Winning Boko Haram with Restorative Justice

Jean-Marie Kasonga MBOMBO

Abstract. *For more than a decade, Nigeria has not been able to militarily defeat the Boko Haram insurgency even with the logistical support coming from the neighbouring countries. This study adopts a case study model and critically appraises the merits of hard power in fighting domestic terrorism on the basis of secondary data. Guided by the theory of restorative justice, it contends that a viable alternative consists of rebuilding relationships between the victims and offenders with the help of their base communities. In other words, sustainable peace requires that atrocities are acknowledged by those who commit them (offenders); victims are empowered to reconcile with their offenders and constructive steps are taken to ensure that further atrocities are prevented.*

Keywords*: Terrorism, Restorative Justice, Negotiation and Reconciliation.*

"What can be done against force without force?" (Cicero)

Introduction

In the aftermath of 9/11 terror attack, it did not take too long for the CIA to name Osama bin Laden as the brain behind the 15 hijackers of the airlines that hit the twin towers in New York City and a section of the Pentagon. The leader of Al-Qaida had earlier on vowed to bring the war into the United States if the government did not yield to his demands (RAND, 2010). The American people were made to believe that the only way to deal with evildoers was to bring them to justice on the American soil or kill them in retaliation for more than 3000 civilians who lost

Jean-Marie Kasonga MBOMBO, PhD
Centre for Peace and Strategic Studies, University of Ilorin, Kwara State, Nigeria
E-mail: jm.mbombo@yahoo.com

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their lives. Two months later (Nov 12, 2001), the UNSC adopted the 1377 Resolution, calling on all nations to become parties to International Convention and Protocols relating to the war on terror. Even though the terror attack took place on the American soil, the US government decided to externalise the battlefield in the regions deemed to harbour the leadership of terrorist network and so spared the US citizens the scourge of warfare. As earlier as November 30, 2001, the Americans had started bombing the caves in Afghanistan and dismantled the *Al-Qaeda* training camps and facilities which they once funded in supporting the Taliban fighters against the Soviets in the 1980s (Burke, 2004). The illegitimate invasion of Iraq by the coalition of willing in 2003 laid the foundation for the hard power strategy which eschews both causation of terrorism and negotiation with the enemy. Going by this dominant approach, a military response is believed to rid the world of terrorism and any attempt to negotiate with terrorists is interpreted as a sign of weakness. The killing of Osama Bin Laden not only represented the triumph of retributive criminal justice but also won a second term in office for President Obama to the satisfaction of the electorate.

However, despite the use of cutting-edge weaponry, the number of casualties recorded among the allied troops coupled with the heavy loss of lives among the civilian populations in the invaded countries does not call for any celebration. According to Bilmes *et al.* (2011), America's costly war machine has actually drained the treasury by $2.5 trillion over a ten-year period. Moreover, the public record of violent deaths since the 2003 invasion of Iraq counts 219,000 bodies including combatants (Iraq Body Count, 2015). In May 2014, the Obama administration announced that the troops in Afghanistan would fall from 33,000 to 9,800 by January 2015 and by 2017 will settle to the Embassy presence of about 1,000 (Belasco, 2014). Special prisons for terrorists such as Abu Ghraib and Guantanamo Bay have only exposed the flaws of retributive justice, given the fact that suspected criminals are exposed to all sorts of human rights abuses on a daily basis. Even though the US government does not in principle negotiate with terrorism, secret deals of swapping terrorists with US hostages around the world are common. Recently, the Obama administration has been criticised by Republican lawmakers for securing the transfer of Sgt. Bergdahl in exchange for the release of five Taliban terrorists from Guantanamo Bay in May 2014 (Campbell, 2014).

This paper adopts an interpretive case study method which relies on secondary sources about counter-terrorism in Nigeria. It contends that the practice of restorative justice (RJ) offers a viable alternative to winning the war against the Boko Haram insurgency (BH) by ways of engaging with the 'terrorists' on the basis of our common humanity. RJ is an enduring process of restoring the humanity of both offenders and victims of atrocities with the aim of empowering them so that they can work together to mend social relationships. The argument is thus articulated around four headings. First, the conceptual framework opens a brief discussion around key concepts such as Terrorism,

Boko Haram and Restorative Justice. Second, the question as to whether it makes sense to negotiate with BH is meant to expose the limits of the no-dialogue-with-terrorists principle when it comes to fighting domestic terrorism. Third, reconciliation matters because it empowers victims and survivors of atrocities to regain their common humanity and live in peace. Finally, the study recommends the creation of Peace Corps to counter terrorism with peace messages instead of lethal weapons.

Conceptual framework

Terrorism

One person's terrorist is another's freedom fighter, goes the saying. Yesterday terrorists may be freedom fighters today just as the underground Jewish became 'freedom fighters' during the Holocaust and prompted the world leaders to carve the state of Israel out of the Palestinian land (Ahmad, 2010). The Webster Dictionary defines terror as an intense, overpowering fear and terrorism as the act or practice of terrorising by violence committed for political purpose, either by the government seeking to intimidate a populace (terrorism from above) or by nonstate actors in a bid to overthrow a government (terrorism from below). It is a form of intimidation meant to cause others to do things they would otherwise not do. Bruce Hoffman, an outstanding authority on the subject matter, proposes a definition that captures the linchpin of what constitutes terrorism:

> The deliberate creation and exploitation of fear through violence or the threat of violence in the pursuit of political change… It is meant to instil fear within and thereby intimidate a wider target audience that might include a rival ethnic or religious group, an entire country, a national government or political party, or public opinion in general. Through the publicity generated by their violence, terrorists seek to obtain the leverage, influence and power they otherwise lack to effect political change on either a local or an international scale (RAND Corporation, 2010: 116).

Whether the government commit it (terrorism from above) or private people (terrorism from below), the definition highlights the illegal use of coercive violence. As such, there can be state terrorism, religious terrorism, criminal terrorism, pathological terrorism and even political terrorism. Terrorism can also be domestic, international, or both, depending on the origin of the individuals or groups responsible for it. It is, however, difficult to distinguish between domestic and international terrorism because citizens of a particular country may participate in domestic terrorism with the support of foreign sponsors. As an illustration, the terrorists who killed cartoonists in Paris (7 January, 2015) were French citizens who had joined the Free Syrian Army and brought home their terrorising skills. External influence may also come in through Internet surfing and access to information about terrorism in the world. Actually, no conflict can be rightly described as domestic because shared ideas do not respect national boundaries.

Unfortunately, it took many years before the Nigerian government finally admitted that Boko Haram was not just a homemade insurgency. What is it basically?

Boko Haram

Boko is a corrupted English word for 'book' which in the Hausa Muslim community stands for Western education while the Arabic word *Haram* means anathema. Brought together, BH can be translated as 'Western Education is taboo.' However, the original name for the group is the *Jama'atul Ahlus-Sunnah Lidda'Awati Wal Jihad* (JASLIWAJ): People committed to the propagation of the teachings of the prophet and radical jihad (Animasaun, 2013:395). From a humble beginning in Borno, the group under the leadership of Muhammad Ali attracted many young Muslims with radical inclinations who were popularly known as the 'Nigerian Taliban' and declared the state corrupt and irredeemable. The next step was a traditional Hijra (a withdrawal before the jihad) which took the group to Yobe state. In December 2003, the religious sect clashed with the residents of Kanama over incompatible lifestyles (N.I.O. *et al.*, 2014). Resistance to the law enforcement agents led to a shootout in which Muhammad Ali was killed along with close to 200 members of the group. The escapees quietly left Yobe and settled in Maiduguri, the capital city of Borno State where the new leader, Muhammad Yusuf began the process of rebuilding the group in 2004. Yusuf's radical teachings that contrasted Western knowledge made the people in Maiduguri to eventually dub his group Boko Haram. While in Borno, M. Yusuf decided to build strong ties with the state government. One of his strongmen was a Commissioner of Religious Affairs. Many other influential politicians bought into the new sect and became its early financiers with the intention of using the group for political gains. N.I.O *et al.* (2014:19) contend that

> After recruiting a large number of followers, JASLIWAJ built a huge support base in Borno, Yobe, Bauchi, Gombe, Niger, Kano and Katshina states. The governors of these states saw Yusuf as a power broker who they should court and support. It is on record that up to eight state governors were giving JASLIWAJ a monthly subvention.

Rich Muslims in northern Nigeria also identified with the group because of its Shari'a overture. Financial support also came in from foreign countries such as Libya and Algeria. Accordingly, Muhammad Yusuf established a Mosque in Bornu in 2002 to propagate his radical views of Islam and attracted many followers. Soon, the religious site became a recruiting ground for the training of jihadists (George, 2013). Yusuf also built a powerful base in Borno (schools, farms and social services to cater for the widows, the orphans and the unemployed youth) from which he was able to carry out his 'Islamic propaganda and jihad' with an army of sympathisers. In particular, he took care to prepare for the jihad because his group is said to have stockpiled weapons for years and his members have received training in Afghanistan, Libya and Iran under the pretext of studying abroad. A second clash with the police on June 11, 2009 triggered a series

of gun battles involving the Joint Task Force (JTF) whose operations led to the killing of more than 800 insurgents and the capture of Muhammad Yusuf in the morning of July 30, 2009. By afternoon on the fateful day, he was found dead in the police custody. Almost one year after Yusuf's death, another leader made himself known in a video show as Abubakar Shekau. Since 2010, BH has unleashed regular bombing, shooting and abduction of women and school girls mainly in northern Nigeria and the Federal Capital Territory, Abuja (Asuquo, 2013:274-280). The following paragraph provides a theoretical framework of Restorative Justice to guide the remainder of the study.

Theory of Restorative Justice

Restorative justice (RJ) is a noble concept that was first introduced in the criminal justice literature in the 1970s, but its roots reach as far back as ancient Greek and Roman civilisations. It is a new way of looking at justice as a means to repair the harm done to people and their relationships instead of just punishing the offenders at the end of a court case. The following paragraph borrows from Gavrielides (2007:21s) and set a background to the restorative justice theory with the contribution of a few scholars in the field of criminal justice. To begin with, it is believed that Albert Eglash first coined the term in 1977 as an alternative paradigm. According to him, retributive (punitive) and distributive justice focus on the criminal act, require passive participation by offenders and deny the victim of a full participation in the justice process. In the course of the same year, Martin Wright (1977) introduces the idea that the victim be helped by the offender while the latter makes amends to the former and the larger community as well.

Howard Zehr (1990) understands crime not as a violation of law which brings the offender into conflict with the state but a violation of the relationship between peoples within a community. Accordingly, RJ is understood as a process of restoring human bonds by ways of encouraging the victim and the offender to treat one another as persons in a relationship. John Braithwaite is another name in the discipline whose work (1990) goes beyond the criminology debate and centres on the notion of shame as key to controlling all types of crime, construed as stigmatising and reintegrative. Guided by the idea of 'hating the sin and loving the sinner,' Braithwaite (1997) contends that stigmatisation (bad shame) increases crime and destroys the moral bonds between the offender and the community while reintegrative shame stems the tide of criminality by way of giving the offender a second chance (a fresh start) as a law-abiding member of the community provided that he or she expresses remorse over past misdeeds, apologises to the victims and repairs the harm caused by his actions. The work of British scholar Tony Marshall (1992) suggests that RJ is a problem-solving approach to crime involving the parties themselves together with the community in an active relationship with legal agencies. In short, RJ has at its core, the idea that crime is an injury more than an infraction. Justice, therefore, is about repairing or addressing the harm caused to people and social relationship when wrongdoing occurs.

In an attempt to conceptualise a theory of RJ, McCold *et al.* (2003) premise their research on three distinct structures, namely the Social Discipline Window, Stakeholder Roles and Restorative Practices Typology. Each structure is designed to address the key questions as to who is harmed, what are their needs and how such needs can be met. First, the Social Discipline Window focuses on the way social discipline is maintained with the combination of two continuums: control and support. Such a combination produces four behavioural approaches: punitive, permissive, neglectful and restorative. The punitive (retributive) approach stigmatises the offender: a higher level of control (punishment) with little or no regard for the offender. The opposite of it (a higher degree of support and low control) is permissive (rehabilitative) in the sense that the authority does everything for the offender while making excuses for the wrongdoing. Whereas low control and low support characterise a neglectful behaviour, inaction and indifference on the part of the one in charge, the restorative approach is a combination of higher control and higher support. According to the scholars, the restorative approach which subscribes to a collaborative problem-solving strategy "confronts and disapproves of wrongdoing while affirming the intrinsic worth of the offender" (McCold *et al.*, 2003:2).

Second, the structure of Stakeholder Roles helps to distinguish between primary and secondary stakeholders. The primary stakeholders are the victims, offenders and to a large extent parents, siblings and friends. Together they constitute a community of care because they are directly affected by the harm committed. They are in need of empowerment to be able to express their feelings as well as their views on how to repair the harm. On the other hand, secondary stakeholders are those indirectly affected: the whole of society (civil society organisation and government officials). Because they are not emotionally connected to the victims and offenders, they don't need to come in-between by way of interfering with the process of healing and reconciliation. Their role as second stakeholders is rather "to support and facilitate processes in which the primary stakeholders determine for themselves the outcome of the case" (McCold *et al.*, 2003:2).

Third, Restorative Practices Typology reflects the level of interaction between three primary stakeholders: victims, offenders and their communities of care (family members and friends). In the case of one group is given attention (government's support for the victims), the process becomes partly restorative. It is mostly restorative when victims and offenders meet face-to-face in a mediation setting without involving their respective communities of care.

As the figure 1 illustrates, a process is fully restorative only when the three sets of primary stakeholders interrelate actively. So far, the criminal justice deals mercilessly with offenders but it sidelines victims and their loved ones. In contrast, RJ reduces crime by rebuilding relationships. As we move beyond retributive justice, reconciliation stands out as a long-term strategy of conflict transformation anchored on three pillars, namely

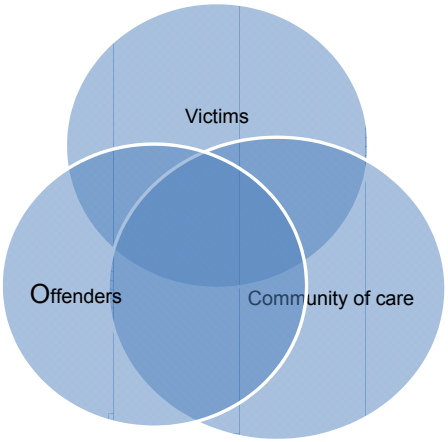

Figure 1: Restorative Justice as a correlation of three Primary Stakeholders

Source: Adapted from McCold *et al.* (2003).

truth, justice and mercy. According to Lederach (2010: 200), the truth sets his eyes on the past (what to remember and how to remember it) while justice focuses on the present (what can make wrong right and what can restore broken relationships) and mercy deals with the future (how will start a new and coexist). Before proposing RJ as an alternative strategy of winning the war against BH, the next heading discusses the flaws of counter-terrorism revolving around the mainstream position (we don't negotiate with terrorists) as it applies to the Nigerian government.

Negotiating with Boko Haram?

The dominant strategy of going after faceless people with maximum force has so far proved to be counterproductive given that the military personnel are trained in the traditional way of fighting a positioned enemy, wearing a distinct uniform and committed to the defence of national flags. However, the government's persistent rejection of negotiation (dialogue) with BH suggests that the country strongly believes in winning the war on domestic terrorism with lethal means. Since then, the terrorist conflict has claimed the loss of thousands of lives and the destruction of basic infrastructure (schools, health care centres, and businesses among other things) mainly with the strategic weapon of suicide bombing. Many people have been forced to seek refuge in neighbouring countries while a good deal continues to endure the hardship of living in the camps as internally displaced persons (IDPs). On top of it all, the abduction of more than 200 school girls in April 2014 attracted international condemnation upon BH with big voices such as Michelle Obama, Malala of Pakistan and Gordon Brown, to name but a few. It also mobilised international support to help Nigeria fight the war on terror. The counter-terrorism in northeast Nigeria seems to have caused more harm than good and the terrorist conflict is far from reaching a ripen stalemate (Zartman, 1995). Despite government efforts to contain what was initially regarded as an internal conflict, the military seems to confront a well-disciplined, equipped and funded armed group. Little wonder that the delay in winning the unconventional war is being attributed to the poor funding of the security agencies, particularly the military and police forces. In the meantime, Nigerians continue to kill Nigerians whether with bullets or explosives and there seems to be no end to it. Recently Amnesty International has drawn the world's

attention to serious human rights violations and abuses committed by the uniformed men in northeast Nigeria but the 2014/15 Report was quickly dismissed by the army chief as a plot to blackmail the gallant forces (Olukolade, 2015).

Ending BH in a short time was a recurrent theme which dominated the presidential debate ahead of the 2015 polls. The politicisation of the BH was such that the then ruling party (People Democratic Party) and the opposition (All Progress Congress) pointed accusing fingers at each other (Jega, 2014). Eventually the former lost credibility for mishandling the insurgency among other things while the latter won the trust of the electorate mainly on the basis of campaign promises of routeing the Islamist sect by all means available, including dialogue. So far, scholars in the field of conflict studies have come up with five ways of managing conflicts (Fisher *et al.*, 2000). These include confrontation, accommodation, compromise, avoidance, and collaboration. In a competition of unequal forces (confrontation), one party controls and overcome the other and the win-lose outcome reflects the 'do it my way' strategy. In fighting the insurgency, the government is believed to defeat the enemy militarily sooner or later and it is not prepared for to dialogue with the enemies of state. In the case of accommodation, one party ignores the fundamental disagreement but decides to let her counterpart get away with whatever they want in order to allow a façade peace to prevail.

Initially, tacit accommodation on the part of political leaders in northern Nigeria has led the insurgents to control a big chunk of land and eventually caused the conflict to perdure. Protracted conflicts are usually the replay of unresolved disputes not necessarily by initial stakeholders. In other words, there is no guarantee that the power imbalance will remain the same indefinitely: the shift may force yesterday accommodator to reopen the conflict by reclaiming her right today. In a compromise style, each party is a winner and loser at the same time and both keep the end of the conflict in the horizon. In community conflicts for instance, disagreement between indigenes and settlers implies that community leaders did not foresee the danger of using an errand people as additional manpower in farming during peacetime and military allied in wartime before allowing them to settle. Many generations later, the imbalance of power may force the host to revisit the peace settlement given that their once weak settlers are about to outnumber them.

A compromise is sought after in an attempt to reach a written agreement while the fighting is still ongoing, which is nothing more than a short-lived settlement among the elites. Such peace through blood-tainted agreements is unsustainable as long as the community of survivors and their potential killers (terrorists) are sidelined. Given that no conflict can be resolved halfway, the quick fix of compromise may turn out to be just a strategic withdrawal whereby conflicting parties wait for the opportune time and space to strike back in an attempt to turn the losses into gains (competition). In fact compromise parallels avoidance as conflict management style because lack of interest

in resolving the conflict today only makes matters worse in the long run. Eventually, the two parties may resort to the zero-sum approach (confrontation) where the winner takes all.

Collaboration (joint problem-solving) has been the best approach to solving conflict because each party stands to win, with the help of a third party (mediator). However, since most conflicts revolve around the satisfaction of human needs, the win-win approach can be misleading as long as conflicting parties hold unequal powers (asymmetric conflicts). Regarding the high level of poverty in northeast Nigeria being regarded as one of the root causes of insurgency, the Federal Government may opt for an increase of the revenue accrued to the geopolitical zone for development purposes without improving on the institutions of control (checks and balances). Such a palliative response (quick fix) is likely to be followed by an intense degree of grievance and aggression by the affected populations because no amount of money is big enough to soothe the suffering inflicted upon the survivors of violent conflicts.

However, fighting domestic terrorism in Nigeria has transformed the northeast into a battlefield where the JTF is expected to use brute force to dislodge the Islamist sect (Animasaun, 2013). While ignoring the early warning signals, the Federal Government (FG) downplayed the fundamental issues revolving around the satisfaction of human needs of the majority of people living in the northeast of the country but chose to jump on the bandwagon of mainstream counter-attack strategy (George, 2013:318). By establishing a linkage between Islamist sect and terrorism, it swiftly turned a social conflict into a crime and made any form of negotiation with 'criminals' illegitimate. Attempts to rescue the Chibok schoolgirls in exchange for the BH detainees have failed because no one is prepared to negotiate with 'faceless people.' Even though a good deal of Nigerians would support the option of dialogue with BH, the government now faces the biggest challenge of breaking the mainstream rule that outlaws terrorism: 'we don't negotiate with terrorists.' How can the FG replace the terrorist label with a decent one?

Some high-ranking officials justify the military's inability to flush out BH by presenting a three-face portrait of the terrorist group. While in opposition then, President Buhari was quoted as saying that BH was made of a sect, a criminal group and the Federal Government being the third and biggest one (Jega, 2014). The religious face of BH is committed to the dream of creating an Islamic state under the Shari'a Law. Whereas the criminal face is associated with criminal activities such as harassment, extortion, ransom taking, armed robbery, the political BH operates behind desperate politicians that give weapons to jobless youth for the purpose of terrorising their opponents and gaining political power. Political BH also colludes with the religious branch by ways of bankrolling its leadership. Immediate past President Jonathan corroborated this view when he conceded that secret financiers of the dreadful sect were among government and security officials (Mark, 2012). Going by this categorisation, it is likely that the se-

curity agents would target the criminal wing of the movement with force while showing some degree of sympathy and tacit support towards familiar faces of both political and religious BH. Even the BH criminals that are sent to jail to rot in the name of criminal justice have their personal identities established.

However, such a familiarity with 'terrorists' can pave the way for negotiations. As Zartman (1995:23) contends, there is often temptation for one side to play politics within the other side, thus causing division within a conflict party by making a separate peace with factions and winning away pieces: "such tactics can be useful in isolating either the radicals of a movement who may have been preventing a solution, or a leader in chief whose personality would be indigestible in a new government-opposition coalition." It seems, therefore, inconsistent to treat BH members as 'faceless' criminals *in toto* and unfit for dialogue when these same bad guys actually rub shoulders with the elites at different levels of government.

Why Reconciliation matters

The military intervention has its merits in any violent conflict. Just as firefighters put off the fire and preclude further damage, the uniformed men are deployed in conflict zones to overpower the enemy and create a political space for dialogue. As far as fighting the BH is concerned, the rain of live bullets will stop anytime soon but that does not mean that the springtime of peace will follow automatically. Relying on the efforts of the military to fight the terrorist group, President Buhari observes that the end of conventional attack, whereby BH uses war machines, is around the corner. He, however, cautions that it will take a long time to stop occasional bombings by the use of improvised explosive devices (Akinkuotu, 2015). The terrorist conflict has created a new fault line that divides the people of northeast between survivors and perpetrators. It is uncommon for disillusioned members of BH to desert the movement and on their own integrate the community. Some analysts suggest an explanation for what seems to be a life-long commitment to the BH movement by comparing the latter with a secret cult in which members are bound by oath taking not to divulge the secrecy surrounding the organisation. The truth is the first casualty of warfare and once it is buried, the rest of fighting becomes a matter of deception on both sides of the fence. The terrorist conflict is not in any way an exception when it comes to sacrificing the truth on the altar of secrecy.

At the heart of every terror act is the need to be heard, to pass a message, to communicate, using any available means. Very often, the elite in power usually ignore the message but when kidnapping, abduction and bombing take place, the whole world gets mobilised for action. According to Ahmad (2010) politics is made when the cause, the instruments of coercion and the instruments of communication are put together. Thus, terrorism likewise war can be construed as a continuation of politics by other means:

"an act of violence intended to compel our opponents to fulfil our will" (Clausewitz, 1780-1831). In the BH case, some critics contend that the extrajudicial killing of the sect's leader has served to conceal the truth about the brains behind the insurgents (Animasaun, 2013:401). Two pillars support the altar of secrecy, namely the central government and the local communities.

On the one hand, the FG has been in the denial mode from inception. Having recorded success in its laudable peacekeeping operations in West Africa in 1990s, Nigeria found it difficult to seek logistical support from her close neighbours in the name of national pride. In other words, it is politically incorrect for incumbents to publicly expose the weakness of their administration and join the list of failed states. In keeping with the mainstream doctrine – we don't negotiate with terrorists – the giant of Africa has nevertheless allowed a harmless movement to metamorphose into a cancer that now threatens to destroy the social fabric of Nigeria. As George (2013:320) puts it, "the actions of the government were considered to be late as early warning signs were neglected." On the other hand, local communities have a share of blame in supporting the altar of secrecy in the northeast. Because insurgents don't come from another planet, they adopt the camouflage strategy (guerrilla warfare) to inflict terror upon the community to which they once belonged in order to hide their identities and protect their loved ones from public embarrassment. This may explain the fact that no Nigerian has come out freely to expose the identity of a brother or sister who is believed to fight under the black flag of BH. However, the price to pay for promoting the culture of secrecy is that, in the end, everyone becomes survivor and perpetrator of terrorism at the same time. The vicious circle is such that suspect BH terrorists constitute a permanent threat to peace: as they are awaiting trials in the name of punitive justice, they are likely to turn prison cells into training spaces for more terrorists in the future.

Political and religious brands of BH seem to stick to a political agenda of power sharing but combat troops being deployed in northeast Nigeria are not trained to negotiate a political settlement with the enemy of state. Instead, security agents are expected to track down the camouflaged Nigerians. The more they go after faceless criminals, the more the latter choose suicide bombing as the highest price to pay before entering the heavens. Pape (2010:138) observes that "suicide terrorism has become the most deadly form of terrorism." By criminalising the insurgents, the government is not only radicalising them but also putting decision makers in a 'straightjacket' position. It seems therefore that the only way of breaking the trap of secret-keeping is for government to legitimise rather than demonise the so-called enemies of state. Using Northern Ireland and the southern Philippines as case studies, Toros (2008) argues that the label of terrorist reduces human beings to their violent actions without paying attention to their proper motives. In contrast, the legitimation of 'terrorist' groups has the potential to transform a conflict away from violence while complexity may open up new possibility

for engagement. Quoting a number of scholars, he identifies three processes in which legitimation helps terrorists to change their violent behaviours.

> *First, negotiations may eliminate one of the reasons why the insurgents may have engaged in violence in the first place (lack of a legal outlet to voice their grievances). Second, they may strengthen the faction in the insurgent group that is in favour of nonviolent engagement. Third, they may draw insurgent groups down a path of change or transformation towards nonviolence* (Toros, 2008:413).

Legitimation of BH applies mainly to its political branch that seems to push for a political solution. President Jonathan knew that the financiers of BH had infiltrated his government but fell short of naming them. This would have not only torn the veil of secrecy that covers the movement but also prepared the ground for negotiation toward a political solution by way of legitimising one important section of the group while treating the rest as spoilers. As such, legitimation does not in any way turn a country into a failed state; it rather strengthens its democratic qualities "by drawing groups away from violent opposition and toward compliance with the state's norms" (Toros, 2008:414).

The fire-fighter approach deals with the symptom (violence) while wasting the resources that are enough to tackle the root cause of terrorist conflict, which in many ways boils down to the dissatisfaction of human needs. Fighting a well-known enemy with a minimum force would minimise civilian casualties should the aggrieved party choose the path of dialogue and reconciliation. This begs the fundamental question as to how ready-to-die terrorists can integrate their respective communities and be accepted back by their family members without being stigmatised for life. Legitimation gives faceless peoples their lost humanity back and prepares them to embrace dialogue and reconciliation. At the heart of restorative justice is reconciliation: to come back into the council and work together. The concept has its origin in major religions that have impacted on people's political cultures around the world (Santa-Barbara, 2007:173). However, in the world dominated by competition over positions, interests and needs, reconciliation has been relegated to the realm of personal piety. It is sometimes wrongly associated with accommodation as conflict management strategy whereby a party concedes a defeat for fear of losing one's face.

Before the violent conflict finally become history, there is a need to build a bridge between potential terrorists and survivors that would preclude future atrocities. The study has identified the BH sect and the community of survivors in the northeast Nigeria as primary stakeholders and partners in a joint problem-solving. In fighting domestic terrorism, the bleeding party is not the government but the local community. Deradicalisation in this regard must come from the victims rather than the party to the conflict (government). Just as building a bridge begins with the construction of its solid bases on the riverbanks, reconciliation requires that the two primary stakeholders are identified and taken on board by a neutral, impartial and trustworthy third party as

suggested by Galtung (2007). According to the father of Peace Study, "it is better for the peace worker (mediator) to enter the process being ignorant of the culture and customs of the place where he will mediate, so he will have to ask and receive 'inside information' from the parties in conflict" (Horowitz, 2007:58).

Reconciliation implies that the bleeding party (community) makes room for peace with the enemy by sending out a different message: drop your mask and stop dehumanising yourself by taking the life of your fellow human beings. It takes place when the apparent loser refuses to be a permanent victim but decides to bring the conflict to a permanent end by separating themselves from the scene of the conflict and reclaiming their common humanity. The figure 2 below illustrates BH as a violent movement that threatens the territorial integrity of Nigeria. The red arrow indicates that security agents have been deployed mainly in the northeast with a clear mandate of flushing terrorists out of Nigeria without taking the local communities along. As an alternative, the green arrow suggests that the government empowers the local communities (survivors) to reach out to their perpetrators with a message of peace and reconciliation (restorative justice). The FG is also expected to legitimate the movement in order to prepare the ground for a negotiation not with enemies of state but lawful interlocutors.

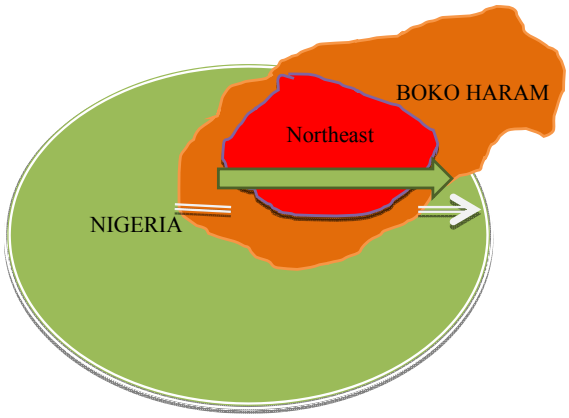

Figure 2: Boko Haram in Nigeria
Source: Author

A way forward

The major wars were won on the battlefield when one army overrun the other, leading to retreat, surrender and peace treaties. Unlike conventional warfare, the war on terror seems to follow the template of the no-winner-no-loser outcome. Even the coalition of willing that fought the war in Iraq has not told the world that victory has been achieved. The insurgents are aware of fighting the Leviathan with little or no hope of winning and, as a result, they embrace the death option (suicide). But BH is also made of human beings and community members. The claim of local communities supporting

them in many ways is difficult to dismiss. As reported in the tabloid press, the troops invaded the BH den and arrested 33 suppliers of foodstuff and drugs to the terrorist group (Soriwei, 2015). Granted that the so-called enemy is not a permanent state of being, it is not unrealistic to reach out to the masked fighters with a different message of friendship, using social Medias. Though laudable, the *Bring Back Our Girls* campaign targeted the Presidential Villa (ASO Rock) rather than the Sambisa Forest where these innocent girls were being held captives. A different approach would have been more effective had the government stood behind the mothers of the victims and the good people of Nigeria, marching peacefully toward the Sambisa forest with a corporate determination to not only recover the girls but also reach out to their captors who are were once bonafide members of the same Nigerian society.

The study, therefore, recommends among other things that a special unit of Peace Corps be put in place nationwide to stand against terrorism. Such a specialised unit does neither carry guns, nor wear a particular uniform, unlike the Nigerian Security Civil Defence Corps (NSCDC) which seems to be a duplicate of the Nigerian Police Force (Alao, 2015). Known elsewhere as Unarmed Civilian Protection (Laurila, 2015), the anti-terrorist squad is made of community members and it expected to work closely with their respective community leaders in gathering intelligence that can be processed and act upon accordingly. Sharp (2010) advocates the Civilian-Based Defence model to support the efforts of security agents in the defence of state against foreign aggression with nonviolent methods (protest, non-cooperation and intervention). Similarly, unarmed members of the community would be fighting faceless people pre-emptively by acting on early warning signals while building bridges between different people, religions and cultures.

Conclusion

The classic manner in which so-called terrorists are dealt with reflects the one-size-fit-all approach: they are tried in a courtroom and punished according to the law of the land. It seems that retributive/penal justice does not have a final word because it leaves behind negative forces that specialise in bombing, kidnapping, ransom taking and the likes on daily basis. The South Africa's Truth and Reconciliation Commission enabled perpetrators to seek amnesty with the approval of their victims so as to restore the broken humanity during the apartheid regime while the government takes care to ease the pain by putting some oil in their open wounds (Tutu, 1999). But in Nigeria, the top-down approach of government conditions the offer of amnesty to BH on the release of Chibok girls that have been in captivity since April 14, 2015 (Akinkuotu, 2015). Because no amount is enough to pay for the suffering stemming from the loss of a dear one in tragic circumstances both the victims and perpetrators have to be liberated from the loss of humanity and that is where the leadership role of government in Africa today lies.

No matter what they claim to have achieved through the use of indiscriminate violence terrorists are human beings that need to be rescued from the addiction of violence.

As a facilitator (not a mediator), Government at the centre will empower not the military to engage in a robust response but the survivors of the atrocities at the grassroots level to come out peacefully and extend the hand of friendship to the perpetrators of the crimes. Put differently, the government supports the efforts of the people by showing compassion with the victims through rehabilitation efforts while occupying the back seat and encouraging the victims to drive the reconciliation process. By sending out the message of solidarity, forgiveness and peace which transcend religion, race and culture, the victims become survivors and heroes. On their part, faceless terrorists are likely to throw away their masks and come to the negotiating table, confident that they will face not the wrath of punitive justice but the welcoming community that is concerned with peace and reconciliation.

A kind of bombardment of peace messages over the conflict zone is needed so that those who are still in the business of self-immolation get to know that the world out there is ready to welcome them back if they decide to renounce their illogic means. As such 'a new concept of victory' as suggested by Pape (2010:139) will emerge when the real winner is no longer the perpetrator of atrocity but the survivor who alone has the credibility of redeeming his enemies by helping them to change their worldviews. He, or she, thus becomes the hero and the perpetrator discovers that he needs the approval of the human community to regain his lost humanity. Therefore, what matters most is not the rebuilding of damaged infrastructures (schools, housing, bridges and so on) but the reconciliation between victims and perpetrators if future occurrences of violence are avoided.

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