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De-Radicalization and Reintegration of Nigerian Repentant Terrorists in Restorative Justice: Issues and Challenges

Andy O. Mmakwe*

Abstract:
As the war on insurgency continues to take its toll on lives, the economy and other aspects of human concerns, the Nigerian Government has embarked on a de-radicalization programme, Operation Safe Corridor (OSC), with a view to facilitating the rehabilitation and reintegration of the ex-insurgents. This programme initiated in 2015 through which repentant Boko Haram members were encouraged to surrender and embrace peace is aimed at finding a lasting solution to the persistent Islamic extremism in the North-East. This programme is facing a serious challenge as many victims and members of the local communities are hostile to the returning/repentant insurgents as a result of the trauma from their losses and on their perceived ground that these former fighters are incapable of repentance. This paper x-rays these challenges and argues that as laudable as the programme is, the de-radicalization programme cannot record much success without addressing and resolving grievances and root causes of conflict via a process that involves all affected groups. The paper relies on secondary sources such as textbooks, journals, articles and other library based sources and recommends a Reconciliation programme – a component of Restorative Justice as a way of making the initiative more comprehensive to achieve the success envisaged through the Operation Safe Corridor.

Key words: Radicalization, De-radicalization, Boko Haram, Ex-insurgents, Restorative Justice

Introduction

Since 2015, the Nigerian Government has been consistent with its resolve to de-radicalize[1] and reintegrate[2] the ex-insurgents in the North Eastern part of Nigeria through the Operation Safe Corridor programme. Anyone following the events in that region of the country will discover that

* **Andy O. Mmakwe** Research Fellow, Nigerian Institute of Advanced Legal Studies (NIALS), Abuja, LLB, BL,LLM, PhD Scholar University of Jos, Nigeria Email andyozo2016@gmail.com; andyozo2000@yahoo.com,Phone: 08030761627

[1] De-radicalization can broadly be understood as the process of changing one's internal beliefs and denouncing radical ideologies. John Horgan defines de-radicalization as "the social and psychological process whereby an individual's commitment to and involvement in violent radicalization is reduced to the extent that they are no longer at risk of involvement and engagement in violent activity". In comparison, some scholars have defined de-radicalization as the process of changing an individual's beliefs and embracing mainstream values by rejecting radical or violence-oriented ideologies. A Rabasa et al., De-radicalising Islamist Extremists, (California National Security Research Division, 2010) xiii

[2] Reintegration is the process a person goes through to reenter society after being in prison. Reintegration programmes are designed to provide assistance to formally incarcerated persons in getting job training and finding a job. Although, successful reintegration means no return to crime, recidivism is a unifying concept without a unifying definition. (J. Stephen Wormith et al; 'The Rehabilitation and Reintegration of Offenders: The Current Landscape and Some Future Definitions for Correctional Psychology')
<http://www.cjb.sagepub.com/cgi/content/abstract/34/7/879> accessed 6 February 2021

the effort is far from achieving its desired impact. This programme initiated in 2015 through which repentant Boko Haram members were encouraged to surrender and embrace peace is aimed at finding a lasting solution to the persistent Islamic extremism[3] in the North-East. This programme is facing a serious challenge as many victims and members of the local communities are hostile to the returning/repentant insurgents[4] as a result of the trauma from their losses and on their perceived ground that these former fighters are incapable of repentance. The Federal Government had explained that the programme which aimed at the education, rehabilitation,[5] de-radicalization and integration of the repentant insurgents is targeted only at 'low-risk Boko Haram members'.[6] Those captured by the military during operation or combat are processed for prosecution[7] but the ones that have been ideologically indoctrinated because they were conscripted are the ones being rehabilitated.

This paper x-rays the challenges faced by the initiative and observes that as laudable as the programme is, the de-radicalization programme cannot record much success without first of all putting in place another programme where the aim/target[8] of the Federal Government would be made clearer and where reconciliatory moves[9] would be made between the victims of such crimes, members of the community and the ex-insurgents. At the reconciliation stage, the central role of apology would be brought to the fore. The goal of apology is the granting of forgiveness, and when both occur, victim and offender join in a ritual of reconciliation through which social harmony is restored. According to Retzinger and Scheff[10], apology and forgiveness pertain to "symbolic reparation", a vital element of the restorative process. As they pointed out without

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[3] Islamic Extremism is any form of Islamic deviance that deviates from a pattern of behaviour and opposes the democratic principles such as individual liberties, the rule of law, and the tolerance and mutual respect for people who practice different faith and beliefs within a given social context.

[4]Kingsley Omonobi, 'Widows of Soldiers protest Release of Repentant Boko Haram Terrorists'<https://www.vanguardngr.com/2020/01/wid...>accessed 6 February 2021

[5] Rehabilitation refers to a broad array of psychosocial programmes and services that are designed to assist offenders in addressing a range of needs related to their offending behaviour and in achieving a more productive and satisfying lifestyle. (J. Stephen Wormith et al; n2)

[6] These were members conscripted or abducted as against those captured by the Troop during operation or attack. This group referred to as 'low risk Boko Haram members' has been ideologically indoctrinated according to the Defense Headquarters. They do not buy into Boko Haram agenda but were rather forced into it, hence, they are 'low-risk combatants'. See Guardian, February 21, 2020, p1

[7] This group are taken care of under another de-radicalisation programme of the Nigerian Government known as "the Prison Programme"

[8] This is necessary because as it stands now, a large number of the populace, especially from the North East believe that the government is rehabilitating and encouraging these extremists who took up arms against the State. The wider implication and fear is that many more groups would be gearing up to emerge to terrorize the people. See Kingsley Omonobi, (n4)

[9] "…. The goal of reconciliation is quite simple; to bring together the estranged elements of the community and restore the original trust among these elements. Among those to be reconciled are the transgressor, the victim, and, most importantly, the community at large. If the community itself does not reestablish trust with the transgressors, they remain isolated and alienated from the community.... Reconciliation repairs the damage of conflict. "It restores harmony and balance to the community," Reconciliation and the Mutualist Model of Community in R. Quinney& H. Pepinsky (eds.), Criminology as Peacemaking, Bloomington: Indiana University Press (1991)

[10]S. Retzinger and T. Scheff, *Strategy for Community Conferencing: Emotions and the Social Bonds,* in B. Galaway and J. Hudson (eds.) RESTORATIVE JUSTICE: INTERNATIONAL PERSPECTIVES. (Criminal Justice Press, Monsey NY, 1996), 317

[apology and forgiveness] the path towards settlement is strewn with impediments, whatever settlement is reached does not decrease the tension level… and leaves the participants with a feeling of arbitrariness and dissatisfaction. A reconciliation programme – a component of Restorative Justice[11] should therefore be incorporated to enable the victims to ventilate their views.[12] This will make the initiative more comprehensive to achieve the success envisaged through one of the programmes, the Operation Safe Corridor.

The paper is structured into five segments. The Introduction is followed by the second segment which is on the Background to Boko Haram Insurgency and it will provide the paper with a brief historical perspective of the Terrorist organization as it relates to the De-Radicalisation programme. The third segment will look at the Restorative/De-Radicalisation Measures adopted by the Nigerian Government. This segment will give insight into the various De-Radicalisation programmes adopted in other jurisdictions that have battled insurgency and applied one form of de-radicalisation programme or the other and relate it to the Nigerian model. The fourth segment will highlight the various Issues and Challenges facing the De-Radicalisation Programme to proffer solutions at the concluding stage. The final segment will be the Conclusion and Recommendations.

2. The Backgroundto Boko Haram Insurgency

Repentant terrorists in this paper refer to the former members of *Jama'atu Ahlis Sunna Lidda'awati Wal Jihad* otherwise known as Boko Haram. The repentant members have been the main beneficiaries of the De-radicalization programme of the Federal Government initiated in the North East of Nigeria since 2015. The precursor to Boko Haram first arose in Borno State in the 1990s, under the leadership of Mohammed Yusuf whose primary and secondary objectives were the establishment of a pure Islamic state based on Sharia law and the wider imposition of Islamic rule beyond Nigeria respectively.[13] In July 2009, following deadly clashes between Mohammed Yusuf's followers and the police, Mohammed Yusuf was killed extra-judicially while in police custody. Conflict between the group and State security forces then dramatically escalated and

[11]Restorative Justice does not have a universally accepted or precise definition. Many scholars and theorists have shied away from pronouncing 'the' definition of restorative justice. However, Marder defines Restorative justice (RJ) as a criminal justice practice in which the person(s) who were harmed by a crime, and those who were responsible for that harm, are brought into communication. According to him, the purpose is to enable the people who hold a stake in the outcome of an offence to play a part in repairing the harm and finding a positive way forward. It is intended as a voluntary process for all participants and can be used with any type of offence and at any stage of the criminal justice process – including as a diversion from arrest or court, or post-sentence, by probation services and in prisons. Its potential benefits are varied: from increasing victim satisfaction with criminal justice and helping victims to recover from crime, to reducing reoffending by changing the way that offenders think or providing further support and motivation to desist from crime. (Ian D. Marder, Developing Restorative Justice in Law, Policy and Practice: Learning from Around the World. <https://www.penalreform.org> accessed 3 February 2021. Restorative Justice is a system of criminal justice that focuses on the rehabilitation of offenders through reconciliation with victims and the community at large. There are many components of Restorative Justice, but for the purpose of this paper, only three components namely; Reconciliation, Rehabilitation and Reintegration are discussed.

[12] M.S.Umbreit, Victim Meets Offender: The Impact of Restorative Justice and Mediation. Monsey, New York: Willow Tree Press, Inc. (1994)

[13] Boko Haram <https://www.nationalsecurity.gov.au> accessed 2 February 2021

nearly 1,000 of Yusuf's followers were killed in confrontations. These marked the beginning of a spiraling campaign of violence by the group.[14]

The violence which broaden from revenge attacks on the Nigeria police and security forces, to attacks on public servants, politicians, moderate imams, and civilians, targeted through bombing and shooting attacks on schools, churches, mosques, markets, government installations and other public places are still ongoing as we speak.[15] In 2013, a group of young people from Maiduguri decided they would take matters into their own hands and set about protecting the population.[16] They started a vigilante group called "Civilian Joint Task Force" (CJTF) intending to drive the Islamist fighters out of their towns and cities. Their efforts according to residents brought tremendous success albeit, temporarily in fighting Boko Haram.[17]

Suicide bombings began in 2011, and since mid- 2014 many young women and girls have been systematically used as suicide bombers. Boko Haram also abducted people: between January 2014 and April 2015, the group abducted well over 2,000 women, girls and boys. Many girls have been abducted, forcibly married to Boko Haram fighters, are being systematically raped and forced to carry out caretaking duties. In April 2014, 200 schoolgirls from Chibok in Borno State were abducted and a majority remain in captivity.[18] From 2015, the Nigerian Government with the help of International troops from the neighbouring countries of Chad, Niger and Cameroon did succeed in pushing back Boko Haram and were able to liberate large swaths of the State of Borno that were still controlled by the jihadists in early 2015.[19] But at the end of 2018, on 27 December, Boko Haram gave a demonstration of its military strength when it drove 500 soldiers of the regional anti-terror coalition out of their headquarters in Baga and was able to briefly assert control over the town.[20]

The report that the soldiers were stretched to the limit, demoralized and poorly equipped was confirmed when in August 2018, the soldiers were said to have fired into the air on the runway at Maiduguri airport, expressing their exhaustion after four years at the war front.[21] The security situation has deteriorated rapidly in the past few years that authors and experts advocate that urgent steps be taken by the government to address the underlying causes responsible for the

[14] NORTH EAST NIG Recovery and Peace Building Assessment (North East Nig RPBA) vol 1 Synthesis Report, 2015 <https//www.worldbank.org/en/country/nigeria> accessed 29 March 2021

[15]Boko Haram in Nigeria/Global Conflict Tracker <https://www.cfr.org>global-conflict-tracker> accessed 2 February 2021

[16]Antonio Cascais, 'Ten Years of Radicalisation: Boko Haram' <https://www.dw.com/en/10...> accessed 6 February 2021

[17] Elizabeth Ame, a resident of Maiduguri confirmed to DW, that "these young people know their way around better than the soldiers of the Nigerian army, most of whom were sent in from other states." ibid

[18]Chika Oduah, Chibok: The Village that Lost its Daughters to Boko Haram <https://www.theguardian.com> accessed 2 February 2021

[19]Antonio Cascais (n16)

[20] ibid

[21] ibid

exacerbation including poverty, unemployment of the youth[22] and the issue of the equipment intended for the soldiers at the front not reaching them.[23]

3. The Restorative/De-Radicalisation Measures Adopted by the Nigerian Government

Having alluded to the definition that de-radicalization is the process of changing an individual's beliefs and embracing mainstream values by rejecting radical or violence-oriented ideologies,[24] the Nigerian Government currently has three de-radicalisation programmes that support Boko Haram defectors: The Prison Programme,[25] the Yellow Ribbon Initiative[26] and the Operation Safe Corridor (OSC).[27] About two thousand members of Boko Haram and the Islamic State in West Africa (ISWA) have defected through the OSC since its inception.[28]

De-radicalisation efforts are of two types: (i) Individual ideological de-radicalisation, using psychological and religious counselling to produce a change of mind, and (ii) Collective de-radicalisation, using political negotiation to obtain a type of change of behaviour. The government of Singapore[29] used the first approach while the second approach was utilised in Egypt.[30]

National de-radicalisation programmes often have purposes and their objectives as summarised by Bjorgo and Horgan are enormous:

- Reducing the number of active terrorists;
- Reducing violence and victimization;
- Re-orientating ideological views and attitudes of the participants;

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[22] Solomon Ayegba Usman, 'Unemployment and Poverty as Sources and Consequences of Insecurity in Nigeria: The BH insurgency revisited <https://www.researchgate.net /publication/289495662_Unemployment_and_Poverty_as_Sources_and_Consequences_of_Insecurity_in_Nigeria_The_Boko_Haram_Insurgency_Revisited>accessed 2 February 2021

[23] Yomi Dare confirmed this to DW, saying "I believe it's high time the government and the military leadership made sure that equipment intended for soldiers at the front does in fact reach these soldiers." [DW (*Deutsche Welle*: German wave Website:DW.com) is a German public state-owned international broadcaster funded by the German federal tax budget]

[24] A Rabasa et al (n1)

[25] The Prison Programme works with militants convicted of violent extremities offences or those on or awaiting trial. During the programme, Imams teach classes on non-violent interpretation of Islam. Other aspect of the programme involves staff providing vocational training so that, when inmates fulfill their prison terms, they can re-enter society with less risk of reverting to terrorism. See also A B Barkindo and S Bryans, De-radicalising Prisoners in Nigeria: Developing a Basic Prison Based De-radicalisation Programme, Journal for Deradicalisation, 7(Summer 2016), 1-25 <https://www.journals.sfu.ca/jd/index.php/jd/article/view/56>accessed 2 February 2021

[26] The Yellow Ribbon Initiative supports women and children associated with Boko Haram by providing psychosocial therapy and reintegration programmes.

[27] Operation Safe Corridor (OSC) launched by the Nigerian military in 2015, works with Boko Haram defectors by addressing extremist ideology and providing them with trauma counseling.

[28] Alvin Young, Nigeria Considers National De-radicalisation, Rehabilitation and Reintegration (DRR) Agency Amid Boko Haram Setbacks <https://www.cfr.org> accessed 13 February

[29] See M H Bin-Hassan and K G Pereire, An Ideological Response to Combating Terrorism-The Singapore Perspective, *Small Wars and Insurgencies*, (2006) 17(4) 458 - 477

[30] Arab Thought Forum, Countering Violent Extremism: Learning from De-radicalisation Programmes in some Muslim-Majority Countries (Amman, Jordan 15-17 March 2012)

- Re-socialising ex-members back to normal life;
- Acquiring intelligence, evidence and witnesses in court cases;
- Using repentant ex-terrorists as opinion builders;
- Sowing dissent within the terrorists' milieu;
- Reducing the economic and social costs of keeping a large number of terrorists in prison for a long time.[31]

Since 2009, insecurity caused by the menace of Boko Haram in the North East of Nigeria has led to the loss of over 20,000 lives and the displacement of over 2 million people.[32] Throughout the region, livelihoods have been disrupted, and homes, public buildings and infrastructure destroyed.[33] In this region of Nigeria, over 80% of the people rely on agriculture for their livelihoods, much of which has been lost to this menace.[34]

The Government of Nigeria has made great strides in retaking and stabilizing large portions of the North East, but the work of restoration of the lives of those affected is as if it has just begun. This is because, the more we hear that Boko Haram has been degraded, the more communities and individuals are being captured, dehumanized and killed.[35] Government response to the crisis has primarily been a nationally based security and humanitarian response, with limited and unsuccessful attempts at negotiation, and some actions aimed at preventing and addressing radicalization.[36]

In trying to address radicalization, the Federal Government has introduced the de-radicalisation programme under the Restorative Justice components of the three Rs; namely: Reconciliation, Rehabilitation and Reintegration. Ladan has observed that restorative justice encourages and promotes the reintegration of an offender into the community. Reintegration he said, is important because it facilitates the acceptance of the offender into the fold of the community and

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[31] John Horgan and Kurt Braddock, 'Evaluating the Effectiveness of De-Radicalisation Programmes: Towards a Scientific Approach to Terrorism Risk Reduction', in Sarah Canna (Ed.) (2011) 1-2

[32] North East Nig RPBA (n14)

[33] ibid

[34] ibid

[35] Jason Burke and Isaac Abrak, Boko Haram Claims Responsibility for Kidnapping Hundreds of Boys in NigeriaThe Guardian:<https://www.theguardian.com> accessed 3 February 2021

[36] North East Nig RPBA (n14). The popularity of the concept of 'radicalisation' stands in no direct relationship to its actual explanatory power regarding the root causes of terrorism. It was brought into the academic discussion after the bomb attacks in Madrid and London in 2004 and 2005 by European policymakers who coined the term 'violent radicalisation'. It has become a political shibboleth despite its lack of precision.Since 2004, the term 'radicalisation' has become central to terrorism studies and counter terrorism policy-making. As US and European governments have focused on stemming 'home-grown' Islamist political violence, the concept of radicalization has become the master signifier of the late 'war on terror' and provided a new lens through which to view Muslim minorities. (Arun Kundnani, 'Radicalization: The Journey of a Concept' , Race and Class, vol 54, no 2 (October - December 2012) 3

acceptance restores the offender's sense of belonging and healing. Failure to reintegrate offenders has been shown to result, in most cases, into recidivism.[37]

The humanitarian response plan for 2016 has requested US$248 million and was 7 percent funded, as at16 March, 2016.[38] Currently, 62 partners are providing urgent multi-sectoral humanitarian assistance to conflict-affected people in Adamawa, Borno, Gombe and Yobe States.[39] Humanitarian assistance is defined as support that addresses the urgent life-saving needs of the affected people and in these states currently includes food, water and sanitation, health and hygiene services, shelter and non-food items, education, protection (including targeted responses for children and sexual and gender-based violence (SGBV) survivors), early recovery activities, and livelihoods.[40]

On 21August 2015, Nigerian Government requested assistance in assessing the needs associated with peace building and crisis recovery. Support was provided in accordance with the 2008 Joint European Union (EU) – United Nations (UN) – World Bank (WB) Declaration on Post-Crisis Assessment and Recovery Planning.[41] The Assessment which was launched with a workshop in Abuja on 25-26 January 2016, was attended by more than 250 participants representing Federal and State Governments, the World Bank, European Union, United Nations, Civil Society Organisations, Internally Displaced Persons and other stakeholders.[42]

Peace building, stability and social cohesion interventions will ensure the sustainability of recovery interventions on the ground and lay the foundation for human security to prevail. They will be instrumental for allowing the affected populations to stand more confident and secure for returning home or other places as well as allow for healing from the fear, physical and psychological trauma they have endured for several years. The total needs for the peace building stability and social cohesion component are estimated at US$ 151 million and addressing the needs in a holistic and integrated manner is critical for success, and seen as a precondition for stability and key for sustainable recovery.

Evaluation of the OSC Programme

Following their release from rehabilitation centres, the ex-insurgents are issued certificates confirming their 'psychosocial normalcy' before they return to live in local communities. Treatment involves a combination of psycho-therapy, art therapy and psycho-spiritual counselling. Boko Haram's extremist narrative is also broken down by imams, who hold lectures aimed at shifting the participants' simplistic worldview by offering alternative interpretations of Islamic texts and values. The Nigerian de-radicalisation process, therefore, has a strong focus on ideology and reinterpreting of the Koran. OSC also offers participants basic vocational training,

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[37] Ladan, M. 'Towards Complementarity in African Conflict Management Mechanisms(Traditional Methods of Dispute Resolution: Chinese and Nigerian Perspectives http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2356459 accessed 28 September 2021

[38]North East Nig RPBA (n14)

[39] ibid

[40] ibid

[41] ibid

[42] ibid

such as carpentry, farming or welding, so that they are better equipped to find a stable livelihood after they are released.

Report from Bulumkutu Rehabilitation Centre in Borno State indicates that 151 former Boko Haram members were formally handed over to the State Government.[43] One of them, Ali Abana, said they were well taken care of by the authorities. The Coordinator of OSC, Brigadier General Bamidele Matthew Shafa, confident of the success of the programme said 'a lot of ground [has been covered] and we hope these boys will be accepted'. He, therefore, prays that the programme is sustained.

On the other hand, reports from some communities in Borno State where some of these ex-insurgents returned to indicate that there have allegedly been a number of incidents in which authorities were forced to take released former insurgents back to the rehabilitation centers after they were attacked by members of the community who had suffered one loss or the other under Boko Haram.[44] Many of the community members reject the idea that Boko Haram fighters are capable of repentance and believe that the de-radicalisation programme has become a breeding ground for spies and recruitment agents, especially considering their recent release which has coincided with an increase in attacks in neighbouring Chad.[45] For the Coordinator of OSC, one of the biggest challenges of the de-radicalisation process is finding a way to measure the progress which has been made. According to him, "there is need for improvement and one of the areas of improvement is the area of measurement and evaluation. So that we can know, scientifically, that these kinds of interventions are working."

4. The Challenges Facing the De-Radicalization Programme

There is no gainsaying the fact that aggrieved members of the communities devastated by the activities of the insurgents would be naturally offended by the presence of returnees/repentant insurgents. This would naturally arise as a result of the pains and irreparable losses suffered directly or indirectly from the activities of the returnees. Some are grieved that their communities were not sufficiently consulted when these programmes were being developed and implemented.[46] Many communities after enduring years of atrocities remain sceptical of reconciliation with Boko Haram defectors on the ground that these former fighters are incapable of repentance. Currently, the De-radicalisation, Rehabilitation and Reintegration (DRR) efforts have suffered mixed results due to the Nigerian military's limited expertise in de-radicalisation programmes such as OSC and the reasonable fear that participants (the former fighters) will face violent retribution upon reintegration.[47]

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[43] Boko Haram: Nigeria Moves to De-Radicalize Former Fighters <https://ww.dw.com> accessed 6 February 2021

[44] ibid; A victim, Hauwa Adamu was reportedly lamenting thus: "Boko Haram killed my husband while he was praying inside the mosque, two of my brothers were slaughtered; they should find a place to keep [the former fighters], but not in our society, please." Mallam Abdullahi argued that living side-by-side with the ex-insurgents would be too painful for the community. "People like Gabage (an ex-Boko Haram member currently in the rehabilitation programme) were the ones who killed my brother; how can they bring such a person to where I live? Whoever destroys your family…, I don't think it is wise to live with them."

[45] ibid

[46] Alvin Young (n28)

[47] ibid

"Citizens and communities victimized by physical, emotional, or economic harm are justifiably angry and require a means to address the injustice that anger represents. Flowing from our traditional criminal justice system which sees crime as a wrong done to society and concerned with determining guilt and administering punishment through a process involving a contest between the offender and the state, the offender fails to realize the real impact of his wrongful conduct and the victim, not satisfied remains only with the knowledge that the offender somewhere out of his sight and reach, serves whatever sentence imposed on him. The situation does not make for social equality - that is relationships of equal respect, dignity and concern which is best achievable through practices capable of promoting the reintegration of the offender into the community. The restoration of social equality can be done through a process to which the offender submits voluntarily as a result of negotiations with those affected by the offence, and as part of the offender's efforts to restore equality to the relationship.[48] Communities need a mechanism to recover from the psychological injury caused to them by criminal conflict - a mechanism involving rituals of forgiveness and release from anger[49] "Even if some past injustices never can be compensated for adequately, it can restore a sense of fairness to feel that everyone is trying."[50]

The above gap as discovered is the focus of this paper and the present Federal Government programme through the Operation Safe Corridor is expected to bridge the gap in order to achieve its aim and objectives of the programme. Victims' understandable desire for justice may lead to Nigeria adopting reconciliation measures similar to those used in Rwanda, which focused more on a form of community justice known as *Gacaca*,[51] or more recently, in The Gambia. An expert in Peace, Security and Islamic Extremism speaking on the issue of victims' remedy said that he understood the concerns of victims, but believed that reconciliation would be a necessary step, no matter how painful. According to him, "You have a community and a society which firmly believes: 'These are our killers, and these are the people who killed our loved ones.' They are convinced of that like anything, so you can't just bring [the former fighters] into society without any form of reconciliation." [52]

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[48] George Mousourakis, Understanding and Implementing Restorative Justice, Tilburg Foreign Law Review, vol 11, No. 3, 2003 – 2004, pp 626 - 652. HeinOnline

[49] J. R. Gehm, The Function of Forgiveness in the Criminal Justice System, in H. Messmer & H.U. Otto (eds.), Restorative Justice on Trial, Netherlands: Kluwer Academic Publishers (1992) (pp 541-550)

[50] M. K. Harris, Alternative Visions in the Context of Contemporary Realities, in P. Arthur (ed.) Justice: The Restorative Vision. New Perspectives on Crime and Justice February (#7) Akron, PA: Mennonite Central Committee (1989)

[51] In November 2002, an indigenous system of local tribunals called *Gacaca* was used in Rwanda as the raw material for institutional adaptation in furtherance of a hostile Restorative Justice oriented response to genocide. In particular, it led to the development of a communal judicial system, which aided reconciliation and sped up the trials. Its success was determined by the level of participation by Rwandan people, who were being called upon to confess to crimes committed, elect judges and give testimony to what they saw, heard and experienced during the genocide. Rwandans were mainly concerned with who killed their loved-ones and where they were buried, so that they could lay them to rest "with dignity", because according to them, they were "obliged to reconcile, because we are neighbours". (Theo Gavrielides, Restorative Justice Theory and Practice: Addressing the Discrepancy, Hakapaino Oy, (Helsinki) 2007 p79)

[52] Bulama Bukarti, a Nigerian Barrister and expert in Peace, Security and Islamic Extremism at SOAS, University of London. Boko Haram: Nigeria Moves to De-Radicalise Former Fighters (n42)

One other challenge threatening the de-radicalisation programme is that of lack of information and education for the local members of the communities. As a result of lack of information on the intention of the Federal Government, some members of the communities including victims of the insurgency began to believe a lot of things. Some have the impression that government is rehabilitating the former fighters and by so doing encouraging criminalities in the area. Some believe that the de-radicalisation programme has become a breeding ground for spies and recruitment agents in view of recent upsurge in attacks in neighbouring Chad and Niger which coincided with the release of some repentant and rehabilitated members of the insurgents.

The programme is also not recording much success in the North East because of the on-going status of the war. Since the war against Boko Haram is on-going, there is high tendency for the former fighters or the ex-insurgents returning to the group due to the high incentives from the insurgents and their sponsors.

5. Conclusion and Recommendations

Experiences from other jurisdictions demonstrate that there cannot be any meaningful or lasting peace or recovery without addressing and resolving grievances and root causes of conflict via a process that involves all affected groups.

For the de-radicalisation programme to be effective, Nigerian lawmakers must throw their weight behind it with elaborate legislative backing that will incorporate and implement the three components of Reconciliation, Rehabilitation and Reintegration. A primarily military effort as the current approach of the government has not been and cannot achieve the desired positive result. As argued by Vanda Felbab-Brown, community opposition to De-radicalisation, Rehabilitation and Reintegration efforts suggests that the Nigerian government "need to invest more in open and comprehensive discussions with society about rehabilitation, reintegration, leniency and victims' rights."[53]

Consequently, the government needs to put in place measures to minimize or checkmate such revengeful reactions that have been reported and other natural tendencies from the victims and community members. One step in the right direction towards this end would be for the government to set up a committee through which a meeting would be convened with victims, offenders, community members and trained facilitators in attendance. Other measures involve some concrete actions by the government:

1) Government needs to act immediately to protect the victims and other members of the community from further harm by the terrorists themselves and the offenders who may recidivist - this can be done through the Government's resolve and demonstration of political will to fight the insurgents;

2) Government needs to act immediately to protect the offenders/repentant insurgents from vengeance;

[53]Alvin Young (n28)

3) Government needs to set in motion the healing process of restorative justice (which means providing the resources, paying the bills incurred by the victims); and

4) Government needs to create those conditions most favourable to the complete restoration of both the victim and the offender.[54]

If these steps and measures are in place, the tendencies for vengeance by the victims and the repentant terrorist recidivatings would be minimized.

[54] Criminal Justice Committee, One Application of Restorative Justice: A Restorative System of Criminal Justice, Testimony on Restorative Justice. Philadelphia Yearly Meeting, Religious Society of Friends (1989)