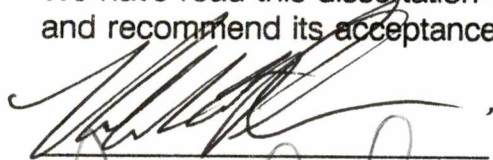
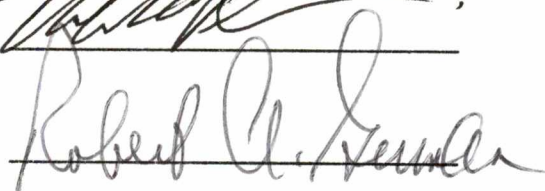
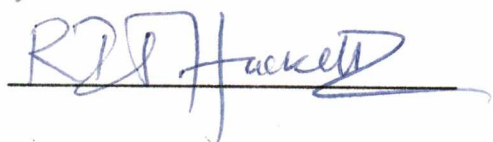


To the Graduate Council:

I am submitting herewith a dissertation written by Nana Kwame Agyenim-Boateng entitled "The Economic Community of West African States and the Liberian Crisis." I have examined the final copy of this dissertation for form and content and recommend that it be accepted in partial fulfillment of the requirements for the degree of Doctor of Philosophy, with a major in Political Science.


Vernon R. Iredell, Major Professor

We have read this dissertation
and recommend its acceptance:

Accepted for the Council:


Associate Vice Chancellor
and Dean of The Graduate School

THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES
AND THE LIBERIAN CRISIS

A Dissertation
Presented for the
Doctor of Philosophy
Degree
The University of Tennessee, Knoxville

Nana Kwame Agyenim-Boateng

December 1993

DEDICATION

This dissertation is dedicated to my father,
Nana Kwaku Agyenim-Boateng,
and in memory of my late mother,
Madam Akosua Yeboah,
who gave me invaluable educational opportunities.

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ABSTRACT

The purpose of this study was to examine the main political developments that led to the Liberian crisis and civil war and, more importantly, the intervention by the Economic Community of West African States (ECOWAS). This dissertation defined the phenomenon and types of intervention, problems associated with even humanitarian intervention and its future application.

After a theoretical discussion of related concepts, the study dealt with the historical background of Liberia. The consequences of the civil war for Liberia in particular and the West African subregion in general were dealt with next. These consequences resulted in the ECOWAS intervention in the crisis which was the main focus of the study. The ECOWAS justified its intervention on four main grounds, namely, humanitarian considerations, peace and security of the region, the provisions of the non-aggression protocol and the protocol of mutual assistance on defense and on the grounds that it was responding to the invitation of the late President Doe's "de jure" government.

Two major research methods--namely, field investigation or interviews and library research--were adopted. Data were collected during the 14th ECOWAS Summit held at Abuja, Nigeria, through the interaction with several delegates to the Summit. Several working meetings were later held with the upper and middle-level officials at the ECOWAS Secretariat in Lagos, Nigeria. Open-ended or partially open-ended structured interviews were used to interview

State Secretaries and the political attachés in some embassies in the region. Documentary sources at the ECOWAS Secretariat, universities and national libraries were researched. Other most valuable sources of this study apart from the official ECOWAS documents and reports, and the like, included scholarly books, dissertations, periodicals, journals and reliable news magazines and newspapers.

It was found that the civil war in Liberia was not "a purely domestic" conflict since some "soldiers of fortune" fought for a warring faction as did some soldiers loaned by a country in the region. The incursion was launched from Côte D'Ivoire. The civil war resulted in wanton massacre of people, massive destruction of property, use of underage boys in combat, holding of hostages, creating of refugee problems and the spilling-over of hostilities into neighboring Sierra Leone.

The study concluded that generally Africans prefer interventions by international organization to unilateral ones. However, it was suggested that probably no one pattern of intervention is always best. At times, as in the Liberian case, an individual nation (the United States), a regional organization (ECOWAS) and the United Nations will all have a role to play. It was further concluded that no matter which organization plays a major role in intervening, two means of making action more effective should be considered. First, trouble spots should be identified early, and action should be taken before the problem becomes massive. And second, intervening organizations should consider establishing permanent forces to facilitate rapid response.

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CHAPTER I

INTRODUCTION

This introductory chapter will begin with a discussion of the purpose and scope of the study. It will then take up in turn the definition and types of intervention, the problems associated with intervention, the major questions to be addressed in the study and the method of data collection used. It will end with a summary of the remainder of the dissertation.

The Purpose of the Study

The major purpose of the study is to examine the political developments pertaining to the Liberian crisis and civil war and more importantly, the intervention by the Economic Community of West African States (ECOWAS). The existing theoretical and methodological literature in the field of international relations relevant to the study of the Liberian crisis and collective regional intervention in the domestic affairs of another country have been reviewed. Several scholars of international relations have identified different conditions which, when existing in a country's civil strife, might lead to external humanitarian intervention. Although a substantial amount of data exists, the general theories of humanitarian intervention and collective security or, more importantly, the assumptions underlying these theories, may or may not be applicable to all categories of intervention or collective security in a state's civil

war. However, a review of the concepts of intervention, humanitarian intervention and collective security has enabled this researcher to select, among others, Stowell's and Bennett's analytical frameworks for use in this study. These frameworks have been used to examine the ECOWAS collective humanitarian intervention in the Liberian civil war.

A thorough review of literature has revealed that although there are several scholarly works on external intervention in a state's civil wars, no one has written on the current Liberian crisis in a detailed manner. This study will, therefore, attempt to fill the gap in our knowledge of this unique ECOWAS collective intervention.

Finally, the study will shed light on the likely future and consequences of collective regional intervention for regional politics. In other words, the study will help us to better understand how the doctrine of humanitarian intervention may be applied more effectively, should a need arise.

The Scope of the Study

The main focus of the study is on the ECOWAS intervention in the Liberian civil war. The Economic Community of West African States (ECOWAS) is a regional body made up of sixteen West African states. They "have voluntarily come together to pursue, in the words of the ECOWAS treaty, 'common policies and objectives aimed at promoting cooperation and

development in all fields of economic activity."¹ According to Asante, the treaty further explains that, to achieve its aim, the community "shall by stages" eliminate discrimination between the member states.² At the same time the treaty sets out to create decision-making institutions with power designed to implement the aims and objectives of the organization.³ Significantly, too, this economic integration will have to be broadly based and sufficiently flexible to include social, cultural, political and economic considerations.⁴

Liberia is one of a chain of coastal states in West Africa.⁵ The country is bounded by the Atlantic Ocean and by three countries--Sierra Leone to the north and west, Guinea to the north and east, and Ivory Coast to the east.⁶ It covers an area of forty-three thousand square miles, just about the size of the state of Tennessee.⁷

Liberia is a country where the True Whig Party dynasty held power for over a hundred years until it fell and was replaced by a military administration in

¹S.K.B. Asante, The Political Economy of Regionalism in Africa--A Decade of the Economic Community of West African States ECOWAS (New York: Praeger Publishers, 1986), p. 8.

²Ibid.

³Ibid.

⁴Ibid.

⁵D. E. Dunn and S. E. Holsoe, Historical Dictionary of Liberia (Metuchen, NJ: The Scarecrow Press, Inc.), p. 110.

⁶Ibid., p. 110.

⁷H. D. Nelson, Liberia--A Country Study (Washington, D.C.: U.S. Government Printing Office, 1985), p. xiv.

1980. This military government led by Master Sergeant Samuel Doe was faced with civil strife which later degenerated into a civil war.

Since the events prior to the civil war help to explain the civil war and the intervention, it is pertinent to discuss briefly some of them. Next, the late President Doe's regime is examined together with the genesis and main causes of the Liberian civil conflict and resultant civil war. Also within the scope of the study are the effects of the civil war on Liberia in particular and on the West African region in general. All strategies ECOWAS adopted to end the conflict failed. Therefore, the latter eventually decided to intervene militarily, in August 1990, supposedly on humanitarian grounds after the fighting had gone on for nine months. The study further covers the consequences of the intervention for Liberia and the region. Even though a final solution to the crisis has not been found yet, the research will cover the period up to March 1993, the time when the United Nations Security Council actively put its weight behind the ECOWAS peace plan. It is hoped that with the UN presence in Liberia, an elected government will assume power soon, and Liberia will return to normalcy again.

The Case Study or Summary of the Study

The ECOWAS Monitoring Group, ECOMOG, intervened in the Liberian crisis in August 1990, following a protracted civil war among factions which made the country ungovernable and created a state of anarchy. Doe's government, at that point in time, had virtually ceased to function. The government's own armed forces controlled only some sections of Monrovia, the

capital, including the Presidential Palace. Hundreds of thousands of Liberians had been massacred or injured and very extensive property damage had been done. Also killed in great numbers were citizens of the other countries in the region, who were caught up in the civil war. After the numerous appeals by ECOWAS heads of state, both individually and collectively, to the warring factions to lay down their arms and resolve their conflict by peaceful means failed, the organization had little choice but to send ECOMOG to Monrovia to separate the various belligerent forces and halt the carnage.

Even though elections are not scheduled to be held until probably the middle of 1993, it could be argued that despite a lack of resources and no prior experience in handling such situation, ECOWAS seems to have achieved most of its objectives.

The success so far can be attributed to several factors including support from the United Nations. These factors will be discussed in the following chapters. If things move on well and the supervised elections are held without any hitch and the country returns to civilian rule, then ECOWAS's action could be an example for the international community to emulate. This intervention would have protected individuals from large-scale violations of their rights.

As will become evident in the course of the writing, despite some faults, the total operation could be considered a classical example of regional collective action of the type which the founders of the United Nations probably anticipated for keeping regional peace and security.

Types of Conflicts in Africa

According to Frey-Wouters, internal conflict will continue in the developing world, including African countries, until substantial social adjustments have been made.⁸ She feels that internal conflict is highly diversified. However, she asserts that five broad categories of internal conflict are discernible in Africa.⁹ These include internal conflicts resulting from challenges to the legitimacy of the authority in power,¹⁰ (the Liberian crisis fits this description); internal conflicts arising from secessionist movements;¹¹ conflicts involving external intervention;¹² conflict involving "illegitimate" or "racist" incumbent governments¹³ and non-authority oriented conflicts with some political overtones.¹⁴ Any of these types of internal conflict could attract external intervention.

⁸E. Frey-Wouters (1974), "The Relevance of Regional Arrangements to Internal Conflicts in Developed World" in J. N. Moore (Ed.), Law and Civil War in the Modern World (Baltimore: John Hopkins University Press, 1974), p. 458.

⁹Ibid., p. 466.

¹⁰Ibid.

¹¹Ibid., p. 468.

¹²Ibid., p. 470.

¹³Ibid., p. 472.

¹⁴Ibid., p. 473.

Definition of Intervention

Intervention is a prominent characteristic of contemporary international conflict.¹⁵ According to Lupis, intervention is a loose term which has been used in a number of ways.¹⁶ It may mean virtually any type of "interference" in the affairs of another state, ranging from acts similar to aggression¹⁷ to milder acts of, for example, political¹⁸ or economic pressure;¹⁹ sometimes the mere presence of warships offshore²⁰ or the discussion of affairs in another state, for example in the United Nations²¹ has been thought to constitute intervention.²²

Although he admittedly agrees that the term is ambiguous and difficult to define, Halpern feels intervention is any action, beginning with deliberate and remedial interaction among nations, that significantly affects the public

¹⁵R. A. Falk, "The legitimacy of Legislative Intervention by the United Nations" in R. J. Stanger, Essays on Intervention (Ohio: Ohio State University Press, 1964), p. 34.

¹⁶I.D.D. Lupis, The Laws of War (Cambridge: Cambridge University Press, 1987), p. 61.

¹⁷Ibid., p. 62; GA Res 3314 (xxix), 1974.

¹⁸Ibid.

¹⁹Ibid.; R. Higgins, "Intervention and International Law," in H. Bull (1984), Intervention in World Politics, p. 30.

²⁰Ibid.; P. Calvocoressi, World Order and New States (WCDC, 1962), p. 17.

²¹R. J. Vincent, Non-intervention and International Order (Princeton, NJ: Princeton University Press, 1974), p. 15.

²²I.D.D. Lupis, The Law of War (Cambridge: Cambridge University Press, 1987), p. 62.

international realm of another sovereign state and which stops short of aggressive crossing of international frontiers.²³ Intervention is action along a continuum of possible choices.²⁴ At one extreme are scholars who identify intervention with the use or threat of military force or coercion by the intervening nation, which will compel the "weak" or target state to change its structure or policy as desired by the intervening state.²⁵ For example, intervention, to Schraeder, is most commonly understood to mean military interference by one state in the internal affairs of another state.²⁶ In a similar vein, Beloff defines intervention as, "The attempts by one state to effect the internal structure and external behavior of other states through various degrees of coercion"²⁷; while Kelsen mentions "dictatorial interference," that is to say, threat or use of force.²⁸

²³M. Halpern, The Morality and Politics of Intervention (The Council on Religion and International Affairs, 1963), pp. 8-9.

²⁴*Ibid.*, p. 9.

²⁵H. A. Rizvi, Internal Strife and External Intervention: India's Role in the Civil War in East Pakistan (unpublished dissertation, 1980), p. 8.

²⁶P. J. Schraeder, Intervention in the 1980s, U.S. Foreign Policy in the Third World, 1989, p. 1.

²⁷M. Beloff, "Reflections on Intervention," Journal of International Affairs, XXII(2), 1968, pp. 198-207; H. A. Rizvi, Internal Strife and External Intervention: India's Role in the Civil War in East Pakistan (unpublished dissertation, 1980), p. 8.

²⁸*Ibid.*, p. 8; H. Kelsen, Principles of International Law (ed. Tucker) (New York: Holt, Rinehart & Winston, 1967), p. 74.

Scholars like Morgenthau, Falk, Thomas and Thomas are at the other extreme of the continuum. Morgenthau, who is said to have "done much to propagate the utility and efficacy of the 'state-centric model' defines intervention only in terms of dyadic interaction between two states, saying that it is a form of behavior which extends beyond the normal diplomatic pattern of exchange."²⁹ Being fully aware of the difficulties of borderline application and the vagueness of the central variables, Falk maintains that "'intervention' refers to conduct with an external animus that intends to achieve a fundamental alteration of the state of affairs in the target nation."³⁰ Other authors like Thomas and Thomas hold that "mere official correspondence by one state about some actions or policies of the other could amount to intervention."³¹ This is so especially if the former state is a "strong" nation and the latter state is a "weak" nation. Writers from many third world countries and their sympathizers like P. A. Vang regard imperialism, colonialism and neo-colonialism as kinds of intervention.³² Halpern has also stated that "almost everything that a powerful nation does . . .

²⁹R. Little, Intervention--External Involvement in Civil Wars (London: Martin Robertson and Company, Ltd., 1975), p. 4.

³⁰R. A. Falk, "The Legitimacy of Legislative Intervention by the United Nations" in R. J. Stanger (Ed.), Essays on Intervention (Columbus: Ohio State University Press, 1964), p. 42.

³¹A.V.W. Thomas and A.J. Thomas, Non-Intervention: The Law and Its Import in the Americas (Dallas: Southern Methodist University, 1956), p. 68; H. A. Rizvi, Internal Strife and External Intervention: India's Role in the Civil War in East Pakistan (unpublished dissertation, 1980), p. 8.

³²*Ibid.*, p. 8; P. A. Vang (1966), "Imperialism and the American Orientation Toward World Affairs," The Antioch Review, XXVI(1), Spring 1966, pp. 43-55.

vitality affects the internal affairs of many other nations."³³ For example, he opined that America intervened when she said "no" to the Aswan Dam, since, as a result of the refusal, Egypt's standard of poverty further deteriorated; and also the U.S. intervened correspondingly when the nation said "yes" to the Volta Dam in Ghana.³⁴ He has further observed that "in a world built upon national sovereignties and jurisdictions and the equality of independent states, any state that intervenes in the internal affairs of another undermines the institutional and legal foundations on which its own existence rests."³⁵ He rightly states that "nations are not equal, and as such, powerful nations can exploit the rules and opportunities of the present international system to enlarge their power over others and so risk death on a vast scale."³⁶ Halpern also says that today intervention "by subverting the sovereignty of national independence may further undermine the only rules of the game that now maintain order, yet . . . only intervention may be able to restore the free operation of these rules, save freedom in a nation or, indeed, help to create a more secure and more freely interdependent world order."³⁷ Thus Halpern argues that in some instances intervention is acceptable whereas in others it is not.

³³M. Halpern, The Morality and Politics of Intervention (The Council on Religion and International Affairs, 1963), p. 8.

³⁴Ibid.

³⁵Ibid., p. 7.

³⁶Ibid.

³⁷Ibid.

However, we tend to agree with Rizvi that between the two extreme ends of the continuum there are a large number of definitions of intervention which are neither so narrow as to limit them to the use of force or coercion nor so general or vague as to equate them with any political, economic and military transaction across national frontiers.³⁸ Thus, any definition of intervention should probably focus on the use of means "through which a state seeks to undermine, alter or replace the authority-pattern in another state or attempts to shape its choice of domestic values."³⁹ These means may be direct or indirect, and they may or may not involve the use of force.

Finally Lerche and Said add a useful insight when they argue that intervention is the interference by one state in the internal affairs of another, and may assume either defensive or offensive form.⁴⁰ According to them, defensive intervention aims at the preservation of a particular regime or system whereas offensive intervention is directed at altering such a system.⁴¹ The intervention in Liberia will be compared with these models in the course of the study. It is clear that the data available will show that the ECOWAS intervention

³⁸H. A. Rizvi, Internal Strife and External Intervention: India's Role in the Civil War in East Pakistan (unpublished dissertation, Pennsylvania, 1980), pp. 8-9.

³⁹*Ibid.*, pp. 9-10.

⁴⁰C. O. Lerche, Jr. and A. A. Said, Concepts of International Politics in Global Perspective (Englewood Cliffs, NJ: Prentice-Hall, Inc., 1979), p. 112.

⁴¹*Ibid.*

in the Liberian crisis did not assume a defensive form. Rather, it was designed to alter the status quo.

It is obvious from the above discussions that the study of intervention is seriously hampered by the lack of any generally accepted definition.⁴²

According to Smith, even though "complete agreement is clearly unobtainable, certain essential elements seem to be contained or implied in the more scholarly discussions of intervention."⁴³ It is his view, that,

only states can be subjects or objects of intervention; the threat or use of force is inherent in the act of intervention; this force is directed at the coercion of the intervened state or some element (foreign or domestic) within it; and that intervention involves some infringement or diminution of sovereignty of the intervened state.⁴⁴

This view will form the basis of our discussion.

History of Practice of Intervention

Intervention in some form is said to be an unavoidable concomitant of states' existence.⁴⁵ Rizvi supports the view that "intervention by one political unit in the international affairs, especially in internal strife, of another political unit

⁴²R. W. Smith, Military Intervention: Considerations for Modern Practitioners (unpublished dissertation, Johns Hopkins, 1986), p. 24.

⁴³Ibid.

⁴⁴Ibid., pp. 24-25.

⁴⁵R. A. Falk, "The Legitimacy of Legislative Intervention by the United Nations" in R. J. Stanger (Ed.), Essays on Intervention (Columbus: Ohio State University Press, 1964), p. 42.

has been an ubiquitous phenomenon throughout the recorded history of the international system, though its purpose, frequency, technique and duration have varied."⁴⁶ Intervention was as common a practice in the ancient world as it is today. Empires rose and fell several centuries ago on the African continent as a result of intervention. However, the modern roots of external intervention in internal strife can be traced to the late sixteenth and early seventeenth centuries.⁴⁷ All the powerful nations have intervened in the domestic affairs of their neighbors. This trend was intensified after World War II. One study noted that out of sixty-seven cases of authority-oriented civil strifes, fifty-two witnessed external intervention by one or more states.⁴⁸ Several states claimed the right to intervene in the internal affairs of weak states before the end of World War II.⁴⁹ The most common justification used in those days was protection of a state's nationals living in another state, or protection of residents of the state

⁴⁶H. A. Rizvi, Internal Strife and External Intervention: India's Role in the Civil War in East Pakistan (unpublished dissertation, Pennsylvania, 1980), p. 3; R. A. Falk (Ed.) (1971), The International Law of Civil War; E. Luard (Ed.) (1972), The International Regulation of Civil Wars; J. N. Moore (Ed.), Law and Civil War in the Modern World (Baltimore: Johns Hopkins University Press, 1974), pp. 53-126.

⁴⁷H. A. Rizvi (1980), Internal Strife and External Intervention: India's Role in the Civil War in East Pakistan (unpublished dissertation, University of Pennsylvania), p. 3.

⁴⁸Ibid., p. 6.

⁴⁹T. R. Gillespie, Reagan Administration Foreign Policy: Military Intervention and International Law (unpublished dissertation, Notre Dame, Indiana, 1990), p. 164.

intruded upon from the rapacity of that state's government.⁵⁰ There have been numerous interventions in the domestic affairs of other states since 1945.⁵¹ However, the United Nations Charter "condemns most uses of force as a medium of interstate relationships, and thus the earlier doctrines were discarded."⁵² The contradiction between the Charter's condemnation of most uses of force as the medium of interstate relationships and its principles of collective security and humanitarian intervention will be discussed later in this chapter.

Types of Intervention

There are several prominent types of intervention⁵³ in the internal conflict of weaker states. The first type "is the classical form of unilateral intervention by which one nation intervenes in the internal affairs of another."⁵⁴ It has been the occasional practice in international relations for states to intervene to protect the lives, and formerly the property, of their nationals whom they considered to

⁵⁰Ibid.

⁵¹Ibid.

⁵²Ibid.

⁵³R. A. Falk, "The Legitimacy of Legislative Intervention by the United Nations" in R. J. Stanger (Ed.), Essays on Intervention (Columbus: Ohio State University Press, 1964), p. 40.

⁵⁴Ibid., p. 40.

be endangered in another country.⁵⁵ Second, in Falk's view, "[t]here is counter-intervention as when state A intervenes in the affairs of B to preempt or offset interference by state C."⁵⁶ He further asserts that there is collective intervention in which a number of states join to coerce the target state.⁵⁷ Fourth, according to Falk, there is regional intervention which takes place when a group of states form a jurisdictional entity which then imposes the regional will upon a dissenting member of the group.⁵⁸ It seems to me that the ECOWAS intervention falls into this category. Falk's final type of intervention is universal intervention under the aegis of the United Nations.⁵⁹ Again, ample evidence will prove that there are some elements of this type in the general ECOWAS operations in Liberia.

Rizvi has stated that interventionary acts have been classified on the basis of three criteria, namely, "number and kind of the intervening actors, the target of intervention and the strategy of intervention."⁶⁰ On the basis of this schema

⁵⁵W. V. O'Brien, U.S. Military Intervention: Law and Morality (The Washington Papers, Vol. VII, No. 68, Beverly Hills and London, Saga Publications, 1979), p. 22.

⁵⁶R. A. Falk (1964), "The Legitimacy of Legislative Intervention by the United Nations" in R. J. Stanger (Ed.), Essays on Intervention (Columbus: Ohio State University Press, 1964), p. 40.

⁵⁷*Ibid.*, pp. 40-41.

⁵⁸*Ibid.*, p. 41.

⁵⁹*Ibid.*

⁶⁰H. A. Rizvi (1980), Internal Strife and External Intervention: India's Role in the Civil War in East Pakistan (unpublished dissertation, Pennsylvania, 1980), p. 15.

the ECOWAS intervention can be classified as regional intervention in the internal affairs of a state for humanitarian purposes.⁶¹

Let us now turn to the problems associated with interventions on humanitarian grounds.

The Legitimacy of Humanitarian Intervention

Humanitarian intervention is the subject of an on-going debate among international lawyers and scholars concerning its legitimacy and legality under contemporary customary international law because of the principle of non-intervention. It is true that forceful humanitarian intervention goes back into the last century. According to Reisman, "humanitarian interventions can be traced back to Grotius and Grotius's claims can be traced back further."⁶² He argued further that "all of the so-called fathers of international law talk about intervention on behalf of oppressed peoples. . . ."⁶³ Furthermore, he feels that it was not correct to say that we came from "a human jungle in the nineteenth century"⁶⁴ and that "Humanitarianism goes back much further."⁶⁵ It is also common knowledge that traditional international law did not condemn any type

⁶¹Ibid., pp. 15-16.

⁶²R. Lillich (Ed.), Humanitarian Intervention and the United Nations (Charlottesville, VA: University Press of Virginia, 1973), p. 23.

⁶³Ibid.

⁶⁴Ibid., p. 24.

⁶⁵Ibid.

of intervention by a powerful state into the domestic affairs of a weaker one. In fact, Farer has stated, "it was generally conceded that during the nineteenth century and into the twentieth, the phrase 'humanitarian intervention' was used frequently to describe and to justify armed intervention by Western States in the rest of the world."⁶⁶ And that for the most part the "beneficiaries were subjects of the intervening states."⁶⁷ Claydon has quoted Lillich as having said that "under 'customary' international law 'intervention' for the purpose of protecting one's citizens was 'legally justifiable' or 'not intervention at all.'"⁶⁸ Also, in the same vein, Lillich is said to have further stated that "the 'doctrine' of general humanitarian intervention 'appears to have been clearly established.'"⁶⁹ Thus it could be argued that in the pre-United Nations era, powerful states which had the motivation and capacity asserted the right to interfere with the domestic affairs of other nations for the purpose of defending human rights.

⁶⁶T. J. Farer, "Humanitarian Intervention: The View from Charlottesville" in R. Lillich (Ed.), Humanitarian Intervention and the United Nations (Charlottesville, VA: University Press of Virginia, 1973), p. 150.

⁶⁷Ibid.

⁶⁸J. Claydon, "Humanitarian Intervention and International Law," Law Students' Society of Queen's University, 1969, 1(36), pp. 36-63 in p. 36.

⁶⁹Ibid.

This writer strongly agrees that "[t]he interpretation of the term 'humanitarian intervention' appears to have changed over the years."⁷⁰

According to Smith,

[i]n the nineteenth and early twentieth centuries it was usually used to describe a country's actions to protect the lives and property of its own citizens abroad, but since the formation of the United Nations the emphasis has gradually come to focus on the mistreatment of nationals by their own government.⁷¹

There were several scholars who wrote in the early part of this century, prior to the formation of the United Nations, who showed some concern about the way a government treats its own citizens. Most members of the international community are very much concerned on moral grounds with what happens in the individual countries forming the global village. "Humanitarian intervention" has been defined in several ways, most of which are morally-based. Smith takes the concept of humanitarian intervention to "mean military intervention by armed forces of one or more states, for the claimed purpose of protecting the human rights of persons within the jurisdiction of the state within whose territory the intervention takes place."⁷² One of the most quoted authorities on the concept of humanitarian intervention is Stowell. According to him,

⁷⁰R. W. Smith, Military Intervention: Considerations for Modern Practitioners (unpublished dissertation, Johns Hopkins, 1986), p. 59.

⁷¹Ibid., pp. 59-60.

⁷²Ibid., p. 173.

Humanitarian intervention may be defined as the reliance upon force for the justifiable purpose of protecting the inhabitants of another state from treatment which is so arbitrary and persistently abusive as to exceed the limits of that authority within which the sovereign is presumed to act with reason and justice.⁷³

Besides proposing his own definition, Stowell cites Arntz who gave the following definition:

When a government, although acting within its rights of sovereignty, violates the right of humanity, either by measures contrary to the interests of other states, or by an excess of cruelty and injustice, which is a blot on our civilization, the right of intervention may lawfully be exercised, for, however worthy of respect are the rights of state sovereignty and independence, there is something yet more worthy of respect, and that is the right of humanity or of human society, which must not be outraged.⁷⁴

Several other authorities have given definitions of the concept of humanitarian intervention on the ground of humanity.⁷⁵ This does not mean

⁷³E. C. Stowell, Intervention in International Law (Washington, DC: John Byrne and Co., 1921), p. 53.

⁷⁴*Ibid.*

⁷⁵*Ibid.* Rougier defines intervention in terms of humanity in the following way: "The theory of intervention on the ground of humanity is properly that which recognizes the right of one state to exercise an international control over the acts of another in regard to its internal sovereignty when contrary to the laws of humanity. It applies also to the effort to place this action upon a juridical basis." (Translation taken from F. W. Payn: Cromwell on Foreign Affairs, p. 72); L. Oppenheim, International Law, Eighth Edition, edited by H. Lauterpacht, Vol. I (London: Longmans, Green and Co., 1955), pp. 312-313. Lauterpacht concludes that: "There is general agreement that, by virtue of its personal and territorial supremacy, a state can treat its own nationals according to discretion. But there is a substantial body of opinion and of practice in support of the view that there are limits to that discretion and that when a state renders itself guilty of cruelties against and persecution of its nationals in such a way as to deny their fundamental human rights and to shock the conscience of

that all jurists and scholars writing about the subject support humanitarian intervention. Before going into the debate about the conflict between humanitarian intervention and the principle of sovereignty, we will mention some of the authorities on each side of the debate. According to Stowell, "the list of authors who recognize the legality of the doctrine of humanitarian intervention include: Grotius, Wheaton, Heiberg, Woolsey, Bluntschi, and Westlake."⁷⁶ He

mankind, intervention in the interest of humanity is legally permissible." Many contemporary authors such as Thomas and Thomas also support the concept on legal bases: "When a state abuses its right of sovereignty by permitting within its territory the treatment of its national or foreigners in a manner violative of all universal standards of humanity, any nation may step in and exercise the right of humanitarian intervention" in A. J. Thomas and A.V.W. Thomas, The Dominican Republic Crisis, 1965 (Dobbs Ferry, NY: Oceana Publications, 1967), p. 19; Moore talks about it as an "immediate and extensive threat to fundamental human rights, particularly a threat of widespread loss of human life" as a primary but not the only criteria for action to J. N. Moore (1969), "The Control of Foreign Intervention in Internal Conflict," Virginia Journal of International Law, 9(205), 246. See also Lillich, op. cit., p. 139. Baxter defines humanitarian intervention as "a short-term use of armed force by a government, in what would otherwise be a violation of the sovereignty of a foreign state, for the protection from death or grave injury of nationals of the acting state--and incidentally perhaps, nationals of other states--by their removal from the territory of the foreign state" in Lillich, op. cit., pp. 53, 139. In explaining what is meant by humanitarian intervention, Ganji states that: "The theory of humanitarian intervention is based on the assumption that states in their relation with their own nationals have the international obligation to guarantee to them certain basic fundamental rights which are considered to be necessary for their existence and for the maintenance of friendly relations among nations . . . these rights are so essential and of such high value to the human person that violations by any state cannot be ignored by other states. This assumption would authorize intervention by other states, in case of flagrant denial of these rights by any State to her own citizens." M. Ganji, International Protection of Human Rights (Paris, France: Librairie Minard, 1962), p. 9; also see Lillich, "Forcible Self Help by States to Protect Human Rights," Iowa Law Review, 53 325 (1967); Ibid., "Intervention to Protect Human Rights," McGill Law Journal, 1969, 15, 205.

⁷⁶Ibid., p. 55.

has further listed "some of the more important references to these expressions of opinion."⁷⁷ He states his own position as follows:

when after a protracted struggle, neither side (in a civil war--mine) is able to vanquish the other, or to preserve the tranquility of the territory over which it claims jurisdiction, there arises a just ground for impeachment of sovereignty. In such a condition of anarchy, it is permissible for the powers to intervene and adopt such measures as seem best calculated to reestablish order and to secure respect for international law throughout the land.

A protracted civil conflict usually degenerates into a condition of internecine warfare, and as such justifies humanitarian intervention.⁷⁸

Evidence available will show that the Liberian situation met the conditions described above prior to the intervention.

After discussing the scholars listed above who support intervention, Stowell concludes that "certain other publicists have, it is true, looked askance at humanitarian intervention, and even gone so far as to deny its legality."⁷⁹ He further states that "starting from the premise of independence of states, they fear to recognize the right of another state to step in as a policeman, even

⁷⁷Ibid.; Ganji quotes Grotius, Rights of War and Peace, translated by William Whewell (London: John W. Parker, 1853), pp. 240-243, that "War is just whenever waged 'against those who sin against nature'." Ganji includes Stowell, Vattel, Rougier, Winfield, and Borchard to the list. See Ganji, op. cit., p. 41; see also Brownlie, "Humanitarian Intervention," in J. N. Moore, op. cit., p. 218; Lillich, "Humanitarian Intervention: A Reply to Ian Brownlie and a Plea for Constructive Alternatives," in Moore, op. cit., p. 232.

⁷⁸Ibid., p. 350.

⁷⁹Ibid., p. 58.

though a neighbor state should treat its nationals in a barbarous manner."⁸⁰

The list of some of those in this opposite camp include: Werdenhagen, Senior, Phillimore, Bernard, Halleck and Strauch.⁸¹ Stowell has further listed several important discussions of this non-interventionist school.⁸² Within this camp, Stowell argues that there are some scholars "who deny the legality of humanitarian intervention in law, but who condone it to a greater or less degree in practice."⁸³ He asserts that the latter group within the non-interventionist school will "proclaim as sacred and inviolable the right of every state to regulate its internal affairs and then condone as excusable violations of the law such corrective intervention as another state, urged on by public opinion, might undertake."⁸⁴ A classical example, according to Stowell, is Professor Strauch who "after expressing the opinion that no state is justified in intervening in the

⁸⁰Ibid.

⁸¹Ibid.

⁸²Ibid., p. 58; Ganji, op. cit., it is the opinion of Ganji that "the non-interventionist school argues on the premise of the independence and sovereign equality of states and concludes that since treatment of nationals is a matter within the domestic jurisdiction of each state, no state or group of states has the right to interfere in it. On the basis of this contention, they all condemn the doctrine of humanitarian intervention as an intrusion in the domestic affairs of state," p. 41; Brownlie, "Humanitarian Intervention" in J. N. Moore (1974). Op. cit. Brownlie is of the view that the "leading modern authorities who either made no mention of humanitarian intervention and whose general position militates against its legality, or expressly deny its existence include Brierly, Castren, Jessup, Jimenez de Arechaga, Briggs, Schwarzenberger, Goodrich, Hambro and Simons, Skubiszewski, Friedmann, Waldock, Bishop Sørensen and Kelsen," p. 218.

⁸³Ibid., p. 59.

⁸⁴Ibid., pp. 58-59.

case of a revolution in another state, declares that international law has no concern with the form of government each state may adopt, but he considers that the government, whatever its form, must be able to preserve order and fulfill its obligation."⁸⁵ Strauch is further quoted as saying, "when conditions of anarchy prevail, other states have an undoubted right to intervene without waiting for an invitation."⁸⁶ This old saying that some non-interventionist authors condone some forms of "humanitarian intervention has been regarded as accepted law by most contemporary international lawyers."⁸⁷ As a matter of fact, there is still a heated debate going on about the concept. It is agreed that the doctrine of humanitarian intervention has not as yet become fully acknowledged as part of the positive international law. However, it is the opinion of many that it has "provided a signpost and a warning."⁸⁸ There is the further assumption that the doctrine has been occasionally acted upon, becoming "one of the factors which paved the way for the provisions of the Charter of the United Nations relating to fundamental human rights and freedoms."⁸⁹

⁸⁵Ibid., p. 350.

⁸⁶Ibid.

⁸⁷Lillich, "Humanitarian Intervention: A Reply . . ." in J. N. Moore, Law and Civil War in the Modern World (Baltimore: Johns Hopkins University Press, 1974), note 15, p. 231.

⁸⁸H. Lauterpacht, "The Grotian Tradition in International Law," in The British Yearbook of International Law, 1946, 1, p. 46; M. Ganji, International Protection of Human Rights (Paris, France: Librairie Minard, 1962), p. 43.

⁸⁹Ibid., pp. 46 and 43.

Customary International Law, The UN Charter, and
Restrictions on Intervention

In this section, we shall discuss restrictions on intervention. It is known that all interventions run into problems arising from the principle of non-intervention in other countries' domestic affairs.

We agree with Thapa that the provisions of the Charter of the United Nations which have a bearing on humanitarian intervention are "composed of two seemingly contradictory propositions, which is the cause of great controversy."⁹⁰ The controversy which Humphrey now considers as of historical interest only,⁹¹ is between the principles of humanity and non-intervention.⁹² It is believed that the principle of humanity requires that human beings must be protected from unjust oppression or persecution, worldwide. The principle of non-intervention, on the other hand, strongly urges nations to refrain from interference of the domestic affairs of other nations.⁹³ The principle of domestic jurisdiction is affirmed in a number of constitutional documents including the U.N. Charter Article 2(7).⁹⁴ The references in these

⁹⁰D.B.S. Thapa, Humanitarian Intervention (unpublished thesis, McGill University, Montreal, Canada, August 1968), p. 1.

⁹¹J. P. Humphrey, 'Foreword' in R. Lillich, Humanitarian Intervention and the United Nations (Charlottesville, VA: University Press of Virginia, 1973), p. vii.

⁹²D.B.S. Thapa, Humanitarian Intervention (unpublished thesis, McGill University, Montreal, Canada, August 1968), p. 1.

⁹³*Ibid.*

⁹⁴I. Brownlie, Basic Documents in International Law (Oxford, England: Oxford University Press, 1967), p. 4; A. L. Bennett (4th ed.), International

documents can be interpreted in several ways. However, this writer agrees with Frey-Wouters' interpretation of the pertinent Articles of the U.N. Charter.

According to her, Article 2(7) states specifically that, "[e]very state has an inalienable right to choose its political, economic, social, and cultural systems without interference in any form by another state," and also that "no state shall . . . interfere in civil strife in another state."⁹⁵ There is an argument that despite Article 2(7) if there are any "violations of human rights 'which shock the conscience of mankind' then that issue ceases to be essentially within any domestic jurisdiction."⁹⁶

Furthermore, the principle of non-intervention is again supported by U.N. Article 2(4) which stipulates that "[a]ll members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the

Organizations: Principles and Issues (Englewood Cliffs, NJ: Prentice-Hall, 1988), p. 456. Article (2)7 states: "Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter VII. Also see Frey-Wouters, "Internal Conflict in the Developing World" in J. N. Moore, Law and Civil War in Modern World (Baltimore: Johns Hopkins University Press, 1974), p. 488.

⁹⁵E. Frey-Wouters, "Internal Conflict in the Developing World" in J. N. Moore, op. cit., p. 488.

⁹⁶J. P. Humphrey, "Foreword" in R. Lillich, Humanitarian Intervention and the United Nations (Charlottesville, VA: University Press of Virginia, 1973), p. viii.

purposes of the United Nations."⁹⁷ This article, it is argued, excludes any recourse to humanitarian intervention involving a threat or use of force, by any state or combination of states apart from the United Nations itself. There are several scholars who further doubt whether even the United Nations itself has any right to intervene forcibly in the affairs of States even on humanitarian grounds.⁹⁸ Nowhere does the Charter authorize the UN or any of its organs "to use force against a State unless there is a threat to the peace, a breach of the peace, or an act of aggression."⁹⁹ It seems to me that many authors want the tradition of absolute territorial supremacy of sovereign nations and the equality of states to be maintained.¹⁰⁰ As has been shown, if there are no violations of human rights principles, then the Charter of the United Nations both prohibits states from considering any sort of military intervention and strongly restricts the United Nations itself from intervening in matters which could be considered essentially within the domestic jurisdiction of any state.

⁹⁷I. Brownlie, Basic Documents in International Law (Oxford, England: Oxford University Press, 1967), p. 4; A. L. Bennett (4th ed.), International Organizations: Principles and Issues (Englewood Cliffs, NJ: prentice-Hall, 1988), p. 457; J. Claydon, "Humanitarian intervention and international law" in Law Students' Society of Queen's University, 1969, 1(36), pp. 36-63 in p. 56.

⁹⁸J. N. Moore, Law and Civil War in Modern World (Baltimore: Johns Hopkins University Press, 1974), pp. xiii-xiv.

⁹⁹J. P. Humphrey, "Foreword" in R. Lillich, Humanitarian Intervention and the United Nations (Charlottesville, VA: University Press of Virginia), p. viii.

¹⁰⁰Hall, W. E., International Law (8th ed.) (Higgins, 1924), p. 343; D.B.S. Thapa, Humanitarian Intervention (unpublished thesis, McGill University, Montreal, Canada, August 1988), p. 2.

Thus, the two conflicting principles of protection of human rights and non-intervention are still apparent. Since the global community is not an ideal one, there is bound to be the problem of atrocious treatment of individuals even by their own governments. Therefore, in order to effectively protect human beings from any atrocious treatment by states, there might be the need for other states to intervene in the domestic affairs of those governments which mistreat their own nationals. However, the doctrine of non-intervention restricts such intervention. It is, therefore, clear that there is a potential conflict of principles here between international community's obligation to promote respect for human rights embodied in Articles 1(3), 55 and 56 of the Charter,¹⁰¹ and the prohibition of the 'use of force' against territorial integrity, embodied in Article 2(4) of the Charter.¹⁰²

Regarding the conflict between human rights and non-intervention, the Thomases have traced the legal development of both aspects of humanitarian intervention separately under customary law and the Charter. Their conclusion:

in relation to intervention to protect the nationals of the target state is that the "general international law right" is not altered, but it can be no longer accomplished through resort to force. However, if the

¹⁰¹I. Brownlie, Basic Documents in International Law (Oxford, England: Oxford University Press, 1967), pp. 3 and 17; A. L. Bennett, International Organizations: Principles and Issues (Englewood Cliffs, NJ: Prentice-Hall, 1988), pp. 456, 467 and 468; J. N. Moore, Law and Civil War in Modern World (Baltimore: Johns Hopkins University Press, 1974), p. xiv.

¹⁰²*Ibid.*, pp. 3, 456, xiv.

act against humanity causes a "threat to the peace," the United Nations can intervene by forceful means.¹⁰³

Several scholars go beyond condoning actions to deal with "threat to the peace" which might be caused by acts against humanity. They argue for the permissibility and desirability of a right to intervene in the mistreatment of human beings by their own totalitarian government which "shock the conscience of mankind" even if no "threat to the peace" exists, provided that the right to intervene is not abused by any intervening state or group of states to serve their own national interest. It could be argued that probably it is as a result of such a possible abuse by an intervening state or states that there is still continued controversy concerning the permissibility of humanitarian intervention and intervention for the protection of nationals.¹⁰⁴ Moore has stated that, "[a]lthough it is recognized that legitimating such intervention entails substantial risks, not permitting necessary actions for the prevention of genocide or other major abuse of human rights seems to present a greater risk."¹⁰⁵

¹⁰³J. Claydon (1969), "Humanitarian Intervention and International Law," in Law Students' Society of Queen's University, 7(36), pp. 36-63 in p. 57; Thomas and Thomas (1956), Non-Intervention, p. 384.

¹⁰⁴See the two exchanges between I. Brownlie, "Humanitarian Intervention" and R. B. Lillich, "Humanitarian Intervention: A Reply to Ian Brownlie and A Plea for Constructive Alternatives," both in J. N. Moore, Law and Civil War in Modern World (Baltimore: Johns Hopkins University Press, 1974), Chapters 10 and 11. The articles contain valuable review of literature of the issue and references; also see Moore, p. 25.

¹⁰⁵*Ibid.*, p. 25.

Conditions Required for the Legal Application of
Humanitarian Intervention

In order to reduce the risk of using humanitarian intervention as a cover for the pursuit of other national interests and aims, several scholars have suggested that intervention for the protection of human rights is permissible only if it meets certain conditions. Moore's conditions include the following:

- a. An immediate threat of genocide or other widespread arbitrary deprivation of human life in violation of international law;
- b. An exhaustion of diplomatic and other peaceful techniques for protecting the threatened rights to the extent possible and consistent with protection of the threatened rights;
- c. . . .
- d. A proportional use of force which does not threaten greater destruction of values than the human rights at stake and which does not exceed the minimum force necessary to protect the threatened rights;
- e. The minimal effect on authority structures necessary to protect the threatened rights;
- f. The minimal interference with self-determination necessary to protect the threatened rights;
- g. A prompt disengagement, consistent with the purpose of the action; and
- h. Immediate full reporting to the Security Council and any appropriate regional organization and compliance with Security Council and applicable regional directives.¹⁰⁶

Since he has unilateral intervention in mind, he also maintains under c, "The unavailability of effective action by an international agency, regional organization, or the United Nations" In other words, he, like others, prefers regional or UN intervention. Other legal scholars who have discussed

¹⁰⁶Ibid., pp. 24-25.

the permissibility of intervention for the protection of human rights provided it meets certain conditions include Ganji,¹⁰⁷ Nanda,¹⁰⁸ Lillich¹⁰⁹, Slater and Nardin,¹¹⁰ and Winfield.¹¹¹

¹⁰⁷M. Ganji, International Protection of Human Rights (Paris, France: Librairie Minard, 1962), pp. 22-41 and also in R. B. Lillich, "Humanitarian Intervention--A Reply . . ." in J. N. Moore, Law and Civil War in Modern World (Baltimore: Johns Hopkins University Press, 1974), pp. 231-232. Reveals many instances where intervention occurred for humanitarian purposes. These include: (i) The intervention of France, Great Britain, and Russia against the Turkish massacres and suppression of the Greeks, which resulted in the independence of Greece in 1830; (ii) The peremptory demands of Austria, France, Italy, Prussia and Russia (during the years 1866-68) on the Ottoman Empire for the institution of positive action leading to the betterment of the lot of the persecuted Christian population of Crete, (iii) The Russian intervention against Turkey (1877-78) on the occasion of insurrections resulting from Turkish misrule and from the outrageous persecutions of the Christian populations of Bosnia, Herzegovina and Bulgaria; and (iv) The intervention of Austria, Russia, Great Britain, Italy and France in Turkey as a result of insurrections and misrule in Macedonia (1903-08).

¹⁰⁸V. P. Nanda, "The United States' Action in the 1965 Dominican Crisis: Impact on World Order--Part I," Denver Law Journal, 1969, 43(439), pp. 472-79; R. B. Lillich, "Humanitarian Intervention--A Reply . . .," in J. N. Moore, Law and Civil War in Modern World (Baltimore, John Hopkins University Press, 1974), p. 248. In an effort to clarify the various criteria by which the legitimacy of a state's use of forcible self-help in human rights situations can be judged, Nanda has suggested the following five such criteria: (i) a specific limited purpose; (ii) an invitation by a recognized government; (iii) a limited duration of the mission; (iv) a limited use of coercive measures; and (v) a lack of any other recourse.

¹⁰⁹R. B. Lillich, "Forcible Self-Help by States to Protect Human Rights," Iowa Law Review, 1967, 53(325), 347-51; Ibid., "Intervention to Protect Human Rights," McGill Law Journal, 1969, 15(205); Ibid., "Humanitarian Intervention--A Reply . . ." in J. N. Moore (1974), Law and Civil War in Modern World, p. 488. Lillich's five own tests by which a unilateral humanitarian intervention should be judged are (i) the immediacy of the violation of human rights; (ii) the extent of the violation of human rights; (iii) the existence of an invitation by an appropriate authorities; (iv) the degree of coercive measures employed; and (v) the relative disinterestedness of the state invoking the coercive measures.

¹¹⁰J. Slater and T. Nardin, "Nonintervention and Human Rights," The Journal of Politics, 1986, 48(1), pp. 86-96.

There is the fear on the part of many writers that because of the selfishness of states, intervention could easily be abused. It is the opinion of Winfield that "the case in which intervention is least likely to be abused is where the majority of leading civilized states exercise it collectively."¹¹² He believes that collective intervention usually excites less disapproval than individual intervention because it is less likely to be selfish.¹¹³ There is a notion that since unilateral intervention could usually trigger escalation, the best solution to ending a murderous civil war is a multilateral approach, preferably under the auspices of the Security Council of the United Nations.¹¹⁴ However, it should be emphasized that it is generally acknowledged that the problem of balancing the claims of the fundamental principle of domestic jurisdiction against those of United Nations intervention for human purposes makes the multilateral approach difficult.

While non-intervention should apply to most internal conflicts due to the principle of domestic jurisdiction and equality of states, some of the Articles of the United Nations Charter encourage either universal or regional involvement in the affairs of states which atrociously mistreat their own citizens, moreso if such

¹¹¹P. H. Winfield, "The Grounds of Intervention in International Law," The British Yearbook of International Law (Oxford, England: Oxford University Press, 1924), pp. 149-162.

¹¹²*Ibid.*, p. 162.

¹¹³*Ibid.*

¹¹⁴J. H. Wolfe, "Humanitarian Intervention," USA Today, (January 1991), p. 13.

mistreatment will lead to the fleeing of the citizens of that country to its neighboring countries which could cause security problems. This can result in the region getting involved in a country's domestic affairs on the grounds of collective security of the region. This is what we turn our attention to next.¹¹⁵

Collective Security

Intervention takes place not only for humanitarian purposes but also for the purpose of security. Each intervention can be either unilateral or multilateral, that is collective. Collective security "is simply a system to make real the idea of 'one for all and all for one.'"¹¹⁶ Articles 39 through 51 of the Charter of the United Nations have spelled out the obligations of collective security. It is acknowledged that the "teeth" of these provisions are found in Article 42:

The Security Council may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockages and other operations by air, sea, or land forces of members of the United Nations.¹¹⁷

¹¹⁵E. Frey-Wouters, "Internal Conflict in the Developing World," in J. N. Moore, Law and Civil War in Modern World (Baltimore, Johns Hopkins University Press, 1974), p. 488.

¹¹⁶C. O. Lerche, Jr., and A. A. Said, Concepts of International Politics in Global Perspective (3rd ed.) (Englewood Cliffs, NJ: Prentice-Hall, 1979), p. 111.

¹¹⁷J. Brownlie, Basic Documents in International Law (Oxford, England: Oxford University Press, 1967), p. 14; A. L. Bennett, International Organization: Principles and Issues (Englewood Cliffs, NJ: Prentice-Hall, 1988, 4th ed.), p. 464; also *Ibid.*, p. 111.

Bennett asserts that there are six methods which could be used in attempting to settle international disputes, two of which seem appropriate to our study. They are first, collective action by an international agency to restore order after international peace has been breached or threatened and second, intervention by other states to promote or secure their own interest.¹¹⁸ Even though the ECOWAS intervention in Liberia was undertaken mainly in accordance with the logic of humanitarian intervention, the logic of collective security also played a role. Evidence had shown that the influx of Liberian refugees into some countries in the region which led to acute shortages of food also contributed to the launching of the ECOWAS intervention.

The second part of Article 2(7) which prohibits the United Nations from intervening "in matters which are essentially within the domestic jurisdiction of any state,"¹¹⁹ attests to the permissibility of intervention. Part two of Article 2(7) states that "this principle shall not prejudice the application of enforcement measures under Chapter VII."¹²⁰ It is, however, argued that this qualification means that the United Nations can intervene only if a state's action constitutes a "threat to the peace."¹²¹ The other Articles of the Charter which are frequently cited to justify regional intervention in the domestic affairs of a

¹¹⁸A. L. Bennett, International Organization: Principles and Issues (Englewood Cliffs, NJ: Prentice-Hall, 1988, 4th ed.), p. 134.

¹¹⁹J. Claydon, "Humanitarian Intervention and International Law," in Law Students Society of Queen's University, 1969, 1(36), 36-63 in p. 58.

¹²⁰*Ibid.*, pp. 58-59.

¹²¹*Ibid.*, p. 59.

member are Article 51, "authorizing self-defense against armed attack, and Article 53 which refers specifically 'to enforcement action by regional organizations.'" ¹²² Articles 52 and 54 are also worthy of note so far as regional arrangements are concerned. Available evidence shows that regional arrangements played an important role in the case of the ECOWAS intervention in the Liberian crisis.

It should be emphasized that a regional organization citing Chapter VIII of the Charter to justify a right of collective self-defense must always take into account the "fundamental concept of the sovereignty of states and the concomitant right of each state to manage its internal affairs free from outside influence." ¹²³ This fundamental concept of sovereignty might not be strictly adhered to by a regional body where elements of a foreign army or soldiers have moved across a border to participate in military operations in support of one party to a domestic conflict. Once again there is ample evidence that this was the case in the Liberian crisis. It is believed that such an act could justify resort to collective self-defense, particularly if countries in the region felt there was a "threat to regional peace and stability."

¹²²E. Frey-Wouters, "Internal Conflict in the Developing World" in J. N. Moore, Law and Civil War in Modern World (Baltimore, Johns Hopkins University Press, 1974), p. 490; I. Brownlie, Basic Documents in International Law (Oxford, England: Oxford University Press, 1967), pp. 16-17; A. L. Bennett, International Organizations: Principles and Issues (Englewood Cliffs, NJ: Prentice-Hall, 1988), pp. 466-467.

¹²³J. Claydon, "Humanitarian Intervention and International Law," in Law Students' Society of Queen's University, 1969, 1(36), 36-63 in p. 58.

Regional Intervention

If there is agreement among international lawyers and scholars writing about intervention, be it for humanitarian or security purposes, it is that both regional and universal intervention are preferable to any form of unilateral intervention.¹²⁴ The two basic reasons given to justify unilateral humanitarian intervention, namely, "to protect nationals of the intervening state and other foreign nationals and to protect the nationals of the target state,"¹²⁵ more often than not seem to be unacceptable in contemporary customary practice. Several writers argue that the unilateral use of force, however humanitarian in nature or intent, cannot be condoned as legal or acceptable, even when undertaken in conformity with duly established mechanism, the reason being that unilateralism destroys the whole basis for legally constituted process.¹²⁶ Frey-Wouters, however, asserts that if at any time:

The regional organization should permit unilateral humanitarian measures by one state in the territory of another state only under special circumstances, when there is need to take quick and decisive action in an extreme crisis situation, and when the regional or international community is not able to respond with the same speed. In those cases, the intervention should be authorized by either the parties to the conflict or by the regional organization or

¹²⁴Ibid., p. 62.

¹²⁵E. Frey-Wouters, "Internal Conflict in the Developing World" in J. N. Moore, Law and Civil War in Modern World (Baltimore, Johns Hopkins University Press, 1974), p. 492.

¹²⁶Ibid., p. 493.

the United Nations, and should be nonstrategic, noncoercive, neutral, and strictly humanitarian.¹²⁷

In order to curtail abuses by groups of states or regional bodies, the latter's coercive activities are regulated by provisions of the United Nations Charter. As mentioned elsewhere in this chapter, three provisions are especially relevant: these are Article 2(4) prohibiting the use or threat of use of force in inter-state relations except under certain conditions; Article 51, authorizing self-defense against armed attack; and Article 53, referring specifically to enforcement action by regional organization.¹²⁸ Thus, regional organizations can conduct enforcement operations only under certain specified conditions.¹²⁹

Scholars have diverse views as to the conditions which must prevail before a regional intervention is permissible. Once again we shall turn to a legal scholar, Moore, who has opined that regional peacekeeping is permissible if it meets the following conditions:

- a. Authorization by a regional arrangement acting pursuant to Chapter VIII of the Charter;
- b. A genuine invitation by the widely recognized government, or if there is none, by a major faction;
- c. Neutrality among factions to the extent compatible with the peace-keeping mission.
- d. Immediate full reporting to the Security Council and Compliance with the Security Council directives.

¹²⁷Ibid.

¹²⁸Ibid., p. 490.

¹²⁹Ibid.

- e. An outcome consistent with self-determination. Such an outcome is one based on internationally observed elections in which all factions are allowed freely to participate, which is freely accepted by the major competing factions, or which is endorsed by a competent body of the United Nations.¹³⁰

This writer supports Moore's view that "it seems reasonable to permit regional peace-keeping actions if carefully delimited to ensure that they are genuine peace-keeping actions and not disguised efforts at maintaining or extending hegemony."¹³¹ As already mentioned, conventional wisdom has it that under the charter of the United Nations, regional arrangements are limited in the use of force not only by the restrictions of Article 2(4) applicable to unilateral intervention but also by Article 53's requirement that "no enforcement action" shall be taken without that authorization of the Security Council. In defending his five suggested criteria, Moore has stated that since they limit regional action to that not directed against any government, such action taken in conformity with the criteria would not constitute "enforcement action" and would be consistent with the Charter.¹³²

Frey-Wouters has supported the interpretation of Article 2(7) found in the General Assembly's Declaration on the Principles of International Law

¹³⁰J. N. Moore, "Toward an Applied Theory for the Regulation of Intervention," in J. N. Moore (1974), pp. 24-25.

¹³¹Ibid., p. 27.

¹³²Ibid., p. 27; also see Ibid, "The Role of Regional Arrangements in the Maintenance of World Order," in C. Black III and R. Falk (Eds.) (1971), The Future of the International Legal Order, 122.

concerning Friendly Relations and Cooperation among states. The Declaration specifically states that: "Every state has an inalienable right to choose its political, economic, social and cultural systems, without interference in any form by another state," and also that "no state shall . . . interfere in civil strife in another state."¹³³ She strongly supports the view that the non-intervention standard should apply to most internal conflicts. However, she holds that under certain conditions legitimate forms of regional involvement are not only permissible but even desirable.¹³⁴ Like Moore she feels regional norms must be developed to guide regional intervention. According to her, intervention is legitimate in:

- a. Situations where the parties to the conflict themselves request regional consideration. In most authority-oriented conflicts such a request by all of the parties is unlikely.
- b. Situations in which there is little or no indigenous conflict for the control of internal authority structures--that is the conflict is externally initiated.
- c. Situations where the current level of crisis is extremely high or where evidence of internationalization or interventionary activity is clear and present. Regional involvement would be justified when a particular conflict will sufficiently affect regional peace and security so that it is no longer a matter "essentially within domestic jurisdiction."
- d. Situations involving an extensive and immediate threat to fundamental human rights, particularly a threat of widespread loss of human life.

¹³³G. A. Res 2625, 25 UN GAOR, UN Doc OPI/424 (1971); also E. Frey-Wouters, "International Conflict in the Developing World" in J. N. Moore (1974), Law and Civil War in Modern World (Baltimore, Johns Hopkins University Press, 1974), p. 488.

¹³⁴Ibid.

- e. Situations involving political regimes which deny self-determination on a racial, religious or ethnic basis, such as the discriminatory white minority regimes of South Africa and Rhodesia [now independent Zimbabwe].¹³⁵

In the case of the ECOWAS intervention, as we shall see, some of the conditions listed by Moore and Frey-Wouters were met and some were not.

The principle of nonintervention in the domestic affairs of states has been upheld not only by the United Nations but also by regional organizations like the organization of African Unity (OAU), the Arab League, the Organization of American States (OAS) and the Economic Community of West African States (ECOWAS). This is a view which was upheld a long time ago by Wolff in his principle of natural equality. His argument was that:

By nature all nations are equal the one to the other. For nations are considered as individual free persons living in a state of nature. Since by nature all men are equal, all nations too are by nature equal the one to the other. . . . Just as the tallest man is no more a man than the dwarf, so also a nation, however small, is no less a nation than the greatest nation. Therefore, since the moral equality of men has no relation to the size of their bodies, the moral equality of nations has no relation to the number of men of which they are composed.¹³⁶

¹³⁵Ibid., p. 488.

¹³⁶C. Wolff (1764), *Ius Gentium Methodo Scientifica Pertractatum*, trans. J. H. Drake, 1934, rept. New York, 1964, Poolegomena, paras. 2 and 3; R. J. Vincent (1974), Nonintervention and International Order (Princeton, NJ: Princeton University Press), p. 27.

Wolff further stated that states were under an obligation not to interfere in each other's government from which arose a right not to allow such interference.¹³⁷

On the other hand, he also asserted that, "in the supreme state [civitas maxima], the nations as a whole have a right to coerce the individual nations if they should be unwilling to perform their obligation or should show themselves negligent in it."¹³⁸ According to Vincent this statement might be interpreted as a contradiction of an absolute rule of nonintervention, allowing a right of collective intervention to enforce minimum standards of human conduct.¹³⁹

As our discussion of intervention has shown so far, several scholars prefer collective intervention to unilateral intervention. As will be seen later, at the peak of the Liberian crisis, the newly formed ECOWAS mediation group, code-named ECOMOG, comprising five nations and two coopted countries bordering Liberia collectively intervened in the Liberian crisis after a protracted civil war had produced no clear-cut winner. As Stowell has noted, a protracted civil war usually degenerates into a condition of internecine warfare which justifies humanitarian intervention.¹⁴⁰ Similarly, Strauch declares that when conditions of anarchy prevail in a country, other states have an undoubted right

¹³⁷Ibid., p. 28.

¹³⁸Ibid.

¹³⁹Ibid.

¹⁴⁰E. C. Stowell, Intervention in International Law (Washington, DC: John Byrne and Co., 1921), p. 350.

to intervene without waiting for an invitation.¹⁴¹ The intervening states cooperated and their efforts were coordinated through a command structure constituted for this purpose. History presents us with several cases of collective intervention. However, evidence has shown that the ECOWAS intervention in Liberian crisis has some unique characteristics as will be shown later on by comparing it to other interventions, on the continent and probably in other parts of the world.

Regional organizations including the ECOWAS are empowered under Articles 52, 53 and 54 of the U.N. Charter to play a "policing" role so far as regional peace and security are concerned. Hodges is of the view that the result of collective intervention will be a decrease in the number of unjust interventions, and a greater popular sanction for those that are undertaken.¹⁴² They will tend to lessen the "anxiety of the weaker states, and the mutual jealousies and suspicions of the more powerful ones."¹⁴³ In further supporting collective intervention over unilateral intervention Hodges quotes Halls:

There must always be a likelihood that powers, with divergent individual interests, acting in common, will prefer the general good to the selfish objects of a particular state. It is not improbable that this good may be better secured by their action, than by free scope being given to natural forces. . . . There is fair reason consequently

¹⁴¹Ibid.

¹⁴²H. G. Hodges, The Doctrine of Intervention (Princeton, NJ: The Banner Press, 1915), p. 168.

¹⁴³Ibid., pp. vii-viii.

for hoping that intervention by, or under the sanction of the body of states on grounds forbidden to single states, may be useful and even beneficial.¹⁴⁴

As has been acknowledged, regional organization is a segment of the world bound together by a common set of objectives based on geographical, social, cultural, economic or political ties and possessing a formal structure provided for, in a formal intergovernmental agreement.¹⁴⁵ Therefore, irrespective of how strong or weak some of the countries forming the organization may be, if it is the consensus of the body to intervene collectively in the internal strife of a member state on humanitarian grounds, the intervention will be very beneficial to that state and the region as a whole. This collective intervention and the United Nations regional arrangement overlap. Technically any intervention, even an emergency humanitarian one carried out by a regional body and not ordered or sanctioned by the United Nations Security Council must be reported to the latter immediately after it is undertaken. Collective intervention to protect human rights principles in a region complements the efforts and role of United Nations' regional arrangements as provided by the Charter. The conditions in Liberia which led to the ECOWAS intervention will be examined and tested against the conditions which authorities such as Moore, Stowell and Bennett contend justify humanitarian intervention and collective security.

¹⁴⁴Ibid.

¹⁴⁵A. L. Bennett, International Organization: Principle and Issues (Englewood Cliffs, NJ: Prentice-Hall, 1988, 4th ed.), p. 350.

Method of Data Collection (Research Design)

Two major research methods--namely, field investigation or interviews and library research--were adopted. This researcher made a two month visit to West Africa during the summer of 1991 and was privileged to be present at the 14th ECOWAS Summit held at Abuja, the new federal capital of Nigeria, from July 1-7, 1991, where he had the chance to interact with several delegates to the summit. Later, the writer had several working meetings with upper and middle-level officials at the ECOWAS Secretariat in Lagos, Nigeria.

In each of the interview sessions, open-ended or partially open-ended structured interviews were used. The material available is therefore from extensive interviews with political leaders like State Secretaries and Principal Secretaries in Ministries of Foreign Affairs. These individuals were chosen because it is ECOWAS's ministerial summit which basically prepares any treaties and other documents before the Presidents and Heads of State sign them so one would expect the interviewees to be very knowledgeable about the crisis and the role ECOWAS has played so far. Another reason why I opted to interview them is that it was easier for me to meet with them than with Heads of State.

Also further interviews were conducted with the political attachés in some foreign embassies, especially the U.S. Embassy, in some countries in the region. This was done because of the role the Embassies have been playing,

and since the personnel in these embassies can supply an informed non-African perspective pertinent to this study.

In addition, interviews have also been conducted with upper and middle level personnel at the ECOWAS secretariat. This information has been supplemented by observation of some of the 14th ordinary session of the 1991 ECOWAS summit at Abuja, Nigeria.

The second research method employed was library research. Documentary sources at the ECOWAS Secretariat were researched. Relevant original ECOWAS documents, minutes, Final Communiqués, and executive secretary's reports were made available to me. These materials as well as government or official publications, and national and private newspapers were systematically analyzed. Issues of several regional and other international periodicals and newspapers which have appeared since the crisis began, have been used to provide additional supplementary information.

Furthermore, research has been done in university and national libraries and in the ECOWAS library. Major sources used in the dissertation apart from the official ECOWAS documents and reports, and the like, include scholarly books, dissertations, periodicals and newspapers. Such generally reliable news magazines and newspapers as West Africa, Africa Today, Journal of African Affairs, The Economist, The Economic Intelligence Unit, Africa News, Africa Report, Africa Research Bulletin, Newsweek, Time Magazine, The New York Times, The Guardian, and The Washington Post, to mention a few, were consulted. They served to provide background information for the study. Thus,

even though the topic is a contemporary one, there are an adequate number of sources from which to gather information. It is hoped that the variety of sources from which data have been collected will lead to a balanced picture of the problem. It is further hoped that this project will aid efforts being made to find a lasting solution to the Liberian problem and similar future cases.

Appendix I is a list of relevant original ECOWAS documents, Final Communiqués, and Executive Secretary's reports and the like made available to the researcher. The body of material available provides both first hand and documentary accounts of the events to be analyzed and information on the perceptions of the principal actors.

Despite the availability of all these materials, the study is not without its limitations and weaknesses. In the first place, the time period for data collection and resources available to the researcher are two basic factors which have limited the study. Also, since the fighting among some of the warring factions had not completely ceased at the time the material was collected, it was not possible to interview the rebel group leadership or the interim government officials. Further, some government officials in the region failed to talk to this writer because of what they considered the "sensitivity" of the topic.

Furthermore, the event is a current one and a final solution has not yet been found. Therefore, it is reasonable to believe that large quantities of pertinent information are beyond our reach because they are being held at various administrative levels.

Though some effort will be made to compare the ECOWAS's intervention with existing models, this dissertation will be largely descriptive. Description will not be undertaken for its own sake, however. Kaplan is of the view that "descriptions themselves could be explanatory since the 'how' will end up giving us a 'why' instead of a 'what'.¹⁴⁶ He further opines that an explanation may be said to be a concentrated description doing its work not by invoking something beyond what might be described, but by putting one fact or law into relation with others.¹⁴⁷ This case study will be compared with others already completed. Hopefully any description in the course of the study will enable the reader to understand the "why."

Summary of the Remainder of Dissertation

Chapter II briefly summarizes the historical background of Liberia, the decline of the Americo-Liberian political dynasty of the True Whig Party (TWP) and the so-called Liberian "colonial revolution" led by Master Sergeant Samuel Doe. It terminated the first republic's government, of, by, and for the few (oligarchy).

In Chapter III some of the main causes of the civil conflict are briefly discussed. There was discontent with Doe because of such things as a supposedly harsh economic situation, his administrative inexperience, and the

¹⁴⁶A. Kaplan, The Conduct of Inquiry: Methodology for Behavior Science (San Francisco, CA: Candler Publishing Co., 1964), p. 329.

¹⁴⁷Ibid.

executions and retirements of some of the seventeen original colleagues with whom he came to power in 1980. Since Doe lacked administrative experience, it is argued that he "was obliged to absorb much information in learning how to play the role of chief executive, a position for which he had little background before 1980."¹⁴⁸ Concerning executions and retirements, Doe is said to have had five of the seventeen coup plotters who overthrew Tolbert's government in 1980 executed a year later on charges of plotting against the head of state, whereas four others who were capable of adversely influencing the troops were retired from active duty with the armed forces.¹⁴⁹

Also Doe's "new society" and the rapid dwindling of support for his 1980 coup d'état will be examined. Doe desired to return the country to civilian government but nevertheless formed his own party. This development and its consequences will be examined. The chapter ends with an examination of how political opposition intensified into civil conflict and later civil war.

Chapter IV analyzes the effects of the civil conflict on Liberia and the West African region. It covers the killing of Liberian civilians and others from the region caught in the civil war. The refugee problem which led to famine is also examined in this chapter. The question of recruitment and involvement of dissident soldiers from other countries of the region, and the support given by

¹⁴⁸H. D. Nelson, Liberia, A Country Study (Washington, DC: U.S. Government Printing Office, 3rd ed., 1984), p. xxx.

¹⁴⁹*Ibid.*, p. xxxi.

some countries to a warring faction involved in the civil war is also discussed in Chapter IV.

Chapter V is devoted to the analysis of the intervention by ECOWAS. Here, major aspects of ECOWAS are highlighted including the decision-making process which led to the formation of the mediation group. This group in turn formed the ECOWAS Monitoring Group (ECOMOG). The mandate given ECOMOG is examined. The participating countries will be analyzed as will the opposition by some members of ECOWAS to the intervention.

In Chapter VI ECOMOG's attempt at intervention is discussed. The chapter focuses on the outcome of the intervention including the assassination of President Doe by a rebel faction, the halting of fighting among rebel groups owing to ECOMOG's presence in Monrovia and the constitution of an interim government. The chapter also focuses on the past, present and future aspects of the intervention, both short and long term. It will be argued that as a result of ECOMOG's intervention, the following developments took place: The massacre of citizens ceased; some refugees have returned to Liberia; a cease-fire has been signed and respected; a Peace conference has been held and an interim government has ever been organized. In its latest assembly, the Peace conference reconstituted and expanded the Interim government and mandated elections supervised by ECOWAS and other international observers. Additionally, the long-term effect of the intervention on regional stability is examined.

Furthermore, the chapter covers the discussions of the Extra-ordinary Summit, the Tripartite Consultative Meeting, the 1991 Abuja Summit, the 1992 Dakar Summit and all the ECOWAS Mediation Committee Mini-Summits. The chapter ends with the later developments including how Taylor's NPFL initiated new hostilities in the outskirts of Monrovia, ECOMOG reaction to these new hostilities and the United Nations endorsement of the ECOWAS peace plan and appointment of an envoy to Liberia.

Chapter VII, the final chapter, considers how the ECOWAS intervention in Liberia compares with other interventions on the African continent and makes some observations about how more effective interventions might be carried out there in the future.

CHAPTER II

HISTORICAL BACKGROUND OF LIBERIA

Introduction

In this chapter we shall discuss very briefly the historical background of modern Liberia. The people are divided into two principal groups; namely, the indigenous Africans comprising sixteen tribal or ethnic groups and the descendants of black settlers from the Western Hemisphere called Americo-Liberians. The latter provided most of the country's political leadership until 1980. An attempt will then be made to concisely examine the decline of the over one hundred years of uninterrupted rule of the Americo-Liberian political dynasty of the True Whig Party (TWP). A further purpose of this chapter will be to briefly discuss the last two TWP oligarchy administrations and their attempted minor reforms aimed at including Liberia's indigenous population in the political and economic life of Liberia. In so doing we will (1) examine in brief Tubman's administration, 1944-71 and (2) Tolbert's administration, 1971-80. Furthermore, we shall discuss Liberia's so-called "colonial revolution" carried out by some indigenous African noncommissioned officers (NCOs) in the Liberian army, led by Master Sergeant Samuel Doe, which toppled Tolbert's government and ended the 133 year old Americo-Liberian dynasty.

Brief Historical Background of Liberia Indicating Ethnic Locations

The sixteen "tribes" of indigenous Africans are said to have migrated to the vicinity of their present location in modern Liberia from the savannah region of Africa between the 12th and 16th centuries. Therefore, before the black freedmen (freed slaves) from the New World arrived in Liberia, initially between 1820 and 1865, the indigenous Africans had already established their settlements. Furthermore, the Portuguese had arrived from Europe in the second half of the 15th century and had begun to trade with the Africans in both pepper and ivory, and later in slaves.

The American Colonization Society was founded in the United States of America in 1816 as a benevolent society. Among its objectives was assisting in the repatriation of former American slaves to the coast of West Africa. The first settlement was founded at Cape Mesurado which had been obtained by Eli Ayres and Robert Stockton from the rulers of the Mahnbahn and Dei.¹ It is said that "the territory the black settlers initially acquired from the indigenous Africans living there was purchased for six firearms, one keg of gunpowder, three pairs of shoes, a barrel of rum, a box of beads, and various other consumer items."² The first major armed conflict between the repatriates and the indigenous people took place just a year after the former had established a

¹D. E. Dunn and S. E. Holsoe, Historical Dictionary of Liberia (Metuchen, NJ: The Scarecrow Press, Inc., 1985), p. xiii.

²H. D. Nelson (Ed.), Liberia--A Country Study (Washington, D.C.: U.S. Government Printing Office, 1985), p. xxiii.

permanent settlement at Cape Mesurado. It resulted from the desire of the tribal peoples to resist any Americo-Liberian trade and the penetration of political influence into the interior during the early half of the 19th century. To avoid such conflicts, treaties were concluded between the settlers and the indigenous rulers. Thus, by treaties of friendship or purchase, by claims based on journeys of explorations or right of passage, and by conquest, the settlers claimed a vast area behind the original coastal strip. The first group of repatriates directly from America established a permanent settlement at Cape Mesurado in 1822. Owing to the success of the first settlers in Liberia, several state colonization societies were founded in the United States, which sponsored settlements of free blacks in Liberia. Thus, more colonists arrived and established separate colonies. The various settlements amalgamated in a commonwealth under a new constitution. The name chosen for the new republic, Liberia, declared that it was "a land of the free," and the motto inscribed on its official coat of arms proclaimed to all that "The love of liberty brought us here."³

Ironically the motto became meaningful to the minority settlers and their descendants alone, even though they formed only about 5 percent of the population of the newly independent state of Liberia in 1847. It is asserted that:

From the outset this increasingly elite group discriminated against the indigenous Africans, whose presence and freedom in the region dated from the 12th century. Referred to as "uncivilized" and "aborigines" who were content to live in a tribal setting in

³Ibid.

accordance with the "primitive" traditions of their ancestors, the indigenes were treated much in the same manner as were their counterparts in neighboring African territories colonized by the European powers. Thus a void was created between the two elements of Liberia's population from the very beginning. This gap was to become a hindrance to the emergence of a sense of nationalism and would remain a latent source of social unrest and, ultimately, conflict.⁴

The Americo-Liberians thus managed to effectively exclude the indigenous African majority whom they considered "uncivilized" and inferior⁵ from Liberia's political and economic life for 133 years.⁶ It is believed that the disuse of the term or classification Americo-Liberian in official documents and public discourse from the second half of the 1950s on reflected the disfavor into which it had fallen during the Tubman era,⁷ following his efforts at national unification which we shall discuss later on in the chapter.

Like the European powers which disregarded ethnic location and political affiliation when "dividing" the continent among themselves in 1885 in Berlin, in "categorizing the indigenous peoples, the Americo-Liberian overlooked or ignored cultural and linguistic differences on the one hand and existing political arrangements and indigenous loyalties and identities on the other hand."⁸

Sixteen major groups have traditionally constituted ethnic Liberia. They include

⁴Ibid., pp. xxiii-xxiv.

⁵Ibid., p. 3.

⁶Ibid., p. xxiv.

⁷Ibid., p. 88.

⁸Ibid.

the Bassa, Dahn (Gio), Dei, Gbandi, Gola, Glebo, Kissi, Kpelle, Krahn (Wee), Kru, Kuwaa (Belle), Loma, Ma (Mano), Manding (Mandingo), Mende, and Vai.⁹ Since the Americo-Liberians also live in Liberia, it is right to say that they make a seventeenth group.¹⁰ This group consisted of both returned freed slaves from the New World and recaptured Africans from the Congo river area.¹¹ All these 17 groups together constitute the 13 provinces of the republic.

It will become clear in later chapters that the crisis which developed in Liberia in December of 1989 leading to a full-fledged civil war initially followed ethnic lines. The forces loyal to the rebel leader, Charles Taylor, called the Black Scorpions, killed several civilians from the late President Doe's Krahn ethnic group. This was considered a deliberate attempt of Taylor's loyalists to massacre civilians from Doe's tribe. In a retaliatory move, soldiers loyal to the late president killed several civilians in Monrovia who were from rebel leader Charles Taylor's Nimba county. Most of them were from the Gio and Mano tribes. These killings (Taylor loyalists killing Krahns, late Doe's tribesmen and Doe's loyalists killing Taylor's Gio tribesmen) probably were part of the immediate causes of the civil war, as will become clear.

⁹D. E. Dunn and S. B. Tarr, Liberia: A National Polity in Transition (Metuchen, NJ: The Scarecrow Press, Inc., 1988), p. 29.

¹⁰Ibid.

¹¹Ibid.

The Decline and Termination of the Americo-Liberian Dynasty

From July 26, 1847, when all the independent colonies with the exception of Maryland amalgamated and issued the Liberian Declaration of Independence from the American Colonization Society, until the 1980 coup d'état, the Americo-Liberians totally monopolized both political and economic power in the country. Maryland-in-Liberia which originally opted to become an independent republic later became a county of Liberia in 1857.¹² Liberia clearly became a stratified nation. The state's wealth was mostly concentrated in the "upper crust of repatriate society . . . which hardly exceeded 1 percent of the population."¹³ On the other hand, with the exception of the small "civilized" or "civilizing" middlers and a developing rural bourgeoisie, the rest of the population was very poor.¹⁴ This group included the indigenous mass of rural areas, an ethnically mixed urban poor and underclass repatriates.¹⁵ Therefore, only a very small portion of the population actually mattered in the so-called "black republic" Liberians claimed as their own. The way they treated the indigenous Africans,

¹²D. E. Dunn and S. E. Holsoe, Historical Dictionary of Liberia (Metuchen, NJ: The Scarecrow Press, Inc., 1985), p. xiv.

¹³D. E. Dunn and S. B. Tarr, Liberia: A National Polity in Transition (Metuchen, NJ: The Scarecrow Press, Inc., 1988), p. 39.

¹⁴Ibid.

¹⁵Ibid.

"the Americo-Liberians were, at least until the 1940s, uncomfortably similar to white minorities that dominated colonial territories elsewhere in Africa."¹⁶

However, even within the Americo-Liberian community it was clear that political power was very much concentrated in a small number of prominent families which led factions and formed alliances within the True Whig party.¹⁷ According to Nelson, "a political career could be enhanced by a wise marriage. On the other hand, established politicians took promising young men in 'wardship', preparing their way for advancement."¹⁸ A very unorthodox situation arose in the True Whig Party. It is said that government jobs and appointments were owed to a party connection. Therefore, a portion of the salary of each civil servant and political officeholder was diverted to the party. Corruption was common and "personal wealth was the byproduct of involvement in politics rather than entrepreneurship."¹⁹

Furthermore, the foreign business firms which were awarded government contracts were also expected to contribute some money to the party funds. Not only that, but they were also requested to employ politically well-connected Liberians. The public, including highly educated individuals, the unemployed indigenes, and the underclass repatriates very much resented these actions of

¹⁶H. D. Nelson (Ed.), Liberia--A Country Study (Washington, D.C.: U.S. Government Printing Office, 1985, p. 25.

¹⁷Ibid., p. 32.

¹⁸Ibid.

¹⁹Ibid.

the True Whig Party, more so when there was open unemployment in the urban centers, especially in Monrovia. All these factors contributed to the decline of the party during the post-World War II era. Meanwhile there was no conscious efforts on the part of the Americo-Liberian leadership to establish effective control over the hinterland of Liberia until the 1900s, as a result of lack of manpower and possibly due to an acute shortage of funds. Liberia was a poor nation. Until the post World War II era, its economy was a near-disaster.²⁰ One of the reasons usually given for this situation was the government's inability to work out modalities for receiving all the money to which it was rightly entitled, even as early as 1864.²¹ The True Whig Party came to power in 1870, lost it and then regained it in 1877. Though the party was initially formed to combat social discrimination by mulattos and economic policies that seemed to be to the detriment of non-mulattos,²² the discrimination against the indigenous Africans continued. A "movement to upgrade the status of native Africans provoked a constitutional crisis in 1900, when President William David Coleman resigned near the end of his term after the legislature rejected his plan for extending citizenship to the peoples on the Saint Paul River."²³ The President

²⁰G.E.S. Boley, Liberia: The Rise and Fall of the First Republic (New York, NY: St. Martin's Press, 1983), p. 32.

²¹Ibid.

²²D. E. Dunn and S. B. Tarr, Liberia: A National Polity in Transition (Metuchen, NJ: The Scarecrow Press, Inc., 1988), p. 48.

²³H. D. Nelson (Ed.), Liberia: A Country Study (Washington, D.C.: U.S. Government Printing Office, 1985), p. 35.

thought this was necessary if the government was to have the natives recognize its authority in that area. The "Americo-Liberians were intransigent on the subject of admitting native Africans to greater participation in Liberian political life, fearing that they would be overwhelmed by their numbers and that the character of the country would be changed."²⁴ Like the imperial British in neighboring Sierra Leone, Gold Coast (Ghana) and Nigeria, the Americo-Liberians under President Arthur Barclay adopted a policy of Indirect rule of the hinterland in 1907. However, indirect rule became an instrument used to deprive the indigenous Africans of full citizenship in the land of their birth. These indigenous people were regarded as corporate members of their respective groups rather than as individual citizens of Liberia.²⁵ The treatment of the native Africans by the Americo-Liberians caught the attention of the world, particularly after the "sale of labor" was revealed in 1905. This practice became a very lucrative business for the Americo-Liberians, at times including government officials, who were engaged in it. According to Nelson:

[i]n 1905 Liberia agreed to supply workers on contract and German ships were chartered to carry them to Fernando Po. The agreement was formalized in a treaty between Liberia and Spain signed in 1914. Under its terms, Liberian contractors were paid a fee for each worker sent to Fernando Po, and wages accumulated over the two-year period of the worker's contract were deposited in gold in Monrovia to be paid in local currency when he returned to Liberia.²⁶

²⁴Ibid.

²⁵Ibid., p. 37.

²⁶Ibid., p. 43.

The League of Nations, had to intervene before this practice ceased. This development probably contributed to the decline of the True Whig Party. In the 1930s new political parties began to emerge. The Unity Whig Party appeared in 1935, various elements assumed the name People's Party in the 1930s and 1940s, the United People's Party appeared in 1950, the Reformation Party in 1951 and the Independent True Whig Party in 1955.²⁷ Thus, the relative stability, which had characterized Liberia's internal politics under the True Whig Party, for more than a century after it was returned to power in 1878, began to be shaken. Its monopoly was eroding. It should be noted that some of the new parties contained both Americo-Liberians and indigenous Africans. Some of them were sensitive to popular feeling among indigenous Africans and were willing to let them participate fully in the political life of the country. Such developments probably motivated Tubman to adopt the "unification of the country" by integrating the Americo-Liberian and tribal groups, as one of the planks in his platform, which will be discussed in the next section of this chapter.

The Last Two True Whig Party Oligarchy Administrations and the Minor Political Reforms

By the early 1940s the True Whig Party leadership was troubled by strong resentment among the indigenous Africans concerning their exclusion from the

²⁷D. E. Dunn and S. B. Tarr, Liberia: A National Polity in Transition (Metuchen, NJ: The Scarecrow Press, Inc., 1988), p. 54.

political and economic life of Liberia. Therefore, "in an apparent attempt to restore national unity, the incumbent President, Barclay, decided to bring into the national political arena a relatively unknown politician, William V. S. Tubman, from the "leeward" (i.e., eastern coastal) county of Maryland."²⁸ Thus, for the first time since the True Whig Party came to power in 1878, an "outsider" or a "non-Monrovia-based" leader, who did not have so-called "requisite family connections necessary at that time for a successful career in politics,"²⁹ was nominated and elected President. The presidencies of Tubman and his successor, Tolbert, were in many ways transitional. However, each sustained the True Whig Party tradition of government by a privileged core, but it was tempered by a periphery admitted with circumspection.³⁰

Barclay played a very significant role in ensuring that Tubman became the True Whig Party's nominee for president. It is argued that he supported Tubman's candidacy over that of C. L. Simpson's, whose credentials for the Presidency were unmatched by any candidate under consideration not only to promote unity but also for other obvious reasons. It is said that Barclay "felt his chances of continuing to wield influence and exercise control would be greater in a government headed by the 'little known' and 'non-Monrovia-based'

²⁸G.E.S. Boley, Liberia: The Rise and Fall of the First Republic (New York, NY: St. Martin's Press, 1983), p. 61.

²⁹Ibid.

³⁰D. E. Dunn and S. B. Tarr, Liberia: A National Polity in Transition (Metuchen, NJ: The Scarecrow Press, Inc., 1988), p. 57.

Tubman."³¹ On the other hand, he was of the opinion that Simpson who came from a well connected family was not likely to succumb to any sort of manipulation.³² Simpson ended up becoming Tubman's Vice-presidential candidate. The May 4, 1943, election was often described as unfair and brazenly corrupt.³³ William V. S. Tubman became the president of Liberia on January 3, 1944.

Tubman's Administration 1944-71

William Vacanarat Shadrach Tubman was the 19th president (1944-71), the first from outside the Montserrado county (Monrovia area). His inaugural address clearly reflected what he considered to be the main problems facing him. He announced that the spirit of his administration would be one of "No Reprisals; No Pay-Backs; No Get-Even With" and urged that Liberians should "let the dead past bury the dead."³⁴ President Tubman was said to have further declared that "We shall engage in and strive at the assimilation and

³¹G.E.S. Boley, Liberia: The Rise and Fall of the First Republic (New York, NY: St. Martin's Press, 1983), p. 62.

³²Ibid., pp. 62-63.

³³Ibid., p. 63; R. L. Buell, Liberia: A Century of Survival 1847-1947 (Philadelphia: University of Pennsylvania Press, 1947), p. 9.

³⁴E. R. Townsend (Ed.), "First Inaugural Address" in President Tubman of Liberia Speaks (London: Consolidated Publications Co., 1959), p. 16; M. Lowenkopf, Politics in Liberia (Stanford, CA: Hoover Institution Press, Stanford University, 1976), p. 43; J. S. Guannu (Ed.), The Inaugural Addresses of the Presidents of Liberia: From Joseph Jenkins Roberts to William Richard Tolbert, Jr., 1848 to 1976 (New York, NY: Exposition Press, 1980), p. 306; G. E. S. Boley, Liberia: The Rise and Fall of the First Republic (New York, NY: St. Martin's Press, 1983), p. 63.

unification of our various population composing the body politic. Liberia must be a place for all Liberians to live alike--all to stand equally privileged, responsible and protected by like administration of the law."³⁵

His new program was aimed at closing the social and political gaps that existed between the Americo-Liberian elite and the rest of the country. Tubman further made proposals which were aimed at developing Liberia socially and economically into a modern state. Thus, "The 'Open Door Policy' recommended in 1930 by the International Commission of Inquiry was seriously pursued by Tubman in the mid-1950s."³⁶ This meant that the Liberian economy was to be stimulated by foreign investment in both mining and plantation agriculture. It is widely argued that the twin pillars of Tubman's program were The Unification Policy, directed towards social and political integration of all Liberians, and his Open Door Policy, designed to attract foreign capital to Liberia.³⁷

President Tubman "for the first time in the history of Liberia installed representatives "of aboriginal Liberians in the Legislature of the country."³⁸ This was a very significant gain for the indigenous population who, for no less

³⁵Guannu (Ed.), p. 311; Boley (1983), p. 64.

³⁶Boley (1983), p. 64.

³⁷H. D. Nelson (Ed.), Liberia--A Country Study (Washington, D.C.: U.S. Government Printing Office, 1985), p. 47.

³⁸Quoted in Stephen S. Hlope, Class, Ethnicity and Politics in Liberia: A Class Analysis of Power Struggles in the Tubman and Tolbert Administrations from 1944-1975 (Washington, D.C.: University Press of America, Inc., 1979), p. 210; Boley (1983), p. 64.

than a century, had been taxed to support the government in which they were never represented.³⁹ Also the President directed that the outlying provinces be formed into counties. This move entitled the inhabitants to the rights and privileges hitherto reserved for the citizens of the original five coastal counties.

Not only was President Tubman concerned about the neglect of the indigenous population, he was also worried about the exclusion of the female citizens from political life. Therefore, during the early years of his presidency, female citizens 21 years of age and over were granted suffrage.⁴⁰

These reforms made the old guard, which dominated party councils unhappy. They had wanted to resist the new forces of nationalism that were brewing in Africa by isolating the tribal population from change and allowing as little new foreign influence as possible, including economic development that might upset the established order.⁴¹ The president, however, was said to have argued that reform was the best means of preserving the status of the Americo-Liberians. Ironically, he had opted for political reform not for its own sake but rather "to prevent radical movements from emerging among young Americo-Liberians, as well as among tribal Africans,"⁴² by redressing "some of

³⁹Ibid.

⁴⁰Ibid.

⁴¹Nelson (1985), p. 48.

⁴²Ibid.

the more obvious grievances before they became serious issues threatening the country's stability."⁴³

National unification. National unification which was widely associated with Tubman had been a concern of previous administrations even prior to the country's independence but none had pursued it vigorously as Tubman did. He wanted to break down the barriers between the Americo-Liberian community and tribal Africans by opening the way for the latter to participate in the public life of the country.⁴⁴ Explaining his policy, Tubman said, "Unification, as I perceived it, is the practical application of thinking and living on a national rather than a parochial, benighted basis."⁴⁵ It should, however, be noted that suffrage was not extended to every tribal African of the appropriate age but only to those who were property holders and those who paid the "hut" tax. Because he extended the vote to more indigenous Africans in the hinterland than ever before, his accession to power "is popularly supposed to have marked a turning point in Liberian history. . . ."⁴⁶ Furthermore, Tubman, more than any of his predecessors, appointed tribal Africans to both political and civil service positions.

In summary, Tubman is said to have:

⁴³Ibid.

⁴⁴Ibid., pp. 48-49.

⁴⁵Ibid., p. 49.

⁴⁶A. A. Mazrui and M. Tidy, Nationalism and New States in Africa (London: Great Britain: Heinemann Educational Books, Ltd., 1984), p. 29.

veritably blazed the trail in such vital areas as inaugurating universal adult suffrage in 1946 (even if there remained the property qualification), more extensively employed ethnic arithmetic in the authoritative allocation of political values and rewards, and rearranged in 1964 the political subdivisions of the country in a way that brought the old hinterland areas on par with the coastal counties.⁴⁷

Those who were co-opted into the mainstream Liberian political system were "used to advertise the advantages of assimilation through unification."⁴⁸ In a further attempt to end social, political and economic discrimination against the indigenous population, terms like "Americans," "colonists," "settlers," "Americo-Liberians," "citizens," and "civilized" elements on the one hand; and "natives," "savages," "heathens," "aborigines," "country people," "uncivilized element," and "indigenous Liberians" on the other, which were used for the repatriates and the tribal Africans, respectively, were officially abolished.⁴⁹

Despite all these reforms, the political power in the country still remained in the hands of the small coastal Americo-Liberian elite. We, therefore, tend to agree with the authorities who argue that "what Tubman was attempting to do was to blur the distinction between tribal Africans and Americo-Liberians without altering the rules that would permit the latter to maintain their dominant role."⁵⁰ In an effort to acquire more money to carry out his unification program, Tubman

⁴⁷Ibid.

⁴⁸Nelson, p. 50.

⁴⁹Dunn and Holse, pp. 178-79.

⁵⁰Nelson, p. 50.

instituted an "Open Door" economic policy which he hoped would attract foreign investors to Liberia. To this topic we turn next.

Open Door Policy. Historically, the Open Door Policy is said to date back to 1871, when Liberia searched for its first foreign loan following a decline in commercial trading houses and plantation agriculture. It is further asserted that "the Firestone loan of 1926 marked a significant development in the evolution of the policy for it effectively ended the traditional hesitations born of suspicion to welcome foreign investment."⁵¹ The policy is, however, very widely associated with the Tubman administration since he pursued it vigorously and achieved tremendous success. President Tubman thought his unification program might not be meaningful without appropriate economic development which would benefit all Liberians. Since Liberia did not have any capital reserves, Tubman felt the best way he could develop the interior was to attract foreign investors. In his inaugural address in 1944, Tubman stated, "We shall encourage the investment of foreign capital in the development of the resources of the country, preferably on a partnership basis, and we shall accord to investors the necessary protection and fairness of treatment."⁵² The President pursued this program with vigor because he was eager to attract foreign capital from many sources which could in turn help to diversify the economy. He rightly anticipated that the new policy would also open the untapped interior of the

⁵¹Dunn and Holse, pp. 134-35.

⁵²Quoted in Ibid., p. 135.

country to foreign investment. Tubman hoped that such investment would lead to the construction of roads, railways, and port facilities to serve the mining and lumbering areas. Tubman's Open Door Policy program succeeded. By the early 1960s as many as 25 major foreign firms had been registered and were investing and operating in Liberia, whereas when his administration took office only one (Firestone Plantations Company) was in operation.⁵³

The President is said to have "prophesied" that investment from abroad would strike the rock of our natural resources so that abundant revenue may gush forth."⁵⁴ The foreign investments which were both diversified and located at various places in the country had a tremendous impact on the hinterland. According to Lowenkopf:

In 1945, Liberia had no paved or hard-surfaced roads and only 206 miles of "unimproved" roads, mostly in poor condition. By 1962, paved and surfaced roads totaled nearly 800 miles; and by 1969 there were 1,200 miles of hard-surfaced roads, bringing the total road mileage to nearly 3,000. Foreign concessions had constructed some 300 miles of these all-weather roads, many sections of which were open to public traffic, such as Firestone's paved roads which give access to Robertsfield International Airport. All the iron mines have constructed rail lines to the coast which are sometimes used to carry passengers and goods other than for the mines.⁵⁵

⁵³Ibid.; Nelson, pp. 51-52.

⁵⁴Nelson, p. 52.

⁵⁵M. Lowenkopf, Politics in Liberia (Stanford, CA: Institution Press, Stanford University, 1973), p. 75.

Apart from the road and railroad constructions, the investors also committed themselves to the provision of schools, health facilities and housing for their numerous employees and their families.⁵⁶ Thus, besides the revenue generated by the Tubman administration, the concessionaires also supported and contributed a lot to the administration's social programs, especially, universal primary education. More importantly, the many foreign concessions brought employment opportunities to both the repatriates and tribal Africans. Thus, many native Africans in the interior now earned considerable income. Foreign investment was seen as a means by which higher incomes and improved social services could be made available without imposing austerities and heavy taxes on the small elite ruling class.⁵⁷ As long as the president was able to preserve the standard of living of the Americo-Liberians, the latter supported the reforms being carried out in the hinterland. On the whole, the Liberian leadership maintained a political system which served the interests of their class, even though the inferior political status⁵⁸ of the hinterland was supposedly ended in 1964.

In addition to the successes of the Open Door Policy in bringing private firms to Liberia, the government also received a boost from the United States government for its economic development program. The United States economic mission to Liberia helped with the construction of roads, health

⁵⁶Nelson, p. 52.

⁵⁷Ibid., p. 51.

⁵⁸Ibid., p. 60.

facilities, schools, communications infrastructure and municipal buildings.⁵⁹

Thus, both foreign government aids and private firms contributed significantly in the promotion of economic development in Liberia and helped the Tubman administration achieve new economic prosperity.

Probably the successes in implementing both his National Unification and Open Door policies coupled with his leadership skills extended Tubman's era to more than a quarter of a century. He died in 1971 while serving his seventh term in office. Because of the increased economic prosperity of Liberia in the 1950s and the early 1960s, there was rapid development in the interior. Numerous primary schools and health centers were established in the villages. Roads and bridges were built where none had existed before.⁶⁰ During the 1960s, travel between Monrovia, the capital, and the interior was no longer the ordeal that it used to be.⁶¹ Furthermore, commerce and intercommunication had become easier, and as a result the President's goal of unifying the settlers or the Westernized elite on the coast and the tribal population of the interior into one Liberian nation had become a reality by the end of his era.⁶² Tubman's presidency can be regarded as falling into three periods. According to Lowenkopf:

⁵⁹Ibid., p. 53.

⁶⁰J. H. Price, Political Institutions of West Africa (London, Great Britain: Hutchinson and Co. (Publishers), Ltd., London W1), p. 99.

⁶¹Ibid.

⁶²Ibid.

The first was a period of consolidation, from 1944 to 1955, during which time Tubman successfully supplanted certain elements of the old elite with people personally and politically loyal to himself, and centralized power in central government institutions against local foci of power and loyalties. The second, from 1956 to 1966, was a period of modernization of the economy and social institutions. Thanks to foreign investment, the economy developed astronomically, mobilizing great numbers of Liberians for work on plantations, at mines and in the cities; this, in turn, produced the need for a more modern institutional framework for the participation of tribal Liberians in economic and political institutions and in the government. The third period from roughly 1966 to Tubman's death in 1971 was characterized by retrenchment: the "old man," faced by an economic recession, fiscal stringency, and old and new opponents, appeared to wish to slow down political development.⁶³

Tubman's long reign and the fact that at times, he faced re-election unopposed does not mean that there was no opposition to his regime. We turn to this matter and the end of his era in the next section.

Opposition and the end of Tubman's era. Opposition to Tubman's administration came from both the Westernized and tribal populations. In the early years of his administration, some of the Westernized elites became concerned about how much foreign investment was appropriate, as well as how far to pursue his African assimilation program. In 1955 former president, Edwin Barclay, who had helped the "little" known Tubman win the True Whig Party's presidential nomination in 1942, ran against the incumbent. Barclay ran as the candidate of the Independent True Whig Party which "charged that the Tubman

⁶³Lowenkopf, p. 46; Dunn and Tarr, p. 61.

administration had seen 'the structure of public morality, financial integrity, and social welfare--being ruthlessly torn down.'"⁶⁴

Tubman did not tolerate any expressions of the new African "nationalism that sought to incorporate pan-Africanist sentiment with tribal consciousness in Liberia."⁶⁵ Still some tribal Africans like the people of Sasstown resisted government authority."⁶⁶ Some university students became both antigovernment and antiforeign agitators. Furthermore, discontent is said to have surfaced in Liberia's armed forces where a majority of the soldiers were from tribal backgrounds. For instance, it has been reported that there were a series of plots to kill the president and overthrow the government between 1963 and 1970. Of more importance to our study is the ethnic background of the implicated officers. Records show that "all of those involved in the attempts against Tubman's life were of tribal background, but their actions were interpreted as representing a discontent among small cliques of officers rather than an indication of their affiliation with a large ethnic or political movement."⁶⁷ On one occasion President Tubman disclosed that a 1963 coup d'etat attempt by the Acting Commander of the Liberian National Guard, Colonel Y. D. Thompson, along with several indigenous tribe members of the Grebo, Vai, and Kru, was linked to an alleged plot of the previous year involving students from

⁶⁴Dunn and Tarr, p. 63.

⁶⁵Ibid., p. 62.

⁶⁶Nelson, p. 56.

⁶⁷Ibid.

several colleges.⁶⁸ Furthermore, in 1966, following widespread labor strikes, the President announced the near occurrence of yet another coup.⁶⁹ Again, in 1968, the administration is reported to have arrested and tried a former Ambassador, Mr. Edwin Fahnbullah, for treason on the grounds that he had attempted to mount a tribal movement aimed at overthrowing Americo-Liberian rule, thus providing a lesson in the futility of conspiratorial politics based on imagined tribal solidarity.⁷⁰ The fear of tribal discontent later proved to be well-founded when Tubman's successor was overthrown in a coup d'etat in 1980. Furthermore, the ethnic factor has persisted and has obviously played an important role in the current civil war which has resulted in ECOWAS intervention.

The final phase of Tubman's administration saw a slowdown in political and economic developments. It is asserted that Tubman's era started to fade during the late 1960s. Some observers contend that the period from 1966 until his death in 1971 was characterized by economic stagnation and political retrenchment.⁷¹ At this point Tubman was reported to have faced severe difficulties resulting from "economic recession, fiscal stringency and an increasingly assertive opposition."⁷² It should be noted that the opposition to

⁶⁸Lowenkopf, p. 163.

⁶⁹Ibid.

⁷⁰Ibid., p. 164.

⁷¹Dunn and Tarr, p. 65.

⁷²Dunn and Holsoe, p. 176.

the regime at this period "consisted not only of the aborigines, dissatisfied with the slow progress grudgingly allowed them, but also largely . . . of . . . the youth, the future leaders of Liberia, disillusioned and embittered by the cynicism and hypocrisy evidenced by public officials in connection with the trial of Ambassador Fahnbulleh."⁷³ Shortly after winning his seventh presidential election, Tubman went to a London hospital for treatment. The longest-serving Liberian president, the man who had been called the "Maker of Modern Liberia,"⁷⁴ died abruptly in London on July 23, 1971. The Vice-President, Tolbert, was immediately sworn in as provisional President. He announced that he would follow his predecessor's policies during the six months of his provisional presidency.⁷⁵ It was the view of many that even though the transition was superficially smooth, "it was not without its undercurrents of political maneuverings which continued well into the Tolbert presidency."⁷⁶

Tolbert's Administration 1971-1980

The constitution provided that Tolbert should complete the unexpired period of Tubman's tenure.⁷⁷ However, before his six month interim term as provisional president was over, Tolbert had managed to get the Congress to

⁷³Boley, p. 79.

⁷⁴Nelson, p. 61.

⁷⁵Price, p. 100.

⁷⁶Dunn and Holsoe, p. 176.

⁷⁷Price, p. 206; Nelson, p. 61; Dunn and Holsoe, p. xvii.

pass a constitutional amendment which made him the country's president for a full four-year term in his own right. On his accession to the presidency, Tolbert announced that Liberian society was "unwholesome."⁷⁸ Therefore, his administration first and foremost concerned itself with creating a "wholesome functioning society."⁷⁹ Describing this concept, "wholesome functioning society," Tolbert stated that he wanted to create "a society which shall require the total dynamic and individual involvement of every Liberian, and of all within our borders for an ever-spiraling advancement of productivity and achievement."⁸⁰ He further declared in his acceptance speech that "his domestic policy would seek to broaden the base of popular participation in the government in an effort to overcome the historic cleavages in the national society."⁸¹

However, the monopoly of both political and economic powers that had been enjoyed by the Americo-Liberian elite since 1847 remained intact. Despite previous attempts at liberalization of the Liberian society, the fact remained that the upper levels of both the government and the economy were still controlled by about a dozen interrelated Americo-Liberian families.⁸² Still by the end of 1972, Tolbert's new cabinet reflected Liberian geography better than any

⁷⁸Boley, p. 80.

⁷⁹Ibid.

⁸⁰Ibid.; Guannu, pp. 395-96.

⁸¹Dunn and Holsoe, pp. 169-70.

⁸²Nelson, p. 62.

previous one. His first full cabinet was described as having "its roots in 'the various segments of society,' reducing by a little Montserrado's historical dominance of key government positions."⁸³ Furthermore, Tolbert encouraged all appointed public officials to show concern for the poor and underprivileged. He indicated that he wanted to guarantee opportunities for all.⁸⁴

Tolbert reorganized and pared down the Civil Service, thereby eliminating unnecessary waste of funds. He also declared war on corruption but met with little success in that area. Available evidence showed that:

. . . the Tolbert administration failed to bring corruption under control. High officials committed fraud in the letting of government contracts, involved themselves in questionable real estate acquisition, charged personal expenses to government accounts, used government property for private use, evaded taxes and customs fees, and engaged in other illegal practices.⁸⁵

Furthermore, charges of nepotism emerged. Several members of the president's extended family as well as long-time family friends held posts in the cabinet or in the civil or foreign services. Furthermore, other relatives and friends also held party positions or directorships in foreign companies because of political influence and favoritism.⁸⁶ Probably nepotism and favoritism contributed to the fact that the president's leadership in the True Whig Party,

⁸³Lowenkopf, p. 179.

⁸⁴Boley, pp. 80-81.

⁸⁵Nelson, p. 62.

⁸⁶Ibid.

was never as secured as his predecessor's, despite the fact that Tolbert was from the Montserrado county. Not only was the president's leadership of his party not very secured, but also his popularity among the tribal Africans was not very solid.

Tolbert faces opposition: self-help groups formed. Political opposition to the Tolbert administration became diverse, vocal and well organized a few years after he took office. The first plot to overthrow his administration came from within the government. It was reported on March 28, 1973, that the Assistant Minister of Defense for Coast Guard Affairs, Prince Brown, had been arrested together with two lieutenant-colonels for plotting to overthrow the government. Despite their denials at a treason trial, the three were sentenced and hanged on June 29 of the same year.⁸⁷ Notwithstanding such punishment, there was still strong open opposition to the Tolbert regime from student associations and other voluntary organizations. By the close of the 1970s two influential self-help groups, the Movement for Justice in Africa (MOJA) and the Progressive Alliance of Liberians (PAL) led by Togba Na Tipoteh and Gabriel Baccus Matthews, respectively, had emerged.⁸⁸ They organized public demonstrations against the regime.

The PAL and the April rice riot. In April, 1979, a proposed rise in the price of rice designed to help farmers and boost rice production resulted in a

⁸⁷Price, pp. 206-07; Nelson, p. 63; Lowenkopf, p. 183.

⁸⁸Mazrui and Tidy, p. 256; Nelson, p. 65.

protest march in Monrovia. A peaceful demonstration had been planned, but it turned sour. About 2,000 MOJA members on April 14 marched to the Executive Mansion, the seat of administration. Tens of thousands of unemployed people and others referred to as "backstreet boys," joined the demonstration and "quickly transformed the orderly procession into an orgy of destruction."⁸⁹ Thus,

widespread looting of retail stores and rice warehouses occurred during the so-called Rice Riots, and damage to private property was estimated to have exceeded \$40 million. Troops were called in to reinforce hard-pressed police units in the capital. In 12 hours of violence in the city's streets, at least 40 demonstrators and rioters were killed by ill-trained policemen, and more than 500 were injured. Hundreds more were arrested, and police were ordered to storm PAL headquarters.⁹⁰

The PAL leadership was held responsible for the destruction done. Even though the Minister of Agriculture, Ms. Chenoweth, admitted publicly that she had erred in proposing the price rise which led to her replacement, several PAL leaders and other political dissidents were rounded up. Furthermore, a university in Monrovia, supposedly a base for student opposition to the government, was closed.

An amnesty was, however, granted in June 1979 on the eve of an OAU summit which was held in Monrovia. All the remaining people who were still held in connection with the April rioting were released and the university was

⁸⁹Ibid., pp. 256-57; Ibid., p. 66.

⁹⁰Nelson, p. 66.

reopened.⁹¹ These acts did not, however, end the opposition the Tolbert regime faced. The president, at this point, had become "increasingly ultrasensitive to personal criticism."⁹² It was reported that his efforts at reforms were also being impeded by his own party members, especially the traditionalists. As a result of this opposition from the Old Guard Whig leadership within the party, only a few meaningful changes took place. Most of the ruling elite remained indifferent to the plight of the ordinary people. The president was encouraged by the leaders of the Masonic Order, the repository of community ideals and the symbol of Americo-Liberian solidarity,⁹³ to deal harshly and convincingly with dissidents.⁹⁴ This further limited the reform process. Since the reforms which had been made by both Tolbert and his predecessor did not go far enough to meet the aspirations of the native Africans, the latter's support for Doe's coup d'etat was massive.

The political atmosphere in Liberia never became the same again after the Rice Riots. In the "Year of Ferment between the Rice Riots and the April 12 Coup, PAL leaders and the Tolbert regime engaged in a bizarre sort of chess game."⁹⁵ The regime tightened its grip trying to stifle any potential sources of

⁹¹Ibid., p. 67.

⁹²J. Gus Liebenow, Liberia: The Quest for Democracy (Bloomington, IN: Indiana University Press, 1987), p. 173.

⁹³Nelson, pp. 22-23.

⁹⁴Liebenow, p. 173.

⁹⁵Ibid., p. 174.

unrest. Several repressive political decisions were made. "A new ministry responsible for internal security was set up, operating under extraordinary powers granted by the Sedition Law."⁹⁶ In addition, Labor legislation was enacted in October of 1979 which provided that anyone guilty of illegal stoppage of work was liable to both prosecution and loss of employment.⁹⁷

MOJA operations. Apart from the PAL, the MOJA was also castigated by Tolbert for its so-called "unhealthy agitation."⁹⁸ It seems that MOJA was very much concerned with changing Liberian society as a whole. MOJA tried to stay out of provocative challenges to the Tolbert administration. MOJA's goals included seeking "a more dramatic restructuring of Liberian society and a more significant redefinition of national culture than was true of PAL. Its program included nationalization of major economic enterprises, confiscation of the illegal land holdings of the Whig oligarchy, and punishment of corruption."⁹⁹

Another political development which made the Tolbert administration uncomfortable was the mayoral election in Monrovia, in which Dr. Amos Sawyer, a MOJA member, ran as an Independent candidate against the True Whig candidate. This was the first opposition to the True Whig Party in twenty years. Amos Sawyer became so popular with the electorate that the election

⁹⁶Nelson, p. 67.

⁹⁷Ibid.

⁹⁸Liebenow, p. 176.

⁹⁹Ibid.

had to be rescheduled to June 1980 in order to cool down tempers. The government had mentioned property qualification for voters. Tolbert was able to persuade the legislature to approve a constitutional amendment abolishing the property clause.¹⁰⁰ Even though MOJA remained a self-help group until the 1980 coup, its counter-part, the PAL transformed itself into a party.

Self-help group transforms itself into a political party. The Progressive Alliance of Liberians (PAL) which had hitherto been operating like MOJA as a voluntary self-help organization sought to transform itself by registering as a legal political party. Its objective was to end the de facto one-party system. It is argued that the PAL was committed to destabilize the Tolbert regime.¹⁰¹ All attempts were made by The True Whig Party administration "to block PAL's efforts to meet the legal requirements for registration."¹⁰² It was only after PAL had threatened to demonstrate in the streets that its registration as the Progressive People's Party (PPP) was accepted in January, 1980 by the President. The leadership of the newly formed party then precipitated a further crisis.

There is speculation as to whether the PPP's action was a calculated effort to hasten the pace of political change or whether it was a spur of the moment decision of Matthews to placate his own followers who were hungry for concrete, immediate results to sustain their enthusiasm for PPP. In any event, during the course

¹⁰⁰Nelson, p. 67.

¹⁰¹Dunn and Tarr, p. 80.

¹⁰²Liebenow, p. 175.

of a late evening rally on 7 March 1980, Matthews urged the assembled to march on the Executive Mansion for an audience with Tolbert. The latter happened to be up-country at the time. Failing to have an instant audience, Matthews then called upon the country to observe a general strike the next day to force Tolbert's resignation from the presidency instead of having to wait until 1983.¹⁰³

This call for a general strike failed to receive support from the other known self-help group, the Movement for Justice in Africa (MOJA). As a matter of fact it is said that MOJA distanced itself from this general strike call. Its leader, Dr. Tipoteh, is quoted as having "characterized it as 'at best infantile and rather ridiculous,' even though some army personnel were reportedly sympathetic."¹⁰⁴ At this point the PPP leaders, including both Matthews and Chea Cheapoo, were arrested and detained under the Sedition Law. Tolbert banned the PPP. Apart from the two leaders, thirty-six other dissidents were also arrested to be trialed on charges of treason and sedition. A trial date was set for April 14, the first anniversary of the Rice Riots in Monrovia.¹⁰⁵ However, the PPP dissidents and other political prisoners were released from jail when "a successful coup plot led to the April 12, 1980, assassination of the president, the overthrow of his nine-year-old government, and thus the ending

¹⁰³Ibid.

¹⁰⁴Nelson, p. 68.

¹⁰⁵Ibid.; Liebenow, pp. 175-76.

of 103 years of . . . True Whig Party rule and 133 years of Liberia's first republic."¹⁰⁶

The Colonial Revolution of 1980

The year between the Rice Riot and the "Colonial Revolution" was a time of great uncertainty for the True Whig Party government. There is no doubt that Tolbert followed his predecessor's two major policies of unification and promotion of foreign economic investments. However, unlike Tubman, he met with very serious resistance from the hard-liners, especially to abolishing the "property clause" (for voting purposes) and to allowing open opposition. Some members of the tribal groups had now become literate, many were in the army, and all had higher expectations. They realized that the president had made few meaningful changes. Only limited economic progress had taken place. It was also seen that the elite remained indifferent to the plight of the ordinary people, as well as allegations of government's corruption and maladministration. The enlisted men in the Armed Forces of Liberia, most of whom were tribal Africans realized that there was no justice in the country. It was no surprise, therefore, when on April 12, 1980, some seventeen non-commissioned officers led by a Master Sergeant Samuel Kanyon Doe, staged a successful coup d'etat. The coup leaders entered the Executive Mansion where they killed Tolbert and over two dozen other occupants, most of whom were Tolbert's security personnel. A military government, People's Redemption Council (PRC), was immediately

¹⁰⁶Quoted in D. E. Dunn and S. B. Tarr, p. 82.

set up with Doe as chairman. Among the initial actions taken was the release of political prisoners some of whom were appointed to cabinet positions.

In his first Policy Statement on April 14, the new Head of State, Sergeant Doe, reiterated that the coup was "'most necessary,' because of 'uncontrolled corruption'; failure of the deposed government to be meaningfully responsive to the problems of the Liberian masses; as well as its disregard of 'the civil, human and constitutional rights of the Liberian people.'"¹⁰⁷ In the words of Ali Mazrui and Tidy:

Among the first actions of the People's Redemption Council were the confiscation of the property and bank assets of True Whig leaders, the release of hundreds of political and other prisoners and their replacement by many members of the Tolbert administration, the raising of the minimum level of wages to \$200 per month, imposition of a general price freeze, cuts in rents, abolition of the rural "hut" tax and doubling of pay for army privates. Thus the Liberian coup was a reform coup, and a revolution at the same time.¹⁰⁸

The coup enjoyed considerable initial popularity among the masses, especially in Monrovia, the capital. What then were the main causes which led to a civil conflict a few years later? This is the topic of the next chapter.

¹⁰⁷Ibid., p. 94.

¹⁰⁸Mazrui and Tidy, p. 257.

CHAPTER III

THE GENESIS AND MAIN CAUSES OF THE CIVIL CONFLICT

Introduction

This chapter attempts to examine the factors which led to the public discontent about Doe's regime after his short-lived "honeymoon" after the 1980 coup d'état. Attention will be focused on how the economic situation deteriorated, Doe's administrative inexperience and the methods he used to solidify his grip on power. We will also examine Doe's professed desire to return the country to civilian administration and the formation of his party which was accused of rigging and winning both presidential and legislative elections. Furthermore, we shall examine how political opposition intensified into civil conflict which later resulted in a civil war.

The Harsh Economic Realities a Few Years After the Coup

The Liberian economy had reached a severe crisis by the time of the 1980 coup. Doe and his compatriots promised the Liberian people that the People's Redemption Council (PRC) would restructure it. The seventeen young noncommissioned officers of the PRC who assumed the reigns of government desired to improve the economic lot of the masses, but they soon discovered that bringing economic recovery was not as simple as they had thought. In fact, their coup d'état probably "exacerbated problems associated with an

economic situation that had been deteriorating rapidly for a number of years."¹

The country faced:

. . . a stagnant domestic economy; a public sector foreign exchange crisis due to high and accelerating external financial obligations combined with reduced foreign exchange earnings and domestic revenue; near fiscal collapse due to large and persisting uncontrolled budget deficits (estimated at 25% of the budget in the 1985 fiscal year); illiquidity of the National Bank of Liberia (NBL) caused by government overdrafts; and lack of confidence in the ability of government to put its fiscal house in order.²

According to Nelson, "the public's enthusiasm for Tolbert's overthrow in 1980 began to wane as the military regime appeared unable even to manage--let alone restructure--the economy any better than had its predecessors."³ It was the opinion of several scholars of Liberian politics that the country needed a great deal of money in order to restructure its economy which had reached its lowest point during the early years of the military rule, especially in 1983, which was considered the lowest point in over two decades.⁴ Many Liberians realistically felt the problems of economic deterioration in the country were so great that only massive foreign aid could help to resuscitate the country. As soon as the military took power, one of the measures taken was to raise military salaries. Private soldiers were said to have been paid \$250.00 a month, which

¹H. D. Nelson (1985), p. xxix.

²Quoted in D. E. Dunn and S. B. Tarr (1988), p. 125.

³Ibid.

⁴Ibid., p. 141.

was more than three times their pre-coup d'état salary. Next, the minimum salary for government employees was fixed for \$200.00 a month. Furthermore, rents were subsidized for employees living in government housing.⁵ Doe's inefficiency as an administrator became evident in several spheres of Liberian social and political life. However, it is argued that "it was the economic instability that proved to be most critical, since it not only affected Liberian people on a day-to-day basis, but it undermined the confidence that the Doe regime had enjoyed earlier in the eyes of its overseas financial supporters and investors."⁶ Both external and internal factors contributed to this economic hardship. The rise in the price of petroleum products on the world market in both 1973 and 1979 had adverse effects on all Third World non-oil producing states. This world oil price hike, therefore, affected numerous countries including Liberia. There were, therefore, regular petroleum product shortages in the country. Since much of the country's scanty foreign exchange was being used to settle huge oil bills, there were usually shortages of rice (the country's staple food) and other basic commodities in the market.⁷

Apart from the shortages of basic essential commodities and petroleum products which adversely affected the lives of many Liberians, a large proportion of the work force was not paid their monthly salaries regularly. For a

⁵Ibid., p. 219.

⁶J. G. Liebenow, Liberia--The Quest for Democracy (Bloomington and Indianapolis: Indiana University Press, 1987), p. 306.

⁷Ibid., p. 306.

period of five and one-half months, Liberian teachers as well as many public servants never received their monthly salaries. Meanwhile, Doe made sure his "own personal Executive Mansion forces and the Krahn-dominated First Battalion, which had been a factor in putting down the Quiwonkpa coup"⁸ of November 12, 1985, were paid regularly. Doe's inability to pay teachers' salaries resulted in the latter's strike action which was said to precipitate a student demonstration of March 8, 1986.⁹ This demonstration resulted in a riot in Monrovia where many unemployed youths joined in the demonstration. The rioting was brought under control through a use of brute force.¹⁰ Brain drain was the order of the day since many young, educated professionals left Liberia for other African countries, the U.S., and Europe to seek "greener pasture" despite all efforts of the Immigration Department to deny travelers passports and exit visas.¹¹

Although by the close of the 1970s, there was a serious downturn in Liberia's economic situation, many experts argue that the military government compounded the problem immediately after the 1980 coup. It is argued that the economic and financial problems were compounded when in 1980 Doe's administration "decreed a 100-150 percentage increase in the wages of the

⁸Ibid.

⁹Ibid.

¹⁰Ibid.

¹¹Ibid.

lower-income government workers and soldiers."¹² As if that was not enough, the military government also flooded the ministries with numerous new employees. It is asserted that "public service employment mounted from 18,000 in 1979 to 56,000 in 1983."¹³

The government was unable to cope with the civil and public servants' sizable salary increases, the domestic debt rose, and capital flight became the order of the day. It should be recalled that the open policy of the Tubman administration attracted foreign investors. These investors provided jobs for the Liberian people and helped to build the infrastructure. However, the large increases in workers' salaries as well as the breakdown of law and order following the coup, "stimulated massive capital flight and deterioration in investor confidence."¹⁴ Despite all these internal problems, the administration is said to have spent several million dollars on Doe's transition to "civilian rule" after the 1985 elections.¹⁵ However, soon after his inauguration and without much "honeymoon," Doe was faced with external problems which he had to deal with. Immediately following his inauguration in January 1986, the International Monetary Fund declared "Liberia ineligible to use the special drawing rights and other resources of the Fund because Liberia had defaulted in payment of the

¹²D. E. Dunn and S. B. Tarr, p. 126.

¹³Quoted in D. E. Dunn and S. B. Tarr, pp. 126-27.

¹⁴Ibid., p. 127.

¹⁵J. G. Liebenow, p. 307.

\$70 million interest on its more than \$900 million international indebtedness."¹⁶

Doe's inability to honor his country's debt servicing obligation probably resulted in part from the decline in the nation's iron ore mining and rubber exports owing to low demands from the capitalist world. In a desperate reaction to this international pressure, President Doe decided that the number of government jobs was to be immediately reduced by 25%. Furthermore, salaries of government employees were to be slashed on a scale that descended from 25% for higher paid employees to 16.6% for the lowest.¹⁷ Added to these measures was the privatization of numerous parastatals which could further increase the cost of social services in the country despite the 25% reduction in salaries.¹⁸

Besides the pressure from the IMF, there was a second international challenge to Doe's administration. Both the U.S. Senate and House passed "resolutions linking continued economic aid to performance in the areas of civil liberties and political democracy. Although the resolutions were nonbinding, the State Department was politically obliged to reduce if not withhold some of the funds which had kept the regime afloat."¹⁹

There is no doubt that, as one expert puts it, fiscal indiscipline and capricious government behavior contributed to the economic problems of the

¹⁶Ibid.

¹⁷Ibid.; H. D. Nelson, p. 148.

¹⁸Ibid., p. 307.

¹⁹Ibid.

country.²⁰ It is opined that "By mid-1986, the Liberian economy was in shambles."²¹

Since the greater percentage of the nation's foreign earnings was used to service foreign debts and the little money left was mismanaged, the standard of living of the average Liberian deteriorated rapidly. Therefore, Doe's promise to restructure the national economy could not be kept since the foreign debt was extremely high and the domestic debt was difficult even to estimate.

Inappropriate policies, lack of fiscal discipline, corruption, inadequate management of the public sector and increases in the national debt were in part due to Doe's administrative inexperience, which is the subject of the next section of this chapter.

Doe's Administrative Inexperience

The 1980 coup d'état was staged by ringleaders who had two things in common. First, all seventeen of them were indigenous Africans. None were Americo-Liberians. Second, they were young soldiers who lacked any experience outside of military service. The group was made up entirely of non-commissioned officers. It included a master sergeant, two staff sergeants, four sergeants, eight corporals and two privates.²² It was not surprising, therefore, that the most senior among them, the Master Sergeant, Samuel Kanyon Doe

²⁰D. E. Dunn and S. B. Tarr, p. 130.

²¹Ibid., p. 128.

²²Ibid., p. 86; J. G. Liebenow, p. 184.

emerged as the chairman of the People's Redemption Council (PRC), which they formed after seizing political power. The council is said to have had no political orientation. However, it "moved with extraordinary swiftness in establishing a new government."²³

Master Sergeant Doe, who became chairman and the new Head of State, was a Krahn, born and bred in Grand Gedeh county. He had a limited formal education, attending school up to the 11th grade, and later undergoing military training.²⁴ He was the first Liberian head of state of pure indigenous origin.²⁵

Doe and his colleagues accepted the fact that they were immature and lacked experience beyond their military service and so sought the help of politically mature associates.

As soon as the PRC had suspended the constitution and done away with the normal instruments of government, a cabinet primarily composed of civilians was quickly set up.²⁶ The cabinet reported to Samuel Doe and his colleagues. However,

sensing that power was equated with control over revenues, the military . . . retained most of the key "money" posts in the cabinet, such as finance, commerce, and postal affairs. Understandably,

²³J. G. Liebenow, p. 186.

²⁴D. E. Dunn and S. B. Tarr, pp. 98-99.

²⁵D. E. Dunn and S. E. Holsoe, Historical Dictionary of Liberia (Metuchen, NJ: The Scarecrow Press, Inc., 1985), p. 60.

²⁶J. G. Liebenow, p. 186.

too, the civilian minister of defense was not expected to have more than nominal control over the internal affairs of the armed forces.²⁷

Furthermore, Samuel Doe swiftly consolidated his own authority. He became head of state, the head of the ruling People's Redemption Council and Commander-in-Chief of the armed forces. Doe was under increasing pressure since he was only an army sergeant, and had no administrative experience. On many occasions, he was forced to make decisions which were not favored by the Liberian public or his own ruling council. For example, following the breakdown in public order which occurred days after the coup, Doe decided to order massive arrests, and in some cases summary executions.²⁸ As a result of these decisions and others, Doe had to fend off challenges to his leadership. His administrative inexperience made him vulnerable to criticism to which he was extremely sensitive. As a result, he began to harass those even among his own ruling council, who opposed or criticized his decisions and actions, resorting to summary executions, dismissals, and retirements. To this topic we turn next.

Executions, Dismissals and Retirements of Colleagues

The indiscriminate killings and other actions against some members of the Tolbert administration following the military takeover shocked many people in both Liberia and the international community. However, when Doe allowed

²⁷Ibid., p. 186.

²⁸D. E. Dunn and S. B. Tarr, p. 86.

some of his own colleagues to be executed, many people were even more shocked.

Realizing their lack of administrative experience at the time they took power, Doe and his colleagues constituted a cabinet of seventeen, eleven of whom were civilians. Many of these civilian cabinet appointees were members of either the PPP or the MOJA, all preferred socialism to capitalism. The leadership of these two groups, especially Togba-Nah Tipoteh of MOJA and G. Baccus Matthews of the PPP had tremendous influence on the new government in its initial stage. Accordingly, "a far more populist reading was undoubtedly given . . . (than) the regime intended . . . (to) its official slogan which had been adopted from the PPP of G. Baccus Matthews: 'In the cause of the People, the struggle continues'."²⁹ Being the Foreign Minister, Matthews was able to convince some of the members within the military council that there was a need for "Third World solidarity" and that Liberia should become fully "non-aligned" in global politics, thus, rejecting Liberia's role of traditional ally of the United States and the West.³⁰ Several key civilian members of the government as well as important members of the ruling council, including Doe's second-in-command, Major General Thomas Weh Syen, were very vocal proponents of nonalignment in foreign affairs and a more radical approach to economic development.³¹ Their radical ideological stance and related advocacy of collaboration with both

²⁹J. G. Liebenow, p. 200.

³⁰Ibid.

³¹Ibid.

Libya and the Soviet Union, which were disliked by several prominent members of the military council, including the President, Samuel Doe, and the commander of the armed forces, Brigadier General Thomas G. Quiwonkpa, resulted in a division within the military council.³² This division was also partly due to the presence of Libyans in the capital. The Tolbert administration had severed ties with Gaddafi's government long before the Doe coup d'état. After the coup, Libya and Liberia had re-established diplomatic relations, and Libya had been permitted to open one of its People's bureaus (embassies) in Monrovia in March of 1981. However, the bureau was ordered to close just two months later. Not only that, the Soviet Union embassy was also directed to reduce its staff from fifteen to six persons without any reasons being given by the government.³³

Some radical members within both the government and the armed forces disliked this action of Doe's. Within less than a month, it was announced that some thirteen lower ranking soldiers had plotted against Doe's government. They were rounded up, put on trial, condemned and executed.³⁴

Furthermore, it was alleged that:

The vice head of state and co-chairman of the PRC, Major General Thomas Weh Syen, dissented publicly from these actions. In August 1981, as the apparent climax of a power struggle within the PRC, Weh Syen and four other members of the council were

³²H. D. Nelson, pp. 220-21.

³³Ibid., p. 221.

³⁴Ibid.

executed after being charged with plotting to assassinate Doe and other senior members of the PRC. Four alleged civilian accomplices were sentenced to terms of imprisonment. Charges that the plot was supported by Libya were made only later by officials.³⁵

Sergeant Doe also dismissed several of his civilian ministers, most of whom were, in fact, socialist-oriented politicians. Doe attributed his actions to the fact that the ministers were either inefficient administrators, did not conduct themselves well as public servants or made antigovernment remarks in public.³⁶ All these actions were, however, interpreted as attempts to purge leftists from the government.³⁷ By the end of 1981 Doe had been able to replace all but two civilian cabinet members purported to be socialist-oriented.

In addition to the execution of some council members and the dismissal of some leftist figures from the government, Doe further did everything possible to consolidate his hold on power by neutralizing any perceived threat to his position through retiring some military personnel and shifting others around. Reports indicate that by 1985 only eight of the group of seventeen noncommissioned officers who seized power in 1980 remained in the army. As mentioned above, five had been executed in 1981 on charges of plotting against the head of state and other senior council members whereas four others, who were capable of adversely influencing the troops against the

³⁵Ibid.

³⁶Ibid., pp. 221-22.

³⁷Ibid., p. 222.

President, especially the popular commander of the armed forces until October, 1983, Brigadier General Thomas G. Quiwonkpa, had been retired from active duty with the armed forces.³⁸ The popularity of Quiwonkpa was perceived by Doe as a threat to his position.

Following an October 1983 reshuffling of the PRC, the popular commander general, Brigadier General Quiwonkpa, was appointed to replace Brigadier General Abraham B. Kollie as the secretary general of the PRC. Quiwonkpa saw the appointment as a demotion and refused it. He had become very popular among both the soldiers and civilians, in large part because he had spoken out vehemently against his colleagues in the council regarding official corruption. Furthermore, he had insisted that there "must be no significant deviation from the timetable for re-establishing civilian rule."³⁹ Again, after the 1980 coup when peace and order had broken down in Liberia, it was Quiwonkpa who "distinguished himself by his stern measures in restoring order to troops who had lost discipline . . . and were attempting to bring about an instant 'status reversal' by seizing the vehicles, homes, and other properties of the wealthier class."⁴⁰ His refusal to accept the new post also led to his dismissal from the "council and the Armed Forces of Liberia with a forfeiture of benefits normally associated with retirement."⁴¹ It can be argued that he was

³⁸Ibid., p. xxxi.

³⁹Ibid., p. 224; J. G. Liebenow, p. 300.

⁴⁰J. G. Liebenow, p. 300.

⁴¹Quoted in D. E. Dunn and S. E. Holsoe, p. 144.

removed because he was not willing to give up his senior military commandship to become a political subordinate to Doe with little or no power. His refusal made him a threat to President Doe's position. Within a month of this conflict, Doe was quoted as having reported that "Quiwonkpa had been the ringleader of a new plot against him" ⁴² Before he could be arrested, Quiwonkpa disappeared and went into exile in America, where he lived until he returned to Liberia on November 12, 1985, after the Liberian elections. He attempted to stage a coup d'état to overthrow Samuel Doe. The coup was a failure and Quiwonkpa and his handful of co-conspirators were rounded up and executed. ⁴³

These killings intensified the public discontent with the Doe administration which had begun after his brief "honeymoon" as a result of the harsh economic realities that emerged after his coup. To this public discontent we turn next.

Public Discontent with Doe's Regime

The early years of Doe's administration were ones of uncertainty. Events unfolded rapidly which dashed the hopes of numerous Liberians who were very anxious for a true multiparty democracy after the prolonged one-party rule of the TWP. As in the case in many successful coups d'état in Africa, the Liberian constitution, which was over a century old, was suspended. Furthermore, Doe's administration abolished the legislature and declared martial law under

⁴²H. D. Nelson, p. 224.

⁴³Ibid.; J. G. Liebenow, pp. 300-301; D. E. Dunn and S. B. Tarr, p. 97.

which decrees were used in carrying out day-to-day activities. To sustain the support which greeted the April 12, 1980 coup, Doe's People's Redemption Council (PRC) government was quick in reassuring Liberians of its desire to stamp out all forms of corruption that had existed under the previous administration and to build a "new society' in which the republic's wealth would be distributed more equitably."⁴⁴ As has been stated elsewhere, there were several causes which led to the coup d'état in 1980. However, it seems that one of the immediate causes was "the economic depression that had left its mark on the lives of most common citizens"⁴⁵ There was no doubt that the Liberian people, particularly the indigenous masses, had high expectations for the Doe administration. In the first policy statement two days after the coup, the new Head of State of Liberia assured the Americo-Liberians of his government's preparedness "to let the past go quickly into history."⁴⁶ He further stated, "We have not taken over this government only to bring back the same kind of government that we removed."⁴⁷

It soon became clear, however, that Doe's policies did not reflect his rhetoric. The Head of State made sure power was concentrated in the hands of the military. Even within the armed forces, it became evident that power was

⁴⁴H. D. Nelson, Liberia, A Country Study (Washington, D.C.: Government Printing Office, 1985, p. xxvii.

⁴⁵Ibid., p. xxvi.

⁴⁶Quoted in D. E. Dunn and S. B. Tarr (1988), p. 95.

⁴⁷Ibid.

held mainly by his own minority ethnic group, the Krahn. For the most part, this remained the case until his assassination in 1990. As a result of this development and others we dealt with above, especially the summary executions, dismissals and early retirements of some of his colleagues, public discontent emerged after a brief "honeymoon" period. Both Liberians and the international community put pressure on Sergeant Doe to return the country to elected civilian administration. The pressure especially from the United States and the western financial institutions was such that Doe had no choice but to follow the timetable which had been laid down for re-establishing civilian rule. The re-establishment of civilian administration forms the topic of the next section of this chapter.

Move to Hand Over Power to an Elected Government

This section will cover the three bodies Doe's regime created in an effort to return the country to civilian rule, namely, the National Constitution Commission (NCC), the Constitutional Advisory Assembly (CAA) and the Special Elections Commission (SECOM). We shall further examine the National Referendum to approve the Constitution, the replacement of the People's Redemption Council (PRC) by an Interim government, the lifting of the ban on political parties, the formation of Doe's party and the banning of other existing popular parties.

The National Constitution Commission (NCC)

The decision of the People's Redemption Council's (PRC) to begin the process of restoring civilian rule was officially confirmed on April 12, 1981, when President Doe gave his Redemption Day Speech on the first anniversary of the coup. In the speech he announced the establishment of the National Constitution Commission (NCC), thus honoring the pledge made during his first policy speech on April 14, 1980, two days after the coup, that he would restore representative government to the country.⁴⁸ He charged the commission with the primary responsibility of drafting a constitution that would facilitate the return to civilian rule.⁴⁹ At the same time he reserved for the PRC a veto over specific aspects of the proposed constitution. Though twenty-five appointees to the NCC represented a broad spectrum of political and social interests, they did not fully reflect the diversity of the society. For example, only one woman was included. The commission's chairman was Dr. Amos Sawyer, then a Dean at the University of Liberia. He now holds the office of interim President of Liberia which he assumed at the time of the ECOWAS intervention. The commission carried out its work in four phases:

The first phase . . . included analysis of the suspended Liberian Constitution; comparative survey of other constitutions, and identification of constitutional issues. The second phase concentrated on national dialogue. . . . The third phase was the drafting of a constitution. . . . The final phase consisted in making

⁴⁸D. E. Dunn and S. B. Tarr, p. 98; D. E. Dunn and S. E. Holsoe, p. 131; H. D. Nelson, p. 199; J. G. Liebenow, p. 217.

⁴⁹D. E. Dunn and S. E. Holsoe, p. 131; J. G. Liebenow, p. 217.

preparations essential to the conduct of national referendum on the draft constitution.⁵⁰

The commission was strongly praised for travelling nationwide and conducting "seminars on constitutionalism, to get comments from citizens of every county regarding both reactions to the suspended constitution and suggestions for the new instrument of government."⁵¹ After sifting through the many contradictory suggestions, the commission drew up a draft document which was widely publicized. It was translated into the ten major local languages. This enabled it to be subjected to thorough public debate over radio and television.⁵² After nearly two years of work, the Commission presented the draft document to the PRC regime in January 1983 for comment before passing it on to a newly created 59 member Constitutional Advisory Assembly (CAA). The National Constitution Commission (NCC) completed its assignment in January 1983, and was disbanded in November 1983.

The Constitutional Advisory Assembly (CAA)

The NCC tried to persuade the military government to establish a constituent assembly (CA) instead of a constitutional advisory assembly (CAA). The NCC argued that members of the CA would be elected instead of selected by the government as in the case of the CAA. The constituent assembly would

⁵⁰Ibid., pp. 102-103.

⁵¹J. G. Liebenow, p. 218.

⁵²H. D. Nelson, p. 200.

not advise the PRC on the document but would ratify it with or without changes. The CA was not approved by the government, which argued that there was still a ban on political activities.⁵³ Therefore, a CAA was established.

Its 59 members were selected in the middle of 1983 at either county or territorial conventions. Their prime responsibility was to review the draft constitution drawn up by the NCC and make recommendations to the PRC.⁵⁴ The Assembly was based in Gbarnga in the Bong county and was chaired by Dr. Edward Kesselly, a respected academician. The revised constitution was completed on October 19, 1983, and was accepted by the PRC. After a thorough study of the revised constitution, it was submitted to the Liberian people for approval or rejection,⁵⁵ under the supervision of the Special Elections Commission (SECOM).

Special Elections Commission (SECOM)

The National Constitution Commission had recommended the establishment of the Special Elections Commission (SECOM). It was established by the People's Redemption Council Decree No. 75 dated July 21, 1983.⁵⁶ Its main functions included arranging for and conducting a credible national referendum on the new Constitution and stimulating public participation in

⁵³D. E. Dunn and S. B. Tarr, p. 103.

⁵⁴D. E. Dunn and S. E. Holsoe, p. 48.

⁵⁵D. E. Dunn and S. B. Tarr, p. 115; H. D. Nelson, p. 200; J. G. Liebenow, pp. 219-21.

⁵⁶D. E. Dunn and S. E. Holsoe, p. 163.

national affairs. It was further to prepare for and supervise the first elections (presidential and parliamentary) under Liberia's new constitution.⁵⁷ The five-member commission appointed by the PRC included three retired army officers: Emmett Harmon (chairman), general Albert White (co-chairman), Charles Boayue and generals Bryan Kesselly and Joseph Blamo.⁵⁸

The National Constitution Referendum

Under the supervision of the Special Elections Commission qualified Liberians were called upon to adopt or reject the constitution. The referendum was held on July 3, 1984, all registered Liberian citizens over the age of 18, both males and females, were eligible to vote. "[T]he referendum was presented on a 'take-it-or-leave-it' basis.⁵⁹ The results of the voting were announced on July 20, 1984. A majority of 510,113 voted in favor of the constitution, 7,771 opposed it. There were 14,759 abstentions and 4,248 questioned ballots.⁶⁰ Thus, the revised Constitution presented by the CAA was overwhelmingly approved. It was expected to come into operation on the day a new civilian administration was inaugurated.

⁵⁷Quoted in Ibid., p. 222.

⁵⁸D. E. Dunn and S. E. Holsoe, p. 163.

⁵⁹Ibid.; D. E. Dunn and S. B. Tarr, p. 101.

⁶⁰Ibid.; quoted in Ibid., p. 101 and p. 221.

An Interim National Assembly Replaces the Ruling People's Redemption Council

With the approval of the new constitution, the Doe administration was expected to move on to the next stage of the process and arrange for the election of a civilian government. Therefore, during the month in which the referendum was held, Doe announced the dissolution of the People's Redemption Council (PRC). The vacuum created was quickly filled by a newly created Interim National Assembly (INA). It was made up of 57 appointed members including all the former PRC members. Only two women were appointed to serve.⁶¹ It soon became clear that many of the members were likely to be candidates in the October 1985 elections. As a matter of fact, INA members later formed the nucleus of Doe's party, the National Democratic Party of Liberia, which competed in and supposedly won the 1985 elections. It can be argued that Doe had the formation of the party in mind and that he appointed prospective members to the ad hoc INA body. It is significant that "The Interim National Assembly membership (unlike the Sawyer Commission), included no one who was identified with MOJA or the PPP."⁶² The INA was composed of traditional chiefs, former True Whig stalwarts who had served in non-policy positions such as former ambassadors and district commissioners, as well as conservative private businessmen and lawyers known to have the desire to participate in politics. The INA which was to administer the State before a new civilian government was elected and inaugurated had as its

⁶¹H. D. Nelson, pp. 202-204; J. G. Liebenow, pp. 265-66.

⁶²J. G. Liebenow, p. 266.

speaker, the former deputy chairman of the PRC, General Nicholas Podier.

Many of the members of the INA were drawn from the former Constitutional Advisory Assembly which had been disbanded following the promulgation of the new constitution on July 20, 1984. There was a clear understanding that members of the Interim National Assembly could run for office under the new constitution. Some scholars have argued that as soon as Doe put the Interim National Assembly in place, he began to operate like a dictator. One writer has stated that "it was apparent that the Assembly was to perform the same rubber stamp role the Legislature had done under the True Whig systems."⁶³ None the less, with the appointment of the Interim National Assembly, Doe announced the formal lifting of the ban on politics.

Ban on Party Politics Lifted

The formal lifting of the ban on political activities came into effect on July 26, 1984. It should be recalled that ban was imposed following Doe's April 1980 coup d'état.⁶⁴ Doe's National Democratic Party of Liberia (NDPL) was one of the first political associations to emerge. Doe used incumbency to his advantage. Through maneuvering and manipulation, he was able to entice certain segments of the population to endorse him as a presidential candidate. The groups included the Marketing Association (most of whose members were women), the traditional chiefs and the Liberian military which had been

⁶³Ibid., p. 266.

⁶⁴Ibid.; D. E. Dunn and S. B. Tarr, p. 115.

politicized by the time the ban on political activities was lifted. Despite all of the advantages of incumbency Doe had, he still launched his NDPL as a government-supported political party. Doe himself became the leader of the party and was the "first Liberian formally to declare his candidacy for the first presidency of a second republic."⁶⁵

After Doe announced his candidacy, at least 11 different groupings in rapid succession declared their intention to form political parties. Furthermore, two independent candidates indicated their intention of running for the presidency. According to Dunn and Tarr:

Gabriel Kpolleh announced his Liberian Unification Party (LUP). The remnants of MOJA began the transformation into the Liberian People's Party (LPP) under Professor Amos Sawyer's interim chairmanship. The defunct PPP re-emerged as the United People's Party (UPP) under mercurial politician Gabriel Baccus Matthews. Counselor Tuan Wreh initiated the Liberian Action Party (LAP). Former CAA chairman Edward Kesselly proposed the Unity Party (UP), and former commerce minister Sumo Jones, The National Integration Party (NIP). A Convention Democratic Party (CDP) was advanced by Counselor Wade Appleton; the People's Liberation Party (PLP) by housewife Hawa Clemens Danquah; the First All-Integrated Republican Party (FAIR) by engineer Edwin Dunbar; and the Labour Party (LP) by Joseph W. Nimley. Independent candidacies were announced by businessman Hartzell and a Dr. J. Scott Goffa.⁶⁶

The formation of new political associations was impeded by numerous guidelines established by the government-appointed Special Elections Commission (SECOM). Five of the 11 minor political parties failed to meet the

⁶⁵Ibid., pp. 267-70; Ibid., p. 115.

⁶⁶D. E. Dunn and S. B. Tarr, p. 117.

March 1, 1985 deadline for filing final papers. Of the six remaining political parties, two, which had perhaps the largest popular following, the LPP and UPP, along with their respective leaders were banned from participation in the elections.

The SECOM banned the Liberian People's Party and its leader, Dr. Amos Sawyer, in late July 1985, because of what the commission described as "strange and foreign ideologies against our most tested and matured way of life."⁶⁷ In a similar move,

the United People's Party and its leader, G. Baccus Matthews, were declared by action of the Interim National Assembly at the end of August to be ineligible to participate in the election campaign, "because of espousal of and involvement in ideologies foreign to Liberia." The UPP's registration bonds and checks were returned to the party by SECOM, and its programs was described by Harmon as "not only alien but detrimental to the peace and stability of the nation."⁶⁸

Thus, ironically, Matthews, who had provided the groundwork, with his PPP during the Tolbert administration, for the easy acceptance of the 1980 coup, and Dr. Amos Sawyer, who had chaired the National Constitution Commission which drafted the new constitution, under which the elections were both being held, were barred from participation. Since these two banned leaders had the strongest popular bases of support, it became clear that Doe had already sown the seed of discord among the Liberian people even before

⁶⁷Quoted in Liebenow, p. 288.

⁶⁸Ibid., p. 288.

the elections were held in October, 1985. Many Liberians felt that the disqualifying of the two most popular challengers to Samuel Doe and of their respective parties was quite contrary to the principles of the new constitution. Many Liberians became frustrated and disillusioned.

Apart from Matthews and Sawyer, most of the other opposition party members and leaders were publicly humiliated by officials of the law enforcement agencies, security forces and political thugs associated with Doe's NDPL. In brief, there was what several authors have described as institutional violence perpetuated against Doe's opponents by his loyalists.⁶⁹

The 1985 General Elections and the Aftermath

In this section we shall discuss the elections held on October 15, 1985 and the coup attempt that took place after the election results were announced. The section ends with an account of how political opposition intensified into civil conflict which led to the 1989 civil war.

As expected the presidential, Senate and House of Representative elections were held on October 15, 1985. The presidential candidates, included Samuel K. Doe of the National Democratic Party of Liberia (NDPL), Jackson F. Doe of the Liberia Action Party (LAP), Edward B. Kesselly of the Unity Party (UP) and W. Gabriel Kpolleh of the Liberian Unification Party (LUP). Despite the enthusiasm with which the Liberian people went to the polls, some observers concluded that "widespread fraud marred what might have been the supreme

⁶⁹Ibid., p. 289.

enabling act for democracy in a new Liberia."⁷⁰ There was a very bitter controversy between the chairman of SECOM, Mr. Emmet Harmon and the opposition party leaders, each accusing the other of election malpractices. The opposition party leaders even accused the Special Elections Commission of having ordered many more ballots than needed. On the other hand, the SECOM chairman accused the 'opposition' parties of widespread election fraud. This led to a halting of the ballot counts in the early hours of October 16, 1985. The Chairman charged specifically:

that the party representatives had failed to observe the 15-foot rule on observation; that lower echelon workers in SECOM had been bribed by the LAP to falsify the results; that government officials, NDPL workers, and others had been harassed by the LAP and other party representatives during the count; that the party representatives had violated their pledge not to reveal vote counts prematurely; and that the opposition parties had given too much assistance to illiterate voters in terms of steering them away from the NDPL.⁷¹

All of the ballot boxes were ordered to be transported to the government's Unity Conference Center on the outskirts of Monrovia. Next it was announced that the chairman of SECOM, Emmet Harmon, had handpicked an ad hoc committee of 50 people who were to count the ballots without any party representatives being present.⁷²

⁷⁰D. E. Dunn and S. B. Tarr, p. 120.

⁷¹J. G. Liebenow, p. 295.

⁷²Ibid., pp. 295-96.

Although the SECOM chairman insisted that the ad hoc committee was a nonpartisan one, no opposition party could identify any member of its party on the committee. On the other hand, the opposition parties could identify people on the list who had openly supported the NDPL, including wives and other relatives of Doe's cabinet members.⁷³

The SECOM announced the "official" results of the elections on October 29, 1985. Samuel K. Doe of the NDPL was declared the winner with 50.9% of the votes in the four-way race for the presidency. His party was also said to have won large majorities in both the Senate and the House of Representatives. Officially it won 21 of the 26 seats in the Senate and 51 of the 64 seats in the House of Representatives.⁷⁴ Despite these "official" results announced by the SECOM, some independent observers were quoted as supporting LAP's claim that it had won 62.8% of the votes cast for president.⁷⁵ Thus, Liberia's Second Republic was to be established on shaky ground.⁷⁶ No wonder there was a military mutiny just two weeks after the "official" results of the elections were announced. To this military mutiny we turn next.

⁷³Ibid.; J. G. Liebenow, p. 296; Lyse Doucet, "SECOM: All boxed in" in West Africa, October 28, 1985, pp. 2244-45.

⁷⁴J. G. Liebenow, p. 296.

⁷⁵D. E. Dunn and S. B. Tarr, p. 120; "Doe makes history" in West Africa, November 4, 1985, pp. 2296-97.

⁷⁶Quoted in Liebenow, p. 298.

Opposition Reactions and an Abortive Coup d'état Following the Announcement of the "Official" Results of the Elections

The three opposition parties challenged the SECOM results as soon as they were announced. Probably "out of fear that jubilation might get out of hand" the night they were announced, Doe's government forbade any demonstrations.⁷⁷ It was three days before Doe ventured to appear in public, and then he appeared only to call on the three supposedly defeated parties to join hands with his NDPL to form a government of national unity. The leadership of the three opposition parties refused. The parties also took further measures to show their displeasure.⁷⁸ A joint LAP, UP and LUP communiqué was presented to the SECOM secretariat on November 5, 1985. It provided a detailed and thoroughly documented 'indictment' regarding the activities of SECOM, the military and the NDPL partisans during the campaign.⁷⁹ It is on record that the registrar who accepted this document was later dismissed from office for receiving it.

Secondly, the parties decided not to allow their candidates who had won seats in the Senate and the House to assume them. In the long run these candidates accepted their seats as independent instead of party candidates.

Finally an army coup which almost toppled the Doe administration took place on November 12, 1985. The leader was one of Doe's old colleagues and

⁷⁷Ibid.

⁷⁸Ibid., p. 300.

⁷⁹Ibid., p. 298.

friends, General Thomas Quiwonkpa. General Quiwonkpa was one of the original PRC members who successfully staged the 1980 coup against Tolbert's TWP regime. He had risen to the position of commanding general of the Armed Forces of Liberia. There was disagreement between him and President Doe concerning the re-establishment of civilian rule. Their differences became so intense that the president removed the commanding general from office in November 1983. To avoid any possible arrest or imprisonment, General Quiwonkpa went into exile in America.⁸⁰ There he remained quiet and received some high school and college education.

However, Quiwonkpa was closely following political events in Liberia, especially the program to return the country to civilian rule, the elections and the widespread fraud which allegedly marred the election results. It is widely believed that Doe's "stealing of the election" was the immediate cause of Quiwonkpa's coup attempt. Quiwonkpa described Doe's regime as "a reign of terror, brutality and blood tyranny."⁸¹ The abortive coup gave the Doe regime an excuse to deal more harshly with its opposition. The period following the abortive coup saw arbitrary arrests and the detention of opposition party leaders.

The arbitrary arrests of the opposition leaders probably resulted in part from the fact that General Quiwonkpa had incriminated some of them. If the

⁸⁰Ibid., p. 300; "Doe and his opponents" and "Doe thwarts another coup attempt" in West Africa, November 18, 1985, pp. 2403-2205.

⁸¹"Doe thwarts another coup attempt" in West Africa, November 18, 1985, p. 2204.

coup had succeeded, the leader would probably have maintained "order for a brief period of three months before turning over the reins of power to Jackson Doe and the Liberian Action Party (which most observers had judged to be the real winners of the October elections). . . ."⁸² This gave Samuel Doe all the excuse he needed to harass, arbitrarily arrest and imprison his political opponents, especially Jackson Doe. General Quiwonkpa and Jackson Doe were both Gio (Dan) from Nimba County. Thus, the question of ethnicity played a role in the arrest and detention of the leadership of the opposition parties. Most of the leaders of Unity Party and the Liberian Unification Party were also taken into so-called "protective custody." No charges were brought against them for several months after Doe's January 6, 1986 inauguration.⁸³

Furthermore, some Gio (Dan) soldiers were subjected to severe harassment.⁸⁴ Also non-Krahn (the president's ethnic group) military officers who had been promoted by Quiwonkpa, were purged. Finally, Krahn soldiers were reported to have carried out a "brutal campaign against the Gio and Mano areas of Nimba county, where the support for Jackson Doe and Quiwonkpa was the strongest. Charges of ethnic genocide toward the Gio were being raised against the Krahn within the military"⁸⁵ The Krahn soldiers were said to have taken the law into their own hands. Some of them physically abused

⁸²J. A. Liebenow, p. 301.

⁸³Ibid., p. 302.

⁸⁴Ibid.

⁸⁵Ibid., pp. 302-03.

respected civilian elder statesmen from non-Krahn areas, and even destroyed some of their properties. Not only that, some Gio and Mano area villages were also reported to have been destroyed by undisciplined Krahn troops.⁸⁶ This wave of "new tribalism" continued unchecked. Numerous politicians who had a chance to leave the country, did so. They formed opposition groups including the Association for Constitutional Democracy in Liberia (ACDL) and The National Patriotic Front of Liberia (NPFL). The leader of the NPFL, Charles Taylor who is a Gio from the Nimba county, mobilized people of his tribe and launched the 1989 uprising which ultimately resulted in a full-fledged civil war.

Conclusion

President Doe's reign of "terror, brutality and bloody tyranny," coupled with his "stealing" of the election led to Quiwonkpa's abortive coup of November 1985. The aftermath of this failed coup saw the repression of leaders of the LAP and other parties, especially those from the Gio and Mano ethnic groups. Many of them formed opposition groups, one of which launched the conflict which developed into the recent full-fledged civil war that has had several consequences for Liberia in particular and the West African region in general. The effects of this civil war form the subject of the next chapter of our study.

⁸⁶Ibid.

CHAPTER IV

THE CONSEQUENCES OF THE CIVIL WAR FOR LIBERIA IN PARTICULAR AND THE WEST AFRICAN REGION IN GENERAL

Introduction

The African continent has been plagued with numerous military regimes and incursions in its political history. Aware of how tyrannical Doe's administration had been, probably both Liberians and the international community were not very surprised when a rebel incursion into Liberia began on December 24, 1989. What people did not know was what the nature of the incursion was going to be, whether it was going to be an exclusively domestic affair and more importantly, what consequences it was going to have for Liberia in particular and the region at large. Our main purpose in this chapter is to discuss the consequences of the crisis for the Liberian people in particular and the West African region in general. First we will briefly examine the nature of the incursion. We will then examine whether the incursion was "a purely domestic" conflict or not, by looking at where the rebels were trained and from where the incursion was first launched. An attempt will also be made to examine the recruitment and involvement of non-Liberian nationals in the civil war. Events to be examined will include the wanton massacre of "innocent" Liberians, holding of hostages and killing of some foreign nationals including

ECOWAS citizens and the massive destruction of property, things generally inconsistent with international law. Furthermore, how people in the war-torn regions ran for their lives and became refugees in neighboring countries, thus creating food shortage crises in those countries is examined. Finally, attention will also be focused on the spilling-over of hostilities into a neighboring country.

The Nature of the Conflict

On December 24, 1989, what began as a seemingly minor uprising in the northeastern region of Nimba county gradually increased in intensity until it posed a significant threat to the government of president Samuel Doe. At the beginning of the insurrection, it was reported that a group of about 150 rebels led by a Charles Taylor had overrun a number of villages in Nimba county. Charles Taylor, a former chairman of the Liberian General Service Agency, had escaped from custody in the United States some five years earlier after he was charged with the theft of Liberian government funds estimated to total about nine hundred thousand dollars (\$900,000.00).¹ Following the incursion, Taylor mobilized a few more fighters from the Gio and Mano tribes (Taylor's tribesmen), and the fighting assumed a tribal character, with the rebels selectively attacking members of the president's Krahn ethnic group and later the Mandingoes who had been sympathetic to Doe. Government forces for their part retaliated against Nimba's principal Gio and Mano tribes. Thus, what

¹Chris Uroh, "The Rise and Fall of Doe," Weekend Concord, September 15, 1990, pp. 10-11.

began as a rebellion to unseat President Doe soon changed into unrestrained ethnic killings on a massive scale. The massacres committed by Taylor's fighting force, styling themselves the National Patriotic Front of Liberia--NPFL or the Black Scorpions marred his image as ridding them of a dictator. On his part, the atrocities committed by government troops and the secret killings in Monrovia and its environs in response to the rebel killings of Krahns, eroded any remaining confidence in Doe to the point where many people, especially in Monrovia, were more afraid of government soldiers than the advancing rebel forces.² There is abundant evidence to show that since coming to power, Doe had eliminated all the Gios in his executive through executions and retirements and had killed several hundreds after the Quiwonkpa's abortive coup of November, 1985. It could be argued that Doe's calculated attempt to eliminate many Gios whom he perceived to be a threat to his position probably led Taylor and his Gios to initiate killings of Krahns on a mass scale.³ Thus, what the rebel leader began as a campaign to oust President Doe from power consciously or unconsciously turned from a mere incursion into a brutal, ethnically based civil war, with both sides charged with atrocities against ethnic opponents and unarmed innocent civilians.

²"The Liberian Way," in West Africa, July 2-8, 1990, pp. 2020-21.

³Ibid.

Degree of Foreign Countries Involvement in the Liberian Crisis

This section explains how "unauthorized" foreign countries got involved in the Liberian crisis, thus escalating the problem. There is abundant evidence which indicates that Taylor recruited dissidents from the West African region who were trained in some facilities provided by several countries. Furthermore, available evidence also shows that the rebellion was launched from outside Liberia. Not only that, there were regular military supplies and rations which reached a warring faction's stronghold through a neighboring country but not through any of Liberian ports of entry.

Training Facilities

Concerning the question of the degree of international involvement in the Liberian crisis, there is abundant evidence to show that most of original rebels' Charles Taylor mobilized to launch his incursion were recruited in Cote D'Ivoire (formerly the Ivory Coast). These men were then taken to both Libya and Burkina Faso where they went through military training.⁴ There is no indication as to how long this training lasted, but none of the countries said to have hosted the dissidents disclaimed knowledge of the dissidents having trained on their territories. It is an accepted fact that it was after their military training that

⁴E. Aimufua, "The Struggles of a Doe, a president haunted by rebels," Vanguard, June 9, 1990, p. 63; B. Akindiji, "International intervention is fueling Liberian crisis" in Sketch, June 12, 1990, p. 5; J. Sabato-Wia, "Resolving the Liberian Crisis," in The Guardian, June 13, 1990, p. 9.

these men were sent through Cote d'Ivoire into Nimba county from where an attack was launched against the government and people of Liberia.⁵

It is asserted that the host countries provided supplies for all the training exercises. Apart from using their territories to train these rebels, there is evidence which shows that both countries supplied several tons of arms to a base in Cote D'Ivoire where the rebels armed themselves.⁶ In apparent reference to Burkina Faso, the OAU Secretary-General, Salim Ahmed Salim, is said to have called for an immediate end to outside interference in the conflict.⁷ The OAU chief suggested that, "any country wishing to restore peace in Liberia could do so through the OAU or ECOWAS."⁸

Besides the provision of training facilities and arms, evidence shows that in some instances, military personnel of both Libya and Burkina Faso fought alongside the rebels.⁹ It is not clear whether they fought as mercenaries or were still part of their home country's regular army. Thus, it could be argued that Taylor's ability to recruit dissident soldiers in the territory of Cote D'Ivoire coupled with the willingness of other countries to harbor and train these dissidents probably encouraged him to plan and launch the incursion, which

⁵Ibid.

⁶Ibid.

⁷"Salim joins ceasefire callers for Liberian war," in Sunday New Nigeria, September 9, 1990, p. 6.

⁸Ibid., p. 6.

⁹J. Sabato-Wia, "Resolving the Liberian crisis," in The Guardian, June 13, 1990, p. 9.

obviously began from outside Liberia. The launching of the rebellion from outside Liberia is the next topic we turn our attention to.

Launching of Rebellion from Outside Liberia and Continuous Military Supplies to a Warring Group

Usually rebellions have begun within a country. However, a few have been launched from outside. The Liberian situation fits the second category. There is abundant evidence to show that Charles Taylor's rebellion or incursion was launched from the republic of Cote D'Ivoire.¹⁰ After the uprising began, Doe's administration knowing well the role of the government of Cote D'Ivoire filed a petition with the United Nations office in Lagos, Nigeria. Liberia also made representations to the OAU and ECOWAS with proof of Cote D'Ivoire's involvement in the Liberian crisis.¹¹

Although Doe's regime was perceived by some Liberians and members of the international community as repressive, no one was certain why a country would allow its territory to be used to begin an uprising against another country. It was argued by some that the president of Cote D'Ivoire had a two-fold

¹⁰A. Bundu, "The role, experience and lessons of Security Co-operation within ECOWAS: The lessons of Liberia," unpublished lecture delivered at a high-level workshop on conflict resolution crisis prevention and management and confident-building organized by the U.N. Department for Disarmament Affairs, Yaounde, Cameroon, June 17-21, 1991, pp. 6-7.

¹¹"Doe calls for early elections as rebels hit harder," in The Guardian, May 30, 1990, pp. 1 and 2; J. Sabato-Wiah, "Resolving the Liberian Crisis," in The Guardian, June 13, 1990, p. 9.

grudge against the late President Doe's government.¹² In the first place Doe led the bloody 1980 coup which toppled former President William Tolbert, whose daughter is married to a son of President Felix Houphouet-Boigny. The brutal killings of Tolbert and his henchmen were shocking to the international community, but it seems that the president of Cote D'Ivoire was especially troubled because of this marriage involving the two families. Therefore, he was willing to support a rebellion against Doe.

Second, the Cote D'Ivoire fears that a strong Liberia may eventually attempt to take back parts of its territory which was allocated to the Cote D'Ivoire by the imperial powers during colonialism.¹³ Both the French and the British encroached on the original territory of Liberia. Since these two imperial powers were far stronger than Liberia and the original Americo-Liberians had neglected the interior of Liberia, part of the border areas went to the French and the British when the latter powers created the former Ivory Coast and Sierra Leone, respectively.

The willingness of the president of Cote D'Ivoire to allow his territory to be used to launch the rebellion affected the nature of the rebellion and contributed to the complexity of the crisis. Besides being the base from which the insurgency began, Cote D'Ivoire also became and continues to be the route used for the importation of military supplies and the exportation of goods from the Taylor-held territory. The covert or open support given by some countries

¹²Ibid., p. 2.

¹³Ibid.

inside and outside the region to one of the warring factions has been and continues to be a significant worry to the leaders who are seeking a peaceful political solution to the problem.

The Cote D'Ivoire, like many other countries in the region, harbors dissident soldiers and politicians from neighboring countries. Most of these men have probably left their countries as a result of political persecution. Taylor's plans to destabilize his own home government appealed to some of these non-Liberian dissidents. It was, therefore, easy for Taylor to persuade them to be part of his rebellion. This group and the consequences of their involvement in the Liberian civil war is considered next.

Non-Liberian Nationals' Participation in the Liberian Civil War

In this section we will discuss how the first rebel leader, Taylor, succeeded in involving non-Liberian dissidents in the civil war and the expected consequences of that involvement for both Liberia and the region. There is sufficient evidence to show that there have been non-Liberian nationals among Charles Taylor's rebels. These non-Liberian rebels, described as soldiers of fortune¹⁴ are from countries in the West African region. Most of them are soldiers and politicians accused either of being political or economic saboteurs or of having committed a seditious or treasonous crime against their home governments, such as a failed coup attempt. Charles Taylor succeeded in luring some of these dissidents to join his forces "to fight in the Liberian civil war

¹⁴A. Bundu--Lecture at Yaounde, Cameroon, June 17-21, 1991, p. 7.

on the understanding that aid would be provided them to wage war against their own countries at a later date."¹⁵ This was neither an ordinary threat nor a vague promise. Even though Charles Taylor has not succeeded in becoming the Liberian head of state, abundant evidence shows that he has supported some Sierra Leonean dissidents in carrying out attacks on the government and people of their own country. It was reported on March 23, 1991, that a heavily-armed NPFL rebel force invaded Sierra Leone. According to the then president, His Excellency, Major General Dr. Joseph Saidu Momoh, the rebels who attacked Sierra Leone's border towns and villages comprised predominantly the forces of NPFL and a sprinkling of Sierra Leoneans.¹⁶ In the sudden invasion that was carried out by the NPFL-backed insurgents, a very large number of civilians were killed. Not only that, there were reports of the looting and destruction of various properties in the border towns and villages.¹⁷ There were further reports that in some cases women were mishandled and raped.

This action by NPFL forces in the territory of Sierra Leone gave substance to the concern which existed among the governments of the countries in the region that the non-Liberian dissident soldiers might penetrate into other countries in the region in an effort to organize a series of uprisings, should their faction come in power. In notifying other ECOWAS member states of the

¹⁵Ibid.

¹⁶Ibid.; A. Bundu, 1990-91 Annual Report of the Executive Secretary, ECOWAS Secretariat, May 1991, p. 112.

¹⁷Ibid.

NPFL's aggression against his country, President Momoh specifically referred to the provisions of the ECOWAS Protocol on Mutual Assistance in Defense of 1981 and appealed for assistance under it.¹⁸ The provisions of this Protocol as well as another Protocol will be discussed later on in the study. It will be proven that the incursion by an outside force like the NPFL into another sovereign state, in this case Sierra Leone, contravened some ECOWAS Protocols.

Thus, Taylor was able to involve some non-Liberian nationals in the Liberian civil war on the understanding that he was going to provide aid for them to wage war against their own countries at a later date. Among the consequences of this involvement was the NPFL-backed incursion in Sierra Leone's border towns and villages as well as the brutal way the civil war was conducted. It defied all norms associated with the waging of war, the topic we now turn our attention to.

Defying All Norms of War Waging

Our discussions will indicate how the international laws governing the waging of civil war have been violated by all the warring factions in the crisis. First, there was the wanton massacre of "innocent" Liberians by all the warring factions. Second, the involvement of underage boys in the fighting. Third, many foreign nationals including citizens of ECOWAS countries caught in the

¹⁸Ibid.

civil war were held hostage without any means of escape or protection. Finally, the massive destruction of property by the combatants will also be discussed.

The Wanton Massacre of "Innocent" Liberians

The Executive Secretary of ECOWAS, Dr. Abass Bundu, has asserted that the Liberian crisis has been a tragedy for Africa. He has seen it as a tragedy "because the various warring factions exhibited the worst in human instinct and defied every rule in the code of civilized behavior."¹⁹ He further noted that the carnage was simply too much to bear.²⁰ The international community, especially people in the subregion, agree.

As has been stated elsewhere, the rebel incursion into Liberia was launched from outside the country by a group calling itself the National Patriotic Front of Liberia (NPFL) numbering a few hundred men. The rebels initially attacked the positions of the Armed Forces of Liberia (AFL) in the Nimba county, which lies along the northeastern border of Liberia with Cote D'Ivoire. Unfortunately, instead of mounting a counter attack against Charles Taylor and his rebels, the AFL decided to retaliate against the civilian population of the Nimba county, who are mainly of both Gio and Mano tribes, kinsmen of the rebel leader, Taylor. Probably because the incursion into Liberia was launched from the republic of Cote D'Ivoire, the rebels retreated there after their first

¹⁹A. Bundu, "ECOWAS and the Challenge of the Liberian Crisis," in Contact, November, 1990, Vol. 2, No. 3, p. 3; A. Bundu--Lecture at Yaounde, Cameroon, June 17-21, 1991, pp. 24-25.

²⁰Ibid.

sudden successful attack on AFL's positions. The government forces, sensing that the rebels were Gio and Mano tribesmen and had either retreated into Cote D'Ivoire or might be hiding among the mostly Gio and Mano civilian population of Nimba county, ravaged many surrounding villages. In some cases whole Gio villages were razed by these government soldiers as they robbed, shot and killed the civilians at will.²¹ Abundant evidence shows that this indiscriminate killing of Gio and Mano civilians actually set the tone of the war.²² From this time onwards, seeing what had happened to their kinsmen, many Gio and Mano young men and even boys in their early to mid-teens were willing to be part of the rebellion fighting against President Doe and his minority Krahn people. One report reveals that after Taylor's incursion in December, a town in Nimba, Karnplay, was bombed by Krahn government troops. About two hundred children survived the bombing. Some eye-witnesses claim that these children were put in a truck which was to take them to Monrovia, but the truck was set on fire, roasting the children alive.²³ It can be argued that the AFL's killing of civilians including these two hundred children motivated the Gio and Mano youth to quickly join the ranks of the rebels. The youth could easily be convinced that if the AFL soldiers were cruel enough to roast children to death, then they, being older, would very likely be killed if caught.

²¹"Uprooted Liberians: Casualties of a Brutal War," An Issue Paper by the U.S. Committee for Refugees, February 1992, p. 5.

²²Ibid., "Genocide in Liberia," in Nigerian Tribune, January 29, 1990, p. 7.

²³"A 'rescue' mission turns into bloodbath--killing fields" in West Africa, August 20-26, 1990, p. 2314.

In order to get even with the Krahn-dominated AFL for razing villages and killing their civilians, the NPFL started to kill Krahn and Mandingo civilians. The rebels singled out these two ethnic groups because President Doe and many senior officers and men of the AFL were Krahns. The Mandingoes became innocent victims because it is widely believed that they have been strong supporters of Doe's regime. Furthermore, from a religious point of view, the Mandingoes (mostly Moslems) are known to look down on the Gios and Manos as infidels. Again, it could be said that it is the acceptance and support the Doe regime has given to the Mandingoes, who are mainly traders, that enticed them to migrate to Liberia from the republic of Guinea. Since the armed factions were not basically engaging each other's forces but rather killing the civilians, the war spread quickly throughout the hinterland. Perhaps it was Doe's conviction that the best way of staying in power was to wipe out the Nimba tribe altogether since its members have been very persistent in opposing him and have been violent about it. The latest instance was the November 1985 attempt to topple Doe's regime. Over a thousand Gios were killed by Doe's forces after the coup failed. Thus, "what began as a campaign to oust Doe from power became very quickly an all-out, ethnically-based civil war."²⁴

The ethnic tension which had been building since 1980 following the systematic killing of Gios and Manos, reached its climax in 1985. Doe always regarded these people as potential challengers to the presidency because of their numerical strength. It seems the rebel group was ready to treat Doe's

²⁴Issue Paper, U.S. Committee for Refugees, February 1992, p. 5.

Krahn ethnic group the same way the Krahn-dominated AFL treated the Gios and the Manos. No wonder it is reported that:

From its onset, the war was characterized by victimization of civilians by all the armed factions. (That) survivors describe not just physical abuse, rape, and wanton killing, but also mutilations, people forced to eat their own body parts, the sick and elderly burned alive in their huts, and pregnant women's stomachs torn open with bayonets and their unborn babies ripped from their wombs. Men, women, and children were forced to watch the torture and execution of their loved ones. Anyone who protested or even cried out risked being killed.²⁵

When the rebel group launched its attack against the Liberian government, Samuel Doe dismissed it with a wave of his hand, not knowing its seriousness. Doe ordered the rebels to lay down their arms and said that their "rebellion would be crushed within two weeks."²⁶ This attitude probably resulted in Taylor gaining control first of most of Nimba and later large area of the surrounding counties. He intensified his recruitment drive until he was able to boast a fighting force of over ten thousand as he and his rebels approached Monrovia, the Liberian capital.

At this point, many hundreds of thousands of Monrovia residents joined residents from the interior in fleeing to neighboring countries. We shall discuss this topic later in the chapter. It took the rebels about six months (December

²⁵Ibid.

²⁶Quote in B. Akindiji, "International intervention is fuelling Liberian crisis," in Sketch, June 12, 1990, p. 5.

1989 to May 1990) to reach the vicinity of the capital. Abundant evidence shows that

[a]s AFL forces became increasingly cornered in Monrovia, they went on a rampage of looting and killing. Many of the victims were Gios and Manos, but no one was safe. Seeking safety in numbers, civilians gathered in churches and other buildings. On May 30, AFL soldiers attacked the United Nations compound, one such refuge. They entered the compound, beat the men, women, and children gathered there, and abducted more than 40 people, many of whom they reportedly shot in a nearby field.²⁷

A survivor of this barbaric attack on the U.N. compound narrated that as soon as the AFL soldiers jumped over the fence, they killed three people on the spot, probably to spread fear. He further said that others were held at gunpoint, and two women were raped in front of everyone.²⁸ The entering of the U.N. compound alone violated an international law, not to mention the other barbaric acts which are contrary to all civilized behavior accepted by the community of Nations.

Before the rebel group reached the vicinity of Monrovia around June 1990, there had been a split in the rank of the group with the new splinter-group calling itself the Independent National Patriotic Front of Liberia (INPFL). It was led by a Prince Johnson. The rebel group schism actually occurred in February when Prince Johnson and his faction accused Taylor of being a

²⁷"Uprooted Liberians: Casualties of a Brutal War," An Issue Paper by U.S. Committee for Refugees, February 1992, p. 6.

²⁸Ibid.

dictator and a Libyan stooge.²⁹ One of the most tense periods of the civil war came when all three factions began to operate in Monrovia. The capital was by now very crowded since many people had fled from their hinterland residences following the massacres and other atrocities meted out to many villagers who were neither Gios nor Manos. There were many observers who believed that the tens of thousands of armed men and boys who constituted Taylor's force, were going to capture the city. This never happened, but what resulted was senseless killings of civilians. The killings in some cases got out of hand since some of the rebels were poorly trained or not trained at all. Reports indicated that:

[t]here were major skirmishes--including indiscriminate shelling of the city--among the various groups, but a decisive battle never came. Instead, throughout July and August, in what has been described as a reign of terror, AFL, NPFL, and INPFL "troops" brutalized the remaining civilian population.

Rebels, often bizarrely dressed in wigs and dresses and wearing masks, executed anyone suspected of being a Krahn or a Doe supporter. Prince Johnson, the INPFL's leader, was photographed personally executing civilians, including a Liberian Red Cross worker who was handcuffed to a French relief worker. AFL soldiers similarly shot Gios and Manos . . . and anyone else who crossed their path.³⁰

Countless bizarre and barbaric acts and killings went on in the capital from the time the three factions came to control different parts of the city. The

²⁹Ibid., p. 7; "Slaughter in Liberia," in Daily Times, August 6, p. 15; "Rebel Split," in West Africa, July 23-29, 1990, p. 2170.

³⁰Ibid.

worst massacre was the one carried out by the AFL soldiers on July 30, 1990, in the Lutheran Church in Monrovia. Abundant evidence has shown that on Sunday night, July 30, 1990, about thirty soldiers, carrying submachine guns, machetes and knives broke into the compound of St. Peter's Lutheran Church, a designated Red Cross Center for refugees who had fled from the fighting. Red Cross flags were conspicuously flying all around the premises. However, the thirty soldiers opened fire on the 2,000 to 3,000 sleeping refugees, most of whom were Gios and Manos. The soldiers first opened fire on the defenseless men sleeping in the sanctuary. Then they went upstairs where they turned their guns on the women and children. Altogether these troops loyal to the besieged President Doe were reported to have killed between 200 to 300 people and to have injured hundreds of others. After the shooting died down, for fear that the soldiers might return, some of the survivors including many wounded fled to the nearby U.S. Agency for International Development (U.S. AID) compound. As if the first slaughtering was not enough, the soldiers rushed into this new compound, captured over 350 people and sent them to a nearby beach where they were shot. It is on record that that day alone about 600 men, women and children were massacred, not to mention those wounded.³¹ The International Red Cross, whose premises had been invaded in the attack which violated all

³¹"Doe's troops massacre 200" in Daily Times, July 31, 1990, p. 5; "600 killed in Liberian massacre," in Daily Times, August 1, 1990; "Liberia," in Nigerian Tribune, August 1, 1990, p. 9; "World leaders condemn Liberian massacre," Daily Time, August 2, 1990, p. 5; "Ghanian team to Liberia talks briefs IBB," in Nigerian Tribune, August 3, 1990; Issue Paper, February 4, 1992, p. 7.

norms of international conduct, and the international community, strongly condemned the killings.³²

The exact total number of lives lost in the war can no way be known since many people were either burned alive in their huts, especially the sick and the elderly, or drowned or massacred and buried. Many victims were buried individually, whereas others were buried in mass graves while yet other corpses were either left unburied to decompose or just had heavy stones tied around their neck and thrown into rivers or the Atlantic Ocean, according to eye witness accounts. It is, however, estimated that those individuals who have been killed in the war range somewhere from fifty to over one hundred thousand.³³

Underage Boys in Combat

At the start of the rebel incursion into Liberia, Charles Taylor had about one hundred and fifty men under his command³⁴ according to one report. However, following the government's retaliation against the Gio and Mano civilian population of Nimba county, these two tribes came to the conclusion that Doe's forces planned to exterminate them systematically. The Gio and Mano tribesmen realized that they had to defend their lives and property. Gio

³²"World leaders condemn Liberian massacre," in Daily Times, August 2, 1990, p. 5.

³³"Uprooted Liberians: Casualties of a brutal War," an Issue Paper by the U.S. Committee for Refugees, February 1992, p. 7.

³⁴"The rise and fall of Doe" in Weekend Concord, September 15, 1990, pp. 10-11.

and Mano men and boys, therefore, joined Charles Taylor's fighting force in large numbers.

There is abundant evidence to show that the NPFL forces contained many poorly trained boys in their early to mid-teens.³⁵ These boy soldiers became the "innocent perpetrators of the violence that engulfed the country."³⁶ Charles Taylor began his incursion with a "force" of about one hundred and fifty dissidents. He had recruited up to ten thousand "troops" by the height of the conflict in June to August 1990. He admitted that some of his fighting force was underage. Even though he is reported to have recognized that the use of the child-soldier was not good for the children involved, he nonetheless continued to recruit more boys and to use them. These boy-soldiers will be affected psychologically later in life if proper counseling is not designed for them. Many are likely to grow up without great respect for the value of human life and this does not augur well for the future of the country.

Foreign Nationals Held Hostage

Thousands of foreign nationals, including citizens from the sub-region, were trapped in Liberia without any means of escape or protection.³⁷ Many of these foreigners went for days without food, water or medical facilities. Sensing that there was a total collapse of law and order throughout the country and that

³⁵Issue paper, February 1992, p. 5.

³⁶*Ibid.*, p. 13.

³⁷*Ibid.*

their lives were in danger, many of them took refuge in their own embassies in Monrovia. Many had been subjected to harassment and molestation as the conflict escalated.³⁸ Those who arrived at their embassies thought they had reached a safe haven. However, after Taylor's troops heard that there was the possibility of ECOWAS intervention in the conflict, they raided both the Nigerian and Guinean embassies. After taking three security agents hostage, they entered the Guinean Embassy where over five thousand people had taken refuge. Some of these people were held hostages whereas others were forced to leave which was a gross violation of human rights.³⁹ One woman hostage is reported to have been killed. There are several other locations where foreigners were also reportedly held hostage. One reliable source estimated that there were about 250,000 Guineans, 200,000 Ghanaians and 5,000 Nigerians among other foreigners,⁴⁰ in Liberia. How many were held hostage is unknown. The Ghanaian government is reported to have warned Charles Taylor that he would be personally held "responsible for the lives of Ghanaians reportedly taken hostage by troops of the NPFL."⁴¹

³⁸"OAU backs intervention in Liberia," in Sunday Times, August 5, 1990, pp. 1-15.

³⁹A. Adegoke, "Will Liberia Ever Know Peace?" in Daily Sketch, August 7, 1990, p. 5; "IBB explains government action on Liberia" in Daily Times, August 11, 1990, pp. 1 and 2; "Ghanaian troops head for Liberia," in New Nigeria, August 11, 1990, p. 8.

⁴⁰"Rebels' action won't deter ECOWAS peace force--IBB," in New Nigerian, August 11, 1990, p. 1.

⁴¹"Taylor Warned," in West Africa, September 17-23, 1990, p. 2490.

Reacting to reports that foreign missions had been entered and hostages taken, the Executive Secretary of ECOWAS, Dr. Abbas Bundu, is said to have warned that "The last people they (the combatants) should touch are foreigners in Liberia, because no country will stand idly by and see its citizens being slaughtered."⁴² He felt the reported attacks on foreign missions including those of Guinea and Nigeria, two countries that had contributed soldiers to the ECOMOG, was the "'height of savagery' because the victims, taking sanctuary in their embassies had declared their neutrality in the Liberian crisis."⁴³ The Executive Secretary opined that the mediation group considered every available option before a decision was made to intervene to put an "end to the tribal killings and massacre of defenseless civilians."⁴⁴ Therefore, there was no need for the rebels to continue to hold foreigners hostages, thinking that might deter an ECOWAS intervention. A state of anarchy had developed, leaving Doe's government unable to govern while the two warring factions were unable to dislodge Doe. The result was that almost everybody in the war-torn country was being held a hostage in one way or another. The holding of foreign nationals directly or indirectly by rebel groups affected citizens and governments of several West African states.

⁴²"ECOWAS warns warring factions in Liberia," in Daily Times, August 13, pp. 1 and 16; "ECOWAS Commander warns Liberian factions," in The Punch, August 13, 1990, pp. 1 and 10; and "Taylor says Nigerian troops are 'interventionists'" in The Guardian, August 13, 1990, pp. 1 and 2; "ECOWAS and Liberia" in West Africa, August 20-26, 1990, p. 2309.

⁴³Ibid.

⁴⁴Ibid.

Massive Destruction of Property

In addition to the massacre of thousands of innocent civilians by all the factions in the civil war, the violence led to an unnecessary destruction of property. It will be recalled that after Taylor and his rebels initially attacked the AFL positions, in retaliation the AFL attacked the mostly Gio and Mano civilians making up the Nimba population. It is on record that in many instances the AFL soldiers razed whole villages. The soldiers stole whatever they thought would be useful to them.

Property destruction by the rebels was even worse. Since many civilians had to leave their towns and villages to stay alive, the rebels looted their empty homes, appropriating all they could use and destroying what they could not carry away. Such behavior was encouraged by the fact that for many months after the incursion was launched, the young rebels were not paid. Furthermore, because most members of Taylor's group were young, poorly trained, and undisciplined, it was difficult for the unit commanders to control them. Most of them became laws unto themselves.

The most massive destructions of property came not in the interior, but in Monrovia. Reports reveal that many homes and businesses were looted by the three factions. The situation in the capital was so chaotic that many people were concerned with saving their lives, not properties, as the opposing factions executed civilians. The rebels looted businesses and properties belonging to Krahns and Mandingoes while the AFL soldiers similarly looted some homes and businesses belonging to Gios and Manos and destroyed others. Thus

millions of dollars were lost during the civil war through the stealing, looting and massive destruction of property.

Defying all international laws associated with the waging of civil war, the warring factions massacred thousands of innocent civilians, used boy-soldiers as innocent perpetrators of violence, held foreign nationals hostage and engaged in the massive destruction of property. As a result, many civilians fled the country to save their lives and the lives of their families. Over three quarters of a million refugees poured across the borders into Guinea, Cote D'Ivoire and Sierra Leone alone. This is what we turn our attention to next.

The Refugee Problem

From the beginning of the crisis to the time the ECOWAS Cease-Fire Monitoring Group (ECOMOG) intervened in August 1990, many Liberians and other nationals resident in the country, "were being displaced and made refugees in neighboring countries daily."⁴⁵ The refugee crisis worsened at the time when all three factions in the war approached the capital and particularly after the story spread that Doe's Krahn-tribe soldiers had killed at least two dozen civilians and dragged them from their houses and from hospitals near the beleaguered city's only remaining airstrip.⁴⁶ As the war spread rapidly the number of refugees increased. Many of the Liberians living close to the borders

⁴⁵"ECOWAS mediation in the Liberian Crisis," in Contact, November 1990, Vol. 2, No. 3, p. 6.

⁴⁶"Liberian Refugees Arrive in Nigeria," in The Guardian, July 29, 1990, p. A2; "Refugees," in West Africa, August 6-12, 1990, p. 2250.

with Guinea, Cote D'Ivoire and Sierra Leone fled across the borders. These countries helped reduce the suffering of the Liberian refugees. Despite the help received from host countries, the refugees still faced problems. These problems included lack of shelter and household items, congestion and lack of sanitation, prevalence of diseases, lack of health care and medical supplies, inadequate and improper distribution of food, emotional instability, problems associated with effects of war on children, lack of education in some locations and lack of proper child rearing.

The level of conflict, threats and anarchy in Monrovia has prevented ICRC delegates from working to ensure the respect of international humanitarian laws and to provide assistance for the victims of the conflict. There is a desperate lack of shelter and household items. Groupings of refugees tend to be large. For instance, an estimated 200,000 people are crowded in the campus of the University of Findelle, around 20,000 in Kataka, and about 10,000 more in The Voice of America Compound. The total number of refugees in Guinea is estimated at 250,000, in Cote D'Ivoire 120,000, and in Sierra Leone 30,000.⁴⁷

The number of displaced people arriving at the refugee bases overwhelmed the Red Cross personnel. The refugee problem became so acute that instead of limiting them to the three countries (Guinea, Cote D'Ivoire, and Sierra Leone) bordering Liberia, as preferred by the United Nations High Commission for Refugees (UNHCR), some of the refugees were sent to Ghana and Nigeria where camps were provided for them.

⁴⁷"The human factor," in West Africa, September 3-9, 1990, p. 2391.

The refugees who were fortunate were driven in "cattle trucks" from Liberia to camps in Sierra Leone. Some arrived sick, hungry, thirsty, tired and dusty. The less fortunate ones had to walk for about three days before they arrived at the nearest refugee camp in Sierra Leone, called Kenema. As the number of refugees soared, some of them died of diseases and malnutrition. The unprepared United Nations High Commission for Refugees (UNHCR) rapidly ran out of relief materials.⁴⁸ In some of the countries refugees had to use the limited health centers intended for the local people.

Another problem these refugees faced was lack of clothing since most of them had left their rural homes with no possessions. Furthermore, many had lost their families, friends and children in the bloody strife that engulfed the country. Therefore, most of them had been emotionally traumatized.⁴⁹ Since there were not sufficient counselors in many cases, the emotional trauma will not be overcome easily. Tribal hatreds have clearly been increased. It will take a long time before the horror of the torture, execution, rape, mutilation and other physical abuse of persons including their own loved ones which children witnessed will fade away from their minds.

The children also faced a lack of educational facilities in some locations. In some of the refugee camps Liberian-type schools were opened for children whereas in many camps this was never done. On the other hand the refugees who ended up in small villages in Guinea and Cote D'Ivoire did not have access

⁴⁸"Refugees cry out," in West Africa, August 20-26, 1990, p. 2315.

⁴⁹Ibid.

to schools because language barriers prevented them from attending local schools. In most camps where Liberian teachers were present, they were encouraged to open schools for the children. Those children who never had the chance to go to school at the camp have lost about two years of school time. Officials in Guinea have allowed refugees to set up their own education programs with their own teachers and allowed them to use Guinean school facilities. Provision of education has not been a priority for the Ivoirian government, however. A report reveals that for about two years after the refugees arrived in Cote D'Ivoire, "the government has not allowed any education programs for refugee children. Early efforts by the refugees and some relief groups to start refugee schools on their own were thwarted when the government ordered all the schools closed."⁵⁰ It is hoped that the government will agree to the establishment of schools for the refugees soon. Thus it is clear that schools have been lacking which has contributed to the inability of the elders to properly bring up some of the youth. The result has been an increase in crime, violence and prostitution.⁵¹

Closely related to the problem of education of the children is the problem of upbringing. The war orphaned many of these children, and many others were separated from their families. Many do not know how many of their relatives are alive. The youth who ended up in refugee camps with no relatives present have lived the lives they saw fit without much direction from adults. In

⁵⁰Issue Paper, USCR, February 1992, p. 17.

⁵¹*Ibid.*

such situations, many of the youth have followed the lifestyle of their peers. Those who were unfortunate enough to fall in with the company of "undesirable" children adopted their way of life. No wonder there were complaints in many of the towns and villages with large number of Liberian refugees. One report revealed that increases in crime, violence and prostitution were the greatest source of friction in the Ivorian town of Danane.⁵² A local school teacher was quoted as saying:

Before the refugees arrived, Danane was small, calm. Now it is not safe. Violence has increased. There is more fighting, stealing, guns, and insecurity. You can't walk the street late at night.⁵³

Many "undesirable" habits are not going to be easy to break. This does not augur well for the children individually nor the country on their return.

Food Shortage Crisis in Neighboring Countries

Food shortages hit the neighboring countries after they responded to the mass influx of Liberian refugees. In Cote D'Ivoire, Guinea and Sierra Leone, as soon as word spread through the villages and towns near the borders about the presence of Liberians, the local people opened their homes to them. Abundant evidence shows that Liberian refugees received unprecedented hospitality with individual families taking the refugees into their homes and

⁵²Ibid.

⁵³Ibid.

sharing their food supplies with them.⁵⁴ Not only that, the refugees were even given land to farm.⁵⁵ Many of the "Liberian refugees, unlike most refugees worldwide, did not wind up living in refugee camps but were absorbed into local communities in the asylum countries."⁵⁶ The Liberians were received as brothers and sisters, not as refugees.⁵⁷ Reports revealed that

generosity provided the refugees with food and shelter in a more humane environment than a refugee camp. It also helped to make up for the woefully inadequate initial response of the international community--including the United Nations High Commission for Refugees (UNHCR). Without the action of the Guinean, Ivorian and Sierra Leonean people, there could have been a major refugee tragedy in West Africa.⁵⁸

Since these countries received a very large influx of refugees with whom they shared their regular food, they began to experience food crisis. Guinea requested relief materials from the UNHCR as soon as the influx of the refugees became noticeable but not much was provided. The UNHCR was in financial crisis.⁵⁹ Cote D'Ivoire and Sierra Leone received very limited assistance from the UNHCR and other donor organizations and various nations. It was the good will of the local hosts which sustained the refugees. The food shipments

⁵⁴Ibid., p. 14.

⁵⁵Ibid.

⁵⁶Ibid.

⁵⁷Ibid.

⁵⁸Ibid.

⁵⁹Ibid., p. 19.

to these countries were neither large enough nor regular enough. Added to these problems was the problem of distribution. Many refugees lived among the local people in rural areas where roads and bridges were in deplorable condition. Also there was a lack of trucks to cart relief materials to the rural areas. The local people continued to share their food with the refugees, however, and this increased the food crisis in these countries.

These countries also had other problems apart from the food crisis. "The refugees' presence was impeding even basic services to their own people in the refugee-impacted rural areas, and was causing rents and prices of goods to rise in the capital."⁶⁰ Furthermore, reliable reports showed that the economic and social problems exacerbated by the refugee influx were creating grave political problems for the three governments, especially that of Sierra Leone.⁶¹ The political problems became extremely acute there when the Liberian war itself spilled over the border. It will be recalled that the non-Liberian rebels in Charles Taylor's camp described as "soldiers of fortune" had been promised support in destabilizing the governments of their own countries. The spill-over of the war into Sierra Leone was, therefore, not surprising. It increased the food crisis and other suffering afflicting the Liberian refugees and the local people.

⁶⁰Ibid., p. 22.

⁶¹Ibid.

Spilling-Over of Hostilities

On March 23, 1991, rebel forces from Charles Taylor's NPFL moved across the border into Sierra Leone. These forces occupied the towns and villages near the border and reportedly terrorized both the Liberian refugees in their new haven and the local population. In all, an estimated 325,000 Sierra Leoneans and Liberian refugees were uprooted from the Eastern and Northeastern region of the country.⁶² Most of these uprooted people became new refugees in Guinea whereas others were either internally displaced or fled to Liberia. Charles Taylor initially denied any knowledge of the attacks. However, upon the capture of many of these rebels, it became certain that they were part of Taylor's group. Many were dissident Sierra Leoneans who opposed former President Momoh's government.

There is abundant evidence to show that "the rebel incursion brought the horrors of the Liberian war--killings, atrocities, fear, displacement--to Sierra Leone."⁶³ There are hundreds of thousands of Sierra Leoneans who are still displaced and afflicted by insecurity. Many of the people displaced were forced to rely on food and medical care originally meant for the Liberian refugees. This obviously led to more food shortages for the original refugees and a new influx into both the refugee camps in Sierra Leone and more so in Guinea.

After an appeal from the former president of Sierra Leone, Joseph Momoh, soldiers from Nigeria and Guinea offered help in the protection of the

⁶²Ibid., p. 23.

⁶³Ibid.; A. Bundu--Lecture at Yaounde, Cameroon, June 17-21, 1991, p. 7.

sovereignty of Sierra Leone. The U.S., Britain and others provided military and technical assistance to Sierra Leone. With all this help the Sierra Leonean army was able to recapture the occupied regions and push the rebels back into Liberia.

Hundreds of thousands of Sierra Leoneans and Liberian refugees fled to Guinea or were displaced to other parts of Sierra Leone. In addition many uprooted people who were "caught behind the rebel lines were either forced to move into Liberia or fled there voluntarily."⁶⁴ These people who went back into the Taylor-held areas of Liberia were risking their lives. Also there were reports which indicated that:

Liberian refugees became scapegoats for Sierra Leoneans' anger over the rebel incursion. In July 1991 New Africa reported, "All Liberian refugees . . . are seen as 'spies' in the employ of the rebels. As the harassment and persecution continues, there have been tales of random and often unprovoked beatings of the refugees."⁶⁵

As a result of all these developments, many Liberian refugees opted for repatriation back to their own country. It was the interim government rather than the UNHCR which responded and repatriated them. The UNHCR officials felt the situation in Liberia was not appropriate for repatriation. However, it

⁶⁴Ibid.

⁶⁵Quote in Ibid., p. 24.

facilitated transportation from the interior to Freetown and provided food and water for the sea voyage.⁶⁶

It is believed that the NPFL's incursion into Sierra Leone resulted in the formation of yet another military faction called The United Liberation Movement for Democracy (ULIMO) which was to become a strong opponent to Taylor's NPFL. The ULIMO was made up mostly of former AFL soldiers and other ethnic Krahns who were reported to have fought alongside Sierra Leonean soldiers to push the NPFL out of southeastern Sierra Leone. Since the overthrow of Joseph Momoh's administration in Sierra Leone, the fighting between the NPFL and Sierra Leone soldiers has ceased. However, the ULIMO which crossed the border into Liberia kept fighting the NPFL soldiers until ECOMOG created a buffer zone between the ULIMO and the NPFL troops.

Thus the spilling over of hostilities into Sierra Leone resulted in many things. First it disrupted the organized relief programs for the Liberian refugees. Some of these refugees became displaced again. Some of them fled to Guinea. Some went to new refugee camps near Freetown (the Sierra Leonean capital), some were later repatriated to Monrovia, and finally some risked their lives by going back to the Taylor-held area of Liberia. Unfortunately, many Liberian refugees became scapegoats for Sierra Leoneans' anger over the rebel incursion. Second, the incursion uprooted hundreds of thousands of Sierra Leoneans, some of whom became refugees in Guinea while others were internally displaced or risking their lives by crossing into Taylor-held areas of

⁶⁶Ibid., p. 25.

Liberia to seek refuge. Finally, the presence of new refugees following the incursion resulted in a lack of food, medical supplies and other relief materials in both Sierra Leone and Guinea.

Conclusion

The long Liberian civil war has had grave social, economic, psychological and political consequences for Liberia in particular and the West African region in general. The hostilities have resulted in the massive destruction of property and massacre by all factions of hundreds of thousands of civilians, including women, children, the elderly and foreign nationals. The barbaric acts which defied all norms governing the waging of civil war also led to serious human rights abuses against Liberians and foreign nationals. The incursion was not purely a domestic matter. This is so because some foreign countries provided training facilities and military supplies to one faction and there were some non-Liberians involved in the conflict. The wanton destruction of property and the civilian population by all the warring factions resulted in a state of anarchy and a total breakdown of law and order in Liberia. This situation displaced hundreds of thousands of Liberians and foreign nationals resident in Liberia were forced to flee to neighboring countries and caused hostilities to spill over into neighboring countries.⁶⁷ Furthermore, the war led to a food shortage crisis throughout the region since host families shared their food with the refugees, especially in the early phase of the crisis, which took the unprepared UNHCR

⁶⁷ECOWAS Doc-ECW/HSA/SMC/1/5/Rev 1, p. 3.

by surprise. It was these developments that resulted in the ECOWAS intervention which is the topic of the next phase of this study.

CHAPTER V

THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS) PREPARES AND ATTEMPTS TO INTERVENE IN THE CRISIS

Introduction

In the previous chapter, we attempted to analyze the effects of the civil conflict on Liberia and the West African region. The discussions covered the killing of Liberian civilians and foreign nationals including many citizens from the region caught in the civil war, the massive destruction of property, the recruitment and involvement of dissident soldiers from other countries of the region in the Liberian civil war and the open support given by some countries to a warring faction. Also covered was the refugee problems which resulted in famine in the region and the spill-over effect of the civil conflict into Sierra Leone. The present chapter is devoted to the analysis of the intervention by the ECOWAS. Here, some major aspects of the ECOWAS will be highlighted including the decision-making processes which led to the formation of the ECOWAS Standing Mediation Committee which assessed the situation in Liberia and found out that the country was in the state of anarchy and therefore created the ECOWAS Monitoring Group (ECOMOG) on behalf of the ECOWAS Authority (that is the Heads of State and Government) with a specific mandate. Furthermore attention will be focused on the membership of the ECOMOG and the intervention itself. An attempt will be made to examine the reasons for the

intervention. We will focus on the legality of the action by considering both the humanitarian justification and regional peace and the security justification. We shall also examine the provisions of the two ECOWAS protocols relevant to the study and the late President Doe's invitation to the ECOWAS to intervene. Furthermore, we shall discuss the initial efforts by the Mediation Committee to encourage Liberians to hold an all-party conference in Banjul to constitute an interim government.

ECOWAS Responds to the Liberian Crisis

The crisis in Liberia started in December 1989 when the rebels launched their incursion into the country. The conflict between the rebels and the government forces raged on for months. By the time of the 1990 ECOWAS Summit in Banjul, the fighting, which started as an uprising to oust Doe from power, had turned into a civil war and was out of control. The Presidents and Heads of State in the region had individually and/or collectively called on the warring factions to put in place a cease-fire but these calls were not heeded. This section, therefore, covers how the ECOWAS officially responded to the crisis. Incidentally, the Authority had agreed to accept a proposal for the formation of the ECOWAS Standing Mediation Committee at the Banjul Summit with a specific mandate. This newly created committee took the initiative on behalf of the Authority in tackling the Liberian problem. It first appealed to the warring parties to observe a ceasefire but this appeal failed; therefore, a more aggressive policy had to be pursued.

The ECOWAS Standing Mediation Committee Formed and Its

Mandate Provided

It could be argued that because the crisis in Liberia had led to the loss of hundreds of thousands of lives including those of civilian women, children and foreign nationals, most of whom were citizens of other ECOWAS countries, the Authority was obliged to find a solution to the problem. It was, therefore, not surprising that the Authority accepted a proposal to establish a five-member ECOWAS Standing Mediation Committee. The main objective of this committee was "to settle dispute and conflict situations within the community."¹ In other words, the committee was required to look into any interstate disputes and conflicts which might disrupt normal life within member states and interfere with the smooth functioning of the community. This committee was to act for and on behalf of the Authority.² The five member committee is composed of the Gambia (Chairman), Ghana, Mali, Nigeria and Togo. The committee is to work for three years at the end of which time there will be a review of membership. The chairman is expected to report to the Authority at subsequent ECOWAS sessions. The specific mandate given to the committee was that each report was to include "The nature of the conflict, the parties involved, the mediation

¹"ECOWAS Mediation in the Liberian Crisis" in Contact, November, 1990, V. 2, No. 3, p. 6.

²Ibid.; A. Bundu, 1990/91 Annual Report of the Executive Secretary, May 1991, p. 87; A. Bundu, Lecture at Yaounde, Cameroon, June 17 to 21, 1991, p. 8.

efforts made by the Committee and the outcome of the mediation."³ The ECOWAS Heads of State and Government and in fact the entire international community had been following the escalation of the Liberian conflict since its beginning in December 1989. Therefore, at the 1990 Banjul Summit, the Liberian situation was singled out and discussed thoroughly. At the end of the deliberations on May 30, the Authority of the Heads of State and Government:

- (i) Expressed concern over the situation in Liberia.
- (ii) Called on parties to agree to an immediate ceasefire, and to stop the unnecessary destruction of life and property and
- (iii) Appealed to all parties to accept the holding of elections as a means of returning the country to peace and harmony.⁴

This statement was to guide the committee's work.

It was hoped that the warring parties (Government's Armed Forces of Liberia--AFL and the National Patriotic Front of Liberia--NPFL) would heed the appeal and that the Committee could successfully monitor the resulting ceasefire. The Committee and indeed all who followed the conflict soon realized that instead of ceasing, the hostilities intensified and the situation worsened. The warring factions failed to heed the appeal made by the ECOWAS authority, the highest sub-regional body in the area. There was abundant evidence to show that the warring parties' failure to heed the appeal resulted in the "continued massive destruction of property and the massacre of thousands of innocent civilians--barbaric acts that were contrary to all

³Ibid.

⁴Ibid.

recognized standards of civilized behavior."⁵ Furthermore, thousands of foreign nationals, most of whom were from the other countries within the community, were trapped in Liberia without any means of escape or protection.⁶

It became clear that a state of anarchy had developed. A total collapse of law and order had taken place in the country. Doe's government could not govern, but none of the contending factions (by the time the opposition entered Monrovia, it had split into the National Patriotic Front of Liberia--NPFL and the Independent National Patriotic Front of Liberia--INPFL) was able to dislodge him from office. This led to "a situation where the entire population was held hostage."⁷ As has been mentioned, numerous massacres took place and hundreds of thousands of refugees fled to neighboring countries and beyond. Reports also revealed that there were growing threats of hostilities spilling into neighboring countries.⁸

As the barbaric acts continued, the situation became increasingly painful to many prominent Liberians. There was, therefore, an attempt to find "an all-Liberian solution"⁹ to the crisis. Liberian religious groups formed an Inter-Faith

⁵A. Bundu, 1990/92 Annual Report of the Executive Secretary, May 1991, p. 87.

⁶Ibid.; "ECOWAS Mediation in the Liberian Crisis" in Contact, November, 1990, V. 2, No. 3, p. 6.

⁷Ibid.

⁸Ibid.; p. 88.

⁹Ibid.

Mediation Committee which convened a meeting of the warring factions and other national organizations in Freetown, Sierra Leone. The aim of this body was to find a peaceful solution to the conflict raging in the country. This attempt did not succeed. Meanwhile, the "carnage and mayhem continued unabated."¹⁰ At this point, many people considered the situation hopeless. It was suggested that the OAU, the UN, the ECOWAS or the United States should intervene to stop the wanton destruction of lives and property. The late President Doe realized that he could not bring the conflict under control. Therefore, in July 1990, he asked the ECOWAS to send a force into Liberia.¹¹ It was the desire to help the country and the people, not Doe, which first and foremost, motivated the ECOWAS Mediation Committee to take the initiative to tackle the problem. This initiative is what we turn our attention to.

Mediation Committee Takes Initiative to Tackle Liberian Problem

After receiving President Doe's request, the then Chairman of the Authority, President Dawda Jawara of The Gambia sent the Executive Secretary to consult members of the Standing Mediation Committee and the leaders of the two warring parties, the late President Doe and Mr. Taylor. The main objective of the consultations was to discuss the prospects of a possible ECOWAS mediation. All the parties agreed to participate in an ECOWAS mediation process.

¹⁰Ibid.

¹¹Ibid.

As a result of favorable responses from the expected participants in the mediation process, the chairman of the Authority directed the convening of the Mediation Committee at the ministerial level in Freetown, Sierra Leone. The meeting lasted from July 5 to 20, 1990.¹² In attendance were representatives of the two warring leaders, Messrs. Doe and Taylor, the political parties, other interested groups and the Inter-Faith Mediation Committee which first attempted to find an all-Liberian solution to the problem but failed. Neighboring Guinea, Sierra Leone and Côte d'Ivoire were invited to attend the meeting. These three countries were invited because, as we saw in the previous chapter, they were playing host to most of the Liberian refugees. Whereas both Guinea and Sierra Leone accepted and attended the meeting, Côte d'Ivoire declined. Unfortunately, "the meeting . . . reached an impasse because the delegation of Mr. Taylor's National Patriotic Front of Liberia (NPFL) refused to accept a ceasefire unless Mr. Doe resigned from office."¹³ Their meeting having reached an impasse, the Ministers found it necessary to strongly recommend to the Heads of State of the members of the Mediation Committee that they take immediate action to bring the crisis to a speedy and peaceful end. Thus, Taylor's refusal to accept a ceasefire resulted in the matter being referred to a higher authority.¹⁴

¹²Ibid., p. 7.

¹³Ibid.

¹⁴Ibid.

Higher Authority Meets Following the Refusal of NPFL to Accept Ceasefire

After consultations with members of the Mediation Committee, a summit meeting was held in Banjul, The Gambia, from August 6 to 7, 1990. As in the case of the ministerial level meeting, the three neighboring countries--Guinea, Sierra Leone and Côte d'Ivoire--were invited because these three countries had "borne the brunt of the out-flow of hundreds of thousands of refugees fleeing the fighting in Liberia."¹⁵ Since the three were not members of the Mediation Committee, they were to attend in an observer status. As in the case of the ministerial meeting, both Guinea and Sierra Leone accepted the invitation and attended. On the other hand, Côte d'Ivoire declined but made it clear that she supported the ECOWAS initiative. It should be recalled that the late President Doe requested the ECOWAS to send an intervention force into Liberia in July 1990, when he discovered that the situation was beyond his control. Under the rules governing the Community, especially the provisions of the 1981 protocol (which will be discussed later), Doe was right in requesting an intervention force. However, the Mediation Committee proposed a plan of action which was not consistent with the late President's position. Since the ECOWAS desired to see that peace and stability were restored to Liberia and the region as a whole, a peace plan was adopted at the end of the Banjul Summit which provided:

- (a) That the warring parties observe an immediate ceasefire;
- (b) That an ECOWAS Ceasefire Monitoring Group (ECOMOG) be set up to keep the peace and restore law and order and ensure respect for the ceasefire;

¹⁵Ibid.

- (c) That a broad-based, Interim Government to be set up by Liberians through a national conference of political parties, warring parties and other interest groups;
- (d) That President Doe should withdraw from Liberia;
- (e) That free and fair elections to be held within twelve months to establish a democratically elected government in Liberia;
- (f) That ECOWAS should observe the elections;
- (g) That a special Emergency Fund for ECOWAS Operations in Liberia be set up. The initial capital of the Fund was put at US\$50 million to be generated through voluntary contributions from ECOWAS member states and the third parties--donor governments and agencies.¹⁶

Two major steps were taken after the completion of the Banjul Summit.

The Mediation Committee, working on behalf of the Authority, wanted the international community to realize how determined members were to see to it that peace and stability returned to the region. Therefore, as soon as the Summit of the Mediation Committee was over, the chairman of the committee who was also the chairman of the Authority of the ECOWAS briefed all the Ambassadors accredited to The Gambia and the international press on the decisions taken at the summit. Secondly, the chairman immediately dispatched letters on the outcome of the Mediation Committee summit to all the Heads of State and Government of the member states which do not sit on the Mediation Committee. This enabled every member to follow developments in the Liberian crisis and the decisions taken on the community's behalf by the Mediation Committee.¹⁷

¹⁶A. Bundu 1990/91 Annual Report of the Executive Secretary, Mary 1991, p. 89.

¹⁷Ibid., p. 90; "ECOWAS mediation in the Liberian Crisis" in Contact, November, 1990, V. 2, No. 3, p. 7.

According to the Executive Secretary of the ECOWAS, Dr. Abass Bundu, the decision taken by the Mediation Committee at the Banjul Summit "was indeed an historic decision."¹⁸ He said further that:

There was no precedent for such a bold decision by a regional organization anywhere in Africa . . . but it was one which contributed in no small measure . . . (to) . . . changing . . . radically the world's perception of ECOWAS and, by extension, of Africa's capacity to find regional solutions to regional problems . . . it is important to recall here that the ECOWAS Peace Plan for Liberia has received the approbation of both . . . (the) . . . UN Security Council and the OAU Council of Ministers.¹⁹

As expected two of the three warring parties (Doe's AFL and Johnson's INPFL) which accepted the first ceasefire called by the ministerial level of the Mediation Committee readily accepted the new ceasefire. However, Mr. Taylor of the NPFL declined to accept the ceasefire despite all the efforts made by the committee. It should be recalled that the NPFL delegation refused to accept the first ceasefire because Doe was not asked to leave office. Despite the fact that the decision taken by the summit of the Mediation Committee included the withdrawal of Mr. Doe from Liberia, Taylor and his NPFL executives still declined to accept the ceasefire in spite of several appeals made to them. Taylor's attention was drawn to the fact that the ECOWAS Peace Plan for Liberia had

¹⁸A. Bundu, "The Role, Experience and Lessons of Security Co-operation within ECOWAS: The lessons of Liberia," Unpublished Lecture delivered at a High-Level Workshop on Conflict Resolution, Crisis Prevention and Management and Confidence-Building Organized by the U.N. Department for Disarmament Affairs, Yaounde, Cameroon, 17-21 June 1991, p. 9.

¹⁹Ibid.

received the approbation of both the UN Security Council and the OAU Council of Ministers.²⁰ The support of this peace plan by these august bodies did not influence Taylor to change his stand. He further complicated matters when he announced the formation of an Interim Government based in Gbanga, with he himself as the President. Following the NPFL's refusal to accept the Mediation Committee's Peace formula for Liberia which included the observance of an immediate ceasefire, the wanton destruction of property and the massacre of both Liberians and foreign nationals continued.²¹ Since many lives were being lost daily, the mediation committee established the ECOMOG which was used to intervene in the crisis. No ceasefire was in place at the time the ECOMOG entered Liberia. We turn next to these matters.

ECOWAS Ceasefire Monitoring Group (ECOMOG)

This section covers the formation of the ECOWAS Ceasefire Monitoring Group (ECOMOG) by the newly formed five-member Standing Mediation Committee. The section ends with discussions of the original and the enlarged membership of the ECOMOG.

²⁰Contact, November 1990, V. 2, No. 3, p. 7; A. Bundu, 1990/91 Annual Report, p. 90.

²¹Ibid.; "Doddering Doe" in West Africa, July 30-Aug. 5, 1990, p. 2200.

The Standing Mediation Committee Forms ECOWAS Ceasefire Monitoring Group (ECOMOG)

The failure of Taylor to heed the Mediation Committee's Summit appeal for a ceasefire prevented the other two factions (AFL and NPFL) which had declared their intention to accept a ceasefire from doing so. They did not want to encourage surprise attacks from Taylor and his force. Since the ceasefire was not being observed, the situation in Liberia continued to deteriorate. Between July and early August 1990, abundant evidence reveals that there was a total collapse of law and order, especially in Monrovia.

When the mediation committee met at the ministerial level in Freetown, Sierra Leone, from July 5 to 20, 1990, the formation of a peacekeeping force to be known as the ECOWAS Ceasefire Monitoring Group (ECOMOG) was proposed. Taylor's NPFL, which refused to accept the ceasefire, suggested:

that ECOWAS should rather send a team of civilians to "assess" the situation once a ceasefire was put in place. The ministerial meeting deemed this an impracticable proposition, as it would be unwise to expose a group of civilians to a war situation without adequate protection.²²

The chairman of the Authority, at the time President Jawara, then agreed to add a civilian component to the ECOMOG in the hope of winning Taylor's approval. This revised proposal did not satisfy the demands of the NPFL so the latter rejected it. Despite the fact that the ECOWAS peace plan adopted at the end of the Mediation Committee's Summit in Banjul included a statement that

²²A. Bundu, 1990/91 Annual Report, p. 90.

President Doe was part of the problem and that he was to withdraw from Liberia, the NPFL was still not convinced that the ECOMOG was intervening as a neutral entity with peaceful intentions. In spite of NPFL resistance and threats from Taylor that his forces were going to fight any intervening force, the Mediation Committee still went ahead and constituted the ECOMOG. Its composition forms the subject matter of the next part of this section.

The Original and Enlarged Membership of the ECOMOG

As part of the ECOWAS peacekeeping Plan, the ECOWAS Ceasefire Monitoring Group (ECOMOG) was constituted by the members of the Standing Mediation Committee at the Banjul Summit. The ECOMOG was originally to be made up of servicemen and women drawn from the Armed Forces of The Gambia, Ghana, Mali, Nigeria and Togo. These five members of the ECOWAS Standing Mediation Committee were supposed to form the initial membership of the peacekeeping force.

The three countries bordering Liberia, Guinea, Côte d'Ivoire and Sierra Leone were invited to attend the Mediation Committee's meeting at both the ministerial and Summit levels because they were hosting hundreds of thousands of Liberian refugees. As was indicated above, Guinea and Sierra Leone participated in both meetings whereas the Côte d'Ivoire declined to do so. However, even though Côte d'Ivoire declined to attend the Summit meeting, it agreed to support the initiative of the Committee. Guinea and Sierra

Leone agreed and contributed some personnel to the ECOMOG force. On the other hand, Côte d'Ivoire failed to contribute.

Furthermore, both Togo and Mali, members of the Mediation Committee and Francophone countries initially failed to contribute any military contingent to the peacekeeping force. This was a result of misunderstanding between the Anglophone and Francophone members of the Community in the initial stages of the execution of the peace formula. The misunderstanding was later resolved. It could be argued that Togo's and Mali's refusal to contribute forces resulted from solidarity with Côte d'Ivoire and Burkina Faso, two other Francophone countries which originally supported rebel leader, Charles Taylor, and did not want any ECOWAS intervention in Liberian affairs. Even though Nigerian and Ghanaian troops formed the bulk of the peacekeeping force, countries like Guinea, a French-speaking country which did not support the so-called Francophone solidarity and Sierra Leone also contributed a significant number of troops to the initial peacekeeping force. Thus the peacekeeping force initially comprised military personnel from The Gambia, Ghana, Guinea, Nigeria and Sierra Leone.

It is important to note that an initial fifty million dollar Special Emergency Fund for the ECOWAS operations in Liberia was set up. It was soon discovered that this amount was grossly inadequate. Each of the five countries which initially contributed contingents to the ECOMOG had to bear the financial and other welfare burdens involved in sending and maintaining their

contingents.²³ There was an understanding that the Community would reimburse members when funds became available.

The main purposes of the peacekeeping force were to restore law and order, ensure that the ceasefire was respected . . . and create the necessary conditions for normal life to resume to the benefit of all Liberians.²⁴ The peacekeeping force was placed under the command of a Ghanaian general, General Arnold Quainoo. The Deputy Commander was provided by The Republic of Guinea.²⁵ However, after President Doe was assassinated, a new arrangement came into effect. Under it, Nigeria substantially increased the number of its troops and provided a Field Commander. The current ECOMOG Field Commander is Major-General Ishaya Bakut. He replaced Major-General Rufus Kupolati who had earlier on replaced Major-General Joshua Dogonyaro.²⁶

At its first-ever Extra-ordinary Session held November 27-28, 1990, in Bamako, Republic of Mali, the Authority strongly stated that membership in the ECOMOG had never been closed. The Authority "appealed to all other members of the Community able and willing to do so to contribute forces to the ECOWAS Ceasefire Monitoring Group in order to enlarge its peace-keeping

²³Ibid., p. 113.

²⁴ECOWAS Doc., ECW/HSG/SMC/1/5/Rev 1, Final Communiqué, Banjul, August 6-7, 1990, p. 4; Contact, November, 1990, V. 2, No. 3, p. 11.

²⁵Ibid.

²⁶"New Field Commander" in West Africa, March 4-10, p. 316.

capability."²⁷ At the Third Summit meeting of the Community Standing Mediation Committee held in Lomé from February 12-13, 1991, the Committee warmly welcomed the Republic of Mali's decision to contribute forces to the ECOMOG.²⁸ Again, the Authority repeated the appeal made by the Bamako Extraordinary session to members to contribute troops to the ECOMOG so as to make it capable to both efficiently and effectively carry out its responsibilities in Liberia.²⁹ Furthermore, during the 14th ECOWAS Summit at Abuja, Nigeria, between July 4 to 6, 1991, the Authority reiterated its two earlier appeals at Bamako and Lomé to member states to contribute troops. Senegal and Guinea-Bissau have since contributed a substantial number of troops, especially Senegal. The sending of additional troops by these three countries eased the temporary tension which seemed to have developed between the Francophone and Anglophone members of the community at the beginning of the peace-keeping operation.

Even though the peace keeping operation is not over yet, many Liberians at home and abroad keep expressing their gratitude to the ECOWAS and the participating countries. At a recent dinner and dance in New York City, "special plaques expressing the gratitude of Liberians were presented, one to the ECOWAS as a body, and one each to the eight countries which now participate

²⁷ECOWAS Doc., ECW/HSG/EZ/I/4, Final Communiqué, Bamako, November 27-28, 1990, p. 6.

²⁸ECOWAS Doc. ECW/HSG/SMC/III/2, Final Communiqué, Lomé, February 12-13, 1991, p. 5; A. Bundu, 1990-91 Annual Report, pp. 105-106.

²⁹Ibid., pp. 5-6; p. 106.

in the peace-keeping process, namely, Ghana, Guinea, Guinea-Bissau, Mali, Nigeria, Senegal, Sierra Leone, and The Gambia."³⁰

Despite serious problems, the Standing Mediation Committee established the ECOWAS Ceasefire Monitoring Group (ECOMOG) on behalf of the Community. The importance of this bold and unprecedented decision by a regional organization on the African continent cannot be underestimated. However, many people still argued that the intervention by the ECOMOG was not consistent with international law and for that reason and others the ECOMOG had no business intervening. We next turn to the question of justification.

Justification for the Intervention

The intervention was undertaken for humanitarian reasons and to promote peace and security. Its legality was defended on this basis and also on the basis of two ECOWAS protocols and the invitation sent to the community by the "de jure" government of Liberia.

Humanitarian Reasons for the Action

Before the ECOMOG's entry into Liberia, the ECOWAS Standing Mediation Committee accurately described the situation in Liberia as follows:

The failure of the warring parties to cease hostilities has led to massive destruction of property and the massacre by all the parties of

³⁰"Citizen in U.S. honor ECOWAS: Questions about Mandate" in West Africa, August 3-9, 1992, p. 1309.

thousands of innocent civilians including foreign nationals, women and children, some of whom had sought sanctuary in churches, hospitals, diplomatic missions and under Red Cross protection, contrary to all recognized standards of civilized behavior. Worse still, there are corpses lying unburied in the streets of cities and towns, which could lead to a serious outbreak of an epidemic. The civil war has also trapped thousands of foreign nationals, including ECOWAS citizens, without any means of escape or protection.

The result of all this is a state of anarchy and the total breakdown of law and order in Liberia. Presently there is a government in Liberia which cannot govern and contending factions which are holding the entire population as hostage, depriving them of food, health facilities and other basic necessities of life.

These developments have traumatized the Liberian population and greatly shocked the people of the sub-region and the rest of the international community. They have also led to hundreds of thousands of Liberians being displaced and made refugees in neighboring countries, and the spilling of hostilities into neighboring countries.³¹

This situation clearly meets the requirement for the legal application of humanitarian intervention. As was pointed out in the introductory chapter, many experts on intervention like Moore, Banzi, Nanda, Lillich, Slater and Nardin, and Winfield have argued that certain external interventions into the internal affairs of some countries can be justified on humanitarian grounds.³²

³¹ECOWAS Doc., ECW/HSG/SMC/1/5/Rev 1, Final Communiqué, Banjul, August 6-7, 1990, p. 3; also see Contact, November 1990, V. 2, No. 3, p. 10; quoted in A. Bundu, unpublished Lecture at Yaounde, Cameroon, June 17-21, 1991, p. 10.

³²For detailed discussions, see Chapter I, subtitle "Conditions Required for the Legal Application of Humanitarian Intervention."

Furthermore, Stowell has noted that a protracted civil conflict usually degenerates into internecine warfare which justifies humanitarian intervention.³³ The situation in Liberia had degenerated into a state of anarchy. There was a total breakdown of law and order. The government in power could not govern, neither were the contending warring factions able to dislodge it. The end result was that the entire population was held as hostage with no access to food and basic necessities of life.

Similarly, discussing intervention justifiable on humanitarian grounds, Strauch declared that when conditions of anarchy prevail in a country other states have an undoubted right to intervene without waiting for an invitation.³⁴ Whereas the ECOWAS could have intervened without waiting for an invitation as a result of the existing conditions, the government in power officially invited a force from the ECOWAS to intervene. We will discuss this matter further later on in this chapter.

Apart from the Liberians whose lives the intervention was meant to save, it will be recalled that the civil war also trapped thousands of foreign nationals most of whom were ECOWAS citizens, and they had no means of escape or protection. Their countries had both the right and duty to defend and rescue

³³E. C. Stowell, Intervention in International Law (Washington, D.C.: John Byrne and Co., 1921), p. 350.

³⁴Ibid.

them when it became clear that the authorities in Liberia were unable to provide them with protection and security.³⁵

Thus, there is abundant evidence to show that the ECOWAS intervention was clearly justified on humanitarian grounds. In addition, the intervention could also be justified on the grounds of security. This is the next focus of our discussion.

Justification of ECOWAS Action on the Basis of Peace and Security

Intervention takes place not only for humanitarian purposes but also for security reasons. In the case of Liberia, abundant evidence shows that the civil war was seriously threatening the peace and security of the sub-region and ultimately the wider international peace and security. The Presidents and the Heads of State of the ECOWAS Standing Mediation Committee, working on behalf of the Community, felt obliged and indeed duty-bound to "contain" the armed conflict before it could engulf the whole sub-region. They considered the crisis which had led hundreds of thousands of Liberian refugees to flee to neighboring countries, and produced hostilities in neighboring countries very disturbing. The Mediation Committee acting on behalf of the ECOWAS Authority decided to assume responsibility of ensuring that peace and stability was maintained within the sub-region; and in the African continent as a whole,

³⁵A. Bundu, Lecture at Yaounde, Cameroon, June 17-21, 1991, p. 10.

for they believed that the tragic situation in Liberia posed a threat to international peace and security.³⁶

The ECOWAS took its cues from articles of the United Nations Charter dealing with regional arrangement to maintain regional peace and security. Even though the notion of non-intervention applies to most internal conflicts due to the principle of domestic jurisdiction and the equality of states, some of the articles of the United Nations Charter encourage either universal or regional involvement in the affairs of states which atrociously mistreat their own citizens and for that matter, foreign nationals resident in those states. This is the more so, if such mistreatment causes people to flee to neighboring countries producing security problems. If such conditions became prevalent, the region may become involved in a country's domestic affairs for the purpose of maintaining peace and security in the region through collective security. As the previous chapter showed, the Liberian civil war deteriorated to such an extent that law and order broke down and anarchy prevailed. One result was a massive refugee problem coupled with famine. Furthermore, the civil war caused hostilities to spill over into neighboring countries.

In such a situation, it was appropriate for the ECOWAS to apply chapters seven and eight of the United Nations Charter. These articles deal with "Action with Respect to Threats to Peace, Breaches of the Peace, and Acts of

³⁶ECOWAS Doc, ECW/HSG/SMC/1/5/Rev 1, Final Communiqué, Banjul, August 6-7, 1990, p. 3; also see Contact, November 1990, V. 2, No. 3, p. 10.

Aggression" and "Regional Arrangements."³⁷ They provide for the use of collective security by regional arrangements. Specifically Article 52 recognizes the right of member states to establish regional arrangements to deal with matters related to the maintenance of international peace and security on a regional basis which must be consistent with the Purposes and Principles of the United Nations.³⁸ The text of article 52 reads as follows:

Nothing in the present Charter precludes the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided that such arrangements or agencies and their activities are consistent with the Purposes and Principles of the United Nations.

The members of the United Nations entering into such arrangements or constituting such agencies shall make every effort to achieve pacific settlement of local disputes through such regional arrangements or by such regional agencies before referring them to the Security Council.

The Security Council shall encourage the development of pacific settlement of local disputes through such regional arrangements or by such regional agencies either on the initiative of the states concerned or by reference from the Security Council. . . .³⁹

In Liberia the breakdown of law and order and the ensuing state of anarchy clearly posed a threat to international peace and security. Furthermore, two

³⁷L. M. Goodrich, E. Hambro and A. P. Simons, Charter of the United Nations--Commentary and Documents (New York, NY: Columbia University Press, 1969), pp. 290-369.

³⁸*Ibid.*, p. 355.

³⁹*Ibid.*; quoted in A. Bundu, Lecture at Yaounde, Cameroon, June 17-21, 1991, p. 11. Quoted in President Ibrahim Babangida's speech, "The Imperative Features of Nigerian Foreign Policy and the Crisis in Liberia," delivered on October 31, 1990 in Contact, November 1990, V. 2, No. 3, p. 13.

major events added to this threat. First, the mass movement of Liberian refugees and others throughout the length and breadth of the region, and second, the recent incursion of the rebels into Sierra Leonean territory.

Abundant evidence shows that those who attacked Sierra Leonean border towns and villages were in fact dissident Sierra Leoneans supported by heavily armed NPFL rebel forces. This recent incursion into Sierra Leone has caused many observers of the civil war to assert that, "the conclusion is inescapable that the Liberian situation has always had the potential of threatening regional peace and security."⁴⁰ We, therefore, agree with the Executive Secretary of the ECOWAS, Dr. Bundu's 1991 assertion that, "The ECOWAS action could . . . find ample justification within the gambit of the provisions of Article 52 of the UN Charter."⁴¹ The recent incursion of Charles Taylor's NPFL into Sierra Leone has proved beyond any reasonable doubt that the Presidents and Heads of State of the ECOWAS Mediation Committee were right when they concluded that if drastic measures were not taken, the sub-regional peace and stability could be jeopardized. It can be argued that the ECOWAS mini-Summit of the Mediation Committee was very much aware of the fact that it was their responsibility and duty under Article 52 of the UN Charter to ensure that peace and stability was maintained in the region. Thus, they strongly opined that their action was covered by Article 52, because they believed that the tragic situation

⁴⁰A. Bundu, Unpublished Lecture at Yaounde, Cameroon, June 17-21, 1991, p. 11.

⁴¹Ibid.

in Liberia before the ECOMOG's entry posed a threat to international peace and security.⁴²

Besides both humanitarian and peace and security reasons which were given to justify for the intervention in Liberia, there were other important legal justifications for the Mediation Committee's decision to send the ECOMOG to Liberia. Let us now turn our attention to these other justifications, namely, institutional obligation and response to a recognized government's invitation.

Further Legal Perspectives Concerning the ECOWAS Intervention

We shall consider the provisions of two ratified ECOWAS protocols that justified the Mediation Group's action. Further, the Committee's action also resulted from President Doe's invitation to the ECOWAS to intervene in the crisis.

Provisions of two relevant ECOWAS protocols. The African continent was partitioned at the Berlin Conference of 1884-85 by the European powers with no regard to Africa's ethnic groups. Artificial boundaries were drawn through them to form present-day countries. The result has been a number of border disputes between African governments, some of which have resulted in armed confrontation. Furthermore, putting many different ethnic groups, which were hitherto probably adversaries, together to form modern-day nations, frequently produced internal uprisings and civil wars. Since a section of an ethnic group

⁴²ECOWAS Doc., ECW/HSG/SMC/1/5/Rev 1, Final Communiqué, Banjul, August 6-7, 1990, p. 3; see Contact, November 1990, V. 2, No. 3, pp. 10-11; quoted in A. Bundu, Lecture at Yaounde, Cameroon, June 17-21, 1991, p. 11.

might be in another country, in the case of civil war, some governments in the region allow their territories to be used as bases from which to attack the troops of neighboring governments. The Heads of State and Government in the West African sub-region resolved to tackle these problems collectively. The ECOWAS Authority was convinced that if even modest economic integration were to succeed, peace, stability and tranquility were necessary in the sub-region. All member states of the Community, therefore, agreed "to eschew any form of aggression against each other by adopting and signing a Non-Aggression Protocol, as the first crucial step in enhancing sub-regional peace, security and stability."⁴³ This Non-Aggression Protocol was signed on April 22, 1978, just a year after the ECOWAS Executive Secretariat had set up offices in Lagos, Nigeria and become operational. Articles 2, 3, and 4 of this Non-Aggression Protocol which are pertinent to our study read as follows:

Each Member State shall refrain from committing, encouraging or condoning acts of subversion, hostility or aggression against the territorial integrity or political independence of the other Member-States.

Each Member State shall undertake to prevent foreigners on its territory from committing the acts referred to in Article 2 above against the sovereignty and territorial integrity of other Member-States.

Each Member State shall undertake to prevent non-resident foreigners from using its territory as a base for committing the acts referred to in Article 2 above against the sovereignty and territorial integrity of Member-States.⁴⁴

⁴³ECOWAS Doc., ECW/FAF/EXP/II/2, Memorandum by the Executive Secretariat, Abuja, June 24-26, 1991, p. 1; Protocols Annexed to the Treaty of ECOWAS, pp. 81-86.

⁴⁴Protocols Annexed to the Treaty of ECOWAS, pp. 83-84.

In addition to the Non-Aggression Protocol, the Authority also adopted and signed a Protocol on Mutual Assistance in Defence at Freetown, Sierra Leone on May 28, 1981.⁴⁵ This protocol asserts that any armed threat or aggression directed against any Member State of the Community constitutes a threat or aggression against the entire community. All the member states therefore resolved to give mutual aid and necessary assistance for defense against such armed threat or aggression.⁴⁶ Three categories of situations were identified by the Protocol which, when they prevailed automatically required community attention and action. They were:

- (i) an internal armed conflict in a Member State engineered and actively supported from without, likely to endanger the peace and security of the entire community;
- (ii) an armed conflict between two or more Member States where the peaceful settlement procedure has proved ineffective; and
- (iii) an external armed threat or aggression.⁴⁷

As Bundu has suggested these two:

Protocols were intended to induce and generate trust and solidarity among the Member States and their signature and ratification thus marked a shift away from the reliance which the signatory states hitherto had on foreign powers--usually the former colonial powers--for their defense, by building up their own collective self-reliance and

⁴⁵Ibid; Ibid; pp. 130-37; A. Bundu, Lecture at Yaounde, Cameroon, June 17-21, 1991, p. 3.

⁴⁶Protocols Annexed to the Treaty of ECOWAS, p. 133; again see ECOWAS Doc., ECW/FAF/EXP/II/2, Memorandum by the Executive Secretariat, Abuja, June 24-26, 1991, p. 1; also in A. Bundu, Lecture at Yaounde, Cameroon, June 17-21, 1991, p. 3.

⁴⁷Ibid., p. 133; Ibid., p. 1; Ibid., p. 3.

defense mechanism, and creating a strong sense of belonging and of sharing a common fate and destiny.⁴⁸

Having reflected on portions of the two relevant ECOWAS Protocols, we shall review certain aspects of the Liberian crisis to determine whether it posed such a serious threat to the sub-region that the ECOWAS had no choice but to intervene. As we indicated in the previous chapter, there is abundant evidence to show that the rebellion was launched from Côte d'Ivoire. Not only that, but available evidence proves that the rebels received training in Libya and Burkina Faso and were supplied by these countries. Furthermore, Charles Taylor's rebel group included non-Liberian nationals. These non-Liberian rebels were assured that as soon as the faction they were fighting for came to power in Liberia, help was going to be given them to wage similar wars against their own home governments. Even though Taylor did not succeed in ousting Doe's government, this threat was eventually carried out at least in Sierra Leone beginning March 23, 1991.

It seems clear that the provisions of both the Non-Aggression and Mutual Assistance Protocols were being violated by the countries which allowed rebels to launch incursions from their territories against a Member State in the Community. The continuous supply of armed materials through these countries further contravene the Articles 2, 3 and 4 of the Non-Aggression Protocol as well as Article 1 of the Protocol on Mutual Assistance in Defense.

⁴⁸A. Bundu, Lecture at Yaounde, Cameroon, June 17 to 21, 1991, p. 3.

Since both Protocols have received the requisite number of ratifications to bring them into force, they could properly have been invoked.

Apart from the provisions of the Protocols which could be used to justify the ECOWAS intervention, at the time the hostilities intensified around the end of June, 1990, the "de jure" government, even though unable to govern the country, invited the ECOWAS to intervene in the crisis in July, 1990. This invitation is dealt with in the next section of our study.

Doe's government invites ECOWAS to intervene in the crisis. At the climax of the crisis in June-July, 1990, Doe's government was not able to govern. On the other hand, the warring factions were unable to dislodge the Doe administration. Since Doe still controlled the Executive Mansion, the seat of administration, his government was without much doubt still the "de jure" administration in Liberia, though some might argue that the total collapse of law and order had raised questions about his status. Many attempts were made to find a solution to the problem before the intervention. After the efforts of the Inter-faith Mediation Committee consisting of prominent Liberian religious leaders failed, President Doe realized that the situation was beyond his control. Therefore, in July 1990, he requested the ECOWAS to send in an intervention force. Probably President Doe had the Protocol on Mutual Assistance in Defense of 1981 in mind at the time of the invitation. However, since its provisions had never been implemented, even though it had been ratified, and because of the circumstances surrounding the conflict (i.e., it was generally

agreed that Doe was part of the problem), the Mediation Committee implemented its own Peace Plan.

Doe's invitation further enhanced the legality of the intervention. To guard against the danger that the ECOMOG troops would be seen as an occupying force, the Peace Plan called for the establishment of an interim government by the Liberians themselves. It was to govern the country until elections were held. This interim government forms the subject matter of the next section of our study.

Party Leaders Constitute an Interim Government Outside Liberia

After a series of consultations with prominent Liberian party leaders and the leadership of other interest groups, it became clear to the ECOWAS Standing Mediation Committee that the late President Doe was the major cause of the Liberian crisis. Therefore, in their effort to restore peace and stability in Liberia and indeed the subregion, the mini summit's proposal called for the withdrawal of Doe from Liberia and the constitution of an interim government. The interim government concept was important in the peace process because it proved to the Liberians that the ECOWAS Ceasefire Monitoring Group (ECOMOG) which was to be set up to keep the peace and restore law and order and was to ensure respect for the ceasefire was not going to invade and occupy Liberia as some people alleged.

The inter-faith peace movement was to play a major role even though it had failed in its efforts to find a Liberian solution to the problem. The group was

based in Freetown, Sierra Leone. As a result of numerous consultations, the inter-faith group:

had succeeded in attracting a wide cross-section of Liberian national public opinion in the form of the number of political activists, professional groups, religious bodies, student leaders, national women's organizations, trade unionists and concerned citizenry from Liberia who responded to their call.⁴⁹

There was a consensus among all the interest groups and leaders concerned with the Liberian conflict that an all-Liberian national conference should be called to discuss the future of their country. Such a conference, which was part of the ECOWAS Peace Plan, was to discuss among other things "the restoration of law and order, return of democratic rule, reconciliation of the people and reconstruction of the national economy."⁵⁰ Three days after the ECOMOG entered Monrovia, the first national conference of Liberian political parties, interest groups, and prominent individuals convened at Banjul. It met from August 27 to September 2, 1990, under the auspices of the ECOWAS. It should be pointed out here that no non-Liberian participated in this conference. It was a purely Liberian conference brought together to elect an interim president, government and legislature.

The national conference held at Banjul established the new interim government. Dr. Amos Sawyer was chosen its head. Both ministerial and

⁴⁹A. Bundu, Lecture at Yaounde, Cameroon, June 17-21, 1991, p. 12.

⁵⁰A. Bundu, 1990/91 Annual Report of the Executive Secretary, May 1991, p. 92.

legislative assembly positions were apportioned among the various parties and interest groups. According to one report:

Out of twenty ministerial positions created, at least one-third . . . were . . . reserved for the NPFL. A 35-Member Interim Legislative Assembly was also set up, composed of one member from each of the thirteen counties of Liberia; two from each of the six existing political parties, six from the NPFL (including the Speaker of the Assembly--the second most powerful office under the Liberian Constitution); and four from Prince Johnson's INPFL (including the Deputy Speaker).

The Banjul All-Party National Conference believed (as the ECOWAS Mediation Committee too did) that the Interim Government should not only be broad-based but should be composed of respected Liberian citizens in order to make it acceptable to the Liberian people--hence, the choice of a President known to have stayed above the current power struggle in Liberia. Indeed the Banjul Summit of the Mediation Committee had opined that none of the leaders of the warring parties should head the Interim Government and whoever headed it should be ineligible to stand for the ensuing presidential election.⁵¹

Despite the good intentions of the Mediation Committee, Taylor and his forces opposed the ECOMOG's presence in Monrovia and the Interim Government. Taylor, who had told the whole world that he was not interested in the presidency and only wanted to oust Doe from power suddenly changes his mind or more probably he had a secret agenda all along. His men insisted that he should be made president. Such a move would have been contrary to the ECOWAS Peace Plan. It seems that Taylor's sole aim was to become president; perhaps that is why he has opposed all measures to return peace to the country. Since Taylor did not get what he wanted, he proposed another All-Party National Conference to be held in Buchanan. People failed to attend

⁵¹Ibid., pp. 92-93.

because many did not feel safe traveling through the Taylor-held region.

Probably out of frustration Taylor announced that he was organizing elections to be held on October 10, 1990. When the deadline passed Taylor again proposed elections in six months. Unfortunately, no elections had been held by the time the U.N. special envoy arrived in Liberia in November 1992.

At first, Dr. Amos Sawyer, the Interim President, stayed at Banjul in The Gambia to conduct government business and held many consultations with the Heads of State of the ECOMOG member countries. He and his cabinet moved to Monrovia in the second week of December 1990.⁵² With the ECOMOG providing strong security the Interim Government of National Unity has since been ruling from Monrovia.

Unfortunately, Charles Taylor has refused to accept the idea of establishing an Interim Government of National Unity and has set up his own government in the territories he holds with its headquarters in Gbanga. No country recognizes Taylor as a head of government. It seems to me from some available evidence and pronouncements, Côte d'Ivoire has made Charles Taylor believe that he, Taylor, is a head of state.

Even though Taylor still holds the greater part of the country, the Interim Government of National Unity has brought Liberians closer together. It has helped them heal some of their wounds and has started rebuilding their nation. But most important of all, it has given the Liberian people the feeling of hope, right from the beginning of the ECOMOG intervention, that the latter was not an

⁵²"Scenes of destruction" in West Africa, December 10-16, 1990, p. 2988.

occupying force but rather was present in their country to help them find a solution to the crisis.

Conclusion

The ECOWAS decision to set up a Standing Mediation Group was a laudable one. At their Mini-Summit, this Standing Mediation Group moved decisively to establish a ceasefire. The legality of the intervention by the ECOMOG can be defended on humanitarian grounds and on the grounds that it was necessary to establish regional peace and security. It can also be defended on the grounds that the intervention was consistent with the provisions of the non-aggression protocol and the protocol of mutual assistance on defense and on the grounds that the ECOMOG was responding to an invitation from the "de jure" authorities. The constitution of the interim government and an interim President selected by Liberian representatives have helped to further implement the ECOWAS Peace Plan. Because of the security provided by the ECOMOG and numerous negotiations, the crisis (though not solved fully because of one rebel leader's uncompromising attitude), seems to be nearing its end. The peace process is an on-going affair; hopefully, in time it will produce presidential and parliamentary elections. How the ECOMOG was created, how it moved into Liberia, its role and other aspects of the ongoing peace process will be dealt with next.

CHAPTER VI

THE PEACE PROCESS AND SUBSEQUENT ECOMOG OPERATION

Introduction

This chapter is devoted to peace making. It begins with the assembling of the ECOMOG troops in Freetown, Sierra Leone. After brief preparation, they were moved to Monrovia in order to establish a demilitarized zone and bring about a cease fire. The chapter will focus on the outcome of the intervention including how President Doe defied appeals to leave the country and was assassinated. This resulted in the creation of a new position in the ECOMOG Command Structure called The Field Commander which was filled by Nigeria which by now had the largest contingent in the force.

The chapter also covers the first ever ECOWAS Extraordinary Summit and the formation of the Liberian Interim Government of National Unity. Whereas both the Independent National Patriotic Front of Liberia (INPFL) and the Armed Forces of Liberia (AFL) were supportive of the interim government, the National Patriotic Front of Liberia (NPFL) opposed it.

Next the chapter covers the Tripartite Consultative Meeting and The Standing Mediation Committee Mini-Summit both held at Lomé, Togo, and the second All-Liberian Conference held in Monrovia which was followed by the formation of a new broad-based Interim Government of National Unity.

Furthermore, the chapter covers the 1991 Abuja Summit and the creation of the Committee of Five on Liberia.

The final section of the chapter is devoted to the 1992 Dakar Summit and later developments including Taylor's NPFL initiation of new hostilities in the outskirts of Monrovia, the shelling of the ECOMOG positions, the ECOMOG's reaction and the UN Security Council's endorsement of the ECOWAS peace plan as well as the appointment of a UN special envoy to Liberia.

Intervention Time

Composition of the ECOMOG and Its Movement to Monrovia

After thorough discussions among the members of the ECOWAS Standing Mediation Group, agreement was reached concerning the composition of an ECOWAS monitoring force, the ECOMOG. The initial ECOMOG force was made up of troops from the majority of countries constituting the five-member Mediation Group, namely Ghana, Nigeria, The Gambia, Guinea and Sierra Leone. The troops began assembling in Freetown, Sierra Leone, on August 7, 1990. A civilian support unit was added to the contingent. They were instructed as to what responsibilities each battalion and support group was to have when they entered Monrovia. Before the troops left Sierra Leone, the Mediation Committee directed them "to keep the peace, restore law and order and ensure respect for the ceasefire."¹ However, at the time ECOMOG entered

¹"ECOWAS Mediation in the Liberian Crisis" in Contact, November 1990, 2(3), p. 8.

Liberia, the warring factions had not yet accepted a ceasefire. Whereas Prince Yormie Johnson of the INPFL and Doe were ready to accept the troops, Charles Taylor had vowed to fight ECOMOG which he referred to as "a regional dictatorship club."²

Because of the threats from Charles Taylor, the opinions of the mediation group's members were divided on whether the ECOMOG force should enter Monrovia as a monitoring group, a peace-keeping force or an intervention force.³ However, the conditions in the war-torn nation at the time the troops landed in Monrovia on August 24, 1990, soon dictated their action. The leader of the INPFL, Prince Yormie Johnson, was waiting at the port to personally welcome the troops. It can be argued that the splitting of Taylor's rebel group was a good omen for the ECOWAS. It was the splinter-group, INPFL, led by Johnson which controlled the Monrovia seaport at the time ECOMOG landed. He strongly favored ECOMOG intervention. Furthermore, President Doe's group was also on hand to welcome and support the ECOMOG troops. Doe obviously was glad ECOMOG was intervening. The intervention was in effect a face-saving device for him. In fact, it was Doe who had invited the ECOWAS in after he discovered that the situation was beyond his control.

Charles Taylor, and his National Patriotic Front of Liberia (NPFL), on the other hand, were very hostile to the ECOMOG troops. Taylor even threatened

²E. Ndukwe, "Taylor's men hold Nigerians, Guineans hostages" in Daily Time, August 17, 1990, pp. 1, 16.

³"ECOMOG" in Nigerian Tribune, August 15, 1990, p. 9.

to kill civilians from countries participating in the ECOMOG who were trapped in Liberia without any means of escape or meaningful protection. Before the first contingent of the ECOMOG troops landed in Monrovia, one of Taylor's spokespersons was quoted as saying that any vehicle, ship or aircraft that approached Liberia was to be fired at.⁴ To follow through with their threat, the NPFL fighters entered both the Guinean and Nigerian embassies in Monrovia where they knew civilians had taken refuge and abducted thousands of them away.⁵ These NPFL fighters obviously ignored or did not know about the "immunity" of foreign embassies. These acts by NPFL fighters initially hampered the efforts of the ECOMOG troops. Among other things, ECOMOG was mandated:

to secure the cessation of hostilities and perform a peace-making function, as the first step towards:

- (a) restoring peace and order;
- (b) enabling the traumatized, sick and starving victims of the civil war to have access to emergency relief facilities; and
- (c) creating the right conditions of security for the installation and functioning of an interim government.⁶

⁴Contact, November 1990, 2(3), p. 8.

⁵"Taylor prevents escape of ECOWAS nationals" in The Guardian, August 16, 1990, pp. 1, 2.

⁶A. Bundu, Lecture at Yaounde, Cameroon, June 17-21, 1991, p. 19; A. Bundu, 1990/91 Annual Report of the Executive Secretary, May 1991, p. 91.

Because Taylor opposed the ECOWAS initiative and did not like any sort of intervention by the ECOMOG, his fighters constantly fired at the positions taken by the ECOMOG.

Because of Taylor's actions, ECOMOG had no choice but to bombard NPFL's positions and force them out of Monrovia and its immediate environs.⁷ Thus, a few days after the ECOMOG group landed in Monrovia, it succeeded in establishing buffer zones between the warring factions and made the city and its environs safe and habitable by reactivating most of the essential services cut off by the rebel group.⁸ Furthermore, many tens of thousands of Liberians and foreign nationals trapped in the capital during the war were evacuated in the ships which had transported the troops to the war-torn nation.⁹ After a ceasefire was observed by all three parties, the ECOMOG repatriated Liberians. It was the ECOMOG which convened and chaired almost all meetings arranged between the warring parties for the negotiation of a proper ceasefire agreement. It will be recalled that by the time the ECOMOG landed, only the INPFL and AFL had agreed to accept the ceasefire proposed by the first summit of the Mediation Committee. Taylor's NPFL had refused to accept it. However, after a brief confrontation with the ECOMOG, Taylor found himself pushed from the capital. This probably influenced his decision to accept a ceasefire. The

⁷A. Bundu, Lecture at Yaounde, Cameroon, June 17-21, 1991, p. 20.

⁸Ibid., p. 19.

⁹Ibid.

ECOMOG force, therefore, soon had the further responsibility of monitoring the implementation of the Ceasefire Agreement.¹⁰

As we indicated in the previous chapter, the ECOWAS Peace Plan called for the establishment of an interim government.¹¹ It was to replace Doe's administration since the summit accepted the fact that Doe was a cause of the crisis and had to withdraw from office. One report had it that he was willing to hand over power to an interim government that would prepare for elections in the country but later refused to leave office quickly enough. The result was his assassination.¹² However, the interim government concept gave the Liberian people hope from the beginning of the intervention that the ECOMOG was not an occupying force but rather a friendly partner intent on helping them end their civil war. The interim government was selected by wholly Liberians at the First All-Party National Conference.

The Interim Government Forms Its Cabinet

The first all-party national conference was held at Banjul, The Gambia, from August 27 to September 2, 1990. Instead of the interim president filling the ministerial positions, the conference apportioned them among the various political parties, counties and interest groups as we indicated in the previous chapter. Unfortunately, Charles Taylor refused to participate in the interim

¹⁰Ibid.

¹¹Ibid.

¹²L. Lawal, "I won't go--Doe shocker for ECOWAS leaders" in The Punch, August 14, 1990, pp. 1, 8.

government because of his desire to be made the interim president, contrary to the provisions of the ECOWAS Peace Plan. The National Conference chose Professor Amos Sawyer as its head. The participants in the conference and the people selected for ministerial positions in the interim government were respected Liberian citizens acceptable to the people. As mentioned elsewhere, the National Conference decided that out of the twenty ministerial positions in the Interim Government, the NPFL was to be given at least one third.¹³ The conference further agreed that an interim legislative assembly of 35 members was to be set up. The allocation of the seats in the assembly were as follows: six for the existing parties; six for the NPFL (including the Speaker of the Assembly--the second most powerful office under the Constitution); four for Prince Johnson's group including the post of Deputy Speaker.¹⁴

Charles Taylor refused to participate in the interim government since the conference decided not to elect him as the interim president. The Mediation Committee had decided that in order to avoid any rivalry among the warring parties, none of them should head the interim government. Furthermore, it had decided that whoever headed the interim government was to be disqualified from the pending presidential elections.¹⁵ From all indications, Charles Taylor was unwilling to accept any position except the presidency. He had wanted to

¹³P. da Costa, "Interim leaders emerge" in West Africa, September 10-16, 1990, pp. 2438-39; Contact, November, 1990, 2(3), p. 8.

¹⁴*Ibid.*, pp. 2438-39, 8-9.

¹⁵A. Bundu, 1990/91, Annual Report of the Executive Secretary, May 1991, p. 93.

become the president at all cost. Therefore, instead of participating in the interim government constituted by the National Conference, he decided to form an alternative NPFL government at Gbenga.

Opposition to the ECOMOG intervention did not come from Charles Taylor and his fighters alone but also from President Doe and some governments in and outside the region which were either covertly and openly supporting Taylor. This opposition to the Mediation Group's initiative is the topic of the next section of this chapter.

Opposition to Mediation Committee Initiative

It is evident from the available records that apart from the rebel leader, Yormie Johnson, all the warring factions opposed the intervention at one stage or the other as did some member states of the regional body. Taylor opposed the intervention because he was being denied the presidency.

Doe officially invited the ECOWAS to intervene but later became disillusioned and upset after he received a copy of the full text of the ECOWAS Peace Plan from an American ambassador in Freetown, Sierra Leone. The two aspects of the Peace Plan he was particularly unhappy about were the call for his withdrawal from office and the formation of an interim government in Banjul, The Gambia.¹⁶ What he had hoped for was to have the ECOMOG force intervene and negotiate a ceasefire among the three warring parties so that the

¹⁶"Doe frowns at ECOWAS" in Daily Times, August 21, 1990, pp. 1, 14; see also, "Doe opposes ECOWAS intervention" in Vanguard, August 21, 1990, pp. 1, 8; "Doe rejects ECOWAS plan for Liberia" in The Guardian, August 21, 1990, pp. 1, 2.

future of the Liberian government could be discussed in Monrovia by people including himself. According to him, the ECOWAS had no mandate to discuss Liberia's political future in Banjul.¹⁷ Doe was captured at the ECOMOG headquarters. It was reported that he had gone there to express his opposition to the election of an interim government.

However, the most serious opposition which in the early stages some people assumed might threaten the very survival of the Community itself came from Côte D'Ivoire and Burkina Faso.¹⁸ Two major points need to be stressed here. First, both Côte D'Ivoire and Burkina Faso are Francophone countries, therefore, their opposition was seen by many observers as likely to encourage Anglophone-Francophone rivalry in the region. And second, these two countries have been the strongest supporters of Charles Taylor since he began his incursion in December 1989. As mentioned elsewhere, the core of Taylor's fighters were trained in Libya and Burkina Faso. Taylor continued to receive his military and other supplies mainly through Côte D'Ivoire. Furthermore, the rebel leader was said to be doing business with some foreign companies in part through the Ivorian capital. Taylor first launched his incursion from the Republic of Côte D'Ivoire. There is also abundant evidence to show that since Samuel Doe massacred many government and TWP officials following his 1980 coup

¹⁷"ECOMOG troops move to Monrovia" in The Guardian, August 22, 1990, pp. 1, 2.

¹⁸"Taylor calls for talks with ECOWAS leaders" in The Guardian, August 15, pp. 1, 2; see also "Liberia: B'Faso condemns ECOWAS intervention," National Concord, August 15, 1990, p. 10.

d'état including a son-in-law of the Ivorian President, Félix Houphouët-Boigny, the latter had developed hatred for the former and was, therefore, prepared to support anyone who was rebelling against him. It was, therefore, not surprising that the Ivorian President worked very hard at mobilizing the Francophone Community members, with the exception of Guinea to oppose the intervention in the first place while at the same time supporting Taylor. It can be argued that it was because of Houphouët-Boigny's influence, to a large extent, that Togo, a member of the Mediation Committee, changed its mind and decided not to contribute troops to the ECOMOG force, even though Togo had expressed a willingness to provide some troops when the ECOMOG concept was first agreed upon.

Furthermore, it is asserted that the strong support the Burkinabe leader, Capt. Compaoré, has given to Taylor stems from the former's relationship with the Ivorian president. It is a known fact that because Compaoré is a son-in-law of the octogenarian, Houphouët-Boigny, the former has been willing to carry out any policy in the region which the latter has wanted him to execute, the more so if the policy enhanced their Francophone influence in the region.

One report has it that the Burkinabe leader, Capt. Blaise Compaoré indicated his displeasure with the ECOMOG intervention in a message he sent to The Gambian President, Sir Dawda Jawara, the then chairman of ECOWAS.¹⁹ The message said in part:

¹⁹Ibid.

We learnt from the international media the momentous decision by some member states of the ECOWAS to send a supposedly conciliatory force into Liberia without first fully briefing other countries on the exact assignment of such a force. Burkina Faso is very disappointed by this move The permanent mediation committee, created during the May ECOWAS summit, is not competent to intervene in a member state's internal conflicts but only when there is a conflict between one member state and another, as stipulated in that summit's final communique. . . .²⁰

The notion that some ECOWAS members were not informed of what the Mediation group and the Liberian National Conference discussed is surprising given all the efforts the then chairman of ECOWAS, Sir Dawda Jawara of The Gambia, made to use every available means to brief all the members of ECOWAS concerning what was going on. It is on record that as soon as the Banjul Mini-Summit of the Mediation Committee was over on August 7, 1990, the then chairman of the Authority, President Jawara "immediately briefed ambassadors in Banjul and also despatched letters on the outcome of the session to all member states which were not members of the Mediation Committee."²¹ Similarly, immediately after the Mediation Committee initiated Liberian National Conference was over in Banjul, The Gambia, President Jawara dispatched messages to all ECOWAS member states informing them of the outcome. Furthermore, the president visited five state capitals, namely, Dakar, Ouagadougou, Accra, Freetown and Conakry on September 4 and 6, 1990, to

²⁰Ibid.

²¹Contact, November 1990, 2(3), p. y.

further brief the heads of states concerned.²² It would appear that the Mediation Committee did everything possible to inform community members of every action taken. President Jawara said his visits were undertaken to:

- appeal to the Governments concerned to close ranks with other member States behind the ECOWAS Peace Plan in order to restore peace and security in the sister Republic of Liberia and indeed in the ECOWAS sub-region as a whole;

- appeal to his Brother Heads of State to use their good offices to persuade Charles Taylor to accept a ceasefire and the ECOWAS Peace Plan within the framework of a negotiated settlement of the conflict, and to eschew the military option;

- appeal to President Samuel Doe, in the interest of restoring peace and security in Liberia and in response to the overwhelming opinion of Liberia, to withdraw from office without further delay;

- appeal to all Member States of ECOWAS to respond to the wish of the international community that every effort be made by the community to restore peace, security and stability in the sub-region and in Africa as a whole;

- appeal to the Member States to demonstrate their solidarity by contributing contingents to ECOMOG and funds to the Special Emergency Fund;

- appeal to all Member States to recognize the Interim Government and to help in mobilizing such recognition from the rest of the international community in order to secure the early departure of Mr. Doe.²³

Thus it could be argued that for various selfish reasons, there was a great deal of opposition from individuals, groups and even governments to the

²²Ibid.

²³Ibid., p. 9; also quoted in A. Bundu, 1990/91 Annual Report of the Executive Secretary, Mary 1991, pp. 93-94.

Mediation Committee's initiative. However, through consultation and diplomacy, this opposition was overcome and the Mediation Committee pushed the Peace Plan on behalf of the Community. A very fragile ceasefire agreement was signed between Doe's AFL and Prince Johnson's INPFL in Banjul, The Gambia. Of course, Charles Taylor's NPFL failed to sign the ceasefire agreement but because of the presence of ECOMOG and the creation of buffer-zones and confinement of the warring factions to specific locations, hostilities ceased for a time. It was at this time that Samuel Doe was being urged to withdraw from office and leave the country. Doe refused all appeals to do so, and the fragile ceasefire agreement between the AFL and INPFL broke down. The result was the death of President Doe. This forms the subject of the next section of this chapter.

Appeals to Doe to Withdraw from Office

When the insurgency began, the only rebel leader was Mr. Charles Taylor. He contended that his only concern was to oust Samuel Doe from office and that he was not interested in becoming the head of state. As fighting spread and increasing numbers of civilians were massacred, many bodies and individuals, especially the heads of state and government in the region, made personal and collective appeals to Doe to step-down.

There is abundant evidence to show that during the early stages of the conflict, the U.S. State Department felt Doe had to go so that a transitional government could be formed to supervise free and fair elections. One report

revealed that Doe sent a delegation to the United States to explain his side of the crisis and presented reasons why he did want to step down. However, the report further indicated that in a reply sent back to Doe, the U.S. State Department concluded that President Doe should not only resign, but also leave the country.²⁴ Doe disregarded this suggestion and decided to complete his first term of office as President which should have ended on January 6, 1992. Doe's only compromise was that he was not going to run for a second term. He insisted that he wanted "to hand-over peacefully to a constitutionally elected president, and not to any adventurists, especially Charles Taylor and his National Patriotic Front."²⁵ Doe's refusal to step down and forego serving the remaining eighteen months of his term became the bone of contention between himself and the rebels. While the National Patriotic Front insisted at a Freetown meeting that Doe was not to be part of a transitional government, he insisted that he wanted to stay until his tenure expired. The United States at this point decided to stay out of the conflict and allow the Liberians to deal with it themselves. The ECOWAS, however, decided to try to help Liberia restore domestic peace. The ECOWAS Standing Mediation Committee realized at their meeting that Doe constituted a problem. They agreed that Doe should withdraw from Liberia.²⁶ This decision together with the constitution of an interim government by the All Liberian National Conference caused Doe to turn

²⁴"The Liberian Way" in West Africa, July 2-8, 1990, p. 2020.

²⁵Ibid.

²⁶Contact, November 1990, 2(3), p. 7.

against the ECOMOG intervention despite the fact that he had originally asked ECOWAS to intervene. Doe refused to listen to the ECOWAS Standing Mediation Committee's decision that he should step down and leave the country.

Since the ECOMOG entered Monrovia as a neutral peace-keeping Force, the General Commander, Lt. General Arnold Quainoo of Ghana, and his staff decided not to pay a courtesy call on the Liberian leader. On September 9, 1990, a little over two weeks after the arrival of ECOMOG in Monrovia, President Doe paid an unscheduled and unannounced visit to its headquarters accompanied by a large group of his bodyguards. A few minutes later the breakaway rebel leader, Prince Yormie Johnson, also arrived unannounced at the ECOMOG headquarters accompanied by a large group of his bodyguards.

Doe's Visit to the ECOMOG Headquarters Unannounced

According to one report, Doe who had kept himself in the Executive Mansion since the crisis intensified, had suddenly decided that it might be a good idea to leave the country. Therefore, he went to meet with the ECOMOG command, Lt. Gen. Arnold Quainoo, to discuss ways of doing so. Little in the way of security preparations had been made by his Chief of Staff, Brigadier-General David Nimley, who was not part of Doe's entourage. According to another report, while Doe was talking to the General in the latter's office, Johnson and his fighters arrived. The report further indicated that a bitter argument erupted which led to a fierce gun battle during which President Doe

was wounded. Doe was shot in both legs after his bodyguards had first been deceived and disarmed without very much resistance by Johnson's fighters. The unarmed men were later wiped out by the same soldiers. Doe was then taken away by Prince Johnson and his fighters to their base camp.²⁷

Was Doe Tricked? He Is Captured and Later Reported Dead

On September 7, 1990, two days before the meeting at the ECOMOG headquarters, President Doe met with Prince Johnson at the Berkeley Training Center (BTC). The two men are reported to have decided that they were going to join forces to fight against Taylor. This meeting was the first official meeting between them after their representatives signed the ceasefire agreement in Banjul, The Gambia, a couple of weeks earlier.²⁸ Prince Johnson saluted and embraced the President. He later told President Doe that he had wanted to give up from Banga, which was his base then, and that he had given messages to one general to tell the President. In reply, the President said: "If I knew I would have been here a long time (ago)."²⁹ Following the agreement that they were going to join forces to fight Charles Taylor, Prince Johnson told the president that he had enough men but lacked ammunition which the

²⁷P. da Costa, "The Plot Thickens" in West Africa, September 17-23, 1990, p. 2478; Contact, November 1990, 2(3), p. 9; A. Bundu, 1990/91 Annual Report of the Executive Secretary, May 1991, p. 94; E. Onobrakpeya, "Doe captured in gun battle" in Daily times, September 10, 1990, pp. 1, 16.

²⁸"Last Moments of Doe" in West Africa, October 15-21, 1990, pp. 2650-52.

²⁹*Ibid.*, p. 2651.

government troops agreed to supply.³⁰ Having had a very productive meeting at the BTC, the President's entourage was not overly worried when in two days later Johnson and his fighters met the President and his elite Krahn bodyguards unexpectedly at the ECOMOG headquarters at the Free Port. At this point, the President and his fighters did not consider Prince Johnson to be an adversary since they had agreed to join forces with Prince Johnson to fight a common enemy, Charles Taylor. Doe was, therefore, caught off guard.

Following his capture, President Doe was taken to Prince Johnson's base, and it was later reported that he had died "of injuries received in the course of his capture."³¹ However, there is abundant evidence to show that President Doe did not die merely from the wounds sustained during the course of the capture but was humiliated and assassinated at Johnson's camp in a barbaric, inhumane manner, and that the incident was filmed. His mutilated corpse was put on display at The Island Clinic, a small local hospital in the area controlled by Johnson.³² Following the death of the president, rebel leader Johnson and Brigadier-General David Nimley who was now in control of the Armed Forces of Liberia in the Executive Mansion each declared himself interim

³⁰Ibid.

³¹Quoted in P. da Costa, "The Plot Thickens" in West Africa, September 17-23, 1990, p. 2478.

³²"Samuel Doe feared dead" in The Guardian, September 11, 1990, pp. 1, 2; "Samuel Doe is Dead" in Vanguard, September 11, 1990, pp. 1, 2; K. Komolafe, "How Johnson Tricked Doe Into Trouble" in The Guardian, September 11, 1990, pp. 1, 2; D. Onabanjo, L. Otufadunrin and P. Agbaeru, "Samuel Doe is Dead" in Punch, September 11, 1990, pp. 1-14.

president of Liberia. However, each of them said that he would be willing to hand over power to the Interim Government of National Unity that had been constituted by the National Conference of Liberians. Doe's vice-president, Dr. Harry F. Moniba, also claimed the presidency while he was still in self-imposed exile in Sierra Leone. Dr. Moniba had suggested to Doe that he step down in order to avoid further bloodshed. Doe refused so Dr. Moniba, fearing for his life, left Liberia. Taylor for his part pursued the military option. The death of President Doe probably resulted in the appointment of a Field Commander to the ECOMOG. This newly created position in the ECOMOG command structure is what we turn to next.

A New ECOMOG Command Structure--The Field Commander--Created

Following the assassination of President Doe, the NPFL fighters' continued firing at ECOMOG positions, and the peacekeeping force was directed to fight back in self-defense.³³ Furthermore, the force was instructed to be "more militarily active" in order to carry out the mandate for peace by "imposing" a ceasefire. The ECOMOG was urged at this point to consider itself a "peace enforcing force" but not merely a peacekeeping force.³⁴ Though General Quainoo remained the commander-in-chief of the ECOMOG, Major

³³H. Odiogor and T. Olofintila, "ECOMOG gets order to reply attacks" in The Guardian, September 14, 1990, pp. 1, 2.

³⁴"ECOMOG ordered to enforce peace" in Daily Times, September 14, 1990, pp. 1, 14; "ECOMOG's new brief" in West Africa, September 24-30, 1990, p. 2532; P. da Costa, "Confused State" in West Africa, October 1-7, 1990, p. 2557; see also "ECOMOG's new mandate" in Sunday Concord, September 23, 1990, p. 7.

General Joshua Dogonyaro of Nigeria, a more aggressive tactician, was appointed to fill a newly created position of Field Commander. The latter coordinated and led the land forces operations.³⁵ After the appointment of Dogonyaro, the ECOMOG ceased to be an easy target for Charles Taylor's rebels. In early October 1990, the ECOMOG began an offensive campaign and soon pushed the NPFL forces further into the bush to their present position. Since the appointment of the Field Commander, the NPFL, which waged an unprovoked war against the ECOMOG between August 24 and November 28, 1990, has stopped its attacks. It became clear to Taylor that his untrained amateur fighters were no match for the ECOMOG troops. The appointment of the Field Commander enabled the peacekeeping troops to be more aggressive. Since its creation, the position has been filled by several Nigerian Generals. In time Dogonyaro was replaced by Major-General Rufus Kupolati. Major General Iahaya Bakut later took over. Presently Major-General Adetunji Olurin fills the position. It is argued that ECOMOG's offensive campaign following the creation of the position of field commander contributed in Charles Taylor's acceptance of the ECOWAS Peace Plan at the Community's first-ever extraordinary summit.

³⁵Ibid; "Quainoo still heads ECOMOG, Dogonyaro leads land forces" in The Guardian, September 22, 1990, pp. 1, 2; also "Quainoo retains post as ECOMOG chief" in Daily Times, September 22, 1990, pp. 1, 2.

First-Ever Extraordinary Summit in Bamako, Mali

November 27-28, 1990

After the ECOMOG assumed a more aggressive posture and successfully repelled all NPFL attacks, the then chairman of the Authority President Jawara decided to visit various capitals to discuss with the Heads of State the decisions the ECOWAS Standing Mediation Committee had taken on behalf of the Community. Ironically, during these visits, the governments of Burkina Faso and Côte D'Ivoire, which had been known to be sympathetic to Charles Taylor, requested the convening of an Extra-ordinary ECOWAS summit.

When President Jawara visited Ouagadougou on September 6, 1990, the Burkinabe president, Blaise Campaore, requested that an Extra-ordinary Summit be convened to discuss the Liberian crisis. Messages containing the request were despatched to the Heads of State of the Community. However, the request failed to receive the approval of a two-thirds majority as required by the ECOWAS charter.³⁶ On October 15, 1990, the Ivorian President, Houphouët Boigny, revived the call for an Extra-ordinary Summit suggesting that it be held in his city of Yamoussoukro. This call, too, failed but there was a general acceptance of the idea among the leaders of the Community that such a summit should be held in the near future.³⁷ Thus, further efforts to arrange a

³⁶K. Whiteman, "Towards peace in Liberia" in West Africa, Nov. 26-Dec. 2, 1990, p. 2895; also see A. Bundy 1990-91 Annual Report of the Executive Secretary, May 1991, p. 95.

³⁷Ibid.

Summit were made. The Foreign Ministers of the ECOWAS Mediation Committee met in Banjul from October 22 to 24, 1990, with a dual purpose. The first was "to assist the three warring parties to negotiation and sign a ceasefire agreement, and the second was to prepare the grounds for an Extraordinary Summit."³⁸

The first objective was partially achieved since the NPFL and the AFL met and signed a lasting ceasefire agreement. Taylor's NPFL once again refused to sign it. The interim government attended this meeting. It should be recalled that the first ceasefire agreement between these two factions broke down following the hostilities between them which led to President Doe's death. The NPFL delegation had problems with the provisions relating to the Interim Government and the composition of ECOMOG. Amendments were proposed mainly by the NPFL group which were accepted by the meeting after thorough discussions. These included the idea of holding a national conference of Liberians to consider a broad-based interim government after a ceasefire was agreed upon and Liberian refugees were allowed to return. The NPFL delegation also requested that provision be made for the inclusion in ECOMOG of contingents from other states. The Mediation group had already made a similar proposal. However, despite all the amendments, the NPFL delegation regrettably failed to sign the draft Ceasefire Agreement. According to the delegation, their decision was arrived at after they consulted with their leader. A Ministerial Contact Group was later appointed to hold further discussions with

³⁸Ibid.

Taylor. It was to be accompanied by the Executive Secretary. Taylor failed to attend these discussions. The Group met with Libyan authorities to persuade them not to support Taylor to intensify the conflict.³⁹

However, the Foreign Ministers of the ECOWAS Mediation Committee did achieve the second objective. It was agreed that the Heads of State of the Mediation Committee would meet on November 26, 1990, to prepare for a full Summit the next day. The two meetings were convened in Bamako at the invitation of the Government of Mali.⁴⁰

Following careful preparation and thorough consultations with the members of the community and the warring parties the First-ever Extra-ordinary Summit met. It was attended by thirteen Heads of State. The main rebel leader, Charles Taylor of the NPFL, and representatives of the factions of Prince Yormie Johnson (INPFL) and General Hezekia Bowen (AFL) were also in attendance. The chairman of the Organization of African Unity, Ugandan President Yoweri Museveni, attended as a Special Guest. A representative of the United Nations Secretary-General and the Regional Representative of the United Nations High Commissioner for Refugees also attended as observers.⁴¹ The Guinean and Mauritanian Heads of State were unable to attend for understandable reasons. However, they sent representatives. The interim

³⁹Ibid., p. 97.

⁴⁰Ibid., pp. 96-98.

⁴¹ECOWAS Res ECW/HSG/EX/1/4, Bamako, November 28, 1990, p. 3.

President of Liberia, who had just taken the oath of office on November 22, 1990, wisely kept a relatively low profile at the Summit.⁴²

ECOWAS Peace Plan Accepted by All and Endorsed

The First-ever Extra-ordinary Summit met in Bamako, Mali, from November 27-28, 1990. For the first time since the ECOMOG intervention, the chairman of the ECOWAS Standing Mediation Committee, Sir Dawda Jawara, had the chance to submit a full report to members of the community on the activities of the committee. The Authority, made up of the heads of state of the ECOWAS countries praised the committee's initiatives in its efforts to find a peaceful solution to the Liberian crisis. The Authority was especially impressed with and "particularly expressed gratitude for the human, financial and material contributions these Member States had made on behalf of the Community towards the restoration of peace and stability in Liberia."⁴³

After expressing gratitude to the ECOWAS Standing Mediation Committee, the Authority reviewed thoroughly the Liberian situation. It had become clear that with the creation and intervention of the ECOMOG, normalcy was returning to Monrovia and its immediate environs. It was observed that

⁴²J. Momoh, "We are in trouble" in West Africa, December 17-23, 1990, p. 3050; A. Bundu 1990/91 Annual Report of the Executive Secretary, May 1991, p. 98; "Taylor attends Bamako summit" in Punch, November 27, 1990, pp. 1 and 14.

⁴³ECOWAS Res. ECW/HSG/EX/1/4, November, 28, 1990, p. 4; A. Bundu 1990/91 Annual Report of the Executive Secretary, May 1991, p. 98; "Communique of ECOWAS Summit on Liberian War" in The Guardian, November 30, 1990, p. 3; "Liberia: The Bamako Accord" in The Punch, November 30, 1990, p. 4.

"[t]his measure of success had made it possible for both ECOMOG and international relief agencies to carry out humanitarian relief work, and for tens of thousands of foreign nationals, including ECOWAS citizens, who had been trapped in Liberia without any means of escape or protection, to be evacuated."⁴⁴

After extensive discussions of the Mediation Committee's proposed ECOWAS Peace Plan, the Authority accepted and endorsed it as a blueprint for the pursuit of permanent peace and harmony for the Liberian people. The text of the Peace Plan has already been discussed in the previous chapter. "The Authority noted with satisfaction that the ECOWAS Peace Plan had received the widest acceptance and support from Liberians and the international community."⁴⁵ The acceptance and endorsement of the Peace Plan by all members of the community including both Burkina Faso and Côte d'Ivoire, which had openly opposed ECOMOG's intervention and supported Charles Taylor, coupled with Libya's assurance to ECOWAS leaders that flow of all arms supplies to Charles Taylor would be stopped, probably compelled him to accept and sign the comprehensive ceasefire agreement. The signing is what we discuss next.

⁴⁴Ibid., p. 4; Ibid., p. 99; Ibid., p. 3; Ibid., p. 4.

⁴⁵Ibid., p. 5; Ibid., p. 99; Ibid., p. 3; Ibid., p. 4.

Major Ceasefire Agreement Signed and with the ECOMOG Monitoring It

The three warring factions signed the ceasefire agreement at the end of the Summit. The signing was carried out by Charles Taylor, the leader of the NPFL, Mr. Noah Bordolo, Adjutant-General of breakaway rebel leader Prince Yormie Johnson's INPFL and Major Wilmot Diggs of the AFL. The Chairman of ECOWAS at the time, President Sir Dauda Jawara of The Gambia, endorsed the memorable document.⁴⁶ It should be recalled that both the INPFL and the AFL had earlier signed a ceasefire package, whereas Charles Taylor's NPFL claimed it had problems accepting the entirety of the Peace Plan. Taylor and his group were particularly not happy about the composition and role of ECOMOG and Professor Sawyer's interim government.

Three major concessions were made to Taylor before he signed the new ceasefire agreement. As already mentioned elsewhere in the chapter, Taylor had requested that ECOMOG be expanded to include other willing countries of the region. This was also part of the ECOWAS Peace Plan. Ever since ECOMOG was constituted, the Authority had appealed to all other members of the community able and willing to do so to contribute forces to the ECOMOG in order to enlarge its peace-keeping capability.⁴⁷

⁴⁶K. Komolafe, "Liberian war ends as Taylor, others, sign peace pact" in The Guardian, November 29, 1990, pp. 1 and 2; "The road to Peace" in West Africa, August 10-16, 1992, p. 1339.

⁴⁷ECOWAS Res ECW/HSG/Ex/1/4, Bamako, November 28, 1990, p. 6; A. Bundu, Lecture, Yaounde, Cameroon, June 17-21, 1991, p. 4.

Taylor had also asked that Professor Amos Sawyer's interim government be reconstituted and made broadly-based. The Authority agreed and called for another All Liberian National Conference to be attended by representatives of the various political parties and other interest groups to elect a new Interim Government and an Interim President.⁴⁸

Finally, before Taylor signed the ceasefire agreement, he argued that there should be modalities put in place for the implementation of the ceasefire. An ECOWAS Standing Mediation Committee ministerial council was convened in Banjul in December 1990. The warring parties agreed to set up a Technical Committee to consider how the ceasefire was to be implemented.⁴⁹

The Extra-ordinary Summit, therefore, succeeded in bringing all the warring factions to sign a ceasefire agreement. However, in order to implement the Peace Plan, the Authority asked the warring parties to agree on an interim government for the war-torn nation. For the sake of peace and stability in Liberia and the region, the Authority reaffirmed its commitment to uphold the Protocol on Non-aggression. The meeting of the ministers of the Standing Mediation Committee and the Technical Committee and the reaffirmation of the Protocol on Non-aggression forms the topic of the next part of this chapter.

⁴⁸K. Komolafe, November 29, 1990, p. 1; Ibid., p. 7; Ibid., p. 14.

⁴⁹Ibid.

Ministerial Council of the Standing Mediation Committee Meets; and the Reaffirmation of the Protocol of Non-Aggression

The Standing Mediation Committee was requested to continue its contacts and consultations with all the warring factions, especially members of the Technical Committee which had been set up to work out the modalities of the Ceasefire Agreement. The parties were to enter into dialogue in order for them to agree on an acceptable interim government for their country within the framework of the ECOWAS Peace Plan. Another Ministerial Meeting of the Standing Mediation Committee met at Banjul December 20-21, 1990. The interim president, Sawyer, and the warring factions were in attendance as well as the three countries sharing common border with Liberia. The Technical Committee prepared modalities for the implementation of the ceasefire within the next thirty days. The warring factions also agreed to establish a timetable for convening an All-Liberian Conference in Liberia under the auspices of ECOWAS. This conference was to be held within sixty days of the time of the Banjul meeting, and it was to be supervised by ECOWAS.

A Joint Statement was prepared and signed by the warring factions at the end of the deliberations. The statement indicated that it was the consensus of the participants that contacts among them would be maintained until the Technical Committee could be reconvened in Monrovia in the early part of 1991.⁵⁰ The statement also made it clear that a future broad-based interim

⁵⁰P. da Costa, "Striving for peace" in West Africa, January 7-13, 1991, p. 3152; A. Bundu 1990/91 Annual Report of the Executive Secretary, May 1991, p. 103; A. Bundu, Lecture, Yaounde, Cameroon, June 17-21, 1991, p. 14.

government was to be voted into power after the proposed Monrovia political meeting that was to be held in 1991.⁵¹ The spokesperson of the NPFL delegation, Mr. Tom Woweiyu, described the outcomes as "one of the greatest milestones in the history of the Liberian people."⁵² He reiterated that the NPFL was looking forward to both the Technical Committee meeting and the All-Liberian conference and made it clear that he was convinced that Taylor would attend the Conference and that the Conference could find a lasting solution to the conflict.

Under the supervision and co-ordination of the ECOWAS, the Technical Committee met in Monrovia as scheduled from January 18-22, 1991. Detailed modalities for the implementation of the ceasefire agreement signed were successfully worked out. Despite all these preparations, the NPFL delegation still refused to sign an agreement calling for the complete cessation of hostilities. The NPFL insisted that it could not sign unless an interim government had been elected by what it described as "a properly constituted All-Liberian National Conference."⁵³ It had been hoped that all soldiers could be disarmed and encamped so that there could be freedom of movement and no one would feel that he was at risk before the National Conference was convened. The refusal of NPFL to either disarm or properly encamp its

⁵¹P. da Costa, "Striving for peace" in West Africa, January 7-13, 1991, p. 3152.

⁵²Quoted in Ibid. (p. 3152).

⁵³A. Bundu, Lecture, Yaounde, Cameroon, June 17-21, 1991, p. 14; A. Bundu, 1990/91 Annual Report, May 1991, p. 203.

soldiers, therefore, created an impasse⁵⁴ which was only overcome with the establishment of a new Standing Committee Summit to be discussed later.

Meanwhile, available evidence continued to show that arms and other materials were reaching Charles Taylor's base through some of the member countries. This encouraged him to hold back the peace process.⁵⁵ According to one report, the Authority believed "the Liberian crisis had given . . . [one of its Protocols, namely the Protocol of Non-Aggression adopted on April 22, 1978] . . . a fresh validity." The Authority decided to reaffirm the provisions of the Protocol . . . and urge all Member States to fully adhere to their obligations under it. In particular, the Authority recalled the commitment by all Member States to refrain from committing, encouraging or condoning acts of subversion, hostility or aggression against any other Member State. It further called on all Member States to refrain from any action which might prejudice or undermine the smooth and speedy implementation of the ECOWAS Peace Plan for Liberia.⁵⁶

Finally, members were reminded that peace and stability had to be restored to the region before any economic cooperation and integration could be achieved. The Authority has been very much concerned with its inability to find a quick and lasting solution to the Liberian crisis. Therefore, any country or group of countries which could help resolve the crisis was encouraged to

⁵⁴Ibid., p. 14; Ibid., p. 103.

⁵⁵ECOWAS Res ECW/HSG/EX/1/4, Bamako, November 28, 1990, p. 8.

⁵⁶Ibid., p. 8.

consult with other countries and the warring parties. Thus, it is not surprising that a Tripartite Consultative meeting on the crisis was held in January, 1991, on the crisis. This meeting is the topic of the next section.

The Tripartite Consultative Meeting at Lomé.

January 28-29, 1991

In an effort to dissuade countries from assisting any of the warring parties, the Heads of State of The Federal Republic of Nigeria, Senegal and Togo held a Tripartite Consultative Summit on January 28 and 29, 1991, at Lomé, Togo.⁵⁷ At this meeting the Group of Three called on the ECOWAS to make all arrangements necessary to ensure the speedy implementation of the provisions of the Protocol on Non-Aggression of 1978 and the Protocol on Mutual Assistance in Defense of 1981.⁵⁸ In order to insure strict compliance with the provisions of these two protocols, the three Heads of State and especially their Foreign Ministers agreed to intensively consult with the other Community Members so as to achieve the early establishment of all the necessary organs provided for under the protocols. These organs included a Defense Council, a Defense Commission, and a Defense Secretariat.⁵⁹

⁵⁷ECOWAS Res. ECW/HSG/SMC/III/2, Lome, February 13, 1991, p. 6; ECOWAS Doc. ECW/FAF/EXP/II/2, Abuja, June 24-26, 1991, p. 4.

⁵⁸Ibid.

⁵⁹Ibid.

Furthermore, the Tripartite Consultative Meeting proposed that the mandate of the Standing Mediation Committee be extended to include the conducting of investigations to establish the facts in case of a complaint by a country that one or more Members are supporting rebels against its territorial integrity. In such situations the proposal also called for an imposition of sanctions against the Member or Members violating the Protocols.⁶⁰

Meanwhile it could be argued that because of the support Taylor enjoyed from some Community members most of the time, he always sought concessions which favored him over other warring factions whether those demands helped the peace process or not. His refusal to allow his fighters to be disarmed or encamped, under ECOMOG supervision, resulted in the development of a stalemate in the peace process. In order to keep the peace process alive, the Standing Mediation Committee had to hurriedly convey yet another Summit at Lomé, Togo. It is dealt with in the next section of the study.

The Standing Mediation Committee Mini-Summit

at Lomé, Togo

There is abundant evidence to show that the Lomé Summit was hastily convened to avoid a stalemate which was emerging due to the actions of Charles Taylor's camp.⁶¹ The Foreign Ministers of the Standing Mediation

⁶⁰Ibid.

⁶¹A. Bundu, Lecture, Yaounde, Cameroon, June 17-21, 1991, p. 14; A. Bundu, 1990/91 Annual Report, May 1991, pp. 103-104.

Committee met on February 11, 1991, to prepare the Mini-Summit agenda. The Summit was held on February 12 and 13, 1991. All of the five countries on the Standing Mediation Committee were represented, as were the three countries bordering Liberia. The leaders of the three warring factions involved in the conflict, namely, Lt. Gen. J. Hezekia Bowen of the AFL, Mr. Charles Taylor of the NPFL, and Mr. Prince Yormie Johnson of the INPFL, also attended. Finally, the interim president, Professor Amos Sawyer, was present, as well as a representative of the OAU who attended in an observer capacity.⁶²

A report indicated that the Mini-Summit welcomed the Statement issued on January 22, 1991, by the United Nations Security Council on the Liberian situation. The Security Council had endorsed the ECOWAS Peace Plan and had called on the warring factions to respect their Ceasefire Declaration. The statement further called on the warlords to cooperate fully with ECOWAS to restore peace and normalcy in Liberia.⁶³ Furthermore, it was noted that the Security Council also supported ECOWAS's appeal to the international community for increased humanitarian assistance to Liberians.⁶⁴ The Summit was also informed that the OAU Council of Ministers had endorsed the ECOWAS peace plan.⁶⁵

⁶²ECOWAS Res. ECW/HSG/SMC/III/2, Lome, February 13, 1991, pp. 2, 3.

⁶³A. Bundu, 1990/91 Annual Report, May 1991, p. 104.

⁶⁴Ibid.

⁶⁵Ibid.

At the Summit, the objectives of the ECOWAS Peace Plan were reaffirmed by both the Committee and the other participants, including the warring leaders. After thorough consultations with the warring factions, several compromises and accommodations were made. This led to the adoption and signing of a formal ceasefire Agreement with comprehensive modalities for its implementation by all of the three warring parties.⁶⁶ In order to satisfy Charles Taylor and induce him to sign the Ceasefire Agreement another All-Liberian National Conference to be held in Monrovia on March 15 was provided for. This Conference was to set up an all inclusive Interim Elections Commission which would be charged with the conduct of both presidential and general elections. The Conference also was to select a future interim government. With the assistance of the ECOWAS, the future interim government was empowered to take all appropriate measures to pressure the warring factions to confine their troops and disarm them.

In the Lomé Ceasefire Agreement of February 13, 1991, which all the warring parties adopted and signed which each agreed to:

1. a. ceasing all hostilities of military and paramilitary nature, immediately upon the signature of this Agreement;
- b. refraining from importing or acquiring or assisting or encouraging the importation and acquisition of weapons or war materials;
- c. confining its troops to positions to be determined by the ECOWAS Ceasefire Monitoring Group (ECOMOG) in consultation with the parties; and . . . [agree] . . . that the ECOMOG and two representatives of each of the parties may

⁶⁶Ibid., p. 105; A. Bundu, Lecture, Yaounde, Cameroon, June 17-21, 1991, p. 14; ECOWAS Res. ECW/HSG/SMC/III/2, Lome, February 13, 1991, pp. 4, 5.

jointly inspect all ships calling at any Liberian port and all vehicles and aircrafts entering through the land borders, airfields and other entry points of Liberia to ensure that the provisions of this Ceasefire Agreement are being respected and observed;

- d. assisting ECOMOG in the drawing up of a buffer zone to separate the opposing forces and of standard operating procedures (SOPs) for check-point operations;
- e. releasing all hostages, political prisoners and prisoners of war;
- f. co-operating with all humanitarian agencies in their efforts to provide relief and assistance to the people of Liberia; and also . . . [agree] . . . to respect the Red Cross (Geneva) Conventions;
- g. fully cooperating with the ECOWAS Standing Mediation Committee, the ECOWAS Executive Secretariat and the ECOWAS Ceasefire Monitoring Group (ECOMOG) for the effective maintenance of the Ceasefire and the restoration of peace.⁶⁷

The agreement also stated that:

- a. In order to arrive at a peaceful and lasting settlement of the dispute, the parties hereby accept the ECOWAS Ceasefire Monitoring Group (ECOMOG) established under the authority of the Chairman of the Authority of Heads of State and Government of ECOWAS and under the command of an ECOWAS Member State.⁶⁸
- b. ECOMOG shall be as presently constituted and may include military contingents from Member States of ECOWAS able and willing to contribute.⁶⁹

⁶⁷A. Bundu, Lecture, Yaounde, Cameroon, June 17-22, 1991, pp. 15-16.

⁶⁸*Ibid.*, p. 16.

⁶⁹*Ibid.*

With the National Conference approaching, the Executive Secretary had wanted the ECOMOG forces to implement the provisions of the Lomé Ceasefire Agreement, by disarming all the warring factions. Though both the AFL and the INPFL agreed to have their troops encamped and disarmed, Charles Taylor did not. He took the position that the disarmament and encampment of the various factional troops should be deferred until the new Interim Government had been elected at the Conference. In order to accommodate him and ensure that he attended the Conference, the Ceasefire Agreement had to be amended. An additional paragraph was inserted in the Agreement authorizing the new interim government to take appropriate measures to disarm the warring parties.⁷⁰

After the amendment had been added, all the factions agreed in principle to participate in the proposed All-Liberian National Conference, which convened in Monrovia on March 15, 1991. Further efforts were made to iron out some differences between the leaders before the Conference. The Togolese President, Gnassingbe Eyadema, invited Dr. Amos Sawyer, Messrs. Charles Taylor and Prince Johnson to meet at Lomé from February 27 to March 1. This meeting "provided a unique opportunity for these three Liberian leaders to reconcile their differences with one another and to hold a friendly dialogue among themselves with a view to advancing the search for a peaceful and lasting settlement of the Liberian crisis, with particular regard to the

⁷⁰Ibid., pp. 16-17.

arrangements for the convening of the National Conference."⁷¹ The leaders signed a joint Declaration to the effect that they would cooperate with ECOWAS and avoid taking any action that might derail the peace process and the Conference.⁷² The Conference is dealt with in the next section of the study.

A New Interim Government Formed During the Second All-Liberian Conference

After numerous contacts and consultations with the three warring parties, all recognized interest groups, the Inter-Faith Mediation Committee and the leadership of the first Interim Government set up in Banjul which had been administering the country since Doe's assassination, the ECOWAS Executive Secretary was able to identify the individuals and groups that would be invited to attend the Conference. The second All-Liberian Conference met from March 15 to April 20, 1991, under the auspices of the ECOWAS Standing Committee. Mr. Omar Sey, Minister of External Affairs of the Republic of The Gambia and the Chairman of the Ministerial Meeting of the ECOWAS Standing Mediation Committee officially declared the meeting open on March 15, 1991. It was held at the Unity Conference Center in Virginia, Monrovia.

The Conference attracted Liberians from all parts of political spectrum. It was attended by 151 accredited delegates from 36 delegations. There were six

⁷¹ECOWAS Doc. ECW/FAF/EXP/II/3, Abuja, June 24-26, 1991, p. 2; A. Bundu, 1990/91 Annual Report, May 1991, p. 107.

⁷²Ibid., pp. 2, 107.

recognized political parties, the National Patriotic Front of Liberia (NPFL), the Independent National Patriotic Front of Liberia (INPFL) and 15 Special Interest Groups.⁷³ Both the NPFL and INPFL attended the Conference as warring factions. However, General Hezekiah Bowen refused to let the Armed Forces of Liberia (AFL) be classified as a party to the conflict. He argued that the AFL should be considered the "properly constituted national armed forces".⁷⁴ Despite the pre-Conference discussions and agreements, Taylor refused to attend the Conference in person, citing security reasons.⁷⁵ All assurances and offers of ECOMOG protection did not persuade him to attend.

Representatives of the Secretary General of the United Nations and the Organization of African Unity, numerous members of the diplomatic corps stationed in Monrovia and many others as well attended the Conference in an observer capacity. Also present were all the Foreign Ministers of the ECOWAS Standing Mediation Committee and ECOWAS Secretariat Officials. These ECOWAS Foreign Ministers and officials assisted the Conference with the election of three co-chairmen, namely, Sheikh Kafumba Konneh of The Muslim Congress, Archbishop Michael Francis of The Catholic Church and a lawyer and former Liberian ambassador to the United States, Mr. Herbert Brewah.⁷⁶

⁷³P. da Costa, "No peace in sight?" in West Africa, March 25-31, 1991, p. 438; Ibid., p. 108.

⁷⁴Ibid., p. 438.

⁷⁵Ibid.; p. 108.

⁷⁶Ibid.; pp. 108-109.

After the meeting approved the election of these three co-chairmen by acclamation, both the Mediation group Foreign Ministers and ECOWAS Secretariat personnel withdrew leaving only Liberians to participate in the Conference.⁷⁷

Having failed to convince Taylor to attend the Conference personally, the members of the other delegations settled for the delegates sent by his faction. It was feared that Taylor's faction might attempt to infiltrate some interest groups in order to increase its numerical strength at the Conference. This attempt, however, failed to materialize. The NPFL delegation participated in the Conference for the first 13 days and then decided to stage a walk-out. No major reasons were given for this action. All attempts by the other participants to persuade the NPFL delegates to change their mind failed. However, the conference proceeded as planned since the NPFL delegation's walk-out did not "invalidate the quorum agreed upon by the Conference . . . as long as a quorum was established, its decisions were valid and binding."⁷⁸ It is widely believed that the real reason for the walk-out was that Taylor and his faction realized that the outcome of the Conference would not be favorable to them. The Conference met for 35 days. It concluded its work with the formation of a broad-based Interim Government, known as The Interim Government of National Unity (IGNU). The Conference then determined the powers and

⁷⁷Ibid., p. 109; ECOWAS Doc. ECW/FAF/EXP/II/3, Abuja, June 24-26, 1991, p. 3.

⁷⁸A. Bundu, 1990/91 Annual Report, May 1991, p. 109; ECOWAS Doc. ECW/FAF/EXP/II/3, Abuja, June 24-26, 1991, p. 4.

functions of the government. It also made other "decisions to ensure long lasting peace, national duty and reconciliation."⁷⁹ Dr. Amos Claudius Sawyer and Dr. Peter Naigow of the INPFL were elected President and Vice-President, respectively, of the Interim Government.⁸⁰

The Conference also set up a unicameral Legislative Assembly composed of 51 members. Twenty-six were selected from the 13 Liberian counties. Thirteen of the 26 Representatives came from Taylor's Assembly in Gbarnga while the other 13 were selected from the Assembly in Monrovia. The six registered political parties which participated in the Conference had the chance of selecting two representatives each from their delegations to the Interim Legislative Assembly. Furthermore, there were six members from the NPFL camp, five from the INPFL and two members selected from among the interest groups which had no representation on the Interim Elections Commission. Since the selection of the Speaker and Deputy Speaker of a Legislative Assembly is usually carried out by members of the Assembly, this matter was left to be dealt with by the elected members.⁸¹

Having dealt with both the Executive and Legislative branches of the Interim Government, the Conference next tackled the question of the judiciary. It agreed that the Interim President should, in consultation with the Liberian Bar

⁷⁹Quoted in P. da Costa, "No peace in sight?" in West Africa, March 25-31, 1991, p. 438.

⁸⁰A. Bundu, 1990/91 Annual Report, May 1991, p. 109; ECOWAS Doc. ECW/FAF/EXP/II/3, Abuja, June 24-26, 1991, p. 4; Ibid., p. 438.

⁸¹A. Bundu, 1990/91 Annual Report, p. 109.

Association, appoint all the Justices and Judges of the Supreme Court and the lower courts.⁸²

Finally, since the Conference strongly felt that the conduct of free and fair presidential and general elections was essential to the search for lasting peace in Liberia, an Interim Elections Commission was set up. In order to make the Elections Commission technically independent and neutral, its membership was drawn from outside the warring factions and the political parties. The interest groups from which representatives were selected were as follows: the National Bar Association, the Press Union of Liberia, the Liberia Medical and Dental Associations, the Women's Development Association of Liberia, the Muslim Council of Liberia, the Liberian Council of Churches and the Liberian Business Caucus.⁸³ The Conference mandated that the Commission work out all modalities and programs for the presidential and general elections which should be held by May 1992. They were put off, however, because of what has been described as "intransigence" on the part of a factional leader. The ECOWAS Peace Plan required the establishment of an ECOWAS Observer group to monitor the elections in conjunction with other International Observer Teams. The Conference further indicated that all government employees who wished to contest the elections ought to resign their positions prior to the start of any political campaign.⁸⁴

⁸²Ibid.

⁸³Ibid.

⁸⁴Ibid., p. 110; ECOWAS Doc. ECW/FAF/EXP/34/5/Rev. 1, p. 7.

Thus, the All-Liberian National Conference was able to set up a broad-based Interim Government of National Unity, but the early walk-out staged by the NPFL delegation was an indication that peace was still not at hand.⁸⁵ The Peace Process could not move any farther because of what many observers considered Taylor's intransigence. In the meantime, some external pressure, especially from the United States, was put on the so-called "francophone clique," which hitherto had been seen as ready to derail the ECOWAS Peace Process. The objective was to gain its backing for the efforts to seek a solution to the crisis. To increase the francophone cliques' level of participation in the ECOWAS efforts, the Ivorian President, Houphouët Boigny, convened a series of meetings, prior to and after the 1991 Abuja Summit. These meetings and the fourteenth ECOWAS Summit itself are what we will next consider.

The 1991 Abuja Summit and the Committee of Five on Liberia Meetings

Consultative Meetings at Yamoussoukro

Acknowledging the fact that without the active support, cooperation and participation of the francophone countries in the ECOWAS efforts no early solution could be found to the crisis, the United States worked assiduously behind the scenes to sell the ECOWAS peace plan--with all its implications--to

⁸⁵P. da Costa, "No peace in sight?" in West Africa, March 25-31, 1991, p. 438.

the leadership of the community's francophone clique.⁸⁶ It is asserted that the Ivorian leader, Felix Houphouët Boigny, who is considered the sub-region's francophone clique leader, often acted as an agent of French resistance to the growth of Nigeria as a dominant political and economic player in the region. Some observers feel that because Nigeria was the dominant contributor of forces to the ECOMOG and the initial financier of ECOMOG operations, Houphouët Boigny and his close associates desired to derail the peace process, the more so, because many of the francophone countries in the region had been sympathetic to Charles Taylor.⁸⁷ However, with the involvement of the United States, the aged-old rift between some of the anglophone and francophone countries within the ECOWAS was bridged. The Ivorian President and Taylor had all along requested UN intervention in the crisis. However, by using its influence, the US was able to convince President Houphouët Boigny and his associates that African mediation efforts were preferable to UN intervention. President Houphouët Boigny, therefore, hosted a consultative meeting of some French-speaking countries in early June 1991. This consultative meeting commended President Houphouët Boigny's initiative and encouraged him to host yet another five-nation meeting at Yamoussoukro from June 29 to 30, 1991. The late June second consultative meeting involved the Heads of State and Government of Burkina Faso, Côte d'Ivoire, The Gambia,

⁸⁶P. da Costa, "Good Neighbors" in Africa Report, November-December, 1991, pp. 21-24.

⁸⁷Ibid.

Nigeria and Togo. These Heads of State made far-reaching proposals which were presented to the Authority of the ECOWAS at its July 1991 Ordinary Summit at Abuja. The Abuja Summit forms the topic of the next section of the study.

The 1991 ECOWAS Summit at Abuja, Nigeria in July 2-6, 1991

As it had at the previous Summits, the Authority commended the members of the Standing Mediation Committee for all the numerous efforts made to try to end the Liberian crisis. Also commended were the armed forces and the personnel in the ECOMOG for their magnificent peace-keeping role in Liberia.⁸⁸

Next, the Authority received a report of the five nation mini-Summit held in Yamoussoukro from June 29 to 30, 1991. The Ivorian President was commended for his initiative and desire to work hard to bridge the rift in ECOWAS between the anglophone and francophone members.⁸⁹

The Authority further welcomed the establishment by the Yamoussoukro meeting of a Five-Member Committee comprising the Heads of State of Côte d'Ivoire, The Gambia, Guinea-Bissau, Senegal and Togo under the Chairmanship of His Excellency President Houphouët-Boigny as an adjunct to the Standing Mediation Committee. The Authority agreed that this Five-Member Committee would work within the framework of the ECOWAS Peace Plan and in this regard commended to it the established practice of

⁸⁸ECOWAS Res. ECW/HSG/WIV/6/Rev. 1, Final Communiqué, Abuja, July 4-6, 1991, . 11.

⁸⁹Ibid., p. 12; P. Idowu, "Problems of integration" in West Africa, July 15-21, 1991, pp. 1165-66.

the Standing Mediation Committee in inviting the countries neighboring Liberia to its meetings.⁹⁰

The Committee of Five was also mandated to monitor the non-violation of the ceasefire, as well as the electoral process leading to the holding of both presidential and general elections in Liberia. With regard to the monitoring of the electoral process, the Authority fully endorsed Yamoussoukro meeting's plan to issue an invitation to Mr. Jimmy Carter, former President of the United States, for the assistance of his International Negotiations Network (INN).⁹¹ The Authority also agreed to the proposal of the Yamoussoukro meeting that both the Interim Government of Liberia and the National Patriotic Front of Liberia should maintain security in the respective areas under their control until the beginning of the electoral process.⁹² Charles Taylor's rebel group interpreted this to mean that there were two recognized governments in Liberia. However, this was obviously contrary to the ECOWAS Peace Plan. Conventional wisdom has it that the Authority accepted the arrangement because it hoped that such a concession to Taylor might win his agreement to the disarming and encamping his fighters so that the peace process might proceed.

⁹⁰Ibid.; Ibid., p. 1166; "The Road to Peace" in West Africa, August 10-16, 1992, p. 1339.

⁹¹Ibid., p. 12; Ibid., p. 1166; "Regional Peace and Stability" in West Africa, July 27-August 2, 1992, p. 1265.

⁹²Ibid., p. 13; Ibid., p. 1166).

Meanwhile the Five-Member Committee was given additional responsibilities. The Committee was also emphatically requested:

to ensure that a proper environment conducive to the holding of free and fair elections is firmly established in Liberia before the elections are held; such environment includes the effective encampment and disarmament of combatants belonging to each of the warring parties, the facilitation of the repatriation and resettlement of Liberia refugees prior to the elections, and the effective restoration of conditions necessary to guarantee free movement of persons and unfettered campaigning by the political parties.⁹³

With the establishment of this Five-Member Committee made up mostly of francophone countries, hopes were high among the leaders of the Community that Charles Taylor would cooperate so that peace and normalcy could return to Liberia. The Authority further established an ECOWAS Observer Group for the Liberian elections, a Special Emergency Fund for the Elections Commission and an ECOWAS Trust Fund for the Rehabilitation and Reconstruction of Liberia.⁹⁴ After the Abuja Summit, most of the consultations and negotiations with the warring factions fell on the shoulders of the Five-Member Committee, which held many meetings at Yamoussoukro. We now turn to these meetings and their outcome.

⁹³"Regional Peace and Stability" in West Africa, July 27-August 2, 1992, p. 1265; also see ECOWAS Res. ECW/HSG/WIV/6/Rev. 1, Final Communiqué, Abuja, July 4-6, 1991, p. 13; P. Idowa, "Problems of integration" in West Africa, July 15-21, 1991, p. 1166.

⁹⁴ECOWAS Res. ECW/HSG/WIV/6/Rev. 1, Final Communiqué, Abuja, July 4-6, 1991, pp. 13-14.

The Post-Summit Committee of Five Meetings

Many leaders of the region made tireless and painstaking efforts to bring peace and normalcy to Liberia after the 1991 Abuja Summit. It soon became evident that the newly established committee was to play a critical role in the search for a solution. Within a period of about four months, the Committee of Five held three meetings in Yamoussoukro and a fourth one in Geneva in April 1992.

The Committee of Five meets in Yamoussoukro, July 29-30, 1991. The Committee of Five on Liberia held its first meeting in Yamoussoukro from July 29 to 30. All five member nations were represented as well as both Dr. Amos Sawyer and Mr. Charles Taylor. A representative of Carter's International Negotiations Network (INN) also attended. After reviewing all the developments in the Liberia crisis, the Committee expressed its pleasure with the deliberations of the Abuja Summit. The Interim Government and National Patriotic Front of Liberia were both congratulated for maintaining the ceasefire.

The Committee recognized that it was very important to create the necessary conditions for security on the ground. It, therefore, assumed the responsibility of monitoring the ceasefire and supervising all warring parties in order to create an environment conducive to the holding of free, fair and democratic elections. The Committee thanked President Carter for accepting its invitation and for making his International Negotiations Network available to

assist with the Liberian electoral process. The decisions made were to be implemented before the Committee met again in September 1991.

The second Yamoussoukro meeting, September 16-17, 1991. The Committee's second meeting was held in Yamoussoukro from September 16 to 17, 1991. In addition to the members, Burkina Faso, Ghana, Mali and Nigeria were represented as well as Dr. Amos Sawyer, Mr. Charles Taylor and a representative of Carter's International Negotiation Network also attended. Both Guinea and Sierra Leone refused to attend in a mere observer status arguing that they were coping with large influxes of refugees and should not be just sidelined in discussions on Liberia.

Deliberations and consultations with several states inside and outside the region were reviewed.⁹⁵ The meeting noted with satisfaction the agreement of the warring parties with respect to the disarmament and encampment of their troops under ECOMOG supervision. Furthermore, their arms and ammunition were to be deposited in appropriate armories, again under the supervision of the ECOMOG. The ECOMOG was mandated to work out the practical modalities for the implementation of all the agreements.⁹⁶

The meeting also recorded successes in terms of crucial agreements reached by the Interim Government and the National Patriotic Front of Liberia. The two parties agreed to:

⁹⁵ECOWAS Doc. Final Communiqué, Yamoussoukro, September 16-17, 1991, p. 2.

⁹⁶*Ibid.*, pp. 3, 4.

- i. set up a five-member Elections Commission for the organization and supervision of the elections to be held in Liberia. The commission . . . (met) in Monrovia . . .
- ii. establish a five-member Ad Hoc Supreme Court to adjudicate disputes
- iii. (and) . . . cooperate fully with the International Negotiations Network (INN) of the Carter Center invited by the Committee to assist with the electoral process.⁹⁷

The five-member Elections Commission was to be composed of two NPFL and two IGNU members with a fifth person being nominated from either the NPFL or the IGNU members. The Interim President was to consult with the Liberian Bar Association to establish the Ad Hoc Supreme Court which was to work under Côte d'Ivoire's supervision using the 1985 Liberian Constitution.⁹⁸

Finally the meeting agreed to send a five-member delegation under the chairmanship of Senegal and comprising Côte d'Ivoire, The Gambia, Guinea-Bissau and Nigeria, to visit both Guinea and Sierra Leone, and among other things, to convey the outcome of the meeting to the Heads of State of those countries and to solicit their cooperation for the successful implementation of the agreements reached. Since there were concerns about the deterioration of the security situation in the border areas between Liberia and the two states, the delegation was also to facilitate the restoration of normalcy in those border

⁹⁷Ibid., p. 4.

⁹⁸P. da Costa, "Good Neighbors" in Africa Report, November-December, 1991, p. 24.

areas.⁹⁹ Even though Sawyer and Taylor were signatories to the final communique, the disarmament and encampment of Taylor's troops was not carried out. This, therefore, became the major issues for discussion at the next meeting the following month.

The third Yamoussoukro meeting, October 29-30, 1991. The next meeting of the Committee of Five on the Liberian crisis was held from October 29 to 30, 1991, at Yamoussoukro. Many countries and dignitaries were present at this meeting. The Committee reviewed all the developments that had taken place in connection with the crisis since the previous meeting.

The first crucial issue the meeting discussed and agreed upon was the timetable for the encampment of the troops in designated locations and their disarmament. This was to be carried out under the supervision of the ECOMOG.

The meeting also agreed that a buffer zone was to be created as a matter of urgency on the Liberian side of the border with Sierra Leone. Also the roads in the rebel-held territory were to be opened immediately.¹⁰⁰ The October meeting agreements were code-named "Yamoussoukro Accord." It became widely accepted that this Accord offered the best chance for solution to the Liberian crisis.

⁹⁹Ibid., pp. 4, 5; "Regional Peace and Stability" in West Africa, July 27-August 2, 1992, p. 1265; also "The Road to Peace" in West Africa, August 10-16, 1992, p. 1339.

¹⁰⁰Ibid., 4, 265, 1339.

Thus, among other things, the three post Summit Yamoussoukro meetings asked ECOMOG to secure all the entry and exit points into and out of the whole country and to open up all the trunk roads within the nation. They also called for the encampment and disarmament of all the combatants under ECOMOG's supervision. As mentioned earlier, the composition and character of the ECOMOG had been changed by the time of the October meeting with the contribution of troops by Senegal and Mali which was to enhance ECOMOG's capacity to discharge its peace-keeping role properly. Meanwhile Charles Taylor once again failed to respect the agreement signed at the October Yamoussoukro meeting to have his troops encamped and disarmed probably because the crisis situation had been complicated further, even before the October meeting, by the emergence of the so-called United Liberation Movement of Liberia for Democracy (ULIMO). This military force formed from some runaway members of Doe's army had launched attacks on Taylor-held territory from Sierra Leone after the latter's forces and insurgents supported by Taylor's NPFL first attacked Sierra Leone. Under their leader, Raleigh Seekie, the ULIMO stated that its aim was to "liberate Liberia from Charles Taylor and to unite the Liberian people once more" ¹⁰¹ The emergence of this new element in the Liberian crisis is seen in some quarters as a demonstration of the frustration of some Liberians at the slow pace of the peace

¹⁰¹Quoted in P. da Costa, "Good Neighbors" in Africa Report, November-December, 1991, p. 24; also P. da Costa, "The End of the Road?" in West Africa, September 23-29, 1991, p. 2570.

negotiations.¹⁰² Its attacks were used by Taylor as excuse for not encamping or disarming his troops. They resulted in yet another stalemate in the peace process. Furthermore, Taylor argued that the Guinea-based Movement for the Redemption of Liberian Muslims (MRM), largely made up of the Mandingo ethnic group, ten thousand of whom were estimated to have died in the NPFL pogroms, was ready to attack his forces any time.¹⁰³ Even though both ULIMO and MRM had declared their support for the mediation efforts of both ECOMOG and the Committee of Five and stated that as long as Taylor complied with the agreements reached at the Yamoussoukro meetings, they did not plan to attack, Taylor insisted that his troops were threatened and they refused to be encamped or disarmed. This deadlock in the peace process led to yet another Committee of Five meeting in Geneva, Switzerland.

The fourth Committee of Five meeting held in Geneva from April 6 to 7, 1992. The Geneva meeting, described as an informal Consultative Group Meeting of the Committee of Five on Liberia was held on April 6 and 7, 1992. It succeeded in clarifying and updating some aspects of the Yamoussoukro Accord of October, 1991. The meeting agreed that a lot of positive developments had taken place following the Accord, however, it also acknowledged that many of the provisions of the Accord still remained unimplemented. The assertion was made that what had not been implemented,

¹⁰²Ibid., p. 24.

¹⁰³Ibid.

especially the encampment and disarmament, went to the core of the problem, which was the sovereignty of Liberia.¹⁰⁴ Therefore, a fresh program for implementation was set up. It was agreed that by June 8, 1992, "the encampment and disarmament of all factions, and the crating and documentation of all weapons would have been completed."¹⁰⁵ The final communique of the Geneva meeting "reaffirmed the validity of the Yamoussoukro Accord of October 1991, as offering the best possible framework for a peaceful resolution of the Liberia conflict"¹⁰⁶

For a time it looked as if the peace program was on course and positive developments were taking place. ECOMOG undertook reconnaissance of NPFL-held territory and later the deployment of ECOMOG troops throughout Liberia began. Furthermore, there was the commencement of the insertion of the buffer zone along the Sierra Leone-Liberia border. However, the full implementation of the Yamoussoukro Accord of October 1991 could not be completed by the June 8, 1992 deadline nor by the time of the 15th ECOWAS Ordinary Summit held in Dakar, Senegal, from July 27 to 29, 1992. As mentioned earlier, the situation was complicated by the persistence of ULIMO which gave Charles Taylor a good reason for refusing to encamp and disarm his fighters. He used the persistence of ULIMO as one of his main reasons for

¹⁰⁴"Yamoussoukro in Geneva" in West Africa, April 13-19, 1992, p. 617.

¹⁰⁵"Regional Peace and Stability" in West Africa, July 27-August 2, 1992, p. 1265.

¹⁰⁶Quoted in "Yamoussoukro in Geneva" in West Africa, April 13-19, 1992, p. 617; also see "The road to peace" in West Africa, August 10-16, 1992, p. 1339.

denouncing both the Yamoussoukro Accord of October 1991 and the final communique signed in Geneva on April 7, 1992. This compelled the 15th Ordinary Summit to take tougher measures against Charles Taylor. These developments and their aftermath are the topic of the next section of our study.

The 1992 ECOWAS Summit at Dakar, Senegal, in July 27-29, 1992,
and Later Developments

Like the 1991 Abuja Summit, the Dakar Summit dealt mainly with the Liberian crisis. Largely because of what was described as Taylor's "intemperate and ill-considered attacks on ECOMOG," the ECOWAS leaders achieved consensus on "a hard-headed and practical resolution . . . (on the NPFL)."¹⁰⁷ The most crucial element in the Summit's final resolution was "the threat to apply 'appropriate sanctions' if the programs of Yamoussoukro 4 (October 1991) and Geneva (April 1992) were not permitted to be completed by the ECOMOG commander by August 29, 1992."¹⁰⁸ Since only Charles Taylor had technically not complied fully with the provisions of the Yamoussoukro Accord, the ultimatum basically referred to his NPFL. The ULIMO had already promised to lay down arms as soon as Taylor honored the Yamoussoukro Accord. Meanwhile the "appropriate sanctions" to be applied were spelled out. They included "an arms embargo, financial sanctions and a trade blockade of

¹⁰⁷K. Whiteman, "The Liberian question" in West Africa, August 10-16, August, 1992, p. 1338.

¹⁰⁸Ibid., p. 1339.

areas under NPFL control."¹⁰⁹ All Community members were requested to cooperate fully in giving effect to this decision. Furthermore, the leaders of ECOWAS sought help from the UN Security Council to ensure international application of the sanctions.¹¹⁰

Despite the strong threat against Taylor, efforts were still made in vain to convince him to comply with all the provisions of the Yamoussoukro Accord, have his fighters encamped and disarmed before the deadline. He still insisted that he was not ready to disarm his troops since he argued that Sierra Leone and some ECOWAS countries continued to support the ULIMO.¹¹¹ Just before the first deadline, Taylor asked the UN Secretary General Boutros Boutros-Ghali to send UN military observers to replace the ECOMOG since according to him the latter had "failed the Liberian people,"¹¹² and that it was helping the ULIMO, a charge which then ECOMOG Commander Maj-Gen Ishaya Bakut vehemently denied. The General reiterated that the ECOMOG was a neutral force and never provided "support for any of the armed parties to the Liberian conflict."¹¹³ Despite Taylor's unsubstantiated allegation, there

¹⁰⁹Ibid.; also see "ECOWAS Ultimatum" in West Africa, August 3-9, 1992, p. 1321.

¹¹⁰"ECOWAS Ultimatum" in West Africa, August 3-9, 1992, p. 1321.

¹¹¹"Taylor dismisses Sawyer's offer" in West Africa, August 24-30, 1992, p. 1452.

¹¹²Quoted in "Fighting Continues" in West Africa, September 7-15, 1992, p. 1539.

¹¹³Ibid.

were discussions between some ULIMO officials and ECOWAS personnel in Sierra Leone concerning the ceasefire. The ULIMO was urged to lay down its arms.

Even though the ULIMO had always supported the Peace Plan, it refused to lay down its weapons, asserting that "as long as Taylor ignored the peace plan and refused to respect it," it would continue to attack and drive him back.¹¹⁴ The movement considered itself to be an alternative to the ECOMOG. It was prepared, in its own words, "to put an end to Charles Taylor's destabilization plan for the West African sub-region."¹¹⁵ Because of its laudable aim, the ULIMO probably enjoyed some cooperation from certain leaders of the Community. At any rate the NPFL and ULIMO did not lay down their arms and respect the ceasefire. By the middle of September, 1992, the conflict between them had escalated. Thousands of Liberians became displaced again, with many of them taking refuge in the camps in Monrovia. The ULIMO forces restated their pledge to cease fighting as soon as Charles Taylor agreed fully to the provisions of the Peace Accords.

Following the escalation of the fighting between Taylor's NPFL and the ULIMO, Major-General Ishaya Bakut ordered the immediate pull-out of all ECOMOG troops from Taylor-held areas. In reaction to ECOMOG's announcement, Taylor ordered his fighters to disarm the ECOMOG advanced

¹¹⁴Ibid.

¹¹⁵Quoted in J. Butty, "Frustrating peace process--What does ULIMO want?" in West Africa, September 7-13, 1992, p. 1519.

parties. Outnumbered, they were disarmed and held hostage for several days. In the process, the NPFL forces allegedly tortured and executed six Senegalese ECOMOG soldiers.¹¹⁶ Those held hostages were later released as well as the remains of those killed. It should also be recalled that this was the period during which Charles Taylor's fighters murdered five American nuns in cold blood.

In the meantime Major-General Adetunji Olurin, the officer commanding the 3rd Armored Division of the Nigerian army, was appointed the new ECOMOG Field Commander to take over from Major-General Ishaya Bakut. Also since the ULIMO was fighting the NPFL forces, the August 29 deadline for the sanctions against Taylor was no longer workable and the 1992/93 ECOWAS chairman, Benin's President Nicephore Soglo suspended it.¹¹⁷

As fighting against the ULIMO escalated, Taylor's NPFL attacked the outskirts of Monrovia in an apparent attempt to oust Liberia's interim government. In the process, the NPFL initiated hostilities against the ECOMOG soldiers protecting the Interim Government. We now turn our attention to this development.

Taylor's NPFL Initiates a New Hostilities in the Outskirts of Monrovia

The NPFL launched a major offensive on the ECOMOG bases in the capital as well as on other targets on the outskirts of the city on October 17,

¹¹⁶B. Nowrojee, "Taylor Launches Offensive on Liberian Capital" in Africa Report, November-December, 1992, p. 5.

¹¹⁷Ibid.

1992. Although the main motives of the new hostilities initiated by the NPFL was not very clear, it was widely believed that Taylor wanted to oust the interim government and seize power. Reacting to this unprovoked attack, the ECOMOG immediately imposed a night-time curfew on Monrovia. The NPFL artillery shelling continued for days. Therefore, on October 22, 1992, the ECOMOG began its own operation in self-defense. The NPFL was pushed back, suffering heavy casualties. The subsequent ECOMOG bombardment of the NPFL strategic bases was probably the main factor responsible for forcing the latter to call for a unilateral ceasefire on November 10, 1992, in "order to bring Liberia back from the brink of disaster."¹¹⁸ These new hostilities broke out just three days before a Conference of a sub-Committee of ECOWAS, which had been proposed by the new chairman of the Community, President Nicephore Soglo of Benin, was to be held in Cotonou. President Soglo had called for an Extra-Ordinary Summit but a quorum was not achieved. This special joint meeting of the ECOWAS Standing Mediation Committee and the Committee of Five on Liberia discussed the current conditions in Liberia which did not favor the implementation of the sanctions on the Taylor-held areas by the August 29 deadline. The joint meeting, therefore, resolved:

to impose sanctions on any party which did not agree to an "immediate ceasefire." The final communique gave the NPFL and ULIMO 15 days (to November 6) to comply with the ECOWAS peace plan agreed to at Yamoussoukro IV [October 1991] permitting ECOMOG to encamp and disarm all warring factions. If

¹¹⁸Quoted in "More bombing" in West Africa, November 16-22, 1992, p. 1979.

the fighting continues, the ECOWAS heads agreed that sanctions would be "totally and automatically" applied by a "blockade of all entry points into Liberia by land, air, and sea" to prevent arm supplies from entering and exports from leaving. They also indicated that they would call on the United Nations to bind the international community to similar conditions.¹¹⁹

To ensure that the Community would enforce the sanctions this time around, a nine-nation monitoring committee consisting of Benin, Burkina Faso, Côte d'Ivoire, The Gambia, Ghana, Guinea, Nigeria, Senegal and Togo was formed. It had a threefold mission. The Monitoring Committee first informed the warring parties of the decisions of the just ended meeting. It also closely monitored the strict implementation by all parties concerned, of the provisions of the Yamoussoukro IV Accord which was to be fully implemented within fifteen days from the declaration of the new ceasefire (thus by November 6, 1992). Furthermore, the Committee agreed to meet again five days before the stated deadline (that is, November 1, 1992) to "assess the implementation" of their latest call.¹²⁰ The UN Security Council was requested to endorse the ECOWAS sanctions and make them mandatory for the entire international community in accordance with the relevant provisions of the Charter of the

¹¹⁹B. Nowrojee, "Taylor Launches Offensive on Liberian Capital" in Africa Report, November-December, 1992, p. 5.

¹²⁰*Ibid.*; "A futile ultimatum?!" in West Africa, November 2-8, 1992, pp. 1868-69.

United Nations, which it did.¹²¹ We turn next to the United Nations action in support of the ECOWAS Peace Plan.

The United Nations Security Council Endorses the ECOWAS
Peace Plan and Appoints a Special Envoy

Charles Taylor had thwarted all the efforts made by the ECOWAS to find peaceful means to end the conflict. As a result of the continued fighting, many calls were made on the United Nations to play a more active role. On different occasions, the Interim Government of Liberia, former United States president, Jimmy Carter, several Heads of State in the region, and even Charles Taylor, appealed to the U.N. to play a major role in supporting the peace effort. However, it was after the ECOWAS representation at the United Nations Security Council that the latter acted. At the November 7, 1992, Summit meeting of the Standing Mediation Committee and the Committee of Five held in Abuja, Nigeria, the nine Heads of State and Government:

reaffirmed their mandate to the Ministers of Foreign Affairs by the Committee of Nine, accompanied by the Executive Secretary, to proceed to New York, as soon as possible to make the necessary representations to the United Nations Security Council with a view to securing the Council's endorsement of the ECOWAS Sanctions Decision and making it mandatory for the entire international community in accordance with the relevant provisions of the Charter of the United Nations.¹²²

¹²¹"Affirming ECOWAS' mandate" in West Africa, November 16-22, 1992, p. 1969.

¹²²*Ibid.*, p. 1969.

After the representation of the Committee of Nine led by the Benin Foreign Minister, Mr. Theodore Holo, and thorough discussions of the activities of all the warring parties to the conflict, "The United Nations Security Council voted unanimously (15-0 on the UN Resolution 788) on November 19 (1992), to impose an arms embargo on Liberia in an effort to restore peace, security and stability in the country."¹²³ Subsequently, it was made clear that the embargo did not apply to weapons and other military supplies to be used by the peace-keeping forces in Liberia. Also Community members were all called upon by UN Resolution 788," to exert self-restraint in their relations with all parties to the Liberian conflict and to refrain from taking any action that would be inimical to the peace process (an apparent reference to Burkina Faso and Côte d'Ivoire, allegedly the two supporters of Charles Taylor)."¹²⁴ Abundant evidence showed that both Burkina Faso and Côte d'Ivoire have been strong supporters of Taylor from the beginning of the uprising with the former alleged to have supplied regular Burkinabe soldiers who fought alongside Taylor's fighters. Also it was revealed that Taylor's bodyguards were Burkinabes. It was further alleged that some of the fighters either killed or captured during the Taylor-backed incursion into Sierra Leone were Burkinabes, so were some of the fighters killed or captured during the NPFL-initiated October 1992 hostilities in the outskirts of the capital. These Burkinabes had been described as being

¹²³J. Butty, "UN steps in" in West Africa, November 30-December 6, 1992, p. 2052.

¹²⁴Ibid.

mercenaries. Although Burkina Faso's Foreign Minister denied his country's involvement with Taylor's fighters, it should be recalled that the country's president, Blaise Compaore, admitted sending hundred of soldiers to fight alongside the NPFL rebels.¹²⁵ Because of the United States' strong desire to have peace restored to Liberia, the U.S. State Department openly accused Burkina Faso of providing military assistance to Charles Taylor's NPFL, and recalled its Ambassador from Ouagadougou "for consultations".

Furthermore, the United States, strongly repudiated Charles Taylor's behavior. While reiterating that none of the Liberian warring factions was blameless concerning the October, 1992, outbreak of hostilities, the United States ambassador to the United Nations, Mr. Edward Perkins, a former ambassador to Liberia, strongly blamed the rebel leader, Taylor, for initiating the hostilities by attacking ECOMOG positions in the capital while refusing to heed ECOWAS calls to have his troops encamped and disarmed. Ambassador Perkins praised the ECOMOG for the professional manner in which it conducted itself even after provocation from Taylor.¹²⁶

Finally, in addition to imposing the arms embargo and calling upon neighboring countries to "exert self restraint", UN resolution 788 calls:

on the Secretary-General to dispatch urgently a special representative to Liberia to evaluate the situation, and to report to the Security Council as soon as possible with any

¹²⁵See "America accuses Burkina" in West Africa, November 16-22, 1992, p. 1979.

¹²⁶Ibid.

recommendations he may wish to make. [Also] [i]t reaffirms that the Yamoussoukro IV Accord [October, 1991] offers the best possible framework for a peaceful resolution of the conflict and calls upon ECOWAS to continue its efforts to assist in the peaceful implementation of the Accord. Without calling the NPFL by name, the resolution condemns the continuing armed attacks against ECOWAS peace-keeping forces in Liberia.¹²⁷

Responding to the UN Resolution which it welcomed, even though the resolution did not call for UN troop deployment but rather reaffirmed the ECOWAS Peace Plan, the NPFL "expressed gratitude to the UN for 'heeding the cries of Liberians to stop the genocide in Liberia.'"¹²⁸ The NPFL further expressed its strong desire to cooperate with the UN envoy and to abide by the arms embargo.

Reacting to the UN Security Council Resolution 788, the British Government immediately announced the cancellation of all export licenses issued to companies permitted to sell arms to Liberia. Furthermore, no new licenses were to be issued other than those meant to assist ECOWAS with its peace-keeping duties.¹²⁹

In line with paragraph seven of UN Security Council Resolution 788 which requested the Secretary General "to dispatch . . . a special representative to Liberia . . ." Mr. Trevor Livingston Gordon-Somers, a Jamaican, was appointed

¹²⁷J. Butty, "UN Steps In" in West Africa, November 30-December 6, 1992, p. 2052.

¹²⁸Quoted in J. Butty, "NPFL responds to embargo" in West Africa, December 7-13, 1992, p. 2093.

¹²⁹"Arms embargo" in West Africa, December 7-13, 1992, p. 2112.

as the UN Secretary General's special representative to Liberia.¹³⁰ He went to Liberia as soon as he was appointed and began his "fact-finding" immediately. Over a hundred boy-soldiers aged between nine and thirteen who had surrendered to the ECOMOG peace-keeping forces confessed upon interrogation that they belonged to Charles Taylor's so-called "Small Boys Units." These boys further confessed that they were fed drugs as part of their diet before being given arms and pushed to the frontlines.¹³¹

After meeting with both the ECOWAS and ECOMOG officials, the Interim Government of National Unity personnel and leaders of the warring factions including Charles Taylor, the UN Special Envoy to Liberia, Mr. Gordon-Somers, stated that he remained hopeful that a peaceful settlement would be achieved since "there is no Liberian who has said he does not want peace."¹³² Mr. Gordon-Somers submitted his report to the Council before the close of 1992. Following the arrival of the UN Special Envoy, the groups' indicated their willingness to cooperate in finding a peaceful solution to the crisis.

Conclusion

With the timely intervention of the ECOMOG peace-making force, a new chapter in the Liberian story began. President Doe soon lost his life because

¹³⁰Quoted in "UN representative arrives" in West Africa, December 7-13, 1992, p. 2112.

¹³¹"Kid soldiers surrender" in West Africa, December 14-20, 1992, p. 2156..

¹³²"Envoy expresses hope" in West Africa, December 20, 1992-January 10, 1993, p. 2251.

instead of leaving Liberia as the peace plan provided he should, he tried tenaciously to hang onto power. The first-ever extraordinary summit brought the warring parties and the interim administration to a common forum for the first time where they all expressed their desire to work to end the conflict. The ECOWAS worked in several diverse ways to try and reach a final settlement. It sponsored a tripartite consultative meeting and a Standing Mediation Committee Mini-Summit and encouraged the holding of a new All-Liberian Conference in Monrovia during which a new Interim Government of National Unity was formed. The Liberian crisis became top priority during both the Abuja and Dakar ECOWAS Summits in 1991 and 1992, respectively. It further resulted in the reactivation of the provisions of the ECOWAS Non-Aggression and Mutual Assistance Protocols. Ultimately the sub-regional body submerged the age-old anglophone-francophone rift, at least enough to allow a change in the character and composition of the ECOMOG force. This force has developed into an unprecedentedly formidable force which several observers believed has become a model for regional conflict Resolution. With maximum support from the United States and the United Nations Security Council which adopted Resolution 788 and the appointment of the UN Secretary-General's Special Envoy, as of the time this was written, the end of March 1993, Mr. Trevor Gordon-Somers remained hopeful that in time there would be disarmament and encampment of Taylor's fighters followed by presidential and parliamentary elections.

CHAPTER VII

CONCLUSION

In this final chapter we will consider how the ECOWAS intervention in Liberia compares with other interventions on the African continent and make some observations about how more effective interventions might be carried out there in the future.

African countries have experienced more external interventions since gaining nationhood a little over three decades ago than any other group of countries. There are some scholars who feel that foreign intervention has become a routine fact of life in Africa.

In the main, these interventions have been aimed at restoring domestic order or bolstering threatened governments. They have taken place at the request of the governments of the countries in which the interventions have occurred.

There have been two main types of interventions. First, there have been interventions carried out by one or more nations without supervision from international organizations and second, interventions by international organizations. Interventions of the first kind can in turn be divided into those undertaken by African states and those undertaken by non-African states.

Many African countries have intervened with troops in the internal conflicts of other countries. Guinea has on many occasions sent armed forces to both

Liberia and Sierra Leone. Similarly, Morocco provided security guards on certain occasions to Chad, Gabon and Equatorial Guinea. Also when Uganda's Idi Amin was attacked by Ugandan dissidents backed by Tanzania, he requested Libya's help which the latter reluctantly sent. Libya also responded positively to Goukoni Ouedeyye in Chad in 1982 when Hissene Habré was fighting to overthrow him. Senegal's Abdul Diouf responded positively to save Sir Dawda Jawara, The Gambian President, when the latter was almost overthrown in a coup d'état in 1982. After fighting alongside Ugandan dissidents to overthrow the despot, Idi Amin of Uganda, Tanzania also sent troops to both the Seychelles and Mozambique when the two countries called for help. There has also been Zimbabwean military presence in Mozambique.

Some African countries have completed bilateral treaties with powerful nations outside Africa. In case of an unforeseen internal conflict, crisis or military mutiny, those African states do not hesitate in requesting help from their external allies. There are not many known cases where these external actors have refused to respond positively to requests made by their African allies. The reasons are obvious. These non-African powers first want their African allies to view them as dependable and ready to offer any needed assistance and second, these external powers want to maintain their influence over their allies in particular and the region in general. The African continent is important to these external actors both as a source of raw material for their industries and as a market for their manufactured goods. In 1990 Somerville wrote that:

Since 1960, France has been the most regular and consistent foreign military intervenor in Africa. It has launched at least twenty different military operations in the last thirty years--all of them, with the exception of the French role in the second Shaka conflict, concerned with former French territories.¹

As a result of bilateral treaties with their numerous former colonies, the French have frequently provided military and other supplies to Francophone nations which were in trouble and have intervened in their domestic affairs. As a matter of fact, the French have developed more ties in their former colonies than have any of the other former colonial powers. French interventions have occurred in Chad, Côte d'Ivoire, Gabon, Djibouti, Central African Republic, Senegal and Mauritania, among others.

Britain has also responded positively to calls by its former colonies for help. Britain put down mutinies in Tanzania, Uganda and Kenya, in the early part of 1964. Several former colonies, especially Kenya, still receive special assistance from Britain.

Cuba's presence has been moderately felt in Africa. In 1966 the Cubans saved the Congo-Brazzaville government which was on the verge of collapse following an attack by an angry mob and have since played a major role in Africa, especially in Angola and Ethiopia.

Interventions by international organizations can be divided into those undertaken by African organizations and those undertaken by the United Nations. Only two noteworthy interventions have been undertaken by African

¹Quoted in K. Somerville, 1990, Foreign Military Intervention in Africa (New York: Pinter Publishers), p. 171.

organizations, the intervention in Chad undertaken by the Organization of African Unity (OAU) and the intervention in Liberia undertaken by ECOWAS. The United Nations, on the other hand, has intervened in a number of countries, the Belgian Congo (now Zaire), Somalia, Angola and Mozambique. Only in the first two cases has the United Nations undertaken extensive military action.

Interventions carried out by one or more non-African states without international supervision have been most resented in Africa. These resentments were probably greatest in the immediate aftermath of colonialism when Africans felt threatened by the possible restoration of colonial domination and during the Cold War which threatened to make African countries pawns. Perhaps this is less of a problem now as the United States' intervention in Somalia before that of the United Nations may indicate.

Intervention by African states in the internal affairs of other African states has been less criticized in Africa. However, such an intervention can open the door for self serving actions not in keeping with the interest of state in which intervention takes place. Some Francophone countries' support for Taylor in Liberia suggests this possibility.

In general, intervention by international organizations is probably preferable because it is less likely to be self-serving. The OAU intervention in Chad, however, was a failure. The ECOWAS intervention in Liberia, on the other hand, may succeed if one considers recent developments and the July

1993 agreements² among the warring factions and ECOWAS, though it is too early to be sure. Certainly whatever the final outcome ECOWAS unlike the OAU made considerable progress in the right direction. It localized the conflict, brought the human rights abuses and refugee problems under control to a considerable degree, established an interim government, reduced Taylor's power and created a forum for negotiation.

Why did the ECOWAS intervention make more progress than the OAU intervention? Basically because more troops and money were available for the execution of the ECOWAS action. The countries which contributed troops were very committed to the success of the operation. Furthermore, the United Nations and the United States provided support.

Does this mean that organizations like ECOWAS will always prove more successful than the OAU in dealing with Africa's problems? Not necessarily. First, they are more likely to promote or be divided by narrow national interests like the Francophone interests in the ECOWAS case. Second, reasonably strong subregional institutions like ECOWAS simply do not exist elsewhere in Africa now, and there is little evidence that they are likely to emerge in the near future.

To the degree that African institutions are relied upon, support by the United Nations and the United States will often be helpful as in the ECOWAS case. Until such time as Africa develops her own regional and subregional

²As I was completing the conclusion, new agreements were reached among the warring parties in Cotonou, Benin Republic.

institutions, further reliance on the United Nations as the primary instrument may be the most feasible course. The Congo intervention, occurring as it did in the immediate aftermath of colonialism before Third World countries had much clout in the United Nations raised fears of neocolonial interference.

Furthermore, the Cold War had begun and the African nations feared being treated as pawns in that struggle. The more recent ventures in Mozambique, Angola and Somalia have presented less problems. In these cases, however, as in the Liberian case, no final assessment can yet be made of the success of the actions. It should be added that in the case of United Nations actions as in the case of the ECOWAS action, the support of the one remaining super power may often be crucial, certainly the action in Somalia would seem to suggest this.

Probably no one pattern of intervention is always best. The pattern must to some degree be tailored to each given situation. At times as in Liberia an individual nation (the United States), a regional organization (ECOWAS) and the United Nations will all have a role to play.

Finally, whether African organizations or the United Nations play the major role, two means of making action more effective should be considered. First, trouble spots should be identified early and action should be taken before the problem becomes massive. And second, intervening organizations should consider establishing permanent forces to facilitate rapid response.

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APPENDIX

RELEVANT ORIGINAL ECOWAS DOCUMENTS, FINAL COMMUNIQUÉS,
AND EXECUTIVE SECRETARY'S REPORTS

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 - h. Declaration A/DCL. 1/7/91 of Political Principals of The Economic Community of West African States
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 - ii. A lecture delivered by Dr. Abass Bundu, ECOWAS Executive Secretary on "The Role, Experience and Lessons of Security Cooperation within ECOWAS: The Lessons of Liberia" at a high-level workshop on conflict resolution.
6. Numerous Newspaper and Magazine Clippings.

VITA

Nana Kwame Agyenim-Boateng was born in Ammasu-Dormaa, Ghana on August 4, 1952. He attended elementary schools in that town and graduated from Wenchi Methodist Secondary School in June 1970. After a year's work he entered Bagabaga Training College in September 1971 and in May 1973 received the Teachers' Certificate "A" Post-Secondary. After teaching for one year at the Ammasu Methodist School, he worked for two years at the Dormaa District Education Office.

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