



ESKİ BOKO HARAM SAVAŞÇILARI İÇİN YENİDEN ENTEGRASYON PROGRAMINI YENİDEN DÜŞÜNMEK: FAYDACI BİR YAKLAŞIM

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RETHINKING REINTEGRATION PROGRAM FOR EX-BOKO HARAM FIGHTERS: A UTILITARIAN APPROACH

ÖZ Eski Boko Haram savaşçıları topluma yeniden entegre etmek etik midir? Teorik bir çerçevede olarak faydacı ahlak ilkelerini kullanan çalışma, eski Boko Haram üyelerini topluma yeniden kazandırma kararının faydacı perspektifle uyumlu olduğunu, çünkü karar vericilerin bunu onları reddetmenin neden olacağı olumsuz etkileri göz önünde bulundurduktan sonra yaptığını göstermiştir. Bununla birlikte, yeniden entegrasyon programının sonucunun faydacı teorinin nihai amacına ulaşmadığını çünkü politika yapıcılarının Boko Haram saldırısının hem doğrudan hem de dolaylı mağdurlarının mutluluğunu dikkate almadığını savunmuştur. Çalışma, başarılı bir yeniden entegrasyon programı sağlayacak ve faydacı amacı karşılayacak ahlaki bir karara varmak için, mutlulukları Boko Haram teröründen olumsuz etkilenen insanların endişelerini ve sorunlarının nasıl ele alınacağını dikkate almayı önermektedir.

Anahtar Kelimeler: Nijerya, Normatif Etik, Yeniden Entegrasyon Programı, Faydacılık, Boko Haram Saldırısı Mağdurları

ABSTRACT Is it ethical to reintegrate ex-Boko Haram fighters into society? Using utilitarian moral principles as a theoretical framework, the study showed that the decision to reintegrate ex-Boko Haram members into the society is in line with the utilitarian perspective because decision-makers did so after considering the negative effects that rejecting them would cause. However, it argued that the outcome of the reintegration program did not lead to the ultimate purpose of utilitarian theory because policymakers failed to consider happiness of both direct and indirect victims of Boko Haram attack. In order to reach a moral decision that will ensure a successful reintegration program and meet the utilitarian aim, the study recommend considering the concerns of people whose happiness has been negatively impacted by Boko Haram terrorism and how to address their issues.

Keywords: Nigeria, Normative Ethics, Reintegration Program, Utilitarianism, Victims of Boko Haram Attack



INTRODUCTION

Is it morally permissible to reintegrate former Boko Haram (BH) fighters into society? This type of question inquires about the characteristics of a good moral decision and its justification (Cox,2021).This paper contends that the best way to approach this type of question is to apply fundamental moral principles in moral philosophy, specifically normative ethics, which covers the issue of what is ethically acceptable and unacceptable(Driver, 2005). Normative ethics could assist us in making good moral judgments, particularly when dealing with situations that create moral dilemmas or have ethical implications. A moral dilemma arises when an individual is confronted with the need to select between conflicting moral values(See, Macintyre, 1990).

Through the lens of utilitarianism moral theory, this study seeks to address the moral concerns stemming from the implementation of the Nigeria amnesty program for BH terrorists. It aims to uncover why the outcomes of the amnesty initiative failed to align with the expectations of the majority of people.

UTILITARIANISM

Utilitarians argued that when determining the rightness of an action, we should consider the consequences of its implementation for the people involved. A right action promotes the happiness of the greatest number of people involved and a wrong action reduces it. In other words, proponents of utilitarianism linked right action to happiness of the greatest number of people (Brink, 2022; Bentham, 2004). Quinton (1973) explains that utilitarianism in “its standard form ...can be expressed as the combination of two principles: (1) the consequentialist principle that the rightness, or wrongness, of an action is determined by the goodness, or badness, of the results that flow from it and (2) the hedonistic principle that the only thing that is good in itself is pleasure and the only thing bad in itself is pain” (p.1). According to Shaw (1998), Jeremy Bentham (1748–1832), "who invented the term utilitarian," claimed that “...pleasure was the only good thing in itself, and that states of affairs were to be judged by how much pleasure (or pain) they gave to those involved; the ultimate standard therefore could only be the general happiness” (Bentham & Mill, 2004). Bentham has shown us what we should do every day to advance happiness in society. It simply means that before taking any action, we should consider its potential effects to see if they would lead to happiness. Bentham further maintained that it is the responsibility of the government to support human behaviours that advance happiness and to oppose those that advance suffering in society. In other words, utilitarianism is a moral theory that assesses the rightness and wrongness of human actions based on whether they tend to increase or decrease happiness of greater number of people (Quinton, 1973; Nahra, 2014). Bentham made an additional insightful contribution to knowledge by pointing out that the principle of utility is not only intended to evaluate individual actions but also those of governments(Bentham, 1994).

Bentham demonstrated the criteria that will help us distinguish between right and wrong behavior. He argued that we should consider the propensity of our actions to enhance not only our own but also everyone else's happiness. Concerning measures to prevent pain in human society, Bentham claimed that punishment will be useful in discouraging people from inflicting pain on others since it imposes pain. He added that punishment can only be justified if it contributes to the reduction of crime in society (see Plamenatz and Duignan, 2023). In other words, punishment is necessary to prevent people from acting in ways that are likely to promote pain in society (Draper, 2002). Given that human nature despises pain and



that punishment is intended to inflict pain on the offender, Bentham's theory that punishment will help deter people from inflicting pain on others makes a logical sense.

With this criteria, one can estimate the level of the pain inflicted on a person as well as the community where the crime was committed. Sverdlik (2022) highlights the factors Bentham claims should be taken into account in order for punishment to be effective and one of these is that attempt should be made to understand reasons that prompted the perpetrator to commit an offence. Bentham further added that punishment helps to promote happiness in society by protecting individuals and state against harm (Bentham, 1830).

In relation to the topic of the amnesty and reintegration program for former BH members, one of the many points made by Bentham in the aforementioned section that I would like to draw attention to is the fact that both individual and governmental actions should be assessed to ascertain the degree to which they have either promoted happiness or pain. This is relevant to this study because the decision to grant amnesty was made by state actors, and the purpose of this study is to determine whether the outcome meets the ultimate goal of utilitarianism, which is the promotion of happiness in society. Using utilitarianism as a guide, this study will demonstrate that basing decisions on the consequences of an action is permissible if it promotes the happiness of all parties involved. It will also demonstrate that the outcome of the reintegration program for ex-BH members is not right from a utilitarian standpoint because policymakers failed to consider factors that will hinder everyone's happiness before implementing the policy.

THE NIGERIAN AMNESTY PROGRAMS AND ITS OUTCOMES

The Umaru Musa Yar'Adua's administration initiated amnesty and reintegration program in 2009 to combat the spread of militancy in Nigeria Niger Delta region (Agwu et al., 2022). The decision to grant amnesty and reintegration program for Niger Delta militants was made on the notion that amnesty would promote peace in the region than military operations against the militants. To put it another way, after considering the benefits and drawbacks of amnesty and military operations, state actors judged that amnesty would advance peace more than military operations against the militants. Even though the outcome of Niger-Delta amnesty and reintegration program did not completely resolve concerns of the Niger-Delta people, relative peace was restored in the region through the implementation of the program (Ofozaba et al., 2023). In other words, granting amnesty to Niger-Delta militants benefitted the state as it augmented happiness in the region, a goal military operation against the militants could not achieve. This method of decision making aligns with the ultimate goal of a normative ethical theory called utilitarianism. This moral theory argues that good decision augments happiness in society while bad decision promotes harm (Das, 2020). According to this moral theory, the consequences of a decision determine whether it is good or bad. Although military action against the Niger-Delta militants may appear to be a justified approach in the sense that Niger-Delta militants used violence to achieve their goal, however, military operation failed to augment happiness, as its application could not stop violent conflicts in the region (Nwankpa, 2014). The same idea influenced the decision of the state actors to grant amnesty to ex-BH members and reintegrate them into society (See, Agboga, 2022). They justify the amnesty option by claiming that military operations against BH members were ineffective and that refusing to accept rehabilitated ex-BH members into society would worsen the insecurity problem in Northeast Nigeria



BH terrorism has made peaceful human coexistence difficult, particularly in Northeast Nigeria (Ajah, 2020). To stop the spread of BH terrorism the government adopted military operations against this sect, however, this counter-terrorism approach could not completely stop BH members from committing terrorist acts (Habibu, 2016) prompting the government to consider granting amnesty to them (Adigbuo, 2014). However, the decision to reintegrate ex-BH members was criticized, especially by direct and indirect victims of BH attack (Vanda, 2018) as the claim made by policymakers that rejecting them would worsen security situation (Agbakwuru, 2021) appears to fall short of victims expectations from the government. Many have questioned whether it is morally right to accept reintegrated ex-BH members into society. For example, Onikepo (2021) questioned whether it was morally justified to punish individuals that committed minor offences and grant amnesty to BH members whose acts resulted in the deaths of many innocent people. Some have pointed out, however, that provisions of the Nigerian constitution authorize the state to grant amnesty to offenders, and thus the amnesty granted to Boko Haram militants is considered to be in accordance with the law. For instance, section 175 of the constitution states that the president has the authority to grant pardons to individuals involved in or convicted of offenses (Ngwoke & Abayomi, 2022). Despite the reasons given by policymakers for reintegrating ex-BH members, many victims are opposed to the idea (Owonikoko, 2022). In other words, unlike the amnesty and reintegration program for Niger-Delta militants, that argued happiness in the Niger-Delta region, the amnesty and reintegration program for ex-Boko Haram members failed to achieve the same goal.

How The Decision To Grant BH Amnesty Fit Into The Utilitarian Moral Argument?

Jeremy Bentham, a utilitarian proponent, appears to suggest that when making ethical decisions, the ideal decision to consider is the one whose end result will generate greater good. In this context, it implies that what defines what is right may not be our idea of what a proper action should be, but rather whether the action we believe to be right will increase pleasure in society when implemented. This supports the idea that amnesty and reintegration programs for repentant ex-BH members are consistent with utilitarian thinking as policymakers focused on what they believe is the best option for preventing the spread of BH terrorism. In other words, they considered every option and chose amnesty as the most effective means of promoting peaceful human coexistence in places where BH terrorism is prevalent. However, what policymakers believe is the best option for promoting happiness for all has not resulted in the happiness of all those affected by BH terrorism. This is the aspect that amnesty falls short of the utilitarian purpose.

Why The Amnesty And Reintegration Program Failed To Achieve The Utilitarian Purpose?

From the foregoing, we can deduce what the goal utilitarians aim to achieve in ethical decision making. This goal is to promote happiness of all and sundry and decisions that help policymakers to achieve this goal is right in their thinking. It is also revealed that utilitarians focus on outcomes of actions to determine decision that will help augment happiness in society. Bentham (1994: 17) demonstrated the relevance of happiness and pain in shaping our behaviors and actions, which I believe is important in understanding why humans react in the way they do for outcomes of decisions they deemed favorable or unfavorable.

Bentham explains:

“Nature has placed mankind under the governance of two sovereign masters, pain and pleasure. It is for them alone to point out what we ought to do, as well as to determine what we shall do. On the one hand the standard of right and wrong, on the other the chain of causes and effects, are fastened to their throne.



They govern us in all we do, in all we say, in all we think: every effort we can make to throw off our subjection, will serve but to demonstrate and confirm it”

To know if the outcome of a decision will lead to happiness of everyone that is affected by it, Mitchell (1918) citing Bentham explains:

To a person considered by himself, the value of a pleasure or pain considered by itself, will be greater or less, according to the four following circumstances: 1 Its intensity. 2 Its duration. 3 Its certainty . . . 4 Its propinquity . . . But when the value of any pleasure or pain is considered for the purpose of estimating the tendency of any act by which it is produced, there are two other circumstances to be taken into the account; these are, 5 Its fecundity . . . 6 Its purity. . . [When a community is considered, it is also necessary to take account of] 7 Its extent; that is, the number of persons to whom it extends....(p.165).

Bentham termed this method of determining whether an act will cause pain or pleasure "felicific calculus", and he wanted to demonstrate what policymakers should focus on when deciding the proper action, particularly when addressing situations with moral implications. Mitchell attempted to show how this calculation is applied in order to determine whether a decision will produce happiness over pain. Mitchell explains that when “applying the calculus, one begins with the first distinguishable pleasure or pain which appears to be produced by an act, multiplies the number of its intensity units by the number of duration units, and then multiplies this product by the two fractions expressing certainty and proximity”(ibid). What this means is that when making a decision, one should first consider if the outcome would generate more pleasure than pain. If we are faced with a circumstance in which every decision we make must result in both pleasure and pain, will the total number of pleasures produced by the outcome of our decision outnumber the entire number of pains? For example, will the implementation of an amnesty program increase the satisfaction of all those affected by BH terrorism in the community where this decision will be implemented? Will the outcome of amnesty bring more pleasure than pain if amnesty is the best choice to stopping BH terrorism? If it must produce both pleasure and pain, will the overall number of pleasures produced outnumber the entire number of pains? Although Bentham's 'felicific calculus' may be difficult to apply in practice, it is effective in focusing policymakers' attention to factors to be examined in decision-making. This study acknowledges that determining how much happiness or suffering a choice can cause might be difficult because what one individual considers to be happiness in right now may be painful in the future. However, this difficulty may have been averted if some effort had been made to learn what the community and victims think about the idea of reintegrating repentant former BH members prior to their reintegration. This is not to argue that the amnesty program is a bad idea, but understanding what people think about it can help the government find solutions to address their concerns in the amnesty procedure, which will lead to a successful reintegration of ex-BH members. Bentham has provided insightful ideas about how pain and pleasure regulates our behaviours and considering this unavoidable factors in decision making is vital in helping us select a decision that promote happiness in society. It is not wrong to claim that policymakers or state actors have the right to decide what they believe is best for the people they govern; yet, when a decision is inconsistent with the people's expectations of what is just or right, their reactions are likely to result in civil disobedience. For this reason, when it becomes necessary for the government to make a decision that the vast majority of people would deem unfair, it is of the utmost importance to ask for their opinions and engage with them to address their concerns about the decision. John Stuart Mill, a utilitarian, clarified how most people define what is just and unjust. He explains that it is



widely recognized that everyone should receive what they deserve, whether good or bad. It is considered unjust if someone receives good or suffers misfortune without deserving it. This idea conveys the concept of justice in its most clear and strong form, as perceived by the general public (Mill, 2003). In other words, it is considered unfair if acts that violate the law go unpunished. This could be why scholars like Onikepo (2021) believe it is wrong to offer amnesty to people who have caused harm to innocent citizens. In other words, the outcome of the Nigeria amnesty program failed to promote happiness of all because of these moral concerns. Happiness utilitarians advocate for is the happiness of both offenders and victims. Did policymakers consider the happiness of both victims and reintegrated ex-BH members in their decision-making process?

The utilitarian principle of maximizing happiness has helped elucidate in this paper the actions essential for promoting happiness and those that should be avoided to prevent the reduction of overall societal happiness. Given that the goal of this paper is to demonstrate how the amnesty and reintegration programs fall short of the ultimate goal of utilitarian principles, which is happiness, it is necessary to discuss what utility or happiness means to utilitarians. Shaw (1998) explains that proponents of utilitarianism evaluate actions based on their usefulness to individuals and that their primary task is to encourage people to choose actions that will increase overall happiness and avoid actions that will decrease happiness in society. To put it another way, utilitarians equate utility to the happiness of all. We can see from the following that utilitarians like Bentham and Mill support actions that serve to increase happiness in society. They also contend that it is the responsibility of the state to advance the wellbeing of its citizens. In other words, according to utilitarians', justice is connected to both individual actions and governmental policies that promote the pleasure of everyone in society (Askari & Mirakhor, 2020).

Utilitarian principles have helped to demonstrate what government policy should have aimed to achieve with the implementation of amnesty and reintegration of ex-BH fighters. In other words, policymakers ought to have evaluated outcomes of amnesty program by its "utility, that is, by the degree to which they have better consequences than alternatives" (West, 2008). It has also demonstrated that individuals are free to pursue goals that they believe will promote their happiness as long as such goals do not cause harm to others. The hedonistic calculus is a contribution of Bentham that is also relevant to this study (Woodward, 2017; Grundstein, 1953). The hedonistic calculus proposes a method for calculating the total number of happiness or pain produced by an action. One method is to assess the extent to which the outcome of a particular action tends to produce either happiness or pain in society. Using this criterion, this study will assess the extent of pain caused by the BH insurgency by examining the experiences of victims: victims' families and communities impacted by Boko Haram terrorism. This approach is necessary because it will allow us to estimate the extent of suffering caused by BH terrorism. And the reality is that BH terrorism affects not only the happiness of direct victims, but also the happiness of those living in neighbouring communities and countries. To give one example, a UN report on the deadly effects of BH terrorism revealed that some of the displaced people are from nearby countries.

The report reveals that "there were more than 2.2 million persons in the country who had been internally displaced as a result of the conflict with Boko Haram, 1.4 million of them in Borno State. Some 186,000 took refuge in neighboring Cameroon, Chad and Niger. As of August 2016, the National Emergency Management Agency (NEMA) has managed 15 official camps for internally displaced persons in the newly



recovered and accessible areas around Borno State, containing over 300, 000 such persons”(cited in Adeyeri & Aluede 2021, p. 142).

Although my primary concern is not the plight of Boko Haram victims in neighbouring countries, however, this approach will assist researchers whose research goal is to investigate the extent to which Boko Haram terrorism in Nigeria has affected the happiness of individuals from neighbouring countries. It can also be used to show why the reintegration of repentant ex-BH members was strongly opposed by the vast majority of victims of BH attack and community members. For example, if the number of individuals still suffering from the pain caused by BH terrorism exceeds the number of reintegrated BH members, the pain of their reintegration will automatically exceed the total number of happiness in the society where they were reintegrated.

CONCLUSION

This study demonstrated that the decision to grant amnesty to ex-BH members aligns with the utilitarian position in the sense that policymakers believed that punishing them would result in greater evil in society due to the delicate nature of BH terrorism. On the other hand, it demonstrated that the policy's outcome fell short of the utilitarian ultimate goal because it failed to promote the happiness of both direct and indirect victims of BH attacks. According to the utilitarian principle, policymakers must first consider whether their decisions will cause pain or promote happiness for the greatest number of people affected by the situation. This criterion, however, was overlooked because no attempt was made to determine whether such policy would promote victim happiness. As a result, victims were dissatisfied and felt they had been treated unfairly during and after the amnesty proceedings. The ultimate goal of utilitarianism is to promote happiness for all, and in the Nigeria context, the amnesty program failed to meet this target because no attention was paid to understanding how the outcome would affect the happiness of the greatest number of people affected by Boko Haram terrorism. Although it is difficult to quantify the happiness of all people affected by BH terrorism, however, knowing the extent to which BH terrorism has affected the happiness of direct and indirect victims can help determine whether an amnesty program for ex-terrorists will augment happiness in society. Furthermore, utilitarian moral theory places more importance on the outcomes of an action than it does on the motivations that drive people to engage in that action. Based on this, the Nigerian government's decision to grant amnesty to former Boko Haram fighters in order to prevent the spread of Boko Haram terrorism would not have been criticized if the outcome resulted in the happiness of all parties involved. In other words, whether government policy is morally right or wrong in this situation is determined by the level of happiness produced by the amnesty program.

The flaw in the amnesty and reintegration program for ex-BH members is that policymakers failed to address the concerns of victims and community members before reintegrating ex-BH members into society. This contradicts utilitarian goals because utilitarians seek to increase happiness for all. In other words, policymakers should have prioritized the happiness of reintegrated ex-BH members as well as victims and indirect victims of BH attacks, but instead paid less attention to victims and focused more on reintegrated ex-BH members. This paper does not advocate for the rejection of reintegrated ex-BH members, but rather urges the government to investigate victims' concerns and find solutions to their concerns.

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