

## **A STUDY OF THE CIVIL-MILITARY RELATIONS IN NIGERIAN FOURTH REPUBLIC**

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### **ABSTRACT**

*This paper examines the state of civil-military relations so far under the Nigerian fourth republic. It studies the dimensions which the civil-military relations have taken in order to establish a pattern similar or in variance with the previous republics. The underlying argument here is that since the inception of the fourth republic, the civil-military relations have a pattern in which the civilian administration had been having a grip on the military. The political class has been conscious of the need to maintain their hold on the military. This is mostly carried out through the removal of the military personnel with political affiliation. The intimidation received by the populace from the military was described as a major concern in the civil-military relations in the fourth republic. This paper recognizes the fact that the military dehumanizes the civilians in the road blocks on slight provocation, it suggests the need to re-orientate the military towards humanitarian services and better civil-military relations.*

### **Background**

The military is an important organization of the modern state. Its contribution to the nation building cannot be overemphasized or waved aside. Despite the fundamental role of the armed forces, their relationships with the civilians have been a major concern. The military has been noted in the past for the use of violence in dealing with the civilians and their desire at toppling civilian governments at a slight mistake. The military has used this access to the instruments of violence to control government not only in Nigeria but other African countries. In Nigeria during the various military regimes the civil-military relations were marred with violation of human rights and consequent strains relationship. Civil-military relation refers to the totality of relations and interactions between the military personnel and the civilians in any political system. With the current democratic system of the fourth republic, it seems there is a new dimension to the

relationship between the civilians and the military. It is therefore in the context of this fourth republic that this study will examine the symbiotic relations between the civilians and the military personnel. This study aims at the examination of the civil-military relations in the fourth republic. It is apparently important to examine the symbiotic relationships which involve the effective control of the military by the civilian government.

### **Civil-Military Relations: Theoretical Perspectives**

The access to the instrument of violence by the members of the armed forces suggests that the military is always crucial and important factor in the democratic system. This does not indicate that military are expected to directly intervene in politics, but have key role to play in the sustainability of the democratic governance. Since the 15<sup>th</sup> of January 1966, when the army seized power from the democratically elected government in Nigeria, the country had witnessed more military rule than the democratic governments.

Civil-military relations can take up any form in a state. Finer (1962), describes four types of civil-military relations. The first is that the military officers can exercise their legitimate power on the civilian government like every other pressure group to achieve certain ends such as increased in the budget. Although, the military may be able to exert considerable policy influence as an interest group but, it is restricted by the recognition of the fact that it cannot challenge the decision of the civilian government. Secondly, the members of the armed forces can use the treats of some sanction or blackmail to achieve some goals. This is mostly in theory because any use of threat by the Nigerian military against the civilian government is considered treason and attracts death penalty. Thirdly, according to Finer, the military may displace a civilian government and replace it with another civilian government. This may happen if the former civilian regime has failed in its national duty. The last civil-military relation identified by Finer is that the military officers may decide to overthrow a civilian government and take charge of the state affairs.

As an organization that can use coercion and force to achieve a goal of the state in term of defence, has created a major concern. The concern is how the civilian control over the military can be sustained given the violent training of the military. The mechanisms and methods by

which the civilian can control the military have been categorized into two by Huntington (1957) as ‘objective’ and ‘subjective’ mechanisms. The objective mechanism describes a form of relation in which there is a clear division between the political and military roles and responsibilities. The essence of this approach is to keep the military out of politics to a greater length as it may be possible. The subjective mechanism on the other hand, dictates that the military is formally subordinate to civilian leaders and therefore stands in no way to challenge civil authority. The subjective and objective civilian control lays emphasis on the ideological control which will eventually maximize the civilian power. In a nutshell, the subjective and objective framework suggests that an ideological military will see themselves as professional military rather than political military.

In examining the exertion of the civilian control over the military, Desch (1999) delved into the structural theory of civil-military relations which predicts that the strength or weakness of the civilian control is based on the degree of internal and external threat faced by the state. In this case, a country that faces strong external enemy will want to ensure a very strong military and involve it in the decision making process, while a country with little or no threat will want to reduce the capacity of the military and give it limited role. Either way, the civil-military relation is affected. However, it should be noted that civilian control of the military irrespective of the capacity of the military does not render the military politically inactive.

Feaver (2003) utilized the principal-agent theory to describe the civil-military relations. In his analysis, he stated that the civilian hired the military. Therefore, it is expected that the civilian being the principal should be able to exert maximum control over the military which is the agent. The relationship is therefore that of an employer and employee. The employee is expected to carry out his assigned responsibility based on the terms agreed on. In this regard, a state’s civil-military relations will depend on a number of factors regarding the constitutional roles of the military that posit the military as professional in nature and not political military.

### **History of Civil-Military Relations in Nigeria**

The first republic witnessed a resentful military in Nigeria. According to Ademoyega (1981), the military were not happy with the political class and the fact that the British deliberately created a

tripartite political condition in the country. The Nigerian military at that time had some revolutionaries who were ideological. In essence, there was no synergy between the military and the civilian leaders as most of the soldiers that participated in coup claimed that they were oblivious of the political situation of the country. That was the reason the military claimed they executed the coup to save Nigeria from collapse and disintegration. They even considered themselves as nationalists carrying out nationalistic role.

The second republic was truncated after merely four years of democratic rule. It might not be out of point to say that the military during the second republic were in hurry to return to power. The military officers at this period perceived the civilian leaders as corrupt individuals who cannot steer the nation's ship to desired destination. This implies that the military still had their reservation toward the civilian rule.

During the third republic, the military retained their hegemony despite the transition to democratic rule at the states level. The then military president, General Ibrahim Babangida, rather than handing over to the acclaimed winner of the June 12, presidential election, handed power over to an interim administrator. The system of government in the third republic could be described as diarchy in which the civil and military rules were run concurrently. The third republic therefore witnessed the military control of the civil rule.

### **Roles of the Military in the Society**

The role of the armed forces must be appreciated in a democracy. The civil-military relationships have dovetailed into rendering some humanitarian services in the modern democratic society. There are cases of the military personnel offering free medical services to the civilians. In modern society, the military no longer see themselves as mere instrument of state defence but a part of the civil world. The development of which has indicated the capacity of the military to take on civilian roles, especially, in the role of nation-building. According to Huntington (1957), there are three forms of national security policy that defines the role of the military in any nation-state. They are: (a) Military security policy (b) Internal security policy and (3) Situation security policy. The military security policy refers to the essential role of the military in defending the territorial integrity of a country against external aggression or evasion. The internal security

policy implies that the military can be utilized in the suppression of insurrection or revolution within the state. While the internal security implies that the military can contribute in a limited way in the maintenance of law and order, through an integrated approach to conflict management in the state.

The Nigerian 1999 constitution, section 217 states that there shall be armed forces for the federation which shall consist of an Army, a Navy, and an Air Force. Their roles are stated as follows:

- a) Defending Nigeria from external aggression. This role is in line with the Huntington's military security policy. This is mostly considered by most scholars as the primary duty of the military.
- b) Maintaining its territorial integrity and securing its borders from violation on land, sea or air.
- c) Suppressing insurrection and acting in aid of civil authorities to restore order when called upon to do so by the President, but subject to such conditions as may be prescribed by an Act of the National Assembly.
- d) Performing such other functions as may be prescribed by an Act of the National Assembly.

The military must operate based on professional training to serve the democratic state and subject itself under the civilian control. According to Finer (1962), military should display a high level of professionalism. The military should see their role from the angle of subversion of both internal and external threats in addition to international peace-keeping.

### **Civil-Military Relations in the Fourth Republic**

The civil-military relations in Nigeria under the fourth republic have taken a favourable pattern. The interest in civil-military relations stemmed from the peculiar features of the military. At the onset of the fourth republic, the executive had positioned itself to dominate the military. The reason could not be far-fetched considering the military background of the first President of the fourth republic. In his speech at the National War College in Abuja on the 24<sup>th</sup> of July 1999, he laid out his plans to reform the military by establishing civilian supremacy. The paradox that an

institution set up to protect the state can at the same time turn around to brutalize the civilians and overthrow a legitimate and democratically elected government. Obviously, the military rule constitutes an aberration in every state due to the fact that they are not trained to rule rather they are trained to defend. After series of military regimes in Nigeria that spanned for almost 30years since the country gained independence, the transition to democratic rule gave a new dimension into the relationships between the civilians and the armed forces. The observed patterns or dimensions of civil-military relations suggest a position of subordination.

A question that begs for an answer is that what were the tools used by the fourth republic civilian governments to effectively control the military? The neo-institutional theory explains the importance of tools choices in civil-military relations. The civilian government in order to effectively control the military can devise a means of subjugating the military power. The historical events of the past civil-military relations might have prepared the fourth republic President who had military background and in-depth knowledge of military strategies and operations. This might have afforded the fourth republic administrator on how to effectively control and subdue the power of the military under civilian control. The first democratically elected President in the fourth republic, President Olusegun Obasanjo, in a swift move, compulsorily retired some senior military officers who had in one way or the other interacted with the political class. He retired 93 generals and officers of the armed forces who had occupied political offices. Though, his administration was confronted with the need to sustain the fourth republic having being a retired officer himself. The greatest threat to democracy anywhere in the world is the military. Compulsory retirement of the top echelon of the military is to ensure that their political ambitions are put on hold. It was stated that the swift move was to forestall any attempt by the military to intervene in politics. According to Obasanjo (2014), the compulsory retirement was done in order to put an end to coup plotting. President Obasanjo understood the modus operandi of the military and the echelon of the military prone to stage a coup d'état, being a former military general himself. President Obasanjo during his tenure appointed the service chiefs without recourse to the legislative approval.

Therefore, President Obasanjo actually changed the nature of civil-military relations because his administration proved to be in the control of the military. This was made easier by the fact that

the Nigerian Army was centrally administered and in no way subjected to regional control. Even the military court-martial judgements have been subjected to Supreme Court review. Obasanjo's administration however was noted for the brutality of the civilian population in a way that marred the civil-military relation from the perspective of civilian populace. In November 1999, there was massacre of civilians by the military personnel in Odi as well as the October 2001 attacks in Zaki Biam. Throughout his tenure, Obasanjo exerted his control over the military and effectively dominated the armed forces.

The civil-military relation under the late President Yar'Adua was not quite different from that under Obasanjo. Yar'Adua as well continued with the same pattern of appointing the service chiefs without recourse to the National Assembly approval. The health challenge of the late President Yar'Adua which eventually resulted in his death did not make it possible for him to make substantial contribution to the civil-military relations. Though, his death did not create any lacuna in the civil-military relations and governance as his vice, Goodluck Jonathan, was able to step in and maintain his grip on the military.

President Jonathan as a successor to the office of the President, in order to consolidate his political achievement, quickly retired some members of the military top hierarchy. Like his predecessor, he saw the need to remove the military officers that are likely to plot coup against him. However, his own retirement did not go without a challenge from the military asking the court to nullify the compulsory retirement meted out to the top military hierarchy. In a judgement delivered by the Federal High Court, the compulsory retirement of the military officers was declared illegal and therefore null and void. The judgement was based on the fact that the legislative approval was not granted before the retirement.

The President Buhari was sworn in as the new democratically elected president on 29<sup>th</sup> of May 2015. His government inherited the Boko Haram crisis from the Goodluck Jonathan administration. Buhari's government has deployed the armed forces to the areas under the terrorist's control. The civil-military relation under the Buhari has not taken any different dimension from the past administrations. The civilian still retained their control over the military. Though, there are few skirmishes between the civilians on the street and the members of the armed forces. There are cases of the military intimidation of the civilians on slight provocation.

The presence of the military in some check-points with serious dehumanization of any civilian who mistakenly violate any of their self acclaimed rules has made many civilians to dread the military personnel.

### **Challenges of Civil-Military Relations: Nigerian Experience**

The very question at the mind of democrats is how to ensure a strong military and at the same time keep it under democratic control. How should the military be controlled by the civilian government? The desirable condition is the bringing the armed forces under more stable or democratic forms of civilian subordination (Huntington, 1995). The democratic Presidents tackled the civil-military relation paradox differently. Prior the fourth republic, it was difficult to reform the civil-military relations. This could have been one the reasons for frequent military intervention in the politics.

There are noticeable strains in the civilians and members of the Armed forces relationship as there are cases of the military inflicting pains on the civilians over a slight provocation. The Shiite Islamic group clash with the members of the armed forces is an example of civil-military confrontation.

The use of the military to put an end to simple political crisis that could have been easily handled by the mobile unit of the Nigerian Police is like demanding too much from the military. Not only that, the Nigerian democratic government has developed interest in militarizing states during election. This has made people to see election as a period of emergency rule. This use of military has shown to be counter-productive to democratic development. This is evident in the various allegations that the ruling government might be using the military to rig election results. Such uses have reduced the military to political tools rather than national fighting force.

### **Improving Civil-Military Relations**

The 1999 constitution conferred power on the President as the Commander-in-Chief of the Armed Forces to determine the operational use of armed forces of the federation. The President possesses the power to appoint the service chiefs, while the National Assembly has power to make laws for the regulation of the power of the President as the Commander-in-Chief of the



armed forces. The constitution has placed the control of the military in civilians' hands. This situation is different from what was obtained in the second republic in which the Minister of Defence was ignorant about most of the decisions made by the military. The second schedule of the 1999 constitution has granted the power of legislating on the military to the National Assembly. The military in order to improve their relationship with civilians embarked on the establishment of office which was borne out of the increasing interest of the local and international human rights bodies on the civil-military relation in the North-east Nigeria. The desk offices receive documents and investigate complaints on the violation of human rights. This development has been described as 'novel and bold initiative' by human rights bodies. This move has the tendency of improving the civil-military relations. Therefore, the democratic government must ensure that the powers granted them are used in limiting the excesses of the members of the armed forces especially in their dealings with the members of the public. This will also go long way in preventing the military incursion into the politics.

### **Conclusion**

To build a very good and solid civil-military relations, the military should be left with the operational control of the military while, the civilian should focus on policy control of the defence. The military should return to be ideological as this will guide their conducts and relation with the political class. The professionalism of the military should constitute the priority of every member of the armed forces. The military should see their role as protecting the civilians and not to use their might to intimidate them. This will showcase Nigerian military as professionals. The civilian government should make the military accountable and subject it to the civil control. The above will promote cordial relationship between civilians and the military. This will enable the civilian to exert a high level of control over the military.

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