

The Evolution of ECOWAS

How the Economic Organization Transitioned Into Peace and Security

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Abstract

Ecowas' original purpose was to integrate West African states for economic prosperity, however, the politically unstable region's economy could not develop unless peace and security could be guaranteed. By adopting various security protocols to the original treaty in an attempt to stop interstate conflicts, Ecowas began its transition into a security organization. The United Nations prohibits sub-regional organizations from using force to solve conflicts without their authorization. Moreover, as the UN, Organization of African Unity and the United States, neglected the human rights violations occurring in Liberia, Ecowas intervened in the civil war. The humanitarian intervention was controversial in several regards; the UN did not authorize it, Francophone states within Ecowas opposed it, and the intentions of the hegemonic Nigeria were questioned. The intervention saw success and failure, however, it was later commended by the United Nations and inspired the idea of collective security and the responsibility to protect. As a result of the atrocities in Liberia, Ecowas revised their treaty and forced member states to cede political freedom and sovereignty in order for Ecowas to become a supranational organization. Since 1993, Ecowas has developed and implemented protocols relating to peace and security, democracy, and human rights as rule of law.

The aims and objectives of this paper is to analyze the evolution of Ecowas and the environment in which it had to transition into a security mechanism for West Africa. Despite shortcomings, the evolution of Ecowas is significant as it has allowed West Africans to improve conflict resolution protocols, and further develop democracy and legitimate governance in the region.

Key words: Ecowas, West Africa, Peace, Security, Humanitarian Intervention, Responsibility to Protect, Nigeria, United Nations, Cosmopolitanism

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1 Introduction

The Economic Community of West African States' ("Ecowas" or "the Community") original purpose was to promote integration and economic development for West African states but has since the 1980's been involved in intrastate and interstate conflicts using its own military force. The actions taken by Ecowas have raised questions regarding legality and legitimacy as they have not been authorized by the United Nations to use force and as it undermines the Westphalian notion of non-interventionism and state sovereignty. The Charter of the United Nations prohibits sub-regional organizations to take up arms without their authorization (UN Article 53). However, since 2001, the United Nations has adopted the protocol on Responsibility to protect (United Nations, 2017), which could *ex post facto* legitimize the actions taken by Ecowas. Furthermore, internal disputes within the Community regarding the use of force in the region have been most prevalent since the establishment of Ecomog (the regional military force) as it was constituted by mostly Anglophone states and no Francophone states. Another important factor contributing to the rivalry and distrust between the two language blocs is the hegemonic role of Nigeria – which is, by a large margin, the most developed and powerful country in West Africa. During the 1990's, Nigeria provided approximately 80% of military supplies and 90% of the funding to Ecowas' peace-keeping operations, raising suspicion regarding their intentions (Obi, 2009).

In order to establish peace and security in West Africa, Ecowas had to revise the official treaty in order to grant itself more power and authority over the member states. Throughout the 1990's there were several intrastate conflicts in West Africa that received little to no attention and engagement from international communities forcing Ecowas to deploy its own army in order to prevent further human suffering (Okere, 2015). Ecowas has, since 1990, intervened in Liberia (twice), Mali, Sierra Leone, Cote d'Ivoire, Guinea Bissau and Gambia. The events in Rwanda and Kosovo (1994 and 1999, respectively), and the actions taken by international communities were the opposite, yet the results were similar; Rwanda was left to its own destiny and NATO intervened in the Balkan conflict – both resulted large-scale losses of life. The International Community of State Sovereignty (ICSS) wrote a report, based on Christian Just War Theory, suggesting that a state's sovereignty is not about controlling its own territory but,

rather, having a responsibility to protect the citizens within it (Evans, 2012). Thus, the theory of Responsibility to Protect (R2P) emerged.

This paper will analyze and attempt to understand the role of Ecowas in regulating regional peace and security in West Africa, based on the theory of cosmopolitanism. In order to do this, an historical overview of the evolution of Ecowas will be necessary. The paper will also analyze the first humanitarian intervention in Liberia (1989-1997) as it was this civil war which transformed the role of the Community. Not only was this intervention the first of its kind by any “economic” sub-regional organization but it also set the precedent for future interventions, lacking authorization by the United Nations’ Security Council, motivated by humanitarian grounds (Brobbey, 2014). It is important, however, to note that this paper does not seek to generalize the Ecowas as a security organization based on a single case study; rather, the paper address the environment in which Ecowas operates and the opportunities and challenges it is facing.

1.1 Research questions

- How has Ecowas evolved into a peace-and-security mechanism for West Africa?
- Are their actions compatible with the UN Charter and the theory of Responsibility to Protect?
- Can Ecomog’s actions during the Liberian civil war be constituted as legitimate?

1.2 Theoretical Framework

1.2.1 Legitimacy

In order for a supranational political institution – such as Ecowas – and its actions to be considered legitimate, the states within the institution – whose individual goals of self-interest are subordinate to the authority – must have confidence that the authority is operating through shared norms and principles of the people. Max Weber believed that legitimacy was one of the key variable explaining social stability. Weber further argued that social stability

derives from people's faith in the legitimacy of the system; that there are particular ideas and norms regarding social order which the subordinate accept, thus creating social stability. In other words, legitimacy is the relationship between the governments (authority) and the governed (subordinated) (Barker, 1990). However, Bielinski, referring to and David Beetham, suggest that legitimacy is based on the populations' set of beliefs (2017); thus, if a population share certain ideals, the actions of the government can become legitimate. He further argues that there are three conditions which needs to be satisfied in order to justify a legitimized authority and subordination: First, power obtained must be in accordance with already established rules; secondly, these rules are consistent with the norms and beliefs of all agents involved; and lastly, the acceptance of these rules has been explicitly expressed by all parties (Bielinski, 2017). If these conditions are met, there exist a moral foundation of legitimacy.

Legitimacy can further be described as structures and processes of government. The ideas of legitimate state-behavior has evolved since the establishment of R2P. What was previously considered illegitimate and a violation of state sovereignty has, since 2001, been rather accepted and, indeed, encouraged behavior – if it is carried out in accordance with the principles of R2P (which will be analyzed in a later chapter) (Barker, 1990).

1.2.2 Cosmopolitanism

Cosmopolitanism is a theory in international relations where people are viewed as citizens of the world, rather than belonging to particular states or nation-states. This idea challenges the classic ideological political traditions of realism and liberalism within international relations. Realism and liberalism suggest that states are internally sovereign and possesses the monopoly on violence within its own territory. Furthermore, realism and liberalism belief's are that the sovereign state is the dominant actor in the international arena of politics where anarchy reigns – meaning sovereign states are not subordinated to any authority (although Liberalism believes in the importance of state-cooperation) (Benning, 2018). A realist would argue that actions of states are based on self-interest and that international institutions have little to no effect on shaping the behavior of states.

The cosmopolitanism world view, however, argue that there is no real distinction between international and domestic political affairs. Liberalism and cosmopolitanism share the idea that power is important to analyze in international relations but that there is more than just share power-relations in international affairs; economic, cultural, military and technology also binds states and people together. Cosmopolitanism believe in sovereignty in people, rather than the state as the sole political entity and that a society of states should "evolve into a society of people". Joseph F. Bennings claims that in cosmopolitanism, states are not the law; they are, however, bound by it (2018).

The morality and philosophical ideas of cosmopolitanism is based on the values of humans as well as the idea of globalization. The principles of this ideology is breaking free from the notion of territorial-based political entities and the belief in transnational institutions and state-cooperation. Mary Kaldor argues that cosmopolitanism is not "a project for a single world government" (2012) but rather transnational institutions which are made up of a cluster of sovereign states; all of which agreeing to be subordinated to a particular set of rules and laws. In other words, the "*cosmopolitanism*" is the law which all member states have accepted. Kaldor calls this a "*global overwatch*"; the international institutions, be they NGO's (non-governmental organization) or continental organizations, operate within the same boundaries and parameters as the sovereign states. Furthermore, the function of the "*global overwatch*" is to ensure that states implement these sets of rules, especially those regarding humanitarian laws and human rights. This would allow the "*overwatch*" to intervene in internal conflicts and domestic affairs as it is simply a way of ensuring that states operate within these sets of rules.

1.3 Definition of Humanitarian intervention

Humanitarian intervention will be defined as the interference of a third party: a state, collection of states, or non-state agents; the interference of domestic affairs using a military force in order to prevent human suffering or violations of human rights – actual or anticipated (Evans, 2002). The purpose of such intervention is to restore peace in areas where the conflict threatens regional or international security. How humanitarian interventions differs from the idea of Responsibility to Protect will be discussed in the paper.

1.4 Westphalian tradition

The Westphalian tradition of state sovereignty and non-interference in domestic affairs derived from the peace treaty signed in 1648 at the end of the Thirty Year's War. It has since become international law that every state, regardless of size, population, economy, resources, etc., is equal and has sovereignty within its own territory, excluding all external powers (Beaulac, 2004). The equality between states prevents stronger and more powerful states from claiming or attacking weaker states.

1.5 Methodology

The most sophisticated way to achieve the goal of understating the role of Ecowas as a security mechanism is to perform a normative idea analysis of the organization. The idea analysis can be divided into two groups, one of which functions as an explanation of an event, the other seeks to understand the events unfolding. In the case of Ecowas, this paper will seek to understand the reasons and reasoning, resulting in a complete revision of the official treaty; and understand the environment in which Ecowas evolved. The analysis of the evolution of Ecowas will allow greater understanding of the political climate in West Africa during its transitional period. The case study of the humanitarian intervention in Liberia will help justifying Ecomog's use of force and explain how it set the precedent of legitimating humanitarian interventions by sub regional organizations.

The sources used in this paper are primary sources, such as the official documents and protocols of Ecowas and the United Nations, literature on regional security, humanitarian interventions, human rights and West African civil wars.

By analyzing Ecowas historical events and official documents, while simultaneously keeping the theory of cosmopolitanism in mind, it is possible to understand Ecowas evolution as an attempt to create a unified West Africa with one single authority.

1.6 Disposition

The paper will start with a brief historical background of Ecowas and why the cooperation between states was highly regarded. This will guide the paper to its primary topic which is Ecowas' transition into a security organization and the means by which they changed and regionalized and securitized West Africa. I will analyze the institutions established by Ecowas since 1993; such as the supranational institutions and the Ecowas Conflict Prevention Framework. I shall further discuss the compatibility of Ecowas' actions with the United Nations' charter and the theory of Responsibility to Protect. In order to understand the environment in which Ecowas had operate, I will analyze Liberian civil war (1989-1997) and the actions taken by Ecowas to prevent further losses of lives and the violations of human rights. The Liberian intervention is the most significant peace keeping mission led by the Ecowas as it occurred before the revision of the treaty and it later sought to change purpose of the Community. In the discussion section of the paper I will, not only analyze how Ecowas operates within the boundaries or United Nation and the Responsibility to Protect, but also the role of Nigeria as the hegemonic leader; and lastly, why a more independent West Africa is important for future development.

2 The Genesis of Ecowas

The Economic Community of West African States was founded in 1975 as a way to integrate the states for economic prosperity (Ecowas, 2017). This idea of a united West Africa dates back to before European colonization, however, a persisting problem in the region is that the countries were artificially created by the Europeans with no regard to ethnicity differences, language, religion, culture or history. It has been known since the independence that integration between states was a necessity for political and economic development but due to the fundamental political differences cooperation had not been successful. In 1945 the Francophone countries were the first to unite in the CFA Franc Union where the use of a

singular currency would facilitate cooperation. It was not until 1964 that the Liberian head-of-state William Tubman tried to ignite the idea of a united West Africa through economic cooperation. Eleven years later Ecowas was created and 15 countries signed the Treaty of Lagos. A year later Cap Verde joined the organization. However, Mauritania left Ecowas in 1999 due to political differences. Present-day members of Ecowas are Benin, Burkina Faso, Cote d'Ivoire, Gambia, Ghana, Guinea, Guinea Bissau, Cap Verde, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone and Togo (Ibid).

Since the African independence, the continent has been plagued by wars, conflict, crisis, poverty, famine, a lack of education and health care and poor infrastructure. There has been more than 40 wars since the early 1960's -- most of which have been civil wars -- that has resulted in 10 million deaths and 10 million refugees, making large parts of Africa an extremely unpredictable region (Rodriguez, 2014). The Organization of African Unity (OAU, which later became the African Union) accepted the state boundaries created by the European as a way of facilitating future developments; and inspired by the Westphalian tradition, the first written treaty by the OAU did not allow the organization to intervene in domestic conflicts, forcing them to rely heavily on the United Nations for conflict resolution (OAU Charter, 1963). The treaty did not, however, prohibit sub-regional organizations, such as the Western, Eastern, Central and Southern African Communities, to establish their own peace and security framework. The United Nations Charter expresses that all international disputes must be settled using peaceful means (UN Charter Chapter 1, Article 2) and that all members shall refrain from using force against territorial integrity (UN Charter, chapter 2 article 4).

Ecowas has, as we will discuss, ignored the UN Security Council's resolutions in order to prevent conflicts from escalating into warfare or to stop an ongoing war. The critics of Ecowas suggest that although they might have prevented further loss of lives, they had not established properly functioning peace-keeping (or peace-restoring) institutions; and the way in which they side with the government or the rebels seems arbitrary (we will return to this when discussing the Liberian civil war). Critics further argue that Ecowas is not properly institutionalized to have such authority and that they are an organization based on ideas, not reality. It is true that economically speaking, Ecowas is struggling; it is problematic to sustain such a large institution when the countries can barely sustain themselves as individual states. Perhaps the most significant argument against the Community, mainly argued by Francophone states, is the hegemonic role of Nigeria. Nigeria is the most developed nation in West Africa and with its

huge resources and military, some argue that Ecowas is simply a means for Nigeria to fulfil their own international agenda (Obi, 2009).

3 Ecowas 1975 -1993

When Ecowas was first established in 1975, the intentions were cooperation between member states for economic prosperity. The first paragraph of the second article of the Treaty of Lagos reads:

“it shall be the aim of the Community to promote co-operation and development in all fields of economic activity particularly in the fields of industry, transport, telecommunications, energy, agriculture, natural resources, commerce, monetary and financial questions and in social and cultural matters for the purpose of raising the standard of living of its peoples, of increasing and maintaining economic stability, of fostering relations among its members and of contributing to the progress and development of the African continent”. (Treaty of Lagos, 1975)

The regulations implemented by Ecowas to reach its goals were, among others, to eliminate custom duties between member states, establishing a common tariff and ensure “free movement of persons, services and capital” (Ecowas Treaty, 1975). Several institutions were also established to ensure that member states operated in accordance with the treaty. One of these institutions was the Tribunal of the Community, which main objective was to settle disputes between member states, however, the treaty did not provide the course of action taken in case of an armed conflict within or between states (Nwogu, 2007). During the 1970’s Benin suffered two attacks from Portuguese mercenaries and coups d’état were prevalent in the region. The Ecowas’ heads-of-states (also known as the Authority) came to the conclusion that they needed to add a security framework to the organization (Kabia, 2011). The first of which was the 1978’s Non-Aggression treaty which urged the states to refrain from the use violence or

aggression toward any member states; the intentions were that conflicts can and should be solved using peaceful means and diplomacy in manners consistent with the charters of the United Nations (Protocol on Non-Aggression, 1978). Since no mechanism to implement this treaty was institutionalized it can only be deemed as mere idealistic. In 1981, however, the Protocol Relating to Mutual Assistance on Defense (MAD) was ratified which authorized members of Ecowas the use of force, as a threat towards one state constituted a threat on the entire region, and again, as long as it is not “incompatible with the aims of the United Nations” and was approved by Ecowas’ Authority (MAD, 1981). This time, institutionalized mechanisms of defense were established: the Defense Council, Defense Committee and a regional defense force that could be used for interventions. Unfortunately, these institutions were mismanaged as the Community, according to Kabia, focused too heavily on external threats rather than the prevention of internal conflicts (2011). Ecowas would soon realize this as large parts of the region would suffer from coup d'états and civil wars.

A main reason as to why Ecowas had difficulties establishing and properly managing these institutions is the lack of financial resources. The countries within Ecowas had trouble sustaining their own economy; which is why taxes and custom duties had to be lowered, or removed, in order for the integration process to have an effect. The lack of income to the Community hinders financial security. Because of the lack of industrialization in western Africa, the countries have been unable to compete on the global market, and according to the United Nations’ reports 75% of the West African states are classified as the world's Least Developed Countries (LDC). The states within Ecowas also make up 35% of African countries on the list; which makes it, not only the poorest region in Africa, but in the world. (Gupta, 2015).

Kabia (2011) further suggests that another possible reason for the lack of internal conflict resolution has been to satisfy the interest of leaders rather than the people. The Francophone leaders were suspicious of the “Nigerian hegemonic ambitions”, which was further ignited when Ecowas asked for the withdrawal of all foreign troops in member states, except Ecomog’s peacekeeping force – which were mostly Nigerian soldiers (Ibid). The continuing rivalry between the Francophone and Anglophone countries has made implementation of defense and security protocols difficult.

As the historical events show, since the formation of the Community in 1975, the economic and political situations did not improve in its first 20 years of existing. It was during the first civil war in Liberia that Ecowas began its official transition into a peace-and-security community. The human suffering in Liberia was unprecedented and with international communities showing no interest in stopping the war, Ecowas had to act on its own accord (Okere, 2015).

4 The Revised Treaty

Ecowas' first action to avoid further human suffering in Liberia was to establish the Standing Mediation Committee to find peaceful solutions to the civil war (Obi, 2009). In 1990, after weeks of unproductive diplomacy, Ecowas established the Ecomog -- Ecowas Ceasefire Monitoring Group. Ecomog was consisting of Anglophonic states, and Guinea, which created more tension between the Francophone and Anglophone countries. The United Nations Security Council had not confirmed Ecowas' request to use force to stop the crisis in Liberia, but due to the human rights violations in the country, Ecowas acted without permission. The deployment of Ecomog's army to Liberia would start Ecowas transition into a security community. Interference in domestic affairs have since been ubiquitous in West Africa. We will return to the Liberian civil war in a later chapter.

After the deployment of Ecomog, the West African heads-of-states realized that economic prosperity is not possible unless the region is safe and peaceful (Kabia, 2011). Thus, in 1993 the official treaty was revised. The new treaty consisted of 22 chapters and 93 articles; it was far more detailed than its predecessor (Gupta, 2015). With the signing of this treaty there was a power shift; each state within the Community had to cede parts of its political freedom and sovereignty if Ecowas was going to operate as a supranational organization. To function as a supranational organization there was a need for new institutions and a legal framework that could enforce political decisions on member states. An important aim of the institutionalization was focus on human rights: The new institutions were:

The West African Parliament: it consists of 115 seats divided among all 15 states based on each country's population -- although each country is guaranteed at least five seats (Ecowas

Parliament, 2017). Critics of Ecowas often use this “unfair” division of seats as an argument that the Community is, indeed, more or less Nigerian foreign policy; Nigeria has 35 seats whereas Ghana, with the second largest population, only has eight (*Ibid*). The Parliament’s main objectives are concerning human rights and fundamental freedoms of Ecowas citizens. As a way of enforcing democracy and avoid corruption the Parliament’s website writes

*The Protocol forbids any Member of Parliament, while in office from being a member of government, constitutional council, the supreme court of a member state; or a member of Courts and Tribunals of a Member State; a judge, lawyer or registrar in the Community of Justice and the Court Arbitration (*Ibid.*)*

The Community of Court of Justice: The purpose of the Court of Justice is “to ensure the observance of law and of the principles of equality [...]” as well as determining if states are violating human rights (Community Court of Justice). It is composed of judges appointed by the Authority of heads-of-state from member states who will serve no more than four years.

For further social integration Ecowas also established the Bank of Investment and Development which promotes funding to both the public and private sector. Its aim is to contribute to the development of transportation, energy, environment, IT, energy, natural resources and poverty alleviation (Ecowas Bank of Investment and Development, 2017).

The social integration policies were taken seriously by all parties involved, however, the establishment of Ecomog, as an offensive and defensive strategy, did raise the question of legitimacy. The idea was simple: all member states contributed military supplies to establish one unified West African army. The decision to create this army was not agreed upon by all heads-of-states; namely, the Francophone states opposed this notion (Kabia, 2011). Since their independence, they have had a signed military pact with France which means they have their own stand by force and thus no interest in joining their military forces with the Anglophone states. Nigeria is the leading contributor of soldiers which further raised the Francophone suspicion of the West African superpower’s intentions. Nigeria provided 80% of the military supplies and 90% of its funding (Obi, 2009). The Nigerian contributions were also questioned by its own population as adventurous foreign affairs seemed to be prioritized over domestic

ones (Ibid). If Nigeria had suffered serious domestic crises, Ecowas entire peace-building institution could have suffered immensely.

Nevertheless, Ecomog played an important role as a peacekeeping tool during the 1990's and had its success as well as failure – Cyril Obi describes Ecomog as a “heroic failure” (2009). The original use of Ecomog was to avert the crisis in Liberia, but after the treaty revision, the nature of peace-keeping in the region had changed. The institutionalization of Ecomog expanded its role to not only halting armed conflicts, but to conflict-prevention, peace-building, humanitarian interventions and preventing organized crime. After the humanitarian intervention in Guinea Bissau (1999), however, Ecowas found itself once again in need of new security policies as Nigeria had retired most of its funding to Ecomog (Ibid); the result was the Protocol Relating to the Mechanism for Conflict Prevention, Management, Resolution, Peace-keeping and Security. Hereby Ecowas granted itself the powers to do whatever necessary to prevent armed conflicts or humanitarian crisis. Chapter 2, Article 6 reads:

It shall have the powers to act on all matters concerning conflict prevention, management and resolution, peace-keeping security, humanitarian support, peace-building, control of cross-border crime, proliferation of small arms, as well as other matters covered by the provisions of this Mechanism.

Article 40 of the same protocol reads that Ecowas “shall intervene to alleviate the suffering of the populations...” In order for Ecowas to further strengthen their powers the protocol also adds that “the Mediation and Security Council reserves the right to apply the Mechanism, as it sees fit, to other situations not specified in the Protocol”. This explicitly expresses an institutionalized split from the Westphalian tradition as external powers are now authorized to intervene in any state. As a means to facilitate cooperation, the protocol Declaration of Political Principles was introduced which committed each member of Ecowas to use democracy as rule of law and respect human rights (Ecowas, 2017). This was later supplemented by the Protocol on Democracy and Good Governance as a means to address root causes to conflicts and prevention of conflict, which were one of Ecowas’ weaknesses (Protocol on Democracy and good Governance, 2001).

Despite revising the treaty and making several severe changes, Ecowas still had its issues: there were financial problems, logistical shortcomings, poor harmonization coordination within Ecomog, and of course, weak political will, and a lack of agreement between West African leaders due to the fact that Francophone states opposed the very existence of the Ecomog. There have also been allegations of corruption within the Community (Obi, 2009). Despite the institutionalization and Ecowas high values regarding democratic rule, only four of the 15 member states (Benin, Cap Verde, Ghana and Senegal) can be constituted as “free”, according to the 2017 Freedom House report, and the remaining countries are either “partly free” or “not free” (2017). The exercise of power in the region by the state or non-state agents (such as Ecomog) have further stirred questions of intention and legitimacy. For example, the extraction of natural resources, such as diamonds in Sierra Leone and Timber in Liberia, and its distribution is not coherent with the democratic and transparent rule of law imposed by Ecowas (Iwilade and Agbo, 2012). Other serious challenges that Ecowas had to face were the capacity of safeguarding civilians in war-torn countries as well as non-coherent neutrality to the parties in conflict. The latter is due to the lack of political consensus of the two language blocs within the Community. In the cases of Liberia and Sierra Leone, the Francophone governments did not cooperate fully with the Anglophone, and in some cases, even supported the rebel troops fighting against Ecomog. Coordination problems were also evident on the ground as officers and officials within Ecomog did not favor the same strategy to obtain peace; Ghana, for example, favored traditional solutions whereas Nigeria endorsed robust action against the rebels (Kabia, 2011).

States within Ecowas have also seen an increase of fire arms being distributed between states in spite of their legal effort to prevent it. Ecowas also established “The Early Warning Observatories” (Ecowatch) which purpose is to forecast crises, analyze statistical information in conflict-states, gather information regarding governance and democratization, and provide “logistical information in the event of humanitarian emergencies” (Bekoe and Mengistu, 2002). The Ecowatch observatories are located in Gambia, Liberia, Burkina Faso and Benin. Their success has been varied due to the lack of economic capacity; there has not been enough staff and inadequate training which has resulted in poor coordination between similar programs by the African Union (*Ibid.*). The issues mentioned present problematic operationalization of the Ecowas peace and security Protocol. The funding, or lack thereof, remains one of the key issues of Ecowas as they are still dependent on external funding to sustain their peace-keeping missions. The lack of funding has delayed deployment of troops or other means necessary to

their peace-keeping operations in the region. Unless Ecowas manages to fund its programs by generating its own resources, they will remain dependent on donor communities and too dependent on Nigerian policy and politics.

4.1 ECOWAS Conflict Prevention Frameworks

The Ecowas Conflict Prevention Framework (ECPF) was supplemented to the official treaty in 2008 and has had a positive reception from member states as well as international communities (Open Society Initiative for West Africa). The objectives of this protocol, as the name suggest, is the prevention of conflict, which, historically has been neglected, or mismanaged, by Ecowas. In order to prevent conflicts, the ECPF addresses the importance of preparedness and awareness between the member states, the civil society as well as external partners (Atuobi, 2010). The preparedness aspect of the ECPF started four years earlier with the development of Ecomog; Ecomog became the Ecowas Standby Force (ESF) and increased in number of troops and supplies. A crucial part of the development was the extensive training the soldiers had to endure and the deployment time was also reduced to 14 days, instead of 30 (which was in line with the African Union protocol on peace-keeping missions and deployment time) (Kabia, 2011). The reactionary approach to conflict resolution did not manage the aspect of peace-*keeping* (rather than peace-restoration) well as it rarely solved the root issues between two parties. OSIWA (Open Society Initiative for West Africa) describes the ECPF accordingly:

It is: a guide for enhancing cohesion and synergy between relevant ECOWAS departments on conflict prevention initiatives in order to maximize outcomes and ensure a more active operational posture on conflict prevention and sustained post-conflict reconstruction from the ECOWAS system and its Member States.

Thus, it aims is to strengthen the “human security architecture” by integrating conflict prevention and peace-building activities into initiatives. There are 15 components that ECPF seek to integrate and implement: Early Warning Systems, Preventive Diplomacy, Democracy and Political Governance, Human Rights and the Rule of Law, Media, Natural Resource

Governance, Cross-border Initiatives, Security Governance, Practical Disarmament, Woman Peace and security, Youth Empowerment and Enabling Mechanisms (*Ibid.*).

The ECPF is the most rigorous plan of action the Community has developed to safeguard West Africa from threats and violence. The ECPF created a consensus among the political parties and its leaders, and if properly implemented it would reduce the numbers of conflict outbreaks in West Africa. However, there are still several important factors that hinder the implementation process from properly being institutionalized and managed accordingly: The remnants of authoritarian leadership and the lack of will to cooperate between the language blocs (though it has been improved), the weak democratic governance, interstate trading of fire arms – in spite efforts to reduce it –, and the threat of rebel groups overthrowing governments still exist. Modern threats not only include political rebels but terrorism as well. The heads-of-states introduced the Political Declaration on a Common Position against Terrorism in Côte d'Ivoire in 2013, which included, not only a Counter-Terrorism Strategy, but also an implementation plan; a plan which seeks to further develop the region's economy in order to guarantee the wellbeing of Ecowas' citizens. Rebel and military groups and authoritarian regimes have exposed Ecowas to a variety of terror acts against civil society and governments and the most recent threats include the rise and actions of Boko Haram and the terrorist's occupation of Mali (Brobbey, 2014). Events, in which rebels try to overthrow a government, pose a security threat to the international community mostly due to the refugees which destabilizes the region. Moreover, acts of terror often directly involve several states. For example, the attack could have been planned in one country, carried out in another and the actors could have fled to a third. Thus, the ECPF strategy of eliminating acts of terror must be implemented by all member states to prevent the existence of safe havens for terrorists.

The primary objectives of the Counter-Terrorism strategy are to prevent, pursue and reconstruct (Ecowas Counter-Terrorism, 2013). The framework of this document includes, firstly, principles and norms shared by all Ecowas states; the document states that members of Ecowas condemn terrorism and the encouragement and financing of terrorist organizations. Secondly, in order to eradicate terrorism, democracy and human rights must be protected; each state must take responsibility to implement the legal framework that eliminates the conditions in which radicalization and extremism spread and thrive. Each state must have the capacity to properly respond to terrorism in all its stages; this include investigation, interception and disputation of terrorists' activities, networking and planning. This is how Ecowas will "pursue" terrorism;

and lastly, the reconstruction aim is to rebuild and heal the social wounds caused by the terrorism. The Ecowas Commission established the Ecowas Arrest Warrant which, if implemented properly, will strengthen the ties between juridical and law enforcements as a means to eliminate safe havens for terrorist and other criminals (Ecowas, 2017). This, however, has yet to become a reality. In January of 2017 Yahya Jammeh, the former president of the Gambia of 22 years, was forced out of office by the Ecowas Standby Force after refusing to accept the result of the election of 2016. He was granted asylum in Equatorial Guinea and has since been charged with crimes against humanity, but Ecowas has been unable to attain him. (Human Rights Watch, 2017).

The most contested aspect of Ecowas institutional framework regarding peace and security is that of humanitarian intervention. The implicit implications of the aftermath of the Cold War (1989) necessitated a revaluation of the concept of non-interference in domestic affairs (Chidebe Nwankwo). Nwankwo argues that the advent of globalization resulted in a “global awakening on the sanctity of human life and the realization that human rights must be protected” (2014). If states are unable or unwilling to protect the rights of its people, international communities are obliged to intervene as part of global responsibility of human rights.

5 The United Nations and the Responsibility to Protect

The United Nations' charter was created in the 1940's after the Second World War. The world was in need of international norms regulating states' behaviors which would prevent states waging war against one another (UN article 2). The Charter reads that any threat or use of force towards members of the United Nations were prohibited, unless in self-defense (UN article 51). This became problematic as intrastate conflicts plagued the world in the 1990's and international communities were not in consensus on how to best react when dealing with

internal affairs. During this time, there were debates on whether humanitarian interventions ought to be the norm or if state sovereignty had to be respected in all matters. In Rwanda, for example, 800 000 people were killed in three months; yet the United Nations Security Council did not take action to stop the genocide (Rodriguez, 2014). This caused many Africans to suggest that, on an international level, some lives are deemed less valuable than others. In Kosovo, on the other hand, a humanitarian intervention did occur but was considered illegitimate as NATO (who led the intervention) did not have the United Nations' Security Council's approval to intervene (Evans, 2004). Kofi Annan delivered a speech to the United Nations General Assembly in the year 2000 stating:

[I]f humanitarian interventions is, indeed, an unacceptable assault on sovereignty, how should we respond to a Rwanda, to a Srebrenica -- to gross and systematic violation of human rights? (United Nations)

The result of the 90's intrastate conflicts, and lack of international response to the crises, was the idea of responsibility to protect (R2P). The idea of responsibility changed the discourse concerning international safety and violations of human rights. The state sovereignty was no longer about states controlling its territory, but rather being responsible for it; thus, focus shifted to human rights and security and emphasized the *limits* of the state's sovereignty. This means that the state has a responsibility to protect the citizens within it and, when a state fails to do so, either because of a lack of capacity or a lack of will, the responsibility falls on the international community operating through the United Nations. Moreover, it was not sufficient enough for a state, or a third party, to simply intervene using force to stop the ongoing crisis, they also needed the capacity to prevent, react and rebuild (Evans and Sahnoun, 2002).

5.1 Principles of Responsibility to Protect

The Canadian government led International Commission on Intervention and State Sovereignty released a report in 2001 to the United Nations' Secretary General. The report sought to change the ways in which humanitarian interventions were talked about; such as stressing the state's responsibility over its territory. The report discredited the Westphalian tradition of non-interventionism arguing that human rights must trump state sovereignty (ICSS, 2001). The

report further argues that there are five principles that need to be satisfied in order to legally justify an intervention:

1. Just Cause: There has to be an actual or anticipated large-scale loss of life whether genocidal intent or not; indeed, any kind of human suffering that affects a large group of people.
2. Right Intention: The intervening state's intentions must be to avert human suffering. Doing it for any other reason, such as oil, resources or other financial reasons, cannot be acceptable.
3. Last Resort: Peaceful resolutions and diplomacy must be tried first; military action can only take place when all other options have been exhausted.
4. Proportional Means: The military action must be proportionate to the situation. The military operation must be the minimum necessary to protect human lives. Excessive force is not acceptable.
5. Reasonable Prospects: There must be a reasonable chance that the intervention will be successful and that the military actions will not make matters worse (long and short term) (Report of The International Commission on Intervention and State Sovereignty, 2001).

Humanitarian interventions often raise questions regarding legality and legitimacy. The United Nations' Security Council have been granted the authority by the UN to address issues threatening international peace and security. The Security Council further grants sub-regional organization to have their own conflict resolution protocol, however, they may not act using military measures on another country without the consent of the Security Council according to Article 53 of the UN Charter. The actions taken by Ecomog, by intervening in Liberia in 1990, were not authorized by the Security Council and by acting without consent they violated the UN Charter (Jenkins, 2005). However, two years after the initial intervention, the UN commended Ecowas for their efforts, through Resolution 813 (UNSC, 1993).

6 The Liberian Civil War – 1989-1997

The historical development of Ecowas is important to understand in order to justify their actions which violates principles of the Westphalian tradition that had become the universal norm in international relations. Seen directly from a European perspective, the abandonment of the Westphalian tradition and the military actions Ecowas implements on its members can seem illegitimate. The European style of governance have not been successfully adopted to the artificially created states whose political and social division is so large. The discourse on state sovereignty on an international level has also changes since the change of the millennia, which is partly due to the ill will of the United Nations to get involved in African affairs. The lack of support from the international community resulted in Ecowas deciding to deal with human suffering on its member states as they saw fit and to the best of their abilities. The next section will analyze different actions Ecowas has taken and see the compatibility with the theory of Responsibility to Protect and if these actions are justified and legitimate as means to restore peace in the region.

In 1980, a group of soldiers of the Armed Forces of Liberia (AFL) led by Samuel Doe murdered William Tolbert Jr, the 19th president of Liberia, and then the Chairman of the Organization of African Unity, causing great political instability. The Tolbert Jr administration were succeeded by the Samuel Doe government which turned Liberia into a police state and caused unprecedented crimes against humanity (Rodriguez, 2011). Doe was the first indigenous Liberian president without Americano-Liberian ancestry since the foundation of the country in 1847 by the freed American slaves (Okere, 2015). Samuel Doe had local, regional and continental enemies as his politics only favored his own Krahn tribe and he did not fulfil any of his political promises; he proved himself incompetent and corrupt. His actions caused the United States to cancel their aid to the country, which they were dependent on, and the living standards became dramatically poor for the people of Liberia (Jenkins, 2005). As a response to the events taking place in the country, the National Patriotic Front of Liberia (NPFL) led by Charles Taylor, attempted to overthrow the government by invading the country from Cote d'Ivoire. Taylor, who had previously been Director General of the General Service in the Doe administration, gained supporters from various local tribes as well as parts of Liberian army (Ibid.). The attack on the Doe government started the civil war which resulted in over 200 000 deaths and about 1.3 million people seeking refuge in neighboring countries (Nmoma, 1997).

The Armed Forces of Liberia's counterattack on the NPFL included "indiscriminate killing, raping, burning and looting"; in return the NPFL conducted similar discriminatory attacks on ethnic groups believed to be supporters of Doe (Jenkins, 2005). The atrocities conveyed by both sides resulted in United States, despite its historical relationship with the country, not sending military aid to avert the situation as they argued it was a "Liberian crises" (Rodriguez, 2014). Ecowas and the Liberian Council of Churches (religious leaders and other influential Liberians) also requested interventions from United Nations and the Organization of African Unity, yet neither was willing to intervene (Okere, 2009). The OAU referred to their non-interventionism in internal affairs. The United Nations' only response was to solve the crisis using diplomacy and peaceful solutions (*ibid.*). The lack of international interest and engagement caused Ecowas to take action as the flow of refugees was overwhelming and posed a security threat for the entire region; the first course of action was the establishment of Standing Mediation Committee, however, the result was an unsuccessful cease-fire resolution (Obi, 2009). The situation worsened, and by implementing the Mutual Defense Protocol (from 1981), with the respect of "recognizing the wanton destruction of human life and property and the displacement of persons occasioned by the said conflict" (Ecowas, 1990), Ecomog was institutionalized, and without proper authorization from the United Nations, Ecomog intervened in Liberia (Human Rights Watch, 1993).

Initially Ecomog stopped the immediate conflict, however, the peace was uneasy as Charles Taylor remained hostile to Ecomog forces – much due to the influence Nigeria had on the organization (Obi, 2009). He believed Nigeria did not operate as an impartial mediator but rather taking the side of Doe, thus not recognizing the Ecomog's legitimacy. During the cease-fire Ecowas installed an interim government to alleviate the transition of government and power. Charles Taylor had, at this time, seized enough of the country to declare himself president and rejected Ecowas transitional government (*Ibid.*). He was not, however, recognized as such by neither Ecowas nor international communities. Moreover, the peace was disrupted in 1992 as former AFL soldiers formed the United Liberation Movement for Democracy in Liberia (ULIMO). The war was renewed and Taylor attacked both Ecomog and the AFL. Ecowas joined forces with ULIMO and the AFL against Taylor, which again put their intentions in doubt as they both have a history of violating human rights (for example, ULIMO were supported by the notorious cannibalistic rebel Joshua Milton Blahyi). Several consultative meetings were held in Yamoussoukro, Cote d'Ivoire, by the interim government to find solutions to the ongoing crisis. At the last meeting, Ecomog were authorized to expand their

operation; they were to be deployed to the entire country and be granted complete freedom of movement within it as Taylor had boosted his army by 5000 soldiers, even though previous agreement had urged him to disarm his army. Furthermore, another cease-fire and peace accord was agreed upon (called the “Yamoussoukro agreement”) by concerning parties in 1993 and the United Nations, once again, commented Ecowas “for its continuing efforts to restore peace, security and stability in Liberia” through Resolution 866 (Okere, 2015). This time, however, the United Nations sent its Observer Mission (UNIMIL) to assist in the implementation process of the agreement. The primary responsibility to implement the peace-agreement still belonged to Ecomog as the UNIMIL’s purpose was to monitor the process and verifying it (UN Resolution 866). Resolution 866 also called for an election to be held within a year after its initial implementation. The frailty of the situation did not allow for the election to take place until 1997; an election which Charles Taylor won with 75% of the votes (Harris, 1999).

6.1 Ecowas and Its Responsibility to Protect

As we have seen, Ecowas were not authorized to legally dispatch an armed force in Liberia. Other aspects delegitimizing their actions was the fact that Ecomog consisted of only Anglophone states and there were no consensus within Ecowas on whether or not the mission ought to be carried out or not. The intervention has been cited as the “first ever regional peace-keeping operation to be organized by the *Third World* and that has received UN’s recognition” (Brobbey, 2014). Ecowas, at the time, justified its actions by referring to the Mutual Defense protocol which states that member states can intervene in internal affairs (Jenkins, 2005); this consequently undermines the UN Security Council regarding regional use of force on member states. However, what could justify the intervention is that President Doe requested Nigeria and Togo to assist him during the Taylor-led attack against his government. Ecomog did then technically not violate the state’s sovereignty; but simply intervened by invitation (Amaraegbu, 2013). It is debatable whether or not Doe possessed the authority to invite a foreign military force to the country as Taylor was the self-proclaimed president.

The lack out out-right condemned from the UN and the OAU would suggest that, despite the normative illegality (according to the charters) of the intervention, Ecowas operated through

humanitarian grounds, which would argue the intervention can be viewed as legitimate. The reasoning, by which Ecowas violated Liberia's state sovereignty, were those of averting the losses of life and human suffering. The government of Liberia was unable to provide its citizens with the necessities of life, such as food and health facilities; and the targeting of various ethnic groups further constitutes as ethnic cleansing. The Chairman of Ecowas has also stated that "the wanton killings going on in Liberia has made that country a slaughter-house and the situation could no longer be treated as internal matter" (Nwankwo, 2014). According to the first principle of R2P, the cause was just. Moreover, the initial intentions of Ecomog were legitimate; by intervening in Liberia, and stop the conflict, they could install an interim government and restore democracy constituting of free and fair elections. The most significant challenged Ecomog faced was the abduction of Samuel Doe, who was kept in their headquarters (Rodriguez, 2014). He was seized and executed by ULMIO. The failure resulted in Ecomog losing its credibility as a preserver of peace and security in the country. Taylor, and other Ecomog critics, denounced the operation of restoring peace as, according to himself, Ecomog acted through Nigerian self-interest – not the for the sake of restoring regional peace. Credibility was further lost when Ecomog joined UNLMIO and AFL against NPFL. Doe' actions put the country in jeopardy causing citizens to turn against the establishment. The means by which NPFL overthrew the government were disastrous, however, a change of government was welcomed by the people of Liberia. Ecomog's actions can thus be viewed as a violation of the Liberia's right to self-determination. This failure should rather be appointed to a lack of capacity and implementation rather than intention.

Ecowas' actions of interference ought to be constituted as the last resort; as previously stated, Ecowas called for aid from international communities and were rejected by all. The situation needed an immediate response and when no help was given, they had no choice but to take it upon themselves to end the crisis best to their abilities. It is arguable, and understandable, that Ecowas and Ecomog did not obtain the knowledge or capacity of, say, the United Nations to avert a crisis using military action but the notion of letting the atrocities commence is not redeemable (such the UN's inaction in Rwanda).

7 Discussion

One of Ecowas primary purposes is to serve the people within the Community rather than states themselves. As we have seen, Ecowas has continuously developed their protocol and legal boundaries since the humanitarian intervention in Liberia in order to restore peace and security in the West Africa; the success has been in stopping violent conflicts and the weaknesses have been diplomacy and keeping the peace without external contributions. Ecowas' protocol relating to interference, from Non-Aggression to Mutual Defense, is ambivalent as it states it will only “cooperate” and “inform” the United Nations when taking military action in accordance with their own protocol pursuing their objectives (De Wet, 2013). De Wet argues that an interpretation of the term “inform” suggest that it means Ecowas will be foreseeing the conduct on future interventions, regardless of authorization from the United Nations, and merely keep them up to date with their actions.

What separates humanitarian intervention from R2P? The responsibility to protect focuses on the victims of a crises, not the rights of the intervening party or the state being intervened; and the notion of sovereignty, under R2P, is about responsibility and not control. R2P can be seen as an attempt to create collective security for a number of states, rather than the realist notion of hegemonic power and resources of individual states to assure its own security. Both ideas seek to protect human rights, but R2P became necessitated as the intentions of an intervening party have often been deemed suspicious. A state is now, according to R2P, only allowed to intervene in case of war crimes, genocide, ethnic cleansing or crimes against humanity. Furthermore, the three pillars of R2P – prevention, reaction and reconstruction – are equally important in collective security. The idea of a collective security means that responsibility falls on several actors as some states are better equipped for prevention, others for the averting of an on-going conflict, and some on the reconstruction phase of R2P.

R2P derives from humanitarian intervention; but it has developed alongside globalization where the world is more connected and where a domestic conflicts affects regional – and even global – security.

Ecowas, as a security mechanism, has evolved alongside the evolution of R2P. Prior to the ICSS report on R2P, the actions taken by Ecomog were in the realm of humanitarian intervention; in other words, they lacked the framework for prevention and reconstruction. As they gained more experience on regional peace and security, their protocols adapted to properly respond to crises concerning human rights. As Nigeria retired most of their funding, Ecowas has further developed their institutionalized framework in order to prevent violent conflicts.

One of the key issues for Ecowas is that since the beginning they have struggled with its financial and logistical capabilities. They are still largely dependent on external contributions, be it from Nigeria, United Nations or other international organizations, and it has resulted in Ecomog having to rely on support from United Nations, or in failure to complete the peace operation all together. The efforts of Ecowas to simultaneously sustain peace in Liberia (first and second civil war), Sierra Leone, Guinea Bissau and Cote d'Ivoire proved a challenge. In Sierra Leone, where the democratically elected government had been ousted by rebels, Ecomog's troops were ill equipped regarding weapons, ammunition and transportation while at the same time having difficulties with the country's terrain and forest, complicating the efforts to gain control over the territory (Okere, 2015).

7.1 The Role of Nigeria

Nigerian domestic policies became important to Ecowas in its role as security and peace-keeping mechanism in West Africa. Nigeria has, since 1999, reduced its contributions towards intervention operations, forcing Ecowas to shift its focus from military action to mediation, diplomacy and prevention (Obi, 2009). Cyril Obi argue that the withdrawal of Nigeria has relieved tension between Francophone and Anglophone countries while at the same time the importance of Nigeria's leadership became unquestionable. The Francophone countries distrust of Nigeria's intentions served only to prolong conflicts and mediation as they, in some cases, supported and forged alliances with domestic leaders and rebels which Ecomog sought to defeat (Rodriguez, 2011). Nevertheless, Ecomog under (mostly) Nigerian control did receive criticism for the treatment of citizens in host countries, failure to execute parts of its missions (such as the failure to protect Doe) and a lack of successful mediation between parties (Iwilade and Agbo, 2012). However, the peace-keeping missions in Liberia and Sierra Leone constitutes as successful humanitarian interventions led by Nigeria. When combining Nigeria's involvement in humanitarian interventions during the 1990's, its estimated spending was 12 billion US dollars; despite the country's own economic and social difficulties (Afaha, 2016). Regardless of Nigeria's spending in an effort to safeguard the region, the suspicion of their actions were prevalent; thus the country needed to be more aware of member states' political

limitations and behave in manners which were more consistent with the principles of cooperation and democratic value within Ecowas. It is not merely sufficient enough to possess the capacity to be the hegemonic leader, it also requires the ability to justify the legitimacy of its actions. It could be argued that the Anglophonic states have been overly ambitious when engaging in peace-operations; no country, besides Nigeria, met the minimum level of self-sustainment. Only Nigeria had enough vehicles, an air force and a navy at its disposal. Even though the Anglophone states could deploy troops, they had no means of transporting them due to the poorly developed infrastructure. It is evident that Ecowas needed to change its ways in which to deal with intrastate conflict since the departure of Nigeria as military leader. The implementations of the protocols such as Democracy and Good Governance, and the ECPF suggest that Ecowas realized the importance conflict prevention if they are unable to intervene using force without Nigeria's contributions.

Nigeria decided to withdraw most of their contributions while Ecomog served in Sierra Leone, thus rendering Ecomog unable to complete its missions without the help from the United Nation's Peace-keeping Force (Obi, 2009). Nigeria's absence in the civil wars in Guinea Bissau and Cote d'Ivoire caused the conflicts to be solved by mainly the UN, France and Portugal. The absence of Nigerian funding allowed Ecomog and the United Nations to find new solutions and means of cooperation. As Nigeria withdrew most of its resources from Sierra Leone, the remaining soldiers under the authority of Ecomog were "re-hatted" to the United Nations peace-keeping force. The immediate challenge of the re-hatting of soldier was the transition of control and command; the United Nations were not completely prepared for an orderly transformation (United Nations, Re-hatting Ecowas, 2005). Furthermore, the solutions developed by the United Nations to solve the conflict in Sierra Leone were aimed at specific and short term issues, rather than focusing on the broad approach to achieve its long term objectives (*Ibid*). The official report written by the United Nations, called "Re-hatting Ecowas Forces as UN Peacekeepers: Lessons Learned", called for the immediate creation of common guidelines and key norms regarding command and control in order to facilitate a smooth transition of power; the lack of which complicated the UN's initial incorporation of Ecomog's soldiers. The re-hatting and cooperation between the UN and the regional organization has since been rather commendable as the operations are influenced by local authorities while, simultaneously, using the resources of the United Nations.

7.2 Ecowas as Peace-keeper of West Africa

As a regional security organization, Ecowas has seen success and failure. The institutionalization of West Africa in 1993 has helped develop and implement protocols and regulations valuing human rights, cooperation for integration and democracy as rule of law on its member states. The region is still unpredictable and in need of a well-organized security mechanism, but Ecowas has evolved to become an organization with the capacity to find solutions to intra and interstate conflicts. The states in West Africa were not created naturally based on ethnicity, language or culture, or even, rightful authority which has historical significance when attempting to understand the conflicts that have plagued the region for decades, and thus also the importance of integration of the countries. By analyzing the evolution of Ecowas, it becomes clear that the hegemonic role of Nigeria partly delegitimized the actions of Ecomog, due to the unanimity between the language blocs, while simultaneously making necessary peace-restoring efforts possible. Furthermore, Ecowas adopted the idea that a state, or a collective of states, has a responsibility to protect citizens prior to the official ICSS protocol on R2P. Thus, the intentions of Ecowas peace-keeping missions have been in accordance with the responsibility to protect; or rather, R2P was in accordance with Ecowas. The United Nations' resolution welcoming the Liberian intervention can be argued to have set the precedent for West African security; and indeed the very seed of Responsibility to Protect and the break from the Westphalian tradition. While it is clear that Ecowas were unable to restore and keep peace without Nigerian resources, the institutionalized West Africa allowed cooperation with the United Nations to evolve and shift the focus to the prevention aspect of regional security.

The controversies surrounding the Liberian intervention were that Ecowas lacked a supranational legal framework which would guarantee democratic constitutionalism as principle and norm in West Africa (Nwankwo, 2014), as well as the lack of consensus within Ecowas' heads-of-states. Mary Kaldor (2012) writes that military peace-keeping missions have to be based on "some sort of consent" in order to be legitimate; however, she further claims that "unqualified consent" is impossible to obtain; if it were, there would be no need for peace-keeping forces (Kaldor, 2012). I would argue that by accepting the given definitions of legitimacy, the Liberian intervention was illegitimate and illegal, however, by

analyzing the situation; the violations of human rights, the ethnic cleansing, the lack of official government in Liberia, the refugee crisis, no international aid, and, lastly, the non-existent sign that the war was coming to an end, Ecowas and Ecomog acted through legitimate humanitarian grounds in an attempt to protect civilians in Liberia and safeguard West Africa. What could further legitimize the intervention is that it was Anglophone states intervening in an Anglophonic country; thus limiting the influence Francophone states ought to have had.

Moreover, the retirement of Nigerian resources would eventually allow Ecowas to develop and implement the protocol on Democracy and Good Governance and thus legitimizing future interventions by establishing regional norms such as the separation of powers within states, power transitions only through free, fair and transparent elections; and power obtained and maintained by unconstitutional means would not be tolerated (*Ibid.*).

7.3 The cosmopolitanism perspective

Ecowas' revision of the treaty – and thus the implementation of the framework of the cosmopolitanism world view – would legitimize their actions taken on member states as a supranational organization. The revision, and signing, of the treaty was an attempt to unify West African countries under one single authority and creating a transnational institutionalized political entity. Member states agreed to cede parts of their political freedom and sovereignty, allowing Ecowas to be the cosmopolitan “overwatch”, and to obtain the authority to enforce human rights as rule of law and avert crises involving violations of human rights. The theory of an “overwatch” further legitimizes the intervening in domestic affairs. Kaldor argues that, much like a modern government has the authority to intervene in family affairs to stop domestic violence, similar principles could be applied in international relations (2012). However, without such rigorous constitutional framework, the actions could constitute as illegitimate, as were the case in the initial Liberian intervention, but given the circumstances in Liberia, the UN resolution commanding the intervention, and the cosmopolitanism's morality regarding human values, it could still be argued to have been legitimate.

8 Conclusion

The evolution of Ecowas is important to address when analyzing West African governance. The break from Westphalian tradition can seem illegitimate, however, West Africa needed to discover its own method of regional peace-keeping, security and policy for a successful integration and economic development as directly adopting European style of governance had not been successful since their independence. By analyzing this evolution, through the lens of cosmopolitan theory, it is possible to understand Ecowas and their role as a supranational and transnational authority. The revision of the treaty and the institutionalization has been attempted to unite West Africa under one single political institution where all member states are subordinated to a particular set of rules and laws.

The theories on R2P and cosmopolitanism would further legitimize the military actions taken by Ecowas. This is not to suggest that Ecowas has not made mistakes throughout its institutionalization process; for example the lack of consensus between the language blocs has threatened the legitimacy of the decision making process, however, cosmopolitanism's belief in humanitarianism would suggest that the averting of human suffering ought to be the priority for political institutions. The protection of civilian lives during warfare is also the very foundation of R2P and collective security. Despite the Francophone states opposition of Ecomog, the human rights violations in Liberia were unprecedented, and as international communities showed a disinterest in averting the crisis, Ecowas decided to act on their own accord.

With the rise of populism and introverted political policies in Europe and the United States, it becomes important for West African countries to find African solutions to African problems as they might be unable to remain dependent on western aid. A coordinated cooperation with the United Nations and good implementation policies, Ecowas can hopefully further stabilize the region, have democratic elections and assume human rights as rule of law. West Africa has a large abundant of natural resources and thus great potential for economic growth. If peace and political stability can be achieved, the region can perhaps further develop economic integration policies, allowing West African countries to compete on the global market. Despite shortcomings in Ecowas, its evolution inspires hope for the region; a will for change, and a desire for the people of West Africa to become independent and not rely on Western aid for

prosperity. Ecowas has, under the notion of cosmopolitanism, accepted the responsibility to protect all West African citizens from human rights violations, dictatorship and poverty. The revised treaty is still in an early stage of development and will continue to evolve and improve in the future – which will result in continuously raising the living standards for the people in West Africa.

8.1 Future research

Future studies on West African peace-keeping could find new ways in which to prevent conflicts from escalating into war, address issues regarding implementation policies and develop the idea of legitimate state-behavior. With new technology and globalization there are new types of threats to regional or global security which will push the idea of collective security and responsibility to protect even further. A continued research on R2P can further develop empirical understanding of a cosmopolitan world order.

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