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Legality and legitimacy of military intervention in intra state conflicts: A case study of Ecowas intervention in Sierra Leone

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Chapter II

When you slip and fall, do not look for the cause of your fall where you lie; the cause is where you slipped.
– Mende Proverb

2.1 Conflict Analysis

The end of the cold war in 1989/90 can be considered, as a point of departure for many world developments, both positive and negative. In Africa, as in other parts of the world, the effect of the termination of the ideological war was seriously felt. While the termination of the cold war brought in its wake the end of proxy wars fought in Africa, it however signalled the genesis of another kind of conflict – intra-state conflicts. No longer were wars or conflicts fought between states, but between mostly the government, and the so-called rebels or insurgents. The upsurge of these intra-state conflicts has left analysts confounded as to the causes and nature of such conflicts. One of the unique, though negative, characteristics of the violent conflicts that erupted in Africa after the end of the cold war was the level of violence directed at civilians. In the post-cold war conflicts in Africa, approximately 70% of the victims are civilians.[77] Approximately 80% of the wars fought in the post-cold war era were also intra-state as opposed to inter-state conflicts, witnessed during the cold war era.[78]

Some have argued that the type of conflict witnessed in the post cold war era can be traced to the geopolitical map bequeathed to Africa by its colonial powers.[79] Somerville's contention is that the imposition of boundaries brought people who were never a "people" together, and hence such situation is bound to lead to conflict. While this might be true, one should not lose sight of the fact that even before the carving up of Africa at the Berlin Conference of 1884, inter tribal wars were rife. The failure of the African

[77] Alhaji M.S. Bah, "The Intervention Dilemma: The Dynamics of the Post-Cold Era", in Festus Aboagye and Alhaji M. S. Bah (ed), *A Tortuous Road to Peace: The Dynamics of Regional, UN and International Humanitarian Interventions in Liberia*, (Institute for Security Studies, South Africa) 2005 p. 21.
[78] Ibid.
[79] Keith Somerville, *Foreign Military Intervention in Africa*, (Pinter Publishers, London 1990). P.183.

leadership to legitimise and popularise their rule is also one of the theories advanced for the exacerbation of conflict in Africa.[80] The failure of Africa's political elite to democratize their political systems and improve the efficiency of governance mechanisms has been one of the causes of armed conflict that has increasingly undermined human and state security in the continent. Greed and economic considerations have also featured as a reason for the proliferation of conflicts in Africa. Scholars and analysts, who share this view, are of the opinion that the main driving goal of conflicts in Africa is the desire to acquire control over the economic resources of the state, and not because of grievance against the political system.[81] It is quite simple and convenient to dismiss most conflicts as one fought for resources, especially, when the analyst is of a Western orientation. Conflicts in Africa, especially the one in Sierra Leone, are complex and therefore require a patient and careful analysis in order to understand them. It is not helpful to paint all conflicts in Africa with the same broad brush.[82]

While greed cannot be discounted as a factor in the conflicts, the consequences of the end of the cold war should be factored in. This is because, in the cold war era, external patrons were quick to meet the demands of their protégés depending on the side of the ideological divide they found themselves. In the post cold war, the erstwhile protégés were forced to finance their own wars.[83] They therefore resorted to exploitation of natural resources where available, and involved themselves in illicit drug trade. Others have also explained the conflicts as being ethnically motivated. However, many have described this view to be lacking in substance. They instead think that the resort to ethnic politics is for the protection of a "shrinking power base".[84] To dismiss African conflicts as lacking of ideologies is a very weak attempt at dismissing the intellectual capabilities of the African.

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[80] Ibid.
[81] Paul Collier, "Doing Well Out of War: An Economic Perspective", in Mats Berdal and David Malone (eds), *Greed and Grievance: Economic Agendas in Civil Wars*, (Boulder and London: Lynne Reinner Publishers, Inc, 2000) pp. 43-68.
[82] Eboe Hutchful and Kwesi Aning, "The Political Economy of Conflict", in Adekeye Adebajo and Ismail Rashid (ed), *West African Security Challenges: Building Peace in a Troubled Region*, (Boulder and London: Lynne Reinner Publishers, Inc, 2004, p.200.
[83] Ibid.
[84] Op cit note 6 p. 199.

The understanding of the historical development of African political institutions would help one in understanding the dynamics of African conflicts. It must be remembered that Africa is a diverse continent with most states multi-racial. The political system as experimented in post-colonial Africa is a "borrowed" system hence, African leaders have been trying to adapt to its use.

A thorough analysis of conflict in West Africa must therefore begin with an understanding of the fragility of West African states in the 1980s and 1990s, and the readiness of the citizenry to resort to arms if necessary.[85] An understanding of the historical attitude of West Africans to repression would enable one understand why the sub region is embroiled in violence. The incidence of military rule and the attendant violent repression, abuse, and violations of the most basic human rights, could also have led to the spate of violent conflict witnessed in the 1980s and 1990s. The West African sub region was among the earliest in the continent to attain independence, with Ghana leading the way in 1957. It is instructive that with the exception of Guinea-Bissau, the sub region is the only one in Africa that did not achieve independence through force of arms.[86] One therefore wonders why the relatively peaceful sub region should suddenly become a theatre of some of the most vicious conflicts experienced in post independence Africa. It is also however, the sub region that has witnessed more military coups, especially from subalterns.[87] Most West African states has experienced more military rule than "democratic" governance. With the exception of Senegal and Cape Verde, all the countries in the sub region have experienced military coups of some sort. For instance, out of Nigeria's 46-year post-independence history, 29 years were under military rule. Burkina Faso boasts the longest military regime in West Africa – a record of 31 years out of its 46 - year post-independence history. However, Sierra Leone boasts the country

[85] Op cit note 19 p. 202.
[86] Ibrahim Abdullah and Ismail Rashid, "Rebel Movements", in Adekeye Adebajo and Ismail Rashid (ed), *West African Security Challenges: Building Peace in a Troubled Region,* (Boulder and London: Lynne Reinner Publishers, Inc, 2004) p.93.
[87] Jimmy Kandeh, *Coups from Below: Armed Subalterns and State Power in West Africa*, (Palgrave, Macmillan, New York) 2004. p.1

where more "coupist" came from the subaltern rank.[88] Wanton destruction and violence normally accompanies subaltern coups.[89] Subalterns engage in wilful and indiscriminate violence not because they have taken leave of their senses or because of a criminal drive, but because they are products of political systems that have failed them and the rest of the society.[90] In situations where democratic rule was in place, the citizens have also suffered the same neglect, repression and human rights violations as they do suffer during military rule.

The conflicts in Africa and more especially in West Africa can therefore be attributed to the compendium of factors noted above. However, the most important single cause of conflict in West Africa is poor governance over a period coupled with frustrations over political change, occurring against the background of deep state decay.[91] Allied to the above factors is the continued repression of the citizens by the state, especially, where a state is weak. States that are weak militarily open up themselves to attack by domestic non-state insurgents.[92] For instance, despite the repression and human rights abuses suffered by Nigerians under the dictatorship of General Sani Abacha, no group of insurgents or freedom fighters could successfully challenge the military might of the government. This is not to suggest that military power ought to be used at the detriment of the society. However, it is a pointer to indicate that, even in a state of relative good governance, if the military is weak, there are dangers that some opportunists might take advantage of it and plunge that state into violence. In understanding the basis and origins of conflicts in West Africa then, one has to "go beyond the fixation with 'resources' and the rationalization of violence to fit current western paradigm".[93]

2.2 Historical Overview to the Conflict in Sierra Leone

[88] Jimmy Kandeh, "Civil-Military Relations", in Adekeye Adebajo and Ismail Rashid (ed), *West African Security Challenges: Building Peace in a Troubled Region*, (Boulder and London: Lynne Reinner Publishers, Inc, 2004) p.147.
[89] Op cit note 87 p. 4.
[90] Op cit note 86 p. 5.
[91] Op cit note 19 p. 217.
[92] Ibid.
[93] Op cit note 19 p. 201.

Sierra Leone got her independence in 1961 after 174 years of colonial rule. Like many other African states, Sierra Leone is a multi ethnic society, is made up of 17 ethnic groups.The two largest are the Temne who occupy large sections of the northern region, and the Mende, who dominate the south and eastern parts of the country. The two groups account for about 60% of the country's population. There are also the settlers.[94] The settlers, popularly referred to as "Creoles" had an obvious advantage over the indigenous people.[95] They had also provided the cream of the colonial service for a long time, not just in Sierra Leone but also in Gambia, Ghana, and Nigeria, all of which were British colonies. They dominated the elite professions such as law, medicine, teaching, and the clergy for decades.[96]

Right from the time Sierra Leone attained independence, there have been noticeable traces of ethnic politics, as the political leaders from the two largest ethnic groups often appealed to their kith and kin for political support.[97] This reliance on ethnic solidarity led to major political conflicts as witnessed during the first decade of independence.[98] The two major parties in the post-colonial era were, the All Peoples Congress (APC) led by Siaka Stevens, and the Sierra Leone Peoples Party (SLPP) led by Milton Margai. While the SLPP drew its members and support from across the country, it was perceived as representing the interest of the Mende, and those in close affinity to the Mende. However, the APC drew majority of its members from the northern-based Temne ethnic group.[99] One can argue therefore, that the seeds of political turmoil were sown as far back as when the country got its independence in 1961. However, it is arguable whether what happened in Sierra Leone in the 1990s onward was ethnically motivated. One might agree that the nature of ethnic politics could have led to political "god fatherism", corruption, and

[94] Joe A.D. Alie, "Background to the Conflict (1961-1991): What Went Wrong and Why?" in Anatole Ayissi and Robin-Edward Poulton (ed), *Bound to Cooperate: Conflict, Peace and People in Sierra Leone*. (United Nations Institute for Disarmament Research (UNIDIR) Geneva, Switzerland) UNIDIR /2000/19 p. 2.
[95] Charles Quaker-Dokubo, "The Revolutionary United Front: Fronting for Democracy or Fuelling Destruction?" *Nigerian Journal of International Affairs, Vol. 26, No. 2,* 2001 p. 1.
[96] Ibid.
[97] Op cit note 94 p. 21.
[98] Ibid.
[99] Ibid.

collapse of state structure. To that extent, ethnic politics as practiced in Sierra Leone could be identified as one of the major causes of the Sierra Leone conflict.

From 1968 to 1985, Prime Minister Siaka Stevens in partnership with European and Lebanese financiers mismanaged the country's vast resources, which slid the nation to the bottom of the United Nations (UN) ratings for human development and poverty.[100] It is ironical that in terms of natural resources, Sierra Leone is among the richest countries in the world, yet, its citizens are among the world's poorest. By the time Siaka Stevens stepped down in 1985 and named Major General Joseph Momoh as his successor, the nation's civil service, health, education, transport, and communication systems had practically collapsed.[101] In 1988, official diamond export had fallen from 2 million carat in 1970 to 48,000 carats.[102] This was not due to the declining of mineral resources but rather, due to mismanagement and corruption. Sierra Leone boasts one of the oldest universities in West Africa; Fourah Bay College. Apart from being over 160 years old, it has graduated great minds that have contributed to knowledge both in Africa and beyond.

During the Momoh years, two trends that grew which were however unnoticed were, the unemployed and disaffected youth who, either migrated to Freetown or to other urban areas, including the diamond fields of Kono. There was a noticeable social culture cemented by drugs, violence, and criminality.[103] The other trend was the growing university students' radicalism of the middle 1980s, which was characterized by demonstrations and violence. They were in part influenced by Colonel Ghadafi's radical thoughts expressed in his "Green Book".[104] The relationship between Fourah Bay College administrations and students soured, which led to the 1984 January demonstrations.

[100] "The Civil War in Sierra Leone", available at http//:www.afrol.com/news/sil007_civil_war.htm last visited on June 26 2005.
[101] Op cit note 95 p. 2.
[102] Ibid.
[103] Op cit note 95 p. 3.
[104] Ibid.

The breakdown of state structures coupled with the effective suppression of civilian opposition opened up Sierra Leone for crisis.[105] The internal collapse of the security structures and the brutal civil war going on in neighbouring Liberia played an important role in the actual outbreak of fighting.[106]

2.3 Hopes and Aspirations Dashed

The transition from colonial rule to independence in 1961 left Sierra Leone with a hopeful democracy.[107] The level of highly qualified and motivated personnel in the Sierra Leone Civil Service and other aspects of Sierra Leonean governance, together with the state's educational institutions was the envy of the other independent African states.[108] The APC members initiated the first wave of violence in the post-independence era, as evidenced during the 1961 independence celebration.[109] Accusations of ethnic marginalization were levelled against the SLPP government of Prime Minister Milton Margai. While there is a disparity in socio-economic development between the North and the South in Sierra Leone, it was not a deliberate policy of the SLPP government.[110] This could be traced to the colonial period. During this time, most of the government's economic activities had been concentrated in the South and East, where the main cash crops, cocoa and coffee were to be found. The South and East also had rich deposits of strategic minerals, including diamonds. While the northerners who were predominantly Muslims did not embrace western education very vigorously, the south did.[111] The political polarization along ethnic lines became more pronounced after Prime Minister Milton Margai died in 1964 and his brother, Albert Margai took over. It was also later to

[105] Op cit note 100.
[106] Ibid.
[107] Op cit note 94 p. 17.
[108] Ibid.
[109] Ibid.
[110] Op cit note 94 p. 23.
[111] Ibid.

affect the army, which led to the implication of Colonel John Bangura (a northerner) in a coup in 1967.[112]

However, after the March election of 1967, where the APC won 32 seats, SLPP 28, and Independent candidates 6, the head of the army, Brigadier General David Lansana, staged the first successful coup in the country's post-independence history. He cited ethnic politics as part of his reasons for the coup.[113] However, a group of colonels who felt that Lansana probably wanted to hand over power to Sir Albert Margai, arrested both the Brigadier and Sir Albert in a counter coup and took over power for themselves. Another counter coup was to occur in April 1968 by junior officers loyal to the APC which led to Siaka Stevens coming back from exile in Guinea to become the Prime Minister. He lost no time in replacing Mende army officers with officers from the north.[114] Due to the tyrannical tendencies of the government of Siaka Stevens, two of his ministers, Dr. M.S. Forna and M.O. Bash-Taqi, ministers of finance and development respectively, resigned as members of the APC and formed United Democratic Party (UDP). However, Siaka Stevens proscribed the party eventually in 1971 after Sierra Leone became a republic.[115]

The intense rivalry between the Mende and the Temne for political power has had serious implications for national unity and cohesion in Sierra Leone. It has been suggested that the tribalism destroyed the social fabric of Sierra Leone society, and that it was a common knowledge, though people felt it was too sensitive to discuss.[116] One of the effects of the "balkanization" of Africa at the Berlin Conference of 1884 is the merging and carving up of "nations" by the colonial powers. Often, tribes that had hitherto been at war between themselves suddenly woke up next day to realise that they are now under the same government. These rivalries, which had taken roots over the years, cannot easily be wished away by the concept of the state.

2.4 What Went Wrong?

[112] Ibid.
[113] Op cit note 95 p. 25.
[114] Ibid.
[115] Op cit note 95 p. 18-19.
[116] Ibid.

Due to the perceived "tribalisation" of the SLPP, the APC was formed in October 1960 and led by Siaka Stevens, a Limba, but born in the southern town of Moyamba. The northerners gravitated towards the party and felt that it was "theirs".[117] While the APC leadership could have prepared to get power constitutionally, the rank and file felt otherwise.[118] It is instructive to note that at the time of inception, the APC leadership consisted only of the two major ethnic groups in the north – the Temne and the Limba.[119] One of the worst clashes between the APC supporters and the SLPP supporters occurred on May 3 1977 in the southern provincial town of Bo, a traditional SLPP stronghold. The clash left a lot of people dead and the homes of certain northerners in Bo, completely destroyed.[120]

The state under Siaka Stevens took a downward turn as it was run on the basis of party cronyism. In 1978, Siaka Stevens eliminated multi party system and instituted a one party state system.[121] Corruption at all levels was evident during this period. One could not advance in business or government service without expressing loyalty to the APC government.[122] Meritocracy was replaced by "connectocracy".[123] The government of Siaka Stevens argued in favour of a one party state that it was the only practical way to eliminate political violence. That this argument was an illusion, if not outright deceit, is exemplified by the unprecedented violence that accompanied the first election under a one party state in 1982.[124] For instance, in Puhejun district, some citizens formed a guerrilla movement, the *Ndogbowusi* in 1982 to protect themselves from what they termed "state sponsored terrorism".[125] The effect of this was later felt when the

[117] Joe A.D. Alie, *A New History of Sierra Leone*, (London: Macmillan) 1990.
[118] Ibid.
[119] Ibid.
[120] Ibid.
[121] Sahr Kpundeh, "Corruption and Political Insurgency in Sierra Leone", in Ibrahim Abdullah (ed), *Between Democracy and Terror: the Sierra Leone Civil War*, (CODESRIA: Senegal) 2004. p.94.
[122] Ibid.
[123] Op cit note 94 p.27
[124]Ibid.
[125] Ibid.

Revolutionary United Front (RUF), attempted to recruit many young men from the Pujehun district in the early days of its rebellion.[126]

The high incidence of corruption, mismanagement, and abuse of state power led to an increase in poverty in Sierra Leone. The government neglected the sanitation and nutritional health standards of the country.[127] Between the 1970s and the early days of the RUF led rebellion in the 1990s, a small minority of Sierra Leoneans became so rich and insensitive to the plight of the masses.[128] Corruption and mismanagement of public funds became the order of the day due to the APC's institutionalized patronage system in rewarding party faithful.[129] Siaka Stevens is quoted as having said that "*usai yu tai kaw, na dae i de it*", (meaning: a cow grazes where it is tethered).[130] This could be regarded as official rubber stamp to the corruption in the state, as transparency and accountability vanished from public administration system. The extent of Siaka Stevens' corruption and politics of favouritism and cronyism is evidenced by his assigning the country's entire diamond and fishing industry to Jamil Mohammed, an Afro-Lebanese business partner of his.[131] The over concentration of power over access to resources in the hands of a few people in Freetown denied the non-APC members the right to a fair distribution of the country's resources. This therefore weakened local government structures, thereby stunting the development process of the grassroots participating units.[132] The whole resource distribution mechanism was concentrated in the central government and units were out rightly neglected for not belonging to the ruling party, or were marginally treated.[133] Over centralization quickened the disintegration of the fabric of the state and finally led to its collapse, with a complete loss of control over political and economic space.[134]

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[126] Ibid.
[127] Op cit note 121 p. 97.
[128] Ibid.
[129] Ibid.
[130] William Reno, *Corruption and State Politics in Sierra Leone*, (Cambridge University Press) 1995.
[131] Angela McIntrye et al, "Politics, War and Youth Culture in Sierra Leone: An Alternative Interpretation", *African Security Review*, 11 no. 3 (2002) p. 10.
[132] Op cit note 94. p. 19.
[133] Ibid.
[134] See Generally, William I. Zartman (ed), *Collapsed States: The Disintegration and Restoration of Legitimate Authority*, (Boulder, Co. Lynne Rienner Publishers) 1995.

While the economy of Sierra Leone was dwindling, occasioned by the various smuggling of diamonds and the state endorsed corruption and mismanagement of public funds, the government of Siaka Stevens went on to spend so much on its hosting of the Organization for African Unity (OAU) Conference in 1980.[135] While the sum of 100 Million Leone (then about $100 Million) was originally budgeted for the project, the government ended up spending 200 Million Leone (then about $200 Million) which was never accounted for.[136] This catapulted the economic situation into a gorge and in turn led to the decline of health and social services, together with the grants for student scholarship. The rate of school dropouts increased and the number of disenchanted youths increased dramatically.[137]

It is instructive to note that students were not the only ones who were manifesting their discontents. On September 1 1981, the Sierra Leone Labour Congress had initiated a nationwide strike to demand economic reforms.[138] The ethnic dimension to Sierra Leone politics was also played out within the composition of the army. The politicization of the military led to a low standard and low morale amongst the officers and men.[139] The army top brass were cornering funds meant for the entire army structure for themelves, leaving the soldiers poorly equipped. The result of this was that during the RUF attack, there were no trucks to carry troops to the battlefield.[140] The disenchantment of the soldiers was revealed further when some of the soldiers went on to collaborate with the RUF, to the bitter disappointment of the civilians.[141] Stevens, in an apparent move to checkmate the power of the military, created the Internal Security Unit (ISU), which later became the State Security Division (SSD). However, the ISU became so dreadful and trigger-

[135] Op cit note 95 p. 4. See also, Ibrahim Abdullah, "Bush Path to Destruction: The Origin and Character of the Revolutionary United Front (RUF/SL), in Ibrahim Abdullah (ed), *Between Democracy and Terror: The Sierra Leone Civil War*, (CODESRIA: Senegal) 2004.
[136] Op cit note 94 p. 30.
[137] Op cit note 95 p. 4.
[138] Op cit note 94 p. 32.
[139] Arthur Abraham, "State Complicity as a Factor in Perpetuating the Sierra Leone War", in Ibrahim Abdullah (ed), *Between Democracy and Terror: the Sierra Leone Civil War*, (CODESRIA: Senegal) 2004. pp.104-105
[140] Ibid.
[141] Ibid. p. 106.

happy, striking terror into the minds of the civilian populace that they were nicknamed ISU, I Shoot You.[142]

When Momoh took over from Siaka Stevens in 1986, he continued in the footsteps of Stevens and surrounded himself with his Limba kinsmen. He was also unable to tackle the issue of graft and corruption, which had become the hallmark of Sierra Leone politics.[143]The conflict in Sierra Leone started brewing furiously when the government of Joseph Momoh suspended the payment of salaries, notably of teachers and the military. This eventually led to the disintegration of authority, unemployment, crime, and brigandage.[144] The weak state system and the general economic decline affected government's ability to respond effectively to the rebellion. Due to the non-payment of the security agencies and the army, the morale was so low that instead of protecting the state and the population against RUF's abuses, some soldiers chose to moonlight as rebels to loot and harass the population.[145] When the army took over power in 1992 and Captain Valentine Strasser became the Chairman of the National Provisional Ruling Council (NPRC), they promised that the RUF insurgency would be dealt with immediately. Jubilation greeted the coup and Sierra Leoneans looked forward to a hopeful end of the conflict.[146] However, the NPRC could not live up to its promise. They instead became involved in the very corrupt practices that had marred the previous regimes.[147]

It is obvious from the above background that political injustice, manipulation, ethnic politics, disruption of the rule of law, corruption on all levels of government bureaucracy, mismanagement, misappropriation, and embezzlement of state funds, all contributed to the civil war in Sierra Leone.

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[142] Op cit note 94 p. 33.
[143] Op cit note 29 p. 178.
[144] Kwaku Nuamah and William I. Zartman, National Intelligence Council Project, *Case Study: Intervention in Sierra Leone*, available at http://www.cissm.umd.edu/NIC/nuamahzartman.pdf last visited on October 25 2005.
[145] Op cit note 10 p.83.
[146] Chris Squire, "Bound to Cooperate: Peacemaking and Power sharing in Sierra Leone" in Anatole Ayissi and Robin-Edward Poulton (ed), *Bound to Cooperate: Conflict, Peace and People in Sierra Leone*. (United Nations Institute for Disarmament Research (UNIDIR) Geneva, Switzerland) UNIDIR /2000/19 p. 2.
[147] Op cit note 29 p. 178.

2.5 The Youth Culture and Role in the Conflict

As the economical, political, and social fabrics of Sierra Leone continued on its downward trend, the group that suffered the effect most were the under twenties. Most young men and women were without jobs and hopes for any reliable means of income. This dejection and loss of faith in the system led some of them to become radicals and rebels.[148] Ghadaffi's Green Book was also a source of inspiration and revolutionary ideas to the youth.[149] In the course of series of discourses and listening to politically motivated lyrics of Bob Marley, Peter Tosh, Fela Anikulapo-Kuti, Afro-National, Super-combo, Sonny Okosun, Osibisa, and Bunny Wailer, the youths of the 1970s and 1980s believed that "de system" could only be changed through violence.[150] The students and lecturers set up the Pan African Union (PANAFU) in 1982, which was dedicated to campaigning against apartheid in South Africa and fighting neo-colonialism in the continent.[151] Student radicals were the link between students on campus and lumpens in the city. They fraternized together with the city lumpen and smoked marijuana together while politicizing and discussing the social problems of Sierra Leone.[152]

When some student radicals and intellectuals were expelled from the universities in Sierra Leone, they migrated to Ghana. Alie Kabba, the President of the Students' Union enrolled in University of Ghana, Legon and with the support of Libya, recruited and coordinated volunteers for training in Libya.[153] Foday Sankoh, Abu Kanu, and Rashid Mansaray were part of the volunteers and they were later trained in Benghazi between July and August 1987. The three were later to become RUF leaders.[154]

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[148] See generally, Ismail Rashid, "Student Radicals, Lumpen Youth, and the Origins of Revolutionary Groups in Sierra Leone, 1977-1996" in Ibrahim Abdullah (ed), *Between Democracy and Terror: the Sierra Leone Civil War*, (CODESRIA: Senegal) 2004. pp. 66-89.
[149] Ibid.
[150] Op cit note 29 p. 179. See also note 144.
[151] Ibid.
[152] Op cit note 144.
[153] Ibid.
[154] Op cit note 100.

2.6 Revolutionary United Front (RUF) and the Conflict in Sierra Leone

The RUF rose from the ashes of the abandoned Sierra Leone's radical students "revolutionary" project.[155] The RUF was principally a creation of Foday Saybana Sankoh, a cashiered army photographer, jailed for his involvement in a coup plot against Siaka Stevens in 1971.[156] Sankoh, Abu Kanu and Rashid Mansaray had worked closely with Charles Taylor of Liberia, whom they had met in the 1980s in Libya. The conflict in 1991 began as an offshoot of the Liberia civil war, and eventually developed into a full-fledged internal conflict over power and resources with serious regional implication.[157] The RUF had no developed ideology; instead, it embarked on a campaign of terror in the countryside. This explains why the peasantry, the natural ally of revolutionaries in the third world, deserted the movement.[158] It took the RUF five years after its first attack in Sierra Leone to come up with a propaganda booklet *Footpath to Democracy: Towards a New Sierra Leone,* which sought to explain its goals and supposed ideologies.[159] With the benefit of hindsight, it can be argued correctly that RUF was not a "revolutionary" movement as it failed to attract popular support from radicals both inside and outside Sierra Leone and it also failed to gain support from the very people on whose behalf it claimed to be fighting. The claim of revolutionary was in name alone.[160] Since it was not able to attract the necessary intellectual and political support to maintain a revolutionary, they recruited from the "san-san boys" – the illegal miners and eventually, the disgruntled elements in the military who share the same lumpen culture and interests as the RUF commanders.[161]

March 23, 1991 is a date most Sierra Leoneans would prefer to wish away. It was on this date that the RUF combatants invaded Sierra Leone from Liberia at Bomaru in Kailahun

[155] Op cit note 29 p. 185. See also note 68.
[156] Op cit note 94 p. 3.
[157] Op cit note 144.
[158] Op cit note 94 p. 6.
[159] Op cit note 29 p. 186.
[160] Op cit note 94 p. 11.
[161] Ibid.

district, and Mano River Bridge, Pujehun district.[162] The RUF was to hold sway in Sierra Leone for the next eleven years. The initial force that entered Sierra Leone was made up of two units: Vanguard and Special Forces. The Vanguard consisted of those who trained in Libya in 1987/88 and disgruntled Sierra Leoneans recruited in Liberia.[163] Sankoh, Abu Kanu, and Rashid Mansaray were part of the first group. The Special Forces on the other hand were the National Patriotic Front of Liberia (NPFL) fighters who were on loan to RUF by Charles Taylor.[164] This also included about 200 Burkinabe regular soldiers.[165] Ironically, it was exactly twenty years to the day that Sankoh was arrested for his involvement in the attempted coup against Siaka Stevens.[166]

It is instructive to note that the territory through which the RUF invaded Sierra Leone was under the control of Charles Taylor's NPFL.[167] While Taylor's involvement in Sierra Leone was to retaliate against the country, for its involvement in ECOWAS Monitoring Group (ECOMOG) operations in Liberia, it is also argued that Taylor wanted unlimited access to the rich agricultural and diamond lands in south-eastern Sierra Leone, in order to pay for his war efforts in Liberia.[168] Incidentally, Taylor is reported to have approached few members of Momoh's government in 1989 to provide him with a base to invade Liberia. However, they reported him to the security agents after taking his money and he was arrested, jailed and later expelled from Sierra Leone.[169] Therefore, it is also possible that he had some personal score to settle with the Momoh government. It has also been suggested that Taylor wanted ECOMOG to withdraw from Liberia.[170] Taylor had earlier promised Sierra Leoneans that they would "taste war" for supporting ECOMOG in Liberia.[171] Sierra Leone had contributed 500 troops to ECOMOG and made

[162] Ibrahim Abdullah, "Bush Path to Destruction: The Origin and Character of the Revolutionary United Front (RUF/SL)", in Ibrahim Abdullah (ed), *Between Democracy and Terror: The Sierra Leone Civil War*, (CODESRIA: Senegal) 2004. p. 57.
[163] Op cit note 94 p. 8.
[164] Ibid.
[165] Op cit note 29 p. 185.
[166] Op cit note 117.
[167] Op cit note 94 p. 8.
[168] See generally, James Youboty, *Liberian Civil War: A Graphic Account*, (Philadelphia: Parkside Impressions Enterprises) 1993.
[169] Op cit note 10 p. 51.
[170] Op cit note 139 p. 82.
[171] Ibid.

available the Luingi airport as a base for ECOMOG operations, while also providing sanctuary for the United Movement of Liberia for Democracy (ULIMO), a group associated with the former Liberian president, Samuel Doe.[172] This kept promise to Sierra Leone would have worried the Economic Community of West African States (ECOWAS) leaders, especially those who supported the ECOMOG operations in Liberia. Of course, it is possible that Taylor was privy to Sankoh's plan since they trained together in Libya, and had kept in touch throughout the period. Sankoh's stated aim for his rebellion was to fight against corruption of the Momoh's regime. Incidentally, when a group of subaltern army officers led by Captain Valentine Strasser, on April 29 1992, overthrew Momoh's regime, Sankoh did not down his arms.[173] This therefore clearly indicates that he had a different goal from the stated one or he was not sure of what his aims were.

The RUF was initially able to attract the youth through its populist rhetoric fashioned on the language of "revolutionary regimes" in other parts of Africa, especially, Ghana, Burkina Faso, and Libya.[174] The RUF unleashed a reign of terror in Sierra Leone. Civilians were the main targets of the RUF. It used the tools of rape, abduction, murder, mutilation, amputation, and looting to subdue the civilian population and recruit children and women into its ranks.[175] Girls as young as ten were turned into sex slaves, while boys of the same age and older were drugged and conscripted as soldiers. Their "initiation" or "de-institutionalized" rites required that they commit their very first atrocities against a member of their family.[176] Sankoh was reported to have encouraged the NPFL fighters to "help themselves to the 'sisters'".[177] He also justified the amputations as an effective way of stopping people from voting in the 1996 multiparty elections.[178] The brutal and savage

[172] Op cit note 144.
[173] Ibid.
[174] Op cit note 19 p. 207. See also note 29 p. 185.
[175] Arthur Abraham, "Liberia and Sierra Leone: History of Misery and Misery of History", *International Journal of Sierra Leone Studies and Reviews*, vol.1 no.1 2000 p. 14.
[176] Yusuf Bangura and Ibrahim Abdullah, "Lumpen Youth Culture and Political Violence: Sierra Leoneans Debate the RUF and the Civil War", *African Development*, vol. xxii no.3/4 1997 p.175.See also, Paul Richards, "Rebellion in Liberia and Sierra Leone: A crisis of Youth" in O. Furley (ed) *Conflict in Africa*, (Tauris) 1995.
[177] Op cit note 10 p. 188.
[178] Ibid.

amputations were later "christened" into a choice of "long sleeve" or "short sleeve", depending on which part of the hand the amputation is effected.[179] Partly due to this savage attack on the civilians, the rural population was alienated from the RUF.[180] The RUF however, blamed the initial wanton violence against innocent civilians on the Special Forces. However, the calculated violence against civilians continued even after the Special Forces left in 1993.[181]

The explanation of wanton destruction and violence against the population lies in the composition of the RUF: its lack of disciplined fighters and its lack of a defined ideology. The terror tactics could have been used to achieve a variety of purposes, firstly, to advertise the movement. Many people both within and outside Sierra Leone got to know of the RUF within such a short time.[182] Secondly, terror tactics helps to build the morale and confidence within the organization. It also brings out the various factions in the revolution – the pro, the anti, and the undecided. It provokes a governmental reaction, which might usually be indiscriminate, and it might further alienate the populace. The psychological aspect of terror is also a very important reason for the rise of terror tactics. Its effect is to "shock, numb and demoralize the people and the enemy as to make them eager to compromise for the sake of relaxation of tension and the return of an atmosphere of normalcy".[183] While the terror tactics of the RUF may have numbed the government, it spurred the people to defend themselves. Sierra Leoneans were forced to rely on traditional institutions to protect themselves from both government and rebels. The male secret societies and the traditional hunter/warrior societies performed some rituals, which supposedly had the effect of protecting people from bullets.[184] It also led to the formation of the Civil Defence Force and more importantly, the *Kamajors* who later played a very significant role in fighting the rebels.[185]

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[179] Arthur Abraham, "War and Transition to Peace: State Conspiracy in Perpetuating Armed Conflict", *African Development* xxii 3/4 1997.
[180] Op cit note 10 p. 83.
[181] Op cit note 94 p. 9.
[182] Perry T Thorton, "Terror as a Weapon of Agitation" in Harry Eckstein (ed), *Internal Wars: Problem and Approaches*, (New York: Free Press) 1964. p. 97.
[183] Ibid.
[184] Op cit note 10 p. 53.
[185] Ibid. *Kamajoi* (singular) is a Mende term meaning a member of the traditional hunters' guild. They are renowned for their prowess and sometimes-supernatural powers.

The first operational attack of RUF in March of 1991 was on the police station at Bomaru in Kailahun district on the eastern border of Sierra Leone and Liberia. The APC government of Joseph Momoh took the initial attack lightly and tried to explain it away as a small skirmish instigated by enemies of the democratic process.[186] Even if the government was to have taken the attack seriously, it virtually lacked the ability to coordinate and mount an offensive against the RUF.

It was against this background of failure to protect the population that a group of young military officers took over power from Momoh in 1992 and promised a quick end to the conflict.[187] The soldiers initially came to Freetown to protest about poor pay and conditions in their fight against the RUF.[188] The civilian population welcomed this change in government, not because they favoured the young inexperienced officers, but because they were fed up with the dictatorship of more than two decades. They also felt that it would take an army in government to put to an end the RUF's insurgency.[189] Reports indicate that the RUF's leadership made advances to the NPRC government for a peaceful end to the conflict. However, this was rebuffed eventually by the NPRC after its visit to Ghana and Nigeria.[190]

The army made significant advances against the RUF after failing to negotiate with Sankoh between 1992 and 1993, and due to the indisciplined nature of the army, some of its officers and recruits became involved in diamond mining and later deserted.[191] Between 1994 and 1997, the distinction between the army and RUF was so difficult to make that in the mining areas, both were actually mining diamonds together in the south and eastern provinces.[192] The atrocities committed by government soldiers against the civilians led to the coinage of the term 'Sobels', meaning soldiers by day and rebels by

[186] Op cit note 94 p. 15.
[187] Op cit note 10.
[188] Op cit note 139 p. 105.
[189] Ibid.
[190] Ibid.
[191] Op cit note 10 p. 84.
[192] Op cit note 139 p. 106.

night.[193] However, in 1995, and owing to the weak structure of the army, the government of Strasser engaged the services of mercenaries from Executive Outcomes, a private South African security firm, to train and provide logistical support to his army and the *Kamajor* militias, as well as to help recapture the rutile and aluminium mines from RUF.[194] In the wake of Sierra Leoneans realizing that the NPRC government could not deliver them from the plight, pressures to conduct elections and return to civil rule was mounted. Amidst the anarchy, the international community also endorsed the idea of elections. However, before this could take place, a palace coup engineered by Brigadier Julius Maada Bio, overthrew Strasser in January 1996.[195] However, the elections, which held after series of disagreement, workshops and seminars, did not take place countrywide.[196] The elections were held under the erroneous assumption that it will bring peace. After the election, this fallacy was exposed by the continuation of the war.[197] Elections alone by whatever means, and only by a section of the society, cannot bring peace, neither can it constitute a thriving democracy. Ahmad Tejan Kabbah, an ex-UN bureaucrat emerged as the president of the country after the election. Kabbah signed a peace agreement with the RUF and proceeded to turn the economy around from a negative growth rate of minus 6.4 percent to a positive rate of 6 percent within a year of taking office.[198] However, on May 25 1997, a breathless announcement was heard over the state radio, the Sierra Leone Broadcasting Service, by Corporal Tamba Gborie, imposing a "dawn to dusk" curfew, stating that Kabbah had been overthrown.[199] If there was any inkling that peace had been achieved by the elections, the 1997 coup shattered those hopes. Major Johnny Paul Koromah later emerged as the chairperson of the Armed Forces Revolutionary Council (AFRC). The AFRC invited the RUF to share in the spoils to the utter dismay of the citizens of Sierra Leone.[200] Foday Sankoh was appointed

[193] Ibid.
[194] Op cit note 19 p. 84.
[195] Ibid. p. 54.
[196] Ibid.
[197] Ibid.
[198] Lansana Gberie, "The 25 May Coup d' état in Sierra Leone: A Lumpen Revolt?" in Ibrahim Abdullah (ed), *Between Democracy and Terror: The Sierra Leone Civil War*, (CODESRIA: Senegal) 2004 p. 144.
[199] Ibid.
[200] Abubakar Kargbo, "Long Road to Peace: 1991-1997" in Anatole Ayissi and Robin-Edward Poulton (ed), *Bound to Cooperate: Conflict, Peace and People in Sierra Leone*. (United Nations Institute for Disarmament Research (UNIDIR) Geneva, Switzerland) UNIDIR /2000/19

Koromah's deputy, even though he was under house arrest at the time of the coup.[201] It is widely believed that the coup was planned and executed with the active collaboration of RUF. RUF and a significant portion of the Republic of Sierra Leone's Military Forces had been colluding to loot the country and commit atrocities against the civilians.[202] Koromah in his attempt to justify the coup declared that the military had to overthrow Kabbah because of Kabbah's brand of ethnic based politics and that the democratic process was flawed.[203] Kabbah was further accused of favouring the *kamajor* militia more than the army and that this led to ethnic tensions.[204] The emergence of the APRC was seen by many as a cruder replay of the NPRC government of Strasser. The collusion between the rebels and a section of the army, which had supposedly been fighting the rebels, raises many questions. The AFRC government proceeded on a massive abuse of human rights. The AFRC, together with the RUF, combined in committing the worst atrocities against the population. The brutish nature of the AFRC regime is reflected in the account of an eighty-six year old widow of her encounter with the junta forces, where she was forced to witness the decapitation of her son's body parts and forced to breastfeed the decapitated headless body.[205] The AFRC also mounted attacks against press freedom and arrested a number of senior officers in what it termed a "coup plot".[206] When compared to other subaltern coups in the sub region, the AFRC coup is to date the most unpopular. For the first time in independent Africa, the combination of domestic armed resistance, civil disobedience, and regional military intervention succeeded in expelling the coupists and reinstated the ousted government.[207] Possibly, Sierra Leoneans were tired of the war and having experienced what the military government of the NPRC did, they did not want a repeat. Secondly, since the international community was in support of democratization, they could also have felt that with Kabbah in government, a quick end to the conflict was in sight. The rejection of the AFRC coup by civil society and the international community is partly accountable for the massive vandalisation of

[201] Ibid.
[202] Ibid.
[203] Op cit note 198 p. 150
[204] Ibid.
[205] Op cit note 87 p. 172.
[206] Op cit note198 p.156.
[207] Op cit note 205 p. 10.

the state under the slogan "If You Don't Want Us, You'll Die".[208] Apparently, knowing that their days in office were numbered, the AFRC embarked on a large-scale wave of looting of public and privately owned establishments. The wave of looting was so much that the junta, in a public relations stunt, promulgated an anti-looting decree to stem the problem.[209] It was against this backdrop that ECOWAS troops made up of mainly the Nigerian contingent intervened in the Sierra Leone crisis.

2.7 The Intervention by ECOWAS

At its inception, the Economic Community of West African States was originally made up of sixteen states in the geographical region of West Africa, stretching from Mauritania to Nigeria.[210] Originally envisaged as an economic union,[211] ECOWAS has grown to encompass matters of peace and security in the sub region. This is not surprising since the link between economic cooperation and security has been identified and acknowledged by many.[212] This realisation led to the adoption of the Protocol on Non Aggression in April of 1978.[213] The protocol prohibited aggression by member states and sought to promote resort to pacific settlement of disputes.[214] The Protocol on Mutual Assistance on Defence (MAD) was adopted in 1981 and it provided for three scenarios under which ECOWAS can legitimately intervene in another state.[215] ECOWAS intervention in Sierra Leone was the second time it was intervening militarily in the sub region.[216] The first was in 1990 in Liberia when the magnitude of the crisis and the human suffering made it

[208] Op cit note 205 p. 167.
[209] Decree No. 6 (Anti-Looting Decree) of November 20 1997 cited by Jimmy Kandeh on p. 170.
[210] For a full account of the formation of ECOWAS, see Adebayo Adedeji, "ECOWAS: A Retospective Journey", in Adekeye Adebajo and Ismail Rashid (ed), *West African Security Challenges: Building Peace in a Troubled Region*, (Boulder and London: Lynne Reinner Publishers, Inc, 2004). Mauritania withdrew its membership from ECOWAS on December 26 1999.
[211] ECOWAS Treaty 1975
[212] Ibid.
[213] ECOWAS Protocol on Non Aggression 1978.
[214] Ibid.
[215] ECOWAS protocol on Mutual Assistance on Defence 1981, Articles 16-18.
[216] Funmi Olonisakin, "Nigeria, ECOMOG, and the Sierra Leone Crisis" in Ibrahim Abdullah (ed), *Between Democracy and Terror: The Sierra Leone Civil War*, (CODESRIA: Senegal) 2004 p. 219.

difficult for the force to be challenged, despite the indications that the authors of the intervention could have had other reasons.[217]

The controversy that ECOWAS' intervention raised in academic and political circles still reverberates. This is understandable given the dynamics of the Sierra Leone conflict. Unlike the Liberia conflict, Nigeria unilaterally intervened in Sierra Leone without the endorsement of the United Nations or even the sub regional body. Secondly, the RUF seems to have had more support from some ECOWAS leaders than the NPFL did. With the specific collapse of the Sierra Leone Army (SLA), the government relied heavily on private and foreign security agencies for protection principally in the mining areas. The introduction of private security agencies also introduced the "ethos of commercial profit seeking as a major current underlying the conflict".[218] A unilateral act of intervention by Nigeria to support the government of Kabbah proved unsuccessful. Nigeria's unilateral action can be explained with reference to both countries having concluded a bilateral defence agreement in March 1997.[219] The ECOMOG intervention in Sierra Leone developed out of ECOWAS role in the conflict in Liberia and out of earlier commitments of Nigeria and Guinea – two key member states – to assist the government of Sierra Leone in its fight against the RUF.[220] This arrangement had first been instituted in 1991 when the war started.[221] However, a more comprehensive security arrangement was put in place with the signing of the Status of Forces Agreement between Nigeria and Sierra Leone Government.[222] As the need to include the Navy and Air force arose, both countries agreed on the formation of the Nigerian Forces Assistance Group (NIFAG), which was stationed in Freetown. While NIFAG was administratively under ECOMOG, most operational matters concerning NIFAG were handled directly from Nigeria.[223] The

[217] Ibid.
[218] Op cit note 144.
[219] "Nigeria Imperatrix", *The Economist*, June 7 1997, p. 50. See also Paul Ejime, "West African Countries Taking Action on Sierra Leone" *Pan African News Agency*, May 27 1997, available at http//www.africannews.org last visited on April 5 2005. See however, Yusuf Bangura "Security in ECOWAS" *West Africa*, June 30-July 6 1997, p.1039 and also Abbas Bundu, "The Case against Intervention" p. 1041.
[220] Op cit note 216 p. 222.
[221] Ibid.
[222] Ibid.
[223] Ibid.

ECOMOG troops were initially deployed along the Sierra Leone/Liberia border in May 1992 to hold off the RUF attacks against the Sierra Leone government and also to combat the gun-running offensives of the NPFL. While ECOMOG troops included troops, from other ECOWAS member states, almost all of them were Nigerians.[224] This is not surprising given that the Nigerian armed forces constitute the largest in the sub region.

2.8 Reasons and Justifications for Intervention

Speculations exist as to the reasons for the military initiative taken by Nigeria/ECOWAS to get involved in Sierra Leone. However, the failure of the active diplomatic moves and the havoc that the power struggle was causing in the sub region was of serious concern to the military leaders charged with the task of managing the conflicts.[225] Before the Liberian and Sierra Leone crisis, Nigeria has been playing a significant role in African affairs. Nigeria's foreign policy geared towards protecting the interests of Africans on the continent should not be taken lightly.[226] For instance, during the days of apartheid in South Africa and especially after the 1976 Soweto uprising, students and workers alike contributed funds in Nigeria towards the fight against the evil system. James Jonah notes that, "[P]erhaps there is a need to recognize Nigeria as a 'benign hegemon' in the continent".[227]

Nigeria's first unilateral attempt at peacekeeping dates back to March 1979, when its troops entered Chad in an effort to secure the peace between the fighting forces of the government of Chad and Hissene Habre's Northern Armed Forces (FAN).[228] However, because there was no consent of all parties, perception of bias on the part of the peacekeepers, and lack of adequate local knowledge, the mission failed.[229] The lessons learned by Nigeria at that failed mission must have led it to seek ECOWAS' approval

[224] Op cit note 144.
[225] Jinmi Adisa, "The Politics of Regional Military Cooperation: The Case of ECOMOG" in Margaret M. Vogt (ed). *The Liberian Crisis and ECOMOG: A Bold Attempt at Regional Peacekeeping.* P. 211.
[226] Op cit note 35 p. 340.
[227] Ibid.
[228] Op cit note 34 p.4.
[229] Ibid p. 42.

prior to intervening in Liberia. The question therefore becomes; what made Nigeria not to seek the same consent and mandate before its operations in Sierra Leone? Did Nigeria act out of a perceived expansion and extension of the Liberia mandate? Alternatively, did Nigeria interpret ECOMOG's mandate to cover the maintenance of peace and security in the sub region? Possibly, the idea of a continental standby force was first muted in ECOMOG's action in Sierra Leone. Did Nigeria intervene based on the bilateral agreement with Sierra Leone? Was Nigeria guided by the precedent set by ECOWAS in intervening in Liberia without first securing a UN mandate or was Nigeria acting solely as a regional "benign hegemon"?

Notwithstanding the role of Nigeria in Africa, different reasons have been advanced for its intervention in Sierra Leone. While some border on the altruistic nature of the intervention, others border on the realisation of the selfish interests of General Sani Abacha, the Nigerian Head of State. There are indications that Abacha ordered the intervention in order to ward off severe international sanctions against his regime and that it also afforded some of Nigeria's military generals an opportunity of personally benefiting from revenues written off as ECOMOG expenses.[230] The international community was shocked at the orchestrated trial and eventual death by hanging of Ken Saro Wiwa, a prominent environmentalist and eight others,[231] who campaigned against the pollution of the Ogoni land by oil companies, notably, Shell.[232] The killing led to Nigeria's suspension from membership of the Commonwealth.[233]Others have implied that Abacha may have wanted to distance his restive officers and troops far away from home, for security reasons.[234] Abacha himself was a veteran coupists and his actions to position his officers in far away Sierra Leone can be interpreted as a security measure.

[230] Op cit note 10 p. 92.
[231] Dr. Barinem Kiobel, Saturday Dorbee, Paul Levura, Nordu Eawo, Felix Nuate, Daniel Gboko, John Kpuine, Baribor Bera.
[232] Andrew Rowell and Stephen Kretzmann, *All For Shell - The Ogoni Struggle* - A Project Underground Report. Available at http://www.moles.org/projectunderground/motherlode/shell/timeline.html (last visited on 24 September 2004). "Nigeria: Amnesty International Condemns Execution of Ken Saro-Wiwa and Eight Others", AFR44/031/1995. Available at http://www.amnesty.se/aidoc/external.nsf (last visited on 24 September 2004).
[233] Barnaby Phillips, "Symbolic Funeral for Ken Saro-Wiwa". Available at http://www.news.bbc.co.uk/1/hi/world/africa/725009.stm (last visited on 24 September, 2004).
[234] Eric G. Berman and Katie Sams, *Peacekeeping in Africa: Capabilities and Culpabilities*, (UNIDIR, Geneva. Switzerland & ISS) 2000 p. 118

Yet others have argued that the mission was in furtherance of Nigeria's historic quest for hegemony in the sub region.[235] Some have also argued that Abacha was sending out messages to the sub region that coups are no longer to be tolerated , especially, as he was in the process of transforming to a civilian, democratically elected president.[236] Others, more cynical, argue that he was sending out a message to other sub regional military officers, more particularly to Koromah, that military coup in the sub region without his support cannot succeed.[237] It is also possible that Abacha was trying to assert his military presence in the sub region. As at the time of the intervention, nine out of fifteen ECOWAS heads of state came to power through coup.[238]

Another reason advanced for Abacha's involvement is that he had commercial interests in Sierra Leone and more particularly in Kabbah's regime, as the Sierra Leone oil refinery had been bought over by the Nigerian National Petroleum Corporation (NNPC).[239] Despite the above commercial reason, it is more likely that Abacha wanted to curry favour from the international community, as he would have simply cut a deal with the Koromah government to protect his economic interests.[240] While one may agree with the above reasons as probably having influenced the decision to intervene, the hegemony theory may not have been a serious consideration. Nigeria cannot help but play a significant role in West Africa, as indeed in Africa. The enviable status as the sixth largest producer of oil and the most populous black nation in the world leaves it with little choice than to act as a regional power. Nigeria's non-involvement in the affairs of its neighbours, especially when they are in need, would be interpreted as shirking of its responsibilities.

Despite the criticisms, the Nigerian led ECOMOG intervention has been justified on a number of fronts. Firstly, by late 1997, the Abacha government had lost faith in the six month Peace Plan for Sierra Leone that the AFRC had signed in October of 1997. This

[235] Op cit note 10 p. 92.
[236] Ibid.
[237] *Nigeria Intervention in Sierra Leone* – Conciliation Resources available at http//www.c-r.org/pubs/occ_papers/briefing2.shtml last visited on July 2nd 2005.
[238] Op cit note 144.
[239] Goodluck Ebelo, "Massacre: A Story of Cover-up", *Tempo (Lagos) Vol. 12. No.3* January 28 1999, p.6.
[240] Op cit note 10 p. 93.

prompted it to determine its own strategy and opted for a military solution.[241] The Peace Plan provided for Kabbah's restoration to office on April 1998.[242] Nigeria was not the only ECOWAS member that felt that the rebels were not negotiating in good faith. There was a growing appreciation among several ECOWAS members by late 1997 that the rebels were not negotiating in good faith.[243] Secondly, having been involved in Liberia and realizing the dangerous trend of allowing conflict to conflagrate, Nigeria might have reasoned that if they did not act, there is the possibility that other countries in the sub region might also be plunged into similar crisis. Thirdly, the implications of inaction as exemplified by the Rwanda genocide gives credence to the view that it might be better to act and seek authorization later. Abbas Bundu, a one time Executive Secretary of ECOWAS, had argued in favour of ECOWAS' involvement in Liberia that he would rather make a mistake trying to solve a problem than to remain completely indifferent in a situation as happened in Liberia.[244] It can be argued that it was better for Nigeria to make a "mistake" in solving the problem in Sierra Leone than remaining indifferent.

General One Mohammed, ECOMOG's Nigerian Chief of Staff in Sierra Leone had explained Nigerian involvement in Sierra Leone in the statement that "we had to put out the fire in order to stop it from extending to our own house".[245] In a similar vein, the President of Nigeria at the time of ECOMOG's intervention in Liberia, General Ibrahim Badamasi Babangida had justified Nigeria's involvement in Liberia in a treatise entitled *The Imperative Features of Nigerian Foreign Policy and the Crisis in Liberia*.[246] Babangida argued that Nigeria could not be expected to play a spectator's role in events that occur within the sub region, which might also affect Nigeria's politico-military and socio-economic interest, especially when such events have the potential to threaten the stability, peace and security of the sub region.[247] While the reason advanced by

[241] Michela Wrong and Agencies, "Hundreds Flee as Freetown Comes Under 'Total Attack'", *Financial Times*, February 12 1998.
[242] See ECOWAS Peace Plan for Sierra Leone, October 23 1997 – April 22 1998, Art. 5.
[243] Op cit note 234 p.118.
[244] Op cit note 225 p. 215.
[245] Op cit note 234 p. 117.
[246] *Nigeria and ECOWAS Since 1985: Towards a Dynamic Regional Integration*, (Fourth Dimensions Publishers, Enugu; Published for the Nigerian Institute of International Affairs) pp10-30.
[247] Ibid.

Babangida seems plausible and makes political sense, one should also remember that sometimes, leaders in the sub region might have a "hidden agenda" and Babangida is reputed to be a master strategist. The reasons advanced could have been adduced to satisfy the populace, while the real driving force might never be revealed. Looking at the dynamics of the Nigeria/ECOWAS intervention in Sierra Leone, one can explain Nigeria's actions as being dictated by circumstances. The facts that prior to the coup of 1997, some 900 Nigerian troops were present in Sierra Leone could have contributed to its hasty but timely decision to intervene.[248] It is also possible that Nigeria was blaming itself for allowing a coup of subalterns to occur under its watch. Coupled with the above is the overall security situation in the sub region.

Principally, Nigeria claimed that its main reason for intervening in Sierra Leone was to restore the democratic government of Ahmed Tejan Kabbah. It is ironic however, that Nigeria as at the time of intervention was under military rule. However, not surprisingly, Abacha was in the process of dumping his military khaki for a political "*agbada*".[249] He apparently wanted to shore up his democratic efforts internationally.

2.9 Criticism of Nigeria/ECOWAS Intervention

Despite the apparent relief the civilian population felt, with the intervention of ECOMOG, criticisms abound about the legality and legitimacy of the intervention. ECOMOG has also been criticized on its operations. This section deals more with criticisms on the operational aspects and the next chapter deals with the legality and legitimacy challenge. The unilateral action by Nigeria in intervening in Sierra Leone drew sharp criticisms from some ECOWAS member states, notably Burkina Faso's Blaise Campoaré, a close ally of Charles Taylor and the RUF.[250] Historical suspicions and antagonisms amongst ECOWAS member states often led to its failure to coordinate diplomatic and military strategies and caused divisions that the RUF and their sub

[248] Op cit note 219. See also note 216 p. 222.
[249] This is a three-piece garment traditionally worn in West Africa. It has been associated more often with politicians. It is also known as *"Danshiki"*
[250] Op cit note 10 p. 89.

regional backers sought to exploit.[251] Some of the leaders in the ECOWAS sub region referred to the action of Nigeria as a counter-coup arguing that ECOWAS treaty and protocols does not support military intervention for the restoration of a regime.[252]

The fear of Nigeria as a regional hegemon predates the formation of ECOWAS. In the early 1970s, when the sub regional organisation was being formed, Leopold Senghor of Senegal demanded that the sub region be extended geographically to include Zaire (Democratic Republic of Congo). The idea was to balance Nigeria's strength in the sub region.[253] Houphouet Boigny's apprehension that Nigeria's role in the early days of ECOMOG creation could set off a dangerous precedent, was shared by a significant section of Nigeria's intellectual and political elites for different reasons.[254] Despite the criticism of other member states that Nigeria hijacked ECOMOG, there are pointers to indicate that those member states fail to contribute troops and money when called upon to do so.[255] In 1998, the ECOWAS defence ministers met in Accra, Ghana to diffuse some of the criticisms of quest for military hegemony against Nigeria. Nigeria's Chief of Defence Staff requested that other states send in troops to Sierra Leone. Incidentally, no state could send in troops. While Benin, Coté d' Ivoire, Gambia, and Niger had promised troops, they never arrived. The sending of such troops would have expanded the force and weakened Nigeria's preponderant strength.[256]

ECOMOG has been accused of being unambiguously biased in its support for the government of Sierra Leone. Such apparent bias might not be unconnected with the mandate issued from Abuja and the comradeship that exists among African states and more especially, that which is alleged to have existed between the Abacha government and the Kabbah government. Abacha's increasing influence on the political situation in Sierra Leone is reflected in the report that prior to the coup of 1996 by Brigadier-General Bio, Bio informed General Abdulsalam Abubakar, the then Nigerian Chief of Defence

[251] Ibid.
[252] "Nigeria Reinforces in Sierra Leone, backing mixed" Reuters, June 4 1997.
[253] Op cit note 31. p.29.
[254] Op cit note 216 pp. 221-223.
[255] Op cit note 234 p. 118.
[256] Op cit note 10 p. 89.

Staff that he was going to stage a coup. Abacha reportedly gave his blessing and assurance that Nigeria troops based in Sierra Leone were not going to foil his plan.[257] That might have been Abacha's way of getting back at Strasser for voting in favour of censuring Nigeria at the Commonwealth Summit in Auckland in November 1995 for the hanging of Ken Saro-Wiwa and eight others.[258] The opinion as to the role of the Nigerian backed ECOMOG troops vary in Sierra Leone. While some Sierra Leoneans regard the action of the Nigerian troop as heroic and praise them for liberating them, others treat Nigerian soldiers as an army of occupation that plundered their resources, impregnated their women and failed to secure their capital. On the other hand, many peacekeepers felt that Sierra Leoneans were ungrateful for the action and others felt that they were appreciated for doing what they did.[259]

On the operational front, ECOMOG soldiers were accused of serious human rights abuses and indiscriminate bombing of Freetown after the 1999 invasion of Freetown. The invasion of Freetown on January 6 1999 by the RUF and AFRC is remembered as one of the bloodiest episodes in Sierra Leone's nine-year war.[260] Sam "Maskita" Bockarie, who took over RUF leadership temporarily following the detention of Sankoh in Nigeria in 1999, was reported to have given orders to his combatants to massacre civilians in his proclamation of *Operation No Living Thing*, and he instructed them to loot indiscriminately during his *Operation Pay Yourself*.[261] It is reported that at least 3,000 people were killed during the invasion.[262]

Most Sierra Leoneans felt that despite the government's military efforts to end the war, it should also pursue dialogue as a possible option for constructive peace.[263] The invasion of Freetown by RUF and AFRC in complete disregard to the Lomé Peace Accord took ECOMOG troops by surprise. The resulting casualties from the invasion on the Nigerian troops probably led to the Nigerian soldiers' brutal act of reprisal in an operation code-

[257] Ibid. p. 85.
[258] Ibid.
[259] Op cit note 10 p. 95.
[260] Op cit note 162 p. 42.
[261] Op cit note 88 p. 189.
[262] Ibid.
[263] Ibid.

named *Death Before Dishonor*.[264] As sub regional, regional, and international condemnation of the Nigeria's action mounted, the soldiers argued that they acted in self-defence, more so, to protect Freetown from the RUF and AFRC attack. They also cited as precedence for their action, the savage reprisals by US soldiers after the death of eighteen of their colleagues in the UN operation in Somalia in 1993. It was estimated that the US forces in that act of reprisals killed about 1,000 Somalians.[265] Reflecting on this excuse gives a major cause for concern. While the United States is seen as a world power, it does not translate that whatever example it sets must be followed. With the US position in the world, it behoves its leaders to set good example. The unilateral action of invading the sovereign state of Iraq in 2003 by the US without a UN Security Council approval has left a sour taste in international politics. If the UN does not agree to set standards for intervention, other countries might also be tempted to embark on unilateral intervention (invasion) and pass off the excuse to be that, "the US had done it". Nigeria's leadership role in the intervention despite its lack of credible human rights record and weak financial base is one of the major criticisms by the international community.[266]

Notwithstanding the criticisms against Nigeria's intervention, many Sierra Leoneans reacted with alarm at the withdrawal of the Nigerian peacekeepers in 1999, saying that they had more faith in the Nigerian led ECOMOG troops than UN peacekeepers.[267] This might not be misplaced faith. One has to remember that, when the conflict in Sierra Leone started, the Nigerian troops within the ECOMOG formation rallied to support the people. Notwithstanding the allegations of human rights abuses and excessive use of force, the people must have felt that ECOMOG's immediate response to their needs showed that they cared. Some Sierra Leoneans praised Nigeria's big stick and little carrot approach, while also condemning Ghana's preference for dialogue. They also threatened that Ghanaian fishermen would face a retaliatory attack for supporting the junta when the

[264] "Sierra Leone: Hundreds Flee Freetown as Fighting Flares", *African Research Bulletin*, Vol. 36, No.1, February 22 1999.
[265] Boutrous Boutrous-Ghali, *Unvanquished: A US-UN Saga* (London and New York IB Tauris, 1999) p. 104 cited by Adekeye Adebajo, *Building Peace in West Africa: Liberia, Sierra Leone and Guinea-Bissau* (International Peace Academy Occasional Paper Series, Lynne Reinner, USA, 2002) p. 95.
[266] Op cit note 237.
[267] Op cit note 10 p. 96.

crisis ended.[268] While Nigeria's role has been criticized, it remains obvious that Nigeria has a role to play in peacekeeping operations in Africa.

2.10 ECOWAS PEACE EFFORTS

The military action by the Nigeria led ECOMOG seems to have overshadowed the efforts made by ECOWAS to settle the crisis diplomatically. Three major mediation attempts all based on the principles of power sharing, amnesty for the RUF, and the removal of foreign forces in the conflict were made by ECOWAS.[269] The first of the series of the peace efforts was the Abidjan Peace Agreement of November 30 1996. This agreement was reached in Abidjan, under the chairmanship of President Henri Konan Bedie of Coté d' Ivoire between the governments of Captain Maada Bio and Kabbah, and the RUF. When the Sierra Leone government withdrew all foreign troops assisting it in the war, the RUF reneged on its promise of disarmament and demobilization and Major Koromah capitalized on the weak government structure to stage a coup against the government of Kabbah.[270] The Abidjan Agreement called for the establishment of a Neutral Monitoring Group (NMG) to disarm the factions.

The second attempt at a negotiated settlement was in Conakry, Guinea – Conakry Peace Plan of October 23 1997. This peace plan ended up giving legitimacy to the Koromah junta who was in league with the RUF. After the agreement, the junta exhibited and asserted itself as a legitimate government in Sierra Leone and only agreed to hand over power to a civilian government in April 1998. However, having secured a foothold in the state, it started to vacillate on its date of handover, which apparently convinced the Abacha government that nothing short of a military action would restore Kabbah.

The Lomé Peace Agreement was the next attempt made by ECOWAS in settling the conflict diplomatically. The agreement was signed on July 7 1999 between Kabbah's government and the RUF/AFRC, with the UN, OAU, Commonwealth and Togo as the

[268] Op cit note 239.
[269] Op cit note 144.
[270] Ibid.

moral guarantors. The agreement resembles in an uncanny form, the Abuja Peace Agreement that ended the Liberia civil war, in that both accords were more like an appeasement to local warlords and rewarding them substantially for destroying the countries.[271] The act of "rewarding" the rebels made the government very unpopular among the Sierra Leone population as they had expected that Foday Sankoh should have been tried for crimes against humanity.[272] The agreement also created a false hope in the minds of many that the conflict was at its end and this, together with other reasons, led to the withdrawal of some ECOMOG contingent. This withdrawal was to cost the government its bargaining strength as the RUF used this crack to attack the government.[273]

2.11 Mistakes and Failures

ECOMOG's mistakes in the intervention include its perceived partiality, lack of proper coordination and better management.[274] Corruption, indiscipline, and lack of éspirit de corps were also responsible for ECOMOG's lack of immediate success. Some of the officers were reportedly engaged in diamond mining.[275] Accusations were also levied against some of the ECOMOG soldiers for selling its logistical equipment to rebels.[276] This could not have been unconnected with the non-payment of the soldiers especially those that came directly from the Liberia front to Sierra Leone.[277] Lack of funds was also a major threat to ECOMOG's operations. The burden of operational up keep of the ECOMOG operations fell on Nigeria. Nigeria reportedly was spending about $1 million a day for the operations in Sierra Leone.[278] While this may be true, it is also possible that part of the money accounts for the funds that were looted by Abacha. A consequence of Nigeria's high spending was its inability to pay civil servants the salaries agreed in a new

[271] Op cit note 10 p. 99.
[272] Ibid.
[273] Op cit note 144.
[274] Ibid.
[275] Op cit note 234 p. 120.
[276] Ibid.
[277] Ibid.
[278] "Nigeria Spends $1 Million daily on ECOMOG", Xinhua, January 22 1999, cited by Eric G. Berman and Katie Sams, Peacekeeping in Africa: Capabilities and Culpabilities, (UNIDIR, Geneva. Switzerland & ISS) 2000

pay structure in December 1998.[279] One other tactical error on the part of Nigeria was the support of the decision of the government of Sierra Leone to enlist "former" rebels and AFRC soldiers in the new Sierra Leone Army to serve alongside ECOMOG troops. Many of the recruits remained loyal to the forces fighting Kabbah.[280] The dynamics of conflict especially in Africa leaves one in no doubt that sub regional organisations might be forced to intervene in conflicts within its region especially, when such conflicts threaten peace and security of the sub region.

2.12 International Efforts

The United Nations Security Council did not respond meaningfully to the severity of the crisis in Sierra Leone. In October 1997, it imposed an embargo on the sale or supply of petroleum products and arms as well as related materiel to Sierra Leone and authorized ECOWAS to ensure its implementation.[281] The Council later terminated the prohibitions on the sale or supply of petroleum products in March 1998.[282] In April of 1998, the UN Security Council authorized the deployment of not more than 10 Military liaison and security personnel to Sierra Leone.[283]

The United Nations Security Council created the United Nations Observer Mission in Sierra Leone (UNOMSIL/UNAMSIL) by Security Council Resolution 1181 of June 13 1998 as a disarmament monitoring force, which consisted of 70 military observers for an initial period of six months.[284] It is instructive to note that the resolution was passed after ECOMOG had expelled the junta of Koromah from Freetown and Kabbah had been restored as president. Principally, the mission's role was to monitor ECOMOG's efforts at disarming the RUF and assist in the restructuring of the government's security forces.[285] It was also to document reports of atrocities and human rights abuses levelled

[279] Ibid.
[280] Ibid.
[281] UN Document S/RES/1132 (1997) October 8 1997.
[282] UN Document S/RES/1156 (1998) March 16 1998.
[283] UN Document S/RES/1162 (1998) April 17 1998.
[284] UN Document S/RES/1811 (1998) June 13 1998.
[285] Ibid.

against ECOMOG soldiers and the rebels.[286] The mission was never accomplished as the troops were evacuated when the RUF re-launched its offensive to retake Freetown.

On October 22 1999, following the passing of UN Security Council Resolution 1270, another UN presence was deployed to Sierra Leone.[287] This decision was prompted partly by the "success" of the Lomé Agreement and Nigeria's announcement of its intention to withdraw its troops from Sierra Leone. This second mission consisted of about 6,000 troops, half of them from ECOWAS (mainly Nigerian troops). Its principal goal was that of ensuring adherence of all parties to the terms of the Lomé Agreement.[288] The threat of Nigeria to withdraw its troops did not galvanize only the UN Security Council to action, it also galvanized support by other Western countries to ECOMOG.[289] One wonders whether the support to ECOMOG by such countries as the United Kingdom, Canada, Italy, Netherlands, and the United States at the verge of Nigeria's withdrawing its troops has a different undertone. Were they indirectly expressing their pleasure or displeasure that Nigeria, with questionable human rights credibility, was finally leaving? Other African countries also responded positively by providing troops.[290] One of the reasons, which prompted Nigeria's withdrawal, especially with the presence of UNAMSIL, was the disparity between the conditions of service between ECOMOG and UNAMSIL troops.[291] ECOMOG and some of the ECOWAS member states felt that the UN came in to steal the show after the dirty job had been done by ECOMOG.[292] Initially, the civilian population supported the replacement of ECOMOG with the UN force, thinking that the force will be of a more robust nature. They however turned against the UN forces when it refused to fight the rebels because it had no mandate to do so.[293] The most embarrassing incident in the mission's life was the kidnapping of 500 of its troops by the RUF.[294] The effectiveness of UNAMSIL was limited by the non-authorization to use force despite it

[286] Ibid.
[287] UN Document S/RES/1270 (1999) October 22 1999.
[288] Op cit note 144.
[289] Op cit note 234.
[290] Ibid.
[291] Op cit note 35 p. 330.
[292] Ibid.
[293] Ibid.
[294] Op cit note 234.

being a Chapter VII operation, and its concern about cooperating too closely with ECOMOG troops who were considered to be biased towards the government.[295] It is however surprising that UNAMSIL, half of which was made up of troops from ECOWAS country did not want to cooperate "too closely" with the ECOMOG troops. A better cooperation could have assisted in ending the war and could have prevented the kidnap of UNAMSIL troops. The UN's failure to identify the rebels properly as the villains in the conflict, affected its authorization or lack thereof of a robust mandate to UNAMSIL, which would have appropriately made it a peace enforcement force.[296]

The Nigerian President, Olusegun Obasanjo, wrote a letter to the UN Secretary-General on August 19 1999, informing him of Nigeria's intention to withdraw 2000 of its troops from Sierra Leone every month. The president however offered to include some of Nigeria's 12000 troops under a new UN mission.[297] The action of withdrawal of the Nigerian troops prompted the Secretary-General to request the UN Security Council to create a UN peacekeeping mission in Sierra Leone with an enforcement mandate under Chapter VII of the UN Charter. The mission headed by the Indian UN Force Commander, General Vijay Jetley took over from ECOMOG.[298] A UN proposal that ECOMOG continue to protect Freetown and continue enforcement actions against rebels was rejected by Obasanjo. The rejection was on the basis that if things were to go wrong, Nigeria would be blamed. Also the fact that Nigeria's efforts were not appreciated by many, particularly, the Western Media and human rights lobby group who took pleasure in disparaging Nigerian peacekeepers as murderers and mercenaries etc.[299]

Following the eventual phased withdrawal of the Nigerian ECOMOG troops and the kidnap of 500 UNAMSIL peacekeepers, the British launched an operation codenamed

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[295] Ibid.
[296] Ibid.
[297] See Eight Report of the Secretary-General on the UN Mission in Sierra Leone, S/1999/1003 September 23 1999 p. 6. Cited by Adekeye Adebajo, *Building Peace in West Africa: Liberia, Sierra Leone and Guinea-Bissau* (International Peace Academy Occasional Paper Series, Lynne Reinner, USA, 2002) p. 100.
[298] See First Report on the UN Mission in Sierra Leone, S/1999/1223, December 6 1999 pp. 1-6. Cited by Adekeye Adebajo, *Building Peace in West Africa: Liberia, Sierra Leone and Guinea-Bissau* (International Peace Academy Occasional Paper Series, Lynne Reinner, USA, 2002) p. 100.
[299] Op cit note 10 p. 100.

"Operation Palliser". The goal of the operation was to overturn the gains recorded by the RUF and to change the conflict in the government's favour. The contingent however, remained outside the UN chain of command.[300]

[300] Ibid. p. 93.