



## AN ASSESSMENT OF THE BENUE STATE AMNESTY PROGRAMS

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### Abstract

*This paper is an assessment of the Benue State amnesty programs. The paper employed a descriptive research layout. Data was acquired mainly through secondary sources. The failed state theory is used as a framework to guide our analysis. Extant literature has also been reviewed. The paper is situated against the security challenges confronting Benue state for quite some time now. Conflicts emanating from herders/farmers clashes over land resources have however been more pronounced. Nevertheless, criminal youth gangs in several parts of the state engaged in terrorizing towns and villages killing, raping, kidnapping, robbing, and carrying out many heinous crimes. These crimes are perpetrated due to the proliferation of small and light weapons in the hands of the youth, many of whom had been armed by politicians to fight their dirty battles in order to win elections at all costs. It is against this backdrop that the Ortom administration launched the Benue State Amnesty programs on May 29<sup>th</sup>, 2015 at IBB square in order to recover these weapons from the youth and train them to engage in socially acceptable employment and consequently reduce crime in Benue State. These Amnesty programs were carried out to the end. Nevertheless, there is controversy about their outcome. While the Ortom administration contends that, the amnesty programs have succeeded in reducing crime and unemployment rates in the state, critics of the administration have submitted that the amnesty programs have failed woefully and it's evident in the increasing crime and unemployment rates in the state. The paper in line with the findings recommended that the task of crime prevention and control is not to be left in the hands of the government or the security agencies alone, as all hands must be on deck to achieve effective peace and order. Thus, a comprehensive security strategy that greatly involves the stakeholders and citizens must be urgently put in place to effectively tackle armed robbery and other sundry crimes militating against the state security and development.*

### Keywords

Amnesty  
Crimes and Criminality  
Youth gang  
Small and light weapon

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## 1. Introduction

Historically, banditry has existed and functioned in various parts of the world since the 19th century, when bandits riding largely on horseback moved from their hideouts to attack communities and then retreated back to their

hideouts. Bandits have occurred in Europe, primarily in the mountainous regions of Italy, Spain, Greece, and Turkey (Cassia, 1993). Bandits have been found in various Asian countries, including Iran, the Philippines, and

India (Bankoff, 1998). In Hindi, bandits are referred to as Daku, a term coined by British colonialists during the colonial. Thus, in the Indian subcontinent, where bandits have operated for many years in north and north central India, dacoity has become a synonym for banditry (Dmella, 2018). A well-known dacoit, Gabbar Singh, was the subject of the 1975 Bollywood film *Sholay* (Flames), which was based on his life. As a result, banditry has a long and lucrative history in South Asia, and the problem still remains in India today, despite ongoing anti-banditry actions (Dmella, 2018).

Bandits have continued to terrorize the Horn of Africa, East and Central Africa, and the trans-Saharan trade routes linking Niger Republic and Libya, providing a new security challenge in Africa (Aregbesola, 2020). Banditry has existed in sections of Chad and the surrounding area of Lake Chad, as well as in Southern Africa (Aregbesola, 2020). Banditry's prevalence and severity in West Africa has contributed to a surge in regional instability, posing a threat to the integration of the regions (Abdullahi, 2019). Some bandits from the West African sub-region, such as the Niger Republic and Mali, were reportedly asked to carry out large-scale attacks in several of the region's sub-countries, according to sources (Khan, 2016). They crossed West Africa's porous borders with weapons, assisting their fellow bandits in large-scale or retaliatory attacks.

Banditry has recently become a harsh reality in today's Nigerian society, presenting itself in various ways such as insurgency, kidnapping, suicide assaults, self-suicide bombing, corruption, armed robbery, and so on (Enders & Sandler 2002; Lake, 2000). Several attempts have been made to reduce the impact of these threats on Nigerian society. According to Luechinger (2013), the Nigerian government has tried using a counter-insurgency force as a policy deterrent, along with the imposition of sanctions, to reduce the threat of banditry in the country.

Despite this, the country's degree of insecurity remains high, causing Nigeria to continuously rank low in the Global Peace Index (GPI), indicating a worsening state of insecurity Ajibola (2015). According to Uhumwuangho and Aluforo (2011), government initiatives have not achieved enough beneficial results.

In Benue State, armed violence has escalated since 1999 maybe as a result of unemployment and poverty. The youth who are unemployed have become dependent clients of political entrepreneurs and various criminal gangs in many of these scenarios, and they have developed nearly impenetrable networks controlled by kingpins (Mbumega, 2019). Political elites employ this pool of defenseless youth to scare voters, maim, murder opponents, and spread misinformation. The youth are hungry and idle, and they struggle only to acquire tiny sums of money and other presents from the wealthy and politicians. This means that unemployed youngsters are sometimes used as mercenaries in land conflicts and elections to wreak havoc (Mbumega, 2019). These idle minds can easily be enlisted as mercenaries by desperate and opportunistic political elites or any feuding faction. The government's inability to perform its constitutional functions including the security of lives and properties, therefore, informed people to rebel and take up arms against the same government chiefly to protest their socio-economic challenges (Mbumega, 2019)

There have been alarming reports from Benue State most especially the Zone A (Sankara axis), which is just a section of Benue State. Several attacks had been carried out on homes in different communities and public facilities, such as local council offices, markets, schools and police stations. Mbumega (2019) stated that, the attacks had left no fewer than 200 people dead with several others sustaining life-threatening injuries. Properties worth millions of naira have also been destroyed. The attackers

branded as bandits and local militias are not deterred by the heavy presence of the joint military operations in the area. They are reported to have, on several occasions, engaged the military in heavy gun duel with casualties most times recorded on both sides (Mbeumega 2019).

Before now, a notorious gang leader Late Terwase Akwaza aka Gana, had reigned in Benue for over 15 years (Mbeumega, 2019). Gana and his gang unleashed terror on communities in the area and almost crippled both economic and social activities in the once bubbling area. They killed, maimed, destroyed properties of perceived enemies at will, sometimes under the watch of security operatives unchallenged. They soon became available and willing force for use by some top politicians in the area (Umoru, 2016).

Governor Samuel Ortom, who succeeded Suswam in 2015, saw the destructive risk posed by bandit activities in Benue State and adopted a carrot-and-stick strategy in a bid to end the menace of banditry in Benue State. The governor demanded that everyone in possession of illegal weapons in the state surrender their weapons or face the wrath of the law. He then offered amnesty to late Gana, a notorious militia leader in Benue, and invited him to summon his men from the bushes to surrender as well (Umoru, 2016). The peace agreement lasted for a while, but late Gana was implicated in another security violation when he was linked to the grisly murder of Denen Igbana, Ortom's security adviser, in his Makurdi home (Ushaemba, 2019). The peace agreement was shortened as a result, and late Gana recalled his men to the trenches. A ten million bounty was later placed on his head by the authorities. Despite nearly four years of searching, security personnel had not been able to find him. "Operation While stroke", a joint military operation, scoured and sacked important hideouts in the futile search for late Gana (Ushaemba, 2019).

Godwin (2020), reported that some religious leaders and traditional rulers initiated another peace move and persuaded the late Gana to come out for the second and last amnesty that never took place. He agreed to their demands, but was ambushed by soldiers on his approach to Makurdi's Government House, where state officials and other top security personnel were waiting for his surrender. Gana was murdered. But some of his men escaped and have since regrouped to unleash mayhem. In fact, since then, there has been no peace in sankara axis as well as other parts of Benue state. Worst hit by the ongoing carnage in the area are some prominent personalities within the axis suspected of having a hand in the killing of their leader. Thus, Benue State has become more insecure and unsafe.

## **2. Statement of the Problem**

Benue State has faced security challenges from several quarters for quite some time. Conflicts emanating from herders/farmers clashes over land resource have however been more pronounce. Nevertheless, criminal youth gang have in several parts of the state engaged in terrorizing towns and villages. Killing, raping, kidnapping, robbing and carrying out many heinous crimes. These crimes are perpetrated due to the proliferation of small and light weapons in the hands of the youth, many of whom had been armed by the politicians to fight their dirty battles in order to win elections at all cost. It is against this backdrop that the Ortom administration launched the Benue State Amnesty programme on May 29<sup>th</sup>, 2015 at IBB square in order to recover these weapons from the youth and train them to engage in socially acceptable employment and consequently reduce crime in Benue State.

These Amnesty programmes were fully implemented. Nevertheless, there is controversy about their outcome. While the Ortom administration contends that, the amnesty

programmes have succeeded in reducing crime and unemployment rates in the state, critics of the administration have submitted that the amnesty programmes have failed woefully and its evident in the increasing crime and unemployment rates in the state. In a programme organized to mark the one year anniversary of Governor Samuel Ortom administration, local news men noted that, the amnesty programs was successful as the government were able to recover 600 assorted illegally acquired weapons from the people while 800 militants had submitted themselves for reorientation to the amnesty committee (Vanguard Newspaper, May, 28<sup>th</sup> 2016)

The task of this work is intricately to examine the amnesty programmes executed by the Ortom administration in order to determine their successes or otherwise. In order to accomplish this, the paper interrogated the prevailing security environment that necessitated the introduction of the amnesty programmes, the policy objectives and their implementation and the impact these programmes have made on the security conundrum in Benue State.

### 3. Concept of Amnesty

The word amnesty comes from the Greek word amnesia, which means, oblivion, or the loss of recollection (Akinwale, 2010). It is a sovereign act aimed to apply the principle of *tabula rasa* to past offenses, usually against the state, in order to halt processes that have already begun or are about to begin, or judgements that have already been issued. Amnesty is a sovereign act of forgiveness for earlier crimes, granted by a government to all persons (or particular groups of persons) who have been guilty of treason, sedition, rebellion, or draft evasion, and typically conditioned on their return to obedience and duty within a set time frame (Kuku, 2016). Amnesty, which is akin to a complete pardon in that both the offense and the

punishment are annulled when it is granted, is included in the idea of pardon. As a result, political offenses such as treason, sedition, or insurrection, as well as draft evasion, are often covered by amnesty. Amnesty must be distinguished from another term that is closely linked to it, namely pardon, in this regard. A pardon is an executive move that reduces or eliminates the punishment for a crime (Kiyaramo, 2015). An act of grace by a governing power that reduces the severity of the punishment imposed by the law and restores the rights and privileges lost as a result of the offense. A pardon absolves the offender of the entire sentence imposed for the offense, as well as any impairments resulting from his convictions; it also restores his civil liberties.

Although both amnesty and pardon arose from the ruling authority of the state's universal pardoning power, their origins and objectives are distinct. Akinwale, (2010) noted that, Amnesty is usually granted through a legislative act, whereas a pardon is granted by the Head of State through an executive act. As previously said, amnesty deals with offenses of a military or political type that are frequently committed against the state, whereas pardon is usually awarded to people who have been convicted of infractions (common crimes) against the state's peace and security. If this is right, the main difference between amnesty and pardon is that the former can be awarded before any conviction or penalty has been declared, but the latter can only be granted after the benefactor has been convicted and punished.

Nonetheless, amnesty ignores the offense and shields the recipient from punishment. Pardon, on the other hand, does not ignore the offense; it is frequently awarded after the punishment has been administered, and it attempts to either remit the punishment or stop the execution of a penalty, even if the consequences of the conviction continue to exist in other ways (Idonor, 2009). Amnesty promotes

peace or reconciliation, whereas pardon is a discretionary tool for avoiding the courts. It usually entails obtaining something useful from the pardonee, or preventing or correcting an error in an innocent person's conviction. Early attempts to re-establish peace between warring States or between the State and rebels, as well as to assure durable victory over captured territory, gave rise to amnesty. The absolute power of sovereigns gives rise to pardon.

#### **4. Banditry and Security Challenges in Nigeria**

Banditry in Nigeria is one of the primary security concerns now stifling progress in the country as a whole, Africa, and the world at large. As a result, the increased proliferation of small arms and light weapons has resulted in an unacceptably high level of armed crime and militancy (Nte, 2011). As a result, a large number of people, including civilians and military personnel, are killed or injured every year across the continent. Armed bandit according to Colletta & Kostner (2000, p.24), have a major impact on the ability of afflicted countries to undertake national development programs. On the one hand, diverting national resources away from social welfare and toward arms purchases has serious consequences for the majority. Arms-related insecurity jeopardizes vital infrastructure and resources needed for development endeavors. Furthermore, to prevent resources from being diverted to illicit objectives, foreign-funded development initiatives and aid are frequently canceled or postponed. Project employees may be at risk, project locations may remain underused by the people for fear of being viewed as supporting the government, and sites may draw armed attacks to disrupt the transition process when development projects are implemented in unsafe areas (Colletta & Kostner 2000). Despite the fact that the absolute development costs of reacting to armed violence are higher in the industrial

world, the proportionate impact on GDP and government budgets is higher in developing countries. In Latin America, for example, armed violence amounted to 12% of GDP (\$ 143 billion) in 1997. This is a combination of loss of human capital, private investment and transfer of wealth (Londono & Guerrero 1998). On the Global Terrorism Index Rankings in 2017, Nigeria, partly as a result of rebel attacks, was ranked first in Africa and third overall. At least 15 of Nigeria's 36 states are now dealing with violence and unrest from diverse organizations. In the country's north-eastern region, Boko Haram mostly conducts operations (and is also active in Chad, Niger and northern Cameroon). Typically, the middle-belt of the country is where the herdsmen attack. There is also violent incidents between competing cults in the south and terrorist attacks on crude oil facilities. Economic activity, especially agricultural production, is disrupted by insecurity in these areas, which also inhibits the growth of the economy's total output. The cost of Boko Haram's actions in the northeast was estimated by Nigeria's former Chief of Army Staff, Tukur Buratai, to be N274.5 billion (\$9 billion), with the loss of agricultural production coming to N107 billion (\$3.5 billion) (cited in Nwama, 2015).

Furthermore, the federal and state governments, which are required to offer humanitarian assistance, are under tremendous strain from the 1.96 million people who have been displaced as a result of insecurity. Zainab Ahmed, the Minister of State for Budget and National Planning, claims that in 2016 and 2017, the federal government and the six north-east states spent \$6.4 billion on humanitarian aid and initiatives (as cited in Okoro, 2018). This equates to an annual average of \$3.2 billion. Additionally, it accounts for around 8% of all national spending by the federal and state governments. Governments have also had to continue making these payments despite high

unemployment rates and other infrastructure-related issues.

Armed bandits' operations in Nigeria and Benue State have a negative impact on economic development by deterring investment, divestment, and misallocating resources to security rather than development, as well as preventing the implementation or beginning of development projects. When employees in charge of providing health and education work in a dangerous atmosphere, the quality of these services suffers. Doctors and teachers are hard to find willing to work in places where they are more likely to be assaulted. Arms proliferation will obstruct the achievement of development goals (UNDP 2001). There is a propensity for underdevelopment when firearms are prevalent; schools, shops, and economic activity cease, and the local economy grinds to a standstill. Infrastructural facilities have been devastated once more, and people are unable to return to their homes or live a regular life (United Nations Development Programme 2001).

According to a survey undertaken by Majebi (2002) in Africa, women as young as 10 years old have been kidnapped at gunpoint from their farms, schools, and homes in countries such as Nigeria, Sudan, Sierra Leone, and Uganda. Women in refugee camps and internally displaced persons are gang raped and abused at gunpoint on a regular basis. Soldiers in a battle zone raped some 30,000 women at gunpoint as part of a calculated strategic operation to dehumanize and demoralize their opponents (Majebi, 2002). Armed bandits' operations can devastate both official and informal economic activity, from multinational corporations to minor traders in cities and rural areas. Banditry's effects on economic activity can be measured using primary indicators such as higher transportation costs and the deterioration of physical infrastructure during armed conflict, as well as secondary indicators such as local goods prices, declining terms of trade and agricultural

productivity, and lower levels of food consumption (UNCTAD) (UNCTAD, 2002). As a result of mortar bombardment, shelling, and automatic gunfire, deterioration of essential infrastructure facilities (e.g. roads, ports, industries, and fixed capital investment) can have a substantial influence on total economic activity. The cost of repairing damaged infrastructure diverts funds from social services and human development (Women's Commission for Refugee Women and Children, 1999).

Nations affected by significant social crises and armed conflict, according to the World Bank (2001a), suffer disproportionately from negative growth and a massive degradation of foreign direct investment (FDI). Armed conflicts have substantial opportunity costs in terms of social and economic investment for the affected country and its surrounding territory. Conflict and violence, for example, were regarded as the top security risk facing investors around the world in a poll of firms done for the World Development Report (World Bank, 2001).

Armed banditry has a disastrous influence on a country's financial indicators, as assessed by trends in local and international investment, revenue collection, and domestic savings, according to Pearce and Kerry (1990). Domestic and foreign investment in critical sectors (e.g., services and tourism) plummets as a result of armed violence, though less so as a result of social violence, as investors flee to safer havens. Armed bandits' proliferation has an impact on food production, which can take years to recover once fields have been left fallow. A legacy of small arms and light weapons proliferation, including anti-personnel landmines, undermines communities' motivation to engage in subsistence farming or individuals' or companies' desire to invest in agriculture or other economic activities (World Bank, 2002b). This means that armed conflicts are decreasing future generations' basic agricultural fortunes dramatically. Cattle have become scarce and of

lower quality as a result of periodic droughts, lethal raids, and bad land management (Demetriou, Muggah, and Biddle, 2002).

Banditry has created a slew of problems, all of which have a direct impact on health-care delivery in the affected areas (Valenti, 2007). According to Ocha (2018, p.102), it is difficult for impacted communities or the state to offer adequate health care services to its population during times of armed violence. Most of the time, the international community jumps in to fill the void. Responding to needs is tough for actors in the health sector. In addition, infectious illness outbreaks stemming from armed war do not respect national borders. Armed bandits have a negative impact on the health infrastructure, which can be harmed, destroyed, or robbed either purposefully or unintentionally. Those health care facilities that aren't completely damaged may have to close or reduce their services. In times of armed conflict, civil unrest, and official persecution, attacks on and interference with health-care services, providers, buildings, transportation, and patients create huge problems for health-care delivery.

### **5. Predisposing factors to Banditry Activities in Nigeria**

In Nigeria, there are numerous predisposing variables that encourage banditry.

#### *Ineffective security and judicial systems*

The legal responsibility for maintaining peace and order in any given society falls squarely on the shoulders of law enforcement officers. Unfortunately, as Iygeal (2012) has pointed out, law enforcement officials appear to be uninformed of security threats and, more often than not, respond only after security breaches have occurred. He went on to say that, at other times, they ignore or are sluggish to respond when they hear of violence, criminal activity, or a possible breach of security because they are afraid of death or harm. Temple (2013) stated

that law enforcement officers are not well-provided for in terms of life insurance and housing, as well as a low monthly pay with no welfare benefits. According to Achumba, Ighomereho, and Robaro (2013, p.41), some of them are influenced by ethnic or religious feelings and are therefore readily devoured by their personal motivation to serve their people rather than the nation. According to Olorisakin (2008, p.18), the police population ratio in Nigeria is 1:450, which is below the UN guideline. This suggests that Nigeria is grossly under-policed as a country, which may explain the police's incapacity to successfully combat crime and security threats. As a result, rather than serving as national peacekeepers charged with protecting Nigerian citizens, they take sides and create insecurity by leaking key security information or assisting criminals in obtaining weapons or evading the long arm of the law. This may explain why some people have demanded for security agents to be stationed at their homes.

According to Alemika and Chukwuma (2000, p.13), the Nigerian Police Force has a significant image problem in the eyes of the people it is supposed to serve. The Nigerian police force is regarded with distrust, as if it were a pariah, accused of being "unfriendly," "brutal," "trigger-happy," "extortionist," "criminal accomplices," "gross violations of fundamental human rights," and so on. The rising crime rate, particularly violent crimes such as kidnapping, armed robbery, ritual murders, political assassinations, ethnic and religious violence, and electoral violence, has lowered public confidence in the police's ability to protect people's lives and property. The widespread consensus is that the police cannot address existing crimes through arrests and successful prosecutions, nor can they prevent or, at the very least, minimize the occurrence of crimes.

The weak judicial system in Nigeria is closely linked to the foregoing. The Nigerian Constitution (1999) entrusts the judiciary with

the task of interpreting the law and making decisions in civil and criminal disputes. This ensures that no norms are broken and that social order is maintained. The fragility of the Nigerian judicial system, according to Fukuyama (2004, p.26), has increased the impunity and daredevilry of various looting and embezzlement, particularly of public funds. Justice and the rule of law are predicated not only on the law, but also on the impartiality, shrewdness, and nobility of judicial officers. Unfortunately, as Tella (2015) and Obarisiagbon (2017) have pointed out, the Nigerian justice system is ineffective and encourages criminality, as many offenders are able to return home after being caught and convicted. Nigeria will be in peril if security officers are unable to prevent and detect criminal activity.

#### *Poverty and unemployment in the economy*

A bad economy, with high poverty and unemployment rates, appears to have been the curse of increase banditry activities in the country (Ogah, 2011). Every year, colleges and universities generate a large number of graduates who, unhappily, are pushed into the labor market with little hope of finding work. Some people feel frustrated and resort to violent and criminal behaviors such as "lucrative" kidnapping, militancy, and armed robbery in order to keep their body and soul together. Others have fallen prey to terrorists and have been radicalized quickly. Boko Haram, IPOB, and Niger Delta militancy are all examples that come to mind. On the other hand, Nwagbosa (2012) argued that previous governments have failed to implement policies that will reduce unemployment and poverty, which have been the primary sources of insecurity in Nigeria. To a large extent, the introduction of amnesty in the Niger Delta region of Nigeria by late President Umaru Yar'Adua and former President Goodluck Jonathan, in which unemployed and impoverished youths who laid down their arms

were sent to training centers for vocational and educational purposes, brought amazing peace and tranquility to that region.

#### *Ethno-religious conflicts*

Suspicion and mutual animosity among Nigeria's ethnic groupings, as well as the major religions, have historically been a source of security concerns. In Nigeria, there are two prominent religions: Islam and Christianity, and there have been regular and continuous religious battles between these two religions, with no end in sight. Ethno-religious confrontations have reached frightening levels across the country, making a mockery of the security system. The current and general state of instability in most parts of Northern Nigeria is attributed to various Boko Haram reports (Ezeoba, 2011). In truth, there have been previous security crises in the North owing to religious zealots' actions before the arrival of this terrible religious cult.

#### *Porous borders*

It has been noticed that Nigeria's porous borders, which allow for unfettered and untracked movement of people, have played a significant role in the country's insecurity. Apart from unrestricted movement of people into Nigeria, arms and ammunition, whether light, small, or heavy, have made their way into the country undetected and have been used by religious fanatics, insurgents, and militia to wreck havoc on the country's social order with little or no response from law enforcement. According to Edeko (2011, p.42), Nigeria is home to over 70% of the approximately 8 million illegal weapons that have been utilized to cause a security problem. According to Adeola and Olayemi (2012, p.8), the country's border porosity has resulted in an uncontrollable flood of migrants, primarily youths from neighboring countries such as Niger, Chad, and the Republic of Benin, who have been primarily responsible for some of Nigeria's violent activities.

**The country's lopsided development, marginalization, and inequalities:** Nigeria's current leadership has been accused of ethnic bias and the marginalization of some portions of the country in the allocation of basic infrastructure, all of which have exacerbated the country's security (Vande, 2022). People of Northern ancestry have been handed key political posts recently, whereas the South-East has been left out in the cold. This could explain the campaign for the Republic of Biafra, as well as the numerous security breaches that have preceded it. Furthermore, the huge discrepancy in life chances in Nigeria is extremely obvious. The vast majority of the population experiences inequity, unfairness, and marginalization, which has resulted in frustration and a loss of hope, particularly among the youth. These youth are now using every legal or illegal means at their disposal to voice their dissatisfaction with the current condition of affairs. The result is growing insecurity (Vande, 2022).

## 6. Theoretical Framework

The failed state theory is used to explain the Benue State Amnesty programme. Helman and Ratner (1993) proposed the failed state idea, which was popularized by Rotberg (2002). The primary premise of this theory is that the state, which has the constitutional responsibility of safeguarding and delivering welfare to its population, has failed to do so due to weak institutions and poor leadership. According to Rotberg (2002, p.12), failed nations have a rise in criminal and political violence, a loss of border control, increased ethnic-, religious-, linguistic-, and cultural conflicts, and a loss of control over natural resources. Also, they are characterized with weak institutions, deteriorating or insufficient infrastructure, the inability to collect taxes without undue force, a health-care system that has disintegrated, and so forth. Infant mortality is rising, life expectancy is reducing,

regular schooling possibilities are dwindling, and GDP per capita is falling.

A government operating in the above-mentioned circumstances is typically subjected to growing challenges on its core legitimacy. All of the failing state's symptoms are causally linked. As the state's capability deteriorates, rulers increasingly operate only for their personal profit. As people feel increasingly alienated and excluded, key interest groups' commitment to the state dwindles. As a result, the social compact that ties citizens and central structures is forfeited," as Rotberg (2002) puts it, citizens seek alternate forms of identity and pledge their loyalty to community warlords and ethnic leaders, fueling internal anarchy (Rotberg, 2002).

Khan (2006, p.26) questioned the theory, stating that the hierarchy of positive state functions proposed by Rotberg is a reasonable starting point for defining state failure. However, as Rotberg recognizes, pinpointing precise tipping points where state weakness translates into failure or collapse is challenging. Some countries have experienced economic failure but have not seen major political instability (such as Tanzania, Zambia). Furthermore, a state's internal weakness is not always due to a lack of political engagement. According to Marshall and Gurr (2003), semi-authoritarian regimes (so-called 'anocracies') are more prone to political violence than more open democracies or more authoritarian governments. Corruption and bureaucratic capability, which are often used as indicators of failure, are also deceptive. Evidence from less developed countries reveals that corruption and bureaucratic competence have no bearing on long-run development rates (Khan 2006).

In relating this theory to the Benue State Amnesty programmes shows that, with the restoration of democratic rule in Nigeria in 1999, many were hoping that the restoration of civilian administration would put an end to poverty,

unemployment, inequality, social vices such as robbery and theft, and other development evils in Benue State. Most people were surprised to learn that their hope had turned to dissatisfaction as every successive government have failed to handle the country's development concerns. As unemployment and poverty levels rise as a result of the government's failure to present, societal vices like armed robbery and drug usage which has become more common. As people seek any means of surviving, the number of criminals in society is growing. The occurrence of crime and the level of violence in Benue State, for example, range from minor to organized crime. In Benue State, housebreaking and theft, kidnapping, murder, illicit drug trade, thuggery, and other crimes are common. Women, men, children, the elderly, the weak, the wealthy, and the poor are all victims of crime in various forms. As a result, deaths, displacements, severe economic disruptions, and the threat of future attacks have occurred. To put it another way, it has thrown people's lives and the economy into disarray. The government's inability to carry out its constitutional functions, including ensuring the safety of people and property, prompted people to rise up in revolt and take up arms against the same government, primarily to protest their socio-economic conditions. It is as a result of this that the Ortom administration launched the Benue State Amnesty programs on May 29<sup>th</sup>, 2015 at IBB square in order to recover these weapons from the youth and train them to engage in socially acceptable employment and consequently reduce crime in Benue State.

#### *An Assessment of the Benue State Amnesty Programmes*

Amnesty programs have been in existence for quite some time. The best-known example of amnesty in the ancient world occurred at Athens in 403 B.C, when a group bent on reuniting the city took over the government and secured a general political amnesty. The amnesty declared

the acts of both warring sides officially forgotten, influenced by allegiance oaths signed by all Athenians and only afterwards made into law (Young, 2002). Amnesty is sometimes granted by legislative authorities in other countries where amnesties are considered as part of the governing process. Amnesties are generally a power of the Executive Branch in the United States, though legislature may initiate amnesties as part of legislation on rare instances (Damico, 1975).

In Nigeria, the President may grant any person concerned with or convicted of any offence created by an Act of National Assembly a pardon, either free or subject to lawful condition," This is in line with Section 175 (1) (a) of the Nigerian constitution, which is in pari materia with Section 212 (1) (a) of the constitution, which deals with governors' powers. On this point, Musa Yar'Adua, the late former President of the Federal Republic of Nigeria, gave amnesty and unconditional pardon to the Niger Delta insurgents on June 25, 2009, in exercising his constitutional power under Section 175 of the Federal Republic of Nigeria's constitution. The pardon was valid for 60 days (June 25th to October 4th, 2009), and the militants were required to surrender any weapons and ammunition they had and publicly repudiate militancy (Idonor, 2009, Ikelegbe & Umokoro, 2014). Ex-agitators were given the opportunity to surrender their arms and ammunition in exchange for presidential pardon during this time. A large section of society and groups applauded the Federal Government's declaration of amnesty, with several international bodies pledging their support for the program.

What is now regarded as a success story in Benue State's quest to restore peace and security to the state and neighboring states began on May 29, 2015, at IBB Square in Makurdi, with a declaration by Governor Samuel Ortom, during

his inaugural address where he stated in clear terms that,

*"We will move decisively against our youths and their patrons who have chosen a living out of unbridled acts of terror and thuggery." The government will no longer be a safe haven for these young people and those who support them. They will be held accountable, no matter who they are or how powerful they are. We demand that all unlawfully armed individuals who have been terrorizing innocent residents surrender their weapons, be free, and participate in our reform programs, or we will pursue them to their graves (as cited in Umore, 2016, p.12).*

The official proclamation of the three-month amnesty granted to armed persons in Benue State, which was set to expire at the end of August 2015, was made by the state governor (Agerzua, 2016). Governor Ortom set up a commission to manage the amnesty programs a few days later to show his dedication to the amnesty decree. The question to be asked at this point is why did the amnesty programme become necessary at that point in time in Benue history? The answer to the above question is very clear.

Many portions of Benue were turned into theaters of violence, armed robbery, kidnapping, political killings, thuggery, and cultism before Governor Samuel Ortom took over the mantle of leadership. Some of the youth in the state were handed lethal weapons by their supporters, which they used to wreak havoc. Political gangs might enter innocent people's offices and houses and demand that they settle the lads.' Anyone who refused to hand over enormous quantities of money was beaten to a pulp or wounded, if not killed (Mbumega, 2019). The situation was

quickly bringing Benue's economy to a stop, as investors refused to come to the state, and those who were already there were fleeing in droves. Worse, the then-Government of the State appeared to turn a blind eye to the atrocities perpetrated by thugs and cultists. When Governor Ortom took the oath of office on May 29, 2015, that was the situation. So it was a question of urgency for Benue to think outside the box and act quickly to stop the nasty trend (Mbumega, 2019).

Governor Samuel Ortom and his team decided that while using force might provide a temporary reprieve, it would not provide a long-term solution to the problem. As a result, the Governor decided to use a "carrot and stick" approach, offering amnesty to anyone who had used weapons to commit any type of crime (Umore, 2016). The Governor and his team's approach was based on the concept that development can only thrive in a peaceful environment. As a result, amnesty was viewed as a valuable tool that would serve as a basis for providing stability in order to create the necessary enabling climate for investment, which would lead to significant job creation. Amnesty programs were born as a result of this.

Governor Ortom utilized every event he attended to tell armed youths in the state that his administration will fight insecurity with a carrot and a stick strategy. He also reassured those still holding weapons that if they accepted the amnesty programs, they would be rehabilitated, integrated, and encouraged to work in a variety of ways to make a decent livelihood (Umore, 2016). The Governor of Benue State took every chance to persuade the state's youth that their hopes of a well-developed State would remain unfulfilled until peace and security were allowed to prevail. "If we can secure lives and property in the State, our ambitions to industrialize the State and provide job opportunities through micro, small and medium scale firms will come

to fruition," he declared at one point (as cited in Umooru, 2016, p.12).

A renowned gang boss named Terwase Agwaza (aka Gana) who is now late, was terrorizing some of the areas of Benue and Taraba States, surrendered a substantial amount of weaponry and ammunition, including 84 different riffles and 770 rounds of ammunition, only a day before the amnesty program was set to expire (Godwin, 2016). Ghana appealed with Governor Ortom to prolong the grace period for the handover of weaponry, pledging that he would call other armed individuals to persuade them to hand over their weapons as well. Governor Ortom graciously agreed to extend the amnesty until the end of September. The amnesty extension resulted in the recovery of more weaponry from various groups, as well as a significant reduction in crime and killings. The achievement of 'Gana' and his gang surrendering their weaponry led to other amnesty program achievements. Six young men from the State's Ushongo Local Government Area came to the Benue People's House a few days after the grace period was extended to surrender a number of firearms to the amnesty committee. The Assistant Pastor of Nongu u Kristu u i Ser u sha Tar, (NKST) Lessel, Reverend Terna Agber, as well as the then Ter Ushongo, Chief Ambrose Iortyer and the Reverend Father Theophilus Osugh of Saint Stephens Catholic Church, Lessel, assisted in this achievement. AK47 riffles pistols and other assaulted ammunitions were among the weapons surrendered by the youth of the state (Mbumega, 2019). Another group, this time from the Kwande Local Government Area of Benue State, turned over their weapons to the amnesty committee at the Benue People's House less than a week later. It was another haul of several automatic rifles and several ammunitions.

Governor Samuel Ortom reaffirmed his commitment to assisting security agencies in performing their duty to the best of their abilities

while receiving the group from Kwande (Cited in Mbumega, 2019, p.21). Governor Ortom also stated that those who have surrendered their arms will be rehabilitated and reintegrated into society by the State Government, which will prevent them from returning to their former ways. The role played by the Church and traditional leadership in the State in the success of the amnesty programs should not be overlooked. Religious and traditional leaders' overwhelming support for the programs has sent a clear signal for the restoration of peace and security to all sections of Benue State. This also demonstrates that the Samuel Ortom government is firmly rooted in the fear of God and enjoys the support of all major stakeholders in the state (Mbumega, 2019).

It's no surprise that Governor Ortom's amnesty plan has been praised by individuals and groups, as well as local and international organizations, who regard the Benue State Governor as a man of peace who leads the state with the fear of God. When the UN High Commission for Refugees' Country Representative in Nigeria, Angelle Atangana, paid a visit to Governor Ortom, the UNHRC took the lead in a barrage of accolades. On the occasion, Atangana stated that if the Benue State Government's amnesty programs were successful, community violence would be reduced, as well as the number of internally displaced individuals and refugees (Ushahemba, 2016). Similarly, a Nigerian delegation praised Governor Ortom's amnesty program during the 70th Session of the United Nations General Assembly. When the envoy visited Nigeria House in New York, he made time to compliment the Governor of Benue State on the amnesty programs. Ambassador Usman Sarki, Nigeria's Deputy Permanent Representative, Usman Baraya, Nigeria's Permanent Representative to the African Union, Usman Baraya, and the Nigerian Mission's Minister Councillor, Dr. Cyprian Heen, all spoke

separately and said the Benue State Government's amnesty programs were the way to achieve global peace and security.

However, this peace agreement lasted for a while, and then late Gana and his boys were implicated in another security violation when he was linked to the gruesome murder of Denen Igbana, Ortom's security adviser, in his Makurdi home (Ushaemba, 2019). The state, on the other hand, arranged a second amnesty program, in which religious leaders and traditional authorities began a new peace initiative and convinced the late Gana to come out for the second and final amnesty, which never happened. He complied with their request, but was ambushed by soldiers on his approach to Makurdi's Government House, where state officials and other top security officers were waiting for his surrender. Gana was slain. Some of his soldiers, however, were able to flee and have since reassembled to sow mayhem. In truth, there has been no peace in Benue state since then, particularly along the Sankara axis and in other sections of the state. The continuing bloodshed in the area has hit certain senior officials within the axis who are suspected of having an involvement in the assassination of their boss the hardest. As a result, the Sankara flank in Benue State has become increasingly vulnerable and dangerous. The official mansion of the Katsina Ala local government chairman as noted by Godwin, (2020) was attacked early this year, and four people, including police officers on duty, were killed. While the criminals claimed responsibility for the attack, the chairman fled to recount the story. Months later, Senator Suswam's elder brother, Dr. Terkula Suswam, was shot and killed in his home in Anyiin, Logo local government, with his aide. Gana's men were the most likely suspects. Several more notable members of the community were assassinated by people alleged to be late Gana boys. A retired Assistant Inspector General of Police, Chris Degar, from the Katsina Ala

region, was also allegedly tracked down by the same gang and shot to death in Jos, Plateau State. Intriguingly, he became Governor Ortom's second security adviser to be assassinated under mysterious circumstances. For many, noteworthy, Benue inhabitants, particularly those from the Sankara axis, fear of the unknown has been the beginning of knowledge.

As a result, it appears that the insecurity in Benue State has not abated. Many individuals blamed the state's revival of armed violence on weak Amnesty program organization and, most importantly, extrajudicial killings of Benue's most wanted militants Gana has cast doubt on any future Benue Amnesty programs in the state.

## **7. Conclusions and Policy Recommendations**

Over the years, the governments protracted neglect of the youth most especially in Benue State and the activities of political elites in encouraging the use of weaponry have entrenched crime in the state. There are both literate and uneducated criminals among them. There are graduates walking the streets among the literate; there is no enabling atmosphere for them to be self-employed. Youth with master's degrees sell recharge cards, work as commercial motorcyclists popularly known as Okada, load vehicles in motor parks, or labor for unpaid groups. Farming and entrepreneurship are difficult for illiterate youth. There is no conducive environment. Meanwhile, opportunistic and rent-seeking politicians are seen driving luxurious cars and living in mansions, all paid for with money taken from the public coffers. In this instance, when the opportunity to earn money (whether legal or illicit) presents itself, they seize it rashly and without hesitation. This has resulted in multiplicity of armed-violence and criminality in Benue State.

For peace to reign supreme in Benue State, the government should create amnesty offices as

well as skill acquisition centers for beneficiaries of the programs in the three senatorial zones of the state. In addition, the state government should engage bilateral and international institutions for assistance with the amnesty program's execution.

The state government should make concerted efforts to fully develop the productive forces and modify the nature and character of the economy that is reliant on federal funding. To succeed, both state and non-state actors will be required.

The Nigerian government should reconsider those laws that exclude or discriminate against youth participation in politics, decision-making, and policy-making, among other things, and make place for youth participation. Institutional constraints within security agencies, such as insufficient manpower in terms of strength and expertise, insufficient education and training, and insufficient equipment, should be decisively addressed; other constraints, such as insufficient cooperation with security agents from members of the public and poor working conditions, should be visited. Every police operation should be tied to intelligence policing.

It is also necessary to instill in security personnel the mindset of responding quickly to threats that have been discovered. Finally, there should be a robust method for monitoring the unlawful production and distribution of Small arms and Light Weapons in Benue State; concentrated efforts to control arms and prevent proliferation should be scaled up to help in intercepting illicit weapons.

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