**CIVIL SOCIETY, MILITARY AND DEMOCRACY IN NIGERIA: A WAY FORWARD**

MARYAM MOHAMMED JUNGUDO

Department of History and Diplomatic Studies

Federal University of Kashere

Gombe State

**maryamjungudo@gmail.com**

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**INTRODUCTION**

It has been established that Military intervention is a phenomenon (internal or external) where for example, a country could be involved militarily in another country with the purpose of correcting or preventing some perceived injustice (peace keeping mission). Such could also take place but on humanitarian ground /intervention, where an intervening force aims to aid in a pressing crisis brought on by conflict or a natural disaster where there is a need to alleviate famine, structural damage or potential social conflict. Today in most parts of Africa, the military have intervened in the domestic political activities of the states they were expected to protect from external aggression amongst other things. Most of these interventions have led to a total take-over of administrative power and leadership, while vesting themselves with the responsibility of governing illegitimately, the affairs of the state.

However, Nigeria have witnessed and recorded an unprecedented number of coup d’états largely believed to be a consequence of poor and corrupt civilian leadership, among other things; this scenario have created an unhealthy relationship between the military and their civilian counterpart. This alarming situation contradicts the basic roles and relationship of the military as that of ‘servant-hood relationship’ to the state; from the frequent coup d’états witnessed in Nigeria, the reverse seem to be the case. Consequently, such situations are known to open opportunities for military interventions, opportunities that are not as likely in more developed countries. A thorough scrutiny tends to show that non-participation or rather the absent of civil society control of the military, partly explain the reasons for the prevalence of military intervention in democratic Nigeria. Thus, this paper is set out to identify how civil society control of the military can best be exercised and at what stages.

**CONCEPTUAL CLARIFICATION**

Civil society as a social science term is not amenable to a straight-jacket definition. Historically, scholars and philosophers have used the term civil society in different contexts to mean different thing over the years (CIVICUS 20007). However, attempt is made to apprise some of the conceptualizations of the term and establish a working definition in this paper.

In the classical era, the term civil society was used to mean a regime that was committed to secure the rule of law for the common good on behalf of people. Common good meant the provision of basic rights, public safety, education for all, and basic infrastructure like roads, electricity, pipe borne water, hospitals among others. In this perspective, civil society was viewed as a good society where democratic dividends are delivered to the populace. Civil society is not the same thing as society, *chandhoke* clearly distinguished between both when he stated that while society stands for the entire social practices and interactions, both public (government) and private governed (private), which mark a collectivity, civil society is the public spheres of the society, the mediation level between public and private or between individual experiences and public articulations (CIVICUS 2007).

Civil society according to Chukwuma, (2005) is defined as a set of institutions, organization and behavior situated between the state, business world and family. These include non-governmental organization, private voluntary organization, people’s organizations, civic organization, community based organization, cultural, gender, religious, and social organizations. Similarly, Ikelegbe (2013) defined civil society as the associational life of citizens characterized by common interests, civil and pubic purposes, and voluntary collective autonomous actions. It also stretches to include all those associations that enables citizens to participate voluntarily, freely and openly within the public realm, and operate and function independent of and outside state and corporate powers though, relating with them. Civil society act as a buffer against the power of the central government and in that capacity encourages individuals to follow their own courses without fear of intimidation from the central government.

However, the following definition has been established in this paper in regards to the relevance of civil society to the defence and security sector: *“Civil society refers to voluntary associational groupings in a society, and the public expression of the interest, priorities, grievances, and values around which those associations are based”*. It is worthy to understand that this definition is an attempt to establish a specific category of groups articulating public ideas, as distinct from political parties (a state institutionalized structure monopolizing the competition for the access to political power) and private businesses and their associations (because they represent private and profit orientated interests). Civil society, political parties and the private sector together constitute the non-governmental sector. This definition thus includes all kinds of non-profit NGOs, charities, community groups, social movements, faith-based organizations, women’s associations and academic institutions.

Be it as it may, the relevance of the Civil Society Organizations’ (CSOs) stem out of the inevitable roles it plays which cuts across all aspect of human life - from economic to political, health, social, and environmental developments. A logical inference from the foregoing is that, without the active involvement of Civil Society Organizations we would live in a world ridden with an overwhelming resort to violence and human rights abuses. The concomitant effect of which is social injustice and less sensitivity to the ecological problems confronting nation states today. To buttress this point, Omede and Bakare (2014),[[1]](#footnote-2) recognize the basic role of Civil Society Groups as Development and Operation of Infrastructure; Supporting Innovation, Demonstration and Pilot Projects; Facilitating Communication; Technical Assistance and Training; Research, Monitoring and Evaluation; and Advocacy for and with the Poor. Other scholars like Almond & Verba (1963) pointed that it serves as watchdog to check the excesses of government, expose and curtail violations of human rights, abuse of the constitution and thereby exercising control over democratic political institutions (Omede and Bakare 2014:211)

**CIVIL SOCIETY AND MILITARY RELATIONS IN NIGERIA**

What is the relationship between civilians (people without arms), the society at large, and the military (people with arms) established as a separate armed body in order to protect a society? This question has a long history which extends to the very beginnings of military organization in civilian societies. The answer to this question is deeply influenced by national historic sentiments, and traditions. For some countries, it depends on the role of the army as a state institution in the given country and the subordination of the military to political authorities as defined in laws and constitutional arrangements. These factors go a long way in determining how civil society and Military Relations is conceived.

In Nigeria, Civil society and Military Relations describes the relationship between civil societies as a whole and military organization or organizations established to protect it. More narrowly, it describes the relationship between the civil authority and its military authority. Studies on civil-military relations often rest on the normative assumption that civilian control of the military is preferable to military control of the state (Wogu and Jide 2014: 49) The principal problem they contend with is to empirically explain how civilian control over the military is established and maintained. The very existence of the military and all the related organizational aspects, the elaboration of a National Security Policy (NSP), Defence Budgeting and Procurement and all the necessary resource allocation decisions among other things, should implicate a lot of people going far beyond the mere military staff. This paper will however, go through these different stages and suggests how civil society can “relatively” exert control over the military in Nigeria.

**Military Chain of Command**

The military is characterized by a strong hierarchical structure and the obligation for every member of the armed forces to submit to its superiors and to execute the orders he has been given. In democratic states, the highest position in this chain of command is always the highest constitutionally established civilian authority, vested with democratic legitimacy. In Nigeria, the commander in chief of the armed forces is the head of the State, meaning the armed forces cannot engage in armed conflict without his/her approval. The next authority in the chain of command is the head of the Ministry or Department of Defence (Minister of Defence), who supervises and is responsible for the work of a Defence council, followed by the Chief of Defence Staff. What we can see is that civil society does not intervene at any moment in this chain of command. However, we did not expect it to do so, as this is essentially a military and operational matter.

However, these defence councils (earlier mentioned) have a very restricted number of members and deliberate in high secrecy. The council comprises of the President who shall be the chairman, the Vice- President who shall be the Deputy Chairman, the Minister of Defence, the Defence Staff, the Chief of Army Staff, the Chief of Naval Staff, the Chief of Air Staff and other members as the president may appoint (Constitution of the Federal Republic of Nigeria) What we can see from this overview is that in Nigeria, the military are under the command of a civilian authority, and this is an absolute necessity for the military to operate in accordance with the interests of the voters.

**National Security Policy (NSP)**

According to Jatau, a National Security Policy (NSP) is a guide to action for the government. It is not a law, but its implementation may require changes in the legal framework that regulated the provision of security, management of security and oversight of security (Jatau: 2017:5) Thus, a national security policy offers an opportunity to apply the principle of good governance to the security segment. It put into consideration national interests and values, governance structures and decision-making processes that usually lead to a long-term vision of state and human security in the future. (Jatau: 2017:5) Thus, a national security policy should reflect, not only the point of view of the current government and other states institutions, but also those of the people whose opinions are determined through democratic representation. A national security policy may also be drafted on ad-hoc basis as the need arises.

In the Westphalian conception of the state,[[2]](#footnote-3) which defines the present international system of states, the state does provide for the security of the state and its citizens, every state has a plan of how it will do this. Whereas most states will outline at least the very basics of their National Security Policy (NSP), there is not one single manner to do it (both in terms of content and form), and part of it will always be kept secret as full transparency would make the state too vulnerable. Basically, a NSP is an analysis of all threats to national security (often focusing on external threats more than on domestic threats) and ways of facing them. It allows for a coherent understanding and implementation of security issues by all actors involved in national security.

What is of much more interest from our perspective is how and by whom a National Security Policy (NSP) is formulated in Nigeria. Being a policy, it is formulated according to a four standard policy cycle, including initiation, drafting, reconciliation and approval. (Jatau: 2017:5-6) As such, it is thus essentially a matter for the executive. The legislature (as a decisional entity) will in some cases have some power at the very initial stage of asking or reviewing of the National Security Policy (NSP), or at the final stage of approving it, be it just by taking note of a new NSP or the need for a formal approval. However, in terms of content of a NSP, it is always the executive that plays the key role.

The executive represents the governing party or party-coalition that has been elected on the basis of its manifesto/program. This document is the basis of the governments’ program, and contains considerations about foreign and security policy amongst many others. Some of these might be very specific items about particular issues (like reduction of the military budget, limitation of arsenals of a particular type, abolition of nuclear weapons or their opposite) or situations (like putting an end to a particular conflict or starting a new one). In that sense, governing political parties have quite an influence on the ideological background to the National Security Policy (NSP) as well as its content, although it is unfortunately well known that many governments do not realize all the promises they made during the electoral campaign. This has to do with the fact that there is no mechanism for electors to hold their representatives accountable for the implementation of their program apart from not supporting the same representatives or political party at next elections.

Concerning the elaboration of the National Security Policy (NSP), it is also the executive that designates the drafting body, which can be a specific security organ, a standing or an ad-hoc committee or even the cabinet itself, as well as its working procedures. The executive thus has the power to decide who to include in the drafting organ, and thereby determine what actors will have the possibility to directly have an influence on the drafting procedure. “This committee usually consults widely with governmental security actors such as Ministries of Defence, Intelligence Agencies, representatives of the Armed Forces, legislative committees and increasingly with ministries not traditionally associated with the security sector, such as those of agriculture, transport, health, immigration and financial management bodies”.(National Security Policy 2005:4) So far, we can see that most of the people involved are civilians, but they are all governmental actors. Some of these committees “may also consult with nongovernmental actors, such as political parties, media, civil society and academia”.(National Security Policy 2005:4) However, this is not the rule, and the committee will only consult with non-governmental actors able to provide expertise on a particular issue that the committee sees as relevant for its work. The reconciliation procedure, to get a final document that is as representative as possible of the views of the government and actors involved in the security sector, is quite similar to the drafting procedure in terms of actors involved, although the scope of actors consulted might be broader than during the drafting procedure in order to get a more general feedback.

**Defence Budgeting and Procurement [[3]](#footnote-4)**

Whereas defence budgeting is the process by which financial resources are allocated to the Ministry of Defence for its functioning and the execution of the National Security Policy (NSP), defence procurement concerns the process by which equipment and services are provided for that purpose. Together with spending on specific military and other defence and security engagements, they represent the total defence spending. Both of these processes basically function according to the principle the executive proposes and the legislative disposes, although practices vary greatly from one country to the other. This means that whereas it is always the executive that proposes the budget and asks for procurement or special funds in to cover the perceived needs, it is the parliament’s role to possibly amend (depending on the country) and finally to approve it. Here, parliaments play a much more important role than on policy matters, and this has to do with its fundamentally democratic function. As representatives of the people, they are supposed to ensure that the public’s interests are taken into account. In budget matters, they prevent misuse of public funds, provide for transparency in resource allocation and ensure that the public is informed. They also play a predominant role in overseeing the execution of the budget through audits, inquiries, hearings and reports. Whereas it is still the executive that retains the overwhelming influence on budget and procurement, parliaments can play (depending on their effective power) quite a role in reflecting changes in priorities and perceptions among the public. In order to really fulfill this function, parliamentarians should be receptive to these changes by staying accessible to non-governmental actors, particularly civil society.

The private sector and its trade associations manage to be quite influential in defence budgeting and procurement matters although not formally involved in the process. The defence industry in particular is highly dependent on government expenditures, and therefore tries to influence defence budget and procurement decisions. In Nigeria, we can see that most of the people involved in defence budget and procurement matters are civilians, but that civil society is not formally involved at all. However, compared to the NSP process, defence budgeting and procurement processes are more ‘democratic’ since they involve negotiations between executives and parliaments and thus a share of power. This is especially true as the executive is the voice of the most powerful political group in a country, whereas the parliament represents all the people (or at least all the major political groups).

This paper, therefore advocates for the adoption of a “human security” approach, as it is the people, and especially the most vulnerable populations, that need to be protected (a national security approach). This means there must be a control over the military and defence spending by the people concerned (everybody), particularly as every single taxpayer contributes to the military budget

**Parliamentary Oversight**

 In terms of accessibility, accountability and representatively, parliaments are much better off than the executives. For them to be involved in the security and defence sector is thus a democratic necessity, and an opportunity for civil society to have some influence on it. Although we have seen that security and defence is primarily a matter of the executive, parliaments also have a significant role to play, particularly in setting the legal parameters, adopting the budget and overseeing the sector’s activities. There are notwithstanding some prerequisites for them to fulfill their mandate. First of all, the constitution must clearly define parliament’s mandate and power, and provide for effective means to exercise it. Secondly, parliaments must have broad access to clear and detailed information, as many policy areas require a very high level of knowledge and expertise. There is inevitably a trade-off between transparency and secrecy, but at the parliamentarian level, the first should prevail over the second. Thirdly, and this cannot be regulated, there is the need for a strong will among parliamentarians to represent the people’s positions and to hold the government accountable for its decisions and actions. This would inevitably include formal consultations between parliamentary committees and civil society actors on a regular basis, as it is the case in Switzerland.[[4]](#footnote-5)

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What we have noticed by rapidly going through the process leading to Military intervention is that people with influence on matters of defence and security are all part of state institutions, be it the legislative or the executive. Civil society is not involved at any decisional level, and it is not offered many possibilities to intervene in the governmental debate. Civil society and other nongovernmental actors are almost formally excluded from the budgeting and procurement process. This however does not mean that they cannot have any influence. This paper will therefore make some recommendations about how the decisions on these issues could be more democratic (in terms of accessibility, representatively and share of power), with special attention to the role Civil Society Organizations (CSO’s) can play.

**Lack of formal Civil Society Organizations (CSO’s) implication**: since Civil Society Organizations (CSO’s) are important channel for the expression of the popular will; they should also be able to give it voice. While there is a valid argument for more formal inclusion of Civil Society Organizations (CSO’s) in the military decision making process, the only way to influence it is to influence the people involved in it. Efficient lobbying of parliamentarians, key executive individuals and the military presupposes a good knowledge of the issues as well as of their agendas and individual sensitivities. This is directly linked to the overall transparency of the decision making process as well as the availability of complete and detailed information.

**Lack of parliamentary power**: the power of parliaments is theoretically defined by a constitutional text that can be changed only with great difficulties and according to a specific procedure. However, the effective power of parliaments depends also much on parliamentary practice and the parliamentarians’ aptitude and attitude. One of the parliaments’ primary functions is to hold the government accountable for its decisions, but this will only be possible if parliamentarians are truly willing and committed to do so. In many areas, decision making is highly specialized and requires a very high level of knowledge and expertise. This again means that parliamentarians must have access to adequate information and recourse to competent experts. Therefore, Civil Society Organizations (CSO’s) can exert some influence if it can provide this needed expertise.

**Lack of executive and parliamentarian accountability:** parliaments and executives represent the people, who designated their members directly or indirectly through the elections. These members normally hold their mandate until the next elections. As already mentioned, the point is that between these elections, it is difficult for the people to hold them accountable for what they do in regard of what they promised e.g. National Security Policy (NSP). The best existing institutionalized accountability mechanism is the share of power between the executive and parliament,[[5]](#footnote-6) but there are also different means to exert pressure on these individuals, although they have no obligations to cede. Lobbying them and making public incoherencies between their promises and actions or their implication in particular issues is one of them. Another one is the pressure the political party they belong to can exercise on them if they deviate from the parties’ ideological line. This is particularly the case in some countries where the party discipline is strong, such as the United Kingdom, Canada, Australia or India. Therefore, by introducing particular elements in the political parties’ programs, civil society can exert a different type of influence that will probably be more effective, although more difficult to achieve.

**Lack of transparency and public awareness:** a key element for members of the executive and parliaments to make the right decisions is the availability of sufficient, adequate and detailed information. But it is also equally important for the public to have access to good information, particularly about the issues on the security. Although there is no doubt that some information is confidential and should remain accessible only to a restricted number of people, most of the information necessary for the political debate is to remain accessible to the public. Whereas the media unmistakably plays a key role in the diffusion of information to the public, civil society has a fundamental role to play in raising public awareness on particular issues. Transparency and an independent media are crucial in a healthy democracy. Civil Society Organizations (CSO’s) can use this information and canalize it around its specific claims and views. It is through mobilization that its voice will be heard.

**Funding:** Poor funding has been a major problem sapping the vitality of civil society in Nigeria and Africa in general. Majority of the civil society organizations in Nigeria depend largely on external source usually foreign donor agencies to finance their activities. In fact, virtually all the donor agencies have vested interest in certain areas of the nation and thus, money released for projects does not in many cases reflect the pressing needs of the people instead the donor goals and objectives stands clear. As a result, adequate constitutional provision on funding of Civil Society Organizations (CSOs) in Nigeria should be made. This could be achieved by creating a consolidated or national trust fund integrated in the national budget where registered Civil Society Organizations (CSOs) in Nigeria can apply for fund annually. When this is done, it will help reduce over dependency of Nigeria civil society on external donor agencies with their stringent conditionality and narrow interest.

**CONCLUSION**

It has been established that ‘democracy’ etymologically comes from the ancient Greek and means ‘rule by the people’. It is self evident that if the people rule, they will rule in people’s interest. As not everybody can be in the position of ruler, democracy is usually a representative form of government, where the rulers represent the people. Perhaps, a vibrant civil society is importantto the sustenance of any nation‘s development. Accordingly, this role can be view from three dimensions. First, improving the quality of governance; second, developing the capacity of governments to apply the principles of accountability, transparency and openness; third, working towards gaining the commitment of all elected officials, public servants, and Non-Governmental Organizations (NGOs) to good governance. In view of this, one can infer that, Civil Society Organizations (CSOs) have, contributed immensely to democratic consolidation and sustainable development in Nigeria. In fact, they served as the core agents of development in any nation. Although it is often extremely difficult to precisely tell who is doing what and at what stage, we hope this paper may contribute to a better understanding of the decision-making process in the defence and security sectors, especially in regard to the possibilities for Civil Society Organizations (CSO’s) to engage in and exert influence on it. In the view of the constant and alarming rise in global defence spending and the increasing competition over resources generating tensions within and between countries during the coming decades, it is more than ever necessary that civil society actors become aware of their role and mobilize around these issues for better governance.

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1. Today in most parts of Africa, the military have intervened in the domestic political activities of the states they were expected to protect from external aggression amongst other things. Most of these interventions have led to a total take-over of administrative power and leadership, while vesting themselves with the responsibility of governing illegitimately, the affairs of the state. [↑](#footnote-ref-2)
2. The Westphalian conception of the state (relating to the 1648 Peace of Westphalia) is based on the concepts of nation-state and sovereignty. A sovereign nation-state is self determined, has a territorial base and does not tolerate the implication of external actors in internal issues. [↑](#footnote-ref-3)
3. This paragraph is based on two *backgrounders* from the Geneva Centre for the Democratic Control of Armed Forces (DCAF): *Parliament’s Role in Defence Procurement (2006)* and *Parliament’s Role in Defence Budgeting (2006)* [↑](#footnote-ref-4)
4. In Switzerland, legislative committees established by the parliament for the drafting of a specific law, consult widely with civil society and other non-governmental actors to get a general feedback of the prevailing positions on the issue. Analysts explain it as being a strategy to avoid particular groups opposing a referendum to the final draft law, as any law voted by the parliament might be submitted to this procedure (some are automatically), thereby delaying or even cancelling its implementation [↑](#footnote-ref-5)
5. When there is a constitutional possibility to dissolve the parliament, it is only the head of the state (top executive official) that has the power to decide so. Equally, and only when constitutionally established, the executive can be forced to leave office by the parliament [↑](#footnote-ref-6)