

Civil-Military Relations and National Security: A Study of the Nigerian Army, 1999-2018

¹Naomi Phinos &

²Ogbu Collins

*Department of Political Science
and International Relations,
University of Abuja*

Abstract

This paper thrust on a benign review of civil-military relations in Nigeria. It studies this within the purview of the effects it has on Nigeria's national security. The study draws inferences from anecdotal sources including textbooks, newspapers and journal articles published already. It relies on the structural-functional theory as analytical framework. The paper argues that the strife existing in civil-military relations is a product of mis-information, poor training and outplay of political considerations above other humanitarian factors. The paper recommends that there should be a re-orientation of the soldiers involved in internal operations and the populace as well. This will ultimately help in reducing the tension that exist between the both parties.

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Corresponding Author:

Naomi Phinos

Background to the Study

Arguably, the nature and character of a political system largely determines the content and relationship of the civil society and the military institution. In most democratic regimes, the State within the understanding of the *structural-functional* theory considers and treats the military as an interdependent, interrelated and interconnected part of the whole system. The military is thus seen as part of the myriads of institutions that aids the consolidation of the democratic system. There is thus an unassuming contention that the military is expectedly subservient to the civil authority that commandeers political power for the interest of the State. However, some seemingly intractable avalanche of crises has persistently characterized the modicum of relationship between the Military and the civil authority especially in developing countries like Nigeria.

This has made the Civil-Military Relations in developing countries to appear not only problem atique but has as well assumed a paradoxical dimension. While there is a contentious allegation that the institution of the Military which is created to protect the polity is saddled with ample power (emanating from the wielding of the barrel of gun) to become a threat to the society, there is also a growing discontent with the scorn the institution is treated with. This is probably the reason Feaver (1999) argued that the civil-military relations is so vexing because it involves balancing two vital and potentially conflicting societal desires. On the one hand, the military must be strong enough to prevail in war. This is one of the main purposes behind establishing the military in the first place which is the need, or perceived need, for military force, either to attack other groups or to ward off attacks by others in the interest of the State. On the other hand, just as the military must protect the polity from enemies, so must it also conduct its own affairs so as not to destroy or prey on the society it is intended to protect. Because the military must face enemies, it must have coercive power, the ability to force its will on others. This perception about the institution's proclivity to use force has made the civilian society to see the former as a throbbing menace which the society must get rid of. It is within this understanding that this paper finds its expediency.

Consequently, the age-long premise that man cannot survive in isolation is thrown to the wind given that the society too may not live to attain the desires of the people therein without the military institution. It is a herculean task therefore for the civil society to entirely maintain stability without the associating roles of the Military institution. Hence, the civil society and the Military, even though they reside in one large society are inseparable two sides of the same coin.

Statement of the Problem

In Nigeria, the military, argued Obi (2008), has constantly played a significant role in the process of democratic consolidation especially because of the understanding that the civilian authority has a constitutional mandate to establish control of the military, particularly in a country with a history of military coups. As submitted by Obi, such a path to democracy was a legacy that cast democracy in the image of the military (Obi, 2008).

Essentially, there has been a frightening risk associated with the manners the civil society has related with the Military in Nigeria. As against Dahl's (1985) argument that civilian competence in the general sense extends even beyond their competence in a particular sense; that is, civilians are morally and politically competent to make decisions even if they do not possess the relevant technical competence in the form of expertise, the undue interference of the civilian authority in the military is questionably a threat to smooth civil-military relations in Nigeria. Since the Obasanjo's democratic regime in 1999, there has been a notorious and arbitrary appointment of service chiefs without recourse to service rules and military professional ethics; undue interference in the recruitment of rank and files and retirement of senior military officers; the non disbursement of approved military budgets, physical face-offs between the military personnel and civilian under the spurious notion of civilian superiority over the military; unnecessary politicization of the military in democratic affairs amongst several threatening others. This deteriorating nature of civil-military relations has worsened with the recent democratic transitions of 2015 and 2019 where a military officer was punished for unveiling the rigging plans of the then governor of Ekiti State in the 2015 general elections and the allegations of over militarization of the 2019 gubernatorial elections in Rivers State.

These trends potentially threaten the very fabric upon which the national security is built. For instance, the plethora of internal insurrections that besiege the Nigerian State are only but fallout from the malodorous relationship been paraded between the Military institution and the civil society. The apparent inability of the military to arrest the internal insecurity perfected in the ethno-religious violence, Niger-Delta militancy, Boko Haram insurgency, Herders/Farmers clashes, the Shiite religious agitations, the rising IPOB separatists are premised on the poor cooperation between the Military and the Civil Society. It is against this backdrop that this paper locates its appropriateness.

Consequent upon the above, the research is an attempt to assess civil-military relations as it affects national security in the country. The study is undertaken from the angle and intellectual hindsight of the Nigerian Army as a case in view. It looks at those critical variables that have demeaned civil-military relations in the Nigeria's fourth republic. From the undue interference of civilian authority, over politicization of the Army to the unnecessary exposure of the military institution to the whims and caprices of the civilians; the study will also create space for the all-round study of the ills of the Nigerian Military in the civil society. It also intends to suggest the solutions to the seemingly unending face-offs between the duo.

Objectives of the Research

The main objective of the study is to critically appraise Civil Military Relations and National Security in Nigeria with a focus on the Nigerian Army, 1999-2018. Specifically, the research intends to:

- i. Determine the nature and character of Civil-Military relations vis-à-vis the national security;
- ii. Recommend measures that can aide civil-military relations guarantee stable national security.

Literature Review

The existing narratives on civil-military relations in developing countries like Nigeria are remarkably known for their one-sidedness. Most authors often attempt a logical vindication of the civilians when civil-military relations go sour. They have repeatedly argued from the prism of the force being wielded by the military as the basis for the unsavory relationship between the Military and the civil society without recourse to the expectations of the constitutional responsibility of the military as the defender of the State against internal insurrection and external aggression. This review will consider a few literatures that epitomizes the problem atique and hence the need for the study.

Omoigui, (2005) in his paper themed *History of Civil-Military Relations in Nigeria: "The Second Transition", parts 1 to 9* considered CMR as the balance of power between the military and civilian branches of government. She further stressed that CMR has to do with the supremacy and guidance of the civilian populace over the military. It entails full democratic control of the military as it plays its role as the ultimate guarantor of national security. She however did not make intellectual consideration for the implications of the control the civilian authority has on the Military as a functional institution of the political system especially in cases where interferences are made in the constitution of the rank and file of the institution.

Again, Ebo (2005) in his paper *Towards a Code of Conduct for Armed and Security Forces in Africa: Opportunities and Challenges* sees CMR as referring to the totality of relations between the military and society which it operates in and of which it is necessarily a part of. It comprises all aspects of the role of the military (as a professional, political, social and economic institution) in the entire aspects of national life. CMR also involves the attitude of the military towards the civilian society and the international community. As did Omogui (2005), one major limitation of the work is its inability to reinforce the unnecessary over militarization of the civil society on one hand and the over politicization of the military institution through the superfluous deployment of military regimen to civil cases that demands police attention especially during democratic elections under the excuse of civil superiority over the military in civil regimes.

From the above and amongst several other current literatures on civil-military relations and strife, none basically draws a logical conclusion on how the unfettered civil-military relations affect the porosity of the Nigerian national security and how it has been unable to provide calm to the plethora of seemingly intractable cases of mayhem resulting from civil unrest. This paper is thus a deliberate attempt at providing a scholarly attention aimed at bridging the gap.

Theoretical/Analytical Framework

For this research, the theoretical framework adopted is the Structural Functionalist Theory as enunciated by Emile Durkheim, Talcott Person and Robert Merton. This theory serves as a means of explaining the functions performed by the structures in a political system. Political system has structures that must function to remain in balance, if one structure of the political system changes, equilibrium or balance is temporarily disrupted until other structures change to create a new equilibrium. It focuses on social integration, stability and co-operation (Merton, 1990).

According to Merton (1990) some functions are manifest functions and they are intended and recognized like the constitutional responsibilities of the military as an institution but latent functions are unintended and unrecognized just like the various differences between the military and the civil society. These social patterns that contribute to the maintenance of a political system are regarded as functional while those that have negative consequences are considered dysfunctional. However, when related to politics, structural functionalism can be described as a means of explaining basic functions of political structures in the political system and it also serves as a tool of investigation. Since the political system is made up of parts, structural-functional approach explains the relationship between the parts (structures) on one hand and the relationship between the parts and the whole (political system) on the other hand. The structures are many and they can take any form. It is the contribution of each part (structure) that sustains the political system (whole). This aptly explains the reason why a soured civil-military relation can pave way for political crises as it has consistently done in the Nigerian case.

Research Method

To begin with, the research design to be used in this study is the descriptive design which seeks to describe the existing status of what is being investigated in relation to its past. This method is opted for because of its flexibility in establishing relationships between or among variables. The approach involves the normal data gathering, interpretations and analysis of a set of data so as to explain the underlying factors that surround the problems that triggered off the research efforts.

The Constitutional Expectation of the Nigerian Military

The 1999 Constitution of Nigeria which provides for the military in its section 217 makes it clear that the duties of the military, that is the Army, Navy and Air force will be to defend Nigeria from external aggression, maintain its territorial integrity and securing its borders from isolation on land, sea or air, 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 National Assembly (Okoli and Orinya, 2013). The military is also to perform such other functions as may be prescribed by an Act of the National Assembly.

Although the main functions of the military are to protect the nation against external aggression or threats, occasionally the military may be required to assist the civil authorities to deal with internal violence and suppress internal tension. For instance, the

military may be required to assist the police in restoring law and order in any part of the country. Section 217(c) 1999 Constitution forms the basis of the involvement of the military in Internal Security Operations (ISOPs) in Nigeria. It provides thus in relation to the functions of the military in Nigeria:

...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 National Assembly.

Section 8(1) of the Armed Forces Act⁵ provides that the President shall determine the operational use of the Armed Forces. Operational use is further defined⁶ thus:

In this section, "operational use of the armed forces" includes the operational use of the Armed Forces in Nigeria for the purpose of maintaining and securing public safety and public order.

The security challenges witnessed in the country have called for more of military intervention in form of ISOPs and it has been observed that the military is increasingly involved in Internal Security Operations (Okoli and Orinya, 2013).

Outcome of Military Involvement in Civil Cases

The following malodorous outcome have been recorded in the engagement of Military in civilian cases

1. Excessive use of force

The use of excessive force is against the precepts of human rights. Excessive force is a force generally beyond that which a reasonable and prudent law enforcement officer would use under the circumstances. Article 51(5)(b) of the 1977 Additional Protocol I to the Geneva Conventions prohibits attack which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated.

The military engaged in internal operations has been reported on several occasions as using excessive force. The case popularly known as the Odi Massacre provides an illustration of this. An attack carried out on November 20, 1999 by the Nigeria military on the predominantly Ijaw village of Odi in Bayelsa State. The attack came in the context of the conflict in the Niger Delta over the indigenous rights to oil resources and environmental protection. Prior to the Massacre, twelve (12) members of the Nigerian police were murdered by a gang of restive youths near the village of Odi. In an apparent revenge, the military acting on the directive of the Federal government, invaded the village and raided it. This attack was characterized by intense and excessive use of force. In effect scores of unarmed civilians, including women and children, numbering 21 were killed. All the buildings in the village, except the bank, the Anglican Church and the Community Health Centre, were destroyed, leaving the village in a woeful state of desolation (Okoli and Orinya, 2013)

2. Extra judicial killings

Military in internal security operations have also been characterized with extra judicial killings. The Borno State Governor, Kashim Shettima, said in April 2013 that over 100 people were killed in Baga during a clash between officers of the Joint Task Force and insurgents over the weekend. Residents of the village said they buried 185 people after the battle, while the Red Cross has said 187 people were killed (Human Right Watch, 2015). The human Rights Watch also reported that during a military operation which began on October 22, 2001, soldiers from the 23rd Amored Brigade of the 3rd Amored Division rounded up villagers at Gbeji (in ZakiBiam area of Benue State) in what turned out to be a “ployed” meeting. The soldiers made the villagers to sit on the ground, separating thereby men from the rest and opening fire on the men indiscriminately. There have also been several reports on extra judicial killings by the military in Nigeria.

3. Degrading treatment of citizens – rape, torture

Under normal circumstances, soldiers are not supposed to be seen all over the place but there is a departure from this in situations where military perform internal security operations as they are deployed to affected areas. Soldiers reportedly extort citizens after intimidating them. It is now a norm for soldiers to ask defaulting car drivers on the high way to do 'frog jumps' as a form of punishment. Women and girls are raped on a number of occasions whether or not during a conflict. Some girls were reportedly raped in Abuja by soldiers under the guise that the girls were prostitutes (CKN Nigeria, 2013).

4. Arbitrary Arrest

Soldiers involved in internal security operations also effect arrest arbitrarily. For instance, at Odi and ZakiBiam, many young people were arrested and falsely accused of being masterminds of the killing of security personnel. At Onitsha, a number of youths were arrested and falsely accused of being members of MASSOB (Okoli and Orinya, 2013).

Issues and Prospects of Civil –Military Relations in Nigeria

In a study conducted by Wakawa (2018) no matter how trained, skilful, dogged and formidable our security forces are, they cannot operate and provide effective and efficient protection of lives and properties without information from the Civilian Communities. The Military may have specialists, trained in intelligence and information gathering but without the cooperation of the people there is a limit to what type and amount of information they can accessed. The Study revealed that there is a psychological distance between the friendly forces and the people of the Northeast.

Though close to each other, yet far from each other. This psychological distance or gap is one of the factors impeding the success of the theatre. Information is very key to the success of any Military operation. Now that the Military have successfully shattered the Terrorists group putting them on the run and are mixing up with the people, there should be a concerted effort by the communities to fish them out. The insurgents work with information to strike, unleash onslaught and execute their victims. To counter them, the

Military needs superior information to secure victories. Such superior information cannot only come from Military intelligence and surveillance but from Civil Communities too. The need for useful information cannot be overemphasized, information is formation and lack of it is deformation. If you are informed, you are formed, if you are not informed, you are deformed.

The psychological distance between the people of the Northeast and the Theatre Forces has been deforming the effort of the Military to totally defeat the insurgents. To holistically nip and address the insurgents, the psychological gaps must be removed and the instrument of Civil-Military Relations is a veritable tool.

Furthermore, in ordinary sense, once a soldier is dressed and well kitted he or she becomes a monster and scary to the average civilian not even to say when such a soldier is molesting People. Of course, civilians mostly see troops as monsters instead as saviours and as a result they stay clear. To handle this, the Military Authority need to instilled civility in personnel so as to have the civilians change their perception on the Military from Monsters to Restorers.

Consequent upon this, the people ended in running away when they are most needed and supposed to turn in useful information to the theatre forces thereby increasing the success chances for the insurgents. The tool for addressing this situation is Civil-Military Relations. Additionally, Civil-Military Relations has the nexus to make Officers and Men of the theatre Forces understand the dynamics of discharging their roles with Civility and conduct themselves in manners that do not portray them as monsters before the people of the Northeast. Civil-Military Relation will create an enabling environment upon which Members of the Military and the Civilians can easily meet periodically to discuss issues pertaining to security in seminars, workshops and town-hall meetings. Such meetings according to Wakawa (2018) can be held between the:

a. The Military Authority (Commanders) and Religious leaders to discuss and emphasize the needs for Civil-Military relationship, fashion out ways and channels of reaching the Military Authority with useful information in confidence. The Clergies will take such important messages to their followers who will accept and act appropriately.

b. The Military Authority and School Heads to discuss and emphasize the needs for Civil-Military relationship, fashion out ways and channels of reaching the Military Authority with useful information in confidence. The School Heads will convey such important messages to their Students/Pupils who have a great deal of regards for their Principals, Head of Departments, Head of Faculties and Rectors/Provosts/Vice Chancellors. This is imperative because useful information can be obtained from school pupils and students. Naturally, giving the dynamism of life along the technological advancement, this segment of the population see and heard what adults don't see and

hear. They are unlike adults who have the mental capacities to cook and uncooked information for some sorts of reasons. School Pupils in particular don't lie; they are bound by nature to say what they heard and explain what they experienced. That is why their relevance in terms of intelligence can be tremendous.

c. The Military and Head of Ministries, Departments and Agencies to discuss and emphasize the needs for Civil-Military relationship, fashion out ways and channels of reaching the Military Authority with useful information in confidence. After such meetings, they will communicate these messages to their workers/subordinates who will by virtue of service accept and act with esteem.

d. The Military and Traditional Rulers (Leaders) to discuss and emphasize the needs for Civil-Military relationship, fashion out ways and channels of reaching the Military Authority with useful information in confidence. After such meetings, the leaders will take such confidential messages to their communities and subjects enthusiastically.

Conclusion

Arising from the above exposition, there is the urgent need for African states to embark on a massive reorientation of the armed forces. The need to revamp their roles in the pertinent project of nation building in the 21st century, alongside their traditional duties of protection and preservation of territorial integrity of their nation state, cannot be overemphasized at this time. There should be operational training for soldiers who will be involved in internal security operations. Training in riot control drill is of the utmost importance. There should be a re-orientation of the soldiers involved in internal operations and the populace as well. The military has been tagged with the label of terror and an average Nigerian encountering soldiers on the road is likely to be subjected to unnecessary and unwarranted fear. The fact that soldiers do not mingle with the day to day life of the people unlike the police is responsible for the fear. All of these will ultimately aid a robust relationship between the civilian populace and the military institution.

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