

CONSIDERATIONS OF THE FREEDOM VALUE IN A MILITARY REGIME

A decade of Military Rule in Nigeria

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Introduction

This paper intends to examine an aspect of modern government that is often ignored or de-emphasized, that is the relevance of freedom to societies that are confronted with problems of gaping material scarcity. The major problem facing scholars concerned with African States is how best to distribute power and resources in society in order to allow solutions to recurrent problems like mass starvations, unemployed urban masses, underemployed graduates, etc. Even in a so-called "rich" country like Nigeria, one is aware of large pockets of discontent that are "scattered, hesitant, unassertive, or easily obliterated"¹. The aim of the paper therefore is to put forth the proposition that in a modernizing military oligarchy, an environment allowing for free expression of political opinion is essential for rapid national political development. Government must recognize the useful role of such liberties like free speech because it allows for the free flow of information necessary for decision making, for the opinions of, e.g., businessmen, industrialists, civilian politicians, academics, doctors, engineers are all vital for making the right policy. These people need not be co-opted into the military establishment before their opinions are sought, otherwise, being already part of the power structure, with their own vested interests to perpetuate, they would refuse to view controversial situations objectively. Such was the case in 1974 with the Judicial Advisory Council, a body elected by the Head of State, which put a stamp of legitimacy on the government's decision to clamp down on free speech and the exposure of corrupt government officials in the highly publicised corruption debates of July, August, and September of 1974. Because the Gowon Government felt absolutely no sense of accountability to the Nigerian nation, such burning issues of the day, like the accuracy of the costly 1973 census report, the need for the creation of more states, the desirability of ending army rule in 1976, the corruption of highly placed public officials, and many more controversial issues were never given adequate attention by the government. The issues were merely allowed to seethe below the revolutionary boiling point. Feelings of frustration and impotence left the populace cynical and reluctant to make any psychological commitments to a nation which was seen to be drifting aimlessly. On July 29th 1975, a coup toppled Gowon from power, Gowon's legacy to the Nigerian nation seems to be monumental corruption and irresponsibility of public officials as revealed by numerous probes into the conduct of the officials of the past regime.

¹ First, Ruth: *The Barrell of a Gun* (London 1970) p. 13.

The Military Myth:

The military is a political institution around which certain theories and myths have been woven. Some of these theories talked about the army in the new states as the modernizer; that soldiers have exemplary virtues that make them dynamic, self-sacrificing reformers. When the military took power from civilians in 1966, P. C. Lloyd observed: „The coup was in my view, the action of a section of the educated elite, possessed of physical power and free from the taint of corruption, against elected politicians whose failure to control the masses threatened the stability of the country”².

Time has proved that the military in Africa has worked to integrate itself into the pre-existing social and power structures, a mere extension of the traditional upper class in its socioeconomic orientations. Essential reforms have not taken place. The military proved antagonistic to liberal values. For a decade of rule in Nigeria, the military stifled the growth of responsible and representative political institutions. Huntington, in writing about praetorianism, stated that where traditional social forces, interests, customs, and institutions are strongly entrenched, change requires the concentration of power in the agents of modernization³. So “the agents of modernization here mean the military officers, who “in the early stages of political modernization (the military officers) play a highly modernizing and progressive role.”⁴ Huntington states that they promote social and economic reform, national integration, etc. „The assail waste, backwardness, and corruption, and they introduce into the society middle-class ideas of efficiency, honesty, and national loyalty.”⁵ As modernization progresses, Huntington states that another stage in the quest for change is reached when it becomes necessary “to expand the power in the system to assimilate the newly mobilized and political participant groups”, thus creating a modern system. By 1974 there was a great clamour in Nigeria pressuring the military to expand the power in the political system, that is to say, to allow for open political activity by civilians, in order to generate ideas for more rapid development and especially to tackle concrete topical issues of the day. It is at this stage that the military under Gowon faced its greatest challenge due to its reluctance to share power and therefore was incapable of assimilating new ideas necessary for change and development. Another aspect of this myth claims that military intervention into politics defuses an explosive political situation of escalating social conflict, and that the immediate effect of a coup is to induce the withdrawal from politics and “the streets”⁷ of the competing social forces, and to produce a feeling of relief and harmony.”⁸

Based on the above myths, theories of development, progress or modernization have all worked towards a bias for military regimes, because the elites of new states aspire to modernity, where modernity, according to Shils, “means to be dynamic, concerned with the people, democratic, egalitarian, scientific, economi-

² Lloyd, P.C. “The Ethnic Background to the Nigerian Crisis”, In S.K. Panter-Brick (ed.), Nigerian Politics and Military Rule (London 1970) p. 10.

³ Huntington, S.P.: Political Order in Changing Societies (New Haven 1968) p. 146.

⁴ Ibid. P. 203.

⁵ Ibid. P. 203.

⁶ Ibid. p. 146.

⁷ Huntington here means the physical confrontations of competing political forces, manifested through various forms of thuggery and wanton destruction of property.

⁸ Ibid. P. 217.

cally advanced, sovereign and influential.”⁹ But soon after the initial phases of experimenting with conventional democratic institutions, the elites have realized that efforts at modernity yielded negligible results in the midst of many other problems and needs of the states, such as: „Keeping in power, keeping public order, keeping some measure of stability on unstable political foundations, improving education, developing professional personnel for medicine, teaching, and technology, making themselves heard internationally.”¹⁰

The effort at modernization has, more often than not forced the elites “toward a greater concentration of authority than political democracy would countenance”.¹¹ Besides such other alternative governmental models that have been established in Africa like traditional oligarchy, totalitarian oligarchy, modernizing oligarchy¹², many African nations are currently functioning under military oligarchies. Shils thinks such military regimes are not ideological, rather aspirations of the military leaders include such moderate desires as the establishment of a workable machinery of government, whereby government is conducted “without politics and without politicians.”¹³ But the end result is that a new political process is instituted whereby: “parliamentary and consultative institutions are suspended, the civil service is put under rigorous discipline, critics are suppressed or put on notice. Legislation is enacted through decrees and the rule of law is dissolved”.¹⁴

Lucian Pye, who also upholds the modernizing characteristics of the military, puts it thus: “in most of the newly emergent countries, armies have tended to emphasise a rational outlook and to champion responsible change and national development”¹⁵. Pye observed also that since a high proportion of army officers generally come from those trained in staff positions, “they are extremely sensitive to the needs of modernization and technological advancement.”¹⁶

However, the problem with military rule as can be seen from the analysis so far; indicates that the military oligarchies have tended to over-emphasise order, while failing to improve the educational system, agriculture, providing better housing, etc. Rather the army merely succeeded in “the maintenance of an apolitical order.”¹⁷

In order for a military oligarchy to demonstrate success and effectiveness, the leaders have had to ruthlessly suppress counter-coups and direct challenges, the civil war in Nigeria is a case of suppressing a direct challenge to the legitimacy of the central government. In the aftermath of the February, 1976 counter-coup in Nigeria, almost fifty individuals were executed or imprisoned for life. Often the organs of public opinion, such as “newspapers are censored or closed down, their ownership and journalists harried or supplanted.”¹⁸ Several such conditions prevailed in Nigeria especially during the Gowon regime, whereby the editor of a state-own daily was summarily transferred to another position for carrying an editorial on corruption not complimentary to the government. The “Ombuds-

⁹ Shils, E.: “The Military in the Political Development of the New States.” In J.J. Johnson (ed.) *The Role of the Military in Underdeveloped Countries* (Princeton 1962) p. 9.

¹⁰ Ibid. p. 43.

¹¹ Ibid. p. 45.

¹² These are alternative models developed by Shils.

¹³ Shils, op. cit. p. 54.

¹⁴ Ibid. p. 54.

¹⁵ Pye, Lucian W.: “Armies in the process of Political Modernization” in J. J. Johnson, op. cit. p. 76.

¹⁶ Ibid. p. 77.

¹⁷ Shils, Op. Cit. p. 54.

¹⁸ Ibid. p. 57.

man" section of the *D a i l y T i m e s*, a general public opinion forum on aspects of administrative inefficiency and irresponsibility, was quietly suspended in August 1974. The most sensational press issue occurred in 1973 when Mr. Minere Amakiri, Nigerian Observer chief correspondent in the Rivers State was brutalized by having his hair shaved; he was flogged and illegally imprisoned by ASP Ralph Iwotari. Amakiri's "crime" was that he had reported in the Observer of a threatened teachers' strike over conditions of service. This report appeared on the Governor's 31st birthday.¹⁹ In general, the military oligarchy allows the vast bulk of the population to carry on their daily affairs unmolested "as long as they do not disturb public order or threaten to subvert the oligarchy"²⁰. It is mainly the politically participant groups that feel the lack of public liberties.

The military claims that in order for it to be effective in its modernizing role, the armed forces must function through centralization, discipline, and hierarchy. As Claude Welch puts it: "effective military organization demands a high degree of centralization"²¹. The problem here is that the process of modernization has been unduly equated with centralization.

Military Centralization: Problems and Issues

Is the concentration of governmental power in the hands of a military oligarchy consistent with democratic values? Is the military capable of decisive action in an environment of free exchange of ideas? Can the military maintain the confidence of the people indefinitely if the regime is accountable to the people? There have been very few precedents in modern history where modernization has not been equated with centralization. Japan and Russia, the most successful and fastest modernizers of the twentieth century, modernized through militarism and strict hierarchical organization. In both of these countries, the cost of modernization also entailed great sufferings for their citizens. Large masses of the Russian peasantry were forced to change their traditional institutions and mode of production very drastically without the freedom to consider the desirability of such new practices. While in Japan, militarism and colonial expansion into East and South East Asia led to a very costly and untold suffering to the Japanese and Asian peoples in the third and fourth decades of this century.

One view of modernization is that it is expansive and ameliorative, giving the impression that mankind stands to benefit greatly from this process²². This is an utopian view of modernization which claims that "all manner of human ills will be overcome"²³. In fact modernization has posed very grave problems for mankind under centralized civilian and, more so, under military regimes. As leaders and modernizers try to mobilize and rationalize the resources of society with a view to achieving greater control, efficiency and production, the individual who is involved in the modern sector becomes: "Less certain of his purpose and in times of great unrest is prepared to surrender his freedom in the interest of

19 *West Africa* April 1st, 1974 p. 388 (London).

20 Shils. Op. cit. p. 58.

21 Welch, Claude: *Soldier and State in Africa* (Evanston 1970) p. 36.

22 Black, C.E.: *The Dynamics of Modernization* (New York 1966) p. 26.

23 Ibid. p. 27.

purposeful leadership. This is what is meant by the loss of identity characteristic of individuals in societies undergoing rapid social change²⁴."

The desire to be modern has often led to the glorification of the transitory and to the frequent rejection of fundamental values as expressed in traditional institutional forms²⁵.

One of the fundamental values this paper is concerned with is that of freedom. How does the freedom value exist within a military regime? How can one reconcile freedom with social order. When the latter is looked upon as a more essential condition? Men are said to be able to live in orderly societies without freedom. Although political governments have always put order first, the aim of this paper is to propose that centralization and order, without public accountability of rulers, without free discussion of political issues, progress cannot promote political development. The concept of individual freedom must be incorporated into the governmental process. Political institutions should have as a priority goal the maximization of freedom for all, with the assumption that men could live peacefully, that is orderly, together under conditions allowing free discussion of issues. Men in power and conservatives generally hold a pessimistic view of man: they blame the shortcomings of government policies and the privileges of the few on the shortcomings of human nature. Conservatives who denigrate human nature generally oppose freedom for other people. These are the same people who enjoy more than their fair share of economic and political resources.

Theories of Freedom:

Christian Bay defines the freedom value as the „expression of individuality, or self-expression . . . A person is free to the extent that he has the capacity, the opportunity, and the incentive to give expression to what is in him and to develop his potentialities”²⁶.

No society is expected to give full freedom to all individuals; restraints are inevitable when people co-operate for the attainment of joint needs. Bay also looks upon freedom as basically required to the pursuit and attainment of all other values: power, respect, affection, well-being, wealth, enlightenment, skill, security²⁷. To Dahl and Lindblom, freedom is one of the key human values; others are, democracy, equality, and security. To them these values are peculiarly relevant to an appraisal of different politico-economic techniques²⁸. Freedom is very highly valued; it has an entirely favourable meaning; people everywhere consider it entirely good and never bad²⁹. Freedom can be defined as an absence of obstacles or frustrations to the realization of desires. This allows the individual, when faced with choice situations to actually make the choices that will attain his desires³⁰. There are natural, physical, technological, psychological limitations on freedom. From a social and political point of view, the activities of others impose the most important limitation on freedom: “The fact of conflicts in goes seeking might

24 Ibid. P. 31.

25 Ibid. p. 28.

26 Bay, Christian: *The Structure Of Freedom* (New York 1965) p. 15.

27 Ibid. p. 18.

28 Dahl, R. A. and Lindblom, C.E.: *Politics, Economics and Welfare* (New York 1953) p. 25.

29 Ibid. pp. 28—29.

30 Ibid. p. 30.

be regarded as the fundamental political situation, the basic human condition that everywhere makes it necessary to develop social machinery through which to decide the outcome of such conflicts.³¹

Dahl and Lindblom cite Hobbes as one of the political theorists who thought that “conflicts in goal seeking are inherently so great that only overwhelming force in the hands of a sovereign can maintain social peace”³². Advocates of centralized military rule subscribe to the Hobbesian concept of social conflict.

Why do we propose freedom as a crucial goal for man in society? Individual's goal achievement may be frustrated in a society that is not organized to provide a large measure of freedom for most of its members: “Absence of freedom means frustration, frustration means discontent and hostility, discontent and hostility may mean recurring violence, instability, irrationality, destructiveness, which in turn may threaten one's own goal achievement. Or alternatively, absence of freedom may mean a kind of barren passivity in social life, a decline in productivity, originality, progress, spontaneity, which will react adversely on our own freedoms³³”.

Governments must therefore protect their citizens from certain kinds of coercion by allowing such freedoms as free speech and free assembly as some of the inalienable human rights. Limitations on freedom are of course inevitable when there is a threat of military attack from outside and a threat of forcible overthrow of the government as a serious danger to the nation. yet an oppressive, corrupt, or inefficient government can provoke national insecurity through widespread disaffection among its citizens.

The Military and Freedom of Expression in Nigeria

We can now examine one specific kind of freedom that is most difficult to attain under a military government. That is the freedom of political speech. Christian Bay considers that “free speech on political issues is instrumentally crucial in the defence and expansion of the whole range of actual and potential human rights”³⁴. He considers that a maximum freedom of expression for all is capable of providing at least indirectly some guidance for policy-making. Freedom of political speech allows a society to register protests, and take strong political countermeasures as guarantees against infringements on all kinds of freedoms. Freedom of political speech is also very important for the sake of national security. Unless frustrated elements are allowed to express their frustrations, there is no knowing when the amounts of frustration may reach the revolutionary boiling point³⁵. A government should let its discontented talk in order to learn the causes of their discontent and end those causes³⁶.

Given that the military functions through centralization, discipline and hierarchy, the desire for freedom in a military regime begins to look like a fruitless search. The military regime in Africa has proved to be the greatest opponent of freedom

31 Ibid. p. 33.

32 Ibid. p. 33.

33 Ibid. p. 37.

34 Bay, op. cit. p. 136.

35 Ibid. p. 139.

36 Ibid. P. 390.

of political speech. At the initial period of a military take-over, the distaste for politicians, political parties, and their abuse of the mass media, led citizens, in this case, in Nigeria, to readily accept the sacrifice of personal freedom during a transition period. The hope was that the military would create the conditions for a truly representative and equitable political system. At the same time, "no group of rulers can long base their claims for legitimacy on accrimony and memory of previous injustices³⁷. Military rulers have too often used the corruption and authoritarianism of previous political leaders to claim their own legitimacy. The Military regimes themselves more often than not turn out to be more authoritarian and more ready to resort to violence than their civilian predecessors. Military governments have been largely unprepared to discuss issue or to compromise. From a social perspective, the Nigerian public, have shown themselves to be actively concerned about their political systems and willing participants if given the chance. In tribal political organizations peoples like the Tiv, Ibo, Yoruba, Edo, made ample provisions for political participation. The social organizations of these peoples were essentially anti-authoritarian³⁸. So that within the modern setting both rural and urban dwellers expect that their opinions must be weighed before crucial decisions are taken even by an authoritarian military dictatorship. Right from the beginning of military takeover in January 1966 the demand for popular participation in government was heard, first through the press. On the issue of centralization of administration or a switch to a unitary form of government, the Daily Times openly challenged the Military Government's intentions, especially when the opinions of the people had not been consulted. The Daily Times made it clear that although the military enjoyed widespread support, yet the populace in no way aimed to abdicate the right to be heard and to be honestly represented³⁹. In fact the demand for participation by the public was so persistent, that at the outset the military tried to give the impression of harmlessness. General Ironsi claimed at a press conference that the military had no "political affiliation or ambition" and had "no desire to prolong its interim administration of government longer than is necessary for the orderly transition of the country to the type of government desired by the people"⁴⁰. But instead of allowing free discussions, the military government created a proliferation of study groups, advisory committees, and working parties to advise on national policy. Such issues like administrative centralization, education, agriculture were in fact no longer open to popular participation as the Press had clamoured for. Then Decree Number 33 of May 24th 1966 formally banned all political activities which virtually implied the loss of freedom of speech. How then were people to organise any expression of opinion while the ban remained in force? The very downfall of General Ironsi has been attributed to his unilateral decisions, especially on the issue of a unitary form of government, from the federal system. Although Nigeria was undergoing a crisis phase and it was difficult to allow popular participation, General Ironsi was blamed for not heeding growing opposition on his unitary government plans.

³⁷ Welch, *op. cit.* p. 46.

³⁸ Peil, Margaret: *Nigerian Politics: The People's View* (London 1976) pp. 3—12.

³⁹ Panter-Brick: "In Panter-Brick (ed.) *op. cit.* p. 15.

⁴⁰ *Ibid.* p. 19.

Several events in the first year of military takeover seemed to justify the exercise of near dictatorial powers by the new government. To Ironsi, one of these was “regionalism”, an evil of the civilian regime, which militated against national unity, hence his attempt to impose centralized administration unilaterally. As Gowon succeeded General Ironsi in the July 1966 coup, the military which had led the movement for unity was now in complete disarray: “it ceased to be a cohesive force obeying a single command and so ceased to be an integrating force for the country as a whole”⁴¹.

Gowon saw the authority and the very physical survival of the Nigerian nation challenged through the declaration of Biafran secession on 30th May 1967. The ensuing 30-month long civil war concentrated absolute power in the military establishment. Peil’s public opinion surveys, carried out in 1971/72 showed that most people were already looking forward to the end of army rule which General Gowon had announced would be in 1976.

The survey had asked the question, “do you think the military have generally done a better job than the politicians in running the country”? Although 47% of respondents were favourable to the military as compared to 24% for the civilians, her conclusion was that army rule had also meant no freedom to express one’s views candidly⁴². Nigerians feel that only a civilian government can ultimately grant them the freedom to criticize and withdraw support from any government which they think does not fulfil their aspirations. A feeling of oppression and a great sense of deprivation was seen to be pervasive due to the limitations the army imposed on free speech.

The Nigerian public continued to show interest in discussing government activities. One source of political information in Nigeria is the press, although poor communication has limited its influence. In spite of widespread illiteracy, information which appears in the press is passed on verbally to a much wider audience. Most Nigerian state governments own and use newspapers to inform and propagandize their citizens⁴³. Under the Gowon regime the Daily Times was a privately owned newspaper which did not feel obliged to project a favourable image of the federal Military Government⁴⁴.

In Nigeria, 1974 can be called the year of the great debates, when the Gowon administration had its most trying time with the press. For the first time in almost a decade, the people of Nigeria forced the government to listen to many facets of policy and administration that needed improvements. The most sensational issue discussed was that on corruption which was initiated by Daboh, a Lagos businessman, when he publicly accused J.S. Tarka, Federal Commissioner for Communications, of corruption. During the debate, the government was called upon to probe all commissioners and permanent secretaries, thus putting the morality of the military/civilian oligarchy on trial⁴⁵. On a “front page comment”, the Daily Times challenged the government to live up to its aims of eradicating corruption. The editorial goes on to say: “It is our well-considered view that no individual Nigerian citizen, no matter how highly placed, should be above the law of the

41 Ibid. p. 27.

42 Peil, op. cit. p. 19.

43 Ibid. p. 156.

44 Under the current military government established in July 1975, the Federal Nigerian government has since bought over a majority share of the Daily Times.

45 Sunday Times, July 28, 1974, p. 13 and Daily Times, Sat. August 3, 1974, p. 7.

land. It, therefore, logically follows that any public official, appointed or elected, must be accountable to the people of Nigeria⁴⁶.” The editorial called for an open judicial inquiry and Tarka’s removal from office. In fact it welcomed the possibility of a “chain of reactions” that would follow Tarka’s resignation “if such reactions would help in the crusade against corruption”. Following the resignation of Tarka, on August 1, 1974, the military came to realize that the freedom of political speech both for the press and the public could be dangerous for an unaccountable government. The military came to feel it was sharing power with groups outside the military oligarchy. It decided that instead of seeking assistance from other power groups to carry out successfully the goals it had set for itself, it would rather abandon those goals than share power⁴⁷. The Inspector-General of police castigated the press for highly publicising the corruption case against Tarka. In a press conference in Lagos he accused the press of mounting: “A campaign against the Federal Government pressurising it to institute an inquiry into the conduct of certain government functionaries and levelling accusation against individuals, etc. The Federal Government will no longer tolerate press indiscipline and calculated attempt to undermine its authority, and government may be forced to take drastic and unpleasant measures to curb the excesses of the press⁴⁸.”

The next sensational public accusation of corruption was levelled in August 1974 against police Commissioner Gomwalk, Governor of Benue-Plateau State, by Aper Aku, another businessman. This time the accuser was promptly jailed. The Head of State personally exonerated Governor Gomwalk from allegations of corruption. To ensure that highly placed public officials would no longer be threatened with exposure of corrupt practices, the Judicial Advisory Committee declared that the courts would no longer accept affidavits alleging corruption and improprieties against any person. This declaration came two days after the Head of State warned both the press and the judiciary not to allow themselves to be used as instruments of blackmail against highly placed public officials⁴⁹.

The ban by the courts on the swearing of affidavits effectively checked freedom of political speech. There was no longer an avenue for proving the innocence or guilt of public officials accused of corrupt practices. The courts refused to protect the accusers, and the government, lacking public accountability, continued to rule complacently⁵⁰.

Many apologists for military and highly centralised government conveniently exclude freedom of political speech as a necessary aspect of political development and nation-building. They feel that African nations are in a great hurry to modernize, and so they must trust the military oligarchy to do what is best for the nation. Although the military is also alleged to be concerned with the “efficient utilization of resources⁵¹”, its pre-occupation with speed and efficiency, which in fact the military fails to attain, ignores the significance of group participation in decision-making. A vital aspect of group participation in policy formulation, is the right of the public to make public officials accountable for their actions.

⁴⁶ Daily Times, Sat. August 3, 1974, p. 1.

⁴⁷ Corruption was one of the 9-point programme that the Gowon regime aimed to tackle before it relinquished office.

⁴⁸ Daily Times, Thursday. August 29, 1974, p. 3.

⁴⁹ Daily Times, Wed., Sept. 11, 1974, pp. 1 and 3.

⁵⁰ Adamu, Haroun: “Matters of the Moment in Daily Times, Thursday, September 12, 1974, p. 7.

⁵¹ Welch. op. cit. p. 48.

The art of government has become more complex with the change of government emphasis from the maintenance of law and order to that of economic, social cultural and technological development. With government complexity steps are needed to protect the people from "public service autocracy⁵²". Public officials pose problems of greed, bribery and corruption. Newspapers sometimes play the role of "the people's tribunals", investigating and reporting complaints, lodged by the public. But as I have noted above, the Gowon regime put a quick clamp on the newspapers.

As the Gowon government prolonged its stay in office, the public saw the depth of the government's infection with corruption, unwarranted use of force, ethnic manipulation and the denial of political rights. High army officers were themselves found to be linked with the drug and smuggling traffic, and Nigerians did not have any feeling of security to speak out against these corrupt practices.

Conclusion:

On July 29th 1975 the Gowon administration was toppled through a military coup. The new Head of State, Brigadier Murtala Mohammed accused Gowon of insensitivity to the feelings of the people; disregard for responsible opinion of the people including traditional rulers and intellectuals; and inaccessibility to the people⁵³. Mohammed went on to say that if the situation had not been arrested, it would inexorably have led to chaos and bloodshed. Besides their cynical attitude toward the Nigerian populace, the members of the Gowon administration were as a collective body really ill-equipped to bring about development change. Luck harn's analysis of the Nigerian military officer corps had indicated significant shortcomings in-skills.

The officer corps was seen to be less prepared educationally than its civilian bureaucratic counterparts, because the very rapid indigenisation of the officer corps resulted in a lack of individual and collective experience. The variety of occupational experience was also very limited⁵⁴. Although after the civil war a number of younger officers began to be sent for specialist courses at the university level, those who held the key positions, forming the Supreme Military Council, remained an unchanging and unprogressive oligarchy. The Gowon administration's barrenness was daily exposed by the disgraceful quality of most services: road projects, government owned machinery and transport vehicles paid for exorbitantly by public funds. Free expression of public opinion would have led to the voicing of discontent by assailing the waste, inefficiency, and corruption which that very government had dishonestly set itself up to combat. Even now there has not been any significant change in the skills structure of the current military government under General Obasanjo. The civilian bureaucrats who had accumulated a decade long experience under Gowon are now daily being proved too undependable to assist in national construction purposes. Numerous probe panels have found them guilty of massive embezzlement, general sycophancy and inability to tender honest advice to their military bosses. One can conclude that Nigeria under military rule

52 Makele, M.A.: "Importance of Public Complaints Bureaus." in Daily Times Monday July 22, 1974, p. 7.

53 Daily Times Friday, August 1, 1975, p. 3.

54 Luckham, Robin: *The Nigerian Military* (Cambridge 1971) pp. 94—95.

had experienced multi-faceted crises of development: (1) the military did not have the skill to develop the country, and having realised the enormity of the problem, it decided to ignore the problem; (2) the civilians in government were so intimidated by their military bosses that they degenerated to playing the roles of sycophants and enriching themselves as fast as the officer corps were doing. (3) Freedom of expression of political opinion could not be allowed because such opinion would inevitably call upon the military regime to abdicate office, the pleasures of which Gowon and his associates had too long become accustomed to and were unwilling to give up. Military regimes cannot solve the problems of underdevelopment. The August 1975 military government of Mohammed/Obasanjo had to make that admission to themselves and set in motion the machinery for returning government into civilian hands. Free expression within the military hierarchy is in itself a contradiction in terms. However since national development is intended to benefit the people, how can the aspirations of the people be met without hearing their opinions? What then is the alternative to military rule? Surely no the discredited type of civilian administration of the first republic. There is strong need for the evolution of a participant political culture within the framework of indigenous practice. New concepts are certainly needed to transcend the distortions of political institutions that can be understood and practised only by an inaccessible and corrupt political elite. The development of and free social institutions must be encouraged to widen the horizon of the average Nigerian. Government participation in the ownership and management of newspapers is a step in the right direction as long as newsmen and the editorial staff were given the opportunity for objective reporting and analysis. The public can become directly aware of government activities on a daily basis and contribute to the evolution of dynamic concepts of political practice. Grass-roots participatory political systems need not be equated with geographically delimited local autonomy. The individual must be able to participate directly in affairs of national import that affect the person. The political institutions must eliminate as much as possible the feeling of insecurity which the average Nigerian has towards his government. The military regime's emphasis on order, centralization, deference for government has drastically eroded our native desire and competence to contribute to government. In fact the very imposition of indirect election in the 1976 Local Government elections even in states that practice traditional participatory politics, is an attempt to stifle continuously the freedom of the people. A people that have been so intimidated for a decade by a military oligarchy might become so incompetent in the exercise of the freedom values that when faced with any crisis situation, will be ready to surrender their freedoms again and again to any strong leader who emerges. A people who have not developed the techniques of exercising the freedom values are definitely not ready to live under an executive presidential system of government. The transition to civilian government will prove to be a most difficult phase of Nigeria's political development. Leaders will be greatly disheartened because of political apathy on the part of the populace. It would also be a period when the populace must be exposed to a vigorous communication from the leadership, and more so from a free press. In order to attain political maturity, Nigerians must learn all over again to be free.

Some Problems Associated with a Language Switch-Over in the Third World

By M. L. MARASINGHE

The purpose of this paper is to examine the many perspectives which are drawn into focus by the implementation of a language switch-over. Although at the centre of our enquiry is its effect upon a system of laws, our enquiry will engulf a number of socio-economic issues which makes the relationship between law and "other matters" an obvious one. Among these "other matters" will be such aspects as culture, politics, social behaviour and economics.

This paper will be written under the following general headings:

- A. The colonial problem and the role of language
- B. The role of language in the process of decolonization and the emergence of "the new elite"
- C. The effect of language switch-overs:
 - (1) Bridging the centre with the periphery;
 - (2) Some problems of linguistic association;
 - (3) The role of the lawyer and the legal intermediaries after a language switch-over;
 - (4) Law reform and legal education;
 - (5) A new law for a new language?

Considerations of the Freedom Value in a Military Regime

(A Decade of Military Rule in Nigeria)

By EBITIMI E. CHIKWENDU

The paper proposes that the goals of modernization need to be defined and executed by all politically relevant groups in society. This is attained in an atmosphere that allows for free exchange of ideas between the government, the press, professionals, and politicians. However, in Africa, military oligarchies have used such highly complimentary and laudatory attributes of being "dynamic, selfsacrificing reformers" to create their own legitimacy without in actual fact possessing the competence or even desire to bring about progressive change. The outcome of military rule in most African nations has therefore been to stifle free discussion of political issues through over-centralization to protect the military rulers from public accountability and to prevent discussions on issues of non-fulfilment of plans.

The paper proposes that the complexity of government necessitating economic, social, cultural and technological development can be meaningfully pursued through free expression exercised by the populace through the press.

A decade of rule showing incompetence of military rulers necessitates the return to civilian rule where free expression is more likely to be realised as an aid to the functioning of government. The individual must feel personally secure in his person in order to make support input into the regime.