*The Military And The Challenge Of Democratic Consolidation In Nigeria: Positive Skepticism And Negative Optimism*

**Emmanuel O. Ojo**

## Introduction

This paper is an attempt to consider the role of the military in Nigeria's democratic transitions. The paper has one major thrust – an in-depth analysis of military role in democratic transitions in Nigeria - the fundamental question, however, is: can the military ever be expected or assumed to play any major role in building democracy?  The reality on the ground in Africa is that the military as an institution has never been completely immune from politics and the role of nation-building.  However, whether they have been doing that perfectly or not is another question entirely which this paper shall address.

The extant literature on civil-military relations generally is far from being optimistic that the military can discharge that kind of function creditably. Nonetheless, perhaps by sheer providence, they have been prominent both in political transitions and nation-building in Africa. It is against this backdrop of both pessimism and optimism that necessitated this caption an '*oxymoron*'- a figure of speech which depicts the contradictory compatibility in terms of civil-military relations in Nigeria.

It is important to note that Nigeria's democratization march has been a chequered one. Ben Nwabueze identified five different phases of Nigeria's

democratization bid, namely: "era of colonial autocracy and absolutism, emergence of constitutional democracy and the return of autocracy and absolutism under military government, restoration of constitutional democracy and second coming of military autocracy and absolutism".[1] With the end of the Babangida regime in 1993 after a decade of military rule, the inauguration of the Interim National Government (ING) in 1993 and the return of the military through the General Sani Abacha coup in November 1993, the administration of General Abdulsalam Abubakar came to power. This was possible due to the demise of General Abacha on June 8, 1998 which also culminated in the demolition of all democratic structures put in place by the Abacha era. This resulted into concomitant commencement of another round of transition programming, thereby making democratic reforms a tall expectation.[2]  On May 29th, 1999, the military finally bowed out and handed over the reins of government to the civilians. Thus, at virtually every stage of Nigeria's history, the military has been prominent, despite the contradictory characters of the military vis-à-vis democracy.

For proper empirical analysis, this paper has been divided into a number of sections. Following an introductory overview, the second part of the paper forms its theoretical and conceptual framework. It explicates the concepts of democratic consolidation while juxtaposing both the organizational characters of the military with the attributes of democracy bringing out the salient facts of the incapability of the military to discharge such functions. The third section review modes of democratic transition in Africa. Part four attempts a critical review of the military and democratic transitions in Nigeria beginning with the 1975-1979 experiment, 1985-1993, 1993-1998 and the shortest transition program of General Abdulsalam Abubakar (1998–1999), that gave birth to the present democratic experiment. The paper eventually appreciates the role of the military in political transitions in Nigeria despite the inherent contradictions to democratic consolidation in the country. We now proceed to both theoretical and conceptual frameworks.

---

[1] See, Ben Nwabueze, "Our match to Constitutional Democracy", *The1989 Guardian Lecture*, Lagos, July 24, 1989, 1989, pp.7-8.

[2] See, Emmanuel O. Ojo, "Democratization Hurdles in Nigeria," *Daily Sketch*, Ibadan, October 2, 1994.

**Theoretical and Conceptual Frameworks**

*Conceptualizing Democratic Consolidation*

Originally, the term "democratic consolidation" was meant to describe the challenge of making new democracies secure, of extending their life expectancy beyond the short-term, of making them immune against the threat of authoritarian repression, of building dams against eventual "reverse waves." However, the list of problems of democratic consolidation (as well as the corresponding list of "conditions of democratic consolidation"), has been explained beyond all contradictions.[3] It has come to include such divergent items as popular legitimacy, the diffusion of democratic values, civilian supremacy over the military, the elimination of authoritarian enclaves, judicial reform, and the alleviation of poverty and economic stabilization among others in the words of Andreas Schedler.[4] Put differently, democratic consolidation means reducing the probability of democracy breaking down to the point where political actors cannot feel reasonably confident that democracy will persist in the near (and not-so-near) future.[5]

In his formulation of democratic consolidation, Guilemo O'Connell drew attention to the threat of silent regressions from democracy to semi-democratic rule and incorporated the overcoming of this threat into his (broad) definition of democratic consolidation.[6] Bratton too conceptualized democratic consolidation as "the widespread acceptance of rules to guarantee political participation and political competition,"[7]

Democratic consolidation is the process by which democracy becomes so broadly and profoundly legitimate among its citizens that it is very unlikely to breakdown. According to Larry Diamond, it involves "behavioral and institutional changes that

---

[3] In an in-depth study, David Betham identified a number of conditions for democratic consolidation. His own choice of these factors is a simple theoretical generalization about African countries while our own choice depends on Nigeria's peculiar existential realities. Those that are crucial to Nigeria's survival which we analysed in this paper are: the military, economy, civil society, mass media, corruption and both religious and ethnic conflicts. See, Betham's "Conditions for Democratic Consolidation," *Review of African Political Economy*, no. 60 (1994): pp. 157-172.

[4] Andreas Schedler, "What is Democratic Consolidation?" *Journal of Democracy* 9, no. 2 (April 1998): pp. 91-107.

[5] Ibid.

[6] Cited in Schedler.

[7] Micheal Bratton, "Second Elections in Africa," *Journal of Democracy* 9, no. 3 (July 1998): p. 51.

normalize democratic politics and narrow its uncertainty."[8]  This normalization requires the expansion of citizen access, development of democratic citizenship and culture, broadening of leadership recruitment and training, and other functions that civil society performs. But most of all and most urgently, it requires political institutionalization. In a nutshell, Whitehead believes that democracy can best be said to be sustained or consolidated only when we have good reason(s) to believe that it is capable of withstanding pressure or shocks without abandoning the electoral process or the political freedom on which it depends, including those of the dissent and the opposition. Definitely, this will also require a depth of institutionalization reaching beyond the electoral process itself.[9]

From the same perspective, Przeworski[10] is of the view that democracy is consolidated when the major political players recognize sufficient common interest in establishing electoral procedures and subsequently see that their interest in keeping to the rules of the game outweighs the costs to them of their being underpinned, rather than out of any principled commitment to democratic norms and canons.

Exploring the nexus between good governance and democratic consolidation, the UNDP in its 1997 reports, came up with a catalogue of what it takes to sustain democracy, which includes: popular participation, democratic sustenance, transparency and promotion of gender balance and service-oriented governance amongst others.[11]

The question is: How do we identify a 'consolidated democracy' when we see one?[12] No doubt, a variety of different criteria are proposed rather than mere definitions that their extension may not serve us any useful purpose. One is the 'two-election' test, or more properly, the 'transfer of power' test. However, democracy is consolidated when a government that has itself been elected in a free and fair contest is defeated at a subsequent election and accepts the result. The point of this criterion is that it is not winning office that really matters, but losing it and accepting the verdict, because this

---

[8] Larry Diamond, 1995

[9] L. Whitehead, "The Consolidation of fragile Democracies" in *Democracy in the Americas; Stopping the Pendulum*, Robert A. Pastor, ed. (New York: Holmes and Meier, 1989).

[10] A. Przeworski, *Democracy and the Market* (Cambridge: Cambridge University Press, 1991), pp. 47-93.

[11] UNDP, Country Reports, 1997, p. 19. For the full list see Emmanuel O. Ojo, ed., *Challenges of sustainable Democracy in Nigeria* (Ibadan: John Archers (Publishers) Limited, 2006), pp. 6-7.
Betham, p. 160

demonstrates that powerful players and their social backers are prepared to put respect for the rules of the game above the continuation of their power.[13] This criterion is perhaps the greatest hurdle to Nigeria's democratization bid all along. In an high flung editorial comment in commemoration of Nigeria's three years of democracy, a national daily noted that "… the truth is that, up till now, democracy in Nigeria has never survived the 'second' election test, which is central to the idea of democratic consolidation."[14] It was the crisis that resulted from the 'second' election in the first republic that truncated it. Same goes for the second republic too. The 2003 civilian transition did not go without a lot of hue and cry from the opposition parties, because the election was assumed to be badly rigged.

However, as Betham would have us believe, the problem with this criterion is that it is perfectly possible to have an electoral system that meets certain minimum democratic standards, but where such a transfer of power simply does not take place, because the electorate goes on voting for the same party (the so-called 'dominant party' model). Such has been Botswana's lot since independence and such were Japan's and Italy's for nearly 50 years. Are we to say that these were not consolidated democracies simply because no transfer of power took place? The recent change of government in Italy and Japan by the electorate suggests that they were indeed consolidated years back.

For this reason, some writers favour a simple longevity or generation test: 20 years, say, of regular competitive elections are sufficient to judge a democracy's consolidation, even without a change of ruling party, since habituation to the electoral process would make any alternative method for appointing rulers unthinkable. This criterion, in turn, has its own difficulties. It is well known that the longer the same party remains in power, the more indistinguishable it becomes from the state apparatus on the one side and powerful economic interests on the other. Furthermore, it is not in itself a good predictor of how a system will behave in the future. In a nutshell, a

---

[13] Linz Juan, "Transitions to Democracy," *The Washington Quarterly* (Summer 1990): pp. 143-164, cited in Betham, p. 160.

[14] See Front Page Comment, "There Years of Democracy," *Nigerian Tribune*, Ibadan 29 May, 2002, pp. 1&10. On the inability to cross the hurdle of 'second republic. See, Richard Joseph, *Democracy and Prebendal Politics in Nigeria: The fall of the second Republic* (Cambridge: Cambridge University Press, 1987); and Ladipo Ademolekun, *The Fall of the second Republic* (Ibadan: Spectrum Books Limited, 1985).

democracy can best be said to be consolidated when we have good reason to believe that it is capable of withstanding pressures or shocks without abandoning the electoral process or the political freedoms on which it depends, including those of dissent and opposition. This will require a depth of institutionalization reaching beyond the electoral process itself.[15]

The foregoing has demonstrated that the sustainability of democracy is a product of many factors or conditions operating together. No one condition on its own will be either necessary or sufficient, but an accumulation of facilitating conditions can be expected to enhance the prospects for the survival of electoral democracy. The project – democratic consolidation – is more difficult in some circumstances than others and faces much more formidable obstacles in some countries than others. It is a task in the social sciences to identify these circumstances and subject them to comparative analysis.

It is unequivocally important to discern the fact that the concept of democratic consolidation has the problems of homonymity (*one word meaning many things*). Inimical to theory building and the accumulation of knowledge, it even frustrates such elementary operations as case classification. As matters now stands, the concept's classificatory utility is close to zero; its boundaries are fuzzy and fluid. As Kotowski, says about the concept of revolution, "if scholars do not attach the same meaning to the concept they can at least specify which meaning they mean,"[16] rather than using the term in the ambiguous and inconsistent way, we should attach one clear meaning to it. Sartori also declared, different things should have different names."[17] For the purposes of this paper therefore, democratic consolidation means the capacity of the polity to nurture and sustain democratic values over a very long time, with little or no threat of dissolution of the democratic experiment in all its ramifications and in the African context with visible dividends of democracy in terms of improving the lots of the citizenry within which they may not be a catalyst to democratic sustenance. Having conceptualized democratic consolidation without necessarily being definitional, we now turn to organizational character of the military vis-à-vis democracy.

---

[15] Whitehead, 1989.

[16] Christopher M. Kotowski, "Revolution" in *Social Science Concepts: A Systematic Analysis*, Glovanni Sartori, ed. (Beverly Hills: Sage Publications, 1984), p. 440. Also cited in Adreas Schedler, 102.

[17] Glovanni Sartori, "Guidelines for Concept Analysis" in Sartori, *Social Science Concepts*, p. 50. See also pp. 37-40.

*Organizational Character of the Military vis-a-vis Democracy*

The emergence of the centralized nation-state provided a primary *raison d'être* for a standing army. Military organization like other institutions of the state is the instrument through which the states further their goals and objectives. There are basic features that are peculiar to the military which distinguishes it from others. The military being a positive instrument and coming into existence by order or decree and with the sole aim of fighting to win wars has certain peculiar organizational characteristics. Their features are: (1) centralized command (2) hierarchy (3) discipline (4) internal communication and (5) e*spirit de corps* with a corresponding isolation and self-sufficiency.[18] Organization is central to effective performance of the military function. According to Finer, "a marked superiority in organization, a highly emotionalized symbolic status and a monopoly of arms" are the three advantages which the armed forces have over civilian organizations.[19] He asserts further that even where the army is poorly organized or maintained; it is still highly structured than any civilian group. This idea of organization of the military is also emphasized by Janowitz, who attributes the nature of military organization particularly their skills, structures and career lines, their level of education, their social solidarity or *espirit de* corps and their professional and political ideologies such as patriotism and puritanism[20] as a distinguishing feature of the military as against their civilian counterpart.

The army is arranged in a pyramid of authority. The hierarchical structure, like the characteristics of centralization derives from the army's basic imperatives to fight as a unit, "an army should have but one chief, a greater number is detrimental", argues Adekanye quoting Machiavelli.[21] It must have a supreme directing command, hence centralization. The command must transmit its orders from the highest to lowest ranks, hence the requirement of hierarchy. Following from centralization of command in the pyramid structure, obligation to obedience and discipline, the condition of unquestioning obedience is manifested by the depersonalization of the soldier. The

---

[18] S.E. Finer, *The Man on Horseback: The Role of the Military in Politics* (England: Pall Mall Press 1962), p. 5.
[19] Ibid., p. 6.
[20] Janowitz Morris, *The Military in the Political Development of New Nations: An Essay in Comparative Analysis* (Chicago: University of Chicago Press, 1964).
[21] Adekanye J. Bayo, "Military Organisation and Federal Society," *Quarterly Journal of Administration* 16, nos. 1 and 2 (1981/82): p. 10.

army will act in unity to commands, and this requires system of communication as any army organization depends rather heavily on intelligence, surprise and adequate information for effective operation. So significant is communication to the operations of the military that Adekanye notes that "even the most technologically backward society always found the ways and methods, however primitive and clumsy, of meeting these particular needs of its army."[22] It is through communication networks that the soldier is made aware of its martial purpose and the need for identifying with the groups and maintaining solidarity. The putting together of a set of beliefs, a sense of belonging acquired through socialization at training and interaction fosters the spirit of brotherliness among the soldiers. In the words of Adekanye, "the factor of ever-present exposure to danger and death imposes on the military man, in conjunction with his team mates, the compelling necessity of and/or logic of collective actions,"[23] this constitutes their *espirit de* corps. Modern armies are, therefore, far more organized than any institution in the state.

The military's ability to show a degree of specialized knowledge in the management and organization of violence, a feeling of social responsibility to their client - the state - the adherence to certain ethical rules, with a corporate tradition stemming from the common training and collective attachment to certain doctrines and methods makes it a profession. Janowitz and his organizational counterparts, supporting this argument, put it thus:

> The unity, technical competence, professional identity and patriotic values of military organizations in new states place them in sharp contrast to the civilian sector which is often badly divided and technological backward.[24]

In the same vein, Dudley, identifying predisposing factors of the military to coups noted such superior qualities of the military over the civilians to include variables as:

> The structure and composition of the armed forces, taking into account the possibilities for mobility within the military; the commitment to, or

---

[22] Ibid., p. 13.
[23] Ibid., p. 14.
[24] Janowitz.

degree of professionalism of, armed forces personnel; and the prevailing ideology held by, or normative orientation of, the military.[25]

Politically too, moral prestige is an advantage to the military. These virtues are associated with the soldiers' choice of career. Not always are these virtues fully respected, but most of the times and in many countries, traits like courage and discipline cum self-sacrifice and patriotism, identified with the soldier, makes it admired.[26] Writing on the features of the military, Julius Ihonvbere argues that the army is conceived as an ideal type characterized by certain organizational features. He pointed to the fact that:

> The officers while in training, have imbibed certain qualities such as puritanical ethic, professionalism, dedication, nationalistic ethos and an in-group cohesion which will make them act in unity and decisively in the execution of military or political functions. The skills acquired in training, coupled with a high sense of national identity, managerial ability, all go to explain the unity, strength and decisiveness of the military in the emerging states and creates a 'competence gap' between the military and other sectors of the society.[27]

In view of the foregoing, military rule is authoritarian perhaps, because of the character of the military whose significant elements are command and obedience, supra-individuality and confrontation rather than compromise. It is these elements which constitute the military value system. It is also this 'military frame of mind,' to use Martin Dent's apt phrase,[28] which military men bring into politics and is reflected in their style of governance. In the application of military frame of mind to government, military leaders conceive of society in roughly the same terms as the regiment where authority is administered from the top downwards. Dent, has argued in this connection

---

[25] B.J. Dudley, *Introduction to Nigerian Government and Politics* (Ibada: Macmillian Press, 1982).

[26] Finer, p. 9.

[27] Julius O. Ihonvbere, "Instability and Military Intervention in Politics in the periphery," in *The Impact of Military Rule on Nigeria's Administration* A.O. Sanda, Olusola Ojo and Victor Ayeni, eds. (Ife: University of Ife Press, 1987), pp. 124-140.

[28] Martin Dent, "Military Leadership in Nigeria," unpublished seminar paper, Manchester, April 1968 p.9 also quoted in Adesina Sambo, "Transition to Democracy in Nigeria: Possibilities and Limitations", in *Democratization in Africa: Nigerian Perspective*. Omo Omoruyi et al., eds. Vol.1, (Benin City, Nigeria: Hime and Hima Limited, A Publication of the Centre for Democratic Studies, Abuja, 1994), p.211.

that "the military are accustomed to controlling their lower ranks by a strict chain of command in which obedience and loyalties are the prime value"[29] hence, "the idea of leaders taking advice from the led or tailoring their course according to the feelings expressed by the lower ranks is repugnant to the idea of command."[30] There is an assumed impropriety in listening too closely to the opinions of those at the bottom of the hierarchy. It is in this sense, therefore, that military rule could with some justification be said to be dictatorial.

The monopolization of political power which authoritarianism connotes precludes military authorities that would encourage participation and contestation of ideas. The military might have viewed its role in government as basically a corrective one, and might not, as such, have seen the logic of authoritarianism in that power will be kept in a few hands through the instrumentality of coercion. This is particularly easy in the case of military rule for the military would simply decide to use its coercive resources (over which it has a monopoly) to appropriate power *ad infinitum*. All these features however, pose a lot of threat to the survival of the political system across the continent of Africa, where the military had held sway in the past because of the edge or upper-hand in which the military has over the rest of the society. In the continent of Africa, there are a number of modes of democratic transitions. The typology is discussed with examples in the next section.

### *Modes of Democratic Transition*

In the extant literature on transition, generally, two broad meanings are associated with democratic transitions in Africa. In one sense, transition encompasses a fundamental or qualitative change in the state of being of the relevant entity, as for example, the revolutionary overturning of prevailing structures and relationships in a society and their replacement with a significantly new and usually qualitatively higher network of ideas and symbols. Transition, in this sense, constitutes an "epoch defining experience" and barrier breaking qualities which always result in definite change of

---

[29] Martin Dent, "The Military and the Politicians," in *Nigerian Politics and Military Rule, Prelude to the Civil War*, S.K. Panter-Brick, ed. (London: Athlone Press, 1970), p.19.
[30] Ibid., p. 80.

place, nature, and state of being of the subjects that experienced it.[31] As a social policy, therefore, transition involves a conscious attempt at redirecting the social value system as well as individual behaviour (within it) to new ends. Transition processes, in other words, can be conceptualized as involving all activities geared towards instituting new values and structures in place of the 'Old Order'.

The second usage of the concept of transition in the literature is episodic. In this sense, transition involves a change of leadership or elements of it with or without meaningful socio-political reconstruction. This conception of transition entails either a grafting of new values of an extant social system or, worse still, an aversion to new values as defense of the same old despised and inappropriate practices and behavioral patterns.[32] The two broad perspectives on transition examined above imply differences in scope and intensity. They generates lively intellectual discussion as to how comprehensively a transition package permeates and transforms (or can permeate and transform) all aspects of organized life in the society. The point that needs to be made and emphasized in this view is that although the two broad conceptions of transition can be distinguished qualitatively, neither is mutually exclusive, precisely since society itself is usually in a state of constant flux. Thus, the most revolutionary program of transition could involve some elements of grafting old and new values and structure. Whether or not old values are replicated and strengthened or neutralized and eliminated in the new dispensation will depend, in part, on the resilience of old patterns, and also on popular perceptions of their relevance and efficiency.

More importantly, transition must be concerned with political stability defined as the increasing capacity of designated institutions to resolve political questions through accepted or acceptable interval, routine, and procedure without recourse to extra-institutional means. Stable political systems are characterized not so much by limitless opportunities for wants of satisfaction as by a political disposition that allows "a hundred flowers to bloom" and encourages conflicting perspectives of the social order to be reconciled with one another. Transition processes, then, must of necessity

---

[31] J.M. Amoda, "Transition and Structural Adjustments," Presidential Address delivered at the 14th annual Conference of the Nigeria Political Science Association, Zaria, (May 17-21, 1987).

[32] Omo Omoruyi, "The Reform Civil Service in the Transition Period and Beyond," *Centre for Democratic Studies Publication*, Abuja, 1992, pp.1-2

encompass the processes of creating political institutions, such as political parties, electoral management body and of linking these institutions up in a system of relationship with one another with the environments, and of inducing members of the relevant social system to imbibe the behavioural patterns thrown up by the framework.[33]

It is pertinent to note that there are three main types of political disengagements or transitions.[34] They are the Revolutionary Transition, the Sovereign National Conference Transition, and the Evolutionary Top to Bottom Transition. Examples of the revolutionary transition are the French Revolution, the Russian Revolution, the Ugandan Revolution under Yoweri Museveni, and the Zairean Revolution under Kabila. The Sovereign National Conference Transition worked very well in Benin. The military has prescribed the Evolutionary Top to Bottom type for Nigeria. They alone decide the conditions of their exit.[3535] We now proceed to empirical analysis of the role of the military vis-à-vis democratic transitions and the mode adopted by each military regime while superintending over democratic transitions along with the outcome of each exercise.

## The Military and Political Transitions (1960 - 1999)

Nigeria became independent on October 1st, 1960, but within a political culture that was incongruent to parliamentary democracy. The military which had become highly politicized, seized power from the civilians in 1966 with the claims to be a force for the restoration of democracy, its incessant interventions and long stays in government however, undermine democracy as would be seen in this section through lack of accountability, disdain for and erosion of democratic institutions. As rightly posited by Nwabueze, "a military government invites or breeds more military coup

---

[33] O. Abdullahi, et. al., "Problems of Transition in Nigeria: Analysis of Military Disengagement in Nigeria," (A paper presented at the Zaria Conference of the Nigeria Political Science Association, Zaria, 1987).

[34] Adesina Sambo, "Transition to Democracy in Nigeria: Possibilities and Limitation," in *Democratization in Africa: Nigerian Perspective I*, Omo Omoruyi et.al. eds. (Benin City, Nigeria: Hima and Hima Limited.).

[35] See, Emmanuel O. Ojo, "The Military and Democratic Transition in Nigeria. An In-depth analysis of Gen. Babangida's Transition Program (1985-1993)," *Journal of Political and Military Sociology* 28, no.1 (Summer 2000): p.5.

than during civilian governments because members of the armed forces have more reasons to feel disgruntled with or disaffected towards a military government for quite a number of reasons."[36] We now turn to their respective political transition programs but with a proviso that we have deliberately excluded General Yakubu Gowon's administration and that of General Mohammadu Buhari/Tunde Idiagbon duo on the ground that they did not announce or embark on flamboyant transition programs that could warrant any meaningful analysis.

## Murtala/Obasanjo Transition Programme (1975-1979)

Transition programme of General Murtala Muhammed and General Olusegun Obasanjo commenced on July 20th, 1975 when General Mohammed was proclaimed the new military head of state, having terminated the regime of General Yakubu Gowon which was accused of low performance, ineptitude and lack of commitment to the prosecution of his transition program as he turned round to declare that his intended handing over date to the civilians in 1976 was no more feasible. As part of the process of securing legitimacy, General Mohammed pledged to hand over to a democratically elected civilian government on 1st October 1979 after he might have successfully implemented his transition time table.

However, before much could be done by General Murtala Muhammed, Colonel Dimka's abortive coup of February 13th, 1976 silenced him to death. While the first six months of the administration was action packed, aspects relating to return to civilian rule were fully tackled within the remaining period of their administration. With the assassination of Murtala Muhammed, General Obasanjo, who took over the reins of power and wasted no time in implementing all these programs, as he did not see the October 1st, 1979 handing over date as an unrealistic one. Without much controversy and acrimony, the local government creation was accomplished. The Federal Electoral Commission (FEDECO) under Michael Ani was inaugurated. FEDECO's existence was a necessary prelude to the organization of genuinely national parties and conduct of elections. FEDECO embarked on its assignment with full vigour and in a detailed

---

[36] Ben Nwabueze, 1989, p.15.

manner that could not suggest a failure. The main document, the constitution to be used by the future civilian government had to be prepared with sufficient guidelines designed to overcome the past conflicts and problems. The Constitution Drafting Committee (CDC) had commenced its work by October 15th, 1975 under the distinguished chairmanship of a constitutional legal luminary, Chief F.R.A. Williams (SAN). They began work under a heavy inundation of ideas from the elite. The work of the Constitution Drafting Committee having been completed was delivered to the Constituent Assembly for final approval. They sat for long and after amendments here and there, approved it and transferred it to the Supreme Military Council (SMC) for study and final approval.[37]

By September 21st, 1978, the ban on party politics was lifted as opposed to the 1st October expectation. Eventually, five political parties were registered by FEDECO to contest elections during the transition period. They were the Unity Party of Nigeria (U.P.N), National Party of Nigeria (NPN), Nigeria Peoples Party (NPP), Peoples Redemption Party (PRP), and Great Nigeria Peoples Party (GNPP).These parties participated in all the elections during the remaining period of the transition. However, the transition program at the tail end was enmeshed in a profound controversy at the presidential election with which Alhaji Sheu Shagari of the NPN was leading the UPN candidate Chief Obafemi Awolowo, went to court to challenge his victory over the correct interpretation of the constitutional provision of $12^2/_3$ of 19 states of the federation, a condition which to the UPN none of the candidates satisfied. The Supreme Court later adjudicated and declared Alhaji Sheu Shagari the winner of the presidential election.[38] As General Obasanjo had pledged, he handed over the reins of government to a civilian executive President in a colorful ceremony on October 1st, 1979 when he succeeded Murtala in 1976, signaling the commencement of the second republic. The whole transition program proved that the military is capable of sincerity if they desire to relinquish power. This transition program was a kind of an evolutionary top to bottom type in which only the military alone decided the conditions of their disengagement.

---

[37] J.J. Oluleye, *The Military Leadership in Nigeria, 1966-1979* (Ibadan, Nigeria: Ibadan University Press, 1985).

[38] J.N.D. Ojiako, *13 Years of Military Rule 1966-1979* (Lagos: A Daily Times Publication, not dated).

However, the republic did not last long as the military disrupted the polity again in 1983, thereby terminating the four-year old democratic experiment. The new military junta headed by General Muhammadu Buhari did not pretend to have any plan for a transition program as all political activities were banned and with no handing over date up till 1985 when Gen. Babangida struck in another military putsch. This transition program was outright deviations from all known theories as the junta did not hand over to civilian government before it was terminated by another junta.

**General Babangida's Transition Programme (1985-1993)**

The Babangida's transition program to democratic rule in the annals of Nigerian history was unique. It was the most prolonged, expensive, and highly convoluting. The process began with the coming into power of dubious.[39] General Babangida in August 1985. *Ab initio,* the military President announced that the program "would be a gradual process through which members of the political class could proceed with political learning, institutional adjustment and re-orientation of their political culture." Launching what he called "Search for a new political order" in 1987, he set up a 17 member Political Bureau with the task of reflecting on Nigeria's past political failures so that it could propose a new political blueprint for the country, including the framework for the transition process. In 1987, the Constitution Review Committee (CRC) was instituted to review the 1979 constitution and establish the National Electoral Commission (NEC) followed at the end of the year by a non-partisan local government election. The transition program continued with the establishment of a National Population Commission (NPC), a Code of Conduct Bureau, and a Code of Conduct Tribunal. Also, the commission was expected to work on the party formation, new Revenue Allocation, State creation, and the new constitution among other things in furtherance of the transition program.

---

[39] J. Ihonvbere, "The Military and Political Engineering under Structural Adjustment: The Nigerian Experience since 1985," *Journal of Political and Military Sociology* 20 (Summer 1991); and O. Oche, "Patterns of Military Disengagement from Politics in West Africa," *ECPER Journal of Political and Economic Studies* 5, no. 2 (Second Quarter1997).

When the removal of ban on party politics was announced, close to 88 political associations emerged, with 13 ultimately submitting applications. In spite of ranking by the National Electoral Commission (NEC), according to six criteria and referring to the top six contenders to the Armed Forces Ruling Council (AFRC), the Federal Military Government refused to register the two leading contenders which were the People's Solidarity Party (PSP) and the Nigerian National Congress (NNC). In a broadcast, the President repudiated all the political associations, and instead announced and declared two political parties into existence by military fiat. The two parties were the Social Democratic Party (SDP) and the National Republican Convention (NRC), the "a little to the left" and the other "a little to the right."[40] The NEC Chairman, Humphrey Nwosu, claimed and rightly too and the manifestos of all the political associations studied clustered round the centre of the ideological spectrum. Thus, NEC was mandated to use the manifestos already submitted by the 13 associations to create two manifestos, one for the SDP and one for the NRC. This observation was obviously correct, but the decision to create two parties was a serious error of judgment, in the Nigerian context where there are political forces that are neither progressives nor conservatives, not to mention the fact that the government ought not to have created the parties in the first place.[41]

It is important to note that inconsistencies were the order of the day in the amendment of the dates of the handover. The initial date of October 1990 was changed to October 1992 and later to January 1993 in order to pave way for another postponement to August 27th, 1993 when the regime had spent eight years in office. Another observable inconsistency in the transition program was the banning and unbanning of the Presidential aspirants during the course of the spell of transition. The military president was to stun the nation on June 27th, 1990, when he banned all former second republic politicians from overt or covert political activities, including seeking or holding any public office for ten years starting from the resumption of party politics. Babangida later went on to include all officials elected or appointed, civilian or military, who had been convicted or punished for corruption or misconduct in public office "to

---

[40] Larry Diamond, "Economic Development and Democracy Reconsidered" in *Re-Examining Democracy, Essay in honor of Seymour Matin Lipset*, Larry Diamond and Gary Marks, eds. (Newbury Park, CA.: Sage, 1992), p.100.

[41] C. Ofodile, "Ideological Fluidity in Nigerian Politics," *The Guardian on Sunday*, August 25, 1996, Lagos.

serve as an object lesson to others who might be tempted in like manners to facilitate the emergence of new-breed politicians". Another spectacle in the military's supervised transition program in 1992 was the banning from party politics of all the 23 presidential aspirants, 11 in the NRC and 12 in the SDP, who contested the August 1st, September 5th, and September 12th presidential primaries. The aspirants were banned for the rest of the transition period, because the politicians disagreed with the results which showed that General Sheu Musa Yar'Adua (for SDP) and Alhaji Adamu Ciroma (for NRC) emerged as flag-bearers respectively.[42] As a result of this failure, after a long process, another election was rescheduled for June 12th, 1993, to settle the transition programme, between Chief M.K.O. Abiola and Alhaji Bashir Tofa with Ambassador Baba Gana Kingibe and Dr. Sylvester Ugoh as their running mates respectively.

General Babangida's long drawn-out transition program, started in August 1985, reached its climax on June 12th, 1993, with the presidential election. Unlike previous elections in Nigeria, this one was unique because it was the most internationalized, with a total of 3,000 observers taking part in the exercise nation wide. Out of this figure, 135 observers were foreigners.[43] Secondly, the election was a watershed that symbolized two transitions: the first, from the military to the civilians after ten years of continuous military rule and the second, from the North to the South in terms of locus of power from Northern hegemony to Southern elite in Nigeria's body 'politik'. After all the preparations for the election, on June 10th, 1993, a case was brought before Justice Bassey Ikpeme by the unregistered Association for Better Nigeria (ABN) to restrain the National Electoral Commission (NEC) from holding the election; the judge ruled that "the election be deferred until the substantive suit is determined."[44] It was, however, impossible for NEC to defer an election which was less than 48 hours away because of the possible political crisis that might follow. Justifying the wisdom in NEC's decision to continue with the election, a top government functionary was reported to have stated inter alia: "definitely we are going ahead with the election. It was very embarrassing for us. We respect the Judiciary but the political turmoil that would arise from the cancellation of the election would be considerable."[45] He was shocked that such a

---

[42] *The Guardian*, November 18, 1992, Lagos.

[43] *Newswatch*, June 21, 1993, Lagos.

[44] *The Guardian*, September 28, 1993, Lagos.

[45] *Newswatch*, June 21, 1993, Lagos.

monumental case was assigned to Ikpeme who was appointed a judge only in December 1992. "She started sitting two months ago and the ABN suit is her first major case."[46] It is on record that the late night court ruling of Ikpeme, issued only two days before the vote, prompted mass confusion about the election.

Voter turnout was estimated at only 35 percent. Widespread administrative and logistic problems also prevented a number of intending voters from registering their ballots, including Bashir Tofa who held an invalid voter registration card, but there was little evidence of systematic fraud or vote rigging. The voters' register was considerably trimmed down from the inflated figures of previous elections. Polling was generally conducted in a peaceful and orderly manner, and there were no reports of serious violence or casualties. Despite the narrow choices available to voters (because of the two-party system), the outcome of the election was eagerly anticipated in the wake of a successful poll. Within a short time, NEC collated the election results and the national press leaked early returns despite an embargo on a piecemeal release of results. The partial tabulations indicated a decisive victory for Chief M.K.O. Abiola of the Social Democratic Party (SDP), with a decisive 58 percent of the total votes cast.[47] Suddenly, after the announcement of the results for 14 states and their display on the score board, the announcement for the remaining 16 states were halted on the ground that Justice Dahir Saleh (Chief Judge of the Federal Capital Territory) had received a message from the Presidency that the announcement should stop pending of ABN's case.[48] Announcing the stoppage of election results, the NEC Chairman, Professor Humphrey Nwosu said:

> In the light of the current development, the commission had in deference to the court injunction and other action pending in court decided to stay action on all matters pertaining to the presidential election until further notice.[49]

With the stalemate, the leader of ABN, Chief Arthur Nzeribe, called for the cancellation of the election on the ground that "the so-called election was a fraud, a flop, illegal, unconstitutional and undemocratic.[50] This claim was proved wrong by the

---

[46] Ibid.

[47] Newswatch, June 28, 1993, Lagos.

[48] The News, June 28, 1993, Lagos.

[49] Newswatch, 28 June 1993, Lagos.

[50] The Guardian, June 28, 1993, Lagos.

repentant Director of Organisation of the ABN, Mr. Abimbola Davies who reported that "the Association (ABN) has no other mandate than to plan and work out the incumbent military President, General Babangida would remain in power for at least two more years."[51] On June 23rd, 1993, Babangida's government broke its silence when it suspended and annulled the election results. Decree No. 52 of 1993, which formed the transition program, was hurriedly repealed by the Federal Military Government (FMG) making it impossible to seek redress in the court of law. Justifying the annulment of the election, General Babangida disclosed that:

> There were authenticated reports of election malpractice against party agents, officials of the NEC and voters … there were proofs of manipulations, offer and acceptance of money and other forms of inducement.[52]

He said further that: "Evidence available to the government put the total amount of money spent by the presidential candidates at over 2.1 billion Naira."[53]

To consolidate the government's stand on the annulment, three new decrees were promulgated ousting the jurisdiction of the courts to entertain any case on presidential election. They included Decree No. 39, 1993, which repealed the election (Basic Constitutional and Traditional Provisions), Decree No.13 of 1993, Decree No. 40 of 1993, which amended the transition to civil rule political program, Decree No. 19 of 1993. The third one is Decree No. 41 of 1993, which completely annulled any proceedings pending over the June 12th presidential election.[54]

Be that as it may, the annulment of the election result was especially provocative to the South Western part of the country. In view of the political volatility of the Yoruba region, civil violence in the South Western states provoked by electoral fraud and political exclusion previously contributed to the breakdown of the first and second republics. Southern resentment over Abiola's rebuff also threatened to create fissures within the military, raising the specter of wider civil conflict and state collapse. In his official reaction to the annulment, Chief M.K.O. Abiola was quoted as saying:

---

[51] Tempo, September 27, 1993, Lagos.

[52] TSM, July 11, 1993, Lagos.

[53] Ibid.

[54] Newswatch, op. cit…1993, Lagos

I might embark on the programme of civil disobedience in the country. If those who make the law disobey the law, why I obey it? There is a limit to the authenticity one could expect from a military ruler who is obviously anxious to hang on to power.[55]

Following the above statement by Chief Abiola, the country became engulfed in an unprecedented crisis. The Campaign for Democracy (CD) spearheaded the mass protests by calling for a five day non-violent protest. It was later to be violent, with a lot of protesters losing their lives as a result of the counter opposition by the state through its security agents. With the uncompromising attitude of the security agents, at least one hundred protesters were reported to have been killed.[56] The violence prompted a mounting exodus from the major cities, as Southern ethnic groups (most especially the Ibos), fearing a reoccurrence of the communal purges which preceded the 1967 Civil War fled to their home regions, Ben Nwabueze lucidly and graphically described the crisis thus:

The annulment of the June 12 presidential election plunged the country into what indisputably is the greatest political crisis in its 33 years' life as an independent nation. Never before, except during the murderous confrontations of 1966-1970, had the survival of Nigeria as one political entity been in more serious danger. The impasse created was certainly unequalled by anything the country had experienced before.[57]

It was the spontaneous reactions from the civil society, as I have elaborated elsewhere,[58] that culminated in the "funeral" of General Babangida's eight-year rule on August 27th, 1993, when he "stepped aside" leaving all and sundry to believe that he had no intention to relinquish power. An Interim National Government (ING) took over from him after a prolonged crisis. Again the program was designed to fail as the military junta was not ready to hand over except to their acolytes. What another example of evolutionary top to bottom type in which the military by themselves

---

[55] TSM, op. cit., 1993, Lagos.

[56] P. Lewis, "Endgame in Nigeria: The Politics or a Failed Democratic Transition," *African Affairs*, July1993.

[57] Ben Nwabueze, *Nigeria '93: The Political Crisis and Solutions* (Ibadan: Spectrum Books, 1994).

[58] Ben Nwabueze, op. cit. see also O.B.C. Nwolise, "The Constitutional Conference in Perspective" Paper presented at the launching of the War Against Indiscipline and Corruption, Ibadan, Nigeria, 1994.

decided who should rule after them rather than a genuine transition program that should throw up an elected civilian government.

**General Sani Abacha's Transition Programme (1993-1998)**

On November 17th, 1993, a Lagos High Court, in a law suit instituted by the assumed winner of the June 12th, 1993, presidential election, Chief M.K.O. Abiola made a declaration that the Interim National Government (ING), which was hurriedly put in place by General Ibrahim Babangida's administration, was illegal. Thereupon General Abacha staged a coup d'etat, dissolving all the existing democratic structures retained by the ING and once again returned the country to a full blown military dictatorship. The ING had since August 26th, 1993, been feigning to governance and only those who contrived its existence, were sure as to when they would terminate its existence just as its predecessor the Babangida administration exploited the yearnings of the people for the institutionalization of democracy. General Abacha cashed in on this too and promised (or lied) that he would convene a Sovereign National Conference (SNC). This was to placate pro-democracy forces in the country, still hell bent on actualization of the annulled presidential election result.

As a ploy to buy both time and legitimacy, his administration instituted the National Constitutional Conference (NCC), rather than a Sovereign National Conference (SNC) that he promised *ab initio* on June 24th, 1994. While both SNC and NCC do not mean the same thing in terms of power (for the differences between a constitutional conference and a Sovereign National Conference.[59] Eventually, the conference was opposed by a large section of the pro-democracy movement which among other actions, mobilized people to boycott the selection of delegates. This resulted in a low voter turnout. It is on record that throughout the country about a total number of 300,000 voters voted at the delegate election to elect 273 delegates.[60] The election was held on May 23, 1994. But out of the total number of delegates, at least

---

[59] E.E. Osagbae, "Human Right and Ethnic Conflict Management: The Case of Nigeria," *Journal of Peace Research* 33, no. 2 (May 1996).
[60] Eghosa E.Osaghae, op. cit. 1998, p. 288

more than one third (96) of them were nominated by the government. The confab was headed by Mr. Adolphus Karibi-Whyte a government appointee.

Given the controversial background of its setting up, the confab, bereft of legitimacy, credibility and power, whose members were substantially bribed (see, *Freedom Watch*, CDHR Monthly, June 1996:1-2) could not but fulfill the role in which it was set up for. It was essentially set up to legitimize the Abacha junta and buy it time. After fixing January 1996 as the exit date for the regime, the NCC later overturned its resolution by recommending to the regime to relinquish power whenever it so desired! As a matter of fact, the NCC, which was schedule to last for three months eventually, took a whole year.

In spite of its credibility problem, the confab did address critical issues on governance, democracy and the national questions and also proffered solutions to them. The confab came up with a draft constitution submitted to the government on July 27th, 1995. Notable among the innovations of the confab was to stabilize the convulsing federation, where a system of rotational presidency, a multi party system, the creation of Federal Character Commission, and a new system of revenue allocation placing emphasis on the derivation principle among other notable exceptions. The Provisional Ruling Council (PRC), the highest decision making body of the junta examined the draft constitution and by many accounts, the military council found it unsatisfactory and threw it open to public debate. Some of the recommendations were the institutionalization of a plural executive comprising President, Vice-President and Prime Minister to facilitate the process of power sharing among the six zones into which the states were grouped, and the limitation of the system of rotational presidency to an experimental period of thirty years. These integrative mechanisms which were innovations of the regime have been well discussed elsewhere too.[61]

However, on October 1st, 1995, the ban on partisan politics was lifted and the Federal Military Government (FMG) amidst skepticism released a comprehensive timetable discountenanced by political observers in view of the abysmal performance of the NCC. Be that as it may, in March 1996, Local Government council's elections were held on a non-party basis. The way and manner Gen. Abacha military junta handled the

---

[61] Emmanuel O. Ojo, "Nigeria's New Modes of Power Sharing: A Prognosis," *African Notes* XXIV, May 2000.

election glaringly demonstrated his insincerity to pave way for a sustainable democracy. Not only were electoral procedures employed to disqualify anti-military aspirants, the regime, in furtherance of its agenda of self-perpetuation, imposed puppets on the councils. Interestingly, some of the candidates who were mistakenly cleared to contest in the elections had their candidatures withdrawn on the day of the election, to pave way for the emergence of the junta's stooges. The Abuja municipal election was indeed very interesting. The military demonstrated outright disdain for democratic values; when election to the council was deadlocked, in an amazing manner "choice of candidate was decided by tossing of the coin"[62] rather than resort to the law court or a re-run of the election.

By the second quarter of 1996 his administrated created six additional states to calm frayed nerves so that he could drum up support for the transition program. In the same quarter, the process of registering political parties commenced in earnest. In the third quarter, three things were done: registration of political parties, delineating of electoral constituencies and production of authentic voters' register. The National Electoral Commission of Nigeria (NECON) which handled registration of political parties stipulated stringent conditions for a total of fifteen associations that applied. Some of the hurdles that they needed to cross were 500,000 Naira registration fees, a minimum membership of 40,000 per state and 15,000 in Abuja, administrative organization and executive spread at local, state and federal levels, as well as having a constitution, manifesto and articulation of issues. All these were to be achieved in two months after which the electoral commission undertook a verification exercise, assessed and ranked the parties and recommended only those which scored above 50 percent for registration. The following parties scored highest and were accordingly registered: United Nigeria Congress Party (UNCP) (75 percent), Congress for National Consensus (CNC) (60 percent), National Conscience Party of Nigeria (NCPN) (63 percent), Democratic Party of Nigeria (DPN) (57 percent) and Grassroots Democratic Movement (GDM) (54 percent).[63]

After party registration, General Abacha himself muddled up the transition programme. His government refused to follow its self-imposed programme. By this

---

[62] J.O. Adesina, "Civic Society and Abacha State," *Quarterly Review* (January-March1998), Lagos.

[63] Osaghae.

time, the military blood in Abacha started manifesting. He interfered with National Assembly elections and postponed the gubernatorial elections with the excuse that should civilian governors be sworn in at the state level, they might not be able to curtail civil disobedience in the states. This was a replica of the June 12th, 1993 presidential election de-annulment struggle which resulted in state paralysis. Even the parliamentarians that were elected into the two National Assembly chambers were not sworn in until his sudden demise in 1998.

Before this time, General Abacha had overtly developed a keen interest in transmuting into a civilian president. With the presidential and governorship elections on the way, all the five registered political parties started preparing for their national conventions to elect their respective presidential aspirants and at the same time fine tune their electoral strategies to capture more states. While parties were doing that, Gen. Abacha's political strategists were busy whipping up support for his bid. Traditional rulers were not left out in the scheming for Abacha. They were paying regular homage to the seat of power purportedly appealing to the head of state to join the presidential race. Simultaneously, there were a lot of pro Abacha bodies equally agitating that he was the best material for the exalted office.

Support for Abacha reached a crescendo in March 1st, 1998 with mass mobilization here and there for him. On March 3rd,1998, two million youths were mobilized from all the states of the federation to attend an organized rally for Abacha. The rally was organized by National Council of Youth Associations of Nigeria (NACYAN) to persuade the Head of State to transmute into a civilian president in October of the same year. Numerous artistes were billed to participate in the show. The nation's television network was equally up to the task for a live broadcast while the Nigeria Police Force (NPF) provided aerial surveillance for security reasons.[64] The Head of State too was billed to address the rally of 'a rented crowd, which involved a total of 160 youth organizations. The youth organizations were faceless and their efforts well known to political observers as a hoax.[65]

In what was generally regarded as political rigmarole called transition program, Gen. Abacha and his cohorts, all the registered political parties which a late politician

---

[64] *The Punch*, 1998, p.1.
[65] *The Guardian*, 3 March, 1993.

and Nigeria's former Minister of Justice and Attorney General Chief Bola Ige (Senior Advocate of Nigeria) described as "five fingers of a leprous hand all in unison adopted Gen. Sani Abacha as presidential candidate for the country. They even went further to amend their respective constitutions to facilitate his transmutation.[66] The Abacha pet party was the defunct UNCP. No wonder in all elections, the party was far ahead of the others. After the death of Abacha one of his close aides disclosed that in his desperate bid to actualize his self perpetuation agenda, the late head of state ordered the Nigerian Security and Minting Corporation (NSPMC) to make 55 percent of electoral materials it printed available to only the defunct United Nigerian Congress Party (UNCP) among others. Even, if the UNCP failed, the election would have been rigged in its favour as long as General Abacha stood as its flag-bearer.[67] As the presidential election gradually drew nearer all opposition was silenced with the instrument of state coercion. Surprisingly on June 8th, 1998 he suddenly slumped and died before the August presidential election day. Immediately General Abubakar Abdulsalam took over, he quickly truncated the fraudulent transition program and resume full blown military autocracy. Thus, because of the intention of General Abacha to transmute into a civilian president in the program superintended by himself, the transition program do not fall into any of the known theories too. What a kind of grandstanding and self deception?

Beside the lack of credibility of the junta's program, the horrendous human rights' violation of the regime since its inception did not demonstrate any inclination to restore democracy. The regime's catalogue of human rights' abuses cum kleptocracy was unprecedented in the annals of military government in Nigeria. Throughout the administration of Abacha, the civil society existed in a beleaguered state. All tactics of show trial, harsh treatment of opponents and dissidents, sycophancy, hostage taking, forced exile and physical elimination of opponents that defined Germany in the period 1936-1945 or Stalin's Soviet Union, characterized the behaviour of the state.[68] It was the increasing frustration of the politicians who were banned, schemed out or out rightly cowed from participating in the transition program that resulted into the formation of a recalcitrant opposition pro-democracy movement known as the National Democratic

---

[66] *Sunday Punch*, op. cit., 1998, pp 8-11.
[67] *The Punch*, April 17, 1998, p.1, Ibadan.
[68] *Sunday Tribune*, September 20, 1998, p.1, Ibadan.

Coalition (NADECO) between March and April 1994. The organization brought together four main political groupings and a number of pro-democracy and human rights organizations. The central objective was to ensure the exit of Military and the initial objective was the reversal of the annulment of the presidential election.

During the transition program, most especially when the heat of agitation was too much for the regime, the leader of the oil workers, Frank Kokori, was arrested for spearheading a national strike. He was not released until the death of the dictator .Likewise Chief Abiola, the assumed winner of the annulled presidential election was arrested for his self-declaration as president elect and a host of others too. Chief Abiola eventually died in detention. In early 1995, Generals Olusegun Obasanjo and Musa Yar'Adua (ret'd) along with several military personnel, Dr. Beko Ransome-Kuti and several journalists too were arrested and jailed for an alleged coup plot. It mattered little that very few people indeed believed that there was any coup attempt in the first instance. But the peak came on November 10th, 1995 with the hanging of Ken-Saro Wiwa and eight other Ogonis. The judicial murder of the renowned environmentalist was condemned by the international community.[69] Apart from the murder of the Ogoni Nine, several labour, pro democracy and human rights activities cum military dissenters languished in jail (CDHR, 1997 Report). The most dangerous dimension that state repression assumed was the assassinations of pro-democracy activists in circumstances that suggested politically motivated elimination.[70]

In the same vein, the press tasted the venom of the junta in Abacha's pursuit of self-succession. Media houses were closed at will and journalists tortured, imprisoned and also exterminated.[71] These sources chronicled how the media fared at the time of Abacha terrorism. Not only that the unfavourable decrees and operational milieu all helped to cow the media. The desecration of press freedom by the junta featured prominently in the compilation of Olugboji[72] while Akinkuotu also did the same thing in *Tell* magazine[73] recorded in greater detail the suppression of press freedom in Nigeria

---

[69] Adesina, 1998

[70] Ibid.

[71] *Tell*, November 3, 1997

[72] See B. Olugboji, et al., "The Press and Dictatorship in Nigeria," *Lagos, Constitutional Right Project Publication*, 1994, Lagos.

[73] Ibid.

during the Abacha era. In a nutshell, the regime simply unleashed terror on the polity and was at the same time in self-delusion claiming to mid-wife democracy.

**General Abubakar's Transition Programme (1999)**

Unlike his predecessor, General Abubakar was not interested in succeeding himself. This gave the new transition program legitimacy and acceptance. Though, several demands were made by various pressure groups, three of them stood out. First, the military was asked to transfer power to a democratically constituted government. Second, a government of National Unity to be headed by the detained winner of the annulled June 12, 1993 presidential election – Chief M. K. O. Abiola was demanded and third, the new military government was asked to convene a Sovereign National Conference (SNC).

In a nation-wide broadcast on July 20th, 1998, General Abubakar terminated the Abacha transition, and announced a new transition program that would culminate in the transfer of power to elected civilians on May 29th, 1999. In this regard, the following steps were announced: all extant political parties of the Abacha era were dissolved, the National Electoral Commission (NECON) was dissolved; previous elections were cancelled; and the request for a Sovereign National Conference was rejected. Also political detainees were released, and those in exile invited to return home to help build democracy.[74] A new electoral body known as Independent National Electoral Commission (INEC) was established to oversee the registration of parties, voters, and conduct elections. Having survived the political unrest that followed the sudden death of Chief MKO Abiola in government custody on July 7th, 1998, General Abubakar started demonstrating its sincerity by asking political associations that emerged after the dissolution of all political parties to contest the forthcoming local government election. Of the several associations that contested the local council elections, three were eventually registered as the officially recognized political parties, namely: the Alliance for Democracy (AD), the All Peoples Party (APP) and the Peoples Democratic Party

---

[74] Emmanuel O. Ojo and Ademola Azeez, "The Military and Democratic Transitions in Nigeria (1976-1999)," *Nigerian Journal of International Affairs* 28, nos 1& 2 (2002): pp. 203-211.

(PDP). These parties were coalitions of politicians of the Second and Third Republic, with a few rich individuals, reflecting new geopolitical and elite calculations. By November 11th, 1998, General Abubakar inaugurated a committee headed by Justice Niki Tobi of the Appeal Court to coordinate debates on the 1995 Draft Constitution. By December 1998, the Committee submitted its report to the Head of State, after receiving a total of 405 memoranda. On May 6th, 1999, General Abubakar signed the new constitution of the Federal Republic of Nigeria into law. The new constitution became operative on May 29, when the military was scheduled to hand over to democratically elected civilian. The implication of this was that election had been held before the constitutive framework for the electoral process was signed into law. This emphasizes in part the flaws in the conduct of 1999 election. Ololo capture the trajectories, when he claimed that the 1999 electoral process as well as the underlying constitutional framework was far from ideal. While the question of irregularities was raised on the 1999 election nonetheless, it is argued the 1998/1999 transition elections could be viewed in the context of the broader impetus to end military rule. Nevertheless, Chief Obasanjo of the PDP was declared winner of the Presidential elections by the INEC. Though Chief Olu Falae of both the AD and APP alliance initially contested the election result in court, in the interest of a smooth transition, Olu Falae conceded and the winner was sworn in on  May 29th,1999, thereby signaling the conclusion of General Abubakar's transition, and the commencement of the fourth republic.[75] No doubt it was also a kind of evolutionary top to bottom kind that brought the programmed candidate as preferred by the military junta.


## Concluding Remarks

From the foregoing, the military in Nigeria has interrupted civil rule too frequently. They have always been working on political transitions. But as we have demonstrated in this paper it has all along being a transition without transferring power. The military engaged in mere grandstanding and rhetoric about the need for democracy, but little efforts have been made by the military to establish the necessary

---

[75] See, Emmanuel O. Ojo, "The Millitary and Political Transitions," in *Nigeria's Struggle for Democracy and Good Governance*, A.A.B. Agbaje, Larry Diamond and Ebere Onwudiwe,  eds. (Ibadan: Ibadan University Press, 2004), pp. 60-82.

preconditions required for stable and sustainable democracy. The shortest transition of Gen. Abdulsalam Abubakar that handed over to civilians in 1999 did so simply because military government became unfashionable and even weary of governance. The transition program was hurriedly done with an election that was far from being credible vis-à-vis international standard. On the other hand they have played prominent role in Nigeria's match to stable democracy. The military in Nigeria has been involved in maintaining security during elections while also striving to augment the role of the Police in equally maintaining internal security whenever the Police became incapable of contending with the civil crises of magnitude that saps its strength.[76] The military between 1999 till date has become more professionalized; they have been helping to sustain the nascent democracy at least by refraining from disrupting the polity since 1999. Above all, this paper has not only documented virtually all the military superintended political transitions but it has also bring out the flaws in each of them revealing the hypocrisy of the military saddled with an assignment by itself, an assignment it is not designed to perform.

---

[76] See, Emmanuel O. Ojo, "New Missions and Roles of the Military Forces: The Blurring of Military and Police Roles in Nigeria," *Journal of Military and Strategic Studies* 11, nos. 1 & 2 (Fall/Winter, 2008/2009): pp. 1-18.