



# SPECIAL REPORT

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## ABOUT THE REPORT

Many of Nigeria's deadliest conflicts pit the recognized original inhabitants, or indigenes, of a particular place against supposedly later settlers. Despite the heavy social, economic, and political tolls these conflicts inflict, serious thinking around how to prevent and resolve them has barely started.

This report critically examines the existing assumptions, research, and policy regarding indigene-settler violence, with a view to assessing the current state of thinking and suggesting options for intervention.

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*Aaron Sayne*

# Rethinking Nigeria's Indigene-Settler Conflicts

## Summary

- Many of Nigeria's worst conflicts pit the recognized original inhabitants, or indigenes, of a particular place against supposedly later settlers. These conflicts may be growing deadlier and more numerous with time.
- State and local governments have free rein to pick who is an indigene. Abuse of the label can foster deep socioeconomic inequalities, given that indigenes enjoy preferential access to land, schools, development spending, and public jobs. These inequalities feed into violence, although righting inequality may not be sufficient to end violence in every case.
- The indigene-settler distinction is also explosive because it reinforces and is reinforced by other identity-based divides in Nigeria. These differences in ethnicity, language, religion, and culture can be longstanding and deeply felt, but how they factor into violence is again not well understood.
- Poor law enforcement responses also help entrench violence between indigenes and settlers. Official complicity and indifference make prosecutions rare. Destructive conduct by the Nigerian security forces itself often becomes a structural cause of violence.
- Serious thought about how to prevent or resolve indigene-settler violence has barely started in Nigeria. Addressing inequality between indigenes and settlers calls for serious, micro-level analysis of local economic dysfunctions and opportunities, along with real official commitment to make and enforce better policies.
- More holistic understandings of justice are also needed. The worst hot spots will need a wide menu of well-planned interventions. Options include securitization, criminal prosecution, mediation and dialogue, truth commissions, victim compensation programs, public health and trauma assistance, public institutional reforms, education, and communications work. In some cases, building sustainable peace could take a generation or more.

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Nigeria, like many of its sub-Saharan African neighbors, struggles to accommodate ethnic and religious differences among its people. Perhaps the third most ethnically diverse country in the world, Nigeria's population of 150 million also splits about evenly between Muslims and Christians or animist faiths. Hundreds of historic political units, cultures, languages, and microeconomies jostle each other in a space twice the size of California. Even under the best circumstances, this would present real challenges for development, nation-building, and security.

Sadly, in dozens of communities the administrative lines government draws to help manage diversity also fuel violence. First among these is the thorny question of who is an indigene, meaning roughly the original inhabitant of a place. Officials use this slippery term to limit access to public resources, such as land, schools, and government jobs. In effect, the population of every state and local government area (LGA) in Nigeria is divided into indigenes and settlers—people who cannot trace their roots back to earliest times. Settlers can still be Nigerian citizens, and thus are not completely stateless.<sup>1</sup> But discrimination against them can provoke serious violence.

The costs of the violence look increasingly steep. Although the Nigerian government does not keep decent records, media reports and informant interviews suggest that thousands of lives have been lost since the return of democracy in 1999. Human Rights Watch estimates that clashes between rival ethnic and religious groups in troubled Plateau State alone killed perhaps four thousand over ten years. A single outbreak in Kaduna State claimed two thousand lives. These and other places are especially troubled, but indigene-settler violence is a nationwide problem.<sup>2</sup> National figures from 2006 suggest that fighting displaced over six million in six years.<sup>3</sup> Sticks and machetes were once the weapons of choice; now the worst conflict zones see attacks with AK-47s, rocket launchers, and timed car bombs.<sup>4</sup> Use of mercenaries and ethnic militias is on the rise. In some places, the resulting chaos is opening up space for organized crime, such as kidnapping, smuggling, and banditry.<sup>5</sup> The local terrorist group Boko Haram increasingly plots attacks in indigene-settler violence hotspots, including a recent series of church bombings around Jos and Kaduna. Nigeria's international reputation and status as an investment destination may suffer.

This paper reviews the current state of thinking and public policy regarding indigene-settler violence in Nigeria. It asks how far each has progressed and makes broad recommendations for progress. To do this, the analysis interrogates two common assumptions underlying policy proposals to reduce the violence. The first is that government must share resources more equally among all Nigerians. The second is that government must hold more perpetrators of violence accountable. Recommendations are not tailored to specific indigene-settler conflicts—the landscape is too diverse for that.

## Assumption One: Government Must Share Resources More Equally Among All Nigerians to Reduce Violence

State and local governments nationwide grant indigenes preferential access over settlers to land, education, public infrastructure, and government jobs. Indigenes like to describe such policies in affirmative action terms, but often the links between historic discrimination and a person's geographic origins are weak. "We indigenes are building a wall around what is ours now," one Kaduna state government official explained. "We don't want those people outside to come in."<sup>6</sup>

The resulting inequalities are certainly a factor in indigene-settler violence. Some of Nigeria's worst indigene-settler clashes were triggered when states split political appointments, land, and development funds unequally among competing groups.<sup>7</sup> Quantitative research outside Nigeria also finds violent conflict more likely in areas with high socioeco-

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conomic inequality.<sup>8</sup> The risks of violence may be especially high in places where those who have little are also politically marginalized, and where groups are roughly equal in size.<sup>9</sup> Some of Nigeria's worst indigene-settler violence hotspots—Jos, Warri, or Wukari LGA in Taraba State, for example—share these characteristics.

But how exactly does public discrimination against nonindigenes lead to violence? Overall inequality levels in Nigeria's more violence-prone states do not look higher than in more peaceful states, though available data do not track inequalities among ethnic or religious groups.<sup>10</sup> Some analysts argue that inequality alone does not drive conflict. Perceptions that the playing field is not level may be as important as reality.<sup>11</sup> Polls asking people why they fight are scarce, and sometimes the perpetrators of indigene-settler violence are unknown. Furthermore, policies that reverse inequality are not necessarily a balm. Upending longstanding entitlements and expectations can cause more bloodshed if not managed well. A raft of policy reforms to equalize conditions for indigenes and settlers has been proposed, but because most are never implemented, the record of what works is scant.

### ***(Re)defining Rights and Entitlements?***

Today Nigeria's state and local governments have free rein to pick who is an indigene. The 1999 federal constitution arguably allows this, and allows state and local officials to hand out public goods in line with their decisions. Under the constitution and related legislation, the lower two tiers of government have first-line responsibility for granting access to land, schools, and public jobs within their boundaries. The constitution uses the term *indigene* but does not define it, and does not mention settlers.<sup>12</sup>

Lack of clarity is a common outcome in the delegation of power. Most state and local governments do not issue guidelines for defining who is an indigene. In some cases, this leaves families who have lived in the same spot for generations unable to prove they are among that place's original inhabitants. Elsewhere, the original inhabitants of a place are untraceable. Individuals, especially in rural areas, lack birth certificates. Government and private archives shed no light. Complex histories of migration, land use, and intermarriage only confuse things even more.<sup>13</sup>

Troubles start with the award of so-called indigeneity certificates. These pieces of paper, which each of Nigeria's 776 LGAs issue, identify a person as an indigene of a particular locality. Accessing land, schools, civil service jobs, or public office without one can be almost impossible. At best, governments use fuzzy paper trails and dubious myths when awarding them.<sup>14</sup> At worst, they fall back on animus, fraud, and abuse of power. Without written guidelines, local officials can have almost unfettered discretion. Bona fide applicants are turned away because of their religion and appearance, or handed papers solely on those grounds. Often the process becomes a toll-keeping exercise, in which corrupt officials christen anyone who pays a bribe an indigene. The well-heeled buy up certificates from multiple LGAs, then pick and choose among them like passports to wealth.<sup>15</sup>

What policy choices might right the imbalances and abuses? One option is to make the existing categories clearer and broader. Proposed federal legislation tried unsuccessfully to define *indigene* using more objective, provable criteria—birthplace, parental origins, or marriage, to name a few.<sup>16</sup> A handful of localities—Barnawa neighborhood in Kaduna South LGA, for instance, which has remained peaceful throughout many of the worst crises in Kaduna's recent history—issue certificates to all children born within their boundaries.<sup>17</sup> Government could also take steps to make the indigene-settler distinction less relevant. Deleting the word *indigene* from the constitution has been proposed, though it is unclear what this alone would solve. Another option is to make simple residency the standard for accessing public resources.<sup>18</sup> Some LGAs already issue residence certificates to nonindigenes, but these tend to be useless except as a form of identification.

States and LGAs could also leave *indigene* and *settler* unchanged as administrative categories but open access to resources. Some localities use burdensome application hurdles, such as language tests and birth certificates, to deny people indigeneity certificates. These could be removed. State governors could counteract the divisive roles traditional rulers and other unelected elites can play in the awards process.<sup>19</sup> Public universities could revamp their quota systems favoring indigenes, or equalize the fees indigenes and settlers pay. States and LGAs could allow settlers to vie for scholarships. In the civil service, settlers could receive the same rights to pensions and unfair termination hearings as indigenes; mass purges of nonindigene civil servants in conflict-torn Plateau (2000) and Kaduna (2002) states became major grievances. None of these are silver bullets against indigene-settler conflict. But in some places they could help address grievances that stoke violence.

Finally, advocates of equal rights for indigenes and settlers could use the court system to attack the distinction. Already a few lawsuits have tried, unsuccessfully, to end indigeneity as a concept in public policy.<sup>20</sup> Settlers could challenge discrimination against them as unconstitutional: Section 42(1) of the 1999 constitution forbids “the application of any law . . . or any executive or administrative action” that discriminates against a Nigerian citizen solely on the basis of “community, ethnic group, place of origin, sex, religion, or political opinion.” To date, courts in Nigeria have not built a serious body of antidiscrimination law guaranteeing equal access to entitlements.<sup>21</sup> A few courts have attempted to define the term *indigene*, but results have often been politically divisive.<sup>22</sup>

### ***Creating New Opportunity?***

A different but related argument holds that a more robust private sector could build peace between indigenes and settlers in two ways. First, it could draw attention away from government as the main source of wealth. Second, it could reduce the roles of poverty and inequality in driving conflict. The idea that low economic opportunity and violence are somehow related is uncontroversial. It may not be a coincidence that some of Nigeria’s worst indigene-settler violence hotspots lost their major industries in the twentieth century, from mining and tourism in Jos to textiles in Kaduna. Evidence in and outside Nigeria also suggests that alienated young people who lack opportunity are more open to joining rebellions and that conflict holds down growth and socioeconomic indicators.<sup>23</sup> Deep inequalities can make the poor less-effective economic actors, and transaction costs in mistrustful, segregated societies tend to be high.<sup>24</sup> Neighbors at war often stop trading with each other, which shrinks markets and mutes the private sector as a force for peace.<sup>25</sup>

Market shifts can also divide groups in ways that fuel violence. Take Nigeria’s farmer-herder conflicts: In a pattern seen across the Sahel, feed and water shortages caused by desertification, drought, and changes in agriculture and livestock markets have sent northern nomadic pastoralists, most of them ethnic Fulani Muslims, wandering south, outside their normal grazing routes. Simultaneously, a mix of weather-related and market stresses have pushed mostly Christian farmers to cultivate more land each year, leaving wanderers fewer places to water and graze their stock. Farmers are also planting over long-agreed grazing routes for herders as market shifts and technological advances make the dung Fulani offer for grazing and watering rights less valuable than cultivating the land. The resulting contests often take on indigene-settler overtones and may have killed several hundred Nigerians since 1999.<sup>26</sup>

Creating economic opportunity is no sure gateway to peace, however: the connection between lack of economic opportunity and violence is compelling, but it is not inevitable. More prosperity does not always bring stability, especially where lines drawn between winners and losers trace conflict fault lines. Desperately poor places can also be calm, as can places with flat economies. Ultimately, quantitative research shows no easy correlation

between violence and growth, unemployment or poverty.<sup>27</sup> Adding to the confusion, analysts paint two widely divergent pictures of Nigeria's socioeconomic future. In the first, the country is a rising regional powerhouse, in which a dynamic middle class and private sector, spurred by banking and industry reforms, unlock new wellsprings of entrepreneurship, prosperity, and balance.<sup>28</sup> In the second, a morass of deepening poverty and inequality—mostly laid at the feet of poor governance—cast more and more Nigerians into want, belligerence, and despair.<sup>29</sup> Both have many valid points to make, and the data contain numerous paradoxes. The informal economy in which most Nigerians operate is also notoriously hard to measure. The International Monetary Fund (IMF) says nationwide growth hovered between 5.4 and a whopping 10.6 percent over the past five years—driven, positively, by nonoil activity.<sup>30</sup> But by 2011 unemployment stood at 23.9 percent, having risen in near-parallel formation with gross domestic product (GDP) throughout the 2000s. One percent of the population may control 80 percent of wealth.<sup>31</sup>

The numbers reflect Nigeria's greatest challenge this century: what to do with its massive, fast-growing, young population. Already one in two West Africans and one in six Africans are Nigerian. The United Nations foresees as many as 760 million Nigerians by 2100, two-thirds of them under thirty. Under these assumptions, merely holding unemployment at current levels would take sixteen million new jobs in the next decade. Meanwhile, from 2007 to 2009, young people experienced dramatic jumps in unemployment—nearly 50 percent in some urban areas, according to (imperfect) official data.<sup>32</sup> These should be sobering figures for any serious policymaker or friend of Nigeria.

Of course, macro-level snapshots do not tell us what policies would bring peace or prosperity to specific conflict zones. Getting government out of private enterprise's way might be a good bet, given that meddling, hapless officials are responsible many of the country's steepest barriers to growth.<sup>33</sup> Federal and state governments should also do much more to attract outside capital, restructure monetary policy in favor of ordinary Nigerians, and keep domestic capital from flowing out.<sup>34</sup> Overdue federalist reforms pushing more resources away from Abuja and down to the states could encourage investment in troubled areas.

Using economic policy to build peace is also unlikely without knowledge of how local economies work. Serious micro-level economic research and planning in most places is almost nonexistent. Officials claim—often quite honestly—that they are starved for knowledge of why markets in their constituencies break down and which opportunities and value chains are languishing. But many also fail to see the absurdity of writing whole groups out of Nigeria's economic future based on nothing more than where their dead ancestors lived. Economic forecasts for the country may look strong and investors may be bullish. But discriminatory attitudes and practices may have only a generation to change before the country's "demographic dividend" becomes a disaster in some places.<sup>35</sup>

### ***Understanding Deep Divides***

The indigene-settler distinction is also explosive because it reinforces, and is reinforced by, other identity-based divides in Nigeria. In many cases, differences in ethnicity, language, religion, and culture also separate indigenes from settlers. Since the return of democracy in 1999, the majority of Nigeria's worst episodes of violence have straddled religious or ethnic lines, or both.<sup>36</sup> The country's Middle Belt—a geopolitical term for six states in central Nigeria where the majority Muslim north butts up against the Christian and animist south—is probably the most ethnically diverse part of Nigeria, and historically the most violent.<sup>37</sup> Troubled Plateau State alone has at least forty ethnic groups. Parties to indigene-settler conflicts often use racist, separatist, clash-of-culture rhetoric to justify their actions. One bloody communal clash in Kaduna, for instance, was called a "war against political Islam" and a "clean-up campaign" against "ignorant monkeys" and "second-class citizens."<sup>38</sup>

***The indigene-settler distinction . . . reinforces, and is reinforced by, other identity-based divides in Nigeria.***

Fights regularly target ethnic and religious symbols: 350 churches were reported burned during the riots after the 2011 presidential polls.<sup>39</sup>

Yet many observers in and outside Nigeria downplay identity as a factor in indigene-settler violence. One ranking U.S. diplomat summed up the conventional wisdom: "We all know economic inequality and bad government is what these conflicts are really about."<sup>40</sup> In this view, greedy elites either stoke ethnic and religious differences to manipulate the ignorant poor, or else the poorglom onto whatever identities open doors to riches. All ethnic and religious identification, the argument goes, is constructed, instrumental, based in greed and not grievance, and an enemy to progress, stability, democracy, and modernity.<sup>41</sup> Research also finds no correlation between conflict and a place's ethnic or religious makeup.<sup>42</sup> There is arguably some truth to all of this. But whether identity is over- or underestimated as a force in Nigeria's indigene-settler violence, its role needs to be better understood.

First, analyses of indigene-settler violence cannot ignore the importance of identity in Nigerian social life. Polling says Nigerians are more likely than almost all other Africans to define themselves ethnically.<sup>43</sup> An often-cited BBC poll found that 95 percent of Nigerians prayed regularly and 91 percent regularly attended religious services.<sup>44</sup> Across the country, ethnic associations, mosques, and churches are where relationships are tended, disputes are settled, and deals are done. These places also can offer the shared sense of purpose and social safety net that government has not.

Navigating ethnic and religious plurality is also the most important part of many Nigerian politicians' jobs. Federal officeholders especially have created a wealth of tools for balancing interests, including the federal character principle,<sup>45</sup> a ban on ethnic-based political parties, and the habit of carving out new states and LGAs for minorities.<sup>46</sup> A busy culture of bargaining has turned oil wealth into a kind of sloppy glue that holds the country's 36 states, 774 local governments, and more than 250 ethnic groups together inside one nation. Social scientists often praise federalism as a tamer of identity-based conflict, though no one size fits all.<sup>47</sup> Nigeria's early federal structure reinforced ethnic solidarities, for instance by splitting control of the young nation among ethnic Yorubas, Hausas, and Igbos. It also helped birth a concept of citizenship based in zero-sum contest for resources. And while federal politics shows real genius for absorbing identity-based tensions in Abuja, the capital, it has also pushed the locus of violent contest down to the states and localities.<sup>48</sup>

Constructed or not, ethnic and religious divides among neighbors can have deep histories. Some feuding groups had no meaningful ties before the British shoehorned them into present-day Nigeria. Others have violent pasts that go back centuries.<sup>49</sup> Colonial policies of indirect rule leaned on ethnic differences to ease administration, imposed differing systems of government on different groups within a single place, and helped create whole new identities.<sup>50</sup> Some scholars trace much of Nigeria's identity-based violence today back to pre- and early-independence struggles among ethnic groups.<sup>51</sup>

Last but not least, differences can be deeply felt. Nigerians on opposing sides of protracted indigene-settler fights suffer deep physical and psychological trauma. Parts of Plateau and Kaduna states have now experienced mass destruction of lives, property, relationships, economies, and institutions for a generation. This has bred survivalist, us-versus-them mindsets and destructive behavior patterns. Around Jos, villagers slink across boundaries under cover of darkness to murder each other in near-nightly retaliation killings, many with no obvious trigger.<sup>52</sup> "Death feels like it can creep in at any minute," one Jos-based reporter said. "What can a person hold onto?"<sup>53</sup>

In such settings, hate-filled myths and stereotypes certainly can elevate the haves over the have-nots. But they can also help victims cope with loss and injustice, or manage the fear, anger, and confusion that accompany them. A bureaucrat who bars the door against settlers could be a greedy opportunist, but might just as easily feel that discrimination is his

only shot at guarding himself, his kin, and his ways of life against extinction.<sup>54</sup> Such feelings can run deep enough to fight and die for. Research in this area is in its infancy, and there is always tension between what people think, say, and do. Most conflict analysts feel safer talking about structural factors such as inequality and poverty. But the deep structures that grow inside survivors' hearts and heads are a crucial part of the picture.<sup>55</sup>

How should stakeholders and observers account for the role of identity in Nigeria's indigene-settler violence? For purposes of analysis, everyone needs to accept that identity as a tool for mobilizing violence is not going away. Empowering minorities also does not necessarily build peace, especially in the short term; identity-blind policies can entrench inequality rather than end it. Everyone needs to avoid simple-minded statements of what indigene-settler conflicts are "about." No party should use *ethnic* and *religious* as synonyms for *irrational* or *intractable*—in other words, as excuses for inaction. All parties need to take better stock of the histories behind individual conflicts when planning interventions. Analysts also should know more about the diversity of religious practice in Nigeria, and the pro-peace tenets, worldviews, institutions, and processes built into different faith traditions.<sup>56</sup>

When the time comes to act, everyone should pick partners creatively and carefully. Some traditional rulers are credible mediators, investigators, and key symbolic figures in conflict-prone areas. Others undermine their own authority and feed unrest through identity politics and crime.<sup>57</sup> Overlooked change agents, such as local peace and security committees or female religious groups, should be engaged more creatively.<sup>58</sup> Finally, liberal, secular attitudes lead some—especially workers in media, donor institutions, and civil society—to discount ethnic and religious differences as real. Anyone seeking to intervene in indigene-settler violence should avoid such easy prejudices and take a look at their own assumptions and habits of mind.

## **Assumption Two: Government Must Hold More Perpetrators Accountable to Reduce Indigene-Settler Violence**

Communities hit hard by indigene-settler violence will rarely see lasting peace without justice. Yet how exactly would justice need to look? Direct causal relationships between accountability measures and peace are tough to prove. Saying what works in Nigeria is not easy either, because the record of public accountability for indigene-settler discrimination and killing is short.

### ***Law Enforcement***

The Nigerian state seldom punishes those responsible for indigene-settler violence. Trials are rare and convictions even rarer.<sup>59</sup> Government's most common response to serious outbreaks is to launch ad hoc judicial commissions of inquiry. These bodies, which have no enforcement powers, typically investigate the causes and damage of specific clashes, name those involved, and offer recommendations for formal prosecution and avoiding relapses into violence. Findings can be openly partisan, and officials seldom publish, adopt, or act on reports. At least sixteen commissions have examined violence in Jos alone, with five announced after a single 2008 flare-up.<sup>60</sup> But "judicial commissions are where genuine legal and social controversies go to die," one leading human right lawyer has said.<sup>61</sup>

Official indifference and complicity are probably the main factors letting perpetrators walk free. Not every indigene-settler clash has direct ties to politics. But the most protracted conflicts—Jos, Warri, Kaduna, and Benue—all have elite political malfeasance at their roots, whether it be election rigging, divisive use of identity politics, graft, land grabs, or high-level organized crime. Some elected officials and traditional rulers have long histories of stoking tensions.<sup>62</sup> Mobilizing civilian violence to secure political footing, or to extort

favors from the state, is also a recognized part of the political playbook in Nigeria, within certain negotiated boundaries. Some communities have seen well-organized attacks last for days, which suggests high levels of planning, mobilization, and finance. But elites are rarely hauled into court, and even punishing rank-and-file killers and looters risks exposing the big men that hide behind them, or call down violence on them.

The role Nigeria's security forces play in quelling indigene-settler violence is not much better. The most common security-based approaches to violence—presidential declarations of emergency, augmenting local police presence with military task forces and state militias, ad hoc disarmament exercises—show few lasting results. In some cases, they further entrench conflict and add to the human toll. Response records are poor overall, police and military personnel underreacting in some cases and grossly overreacting in others.<sup>63</sup> Allegations of arbitrary arrests, excessive force, torture, extrajudicial killings, disappearances, theft, and extortion are common. Prevention also tends to be weak. Major 1994, 2001, 2004, 2008, and 2010 clashes around Jos broke out after days of mounting tensions and conspicuous mobilization, which soldiers and police seemingly ignored.<sup>64</sup> Early warning mechanisms in Nigeria typically fall flat due to low interest from security personnel.<sup>65</sup>

The security failings have many causes, among them poor intelligence and training, institutionalized corruption, lack of hardware, and divided loyalties to the federal and state governments as well as to private bosses. In the worst cases, securitization of indigene-settler violence hot spots itself becomes a structural cause of conflict. Local conflict economies and organized crime can spring up. And again, government has regularly failed to name, arrest, or prosecute uniformed perpetrators. Instead, a culture of impunity prevails in which guilty officers are shifted quietly to other posts, or agencies trade blame for human rights abuses until public attention wanes. Community policing has scored wins in some places, as have state initiatives drawing in the private sector.<sup>66</sup> But often security measures make matters worse instead of better.

### ***Planning for Sustainable Peace Through Justice***

Nigerian communities coming out of protracted indigene-settler violence are troubled, unpredictable places with many destructive traits. Legacies of loss, unmet expectations, and abuse of power can color all aspects of politics and socioeconomic life. People on opposing sides carry different understandings of what happened, which communal segregation only reinforces.<sup>67</sup> Shocking upheavals are triggered by tiny things—an inflammatory press clipping, not allowing a woman to cross the street, someone defecating near another group's land.<sup>68</sup> Violence has political roots, but political settlements alone may not be enough to end it. What interventions will allow ordinary citizens in such places to come to terms with the past, and each other?

Even the most laudable, intuitively attractive equity and accountability measures can miss deeper problems. A policy granting indigenes and settlers equal access to public schools sounds welcome, for instance. But what stories should teachers tell students about their violent pasts, and using which pedagogical tools?<sup>69</sup> What is education's role in debunking harmful myths and stereotypes? Prosecuting high-level offenders seems long overdue, but how would this ultimately change mindsets and behaviors? Would the idea be to punish dangerous actors? To deter future violence? To build respect for the rule of law? To improve perceptions of the state by signaling contrition and a new commitment to justice?<sup>70</sup> And how might this work in the northern states that implement sharia, where Muslims and Christians often face different courts?

Transitional justice work in divided societies says that the most successful interventions adopt an understanding of justice that goes beyond criminal prosecution. Some indigene-settler conflicts may need early mediation and dialogue to address issues such as high-level

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prosecutions or amnesty. In other cases, writing accountability into a peace accord may be unwise. Victim compensation programs often make the most immediate change in people's lives, but links to deeper justice issues may be weak.<sup>71</sup> Nigeria's federal and state governments hand out cash and in-kind benefits following some indigene-settler clashes, but thinking is usually short term. "How many naira or bags of rice will keep them quiet, that's the issue," one National Emergency Management Agency official said.<sup>72</sup> Truth commissions are a medium-term choice, though Nigeria has had little success with these so far.<sup>73</sup> Conflict resolution practitioners increasingly see health and trauma services as key to transitioning out of violence, though again conceptual links to peace remain unclear.<sup>74</sup> And wide-ranging institutional reforms, whether of the security forces or agencies that spend public funds, may be critical to boost faith in the state, fight discrimination, and promote socioeconomic ties across groups that foster trust and compromise.<sup>75</sup>

Knowing which stakeholders to involve is key. An interdisciplinary and collaborative approach to design may create more effective policies and programs. Research also suggests that the most effective interventions draw in all levels of society.<sup>76</sup> In Nigeria high-level peace settlements tend to fall apart easily, due in part to weak involvement at the grassroots level. The much-celebrated 2002 Kaduna Peace Declaration collapsed after only three months, when the Miss World riots in Kaduna broke out. Civil society involvement could make such negotiations more sustainable, though many organizations are donor driven and lack genuine constituencies.<sup>77</sup> Donor-funded dialogue sessions in Nigeria typically last only a few days, fail to get key participants to the table, and see little follow-up. Once the talking ends and the communiqué is written, people go their separate ways. Plans must also be clear on the beneficiaries of particular interventions, and what involving one group might signal to others.

A related issue is whether perpetrators of indigene-settler violence should face local or external laws and courts. Existing state laws are probably adequate to get convictions,<sup>78</sup> though stronger rules criminalizing hate speech might help, because xenophobic broadsides, text messages, and inflammatory political rhetoric arguably fuel many clashes.<sup>79</sup> Federal courts sometimes weigh in, though with unclear motives and even fewer convictions. Relevant federal criminal law is also spottier: accused persons in Plateau have faced terrorism charges.<sup>80</sup> Several bills in the National Assembly tried but failed to widen the reach of federal courts in cases of violent conflict.<sup>81</sup>

Arguably the most critical work involves defining the goals of a particular program or policy. Too often, governments and donor agencies in Nigeria launch conflict interventions without clarity on what they expect to achieve and how. One alternative to this muddle is to articulate a theory of change for each policy or program. This creates a logical hypothesis that conflict analysis, political economy analysis, stakeholder consultation, and pilot programs can then test.<sup>82</sup> Defining theories of change can also weed out unhelpful assumptions. Take the axiom—basic to much analysis, aid, and diplomacy in Nigeria today—that more democratic institutions will lead to stability. Proponents point to equity and accountability as core democratic values, and see democratic mechanisms that encourage negotiation, compromise, and consensus as antidotes to identity-related violence. A related truism is that better elections build peace. In Nigeria stolen polls certainly have triggered grisly indigene-settler clashes.<sup>83</sup> Support for democracy and elections among Nigerians remains strong, even when outcomes are bad.<sup>84</sup> But nothing says calm and healing are necessary outcomes of a good poll. Agreement is broad that Nigeria's 2011 elections were both its best run and its most violent.<sup>85</sup> Risky factors such as ethnic identification may spike around poll times.<sup>86</sup> Elections also make poor societies more violent on average and lower the quality of public spending without deeper reforms, comparative research indicates.<sup>87</sup> None of this means that improving elections is not a worthy goal. But interventions that treat elections as a silver bullet for violence may see disappointing results. Thinking must go deeper.

***Agreement is broad that Nigeria's 2011 elections were both its best run and its most violent.***

One way to get started is to flesh out immediate, intermediate, and final goals for each program or policy. These can be expressed in a causal sequence. Program A will immediately do X. In the medium term, this will cause Y, which finally will result in Z.<sup>88</sup> Table 1 (see facing page) lays out possible goals for justice measures in indigene-settler conflict areas.

## **Conclusion**

Serious thinking about how to prevent or resolve Nigeria's indigene-settler violence has barely started. As often in the country, existing analyses are stronger on problems than on solutions. Understanding of the role of individual agency is especially weak. The indigenes and settlers who choose violence are not mere pawns in a grand political game or by-products of poverty and inequality. Deadly conflicts end only when individuals make new choices, but conflict analysis has few tools to get inside people's heads. Meanwhile, building sustainable peace in some communities may take a generation or more, even assuming best efforts. The types of initiatives discussed here can be challenging and costly; failure rates are high. But without such deep investments, indigenes and settlers living in the thick of violence may never start to imagine and trust in new ways of living together.

**Table 1. Possible Goals for Justice Measures in Indigene-Settler Conflict Areas**

<b>Initiative</b>	<b>Immediate Goals</b>	<b>Intermediate Goals</b>	<b>Final Goals</b>
Prosecutions	Signaling basic conditions for peace Containing violent actors and restoring order Acknowledging losses, crimes, abuses	Building respect for the rule of law Delivering justice to victims Building trust in government	Ending destructive behaviors and choices Forging new notions of citizenship, individual and group identity Creating resilient societies
Securitization	Signaling basic conditions for peace Containing violent actors and restoring order Providing freedom from fear	Building respect for the rule of law Building trust in government	Ending destructive behaviors and choices Forging new notions of citizenship, individual and group identity Creating resilient societies
Mediation and dialogue	Defining terms for future engagement, policy and programming Negotiating accountability and outreach issues (amnesty; disarmament, demobilization, and reintegration) Acknowledging losses, crimes, abuses Signaling government's contrition and seriousness	Reconciling divided groups, building trust Reducing inequalities Building trust in government	Ending destructive behaviors and choices Forging new notions of citizenship, individual and group identity Creating resilient societies
Victim compensation	Addressing losses and needs Signaling government's contrition and seriousness Reducing inequalities	Building trust in government	Ending destructive behaviors and choices Forging new notions of citizenship, individual and group identity Creating resilient societies
Truth commissions	Discrediting harmful myths and stereotypes Developing historical records of past violence Creating new historical and cultural narratives Acknowledging losses, crimes, abuses	Reconciling divided groups, building trust Building respect for the rule of law Acknowledging losses, crimes, abuses Decreasing zero-sum resource competition	Ending destructive behaviors and choices Forging new notions of citizenship, individual and group identity Creating resilient societies
Health and trauma assistance	Providing victims with psychological relief Acknowledging losses, crimes, abuses	Signaling government's contrition Promoting new understandings of history and self	Ending destructive behaviors and choices Forging new notions of citizenship, individual and group identity Creating resilient societies
Institutional and policy reform (security sector, elections, development spending, access to other contested resources)	Providing freedom from fear Reducing inequalities Acknowledging losses, crimes, abuses	Decreasing zero-sum resource competition Building trust in government	Ending destructive behaviors and choices Forging new notions of citizenship, individual and group identity Creating resilient societies
Education and communications (including media campaigns, monuments, memorials, public apologies)	Signaling government's contrition and seriousness Discrediting harmful myths and stereotypes Developing historical records of past violence Creating new historical and cultural narratives Acknowledging losses, crimes, abuses	Promoting new understandings of history and self Reconciling divided groups, building trust Building trust in government	Ending destructive behaviors and choices Forging new notions of citizenship, individual and group identity Creating resilient societies

## Notes

1. Chapter 3, section 1 of Nigeria's 1999 federal constitution sets out various tests for Nigerian citizenship based on consanguinity. For a comparative look at citizenship laws in sub-Saharan Africa, see B. Manby, "Citizenship Law in Africa: A Comparative Study," Open Society Institute, New York, 2010.
2. A forthcoming Human Rights Watch-Johns Hopkins SAIS report (2012) will map and analyze incidents of violence nationwide from 1999 to 2011.
3. "Violence Left 3 Million Bereft in Past 7 Years, Nigeria Reports," *Reuters*, March 14, 2006.
4. See C. Kwaja, "Nigeria's Pernicious Drivers of Ethno-Religious Conflict," Africa Center for Strategic Studies, Washington, DC, 2011.
5. Author interviews with state and local government officials, aid workers, security service personnel, journalists and civil society groups, 2010–12.
6. Author interview, 2011.
7. In Jos North LGA, major violence erupted in 1994 with appointment of Alhaji Aminu Mato, a Hausa Muslim, as the chairman of the LGA's Caretaker Management Committee. A fresh wave of killing followed the appointment of Alhaji Muktar Mohammed, another Hausa, as chair of the Monitoring Committee of the National Poverty Eradication Program.
8. G. Østby, "Inequalities, the Political Environment and Civil Conflict: Evidence from 55 Developing Countries," in F. Stewart, ed., *Horizontal Inequalities and Conflict: Understanding Group Violence in Multiethnic Societies* (New York: Palgrave Macmillan, 2008); A. Wimmer, L.-E. Cederman, and B. Min, "Ethnic Politics and Armed Conflict: A Configurational Analysis of a New Global Data Set," *American Sociological Review*, vol. 74, no. 2 (April 2009), 316–37.
9. L.-E. Cederman, N.B. Weidmann, and K. Gleditsch, "Horizontal Inequalities and Ethno-Nationalist Civil War: A Global Comparison," unpublished paper prepared for presentation at Yale University, April 2010.
10. United Nations Development Programme (UNDP), *Nigeria Human Development Report: Achieving Growth with Equity, 2008–9* (New York: UNDP). Nigeria's processes for census taking and measuring socioeconomic indicators purposely avoid issues of ethnicity and religion.
11. M. Kirwin and W. Cho, "Weak States and Political Violence in Sub-Saharan Africa," Afrobarometer working paper no. 111, Accra, Center for Democratic Development, 2009.
12. Article 147(3) of the constitution orders the president to appoint at least one indigene from each of the country's thirty-six states to the federal cabinet. Courts have sometimes defined *indigene* by referencing other constitutional provisions. Article 223(2)(b), for instance, requires that the executive level of any national political party contain members who belong to at least two-thirds of the states in the federation. Article 318(1) defines the phrase *belong to* in that context as applying to "a person either of whose parents or any of whose grandparents was a member of a community indigenous to that state."
13. Author interviews with civil society personnel, academics, and officials from various state and local government, 2009–11.
14. In Jos, various myths around the city's name are cited. Hausa-Fulani groups claim the city's name is Arabic, a corruption of the word *majus*, or pagans. Some Christians tell stories of (unnamed) missionaries who upon reaching the area proclaimed, "Jesus our Saviour" (JOS), giving the settlement its name. The various commissions of inquiry into the Jos crisis have circulated—and in some cases, possibly invented—other stories. See P. Ostien, "Jonah Jang and the Jasawa: Ethno-Religious Conflict in Jos, Nigeria," Volkswagen Foundation, Bayreuth, 2009.
15. See Human Rights Watch, "*They Do Not Own This Place*": Government Discrimination Against "Non-Indigenes" in Nigeria (New York: Human Rights Watch, 2006).
16. See SB.154, A Bill for an Act to Make Provisions for the Right of Persons to be an Indigene of a Locality in Nigeria, 2001; House Bill (2010).
17. USAID, "Politics by Other Means: Nigeria Conflict Assessment," unpublished manuscript, 2010. President Goodluck Jonathan expressed support for a similar model in an August 17, 2010 Facebook posting. To date, however, his administration has taken no serious action on indigene-settler policy issues.
18. A 2004 House bill granted all "rights and benefits accruing to indigenes" to Nigerians who reside in state continuously for ten years and pay taxes. See HB.123, "A Bill for an Act to Integrate Non-Indigenes into States Other than their States of Origin."
19. In some northern LGAs, district heads must sign off on all indigeneity certificates. Emirs or other traditional figures tend to appoint district heads, and some use them as proxies to control who attains indigene status.
20. In 2010 a consortium of lawyers, led by Festus Okoye of the Institute for Human Rights and Development in Africa, sued the federal government, the Plateau, Kaduna, Kano, and Katsina state governments, and various LGAs in the Federal High Court, Kaduna. Plaintiffs asked the court to declare current practices for awarding indigeneity certificates a violation of the Nigerian constitution's antidiscrimination provisions (especially section 42(1)) and various international legal obligations; void all existing indigeneity certificates; and grant injunctions against issuing further certificates, awarding public benefits on the basis of indigeneity or indigeneity certificates and otherwise discriminating on the basis of indigeneity or possession of a certificate. After a modestly impressive start, the lawsuit has stalled in court. Court filings and author interviews, 2011–12.
21. Article 42(1) of the constitution forbids the state to discriminate on the basis of "community, ethnic group, place of origin, sex, religion, or political opinion." Courts generally have not applied the clause to indigene-settler discrimination, though. A failed bill in the national assembly also tried to criminalize discrimination against taxpaying nonindigenes who resided in a given place for five years or more. Citizens Residency Rights Bill, 2004.
22. One court appears to have ruled that indigenes of a place are those who lived there at independence in 1960. See Anizaku and et al. v. the Governor of Nasarawa State et al., Court of Appeal, Jos Division, 2004. But the ruling is very unclear.
23. S. Gates, H. Hegre, H. Nygaard, and H. Strand, "Consequences of Civil Conflict," World Development Report background paper, World Bank, Washington, DC, 2011.
24. World Bank, *World Development Report: Equity and Development, 2006* (Washington, DC: World Bank, 2006).
25. Nigeria's food marketing trade operates through nationwide networks that, at their best, urge accommodation, compromise, and cooperation across social divides while promoting more efficient resource use. Some trade organizations and chambers of commerce likewise do a lot to resolve disputes. Author interviews, 2010. For a

series of case studies from other countries, see *International Alert, Local Business, Local Peace: The Peacebuilding Potential of the Domestic Private Sector* (London: International Alert, 2006).

26. Author interview, unpublished figures collected by Nigerian expert on herder-farmer conflicts, 2011.
27. C. Cramer, "Unemployment and Participation in Violence," World Development Report background paper, World Bank, Washington, DC, 2011.
28. For a good summary of this perspective, see P. Van Niekerk, "To Prosper, Africa Needs Both 'Big Men,'" *Business Day* (South Africa), March 22, 2012.
29. Official figures show the number of Nigerians living on \$2 or less per day nearly doubled between 2006 and 2011, 99 million—61 percent of the population—living on \$1 or less. National Bureau of Statistics (NBS), "Poverty Profile Statistics, Abuja," 2012.
30. International Monetary Fund (IMF), "Nigeria: Article IV Consultation Reports," 2005–2010, Washington, DC.
31. NBS, "2011 Annual Socio-Economic Report," Abuja, 2012; NBS, "Statistical Bulletin," Abuja, 2010; World Bank, "African Development Indicators," Washington, DC, 2011. At the same time, real incomes fell, due in large part to consumer price inflation. See F. Samuels, M. Gavrilovic, C. Harper, and M. Niño-Zarazúa, "Food, Finance, and Fuel," Overseas Development Institute policy brief, London, 2011.
32. NBS, "National Manpower Stock and Employment Generation Survey," Household and Micro Enterprise (Informal Sector), First Draft, 2010.
33. These include destructive import-export policies, corrupt ports, low enforcement of contract, and huge infrastructure deficits. For more, see P. Collier, C. Pattillo, and C.C. Soludo, eds., *Economic Policy Options for a Prosperous Nigeria* (New York: Palgrave Macmillan, 2009).
34. Between 2006 and 2010, foreign direct investment in Nigeria fell from \$13.9 billion to \$6.1 billion. As much as 70 percent of Nigerian wealth is kept outside the country. Global Financial Integrity put total illicit financial flows out of Nigeria at \$33.41 billion for 2009 alone, or \$181 billion for 2000 through 2009. See D. Kar and D. Cartwright-Smith, *Illicit Financial Flows from Africa: Hidden Resources for Development* (Washington, DC: Global Financial Integrity, 2010).
35. British Council Nigeria and The Next Generation Task Force, *The Next Generation Report* (Manchester: British Council, 2010).
36. For a survey, see E. Osaghae and R. Suberu, "A History of Identities, Violence, and Stability in Nigeria," CRISE working paper, Oxford University, 2005.
37. The states are Bauchi, Benue, Kaduna, Nassarawa, Plateau and Taraba. Nowhere does the Nigerian government recognize the Middle Belt as a separate political entity.
38. Radio broadcast tapes and affidavits from criminal cases in Kaduna State heard and seen by author, 2011.
39. The riots in twelve northern states killed at least eight hundred people, five hundred in Kaduna alone. Human Rights Watch, "Post-Election Violence Killed 800," press release, June 2011.
40. In conversation with author, Abuja, 2011.
41. For more on this point, see, for example, P. Chabal, *Africa: The Politics of Suffering and Smiling* (London: Zed, 2009).
42. J.D. Fearon and D. Latin, "Ethnicity, Insurgency, and Civil War," *American Political Science Review*, vol. 97, no. 1 (March 2003), 75–90; Y. Bangura, "Ethnicity, Inequality and Conflict in the Public Sector: A Comparative Study," report, United Nations Research Institute for Social Development, 2006.
43. P. Lewis, "Identity, Institutions, and Democracy in Nigeria," working paper no. 68, Afrobarometer, Accra, 2007.
44. *BBC World Edition*, February 26, 2004.
45. For an assessment of the Federal Character Commission as a conflict managed device, see A. Mustapha, "Institutionalizing Ethnic Representation: How Effective Is the Federal Character Commission in Nigeria?" CRISE working paper no. 43, Oxford University, June 2007.
46. Plateau State, for instance, was created in 1976 as a concession to Christian minorities complaining of domination by Hausa and Fulani Muslims. Military strongman Ibrahim Babangida then carved out the perpetually violent Jos North LGA in 1991 as a concession to the Hausa-Fulani. For an analysis of state and LGA creation as a conflict management strategy, see R. Diprose and U. Ukiwo, "Decentralization and Conflict Management in Indonesia and Nigeria," CRISE working paper no. 49, Oxford University, 2008.
47. For an overview, see M. Bakke and E. Wibbels, "Diversity, Disparity, and Civil Conflict in Federal States," *World Politics*, vol. 59, no. 1 (2006), 1–50.
48. R. Suberu, *Federalism and Ethnic Conflict in Nigeria* (Washington, DC: USIP Press, 2001).
49. In precolonial days, for example, the Middle Belt area provided a vast reservoir of slaves for the Sokoto Caliphate, which were seized in frequent slave raids.
50. It appears the British colonial authorities were the first to articulate a formal distinction between indigene and nonindigene communities, that is, natives and strangers. See, for example, Nigerian Native Authority Law, 1954. These groups were subject to different legal and administrative systems and encouraged to settle in separate communities. Historians have also found no precolonial Nigerian tradition of basing political units around ethnicity. See E. Isichei, *History of Nigeria* (New York: Prentice Hall, 1983).
51. U. Ukiwo, "Politics, Ethno-Religious Conflict and Democratic Consolidation in Nigeria," *Journal of Modern African Studies*, vol. 41, no. 1 (2003), 115–38.
52. Author interviews, 2010–11.
53. Author interview, 2011.
54. M. Mamdani, *Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism* (Princeton, NJ: Princeton University Press, 1996).
55. For more on this point, see J. Barsalou, "Trauma and Transitional Justice in Divided Societies," Special Report no. 135, U.S. Institute of Peace, Washington, DC, 2004; J. P. Lederach, *The Moral Imagination: The Art and Soul of Building Peace* (New York: Oxford University Press, 2005).
56. J. Paden, *Muslim Civic Cultures and the Challenge of Conflict Resolution: The Challenge of Democratic Federalism in Nigeria* (Washington, DC: Brookings Institution Press, 2005).

57. R. Blench, "The Role of Traditional Rulers in Conflict Prevention and Mediation in Nigeria," working paper, Department for International Development, London, 2006.
58. For comparative examples, see K. Marshall and S. Hayward with C. Zambra, E. Breger, and S. Jackson, "Women in Religious Peacebuilding," PeaceWorks no. 71, U.S. Institute of Peace, Washington, DC, May 2011.
59. Interviews, 2010–11. Right now there are no good statistics, though a forthcoming Human Rights Watch report (2012) will examine the record around the Jos conflict.
60. Interview with Jos conflict expert. For a summary of findings from Jos commission reports, see "Report of the Plateau State Judicial Commission of Inquiry," 2010, unpublished manuscript.
61. Interview, 2012.
62. In 2004, former Plateau governor Joshua Dariye told a national news magazine, "Jos is owned by the natives. Simple. Every Hausa-man in Jos is a settler whether he likes it or not. . . . We are in one state but that does not change the landlord/settler equation, no matter how much we cherish peace. Our problem here today is that the tenant [is] becoming very unruly. But the natural law here is simple: if your tenant is unruly, you serve him a quit notice! This unruly group must know that we are no longer willing to tolerate the rubbish they give us. The days of 'over-tolerance' are gone forever." *Saturday Champion*, March 20, 2004, 9. Jos's Berom traditional ruler, called the Gbong Gwon Jos, has a history of making antiindigene statements. See, for example, "Hausa/Fulani Have No Claim to Land in Plateau," *Tell* (Lagos), May 31, 2004, 22.
63. Human Rights Watch, *Revenge in the Name of Religion* (New York: Human Rights Watch, 2005).
64. Author interviews, 2010–11.
65. Author interviews with Nigerian early warning experts, 2010–11.
66. Lagos operates a state security trust fund that coordinates responses to security threats between business, state officials, and police. The fund also provides resources to support community policing. Helicopters, vehicles, and other advanced equipment have been purchased to enhance police effectiveness and incentivize quick response and information sharing. Lagos has also had some success integrating unemployed youth groups into community policing.
67. P. De Grief and R. Duthie, eds., *Transitional Justice and Development: Making Connections* (New York: Social Science Research Council, 2009).
68. Examples from Kaduna, Plateau, and Lagos.
69. For more, see E. Cole and J. Barsalou, "Unite or Divide? The Challenges of Teaching History in Societies Emerging from Violent Conflict," Special Report no. 163, U.S. Institute of Peace, Washington, DC, 2006.
70. For more on uses of courts in identity-based conflicts, see P. Arthur, *Identities in Transition: Developing Better Transitional Justice Initiatives in Divided Societies* (New York: International Center for Transitional Justice, 2009).
71. See, e.g., P. de Greiff, ed., *The Handbook of Reparations* (New York: Oxford University Press, 2006); Office of the High Commissioner for Human Rights (OHCHR), *Rule of Law Tools for Post-Conflict States: Reparations Programmes* (Geneva: OHCHR, 2008).
72. Author interview, 2010.
73. Commissions to date have been high-level exercises with little follow up (the 2000-01 Oputa Panel) or partisan witch hunts (the 2009 Rivers State Truth and Reconciliation Commission). Former president Olusegun Obasanjo proposed a Plateau State Reconciliation Commission after an especially deadly 2004 attack in Yelwa, but the bill for it died in the national assembly. A truth commission in Osun State began sitting in 2011. Around thirty countries have set up over forty truth commissions in the last three decades, with wide variations. For an overview of lessons learned, see P. Hayner, *Unspeakable Truths: Confronting State Terror and Atrocity* (New York: Routledge, 2000). For extensive documentation of past commissions, see USIP's Truth Commissions Digital Collection, <http://www.usip.org/library/truth.html>.
74. For an overview of issues, see Barsalou, "Trauma and Transitional Justice."
75. See, for example, M. Lenzen, "Roads Less Travelled? Conceptual Pathways for Development and Transitional Justice," research brief, International Center for Transitional Justice, New York, 2009.
76. J. P. Lederach, *Building Peace: Sustainable Reconciliation in Divided Societies* (Washington, DC: USIP Press, 1998).
77. Ideally, CSO oversight and participation can provide outside tools and perspectives, increase pressure for transparency and fairness, and provide links to target populations. T. Pfaffenholz, D. Kew, and A. Wanis-St. John, "Civil Society and Peace Negotiations: Why, Whether, and How They Could Be Involved," Center for Humanitarian Dialogue, Geneva, 2006.
78. Past cases have tried perpetrators for culpable homicide, criminal conspiracy, disturbing the peace, and various weapons and property crimes. See, for example, *State v. Gyang Davou et al.*, Plateau State High Court, 2010; *State v. Abdullahi Ya'u et al.*, Plateau State Chief Magistrate's Court, 2010.
79. CSOs in Plateau state collected more than 150 text messages designed to stoke violence ahead of major clashes in 2010. Kwaja, "Nigeria's Drivers." Anonymous leaflets are also a common problem.
80. See, for example, *Federal Republic of Nigeria v. Luka Buba et al.*, 2010 (charging "terrorist acts" under Sec. 518 of the Federal Criminal Code and unlawful possession of a firearm under Sec. 3 of the Firearms Act).
81. For example, SB 43, "An Act to Eliminate Violence in Private and Public Life, in Peace and Conflict Situations," 2010; SB 44, "Criminal Justice (Victims' Remedies) Bill," 2011. In 2010 federal legislators also (unsuccessfully) introduced a bill criminalizing hate speech when it provoked violence. HB 338 (2010) would have levied fines of up to n100,000 or fifteen years jail time on persons fomenting violence through use of incendiary speech. Where the violence resulted in death, the speaker could be convicted of "causing the death." Sec.13-15.
82. For background, see Care International UK, "Defining Theories of Change," London, 2012.
83. Perceived rigging of 2008 local government elections in Jos North 2008 LGA led to perhaps eight hundred deaths, for instance. Kwaja, "Nigeria's Drivers."
84. See, for example, the findings in International Republican Institute/U.S. Agency for International Development, Nigerian National Survey, 2011; NOI-Gallup Polls, First National Poll, 2007; Lewis, "Identity, Institutions, and Democracy." See also M. Pace and D. Kew, "Catalysts of Change: Applying New Forms of Practice to the Context of Nigeria's Democratic Development," *Research in Social Movements, Conflicts, and Change*, vol. 29 (2008), 207–231.
85. A survey of election results and monitor reports shows little apparent link between quality of polling, whether perceived and real, and violence.

86. Lewis, "Identity, Institutions, and Democracy."
87. P. Collier and D. Rohner, "Democracy, Development and Conflict," *Journal of the European Economic Association*, vol. 6, no. 2-3 (2008), 531-40; L. Chauvet and P. Collier, "What Are the Preconditions for Policy Turnarounds in Failing States?" *Conflict Management and Peace Science*, vol. 25, no. 4 (September 2008), 332-348.
88. P. de Greiff, "Transitional Justice, Security and Development," World Development Report background paper, World Bank, Washington, DC, 2011.

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