

46. K. C. Anyanwu, Op. Cit, p. 38.
47. See B. Cain and W. T. Jones, "Modes of Rationality and Irrationality", *Philosophical Studies*, Vol. 36, 1979, p. 342.
48. Femi Otubanjo, "Wittgensteinianism and Magico-Religious Beliefs" in *Theoria to Theory: An International Journal of Science, Philosophy and Comtemplative Religions*, Vol. 13, No. 2, 1979, p. 161.
49. See comments on 44 above
50. Oluwole, (1992) Op. Cit p. 8.
51. Ibid. p. 15
52. Idem.
53. Ibid. p. 19
54. Tunde Akingbade, "Do Witches Really Exist"? Cited by Oluwole (19) p.1
55. See Mbiti, Op. Cit p. 201
56. Sodipo, Op Cit. p. 19
57. Mbiti, Op Cit p. 75.
58. K. C. Anyanwu, Op. Cit. p. 66
59. Ibid. pp. 62-62.

Mr. Chris. Okechukwu Uroh is a Lecturer in the Department of Philosophy, University of Ibadan, Nigeria.

THE PATHOGENIC IMPACT OF COUPS AND MILITARY RULE ON NIGERIA AND HER ARMED FORCES

O. B. C. Nwolise

I. INTRODUCTION

Soldiers have illegally commandeered and commanded Nigeria's Politics and government for 24 years (see Table I. Many serious works have been carried out on the causes of military intervention in the politics of nations. Examples include Janowitz (1964)¹, and Huntington (1968)². Dudley (1973)³, and Adekson (1981)⁴ are examples of numerous works that have examined the factors underlying military intervention in Nigeria specifically. But adequate attention has not been given to the important area of the devastating and retrogressive effects of coups and military rule on both the military institution itself and the nation at large, which effects are termed "pathogenic impact" here.

The significance of studies as this at this period of Nigeria's history and political experience can not be over emphasised. It is a strategy of presenting a mirror for the soldiers to have a hard and honest look at themselves and what they are doing to themselves and the Nigerian society, through their incessant coups and military rule, and therefore make a permanent exit from Nigeria's political scene, and keep to their professional and constitutional duty of defence. There is also the need to support the political education and mobilisation⁵ of the Armed forces to end military intervention in Nigeria's politics, especially as the several years of military rule have worsened rather than solved the country's political, social, and economic problems.

Table I
Period of Civil Rule and Military Rule in Nigeria
1960 — 1994

Type	Head of Government	Period
First Republic: Civil Government	Sir. A.T. Balewa	October 1, 1960 — Jan. 15, 1966
First Era of Military Government		
(i)	General A. Ironsi	Jan. 15 1966—July 29 1966
(ii)	General Y. Gowon	July 26 1966—July 29 1975
(iii)	General M. Mohammed/ O. Obasanjo	July 29 1975—Oct. 1. 1979
Second Republic Civil Government	Alhaji S. Shagari	Oct. 1, 1979—Dec. 31, 1983.
Second Era of Military Government		
(i)	Maj. Gens. M. Buhari T. Idiagbon	Dec. 31 1983—Aug. 27 1985
(ii)	General I. Babangida	Aug. 27 1985—Aug. 26 1993
Botched Third Republic	Chief E. Shonekan (Interim Government)	Aug. 26 1993—Nov. 17, 1993
Third Era of Military Government	General S. Abacha	Nov. 17 1993 to the present.

In addition to these, there is anger all over the land against soldiers over the harm they are doing to the country without qualms. Finally, there is urgent need to liberate Nigeria from the vicious circle of coups and military rule, so as to restore social justice in the society in terms of enthroning and maintaining democratic civil rule.

In mentioning the restoration of justice above, Plato's conception of justice in man and society is borne in mind. Plato in his *Republic* had philosophically asserted that the soul of man has three elements - the rational, spirited, and appetitive elements - out of which the rational element is of the highest quality and thus controls the other two elements. To him, once this situation of

control exists, there is justice and harmonious order between the elements, and the man will be at peace. But once one of these other two elements take control of the man and the rational element, there will exist injustice and disharmony. Plato relates this justice in the soul of man to justice in the society, where to him, there are three social classes - the Philosopher-king (civilians trained to govern), the soldiers (trained to protect or guard the society), and the workers (trained to produce the needs and wealth of the society). To Plato, once each of these social classes performs its role, there will be social justice and harmony between them, and the society will be at peace. However, a situation where soldiers abandon their duty of protecting the society and unilaterally assume the role of political governance clearly presents a case of injustice and disharmony.

Relating this philosophical postulation to our empirical Nigerian situation, Nigeria's constitutions and model of military organisation make the Nigerian Armed Forces *APOLITICAL*, and thus the soldiers have no business intervening in politics. By Nigerian laws, it is *CRIMINAL* to overthrow a civilian democratic government. Even if a civilian government is bad, it is for *THE PEOPLE* to remove such a government, not the soldiers. However, it must be noted that military rule has been an extension of Hausa- Fulani domination of the country as this author has shown elsewhere⁶.

II. IMPACT OF COUPS AND MILITARY RULE ON THE MILITARY INSTITUTION

I am aware of the fact that coups and military rule have brought some positive contributions to the military organisation in general, and some privileged individual soldiers in particular. The military organisation for example has benefited greatly from: the increased defence allocations; modernisation of the armed forces; the development of barracks accommodation; purchase of new weapon and non-weapon type military equipment; increased number of educational and training institutions etc. Also some privileged individual soldiers especially at the top level have got huge fringe benefits - "political allowances" - from political offices; and there have been rapid promotions with the accompanying salary increments.

The above benefits of military rule to Nigeria's military organisation notwithstanding, available data show an overwhelming evidence that coups and military rule have dealt and still deal disastrous blows on the military institution in Nigeria, as are discussed below.

When a coup occurs, in most cases, it brings about the death of numerous Nigerian officers and men who have been trained for several years with the tax payers' money to protect the Nigerian state. There are no official figures, but a conservative average of 550 fine officers and men was computed from estimates given in discussions, as those who have died in the course of overt coups, attempted coups and plots. These include air force pilots, naval men, and army officers. Such killings especially after abortive coups, have generated bad blood, and deep seated hatred among some soldiers in the Armed Forces, and some of these wait for their day of vengeance. Major General Adebayo (Rtd), one time Army Chief of Staff, and the oldest living General of the Nigerian Army told *Newbreed* ⁷ in 1989 that many of his contemporaries died in the course of military coups.

Coups and military rule have resulted in numerous political promotions, giving rise to a situation where some officers' ranks constitute an embarrassment to the nation. The story was once told of a visiting Indian Air Force officer who saw a Nigerian officer wearing the same rank as himself, and who was born the same year the Indian joined his country's Armed Forces⁸. This political promotion "started with the entry of the military into politics in the 1960s, but gathered a neckbreaking momentum in the 1970s", states Chris Okolie and others, in their interesting article "The harvest of Generals"⁹. As at 1989, the Army alone had produced 73 officers of the rank of Major General and above within 20 years, the Navy 27 Admirals, and Air Force, 6 Air-Vice Marshals. At the age of 33 to 35 years, Nigerian officers are already Generals, (Some without having fought in any war), whereas, a visiting Soviet Officer who had served 41 years was still a Colonel. In the United Kingdom, the earliest an officer will get to Lt. Col. is at 37 years of age, Colonel 42 years, Brigadier 44, Major General 48, and General 52. Under normal situations, promotions in the Armed Forces occur with military prowess, and only on rare occasions, with the

need to fill a particular vacant position. But political promotions in Nigeria have taken the upper hand due to coups and military rule. These are promotions meant to reward the boys for their loyalty, secure leader's position, spread the "cake", or to reward officers for roles played in a coup process; and there is no respect for age or experience in such promotions. Apart from the jealousy, bad blood, suspicion and mutual distrust generated by such promotions, the nation spends its scarce resources paying the salaries accompanying the promotions, and worse still inexperienced officers move into the commanding heights of the country's Armed Forces. Again, the military organisation is destabilised and further politicised by political promotions. These do not mean that some officers are not worth their salt however.

Political retirements constitute another pathogenic impact of coups and military rule on the Nigerian Military. The impact is obvious, and the rate and reasons are as scandalous as the number. Of the 73 Major Generals produced by the Army, over 50 have retired within 20 years, while 23 were serving as at 1989. In the Navy, out of the 17 Admirals produced, 11 have retired, while the Air-Force has witnessed the retirement of 6 Air-Vice Marshals and 1 Air-Commodore. This is just at the elite echelon. Of course each coup, attempted coup or plot produces its own list of officers and men to be retired, discharged or dismissed "with immediate effect". The reasons for retiring soldiers can be in three categories viz; voluntary retirement, retirement for fraudulent action, and retirement for political expediency. This author's concern is the third category, for under this, soldiers can be victimised, retired if seen as a security threat to the regime, or simply because he does not fit into the ruling clique. Under this category, retirement takes no military tradition into consideration. Major General Mamudu's view comes handy here:

.... One's ability to belong to the right camp at each time can determine whether he retains his staff or not¹⁰

He goes on to say for example that one's role in a coup process or his relationship with the coup planners can get him out of the armed forces, for if an officer does not fit into the clique that

successfully carried out a coup, he will be sent packing from the Nigerian Armed Forces. To underline his point, he told *Newbreed* that he was retired in 1984 because as he put it "I did not just fit into the group that was successful during the coup", yet he was out of the country when the Buhari/Idiagbon coup occurred. He said: "I know that most of us were retired for our services being no longer required"¹¹. Major General Joe Garba (Rtd) delivers the same message that most military officers were retired from the Nigerian Armed Forces forcefully in these different but emphatic words: "It will be discovered that general ... and others who are retired from the army will be quite willing to go back"¹². The Abacha government at its inception retired 17 top officers at once in November 1993¹³.

Whereas in Nigeria, officers retired or are retired any time from the age of 40 years, in the defunct Soviet Union, officers could retire only at 55, and some remained in active service till 60 years of age. These conditions still obtain in Russia. In the United Kingdom, officers retire between the ages of 50 and 55 while outstanding few retire at 60 and above. The consequences of early and mostly political retirements in the Nigerian Armed Forces are alarming.

The force is simply bleeding itself to death. There is the great danger of leaving our soldiers and by implication Nigeria's security in the hands of "infant" Generals in the very near future if the trend is not arrested now. Brigadier Adekunle said that: "Out of immaturity you don't (sic) have any tradition in the military any longer"¹⁴, and insisted that early retirement is not in the interest of Nigeria and disrupts military tradition and discipline. Continuity is also a problem. But the two greatest devastating effects are in the area of deprofessionalizing the Armed Forces, and the fact that there is no more security of tenure in the Forces. The latter's import lies in the situation where some officers and men now take to fraudulent, corrupt and "extra-curricular" activities in preparation for premature retirement.

Military values, customs, traditions, and standards have been badly eroded in the Forces. The deep personal spirit of comradeship among the soldiers of one nation have been battered by the distrust, fear, jealousy, suspicion and hatred that have been generated by 24 years of coups and military rule and their vagaries

especially political promotions, post-abortive coup trials and killings, undeserved retirements, etc. Mess life has almost completely lost its value too, as many officers keep away or just "pop in and out" of the Mess for fear of being identified with any particular clique, or suspected of planning a coup. Brigadier Adekunle expresses the view that in the past, three issues were seriously forbidden for discussion in the officers' Mess viz: politics, women, and religion. The case is different today as the Forces have become riddled with politics and religious squabbles. He insists that the disruption of military tradition is responsible for the deplorable state of the Nigerian Armed Forces today¹⁵. Age is no longer respected in top promotions, and political promotions have created Generals many of whom have glamorized and debased respected and honourable positions meant for heroes. Some Generals have not even fought a serious war, and some do not have the tag of Passed Staff Combatant (PSC) as required for such rank. Some junior officers who have political godfathers at times refuse to obey orders from their seniors, and the latter are reluctant to discipline the former in fear of being-retired "with immediate effect for their services no longer being required".¹⁶ This situation has great implications for discipline in the Forces.

With the above happenings, the breakage of the much desired *esprit de corps* in the Forces will not be surprising, neither will the fact that the Forces have been greatly deprofessionalised. Brigadier Adekunle expresses the view that many of the present crop of soldiers lack military qualities, a sense of duty, and personal defence ability, and that the military has been reduced to the level where professionalism counts little in comparison with the goal of keeping the boys employed and happy.¹⁷ Military rule, of course, takes away soldiers from their real calling or profession. Now they are soldiering politics instead of soldiering defence. This abandonment of their national constitutional and professional duty has created crisis of mission for the Nigerian Armed Forces.

Military discipline has fallen drastically today due to several years of coups and military rule. This is not so much in connection with soldiers breaking laws (though some of them are really raw and lawless), but with the absence of adequate supervision due to the fact that many top officers who should place checks on soldiers

in barracks are away in political offices. Also, with political promotions, those who are not favoured find it difficult to obey their former mates or juniors who have become their superiors overnight. Again, officers who have held political posts return to the barracks with a different life style and demeanor. There is the danger that in a serious external war situation, Nigeria will lose many of her officers from "friendly bullets" fired from the back, as a result of jealousy, or search for vengeance. It is surprising that with all the goings on in the Forces as discussed above, the Nigerian Armed Forces have not witnessed a complete breakdown of discipline. This is a credit to the majority of the disciplined and patriotic professionally inclined soldiers, when we compare our situation with some other African countries like Uganda where pockets of soldiers in the days of Field Marshal Amin did what they liked in Uganda.¹⁸

Military rule has widened socio-economic classes in the Armed Forces because top government posts are assigned on the basis of military rank. Those in public offices especially the higher ranks have access to huge money, respect and prestige unlike those in the barracks especially the lower ranks. Some of those left-out wait for their turn patiently, while the impatient ones plan coups. A Captain told me in February this year (1994) that "our military barracks rest on kegs of gunpowder due to the differences in wealth and life style created by political offices for some. "The situation is so bad that if fighting begins between the haves and have nots in the barracks, all the civilians can not stop it", he told me.

Coups and military rule breed more coups and perpetuate military rule. In the first military era (1966 - 1979), there was one counter-coup (July 29 1966), one coup (July 29 1975), and one attempted coup (Feb. 13 1976). Then since the military's second coming in December 1983, there have been one coup (Aug. 27 1985), and two overt attempted coups. First in 1986, and the last (April 22 1990) which nearly threw the country into another civil war with its attempted excision of five states from the Federation. It can comfortably be said that the Abacha coup of November 17 1993 is a spill-over from the Babangida rule. Whereas in the first and second Republics only one plot and one coup occurred in each. Thus, military rule has generated more political instability in

Nigeria. Brigadier Adekunle says that political retirements and promotions can generate further coups because of the urge to get to the top of the military ladder quickly in order to get fat benefits even if one is retired.¹⁹

Political governance by the military draws top and brilliant officers of the Armed Forces out of the barracks to political offices as members of the ruling Council, Administrator, Ministers, Ambassadors, Commissioners, Chairmen of Boards, Directors of Directorates etc. Observers of the military hold the view that the Babangida administration made things worse with its novel power sharing structure in which "the entire spectrum of the officers rank from Majors to Lt. Colonels and Colonels have had the baptism of public office."²⁰ The Abacha government is following almost the same power sharing formula, and it creates problems in the area of administration of the Forces, training and supervision of the troops, professional alertness and discipline of soldiers. Military rule turns many officers into part-time soldiers and full-time politicians with its devastating effect on the military organisation. When the cat is away, of course, the mice have a field day. Not only these, many officers in public office find it difficult to leave the benefits of such offices to go on military training, even where the training will improve their military performance, professionalism, and rank. Another problem here is that the bulk of the officer corps of our Armed Forces age fast under the stress of political office.

Professional alertness is lost, and effective and speedy mobilisation of the soldiers become an uphill task during military rule given the fact that several officers are away in political offices with many of their boys that administer to their masters' needs as batmen, guards, drivers, etc. In addition, most of these officers and men easily get so weakened by civilian pleasures associated with political offices that they become unwilling to readily pay the supreme sacrifice for the nation when necessary. Thus, military rule creates situations that tempt officers and men into corruption, and away from military profession, attitudes and attributes.

The crucial principle of civilian control of the military has been lost to the several years of coup and military rule. One makes bold to say that it is doubtful if 95 per cent of the soldiers in the Nigerian Armed Forces today ever experienced civilian control in

real terms. The implication is that most soldiers are likely to be seeing political rulership as their right, hence military and civil rule have to be alternated. This is a great problem facing civilian leaders and democracy in Nigeria. It is recalled that President Babangida lamented, even if half-heartedly, in his address to officers of the Armed Forces on February 11, 1986 that:

The stark reality of the nature of the Armed Forces today is that those who had the vital experience of civilian political control of the armed forces have long disappeared from the hierarchy of officers in the armed forces.

The spoils of military rule or fringe benefits accruing to a few privileged military officers in political offices have made military career a very lucrative business today. In the past, soldiering was seen in Nigeria as the job of mainly school drop-outs. Highly placed parents did not want their sons to go into the military profession. But today, even University lecturers send their children to military schools. Graduates and Postgraduates now seek military recruitment, all in the hope that one day, it will be their turn to sit over the sharing of the national wealth under military rule. The danger here is that spoils-seekers rather than lovers of the military profession are being recruited into the Armed Forces especially in these days of unemployment. While this is happening, many fine, patriotic, and selfless officers resign or retire from the Armed Forces due to the inability of their conscience to accept what the military's leadership is doing to the Armed Forces and nation.

Finally, it has become very glaring that the Nigerian Armed Forces has been highly aristocratised. Several select officers have been deliberately retired, dismissed, or asked to "voluntarily" resign from the Forces either to pave way for the favoured section of the country, weed out radicals who have "red too much book", or reduce the size of officers from unfavoured sections of the country. Not only this, some officers today, partly because of this aristocratisation and partly because of the vagaries of military rule feel and act as being above the law and violate court injunctions and trample on the rights of citizens with impunity. The aristocratisation flows from the belief of a section of the country (far North) that it has the

right to rule others forever, and the most effective instrument to achieve this is the Armed Forces whose control it must maintain. This situation has polarised the Armed Forces with its terrifying consequences not only in terms of the risk it poses for national defence and security, but also for the cohesion of the forces.

III. IMPACT OF COUPS AND MILITARY RULE ON THE NATION

Again, it is crucial to begin this section by acknowledging the positive contributions of military governments to Nigeria's existence and development. For example the creation of states from 4 regions of the first Republic to 30 states today; introduction of Youth Service Corps to promote unity; expansion of infrastructure especially under General Gowon's administration; local government reforms especially the giving of autonomy, direct federal grants, and creation of 589 local governments by the Babangida government; establishment of iron and steel industry; dynamic foreign policy especially under General Mohammed's government; expansion of universities; etc. Thus, this paper does not in any way intend to deny military governments of their achievements.

In short in my earlier works like "The Nigerian Military in Nation Building 1960 - 1985", and "Military Leadership in Nigeria"²¹, the achievements of our military governments have been discussed in details. The first great price Nigeria pays for coups and military rule is political instability. The military has become the greatest threat to political stability in Nigeria today, and this has further socio-economic developmental implications. Apart from keeping away foreign investors from Nigeria, political instability makes government policies unstable, and gives Nigeria the character of an unserious and unpredictable nation among the comity of nations. Thus, it is not only Nigerian drug peddlers that give the country a bad image abroad. The worst damage with economic, legal and political implications is done by the Nigerian military through their incessant coups and prolonged undemocratic rule.

Military overthrow of the government and suspension of the constitution of a country violently with the weapons purchased from tax payers' money is the height of (military) indiscipline and

lawlessness. It is a very bad example to our children because soldiers are supposed to be noted for high level discipline. The Nigerian constitution is the fundamental law of Nigeria and to desecrate it and throw it over-board is a great crime. The constitution established the Armed Forces by a section of its provisions, and for the same Armed Forces to desecrate that constitution that created it is a great disservice to the Fatherland. It tantamounts to the tail wagging the dog. The Philippines' experience of 1986 shows that bad governments can be changed even with military involvement in the process without soldiers taking over government or overthrowing the constitution.

Military coups have become the greatest threat to democracy in Nigeria because it terminates the development and internalisation of democratic culture in the people. Thus, each time a new republic is started, the politicians begin afresh to learn about democratic tenets and practices. Elsewhere²², the why and how the military in Nigeria is the obstacle to democracy in Nigeria have been shown thus there is no need to dwell on them here. But it must be said loudly that the nullification of June 12 presidential election results adjudged the most free, fair and peaceful in Nigeria's history demonstrates the assertion that the military is the real obstacle to democracy in Nigeria.

The unnecessary and avoidable Nigerian civil war fought for two and a half years, (July 6 1967 - Jan. 15 1970) and in which about 3,000,000 lives were lost and property worth millions of naira destroyed was a product of the 1966 coup and the intra-military wranglings and struggle for power from 1966 to 1967. The war set the country several decades back and it solved no problem other than stopping Igbo or Eastern secession. Most of the problems that caused the war are still with us today especially sectional domination, ethnic and religious manipulations by politicians (military and civilian), and injustice in the allocation of national resources, to mention but a few.

Military rule puts an end to the rule of law, for once a coup occurs, the constitution is suspended, and the judiciary is subjected to the dictates of the ruling military council. Not only this, the country becomes subjected to the decrees made by a handful of hand-picked members of a particular military clique and some of

these decrees can not be challenged in any court of law because of the jurisdiction-ouster-clauses. The rule of man replaces the rule of law. Since law is the ultimate source of justice especially when it flows from the people and the natural law, a society ruled by soldiers can hardly be said to have justice. This has been the Nigerian experience under military rule which has systematically forced out reputable judges of honour from our judicial system leaving many who do not know law, or whose hands are often tied, and some that deliver unpatriotic judgements late at night when honest men are asleep, or judgements that are not to be quoted outside the court.

Nigerian governments under military rule have been manned by soldiers who are not trained or experienced in the process of governance. This has had its implications for good government; and because they just have to rule, the soldiers use the civil servants and a few intellectuals just like the colonial governors used the native chiefs. The retrogressions witnessed in key sectors of national life today especially in housing, health, education, agriculture, economy, human rights, investment, employment, etc. are products of prolonged military dictatorship and mismanagement.

The masses of the people have completely been left out of the entire process of governing Nigeria for 24 years. This also has implications for public accountability. Soldiers in government have never been accountable to Nigerians, instead many (military) officials accused of corruption are quickly absolved by the government often without investigations, though the Abacha government probed five accused interim state administrators in 1994 out of which four were found guilty.

The Civil Service today stands politicised, corrupted and without secure tenure due to several years of military rule. Due to their material and political gains under military regimes, some top civil servants even prefer military governments today and because most civil servants are not sure of their job security, some embezzle public funds and do all sorts of business in preparation against premature retirement or retrenchment. Thus, dedication to duty no longer exists in the public service.

Military rule has reversed the order of political control in the civil-military equation. In liberal democratic models, the civilian

government controls the military. Coups and military rule have set patterns that will continue to make it difficult for civilian governments in Nigeria to have effective power over and control of the military.

The beating of civilians by soldiers in civil-military clashes is a major product of coups and military rule. Prior to the 1966 coups, soldiers were hardly seen by the citizens, not to mention civil-military clashes. Several such clashes have occurred involving the loss of lives and property in different sections of the country. Though some of the clashes have emerged from civilian faults, most of them result from the fact that soldiers feel that they are in power, and are thus superior to the "bloody" civilians.

Nigeria is a federation on paper once under military rule. Military governments, given the centralised command system of the Armed Forces and the fact that Military Governors or Administrators are the Chief Executives of the states, have imposed unitarist tendencies on this supposed federal nation for 24 years. Under military rule, the Commander-in-Chief at Abuja gives orders to a Governor in Sokoto, Bendel, Oyo, or Anambra state and it is obeyed without question. This created a central government that has so strangled Nigerians that some are now calling for disintegration, while others call for confederation.

The ethos of rapid deployment and redeployment of personnel which often works well for military organisations have been (wrongly) transplanted into the governance of Nigeria since the 1966 coup. This has resulted in the high rates of turnover in the appointment and removal of public officers thus making the unstable military government and its policies more unstable. This situation was worse under General Babangida's government. As emphasised in a Nigerian magazine editorial in 1989:

President Babangida's administration has been characterised by the highest rate of turnover in terms of appointments to various public offices in our history. The regularity with which both the President and his governors have had to hire and fire their civilian political appointees is clearly baffling to civilian sensibilities.²⁸

While not saying that incompetent or corrupt officials should not be removed from office, it is important to note that the introduction of the military style of rapid deployment and redeployment in the public service makes many responsible citizens refuse accepting public appointments since they do not wish to be treated shabbily by military bosses who in the first place are supposed to be in the barracks and trenches.

Coups and military rule have worsened Nigeria's ethnic and religious cleavages and plunged the country into several avoidable crises. Examples are the civil war mentioned earlier, the secret entry of Nigeria into the OIC, and the several religious riots that have occurred in its wake, as well as numerous coups, counter-coups, attempted coups, and plots. The nullification of June 12 election results by the Babangida government in 1993, nearly led to the country's disintegration.

Military governments have incurred more foreign debts against the nation. In the first republic, Nigeria's external debt was a matter of a few thousand dollars. Though conflicting figures were given by the Central Bank of Nigeria, the World Bank, and the Federal Government under the Buhari regime as regards debts incurred by the Shagari government of the Second Republic, it stood at about \$28 billion. After another ten years of supposedly corrective military rule, the debt has regrettably risen astronomically to over \$35 billion apart from those already repaid, at the expense of national development, and welfare of the masses of the people.

Several years of military rule have destroyed the moral base of society, and turned the nation's values upside down. Today, education, good name, hardwork, recognition of honest achievements etc. no longer count. What counts now is money and riches got by hook or crook. Violence has become a way of life, from armed robbery, secret cults, hired assassinations, letter bombs, to hijacking, etc. For the highly educated in Nigeria, it has been a curse to be intelligent - especially for the intellectuals and university students who for several years have been humiliated, harassed and intimidated with official violence. The military has taken pleasure in humiliating the intellectual, climaxing in the sacking and later unsacking of all lecturers in Nigerian

Universities in 1993 by the General Babangida regime simply because the lecturers insisted on the government respecting the 1992 agreement it freely signed with ASUU.

Due to huge increases in military budgets which wipe out marginal productivity increases, lack of effective mobilisation of the people for production and development, foreign controlled economy, import oriented industries, consumption oriented economy, misuse of foreign policy, unwillingness of the military rank and file to practically contribute to socio-economic development etc., Nigeria has not developed much economically. In short, the living conditions of the masses of the people have worsened. People ate many times better in the first Republic than today, despite 24 years of so-called corrective military rule. This is not surprising because studies have shown that the military are unable to spur economic development.²⁴ The conclusion of Ruth First becomes crucial here to the effect that: "The coup, as a method of change that changes little, has become endemic to African politics".²⁵ As Anton Bebbler observed, what comes out of the military regimes in Africa are a redistribution of economic and political power amongst the elite, meeting of the personal and clique interests, and change of political style.²⁶

Finally, in a situation where most top officers of the Armed Forces are in political posts with several of their men in attendance, and where speedy mobilisation of these officers and men can not be guaranteed, the defence of the nation is surely in jeopardy. The words of Lt. Colonel Omowa in a lecture at the Army Headquarters Garrison Ikeja on July 7 1988 on the need to end military rule are very instructive here: Col. Omowa had asserted:

*The capability of the military to perform its primary task of defending the nation against external aggression thus becomes not only questionable but in most cases unattainable when the need arises. We cannot mobilise under very short notices.*²⁷

IV. CONCLUSION

As has been shown in the study, coups and military rule have brought some benefits to the Nigerian Armed Forces collectively, Nigerian soldiers individually, and the Nigerian nation. The contention here however is that coups and military rule have had more of destructive than constructive effects on the Nigerian Military and state. As rightly and summarily observed by Vice-Admiral Murtala Nyako (rtd) who was the Deputy Chief of Defence Staff, under the Babangida government and a member of the Armed Forces Ruling Council:

*I believe that whatever good individual military officers and men ... derive from military regimes the net effect has been damaging to the military institution ... It is therefore not to the benefit of the military institution that its serving members get involved in governance.*²⁸

It is also clear to Nigerians that the different military regimes from General Ironsi (1966) to Abacha (1994) have not only failed to solve the problems they claimed they came to solve as corrective regimes but have worsened the problems.

The point has to be made loud and clear that military rule is a revolt against the state, a flagrant and irresponsible violation of the constitution, and a provocative encroachment on the realm of operation of the civil populace. Modern nations are controlled by law under the leadership of democratic governments subjected to the control of the popular masses through regular free and fair elections, and public criticisms. Nigeria at the age of 34 should be ruled by laws not by the whims and caprices of one man, or a clique of soldiers. Military rule no longer fits into leadership role in the contemporary world. In short, if the experience of Africans under military autocrats are to be analysed, military rule will best be described as the RULE OF BARBARIANS.

The way forward is for the military to permanently disengage from politics and rebuild its self, its image, and profession. As former President Babangida stressed in his speech at the 9th Graduation Ceremony of the students of the Command and Staff

College, Jaji, and further repeated in his address to Senior Armed Forces officers at Abuja on October 17th 1987, the single most important task before the Nigerian Armed Forces today is that of: "rebuilding our professionalism traits; cohesion, discipline, hierarchical structure of command, nationalism, a sense of puritanism..., intelligence, astuteness, and 'esprit-de-corps' which we stand to lose in the corridors of political power".²⁹ If the military fails to resolve this crisis of mission, it stands to be disgraced out of power by popular forces, decentralised or even disbanded for a more people-oriented, law abiding, and democracy-respecting military.

To help the soldiers resolve this crisis of mission, civilians and politicians must stop encouraging soldiers to take over government and desecrate the nation's constitution. Military training should be given to or acquired by all Nigerians to break soldiers' monopoly of the skill of weapons manipulation. Also, any soldier who participates in politics should be probed and tried after his tenure. Nigerian masses must restore and defend democracy and good government; and be able to vote out bad government. The role of soldiers here is to support not oppose democratic forces.

Finally, this paper is not meant to discredit the Nigerian Armed Forces which is still one of the best organised, most internationally respected, and effective forces in Africa as shown in their several peace-keeping roles in many war theatres of the world³⁰. My efforts here are simply answering the patriotic call in advancing ideas for saving Nigeria from the trauma of vicious circle of coups and military rule.

NOTES AND REFERENCES

1. M. Janowitz, *The Military in the Political Development of New Nations*, Chicago, University of Chicago Press, 1964.
2. S. Huntington, *The Soldier and the State*, New York, Random House, 1964, and *Political Order in Changing Societies*, New Haven, Yale University Press, 1968.
3. See, J. B. Dudley, *Instability and Political Order: Political and Crisis in Nigeria*, Ibadan, Ibadan University Press, 1973.

4. See, J. Adekanye (Formerly J. Adekson), *Nigerian in Search of A Stable Civil Military System*, Aldershot, Gower Pub. 1981.
5. For this takes, the Federal Military Government launched mobilisation in the three arms of the Armed Forces in 1988 viz; "Operation Service Alert", in the Army on April 26th; "All Hands on Deck" in the Navy on June 24th; and "Diligence and Vigilance" in the Air Force on July 21st. The present Abacha government began with sentiments about professionalising the military.
6. See Osisoma Nwolise, "Anatomy of Domination", in *Public Opinion* (Magazine) Lagos, Mike Ajari and Co., February 1992, pp. 6 - 1.
7. For example see, R. Ward, (ed.), *Studying Politics Abroad: Field Research in Developing Areas*, Boston, Little Brown, 1964.
8. R. Little, "Field Research in Military Organisation", in R. Babenstein (ed.) *Pathways To Data*, Chicago, Aldire Pub. 1970, p. 165.
9. See *Newbreed*, Feb. 12, 1989.
10. *Ibid.*
11. Chris Okolie et al, "The Harvest of Generals", *Newbreed*, Feb. 12, 1989, p. 9.
12. Major-General Mamudu (Rtd.) in *Ibid.*, p. 11.
13. Major-General Joe Garba, in S. Oyeneyin and Toyin Egunjobi, "The Rosy Grandeur of 'Kulaks'", *Newbreed*, Op. Cit., p. 20.
14. For details, see *African Concord* (Magazine), April 4, 1994, p. 15.
15. Brigadier Benjamin Adekunle (Rtd.), in *Newbreed*, Op. Cit., p. 12.
16. *Ibid.*
17. *Ibid.*

18. For details about the Ugandan situation, see S. Delcano, *Coups and Army In Africa: Studies In Military Style*, New Haven, Yale University Press, 1976.
19. Brigadier Adekunle, *Op. Cit.*, p. 12.
20. *Newbreed*, *Op. Cit.*, p. 6.
21. O. B. C. Nwolise, "The Nigerian Military In Nation Building 1960 - 1986", Uma Eleazu (ed.) *NIGERIA: THE FIRST 25 YEARS*, Lagos Heinemann with Info Data, 1988, pp. 52 - 60. and "Military Leadership in Nigeria", in Law Fejokwu ed. *NIGERIA Political Leadership Handbook and Who's Who*, Lagos, POLCOM LTD., 1992.
22. See O. B. C. Nwolise, "The Military as the *Obstaculum* To Democracy In Nigeria S. G. Tyoden (ed.), *Constitutionalism and National Development In Nigeria*, Ibadan, Nigerian Political Science Association, 1990.
23. PLATFORM (editorial), Lagos, March 1989, p. 26.
24. For example see Eric Nordlinger, "Soldier IN Mufti, *The American Political Science Review*, Dec. 1970.
25. Ruth First, *Power In Africa*, New York, Panthem Books, 1970, p. 22.
26. Anton Bebbler, "Military Rule In Africa" Ph.D. Thesis, University of Pennsylvania, 1971, cited in Samuel Dalcano, *Op. Cit.*, p. 27.
27. 'Operation Service Alart (OSA)', Test of a Lecture Delivered by Lt. Col. R. O. Omowa, Executive Director/Chairman, Armed Forces/Police Committee on MAMSER, on 17 July 1988, at AHQ, Garrison Auditorium, Ikeja, p. 8.
28. Vice-Admiral M. Nyako, (rtd.), "How To Avoid June 12" *Newswatch*, April 11, 1994, p. 35.
29. President Babangida, cited in R. Omowa, *Op Cit* p. 8.
30. For details of the peace-keeping efforts, see M. A. Vogt, *The Liberian Crisis and ECOMOG*, Lagos, Gabumo Pub. Co., 1992; and M. A. Vogt and E. Ekoko, *Nigeria In International Peace-Keeping 1960 - 1992*, Oxford, Malthouse, 1993.¹

¹ Dr. O. B. C. Nwolise is a Senior Lecturer in the Department of Political Science, University of Ibadan, Nigeria.

"IGNORANTIA IURIS NON EXCUSAT": A PLEA FOR JUSTICE

F. A. Adeigbo

This paper is titled "Ignorantia Iuris Non Excusat". It is a well-known legal maxim. And my aim in the paper is two fold: (i) To show that the usual defenses of the maxim are not sufficiently persuasive, and (2) to show cause why reasonable and honest ignorance of law should be admissible as a ground of exemption from liability.

I

Let me begin by articulating questions which arise from this maxim: What is ignorance of law? How does ignorance of law affect one's obligation under the law? How is ignorance of fact ("Ignorantia facti") related to ignorance of law? Or are Ignorance of law and ignorance of fact two sides of the same coin? There are two well known views concerning the use of ignorance as an excuse in the criminal law. The first view holds that ignorance of law does not excuse one from liability or obligation under the law, even when such ignorance is honest and reasonable. Thus, if an accused person pleads ignorance that the law forbids rape or arson or abduction, his plea would either not be believed or would be rejected on the ground that everyone is reasonably expected to know that such acts or conducts are forbidden by the law. In a plea of ignorance of law one claims not to know that the law in question exists.

Now suppose a defendant admits knowing that a particular law exists, (e.g. the law forbidding rape) but claims not to know that that law (forbidding rape) includes (and, therefore, prohibits) such actions committed with one's spouse or consort. Here, the pleaded