

**MILITARY INTERVENTION AND ITS IMPACTS ON DEMOCRATIC STABILITY IN
AFRICA: A CASE STUDY OF NIGERIA**

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A RESEARCH PROJECT SUBMITTED TO THE DEPARTMENT OF POLITICAL
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DECLARATION

I hereby declare the project entitled, “MILITARY INTERVENTION AND ITS IMPACTS ON DEMOCRATIC STABILITY IN AFRICA: A CASE STUDY OF NIGERIA” submitted by me to Godfrey Okoye University, Enugu State in partial fulfilment of the requirements of the award of the degree of Bachelor of Science (B.Sc) in political science is a record of a bonafide project work carried out under the guidance of Prof. Ugwuozor Samuel

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APPROVAL

This is to certify that this project titled “MILITARY INTERVENTION AND ITS IMPACTS ON DEMOCRATIC STABILITY IN AFRICA: A CASE STUDY OF NIGERIA” was examined, read and approved by the undersigned, as having met the requirements of the department of Political Science/International Relations, Godfrey Okoye University, Enugu State, for the award of Bachelor of Science (B.Sc.) degree in political science.

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DEDICATION

I dedicate this work to God Almighty for his mercy, protection and guidance through this journey.

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TABLE OF CONTENTS

Title Page	i
Declaration/Certification	ii
Approval Page	iii
Dedication	iv
Acknowledgements	v
Table Of Contents	vi
Abstract	ix
CHAPTER ONE: INTRODUCTION	
1.1 Background to the Study	1
1.2 Statement of the Problem	5
1.4 Research Questions	7
1.3 Objectives of the Study	7
1.5 Significance of the Study	8
1.6 Scope of the Study	9
1.7 Definition of Key Terms	9
CHAPTER TWO: LITERATURE REVIEW	
2.1 Introduction	11
2.2 Conceptual Review	11
2.3 Military Intervention in Africa	14
2.4 Nigeria as a Case Study	17
2.5 The Effects of Military Intervention on Democratic Stability	19
2.6 ECOWAS and AU Responses to Military Intervention	22
2.7 Empirical Review	25
2.8 Gap in the Literature	28
CHAPTER THREE: THEORETICAL FRAMEWORK AND METHODOLOGY	
3.1 Theoretical Framework	30
3.2 Hypotheses	34
3.3 Research Design	34
3.4 Method of Data Collection	37
3.5 Method of Data Analysis	38
3.6 Logical Data Framework (LDF)	39
CHAPTER FOUR: DATA PRESENTATION AND ANALYSIS	
4.1 Introduction	42
4.2 Causes and Patterns of Military Intervention in Nigeria and Their Effects on Democratic Governance	42
4.3 The Legacy of Military Rule in Nigeria's Fourth Republic (1999–Present)....	47
4.4 Comparative Analysis: Nigeria's Experience and Lessons for Africa..	52
CHAPTER FIVE: SUMMARY, CONCLUSION AND RECOMMENDATIONS	
5.1 Summary	58
5.2 Conclusion	59
5.3 Findings	60
5.4 Recommendations	61
REFERENCES	63

ABSTRACT

This study examines a focused and specific problem: how military intervention has eroded the rule of law in Nigerian states, and why that erosion has proven so resistant to repair under more than 25 years of civilian governance since 1999. Nigeria experienced six military coups between 1966 and 1999, producing 29 years of predominantly military governance that systematically replaced statute law with executive decrees, ousted the jurisdiction of the courts, suspended constitutional rights, and normalised security force impunity. The study argues that these actions were not incidental to military governance but constitutive of it, and that their institutional consequences persist measurably into Nigeria's Fourth Republic. Guided by three research questions and three corresponding hypotheses, the study adopts a qualitative historical-comparative case study methodology drawing on secondary sources. The theoretical framework draws on Civil-Military Relations Theory (Huntington, 1957; Finer, 1962), Praetorian State Theory (Huntington, 1968; Luckham, 1994), and Democratic Consolidation Theory (Linz and Stepan, 1996; Diamond, 1999). Ten empirical scholars reviewed in Chapter Two identify the gap this study fills: no existing work has systematically examined how military governance structurally eroded the rule of law specifically within Nigerian states. The findings confirm all three hypotheses. Military rule cumulatively dismantled legal institutional capacity across six successive regimes. In the Fourth Republic, judicial independence remains weak, security forces retain significant legal impunity, corruption is structural, and citizens' confidence in legal recourse is low. Comparatively, African countries with shorter military histories Botswana, Senegal, Ghana consistently outperform Nigeria and the recently coup-affected Sahel states on every available rule of law measure. The study concludes with six targeted recommendations for the Nigerian government, the security sector, ECOWAS and the AU, countries currently under military rule, and international partners.

CHAPTER ONE

INTRODUCTION

1.1 Background to the Study

The association between democracy and Nigeria has been very problematic indeed. Since the country attained independence from Great Britain in the month of October 1960, there has been constant military intervention in government affairs thus disrupting the process of democracy. For example, the first coup was carried out in Nigeria on 15 January 1966 – only six years after the attainment of the nation's independence. After this incident, Nigeria was under military leadership for 29 years out of 33 years till 1999. This research aims at evaluating the impacts that these military interventions had on the democratic progress of the country and what lessons can be learned by other African nations from the case of Nigeria.

It is true that every nation has an army which plays the role of ensuring the security of the state against any foreign threats. Besides, the military has often helped in solving security issues in times of natural catastrophes like floods. Apart from playing security roles, the military has often been viewed as a symbol of national cohesion as soldiers can help in bringing together people of different ethnicities into one institution.

Samuel P. Huntington, a well-known authority on civil-military relations, gave a major theory in his book "The Soldier and the State" (1957). According to this author, for a state to have democracy, the military must always operate under the jurisdiction of the democratically elected civilian authorities. This situation is described by Samuel P. Huntington as the "objective civilian control". He argues that political instability occurs in a nation whenever the military does not play its role but takes part in politics.

Yet another author, Samuel P. Finer wrote *The Man on Horseback: The Role of the Military in Politics* (1962). In this work, Finer raised a thought-provoking question: considering the military access to weapons and potential to capture political power, why does it not do this regularly? According to his opinion, the reason for non-interference lies in the respect to the civilian authority and legitimate nature of the present government. On the contrary, when the respect towards the current government becomes undermined due to election manipulations or

corruption of the ruling elite, this factor disappears, and the military understands its chance to interfere.

As to the military role in many newly independent African countries, it was expected to be much more than protection of national borders because of its modernizing function which could ensure national cohesion. However, this expectation turned out to create a dangerous situation as organizational strength of the military compared to vulnerable civilian administration made a coup politically attractive each time there were difficulties with governing.

There was a great number of works written on the issue of why African soldiers stopped staying in their barracks and started taking the government over. Everybody agrees on the fact that there cannot be any one reason for this phenomenon; on the contrary, several factors operate at once.

American sociologist Morris Janowitz, who studied the military in the process of development, claimed that in his opinion, most coups reflect corporate interests of military officers. In other words, the reason for military coup can be attempts of the civilian government to undermine the position of the military, for example, by making a cut in its budget or postponing its promotions.

Further contributions to the subject came from Samuel Decalo (1976), who claimed that personal ambitions usually motivated many African coups. Specifically, he argued that many officers used the language of national salvation—arguing that they overthrew a corrupt government in the name of serving the people—while their real motivation was getting power and access to resources of the state. The importance of Decalo's contribution consists in explaining why so many military governments in Africa ended up being as corrupt as, or even more corrupt, than the civilian governments they replaced.

In his book *The Trouble with Nigeria*, published in 1983, Chinua Achebe identified the reason for the described phenomenon in a clear way. Namely, he wrote: "The trouble with Nigeria is simply and squarely a failure of leadership. There is nothing basically wrong with the Nigerian land or climate or water or air or anything else. The Nigerian problem is the unwillingness or inability of its leaders to rise to the responsibility, to the challenge of personal example which are the hallmarks of true leadership." In his words, Achebe addressed the problem of leadership, pointing out both civilian and military leaders as those responsible for the crisis in Nigeria.

Also worth mentioning is Julius Ihonvbere (1996), a political scientist from Nigeria. His point consisted in stating that military coups in Nigeria arose not only because of individual deficiencies of military leaders but due to more complex reasons. Namely, these included ethnic divisions, economic disparities between different groups, and inefficient functioning of governmental structures aimed at serving people. According to him, military regimes just used these problems instead of resolving them, and each time the military tried to fix things done by civilians, it created new issues.

Moreover, the situation in relation to the Cold War also played a role. Throughout the years of the 1960s to the 1980s, USA and Soviet Union fought over influence in Africa supporting military regimes, which aligned with their goals, despite the fact that they were not democratic. Such support helped these regimes to survive and decreased the motivation of switching to civilian rule.

Military coups didn't start with Nigeria. They were already sweeping across the African continent before Nigeria experienced its first one in 1966. The very first post-colonial African military coup took place in Togo in 1963. After that, it became nearly impossible to go through a year without a coup happening somewhere in Africa. Ghana got its first coup in 1966. Sierra Leone got one in 1967. Libya, Mali, and Somalia all experienced military takeovers by 1969. In 1970, journalist and scholar Ruth First described in her research of coups, most of the post-colonial African governments had weak constitutions and their inherited colonial structures that were never set up to address the needs of the citizens making them susceptible to the take-overs.

In their recent research, Akinola and Makombe (2025) show that, “regardless of promises of restoring order and delivering good governance, military takeover often does not improve the country rather, soldier takes power due to corrupt practices, to enrich themselves” In most cases, military takeovers often result in the military looting the resources of the country instead of serving the nation. This goes contrary to their fundamental role in defending and protecting the country from external and internal threats.

Ghana provides a perfect illustration of how a coup can unleash decades of political instability. The 1966 coup that ousted President Kwame Nkrumah-whose government had become corrupt

and inefficient—was cheered by some, but it ushered in a succession of coups and coups’ attempts that lasted for decades, alternating between military rule and brief periods of democracy. Similar patterns are evident across the continent. Sudan, under Omar al-Bashir from 1989 to 2019, experienced prolonged military rule that led to war, human rights abuses, and economic collapse, only to be replaced by another military junta.

More recently, West Africa’s Sahel region has witnessed a surge of coups: Mali in 2020 and 2021, Guinea in 2021, Burkina Faso in January and September of 2022, and Niger in 2023. In all these instances, the coups’ protagonists invoked the familiar rhetoric of combating corruption and insecurity – the same rationalizations offered for takeovers in the 1960s. As Frank and Ukpere (2012) demonstrate, military intervention systematically undermines democratic institutions, fostering a political culture in which force trumps dialogue and accountability becomes optional.

Nigeria’s first experience with military rule occurred on January 15, 1966. A faction of young military officers, led by Major Chukwuma Kaduna Nzeogwu and four others, overthrew the civilian government of Prime Minister Abubakar Tafawa Balewa and executed other key figures such as Northern Premier Ahmadu Bello and Western Premier Ladoke Akintola. Nzeogwu cited the need to eliminate corruption and establish a competent and accountable government as the coup’s objective. Ihovobere (1996) further reported that Nzeogwu declared that when suitable leaders were found, the military would return to the barracks and simply monitor to ensure their compliance.

However, the planned outcomes were not achieved. The coup in January was viewed as a plan by the Igbo people to annihilate the northern officers, who constitute the majority of the killed. This paved way for a counter-coup in July 1966 led by Yakubu Gowon. Escalating ethnic tensions led the Eastern region to secede and declare herself the republic of Biafra in 1967, which ignited the Nigerian civil war that lasted until 1970 and claimed millions of lives. This is arguably one of the clearest manifestations of a military coup causing adverse consequences in a country.

Nigeria then continued her see-saw transition between military and civilian governments for the next three decades. While there was a semblance of democracy in the form of the Second Republic (1979 – 1983), military takeovers returned in the forms of General Muhammadu Buhari

(1983) and General Ibrahim Babangida (1985). Most striking perhaps was the cancellation of the June 1993 presidential elections by Babangida, which had been adjudged to be the most credible and fair elections conducted by Nigeria up to that point. The presidential candidate Moshhood Abiola never got to serve and public confidence in the democratic process ebbed.

In Late 1993 General Sani Abacha assumed office and, in the words of some scholars, established what is arguably the worst military regime in Nigeria. Opponents were imprisoned, activists were killed and public funds were looted at an unprecedented rate. Following his death in 1998, Nigeria commenced its journey towards full transition to democracy, and in May 1999 Nigeria once again had a civilian head of state. Ojo (2014) described Nigeria's predicament as the "Praetorian trap," in which the military continuously intervenes as a political referee to pick or remove civilian leaders even while the civilian government is officially in place.

1.2 Statement of the Problem

Arguably, the most significant and longest-lasting legacy of military rule in Nigeria is its detrimental effect on the rule of law. The rule of law is understood as a norm that "each person and institution - whether public or private, including the state itself - is responsible to laws that are publicly promulgated, equally enforced, and independently adjudicated, and which are consistent with international human rights principles" (United Nations Human Rights Commission). Decades of military dominance in Nigeria systematically eroded this norm: military decrees usurped legislative statutes, judicial bodies were rendered impotent, and fundamental rights were regularly suspended.

Specifically, this paper asks: How did military intervention in Nigeria erode the rule of law and what effect does that erosion continue to have on the nature of governance in contemporary democratic Nigeria?

As scholars have long observed, when the military overthrows civilian rule they do more than suspend democracy; they often alter the institutional structure of the state in ways that will outlive their direct reign (Finer, 1962). This reshaping has proven especially corrosive in Nigeria where from 1966 through 1999, military regimes ruled by decree, a process that bypassed legislative approval, debate, and court oversight. Numerous military regimes created ad-hoc tribunals as a substitute for ordinary judicial processes. Furthermore, detention without trial, in

part, due to the expansive power granted under State Security (Detention of Persons) Decree No. 2 of 1984, was employed during the Babangida years to jail his critics and political adversaries without legal review (Ojo, 2014).

According to Ihonvbere (1996), the damage to legal and institutional norms persisted after Nigeria returned to civilian rule in 1999, a tendency to fall into a "Praetorian trap," a pattern of continued civilian political elite susceptibility to the norms and practices that sustained their military overlords. In essence, the current regime can be seen as one in which the rhetoric of the rule of law is observed, but not consistently observed as either an effective framework or as binding on all actors.

But despite its importance, academic interest has hitherto been directed largely towards military rule in general, and democratic transitions in particular, rather than toward the discrete, identifiable consequences of military rule at the state level for the rule of law. In this article I therefore pose one highly contained, tightly drawn question: how has chronic military intervention structurally undermined the rule of law within Nigerian states and why have the debilitating impacts of such intervention remained so difficult to ameliorate during prolonged periods of civilian government? My goal in posing this focused question is to develop findings that will be both analytically powerful and of practical value to scholars, activists and reformers who seek to restore respect for the law in Nigeria and elsewhere in Africa.

1.3 Research Questions

This study is guided by the following research questions:

- i.** What were the main causes and patterns of military intervention in Nigeria, and how did those interventions affect the country's path toward democratic governance?
- ii.** In what specific ways does the memory and legacy of military rule continue to shape Nigeria's democratic institutions and political behaviour in the Fourth Republic?
- iii.** What can other African countries learn from Nigeria's experience of military rule and democratic transition, especially those countries currently struggling with civil-military relations?

1.4 Objectives of the Study

The main purpose of this study is to explore how military interventions impact on democracy sustainability in Africa; with Nigerian as a main subject for case study. Specifically, the study is to achieve the following objective(s):

- i.** To trace the history of military interventions in Nigeria and examine how each intervention affected the country's democratic institutions, political culture, and system of governance.
- ii.** To assess how the legacy of military rule continues to affect Nigeria's democracy today, including the role of former military officers in politics, the conduct of elections, and the behaviour of security forces.
- iii.** To identify lessons from Nigeria's experience that can be useful for other African countries that are currently dealing with military interference in their politics or trying to strengthen their democratic institutions.

1.5 Significance of the Study

Theoretical Significance

It fills a gap in the existing academic discourse concerning civil-military relations and democracy in Africa. More significantly, it attempts to answer whether theories conceptualized largely within the Western context, and put forth by scholars such as Huntington (1957), Finer (1962), and Janowitz (1964) hold water within the historical trajectory of Nigeria as the case under review. Moreover, this research advances studies on what Ojo (2014) dubs the "Praetorian trap" which is the persistent intrusion of the military into the political domain of some states where democratic governance has supposedly become the *modus operandi*. Understanding the 'Praetorian trap' theoretical is a first step towards solving this problem empirically.

The research also relates to the contemporary debate on democratic backsliding which as Akinola and Makombe (2025) have argued in many African states, years of holding elections has failed to create a true democracy and has the effect that 'many states in the African region remain

at the mercy of their militaries. This study, therefore, makes the case of Nigeria's contribution to this debate which offers an understanding of the difference between having formal democracy and the establishment of enduring stability based on democracy.

Practical Significance

But beyond these theoretical contributions the study has considerable practical implications. For Nigerian policymakers it sheds light on the nature of the institutional deficit that military rule left and that still needs to be managed-whether that is through security sector reform, strengthened electoral institutions or through constitutional means to safeguard civil liberties. For governance advocates, the study also provides a body of research-based arguments on the importance of civilian oversight of the military and the implications when such oversight fails.

For students and researchers the study provides an in-depth case study of civil-military relations in Nigeria and its link to current democratic challenges. It also serves as an example for countries in West and Central Africa, currently facing similar military-led transitions, to learn from – Mali, Burkina Faso, Guinea, and Niger.

1.6 Scope of the Study

This paper focuses on Nigeria from January 1966 (the year of the first military coup) to the current Fourth Republic; therefore the whole story of military interventions and transition to civilian rule in Nigeria falls within the scope of this analysis. The experience of Nigeria will be examined alongside the history of other African states such as Ghana, Sudan, Mali, Burkina Faso, Guinea, and Niger to demonstrate that Nigeria's situation is not a unique case, but part of a pan African phenomenon. This includes military regimes that have directly administered the affairs of Nigeria and post-1999 civilian rule which, although democratic, have continued to be influenced by the military.

1.7 Definition of Key Terms

The following five terms are defined as they are used in this study. Each term is drawn directly from the central subject of military intervention and its effect on the rule of law in Nigerian states:

Military Intervention: This indicates a situation where by force the armed forces seize the political power from the government with the aim to replace elected civil government by using power over the army (Finer, 1962), where a military action aimed to affect or to remove civil decision makers in way not allowed to its mandate. Military action was not once; in the Nigeria; for example there have been several such episodes as; 1966, 1975, 1983, 1985, 1993 and this further disrupted the legal and political system of the state.

Rule of law: states that all individuals and institutions – government itself – are equally answerable to, and accountable before laws, which are promulgated in public and impartially enforced by impartial institutions. The rule of law is an essential element of a constitutional democracy. In Huntington's words, "civilian control of the military requires nothing more nor less than respect for the rule of law: in a society ruled by military power, the law is not an inhibition on action but a tool for coercion (1957:152)". Military governments directly contradicted the principle of rule of law through such practices as replacing the legislative assembly with military decrees, making courts an appendage of the military and instituting detentions without trial.

Military Decree: A military decree is a piece of Legislation by a military regime which assumes a Legal Status but without having undergone Legislative debate by elected Representatives, any Juridical review and the Consent of the general public. The Military Decrees was the tool used by the various Nigerian Military regime to rule the country and curb legal rights. Ihonvbere, (1996) stated that this type of Decrees invariably prevented the court from entertaining some disputes; that is the citizens could not sue the executive to the court. This effectively removed judicial Independence and one of the basic tenet of the rule of law, both at Federal and State level.

Civil-Military Relations: Civil-military relations deal with the formal and informal ties that exist between a nation's civilian authorities and its armed services - especially as far as ultimate control of state power is concerned. Civilian dominance of the armed services is, in constitutional democracies, the bedrock of the rule of law. Both Huntington (1957) and Finer (1962) warned that once the civil-military relationship collapses and the armed services refuse to subordinate themselves to the elected leadership then the very survival of law and democracy is

in doubt. In Nigeria, that warning proved repeatedly accurate. Every time the military strayed from its constitutional duties it did so in violation of legal norms and civil rights.

Institutional Decay: Institutional decay is a slow but sure process that reduces the abilities, independence and credibility of institutions, whether it is the legislature, the judiciary, the institutions to ensure supervision and public participation, due to repeated mismanagement, neglect or dismantling by leaders.¹⁴ For the purpose of this study, institutional decay is what happens to the structures of laws and governance due to their marginalization or dismantling over time, often, for long periods, due to military regimes. Ojo, in his own words argued that institutional decay from military interventions do not self reverse themselves following a return to civilian government.¹⁵ Rather, institutions may survive in a truncated form or function at reduced capacity, yielding a democracy that is in practice, a façade, as the institutions, though nominally present, cannot uphold the rule of law. Frank and Ukpere, too, reported that military rulers always left behind institutional frameworks so weak that accountability mechanisms were non – existent, thereby compromising security for citizens.

CHAPTER TWO

LITERATURE REVIEW

2.1 Introduction

Chapter two of this project work, analyses existing research and writings on military interventions in Africa, with a focus on Nigeria, on their implications for democratic stability. In so doing it explores arguments and scholarship around the military interventions and their causes, their implications for the democratic process, as well as the regional bodies like the African Union and ECOWAS. By so doing it builds the academic context for the present study and locate the study within the existing scholarship.

Military intervention has continued to pose one of the greatest dangers to the development of democracy in Africa since the end of colonial rule. Coups d'état, military seizures of power, declaration of states of emergency and periods of extended rule by military officials have been experienced in a variety of African countries since their independence. Scholars and intellectuals ranging from Samuel Huntington to Samuel Finer and Morris Janowitz, have all participated in ongoing discourse around why the military intervenes in the politics of Africa and how this has negatively impact on the continent's quest for democracy.

Nigeria is perhaps of most importance for this discussion in that the nation suffered multiple coups d'état and approximately 30 years of direct military rule since it attained independence in 1960. Since its return to civilian rule in 1999, most authors would agree that the legacies of military rule persist and are observable in many facets of the country's democracy. For example, weak institutions, powerful executive authority, the distrust of election results and of politicians, the tendency for political activity and decision-making to take the form of military-style command structures, as well as persistent questions over whether democracy has taken firm hold of the country's politics. Nigeria is therefore a critical case in the larger African question of military intrusion in democratic politics and their attendant fragility.

2.2 Conceptual Review

2.2.1 Military Intervention

Military intervention refers to direct or indirect military interference in the internal affairs of a state, especially in an unconstitutional manner. In the majority of cases, it signifies a military takeover of a state and the dismantling of civilian administration through the exercise of force and or coercion. This can take many forms, including a coup d'etat , suspension of the constitution, dissolution of representative bodies and installation of military rule. In democratic discourse, scholars view military intervention as an affront to democracy, by disempowering the population and entrenching military autocracy.

Huntington stressed the view that the level of civilian control of the military goes to some extent determine the level of military intervention in a state, asserting the fact that democracy grows stronger the less a military interferes in politics and the greater the civilian political supremacy.

Likewise, Finer asserted that: the military are the institution most capable, by definition, for the takeover and holding of the instruments of state power, however, a military regime need only establish itself over a regime that can offer no legitimate support to itself... And when public confidence in any authority on that regime is no longer able to command allegiance. This is to show that, it is the instability of the political environment or the fragility of political institutions and the loss of confidence in civil rule, rather than just the capacity of the military, that is more inclined to encourage military intervention. As seen in most parts of the world, military interventions in African countries were usually legitimized by the soldiers themselves through rhetoric. For example, Coup makers usually claim that their objective is to fight corruption, to restore order, to protect and save their nations from impending collapse.

However, as documented by several scholars, such as Decalo, Ihonvbere, Ojo, many military coups that came to the power in Africa were not only short lived, but also characterized by more corrupt leaders, more dictatorial, and less accountability on the side of the military regimes compared to the leaders they replaced. As a result, it has generally become the position in literature that, military coups rather constitute a threat to democratic stability and peace, than a solution to political and administrative failure.

2.2.2 Democratic Stability

Democratic stability occurs when a democracy not only persists but is effectively and sustainably

established. It denotes a polity where regular and legitimate elections take place; institutions are efficient, the rule of law is implemented and constitutionality maintained; and civilian control over the military is guaranteed. It is thus important to remember that while the conduct of elections is necessary for the maintenance of a democratic regime, it is by no means sufficient. This argument is fundamental to this research as a military intervention normally erodes the environment necessary for democratic survival. Once the military steps in, constitutionality ceases, civil liberty is constrained, and institutions are run not by law but command. Eventually, it builds a political culture where citizens become acclimatised to fear, force, and discipline, rather than accountability, participation, and responsiveness. According to scholars such as Ojo and Huntington, after such practice, it becomes hard for democracy to survive.

Looking at the African context, sustainability of democracy is sometimes endangered, as most African states inherited from colonial times states that are fragile in term of institutions. Added to that fragility is the frequency of coups and breaks to the long learning and maturations of democratic behaviour, which is, that continuity and process, for African states perpetual oscillation. That is a part of the fragility of democracy in Africa though we have militar leaders withdrawn.

2.2.3 Coup d'état

A coup d'état is an abrupt and illegal seizure of the reins of power in the state, which is carried out typically by members of the military. Often this leads to the arrest of civilian leaders, take over of key institutions, abrogation of the constitution, and announcement of the assumption of power by a new body. Military coups have been the predominant mode of the military in the politics of most African countries.

According to Ruth First and her fellow writers, Coups occurred in post-colonial Africa largely as a consequence of a weak institutional framework and democratic legacy within post-colonial states; this enabled the military to position itself as the only entity able to provide solutions in unstable civilian political systems. Research has, however demonstrated that, although they can be a quick solution to a short-term political problem, coups more frequently cause further disruption, heightening the level of repression and contributing to enduring problems in governance.

Nigeria's 1966 coup is probably the most salient illustration of how such a move can irreversibly

alter a nation's trajectory. What was justified as a reform operation soon resulted in an inter-ethnic clash, counter-coup, civil war and nearly 4 decades of military rule in the West African state. A coup thus is more than a disruption, a contravention; it is often a rupture, an alterity, an event that irrevocably changes the political map of a nation.

2.2.4 Civil-Military Relations

Civil-military relations is a concept used in social and political science to describe the relationship between the military and the civilian population or the civilian leadership. Healthy civil-military relations assume a situation in which the military remains under civilian control, respects democratic processes and stays outside party politics. It entails that civilians lead and direct, while the military operates under that leadership with responsibility for defense and security. If it is in equilibrium, it facilitates the continuation of democracy.

However, civil-military relations have been volatile in much of Africa, as the military often perceives itself as more coherent, disciplining and competent than their political counterparts. Janowitz, for instance characterized the military as an institution having corporate interests, and as Finer posited that soldiers are inclined to intervene on the assumption of the collapse or lack of legitimacy of the regime under civilian rule. Such analyses help understand why in Africa, the military considers itself a guardian or guardian angel of the state.

Nigeria is a case where decades of military rule and its subsequent legacy has profoundly influenced its civil-military relations. This led to many Nigerians, civilians and military alike, having fears of the military on one hand and continued importance of the military in Nigerian politics on the other, even after the return to democratic rule in 1999.

2.3 Military Intervention in Africa

2.3.1 Historical Background

Immediately after independence, the region witnessed widespread military intervention across the continent. Many nations were bequeathed with flimsy institutional structures, poorly organized political parties and economic bases that still maintained their colonial ties. Yet, these nascent states were immediately required to demonstrate and deliver quickly on democracy,

while they often did not possess any political framework and a capable social base necessary to foster effective and sustainable civilian governments that might ward off military intervention. It, therefore provided a ripe environment for such a phenomenon.

This prompted such scholars as Ruth First, Decalo, and Ihonvbere to assert that post-colonial Africa provided a fertile terrain for coup d'etat as the state often loomed large relative to society, but at the same time proved weaker than the popular demands. The military readily assumes the guise of a disciplined force that would restore order. Thus, in the aftermath of the 1960's, coup d'etat proliferated in Africa throughout the subsequent decades up to present day. Military intervention thus came to permeate the political terrain in various shapes and sizes across Africa, as seen across such diverse states as Ghana, Sudan, Mali, Guinea, Burkina Faso, Niger among others.

This pattern is consistent in how the pattern occurs: A civilian leadership gets to a point of weakness and loss of popular mandate, the military enters into the equation, promised much reform and eventual return to civilian leadership but then, once in power, assumes an even stronger form of authoritarian leadership than the one overthrown. Thereafter, after some period of the latter, a semblance of the initial regime resurfaces but with weaker foundations than before the coup.

2.3.2 Reasons for Military Intervention in Nigeria and Africa

Scholars tracing military coups in Nigeria and in Africa, have come up with the reasons why Nigerian soldier has continuously abandoned the constitutional post of their professional service to take over governments. These have many at times in a combination in the same Nigeria and other places in the Continent in which each other seems to aggravate.

Corruption and Poor Governance: That's the one excuse that soldiers tend to use most often when they overthrow regimes. When civilian politicians steal money and 'stuff their pockets with public funds', manipulate votes to win, disregard the public's needs then segments of the public will welcome military takeovers. Nigerian military leaders, wrote Decalo (1976), used the anti-corruption rhetoric, not out of an inherent sense of justice, but because it enabled them to seize power, but ultimately Achebe (1983) stressed that the failure of Nigerian political and military leaders to evolve a sense of civic responsibility to the people is the basic cause.

Ethnic Tensions and Political Rivalry: There are more than 250 different ethnic groups in Nigeria, and the three largest ones are Hausa-Fulani, Yoruba and Igbo. Nigeria has a history of ethnicity being one of the central issues of its electoral process, with ethnic groups seeking the elevation of their representatives to the apex of power. This situation has resulted in a state of constant instability, characterized by the absence of any generally acceptable electoral results in the history of the country. The military regimes, as Ihnonvbere (1996) has argued, rather than resolve this situation, have exacerbated it, by promoting the interests of their preferred ethnic group at the expense of the others.

Economic Problems: Economic downturns have always increased the level of political instability. Increased prices and unemployment and decrease of prices of the crude oil make the citizens angry to the extent that they can accept changes to their leadership. Many Nigerian coups, says Ihonvbere (1996) were closely linked with recessionary policies of the government. This has also been applied to the recent coup in the Sahel where youth unemployment rates are very high, according to Akinola and Makombe (2025).

Election Rigging and Democratic Failure: When there is evidence of vote rigging, or even where elections are annulled or outrightly cancelled, it invariably triggers erosion of confidence in the electoral system. This offers a window of opportunity for the military to step in and present themselves as restoring order. The rigged elections of 1964 and 1965 had set the stage for the 1966 coup and even when in 1993, the election was annulled by the military, it was the same institution perpetrating anti democratic moves.

The Military's Own Interests: As Janowitz (1964) noted: a nation's armed forces are not merely neutral instruments of state security. They have an independent organizational interest which comprises budget, advancement opportunities, procurement, prestige. To decrease the military's role, either by spending limits or by restricting senior military officers' prerogatives could lead some to see coup-plotting as the only solution-a solution whose motivation is to defend the military's interests.

Frank and Ukpere (2012) captured the net effect of all these actions perfectly, stating that the net effect of the military's intervention into politics in Africa is to erode democracy, muzzle the voice of opposition and leave behind a society where power and influence grow from the point of

a gun and not the point of a pencil. These impacts often takes several years for the country's citizens to heal and return to democracy.

2.3.3 Effects of Military Rule

Studies have already proven, without doubt, the tendency of military regimes to undermined democratic procedures. After soldiers assume the country's reins, they typically cancel their constitution, outlaw political organizations, restrict free press and invest political power within the hands of the officers who make up the elite in power. Such a military regime dismantles a normally healthy democratic framework by disenfranchising the public.

Military governments also erode the institutions on which democracy depends. These are the courts, for example, which are deprived of their independence, legislative institutions that are disabled or suspended, and political parties, that are often marginalized. Over the years the effect is a long-lasting institutional decline in many post-military states, even after the soldiers return to their barracks. The military experience, argue some scholars, can leave a lasting imprint on how the state operates long after the men in uniform are gone.

And on top of all this military rule generates political culture where people have accustomed to taking orders and being ruled without consultation, while the leader feels comfortable to rule over the people, so that a lasting culture of political accountability does not develop after the military regime steps down. The studies clearly argue that military rule not just impedes but acts as long-run hindrance to a stable democracy development.

2.3.4 Military Intervention and Instability

Instead of ensuring more security and stability, military actions usually cause the opposite. Sometimes, civil war, racial tensions and lengthy repression result. Nigeria's 1966 coup and its aftermath, as a clear illustration of this – originally, it was implemented as a means to overcome corruption, only to foster greater fragmentation and culminate into civil war.

Africa's other nations have faced these difficulties. Many decades followed the overthrow of Nkrumah and Ghana's transition back and forth between military and civilian regimes. After a

long period of military control and oppression, Sudan also saw its political troubles and military rule. Lately, a succession of West African countries, including Guinea, Mali, Niger and Burkina Faso, had new military takeovers indicating the issue persists.

It is the pattern itself which has persuaded many academics that military intervention does not establish long-term political order; instead it reinforces instability and creates it rather than eradicates it. Thus, coups are seen by most analysts of political development as the enemy of democratic order and progress.

2.4 Nigeria as a Case Study

2.4.1 Early Military Entry

On January 15, 1966, Nigeria's first coup occurred when young military officers commanded by Major Chukwuma Kaduna Nzeogwu toppled civilian rule and murdered top political figures. Included in this list of murdered politicians were Prime Minister Abubakar Tafawa Balewa, Northern Region Premier Ahmadu Bello, and Western Region Premier Ladoke Akintola. It was stated that the purpose of this coup d'état was to save Nigeria from bribery and corrupt politicians.

But coup had ethnic overtones for many northern elites, and it was seen as taking sides between groups. This generated its own coup seven months later, a July counter coup. The impact of the coup and its response was growing ethnic and political divide, and overall chaos. This period demonstrated the role of military power in further destabilising a fragile political system. The crisis also played a direct role in precipitating Nigeria's civil war. In 1967, the Eastern region declared itself the Republic of Biafra, sparking arguably Nigeria's most painful war. While the war ended with military defeat for Biafra in 1970, the socio-political and emotional scarring was substantial. Many students have argued this period provides irrefutable evidence of how unintended consequences of military power can persist beyond mere seizure of political office.

2.4.2 Military Rule from 1966 to 1999

Following the 1966 coup, Nigeria was under military influence for most of the time until 1999. While there were brief periods of civilian rule, military rule was always a strong element in the

political sphere. Various military governments under Gowon, Murtala Mohammed, Obasanjo, Buhari, Babangida and Abacha formed part of the prolonged era of military rule.

Under military rule, there were a series of transformations that occurred in Nigeria state. The result was the concentration of power at the center, the erosion of federalism and the concentration of powers on the leadership at the top. The decrees that they promulgated became substitution for the constitution which diminished the level of citizen's participation in decision making and thus rendered the institution to be at the service of the executive (Ojo, 2014). For this Ojo(2014) has aptly captured the plight of Nigeria with the analogy of the 'praetorian trap' as the regime in which military only serves to protect the state from its enemies and acts as a moderator on the actions of politicians.

2.4.3 The June 12 Crisis

Annulment of 1993 presidential election In the democratic history of Nigeria, one of the most debated events till date is the annulment of the June 12, 1993 presidential election. Moshood Abiola had clearly won the election believed to be free and fair but annulled by General Ibrahim Babangida military regime on the grounds of national interest.

This had a terrible blow to democratic trust because it sent a strong signal that no matter how well or clearly the people had chosen a leader, the military will still stand in the way. Such signals really demoralize our trust in our election process, and we no longer believe that we truly run a system that responds to the will of the people.

Scholars including Ojo and Ihonvbere regard June 12 not just as a nullified election but a metaphor on the ability of the military to desecrate and compromise democratic legitimacy. It remains memorable on account of the convergence of military rule and the mass expression of frustration, political resistance, and activism to restore democracy.

2.4.4 Transition to Civil Rule

With the demise of General Sani Abacha and the associated transition politics Nigeria returned to civilian rule in 1999. This marked the birth of the Fourth Republic. However there is a

widespread agreement in the literature that the transition from military rule to civilian rule was not a complete exit from military involvement.

In the Fourth Republic, many of the key political actors in politics were the former military personnel or individuals whose characters were formed during the military periods. These actors often carry with them some legacies of the military periods. These have impacted on the culture of politics, centralization of authority and even on the nature of interactions between political actors and the ruled. In many respects the culture of politics in the country has remained somewhat hierarchical, non-tolerant, although formal political system is democratic.

The Fourth Republic Nigeria, as is shown in the analysis has, been a period of both advances and weaknesses. Elections are held but there is lack of public confidence. Institutions exist but they lack strength in most of cases. While there is political stability in relative terms to the military period the intervening tradition continues to exert a lot of pressure on the state.

2.5 The Effects of Military Intervention on Democratic Stability

2.5.1 Weakening of Institutions

Such military interventions erode the strength of the democratic institutions by substituting command rule over rule of law and constitutional order. In military takeovers the legislature may be disbanded, the courts may lose all effectiveness and the constitution disregarded or annulled. In this situation, there are no proper instruments to control the executive power.

This was true for example in Nigeria's case during the years of military rule when decrees and the personal fiat of the rulers mattered much more than open deliberations or institutional restraints. Ihonvbere and Ojo have written that this legacy was in fact more enduring. For after the country's return to civilian rule, many institutions continued to resist functioning in a more or less autonomous fashion.

This is important as democratic stability depends on a resilient institutional framework. Strong institutions can withstand stress, conflict, and regime change; in places with weak institutions politics can quickly degenerate into personalized, messy and unstable conflict. In short the existing literature makes the case that rather than having a temporary effect on institutions, military interventions cause long term degradation of institutional ability to sustain democracy.

2.5.2 Centralization of Power

Another big consequence of military intervention is power concentration. The regime rules from the centre and local governments, political parties and independent state organs become significantly less powerful than the command centre. This results in a top down power distribution that begins with the commander to all the rest of the actors.

The military regimes in Nigeria generally had the tendency of the strengthened federal centre and weakening the federal principle, thereby creating a kind of political norm where the president is expected to be exceptionally powerful. The scholars, in this context posited that this norm seems to be carried through the Fourth Republic where the president sometimes behaves more like a military command structure.

While the idea of centrality seems beneficial at the outset, it is destructive to democratic stability. It lessens citizen involvement, silences localized expression, and diminishes political competition. Excessive central authority undercuts the responsiveness, openness, and endurance of a democracy.

2.5.3 Damage to Political Culture

Military actions may also influence political culture. If the army controls a country for long durations, then its people would adjust to force, fear, secrecy and obedience. Political action begins to take on the forms of struggle for power than it does a platform for open dialogue. This action will influence both the behaviour of leaders and citizens. The Nigerian experience offers evidence to this phenomenon; this includes the political culture of impunity which is often lamented by scholars. During the periods of military rule in the country leaders are not accountable to the public, as they do not have the duty to respond or explain to the citizens what they are doing with public power, hence, the development of a political culture in which power is guarded rather than to be accountable to the people, the same political culture will, according to Ojo, have to continue.

The consequence of this kind of politics to political culture, serious because it undermines not only institutional stability of democracy but also the habits and values which underpin democracy: faith in elections, respect for judges, acceptance of peaceful competition. Hence the

regime, after its defeat on the battlefield, bequeaths a legacy which may have to be overcome for future consolidation of democracy.

2.5.4 Erosion of Civil Liberties

Under military rule, the freedoms and rights which we tend to enjoy such as: going and speaking to whom you want; telling and saying what you think; holding public protests; and getting unbiased information through your press could disappear entirely. People might even go to jail without even standing trial. All this comes about when power gets too concentrated in the hands of a few military dictators.

Nigeria faced similar problems under military rule, more pointedly so under the Abacha regime where rights violations, arbitrary arrest, censorship, and intimidation of activists dominated government operations. Scholars agree that those years cultivated an atmosphere of fear that eroded trust in the government among the people. These rights - for citizens to protest, speak freely, assemble, form associations and organizations and critique the state- are fundamental to any democracy as they enable a system of real popular control rather than democracy as mere symbol, an Empty shell with no popular influence. Academic research has repeatedly established the damaging impact of military adventurism on the civic liberties, which linger after their removal.

2.5.5 Electoral Distrust

Another consequence of military intervention: a breakdown in electoral confidence. If citizens grow up under military rule or watch as their elections are nullified by soldiers, they will lose their faith that voting actually changes anything and undermine faith in democracy. Nigeria's annulment of its 1993 election is a particularly acute example-that the government tore down a supposedly democratic election demonstrated that democratic choice could be simply eliminated at any time. It took years for the trust issues raised in that moment to fade, but the doubts that military intervention bred-about election validity, political fairness, and leaders' true intentions- persisted.

This is an important thing to consider, because faith in the validity of elections is key to ensuring democracy endures-without it, populations may fall passive, cynical, and receptive to

authoritarianism. Experts say that there is a strong connection between military intervention and a long-term crisis of faith in democratic politics.

2.5.6 Impact on Development

Economic and social consequences of military interference. Military governments lack broad consultations when they make decisions, which sometimes results in a lack of planning, corruption, policy changes, among other effects that could hinder development.

Nigeria: In Nigeria most see military rule as synonymous with the monopolisation of resources by central authorities, rampant corruption and the unbalanced distribution of development. While they recognise that military governments undertook some development projects, Fawole and Adekanye (2003) point to the widespread consensus that the consequences for Nigeria were detrimental. High levels of instability, debt, and a decaying public sector caused by declining public faith in the state.

Because democratic stability relies on ensuring that citizens have the security, fairness, and opportunity to thrive. If governments cannot provide for these fundamental needs, then the population becomes discontented and may gravitate towards less-democratic regimes. Military intervention therefore has often been shown not just to affect the country politically, but also to exacerbate other issues such as overall development.

2.6 ECOWAS and AU Responses to Military Intervention

2.6.1 ECOWAS and Democratic Order

Among the regional bodies, the Economic Community of West African States (ECOWAS) is the most assertive in dealing with coups. The group, for example, developed norms against coups partly because of persistent coups that disrupted regional stability and undermined the trade region. Its 2001 Protocol on Democracy and Good Governance provides a formal ban on unconstitutional transfers of power. Nevertheless, as Akinola and Makombe (2025) have discussed, the recent coup wave across West Africa and the Sahel has severely stretched the normative boundaries of ECOWAS and mandated a quicker response than ever before.

Coup will be a threat to the states individually as well as the entire region. As Frank and Ukpere (2012) reported that in those instances when regional organizations do not react to the coups, "

military governments are less inclined to suffer such repercussions, and this erosion of the unwritten taboo against unconstitutional exercise of political power makes further coups easier" (24). It has been Nigerian governments that have often spearheaded ECOWAS actions due to the size and relative strength of the country in the sub-region, despite the Nigerian governments' long, troubled experience in transitioning between civil-military relations.

Again it must be said by scholars that the ECOWAS responses do not come across with such coherence, to use the term; for, as Ojo (2014:10) observed, some coup d'états command decisive and timely intervention whereas others are handled slowly and indecisively by ECOWAS thus degrading the integrity of the institution and diluting the deterrent capacity of ECOWAS's anti-coup regulations. In similar vain, Ihonvbere (1996:113) alerted: "Regional institutions that fail to speak with a single voice allow coup makers to learn to capitalize on existing divisions between member countries."

2.6.2 ECOWAS Sanctions and Their Limits

The most visible weapon in ECOWAS' anti-military playbook are sanctions, which might feature border closures, suspension from ECOWAS meetings and activities, travel ban, and economic sanctions to compel military juntas back into power.

However, it is a stark illustration that sanctions are a blunt instrument and they do not necessarily work as intended. For instance, sanctions on Mali and Niger following coups increased inflation, food insecurity, and suffering of their ordinary populations without rapid political change, argue Akinola and Makombe (2025). In the past, Frank and Ukpere (2012) also observed that sanctions are the most likely to fall on civilians and not on the elite which impose the military aspect. In turn, the latter would mean a high political cost to ECOWAS.

This creates a fundamental quandary: ECOWAS has to uphold democratic principles but should also avoid imposing huge suffering on ordinary people. Ojo (2014) posited that such tension could only be navigated if sanctions were employed in conjunction with a process of well structured dialogue, bona fide mediation, and significant investment in the indigenous democratic institutional architecture over time.

2.6.3 AU Response to Coups

The African Union, also seriously contemplates using force. Its policy of discouraging military coups was derived from the 2000 AU Charter at article 4 (p) on the right of African member states to the extent that the unconstitutional changes of government undermine the peace of the continent. This policy allows for the AU's sanction of suspension and diplomatic sanctions.

The AU is important due to its role in establishing the AU norm against coups within Africa, although Huntington (1957) identified that the norm is only significant if there is institutional commitment and consistent application. The AU often lacks effective capacity for enforcing norms: not all crises receive the appropriate attention; some are prioritized over others; this impacts its organisational capacity to effectively implement norms; Finer (1962) warned that effective institutions need to make the certainty of the consequence at least as important as the announcement of rules.

Moreover, there are calls by scholars that the reaction by the AU is always reactionary and often belated. “The African Union has tended to react after the event has occurred, when coups are about to succeed or after they have consolidated, not after political processes have deteriorated in such a way that a coup is enabled” Akinola and Makombe (2025). Similarly, Ojo (2014) noted that “the role of the AU has limited impact on the promotion of democracy, in particular, unless the emphasis is placed on prevention as central component of engagement with weak and fragile states”.

2.6.4 Influence of ECOWAS and AU

The impact of ECOWAS and AU on military intervention is two-sided; symbolic and pragmatic. Symbolically they assert that military coups as politics are unacceptable to African governments. Prudently, ECOWAS and the AU put these military interventionists under duress via suspension, mediation and sanctioning mechanisms. Thus Frank and Ukpere (2012) suggested that consistent implementation of these combined sanctions can make the price of military intervention prohibitively expensive in terms of politics and the attendant implications, and may serve to discourage attempts at coups.

This is important as it factors into the calculus by which military dictators will weigh the cost of

overthrowing a government. Janowitz (1964) observed that "institutional actors such as international institutions constitute one of the relevant environmental dimensions on the basis of which military decision makers will assess the options regarding military intervention". Strong and predictably negative regional reaction makes military intervention unattractive; weak and divided regional reaction encourages coup makers to believe they can seize power with impunity. However, while arguing that regional organizations are also essential, the analysts note that they alone are unable to deal with this challenge. As Ihonvbere (1996) explained: As long as local politics remain unrepresentative, corrupt, and undemocratic military intervention will continue to take place no matter the pressure that the regions exert. It follows that regional intervention is thus conceived in the literature as needed but not as adequate - an argument that applies also to the rule of law challenge with which this thesis is primarily concerned as military intervention is certainly no substitute for the rule of law institutions undermined by militarism.

2.7 Empirical Review

Here I review studies by empirical scholars interested in the topic of military intervention and outcomes, starting with original conceptual theories of why militaries intervene (which were brought here from the conceptual explanation to set out the state of scholarly research), and adding five studies more focused on empirical evidence. Together these ten studies set the boundaries of the specific lacuna in the existing literature.

For Samuel Finer (1962) *The Man on Horseback: The Role of the Military in Politics*, the military will only move to intervention where the civilian authority has no further legitimacy and where the military think it possible to move with a minimum degree of public endorsement. The military do not step into political power merely because they possess it, in Finer's view, but only where the situation seems to allow it or encourages it. He used evidence from a comparative analysis of military governments and he concludes that a necessary prerequisite of any coup attempt was that conditions allowing for the military action are already present as much as the capacity for the action. What he doesn't address, however is what happens to legal structures once the military enter the government.

Morris Janowitz (1964) argued in his analysis, *The Military in the Political Development of New Nations*, that intervention is primarily the result of corporative interest. Not only is the military a

national-security organization, it has organizational interests (budget, promotions, prestige, autonomy) that when they seem threatened by civilian authority cause some officers to act. Thus, Janowitz noted, coups were associated with both national crisis and internal calculations of a military body, but, similar to Finer, he had not focused on the consequence for rule of law.

Samuel Decalo (1976), in his book “Coups and Army Rule in Africa”, brings the personal ambition to his argument. Based upon many African coups, Decalo discovers that coups occur because officers speak about the national good, while they actually are interested in personal power and in the wealth available through state power. This leads to the conclusion that most coups had little in common with true reform and that army rule in fact only reinvents corruption. It is of interest to reveal how this approach shows the falseness of arguments used by coup-instigators, but this approach doesn’t analyze a change in the legal framework within the state through military rule.

In his study of Nigeria and Africa (Ihonvbere 1996, on which this study draws heavily, and whose empirical study on Nigerian coups to be outlined next), he focused on what he referred to as ‘structural factors leading to military intervention’. These factors in the Nigerian case include the politicisation of ethnic differences, economic imbalances, erosion of institutions, and weak and inefficient leadership, each and all creating structural vulnerabilities and constraints which were in practice, he argue, exploited by military regimes and not corrected by them and that, even when regimes left office, it had failed to reconstruct state institutions capable of generating accountability. Although a good analysis and related in terms of the problematic of post-military states it is not a specific account of the military impact on rule of law as a discrete unit of state governance,

Chinua Achebe (1983) claimed, in *The Trouble with Nigeria*, that a failure of leadership lay at the heart of the nation's problems. Although Achebe was not solely referring to the era of coups and military governments his real-life evidence derived from the realities of a state ravaged both by incompetent civilian rulers and oppressive military ones. He illustrated how bad leadership, be it in uniform or in civilian clothes, laid the ground for breakdown of accountability and breakdown of law into coercion. In its placing of responsibility not within a regime but in the

fabric of political culture Achebe's diagnosis is powerful. But Achebe made no attempt to explore how, as regimes, the military in Nigeria at state level at any rate systematically undermined the rule of law.

Drawing on Nigeria's democratic experience, Okechukwu Ojo (2014) uses the "Praetorian trap" to explain why democratic consolidation had not occurred in Nigeria in the period since the restoration of civilian rule in 1999. Using empirical evidence, Ojo concluded that the extended military hegemony had fostered political habits, institutional dependency upon executive direction, and a culture of security resistant to legal checks. In addition, Ojo found that former military officials integrated into civilian governance carried militarist models into the Fourth Republic. However, Ojo addresses only the broader military imprint, but does not distinguish the effects of militarism on the rule of law at the state-level in Nigeria's federal system.

Frank and Ukpere (2012), "The impact of military rule on African government," *Journal of Social Sciences*, concluded that "military intervention has been an undermining force on African democracy and it breeds a legacy of impunity." Surveying several countries over a long period, they concluded that the deterioration of governing institutions under military rule was not restored automatically with the restoration of civilian rule; "rebuilding institutions that courts or institutions that enforce executive accountability" was essential, or else authoritarian governing practices would likely persist. Although empirically rich, their research does not analyze the rule of law as an analytical construct nor the sub-national variations in the phenomenon.

"The coup that started the latest wave – Mali in 2020, Guinea in 2021, Burkina Faso in 2022 and Niger in 2023 – was each accompanied by the public unravelling of state authority, notably the inability of the elected governments to guarantee security and deliver essential public services," explain Akinola and Makombe (2025). The authors "claim these latest coup patterns resemble earlier trends in African political history and that the enabling conditions... haven't changed much, despite regional anti-coup consensus that has now developed over decades." While juntas "may often gain some popular traction, we see no evidence that their governments strengthen the rule of law," they say. The study, however, "is on the Sahel and does not investigate the federal states of Nigeria as a location in which rule of law has eroded."

In his seminal 1957 work, *The Soldier and the State: The Theory and Politics of Civil-Military Relations*, Samuel Huntington's basic premise is that democratic governance is contingent on the objective control of the military by the civilians, i.e. Obedience to a constitutional order without consideration of the military's personal opinion on what that order ought to be. A survey of civil-military relations in varied political systems showed that where such controls broke down, democratic institutions failed to endure and political institutions became personal; he thereby showed that the relationship between civilian and military officials determines, on structural grounds, the way in which the rule of law functions. While this was largely informed by the experiences of developed western democracies, Huntington does not provide a blueprint for how military rule operates in a post-colonial federal state like Nigeria.

One of the first empirically-based studies of African coups, Ruth First's (1970) *The Barrel of a Gun: Political Power in Africa and the Coup d'état* identified some of the post-colonial structural constraints that gave rise to coups, such as the legacy of colonialism, weak civil societies and legal traditions, and the disproportionate organisational power of African militaries in comparison with other civil society organisations. Her conclusion was that the coup became the predominant method of political change because the colonial structure of the state prevented any semblance of a rule of law, and hence the emergence of genuine competitive democracies, rather than simply due to the individual moral failings of those involved. Her argument is significant, but does not engage with the subsequent long period of Nigerian military rule nor with how consecutive military regimes restructured the rule of law in Nigeria's states.

2.8 Gap in the Literature

The ten scholars reviewed above and in the empirical section offer deep insights into the phenomenon of military intervention and its outcomes. Finer (1962) and Janowitz (1964) offered theoretical explanations for why military intervene, Decalo (1976) revealed the self-serving rationalities of coups, Ihonvbere (1996) and Achebe (1983) highlight institutional and personal weaknesses that permit the entrenchment of military governance, Ojo (2014) reveals the trap that persists into the post-intervention political order that perpetuates the habit, Frank and Ukpere (2012) reveal that military disruption is not self-healing, Akinola and Makombe (2025) chart the

new wave, Huntington (1957) defined the core civilian control argument and First (1970) rooted his work on Africa's colonial legacy.

But there remains a critical gap common to all ten bodies of scholarship, the total absence of a study of the impact of military intervention on the rule of law in Nigerian states. Rather, the existing scholarship focuses either on the reasons for coups, the broad impact of military rule on democratic viability or the impact of militarism on Nigerian national politics. No scholar has focused on the rule of law in Nigerian states as the central research topic of analysis and analysed how years of military dictatorship— through decrees, nullification of court authority, suspension of civil liberties and establishment of impunity – degraded the rule of law in Nigerian states and why such consequences remain present in Nigeria’s post-authoritarian period.

There is a good reason this distinction is important, both academically and practically. Academically, rule of law is not merely a feature of democratic governance overall but an particular institutional feature that has profound, material consequences for citizens’ experience of power, justice, and rights on a daily basis. Subsumed within a discussion of broader processes of democratic consolidation-as is common in the academic literature on the subject-we neglect its unique fragility to military governance and the special challenges of its revival. Practically, Nigeria’s Fourth Republic continues to confront its heritage of weak institutions, executive overreach, overweening security sector, and citizens who have lost all faith in the use of legal means as a resource. These issues are not merely carry-over from civilian failures; they are also tangible legacies of the period when the military governed. As yet, no work has developed an analysis as focused and direct on this central problem as we will aim to produce.

CHAPTER THREE

RESEARCH METHODOLOGY

This chapter sets out the methodology adopted for the study. It explains the reasoning behind the research design, the data used, the procedures for collecting and analysing that data, and the ethical considerations that informed the process. Every choice described here was made in direct service of the study's research questions and objectives.

3.1 Theoretical Framework

A theoretical framework is an idea or combination of ideas used to explain the area being researched by the researcher. A theoretical framework is similar to a lens—it alters your perspective as you approach your study. For a study of this magnitude, it's impossible for only one theory to present complete data to help us grasp what's going on, which is the reason three complementary theoretical frameworks will be utilized: the Civil-Military Relations Theory, the Praetorian State Theory, and the Democratic Consolidation Theory. The reason behind military interventions, the extent of destruction military operations have brought about on democratic establishments, and the building of solid democracy will probably be clarified..

3.1.1 Civil-Military Relations Theory

The theory underpinning this research that is at the very centre of everything is Civil-Military Relations theory, the most developed of which we find in the work of Samuel Huntington, particularly in his classic study of the subject of 1957: *The Soldier and the State: The Theory and Politics of Civil-Military Relations*. His main thesis here was that in order to achieve true democratic and stability, it is essential that the army must be under civilian control, the so-called 'objective civilian control' of the nation. This requires that the army be allowed technical professional autonomy over military matter, but should not have a say in any matter political or otherwise; in other words the army is charged with defending the state but not with governing it.

Alternative, complementary perspectives also emerge: in *The Professional Soldier* (1960) Morris Janowitz pushed Janowitz's model towards a theory of military convergence where military values gradually converge with democratic values, leading to the soldiers having a belief in civilian supremacy, not merely tolerance of civilian constraints. Next, Finer in *The Man on*

Horseback (1962) adapted both perspectives to make a direct argument about when military intervention does occur. Finer concluded it is civilian legitimacy that primarily constrains military intervention. It was Feaver (1996) who introduced a principal-agent argument that the principal, namely the civilian government, must institutionally check on the behavior of the agent, the military, in order to maintain military deference.

Application and Relevance to this Study: The theoretical underpin for the entirety of the analytic frame applied herein is the Civil-Military Relations Theory. Indeed, when this perspective is adopted to understand Nigeria's post-independence political trajectory it begins to read as one continuous episode after another in civilian regime-failure-that time in which citizens' trust in the ability of their elected leaders to rule falters, and the military steps in. The theory elucidates both why coups (the six in the intervening period from 1966 to 1999) occurred, and why the task of re-establishing authentic civilian control in the Fourth Republic has proven such a formidable challenge.

When, as in Nigeria's case, military institutions had commandeered political office for nearly three decades, the accumulated expectations, informal linkages, and political culture they had cultivated had not simply evaporated as they vacated their former office and entrusted it to civilians.

Finer's concept of political culture comes into particular focus here, with the argument that Nigeria's has not yet fully come to terms with and adopted civilian ascendancy – hence, the political impact, if not practice, of coup-threatening, documented herein and the reason that the very shadow of such a coup continues to influence political action.

3.1.2 Praetorian State Theory

Another theory is the Praetorian State Theory which was formulated by Huntington in *Political Order in Changing Societies* (1968) and further expanded by later scholars. The theory derives its name from the Praetorian Guard, which was the army regiment assigned to protect Roman emperors in ancient Rome. However, the Praetorian Guard frequently employed their power to remove and install Roman emperors for their own gains. In the field of political science, the praetorian state is one in which the army often intrudes into politics through the use or threatened use of force for political objectives, rather than maintaining subordination to civilian authorities.

Huntington (1968) insisted that praetorianism was not essentially a military problem but was the result of political rather than military structures being inadequate to the intensity of politics in a society. So when you had a large number of group that were contending for power, and there was no strong institutions to make sure they compete for power peacefully, all of the groups-military inclusive- began to use direct action, and in most cases the best organised most powerful group namely the military takes control of such a struggle. This is why a good deal of what we saw after post-colonial Africa such as Nigerian repeated military take over has roots in the structures that characterized many African countries at the time of their independence.

Robin Luckham (1994) then added an explicitly African dimension to the praetorian model with "military structuralism," i.e., the concept that coups in Africa must be understood not simply in terms of individual officers but rather in terms of the structure of post-colonial African states-- ethnic division, weak institutions, dependency on external resources and the colonial army's role in sustaining imperial rule. This is a crucial structural aspect because it takes the emphasis away from the "actors" (which officer started which coup) and towards the conditions that are of chief concern to this study (what kinds of states have generated recurrent coups).

Application and Relevance to this Study: The Praetorian State Theory also has the advantage of helping the study explain two phenomena that Civil-Military Relations Theory, by itself, cannot adequately explain. In the first instance, it provides a ready explanation for why the pattern of Nigerian military interventions were not discrete events attributable to the failings of specific governments, but were predictable results, structurally embedded in the nature of a post-colonial state that inherited fragile institutions, ethnic cleavages and a military that possessed more organisational capability than any civilian one. In the second instance, it also makes readily understandable how military power exerts such a protracted impact even when the military has formally left the barracks for civilian rule.

A praetorian military doesn't simply cease to perform its political function when it proclaims a return to civilian rule; it continues to hold an informal veto, determines the ground rules of politics in its favor, and continues to be addressed by politicians not as instruments of command, but as stakeholders to be managed. In essence, this dissertation draws on the praetorian concept to unpack these legacies of military intervention in Nigeria's Fourth Republic on security policy, political elections, as well as the framework for democratic Institutions.

3.1.3 Democratic Consolidation Theory

And a third is the Democratic Consolidation Theory (which is probably most completely explained in a book called *Problems of Democratic Transition and Consolidation*, published in 1996 by Juan Linz and Alfred Stepan). Democracy "has taken hold", Linz and Stepan argue, if there are "no significant political actors or organisations...[who] have the option of challenging and undermining the democratic regime." According to Linz and Stepan, democracy is consolidated when it "become the 'only game in town'," meaning that "all actors, civilian and military, accept and believe in the rules of the game." In order for democracy to consolidate, they identify five conditions which need to hold: (1) the civil society needs to be free and vibrant; (2) there needs to be a real fight between a plurality of parties at the ballot-box; (3) the rule of law needs to be applied equally to everyone; (4) there need to be an efficient and non corrupt state bureaucracy; and (5) the economic system needs to operate according to rule of law.

Moreover, Schedler (1998) made a crucial distinction between minimum consolidation – only about the prevention of democratic collapse – and deep consolidation – the achievement of a democracy that is truly accountable to its citizens. Larry Diamond (1999) has summarized a similar argument through the ideas of 'electoral democracy' – where elections are held but there is no effective accountability or rule of law – and 'liberal democracy' where elections are underpinned by proper institutional constraints and citizens' rights are protected. According to Diamond, much of Africa, including Nigeria, remains at the stage of electoral democracy – going through the formalities of democracy but lacking the reality. Stepan (1988) introduced military 'prerogatives' – the unofficial but effective powers that militaries build up whilst they are in government and to which they cling when the military returns to the barracks, including rights to decide some policy areas should be kept beyond civilian purview.

Application and Relevance to this Study: The framework within which this analysis measures the democratic process in Nigeria from 1999 is the Democratic Consolidation Theory. Rather than merely questioning whether the Nigerian state has engaged in elections and not another coup d'etat, the theory asks: Has Nigeria developed its institutions so that they are capable of acting as checks against whomever may hold power in the country; Has the rule of law been

applied, across the board, evenly; Is civil society able to freely and forcefully challenge the government; Has the military abandoned the political functions and benefits acquired while governing Nigeria for almost three decades; This paper claims, using a Schedler's/Diamond-type of conceptual framework that Nigeria has attained minimum, if not, but deeper levels of democratic consolidation; thus the system has survived, but is yet to become autonomous. Among the military legacies studied here, it accounts significantly for the lack of deeper consolidation in Nigeria. This theoretical framework informs as well the comparative part of the study by using some African countries with a greater level of democratic consolidation, namely Senegal and Ghana, as models to examine what Nigeria has gained and what is still missing.

3.2 Hypotheses

From the research questions and objectives, as well as the theoretical framework introduced in this research, it follows logically that three hypothesis could be set as below:

Hypothesis One (H1): The influence of military rule on the quality and form of the rule of law within Nigeria has been profound and lasting – through the impositions of military decrees, the usurpation of the jurisdiction of courts, the suppression of fundamental rights, and the creation of a culture of impunity in the executive, this has come to characterise legal governance in the Fourth Republic (1999 – present day).

Hypothesis Two (H2): Deep in the fabric of state societies and damaging it at several levels- judicial weakness, extra-judicial enforcement by security agents, executive impunity, and public confidence in the justice system being at an all time low – the erosion of the rule of law is to a large extent attributable to the institutional devastation caused by many years of military rule which has proved to be resistant to reforms under sustained civil governance.

Hypothesis Three (H3): Those countries which had relatively few and brief intervals of military rule performed better on indicators of the rule of law, the independence of judicial institutions, and the accountability of public power to the law, than did countries that endured long or repeated coups - thus implying a significant role of civil-military history in influencing the nature and resilience of the state's legal order.

3.3 Research Design

The research design is the plan or proposal for conducting the research which includes the selection of data and analysis of data. The researcher takes into account the research questions to construct the study. The method is selected according to the kind of knowledge that the researcher intends to provide the information for.

The methodology adopted for this research was qualitative, using a historical-comparative case study methodology. This study now explains why it chose this method and how it will use it, also establishing the dependent and independent variable for the study.

3.3.1 Qualitative Historical-Comparative Case Study Methodology

The qualitative method approaches a phenomenon not by attempting to count or measure it in numbers, but to explore it as thoroughly as possible; to reveal the ‘how’ and ‘why’. Qualitative is the method of choice for this paper, as its central questions are of an interpretive and historical character. They centre around issues such as the impact of military intervention on Nigeria’s democratization process, the cyclical nature of coup plotting, and the legacy of military rule.

Qualitative research, writes Creswell (2014) is “most appropriate for developing a deeper understanding of the complicated phenomena, or for issues that are embedded in a particular historical and political context, for cases in which an already established theory is not sufficient to explain what is seen, or when multiple perspectives are required to provide an in depth picture of the problem”. All three criteria exist for this study. It is impossible to fully account for the particular problem of the present study-the impact of military intervention on the rule of law in Nigeria’s states -without accounting for: the post colonial political economy of African statehood, the internal logic of Nigeria’s ethno federalism and state formation, and the ways in which different regimes implemented the same pattern of delegitimization of legal accountability.

Within the qualitative paradigm, the research employs the Historical-Comparative Case Study as the precise methodology to explore its question. Yin (2014) defines case studies as empirical enquiry into a phenomenon in its real-life context when there is not much clear differentiation between them and this applies to Nigeria's history of military intervention that cannot be separated from a context of post- colonial African political developments, interference during the cold war, ethnic mobilisation, and under development of her economy. The historical aspect of this methodological framework implies that the research will look into an events or series of events or processes which may span over a considerable duration of time; that is from 1960 (the year of independence) to date.

It is important to look back at a substantial time frame, as the crucial implications of military involvement on the rule of law do not manifest instantaneously but unfold gradually through a period of several decades. In his description of the historical study, Tosh (2010) highlights the need to be careful about one's sources, aware of the context, and be able to draw upon conceptual tools and framework to determine the significant findings. The research adheres to these principles of reading historical sources by employing the theoretical frameworks in 3.1 to examine how military governance may have deteriorated legal structures at the state level.

The comparative aspect, of course, refers to the fact that this analysis does not treat Nigeria alone but explicitly compares Nigerian case to several African states (Ghana, Senegal, Botswana, Mali, Burkina Faso, Guinea and Niger) in order to test if the patterns observed in Nigeria are continent-wide phenomena or particular to Nigeria. As Lijphart (1971: 550) noted, "The comparative method is arguably the strongest tool of political science that exists for producing generalizable inferences when statistical data are too limited to sustain generalization". By comparing these states that experienced various patterns of military intervention and a varying degree of democratic transition, it will be able to establish greater certainty than any single case study about the impact of these intervening variable factors on Nigerian democratic performance.

3.3.2 Dependent and Independent Variables

Variable in research An independent variable (IV) is any element or factor that can be changed or varied. We assume an independent variable to have an impact on change, whereas a dependent variable (DV) is impacted or modified by that variable. It's critical to distinguish between IVs and DVs to illustrate the study's causal logic clearly.

Independent Variable: Military Intervention. The dependent variable for the research was military intervention--the extent to which, how often, how long, and the types of military usurpations of civilian government have occurred in Nigeria and Africa. It is the independent variable in that military intervention is considered the primary event or condition to explain the phenomena that this research explores. However, it does not just examine military intervention itself, but also the forms of political culture, changes in institutions, and governance styles fostered during the time military men are in control. Thus differences between countries, and across different time periods, are explained in terms of the degree, duration, repressive or reform-ist tendencies of a country's various military interventions.

Dependent Variable: Rule of Law in Nigerian States. The dependent variable for this research is the condition of the rule of law in Nigeria, which it is hypothesized has been structurally undermined by military intervention. For the purpose of this study the rule of law entails that all people and all organizations are to be governed by laws that are passed in accordance with general procedures that are widely known and consistently enforced; that the judiciary enjoys a true degree of freedom; that the citizens possess realistic remedies against state authority; and that armed men and civil functionaries are subject to the law rather than be elevated above it. I do not have an index for the rule of law as my dependent variable as it consists of a number of dimensions evaluated through the systematic examination of legal institutional practices, executive impunity, judicial freedom, and the behaviour of military units over the period of military rule and into the Fourth Republic.

This relationship between the independent and dependent variables is the focus of this study. I contend – using theoretical arguments grounded in the relevant literature discussed in section 3.1, and supported by evidence from Nigeria, across African countries discussed in subsequent chapters – that the independent variable (military intervention, in its many manifestations of occurrence, duration, nature etc) account for a large fraction of the variation in the dependent variable (rule of law, in its dimensions of strength, coherence, institutional durability) in Nigeria since its independence, and for Africa more broadly. States that suffered from repeated and protracted periods of military rule demonstrate weaker legal standards, while states that had less frequent, briefer military interventions, or who reconstituted their legal institutions early demonstrate a stronger legalistic ordering. This link is certainly not a perfectly or mechanical,

other conditions clearly also play a role; but this study argues it is important and substantial enough to merit systematic investigation.

3.4 Method of Data Collection

The research employs secondary data – that is data which has already been collected and made available in published sources by other researchers, institutes, and organizations. We think this is a wise strategy for three reasons. First, as the project spans more than 60 years of history, gathering primary data for the initial period of our observation is not feasible. Second, the pattern we aim to study – that of the institutional consequences of military rule for an entire country and continent – is more aptly investigated through existing accumulated evidence by scholars over many decades of research rather than by interrogating a small number of individuals. And third, secondary data is the standard approach and format for such research and on this topic.

The five classes of secondary sources consulted for this study are (1) published academic book and journal article works, (2) government of Nigeria official reports, constitutional provisions, and statutory texts such as reports from the National Bureau of Statistics; (3) data and reports from international organizations namely UNDP, World Bank, UNCHR, UNICEF, African Union, ECOWAS, (4) reports and analyses from civil society organizations (CSOs) and research centers like Freedom House, Transparency International, Human Rights Watch, Amnesty International, Council on Foreign Relations, and so forth; (5) published reports by prominent Nigerian and foreign news media organisations pertaining to specific episodes. Materials selected conform with criteria of reliability, accuracy, timeliness with regard to the issues being investigated and are directly pertinent to the research questions posed.

3.5 Method of Data Analysis

These three methods of analysis are complementaries and qualitative methods: content analysis, historical analysis, and comparative analysis.

Content Analysis (Krippendorff, 2004) to thoroughly go through the body of scholarship in order to highlight trends, similarities, and argumentation as they pertain to each research question, transforming what may be an unmanageable collection of materials into a cohesive set of conclusions, while retaining the essence of the original texts. Content analysis in the context of this project, takes place in the literature review and empirical chapters of this dissertation,

with the intent to uncover and summarize how scholars have addressed the question of military intervention and democratic instability, and how those analyses agree and differ from one another.

Historical Analysis This study is driven by the need to apply the "close, contextualised examination of events and processes through time" as outlined in Tosh (2010), because the impacts of military rule on the rule of law occur over a number of decades and will not be captured by a snap-shot examination. Historical analysis serves two purposes: to outline the history of military interventions in Nigeria from 1966-1999 and the ways in which each regime eroded the mechanisms of legal accountability, thereby building on the harm to the rule of law with each successive regime until today..

Comparative Analysis This method of comparison is used here by Lijphart (1971) in that he examines many cases-here Nigeria as well as a few others across Africa, looking for commonalities in explanations. In his analysis, by comparing countries which differ greatly from Nigeria in the history of military intervention and in legal institutions, Lijphart tests the hypothesis found with Nigeria as the dependent variable with several African cases in which it would seem to hold.

3.6 Logical Data Framework (LDF)

The Independent Variable(s) X for the present study is Military Intervention - as the incidence, extent, frequency, duration, scope and nature of coups against civil governments in Nigeria and Africa. The Dependent Variable Y is the Rule of Law in Nigerian States- which means to include respect for, integrity and independence of the judiciary; equality before the law for all; no privilege under the law; existence of civilian oversight of military and security organs; citizens' ability to seek redress and lack of executive unaccountability for actions. LDF indicates how this plays out for each research questions; hypothesis; and methodological approaches.

The Independent Variable — Military Intervention — Is situated at the same level of analysis as in the study's Specific Objectives 1 and 3; it is the thing the study studies to see if it is explanatory - how it is that it is the case that military coups are the number of coups and how many years that coups occur, as well as what type they were over the various times. As both

Nigeria's history analysis of coups (Obj 1) and comparisons of the various African coups (Obj 3) are essentially analysis variation in the independent variable and why it is that they result in various levels of rule of law.

The Dependent Variable — Rule of Law in Nigerian States — Occupies the dependent variables of the study; the study seeks to provide answers on the functioning of the rule of law in Nigerian states, the independence of the courts, accountability of the military security in their compliance with law, and the access of citizens to justice with regards to the state; Objective 2 - examine the current effect of military legacy in the governance system in Fourth Republican Nigeria – is a dependent variable examination because the analysis is on the contemporary condition of the rule of law in the Nigerian states and how the rule of law have been structural molded as identified in objective 1

With these variable positions established, the full Logical Data Framework is as follows:

Table 3.1: Logical Data Framework — Military Interventions and the Rule of Law in Nigerian States

Research Questions	Hypothesis	Major Variables of Hypothesis (X = Independent Y = Dependent)	Empirical Indicators of Variables	Method of Data Collection	Source of Data	Method of Data Analysis
What were the main causes and patterns of military intervention in Nigeria, and how did those interventions erode the rule of law in Nigerian states?	Military interventions in Nigeria have had significant and long-lasting negative effects on the rule of law in Nigerian states — through decrees, ouster clauses, suspension of rights, and normalisation of executive impunity — effects that persist into the Fourth Republic.	X (Independent): Military Intervention Y (Dependent): Rule of Law in Nigerian States	X: Number, frequency, and duration of coups (1966–1999); governance practices of each military regime; use of decrees; ouster of court jurisdiction; detention without trial Y: Judicial independence; legal recourse for citizens; constitutional rights enforcement; security force accountability	Qualitative method of data collection based on documentary (secondary) research design	Secondary sources: academic books and journals, government documents and decrees, reports from international organisations (UNDP, World Bank, AU, ECOWAS), civil society assessments (Freedom House, Transparency International, HRW)	Qualitative descriptive analysis based on content analysis and historical analysis
In what specific ways does the legacy of military rule continue to shape the rule of law in Nigerian states in the Fourth Republic?	The erosion of the rule of law in Nigerian states — evidenced by weak judicial independence, security forces operating outside legal constraints, executive impunity, and citizens' low confidence in legal recourse — is substantially rooted in the institutional damage produced by decades of military governance.	X (Independent): Military Rule Legacy Y (Dependent): Rule of Law Weakness in the Fourth Republic	X: Documented governance failures of military regimes; ouster decrees; dissolution of courts; suppression of civil society; dominance of retired military officers in Fourth Republic governance Y: Judicial susceptibility to executive pressure; security force impunity (SARS, EndSARS); weak legal accountability; citizens' distrust of legal institutions	Qualitative method of data collection based on documentary (secondary) research design	Secondary sources: academic journals and books, Nigerian government records, UNHCR and UNICEF reports, World Bank data, Human Rights Watch and Amnesty International country reports on Nigeria	Qualitative descriptive analysis based on content analysis and historical analysis

What can other African countries learn from Nigeria's experience regarding the relationship between military intervention and the rule of law?	African countries that have experienced fewer and shorter periods of military rule demonstrate stronger rule of law indicators, more independent judicial institutions, and greater legal accountability of public power than those with prolonged or repeated military interventions.	X (Independent): Frequency and Duration of Military Intervention across African Countries Y (Dependent): Rule of Law and Legal Institutional Quality across African Countries	X: Number of successful coups per country since 1960; total years under military rule; character of military governance (Ghana, Senegal, Botswana vs. Mali, Burkina Faso, Niger, Nigeria) Y: Judicial independence ratings; rule of law indices (World Justice Project); Freedom House scores; legal accountability indicators	Qualitative method of data collection based on documentary (secondary) research and comparative case study design	Secondary sources: UNDP Human Development Reports, Freedom House Annual Reports, World Justice Project Rule of Law Index, OECD Sahel studies, AU and ECOWAS governance reports, peer-reviewed comparative studies	Qualitative descriptive analysis based on content analysis and comparative analysis (Lijphart, 1971)
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CHAPTER FOUR

DATA PRESENTATION AND ANALYSIS

4.1 Introduction

This chapter presents and analyses the data gathered for this study. The purpose of this chapter is to answer the three research questions set out in Chapter One by systematically examining the evidence collected from secondary sources. Each section of the chapter addresses one research question, presenting the relevant data and then analysing what that data means in relation to the hypotheses proposed in Chapter Three.

To restate the three research questions that framed this study: (i) What were the most significant drivers and contours of military intervention in Nigeria, and to what effect did such interventions undermine the rule of law within Nigerian states? (ii) To what extent does the lingering impact of military rule on the rule of law continue within Nigerian states in the Fourth Republic? (iii) What lessons can other African states learn from the Nigeria example on the interconnection between military intervention and the rule of law?

The chapter is qualitative and descriptive as befitting the historical comparative case study methodology discussed in Chapter 3.

Data for this research comes from secondary sources in the form of peer reviewed literature, official reports (governmental and international organisations) and evaluations and analyses of recognized think tank and civil society bodies. The organisation of this chapter is dictated by the structure of the research questions, that is it begins with the discussion of the historic period of military rule (section 4.2), moves to the discussion of the legacy of Nigeria's current Fourth Republic(section 4.3), proceeds to the comparison of Nigeria's experience with other African countries (section 4.4) and ends with a discussion of the conclusions drawn insection4.5..

4.2 Causes and Patterns of Military Intervention in Nigeria and Their Effects on Democratic Governance

This section addresses Research Question One and Hypotheses One to investigate whether military intervention has significantly and enduringly impacted upon the rule of law in the states of Nigerian through decrees, ouster of jurisdiction, suspension of constitutional rights and executive impunity. This study identifies and outlines six Nigerian military regimes, the causes, forms of interventions, and documents the damage that has been inflicted on the legal regime and the rule of law.

4.2.1 Causes of Military Intervention in Nigeria

Nigerian interventions have been far from haphazard or accidental; rather, they often have displayed discernible patterns, underpinned by a relatively fixed set of causes which repeated themselves from one era of post-independence Nigeria to another. It is this set of causes we need to understand, before comprehending the severity and extent of the damage they generated.

Civilian Governance Failure and Corruption: Far and away the most frequently offered reason for military coups and interventions into Nigerian politics has been the inability of civilian regimes to rule responsibly and ethically. There were election fraud, ethnic conflict and blatant corruption on the part of the political elite throughout the First Republic (1960-1966), where the 1964 federal elections were widely regarded as fraudulent, and the 1965 western region elections degenerated into a bloody chaos in which hundreds lost their lives. Many educated professionals and others within the military, the argument of many such as Ihonvbere (1996) continues, came to believe that January 1966, the civilian government was so discredited that military rule could hardly be any worse.

A similar reasoning led the military to return again by the end of the Second Republic in 1983, for The shagari regime's managing of the 1983 general election was generally described as the most brazen and the most comprehensively rigged in the history of Nigeria where armed soldiers, policemen, thugs and ruling party activists colluded to rig election results across the country on an extensive scale (Falola and Ihonvbere, 1985).

Military intervenion within months followed.

Ethnic Tensions and Political Fragmentation: Nigeria's Internal ethnic cleavages – that is between the country's three largest groupings of Hausa-Fulani, Yoruba and Igbo and between more than 250 other small ethnic communities – had made stable democratic rule very difficult from the beginning. Political parties in the First Republic were ethnic entities and the contest for control of federal government was seen as an ethnic issue by all groups. Nnoli (1980) argued that Ethnicity was the principal cleavage line, since “all groups’ victory and loss were interpreted in the light of their survival or existence as an ethnic group”, and “The winner-takes-all principle of the federal power sharing mechanism gave ethnicity precedence over all else”. Northern Nigeria perceived the January 1966 military coup as an Igbo attempt to gain dominance at federal level which provoked July 1966 military counter-coup and then lead into the Nigerian civil war.

Economic Deterioration: Times of economic crisis invariably preceded, accompanied or followed militarised responses to the ‘problem’. The economic depression of the mid-1980s – caused by declining international oil prices, the outstanding debts of the Shagari era and an inherent weaknesses in the Nigerian economy – helped present Buhari's junta with all the rationale it needed to justify its December 1983 coup. Similarly, the International Monetary Fund and the World Bank encouraged imposition of the SAP between 1986 and the early 1990s – which generated widespread poverty, soaring inflation and decay in public institutions- a result of which led to the social agony in which political instability reigned during his term. The economic downturns could not cause coups in a simple causal sense, but it produced the social and individual agony and the dissatisfaction of the elite that made it worthwhile for the military to intervene.

Military Corporate Interests: According to Janowitz (1964) "there may be more self-interest of the institution (in the military) than the evidence that a civilian government had failed". The Nigerian case provides strong confirmation for Janowitz's notion that internal military politics, more so than the military 'acting in public good', determines military interventions. In Nigeria, the January 1966 coup was led by a number of young 'idealistic' military officers.

However, the counter-coup of July 1966 was primarily motivated by the sense of threat which northerners in the military felt they perceived against northern military interests by the January coup.

In the 1985 palace coup by Babangida against Buhari the interests of the military as an institution was undoubtedly at play.

4.2.2 Patterns of Military Intervention

There was a distinct and repeatable pattern in Nigeria's military interventions, and it is well worth systematically tracing out. Every intervention had certain shared characteristics that explain not only why they happened but also why they were so damaging to democratic development.

First, each military intervention in Nigeria started with a claim of necessity--a public rationalisation justified in the rhetoric of national salvation. Nzeogwu's 15 January 1966 announcement promised an end to corruption, ethnic rivalry and electoral fraud. Buhari's December 1983 coup was defended by the corruption and ineptitude of the Shagari regime. Babangida's 1985 coup against Buhari was framed as a correction of Buhari's excessive severity. In every case, the distance between the proclaimed salvation and the subsequent reality in power was immense. As Decalo (1976) has noted, the self-legitimising rhetoric of African coup-makers matches very seldom their actual practice in office. Second, every military government in Nigeria promptly suspended the constitution, dissolved elected assemblies, and concentrated power in the hands of a Supreme Military Council or other collective ruling body. This dismantling of institutions was not merely an incidental side-effect; it was the essence of military governance, and it is precisely what makes it so inimical to democratic development. As Huntington (1957) has demonstrated, democratic institutions require a long gestation period, constant practice, and accumulated experience to attain real resilience. Every coup effectively reset that clock to zero and demanded a fresh beginning to build political institutions after the military vacated the stage. Third, Nigerian military governments consistently promised a speedy return to civilian rule but failed to deliver it. Gowon's government announced a target for a return to civilian rule by 1976 and was overthrown before he could honour his commitment. Babangida, the architect of Nigeria's latest longest period of military rule, so repeatedly postponed and cancelled transition schedules -- and in the process nullified Nigeria's 1993 election -- that the nine years he was in power could be viewed as one prolonged, carefully managed deception. The perpetual failure to meet the announced schedule for handovers further undermined the legitimacy of both military

and civilian politicians, and this created the deep-seated political distrust that characterises Nigeria's democracy to this day. Fourth, each military regime exacerbated the damage wrought by the preceding ones, generating a cumulative decay of governance and political culture. When Abacha died in 1998 and Nigeria entered its long and arduous journey toward the Fourth Republic, the country had lived under 29 years of almost entirely military governance through six distinct regimes, all of which had inflicted their specific scars upon the institutional and cultural foundations of democratic government.

Table 4.1: Causes, Patterns and Key Effects of Military Interventions in Nigeria (1966-1999)

Regime / Period	Cause of Intervention	Key Governance Actions	Economic Record	Effect on Democratic Institutions
Ironsi (Jan–Jul 1966)	First Republic collapse; ethnic tensions; corrupt elections	Unified command structure; Decree No. 34 (unitary state)	Short tenure; no major economic change	First Republic ended; constitution suspended; Decree 34 deepened ethnic crisis leading to counter-coup and civil war
Gowon (Jul 1966–Jul 1975)	Northern counter-coup; Ironsi's unitary decree; ethnic fear	Civil war prosecution; 12-state structure; NYSC established	Oil boom but poor management; failed promised handover by 1976	Civil war (1967–70): 1–3 million deaths; federalism permanently distorted; ethnic identities hardened; 1976 handover abandoned — public trust in military promises broken
Muhammed / Obasanjo (Jul 1975–Oct 1979)	Gowon's governance failures; abandoned transition	Reforms begun; 19-state structure; Constitution Drafting Committee; FESTAC 77	Continued oil boom; some reform but revenues mismanaged	Muhammed assassinated after 7 months; Obasanjo managed transition to Second Republic in 1979 — most orderly transition in Nigeria's military history, but left fragile institutions
Buhari (Dec 1983–Aug 1985)	Second Republic's electoral fraud and corruption; economic	War Against Indiscipline (WAI); Decree 4 (press censorship); political	Austerity; oil price collapse; economic contraction	Press freedom eliminated; political parties and National Assembly dissolved; human rights curtailed; culture of political intolerance

Regime / Period	Cause of Intervention	Key Governance Actions	Economic Record	Effect on Democratic Institutions
	crisis	detentions		deepened
Babangida (Aug 1985–Nov 1993)	Palace coup against Buhari; personal ambition; military factional politics	SAP (1986); Political Bureau; repeated transition programmes; June 12 1993 election annulment	SAP caused massive poverty; \$2bn+ oil revenues diverted (Olukoshi, 2000)	Most damaging single act: annulment of June 12 1993 election — destroyed public trust in democratic processes; prolonged military rule 6 more years; deepened north-south tensions
Abacha (Nov 1993–Jun 1998)	Removed Shonekan's interim government; political crisis after June 12 annulment	Repression of pro-democracy groups; Saro-Wiwa execution; attempted self-succession	\$3–5bn looted from treasury (Transparency International, 2004); Nigeria internationally isolated	Most repressive regime: civil society crushed; media suppressed; judiciary compromised; Saro-Wiwa executed; Nigeria suspended from Commonwealth; all democratic infrastructure dismantled

The data in Table 4.1 Supports Hypothesis One. The consistent effect of each of the six interventions into a military rule in the Nigerian context was an instant ‘institutional degradation’ (abrogation of constitution, dismantling of the legislature, etc.) and a longer-term ‘cultural degradation’ (political violence becomes routinized, ethnoreligious tensions exacerbate, trust in government collapses). Overall, the six military coups and the attendant political dislocations have left a polity where the institution of government in 1999 was so much less sturdy than that of 1960 despite Nigeria being over four decades older, infinitely richer in oil resources, Frank and Ukpere (2012) sum up, ... The country has in all cases ended up having weaker democratic institutions after military interventions as it started it in 1960 despite the fact that such interventions may have introduced isolated reforms.

This cause analysis also shows a key trend - that each coup has fuelled the conditions of the next one. The January 1966 coup fostered ethnic disaffection that led to the counter coup, while Gowon's refusal to transfer power prompted Muhammed's. The corruption that led to the establishment of the Second Republic prompted Buhari's, and the annulment of the 1993 election

precipitated Babangida's, the resulting crisis providing leverage for Abacha's seizure of power. This cyclical, self-feeding pattern confirms the prediction of the Praetorian State Theory that praetorianism is a system that reproduces itself – in the words of O'Kane, 'Once imposed, it creates a set of conditions that increases the probability of its continued recurrence.

4.3 The Legacy of Military Rule in Nigeria's Fourth Republic (1999–Present)

This section responds to Research Question Two and examines Hypothesis Two: that the decay of the rule of law within Nigerian states - due to the erosion of judicial independence, state security actors that act beyond the legal framework, executive impunity, and poor public trust in accessing the courts - stems primarily from the institutional ravages of decades of military rule, and is resilient to remediation under civilian governance. Nigeria has since 1999 endured more than 25 years of continuous civilian government-the longest period of democratic rule in post-independence history. However, these years of formal political stability have not given rise to the kinds of legal rule-governed states that demand robust judicial accountability. The data presented in this section detail these legacies of military rule that continue to hobble legal accountability in Nigeria's states.

4.3.1 The Militarisation of Civilian Politics

In the context of Nigeria's Fourth Republic, one of the most apparent aspects has been the prominent role of former military officials in post-1999 civilian democratic politics. Of the four presidents who have led Nigeria since the restoration of democracy, two of them-Olusegun Obasanjo (1999-2007) and Muhammadu Buhari (2015-2023)-were formerly the heads of state of military dictatorships who returned to power via the ballot box. Each has brought their experience of governance, the expectation on state institutions, and the political connections forged under military rule into democratic politics.

Scholars have pointed to this trend not only as biographical but structural, suggesting that the dominance of former military leaders in democratic politics indicates how Nigeria's political culture continues to be shaped by the norms, values, and patterns established under military rule.

Indeed, in 2022, the international policy institute Chatham House commented on the "fuzziness of the boundary between the military and civilian administration," observing that "two of Nigeria's four democratically elected presidents had headed military dictatorships." Similarly, a study by Olatunji, Bakare, and Raheem (2023) highlighted that political violence, the erosion of

democratic confidence, and impunity associated with military rule persist in the Fourth Republic and manifest through various forms of electoral violence, including vote buying, security personnel being used to further partisan ends and elections treated more as all-or-nothing contests than a peaceful means to exercise electoral choice. Political Godfatherism As argued by numerous scholars such as Ogundiya (2010), one of the more widely discussed features of Nigeria's Fourth Republic has been the emergence of "political godfatherism"-an opaque system where wealthy and powerful individuals hold undue sway over the political process and in practice control elections or politicians for their personal benefit and in disregard for due democratic processes. Many such godfathers-a phenomenon often tied to patronage systems established and reinforced under military rule-cumulate their resources, wealth, and influence in their years of service in the military; they use this leverage to control political processes by controlling parties, funding candidates' elections, or installing and demanding allegiance from office holders.

As research by Ejoha et al. (2024) reveals, "political godfatherism acts as a structural impediment in the consolidation of genuine democratic governance in Nigeria," perpetuating the impunity and elite capture of the state that characterised military rule.

4.3.2 Electoral Violence and Institutional Weakness

Every since 1999, every general election held in Nigeria has not passed without accompanying acts of political violence. Research conducted under the Electoral Violence Education and Resolution programme (EVER) reveals that in Nigeria thousands of election-related violence occurred between 1999 and 2023, including violent deaths, kidnappings, snatching of ballots, and the destruction of properties and targeting of officials. The last general election, which led to the emergence of Bola Tinubu as President, was rife with claims of manipulation of results, intimidation of voters, and malfunction of the electronic transmission infrastructure designed for fraud control (INEC, 2023).

It is this pattern of election-related violence that can be attributed directly to the political culture of military rule. According to Frank and Ukpere (2012), "the militarised political culture which prevailed during the Babangida and Abacha administrations, whereby power is secured and maintained through brute force rather than through dialogue and discussion, had survived the return to civilian rule". It had "simply been incorporated into the operation of civilian politics".

The political parties engage thugs and militants while the security agents often operate in a partisan way and in turn political actors have normalise election-related violence.

Nigeria: Is the 2023 election another failure of democracy? “It has achieved incremental progress in spite of all odds but there is still credibility challenge for INEC to tackle” says scholars, citing some structural injury inflicted on INEC as a result of the years under Military rule, particularly noting how: the crisis of Nigerian democracy could not be detached from its antecedents since for decades either no elections took place or the ones that were supposed to have occurred were annulled by the military, to say nothing of the fraudulent elections.

4.3.3 Security Sector Conduct and Civilian Oversight

Nigerian armed and police forces have maintained a great deal of independence from civilian authorities within the Fourth Republic-a direct and obvious inheritance of the decades of rule when those institutions were only responsible to military authorities, and not to civilian ones or to the law courts. This is one of the most obviously and directly how military rule destroyed the rule of law-by establishing institutions of security whose culture and structure do not support legal accountability. The deployment of military units for internal security operations-a trend that started under military rule-has carried over to an extent into the post military civilian rule period, with army personnel used for counter-terrorism in the North East, counter banditry in the North West, and against separatist unrest in the South East.

Reports from academics and human rights organisations provide extensive evidence of gross human rights violations during security operations, such as extra-judicial killings, enforced disappearances, and torture of persons involved in counter-terrorism efforts in North-East Nigeria by Nigerian security agents (HRW, 2020; Amnesty, 2021). The violent suppression of #EndSARS protests in October 2020 that led to the Lekki toll gate shooting massacre of peaceful demonstrators has shown that 25 years of civilian rule has not fundamentally changed the legacy of security force impunity that began under military rule.

Military prerogative is clearly at work here (Stepan 1988). Civilian Nigerian governments have never had much success in gaining true authority over the military over the practice of security operations, the provision of internal discipline and accountability and the relationships it strikes with its civilian public. A large operational independence has been maintained that has succeeded in placing the security sector, in effect, beyond civilian accountability in crucial areas. The difficulty in truly subsuming the security sector within the framework of civilian control is a

of the most readily apparent manifestations of the ongoing legacy of military rule and the influence that it exerts on the quality of Nigerian democracy.

4.3.4 Institutional Corruption and Governance Quality

One of the most profound obstacles to the democratic consolidation of Nigeria's Fourth Republic remains the corruption of public institutions, a practice exacerbated and normalized under military rule for 29 years. The Corruption Perceptions Index produced by Transparency International habitually lists Nigeria as one of the most corrupt countries globally; in its 2023 index Nigeria scored 26 out of 100 points, ranking 145th of 180 countries. The nature of this corruption is not an innovation of the post-1999 period, it is the accumulated heritage of many decades in which military regimes treated state revenues as their private asset and normalized the belief that occupying public office was a way to personally become wealthy.

Olukoshi (2000) found evidence that Babangida's government illegally siphoned over \$2 billion in oil revenues out of the public purse for their own and political benefit; Transparency International (2004) estimated that Abacha's regime siphoned off between \$3 billion and \$5 billion. These are not isolated examples in Nigeria's history of military rule; rather they are the most glaring cases of a resource-diversion culture that existed in various ways throughout Nigeria's military history. The civil servants, bureaucrats and cliques who were part of this looting exercise did not retire when Nigeria returned to civilian rule in 1999. Many of them transitioned easily into civilian politics carrying with them the norms, behaviour and the understanding of the public sphere as an extractive space that characterise contemporary public life in Nigeria.

Table 4.2: Legacies of Military Rule in Nigeria's Fourth Republic — Key Indicators

Legacy Category	Manifestation in Fourth Republic	Scholarly Evidence / Source
Militarisation of Civilian Politics	2 of 4 elected presidents were former military heads of state; retired generals dominate party structures; military command style in executive governance	Chatham House (2022); Olatunji, Bakare and Raheem (2023); Akinola and Makombe (2025)
Electoral Violence	Thousands of election-related violent incidents across all six election cycles (1999–2023); ballot snatching; result	EVER Programme data; Frank and Ukpere (2012); Babalola and Akeem (2023)

Legacy Category	Manifestation in Fourth Republic	Scholarly Evidence / Source
	manipulation; intimidation of voters and officials	
Security Sector Impunity	Extrajudicial killings in North-East counter-terrorism operations; Lekki toll gate killings (2020); SARS abuses; army deployed in civilian security without adequate oversight	Human Rights Watch (2020); Amnesty International (2021); Stepan (1988)
Institutional Corruption	Nigeria ranked 145/180 on Transparency International CPI (2023); public office culture of extraction inherited from military era persists across civilian administrations	Transparency International (2023, 2004); Olukoshi (2000); Ihonvbere (1996)
Weak Democratic Institutions	INEC credibility problems; judiciary susceptible to political pressure; National Assembly frequently sidelined on security and fiscal policy; civil society underfunded and harassed	Diamond (1999); Linz and Stepan (1996); Chatham House (2022)
Persistent Insecurity	Boko Haram / ISWAP insurgency (North-East); banditry and kidnapping (North-West); farmer-herder conflict (Middle Belt); IPOB separatism (South-East) — all rooted in governance failures produced by military rule	Osumah (2013); Maiangwa (2012); Omenma and Hendricks (2018); World Bank (2016)

Data in table 4.2 also bolster Hypothesis Two. To suggest that the security problems facing Nigeria today, be it the Boko Haram rebellion, the banditry problem or the urban election security violence phenomenon, are independent factors occurring for reasons entirely adventitious during the post-1999 period, ignores the reality that all are results of government failure-poverty, institutional fragility, regional disparity and impunity of armed elements-themselves caused or exacerbated during the 29 years of military rule. Indeed, insecurity, as Rotberg (2003) pointed out, "is the product of state failure," and "the peculiar brand of Nigerian

state failure at the present has been directly induced by ... The damage done by the praetorian elite to Nigeria's institutional capacity and to its culture."

Praetorian State theory claims that the negative consequences of praetorianism have long lasting effects and may remain decades after the military has handed over the formal mantle of government. The research findings are congruent with this claim.

4.4 Comparative Analysis: Nigeria's Experience and Lessons for Africa

This chapter deals with Research Question Three and examines Hypothesis Three which postulates that African states with less and briefer experiences with military rule have better institutions of democracy, more beneficial results of governance and lower security incidence than those with histories of long-drawn out military engagements. The chapter draws lessons for Nigeria through a comparison with a selected range of African states whose approaches to military engagement vary by drawing lessons from both experiences of countries that have shunned long drawn out military engagement and the experiences of those similar to Nigeria.

4.4.1 Countries With Fewer Military Interventions: Democratic Advantages

Best comparisons for Nigeria. Nigeria's neighbors can be an important lesson – countries that had the good sense to stay away from the coup, or dropped out of it at an early stage. The other top-three contenders for Africa, Ghana, Senegal and Botswana, have a particular thing in common with Nigeria – less time spent under military rule.

It has been an arduous road, however; between 1966 and 1981 the country was rocked by no fewer than four successful military coups. In the end, Ghana's final coup-led by Jerry Rawlings in 1981-proved to be a harbinger not of military rule but of democratic transition and Rawlings, having overthrown a coup regime himself, oversaw Ghana's final transfer of power from military to democratic rule in 1993. Since then, nine presidential elections have been held, political parties have successfully transferred power back and forth several times, and its electoral machinery-chief among it the Electoral Commission-has become one of West Africa's most respected.

Ghana ranked a "flawed democracy" in The Economist Intelligence Unit's 2023 index of countries by their levels of democracy; this places Ghana considerably above the other large

African nation, Nigeria, which it designated as having a “hybrid regime”-a less flattering classification that points to greater deficiencies in democratic governance.

In addition, scholars, including from the Democracy in Africa network (2024), have pointed directly to Ghana's longer history of continuous democratic government since 1993 as a factor that has enabled its electoral institutions to accumulate strength and legitimacy in a way the Fourth Republic of Nigeria has been unable to match.

Even clearer an example of the benefits for democracy of having a limited history of military rule comes from Senegal. It is the only sub-Saharan African country not to have had a military coup. While its own institutions were tested with the 2024 constitutional crisis where the president was attempting to delay the elections, the resilience of the country's Constitutional Council, the army, and the civil society meant the military and constitutional organs of government pushed back and the elections took place. 'The country's 2024 political resilience serves as an example of how civilian institutions can work with an army that respects the constitution-a combination that decades of military rule have so far denied Nigeria,' observed analysts from the Carnegie Endowment for International Peace (2025).

Indeed there could hardly be a greater contrast than Botswana offers with Nigeria. Botswana has not had a single military coup during its post-independence history. It is universally cited as among the best-governed states on the continent, coming out at position 105 in the UNDP's Human Development Index(2023) (compared to position 161 for Nigeria). While diamond revenues and a small population are part of the reason for Botswana's success, researchers have noted that this has been supported by robust civilian institutions, a highly professional, and consistently depoliticized military, and a political culture that has not, for all its faults, “made the resort to force the normal way of competing over political leadership”(Democracy in Africa,2024).

4.4.2 Countries With Extensive Military Intervention: Democratic Struggles

At the other extreme in the sample of comparison, the African nations the subject of the most prolonged and recent military interventions - Mali, Burkina Faso, Niger, and Sudan - exhibits precisely the sorts of democratic breakdowns and insecurity this study predicts to be linked to military rule. All three strongly suggest Hypothesis Three:

Mali, for example has had four coups since independence including two in quick succession in 2020 and 2021, and is at present ruled by the junta of Colonel Assimi Goita, who has indefinitely postponed democratic elections and centralized authority. The country ranks 185th out of 193 nations in the UNDP Human Development Index (2023), placing it within the world’s ten least developed countries. Its 2024 rating in the “Not Free” category comes from Freedom House (2024). A brutal and pervasive jihadist rebellion in Mali - waged predominantly by JNIM and GSIM and which dominates vast regions of northern and central parts of the country - is being countered by a militaristic regime and its Russian allies from the African Corps but to date without significant improvements to security despite immense human and financial costs (Carnegie Endowment, 2025).

The problem is much more serious still in Burkina Faso, a country that has already suffered two coups in 2022 alone (January and September), and whose military strongman Captain Ibrahim Traor in 2024 pushed back by five years to 2029 a presidential election due in July. Freedom House (2024) states Burkina Faso is "Not Free," and UNDP's Human Development Report (2023) has it 184th out of 193 states. The Islamist insurgency that formed the rationale for both of the 2022 coups now reportedly controls more than 40 percent of the country – significantly more than it did prior to the military’s seizure of power – thus vividly illustrating the failure of military leadership to provide the security it vowed to deliver (OECD, 2024).

Like its neighbors, Niger-which has experienced five successful coups since independence, most recently in July 2023-continues the tradition. While the ECOWAS block initially protested the coup that saw the democratically elected president Mohamed Bazoum overthrown and threatened to invade, the ECOWAS has since softened its position following months of stalemate. While President Bazoum is still languishing in jail, the ruling junta is hardening its grip, and has made clear that its plans for democratic transition appear to be on hold when coup leader Abdourahamane Tiani in March declared himself president for a five-year term (Carnegie Endowment, 2025). Niger is 189th on the HDI (Carnegie Endowment, 2025).

Table 4.3: Comparative Democratic Performance — African Countries by Military Intervention History

Country	Successful Coups Since 1960	Last Coup / Years of Military Rule	UNDP HDI Rank (2023)	Freedom House Status (2024)	Current Security / Democratic Status
Botswana	0	None	105 / 193	Free	Stable democracy; peaceful transitions; low insecurity

Country	Successful Coups Since 1960	Last Coup / Years of Military Rule	UNDP HDI Rank (2023)	Freedom House Status (2024)	Current Security / Democratic Status
Senegal	0 successful	None	170 / 193	Free	Democratic institutions held firm against 2024 crisis; strong civil society
Ghana	4 (last 1981)	1981 / 12 years military total	145 / 193	Free	9 consecutive elections; credible electoral commission; flawed democracy improving
Nigeria	6 successful	1999 / 29 years military total	161 / 193	Partly Free	25+ years civilian rule but persistent electoral violence, corruption, insecurity, institutional weakness
Sudan	5 (incl. 2021)	2021 / 40+ years military total	172 / 193	Not Free	Civil war since 2023; humanitarian catastrophe; democratic transition failed
Mali	4 (incl. 2020, 2021)	2021 / ongoing	185 / 193	Not Free	Elections indefinitely postponed; JNIM jihadist insurgency expanding; Russia (Africa Corps) military presence
Burkina Faso	5 (incl. 2022 x2)	2022 / ongoing	184 / 193	Not Free	Election postponed 5 years; jihadists control ~40% of territory; worsening humanitarian crisis
Niger	5 (incl. 2023)	2023 / ongoing	189 / 193	Not Free	Junta leader declared president

Country	Successful Coups Since 1960	Last Coup / Years of Military Rule	UNDP HDI Rank (2023)	Freedom House Status (2024)	Current Security / Democratic Status
					for 5 years (2025); ECOWAS sanctions lifted; democratic transition abandoned

Hypothesis Three finds additional and compelling evidence in the Table 4.3 comparative data. An evident and recurrent pattern is to be discovered within all eight cases examined: in general, those countries with less military intervention, and less history of military rule fare better in human development terms, enjoy Freedom House “free” status, and, perhaps more critically, experience fewer and less grave security threats, as opposed to those countries which have long, extensive and well documented histories of military coups and periods of military rule. Indeed Botswana, a never-coerped country, outranks its eight peers in every single category presented; while Senegal, with no recorded successful coups, maintains democratic institutions of sufficient integrity to weather considerable political duress. Following a 1981 coup which put a stop to its, almost routine, cycles of military usurpation, Ghana has consolidated its position as West Africa’s premier democracies; whereas Niger, Mali, and Burkina Faso which, over the past few decades, have endured the greatest degree and longest extent of military rule, come across as being amongst the world’s least developed, least free, and least secure countries.

Nigeria has an interesting place in the comparison: While it has experienced six successful coups, it has been ruled by the military for 29 years - more than Ghana or Senegal - and has still been able to achieve more than 25 years of civilian rule and to recover, at least partially, from military rule. Nevertheless, the markedly weaker performance of Nigeria in the spheres of development and democratic quality compared to states with less military history strongly validates the central thesis of this study: the negative impact of military intervention on democratic institutions, governance, and security is substantial and enduring.

However, the lesson that this comparative analysis gives to Mali, Burkina Faso and Niger, all of which are currently under military rule, is sobering: from Nigerian experience each further year of military rule compounds the institutional erosion that needs to be addressed on transition, and

each subsequent military overthrow of the government, makes it that much more difficult to move to civilian democracy on the next occasion. “Seven African countries slid under the sway of military coups between 2020 and 2023,” observed Brookings Institution (2024). “Now, the burning question for many is what will come next for Africa.” From Nigeria, at least, the answer has everything to do with the pace and effectiveness of the efforts to reconstruct civilian institutions that are indispensable to both legitimate and enduring civilian rule.

CHAPTER FIVE

SUMMARY, CONCLUSION AND RECOMMENDATIONS

5.1 Summary

This thesis looks at Military Intervention, its effects on the stability of Democracy in Africa – A Nigeria-centered research. It sets out to answer one core issue – how has the interference of military intervention destabilized the rule of law within Nigeria's states, and why does it continue to be so hard to overcome, even with over 25 years of constant civilian rule after 1999. The thesis asks three research questions; what have been the principal patterns of, and reasons for, military interventions in Nigeria, and how did those interventions undermine the rule of law in Nigeria's states; In what respects is Nigeria's states' rule of law being impacted by the residue of military interference within Nigeria's current Fourth Republic; what are other African states' key lessons on the connection between military intervention and rule of law from the Nigerian experiment.

In answer to these questions the study used a qualitative, historical-comparative research method using existing scholarly sources, official reports from governmental and international bodies, and evaluations from civil society groups. The theoretical underpinnings come from Civil-Military Relations theory (Huntington, 1957; Finer, 1962), Praetorian State theory (Huntington, 1968; Luckham, 1994), and Democratic Consolidation theory (Linz and Stepan, 1996; Diamond, 1999). To guide the inquiry, and see what already exists concerning military rule and its effects, ten empirical texts were critically reviewed in Chapter Two and in order to demonstrate the empirical research question, namely the lack of any systematic research into how military rule structurally undermined the rule of law at the Nigerian state level, we looked at a range of literature.

Chapter Four included the findings and their analysis. The historical analysis tracked the causes of six military interventions in Nigeria between 1966 and 1999 and enumerated the institutional toll on the rule of law sustained in terms of suspension of constitutions, the issuance of military decrees, the withdrawal of courts from adjudicating disputes, the imprisonment of detainees, and the militarization of security personnel behaviour. In terms of the Fourth Republic legacies, five enduring consequences of those interventions were documented: politicization of the security

forces, violence during elections, security forces' impunity, corruption within institutions, and lack of durable democratic institutions. The results of the comparative analyses of eight other African nations show clearly that countries that have fewer and shorter experiences with military regimes perform better on all indicators of rule of law quality and human development than those with more numerous military involvements.

The study also found empirical support for all three of the hypotheses tested in Chapter Three. The primary argument of this thesis- that military intervention is structurally inimical to the rule of law and that the harm it inflicts is long-lasting not self-healing - was thus validated in the empirical results across all three levels of analysis.

5.2 Conclusion

The evidence presented in this study leads to three clear conclusions.

The first conclusion, then, is that the operation of the military system is intrinsically antagonistic to the rule of law. All six of Nigeria's military administrations that followed independence started by suspending the rule of law and replacing statutory law by administrative fiat, stripping the jurisdiction of the courts of all judicial functions and dissolving the bodies that embodied the process through which law comes to be and is checked and rechecked (the legislatures). The result of all this-not simply the substitution of military for civilian leadership, but the destruction of the conditions upon which law and its rule depends-was exactly what Huntington (1957) predicted and Finer (1962) showed, namely that no independent judiciary exists, no constitution is a check upon those in power and the law and the ruler are one and the same. Nigeria's six decades of military administration attest to this quite literally through the concrete history of institutional disintegration that can be observed.

Second, the damage done by military rule to the rule of law does not self-repair simply when military rule ends and civilian rule is reinstalled. Ojo (2014) referred to this as the "Praetorian trap" - that is, that military rule imprints lasting behavioural and structural weaknesses on institutions even when the military leave formally. Nigeria's Fourth Republic (now 25 years old) has provided a 25-year empirical experiment and its finding is conclusive: courts remain susceptible to the pressures of the executive; security sector has retained impunity under law (as

highlighted in 2020 by EndSARS); corruption remains systemic; citizen trust in law-enforcement bodies is shallow. The initial institutional conditions from which Nigerian civilian rule commenced in 1999 were so damaged by 29 years of military rule that gradual improvement has been insufficient in 25 years to heal the wounds for a full generation. For the present military regimes in the Sahel, the lesson of the experiment is stark and practical: each additional year of military rule should be viewed not just as a lost opportunity, but as an year of ongoing, actual damage that will require generations of concerted effort from the polity to even start repair.

Third is that rule of law is single most important democratic quality dimension that is devastated by military rule and is most difficult to reconstitute: A country can have elections, write a democratic constitution, and transfer power among parties without having it apply to everyone equally, have judges that actually rule independently, or offer citizens any meaningful appeal from state power. Thus Nigeria can sustain more than 2 decades of elections but the rule of law continues to be wanting in important ways. Rebuilding the rule of law is a task not simply of reform but also cultural and behavioral, a matter of changing what officials, security sector personnel and ordinary citizens expect and are able to get out of state institutions over time, indeed over a generational time frame rather than over elections.

5.3 Findings

There are three main findings in this study, reflecting each research question and hypothesis.

1. The military interventions in Nigeria were structurally endemic and recurrent and they took cumulative and disastrous toll on the rule of law. Nigeria's six military regimes were instigated by civilian administrative incompetence, ethnic fragmentation, the crisis of underdevelopment, and the corporate and private interest of the military elite (Finer, 1962; Janowitz, 1964; Decalo, 1976; Ihonvbere, 1996). Each regime immediately suspended the constitution and supplanted statute law with military decrees that often had 'ouster clauses' (which removed court powers) (Ihonvbere, 1996), regularised arbitrary arrest and detention, and established security units that enjoyed de facto impunity under the law. The cumulative impact of six military regimes in 29 years was to gradually dismantle all the institutional underpinnings necessary for the rule of law: independent judiciary, accountable legislature and civilian control over the security apparatus. The argument made in Hypothesis One is thus confirmed.

2. The legacy of military rule still appears in direct and quantifiable terms in the poverty of the rule of law in Nigerian states of the Fourth Republic. Two of Nigeria's four presidents elected since 1999 are a pair of former military leaders, and many governing styles set under military rule are replicating in civilian democratic politics (Chatham House, 2022; Olatunji, Bakare and Raheem, 2023). Every Nigerian election cycle since 1999 has seen at least some outbreak of violence (Frank and Ukpere, 2012; Babalola and Akeem, 2023). The security forces retain a large amount of operational autonomy from civilian legal supervision (Human Rights Watch, 2020; Amnesty International, 2021), and Nigeria was 145/180 on the 2023 Transparency International Corruption Perceptions Index (26/100), suggesting that the establishment of a norm whereby office holding can be used to facilitate personal extraction has not declined much since the military era (Olukoshi, 2000). Hypothesis Two holds.

3. The evidence provided also strongly supports the conclusion that the amount and time period that African nations have experienced military rule are key drivers of the rule of law in the region, with less and briefer military intervention correlates with stronger measures of human development, freedom, and accountability for crimes committed by officials. Botswana, a nation with no coups, ranked 105 out of 193 countries by human development and Free by Freedom House; Senegal, with no coups, and who survived a recent constitutional challenge to its democracy, can also show Africa the way forward (UNDP, 2023; Freedom House, 2024). Even the last coup in Ghana was in 1981, after which it has undergone 9 successive elections. In stark contrast, Mali (HDI 185, Not Free), Burkina Faso (HDI 184, Not Free), and Niger (HDI 189, Not Free), have fallen back under military governance which have only further exacerbated the problems of insecurity they set out to solve (UNDP, 2023; Freedom House, 2024; Carnegie Endowment, 2025). This also supports Hypothesis 3.

5.4 Recommendations

Based on the findings of this study, the following are the recommendations that are aimed at the main protagonists and whose choices will make or break the rebuilding of the rule of law in Africa, not just in Nigeria.

1. The Nigerian government should pursue genuine judicial independence as its primary institutional reform priority. The executive must accept no interference with the appointment

process, the full security of tenure for judicial officers and acceptance of court judgments, even where such judgments have implications for state action. As Huntington (1957) pointed out, a regime of law cannot exist if courts have no power to sanction the exercise of executive authority.

2. Comprehensive security sector reform must be undertaken grounded in civilian legal oversight. The Nigerian security forces (including the army and police) should be made substantively answerable under the constitution. The 2020 EndSARS protests in Nigeria were an emphatic indicator that a piecemeal restructuring of the police is inadequate and that systemic police and military reforms involving changing security institution cultures, practices and accountability structures inherited from the military are required. A useful point of entry into how military prerogatives can be diminished is presented in Stepan (1988).

3. African countries currently under military rule should commit to immediate, unconditional, and credibly monitored democratic transition. The lesson of this study is unequivocal: there is no military regime, past, present, or future in Nigeria, or Africa as a whole that would deliver superior rule of law than the one it would replace. Each additional year of military government weakens the law and undermines the prospects of a return to civilian rule. The Nigerian, Ghanaian, and Sahelian precedents should be heeded by those in power in Mali, Burkina Faso, and Niger.

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