peace is restored in those violence prone regions.

In southern Nigeria, where the MEND militant group operate, it has become a battle ground for diverse interest groups fighting for resource control, their activities have further worsened the living conditions of the local people who are now vulnerable to various forms of threat, especially that of poverty (Aghedo and Osumah, 2012). In many publications, poverty has always been seen as the main contributing factor to the MEND conflict, but as argued by Okpaga et al, (2012) personal economic interest, electoral fraud and political competition between the ruling party (APC) and the opposition party (PDP) may have contributed in an equal proportion to the conflict. Otite's (1999) analytical study of conflict management in a multi-cultural societies, added that social differences should not be regarded as an obstacle to conflict resolution, rather ideological differences should be considered more carefully.

In reality, the majority of African states, Nigeria inclusive are lagging in understanding the effect of social injustice, extreme poverty and human rights violations on conflict management practices. Nigeria is among the African nations that neglects the wellbeing of citizens. For instance, the devastating impact of oil extraction has caused both health and economic hardship for the local communities in the Niger Delta (Levan, 2013). Scholars (e.g., Gow, et al, 2013) argued that the consequences of human rights abuses in the South continually undermine government efforts towards stabilizing the region.

Generally, it has been acknowledged that both in theory and in practice, that prevention, resolution and management of conflicts remain the most complex and challenging task facing states across the globe (Adegbulu, 2013; Mgbeoji, 2006; Omede, 2011 and Poku, et al 2007), particularly in Africa where poverty, ethnic and political divides have contributed to the threats (Ismail, 2013). It is on these notes that Gow et al (2013) suggested that more nuanced and variegated approach be applied to the problems that breed insecurity. In other words, the new approach must be conceived in developmental and in human terms (Poku, et al, 2007). Ghana, for instance, has made progress in this regard; recent reports indicate that Ghana has remained relatively peaceful and stable in the last 20 years of democracy simply for adopting welfare policies that address the needs of the poor (UNDP, 2013).

Contextualising Conflict Management Discourses

Conflict and the problems that trigger it are well documented in history books and academic publications but the ways in which it can be adequately managed is still a matter of concern, apparently because of the distinctive nature of humans which is already grounded in the early western philosophy. Studies, however, indicate that conflict cannot be separated

from human nature as long as relations and social interactions remain; it is a phenomenon that is as old as human race. Up until now, researchers and practitioners alike are still debating on the most effective way of curbing violent conflict and, by extension, the destruction it brings.

It has been acknowledged that conflicts occur between individual and individual, organisation and individual, organisation and organisation, state and state and between state and groups, (e.g., insurgents). Contemporary studies and ideas on conflict and security focuses on understanding how conflict can be effectively managed by expanding the state-centric ideology of security to include other measures that has direct expression on individual or group security (see Sen, 2001). In this present analysis, attention will be given to conflict management discourses in some developing nations and Nigeria in particular.

The term 'conflict management' is usually referred to as the process of brokering peace between disputing parties; it also connotes an attempt to create order and stability in conflict societies. From the inception of modern era, the state has been the most influential political institution with the military capacity and economic resources to broker peace, both within the state and at the global stage. In fulfilling this obligation, the state adopts either military or diplomatic approach, though in practice, the former takes precedent.

Indeed, the growing debate in this area of academic studies emphasises more on reconceptualising security in a way it suits contemporary social and political conditions. At the mainstream of recent discourses, especially among scholars of international relations and political science, is the question of state(s) willingness to change its behaviour toward security, (i.e., from conventional realist stance to a more dynamic approach to security) in order to effectively prevent, resolve and manage conflicts beyond geographical state boundaries.

There are many ways conflict can be managed, namely: 'domination through physical or psychological means, capitulation, inaction, withdrawal, negotiation, or the intervention of a third party' (Rubin, 1994: 33). While all these models are important in the study of conflict management, only 'domination' and 'negotiation' approaches are relevant to this paper. Domination implies a situation where one of the parties in conflict overpowers the other through force or psychological means, whereas negotiation refers to a situation where both parties in conflict are willing to compromise certain desires and make offers to opponents in order to arrive at a point of agreement.

Each of these models is useful in understanding the Nigerian government's approach to conflict management. To begin with, when conflict involving two or multiple parties occurs, negotiation becomes a valuable tool for settlement if none of the actors has the capacity to outrightly dominate the other. In some cases, states find expression in the use of force in combating violent threats in anticipation of victory, but studies have shown that weak states may require external help from the international community in order to deal with internal threats, other times, they are forced to negotiate. This assertion is further validated by the recent ISIS insurgency in Iraq, the civil unrest in different parts of Yemen, the *seleka* alliance versus *anti-balaka* movement in Central African Republic and the militia groups (MEND) in southern Nigeria who have been competing with the state over resource control since the early 2000s.

The emerging debates among scholars, points to the fact that states undergoing

transition from autocratic government to civilian administration are, in most cases, prone to conflict as evident in Africa and other developing nations. Arguably, conflicts in democratic societies cannot be permanently resolved but can be managed. Reilly (2001:7) notes that conflict in a democratic societies can only be sustainably managed through institutional frameworks such as political parties and representative parliaments, instead of suppressing or ignoring it. Reilly also rejects the traditional neo-realist approach to security which is generally conceived and quantified in relation to physical force for the purpose of defending the state against external aggression; he proposed a win-win (negation) model as the most effective way of managing conflicts arising in a heterogeneous society as in the case of Nigeria.

Practically, the art of negation including the process of implementation of the outcomes is most times problematic and the ceasefire agreement between the Niger Delta militants and the Nigerian government is not an exception. According to CGES (2010), the perceived government delays in ratifying the terms of the agreement reached in 2009 with the MEND militants stalled the ceasefire deal. Hence, the militant had interpreted the delay as unwillingness or inability on the side of government to implement the terms of the agreement, this aroused tension leading to the hostility that followed in 2010.

Lyons and Khadiagala (2008) argue that parties in conflict will not begin a sincere negotiation until they perceive that they are in conflict which cannot escalate to victory. While exploring the concept of 'ripeness', Zartman notes that negotiation cannot stop violent conflict unless it is ripped for resolution – meaning that disputants can only accept dialogue if they perceive that they are in a painful deadlock which the only escape is negotiation. Zartman's 'ripe' propositions also state that the requirement for sincere negotiation is that both parties in conflict nurture the expectation that dialogue will improve its situation, that is, the perception that negotiation will leave them better off than continuous engagement in violent conflict. In Bosnia, for instance, all effort to get the disputing parties (i.e., Serbs and Croats) to negotiate failed between 1992 and 1995, the war continued until mid-1995 when NATO – United States intervention forced both sides to accept its proposals for peaceful negotiatio:

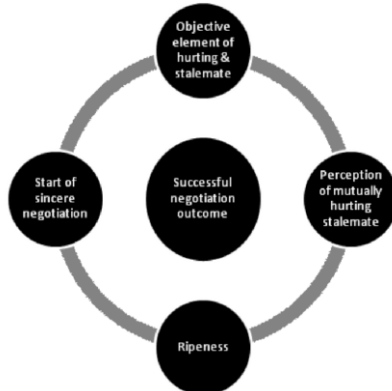


Figure 1.1 Zartman's Ripeness model of negotiation

In contrast to Zartman's model of negotiation, Thomas Schelling observed that almost all conflicts end in negotiation, Schelling further opined that perceived mutual hurting stalemate can force disputants to negotiate, however he contends that even in a lopsided contest where it is clear that stronger party will dominate the opposition, both sides can still make concessions so long as the benefit of concessions are less than the cost of continuous hostility. While Zartman appears to be correct for noting that parties in conflict might object the idea of making large concessions if they perceive that escalating the conflict will lead them to victory, Schelling believed that only one side of the disputants need to make such concessions in order to actualise a successful negotiation and the prerequisite for a successful negotiation is, however, not a 'mutual hurting stalemate' as argued by Zartman but a perception by at least one of the contending parties that continuous fight will lead to hopeless and fruitless effort.

In the Niger Delta case, it appeared that the Nigerian government had resorted to peaceful negotiation after many years of experimentation with various forms of conflict management approach including military interventions. In this, it was obvious that the frustrations emanating from the past years of unsuccessful efforts in resolving the crisis through coercion had forced the state to seek alternative means of restoring peace. Indeed, Zartman's ripeness model of negotiation provides a useful platform through which the Niger Delta peace agreement can be assessed to understand whether or not the conflict was ripe for negotiation at the time it was proposed. This will help to explain why the peace process collapsed.

Unlike the Bosnia case where the U.S. had applied the 'ripening model' to create the enabling conditions for equitable negotiations between the disputants, the mediators in the Niger Delta peace agreement did not have to go through the process of creating the conditions for successful negotiation but rather waited for the ripe time. But the abrupt collapse of the peace process has left practitioners wondering if the negotiation proposal was actually delivered at the ripe time. Zartman (2001) wrote that often times peaceful negotiation may fail because it wasn't just the ripe time to intervene.

There are other scholars who argue that peace agreement may fail if there are disparities in perception of the conflict by the disputing parties. Egwu (2013) for instance, asserts that contrasting positional views of disputants can contribute to escalate conflicts. In Egwu's analysis of the Niger Delta conflict, he observed that the Nigerian state had perceived the Niger Delta conflict as a fight to protect the economic hub of the nation which by implication has severe consequences if it fails to do so, while the militants only perceived the hostilities as the struggle to end their many decades of injustice, environmental pollution, economic marginalisation, political exclusions and unending threats to their health. Hence, the conflict has lingered due to the deadlock created by differences in perception.

It could as well be argued here, that although the parties in conflict (i.e., the Nigerian state and MEND) have nurtured divergent perceptions that created deadlock, however, the hurts they inflicted on each other were not severe enough to compel the parties to engage in a sincere negotiation. A third, party was needed to induce restraint; this implies persuading one or both parties to sincerely engage in the negotiation. Example, during the early stage of the Bosnia war, the U.S. made several attempts to bring both parties to negotiate but all to no avail; the U.S. went further to create a ripe moment for peace agreement by threatening to

withdraw its military support from the Croats. At this point, the Serbs were already willing to accept the peace proposal perceiving that the U.S. continuous support for the Croats will further inflict pains on them. Zartman notes that 'ripeness' is a necessary condition for negotiation but not on its own sufficient to engage in conflict mediation and by extension, ripe moment for negotiation can be either sported by the warring parties or the mediator. It has also been acknowledged that not all ripe moments can be transformed to enable peaceful negotiation. In other words, mediators and practitioners alike should study in in-depth the conflict they are mediating before applying the ripening approach:

Finding a ripe moment requires research and intelligence studies to identify the object and subjective elements. Subjective expressions of pain, impasse, and inability to bear the cost of further escalations, related to objective evidence of stalemate, data on numbers and nature of casualties and material costs, and/or other such indicators of mutual hurting stalemate, along with expression of sense of way out, can be researched on a regular basis in a conflict to establish whether ripeness exist (Zartman, 2001).

Contemporary studies on the conditions for successful negotiation showed that for durable relationship to exist between groups with conflicting interests, members of the civil society organisations must be integrated into the peace process, this is because 'societal self-determination resulting from bargaining among genuine representatives of group interests can lead to interrelated linkages and crosscutting societal ties that are stabilising in their effects' (Lyons and Khadiagala, 2008: 111).

Although conflict had always been studied through the negative lens with past scholarships largely focusing on its destructive nature, death, physical violence and body injury, nevertheless, conflict has the potential to inspire social and political change if efficiently and effectively managed. Studies indicate that conflict inspires creative solution to social problems by spurring groups to challenge a particular idea or institutionalised practices that are no longer contributing to the development and wellbeing of the society. In the same vein, Donohue and Kolt (1997) submit that the process of conflict management in any given society could help to ameliorate social relations between disputants which may at the end strengthen social capital of the community .

While this assertion offers an alternative way of conceptualising conflict by providing a positive lens through which conflict can be viewed not only as a destructive social phenomenon but as a potential force that could foster change, however, given the varied nature of conflict and in connection with the complex human behaviours, it is almost inapplicable to some cases in the developing world, particularly in the sub-Saharan Africa where prolonged conflicts have weakened their socio-economic system and continued to undermine political and social development. In Nigeria, for instance, the 1967 civil war had worsened the political and social structures of the country by introducing a culture of impunity resulting to militant groups rising against the legitimacy of the state. Considering the low level of development in Nigeria since the end of the civil war in 1970 and the myriad of regional uprisings that followed, it is, however, essential here to argue that the civil war did not fostering development but rather it retarded development and created harsher economic conditions which by implication, paved the way for vicious cycle of violence, kidnapping and banditry (Omede, 2011).

The Role of Non-state Actors in Conflict Management

Management of conflict is often regarded as one of the primary duties of the state but, in some cases, non-state actors may play a significant role. The Nigerian state do lack viable framework for conflict management practices and, in some cases, they have relied heavily on the machineries of non-state actors, namely; traditional rulers, religious organisations and civil society groups to help mitigate violence. For instance, during the 2001 Jos crisis, Best (2007) wrote that the government resorted to setting up a high-powered Peace and Reconciliation Committee made up of community and religious leaders to broker peace after a dismal performance of both local and federal forces deployed to stop the violent conflict from escalating.

Although it is essential to include the non-state actors in the peace process in order for them to effectively represent and speak on behalf of the disputing parties, however this type of arrangement has been found overwhelmingly problematic in many ways. First, it raises suspicion within the group and in the community if one or more of the participants in the peace process are actually key players in the conflict. Best (2007) in his work, recorded that the Jos Peace and Reconciliation Committee witnessed a setback as some of the members of the committee were suspected to be the characters that escalated the conflict. Second, when suspicion of such arises, it leads to loss of trust and could render the peace process ineffective and this can “hinder future negotiations and may cause escalation of the conflict” (Frenzel and Vanclay, 2013:p. 34). Third, the committee may lack the technical knowledge of handling complex social uprising as in the case of MEND and as such may not be able to identify and utilise the opportunities that may lead to the resolution of the conflict.

Survey of literature indicates that there are no hard and fast ways of managing a conflict. This is because every conflict situation presents a unique challenge and should be addressed as it appeared. However, there are some practices that appear to be useful in the management of conflict. According to Frenzel and Vanclay (2013) and consistent with other studies, one of the best practices of conflict management is 'monitoring', this implies constant review of the conflict situation and a periodic analysis of the effect it has created in order to enable the mediators design conflict management and resolution strategies that will make positive impact.

Besides monitoring, another important tool is possessing adequate knowledge of the conflict (i.e., the grievances of the parties in conflict and their perceptions). It is, therefore, essential to state that inadequate monitoring mechanisms and incomplete understanding of any conflict situation could result to fruitless engagement in the peace process. The Niger Delta crisis typifies this example and it is pertinent at this juncture to reiterate the earlier submission in above section of this paper that the conflict management strategies adopted by the Nigerian government in resolving the MEND conflict were based on partial understanding of the conflict.

It is also acknowledged that effective management of conflict is to some extent dependent on the ability of the arbiters to identify the root causes of the conflict through fact finding and in-depth study; constant re-evaluation of the conflict situation provides a useful information for the mediators to design conflict management strategies that will offer higher probability of a successful resolution. Once the cause(s) are established, the mediators then proceed to diagnose the main objectives of the parties in dispute and must aim to address the underlying interests.

In Nigeria, there are four main approaches to conflict management which successive governments have utilised in the management of conflicts. First, is the declaration of emergency rules evident in the Boko Haram surge in the North where the government imposed state of emergency on Adamawa, Borno and Yobe state in a bid to mitigate the violence in the region, the main opposition party then, the Action Congress of Nigeria condemned the emergency rule arguing that the approach is just a mere experiment that has never worked in the past, in the views of the opposition party, the government should focus on addressing the high level of unemployment and poverty in those states.

Second, it has become an institutionalised practice for Nigerian government(s) to set up Peace and Reconciliation Commission to investigate causes of any violence and also to recommend the way forward but unfortunately such recommendations are never implemented. For instance, after the Jos crisis of 2001, Best (2007:p .88) observed that the (Justice Nikki Tobi Judicial Commission of Inquiry) established by the Plateau state government to “investigate the remote and immediate causes of the crisis and suggest ways of forestalling future occurrences” submitted their findings and recommendations to the government but up until now nothing has been heard of those reports. Many believe that the reoccurrences of the Jos crisis in 2002, 2005, 2008 and 2010 is as a result of the failure of government to act on the previous reports and bring the perpetrators to justice.

Third, military intervention is also among the most widely used approaches to conflict management in Nigeria by both military and democratic regimes. In 1997, during the Modakeke uprising, General Sani Abacha, then the military head of state deployed men of the Nigerian police and military personnel to resolve the crisis but the operation never achieved its objectives until the United State intervened through its Agency for International Development and brokered peace (Alabi, 2010). Similarly, the Olusegun Obasanjo's administration also followed the trend by employing the services of the Military Joint Task Force (JTF) to resolve the Arogbo Ijaw-Ugbo Ilaje and the Niger Delta crises. Similarly, in the Niger Delta, almost the entire village of Odi was wiped out by Nigerian military who was acting on the instruction of the state to shoot at sight in revenge of the 7 police officers that were tortured and killed by Odi Youth. The excessive force applied by the state neither solved the immediate cause of the violence nor made attempt to address the age, long grievances of the people as captured in this excerpt:

For four decades, ecological devastation on the one hand, and neglect arising from crude oil production, on the other hand, has left much of the Niger Delta desolate, uninhabitable, and poor. The shady *modus operandi* of oil companies and the incompetence and corruption of state officials ensured that neither took responsibility for the enormous environmental and social damages caused by the crude oil production. Frustrated, the people of Niger Delta took up arms against *petrobusiness* and its political allies (Ibeanu, 2000:p19).

Fourth, in the recent years starting from the Obasanjo's administration in 1999 up until the present regime, there has been a shift in the Nigerian government's approach to security and conflict management. The government's sudden realisation that neither its military abilities nor its brutal force can guarantee peace and security of the nation ostensibly

resorted to seek alternative ways of achieving that goal. One of its new strategies is the establishment of NDDC, mandated, among other things, to create employment and ensure the physical development of the Niger delta region. In addition, the state having failed in their previous attempts to restore peace through military interventions employed the use of amnesty strategy. Although these mechanisms are yet to meet the general expectations in resolving the Niger Delta crisis, largely because of high level of corruption and dysfunctional social system; however, it could be argued that they are steps in the right direction.

Indeed, effective management of conflict in the modern world has proven to be a challenging task and the Nigerian case is not in any way exceptional. However, the missing factor in the Nigerian conflict management strategies is what Rognes and Schei (2010) termed 'the integrative approach'. According to the scholars, integration implies the ability to identify or create values that meets the mutual interests of the parties in conflict without necessarily compromising on issues. The information required to create these values should revolve around the motivated behaviours, facts and the objectives of the parties. For example, if two farmers are fighting over a limited source of water supply, instead of the farmers escalating the conflict, Rognes and Schei (2010) suggest that the parties should contribute to expand the source of water by building a dam. This model of conflict management might be useful in settling (individual/individual or group/group) conflicts but could be problematic when applied to cases with multiple layers of interest. For instance, production of more oil or even the expansion of oil wells in the Niger Delta region only exasperates the grievance of the local communities as more lands will be taken away from them and more damage to the environment.

There are no simple solutions to the conflict in Niger Delta especially as the key actors continue to differ in their perceptions and the interests they pursue. For the government, their main focus is to protect the mainstay of the nation's economy; the oil giants aim at increasing production in order to boost their profit margins, while the communities in alliance with other interest groups fight to end what Onuoha (2008) described as social inequality and systematic oppression of the people by the state. Osaghae, (1996) also note that denying group their fundamental rights amounts to injustice, inequality and abuse of state powers which could potentially promote insecurity.

Bridging the disconnect between deceit, rhetoric and reality

A careful examination of the incessant violence in the Niger Delta and government's poor responses toward restoration of order in the region may provide a clue to why the amnesty strategy failed to actualise its objectives. Perhaps, one of the major setbacks in the implementation of the amnesty programme is that it was conceived in hypocrisy - much talk without corresponding actions to address the peoples' grievances. In fact, the amnesty programme was aimed at disarming and demobilising the Niger Delta militants with the hope that it will help to restore normalcy. But regrettably, much of the programmes were built on incomplete understanding of the universal principles guiding negotiation and implementation of multilateral peace agreement. For instance, the Niger Delta amnesty lacked adequate monitoring and evaluation mechanisms that would have established the institutional and legal framework for effective implementation.

Also, there are five critical factors that underpin successful implementation of amnesty programmes which were not considered by the federal government. These factors include well defined feasibility and aims of the peace agreement; conducive environment for its implementations, the view, perception and attitude of disputants and effective monitoring of the truce. Davidheiser and Nyiayaana (2011) argued that Nigeria's amnesty programme not only lacks these fundamental mechanisms but also missing in integrating other veritable components. Example, the amnesty programme was unilaterally decreed by Nigerian government as against the adoption of multilateral dialogue and negotiations among all stakeholders and parties. Again, lack of transparency on the side of government in the implementation of the amnesty programme coupled with the exclusion of key stakeholders including local chiefs and militant groups like MEND further raised the level of suspicion and distrust that frustrated the peace process.

Indeed, there was a total disconnect between the problems in the Niger Delta and the solutions proffered by the government. For instance, since the 1960s, the agitation and militancy in the Niger Delta has always been triggered by rising unemployment, poverty, environmental degradation, and underdevelopment. But unfortunately, the government while designing the amnesty programme failed to articulate these problems in a bold and concrete political and economic goal that targets the root causes of the conflict, instead they narrowly focused on dispensing cash to the ex-militants – an action perceived by many as a misplaced priority. However, some of the militants who were unable to receive either the cash or overseas trainings saw the entire programme as a deceit while the elites considered the exclusion of the masses in the amnesty programme as mere rhetoric and a strategy to buy peace in order to continue its oil exploration.

Conclusion

To restore order in the Niger Delta, the government must re-evaluate the amnesty programme to ensure that it addresses the grievances of the general population in the region. By this we argue that unless and until the Niger Delta conflict is holistically approached – to articulate solutions that can address the issues of poverty, unemployment and environmental degradation it may be difficult to abate violence and militancy. In fact, all stakeholders in the conflict including the militants should be engaged in a multilateral negotiation built on transparency to avert the longstanding memories of betrayal and widespread distrust between government and other stakeholders in the conflict. There is also need to replace government rigidity and unilateral approach to peace with mutually constructed peace agreement that will allow all parties to interact and contribute in initiating peace-building model that is compatible with the realities in Niger Delta.

As already emphasised in this paper, poor planning and implementation procedures including failure to include all stakeholders in the amnesty programme are considered inimical to the federal government peace-building efforts. For instance, unemployed youth and even demobilised ex-militants are easily remobilised to engage in criminal activities because the amnesty failed to provide a sustainable integration plan that will not only provide trainings and stipends but can also guarantee employment and career fulfilment. Some of the ex-militants who were trained overseas returned home with skills but unfortunately the government made no preparation for the trainees to be absorbed into the

federal civil service. Out of frustration, many returned to the creeks to continue the struggle. On the other hand, the unemployed youth who didn't participate in the insurgency were neither trained nor paid stipend, this however made militancy more attractive to the youth. By this, it would appear that the only way to break away from poverty is by violence and the best approach to attract government's attention is through destruction of public property. Going by the social challenges that triggered violence in the Niger Delta, it would have made more sense for the amnesty to include both the ex-militants and the entire community in the peace-building process to avoid the misconception that amnesty is designed to reward criminals. To put this in the right perspective, the militants' claim of fighting for the general good of the people of Niger Delta suggests that any dividend accruing to the struggle must be evenly distributed; targeting only militants in the peace process may result to unending violence.

Beside the misgivings of the post-amnesty demobilisation programme, there are other serious concerns arising from the Niger Delta region. In Bayelsa State, for example, there is a high level of politicization of the amnesty as demobilized ex-militants are virtually divided into two political camps: one group supports Governor Timipre Sylva and the other Timi Alaibe. Both Timipre and Alaibe were gubernatorial candidates for the 2011 elections. Furthermore, the visit of top leaders of MEND to President Goodluck Jonathan on October 2, 2010, immediately after the bomb blasts to rally support for him amid calls by northern politicians for his resignation for failing to prevent the bombings added another twist to the growing importance of the ex-militants in Nigeria's national politics, with serious implications for peace and security in the region' (Davidheiser and Nyiayaana, 2011).

Indeed, we align with Davidheiser and Nyiayaana (2011) assertion that the amnesty programme falls short of an adequate strategy for establishing key structural changes required for transforming the socioeconomic and political conditions that are conducive for rearming militants in the Niger Delta. Despite government good intentions and temporary solutions, the state's conception of the amnesty construction and implementation had seriously undermined the participation of relevant stakeholders in the peace process. This central flaw of the amnesty design is evident in the state's legalistic approach and consequent failure to engage its challengers in wide-ranging negotiations in order to address the root causes of violence. Therefore, the amnesty programme has been seriously contested. Until the fundamental economic, social and political problems of the region are addressed, insecurity and insurgency may continue to plague the Niger Delta.

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