

Vol.1, ISSUE 8, October 2019

SPD Nextier

Security . Peace . Development

Amnesty for Bandits



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Published since 2018 by
Nextier SPD,
5, Kikuyu Close,
Off Nairobi Street,
Wuse 2, Abuja, Nigeria.

Design and Layout
Samson Iroko

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Produced in Nigeria



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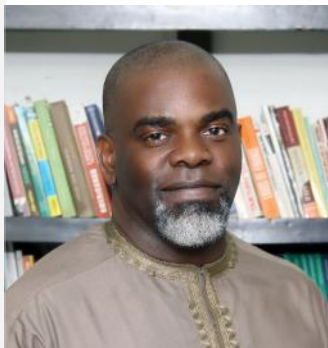
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Editor's Note

PLATFORM FOR DISCUSSIONS

Welcome to the August 2019 edition of Nextier SPD Monthly publication. This magazine is designed to deepen our knowledge and insight on security, peace, and development issues in Nigeria. It brings to the fore thematic issues such as conflict, peacebuilding, post-conflict reconstruction, and security sector reforms (SSR), disarmament, demobilisation and reintegration (DDR), violent deaths, state building, environmental violence and natural resources-fuelled violent conflicts.

Every month, this publication provides a step-by-step analysis of security and development issues using different narratives, research philosophies, methodologies and trajectories. The fundamental objective of the publication is to provide a platform for evidence-based and scholarly discussions of contemporary security issues facing Nigeria in particular and other African countries in general. The publication provides evidence-driven research and proffers well-thought out policy recommendations. It is our desire that policymakers, practitioners, and development partners will use the ideas presented here to engage in discussions to improve their policies, programmes, projects, and operations.

This month's **Nextier SPD Monthly** analyses the amnesty programme for repentant bandits in Northwest Nigeria. In recent years, armed banditry has continued to be a rising security challenge particularly in Nigeria's Northwest. Largely as a consequence of lethal clashes between nomadic herdsman and pastoral farmers, the surge of banditry has led to enormous losses in terms of human lives and properties, destruction of livelihoods and forced displacement of persons. Owing to these losses, state governments in the region extended olive branches to willing and repentant bandits in order to stem the tide of banditry. Notably, as willing bandits continue to accept peace deals in some of the states, there have been a substantial decline in the reportage of bandits' attacks. Hinging on desk research and critical observations, this Monthly examines the causative factors of banditry, the intricacies, possible outcomes of the amnesty programmes and sustainable measures government can adopt to prevent violence. The paper also highlights weak statehood as a push factor for the emergence of non-state armed groups. It argues in favour of investing in human capital, fair and equitable distribution of resources as proactive measures against violent conflicts.


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October 2019

Introduction

Non-state violent actors have held Northern Nigeria to ransom in the last ten years. Ethno-religious and socioeconomic grievances that were suppressed by repressive force under military rule have witnessed reawakening under the country's unconsolidated democracy since 1999. In the twilight of military rule, Southern Nigeria was volatile on account of widespread agitations for democratic governance especially following the annulment of the June 12, 1993 presidential elections. The low-intensity conflict in the South was further aggravated by the Niger Delta militancy over environmental degradation and socioeconomic marginalization of the region. Prior to 1999, the Northern region was largely peaceful, except for isolated cases of religious riots and intra-religious resistance to dominant Islamic norms. Puzzlingly, the geography of violence has witnessed appreciable transformation since the return to civilian rule. While the former volatile Southern region has become a little peaceful; the erstwhile peaceful North has become terribly conflictual.

Across the Northern region, a number of non-state violent actors of different sizes, motivations and ideologies have emerged in the last decade. In the North-East, Boko Haram insurgents have remained resilient in unleashing violence on both soft and hard targets despite the repressive stance of counterinsurgent troops. In the North-Central zone, the lethal clashes between sedentary farmers and nomadic herders over pasture and water resources have not only escalated in the region but have also spread to other parts of Southern Nigeria leaving arson, injury

and carnage in their trails. As the state and society grapple ineffectively with these conflicts, rampaging bandits have emerged in the North-West rustling cattle, kidnapping, raping, and killing the people. But surprisingly, instead of the state and its allies to rise to the challenge of banditry, they have opted for an amnesty for the outlaws. What is the rationale for the amnesty? To what extent can the peace deal mitigate the banditry? And how sustainable is the state pardon for criminals? This edition of Nextier SPD Monthly analyses these questions with a view to highlighting practical policy recommendations to mitigate the security threats.

Amnesty refers to pardon from punishment for criminal offenses committed against the state. As noted by Ikelegbe (2010:7), amnesty “indemnifies affected persons in terms of safety and protection from punitive actions, retributions and associated losses”. As enshrined in Section 175 of the 1999 Constitution, the President has power to pardon any person convicted of crime if s/he so wishes. Several arguments have been advanced for and against the amnesty instrumentality. Thus, the state pardon has been deployed in various contexts including in regularising the status of irregular migrants (Bosniak, 2012); in building post-conflict peace (Jeffery, 2011); and in the disarmament, demobilisation and reintegration process of former non-state fighters as exemplified in the Niger Delta region of Nigeria (Agbibo, 2015). Despite the popularity and differential logics of amnesty, international law forbids the granting of state pardon to those who have committed crimes against humanity. As noted by Gibson (2002:541) amnesty comes with a huge cost because “expectations of retribution are unsatisfied. To the extent that amnesty contributes to unrequited expectations for justice, a justice deficit may be created for the new authorities, with the possibility that the new regime and its institutions will be deprived of life-giving legitimacy”.

Bandits on Rampage

The Fulani and Hausa people have lived together peacefully for several years. However, the relationship between the two ethnic groups has been less cordial in several parts of the North-West in the last couple of years. While the Hausa people are mainly sedentary farmers, the Fulani engage mostly in nomadic cattle herding. Modern day banditry started in Zamfara State about 2013 when the Fulani began to form bandit groups to protest their marginalization by the Hausa.

First, they complained that the grazing lands and routes of their cattle were destroyed and that even the shoulders of the roads were overtaken by farmers. In addition, the bandits complained that they lacked schools, clinics, vocational centres, water supply in their areas whereas non-Fulani people had enjoyed government interventions in the last 30 years. Also, they were aggrieved by the illegal arrest and detention of the

Fulani by the police and other security agents and the demand for two to three million Naira before their release.

Some repented bandits also complained that their co-ethnics were killed extra-judicially and their cattle rustled. As a result of the security threat to Fulani livelihood, they complained to the government of Abdul'aziz Yari but no tangible policy was implemented to ameliorate their plight, hence they began to engage in cattle theft to regain their losses. Following this reprisal action, the governor ordered that no cow should be sold in the market or taken out of the state without certification by government to establish the genuine owner of the livestock. According to the repented commander of the bandits in Zamfara State, this was when they decided to engage in massacre by killing 50 persons for each Fulani killed:

So that was when we started having serious problems. We have stolen cows but we had no money to buy food because we didn't know how to sell the animals. One day, an idea came to us that since the kidnapping of people for ransom was being done in some parts of this country and people were making money from it, we should adopt that to get money for our needs. So you see if the government had acted fast and arrested the issue of cattle rustling at the time we complained about it, we wouldn't have been involved in these heinous activities.

Overtime, the bandits broadened their targets to include non-Hausa as some of those kidnapped included [foreign nationals](#) such as Ghanaians, Koreans, Nigeriens, and others. In Katsina State, the communal conflicts between farmers and herders over grazing land and water were escalated by the Yan Sakai vigilante group which took sides with Hausa farmers and began to attack Fulani

herders, labelling them as bandits and cattle thieves. This led to reprisal attacks by the Fulani and deployment of soldiers by the Federal Government to handle the menace. Following the escalation, especially the state repression, the Fulani invited their [co-ethnics as mercenaries](#) from neighbouring Cameroun, Chad Niger, Mali and Burkina Faso for re-enforcement against their perceived enemies, leading to a full-blown banditry in the region.

According to Governor Aminu Masari of Katsina State, earlier efforts to restore peace in the state through the use of amnesty failed. Following the high rate of cattle rustling in the frontline local government areas, the Katsina State government had granted amnesty to the cattle rustlers after it came on board in 2015. According to the Governor, "in January 2017, we were able to recover over 400 arms mainly AK-47s and others. We were also able to [recover 36,000 cattle that were](#)

[returned to the owners, some of them from Niger Republic](#)". But because other states in the zone were not involved in the initial peace deal, the bandits from those states especially Zamfara and Kaduna States targeted and killed

their counterparts who accepted amnesty in Katsina State. Following the assassination, the children of those killed went back to the forests to join the gangs especially in Zamfara where most of the bandit camps were located.



Image from: www.dailypost.ng

State Pardon for Criminals

Since the North-West was under siege, some of the governors began to negotiate with bandits from August 2019. In Zamfara State, the new PDP-led government under Bello Matawalle began consultations with several stakeholders including President Muhammadu Buhari, Vice President Yemi Osinbanjo, Chief of Army Staff, Chief of Air Staff, the Inspector General of Police, and traditional rulers on how to tackle banditry in the state. A Committee chaired by Mohammed Abubakar (a former Inspector General of Police) was set up to find amicable solutions to banditry in Zamfara State which was the worst hit by the phenomenon. The Committee was given a time frame of June 2011 to May 29, 2019. In the report presented to the Governor, [the Committee reported that over N3 billion was collected as ransoms by bandits](#) during the period under review. The huge sum was collected from the relatives of 3,672 victims to secure

their freedom. For the period, bandit activities made 4,983 women to be widowed; 25,050 children were orphaned; and 190,340 persons were displaced in the state. In the same vein, 147,800 vehicles and motorcycles were burnt while 2,015 cattle, 141 sheep and goats, 2,600 donkeys and camels were rustled.

Also, the governors of Katsina, Sokoto and to some extent Niger states also set the peace process in motion by engaging the bandits in dialogue. Unlike the initial efforts at peacebuilding by previous administrations in Katsina State, Governor Masari visited the bandits in their hideouts in the forests to [discuss the amnesty programme](#), thus gaining the trust and confidence of the outlaws and garnering legitimacy for the peace deal. On January 15, 2017, the Governor had declared amnesty for the 300 bandits, criminals and vigilante members who surrendered arms at Kankara

LGA, paying N100,000 compensation each. After an initial lull in the rates of farmers/herders clashes, banditry and kidnapping resurfaced in 2018, ahead of the 2019 general elections.

The peace deal for bandits gathered momentum again in 2019. As at October 10, 2019, the Katsina State government had secured the release of 15 detained bandits while the 70 persons held by bandits were also set free by their captors. However, some persons kidnapped from Jibia LGA were yet to be set free because they were allegedly abducted by Nigerian bandits from Maradi, Niger Republic. In [Sokoto State, over 210 bandits have repented](#). The State government also helped to secure the release of the 33 persons trafficked to Burkina Faso. [The 23 of them from Katsina](#) were given the sum of N50,000 each upon return and the 10 persons from Zamfara State were given N30,000 each to return home. The state recorded over

221 deaths and the displacement of 45,175 persons in the 66 communities affected by banditry between July 2018 and July 2019. The State Emergency Management Agency added that a total of 6,485 animals were lost. However, though a full-fledged amnesty programme has not been launched in Niger State, yet the government granted pardon to [13 armed bandits](#) who were arrested in the area in September 2019 and promised to provide vocational skills for all repented bandits and other criminals.

As part of the disarmament programme of the amnesty programme, [several weapons were recovered](#) from the repented bandits across the region including AK-47 rifles, FN rifles, Lar rifles, GPMG rifles, light machine guns, and some locally fabricated guns. An armoury owned by notorious bandit known as Zakuri was even discovered in Zamfara State with over 30 AK-47 rifles. In Katsina State, [leaders of bandit groups in t](#)

[he eight frontline local government areas](#) (Kankara, Faskari, Dan-Musa, Safana, Sabuwa, Dandume, Jibia, and Batsari) assisted the state government in the disarmament process by helping to retrieve firearms from their members in the forests.

Curiously, as at October 2019, only Kaduna, Kebbi, and Jigawa states were yet to implement a peace deal with bandits in the North-West geopolitical zone which comprises seven states. While the phenomenon of banditry has been rare in Kebbi and Jigawa states, however, Kaduna State has been one of the most notorious dens of banditry, cattle rustling, and kidnapping for ransom in recent years. For example, travellers on the Kaduna-Abuja highway and the Kaduna-Birnin Gwari road have been subjected to incessant criminal victimization. One of the kidnappers arrested recently in Kaduna State confessed that he had over 50 persons and

murdered 10 of them because of the inability of their family and friends to pay the ransom demanded on time. [He confessed thus:](#)

“I have kidnapped about 50 times. I have collected N3m like six times. I have collected N10m, N17m, and N19m from different places. I operate along Abuja-Kaduna road. I use small boys and those from my village in Maidaro. My boys are in Katsina and Zamfara. They are in nine places.” I used AK47 rifles and I bought them N50,000 each from one Yaro Alhaji at Kajori. I buy like a container of ammunition. A single ammunition is N1,000. I have killed like 10 people. I killed one because the family insulted me on phone when I called them. Others were killed because their families did not pay ransom. I have rustled about 200 cows. I did all these things before but I have stopped them now. I have calmed down. If I call my brother Alhaji Abu, he will bring those weapons I used for kidnapping.”

As the rehabilitation programme gathers momentum across the North-West for all those granted amnesty, the Zamfara State government has established a social intervention programme to absorb 18,000 youth who would be paid [N20,000 monthly as stipend](#). The state government has also commenced the building of RUGA settlements in each of the three senatorial districts of the state to provide grazing facilities for Fulani herders and prevent clashes with local sedentary farmers. In Katsina State, the government has started to build schools, and provide boreholes in bandits' zone such as Sabuwa LGA. Similarly, to facilitate

integration, the government has promised to engage NGOs for re-orientation of warring groups for mutual and peaceful co-existence. The governor said that earth dams have also been rehabilitated in the forests to store water for herders and that over N200 million has been spent in demarcating grazing areas and cattle routes. Similarly, the Sokoto State government has started to drill boreholes and demarcate cattle grazing routes. Internally displaced persons' camps have been set up across the affected states to accommodate victims of banditry. Also, food items, clothes, beddings, medicals, and other items have been provided to cushion their hardships.

Addressing Weak Statehood

From the foregoing, it is obvious that state weakness and poor governance are the core drivers of banditry. Apart from the inability of both federal and state governments to deliver public goods and provide basic welfare, the security apparatus has also been unable to provide the much needed security. Efforts to rein in Nigerian bandits and other rebels and ensure sustainable peace has been terribly handicapped by the relative incapacity of state troops and security agents. One of the reasons why the Nigerian state has been under siege of non-state violent actors is the fact that the country's security agencies rely on old weapons for new wars. For example, Boko Haram counterinsurgent troops complain that they still rely on the use of the 1971 Soviet-era Tank 72 (popularly known as T-72) weapon as well as the [Shilka guns procured under the Shehu Shagari administration](#), 1979-1983. The

parts of the Shilka guns are no longer available making the security agents to cannibalise some to fix others. In contrast, a number of bandits and insurgents especially the members of the ISWAP faction deploy Armoured Personnel Carrier and Mine-Resistant Ambush protected vehicles which are bullet-and bomb-proof. They also use drones, thermal detectors and night vision goggles. The modern equipment imbues the rebels with technological advantage over the defenceless state troops who rely on outdated weapons. Curiously, the over [₦3.77 trillion allocated to the Ministry of Defence between 2010 and 2019](#) have not had impact on critical security infrastructure on account of pervasive corruption. To address the phenomena of banditry and other forms of non-state violence, a lot of measures need to be taken.

First, the governments and its partners need to create a level playing ground for all ethnic groups to operate without discrimination. All citizens should be treated equally to avoid resentment which results in banditry and other forms of violence. The discrimination against the Fulani ethnic minority in parts of the North-West was the trigger of bandit activities in the first place. Second, as part of rehabilitation and reintegration programmes of the amnesty, the government and other stakeholders should provide vocational and technical skills for all unemployed victims to imbue them with legitimate sources of livelihoods. Third, encroachment on grazing routes should be strictly discouraged by governments and traditional institutions in order to provide equal livelihood opportunities to both farmers and herders especially now that both human and animal populations have increased astronomically while the size of land remains

constant. So, all farm lands situated on grazing routes should be taken over by the authorities and re-distributed to herders.

Fourth, considering the fact that forests have been used as [ungoverned spaces by bandits](#) to launch their campaigns, such arable lands should be converted into agricultural use for both farmers and herders to minimize their employment as launching pads by criminals. Fifth, bandit activities have been severely lethal because of the cheap availability of illicit weapons. As a result, all stakeholders should employ modern equipment in securing the sources of these illicit firearms including the porous borders. In the same vein, local producers of deadly weapons should be licenced, monitored, regulated and sanctioned when the need be. Lastly, the amnesty programme currently implemented across the North-West is not sustainable because the states involved do not have the resources to fund it

adequately. If care is not taken,
the stipends given to today's

repented bandits may be used to
buy new and more sophisticated
weapons tomorrow.



Conclusion

Rather than buying peace from bandits who killed, maimed and kidnapped for their self-regarding gains, the governments and all stakeholders in the North-Western states should invest in human capital development; re-distribute land fairly and justly; provide welfare for the poor; promote

inclusive governance for all despite differences in ethno-religious orientations; and above all, provide vocational and technical skills to boost legitimate livelihood strategies. Until these are done, the amnesty programme can only provide a negative or graveyard peace.



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