

**THE PHENOMENON OF AMBIGUOUS MANDATE IN CONFLICT
MANAGEMENT: AN ANALYSIS OF ECOMOG'S INTERVENTION IN THE
LIBERIAN CIVIL-WAR**

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ABSTRACT

There are two precise dimensions to post-Cold-War international relations in Africa: the prevalence of intra-state conflicts and the unwillingness of non-African actors to spearhead conflict management on the continent. Adopting a secondary source of data collection and employing content analysis of qualitative data collected, the paper investigates the motivation for the sudden inclusion of politico-military focus to the regional economic mandate of the ECOWAS. Arguably, the pressing need to restore peace in Liberia and, by extension, ensure sub-regional security encouraged the conflict management adventure of the ECOWAS in Liberia. However, the ambiguous, unclear and unenforceable mandate of the ECOWAS Monitoring Group (ECOMOG) took the shine off the noble intentions of the ECOWAS. In the final analysis, the war prolonged and led to the avoidable human loss of lives and civil and social dislocation. The article, therefore, concludes that while the ECOMOG machinery was put to good use in the second attempt in Sierra-Leone) with corresponding positive results.

KEYWORDS: Mandate, ECOMOG, Conflict, Peace, Civil-War

INTRODUCTION

Territorial propinquity is a critical factor in consideration of national security conditions. Instructively, the snowballing effects of the crisis in a single state, especially the influx of refugees, and the possible political instability, coupled with socio-economic disruptions, could have damaging consequences on neighbouring countries. Hence, states are compelled to be wary of crises in their immediate environments. In the quest for regional peace, state actors are wont to intervene in intra-state conflicts when it is presumed that all internal conflict management mechanisms have failed. The civil war in Liberia in the early 1990s provided the appropriate platform for intervention by a third-party actor.

The indecision of the United Nations and the United States (a special relationship between the US and Liberia) and the security implication for the sub-region prompted the Economic Community of West African States (ECOWAS) to rise to the occasion and intervene in Liberia's internal crisis. The article provides a conceptual clarification for the various forms of peace-initiative mechanism to highlight the lack of clarity and focus of the ECOWAS Monitoring Group charged with the responsibility of peacekeeping in Liberia. Through the summary of the conditions that led to the Liberian civil war and the complex nature of political and diplomatic interactions within the West Africa region, the work analyses the role of the ECOMOG against the dynamics of political and military development in civil-war Liberia. Finally, the work highlights the consequences of the ambiguity in defining the ECOMOG's mandate in Liberia.

International Conflict Management: The Route to Enduring Peace

By the nature of the international system, state actors are susceptible to conflict situations. The constant quest for the projection, promotion, and protection of national interests induces the possibilities of inter-state conflicts. Hence, the character traits of all international disputes in human history are symptomatic of clashes in advancing the national interests of a particular state or a group of countries. Whereas interstate conflicts are in the strictest sense related to the pursuit of national interests, intra-state conflicts are mainly driven by the desire to protect

and advance group interests (political, economic, religious or class). The results have been devastating in cases where the contest for dominant political power drives intra-state conflicts. Under such circumstances, it is not uncommon that the issues of genocide, ethnic cleansing, rape, murder, religious persecution, among others, become the order of the day.

Consequent to the breakdown of law and order, and by extension, the collapse of domestic institutional mechanisms for managing conflicts, third-party intervention (solicited or otherwise) has emerged as an effective tool for providing the enabling environment for conflict management processes. Conflict management refers to the whole gamut of "limitation, mitigation, and containment of violent conflicts" (Golwa, 2009: 279). As a tool for achieving peace, conflict management connotes the application of "both forcible (coercive) and non-forcible (non-coercive) instruments to stop violence and avoid humanitarian emergencies" (Golwa, 2009: 279). In acknowledging the role of parties to a conflict in the process of conflict management, Bercovitch and Regan (1999) regard conflict management as "an attempt by actors involved in a conflict to reduce the level of hostility and generate some order in their relations." In other words, "conflict management is a rational and conscious decision process whereby parties to a conflict, with or without the aid of outsiders, take steps to transform, deescalate or terminate a conflict in a mutually acceptable way" (Bercovitch and Regan, 1999). While the role of the third party in a conflict cannot be disputed, the influences of the third parties in ensuring the de-escalation of conflicts are similarly crucial.

For a normal conflict management situation, the philosophy behind the third-party intervention is for a neutral actor to facilitate the processes of a return to peace in conflict environments. According to the Report of the International Commission on Intervention and State Sovereignty (2001):

Above all, the issue of international intervention for human protection purposes is a clear and compelling example of concerted action urgently being needed to bring international norm and institutions in line with international needs and expectations International Commission on Intervention and State Sovereignty (2001: 3).

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This process is carried out through the interveners' unambiguous legal mandate. In principle, the content of the mandate must be acceptable to at least one of the parties to the conflict. The mandate could either be the activation of one or more peace measures at once, or sometimes, the components of the mandate could emerge in a gradual process based on escalation or de-escalation of the conflict. The third-party mandates at the various peace process levels should include discussing issues concerning peacemaking, peacebuilding, peacekeeping, and peace enforcement. Theoretically, peacemaking efforts may be the first step taken when the conflict environment becomes hugely volatile for both the belligerents and the neutrals.

Peace-building is primarily meant to consolidate the fragile peace that has been achieved at the level of cessation of hostilities. At this stage of the peace process, salient issues of political, humanitarian and human rights conditions, among others, are discussed. Other problems such as disarmament, demining, re-integration of internally displaced persons, economic and social rehabilitation, and rebuilding infrastructures can be undertaken in an atmosphere of relative safety. However, to forestall the possibilities of new hostilities, the peace already "built" must be kept. Peacekeeping is fundamentally concerned with efforts to keep the fragile peace and prevent the likelihood of a relapse into crisis. Essentially, peacekeeping refers to ... "operations conducted with the consent of the belligerent parties, designed to maintain a negotiated truce and help promote conditions which support diplomatic efforts to establish a long-term peace in areas of conflict" (Field Manual, 1005-5).

Invariably, peacekeeping operations are calculated to enhance diplomatic efforts in achieving the objective of restoring or maintaining peace in areas of potential or actual conflict. Therefore, the essence of peacekeeping is to keep a negotiated truce and facilitate a diplomatic resolution of disputes. The functions of peacekeepers include:

- Expanding the axis of the demilitarized zones.
- Encouraging civil engagements.

- Helping to establish deeper contacts among warring parties and continue working to consolidate the peace already achieved, which ultimately leads to political stability through democratic processes and the establishment of institutions.

A peacekeeping mission has to ensure the withdrawal and disengagement of the belligerents from hostility. It also guarantees ceasefires, exchanges of prisoners-of-war, arms control, demilitarisation and demobilization.

Accordingly, the essential ingredients of a peacekeeping operation include:

- Success based on the willingness of belligerents to abide by truce;
- An interim step towards resolution of conflict;
- Peacekeeping force must be perceived as neutral by all disputing parties.

After achieving its objectives, the peace-enforcement force should be evacuated from the conflict environment, because according to the Handbook, "the peace enforcement force is not suited for the transition to a peacekeeping force primarily because it can never be considered neutral again". Thus, a new contingent must be mobilized for the peacekeeping mission of the conflict-prone zone. It is, therefore, apposite to emphasize that:

Political and military decision-makers must understand and specify the nature of the mission of forces deployed to restore peace. Further, they must continuously review the circumstances under which the force was committed to ensuring it remains suited to that mission (Handbook for the Soldier in Operations Other Than War).

The absence of a clear mandate would typically result in incorrect responses for the peace mission and most likely a hostile reception from the belligerents. In effect, an intervention mission must be organized around an immediate and adequate peace response theme, such that the dynamics of conflict situations are handled appropriately. Interventionists must weigh the pros and cons of their action before deciding on the mandate to be pursued to a logical conclusion. The ECOWAS did not measure up to the demand of avoiding unambiguous mandate in its mission to Liberia. The consequence was a prolonged war, with devastating effects on the citizens of Liberia and, to some extent, on the West-African sub-region.

Revisiting the Liberian Crisis

Liberia has a unique history shared only with Sierra Leone. Incidentally, the two African countries emerged from the "philanthropic" movements in Europe and America in the wake of the abolition of the slave trade" (Sesay, 1992: 29), which granted the opportunity to "free men of colour" to be repatriated to their ancestral homes in Africa where they could start life afresh. On the strength of the efforts of the American Colonisation Society (ACS), the first set of free African-Americans and formerly enslaved people from the US, totalling eighty-six people, were safely settled in today's Monrovia (previously called Christopolis) on February 6 1820. After that, various other settlements within the area were signed off to the new arrivals through a treaty by six tribal kings (Umoden, 1992: 14).

The ranks of the settlers were swelled by the arrival of immigrants from the West Indies, and most significantly, by the arrival of newly-freed enslaved people headed for Europe rescued by the British and American navies. The immigrant population became a combination of the Americo-Liberians and the freed-slaves, mainly from Congo. However, the relatively enlightened but minority Americo-Liberians gained prominence in the socio-economic and political terrain, giving the group an undue advantage over other groups, as Liberia evolved into a modern State. The emergent Commonwealth of Liberia was regarded as a colony of the ACS, especially by the European colonial powers. In its bid to reaffirm its independence, the Liberian Declaration of Independence, fashioned after the American version was signed on July 26, 1847, made Liberia the oldest Republic on the African continent. The reaffirmation of the independence and sovereignty of Liberia opened up the opportunity for political dominance by the minority Americo-Liberians. The formation of the True Whig Party (TWP) in 1869 and the subsequent take-over of political power by the party in 1870 gave further impetus to the dominance of the Americo-Liberians.

The TWP was the only recognized political party and governed the country for over a century. Between the late 19th century and about the mid-twentieth century, the Americo-Liberians consolidated their hegemonic dominance over Liberia's political, economic, social,

and civil spheres. The Americo-Liberian minority ensured a conscious institutionalized process and structure of marginalization, alienation, segregation, and dominance of both the majority indigenous Liberians and other immigrant groups. Sesay (1992: 30) alludes to this much in a submission that the Americo-Liberians at best represent only 5 per cent estimated at 1.8m in 1980 of the total population of Liberia they nevertheless controlled political and economic power in the country almost to the exclusion of the majority citizens. Of the country's 19 Presidents before the April 12, 1980 coup, none was an indigenous Liberian.

Not too long into the administration's life, it became evident that the hopes of Doe's government were misplaced because the regime ended up as a monumental failure. The initial populist stands and the accompanying accolades withered away on the altar of crass opportunism, indifference to the plight of the people and brutal and repressive conduct. Arguably, Doe's atrocities make irrelevant the combination of atrocities committed by the various Americo-Liberian regimes. There were charges of nepotism, corruption, murder, suppression of opposition, human-rights abuses and gagging of the press.

In an unprecedented barbaric move, not known to a war-free postmodern political entity, the Doe government publicly executed thirteen cabinet ministers of the previous regime in a day. Subsequently, the Doe regime moved beyond its undisguised hatred for the Americo-Liberians and the need to make the group pay for its perceived injustice against the indigenous tribes but also engaged in an open display of favouritism for his Krahn group against the other indigenous tribes. The government's act of nepotism was evident in the appointment of people of Krahn origin into the government's sensitive positions and the Army. Sesay (1992: 44) notes: "Thus, with time, the regime assumed an embarrassing ethnic colour to the dislike of the other ethnic groups who formed the majority. What followed was massive and blatant violations of human rights as Doe began to "see" many imaginaries as well as "real" enemies in almost every nook and corner in the country."

Within six months of the first attack, Taylor had rattled the ill-equipped Armed Forces of Liberia (AFL) and was indeed believed to have taken control of ninety-eight per cent of the

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country (Nass, 2000: 67). Monrovia, the seat of government, and specifically the highly fortified Executive Mansion, provided the only haven for Doe. In the chaos generated by the conflict, a splinter group named the Independent National Patriotic Front of Liberia (INPFL) led by Yormie Johnson emerged from Taylor's NPFL. At this point, three main groups had appeared; the NPFL, INPFL and the AFL. There was a breakdown of law and order leading to the looming powerlessness of Samuel Doe. Surprisingly, the US refused to lend support to the embattled former President or any other two factions.

However, it is believed that on the strength of the widely publicized friendship between Nigeria's former military President Ibrahim Babangida and Samuel Doe, the Nigerian government agreed to settle the Liberian imbroglio, but under the auspices of the Economic Community of West African States (ECOWAS). As the Chairman of the Organisation of African Unity (now African Union), President Babangida suggested that the ECOWAS Heads of State and Government set up the ECOWAS Mediation Standing Committee approved in Banjul Gambia in May 1990. The member-states of ECOWAS unanimously agreed to send a peacekeeping monitoring team (Economic Community of West African States Monitoring Group) to Liberia, thereby providing a third-party intervention to manage and settle the Liberian conflict.

The ECOWAS Regional Economic Agenda and Conflict Management

The Economic Community of West African States (ECOWAS) is a regional economic community set up in 1975 through the prompting and exertions of Nigeria and with the active support of the Republic of Togo. The strategic inclusion of a French-speaking African state in Nigeria's dream of an economic community for the region was intended, on the one hand, to douse the tension raised by the unproved perceptions of Nigeria's hegemonic ambitions by leading Francophone West African states. Furthermore, Nigeria's determination of incorporating the French-speaking area of West Africa rests on the platform of Nigeria's commitment to the policy of "Good Neighbourliness", which abhors discrimination because of language, cultural or political differences. Eventually, the Community emerged as a sub-

regional economic community that covered 6,141,153 square kilometres and 122.7m people at inception in 1975 (Akinyemi and Aluko, 1984: 3-4).

Nigeria's efforts in forging the establishment of ECOWAS found expression in the thinking of the UN at the time, which encouraged the formation of such economic community groupings in developing countries, especially in Africa. Accordingly, ECOWAS' establishment is partly in response "to the repeated recommendations of the United Nations bodies, more particularly, the United Nations Economic Commission for Africa, to stress, among other things, sub-regional cooperation as a means of fulfilling the aspirations of developing nations" (Afolabi, 1984: 46). Baring all the hindrances resulting from the mutual suspicions among members, ECOWAS emerged as the August regional economic community in West Africa. The organization's driving principle at inception rests on the integration of the economies of West African states by terminating all trade barriers. Furthermore, the organization hoped to link the peoples of the region by allowing travelling access, integrating banking and transportation services, including industrial development and harmonization, cooperation in all spheres of socio-cultural endeavours and the freedom of residence of citizens, amongst other laudable ambitions. The whole idea is to achieve economic integration and collective self-reliance. As Akinyemi and Aluko (1984: 4) put it, ECOWAS "is the structural embodiment of the peoples' belief in a collective attack against the enduring problems of underdevelopment in tropical Africa." Chapter 1, Article 2(1) of the Treaty of ECOWAS states thus:

The Community shall aim to promote cooperation and development in all fields of economic activity particularly in the fields of industry, transportation, telecommunications, energy, agriculture, natural resources, commerce, monetary and financial questions. And in social and cultural matters to raise the standard of living of its peoples, increase and maintain economic stability, fostering closer relations among its member, and contribute to the progress and development of the African continent (Kwaja, 2017: 53-71).

From the preceding, it is apparent that the founders of ECOWAS never contemplated the nature of security challenges that would confront the sub-region in the international politics

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of the late 1980s and 1990s. Thus, the original Treaty only focused on the issues of "Settlement of Disputes", which they envisaged could arise from the interpretation or application of the Treaty and not as a result of deadly intra-state conflicts that gained prominence afterwards. Accordingly, Chapter 13, Article 56 of the Treaty states: "Any dispute that may arise among the Member States regarding the interpretation or application of this Treaty shall be amicably settled by direct agreement". It further entrenched that if there is a failure of settling disputes, such matter was to be referred to the Tribunal of the Community for final decision.

The realization of the impossibility of achieving economic integration in an environment laden with security challenges prompted the ECOWAS Heads of State and Government to sign the Protocol on Non-Aggression in 1978. To further state its readiness for collective reliance and collective security, the ECOWAS highest authority signed the Protocol Relating to Mutual Assistance in Defence into force in Freetown in May 1981. Though the Freetown Protocol was more elaborate than the Protocol on Non-Aggression, it was legally and logistically powerless in the face of serious internal conflicts. To buttress the point of the weakness of this Protocol to meet the challenges of internal conflicts, we outline the circumstances under which it can be authorized. It was only possible to activate the legal instruments under the following circumstances (Akindele, 2012: 5):

- An armed conflict between two or several ECOWAS members states;
- An external armed threat or aggression directed against a member of the Community; and
- An internal armed conflict within any member state engineered and supported actively from outside is likely to endanger the security and peace in the entire Community.

Akindele (2012) opined that to create and strengthen the credibility for ECOWAS's collective profile and facilitate quick response to calls for security assistance, the 1981 MAD Protocol established the Allied Armed Forces of the Community (AAFC). This body consisted of units from the national armed forces of member states. The latter had specially trained, earmarked and agreed to place at the Community's disposal for use in the event of a request for military assistance and armed intervention.

ECOWAS was forced to rise to the occasion in the face of sub-regional disaster, instability and humanitarian challenges. This decision was even more compelling because of the rest of the international Community's unwillingness to assist in arresting the Liberian chaos. Less than a year into the start of the Liberian carnage, ECOWAS, through the prompting of the Nigerian President, Ibrahim Babangida, instituted its plan for resolving the conflict.

ECOMOG - ECOWAS' Response to the Liberian Crisis

The processes of ECOWAS' involvement in the Liberian crisis were perfected through the following four significant summits (Okeke, 2012: 40);

1. The 13th session of the Authority of Heads of State and Government of ECOWAS convened in Banjul, the Gambia, from May 28-30, 1990;
2. Standing Mediation Committee Meeting in Freetown, Sierra-Leone, from July 5-20, 1990;
3. The National Conference in Banjul, The Gambia on August 30, 1990; and
4. The First Session of the Standing Mediation Committee, held at the Kairaba Conference Centre in Banjul, The Gambia, from August 6-7, 1990.

In readiness for active involvement in the Liberian crisis, the ECOWAS Standing Mediation Committee's Peace Plan was anchored on the necessity for direct intervention by member-states through troops-deployment under the aegis of ECOWAS Monitoring Group (ECOMOG). According to Goolwa (2009):

The mandate of ECOMOG was to serve as a ceasefire monitoring group that would create an atmosphere conducive to the establishment of a broad-based interim government and eventual democratic election under international supervision and the disarmament, demobilization and encampment of the warring factions (Goolwa, 2009: 282).

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