



**Politics and Governance
in a Conglomerate Nation, 1977-2017**

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PART ONE

Introduction: The Rise and Fall of the Second Republic (1977-1984)

The first item in this section was presented at a conference in Zaria, Nigeria, at a time of optimism in March 1977. The country had survived a 30-month civil war, 1967-70, and endured rule by a military regime that promised to return power to civilians. However, its members soon enjoyed the ample fruits of office as Nigeria became a major oil-exporting country.¹ That regime, led by General Yakubu (Jack) Gowon since the July 1966 coup d'état, was overthrown nine years later for having reneged on its promises, especially returning power to civilians. Gowon led a Nigerian government for the longest continuous period of any of its many heads-of-state since independence.

As mentioned in the Preface, the new military Head of State, Murtala Muhammad, was killed in a failed coup attempt by junior officers. The essays in this section begin with a text prepared for the *Conference on Issues in the Draft Constitution* at the Institute of Administration, Ahmadu Bello University. The Institute subsequently published an excellent volume of the proceedings. It included presentations in each of the panels along with summaries of the debates. In the Appendix to this collection, the Table of Contents of that volume is included along with a contemporary newspaper article about the meeting. The list of participants, from across the country, reflects one of many efforts made by Nigerians to forge a workable system for governing the very diverse peoples gathered within its borders by the British colonial administration.

It remains astonishing – but also indicative of the aspirations and self-image of Nigerians - that a non-Nigerian scholar, who had arrived in their country just a year earlier, would be invited to participate in a high-level consultation and assigned (by coincidence) to be the first panel presenter.² At no point in the ensuing debate among this elite group of Nigerian politicians, scholars, and civic activists were my contributions challenged on the grounds of whether I was entitled to take part in, much less address, such a conclave. My arguments were discussed on their merits as those of other participants. This experience of inclusion is replicated countless times over the following decades.

¹ Terisa Turner, "Nigeria: Imperialism, Oil Technology and the Comprador State" in Peter Nove and Terisa Turner, *Oil and Class Struggle*. London: Zed Press, (1980), pp. 199 – 223. Terisa Turner's article on the early construction of a corrupt petroleum industry in Nigeria is a forerunner of Michaela Wrong's book on Kenya: *It's Our Turn to Eat: The Story of a Whistle-Blower*, HarperCollins (2009).

² My inclusion in this conference is attributable to Professor Bolaji Akinyemi, who had earlier taught at the University of Ibadan and later served as his country's Foreign Affairs Minister. For several years, Professor Akinyemi was the Director-General of the Nigerian Institute of International Affairs, Lagos.

General Muhammad was succeeded by his deputy Lt-General Olusegun Obasanjo. Obasanjo oversaw the country's democratic transition and the transfer of power to an elected successor, Alhaji Shehu Shagari, on October 1, 1979. I once described Nigeria's political cycles as Sisyphean. Not only has the same set of issues resurfaced, but often the same set of political actors. That Muhammadu Buhari, a member of the Supreme Military Council in the 1970s, and Head of State, 1983-85, should return as an elected president in May 2015, shows how entrenched is this cyclical pattern.³

During a visit to Abuja on July 8, 2014, I asked members of the National Conference which issues being deliberated enjoyed wide support among the almost five hundred participants.⁴ They were in agreement that it was whether Chapter II of the Nigerian Constitution, on "Fundamental Objectives and Directive Principles of State Policy," should be made justiciable.⁵ "Justiciable" is a word I first learned in Nigeria during the debates on the draft constitution for the Second Republic, 1976-77. It meant enforceable by the courts. This provision was left as an aspiration when the constitution was promulgated by the military regime in 1979. In 2014, a large group of prominent Nigerians were wrestling in the National Conference with some of the same fundamental constitutional issues debated in 1977. Indeed, as this volume was being prepared, what became increasingly evident is how much the Sisyphean syndrome characterizes Nigeria's political life.

Two decades after the 1977 conference, after enormous sums were spent on designing other constitutions that would never be fully implemented, a transitional military regime in 1998-99 opted to bypass this process altogether. Hastening to transfer power to civilians after more than 15 years of military rule - and perhaps the most turbulent period in the country's history since the 1967-70 civil war - this regime chose to re-activate the 1979 constitution, with some adjustments. Another 15 years later, delegates to the 2014 National Conference convened by President Goodluck Jonathan, voted that Chapter II of the 1999/1979 constitution should be made justiciable. But will the outcome be different? Since it was never established how decisions of this National Conference would be implemented, that declaration remains aspirational.

I dwell on this starting point in my scholarly engagement with Nigeria because it demonstrates how much churning has taken place over key aspects of the country's political and legal systems. Prominent Nigerians are forever exploring pathways, especially constitutional, to

³ Former military ruler, Ibrahim Babangida, who succeeded Buhari in 1985, has made a number of attempts to return to the presidency in the post-1999 era of elected government but failed to generate the necessary support.

⁴ This conference, which involved a huge outlay of funds, was appointed by then president Goodluck Jonathan.

⁵ It turns out that this is the very topic on which I was asked to speak in the March 1977 conference on the draft constitution.

the consolidating of nationhood and statehood.⁶ Tentative advances are made, obstacles encountered, and political progress is stymied. Another set of political actors step in (or return) and the process restarts.⁷

During the nearly seven years that elapsed since the 1977 conference on the draft constitutions and the collapse of the Second Republic, there were several turning points for Nigeria, and also for this scholar. My article “Affluence and Underdevelopment; the Nigerian Experience” (1978) reflected a change in my analytical perspective as a consequence of in-country learning.. Included in the Appendix are letters pertaining to an invitation to present a paper at the 1977 annual meeting of the African Studies Association in Houston, Texas. As the correspondence shows, I had initially agreed to write a paper on “Marxist Theories of the Postcolonial State.” Just a few months later, however, I proposed writing a quite different paper on Nigeria’s oil-fuelled political economy. Encounters with Nigerian realities had obliged me to rethink fundamental issues and even the drivers of political order and change. The conduct of the 1979 elections obliged me to think anew about the politicization of ethnicity.

I drew on my training in social history, political theory, and comparative politics to fashion an explanatory framework more in tune with the Nigerian reality. The alternation between military and civilian governments showed the proclivity of both soldiers and politicians to feast on the public trough. Exchanging khaki attire for agbada changed little in the management of public resources.⁸ In 1983, my first formulation of “prebendalism” appeared.⁹ As a “first thought” it remains a “best thought” about Nigerian political and governmental practices, regularly invoked by scholars and media commentators.¹⁰

The pertinence of arguments in this section is surprising three decades after they were advanced. Here is one taken from “Military and Civilian Rule” written during the 1983 elections that left the Second Republic vulnerable to the resumption of power by soldiers.

⁶ Indeed, five years before the 1977 conference on the draft constitution, a similar meeting at the Institute of Administration, Ahmadu Bello University, Zaria, had led to the publication of an important volume entitled, *Nigeria in Search of a Viable Polity*. The proceedings of this conference display the aspirations of Nigerian intellectuals and political leaders in the aftermath of the civil war.

⁷ For an excellent discussion of constitutionalism in Nigeria, see Rotimi Suberu, “Managing Constitutional Change in the Nigerian Federation,” *Publius*, 45 .3 (April 2015).

⁸ Agbada is a commonly-worn Nigerian outfit.

⁹ “Class, State, and Prebendal Politics in Nigeria.” *Journal of Commonwealth & Comparative Studies*, vol. 21, issue 3 (1983).

¹⁰ A helpful explanation of prebendalism can be found at <https://en.wikipedia.org/wiki/Prebendalism>. For a contemporary appreciation, see Francis Fukuyama: *The Origins of Political Order: From the Industrial Revolution to the Globalization of Democracy* (New York: Farrar, Straus and Giroux, 2014).

Nigeria's Second Republic will either find its way safely through the current five-week electoral marathon or give way once again to another military interregnum. It might even take the country several such attempts before a stable constitutional democracy is finally achieved. Conversely, the Republic might survive the present challenges until the cry of Aminchi (Hausa for Victory) eventually silences all those who today clamor for Chainji (Change) [It is] yet to be proven that both Aminchi and Chainji can co-exist as features of one integrated political process. At present, therefore, whatever the provisions of the 1979 Constitution, the effective choice has once again become that of single-party dominance or an abrupt change to non-constitutional rule.¹¹

The last item in this section was published four months after the soldiers overthrew the Second Republic. Another “abrupt change to non-constitutional rule” had taken place on December 31, 1983 and the ensuing “military interregnum” would last over 15 years.¹² This section begins with a somewhat abstruse discussion of fine points in a draft constitution that reflected many years of public debate on how to avoid the ills that undermined the First Republic. It ends with the constitution having been suspended, or at least those sections that would constrain the new set of military rulers. The latter would take the country through another round of political experimentation, all the while feasting on the spoils of office and deepening the Nigerian dilemma of nationhood and statehood.

¹¹ Non-constitutional rule, 1983-1998, was followed by the “single-party dominance” of the Nigerian Peoples Party in the Fourth Republic (1999 – 2015). Both political victory and the pursuit of fundamental change were manifested in the electoral successes in March and April 2015 of the All Progressives Congress (APC) and its presidential candidate, Muhammadu Buhari.

¹² In fact, the military regimes, 1983-1999, exceeded the post-1966 military “interregnum” that included a 30-month civil war. It lasted more than a decade longer than the civilian government, 1979-1983, whose misdeeds it had pledged to “correct.”