



Effects of the Economic Community of West African States' collective moral responsibility and ethical challenges on the dynamics of the Liberian Civil War and outcome of the military intervention from 1990 to 1997.

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DECLARATION

I, Waluza Alipole, declare that,

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DEDICATION

This thesis is dedicated to African sub-regional organisations that engage in military intervention in intra-state conflicts as one of the conflict management mechanisms. It is also dedicated to those states and people that have endured prolonged, intractable, and recurrent civil wars that have claimed millions of lives and displaced many more people, among other manifestations during or after third-party military intervention.

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Administrative Map of Liberia



Source: <https://www.nationsonline.org/oneworld/map/liberia-map.htm> (accessed: 25 August 2021)

ABSTRACT

Although there is a wide range of literature on the ethics of war, which equally applies to military intervention in internal conflicts, an area that has received little attention is the contribution of third parties' failure to embrace the ethics of military intervention in internal conflicts to prolonged, intractable, and recurrent civil wars in post-Cold War Africa. The main third-party ethical challenges in military intervention, which are a lack of impartiality, a lack of altruism as interests take the centre stage, and a lack of consistency, usually manifest in more harm than good. Furthermore, failure by third parties to take accountability or moral responsibility for undesirable outcomes of military intervention causes resentment among the affected people. This thesis interrogated ethics and moral responsibility in the ECOWAS' military intervention in Liberia from 1990 to 1997, mainly to establish whether there was any link between ethical flaws in the military intervention and the protracted and intractable civil war. The thesis assessed the extent to which the ECOWAS embraced ethics and collective moral responsibility during its military intervention in the Liberian internal conflict from 1990 to 1997. It also examined whether the ECOWAS was morally responsible for the dynamics of the Liberian civil war and the outcome of the intervention and proffered recommendations on how best sub-regional organisations can embrace ethics and collective moral responsibility during military intervention in internal conflicts.

A theoretical framework comprising Collective Moral Responsibility, the Just War Theory, and Aquinas' Theory of Double-Effect guided the thesis. Moral responsibility was conceptualised according to Martha Klein's two components as; "having a moral obligation to act and the accomplishment of the criteria for deserving blame or praise (punishment or reward) for a morally significant act or omission" (Klein 2005:3). The study was mostly based on Klein's second component of moral responsibility, which ascribes moral responsibility as blame for a morally undesirable consequence of an action (for this study, military intervention) by an agent (the ECOWAS through its intervention force, the ECOMOG). A qualitative, desk-search, case study-research design was adopted to collect, analyse, and interpret data on ethics and moral responsibility in the ECOWAS' military intervention in Liberia from 1990 to 1997.

The study found that the ECOWAS was morally justified to intervene militarily in the civil war in Liberia, and it upheld ethics to a large extent in its decision to intervene. However, although the ECOWAS is credited for restoring peace in Liberia, as a moral good, albeit after about eight years, its ethical flaws, mainly lack of impartiality through its participant states' alignment and supporting opposing functions and participating in the exploitation of Liberia's lucrative resources, among other

factors, contributed to the prolongation and intractability of the civil war. The protracted and unabated civil war resulted in approximately 200,000 deaths, about 2.5 million displacements, and spread to Sierra Leone, the Ivory Coast (which changed to a French name, Côte d'Ivoire, in 1986), and Guinea-Bissau, among other manifestations.

The thesis recommended shared responsibility for participant states' contribution to the longevity and intractability of the civil war in Liberia rather than collective moral responsibility on the ECOWAS as a collective. The research further recommended the need to inculcate the ethics of military intervention through regular multi-national training exercises, the maintenance of the Lead-Nation Concept, and that although military intervention must be a last resort, there is a need to balance between the need to save lives as determined by the fluidity of the situation, to intervene even before exhausting all non-violent means.

KEY TERMS

Ethics, military intervention in internal/intra-state, moral responsibility, collective moral responsibility, shared responsibility.

LIST OF ACRONYMS AND ABBREVIATIONS

AFL	Armed Forces of Liberia
AU	African Union
ANC	African National Congress
BBC	British Broadcasting Cooperation
CAR	Central Africa Republic
DoD	Department of Defence
DRC	Democratic Republic of the Congo
DDR	Disarmament, Demobilisation and Reintegration
PhD	Doctor of Philosophy
EAC	East African Community
ECOMOG	ECOWAS Military Observer Group
ECOWAS	Economic Community of West African States
FRELIMO	Front for the Liberation of Mozambique
FLS	Front Line States
IDPs	Internally Displaced Persons
ICC	International Criminal Court
ICRC	International Committee of the Red Cross/Crescent
ICRP	International Coalition for the Responsibility to Protect
IG	Interim Government
IGAD	Inter-Governmental Authority on Development
IGNU	Interim Government of National Unity
IHL	International Humanitarian Law
ISDSC	Inter-State Defence and Security Committee

IS	Islamic State
ISIS	Islamic State in Iraq and Syria
ISS	Institute of Security Studies
JWT	Just War Theory/Tradition
LOAC	Law of Armed Conflict
LPC	Liberian Peace Council
LURD	Liberians United for Reconciliation and Democracy
MODEL	Movement for Democracy in Liberia
MPLA	Popular Movement for the Liberation of Angola
MRA	Moral Reactive
MPLA	Popular Movement for Liberation of Angola
MRA	Moral Reactive Attitudes
NA	National Alliance
NATO	North Atlantic Treaty Organisation
NP	National Party
NPFL	National Patriotic Front of Liberia
NTC	National Transitional Council
OPDS	Organ on Politics Defence and Security
OPDSC	Organ on Politics, Defence and Security Cooperation
PMAD	Protocol Relating to Mutual Assistance on Defence
PoC	Protection of Civilians
PSOs	Peace Support Operations
RPTC	Regional Peacekeeping Training Centre
RENAMO	Mozambique Resistance Movement

RtoP	Responsibility to Protect
RUF	Revolutionary United Front
SADC	Southern African Development Community
SADC RPTC	Southern African Development Community Peacekeeping Training Centre
SIPO	Strategic Indicative Plan of the Organ
SNA	Somali National Alliance
SMC	Standing Mediation Committee
SOPs	Standing Operating Procedures
TRC	Truth and Reconciliation Commission
UKZN	University of KwaZulu-Natal
ULIMO	United Liberation Movement of Liberia for Democracy
ULIMO-J	United Liberation Movement of Liberia for Democracy-Johnson
ULIMO-K	United Liberation Movement of Liberia for Democracy-Krumah
UN	United Nations
UNDPKO	United Nations Department of Peacekeeping Operations
UNIAM	United Nations Interim Administration Mission
UNHCR	United Nations High Commissioner for Refugees
UNITA	National Union for the Total Independence of Angola
UNMIL	United Nations Mission in Liberia
UNOSOM	United Nations Operation in Somalia
UNSC	United Nations Security Council
USSR	Union of Soviet Socialist Republics
US	United States
ZDF	Zimbabwe Defence Forces

CHAPTER 1: INTRODUCTION AND CONCEPTUAL FRAMEWORK

1.1 Background to the Study

Despite an observable decrease in internal conflicts, the period after the Cold War has experienced an upsurge in internal conflicts, such as in Afghanistan, Kosovo, East Timor, Somalia, the Democratic Republic of Congo (DRC), and Liberia, among others. Aboagye (2007), Chuka (2009), and Mitchell (2015), among others, acknowledge that despite an observable decrease in inter-state wars after the Cold War era, there was an unprecedented increase in internal conflicts. Unlike in conflicts, which involve two or more states, Gilbert (2014: 40) elaborates that, “internal conflicts are usually localised and occur between a state government and some domestic resistance group(s).” This study used the definition by Allen (2014) that an intra-state or internal conflict is a conflict that occurs within a state involving a state actor and non-state actor(s) within its territory and is also referred to as a civil war. The terms internal conflict, intra-state conflict, or civil war were used interchangeably throughout the study.

Most violent internal conflicts, particularly in Africa, have often become intractable, protracted, and recurrent, claiming more lives, displacing many people, and spilling into neighbouring states (Prosviryakova, 2012; Gilbert, 2014; Lawson, 2022). Various human rights abuses and war crimes have been perpetuated on civilians, whilst the use of child soldiers has been common, for example, in Liberia and Sierra Leone. The state system's collapse has often resulted in the absence of protection for the civilian population, abuse of women and the girl child, starvation and diseases, among a myriad of security challenges that seriously affect non-combatants (Aboagye, 2007; Gilbert, 2014). Notably, internal conflicts occur within the civilian population that that needs protection and is prone to harm, hence the need for observance of ethics by the intervener. However, mostly due to the prevalence of state-centric interests, most military interventions turn to compromise on some essential ethics such as impartiality. In this study, the Economic Community Monitoring Group (ECOMOG) had to contend with such a scenario during its intervention in Liberia from 1990 to 1997.

In the aftermath of the Cold War, Africa, similar to Eastern Europe, experienced more intense civil wars and was costly for management by the United Nations (UN) alone. Notably, Africa has experienced an upsurge of intra-state conflicts against a notable decrease in great powers' interests in African security challenges, leading to a systematic trend towards regional conflict management by

sub-regional organisations (Khonje, 2000), encompassing military intervention in internal conflicts. Nowrojee buttresses Khonje's observation when he underscored that:

A quarter of African countries were affected by conflict in 2003 and with the major world powers not giving the UN, the capacity to respond effectively to African wars, military intervention in conflict-affected (African) countries sponsored by African continental or sub-regional institutions has increasingly becoming a reality" (Nowrojee, 2003: 2).

Needling (2002:2 in the same context posits that, "African sub-regional economic organisations have identified the need for maintaining peace and security within their respective communities as the only way to foster development." The need for peace and security maintenance has systematically resulted in regional and sub-regional conflict management trends, including military intervention, as authorized by the UN Charter (1945) Chapter V111 and Article 4 (h) and (g) of the Constitutive Act of the African Union (2000). These provisions make military intervention in intra-state conflict by sub-regional organisations both legal and ethical, ideally as moral responsibility, duty, or obligation. As such, Africa has experienced an observable increase in intra-state conflicts and military interventions by sub-regional organisations, including ECOWAS, the East African Community (EAC), and the Southern African Development Community (SADC).

Although the main moral reason for the military intervention in internal conflicts is the reduction of human suffering, most such interventions have exacerbated and prolonged the civil wars in question. Observably, most post-Cold War civil wars have become prolonged during or after third-party military intervention. Cases in point are the intra-state conflicts in Somalia, Liberia, the Eastern DRC, Libya, Iraq, Afghanistan, Yemen, and Syria, just to mention a few. Although inherent factors of civil wars, for example, their nature and dynamics, including their propensity to be protracted, intractable, and recurrent, the tendency of most intra-state conflicts becoming prolonged and intractable when a third-party intervenes militarily has been on the rise. Scholars and analysts such as Qi (2012) have underscored that prolonged intra-state conflicts likely arise against the backdrop of participant states' competing national interests, which influences unethical actions and behaviour that impact the dynamics of the conflict and outcome of the intervention. Similarly, Cunningham (2010:3) underlines that "when third parties intervene in a civil conflict not to end the conflict but to pursue an independent agenda, they make civil conflicts much longer and more difficult to resolve." The link between ethical flaws, particularly lack of impartiality during military intervention in internal conflict and prolonged and intractable intra-state conflict, therefore needs thorough analysis.

Interest-motivated military interventions in intra-state conflicts have often been associated with ethical flaws that contradict the ethics of military intervention highlighted by Krieg (2013) as impartiality, accountability, mutuality, cooperation, universality, sustainability, and consistency. The resultant competing national interests, rather than shared interests and threat perceptions, have often manifested into rivalry amongst participant states, which inevitably contributes to protracted and intractable conflicts (Cunningham, 2010; Chingono, 2017). The same also applies to participant states' economic profiteering from illicit extraction and the selling of the affected country's resources, such as diamonds and oil, among others.

Consequences of prolonged and intractable conflicts include high civilian deaths, a huge number of internally displaced persons (IDPs), refugee influx of and eruption of similar civil wars in neighbouring states. Safe havens for radical terrorist groups have also been associated with protracted and intractable conflicts. The protracted and intractable conflict in Somalia has been going on since 1991, with a brief military intervention by the United States (US) from December 1992 to March 1993, and later the UN through the United Nations Operation in Somalia (UNOSOM-11), which also abandoned the mission in March 1995 (Chingono, 2017). Currently, there is little hope for peace in Somalia, especially with the emergence of radical terrorist groups such as Islamic State in Iraq and Syria (ISIS), al-Shabaab, and others, who are also threatening sub-regional security. In the case of North Atlantic Treaty Organisation's (NATO) 2011 intervention in Libya, some elements of the slain former president Gaddafi's forces fled into Mali, where they engaged in terrorism (Million, 2023). Based on the given cases, among many others, most military interventions have prolonged internal conflicts and exacerbated sub-regional instability in Africa.

The harm that is associated with most military interventions in internal conflicts has led Hjorth (2015:1) to conclude that such interventions "cause more harm than good," and is corroborated by Mitchell (2015). The Somali and Libyan civil wars, like many others, in which third-party military intervention occurred, became protracted and unabated, causing numerous losses of lives and human suffering. Such outcomes authenticate assertions by Cunningham (2010) and Mitchell (2015), among others, that third-party military interventions normally prolong and make the conflict intractable. Outcomes of military interventions associated with harm in Mitchell's view evoke consideration for moral responsibility for individuals, peoples, groups, states, and organisations involved (Mitchell, 2015). Since consequences of prolonged military intervention evoke what Strawson (1974a) refers to as moral reactive attitudes (MRA) in the form of blame, acceptance of moral responsibility or accountability for harm by the involved third party would, according to Strawson (1974a), probably

curb further moral wrongs, improve standards, and facilitate redress. However, powerful states and organisations involved in military interventions have not taken moral responsibility for their contribution to harm, leading Risser (2010: 24) to assert that, “the most powerful organisations have been, for the most part, immune from moral responsibility and legal liability.” Failure to take moral responsibility for morally undesirable outcomes of military intervention, which is an ethical flaw in itself, causes persistent resentment among the affected population. Similarly, the inability to embrace ethics and take moral responsibility for undesirable outcomes by organisations and states engaged in military intervention worsens ethical standards during military intervention, leading to persistent moral wrongs that contribute to more harm than good.

1.2. Problem Statement and Research Gaps

Third parties’ inability to embrace the ethics of military intervention in internal conflicts, particularly impartiality, remains a major challenge that contributes to prolonged, intractable, and recurrent civil wars. Although the ECOWAS’ military intervention is credited for eventually restoring peace in Liberia, it is blamed for contributing to the prolongation and intractability of the civil war in that country, mainly due to its inability to uphold the ethic of impartiality. Lack of impartiality through alignment of ECOMOG participant states to various armed groups of their interests also affected the ethics of cooperation and mutuality, and created rivalry and division amongst the participants. The resultant friction between the ECOMOG, Anglophone, and Francophone participant states affected decision-making during the intervention, contributing to the longevity and intractability of the Liberian civil war. Similarly, the support rendered to various warring factions by ECOMOG participant states stimulated ethnic rivalry and turned Liberia into a fertile ground for armed group proliferation, which made the intervention prolonged and difficult to resolve (Hutchful, 2000; Adebajo, 2002; Olonisakin, 2003; Molnár, 2008; Obi, 2009; Chuka, 2009; Rizvanovic, 2013; Rodriguez, 2018). Likewise, profiteering through the exploitation of Liberian resources, such as diamonds and timber, undermined the claim to impartiality by ECOMOG, compromising its legitimacy as a peacekeeper among the warring factions. This made it difficult to resolve the conflict (Van Walraven, 1999).

Manifestations of the protracted and obstinate civil war in Liberia included about 200,000 deaths, approximately 1.5 million displacements, and the spread of the conflict into the sub-region. Based on such an outcome, I argued that the intervention caused more harm than good, hence liable to moral responsibility. Molnár (2008), Obi (2009), Chuka (2009), and Rodriguez (2018), among others, also ascribe moral responsibility to the ECOWAS for the prolongation of the Liberian civil war and

manifestations thereof. Although the ECOWAS remains blamed for contributing to the lengthening and intractability of the Liberian civil war and its manifestations, it has not taken moral responsibility for the resultant harm. The ECOWAS' failure to take moral responsibility validates assertions by Risser (2010: 24) that, "the most powerful organisations have been, for the most part, immune from moral responsibility and legal liability." Although writers such as Van Walraven (1999), Molnár (2008), Obi (2009) and Rodriguez (2018), among others, blame the ECOWAS for the prolonged and intractable civil war in Liberia mainly through lack of impartiality and profiteering through Liberian resources, they are not precise on how such ethical flaws aided to the prolongation and intractability of the Liberian civil war.

Similarly, although there are various sources on responsibility in Peace Support Operations (PSOs), no clarity on whether moral responsibility for harm should be ascribed to a collective, such as the ECOMOG, as collective moral responsibility or to individual participant states for their contribution to the prolongation of the conflict and related manifestations as shared responsibility. This thesis thus interrogated ethics and moral responsibility in the ECOWAS' military intervention in Liberia in the period 1990 to 1997 to address a gap in the literature and policy on how third-party ethical flaws contribute to protracted and intractable civil wars. The thesis also answered whether moral responsibility for harm should be ascribed to an organisation as collective moral responsibility or to individual participant states as shared responsibility.

1.3. Conceptualising Ethics, Morals and Morality

Since the study interrogated ethics and moral responsibility in the ECOWAS' intervention in Liberia between 1990 and 1997, it was necessary to place the terms ethics, morals, and morality into context. The Oxford Online English Dictionary simply defines ethics as a philosophical study of values relating to right or wrong conduct. The terms ethics, morals, and morality are normally used interchangeably and appear synonymous. Loggins (2023) explicates that most scholars and researchers do not distinguish between morals and ethics. Some even define ethics as a set of moral principles. Similarly, Grannan explains that the terms ethics and morality are utilised interchangeably, though some communities, such as academic, legal, or religious, often make a distinction. He further highlights that most philosophers who study ethics, referred to as ethicists, use the terms ethics and morality as synonymous. To Grannan, both morality and ethics loosely highlight the variance between 'good and bad' or 'right and wrong' (Grannan, 2023). However, according to Loggins (2023), the main difference between ethics and morals is that ethics refer to community values, while morals are more inclined towards individual or personal values. Furthermore, ethics are

more culturally based than morals. Another significant difference between morals and ethics is that whereas morals are relative to individuals, ethics are relative to different communities and cultures (Loggins, 2023). For example, military ethics are applicable to the military as a community, whereas medical ethics apply to the medical fraternity.

Velazquez (2005) provides a simple definition of ethics as “the discipline that examines one’s moral standards or the moral standards of a society. He further contextualises ethics as the study of moral standards, the process of examining the moral standards of a person or society to determine whether the standards in question are reasonable or unreasonable in order to apply them to concrete situations and issues. Moral standards deal with matters perceived to be of serious consequences, based on good reason and not on authority, overriding self-interests, anchored on important considerations, and whose transgression is associated with feelings of guilt and shame (Velazquez, 2005). By referring to moral standards of an individual or society, Velasquez conceptualises moral responsibility from both an individual and collective perspective. Moral standards, which emanate from family, societal or organisational norms, values, beliefs, principles, rules, customs, codes of conduct, among others, are applied to the judgement of what is morally good and bad, right or wrong to the individual, society, institution or organisation as applied ethics (Velazquez, 2005) (Velazquez, 2005).

Applied ethics, also referred to as practical ethics, is a branch of ethics that looks at real-world ethical problems in the hopes of resolving them using philosophical methods. Other branches of ethics are meta-ethics, which takes up non-moral questions on morality itself, and normative ethics, which determines the criteria for rightness and wrongness. Applied ethics encompasses bioethics, business, political, legal, military, and technological ethics. Any real-world problem in which ethical quandaries arise is an area of interest for the applied ethicist. Applied ethics attempts to provide answers on how people should act or behave in specific situations (Birt, 2024). In this study, applied ethics were used to determine the extent to which the ECOMOG embraced ethics in its military intervention in Liberia from 1990 to 1997. Ethical standards of behaviour in a particular situation are used in the judgement of an action, conduct, or behaviour of an individual or a group as right or wrong, good or bad, warranting praise and reward or blame and punishment in the realm of moral responsibility. This study used applied ethics to determine whether the ECOWAS embraced ethics in its decision to intervene militarily in Liberia and in the actual conduct of the intervention as well as in judging whether the ECOMOG was morally responsible for the longevity and intractability of the civil war in Liberia and the manifestations thereof.

In the African context, Gyekye (2011) describes African societies as organised and functioning human communities with unquestionably evolved ethical systems, comprising ethical values, principles, and rules meant to guide social and moral behaviour. He refers to the social character of African ethics and highlights its allied notions of the ethics of duty and of the common good rather than rights. The term ‘ethics’ is further contextualised technically to connote a philosophical study of morality, where morality is conceptualised as a set of social rules, principles, and norms that guide or are intended to guide the conduct of people in a society (Gyekye, 2011). Gyekye elaborates that;

The ethics of a society is embedded in the ideas and beliefs about what is right or wrong, what is a good or bad character...it is embedded, furthermore, in the forms or patterns of behaviour that are considered by the members of the society to bring about social harmony and cooperative living, justice and fairness (Gyekye, 2011: 7).

In Gyekye’s point of view, African ethics are within a society or community setting. Likewise, both Grannan (2023) and Loggins (2023) view morality as applying to individuals and as normative, while ethics denote values of ‘good and bad’ identified by a certain social or community setting, which differentiates ethics from morals and morality. Grounding on most ethicists’ views, morals refer to personal beliefs informed by society, culture, and individual experiences. Ethics are guidelines established by communities or particular groups prescribing acceptable and unacceptable actions, conduct, or behaviours. Morality applies as both a noun and an adjective. As an adjective, it designates right or wrong action, conduct, behaviour, or outcome, and as a noun, it is used in plural form to refer to a particular behaviour or conduct.

Nonetheless, this study did not use the term morality or morals as nouns. Instead, it utilised morally wrong, morally undesirable outcomes or moral good(s) as adjectives to describe right or wrong ethical conduct and positive or negative consequences of the ECOWAS’ military intervention in Liberia and manifestations thereof. Although the term ethics involves principles of right and wrong like morals, the former applies to a group or community setting, which sets the ethical guidelines that the group or community ought to follow, whilst the latter is more applicable to an individual setting. Though most contemporary ethicists use ethics and morality interchangeably, I used the term ethics to refer to right or wrong behaviour, conduct, act, or action when referring to the ECOWAS as a community and its individual participant states, and utilised morally wrong or morally right behaviour or conduct during the military intervention in Liberia.

1.4. Defining Military Intervention in Internal Conflicts

Several scholars, amongst them Rosenau, have concurred that the concept of military intervention lacks a precise definition since the context in which it takes place varies. Rosenau points to the unclear and contradictory formulations characterising the writings on military intervention, which make it synonymous with influence (Rosenau, 2011). Regan (2002) views external intervention as convention-breaking military, political, and economic activities in the internal affairs of another country targeted at that state's government structures (in support of the government or opposing armed groups), aimed at tilting the balance of power. Regan does not provide a moral reason for intervening, and it is biased towards regime change, hence inconsistent with ethics. Kabia (2009), on the other hand, saw it as an intervention, whether forcible or non-forcible, taken by states, groups of states, regional organisations, or the UN in adverse situations. This may be owing to repressive regimes or complex political emergencies, characterised by state collapse, law and order degeneration resulting in mass murder and anarchy. Kabia's definition captures the moral reason for military intervention, which makes it morally justified, hence ethical.

Military intervention, according to Mitchell (2015:6), is "the application of lethal force by one or a coalition of liberal states to a non-liberal state with or without the target state's consent, to prevent or stop moral wrongs from occurring on a mass scale." Contrary to the first definition, the definitions of military intervention in an intra-state conflict provided by Kabia and Mitchell identify the moral justification for intervening, which is essential from an ethical perspective. However, I do not agree with Mitchell's conviction that military interventions are conducted by liberal states in non-liberal countries. The ECOWAS member states may not be referred to as liberal, but they intervened in Sierra Leone and Liberia, among other conflict-affected countries in West Africa.

Similarly, SADC states have also mediated or intervened militarily in Lesotho, DRC, and Mozambique, while Saudi Arabia intervened militarily in Yemen, yet the states involved are not liberal. This study used a definition constructed from those provided by Kabia and Mitchell that military intervention in internal conflicts is the use or threat of lethal force by states under a global, regional, or sub-regional organisation to prevent or stop massive human suffering, with or without parties to the conflict's consent. The main reason behind intervening militarily is 'to prevent massive human suffering,' which gives the definition a moral bearing that fits into the realm of ethics. The other reason for intervening militarily is to force opposing parties to negotiations.

Although intervention and mediation are both forms of intervention and involve a party, the 2 two concepts differ in terms of approach and purpose. The UN defines mediation as a flexible process where a neutral ‘third party’, the mediator, assists parties in conflict to negotiate an amicable settlement without imposing a solution. The mediator facilitates dialogue, allowing parties to reach a self-tailored, mutually acceptable agreement, controlling the process and the outcome. Mediation serves as a tool for conflict prevention, management, and resolution, using a third party to find an amicable peaceful solution (unrcca.unmissions.org 26 Aug 2025). According to Fritz (2014a), mediation refers to one or more individuals facilitating a negotiation among disputants to help them try to resolve their disputes. Mediation can be undertaken to prevent escalation of the conflict and to bring a final solution to end the conflict. Mediation may be undertaken after a military intervention has created a conducive condition for negotiations. Military intervention is ideally meant to create favourable conditions for negotiations by parties involved in the conflict under a neutral third-party mediator. Military intervention is undertaken by a third-party with or without the consent of all parties to the conflict, whereas mediation requires the consent of all parties to the conflict. Military intervention is ideally undertaken as a last resort in the resolution of the conflict. The ECOWAS only resorted to military intervention in Liberia after the failure of several mediation efforts. The last stage of mediation, which involves negotiations by parties involved in the conflict under a neutral mediator, may be undertaken after a successful military intervention.

1.5. An Overview of ECOWAS Military Intervention in Liberia (1990- 1997)

On 24 December 1989, Charles Taylor’s National Patriotic Front of Liberia (NPFL) crossed into Liberia from Côte d’Ivoire to overthrow President Samuel Doe. The NPFL rapidly advanced to Monrovia, the capital, killing and displacing many civilians while both foreigners and locals were trapped in the fighting (Ero, 1995). The decision to intervene militarily by ECOWAS was primarily justified on humanitarian concerns as the scale of bloodshed, wanton destruction, starvation, and rape was so high that it would have been immoral not to intervene (Chuka, 2009). Justifying the need for collective action, Babangida, the then military ruler of Nigeria, lamented that “Should countries in the sub-region stand by and watch the whole of Liberia turn into a mass graveyard?” The statement by Babangida can be interpreted to be calling for the ECOWAS’ collective response to the crisis in Liberia.

The first step taken by ECOWAS was to intervene and establish a Standing Mediation Committee (SMC) to resolve the conflict diplomatically. However, that failed as fighting intensified. The SMC established the ECOWAS Military Observer Group (ECOMOG) on 7 August 1990 and intervened militarily on 24 August 1990 (Tuck, 2000; Olonisakin, 2003). Although the ECOMOG is credited for eventually bringing normalcy to Liberia, albeit after seven years, the process leading to peace was marred with unethical conduct, mainly aligning and supporting opposing functions and participation in illegal exploitation of Liberian resources such as diamonds and timber, among others. (Ero, 1995; Obi, 2009). The alignment of ECOMOG participant states to various armed groups of their interests

contradicted impartiality as one of the essential ethics of military intervention in internal conflict, espoused by Krieg (2013). Lack of impartiality created rivalry and divisions among participant states that greatly affected the mandate of the ECOMOG (Konadu, 2009). It also contradicted the ethic of cooperation, underscored by Krieg (2013) as one of the ethics of military intervention in intra-state conflict. The occasion of lack of cooperation and the friction between mainly the ECOMOG Anglophone and Francophone participant states, as elaborated by Ero (1995), affected decision-making during the intervention, which, among other factors, contributed to the longevity and intractability of the civil war in Liberia.

The support rendered by the ECOMOG participants' states to various warring factions stimulates ethnic rivalries (Hutchful, 2000), which made the intervention prolonged (Obi, 2009; Chuka, 2009; Rizvanovic, 2013). The stagnation caused by the ECOMOG's lack of impartiality turned Liberia into a fertile ground for armed group proliferation (Amnesty International, 1995; Ero, 1995; Conciliation Resources, 1996; Brown, 2000). Due to the ECOMOG, particularly Nigeria's anti-Taylor approach, the NPFL was reported to have refused to disarm as was required by the 1991 Yamoussoukro Agreement, accusing the intervention force of supporting ULIMO (Ero, 1995). In the foregoing, Rodriguez (2018:27) postulated that, "the most significant consequence of the participation of ECOMOG in the civil wars in Liberia has been the prolongation and spreading of the war." Similarly, Molnár (2008:60) refers to various contentious issues surrounding the ECOWAS' military intervention, among them, the "prolongation of the war itself." Chuka (2009) and Obi (2009) hold the same view.

The assertion that the ECOWAS' intervention in Liberia prolonged the conflict conforms to an observation made by Cunningham (2010:3) that "when third parties intervene in a civil conflict not to end the conflict but to pursue an independent agenda, they make civil conflicts much longer and more difficult to resolve." Cunningham brings out a salient point that the prolongation of the conflict occurs due to the pursuit of an independent agenda, rather than ending the armed conflict. The independent agenda referred to by Cunningham and corroborated by a number of scholars largely emanates from the pursuit of interests by participant states. As underlined by Chikanga (2019), most ECOMOG participant states were motivated by national interests, contrasting altruistic moral responsibility to participate in the intervention.

1.6. Moral Responsibility

The ability to act for the benefit of others was termed moral responsibility. It also applies to accountability for harm resulting from morally wrong actions, and it comprises three tenets, namely, an agent, the action, and the outcome (Rudolph 2007). Martha Klein posits that “moral responsibility is broken down into two components, namely; having a moral obligation to act and the fulfilment of the criteria for deserving blame or praise (punishment or reward) for a morally significant act or omission” (Klein,2005:3). In addition to accountability for consequences of morally wrong actions, moral responsibility according to Klein’s definition also covers acts of omission or failing to act. In conditions of blame for an outcome, moral responsibility is attributed to an individual person, group, state, or organisation (referred to as an agent), for failing to act, leading to morally undesirable outcomes. Klein (2005) and Eshleman (2009) describe moral responsibility as the moral status of deserving praise, blame, reward, or punishment for an act or omission according to one's moral obligation. Accordingly, to hold an agent morally responsible is to blame or praise their actions that led to an undesirable or desirable outcome.

In the given context, the main purpose of moral responsibility is to regulate the behaviour or conduct of an agent. Strawson (1974a:1) underlines that “moral responsibility regulates actions and behaviour of moral agents such as individuals, states, organisations and communities in socially desirable ways in various situations.” Furthermore, Strawson (1974a: 2) elaborates that, “the concept of moral responsibility and the practices of moral condemnation and punishment are more or less elaborate ways or practices of regulating behaviour in socially desirable ways.” Moral responsibility regulates the actions and behaviour of both individual and collective moral agents in many situations. For example, Max Weber enlightens that “the ethic of responsibility enhances political actors to take responsibility for the outcome of their actions and behaviour” (Engle 2017:1). When political actors are aware of the outcome of their actions, they may be careful in their decisions and actions for fear of being held responsible, which qualifies moral responsibility as a regulatory function.

In this study, political actors sanction participation of states in military intervention; hence, they ought to be guided by ethics in their decisions, purposes, and means of intervening militarily to avoid being held morally responsible for harm emanating from such interventions. Cognisance of being held morally responsible, participant states in military intervention may also adhere to the ethics of military intervention to avoid accountability for bad outcomes. However, owing to state-centric interests’ prevalence, adherence to ethics that restrict certain morally wrong actions during military intervention is problematic. Nevertheless, the study underscored the objective of moral responsibility

as to regulate the conduct of military intervention by curbing unethical actions that have a bearing on the dynamics of the conflicts and outcome of the interventions.

Praise or blame are attributes of moral responsibility that are dependent on the outcome of an action, in this thesis, military intervention in Liberia by the ECOWAS. Based on the first component of moral responsibility, the ECOWAS had a moral obligation or duty to intervene in the Liberian civil war, mainly based on the 1981 Protocol on Mutual Assistance on Defence (PMAD). It also had moral responsibility to intervene to curb a humanitarian crisis, prevent spill-over effects of the conflict, and assist a member state as a moral duty or obligation (Sesay, 1995; Adisa, 1999). The military intervention by the ECOWAS was ideally conducted in the context of moral responsibility. Nevertheless, based on Klein's second component of moral responsibility, which is "the fulfilment of the criteria for deserving blame or praise for a morally significant act or omission" (Klein, 2005:3), the ECOWAS is blamed for the prolonged civil war in Liberia and its manifestations. The protracted civil war resulted in about 200,000 deaths, about 700,000 refugees, and 1.8 million IDPs, and it spread into the sub-region (Howe, 1996; Molnár, 2008; Obi, 2009; Gilbert, 2014). Although the military intervention eventually contributed to peace in Liberia, albeit after about eight years, Chuka (2009) and Rodriguez (2018), among others, argue that the ECOMOG prolonged the conflict and made it intractable. By blaming the ECOMOG for prolonging the civil war in Liberia, it is being ascribed moral responsibility for the undesirable outcome of the intervention. This research mainly sought to validate the ECOWAS' moral responsibility for the prolongation of the Liberian civil war and its manifestations.

1.7. Theoretical Framework

The theoretical framework for this study comprised three theories, namely, Collective Moral Responsibility as the main theory, whereas the Just War Theory (JWT) provided the basis for determining the extent to which the ECOWAS embraced ethics in the intervention and whether it was morally responsible for the prolonged civil war in Liberia and the resultant effects. Aquinas' Theory of Double-Effect was used to counter blame on the ECOMOG for the prolongation of the conflict and the manifestations thereof.

1.7.1. Preview of Collective Moral Responsibility

The obligation of an entity such as a group, an organisation, a corporation, or a nation-state for praise or blame resulting from its actions is the definition of Collective moral responsibility. It denotes accountability for morally wrong outcomes for group actions, which involve blame on the moral

agent (as a group) and may require acceptance of moral responsibility that includes compensation. Risser (1998) defines the aspect as arrangements appropriate for addressing extensive harm and wrongdoing associated with the actions of groups. Risser's definition relates to Klein's second component of moral responsibility as the fulfillment of the criteria for deserving blame (punishment) for a morally significant act or omission. A collective action is the result of a group acting jointly, though not necessarily the result of the group's intentions and emanates from the beliefs, desires, or wants of the collective itself, despite the occurrence of such beliefs and desires (Corlett 2000). Shared responsibility, on the other hand, examines individual group members' responsibility for their contribution to harm. Collective moral responsibility relates to a single, unified moral agent while shared responsibility is associated with individual moral agents who contribute to harm as members of a group either directly through their own actions or indirectly through their membership in the group (Isaac 2010).

There has been debate on collective moral responsibility between individualists and collectivists. Individualists view it as a reductive theory while collectivists conceptualise collective moral responsibility holistically (Isaac 2010). Lewis (1948) and Watkins (1957), argue that actions are associated exclusively with individuals. Groups do not possess minds of their own and cannot make choices or hold beliefs in the sense required to formulate intentions. Individualists' view against ascribing collective moral responsibility to a group is based on the assumption that such an entity has no full-blown mind to make reasoned decisions, hence cannot be held responsible for any outcome (Risser, 2006).

Contrary, to individualists' view, several collectivist scholars and philosophers who including Held (2002), Risser (2006), Rudolph (2007), among others, argue that states, corporations, institutions, organisations and other groups of people can be ascribed collective moral responsibility for their actions as moral agents since they have structures for decision-making. Basing on the contradiction surrounding collective moral responsibility grounded on individualists versus collectivists, its ascription to collectives such as organisations involved in military intervention like the ECOWAS is contested. This thesis elaborated in Chapter 3 how moral responsibility arises in non-human agents such as the ECOWAS as a collective.

1.7.2. An Overview of the Just War Theory

The moral justification for the intervention by ECOWAS in Liberia and the extent to which the ECOMOG embraced ethics in its military intervention were determined through the Just War Theory

(JWT). According to Coady (2002), Prosviryakova (2012), and Hoag (2015), among others, the moral criteria for resorting to and waging war outlined in the JWT also apply to military intervention, which likewise uses lethal force. As such, in this thesis, the criteria for deciding to resort to military intervention were grounded on the JWT's first principle, *jus ad bellum*, translated as the right to war. The criteria used are: include but just cause, right intention, last resort, reasonable prospects for success, proportional means, and right authority (Coady, 2002). Based on the six criteria, the ECOWAS had a just cause, right intention and intervened as a last resort after failed peaceful solutions. The ECOWAS was also the right authority to intervene under the Regional Arrangements based on Chapter VI of the UN Charter.

Furthermore, acute human suffering in Liberia by 1990 necessitated the military intervention as a just cause. However, the ECOMOG had challenges on reasonable prospects for success as demonstrated by the eight-year long military intervention. In order to determine the extent to which the ECOMOG upheld ethics during the military intervention in Liberia, ethics of war founded on moral standards provided in the second principle of the JWT, *jus in bello* (justice in the conduct of war) were used. These are military necessity, distinction and proportionality. In addition to the JWT, ethics of military intervention underscored by Krieg (2013) as; impartiality, mutuality, sustainability, complementarity, reflexivity, consistence, accountability and universality were also used to determine whether the ECOMOG embraced ethics in its military intervention in Liberia from 1990 to 1997.

1.7.3. Preview of Aquina's Theory of Double-Effect

Aquinas' double-effect theory recognises that "any act may have two consequences; one that is intended and the other that is not" (Bellamy, 2004: 228), was used to contrast collective moral responsibility as blame on the ECOWAS for prolonging the civil war in Liberia. The use of Aquinas' theory of double-effect was based on that it is more applicable to military intervention in internal conflicts, which like war, use lethal force and akin to unintended harm alongside some intended moral goods. Furthermore, Aquinas' articulates that "the good achieved must outweigh the possible negative consequences" (Bellamy, 2004: 228), It was therefore argued that an undesirable outcome of about 200 000 deaths, among other manifestations of the prolonged and intractable conflict was not acceptable even using the double-effect theory. The thesis hence argued that the ECOWAS was morally responsible for contributing to the protracted civil war in Liberia and its consequences.

1.8. Key Research Question

The research was underpinned by the question of whether there was any link between ethical flaws and the dynamics of civil war and the outcome of the ECOWAS' military intervention in Liberia in the period 1990 -1997.

1.9. Research Sub-Questions

The study sought to answer the following sub-questions:

- Which ethical problems affect sub-regional military interventions in internal conflicts?
- To what extent did the ECOWAS embrace collective moral responsibility and ethics in its military intervention in the Liberian conflict from 1990 to 1997?
- Was ECOWAS morally responsible for the dynamics of the civil war in Liberia and the outcome of the intervention from 1990 to 1997?
- How best can sub-regional organisations embrace collective moral responsibility and ethics for military intervention in internal conflicts?

1.10. Objectives

- ❖ To identify ethical challenges that affect sub-regional military interventions in internal conflicts.
- ❖ To assess the degree to which the ECOWAS embraced the collective moral responsibility and ethics in its intervention in the Liberian conflict from 1990 to 1997.
- ❖ To examine whether the ECOWAS was morally responsible for the dynamics of the Liberian civil war and the outcome of the intervention from 1990 to 1997.
- ❖ To identify how best sub-regional organisations can embrace collective moral responsibility and ethics for military intervention in internal conflicts.

1.11. Significance of the Study

Although some studies on ethics and moral responsibility in military intervention in intra-state conflicts have been conducted, they have not established the contribution of third-parties' ethical flaws on the prolongation and intractability of civil wars in question. Similarly, the few scholarly works on military intervention in internal conflicts and existing policies on accountability for morally wrong outcomes of such interventions are not precise on the credit of moral responsibility. The study therefore provided essential contributions to literature, sub-regional organisations' policy makers, the academia, the University of KwaZulu-Natal (UKZN), the Zimbabwe National Defence University (ZNDU), the Kofi Annan and SADC Regional Peacekeeping Training centres and the UN

Department of Peacekeeping Operations (UNDPKO) on the contribution of third-parties' ethical flaws to the prolongation and intractability of internal conflicts. The study also provided a workable framework for the ascription of moral responsibility for harm emanating from morally undesirable outcomes of military intervention in internal conflicts of member states that may help to regulate the behaviour and conduct of participant states and individual soldiers involved. The recommendations also contributed to improvement in the upholding of ethics in sub-regional military intervention in internal conflicts despite the prevalence of state-centric interests.

1.12. Assumptions of the Study

The research was conducted under the assumption that when third parties intervene militarily in intra-state conflicts for motives devoid of moral reasons, though morally justified, they often make the conflict protracted and intractable (Cunningham, 2010), leading to more harm than good. Hjorth (2015) and Mitchell (2015), among others, argue that military interventions in other countries cause more harm than good. When a military intervention causes more harm than good, it contradicts the moral reasoning for intervening, which may be to restore peace and security or normalcy, amongst other reasons.

1.13. Research Methodology

The thesis adopted a qualitative, desk-search, case study-research design to collect, analyse, and interpret data on the interrogation of ethics and moral responsibility in the ECOWAS' military intervention in Liberia. Merriam (2002b:8) defines a case study as "an intensive description and analysis of a phenomenon or social unit such as an individual, group, institution, or community," which enhances the interrogation of ethics and moral responsibility in ECOWAS' military intervention in Liberia from 1990 to 1997. A qualitative research approach, which Creswell (2007:32) elucidates "enhances the exploration and understanding of the meaning individuals or groups ascribe to a social problem," was used to analyse, interpret data, as well as to relate it to the interrogation of ethics and moral responsibility in the ECOWAS' intervention in Liberia. As a low-cost method, it offered the advantage of using existing resources to evaluate documents and produce knowledge on the subject under study (Bowen, 2009). Selection of relevant documents for analysis was done from an array of documents using Bowen's Sampling of Documents and Analysis technique, where various documents were selected and analysed according to the key question and set objectives (Bowen, 2009). Purposive sampling, which focuses on particular characteristics of a population of interest to the research, was used to select secondary sources such as books,

periodicals, journals, newspapers, magazines, dissertations, theses, papers, e-books and e-journals to address the research questions.

As part of secondary sources of data, the research relied on previous studies on military interventions and the role of interests against ethics in such interventions as empirical data. Relevant theses, dissertations, and papers on the subject under review were analysed and interpreted. Secondary data was also collected from various institutions of higher learning and training, such as the University of KwaZulu-Natal, the Zimbabwe National Defence University, the Zimbabwe Staff College, and the Regional Peacekeeping Training Centre (RPTC), among others. Primary data from ECOWAS publications, protocols, and reports were also used to get first-hand information on the military intervention in Liberia from 1990 to 1997.

Content analysis, which, according to Neuendorf (2002: 10), is “a systematic analysis of data that affords data interpretation, objectivity, inter-subjectivity, explicability, reliability, generalisability and hypothesis testing,” was utilised to analyse collected data on the subject under study. The technique involved identifying and quantifying particular words, phrases, and concepts in the text and organising them into data sets in accordance with the research questions. Although the technique enhanced the identification of meaningful and relevant passages in the text, it involved voluminous irrelevant data. The research relied on research questions to ensure that only relevant data was analysed. The study also used thematic analysis to identify, organise, describe, analyse, and interpret patterns of themes in the study.

1.14. Thesis Outline

The study was made up of seven chapters with Chapter 1 providing the background to the research, the statement of the problem, literature review, theoretical framework, research objectives and questions, motivation for the study, study assumptions, and research methodology. Chapter 2 analysed the moral responsibility concept and the theory of collective moral responsibility as the main underpinnings of the study. Chapter 3 analysed the application of ethics in military intervention in internal conflicts. It traced ethics in the history of military intervention in intra-state conflicts, analysed approaches to ethics applicable to military intervention, explored ethics in the military, identified main ethical challenges that affect African sub-regional military interventions in internal conflicts, and analysed moral goods as well as bad outcomes of military interventions. Chapter 4 went on to examine moral justification for the ECOWAS’ military intervention in Liberia period 1990-1997 to determine whether the intervention was morally justified. It highlighted the underlying and immediate causes of the civil war in Liberia and its effects, which justified the ECOWAS’

military intervention.

Chapter 5 examined ethical flaws in ECOMOG's intervention in Liberia in the period 1990-1997. It acknowledged the positive contribution of the ECOWAS military intervention to peace and security in Liberia as a moral good in the context of deontological and communitarian ethics. The Chapter further examined ethical flaws in the execution of the intervention by the ECOMOG, which was the ECOWAS' intervention force. This helped to determine the extent to which the ECOWAS embraced ethics in its decision to intervene militarily and during the conduct of the intervention. It also provided answers on the nexus between ethical flaws in the ECOWAS' military intervention in Liberia and the protracted and intractable civil war.

Chapter 6 proceeded to analyse moral responsibility for the outcome of the ECOWAS' military intervention in Liberia from 1990 to 1997. It sought to validate whether ECOWAS was morally responsible for the dynamics of the Liberian civil war and the outcome of the military intervention. The chapter analysed how the ECOWAS fared morally in the military intervention; how moral responsibility arises for a non-human agent as the ECOWAS or a state; and how the ECOWAS can be held responsible for the protracted civil war and its manifestations. Chapter 6 corroborated findings on the link between the ECOWAS' ethical shortcomings during the military intervention in Liberia with the dynamics of the civil war and the prolonged and intractable intra-state conflict.

Chapter 7 covered study findings, conclusions, and recommendations. It established that the ECOWAS' intervention in Liberia was morally justified and that it embraced ethics in its decision to intervene militarily in Liberia to a large extent. It, however, found out that the ECOWAS had some ethical challenges in the conduct of the intervention, such as a lack of impartiality and illegal exploitation of Liberian resources like diamonds and timber, among others. Chapter 7 also found out that the ECOMOG contributed to the prolongation and intractability of the civil war in Liberia, hence it was morally responsible for the dynamics of the Liberian civil war and the outcome of the intervention. Chapter 7 further made policy and academic recommendations on the ascription of moral responsibility for harm emanating from military intervention in civil wars. It also suggested how sub-regional organisations can uphold ethics in military interventions in internal conflicts and proffered further areas for study.

CHAPTER 2: COLLECTIVE MORAL RESPONSIBILITY

2.1. Introduction

Chapter 1 provided the introduction and scope of the study. This chapter analysed the theory of collective moral responsibility as the main theory underpinning the study. The chapter dwelt on how moral responsibility arises in a non-human agent, such as the ECOWAS, by analysing the debate surrounding the application of moral responsibility to a collective or group setting. By addressing the application of moral responsibility to a collective, the study addressed the question on whether the ECOWAS was morally responsible for the dynamics of the Liberian civil war and the outcome of the intervention. Although moral responsibility also applies to duty or obligation, this chapter concentrated on the responsibility of accountability for morally undesirable consequences of the course of duty, such as military intervention. To give grounding for the analysis of collective moral responsibility, the chapter discussed the concept of moral responsibility first. Having conceptualised moral responsibility, the chapter proceeded to analyse collective moral responsibility with emphasis on morally undesirable outcomes of military intervention. Existing scholarly discourses on collective moral responsibility were reviewed extensively, and the use of relevant examples was made.

Various divergent philosophical views and schools of thought, such as compatibilism, which holds that freewill and determinism both apply in the ascription of moral responsibility, and in compatibilism, which argues for freewill only, were explored to demonstrate the controversy surrounding the attribution of moral responsibility in the form of blame for harm emanating from a particular action. Different philosophical views on collective moral responsibility between methodological individualists who argue that only human individuals can be held morally responsible and not groups, and methodological holists who maintain that a group or collective has moral duty or obligation and can be held morally responsible for its actions or behaviour and the resultant consequences. In order to put collective moral responsibility into perspective, the chapter analysed the ethic of moral responsibility, ascription of moral responsibility, and the essence of moral responsibility. Chapter 2 further highlighted philosophical views on moral responsibility; collective moral responsibility and the controversy surrounding collective moral responsibility, particularly its application to a group or collective setting such as participant states in military intervention in internal conflicts under a global, regional, or sub-regional organisation.

2.2. The Ethical Principle of Moral Responsibility

Moral responsibility is an ethical principle, which, besides implying duty or responsibility, is about being liable for one's actions or behaviour and the outcome thereof. It also entails being responsible for failing to act, known as an act of omission, and the consequences of that inaction. Moral responsibility involves a person or group that decides and acts, known as a moral agent, the action or inaction, and the outcome of the action or inaction in question. Since moral responsibility is a domain of ethics, it is essential to put it into context. Although different societies have had various ethical standards, the first known study of ethics is associated with Greek philosophy. When the study of ethics emerged in Greek philosophy through Socrates, the problems of the origin of responsibility for action and the application of responsibility to particular circumstances existed (Hsieh, 1995). Philosophers such as Socrates, Aristotle, Plato, and Meno are among the first known Greek ethicists and philosophers who tried to conceptualise the concept of moral responsibility. According to Hsieh (1995), Socrates focused on how virtue is attained and explained why no individual knowingly or willingly desires evil, while Meno argued that "some men desire evil and others good" and those who desire evil either "suppose evil to be good" (O'Keefe, 2021). The two philosophers' deliberations are based on the free will and determinism debate that has continued into the contemporary era.

The divergent views between Socrates and Meno are that the former argued against freedom and knowledge of the consequences of an action as orchestrated by freewill, and is inclined towards determinism, where actions are determined by external factors, which the agent has no control over, and acts unknowingly. On the contrary, Meno supports the notion of knowledge and freedom of action, which is typical of the notion of freewill. Meno raised an important argument that some individuals desire evil knowing that it brings harm, while others believe that evil will bring them advantage. This view, which is inclined towards freewill, is relevant to this thesis as it will be argued that states under sub-regional organisations take part in military interventions mainly for their self-interests rather than for altruistic moral reasoning and deliberately engage in unethical acts. The resultant ethical problems, such as a lack of impartiality and the looting of the host country's resources, among others, were argued to contribute to undesirable outcomes such as the prolongation of the conflict. This argument was discussed against Socrates' and Plato's conviction that nobody desires what is evil (Hsieh, 1995), which seemingly contradicts knowledge and freedom in the choice of an action and its outcome.

Plato's works on ethics address moral responsibility by focusing on the link between knowledge, desire, and right action. He queries whether agents who desire evil do so knowingly or due to

ignorance or error. Plato argued that, "no one willingly goes to meet evil or what he thinks to be evil...when faced with the choice of two evils, no one will choose the greater when he might choose the less" (Hsieh, 1995). Although Plato makes a distinction between choosing objective evil and choosing evil that appears good, his discussion does not provide a formal argument as to why an individual cannot knowingly desire evil and act accordingly (O'Keefe, 2021). The divergent views held by the analysed Greek philosophers relate to the philosophical arguments for and against the applicability of free will and determinism to moral responsibility, which contemporary philosophers are still entangled in.

Although Aristotle's conception of ethics borrows a lot from Plato, he is probably the earliest known proponent of moral responsibility who articulated conditions under which it is appropriate to hold a moral agent blameworthy or praiseworthy for an action or trait. Aristotle analysed moral responsibility through his theory of knowledge and the conceptual distinctions between voluntary, choice, deliberation, and wish. He argued that an agent is an apt candidate for praise or blame if and only if the action and/or disposition are voluntary. To Aristotle, a voluntary action or trait has two distinctive features, namely, it must have a control condition, which implies that the action or trait must have its origin in the agent, and it must be up to the agent whether to perform that action or possess the trait, and that the action cannot be compelled externally. Aristotle also suggests that the agent must be aware of what it is doing or bringing about. This refers to awareness of the action in question and its consequences. Aristotle further asserted that to qualify for ascription of moral responsibility, a moral agent must possess the capacity for decision-making, which to him is a particular kind of desire resulting from deliberations expressing the agent's conception of what is good (Hsieh, 1995; Warne, 2006; Campos, 2013). Aristotle's view on moral responsibility is linked to knowledge of an action and its outcome. It also relates to freedom to decide and act, implying that the agent does not act ignorantly, nor is it compelled to act against its will, all of which are tenets of free will.

Aristotle's conception of moral responsibility with regard to freedom, causation, and knowledge conforms to Plato's approach to the concept. Both Plato's and Aristotle's understanding of moral responsibility revolves around freedom and knowledge in taking the proper course of action. Aristotle's inclusion of cause and choice in voluntary actions and those performed due to ignorance, against those done knowingly, affords him room to address moral responsibility than Plato. His clear distinction between efficient and final causes allows him to analyse the intentions of the moral agent and the outcome of its actions. The analysis of the link between means and ends is also enhanced by

Aristotle's conception of an incidental cause, which relates to situations where the efficient cause of an action produces unexpected or unintended results. Aristotle's three causes: efficient, final, and incidental cause provide the metaphysical foundation of his distinction between the voluntary and the involuntary action, which accommodates freewill and determinism in the ascription of moral responsibility as held by compatibilists (Meyer, 2006; Warne, 2006; O'Keefe, 2021).

The analysis of moral responsibility by Aristotle clearly distinguishes voluntary from involuntary actions. To him, a voluntary action involves the agent originating the action without any external force, and it is self-caused. His view on choice, deliberation, and voluntary action is akin to knowledge and free will in an action. Aristotle also distinguished between acting due to ignorance and acting in ignorance, stating that the former is accidental, while the latter is deliberate. He was convinced that acting due to ignorance is involuntary and the ignorance relates to a particular situation, while acting in ignorance is voluntary, as the individual deliberately puts himself or herself in a state of ignorance, like drunkenness. Aristotle was convinced that when an action is performed due to ignorance, although the agent does cause the primary action, external circumstances yield an end other than the one expected or desired, hence the action is considered involuntary (Hsieh, 1995; Meyer, 2006; Campos, 2013). The mention of involuntary actions or those performed in ignorance contradicts the notion of free will, knowledge of the action and its consequences, as held by Meno and Plato, among other philosophers. The conceptual distinctions that Aristotle made allowed him to explicitly elucidate how moral responsibility arises and the conditions under which the agent is responsible for their actions.

An important attribute of moral responsibility raised by Valasquez it ought to override self-interests, which is a challenge in military intervention in internal conflicts. Valasquez's view is contrasted by a number of realists, among them Bellamy (2014), Mitchell (2015), Boke (2016), Chingono (2017), and Chikanga (2018), who argue that self-interests are the main motivating factor behind states' participation in military intervention rather than altruism. When military intervention is not informed by altruism but self-interest, as in the majority of cases, according to realism, it does not fit in the realm of moral responsibility as duty or responsibility in the context of ethics. Moral responsibility as duty or responsibility can be identified in the then President of South Africa, Nelson Mandela's remarks, "There can be no greater gift than that of giving one's time and energy to help others without expecting anything in return" (Mandela 2012:146). Mandela's ethical point of view is inclined towards moral responsibility in the form of duty or obligation, which ought to be altruistic.

Mandela's view was further analysed in Chapter 3, where the ethics of military intervention in internal conflicts were examined against national interests.

Another example that portrays moral responsibility as both duty or obligation and the fulfilment of the criteria for deserving praise and reward (Klein, 2005) involves Sergeant Mary Ehiarinmwian of the US Army, who, whilst driving to Schofield Barracks, a car in front of her rolled several times before resting upside down. The smoke-filled car was about to burst into flames when Ehiarinmwian pulled the driver to safety, whilst emergency responders arrived and attended to the driver. Commenting on the incident, Ehiarinmwian said, "It's just human nature to help other people" (Hanlon, 2020:3). What Ehiarinmwian is alluding to is that helping other people is a duty or obligation for every citizen, which signifies moral responsibility to help others. The outcome of Ehiarinmwian's action was saving the driver's life, who could have suffocated or been burnt to death.

Based on the second component of moral responsibility as highlighted by Klein (2003), the outcome of Ehiarinmwian's action deserved praise and reward. Sergeant Major Grinston praised Ehiarinmwian by pointing out that "This is exactly the type of leader the Army builds, someone that is decisive and quick to take the appropriate action" (Hanlon, 2020:3) Ehiarinmwian was named 'the Soldier of the Year', which is a reward for a morally significant act with a good outcome. The example portrays moral responsibility as duty or obligation to act and the accomplishment of the criteria for deserving praise and reward for a morally significant act.

Fundamentally, according to ethicists, moral responsibility assumes that people ought to take certain actions presumably by choice, which determines the action taken and for which the individual agent is responsible. Philosophers refer to people or organisations with moral responsibility for an action as moral agents. Moral agents have the ability to reflect on a situation, form intentions, and carry out the action. After performing the action, the agent is morally responsible for its action or behaviour and the outcome. According to Robb (2020), to be morally responsible is to be the proper object of the 'reactive attitudes,' such as respect, praise, forgiveness, blame, indignation, and the like. Adkins (1960:2) also adds that "to be morally responsible for an action is to be worthy of a particular kind of reaction in the form of praise, blame, or something akin to these reactions for having performed the particular action." Both Robb and Adkins' understanding of being morally responsible is based on Strawson's theory of Moral Reactive Attitudes (MRAs). Robb (2020) amplifies the ethics of responsibility through an essential perspective of a response or reaction to a particular action by a moral agent. The MRAs, according to Strawson (1974a), can be in the form of resentment, gratitude,

forgiveness, anger, or the sort of love that two adults can sometimes be said to feel reciprocally for each other.

Ascription of moral responsibility to the moral agent as praise or blame depends on the outcome. Talbert (2019) enlightens that blame is a response that may follow a judgment that a person is morally responsible for behaviour that is wrong or bad, and praise is a response that may trail a judgment that a person is morally responsible for behaviour that is right or good. Moral responsibility also entails being responsible for failing to act, known in ethics as an act of omission, and the outcome thereof. Feinberg (1968) adds that moral responsibility also includes acts of omission or failure to act as a cause. In the case of Ehiarinmwian if she had stood by taking photos of the trapped driver and failed to assist, she would have been morally responsible for the death of the driver through an act of omission. Similarly, from an ethical perspective, if the ECOWAS had not intervened in the Liberian civil war, it would have been morally responsible for the destruction of Liberia through an act of omission.

As mentioned earlier, moral responsibility involves making judgments about whether an agent (an individual or group) is morally responsible for its action, behaviour, or attitude and the consequences thereof. To hold an agent morally responsible is to respond to that agent in accordance with the judgment that it is morally responsible. These responses often constitute instances of moral praise or moral blame, although according to McKenna (2012), there may be reason to allow for morally responsible behaviour that is neither praiseworthy nor blameworthy. Circumstances where there is neither praise nor blame are rare in human nature. In real-life circumstances, it is either one is right or wrong. In the foregoing, to hold an agent morally responsible is to blame or praise that agent for its action or inaction and the resultant effect.

In the case of blame, the attitude of most moral agents being ascribed moral responsibility in the form of blame for harm resulting from their actions has been to deny responsibility and liability. This is more pronounced with states and organisations involved in military intervention who normally adopt a ‘fire and forget attitude and are not prepared to take responsibility for any harm associated with their injurious actions. This conforms to assertions by Risser (2010: 24) that “The most powerful organisations have been, for the most part, immune from moral responsibility and legal liability.” The case of a South Korean court that ordered Japan to compensate thousands of Korean women who were used as sex slaves by Japanese forces during World War 2 (aljazeera.com. 8 January 2021, at 1930 hours) is typical of how moral responsibility for harm has not been addressed by moral agents. Korean women, particularly those affected, have had resentment over such abuse. The Japanese

abused Korean women, knowing that they were inflicting harm on those women and that this would have a long-term, traumatic, and psychological effect on the affected. The acceptance of moral responsibility by Japan in the form of apology and compensation would probably redress the resentment, but Japan seems not prepared to accept the scripted moral responsibility emanating from its troops' immoral actions against Korean women in the Second World War.

2.3. Ascription of Moral Responsibility

Valasquez provides conditions under which a person may be ascribed moral responsibility. The conditions apply in circumstances under which a “person knowingly and freely performed or brought about and which it was morally wrong for that person to perform or bring about; or the person knowingly and freely failed to perform or prevent and which it was morally wrong for that person to fail to perform or prevent” (Valasquez, 2005: 46). Although Valasquez refers to a person, the same applies to a group such as an organisation as an agent. Rudolph provides conditions for ascribing moral responsibility to a moral agent when he posits that “an action must violate a moral norm to make an agent morally responsible for harm and must exceed a moral norm to make an agent morally responsible for good” (Rudolph 2007:13). Basing on Rudolph's conditions for ascribing moral responsibility to an agent, the ECOMOG qualifies for both moral responsibility as blame for contributing to the prolongation and intractability of the civil war in Liberia through its ethical flaws and for eventually restoring peace and security in Liberia as a moral good.

Rudolph further identifies four criteria for holding an agent morally responsible, each of which should be satisfied to a greater or lesser degree. First, the agent's action must relevantly cause the outcome in question. Secondly, the agent must have some awareness of the moral consequences of the action in question. Thirdly, the agent must have intended the action on at least one true description of the event; and lastly, the agent must have acted voluntarily (Rudolph 2007:13). Other authorities such as Feinberg (1968), Held (1970), French (1979) and May (1992), also acknowledge these criteria, which can be summarised as causality, awareness, intention and volition. The conditions provided by the various scholars and philosophers above are more inclined towards the notion of freewill and not determinism. Grounding on the given conditions, as examined in subsequent chapters, the ECOMOG ethical flaws, among other factors, contributed to the prolonged and intractable civil war in Liberia (Molnár, 2008; Obi, 2009; Rodriguez, 2018). It acted freely and voluntarily without any coercion, which conforms to freewill, hence liable to ascription of moral responsibility for the resultant harm.

As mentioned earlier, deliberately failing to act, referred to as an act of omission, attracts moral responsibility in the form of blame. Velasquez provides conditions under which an agent may be held morally responsible for harm through an act of omission. He states that; “One can be held morally responsible for failing to act or failing to prevent an injury if one’s omission is free and knowledgeable, and if one could and should have acted, or could and should have prevented the injury” (Velasquez, 2005: 46). Velasquez gives an example of some manufactures of asbestos who were judged responsible for lung diseases suffered by some of their workers. The judgment was based on the finding that the manufacturers had a special duty to warn their workers of the known dangers of the working environment, but knowingly failed to do so, well aware of the consequences of exposing the workers to asbestos radiation. Velasquez further explains that the lung diseases among some of the workers were a foreseen injury, which could have been prevented if the management had acted according to their duty (Velasquez, 2005). In this instance, the companies were morally responsible in the form of blame through an act of omission since they knew the dangers associated with handling asbestos but deliberately chose not to warn the workers or provide sufficient protective clothing. This scenario provides clear circumstances on the applicability of moral responsibility as blame through an act of omission. If the ECOWAS had not intervened in Liberia, it would have been morally responsible for a huge loss of lives in that country, among other outcomes.

The only circumstances where an agent can be exempted from blame, whether on an action, its outcome or omission according to Aristotle are ignorance and inability. Aristotle argues that agents are not always morally responsible for their injurious acts in the existence of ignorance and inability (Ostwald, 1962). A person may inflict an injury on an innocent human being, unknowingly, what he or she is doing, unintentionally, or by accident. Under the given circumstances, an agent cannot be held morally responsible for harm. In this regard, despite the wrong action and its outcome, the person is exempted from moral responsibility by virtue of his or her ignorance. The conditions for ascribing moral responsibility acknowledged by Feinberg (1968), Held (1970), French (1979), May (1992), Velasquez (2005), and Rudolph (2007), among others, conform to those espoused by Aristotle for the same purpose. However, some of the conditions, such as having intended the action, acting voluntarily, and being aware of the consequences of the action in question, may not apply to a collective involved in military intervention, but to individual participant states, which, because of inherent interests, engage in unethical acts such as a lack of impartiality knowingly and freely.

In 2011, the UNSC authorised the North Atlantic Treaty Organisation (NATO) to intervene militarily in Libya under Resolution 1973 on the pretext of ‘the responsibility to protect’ (R to P), but NATO went on to effect regime change in that country and left it in a worse situation. In this case, the United Nations Security Council (UNSC) cannot be morally responsible for the bad outcome of the intervention that it authorised. Some participants used the intervention to eliminate Gaddafi, a long-time enemy of the West, hence influencing the outcome of the intervention in their favour, which the UNSC had no control over. The same may be argued for the second Iraq military intervention in 2003, which violently removed Saddam Hussein and left that country in turmoil. From these examples, organisations may not have full knowledge and control of their actions as well as the consequences of their actions, as suggested by Rudolph and other scholars. This observation is important in answering whether the ECOWAS was morally responsible for the dynamics of the civil war in Liberia and the outcome of the intervention. This study adopted the conditions under which an agent is morally responsible outlined by Velasquez (2005), as (1) when the agent knowingly and freely performs an action or brings about harm of which it was morally wrong for it to perform or bring about, or (2) the agent knowingly and freely fails to perform or prevent.

2.4. Essence of Moral Responsibility

Attribution and acceptance of moral responsibility for some injurious act serve to regulate behaviour in socially desirable ways, prevent recurrence of similar acts, soothe resentment, and enhance amends and reconciliation, among other purposes. Strawson (2008) provides the purpose of moral responsibility as necessary for regulating behaviour in socially desirable ways. When a moral agent accepts moral responsibility for a morally wrong action that may have caused harm, the affected individual or society may be consoled, whilst at the same time the morally wrong actions or conduct may be avoided in the future. However, it has been difficult for most moral agents, particularly states and organisations, to accept moral responsibility associated with harm, which justifies assertions by Risser (2010: 24) that “the most powerful organisations have been, for the most part, immune from moral responsibility and legal liability.” In addition to resentment on the affected people, failure to accept moral responsibility, which is an ethical flaw, causes persistent unethical acts and does not improve ethical standards.

The application of moral responsibility is either merit-based or consequentialist in approach. Andrew Eshleman observes that the practice of reflection on moral responsibility has been either merit-based or consequentialist in approach. In the merit-based approach, praise or blame is an appropriate reaction to a moral agent if they deserve such a reaction. In the consequentialist

approach, praise or blame is appropriate if and only if such a reaction would likely lead to a desired change in the agent's behaviour (Eshleman 2014:9-10). In addition, in the context of consequentialism, Watson (1987:258) points out that, "it is based on a judgment that the agent exercises some form of control which can be influenced through outward expressions of praise and blame in order to curb or promote certain behaviours." The change in behaviour emanating from praise or blame would be necessary, particularly to enhance ethical conduct and behaviour in military interventions by organisations and states involved.

Similarly, from a consequentialist view, as highlighted in Chapter 1, Max Weber refers to 'the ethic of responsibility', which enhances "political actors to take responsibility for the outcome of their actions and behaviour" (Engle 2017:1). What Weber refers to is an essential role of moral responsibility. When political actors make decisions and act on behalf of the state in various situations, they need to be cognisant that they will be held responsible for the outcomes of their actions and behaviours. Moral responsibility, therefore, restrains political actors from taking undesirable and harmful actions as they are aware that they will be held accountable. By being aware of the outcome of their actions and that they will be held accountable, political actors may avoid or minimise certain decisions or actions that are tantamount to causing harm. Charles Taylor, the former leader of Liberia, was held responsible for aiding and abetting war crimes during the civil war in neighbouring Sierra Leone and was charged and sentenced to 50 years in prison by the International Criminal Court (BBC, 26 September 2013).

Philosophical approaches to collective moral responsibility fall into two main categories, namely, individualist and collectivist. Individualists perceive collective moral responsibility as a reductive concept while collectivists view it more holistically (Rudolph 2007). Collective moral responsibility raises disagreement between individualists who maintain that only individual human agents can be held morally responsible, and collectivists who argue that groups such as corporations can be held morally responsible, independently of their members (Rudolph 2007). The divergent views on collective moral responsibility rest on a deeper conflict between methodological individualists and methodological holists. As highlighted by Risser (1998), according to methodological individualists, all social phenomena, such as group activities, can (at least in principle) be explained by reference to individual humans. Methodological holists, on the other hand, defend the ontological position that there are social groups capable of actions that cannot be reduced to the actions and interests of their individual members. Isaac (2010) asserts that moral responsibility is not a function of the moral responsibility of individuals; instead, it is a function of the agency of collectives or groups. The

disagreements on the application of collective moral responsibility to a group setting renders apportionment of blame to a collective for morally undesirable outcomes of its actions contentious which encourages different philosophical views for and against moral responsibility.

2.5. Philosophical Views on Moral Responsibility

There are various philosophical views for and against moral responsibility. The first view involves the seemingly equal weight between praiseworthy and blameworthy, yet in practice, more emphasis is on blame. Wolf (1990) and Nelkin (2011) question the assumption that praiseworthiness and blameworthiness are symmetrical in terms of apportionment. It would appear that, naturally, human society is more inclined towards blame than praise. The association of blame with punishment, restitution, redress, compensation, reparation, and amends, among others, gives blameworthiness more emphasis than praise. No agent can easily accept blame for its action, knowing that it is associated with some restitution, which makes ascription of moral responsibility difficult. Given the outcomes of most military interventions that are not in accordance with the moral reasoning provided, most organisations and states have not taken responsibility for the consequences of their interventions. In the majority of cases, organisations or states involved in actions such as military intervention have adopted a ‘fire and forget attitude.’

The querying of the relevance of moral responsibility by philosophers such as Daniel Dennett and Bruce Waller demonstrates further philosophical views on the concept. Dennett (2011) has wondered why anyone should care about whether someone has moral responsibility, and that the idea may be ‘a purely metaphysical hankering.’ Waller has propounded that moral responsibility belongs to the ghosts and gods; hence, it cannot survive in a naturalistic environment devoid of miracles. Waller disagrees with the idea of causal factors that determinism propagates as necessary in bringing about an action. He argues for luck, which to him entails factors over which the agent has no control, hence may not be blamed since these are heavily influenced by evolutionary, environmental, and genetic factors, among others (Waller, 2011). Although Waller’s views are closer to those of Dennett, he recognises the influence of determinism in the attribution of moral responsibility when he refers to evolutionary, environmental, and genetic factors, which the agent has no control over. Contrary to Dennett’s view on the relevance of moral responsibility, the study argued that it is still relevant in regulating societies in morally desirable ways.

The contribution of free will and determinism in the attribution of moral responsibility has attracted much debate since Greek philosophers of ethics, such as Plato and Aristotle, among others. Divergent

views on free will and determinism have continued amongst contemporary philosophers. Acknowledging the contrasting views surrounding moral responsibility, Hsieh (1995) posits that the philosophical divergences concerning the circumstances under which moral responsibility is attributable to an agent result from the particular accounts of what is directly under volitional control in the acquisition of knowledge of good and evil and of the connection between knowledge and action. Two main views that are central to the debate on moral responsibility are whether moral agents act freely and knowingly with control over their actions or their actions are a result of external influences such as past events, experience, and the environment, among other external factors, which render the agents no control over their actions. These two divergent views have a bearing on one's understanding of moral responsibility and affect the attribution of moral responsibility in military intervention, like any other action based on free will and determinism.

According to Maya Eddon and Peter Singer, free will is the power or capacity to choose among alternatives or to act in certain situations independent of natural, social, or divine restraints (Eddon and Singer, 2020). Proponents of free will argue that moral agents act freely from within, have self-control over their actions, and have awareness of the consequences of those actions. They also argue against external influence and hold that the actions are self-caused to warrant the attribution of moral responsibility to the agent. The assumption is that since human actions are self-caused, rather than being a product of instinct or influenced by external forces, moral agents can be held morally responsible for their self-caused actions and their outcomes. In this context, Cave (2002) contends that the essence of responsibility is found in the meaning of being a human agent and having free will. He articulates that there is disagreement amongst philosophers about what freedom entails and whether human beings are free in the relevant sense, and about the relevance of freedom to responsibility. Such views have manifested into a choice between two far-fetched alternatives: either (1) agents have freewill, in which case their actions are not determined by their circumstances, past experiences, psychological and personality traits, or (2) they do not have freewill, in which case no one is ever morally responsible for what they do.

Supporters of determinism, a philosophical theory that holds that all events, including moral choices, are completely determined by previous and existing causes, contest the notion of free will. Determinism argues that the actions of moral agents are not self-caused, nor are they self-controlled, but are from without and are influenced by factors such as past events, experience, the environment, and other external factors. Determinism is not the thesis that every event has a cause, since causes do not always necessitate their effects. It is, rather, the proposition that every event is causally

inevitable. If an event occurs, then it is impossible that it could not have occurred, given the previous state of the universe and the laws of nature. An alternative to determinism is indeterminism, which is the view that at least some events have no deterministic cause but occur randomly by chance or luck.

Proponents of determinism, such as Widerker (1995), Ginet (1996), Fischer & Ravizza (1998), and Clarke (2003), among others, are convinced that the truth of determinism entails that an agent's actions are not up to him or her since they are manifestations of unavoidable consequences over which the agent lacks control. Some moral philosophers have maintained that both freewill and determinism apply to moral responsibility, while others have argued against that view and maintain that only freewill is necessary to ascribe moral responsibility, particularly in the form of blame, to both individual and collective agents. This adds to the controversy surrounding collective moral responsibility, particularly in military interventions.

2.6. Collective Moral Responsibility

The concept of moral responsibility, as discussed above, has often been applied to individuals rather than to a group or collective. As such, ascription of moral responsibility, especially as blame, has been understood in the realm of individual persons rather than collective moral agents (Giesler and Veresiu, 2014). However, the argument for assigning moral responsibility to a collective, which Risser (2006:17) defines as “a group of individuals with something in common,” has continued to gain prominence. This argument is in the context of a collective action, which originates from a collective agent. A collective action or behaviour entails an action or behaviour that is the result of a group acting jointly, though not really the result of the collective's intentions. The action is informed by the beliefs, desires, or wants of the collective itself, whether or not such beliefs and desires can be accounted for or explained in individualistic terms (Corlett 2000). Collective moral responsibility refers to the responsibility of a collective entity as an agent, such as an organisation, corporation, a nation-state, business entity, or a club, for praise or blame emanating from its actions.

The theory of collective moral responsibility refers to the ascription of moral responsibility to a group for an action or inaction and the resultant harm, which is tantamount to blame requiring some form of restitution. Risser (2006:1) defines collective moral responsibility as “arrangements appropriate for addressing widespread harm and wrongdoing associated with the actions of groups.” Collective moral responsibility is associated with outcomes of actions by agents, though it may also imply a collective action as a moral good. Shared responsibility refers to the responsibility of individual group members for harm in cases where they acted together to bring about the injury. Whereas collective responsibility involves a single and unified moral agent, shared responsibility is associated

with individual moral agents who contribute to harm as members of a group either directly through their own actions or indirectly through their membership in the group, and they share responsibility as individuals (Verwoerd, 2001; Velasquez, 2005; Risser, 2006). The study adopted Risser's definition of a collective and collective moral responsibility for moral wrongs.

The attribution of collective moral responsibility for moral wrongs has existed in religious and cultural practices. For example, God says in Deuteronomy 5 verse 9, "I punish children for their parents' sins to the third and fourth generations. I lay the sins of the parents upon their children...on the entire family..." Similarly, from a cultural perspective, in most parts of Africa, it has been held that if someone commits murder, the avenging spirit of the victim, known as 'ngozi' among the Shona people of Zimbabwe, would torment the whole family, including members of the extended family. The harm would be addressed collectively through compensation by the entire family despite the fact that only one member of the family committed the act of murder (Chivasa 2019). Similarly, Nhlapo (2017) elaborates that in most traditional African societies, compensation for murder involved handing over a kinsman of the murderer to the victim's family for servitude. It also involved payment through some cattle as *lobola* to enhance the deceased's brother or other relative to take a bride, or through the provision of a young girl as a procreator. In traditional practices by some ethnic groups, such as the Shona in Zimbabwe, compensation has involved handing over a young girl to the affected family as a wife if the murdered person was male, or compensating by handing over beasts as restitution to the affected family. (Chivasa 2019; Gudhlanga and Museruka, 2024). The given scenarios demonstrate that collective moral responsibility for harm has existed in any society and has facilitated making amends.

Furthermore, collective moral responsibility is demonstrated by questions raised by the Truth and Reconciliation Commission (TRC) on moral responsibility for apartheid South Africa's gross human rights violations against the black population, mainly perpetrated by Colonel Eugene de Kock and his notorious Vlakplaas police hit squad (Verwoerd, 2001). The question raised by the TRC was about making a judgment on which group was to blame for the apartheid South Africa's human rights violations and who should make amends for the given acts and the resultant injury that caused resentment, particularly amongst the black population. The harm, which was emotionally, psychologically, physically, socially, and economically, was perpetuated by a number of groups, among which are members of the National Party (NP) and its followers, and the majority of the white community and their children (Verwoerd, 2001). Moral responsibility for blame could have been

attributed to Eugene de Kock and his hit squad, though he was probably acting on orders from the then apartheid government and its policy-makers (Verwoerd, 2001).

However, the fact that de Kock was acting on instructions suggests that he had no control over his actions, which conforms to determinism; hence, he and his hit squad may not be morally responsible for the resultant harm. Furthermore, de Kock and his notorious hit squad did not act alone. There were other groups involved, such as the National Party (NP) and its followers, and the majority of the white community and their children (Verwoerd, 2001). Some black South Africans who collaborated with the apartheid regime and even states that continued to support apartheid South Africa covertly after the UN sanctions, may be argued to have contributed to the said harm and hence are morally responsible. Since there was more than one group involved in the perpetuation of injurious, inhumane acts of violence against, mainly the majority black people during apartheid South Africa, shared responsibility for the contribution of each group to the mentioned harm would be more appropriate. Verwoerd (2001) also refers to shared responsibility for the contributions of different groups to the harm on blacks. Responsibility in this case is not on an individual or single group, but on groups for their contribution to the said harm. Shared responsibility seems to be a more applicable moral responsibility for harm in sub-regional military intervention since each participating states are held responsible according to its contribution to the harm in question.

Shared responsibility, though biased towards an act of omission, is also portrayed in Margaret Ssebunya and Beatrice Okyere-Manu's article on environmental degradation in the mineral-rich area of Karamoja in Uganda caused by the mining for minerals in that area (Ssebunya and Okyere-Manu, 2017). Although the mining activities in Karamoja have benefited the region, such as boosting the economy, creating employment for locals, and the general improvement of their wellbeing, the effects of deforestation, erosion of loose top soil, landslides, open pits, pollution, and siltation of water bodies have negatively impacted the physical and natural environment (Ssebunya et al, 2017). The need to take reasonable measures to prevent any form of environmental degradation in order to secure ecologically sustainable developments is the responsibility of everyone in the community. Ssebunya and Okyere-Manu are convinced that the two religious groups comprising the traditional Karamoja and Christianity could play a role in shaping the views of their followers on environmental management. Ssebunya and Okyere-Manu recognise that both religious groups have the power to influence positive environmental change (Ssebunya and Okyere-Manu, 2017). The influential groups in the area have a moral responsibility, a duty, or an obligation to reclaim the damaged environment and protect it from further degradation. Failure by the two groups to influence their followers to

reclaim and manage the environment makes them morally responsible through an act of omission, which also attracts moral responsibility as blame.

The second example on moral responsibility fits into the first component of moral responsibility as duty or obligation (Klein, 2005). It is also in the realm of deontological ethics of duty of obligation, where everyone ought to convince that they ought to act to prevent further environmental degradation, reclaim the damaged areas, and enforce or practice environmentally friendly methods of mining. The two examples above have a bearing on determining whether the ECOWAS deserved ascription of collective moral responsibility as a collective entity or shared responsibility for each participant state's contribution to harm during military intervention in Liberia from 1990 to 1997.

2.7. The Controversy Surrounding Collective Moral Responsibility

Just like the contested views on moral responsibility, which have manifested into two opposing schools of thought, namely, compatibilism and incompatibilism, philosophical approaches to collective moral responsibility have also fallen into two main categories, namely, methodological individualists and methodological holists. Rudolph (2007) illuminates that collective moral responsibility has raised disagreement between conceptions of methodological individualists who maintain that only individual human agents can be held morally responsible and methodological holists who hold the view that groups such as corporations can be held morally responsible as entities or collective agents independent of their members. Similarly, Valasquez (2005) categorises approaches to the theory of collective moral responsibility as comprising two groups of philosophers, in which the first category holds the view that organisations act as individuals and have intended objectives for what they do. This group includes, among others, Risser (2006), Rudolph (2007), Isaacs (2011), and Zahle (2023). As underscored by Zahle (2023), the position held by methodological holists combines factors internal to the agent that it has control over and those external to the agent imposed by past events, experiences, and the environment, among others, which the agent has no control over. Zahle's view combines both notions of free will and determinism. According to this view, organisations can be held morally responsible for their actions in exactly the same way that human beings are judged.

The other group of philosophers, among them Appiah (1987), May (1992), and Darby & Branscombe (2014), argue that organisations cannot be held morally responsible because they have no reasoning and decision-making abilities to decide and act. This group of philosophers argues that organisations are like machines whose members must blindly and unerringly conform to formal rules that have

nothing to do with morality. In this context, Lewis (1948), Jaspers (1961), and Arendt (1987) query whether the German people can be held collectively responsible for the Nazi crimes of World War II Nazi crimes. Similarly, Levinson (1974), Wasserstrom (1971), and others have also produced their own arguments about collective moral responsibility in light of the Nuremberg trials. This category of philosophers is convinced that to hold organisations morally responsible for failing to follow moral standards is like criticising a machine for failing to act morally (Valasquez (2005)). These divergent views on collective moral responsibility make it difficult to apportion blame to a collective for a morally undesirable action and its outcome. The divergent philosophical views between methodological individualists and methodological holists determine one's conceptualisation of collective moral responsibility, particularly in the form of blame for harm resulting from an agent's action or behaviour. These opposing views demonstrate the constraint in the attribution of moral responsibility to a collective such as the ECOWAS. In the ascription of collective moral responsibility to a group such as the ECOWAS, I support the methodological holists' viewpoint, especially that which combines free will and determinism as underscored by Zahle.

A number of events have influenced some philosophers and researchers to reconsider the applicability of moral responsibility to a group. The My Lai killings during the Vietnam War, along with the Kitty Genovese murder, racism during apartheid South Africa, the 1994 genocide in Rwanda, and several corporate scandals, have informed much of the philosophical work on collective moral responsibility. However, it has only been recently that group-based oppression, such as racism and sexism, has become of interest to collective moral responsibility, thereby increasing the writings on the theory. Methodological holists such as Feinburg (1970), Held (2002), Valasquez (2005), Risser (2006), Rudolph (2007), Isaacs (2011), and Zahle (2023), among many others, have advanced the argument that states, corporates, institutions, organisations and other groups of people can have collective moral responsibility as moral agents. Rudolph (2007:19) postulates that, "By defining an institution as a group of people characterised by an organisational structure and an internal decision-making process, an ability to accommodate varying membership... and institutional goals, histories, and basic principles, it both can and should be considered a moral agent." Rudolph provides the criterion for qualifying a collective with moral responsibility that is based on organisational structure, an internal decision-making process, an ability to accommodate varying membership, institutional goals, histories, and basic principles, among others.

Proponents of collective moral responsibility, such as Peter French and Virginia Held, also view the existence of a decision-making procedure as essential for distinguishing types of groups (French

1984; Held 1970). Held is convinced that “a group with a decision method is an organised group or a collective contrary to a random collection of individuals” (Held 1970), while French identifies internal decision-making structures as distinguishing corporations from other groups or collectives by using an internal decision-making structure with a flowchart and rules. The flowchart refers to the corporation’s organisation and delineates levels of power and responsibility. French further explains that the rules are steps that a corporation must take before making a binding decision for the corporation and its members. He further asserts that “When the structure is fully operational and properly activated, it accomplishes a subordination and synthesis of the intentions and acts of various biological persons into a corporate decision” (French, 1984:41). Rudolph and many other methodological holists hold the same view. In the foregoing, the argument for organisational collective moral responsibility can be sustained based on a structure and decision-making ability. The ECOWAS has a structure and decision-making capability, hence it qualifies for ascription of moral responsibility as a collective.

Although the criteria for ascription of collective moral responsibility based on decision-making and structure have been applied since Aristotle’s era, there has been a gap in how a group can bear moral responsibility. Manuel Valasquez argues that since corporate acts originate from the choices and actions of human individuals, the individuals must be the primary bearers of moral responsibility. Valasquez further argues that human individuals are responsible for what the corporation does because its actions flow wholly out of the individuals’ choices and behaviours. He recognises that a corporation has a moral duty to do something only if some of its members have a moral duty to make sure it is done. Therefore, a group is morally responsible for an act only if some of its members are morally responsible for what happened; that is, they acted with full knowledge and freedom” (Valasquez, 2005). Individuals who decide and act on behalf of organisations are guided by organisational policies, codes of conduct, practices, norms, culture, values, and principles in their decisions, choices, and actions or behaviour. In the same manner, a collective bears moral responsibility through individuals who are charged with making decisions and acting as guided by existing organisational standards upon which moral values are based. In this regard, it can be argued that the ECOMOG bore collective moral responsibility for the outcome of the intervention in Liberia through its individual participant states’ actions.

The taxonomy of collective responsibility provided by Joel Feinberg further elucidates the criteria for ascription of collective moral responsibility to groups such as organisations. The rationally distinct responsibility arrangements for groups are as follows:

Whole group can be held liable even though not all of their members are at fault... A group can be held collectively responsible through the fault, contributory or non-contributory of each member. Group bears liability through the contributory faults of every member. Through the collective but no distributive fault of the group itself, it bears liability independent of its members (Feinburg, 1970: 233).

The criteria for ascribing collective moral responsibility to a group such as an organisation, provided by both Valasquez and Feinburg, make such entities morally responsible as collectives. In this regard, the ECOMOG may be held responsible for any moral wrongs during its intervention in Liberia, including the prolonged conflict. This study was also guided by the criteria for ascribing collective moral responsibility to a group suggested by Feinburg (1970), Valasquez (2005), and Rudolph (2007), among others. These criteria for crediting moral responsibility to collectives facilitated the exploration of the extent to which the ECOWAS embraced collective moral responsibility and ethics in its military intervention in Liberia from 1990 to 1997, and determining whether the ECOMOG was morally responsible for the dynamics of the Liberian civil war and the outcome of the intervention. The research argued that the ECOWAS, by virtue of its organisational structure, decision-making process, norms, values, and standards, qualified into the realm of a moral agent with moral responsibility as a collective, hence could be ascribed collective moral responsibility.

The judgement of moral responsibility on a collective hinge on what Strawson (1974a) refers to as moral reactive attitudes (MRAs). The MRAs are based on set standards upon which any deviation would attract some reactive attitudes in the form of blame. Similarly, Hjorth (2015:9) observes that “the application of moral reactive attitude on a society requires that there is a moral community involved or at the least a set of wider moral norms around which expectations converge and from which moral reactions may follow.” The moral community in this sense conforms to what Stephen Krasner refers to as “an international regime consisting of sets of implicit and explicit principles, norms, rules and decision-making procedures around which actors’ expectations converge in a given area of international relations” (Krasner 1983:2). When multinational organisations engage in military interventions, set Rules of Engagements (ROEs), Standard Operating Procedures (SOPs) and Status of Forces Agreement (SOFA) guide them. These set standards, principles, norms, and rules, in addition to the Law of Armed Conflict (LOAC), help regulate the conduct of the intervention and facilitate moral values and acceptable behaviour of participant states. Nevertheless, since states are mainly motivated by their interests to partake in a military intervention rather than moral values, they normally deliberately deviate from upholding some ethical values or standards, leading to undesirable outcomes such as prolonged conflicts.

2.8. Chapter Summary

Moral responsibility is part of ethics, which implies moral duty or obligation, and it also entails being liable for one's actions or behaviour and the resultant effect. Moral responsibility also applies to failing to act, which is referred to as an act of omission and the consequences thereof. It applies in two contexts, which are having a moral obligation to act and the accomplishment of the criteria for deserving praise or condemnation for a morally significant act or omission (Klein 2005). Moral responsibility involves a person or group, known as a moral agent, who decides and acts, the action or inaction, and is responsible for the outcome of the action or inaction. Moral standards, values, norms, and principles are applied to a particular situation in the judgement of what is morally good and bad to the individual, society, institution, or organisation as applied ethics. The standards, values, norms, and principles against which moral reactive attitudes are based are used in the judgment of an action, conduct, or behaviour of an individual or a group as right or wrong, good or bad, warranting praise and reward or blame and punishment. The concept of moral responsibility has often been applied to individual persons rather than groups or collectives; hence, ascription of moral responsibility has been understood in the context of individual rather than collective moral agents.

The controversies surrounding both the concept of moral responsibility and the theory of collective moral responsibility have some influence in determining whether the ECOWAS was morally responsible for the dynamics of the Liberian civil war and the outcome of the military intervention from 1990 to 1997, particularly the prolonged and intractable civil war. In this context, Chapter 2 highlighted how moral responsibility arises to a non-human agent such as the ECOWAS as an organisation. Collective moral responsibility, which is the responsibility of a group, has therefore had divergent views amongst philosophers. Since organisations, states, business institutions, and other collectives' acts originate from the choices and actions of human individuals who comprise those collectives, the individuals involved are the primary bearers of moral duty and moral responsibility and are responsible for what the collective does because its actions flow solely out of their choices and behaviours. An individual or individuals act on behalf of an organisation based on organisational policies, codes of conduct, practices, norms, culture, values, and principles, among others. A group, therefore, bears moral responsibility as a collective through individuals who are charged with making decisions and acting accordingly as guided by the given set standards, norms, ethical values, codes of conduct, and principles. Chapter 3 went on to analyse the relationship between military intervention in internal conflicts and ethics.

CHAPTER 3: MILITARY INTERVENTION IN INTERNAL CONFLICTS AND ETHICS

3.1. Introduction

Chapter 2 analysed the concept of moral responsibility and the theory of collective moral responsibility in the context of applied ethics in military interventions of internal conflicts. This chapter went on to analyse the application of ethics in military intervention in intra-state conflicts. Military intervention in internal conflicts was analysed in the context of the ethic of altruism as moral duty, obligation, or responsibility against state-centric interests. The analysis was mainly based on moral principles for resorting to war and the morally acceptable conduct of war pronounced in the Just War Theory (JWT), which a number of scholars, among them Coady (2002), Prosviryakova (2012), and Hoag (2015), have asserted equally apply to military intervention. The exploration of applied ethics in military intervention in internal conflicts was further conducted through the ethics of military intervention in internal conflicts espoused by Krieg (2013) as impartiality, mutuality, sustainability, complementarity, reflexivity, consistence, accountability, and universality. The applicability of ethics in military intervention was also grounded on the Afro-communitarian principle of *Ubuntu* and the Law of Armed Conflict (LOAC).

In order to trace the applicability of ethics in military intervention in internal conflicts, the chapter traced moral reasons for intervening militarily in intra-state conflicts from a historical perspective to current trends. It then proceeded to analyse military ethics in general and approaches to ethics with a view to suit each approach to military intervention in internal conflicts. Chapter 3 further explored ethical challenges that affect sub-regional military interventions in internal conflicts, examined ethics in military intervention, and finally explored moral good and bad outcomes of military interventions to demonstrate the essence or non-essence of ethics in military intervention in intra-state conflicts.

3.2. Moral Reasons in the History of Military Intervention in Internal Conflicts

Military intervention in internal conflicts has a long history. As underlined by Hoffmann (1996), the problem of (military) intervention is as old as International Relations (IR). Similarly, Martin Schmiedl and Jan Prouza acknowledge that military intervention is a longstanding and broadly used concept. They highlight that external military interventions have naturally become an important part of intra-state conflicts, having a substantial influence on the longevity and outcome of the conflict, particularly when there is a promising opportunity to increase the third party's power in the region or to secure numerous assets through the intervention (Schmiedl and Prouza, 2021). The main motive for intervening militarily is to increase the third party's power in the region or to secure numerous

assets through the intervention, yet the intervention is morally justified. According to recorded events, in Southern Africa, the Portuguese intervened militarily to assist Mavhura, a rival claimant to the Mutapa kingship in 1629. The intervention tied the Mutapa state to the Portuguese crown (Zim.Gov. June 2021). Portugal's military intervention demonstrated its colonial interests in the territory of what is now mainly Zimbabwe; hence, the military intervention cannot be viewed in terms of altruistic moral responsibility or obligation to assist.

Likewise, as Bass explicates, in Europe, some European powers' military intervention in Greece in the 1820s ultimately led to Greek independence (Mellon, 2009, and Hughes, 2015). European powers also intervened in Syria and Lebanon in the 1860s and were involved in several interventions in the Ottoman Empire to protect Christians from massacre or oppression in the nineteenth century (Bass, 2008). From 1854 to 1856, Great Britain, France, and Italy intervened in the Crimean War to aid the Ottoman Empire against Russia (Aydin, 2012). Furthermore, Britain intervened in the Russian Civil War from April to October 1919 to assist the counter-revolutionary White Russian forces fighting against the Bolsheviks in northern Russia (Hughes, 2015). The motive behind the British intervention may have been to prevent the establishment of a Communist regime in Russia. In all given cases, military intervention was largely motivated by interests rather than moral reasons.

Similarly, military intervention in domestic disputes was prevalent during the Cold War when the Union of the Soviet Socialist Republics (USSR) and the United States of America (USA), both superpowers, took advantage of the uprising against colonialism and the escalating tide of self-determination to export their ideologies to other countries (Hoffmann, 1996). As underlined by Jackson (2002), military interventions were a central instrument of foreign policy towards Africa both for colonial powers and for the two superpowers of the Cold War (USSR and USA). In Angola, as indicated by Guimarães (1998), the US-backed apartheid South Africa intervened in support of the National Union for the Total Independence of Angola (UNITA) against the ruling Popular Movement for the Liberation of Angola (MPLA). Cuba, an ally of the USSR, also intervened in support of the MPLA. Although Cuban military intervention and the USSR's overt support consolidated the control of Angola by the MPLA, the UNITA movement held on, resulting in a prolonged civil war from 1975 to 2002, lasting about 27 years.

The extended civil war, which turned proxy, among other factors, may have resulted from each superpower's desire for an end-state favourable to its interests, contrary to altruistic moral responsibility. The protracted and intractable civil war in Angola demonstrated how third-party military intervention with divergent interests prolongs and exacerbates an intra-state conflict. Such an

outcome confirms assertions by Regan (2002), Akcinaroglu & Radziszewski (2005), Cunningham (2010), Chingono (2017), and Schmiedl & Prouza (2021) that third-party biased military interventions make civil wars last much longer and more difficult to resolve. Manifestations of protracted and intractable internal conflicts are, among others, high civilian deaths and displacements, which led Hjorth (2015) and Mitchell (2015) to conclude that military intervention normally causes more harm than good, contrary to the expected moral good. When a military intervention causes more harm than good, it reflects badly on the interveners, leading to ascription of moral responsibility in the form of blame.

Furthermore, as articulated by Stanley Hoffmann, there were numerous unilateral and non-humanitarian military interventions mainly orchestrated by the superpowers during the Cold War. Hoffmann identifies the 1971 Indian intervention in East Pakistan (now Bangladesh), the 1979 Vietnamese intervention in Cambodia, and Tanzania's 1979 involvement in Uganda as successful interventions that were not influenced by Cold War ideological tensions (Hoffmann, 1996). Walzer (1977) also acknowledges India's military intervention in East Pakistan as legitimate humanitarian. The identification of a few military interventions as legitimate humanitarian and successful implies that although national interests of states motivate most military interventions in civil wars, a few cases have successfully achieved humanitarian outcomes, vindicating that they may have been undertaken for altruistic moral reasons.

Further developments in military intervention involve the evolution of a new moral order premised on the axiom that if human security is prioritised, state security can be attained. Davidson (2012) associates this development with the moral concern within liberal circles that encourages military intervention in 'situations that shock the conscience of mankind'. According to the International Coalition for the Responsibility to Protect (ICRP, 2001), 'situations that shock the conscience of mankind' include genocide, war crimes, crimes against humanity, and ethnic cleansing. As Davidson (2012) illustrates, the evolution of moral concern and failure by the international community to respond to the 1994 and 1995 genocides in Rwanda, as well as Srebrenica, informed the emergence of the Responsibility to Protect (RtoP), which was adopted by some states at the 2005 UN World Summit, which resolved that:

Each individual State has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity. If a state is manifestly failing to protect its population, the international community must be prepared to take appropriate collective action, in a timely and decisive manner and in accordance with the UN Charter, including Chapter VII, on a case-by-case basis

and in cooperation with relevant regional organisations...., should peaceful means be inadequate (para 138 and 139, UN World Summit Outcome Document, 2005).

The implementation of paragraph 139, which recommends collective action should states fail to protect their citizens, though it appears morally correct in accordance with collective moral responsibility, has been argued to facilitate regime change in states viewed as 'rogue' by liberal nations. In 2011, the UNSC authorised NATO through resolution 1973 to intervene militarily in Libya under the RtoP. The intervention manifested into regime change that turned Libya more chaotic and insecure. Although the counter-argument has been that the intervention managed to protect the population that was under threat, it is very apparent that it produced more 'harm than good,' thus contradicting its moral justification as a duty to protect in the realm of ethics.

Another noticeable development in military intervention is the systematic trend towards regional and sub-regional conflict management. Nowrojee (2003) and Aboagye (2007), among others, assert that an observable increase in intra-state conflicts against a decrease in the interests of African problems by great powers has greatly influenced the development of regional and sub-regional conflict management in Africa. This trend is also informed by the notion of 'African solutions to African problems.' In this regard, Mutisi (2016) has underscored that the African Union (AU) and sub-regional organisations have become more involved as first responders in conflict situations that occur within the region. The involvement of African sub-regional organisations in conflict management, which includes military intervention, also demonstrates a positive shift to multilateralism rather than unilateralism, which Hoffmann (1996) identifies as an emerging post-Cold War trend. Correspondingly, most of the interventions are unique in that they use humanitarian moral justification, probably to make them more acceptable from a moral perspective and to conceal the selfish hidden motives, which have led to a contradiction of ethics and moral responsibility as duty or obligation in such military interventions.

Military intervention as a regional conflict management mechanism is provided for through peace enforcement and regionalism enunciated in chapters VII and VIII of the UN Charter (1945), respectively. Similarly, articles 4(h) and 4(g) of the Constitutive Act of the AU establish the right of the Union to intervene in a member state to prevent grave violations of human rights such as genocide, war crimes, crimes against humanity, and ethnic cleansing. As such, humanitarian military intervention in intra-state conflicts by regional and sub-regional organisations qualifies into the realm of collective moral responsibility as a duty or obligation and is both legal and ethical as a last resort. In the foregoing, Adeyemi (2003) and Dumbuya (2008) elucidate that in West Africa, the ECOWAS

intervened in Liberia from 1990 to 1997 and 2003, respectively; Sierra Leone from 1997 to 2000; Guinea-Bissau in 1998, and Côte d'Ivoire from 2003 to 2007 and 2011, among others.

Likewise, the SADC intervened in the DRC from 1998 to 2002 and in Lesotho in 1994 and 2008 (Ngoma, 2005). The SADC also intervened militarily in the Mozambican northern province of Cabo Delgado from 15 July 2021 under the SADC Mission in Mozambique (SAMIM). The intervention was a moral duty meant to support Mozambique in combating terrorism and acts of violent extremism (Giles & Mwai, 2021; Cardoso, 2021, Vhumbunu, 2021; SADC, 2021). The reference made to SAMIM as a moral duty to support Mozambique in combating terrorism and acts of violent terrorism provides moral justification for the mission. However, the SADC mission withdrew by mid-July 2024, leaving Rwandese troops who also deployed in the region, although the security situation in Cabo Delgado is far from being stable (Amani Africa, 2024; Opperman and Pigou, 2024). Since the emergence of insurgency in 2017 in the Mozambican northern province of Cabo Delgado, the Islamic State (IS) has claimed responsibility for 296 incidents. From January 2024, there have been 57 claims made by IS compared to 51 for the whole of 2023 (Amani Africa, 2004; Opperman and Pigou, 2024). The reported rise in the number of terrorist acts in Cabo Delgado from January 2024, when the SADC commenced its withdrawal, demonstrates that the moral duty is far from being achieved.

Similarly, the Inter-Governmental Authority on Development (IGAD) intervened in Somalia since 1991, albeit without success, as violence endures without an effective central government (Kebede, 2011). In the same vein, the East African Community (EAC) intervened in Eastern DRC in July 2022 to deal with the renewed violence from the M23 armed group. However, as reported by Jenna Russo just over a year ago, the DRC government decided not to renew the mandate of the East African Community Regional Force (EACRF), which expired on 8 December 2023. The intervention force is reportedly accused of not only being ineffective but even of colluding with rebels. It is, however, highly likely that the reason for the EACRF's exit is Tshisekedi's discontent with the intervention force's reluctance to use proactive force against M23 (Russo, 2023). The military interventions by African sub-organisations, notwithstanding interests, largely demonstrate moral consciousness to assist member states in the context of collective moral responsibility, in the realm of deontological ethics as duty or obligation.

Although some analysts such as Powers (2013) acknowledge that military intervention is a useful means for conflict management, others such as Mithell (2015) and Chingono (2017) have argued against it as interest-motivated, illegal, and unethical in the milieu of non-intervention. In Liden

Kristoffer's view, the contradiction emanates from the debate between pluralists' and solidarists' standpoints on the legitimacy and ethical correctness of humanitarian military intervention. (Pluralists are opposed to military intervention in internal conflict, while solidarists support military intervention in internal disputes of other states). Pluralists argue that the responsibility of state leaders is confined to their own citizens, and hence disagree with intervening in internal disputes of other states. Solidarists oppose pluralists' view by arguing that humanitarian military intervention is a legitimate exception to the norm of non-intervention when required to stop severe human rights violations (Kristoffer, 2019). Some philosophers like John Stewart Mill argue from a pluralist's view against military intervention in internal conflict on the basis that it undermines national struggles for liberty. Mill argues that people who get freedom through foreign intervention are not able to hold on (Doyle, 2001). Though not always the case, contemporary examples of military intervention, such as in Afghanistan and Iraq, among many others, validate Mill's second argument. However, although Bangladesh, Cambodia, and Uganda experienced military intervention, they have maintained their freedom, which nullifies Mill's assertion.

Several scholars disagree with moral justifications for military intervention and argue that it has only used humanitarianism to camouflage state-centric motives. Irrera (2015) perceives post-Cold War military interventions as, at times, dubiously dubbed 'humanitarian', preferably to denote interest-motivated interventions. Most military interventions have been accorded some ethical flavour to make them morally acceptable to the affected population and the international community and to conceal the real intent. Bellamy (2004) refers to the 2003 US and its allies' military intervention in Iraq as 'abuse', which denotes cases where moral arguments are used to justify a war (military intervention) that is not primarily motivated by the moral concerns espoused, but by the short-term interests of those instigating violence. The implication of Bellamy's remarks is that mostly, powerful states have used moral reasoning to intervene militarily in internal conflicts under global, regional, and sub-regional organisations or coalitions to advance their interests. Likewise, Chingono (2017) argued that states have pursued their self-interests through global, regional, and sub-regional organisations' military interventions in civil wars. This has contradicted ethics and moral responsibility as an altruistic duty or obligation.

Although realism holds that national interests are the primary motivation for any state to cooperate or not to cooperate in any security arrangement through international organisations, other factors such as territorial proximity, cultural and political values, shared history, shared interests, and common values are important in security cooperation. The mentioned attributes of cooperation within sub-regional organisations also apply to ethics since cooperation is one of the ethics of military

intervention, underscored by Krieg (2013). However, Lubuschagne (2003) argues that proximity is not an important factor in sub-regional cooperation, but the cultural and political affinity of states in a particular region, the degree of trust, communication, and the consensus that exists about values and objectives are essential motivational factors for cooperation that is necessary for military intervention as collective moral responsibility.

Notwithstanding national interests of participant states in military intervention, as argued by realists such as Powers (2013), shared interests, values, norms, and principles, common cultural and political affinity, as well as shared history, among other factors, are indispensable ethical tenets that facilitate cooperation by states to partake in military interventions in internal conflicts of member states. However, realists have argued that the participation of a member state in a collective security arrangement is more informed by national interests rather than mere moral reasons. For example, in several military interventions that the US has been involved in, Bennet (2015) establishes that the interventions have been in pursuit of its national interests abroad. In the same context, foreign powers such as Russia, Saudi Arabia, and the US have progressively internationalised internal conflicts in Iraq, Syria, and Yemen by deploying military capabilities to influence the outcome of the internal conflicts in their interests (Bennet, 2015).

Bennet's point of view is demonstrated by South Africa and Botswana's 1998 military intervention in Lesotho, which Likoti (2007:75) argues that; "at least on the part of South Africa, was to secure strategic resources, mainly water and that national interests explain the intervention, rather than the rescue of a captive state as South Africa claimed." Similarly, although Tapfumaneyi posits that the 1998 SADC military intervention in the DRC was aimed "to protect the sovereignty of a member state by repelling an external invasion initiated by Uganda, Rwanda and Burundi" (Chikanga, 2018: 90-91), Turner (2002) argues that Angola's main reason for participating in the military intervention was not only to save Kabila's regime, but also to protect its own strategic interests. Angola's main interests were in Turner's view "to pursue the fight against Savimbi, especially by interdicting his supplies; to protect the oil installations that financed its own war effort; and to maintain a favourable or compliant regime in Kinshasa" (Turner, 2002:75). Turner's argument is validated by the incapacitation of UNITA after being cut-off from its sanctuary along the DRC boundary. The killing of the UNITA leader Jonas Savimbi in the same period further paralysed the movement, leading to successful negotiations resulting in enduring peace after almost 27 years of a violent civil war. The military intervention in the DRC, though justified on moral grounds and as collective security, afforded Angola an opportunity to realise its national interests that contributed to peace and

tranquillity, whilst it still participated in the sub-regional collective moral responsibility in the DRC alongside Namibia and Zimbabwe, in the context of the ethic of cooperation.

Collective security, according to Buzan (1998:3), is “a regional or global security arrangement in which a group of states are convinced and accept that the security of one member is the concern of all and therefore agree to join a collective response to threats to, and breaches of the peace.” The collective security responses that have been increasingly resorted to at global, regional, and sub-regional levels in the aftermath of the Cold War, though an International Relations (IR) concept, to a greater extent fall into the realm of collective moral responsibility, as it demonstrates the ethics of collectivism and cooperation. This position is, however, based on an idealistic or moralist point of view, which assumes that all states within the globe, region, or community have adopted collective security as a foreign policy objective. In this view, states automatically join in collective responses against security threats in a member state as a duty or moral obligation. Collectivism is more pronounced in *Ubuntu*, often referred to as a communal African worldview, which is more communitarian in nature. Central to the philosophy of *ubuntu* is the idea that the interests of the individual are relative to those of the community or group. However, the assumption that all states within a community have adopted collective security as a foreign policy objective is a fallacy according to realism, which argues that states partake in a collective response to a threat to a member state based on their interests.

However, the Afro-Communitarianism’s position of subordinating individual interests to collective interests is ideally essential for collective action, such as military intervention in internal conflict, since accommodating the interests of each participant state, as suggested by Chikanga (2018), may not be possible. Rather, participant states may need to subordinate their interests for the sake of community interests to facilitate the success of the intervention. This may be the reason why states have not pronounced their interests in military interventions, though interests remain the main motivation for their participation. This makes the relationship between military intervention in internal conflicts and the ethic of moral responsibility difficult. However, ethics remain necessary in military interventions, hence the next section proceeds to analyse approaches to ethics in military intervention.

3.3. Approaches to Ethics in Military Interventions

Various philosophers of ethics, referred to as ethicists, among them Aristotle and Kant, have suggested at least three approaches to ethics or ethical decision-making frameworks as tools for

analysing morality. Dobrin (2012) highlights three approaches, namely, virtue, consequentialist, and deontological or duty-based ethics, while O'Toole (2006) outlines consequentialist, virtue/character, and moral sentiment approaches. Seawell (2013) categorises the approaches into four: utilitarian, deontological, virtue, and communitarian ethics. This study was guided by the four approaches to ethics provided by Seawell. The utilitarian approach, referred to in some literature as the consequentialist approach to ethics, is outcome-based, while deontological ethics are duty-based. Virtue ethics focuses on moral excellence, whilst communitarian ethics revolves around the community. Each approach to ethics, according to Seawell (2013), has a unique point of departure and distinctive ways of addressing the fundamental ethical task of raising and answering questions of value. In this study, the consequentialist approach to ethics, which is outcome-based, was applied in the judgment of the ECOMOG's handling of ethics during the military intervention in Liberia from 1990 to 1997 and the outcome of the intervention. In the context of moral duty, the ECOMOG's military intervention in Liberia was analysed in the premise of deontological ethics, which are duty-based. Virtue ethics, which, according to Aristotle, focuses on excellence, whose outcome is happiness, was used to determine the Liberians' appreciation of the ECOMOG military intervention in Liberia. Communitarian ethics was utilised to judge whether the ECOWAS was morally responsible as a collective (collective moral responsibility), or as individual participant states (shared responsibility) for the prolonged and intractable civil war in Liberia and its manifestations.

Seawell also notes that the approaches to ethics have overlaps and common elements. Common elements that cut across these approaches to ethics include impartiality, rationality, consistency, and reversibility (Seawell, 2013). These fundamentals appear to be universally shared ethical values, norms, or principles that can be used to judge the goodness or badness of actors' actions in various situations, including military intervention. Impartiality and consistency are among the ethics of military intervention underlined by Krieg (2013). As such, impartiality and consistency, among others, were used to determine the ECOMOG's adherence to ethics in the conduct of military intervention in Liberia from 1990 to 1997.

The utilitarian approach to ethics, which is also referred to as consequentialism, is outcome-based and is guided by consideration of the effect of one's actions on others (Seawell, 2013). When an actor considers the effects of his or her intended action, he or she is likely to contemplate the outcome of the action on others and may find modalities of executing the required action to prevent any negative impact on others. Consideration of the consequences of one's action on others enhances the adoption of the right course of action that 'achieves the greatest good for the greatest number,' which should be a morally desired outcome of any action. The utilitarian approach to ethics is therefore essential in

decision-making and conduct of military intervention since it reflects on the effects of the intervention on those to be assisted. A favourable conduct of the intervention may foster a greater good for the population under threat. In this study, from a consequentialist approach to ethics, Howe (1996), Molnár (2008), Obi (2009), Chuka (2009), Gilbert (2014), and Rodriguez (2018), among others, have blamed the ECOMOG for the protracted conflict and its effects. The ECOMOG's adherence to the utilitarian approach to ethics would have prevented unacceptable means and ways of going about the military intervention in Liberia. Adherence to utilitarian ethics would have avoided any blame on the ECOMOG for the prolonged conflict, which raged on from 1990 to 1997 and claimed many lives, among other manifestations.

Deontological ethics, which are duty-based and upheld by Immanuel Kant in the 18th century, as articulated by Seawell (2013), facilitate a better understanding of responsibilities within members of a team or group, which is essential for the much-needed cooperation and mutuality as some of the ethics of military intervention underlined by Krieg (2013). The notion of moral duty or responsibility as an ethical value is ideally imperative in military interventions. From a moral perspective, military intervention is ideally driven by the ethical value of duty to assist, rescue, or protect groups or people in a foreign land. Although there were other motives behind the various participant states of the ECOWAS in the military intervention in Liberia, the study argued that overall, the sub-regional organisation was motivated by deontological ethics to curb a humanitarian crisis and assist a member state. However, when the interests of states take centre stage in military intervention, the ethic of moral responsibility as altruistic duty becomes dubious.

Powers (2014) validates the absence of altruistic duty in interest-driven military interventions when he acknowledges that there are no cases of purely altruistic interventions, as interests matter. He cites the 2013 French military intervention in Mali as morally justified largely because it defended French national security interests by curbing the rise of Muslim extremism, protecting (French) access to key resources, stabilising a friendly government, and maintaining historic French influence in that country and the region. The predominance of interests in the French intervention in Mali may be argued to be divorced from deontological ethics due to the absence of altruism. This is common in most military interventions in internal conflicts, where interests have become the main motive of the intervention. Most such interventions have often caused more suffering for the people being assisted, contrary to the desired moral good.

In the same vein, NATO has been criticised for intentionally expanding its UN mandate and supporting Libyan protestors with the aim of effecting regime change rather than protecting civilians

as its duty during its 2011 military intervention in Libya under the RtoP. Sally Isaac observes that while many analysts and NATO itself view the intervention in Libya as an undisputable accomplishment, others accuse the Alliance of stretching the UN mandate in favour of a pre-set regime change goal (Isaac, 2012). Two contrasting views on NATO's involvement in Libya have arisen. Some analysts hold the view that the intervention was informed by a moral duty to protect the Libyan people from Gaddafi's ruthless reaction to the uprising. In contrast, others argue that it was informed by a regime change agenda, which was achieved when Gaddafi was eventually killed. The latter argument is buttressed by the affirmation by Isaac that NATO was willing to pull out of Libya as soon as the Libyan opposition, represented by the National Transitional Council (NTC), had taken control of the country and once the protestors had captured and killed Gaddafi (Isaac, 2012). Indeed, NATO left Libya in a worse situation after achieving the mentioned objectives. The outcome of NATO's military intervention in Libya substantiates assertions by Regan (2002), Akcinaroglu & Radziszewski (2005), Cunningham (2010), and Chingono (2017) that when a third party involved in military intervention desires an end-state favourable to its interests and takes sides, the conflict normally becomes unabated and prolonged. Although there are other inherent factors that contribute to the dynamics of civil wars, such as the existence of multiple factions and warlords, the main ethical flaws associated with protracted and intractable intra-state conflicts are a lack of impartiality and neutrality on the part of the intervener.

However, a number of analysts, among them Doyle (2001), have queried the applicability of the ethical values of neutrality and impartiality in military intervention. Instead, they have argued that impartiality and neutrality are only applicable to traditional peacekeeping where a third-party comes in as a buffer observing a truce between belligerents. Such a position is difficult, as some dominant states have often desired outcomes of the conflict that are favourable to their interests, which has a bearing on the dynamics of the conflict and the outcome of the intervention. This was demonstrated in NATO's 2011 military intervention in Libya, which, though morally justified as RtoP, had ulterior motives based on interests. In NATO's view, as Terry (2015) enunciates, removing Muammar Gaddafi from power and facilitating the NTC's control of Libya was one way of protecting the Libyan civilian population. This point of view is validated by Doyle (2001), who claims that often, the intervening forces play a vital role in removing perpetual or standing menace to peace, whether a person or a regime.

Contrary to Doyle's argument, the removal of Gaddafi in 2011, just like that of the former president of Iraq, Saddam Hussein, did not bring peace to the countries concerned. Instead, it aggravated

insecurity and violence. Terry (2015) refers to the chaotic security environment that characterised Libya after NATO's military intervention on the pretext of duty under the RtoP. The civilian population that was meant to be protected from Gaddafi's ruthlessness was exposed to more security challenges than before. The intervention produced what Hjorth (2015:1) refers to as 'more harm than good,' which, from an ethical perspective, justifies ascription of collective moral responsibility for harm resulting from NATO's morally undesirable consequences of the intervention.

Since military intervention, like war, involves the use of lethal force, some analysts have questioned the feasibility of avoiding harm and human suffering. In essence, most military interventions have often caused unjustifiable harm and human suffering to the civilian populace more than to the combatants. Civilian harm remains a dilemma for most philosophers who have tried to justify such outcomes, citing Aquinas' doctrine of double-effect. The doctrine recognises that any act may have two consequences, one that is intended and the other that is unintended (Bellamy, 2004). However, Aquinas further warns that even the unintended effect must not exceed the intended good outcome. In essence, the intervention must not cause more harm than good. The doctrine of double-effect, as Bellamy (2004) highlights, offers an important contribution to the assessment of the legitimacy and morality of military intervention by providing the criteria for the evaluation of the intervention. The doctrine is suitable for intentions-focused ethics since it measures an act according to the actor's intent. An important observation is that at the strategic and operational levels, the doctrine compels political and military leaders to take necessary steps before deciding to intervene militarily. The first step is that leaders must make their intentions clear on what they wish to achieve, and that if an action is humanitarian-motivated, the intention must be to save strangers, prevent or reverse an injustice, and restore peace (Bellamy, 2004:229). In the majority of cases, morally justified intents are contradicted by actions that are informed by interests.

The second step, according to Bellamy, is that leaders must consider the foreseeable collateral damage that a number of alternative strategies might inflict on the civilian population in the target country. This should lead to the choice of a suitable approach that should reasonably fulfil the intention with the least amount of evil or collateral consequences. Thirdly, leaders must be sure that the overall good that an intervention will produce is likely to outweigh the whole evil that the war (intervention) will produce. Bellamy further highlights that if the moral reasoning for the military intervention is humanitarian, the chosen strategy will not produce more harm than good, and the outcome should be the restoration of a just peace (Bellamy, 2004:230). The point of view raised by Bellamy is that the means selected in a military intervention must justify the ends and the intent. The suggested steps are intended to make a military intervention less harmful to the civilian population.

Since military intervention involves the use of lethal force, the doctrine of double-effect accommodates a certain degree of harm to civilians to be saved as acceptable, but stipulates that the unavoidable harm should not exceed the desirable good enunciated in the moral justification for intervening militarily. The doctrine is therefore useful in balancing the ethical requirement to reduce harm and human suffering against unavoidable consequences.

Although the doctrine of double-effect is necessary to justify the degree of acceptable harm in military intervention from a consequentialist approach to ethics, some criticisms have been made against it. The initial criticism is that there is no criterion for determining the degree of acceptable harm that is dependent on human judgment, which is subjective. Shaw contends that “there is little intuitive moral difference between indirect killing, allowable by the doctrine, and direct killing, it prohibits” (Shaw, 2002:103). Though this criticism is from a medical point of view, it equally applies to military intervention, in which the doctrine allows for justifiable minimum harm. Grounding on St. Thomas’ position that the doctrine of double-effect is only applicable when an action is done with good intentions and with the purpose of producing only one good effect (Kershar and Kelly, 2020), it does not qualify as a justification for the outcomes of biased military interventions informed by other ulterior motives. Nevertheless, irrespective of the criticism against the doctrine of double-effect, it exonerates participants in military intervention from moral responsibility emanating from the minimum unavoidable harm to civilians and civilian objects, which enhances the accomplishment of the moral duty to save strangers.

Related to the doctrine of double-effect is the concept of collateral damage that justifies and allows a degree of unintended harm to civilians and civilian objects during military action. Collateral damage is defined as any death, injury, or other damage inflicted (on civilians and civilian objects) that is an incidental result of an activity (Holland, 2007; Merriam-Webster Dictionary, 2021). The US Department of Defence defines collateral damage as “unintentional or incidental injury or damage to (civilian) persons or objects that would not be lawful military targets in the circumstances ruling at the time.” The Joint Doctrine Library clarifies that “such damage is not unlawful so long as it is not excessive in light of the overall military advantage anticipated from the attack” (Katz, 2021:2). Collateral damage justifies injury or harm to civilians and civilian objects as long as the harm is not excessive, which conforms to the ethical principle of proportionality. The concept does not conform to the ethical principle of avoiding harm as spelt out in the JWT; rather, it allows for minimum or acceptable harm to civilians and civilian objects concomitant with the military objective. The problem of determining the degree of acceptable harm to civilians and civilian objects during war or military intervention remains a dilemma for most analysts and military commanders.

Several arguments and counter-arguments have been raised for and against the morality and legality of collateral damage in war, and particularly during military intervention. Critics of collateral damage, such as Shabo (2008) and Olsthoorn (2010), perceive it as sarcasm or dehumanisation of civilians killed or injured during combat used to reduce the apparent culpability of military leadership in failing to prevent non-combatant casualties. Other critics, such as Khen (2016), cite the ethical and legal principles of military necessity and distinction as essential considerations against collateral damage in conformity with International Humanitarian Law (IHL). The argument against collateral damage is reinforced by the development of precision-guided munitions that have enhanced accurate strikes on military targets without endangering civilians, thus minimising civilian harm. Nevertheless, despite advancements in technology, civilians still find themselves on the receiving end, especially in internal conflicts, where insurgents mingle with them based on Mao's concept of 'fish in water', with the insurgents being the fish and the water representing the civilian population.

Some supporters of collateral damage, such as Luis Moreno-Acampo, argue that it is acceptable as long as there is no excessive civilian damage. Based on the principle of proportionality, proponents of the concept argue that military actions producing collateral damage should not be classified as war crimes unless the damage to civilians is excessive (Moreno-Acampo, 2010). Moreno-Acampo further argues that in accordance with IHL and the Rome Statute, the death of civilians during an armed conflict, irrespective of how grave and unfortunate, does not in itself constitute a war crime. The author claims that IHL and the Rome Statute allow belligerents to conduct proportionate attacks against military objectives even when it is apparent that some civilian deaths or injuries will occur (Moreno-Acampo, 2010).

Moreno-Acampo (2010) further argues that the act only becomes a crime (unethical) when there is an intentional attack directed against civilians, which is against the principles of distinction and military necessity. The act also becomes a crime when the attack is conducted on a military objective with full knowledge that the incidental civilian injuries will be clearly excessive relative to the expected military advantage. The US Joint Chiefs of Staff's Methodology apportions responsibility on the military commander concerned to account for any unintentional or incidental injury or damage to civilians as non-combatants, or their property (Katz, 2021). The attribution of responsibility to the commander concerned makes the incumbent careful in the conduct of duty to avoid being accountable or morally responsible for civilian harm.

Although collateral damage takes cognisance of acceptable unavoidable harm to civilians in the attainment of a justifiable military action, it remains challenged as to what degree constitutes

acceptable harm in military intervention. The bottom line, however, is that a military intervention must not use inappropriate means and excessive force to achieve its aim. Instead, the means and methods must conform to the ethics of military necessity and proportionality, if the intervention is to be morally justifiable and avoid excessive civilian harm. An important ethical approach to reduce harm on the civilian population in military intervention is that “the means must justify the ends” (Bellamy, 2004:231). Such an approach affords the intervention a moral outlook and credibility at the same time, avoiding moral responsibility for unjustifiable civilian harm in conformity with the ethic of virtue.

Virtue as an approach to ethics, or an ethic as some ethicists have put it, is literally translated as ‘the excellence of a thing’ (Seawel, 2013). Virtue is applied to examine a person’s role or group’s intentions, dispositions, and motives with a view to making a moral judgment of that individual’s role, group’s character, or contribution to an outcome of an action (Dobrin, 2012). The examination of an agent’s role in an outcome facilitates the ascription of moral responsibility to an individual or a group. The ethic of virtue was used to determine whether the ECOMOG’s military intervention produced any morally desirable outcome concomitant with its justification. The ethic of virtue, as enlightened by Dobrin, addresses both the role of the individual and the group to an outcome. In this study, participants were the individuals, while ECOWAS was the group. The differentiation of individual participants for ascription of shared responsibility and the group for collective moral responsibility is critical in military intervention, where blame has often been associated with the organisation under which the intervention is conducted as a collective. This is despite the fact that participant, informed by their interests, have habitually contradicted ethics such as impartiality, which has had a bearing on the dynamics of the conflict and outcome of the intervention.

The point raised by Aristotle that virtue can be developed through practice conforms to regular multi-lateral training exercises by regional or sub-regional organisations to inculcate the ethic of virtue in peace support operations (PSOs), which encompass military intervention (Richard, 2022). Another pertinent highlight by Seawel (2013) that virtue is related to the goodness of an outcome or end-state was also essential to this study. The virtue of military intervention may be a desirable outcome, such as an enduring peace. Aristotle stressed that virtue should attain happiness as an outcome (Richard, 2022). Based on this conceptualisation, military intervention should create a morally good outcome that nurtures happiness. Any outcome that does not manifest into happiness may signify the absence of virtue (Richard, 2022). Building on this view, it may be argued that virtue cannot be referred to as having been applied in the US and its allies’ 2003 military intervention in Iraq, which left the country in turmoil with no hope of peace and security. Similarly, virtue was not applied in the 2011 NATO

military intervention in Libya, given the persistent chaotic security situation. Against this backdrop, Isaac (2012) argues that NATO has a collective moral responsibility to stabilise and rebuild Libya in the aftermath of the intervention. Isaac's contention conforms to Martha Klein's second component of moral responsibility, which is the accomplishment of the criteria for deserving blame for a morally significant act (Klein, 2005). According to Isaac's point of view, NATO has a collective moral obligation to stabilise and rebuild Libya.

Nonetheless, a counter-argument is that despite the prevailing security environment in Libya, the intervention by NATO fulfilled its moral justification of protecting thousands of Libyans who were vulnerable to an onslaught by Gaddafi after the uprising. Isaac (2012) postulates that were it not for NATO's intervention, Libya would most likely still be enduring even more violent scenarios comparable to Syria. He maintains that NATO cannot be blamed for the chaos, insecurity, and fragility of the post-Gaddafi Libya, which are expected outcomes in a country undergoing transition after a long history of misrule and repression. Isaac (2012), however, stresses that this does not negate the reality that the international community in general, and specifically those powers that intervened in Libya, still have a moral responsibility to assist that country in its transition to a better future.

With reference to the international community and particularly those powers that intervened in Libya, Isaac alluded to both collective moral responsibilities for the international community and shared responsibility for states that participated in the intervention. It would be, however, wrong to ascribe collective moral responsibility to the international community since not all states participated in the intervention. Most Asian and African countries were even against the intervention. Rather, collective moral responsibility for harm should be attributed to NATO. Since most powerful organisations have been immune from moral responsibility and legal liability (Risser, 2010), NATO has not taken collective moral responsibility to stabilise and rebuild Libya, nor has it been accountable for the harm resulting from its 2011 intervention.

The fourth approach to ethics, which is the communitarian ethics, focuses on the community, such as a team, group (or organisation), company, culture within which the individual places oneself in the context of ethical decision-making (Seawel, 2013). In the framework of military intervention, individuals involved in important decision-making, such as politicians like heads of state or governments, decide on the participation of their states in community activities such as military intervention. Military commanders like the force commander or sector commander then decide on the modalities, means, and methods of executing the intervention. Such individuals ought to be guided by

communitarian ethics since the decisions they make and the execution of the adopted course of action reflect on them in terms of moral responsibility. Communitarianism, according to Chikanga (2018), is based on a relational ethic inspired by the African world-view based on Mertz and Gaie's Afro-Communitarianism framework. Mertz and Gaie emphasise the relational ethic of community and moral obligation when they underscore that:

One has a moral obligation to be concerned for the good of others, in terms of both one's sympathetic emotional reactions towards other people and one's helpful behaviour towards them ... One has a duty to exhibit solidarity with others ... one has a moral obligation to think of oneself as bound up with others, that is, to define oneself as a member of a common group and to participate in its practices. One also has a duty to identify with others (Mertz and Gaie, 2010:276).

The views raised by Mertz and Gaie relate to individual participation in group activities as a member of a collective based on the ethic of communitarianism and *Ubuntu*, which is necessary for collective moral responsibility, especially in military interventions in internal conflicts of member states. Such interventions require individual states concerned to be worried about the situation in a neighbouring state as a community, so as to participate in the intervention. What this entails is that states need to act collectively, driven by moral concerns rather than self-interests, as argued by realists. In order to act collectively and altruistically, Chikanga (2018) argues for an Afro-Communitarian framework that African post-colonial states can be in a better position to come up with viable conflict resolution and peace-building mechanisms only if individual states appreciate that they have a moral obligation to work in solidarity with other states as a collective. States' realisation of an obligation, responsibility, or duty to act for the good of the community, which is essential in successful military intervention in intra-state conflict, is possible through the Afro-Communitarian approach, where every member state has a moral duty or obligation to contribute towards the good of the community. Mertz and Gaie (2010: 276) articulate this important attribute of the Afro-Communitarianism by stressing that, "Every member is expected to consider an integral part of the whole and to play an appropriate role towards achieving the good of all." Such an Afro-Communitarian view of collectivism is central to any altruistic military intervention in a member's internal conflict, which requires a collective security approach.

In the same vein, Claude (1964: 251) has observed that "the operation of a collective system must always be unstable unless there is a belief that what is good for world peace is necessarily good for the nation and is deeply ingrained in governments and peoples." Claude's point of view is that states participate in a collective security arrangement if they see the value of such cooperation to their nations. Although states are aware that what is good for the region or globe is also good for their

nations, national interests inform their participation in some collective response measures and not to partake in others after weighing costs and benefits to be accrued in their participation against their national interests. It is also not always possible for states to have a common threat perception, the same interests, or moral values. The participation of states in collective response measures such as military intervention is therefore a dependent variable whose independent variable is/are national interest(s).

Afro-Communitarian ethics fall in the realm of the philosophy of *Ubuntu*, which encourages collectiveness rather than individualism typical of the Western realist view. It stresses shared interest rather than self-interest in the realisation of a collective action within a community, which forms the grounding for collective moral responsibility. Rugeje (2016) observed the contradiction between *Ubuntu*, often referred to as a communal African worldview, and Western culture that is more individualistic and is characterised by an element of self-centeredness. Central to the philosophy of *Ubuntu* is the idea that the interests of the individuals are relative to those of the community or group. The community will focus on the interests of each individual member of the community in order to ensure that any activity or behaviour of an individual is meant for the good or interest of the group or community as a whole. *Ubuntu's* moral thrust relates to human happiness and its fulfilment in the community, as emphasised by the ethic of virtue. Any participation in community goals is not for personal gain but for the flourishing of the community (Rugeje, 2016: 6-7). Rugeje seems to argue that in line with Afro-Communitarianism, the individual, which in this study is the state, sacrifices its own interests for those of the community. Mertz and others also hold the same view on the subordination of individual interests for the sake of community interests and well-being, which has attracted some criticism. Menkiti (2004) and Ikuenobe (2017) concur that the needs, realities, and existence of the community take precedence over individual interests. As such, a state is obliged to promote community interests and well-being ahead of its own.

In this context, Majeed (2018) observes the risk of misinterpreting the subordination of individual interests to those of the community to suggest that personhood is attained or determined based on respect for communal goods to the neglect of individual interests. Majeed points to moderate communitarianism as suggested by Gyekye that “although the African society is communitarian in character, it accommodates individuality as well to the extent that not only are the rights of the individual recognised but also, she plays a crucial role in the definition of (her own) personhood” (Majeed, 2018: 4-5). The elucidation made by Majeed seems to suggest that individual interests and rights should be accommodated in community activities for the attainment of collective moral responsibility that would produce moral goods for the community. The same position is held by

Chikanga (2018), who argues for the accommodation of individual participant states' interests in military interventions. Rugeje (2016) also acknowledges that, based on *Ubuntu*, the community will focus on the interests of each individual member in order to ensure that any activity or behaviour of an individual is meant for the goodness or interests of the community as a whole. Nonetheless, it is difficult to accommodate each member state's interests since the interests of states are rarely common; hence, Chikanga's argument is debatable.

Furthermore, as far as African conflict resolution is concerned, Chikanga (2018) is convinced that conflict could be resolved if individual African states realise that state-centric interests should not oppose or be in isolation from those of a collective. However, the position on Afro-Communitarianism, in particular *Ubuntu*, held by Mertz, Rugeje, and others of subordinating individual interests for the good of the community or a collective, has encountered criticism from scholars like Eze (2008). Famakinwa (2010), Matolino and Kwindigwi (2013), Matolino (2015), and Molefe (2017), among others. Matolino and Kwindigwi (2013) question whether *ubuntu* in itself signifies a true mode of Afro-centricity and whether this form of Afro-centricity or any other form of that nature is desirable or appropriate. The criticism of *Ubuntu* arises from the position that individual rights ought to be respected just like those of the community. The implication here is that an individual state's rights and interests should be taken into consideration just like those of the community in the realm of collective interests. In this context, Eze (2008:386) argues that, "the individual and the community are not radically opposed in the sense of priority but engaged in a contemporaneous formation." Grounding on Eze's point of view, both the individual and the community should have their interests accommodated and respected to facilitate successful cooperation necessary for collective military intervention in a member state's intra-state conflict, concomitant to collective moral responsibility.

The different positions on individual state interests and community interests held by protagonists and opponents of Afro-communitarianism facilitate an understanding of the overarching relationships between state-centric and community interests, which is necessary for collective action, such as military intervention in internal conflicts of states, in the real world of collective moral responsibility. However, I argue that the Afro-Communitarianism's position of subordinating individual interests to collective interests is indispensable to collective moral responsibility in community activities such as the ECOWAS (a community) military intervention in Liberia from 1990 to 1997, which, according to deontological ethics, was in the context of moral duty or obligation. Although communitarian ethics encourage the interests of the community ahead of the individual, it does not totally negate individual interests since doing so would not promote successful collective action.

In this research, the communitarian approach to ethics was utilised to judge the influence and effects of decisions and actions of leaders of Nigeria, Burkina Faso, and Côte d'Ivoire on the outcome of the ECOWAS' military intervention in Liberia from 1990 to 1997. As observed in most military interventions, the interests of states override adherence to the ethics of military intervention, particularly impartiality in both decision-making and conduct of the intervention, hence the need to examine the application of ethics in the military in general and in military intervention of intra-state conflicts in particular.

3.4. Ethics in the Military

Various societies have upheld their own ethical standards grounded in their beliefs, values, principles, and practices to guide them in their social behaviour. As Kwame Gyekye has observed, the ethics of a society are embedded in the ideas and beliefs about what is right or wrong and what is good or bad. The ethics of a society are also integral to the conceptions of satisfactory social relations and attitudes held by the members of the society. Gyekye further posits that ethics are grounded in patterns of behaviour that are considered by the members of the society to bring about social harmony, cooperative living, justice, and fairness. He further asserts that the ideas and beliefs on moral conduct are analysed and interpreted by the moral thinkers of society. Gyekye articulates that African societies, as organised and functioning human communities, have evolved ethical systems comprising values, principles, and rules intended to guide social and moral behaviour. However, Gyekye notes that like African philosophy itself, the ideas and beliefs of the African society that bear on ethics have not been given elaborate investigation and clarification, nor have they been recorded (Gyekye, 2004).

The military, like any other profession, has its own ethical standards, values, principles, norms, and rules of conduct to regulate and judge the morality of its actions. David Whetham observes that “The military profession, as with all professions, is defined and governed in large part by its ethic(s); the rules and behaviours by which its members conduct themselves” (Whetham, 2016: 4). Military ethics regulate and judge the morality of military actions and their consequences. Baumann (2007) underlines that military ethics developed mainly from the Just War Theory (JWT) and, as applied ethics, its main sources are constitutional law, taking cognisance of International Law of Armed Conflict (LOAC) and the conscience of the individual soldier. Some ethical practices, standards, norms, and values have been organised into rules governing the conduct and behaviour of the military in peace and war. The JWT provides ethical criteria for the conduct of war, which also apply to military intervention (ICISS, 2001; Coady, 2002; Prosviryakova, 2012; and Hoag, 2015). The

criteria for resorting and waging war that also apply to military intervention are; just cause, competent authority, right intention, last resort, probability for success, proportionality, distinction, military necessity, termination, resettlement and reconstruction (Coady, 2002; Guthrie & Quinlan, 2007; McHenry, 2010). Furthermore, Krieg (2013) suggests impartiality, mutuality, sustainability, complementarity, reflexivity, consistence, accountability and universality as ethics for military intervention.

Military ethics, as articulated by Porter (2010), comprise a set of practices and discourses that serve to guide the armed forces and their members to act in accordance with certain values and international standards, and to show these reference values to the citizens as a whole. Baumann (2007) corroborates Porter's view by elucidating that applying ethics in the military facilitates the judgment and justification of military actions and conduct from a moral point of view through practiced standards of good behaviour for individual military personnel and/or members of a group. Baumann further expounds that;

Military ethics judge and justify military actions from a moral point of view. It defines standards of good behaviour for individual military personnel (as individuals and/or members of a group) and develops these standards...Military ethics, as applied ethics, have as the most important points of reference constitutional law honouring International Law, the Law of Armed Conflict and the conscience of the individual soldier (Baumann, 2007: 36).

The main purpose of military ethics is to judge and justify military actions from a moral perspective. Since military ethics regulate the behaviour and conduct of the military and judge the morality of its actions, failure to observe and uphold ethics in peace and war, including military intervention, has adverse consequences. Whetham (2016) indicates that failure to uphold military ethics may affect the military organisation itself, the relationship between the military and society, and the strategic utility of forces engaged on behalf of the political community. Failure to uphold military ethics has a negative bearing on the outcome of military actions. It is therefore essential that military ethics be upheld in both peace and war, including in military intervention.

Applying ethics in the military also helps to regulate the actions of individual soldiers and the military organisations' actions, practices, conduct, and behaviour (Baumann, 2007; Porter, 2010). The need for ethics in the military is mainly necessitated by its use of lethal force in the execution of duty. Without moral constraints fostered by ethics, military actions would be more injurious to civilians whom soldiers intend to protect as part of their duty. Observance of ethics is more important

in military intervention in internal conflicts that are morally justified and guided by ethics to be acceptable in the eyes of those being assisted and the international community.

The importance of ethics in the armed forces is demonstrated by various countries' military organisations having some set standards of conduct that guide their actions and behaviour both in peacetime and in war. Rod Powers illustrates that the US Department of Defence (DoD) Standards of Ethical Conduct provides guidance to military personnel and civilian staff on standards of conduct and behaviour whose violation can lead to prosecution. Powers adds that primary ethical values that guide US military personnel are honesty, integrity, loyalty, accountability, fairness, caring, respect, promise-keeping, responsible citizenship, and pursuit of excellence (Powers, 2019). Some ethical standards highlighted by Powers, such as honesty, accountability, integrity, fairness, caring, respect, and pursuit of excellence, apply universally, even in military intervention, demonstrating shared ethical standards. Accountability relates to acceptance of responsibility for one's decision, action, and consequences thereof according to Klein's moral responsibility (Klein, 2005). Pursuit of excellence relates to the ethic of virtue as elaborated by Aristotle (Richard, 2022). Similarly, Krieg (2013) refers to accountability as one of the ethics of military intervention that stresses responsibility for the outcome of one's action. Accountability influences decision-makers and actors to be wary of the consequences of their decisions and actions by taking well-informed decisions and acting under the guidance of the ethics of military interventions in internal conflict.

Military ethics or ethics of war are not only applicable to Western liberal nations but have also been used in Africa to regulate resort to war and its conduct. Luis Cordeiro-Rodrigues articulates that African ethics of war can be identified in political, literary, and philosophical writings. Cordeiro-Rodrigues points out that initially, the modern arguments about African ethics of war were, in most cases, found in the discourses and theories of African revolutionaries, such as Kwame Nkrumah, Nelson Mandela, and Julius Nyerere, and have developed over time (Cordeiro-Rodrigues, 2023). As articulated by Ugwuanyi (2020), principles inherent in the JWT, such as last means (last resort), proportional means and ends (proportionality), participatory pain and harmony, also exist in the African context as ethical principles that regulate the conduct of war. Against the background of *Ubuntu* and related ethics of violence, Cordeiro-Rodrigues (2023) proposes the concept of personhood, which he argues plays a role in the morality of war. The African concept of personhood, which falls under both Afro-communitarianism and *Ubuntu*, suggests that the ethics of war should be guided by concerns about the development of personhood in society. Grounding on personhood, Cordeiro-Rodrigues argues that any war that undermines the possibility of the development of personhood is an immoral war. He further underscores that a war that is fought in ways that sabotage personhood is a war that is

conducted unethically, and that *post-bellum* (justice after the war principle of the JWT) processes should replace the models of forgetting and punishing with a model of truth-telling and forgiving (Cordeiro- Rodrigues, 2023), which are essential African ethics of war.

As demonstrated here, Africa has had its own ethics of war based on the Afro-communitarianism and *Ubuntu* that have guided and regulated resorting to war and its conduct. However, although states have codes of conduct that are based on set ethical standards and principles for the conduct of war or military intervention, abiding by the set ethical standards and principles is a challenge owing to the prevalence of state-centric interests. Nonetheless, the bottom line remains that ethics in the military, which have developed over time from the JWT framework, provide a framework for acceptable conduct and behaviour in military actions. The same ethics of war, according to Coady (2002), Prosviryakova (2012), and Hoag (2015), among others, provide a moral framework for regulating the conduct of military intervention in internal conflict, without which intervention missions would be more chaotic.

3.4.1. The Just War Theory

The JWT, as the main source of military ethics, sets standards for legitimate entrance and right conduct in war (Taylor, 2020). In his interrogation of ethical issues surrounding humanitarian military intervention, Coady (2002) articulates that the JWT provides the best framework for discussing the moral arguments for and against the conduct of war. Miller (2005) affirmed that the study of just war has, over the centuries, led to the development of several principles that have immensely influenced Western political thought and international law. The JWT has become the foundation of ethics in war, and its principles are acceptable in the regulation of military intervention (Coady, 2002; Prosviryakova, 2012; Hoag, 2015). I, however, oppose Miller's view that the JWT is akin to Western political thought, but that it has influence globally as a foundation of ethics in war and military intervention alike.

In traditional India, the Hindus used the term 'dharma-yuddha' to refer to a just war that had ethical standards, such as 'chariots can only face other chariots and not cavalry', which is proportionality in the JWT. Similarly, *dharma-yuddha* discouraged attacking people in distress and disallowed the use of poisoned or barbed arrows, which relates to just means. The Indian JWT also discouraged attacking adversaries out of rage, which links to just cause. *Dharma-yuddha* also emphasised fair treatment of captives and the wounded (Singh, 2013). The principles enunciated in *dharma-yuddha* conformed to ethical standards in the JWT. Likewise, African societies have been guided by the JWT in their decisions to resort to war, acceptable means during warfighting, and justice after the war.

Ugwuanyi (2020) suggests principles inherent in the JWT from an African context as last means (last resort), proportional means and ends (proportionality), participatory pain and harmony, most of which are found in the JWT as shown in brackets. The given examples demonstrate that the JWT is not only akin to the West but also propagates universal ethics of war and military intervention.

The JWT concerns three main ethical requirements. Firstly, justification for resorting to war is referred to as *jus ad bellum* in Latin and translated as right to war; secondly, the means and methods permissible during the conduct of war are known as *jus in bello*, and post-war reconstruction is entitled *jus post bellum* (Guthrie & Quinlan, 2007; McHenry, 2010). Most scholars often refer to two elements of the JWT, namely, the *jus ad bellum* (JAB) and *jus in bello* (JIB), which have traditionally been considered as ethically important in the decision to resort to war and means as well as methods of waging war. Coady (2002) discusses the JWT framework in the context of the JAB and JIB and expounds that the former is concerned with the moral justification for waging war, while the latter addresses the morality of the methods employed in the war. Coady further highlights that within the humanitarian context, the JAB is of principal interest, though the JIB is also important since immoral ways of intervening often cast doubt on the overall legitimacy of the intervention (Coady, 2002). Unethical means and methods of going about military intervention attract criticism of the moral justification espoused for the intervention.

Criticism arising from the 1998 military intervention in Lesotho by South Africa and Botswana under the auspices of the SADC, which was meant to restore normalcy, particularly in the capital, Maseru, validates the argument above. Lerotholi postulates that the South African deployment in Lesotho was meant to protect its national interests, mainly water. Lerotholi argues that if South Africa had intervened to restore normalcy in Lesotho, it would have deployed in Maseru first to save the capital from violence and looting, but instead, it first deployed at Katswe Dam, which supplies water to South Africa (Moyo, 2018). This led some analysts to query the moral justification of the intervention, with most linking it to interests. A biased approach to military intervention, which is demonstrated by the approach used, justifies the intention of the intervener. Alex Bellamy argues that an actor's intention in a military intervention can be determined through its actions. He cites the example of an actor who advocates for humanitarian goals but chooses indiscriminate weapons or strategic bombardment as not having a humanitarian intention (Bellamy, 2004). Priorities pursued in the intervention, means and methods adopted reveal the intervener's interests, which are divorced from humanitarian goals.

The JWT ethical principles involved in the decisions to resort to war, the right conduct of war as well as resettlement and reconstruction include: just cause, comparative justice, competent authority, right intention, last resort, probability of success, proportionality, distinction, military necessity, termination, resettlement, and reconstruction (Guthrie & Quinlan, 2007; McHenry, 2010). Coady (2002:4) summarizes conditions for the JAB as: legitimate authority, just cause, prospects for success, last resort, and proportionality as necessary ethical considerations for resorting to military intervention to facilitate moral credibility and avoid moral responsibility in the form of blame. The main JWT ethical considerations in military intervention under JAB are discussed as follows:

First, there is the right intention to engage in war, which also applies to armed humanitarian intervention (Bellamy, 2004). Right intention in military intervention alludes to altruistic moral reason devoid of interests. In Kosovo, NATO's main intention was to end the systematic oppression of the Kosovar-Albanians, who were vulnerable to ethnic cleansing. The intervention through aerial bombardments in 1999 forced Milosevic to withdraw the Serbian forces from Kosovo, ending the systematic oppression of the Kosovar-Albanians at the same time, facilitating the creation of a UN interim administration in the context of self-government (Moton, 2014). The same can be argued for the 1998 SADC military intervention in Lesotho, which inhibited anarchy and restored order after the outbreak of violence and looting in that country (Neethling, 1999; Vhumbunu, 2015). Likewise, the ECOWAS' threat of military intervention in Gambia on 19 January 2017, coupled with diplomatic efforts, forced Jammeh, who had refused to accept defeat in elections held in December 2016, to step down. This paved the way for Adama Barrow, the president-elect, to be sworn in, thereby averting an unfolding political and security crisis. In all the cited cases, it may be argued that right intentions contributed to the success of the interventions.

Once a right intention is ascertained, a legitimate authority to authorise the intervention is paramount. As articulated in Article 1 (1) of the UN Charter (1945), the United Nations Security Council (UNSC) is charged with the responsibility to maintain international peace and security, hence the legitimate authority for military intervention. Article 53 (1), which stipulates that "no enforcement action shall be taken under regional arrangements or by regional agencies without the authority from the Security Council," implies that there must be prior authorisation by the UNSC before intervening. Intervening without UNSC authority, which has become the norm for states, regional and sub-regional organisations and coalitions, is viewed by some critics as unethical, illegitimate, and inconsistent with International Law. This principle seems to have been disputed by states and organisations that have progressively intervened without prior authority from the UNSC. Nonetheless, Article 52 of the Charter stipulates that:

Nothing in the present Charter precludes the existence of regional arrangements, or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action provided that such arrangements or agencies and their activities are consistent with the Purposes and Principles of the United Nations (Article 52, UN Charter, Chapter VIII: Regional Arrangements).

The provisions in Article 52 authorise regional organisations and other agencies to intervene for the sake of international peace and security under regional arrangements. In the 1999 military intervention in Yugoslavia, which had no UNSC authority, NATO facilitated the withdrawal of Yugoslav armed forces from Kosovo and the deployment of the United Nations Interim Administration Mission [UNIAM] (Morton, 2014), which eventually facilitated peace. If NATO had waited for UNSC authority, Russia and China would probably have used their veto power to block any resolution to intervene militarily, since they were for a non-violent approach. Similarly, if NATO had waited for Milosević's consent, which was not going to be granted as the intervention was against him, more Kosovar-Albanians would have been killed or displaced. Failure to act would have led NATO to be morally responsible through an act of omission; hence, its intervention may be argued to be moral, though interests cannot be ruled out as the main motivation. In the foregoing, it has become ethical and legal for regional organisations to intervene without prior UN authority to prevent further deterioration of the security situation and to save lives. Authority has normally been granted whilst the intervention is in place, as was the case in the 1990 ECOWAS intervention in Liberia and the 1998 SADC involvement in the DRC, among many others.

In addition to right intention and legitimate authority, Taylor (2020) highlights serious prospects of success, the use of arms must not produce evils greater than the evils to be eradicated, and the war must not target civilians and enemy combatants who have surrendered or no longer present an immediate lethal threat, as essential ethical principles. Although Taylor refers to war, the standards he articulates likewise apply to military intervention, which also uses lethal force. In military intervention, serious prospects of success, though essential to avert being stuck in a prolonged engagement, is difficult to ascertain due to the dynamics of internal conflicts, which include mushrooming of numerous antagonistic factions, as was the case in Liberia and the current skirmishes in Syria. When the US intervened in Somalia from December 1992 to March 1993, in Afghanistan from 2001 to 2021, and in Iraq from 2003 to 2017, it was probably confident of quick success with all the sophisticated military equipment and abundant financial resources. In Somalia, although the intervention facilitated the distribution of relief aid, especially food to starving Somalis, the intervention may be argued not to have achieved serious prospects of success, since the conflict is ongoing. The same can be argued of the 2003 intervention in Iraq, among many others, where the

conflict has become persistent. Whereas serious prospects of success are an important ethical consideration in deciding to intervene militarily, it is difficult to ascertain due to unpredictable, complex, and diverse dynamics of intra-state conflicts.

Another JWT requirement is that the use of force must not produce evils greater than the evils to be eliminated (Taylor, 2020), which implies that the result of the desired peace must be preferable to the situation that would prevail if the war or intervention were not undertaken. Military intervention must not produce what ethicists, such as Hjorth (2015) and Mitchell (2015), refer to as ‘more harm than good.’ Instead, it must produce a moral good, such as peace, rather than exacerbating the situation as in the case of the US intervention in Somalia, Iraq, and Afghanistan, among many others. In this regard, Mitchell remark that;

While the stated motivation of military intervention has been to do good, such as ending major human rights abuses and the spread of violent conflict, the consequence of the intervention has often resulted in considerable harm, such as a disproportionate number of civilian deaths, the intensification of violence and the creation of new regional violence and threats (Mitchell, 2015: 2).

The assertion by Mitchell is common for most military interventions whose outcomes are morally undesirable and attracts blame on the intervener. Blame on the intervener by those to be assisted and the international community attracts moral responsibility on the intervener for the bad consequences.

Taylor (2020) further articulates that according to the JWT, there is a need to avoid targeting civilians and wounded or surrendered enemies who no longer present an immediate lethal threat. The same legal and ethical principles are also emphasised in the Law of Armed Conflict (LOAC), which by 2007 had 164 parties. The ethical principle of avoiding harm to civilians in humanitarian military interventions relates to the ethic of Protection of Civilians (PoC). As Liden Kristoffer has observed, while the doctrine of the RtoP emphasises the responsibilities of states and international organizations to prevent and stop mass atrocities like genocide, war crimes, ethnic cleansing, and crimes against humanity, the closely linked PoC doctrine focuses more broadly on the protection of individuals in situations of armed conflict, such as civil wars. Kristoffer articulates that PoC is defined by a number of areas of concern that are reflected in UNSC resolutions, which include displacement, humanitarian access, conduct of hostilities, and accountability, among others. The primary concern of PoC, as Kristoffer enlightens, is ‘protection of, and assistance to, the conflict-affected population’, which overlaps with the general objective of humanitarian protection in war-torn countries as stipulated by the ICRC and other relevant provisions (Kristoffer, 1983).

Ethical principles of avoiding harm, preventing human suffering, and PoC are very noble if the intervention is to remain morally credible and justifiable. However, avoiding harm or protecting civilians during military intervention in internal conflicts is practically difficult since terrorists or insurgents mingle with civilians in the context of Mao's concept of 'fish in water.' It therefore becomes difficult to apply the moral principle of distinction. As such, most military interventions in intra-state conflicts have more often caused unjustifiable harm to the civilian populace than to the combatants. Similarly, troops involved in military intervention in intra-state conflict are vulnerable to attacks by insurgents among civilians, making respecting, protecting, and avoiding civilian harm problematic. Nevertheless, the unavoidable civilian harm may be reduced through observance of moral principles of military necessity and discrimination, which stipulate that only targets that are necessary for the accomplishment of the intervention should be engaged, and those that are not of any military value should be spared. An armed person among civilians may become a military target during civil wars, though some civilians, depending on prevailing circumstances, may be armed for their own protection, which makes the ethical principle of distinction very difficult. Due diligence and care are required on the part of the intervener to limit civilian harm.

Considerable harm and human suffering have more often contradicted the given moral reasoning and justification for the intervention, manifesting into resentment by the population meant to be assisted. When such a scenario prevails, the question of moral responsibility in the form of blame on the intervening organisation or state becomes imminent. Such a situation has often called for compensation or reparations by the third-party involved in the intervention, as collective moral responsibility or shared responsibility to make amends and soothe resentment. The concept of moral responsibility fits well into the third component of the JWT that emphasises justice after the war/intervention (*jus post bellum*). In a few cases, a few individuals accused of genocide, war crimes, and crimes against humanity, mainly from third-world countries, have been sent to the International Criminal Court (ICC) for trial. Charles Taylor, the leader of the NPFL who became president of Liberia after elections in 1997, was sent to the ICC for trial. Nonetheless, most third parties involved in military intervention have not taken the moral responsibility to make amends and have increasingly adopted a 'fire and forget attitude, which contradicts the JWT ethical principle of *jus post bellum* (justice after the war/military intervention), rendering the moral justification of the intervention questionable. Moral responsibility for blame on the outcome of military intervention and its effects may, in addition to ethical principles highlighted above, be avoided through adherence to International Humanitarian Law.

3.4.2. International Humanitarian Law

The International Humanitarian Law (IHL), also known as the Law of Armed Conflict (LOAC), is a set of rules that seek, for humanitarian reasons, to limit the effects of armed conflict by protecting civilians and persons who are no longer participating in the fighting. It restricts the means and methods of warfare. The IHL is part of public international law, primarily derived from treaties, customary law, international law, and general principles of law as explicated in Article 38 of the Statute of the International Court of Justice (ICJ). The IHL, according to ICRC (2022), prohibits the use of certain weapons as well as methods of warfare and protects certain categories of people and sites, which are protected by ethical values. Most provisions of LOAC have become acceptable as customary law or as rules by which States are bound in the conduct of war. Although the IHL originally focused on international armed conflicts, which involve at least two states, it has developed to cover non-international armed conflicts comprising groups of armed dissidents fighting against a seated government or armed groups fighting each other, restricted to the territory of a single state, though the conflict may spill over to other countries.

International armed conflicts are subject to a wide range of rules, including those set out in the four Geneva Conventions and Additional Protocol I, while non-international armed conflicts involve a limited range of rules laid down in Article 3 common to the four Geneva Conventions and in the Additional Protocol II of 1977 (ICRC, 2022). Although LOAC provisions fall in the realm of law, their stipulations on what ought to be done and not done relate to ethical standards, which apply to military intervention in internal conflicts. The purpose of the standards is to regulate the conduct of military intervention in intra-state conflicts. These standards can also be used to judge military intervention as good or bad to facilitate the ascription of moral responsibility as praise or blame. Although various ethical standards outlined in the JWT and LOAC provisions seek to limit the effects of armed conflict by protecting non-combatants and limiting the means and methods of warfare, Taylor (2020) acknowledges that the ethical standards have never been met by any armed conflict in recent memory. This demonstrates the controversy associated with adherence to ethics in both war and military intervention. However, the JWT ethical standards, together with the ethics of military intervention spelt-out by Krieg (2013), namely; impartiality, mutuality, sustainability, complementarity, reflexivity, consistence, accountability and universality as well as the legal and moral provisions of IHL may regulate military intervention within the ethical context, to produce moral goods such as peace and tranquillity if applied consistently. However, despite the existence of ethics that guide the military in its activities, there are some ethical challenges that mostly affect

African sub-regional military intervention in intra-state conflicts, which this section sought to analyse.

3.5. Main Ethical Challenges that Affect African Sub-Regional Military Intervention in Internal Conflicts

Ethical challenges that are encountered mainly by African sub-regional organisations in military intervention in intra-state conflicts mostly emanate from ethical flaws on the part of the interveners. Ethical flaws in military intervention by sub-regional organisations mainly manifest from disregarding the ethics of military intervention, underscored by Krieg (2013) as impartiality, consistency, accountability, mutuality, cooperation, sustenance, and universality. Numerous scholars and analysts, among them Qi (2012), Hjorth (2013), Mithell (2015), and Chaminuka (2017), argue that ethical challenges in internal conflicts have a bearing on the dynamics of civil wars in question and the outcome of the intervention, among which are the prolongation and intractability of the conflict. This identified lack of impartiality, lack of sustainability, and profiteering through exploitation of the affected country's resources by participant states as the main ethical challenges that affect military intervention in internal conflicts. It was observed that the rest of the identified challenges also affect regional and global organisations' military intervention in intra-state conflicts.

The main ethical constraints encountered by African sub-regional economic organisations in conflict management, which include military intervention in internal conflicts, as highlighted by Olonisakin (2000:16), include the "difficulty of playing a neutral and impartial role, especially where hegemony enters the picture." Neutrality and impartiality, ethical flaws identified by Olonisakin, negatively affect most African sub-regional military interventions, just like regional and global military interventions. Adherence to the essential ethics of neutrality and impartiality by African sub-regional organisations, just like regional and global organisations in military intervention in intra-state conflicts, is rendered a fallacy and difficulty due to the prevalence of state-centric interests amongst participant states. Buzan (1978), Chaminuka (2017), Chingono (2017), and Schmiedl & Prouza (2021) posit that states have often taken advantage of military intervention in internal conflicts to maximise their political, security, and economic interests or even to project their power globally or regionally, contrary to altruistic moral reasoning concomitant with ethics. State-centric interests that are embedded in military intervention make adherence to ethics such as neutrality or impartiality difficult during military intervention.

There has been an ongoing debate on the feasibility of a neutral and impartial third-party intervention force or the applicability of impartiality in military intervention of internal conflict. Elbadawi and Sambanis (2000), Regan (2002), Bellamy (2004), Davidson (2012), and Kuperman (2013), among many others, argue that the intervener's choice on which side to support is dependent on its interests. A participant state in a military intervention will support the side that it views as enhancing its interests if it becomes the victor or remains in control. National interests inform states which belligerent side to align with and support based on perceived benefits. A state's decision to participate in a military intervention in an internal conflict is driven by its national interests. Shawcross (2001) elaborates that the strategic interests of states are a vital aspect of a successful humanitarian intervention, since the correction of humanitarian wrongs and the creation of a stable and peaceful environment require political will and the participation of governments and leaders, which would be impossible if states' national interests are not involved. The prevalence of national interests is therefore the main influence behind which states intervene militarily in support of a particular opposing side or faction, though this is contrary to impartiality and neutrality. However, ethicists such as Akcinaroglu & Radziszewski (2005), Rugeje (2016), Chaminuka (2017), and Irrera (2018) argue for altruistic and morally justified military intervention in intra-state conflicts. These protagonists of ethics in military intervention argue that taking sides in an intervention contradicts the ethic of impartiality and that the intervener's choice on which side to intervene in support influences the longevity of the duration and intensity of the conflict.

During the ECOWAS' military intervention in Liberia from 1990 to 1997, factions aligned to former President Doe's Armed Forces of Liberia (AFL) fought against those allied to Taylor's National Patriotic Front of Liberia (NPFL). The link between the ECOMOG's Anglophone participant states and the pro-AFL factions originated from Nigeria's alignment with former President Doe. On the contrary, Francophone participant states were reportedly linked to the NPFL and its factions since they had supported Taylor right from the commencement of the intervention (Ero, 1995; Obi, 2009; Chuka, 2009). The alignment of ECOMOG participant states to various armed groups of their interests contradicts impartiality, one of the main ethics of military intervention in internal conflict, underscored in the JWT, LOAC, and Krieg (2013). Lack of impartiality created rivalry and friction among participant states, which largely affected the mandate of the ECOMOG (Clayton, 1995; Brown, 1999; Konadu, 2009). The resultant friction between the ECOMOG's Anglophone and Francophone participant states compromised the ethic of cooperation, which is also important in military intervention, thereby negatively impacting effective decision-making during the intervention. Impartiality and lack of cooperation, among other factors, contributed to the protracted and

intractable civil war and the longevity of the military intervention in Liberia (Ero, 1995; Adebajo, 2002; Olonisakin, 2003; Obi, 2009).

In this vein, Nieuwkerk (2001) refers to constraints to regional cooperation mainly resulting from the pursuit of national interests by states and politics of greed, where profits are extracted by exploiting situations of intractable conflict. The observations by Nieuwkerk on the impact of national interests and profiteering by exploiting situations of obdurate conflicts on regional cooperation are common in most, if not all, military interventions in internal conflict. The same ethical flaws, particularly impartiality, also affect intervention in inter-state conflict, such as the war between Russia and Ukraine, in which NATO member states have provided various assistance to Ukraine against Russia, which relates to military intervention, though Ukraine is not a member of NATO, hence not covered by Article 5 of the organisation. The bottom line in this regard is that decisions by states to cooperate in military intervention, as already highlighted, hinge on national interests. As such, whereas at face value, military intervention in internal conflicts is morally justified as a responsibility, duty, or obligation to assist a member state or to protect the affected population, national interests of dominant participant states and other interested parties outside the intervening community have often been the main motive behind the intervention. Such interest-motivated military interventions as observed by Cunningham (2010), Mitchell (2015), Chaminuka (2017), Schmiedl and Prouza (2021) have often exacerbated and prolonged civil wars, at times turning them intractable and recurrent.

As underscored by Krieg (2013), sustainability is one of the ethics of military intervention. Lack of sustainability, particularly funding, is a major challenge that affects African sub-regional organisations' military intervention in internal conflicts. Lack of sustenance, particularly funding, compels African sub-regional organisations involved in military intervention in a member state's intra-state conflict to rely on donors and interested countries outside the sub-region who impose their interests on the outcome of the intervention (Chingono, 2017). Cohen (1996) postulates that the ECOWAS sent troops to Liberia and Sierra Leone with financial and material support from the international community, notably the US. African sub-regional organisations' reliance on external support for sustenance during military interventions in internal conflicts, in addition to facilitating external interests and influence on the outcome of the civil war concerned, as well as looting of local resources in the affected country, compromises the concept of 'African solutions to African problems' (Chingono, 2017) championed by most African leaders.

Sustenance challenges during military intervention operations by African sub-regional organisations are more pronounced when the intervention becomes extended due to the tendency of most civil wars

to become protracted. In this regard, Olonisakin (2000:16) points out those sub-regional organisations “...suffer from human and financial resource constraints.” Olonisakin’s observation is vindicated by the mid-July 2024 withdrawal of the SADC Mission in Mozambique (SAMIM) from the northern province of Cabo Delgado, which Opperman and Pigou (2024) have asserted was largely due to sustenance challenges, particularly funding. Mangwiwo (2024) corroborates assertions by Opperman and Pigou that SAMIN’s withdrawal from Cabo Delgado was mainly due to funding constraints and adds that, for the first time, SADC has publicly confirmed the withdrawal over financial challenges. Mangwiwo further observes that, on the contrary, the withdrawal is taking place when terrorism has gained new momentum with reports of attacks on communities, positions of Security Forces, and several beheadings since the commencement of the year 2024 (Mangwiwo, 2024). Lack of sustainability, therefore, remains a major ethical challenge as sub-regional organisations turn to rely on foreign funding or abandon the missions before restoring normalcy. Withdrawing from a military intervention deserves ascription of moral responsibility as blame on the sub-regional body for leaving more people to die, to be displaced, and more property to be destroyed, among other manifestations; hence, adequate sustainability arrangements need to be put in place for a military intervention that achieves the desired moral responsibility.

Despite the challenge of inadequate funding for various conflict management mechanisms from member states’ contributions, Moyo (2018) has observed that, based on Article 10 of the Strategic Indicative Plan of the Organ (SIPO), the SADC has not been comfortable with non-state actors’ donations and external funding to sustain its peace support operations (PSOs). He suggests that there may be a need for the SADC to reconsider its position on donor funding if it is to effectively deal with conflict within member states (Moyo, 2018). I disagree with Moyo’s view as it contradicts the African solutions to African problems mantra and facilitates external interests in the sub-region. Funding of sub-regional military intervention by donors and other external interested states has had its own challenges, as the fund providers tend to further their own interests, contrary to moral responsibility as duty or obligation, which mostly guide local interveners. Since sustenance remains a challenge for African sub-regional organisations, there is a need to seek assistance from the AU and UN in this regard. There is also a need to have a sub-regional fund solely meant for conflict management.

Another main ethical challenge encountered by sub-regional organisations in military intervention in intra-state conflict is illegal exploitation and the sale of the host nation’s lucrative resources, such as oil and diamonds, among others. Findley and Marineau (2015) are convinced that the motive behind

third-party military intervention in the domestic affairs of a state is grounded in economic interests, particularly attractive raw materials and other gains that could be obtained from a successful military intervention. In such cases, the pursuit of economic gains substantially influences the foreign policies of states (Findley and Marineau, 2015; Bove, Gleditsch, and Sekeris, 2015). In Africa, as observed by Yoon (2005), Chaminuka (2017), Chingono (2017), and Schmiedl & Prouza (2021), the economic motives of some states partaking in military intervention in internal conflicts are to loot raw materials. Similarly, Aydin (2012) refers to military intervention in the internal affairs of states as motivated by the need for the intervener to protect an economic position, trade, and interests in the affected country. In this context, Harsch (2007) has observed that countries with strategic resources such as oil have had prolonged conflicts, more so when other states intervene militarily. The protracted civil wars in Angola, Liberia, Sierra Leone, Iraq, Libya, and Syria validate the observation made by Harsch. The 2003 US intervention in Iraq has been argued along those lines. Exploitation and looting of attractive resources such as diamonds and timber by some participant states during the first ECOWAS' military intervention in Liberia from 1990 to 1997 were major ethical challenges encountered by the ECOMOG, which contributed to the prolonged and intractable civil war in Liberia (Van Walraven, 1999; Obi, 2009).

There are also some additional ethical constraints to sub-regional military intervention, which include disagreements among participant states and excessive use of force, among others. Disagreements among participating member states and excessive use of force, both of which are ethical flaws that affect sub-regional military intervention in internal conflict, are manifestations of a lack of cooperation and proportionality. Both cooperation and proportionality are essential ethical requirements pronounced in the JWT and other provisions governing the conduct of war and military intervention alike. The mentioned ethical flaws that affect sub-regional military intervention in internal conflicts also contribute to protracted, intractable, and recurrent civil wars, which are morally undesirable outcomes. However, military intervention in internal conflict has always had both moral good and bad outcomes, which are analysed in the preceding paragraphs.

3.6. Moral Good and Bad Outcomes of Military Interventions

Military intervention remains one of the means of restoring peace and security in countries afflicted by intra-state conflicts. Like any other concept, military intervention has both good and bad outcomes, which contribute to the debate on its utility. Assuming that third parties do not intervene to exacerbate or prolong the fighting (through pursuit of their interests), but to bring stability to a specific region or state (Regan, 2002), military intervention attempts to reduce hostilities or end

fighting to restore normalcy. Restoration of normalcy as a moral good conforms to the moral justification provided for the intervention. The moral justifications may be: ending atrocities, saving lives, facilitating the distribution of relief aid, restoring peace and security, and monitoring elections, among other justifications. If a military intervention achieves the desired moral goods, it is successful, and the opposite is true for morally undesirable outcomes, such as a protracted civil war that claims more lives than expected.

Most military interventions in domestic disputes aim to save the civilian population and restore peace and security, which form the main moral reasoning for intervening militarily. Since internal conflicts by their nature are usually associated with immense suffering of civilians, particularly women and children, efforts by sub-regional organisations to end or to manage the conflicts are morally commendable. The success of a military intervention is usually measured against its moral reasoning, whose achievement is a moral good despite some unintended consequences, such as a few civilians killed in crossfire. Regardless of the associated harm to the population to be saved, military intervention is required to halt gross violence against the civilian population, which is normally the worst affected by civil wars. Rebecca Moton's reference to the successful military intervention in East Timor demonstrates a moral good, which is associated with happiness as an outcome of the ethic of virtue. After a vote for independence in East Timor, militias and some sections of the Indonesian army embarked on violence, forcing an estimated 141,000 people into West Timor, while over 500,000 were internally displaced, and many were killed (Moton, 2014). The displaced population risked dying from starvation and diseases as they were cut off from food and water supplies. The rapid Australian-led military intervention ended the violence and enhanced the distribution of food and water, thereby saving thousands of lives (Moton, 2014). The military intervention in this case successfully prevented further loss of lives and was instrumental in ending violence. Peace as an outcome of the military intervention in East Timor was an example of a moral good.

Similarly, in Kosovo, as observed by Moton (2014), NATO's aerial bombardments in 1999 forced Milosevic to withdraw Serbian forces from Kosovo, ending the systematic oppression and ethnic cleansing of the Kosovar-Albanians by the Serbians. The intervention also enhanced the establishment of a UN interim administration with a framework for self-government (Moton, 2014). In this case, the military intervention positively ended Milosevic's systematic ethnic cleansing and oppression of the Kosovar-Albanians. The same can be said of the 1998 SADC military intervention in Lesotho by South Africa and Botswana to inhibit anarchy and restore order after the outbreak of violence and looting in that country (Neethling, 1999; Vhumbunu, 2015). Likewise, the ECOWAS' military intervention in Gambia on 19 January 2017 was a successful intervention. The intervention

prevented a rising political, security, and economic crisis in that country and the sub-region, as about 4,500 refugees had already crossed into Senegal (Hartmann, 2017). The threat of military intervention, coupled with diplomatic efforts, pressured Yahya Jammeh, who had refused to accept defeat in elections held in December 2016, to step down, paving the way for Adama Barrow, the president-elect, to be sworn in. The outcome of this intervention was peace, which is a moral good.

Another utility of military intervention is that it tilts the balance of power between or among belligerent parties. This occurs when the intervening third party supports and props up a belligerent party in its interest. Although biased interventions may be argued to contradict the ethical principle of impartiality, in some cases, it has helped to facilitate political solutions through dialogue, which would be impossible if belligerents remain in a climax or the hurting stalemate stage (Licklider, 1995; Moyo, 2018). Military intervention normally facilitates the culmination of the conflict into the '*ripe moment*' for negotiations (Licklider, 1995). A better bargaining position in negotiations is realised if there is a winner who emerges strong. This has often informed the decision by the intervening third-party to support a particular faction, notwithstanding bias towards the interests of dominant states.

Supporting one particular faction or a group of factions is common with lead-nations in military interventions, such as the US in NATO and Nigeria within ECOWAS, among others. Biased military intervention on one side may tilt the balance to allow for negotiations. However, in order to tilt the balance of power, the interveners adopt a biased approach by supporting a belligerent side of its interests, thus contradicting impartiality from an ethical point of view. Licklider further notes that an intervention indifferent to the outcome of a conflict and focusing solely on de-escalation or ending the conflict would primarily support the strongest side so that victory would be more likely (Licklider, 1995). Akokpari concurs with Licklider on tilting the balance. He, however, differs on propping the stronger side as he suggests that "where a military victory seems unlikely, an alternative strategy could be to support the weaker side to reach a military stalemate, possibly by increasing its fighting capability, forcing both parties to engage in negotiations, which could eventually lead to a lasting peace agreement" (Akokpari, 2016:145). Irrespective of which side the intervener supports, taking sides in military interventions contradicts impartiality as one of the ethics of military intervention in internal conflict. However, tilting the balance by supporting a weaker side may create a stalemate, leading to what Moyo (2018) refers to as the '*ripe moment*' for a political solution through negotiations, resulting in peace as a moral good.

Furthermore, Akokpari (2016) argues that intervention-induced peace in most post-conflict states remains fragile and susceptible to the recurrence of conflict after the exit of interveners. Indeed, military interventions do not resolve underlying cause(s) to the conflict, hence the resultant peace is not enduring as long as fundamental political, social, or economic causes are unresolved, which is what the JWT principle of *jus post bellum* seeks to address. Besides saving and protecting civilians, ending violence, and facilitating the distribution of relief aid, military interventions in internal conflicts are the main means of bringing opposing parties together after de-escalating or ending hostilities to pave the way for negotiations. Successful negotiations at times facilitate holding of elections as an important step to terminate the conflict, which is a moral good. Furthermore, military intervention, if morally driven and ethically managed, prevents the spill-over of conflict into the sub-region and re-establishes peace and security as moral goods.

While military intervention in intra-state conflicts facilitates a negotiated solution, it has been used for ulterior motives informed by the national interests of some states and other influential external interested nations. In pursuit of interests, individual participant states indulge in unethical actions that impact on the dynamics of the conflict and outcome of the intervention (Qi, 2012). Akokpari (2016) observes that while military intervention in intra-state conflict has been effective in mitigating, or at least managing, some African conflicts, its main disadvantage is that it has been used to advance the strategic interests of some states. Strategic interests include regime change and looting of resources such as diamonds and oil, among many others. In order to advance their interests, individual participant states indulge in unethical acts that impact the dynamics of the conflict and outcome of the intervention, such as the protracted and intractable conflict in Somalia and Libya. Competing national interests of third-party military intervention result in rivalry and lack of cooperation amongst states involved, which Cunningham (2010), among others, argues inevitably contributes to protracted and intractable civil wars. In this regard, Nieuwkerk points out that:

Two realities inhibit regional cooperation. The first is the old-fashioned politics where national decisions with regional implications are based on seductive appeal of the national interests or alternatively on sovereignty. The second reality is the politics of greed where profits are extracted by exploiting situations of intractable conflict (Nieuwkerk, 2001:16).

Nieuwkerk's observations are common to most, if not all military interventions in intra-state conflicts. States' decisions to participate in military intervention are dependent on national interests, informed by the politics of greed and not moral reasons. For example, it has been observed that countries with resources such as oil and diamonds have had prolonged conflicts, more so when other states intervene militarily (Harsch, 2007). Angola, Liberia, Sierra Leone, Iraq, and Syria are some

typical cases. Manifestations of such elongated civil wars include high civilian deaths, many IDPs, an influx of refugees, and the spread of the conflict into the region. Scholars such as Qi (2012) have avowed that conflicting interests contribute to the dynamics of the civil war and outcomes of the intervention being divorced from the moral justifications provided. As such, Cunningham (2010) has asserted that when third parties intervene in a civil conflict not to end the conflict, but to pursue an independent agenda, they prolong and aggravate the conflict, which is true of the conflicts highlighted above.

The intervener's choice on which side to support is dependent on its interests, which are based on the outcome of the intervention. The intervener will intervene on the side that it views will enhance its interests if the supported side wins or retains control. Some analysts argue that in the ongoing Syrian conflict, Russia may be interested in testing its military equipment and doctrine. The other motives for Russian intervention in Syria were to send a message to the world that it is a capable and modern military giant, and also to defend Assad, its strategic ally. The US, on the other hand, has supported some rebel fighters opposed to the Assad government (Rahman-Jones, 2017). The Syrian conflict has raged on since 2011 with no prospects for a peaceful solution in the near future. This vindicates the observation by Irrera (2018) that the intervener's choice on which side to support influences the duration and intensity of the conflict.

In the same vein, Elbadawi & Sambanis (2000), Regan (2002), Bellamy (2004), Cunningham (2010), Davidson (2012) and Kuperman (2013), among others, concur that third-party military intervention prolongs the conflict and turns it intractable, among other outcomes. Regan (1996) links such consequences to the interveners' favourable preferences of the conflict outcome for economic or political reasons, which may be the dominant motivation for the intervention. Interest-based preferences contradict ethical values like impartiality and altruism, among others. Supporting various parties to the conflict, as was the case with the ECOMOG during the Liberian conflict, manifests into a proxy conflict among participant states, which has the propensity to prolong the civil war and make it difficult to resolve, as was the case with the Angolan 27-year conflict and the current Syrian hostilities.

Consequences of prolonged and intractable civil wars that include high civilian deaths, a multitude of IDPs, an influx of refugees, and outbreaks of similar conflicts in the sub-region demonstrate morally bad outcomes. Such outcomes are normally associated with the dilemma of whether to attribute responsibility or blame to individual participant states as shared responsibility or to a sub-regional organisation as collective moral responsibility. The question of whether the ECOWAS was morally

responsible for the dynamics of the Liberian civil war and the outcome of the intervention is answered in Chapter 4, which endeavours to proffer solutions to the dilemma. However, not all actions and consequences of military interventions are deliberate and interest-driven. Some are coincidental, hence the application of the doctrine of double-effect to take into account some minimal unavoidable harm in military intervention, though the degree of tolerable harm is difficult to measure. The bottom line is that a military intervention needs to be guided by ethics. It must not use inappropriate means and excessive force to achieve its aim. Instead, the means and methods must abide by the ethic of proportionality if the intervention is to remain morally justifiable and avoid being responsible for unjustifiable harm. For the military intervention to remain within the confines of ethics and morally justified, ‘the means and methods to be used in the intervention should justify the ends.’

3.6. Chapter Summary

Military intervention in internal conflicts is a conflict management method undertaken by a state or a group of states under a global, regional, or sub-regional organisation, ideally prompted by acute humanitarian problems, usually resorted to when all other methods to restore peace and security have failed. Military intervention, just like war, is also regulated by ethics. Ethical principles enunciated in the JWT, such as just cause, right intention, reasonable prospects of success, last resort, impartiality, proportionality, distinction, military necessity, accountability, avoiding harm, and preventing human suffering or protection of civilians, also apply to military intervention in intra-state conflicts. Most JWT ethical criteria for resorting to war and the conduct of war also apply to the Afro-communitarian principle of *Ubuntu*, hence have been used in the regulation of the conduct of war in Africa. Although the application of ethics in military intervention remains debatable, it helps to regulate the behaviour and conduct of individual troops, states, and organisations involved and enhance the judgment of actions as right or wrong, good or bad, and deserving reward or punishment. Besides justifying the moral reasoning for military intervention, observance and adherence to the ethics of military interventions prevents being attributed moral responsibility or blame. The JWT ethical standards, together with the legal and moral provisions of the IHL and ethics of military intervention embraced by Krieg (2013), namely, impartiality, mutuality, sustainability, complementarity, reflexivity, consistence, and accountability, may regulate military intervention if applied consistently.

Lack of impartiality, lack of mutuality, lack of cooperation, lack of accountability, and lack of unity of purpose cause antagonism amongst participants that affects sub-regional military intervention in internal conflict. Similarly, illegal exploitation of the host country’s resources has a negative bearing

on military intervention. The mentioned third-party ethical flaws influence the dynamics of the conflict and outcome of the intervention, particularly the prolongation and intractability of the conflict as demonstrated by the Angolan, Liberian, and Sierra Leonean civil wars, among others. The harm that is associated with protracted internal conflicts, whilst the intervening force is in place, has influenced some analysts to argue that military intervention causes more harm than good, leading to attribution of moral responsibility as blame. Ethicists remain divided over whether accountability for the dynamics of the conflict and outcome of the intervention ought to be attributed to the organisation under which the intervention is undertaken as collective moral responsibility or individual state participants as shared responsibility, which amounts to a gap that has been closed in Chapter 6. The next chapter analysed moral justifications for the ECOWAS' military intervention in Liberia from 1990 to 1997.

CHAPTER 4: THE ECONOMIC COOPERATION OF THE WEST AFRICAN STATES MORAL JUSTIFICATIONS FOR INTERVENTION IN LIBERIA (1990-1997)

4.1. Introduction

As highlighted in Chapter 1, inasmuch as Eastern Europe and, to an extent, Asia have been affected by internal conflict in the period after the Cold War, Africa has witnessed more civil war than any other region. The upsurge in more intense and sophisticated internal conflicts has become costlier for the UN to manage, as global powers have demonstrated reluctance to respond to some African civil wars, as demonstrated by the 1994 genocide in Rwanda. About 800,000 mainly minority Tutsi, Hutus, and some members of the Twa ethnic group perished during about 90 days of internal conflict in Rwanda (Al Jazeera 7 April 2024). Chapter 1 also highlighted that the reluctance by global powers to respond effectively to most African civil wars and the unprecedented surge in internal conflicts have contributed to an increase in military interventions in the conflicts of member states, mainly by sub-regional multinational organisations, as a duty or responsibility. Military intervention has increasingly become one of the means for managing African intra-state conflicts in search of political solutions.

Although the African region has experienced more intra-state conflicts, West Africa has suffered more civil wars than any other African sub-region. This has contributed to the ECOWAS' military interventions in member states' internal conflicts more often than other African sub-regional organisations (Adebajo 2002; Adeyemi 2003; Aboagye 2004). The ECOWAS' initial military intervention and the first by an African sub-regional organisation was in the Civil War in Liberia between 1990 and 1997. In this study, a civil war was defined as an internal conflict that involves insurgents seeking territorial secession, autonomy, or control of the government. This chapter unpacked the ECOWAS' moral justification for the military intervention in Liberia. It provided an overview of the ECOWAS, briefly examined the Civil war, highlighting the background to the ECOWAS' intervention through the ECOMOG. In particular, Chapter 4 answered questions on whether the ECOWAS was morally justified in its military intervention in the internal conflict from 1990 to 1997, and the extent to which it embraced ethics in the intervention decision.

To address the question of whether ECOWAS embraced ethics in its decision to intervene in the civil war, the ethical criteria for recourse to war or military intervention enunciated in the Just War Theory (JWT), principle of *jus ad bellum* (justification for war) was used. The JWT criteria, which were analysed to determine whether ECOWAS embraced ethics in its decision to intervene militarily, were, firstly, right intention, just cause, legitimate authority, prospects for success, last resort, and proportionality. Coady (2002), among others, affirms the principles as essential ethical considerations that justified the third parties' decision to militarily intervene in an internal conflict.

4.2. An Insight into the Economic Community of the West African States

The 15-member West African States sub-regional organisation was formed after the Treaty of Lagos on 28 May 1975 to promote economic cooperation among its members (Adeyemi, 2003). Although founded for economic cooperation and integration, the ECOWAS has invariably participated in peacekeeping within the sub-region. Member states, at times, jointly and militarily intervene in internal conflicts, and where there is political instability and unrest (Aboagye 2004; Dumbuya 2008). ECOWAS member states include the Francophone colonies of Benin, Burkina-Faso, Côte d'Ivoire, Guinea, Mali, Niger, Senegal, and Togo. Five Anglophone states members include Gambia, Ghana, Liberia, Nigeria, and Sierra Leone. Cape Verde and Guinea-Bissau are the two Lusophone states, while Mauritania, which was the only Arab-speaking and a founding member, left the sub-regional organisation in 2000. The ECOWAS member states are shown in **Figure 1**.

Like the greater part of Africa, ECOWAS' member states reflect colonial boundaries that cut across ethnic and cultural lines, dividing ethnic groups between two or more states. This diverse colonial background, coupled with varied state-centric interests, has presented smooth integration challenges in the sub-regional body, which, to an extent, affect cordial cooperation. Though there has been recognisable security cooperation, competing interests and the quest for dominance have created the 'Anglophone-Francophone divide' (Ero, 1995). However, the ECOWAS member states have both cultural and geopolitical ties and, to an extent, share common values, principles, and norms in most areas, which contribute to some degree to the ethic of cooperation among member states.

Cooperation in international organisations, according to Labuschagne (2003), is based on common interests and values. Common interests, though debatable as national interests of states cannot be the same, still apply in the context of what a sub-region perceives as essential and shared values for its peace, tranquillity, and development. However, common values or interests do not primarily motivate cooperation at the regional or sub-regional level; rather, it is what states perceive as benefits to be realised from any cooperation governed by their self-interests. Labuschagne (2003) submits that

states cooperate at the regional level with the expectation of the realisation of their interests at this level rather than at the global level. In this context, Nigeria is argued to have used the 1990 military intervention in Liberia to project its hegemony in the sub-region (Obi, 2009), while South Africa, according to Moyo (2018), used the 1998 SADC military intervention in Lesotho to safeguard its interests in that country.

Though largely established for economic development and integration, the ECOWAS has gradually become deeply involved in conflict prevention and management rather than its original goal (Adibe 2000; Adebajo 2002; Adeyemi 2003; Aboagye 2004; Dumbuya 2008). The ECOWAS' focus on conflict prevention and management in member states' internal conflicts was mainly informed by the numerous internal conflicts in the sub-region and the realisation that no economic development can be achieved without a peaceful environment. Conflict management mechanisms that have been used by the ECOWAS include both diplomatic and enforcement measures. Enforcement measures have involved economic sanctions such as those imposed on Mali in March 2012 after a military coup in that country (ECOWAS Commission 14 May, 2012). The ECOWAS' enforcement measures also comprise military intervention such as the one made in Liberia from 1990 to 1997 and in 2003, respectively, in Sierra Leone from 1997 to 2002, among others. Despite the prevalence of hidden interests by participant states, most ECOWAS' military interventions, have been morally justifiable and appear ethically correct. However, like any other International Relations (IR) activity, the main driving force behind military interventions in internal conflicts of member states has remained state-centric national interests, though the interventions have a moral justification.

4.3. Background to the Military Intervention in Liberia (1990 - 1997)

Although generally, Africa has endured more internal conflicts after the Cold War period, West African countries specifically, Gambia, Burkina Faso, Côte d'Ivoire, Liberia, Sierra Leone, Guinea, Guinea-Bissau, Nigeria, Togo, Niger, and Mali, have been affected by internal conflicts (Annan, 2014). Annan (2014) further refers to the ongoing Boko Haram insurgency in Northern Nigeria, Niger, the Lake Chad basin, and Cameroon as being among the violent post-Cold War internal conflicts spreading into the sub-region, an observation that is corroborated by Gilbert (2014), Chikanga (2018), and Rodriguez (2018). The volatile political and security environment that characterised West Africa dates back to the Cold War era, where numerous coups occurred, coupled with a rise of autocratic regimes, spilled into the post-Cold War era. Although West Africa has been struggling with violent conflicts and civil strife for a sustained period, the post-Cold War period has witnessed more violent and long-drawn-out conflicts. The violent and prolonged conflict has

destabilised the sub-region's economies and created unprecedented civilian casualties as well as refugees and IDPs (Aning and Bah, 2009). The West African civil wars, as cited by Afolabi, quoted in Annan (2014), resulted in loss of lives and property, internal displacements, refugee crisis, poverty and diseases, small arms and light weapons proliferation, human and drug trafficking, and illegal resources exploitation, among others (Annan, 2014).

Internal conflict prevalence in West Africa, some of which have become intractable, protracted, and recurrent, has contributed to an upsurge in military interventions by the ECOWAS. The ECOWAS has, among other conflict management mechanisms, regularly intervened militarily in member states' intra-state conflicts since 1990, presumably in the realm of deontological ethics as moral duty, obligation, or responsibility, though state-centric interests remain a factor to consider. The military intervention in Liberia from 1990 to 1997 was ECOWAS's first military intervention in a member state's internal conflict, and was also the first of such by an African sub-regional organisation. Located on the West African coast and bordered by the Atlantic Ocean along its entire diagonal south-west coastline of 579 kilometres, it also shares borders with Sierra Leone to the north-west, Guinea to the north, and the Ivory Coast to the east, as shown in Figure 2.

The Liberian history is characterised by conflict, with the initial written records being between settled former slaves' descendants and the indigenous peoples. As expounded by Ibiefo (2016), the territory now referred to as Liberia, which was originally inhabited by indigenous peoples of different ethnic backgrounds, became a repository for returning descendants of North America and West Indies freed slaves in the early 19th century. The descendants of freed former American black slaves resettled in Liberia became known as Americo-Liberians. Numerous migrations coupled with increased domination of wars between the indigenous populations and the Americo-Liberians resulted ultimately in the Americo-Liberians proclaiming statehood of the Republic of Liberia in 1847. Between 1847 and 1980, the 5%, Americo-Liberians, ruled Liberia and dominated the majority of indigenous Liberians (Ero, 1995; Adibe, 1996). According to Biefo (2016), the 1980 military coup by Master Sergeant Samuel Doe ended the Americo-Liberian dominance. However, the end of the Americo-Liberians' dominance did not improve the political situation either, as in 1989, a civil war broke out, becoming protracted, intractable, and recurrent, lasting for about 14 years.

Contrary to the Liberians' expectations, Samuel Doe became even more oppressive. Doe brought in ethnic nepotism, which led to the killings of many Liberians. Through the Armed Forces of Liberia (AFL), he suppressed Liberians opposed to his autocratic rule, killing many people, including

students, opposition members, and civil servants, to name but a few (Akpan, 2003). The wanton repression by Doe led to a rebellion by the National Patriotic Front of Liberia (NPFL) led by Charles Taylor, whose incursion was launched from the Ivory Coast (Côte d'Ivoire) on 24 December 1989. The NPFL mainly targeted Doe's tribe, the Kahn, and the Mandingo, who were perceived to be supporters of Doe. Over 160,000 refugees fled to the Ivory Coast and Guinea within two weeks, ballooning to over 700,000 two weeks later (Olonisakin, 2003).

Further manifestations of the conflict were that about half the country's population was internally displaced, whilst civil administration and economic activities were disrupted, and the majority of the population needed humanitarian relief aid. Many non-Liberians from the sub-region and elsewhere were trapped in Monrovia while humanitarian relief workers were virtually unable to distribute aid. When the fighting reached Monrovia, the Liberian capital in summer 1990, levels of turmoil, ferociousness, and carnage were outrageous (Ero, 1995). This dire situation provided the main moral justification for the intervention by ECOWAS in order to end the bloodshed and enhance the distribution of humanitarian relief aid. The decision to intervene (militarily), according to Chuka (2009), was mainly based on humanitarian concerns, given the scale of the blood bath, wanton destruction, starvation, and rape, which were so rampant that it would have been immoral for the ECOWAS not to intervene. Morally, the ECOWAS non-intervention, qualified it as an act of omission (Klein, 2005)

The humanitarian moral justification for the 1990 ECOWAS military intervention in Liberia is demonstrated by the then president of Nigeria, Babangida's questioning that "Should countries in the sub-region standby and watch the whole of Liberia turn into mass grave yard?" (Chuka, 2009). Babangida's moral reasoning is akin to the Afro-communitarian view of cooperating to assist a member of the community as a duty or obligation. Since the whole community as a collective carries out the duty, it becomes a collective moral responsibility. The moral duty or obligation to assist a member of the community, which falls under deontological ethics, ideally informed the decision to intervene, among other reasons, in the Liberia conflict, after exhausting all peaceful means to manage the conflict. Against the given background, the main moral justification for the ECOWAS' military intervention in Liberia, like most such interventions, was mainly morally justified on humanitarian moral reasoning.

The rapidly deteriorating security situation in Liberia was deliberated at the ECOWAS Heads of States 13th Summit on 30 May 1990 in Banjul, Gambia. A five-member Standing Mediation Committee (SMC) made up of Gambia, Ghana, Mali, Nigeria, and Sierra Leone was tasked to find a

peaceful settlement to the conflict. Among the peaceful means to settle the conflict since its onset were the convening of a number of peace meetings and the brokering of several peace accords, but the carnage went on. After exhausting all peaceful measures to no avail, as required by the first ethical principle of the JWT, *jus ad bellum* (right to war), on 6 July 1990, the SMC made a move to send ECOMOG) into Liberia. The intervention force deployed its first troops into Liberia on 24 August 1990 (Tuck, 2000).

The ECOMOG was a West African multi-national force largely comprising personnel from the Nigerian Armed Forces and a few from other member states, namely, Burkina Faso, Liberia, Mali, Niger, Gambia, Ghana, Guinea, Senegal, and Sierra Leone. Tanzania and Uganda were the only non-ECOWAS members that participated in the intervention (Adebajo, 2002). According to Kitson (1993), ECOMOG was mandated to enforce, monitor, and maintain a cease-fire; It further was there to protect life and prevent property destruction; It was tasked to provide security to the interim administration in Liberia and observe elections and policing duties. The broad mandate assigned to the ECOMOG provided legitimacy to the mission.

As the first African regional organisation to militarily intervene as a conflict management mechanism, the ECOWAS made commendable efforts to give credence to its intervention as a moral responsibility in the context of duty or obligation. The intervention demonstrated the effective role regional organisations can play in the restoration of peace and stability within their communities without UN involvement. The intervention was premised on peace-enforcement as pronounced in the UN Charter Chapter V11 and was conducted under the concept of collective security, which, though an IR concept, also links to collective moral responsibility. As enshrined in Article 52(1), Chapter V111 of the UN Charter, the intervention also validated the notion of regional arrangements. The UN Charter delegates the maintenance of peace and security responsibility to regional organisations. In the foregoing, Annan (1998) notes that, primarily, responsibility for matters of international peace and security, provision of support for regional and sub-regional initiatives in Africa, is both necessary and desirable as the UN lacks the capacity, resources, and expertise to deal with all conflicts arising in Africa.

The 1990 ECOWAS' intervention, in addition to being executed as a duty or responsibility, was suitably undertaken by the sub-regional body with knowledge, capacity, resources, and expertise to deal with local conflicts. Deontological ethics, which are duty-based, as pronounced by Immanuel Kant, and according to Seawell (2013) hasten appreciation of team or group responsibilities and were argued to have motivated the ECOWAS' intervention in Liberia. However, military interventions

have been carried out mostly for other ulterior motives outside moral reasons camouflaged by some moral justifications to provide ethical credence, hence the need to analyse the moral justification provided by the ECOWAS to justify its intervention in Liberia between 1990 and 1997.

4.4. Moral Justifications for the ECOWAS Military Intervention in Liberia (1990-1997)

The 1990 ECOWAS' Liberian intervention was premised on peace and security restoration within Liberia and the sub-region (Dunn et al. 1995). Peace and security restoration was the main moral reasoning under which all justifications for the intervention were based. The deteriorating security situation, as articulated by Adisa (1999), informed the ECOWAS to intervene in Liberia mainly through the 1981 PMAD. Precisely, the moral justifications for the ECOWAS' intervention in 1990, according to Adisa (1999), were to prevent spill-over effects of the civil war, curb a humanitarian crisis resulting from the conflict, and assist a Member State, all of which were based on the PMAD. In order to determine the extent to which the ECOWAS was morally justified in its decision to intervene militarily in Liberia, this chapter used the threshold conditions and the JWT.

4.4.1. The 1981 Protocol on Mutual Assistance on Defence Intervention justification

The PMAD signed in 1981 provided ECOWAS with both legal and moral justifications to intervene militarily in Liberia. Ero (1995) asserts that the intervention was also based on the 1978 Non-Aggression Protocol, which recognised that Communities could not accomplish their objectives in the absence of peace and security. Though correct concerning the Community being aware that it cannot accomplish its objectives without an environment of peace and security, which requires collective action against any attack on a member state, the Protocol is invalidated by its upholding of the principle of non-interference as enshrined in the UN Charter Article 2(4). Similarly, the Protocol does not include intervention in internal conflicts like the Liberian civil war; the PMAD provided the overall framework and moral justification for the intervention.

The PMAD Article 4 sanctions the ECOWAS to intervene in any internal armed conflict in any state, engineered and to endanger the security of the entire Community. This Article implies that ECOWAS was only authorised to intervene in any internal armed conflict within any state, planned and supported actively from outside. This may imply that if the internal conflict is not engineered and supported from outside, the ECOWAS may not intervene even when the security situation deteriorates to unprecedented levels.

However, Charles Taylor's NPFL rebel fighters crossed into Liberia on 24 December 1989 from Côte d'Ivoire. The NPFL was also trained and armed by Libya (Enuka, 2009). The internal conflict was therefore planned and sustained from outside, and endangered the entire Community. ECOWAS was thus morally and legally warranted to intervene in the conflict as a moral duty or obligation in the realm of collective moral responsibility. Observably, articles 6(3) and 17 of the PMAD authorised ECOWAS to expedite the correct military action between the warring factions. By allowing the deployment of a peacekeeping force between the warring factions, articles 6(3) and 17 fell short of authorising the ECOWAS to intervene militarily in a member state's internal conflict. Instead, by deploying troops between warring factions, the provisions in articles 6(3) and 17 of the 1981 PMAD, apply to traditional peacekeeping under Chapter VI of the UN Charter, where troops deploy between the opposing forces to separate them, and monitor a truce or cease-fire, among other tasks as outlined in the mandate. The 1990 ECOWAS deployment in Liberia was different since the ECOMOG engaged in fighting against Charles Taylor's NPFL and its splinter groups, which was more of peace enforcement under Chapter VII of the UN Charter than traditional peacekeeping. However, by authorising the ECOWAS to deploy peacekeeping troops in a member state afflicted with internal armed conflict, it may also imply deployment for military intervention since the term peacekeeping has often been wrongly used interchangeably with military intervention or peace-enforcement. Furthermore, there was no peace to keep in Liberia since there was no truce or cease-fire; hence, the ECOMOG became involved in fighting against the NPFL to restore peace and security as moral goods.

The justification for the establishment and deployment of the ECOMOG as a multi-national military intervention force was enhanced through Article 13 (1 and 2) of the PMAD, providing for the creation of a Community Allied Armed Force to be deployed in such peacekeeping missions. The deployment was in the context of the ethic of duty or obligation. Tuck (2000) highlights that ECOWAS, as indicated by Article 16 of the 1981 PMAD, states that the Head of State of a Community member state under attack may request assistance from the Community. President Doe of Liberia requested such assistance through Nigeria (Ero, 1995). Moreover, by reacting to the rapidly deteriorating Liberian security situation, particularly in the capital Monrovia, the ECOWAS impliedly had some moral justification to save lives and property, prevent escalation of the conflict, and return normalcy to Liberia as moral responsibility, duty, or obligation in the context of deontological and communitarian ethics. The prevalence of a calamitous humanitarian situation characterised by carnage and destruction of property was a threshold condition that warranted and morally justified the 1990 ECOWAS military intervention in Liberia (Agyapong, 2005). Agyapong

further pointed out that ECOMOG's end-state was carnage stoppage, property destruction stoppage, and creation of conditions ideal for diplomacy and dialogue employment. The anticipated result was a long-term political settlement, morally justifying the intervention from a consequentialist ethical approach. The prevailing circumstances, which justified military intervention, referred to as threshold conditions, are worth analysing to determine if the ECOWAS was morally justified to intervene militarily in Liberia.

4.4.2. The Threshold Conditions Justification of ECOWAS Intervention in Liberia

Moral justification of military intervention in intra-state conflicts is premised on certain threshold conditions, such as mass killings and displacements, human rights violations, ethnic cleansing, and human suffering, among others. However, the determination of the ideal threshold conditions that justify recourse to military intervention in an internal conflict has been controversial. In particular, the determination of what constitutes threshold conditions for military intervention and the extent of those conditions remains problematic. Various ethicists have provided diverse views on circumstances that constitute threshold conditions, which warrant military intervention. Walzer (2000) points to massive human rights violations scenarios that shock the conscience as threshold conditions that warrant military intervention (Walzer, 2000). Wheeler refers to supreme humanitarian emergencies, characterised by acts of killing and brutality that surpass the daily human rights abuse, hence “the only hope of saving lives depends on outsiders coming to the rescue” (Wheeler, 2000:34). The International Commission on Intervention and State Sovereignty of 2001 report on the R2P identifies “large scale loss of life, with genocidal intent or not, or large-scale ethnic cleansing, ... whether carried out by killing, forced expulsion, acts of terror or rape” (Hoag: 2015:6). These according to the ICISS are threshold conditions that morally justify resolution to military intervention. The threshold conditions mentioned above existed in Liberia prior to the military intervention by the ECOMOG, which justifies the military intervention from an ethical perspective.

However, Hoag (2015) reiterates that humanitarian intervention proponents have cited very limited circumstances under which military intervention is justifiable. He posits that protagonists of military intervention have endeavoured to stipulate minimum threshold conditions grounded on scale, severity, and kinds of human suffering necessary (but not sufficient) to justify military intervention. Threshold conditions are all based on the severity, or magnitude, of human suffering. If the main considerations for military intervention in intra-state conflicts are based on the severity or gravity of human suffering as threshold conditions or circumstances that must prevail, it may imply that

military intervention cannot be resorted to as a preventive or pre-emptive measure. This may apply even in a developing situation likely to endanger the peace and security of the country in question. The conditions should include foreseen circumstances of an unfolding situation to warrant preventive military intervention or pre-emptive measures, as occurred in Gambia in January 2017.

In the case of Gambia, the ECOWAS mobilised and deployed before the situation had turned so chaotic, prior to escalating to threshold levels referred to by Walzer (2000), Wheeler (2000), and Hoag (2015). Waiting for a certain level and types of threshold circumstances may lead to the Community or organisation involved being morally responsible through an act of omission as a collective for failing to act. The prevailing and unfolding situations should inform decision-makers to intervene or wait for a certain justifiable degree of threshold circumstances. Decision-makers should also be aware that they would be morally accountable for the consequences of their failure to act on time, which also amounts to inaction that deserves moral responsibility in the form of blame through the act of omission. Such moral responsibility is in addition to the two circumstances for ascription of moral responsibility for harm mentioned by Klein (2005).

The different threshold circumstances proffered by various proponents of military intervention on circumstances that justify intervening militarily are an indication of the difficulties politicians and policy-makers encounter in the moral justification of military intervention in intra-state wars. The challenge in coming up with uniform threshold conditions also contributes to the controversy surrounding the moral responsibility of such interventions. However, of importance to note is that threshold conditions should be grounded on the severity of suffering or the level, degree, or gravity of the obtaining situation to morally justify recourse to military intervention in an internal conflict as a last resort. The threshold conditions or circumstances that morally justify military intervention in an internal conflict should be extraordinary and occur to a high degree or magnitude. In the ECOWAS military intervention, Chuka (2009) refers to the scale of blood bath, wanton destruction, starvation, and rape, which were so high that it would have been immoral for the ECOWAS not to intervene. Judging by the threshold conditions that existed in Liberia, the ECOWAS was morally justified to a large extent in its decision to intervene militarily.

4.4.3. The *Jus ad Bellum* justification for the ECOWAS Intervention in Liberia.

The first principle of the JWT, *jus ad bellum*, provides the criteria for justifying resorting to war: just cause, last resort, right intention, legitimate authority, high probability of success, and proportionality. Coady (2002), Prosviryakova (2012), and Hoag (2015), among others, subscribe that

the criteria for justifying recourse to war also apply to military intervention, which likewise uses lethal force. The 2001 ICISS report also refers to the same six ethical requirements stipulated in the JWT principle of *jus ad bellum* that must be followed before resorting to military intervention. However, Maria Prosviryakova highlights that the ICISS recommendations have not become part of International Law, hence they are not binding on states from a legal perspective. However, the recommendations are morally worth considering since they are similar to those in the JWT. Putting the six criteria for recourse to military intervention into perspective, Maria Prosviryakova underscores that there must be a strong reason for military intervention, which is a just cause, and the primary motivation for intervention by the international community should be based on humanitarian purposes, which is the right intention. She further elucidates that the international community can afford adequate means and the intervention will bring better than harm, which conforms to proportional means, and that the intervention must not produce more harm than good (Prosviryakova, 2012).

The six criteria for justifying recourse to war provided by Prosviryakova (2012), which also apply to military intervention, are the same as those in the first principle of the JWT, from which they originated. The 2001 ICISS report similarly refers to the same six ethical requirements stipulated in the JWT principle of *jus ad bellum* for resorting to military intervention, namely, just cause, last resort, right intention, legitimate authority, high probability of success, and proportionality. These criteria have developed into ethical considerations that justify recourse to war or military intervention. These six criteria for resorting to military intervention outlined in the JWT were used together with threshold conditions that prevailed in Liberia to determine whether the ECOWAS embraced ethics in its quest to militarily intervene in Liberia. Likewise, the first moral justification underlying the ECOWAS' intervention in 1990, primarily adjudicated against the threshold, is the 'last resort.'

4.4.3.1. Last Resort

The first JWT criterion for resorting to military intervention in an internal conflict, which is last resort, has attracted various views. Last resort is understood to imply that military intervention is permissible if non-violent means such as diplomacy have been used and are insufficient or unable to create a peaceful environment. Although it is difficult to morally justify resort to military intervention before exhausting all non-violent means to resolving the conflict, doing so after huge losses of lives and massive displacements have often proved counter-productive, resulting in the would-be third-party intervener being ascribed moral responsibility for an act of omission

underscored by Klein (2005). This strengthens the need to intervene militarily at an early stage or even as pre-emption, though such an action would contradict the ethical principle of last resort. This position is corroborated by Hoag (2015) who articulates that the justification of a war (or intervention) as a last resort is dependent on time, and the probability of the success of non-military measures (Hoag, 2015).

Hoag's line of reasoning was interpreted to mean that the last resort must be applied depending on the assessed situation. The potential third-party military intervener may otherwise be morally responsible through an act of omission for failing to act, as articulated by Klein in her conditions for ascribing moral responsibility. Using Klein's conceptualisation of moral responsibility, it is my conviction that the French troops who were in Rwanda at the time of the genocide in 1994 were morally responsible through the act of omission, for thousands of Rwandans who were massacred (Klein, 2005). The massacre occurred whilst French troops watched without any action for whatever reason, even when the threshold conditions for justifying military intervention were evidently clear. The threshold conditions that prevailed in Rwanda suited what Wheeler (2000) refers to as 'supreme humanitarian emergencies,' describing a situation in which there were extraordinary acts of killing and brutality that arose on a daily basis. Wheeler adds that situations of supreme humanitarian emergencies are severe, and hopes of saving lives depend on external help. Under such circumstances, rapid and decisive intervention was required to save lives and rescue people instead of exhausting non-violent means first. The 1994 Rwandan genocide validates both Wheeler and Hoag's assertions on the time or urgency of action as important when considering the ethical norm of last resort to decide when to intervene militarily.

The rapidity of the deteriorating situation determines the urgency of military intervention to prevent the situation from further worsening to unprecedented levels. Situations of emergencies do not warrant exhausting all non-violent means to manage the conflict before resorting to military intervention. Hoag (2015) propounds that intervention as a last resort includes evaluating the effectiveness of any non-military means and not trying all the peaceful means, which, to him, is a misconception of the requirement. Similarly, the 2001 ICISS report explicitly clarifies that last resort does not mean all non-military options must have been tried and failed. Instead, there ought to be reasonable grounds for believing in the non-success of the non-violent measures. As such, depending on the gravity of the security situation on the ground, decision-makers must be able to balance between last resort and saving lives to prevent huge loss of lives and other manifestations of rapidly degenerating security, given the fluid nature of internal conflicts.

In the ECOWAS intervention, though embracing the ethical principle of last resort, I argue that it acted late. When the ECOWAS intervened in Liberia on 24 August 1990, almost eight months after the outbreak of hostilities on 24 December 1989, many civilians had been killed, though the figure was not ascertained at the time of intervention. In terms of refugees, Takirambudde reported that within weeks of the outbreak of the civil war, more than 160000 people fled into neighbouring Côte d'Ivoire and Guinea. Refugee migration rose to no less than 700,000 around the 1990s, representing about one-third of Liberia's population. (Human Rights Watch, 1993). This demonstrates the dire need for rapid military intervention instead of religiously sticking to the last resort ethical principle.

The morally undesirable outcomes of delaying to intervene militarily on the premise of the ethic of last resort underscore the need to balance between the prevailing conditions and the prevention of further worsening of the situation, given the fluidity of internal conflicts. Rapid military action would help prevent the moral agent (the intervener) from being ascribed moral responsibility for failure to act or acting too late, resulting in many people who could have been rescued or saved being killed or displaced. Aloyo (2015), though acknowledging that the last resort criterion has a sanctified position in the JWT, underlines that many conceptualise last resort as implying that a pursuit of peaceful options has a high chance of achieving a just cause, which must be exhausted prior to resorting to force. Aloyo (2015) further argues that "last resort should be removed from the just war theory since its inclusion can result in a greater number of harms to innocents than if the principle did not exist" (Aloyo, 2015: 187-188). In Aloyo's view, what should matter morally about the ethic of last resort is the severity of the situation and the likely harm if action is taken late or no action at all.

The standpoint held by Aloyo against the last resort is based on giving leeway to resort to military intervention. Although resorting to military intervention as a last option has some morally undesirable outcomes, should the situation deteriorate rapidly, as occurred in the 1994 Rwanda Genocide, where more than 800,000 people were massacred in three months, the need to act on time is essential. This may justify rapid military intervention in certain situations to save lives. However, consideration of the last resort ethical requirement before resorting to military intervention prevents the use of such interventions for interests-based motives by states and avoids the damaging effects of morally unjustified military actions. Based on the severity of the security situation on the ground, decision-makers must be able to balance between last resort and saving lives to avert enormous loss of lives and other outcomes of rapidly deteriorating security in internal conflicts, given the nature of intra-conflicts. Although resolution may be made to military intervention upon the exhaustion of all peaceful and viable means and when there is no doubt that peaceful measures will not work, it may be used before attempting to accomplish non-violent means to prevent further loss of lives and

property. In order to embrace the ethical criterion of last resort as emphasised in the principle of *jus ad bellum*, there ought to be a just cause for recourse to military intervention.

4.4.3.2. *Just Cause*

The JWT ethical requirement for a just cause to resort to war, though difficult to judge from a moral perspective, remains essential in the moral justification for resorting to military intervention in internal conflict. When applied to humanitarian military intervention, as underlined by Hoag (2015) the considerations are whether a just cause encompasses defence of others or whether existing threshold conditions for intervention qualify as just cause for states to use armed force for protecting, defending or rescue of people in need. Basing on Hoag's reasoning, military interventions for example, the 2011 NATO Libya intervention under the R2P may be argued to have had a just cause of protecting the civilian population from Muammar Gaddafi's marauding forces. The intervention however, had an ulterior motive to Gadhafi regime (Obi, 2009), which is regime change. Regime change in Libya was not a just cause from a moral point of view. Pattison (2011) argues that the Libyan situation did not provide just cause for regime change, though there may have been just cause for humanitarian intervention. In this regard, Isaac (2012) accuses NATO of extending the UN mandate in favour of a pre-set regime change objective. The argument by Isaac (2012) is further bolstered by confirmations that NATO was willing to leave Libya with the takeover by the National Transitional Council (NTC) and the killing of Gaddafi (Isaac, 2012).

According to Terry (2015), the removal of Gaddafi was a means of protecting the Libyan civilian population, and this conforms with Doyle (2001), who claims that intervention plays the important goal of eliminating threats to peace, be it from individuals or regimes. Thus, what happened in Libya in 2011 was that Gaddafi was killed and regime change was successfully effected, which, to Terry (2015) and others, was a just cause for the NATO military intervention to facilitate the protection of the Libyan population. Even though a counter-argument has been advanced that the intervention achieved the protection of the vulnerable Libyan population, it is clear that it produced more 'harm than good,' which contradicts the justness of its cause. Since 2011, the security situation in Libya has remained unstable, with enduring armed conflict and the emergence of terrorist groups, which have made the civilian population more vulnerable to insecurity, contrary to the just cause provided for the military intervention.

In this context, Hauss (2003) and Irrera (2015) cite post-Cold War military interventions as being dubiously dubbed 'humanitarian' on some occasions, when in fact, they are interest-motivated. They

argue that military intervention has only used humanitarianism to conceal the actual intentions based on the interests of states. Such interest-motivated military interventions are camouflaged with a moral just cause, such as to save a particular ethnic group from ethnic cleansing. Hauss (2003) further accentuates that military forces have previously intervened in states' internal affairs, but seldom have they done so to eliminate impending conflicts or emergencies. Although Hauss seems to imply that military interventions have been conducted for motives outside ending complex emergencies, he also seems to agree that the interventions have, of late, been tailored towards ending such emergencies, which may imply that some interventions in internal conflicts have just causes.

Similarly, Chingono (2017) highlights that states pursue their self-interests through global, regional, and sub-regional organisations' interventions in conflicts that contradict the ethic of moral responsibility, which is based on altruism. Self-interests motivated military interventions have been justified morally and have had just causes based on the threshold conditions that exist, such as re-establishing normalcy, facilitating the distribution of relief aid, ending genocide, or protecting a group of people, among others. However, not all successful military interventions have had just causes. The 1979 military intervention in Uganda by Tanzania that removed Idi Amin, a renounced dictator, may be argued to have been tailored towards regime change. Wheeler (2002) has cited the intervention as one of a few examples of successful and genuine interventions. Wheeler (2002) further articulates that although international society never sanctioned the principle of humanitarian intervention in this case, it did demonstrate its reaction that it understood the moral context in which Tanzania had acted (Wheeler, 2002). Based on Wheeler's point of view, the intervention had a just cause.

However, rarely has a just cause for military intervention been spelled out in the framework of interests, which is the main reason for most states to partake in military intervention rather than altruistic moral reasons. Powers (2014) acknowledges that there are no cases of purely altruistic interventions since interests matter. This assertion by Powers implies that military interventions are justified on state-centric interests, contrary to the ethic of altruism. Powers (2014) accentuates that the 2014 French military intervention in Mali was morally justified for safeguarding French interests, including resources in the Sahel and West African sub-region, and curbing extremist Muslim expansion. The intervention was also meant to maintain French influence in Mali and the region (Powers, 2014). The three justifications by Powers (2014) also form the just causes for the French 2014 Mali intervention. However, the just causes espoused by Powers (2014) for the French intervention fit in the realm of interests rather morally just causes based on deontological ethics and virtue whose outcomes benefit those being assisted not the intervener.

The predominance of interests in the French military intervention in Mali may be argued to be divorced from moral justifications and deontological ethics of duty or responsibility due to the absence of altruism. This is common in most military interventions where interests have become the main motive and driving force behind the intervention. However, rarely have there been cases of altruistic, morally justifiable, and credible just cause in the history of military intervention in intra-state conflicts. Aloyo recommends that “to achieve a just cause, the only actions that are permissible are those that are likely to inflict the fewest morally weighted harms and that meet the other JWT principles” (Aloyo, 2015:188). Aloyo’s point of view conforms to assertions by Bellamy (2004) that the strategy chosen by the intervener justifies the intent of the military intervention. Bellamy argues that a morally justified military intervention whose purpose is to save lives cannot use indiscriminate carpet bombing (which causes more harm to civilians meant to be saved) and claim to be humanitarian. The point raised by Bellamy can be interpreted to mean that a military intervention with a just cause will be judged by its means and methods as well as its ethical approaches.

In a military intervention with a morally just cause, the degree of harm to civilians and civilian property justifies the cause and reflects on the intent of the third-party intervener. As for the ECOWAS’ Liberian intervention in, which, as enlightened by Cyrial Obi, was justified on a number of grounds, including the necessity for ‘African solutions to African problems.’ The intervention was also based on the need to halt the humanitarian crisis within Liberia (and the sub-region) and to stop the conflict from spilling over into the sub-region already burdened with an influx of refugees from the civil war in Liberia (Obi, 2009). The moral justifications, which amount to a just cause for the intervention, are summarised by Ero (1995) as: to prevent spill-over effects of the civil war into the sub-region, to curb a humanitarian crisis, and to assist a member state. The moral justifications may be argued to have formed credible just causes in line with the requirements of the JWT principle of *jus ad bellum*, which justifies recourse to military intervention. Since the ECOWAS’s justifications for intervening militarily in the Liberian war were morally credible, the decision to intervene may be argued to have been informed by just causes. The ECOWAS, therefore, embraced the ethical requirement of just cause in its decision to intervene militarily in Liberia with an overall intention to prevent a humanitarian crisis and curb the spill-over effects of the conflict.

4.4.3.3. *Right Intention*

The JWT requirement for right intention is an essential ethical consideration before resorting to military intervention in an intra-state conflict to justify the intervention. The right intention to engage

in war, which according to Bellamy (2004), among others, similarly apply to armed humanitarian intervention, are according to Hoag (2015) basic considerations for determining justification for recourse to military force. Aquinas stresses that the resolution to war ought not to be from greed or cruelty, but for peace (Hoag, 2015). The conditions stated herein for right intention equally apply to military intervention, where the right intention may be to ‘assist the good’ in Aquinas’s words. Hoag (2015: 13) corroborates that when the conditions highlighted by Aquinas are “applied to humanitarian interventions, use of military force satisfies the ‘right intention’ requirement if, among a plurality of motives, a primary purpose is addressing the widespread and systematic human suffering.” The right intention should conform to the cause for intervening militarily, which is justifiable from a moral perspective and based on altruistic moral reasoning devoid of other motives.

However, realists such as Powers (2014) argue that there are no cases of purely altruistic interventions without interests, which in essence are the driving force behind any intervention. Although interests are the main driving force behind military intervention, they are not normally pronounced in the decision to intervene but remain concealed under a morally justifiable intention. In Kosovo, NATO’s main distinct intention was to end the systematic oppression of the Kosovar-Albanians, who were vulnerable to ethnic cleansing. The intervention that was attained through aerial bombardments in 1999 forced Milosevic to withdraw from Kosovo, ending the systematic oppression of the Kosovar-Albanians, simultaneously facilitating the creation of a UN interim administration in the context of self-government (Moton, 2014). In the cited case, it may be argued that right intentions contributed to the success of the interventions, which attained moral justifications irrespective of hidden ulterior motives based on interests that were not pronounced.

Based on the ECOWAS Liberia intervention intentions, including curbing a humanitarian crisis, assisting a fellow member state, and preventing conflict in the sub-region, it can be argued that the sub-regional body had the right intentions to intervene militarily, and the intervention was morally justified. Although the intervention dragged on for eight years, it eventually ended, though briefly, in 1997 when Charles Taylor won elections monitored by the ECOMOG. However, the ECOWAS could not attain its intention of preventing the spread of the conflict into the sub-region as there were outbreaks of conflict in Sierra Leone, Guinea, and Côte d’Ivoire during the same period. As noted by Bellamy (2004), an intervention may have the right intention, but the methods and means used in its execution contradict the intent that was morally justified. Similarly, inasmuch as the ECOWAS had a morally justifiable intention for intervening militarily in Liberia, by supporting opposing warring

factions, it contradicted the ethic of impartiality, which contributed to a prolonged and intractable civil war in Liberia despite being the right authority to intervene in Liberia.

4.4.3.4. Right Authority

The right or legitimate authority is an important ethical consideration in the decision to resort to military intervention in an intra-state conflict. As discussed earlier in Chapter 3, after determining the right intention, the need for a legitimate or right authority to authorise the military intervention is a necessary requirement in the ethics of intervention based on the *jus ad bellum* JWT principle. UN Charter Article 1 (1) stipulates that the maintenance of international peace and security is the right of the UNSC in military intervention. The same article further mentions taking effective collective measures for the prevention and removal of threats to the peace. This article refers to collective measures reminiscent of collective moral responsibility for common threats. Scholars, who critique the moral and lawful correctness of intermediation in internal conflict by regional organisations, have cited UN Charter Article 24 of 1945 that accords the UNSC the primary duty of maintenance of international peace and security. Based on the article, regional organisations may be argued to be acting out of context during their intervention in member states' internal conflicts. It would therefore be unethical and illegal for any organisation or state except the UN to intervene in internal conflicts, if these articles are interpreted without consideration of other UN provisions.

Nonetheless, although articles 1(1) and 24 confer maintenance of peace and security upon the UNSC, the UN Charter, Chapter VIII, Article 52(1), specifies that:

Nothing in the present Charter precludes the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action provided that such arrangements or agencies and their activities are consistent with the Purposes and Principles of the United Nations (Article 52, UN Charter, Chapter VIII: Regional Arrangements).

Article 52 authorises regional organisations and other agencies to intervene to maintain international peace and security through regional organisations. Likewise, Article 53 states that "...the Security Council shall, where appropriate, utilise such regional arrangements or agencies for enforcement action under its authority ..." (Chapter VIII: Regional Arrangements). Furthermore, Article 53 (1) stipulates that, "No enforcement action shall be taken under regional arrangements or by regional agencies without the authority of the Security Council." This Article is aware that regional organisations such as ECOWAS are authorised to intervene militarily through peace enforcement action as long as the intervention aims to maintain international security, but under the umbrella of

regional agencies with the UNSC authority. Two aspects clearly spelled out in this article are that authority must be granted by the UNSC before intervening and that the intervention ought to be under regional agencies, implying that a state is not the right authority to intervene unilaterally in a member state's internal conflict.

Based on Article 53 (1), it has been argued that intervening without UNSC authority, which has become the norm by regional, sub-regional organisations and states, is unethical, illegal, and inconsistent with International Law. However, the principle of right authority seems to be contradicted as sub-regional and regional organisations have progressively intervened without prior authority from the UNSC. Military interventions without UNSC authority have often been undertaken ideally to avert further deterioration of the situation and save lives, since the UNSC may take a long time to grant authority, or it may not be granted at all due to the veto power of the five UNSC permanent members. Under such circumstances, more lives may be lost, and the would-be intervener could be blamed for the undesirable consequences of inaction through the act of omission; hence, it has become morally acceptable to intervene and then get authority whilst in action. Articles 52 and 53, therefore, provide legal and ethical grounding for regional and sub-regional organisations to resort to military intervention in member states' internal conflicts as conflict management under the UNSC auspices. Regional and sub-regional organisations, therefore, intervene as the right authority under regional arrangements.

Furthermore, just like articles 52 and 53 (1), which authorise regional organisations and other agencies to intervene, and similarly, Article 4(h) of the African Union, Constitutive Act makes the same provisions at the regional level. It provides for "the right of the Union to intervene in a Member State pursuant to a decision of the Assembly in respect of grave circumstances, namely; war crimes, genocide and crimes against humanity" (African Union Constitutive Act, 2000:7). Article 4 (j) similarly gives empowers member states the authority to request for intervention from the Union for restoration of peace and security (African Union Constitutive Act, 2000:7). Within the African context, authority to intervene militarily in a member state's internal conflict can only be granted by the Assembly to sub-regional organisations or regional agencies motivated by the prevailing threshold conditions such as crimes against humanity, war crimes and genocide. The AU provisions do not imply express authority to intervene militarily in an internal conflict without UNSC authority, which, from a legal and ethical perspective, is the overall right authority for intervention.

However, in most cases, military interventions have been undertaken without prior UNSC authority, probably to avert further deterioration of the security situation, especially considering the fluidity of

the situations in internal conflicts. In cases where most interventions have gone ahead without UNSC authority, it has been granted in retrospect or not granted at all. Nevertheless, many lives would have been saved, though the danger of the intervention being abused for state-centric interests remains high. This justifies the need to determine threshold conditions and the criteria for military intervention outlined in the JWT. Intervening militarily in an intra-state conflict without prior UNSC authority is ethical to prevent the recurrence of situations such as the 1994 Rwanda genocide, as long as it is in accordance with the maintenance of international peace and security. I therefore argue that there is nothing unethical about intervening militarily without prior UNSC authority if lives are to be saved and to prevent being held morally responsible for failing to act, known as an act of omission. The 1994 Rwanda genocide (Britannica, 2024) demonstrates the justification for intervening without prior UNSC authority and only getting it later after saving lives. If French troops who were in Rwanda during the genocide period had acted timeously, not many lives would have been lost. On the contrary, in 1999, NATO intervened militarily in Yugoslavia without the UNSC authority. The intervention facilitated the Yugoslav forces' withdrawal from Kosovo and the deployment of the United Nations Interim Administration Mission [UNIAM], which eventually created peace (Morton, 2014). If NATO had waited for UNSC authority, more Kosovar-Albanians would have been killed or displaced.

Since NATO has membership in more than one region, its intervention in Bosnia-Herzegovina did not qualify under the regional arrangement provided in Chapter VI of the UN Charter; the intervention was neither ethical nor legal. The intervention would have qualified as a regional arrangement if it had been undertaken by the European Union (EU), though Bosnia and Herzegovina were not members of the EU by then, but were located in the same region. However, the cause of the military intervention by NATO to rescue the Kosovar-Albanian ethnic groups, which were under threat from Milosevic's forces, was morally justified, but NATO was not the legitimate authority to intervene. It has, however, become ethical and legal for regional organisations to intervene without prior UN authority to prevent the exacerbation of the security situation and to save lives and property. Authority has been granted whilst the intervention force is in place, as with the ECOWAS in Liberia. As such, the 1990 Liberia intervention by the ECOWAS, though without prior UNSC authority, was ethical since it was the legitimate or right authority based on regional arrangements under the UN Charter, Chapter VI, and it saved further loss of lives.

4.4.3.5. *Prospects for Success*

Another critical ethical requirement in the decision to intervene militarily is the high probability or prospects for success. As underscored by Coady (2002) and Prosviryakova (2012), a high probability for success is another *jus ad bellum* requirement to be fulfilled for any military intervention to be morally justified. The success of a military intervention relates to the attainment of a just cause for intervening, such as to stop genocide. Success also relates to the creation of a better situation than the one before intervening. If the military intervention creates a worse security environment, as in Somalia, when the US and later the UN left the mission incomplete, such an intervention may not have considered the ethic of high probability for success during planning, and is not morally justified. This view is emphasised by the ICISS (2001), which articulates that:

Military action can only be justified if it stands a reasonable chance of success, that is, halting or averting the atrocities or suffering that triggered the intervention in the first place. Military intervention is not justified if actual protection cannot be achieved, or if the consequences of embarking upon the intervention are likely to be worse than if there is no action at all. In particular, a military action for limited human protection purposes cannot be justified if in the process it triggers a larger conflict (Evans et.al in the Report on the International Commission on Intervention and State Sovereignty, 2001: 65).

A reasonable chance for success in a military intervention is measured against its just cause, moral reason behind it, or the moral intent of the third-party, such as stopping genocide, protecting civilians, enhancing distribution of relief aid, restoring normalcy, preventing carnage or human suffering, among other causes that motivate the intervention. If a military intervention is assessed to create an environment that is worse than the one before the intervention or the intervention exacerbates the situation, then there are no prospects for success. Similarly, a morally justified military intervention for humanitarian purposes must not contribute to a protracted and intractable conflict with high intensity among other outcomes if it is to remain morally justifiable and have high probability or prospects for success.

An important question to consider is what the third-party intervener should do in the event of no high probability of success before intervening. Failure to act is not an option either, as it would result in moral responsibility in the form of blame through an act of omission. The same would apply if the intervener goes ahead to act, knowing very well that the chances for success are slim, which would still warrant ascription of moral responsibility as blame for a protracted and intractable conflict that spreads into the region. The intervener should assess the requirements for high success in terms of the

approach, equipment, funding, understanding the nature of the conflict and the belligerents, the means and methods, which, however, must remain morally acceptable among other considerations.

Based on the conditions for high probability proffered by the IC1SS (2001), the 1992-95 US and later the UN military intervention in Somalia and the 2011 NATO intervention in Libya, both of which had some form of humanitarian moral justification, did not have a high probability of success. The intervention, instead, worsened the conflicts and did not achieve the actual protection of the vulnerable populations, among other failures, and is not morally justified. This position is confirmed by Hoag, who holds that success in humanitarian military intervention has indeed curtailed widespread violence that constitutes a just cause and defines the incursion's intent. He argues that the absence of such success justifies the military intervention (Hoag, 2015). Based on the argument advanced by Hoag, the military intervention by the US and UN in Somalia may be argued to have been morally unjustifiable, though it facilitated the distribution of humanitarian relief aid.

However, serious prospects of success, though essential to avert worsening the conflict or the intervener being stuck in a prolonged engagement, are difficult to ascertain, mainly due to the dynamics of internal conflicts, which, among other manifestations, include mushrooming of numerous antagonistic factions, as was the case in Liberia and the current skirmishes in Syria. This argument is validated by the US military intervention in Afghanistan from 2001 to 2021 and in Iraq from 2003 to 2011, without any prospects for success, as the security situation has even worsened. Under such circumstances, the intervention is difficult to morally justify using the ethical criterion of high prospects for success as articulated in the JWT.

In the foregoing, Oliphant (2018) ascertains that the US did not have a specific timeline for either intervention but rather had a goal of establishing stable governments and ensuring that the country would not be used as a launchpad for terrorist attacks. Grounding on these given intents, Oliphant concludes that the US failed to achieve its goal. The same can be argued for the US intervention in Iraq, which also did not have prospects for success nor a morally credible moral justification (Oliphant, 2018). The same viewpoint can be held that although the 1992 US military intervention in Somalia facilitated the distribution of relief aid, especially food to starving Somalis, it cannot be argued to have had any prospects of success, especially with the conflict still going on. In this regard, whereas serious prospects for success are an important ethical consideration in deciding to intervene militarily, it is difficult to ascertain such success due to unpredictable, complex, and diverse dynamics of intra-state conflicts. If prospects for success are to be considered holistically, no third-party military intervention may be undertaken, yet threshold circumstances require urgent attention. I

also disagree with assertions by Hoag (2015) that a military intervention with no prospects of success has no just cause, since there are several dynamics of internal conflicts, most of which are outside the control of the intervener, that influence low or no prospects of success.

Although the 1990 ECOWAS military intervention in Liberia went on for eight years due to numerous challenges that included political, technical, funding, institutional, and military problems, which together hampered the ECOWAS intervention's effectiveness in the Liberian conflict (Chuka, 2009), it eventually facilitated negotiations that led to the holding of elections in 1997. The resultant peace was, however, short-lived as the armed conflict recurred in 1999, forcing the ECOMOG to intervene again in 2003. Ethically, the prolonged, intractable, and recurrent conflict during the intervention pointed to the ECOMOG's lack of high prospects for success, which cast doubt on the just cause. The Liberian civil war dynamics, however, together with various constraints on the ECOMOG itself, militated against its embracement of the ethical principle of high likelihood for success, but it eventually contributed to peace in Liberia and prevented further loss of lives. Since high prospects for success are difficult to ascertain given the dynamics and fluidity of civil wars, third parties should proceed to intervene to save lives even if they may not restore eternal peace, rather than not intervene at all because prospects for success are low, which attracts moral responsibility as blame through an act of omission.

4.4.6.6. Proportionality

Proportionality, the sixth ethical criterion for justifying resorting to military intervention or war as provided in the JWT's first principle of *jus ad bellum*, is also a fundamental consideration for recourse to morally justified military intervention in an internal conflict. Proportionality applies to both a morally justifiable decision to resort to military intervention and regulation of its execution categorised as macro and micro-proportionality, respectively (Coady, 2002; Hoag, 2015). The CISS report as regards the scale, duration and intensity of military intervention, stipulates that "The planned military intervention should be the minimum necessary to secure the humanitarian objective in question" (CISS, 2001:65). Similarly, Brown (2003) illustrates that proportionality distinguishes the correct equilibrium between the restraint obligated by a remedial measure and the severity of the prohibited act. He further advises that to determine the appropriateness of either recourse to war is just, national leaders ought to consider conflict proportionality. Proportionality considerations in the decision to resort to military interventions weigh the expected gains of the intervention action against the resultant destruction and damage. Brown, (2003) alternatively defines it as a measured response. The ethical consideration of proportionality in the decision to resort to military intervention in an

internal conflict needs to conform to Bellamy's (2004) assertion that leaders should take into consideration the resultant damage to non-combatants in the target country from existing alternative strategies. Leaders need to select the best strategy to achieve the desired objective with the least amount of evil or collateral consequences.

Furthermore, Bellamy Leaders must demonstrate the positive benefits of intervention against the overall evil ones from that military intervention. To ensure the overall good of the intervention, the chosen strategy must demonstrate the humanitarian necessity and that it will produce good results. The chosen strategy (which should be guided by the ethic of proportionality) should facilitate the restoration of a just peace in the region (Bellamy, 2004). These proclamations by Bellamy, though in the context of the intentions and motives of military interventions, place proportionality in the decision to resort to military intervention into context. From an evaluation on whether the ECOWAS upheld ethics in its decision to intervene militarily in Liberia in 1990 using the six JWT ethical criteria for recourse to a morally justified military intervention in Liberia, the ECOWAS upheld ethics largely. The next section analysed the moral justifications of the ECOWAS's military intervention in Liberia in 1990, which, according to Ero (1995), were to prevent spill-over effects of the civil war, curb a humanitarian crisis, and assist a fellow member state. This further determines whether the ECOWAS embraced ethics in its decision to intervene militarily in Liberia.

4.4.4. Intervening to Curb a Humanitarian Crisis

The main moral reason informing the ECOWAS' decision to militarily intervene in the Liberian civil war was to curb a humanitarian crisis in Liberia and the sub-region as a whole. As noted by a number of observers, among them Adisa (1999) and Enuke (2009), humanitarian moral reasoning strengthened the ECOWAS justification for military intervention in Liberia. Chuka (2009) elucidates that the decision to intervene was based on humanitarian concerns since the scale of blood bath, wanton destruction, starvation, and rape was so high that it would have been immoral for ECOWAS not to intervene. A brief chronicle of the humanitarian situation in Liberia, particularly in Monrovia, may portray the need to justify the military intervention. As the conflict pressed on, both sides, namely Doe's AFL and the NPFL, became involved in various atrocities related to genocidal acts. Ero (1995) expounds that by the summer of 1990, when the armed conflict reached Monrovia, carnage and destruction by conflicting sides were so high.

The AFL, on its part, as reported by Africa Watch, committed numerous atrocities that contradicted humanitarianism. On 30 May 1990, armed men attacked a UN compound in Monrovia, abducting

and murdering 40 refugees. Resultantly, the UN withdrew in June and only returned in November 1990 (Africa Watch, 1993). Another incident involving the AFL soldiers was the June 1990 shooting of unarmed protestors in Monrovia, calling on Doe to resign. Similarly, on 29 to 30 July 1990, AFL soldiers reportedly massacred around 600 people, who had taken refuge at St. Peter's Church and were reportedly mostly Gio and Mano women and children (Africa Watch, 1993; Ero, 1995). Given the level of massacre by both sides, the need to intervene and save lives was a critical humanitarian moral responsibility for ECOWAS.

The NPFL was even worse as it mostly targeted suspected followers of Doe's regime, mainly members of his ethnic Krahn. The NPFL also targeted the Mandingo ethnic group, which comprised mostly traders and businesspersons who were perceived to be collaborators of the Doe government. The NPFL slaughtered civilians and devastated villages along their way (Africa Watch, 1993). By June 1990, the NPFL rebel fighters reached Grand Gedeh County, largely inhabited by the Krahn ethnic group, and carried out indiscriminate attacks, burning houses, looting, torturing, and killing civilians (mainly the Krahn). The NPFL atrocities prompted a massive influx of Krahn people who sought sanctuary in the nearby Ivory Coast, among other neighbouring countries. This was one of the resultant effects of the civil war, which ECOWAS also sought to prevent as part of its moral justification to intervene militarily. The NPFL fighters embarked on ethnic cleansing, which, if it had not been stopped, through the ECOWAS' military intervention, would have degenerated into genocide of large magnitude, worse than the one that occurred in Rwanda in April 1994 (Ero, 1995). Besides the Krahn and Mandingo groups, the NPFL also attacked other ethnic groups such as the Grebo and the Vai. It also pounced on anyone who sympathised with the Doe government in all areas that fell under its control (Ero, 1995; Adebajo, 2002; Chuka, 2009).

The situation in Liberia was very critical as both Liberians and non-Liberians, mainly; Ghanaians, Nigerians and Sierra Leoneans, died without any justifiable reason (Adebajo 2002). The decision to intervene militarily was primarily justified on humanitarian concerns as the scale of bloodshed, wanton destruction, starvation and rape was so high that it would have been immoral for the ECOWAS not to intervene (Chuka, 2009). Similarly, Walraven (1999:28) reported that the decision to resort to military intervention in Liberia "was strengthened by the fact that thousands of some ECOWAS member states' nationals were trapped in the carnage." For Nigeria, Guinea, Conakry and Ghana the Liberian strife turned humanitarian considerations into a matter of immediate self-interest. Additionally, other non-African nationals were also trapped in fighting particularly in Monrovia,

where food and water were no longer available further justified an urgent military intervention to facilitate humanitarian relief.

In light of the dire humanitarian situation in Liberia, particularly in the capital Monrovia, the moral justification for ECOWAS' military intervention in Liberia to curb a humanitarian crisis was morally credible and justified. Adebajo (2002) highlighted that military intervention by ECOWAS was both necessary and morally justified since the security environment in Liberia posed a serious humanitarian crisis and was a threat to sub-regional stability. The military intervention by the ECOWAS through its military intervention force, the ECOMOG, was needed to rescue and save both Liberian and non-Liberian nationals from the brutal killings, torture, and various human rights abuses that were going on in Liberia. The intervention was also necessary to facilitate humanitarian aid, protect vulnerable ethnic groups, and restore normalcy in Liberia; hence, from a humanitarian perspective, the 1990 ECOWAS military intervention in Liberia was largely morally justifiable.

4.4.5. Intervening to Prevent Spill-over Effects of the Civil War

Sub-regional organisations are greatly affected by the consequences of intra-state conflicts, such as an influx of refugees, spread of the fighting to other countries in the sub-region, and other spill-overs, hence are motivated to find amicable solutions to such conflicts (Boulden, 2003; Olonisakin, 2003). In the same context, the Liberian conflict was perceived to affect the ECOWAS sub-region largely through its manifestations, in particular, of a humanitarian crisis, such as an influx of refugees and spread of the conflict into the sub-region. Adebajo (2002) pointed out that the need to intervene militarily by the ECOWAS was both necessary and morally justified as the security situation in Liberia posed a serious humanitarian crisis and a threat to sub-regional security. Another moral justification provided by the ECOWAS for its military intervention in Liberia was that regional instability was likely, with Liberian refugees destabilising neighbouring countries and the likely emergence of similar civil wars in adjacent states. An estimated 1.5 million refugees, as asserted by Ero (1995), overwhelmed the sub-region. The refugees had the propensity to perpetuate violence and criminal activities or spread the conflict to other countries, such as Sierra Leone, which experienced a similar armed conflict from 1991, with rebel groups being organised and operating from Liberia. The same situation is affecting the Eastern DRC, which has experienced recurrent conflict.

As highlighted by Rugeje (2016), recurrent conflict in the eastern DRC was partly triggered by the 1994 Rwanda genocide. Similarly, Faranisi asserts that prior to the breakout, there were no major conflicts in eastern DRC (Rugeje, 2016), which demonstrates that recurrent and intractable conflict in north-eastern DRC was mainly a manifestation of the Rwandan refugee influx into this part of the country. Rugeje further enlightens that it was only after the UN requested the Zaire government to extend hospitality on humanitarian grounds to Rwandan refugees that the conflict in the eastern DRC ensued (Rugeje, 2016). Insecurity in eastern DRC may be perceived to have been worsened by the fact that the Hutu who persecuted the Tutsi, but were defeated, crossed the border as refugees, armed, thereby contributing to an unabated conflict in the eastern DRC.

A similar scenario was witnessed in 2011 when NATO intervened militarily in Libya on the pretext of the UN-authorized 'Responsibility to Protect', when some forces loyal to the slain former President Gaddafi, fled to Mali and Niger and became involved in an insurgency that has particularly rocked Northern Mali since 2011. The insecurity emanating from extremists from Libya and the existing local militias in Northern Mali justified the 2013 military intervention in that country by France. The Malian scenario, the Eastern DRC insecurity, and violent intra-state conflicts in countries sharing common boundaries with Liberia, the Ivory Coast, Sierra Leone, Guinea-Bissau, and Cote d'Ivoire, among others, in addition to being inundated with Liberian refugees, validate the ECOWAS moral reasoning that regional instability was likely to be experienced, given the Liberian refugees flocking to neighbouring countries.

The moral reasoning justified ECOWAS' intervention in Liberia. The moral justification, in turn, accorded the ethical considerations in the intervention decision. The moral justification based on the prevention of spill-over effects of the conflict was, however, not really achieved, as demonstrated by outbreaks of similar civil wars in neighbouring countries. As discussed earlier in this chapter under the JWT criteria for justifying recourse to military intervention, if a given just cause or intent for intervening is not attained, the intervention is not morally justified (ICISS 2001). Based on this argument, the ECOWAS' reasoning, founded on preventing spill-over effects in the form of a refugee influx and outbreak of similar civil wars in the sub-region, was not achieved; hence, the intervention was not morally justified in this context.

4.4.6. Intervening to Assist a Member State as Collective Action

The third rationale for the military intervention rested on the 1981 ECOWAS Protocol relating to Mutual Assistance in Defence. Article 16 of the protocol allowed member states' Heads of State to request assistance from the Community (Weller, 1994). Based on Article 16 of the Protocol,

President Doe of Liberia invited Nigeria to assist. Although Doe's request for assistance was directed to Nigeria, being a major power in the ECOWAS, Nigeria invited the rest of the Community since the prevailing insecurity in Liberia would threaten and endanger the peace and security of the sub-region (Tuck, 2000). From an ethical perspective, Tuck (2000) maintains that the ECOWAS intervention was a duty prescribed in the 1981 Protocol, whose Article 16 stipulates that, "the Head of State of a member state under attack may request assistance from the Community" (PMAD, 1981, Article 16).

The notion of intervening in the context of a deontological approach to ethics largely morally justifies ECOWAS' intervention in the civil war. Similarly, as expounded by Moyo (2018), in the 1998 DRC SADC military intervention, upon the request by Laurent Kabila for assistance, it was enough justification for the SADC to intervene in the conflict as a moral duty or obligation. The SADC, through Angola, Namibia, and Zimbabwe, deployed troops to assist the DRC, a fellow Member State from a rebel onslaught. The fact that in both the ECOWAS and SADC interventions, there were invitations from the Heads of States of countries in distress as provided for in the sub-regional bodies' protocols, brings in some ethical and legal connotations. The response to the distress calls through military intervention by the two sub-regional organisations was mainly in the framework of deontological ethics as moral duty, obligation, or collective responsibility to assist a member state. This moral justification also falls into the realm of collective security, which, according to Buzan, entails:

A regional or global security arrangement in which a group of states is convinced and accepts that the security of one member is the concern of all and therefore agree to join in a collective response to threats to, and breaches of the peace (Buzan, 1998:3).

The idea of being convinced and accepting that 'the security of one member is the concern of all and therefore agreeing to partake in a collective response to threats to, and breaches of the peace', demonstrates common values, interests, and principles. Such common values, principles, and interests are critical attributes of ethics that inform collective moral judgment. Kegley and WitKopf (2011) are convinced that the proper function of collective security entails that all threats to peace be a concern to everyone. When all threats to peace are common concerns to all member states, peace becomes indivisible. The assumption in this perspective is that peace becomes a fundamental objective and moral responsibility for every state. However, from a realistic perspective, it is not possible for all member states to have common values on peace or common threat perception since interests differ, though there are

circumstances when common threat perception applies. Without peace, there is no development, and there are many problems associated with the unavailability of peace and security; hence, states in their normal senses would have a common position on peace and security within their community.

NATO Article 5 demonstrates the common position on peace and security as it specifies that “an attack on one member is an attack on all” (NATO, Article 5: 1949). This common position on peace and security entrenches the ethic of collective action on all member states to assist a member state under attack as a moral duty, obligation, or responsibility within collective security. Tenets of collective security, such as shared values, interests, and vision, among others, from a moral perspective, can be equated to collective moral responsibility. Collective security, especially concerning collective action against a common threat, fits into deontological ethics as duty or obligation, hence may be likened to collective moral responsibility. Collective security arrangements in the ECOWAS are pronounced through Article 2 of the 1981 Protocol on Mutual Assistance on Defence, which underscores that “any armed aggression directed against any Member State shall constitute a threat or aggression against the entire Community” (Article 2 PMAD, 1981:). Likewise, the SADC Mutual Defence Pact Article 6(1) states that, “An armed attack against a State Party shall be considered a threat to regional peace and security and such an attack shall be met with immediate collective action.” This Article is reminiscent of collective moral responsibility to assist a member state or to deal with a common threat to security collectively. The community approach to a common threat, which is what collective security entails, conforms to the communitarian approach to ethics that is grounded in collective or group action, such as the ECOWAS intervening militarily in Liberia.

The mentioned collective security provisions for NATO, ECOWAS, and SADC symbolise the collective moral responsibility in the context of deontological ethics of obligation or duty. The SADC military intervention in the Cabo Delgado province of northern Mozambique in 2021 was largely driven by Mutual Defence Pact provisions, which make intervention a moral obligation and justify such intervention. In the same vein, the 1981 ECOWAS’ PMAD provided its moral justification for the 1990 military intervention in Liberia. Nevertheless, some critics of moral reasoning as the motive for the intervention have argued that the main motivation behind the 1990 ECOWAS’ military intervention in Liberia was the then president of Nigeria, Babangida’s personal motives, especially his friendship with then president Doe of Liberia. The critics have argued that Babangida’s personal

interests mainly drove the intervention rather than the collective moral responsibility as duty or obligation. Nigeria is argued to have used its influence to lure other ECOWAS member states to partake in the military intervention, though influential Francophone countries like Cote d'Ivoire and Burkina Faso were hesitant right from the beginning.

Adekeye Adebajo argues that the intervention was mainly about “Nigeria's leadership aspirations in West Africa, Babangida's image of himself as a great leader, his desire to leave an indelible mark on Nigeria's history and the aspirations of the Nigerian army to enhance its status and to prove its worth as a national and sub-regional asset” (Adebajo 2008:187). The other argument, which is devoid of moral responsibility as duty or obligation, was the fear by some West African heads of state that the success of a rebellion in Liberia would inspire or encourage groups in other authoritarian regimes, mostly created through coups, to also rise against their governments (Ero, 1995). Obi (2009) saw both regime security and ruling elite interests as significant factors justifying the military intervention. The influence of self-interests or personal interests is essential in most military interventions, where interests rather than moral reasons are the driving force for the intervention. Moral reasons are only used to justify the military intervention, mainly from a humanitarian perspective, and to give the intervention moral credence.

The concern of some West African Leaders became real upon the occurrence of a similar rebellion by the Revolutionary United Front (RUF) in Sierra Leone. The internal armed conflict erupted when Charles Taylor's NPFL supported the RUF insurgency, responding to President Joseph Momoh's incompetent and corrupt administration in 1991. Taylor's backing of the RUF is believed to have emerged from Momoh's support for ECOMOG (Adebajo, 2008:82). Since Taylor viewed the ECOMOG as a Nigerian initiative and was against its deployment in Liberia, the use of Sierra Leonean territory during deployment by the sub-regional intervention force may justify his ill-feelings toward that country.

As for the NPFL, it was believed to have been trained and supported by Libya emanating from Gaddafi's personal vendetta with Doe for Libya's embassy closure for Doés support of the United States, which he abhorred as imperialistic (Ero, 1995). Côte d'Ivoire and Burkina Faso organised and supported the insurgency. Based on personal interests, both Félix Houphouët-Boigny, then leader of Côte d'Ivoire, and Blaise Compaoré, the president of Burkina Faso at the time, supported Taylor by providing arms and sanctuary to the NPFL. After his coup in 1980, Doe is believed to have ordered the execution of President Robert Tolbert. Doe also failed to prevent the killing of Adolphus's son to President Robert Tolbert while in detention despite appeals by Boigny to spare him as his son-in-law

(Adebajo: 2002b:31-32). The NPFL supported by Burkina Faso and Côte d'Ivoire can thus be understood from this background. Obi (2009) further observes that by supporting the NPFL against Nigeria, Cote d'Ivoire would be able to oppose Nigeria's support for Doe and to limit its ambitions within West Africa, as similarly observed by Chikanga (2018). Compaore's link to Boigny also made him support Taylor against Doe (Obi, 2009).

However, it has been argued that the main reason for these two leaders to support Taylor against Doe was to oppose Nigeria's influence in the sub-region. This motive hindered smooth cooperation during the intervention, leading to divided attention by supporting opposing factions. The divided support of antagonistic factions virtually turned the intervention into a proxy war, contrary to the ethics of military intervention, such as impartiality, cooperation, mutuality, and consistency, among others. However, the moral reasoning for the military intervention was morally justifiable to a large extent, irrespective of other ulterior motives based on self-interest. The examination of the moral good and bad outcomes of the military intervention is essential in the validation of the moral justifications provided

4.5. Moral Goods of the ECOWAS' Military Intervention in Liberia (1990-97)

Moral goods, according to Valasquez (2006), are abstract qualities that are considered valuable and provide the justification for engaging in certain actions. Examples of moral goods include pleasure, happiness, wisdom, freedom, justice, and virtue, among many others. Morally good actions are those that bring positive outcomes for oneself and others, such as peace, love, happiness, honesty, truthfulness, obedience, and protection (Valasquez, 2006). As mentioned in Chapter 3, moral goods for military intervention include restoration of peace and security, normalcy restoration, vulnerable ethnic group protection, prevention of genocide, facilitation of relief distribution, and enabling the holding of elections, among others. In the context of this study, the moral goods of the 1990 to 1997 ECOWAS military intervention in Liberia, from consequentialist and virtue approaches to ethics, are positive outcomes of the intervention as measured against the mandate, justifications, and intents of the intervention.

The tasks that were accomplished by the ECOMOG in the military intervention were provided in its mandate as articulated by Kitson (1993:30) that "the ECOMOG was mandated to maintain, enforce and monitor a cease-fire, protect life and property, maintain essential services, provide security to the interim administration in Liberia, observe elections and conduct normal policing duties." The ECOMOG accomplished certain tangible outcomes such as protection of property and life, maintenance of essential services, security to the Liberian interim administration, conducting normal

policing duties, and protection of humanitarian aid workers, among other duties from August to November 1990 (Ero, 1995). As postulated by Tuck (2000), during its period of deployment in Liberia from 1990 to 1997, the ECOMOG engaged in various activities, including disarming belligerent factions, cease-fire monitoring, peace-enforcement, protecting humanitarian aid workers, monitoring elections, and implementing post-conflict measures to prevent conflict relapse. The ECOMOG facilitated a cease-fire that briefly brought the fighting to a halt (Africa Watch, 1993). These accomplished tasks were provided in the ECOMOG's mandate, which largely validated its moral justification for intervening militarily in the Liberian civil war from 1990 to 1997.

ECOMOG fulfilled most tasks given in its mandate by 1997, and Liberia had some semblance of order and security, though for a brief moment. The moral goods were also judged according to outcomes based on the moral justifications provided for the intervention, which were to prevent a humanitarian catastrophe, prevent civil war spill-over into the sub-region, and to assist a member state. Except for the prevention of conflict spill-over into the sub-region, ECOMOG achieved the other two justifications, resulting in happiness in Liberia, which symbolised moral goods. The Human Rights Watch (1993) asserts that ECOMOG fulfilled certain objectives between August and November 1990. It established order and peace in Monrovia, which allowed international humanitarian groups to return to Liberia. It confined the AFL and INPFL to barracks, facilitated the installation of the Amos Sawyer Interim Government of National Unity. The ECOMOG prevented the slaughter of the Krahn and Mandingo people in Monrovia. Sentiments such as *'Thank God for ECOMOG'* were common among residents of Monrovia, demonstrating happiness as a moral good and an outcome of virtue ethics (Human Rights Watch, 1993).

Although the civil war in Liberia became protracted and claimed around 200,000 lives as well as displacing almost half of the Liberian population (Konadu, 2009), the restoration of peace and stability was a positive contribution of the ECOWAS' intervention, according to Brown (1999). By 1997, ECOMOG had negotiated the disarmament of rebels, a cease-fire, a peace accord, and evacuated expatriates and created conditions for transparent elections (Molnár, 2008; Gilbert, 2014; and Rodriguez, 2018). Based on virtue ethics, the restoration of peace and security in Liberia was a moral good that brought happiness. Didiguni (2001) observes that ECOMOG was thus recognised as the first African peacekeeping force to successfully discharge its mandate of peacekeeping and peace-enforcement. As the first African sub-regional organisation's military intervention in an internal conflict, the ECOMOG can be used as a model for African sub-regional peacekeeping arrangements with some improvements. The intervention prevented an unfolding genocide, which

probably would have been worse than the one that occurred in 1994 in Rwanda (Britannica, 2024). Surprisingly, the international community took no action, which, according to the writer, was an act of omission that deserves moral responsibility in the form of blame. The ECOMOG's prevention of large-scale genocide similar to that of Rwanda in 1994 was indeed a moral good, as more lives would have been lost.

Recognising ECOWAS' positive military intervention role, Smock (1993) acknowledges that the Liberian intervention was unique in that it firstly served as an example of a new sub-regional organisation intervention type. Secondly, it led to the non-interference in states' internal affairs policy re-examination as one of the principles underlying the OAU. Though still applicable, the principle as enunciated in Article 4(g) of the Constitutive Act of the AU, the restriction has been relaxed by Articles 4 (h) and (j) of the same Constitutive Act. Article 4(h) provides the right of the Union to intervene in a Member State pursuant to a decision of the Assembly in respect of grave circumstances, namely, war crimes, genocide, and crimes against humanity. Article 4(j) provisions Member States to request intervention from the Union to restore peace and security (African Union Constitutive Act, 2000). Whereas the policy on non-intervention stands, provisions for intervention have been made only in grave circumstances, such as crimes against humanity, war crimes, and genocide, which are ethical.

Prevalence of crimes against humanity, war crimes, genocide, and as threshold conditions under which military intervention is permissible, makes military intervention in the affected member states a sub-regional organisation's obligation for a collective moral responsibility. The ECOWAS' military intervention in Liberia in 1990 was typically informed by the mentioned grave circumstances. The ECOMOG also accomplished its moral justifications for the intervention to curb a humanitarian crisis and to assist a fellow member state in its duty or obligation. It, however, failed to prevent the spread of the conflict into the sub-region as a civil war broke out in 2002 in Sierra Leone. The Revolutionary United Front (RUF) rebels were operating from Liberia. Consequently, civil wars also broke out in the Ivory Coast and Guinea-Bissau as a morally undesirable outcome of the intervention.

Notwithstanding the ECOMOG's considerable success in military intervention in Liberia, a number of analysts have blamed it for the prolonged and intractable civil war, whose manifestations were unbearable. Howe (1996), Tuck (2000), Molnár (2008), Chuka (2009), Gilbert (2014), and Rodriguez (2018), among others, blame the ECOMOG for the prolongation of the Liberian civil war by siding with opposing factions. By blaming the ECOMOG for prolonging the civil war in Liberia, it is, in

essence, being ascribed collective moral responsibility as blame for a morally undesirable outcome of the intervention. Supporting opposing sides by members of the ECOMOG was tantamount to a lack of impartiality, contrary to the ethics of military intervention as suggested by Krieg (2013). The practical application of impartiality, though essential from a moral point of view, remains a contested issue as will be discussed in the next chapter.

In this context, Ero (1995:8) acknowledges that, “ECOWAS’s Liberian intervention has raised significant questions about the legitimacy, neutrality and effectiveness of sub-regional peacekeeping.” Analysts have argued that the lack of consent by all parties to the conflict, as stipulated by Chapter VI of the UN Charter, turned the intervention into peace-enforcement by ECOMOG, which consequently found itself fighting against the NPFL and its breakaway factions. The critics argue that the lack of consent, especially from Charles Taylor’s NPFL, was the main problem behind the prolonged civil war that stretched up to 1997. Correspondingly, Howe (1996), Tuck (2000), Molnár (2008), Gilbert (2014), and Rodriguez (2018), among others, have blamed the ECOMOG for the prolongation and intractability of the Liberian civil war by supporting opposing factions, which negatively affected the unity of purpose in the intervention. The worst effect of competing national interests amongst ECOMOG participant states was the alignment of ECOMOG participant states to opposing warring factions, which was tantamount to a lack of impartiality, though debatable in military intervention.

The Anglophone participant states are reported to have supported Doe’s AFL and its breakaway factions, while the Francophone member states are alleged to have supported Taylor’s NPFL and its splinter groups (Clayton, 1995; Ero, 1995; Brown, 1999; Tuck, 2000; and Konadu, 2009). Lack of impartiality, mainly as a manifestation of the Anglophone and Francophone divide, was the main ethical challenge to the ECOWAS’ intervention in Liberia. In the same context, Tuck (2000;19) is of the view that the prolongation of the civil war “was made possible by the fact that the Liberian crisis was viewed by Nigeria as an issue of national interest; it did not stem from a new approach to conflict resolution.” The prevalence of national interests, though not for Nigeria alone, was probably the main reason behind the prolonged civil war in Liberia, as will be examined in detail in the next chapter. The need for observance of impartiality as one of the ethics of military intervention, underscored by Krieg (2013) or lack of neutrality as underlined by Ero (1995), though debatable in such interventions, was problematic in the ECOWAS military intervention in Liberia.

Similarly, illegal exploitation of Liberian resources such as diamonds and timber by some ECOMOG participant states, just like the warring factions, was also an ethical challenge to the intervention

(Brown, 1999), which contributed to the dynamics of the conflict and prolongation of the conflict. The unethical support rendered by the divided ECOMOG to opposing factions in Liberia and its involvement in illegal exploitation of Liberian resources were ethical flaws that triggered competing national interests among participating states. These unethical practices created competition and friction amongst the two main groups of seemingly opposing ECOMOG participants, namely Anglophone states under Nigeria and Francophone countries led by the Ivory Coast and Burkina Faso. Liberia, therefore, served as a breeding ground for political vultures who happened to be mainly members of ECOWAS, using the intervention for self-centred interests. The conflict became prolonged by eight years, causing considerable harm, and it also spread to the Ivory Coast, Sierra Leone, and Guinea-Bissau, casting doubt on ECOWAS's military intervention as a collective moral responsibility.

However, there were other reasons behind the prolongation and intractability of the Liberian civil war. These reasons include, among others, the emergence of numerous splinter factions, control of strategic resources such as diamonds by rival factions as a means for funding the conflict and self-enrichment by greedy warlords who mushroomed during the course of the civil war, and other mishaps linked to the ECOMOG itself. Interests of external actors outside the ECOWAS were also to blame for the prolonged civil war, among other constraints. I do not agree that the ECOMOG was solely responsible for the prolongation of the Liberian civil war; rather, it contributed to this status quo through its ethical misgivings. The protracted civil war led to about 200,000 deaths, around 1.2 million refugees, and the conflict spread into the West African sub-region (Tuck, 2000, and Konadu, 2009). The violent conflict spread into states such as the Ivory Coast, Sierra Leone, Guinea, and Guinea-Bissau, contrary to the justifications for intervening militarily, all of which are outcomes that make the validity of the ECOWAS' collective moral responsibility as a duty in its military intervention in Liberia from 1990 to 1997 questionable. However, despite the few observed ethical challenges on the part of the ECOMOG, the ECOWAS embraced ethics in its decision to intervene militarily in Liberia to a large extent, resulting in the eventual peace and security as moral goods.

4.6. Chapter Summary

The threshold circumstances that existed in Liberia, which include large-scale carnage that was rapidly degenerating into genocide, massive displacements of the population, various human rights abuses, trapped non-Liberian citizens, blocked movement of humanitarian aid, among many other conditions, morally justified the 1990 to 1997 military intervention by the ECOWAS in Liberia. The moral reasoning for the military intervention in Liberia by the ECOWAS was, according to Adisa

(1999), to prevent spill-over effects of the civil war, curb a humanitarian crisis resulting from the violent conflict, and assist a Member State. These moral reasoning, which gave the intervention moral credence and justification, were mainly based on the 1981 Protocol on Mutual Assistance in Defense and, to an extent, on the 1978 Protocol on Non-Aggression.

The analysis of ECOWAS' moral justification of its intervention in Liberia was conducted in the context of the ethical dimensions of the JWT in particular, its first principle, justification for resorting to war. The moral justifications for the ECOWAS' decision to resort to military intervention in Liberia were determined through the criteria for recourse to war spelt out in the JWT principle of *jus ad bellum*, namely, right intention, legitimate authority, just cause, prospects for success, last resort, and proportionality. These JWT criteria for justifying recourse to war equally apply as ethical considerations for resorting to military intervention.

As demonstrated in this chapter, the JWT criteria for resorting to war/military intervention were largely observed in the ECOWAS' decision to militarily intervene in Liberia. In the foregoing, the ECOWAS embraced ethics largely in its decision to intervene in the civil war, and the intervention was largely morally justified. Peace and security, though temporarily, were immediate contributions of the ECOWAS' 1990 to 1997 military intervention in Liberia as moral goods. Chapter 4 agreed that the ECOWAS upheld ethics in its decision to intervene militarily in Liberia from 1990 to 1997 to a large extent. Chapter 5 proceeded to examine the nexus between the ECOMOG's ethical flaws with the dynamics of the conflict and outcome of the military intervention in Liberia.

CHAPTER 5: THE NEXUS BETWEEN THE ECOMOG'S ETHICAL FLAWS WITH THE DYNAMICS OF THE CONFLICT AND OUTCOME OF THE MILITARY INTERVENTION IN LIBERIA

5.1. Introduction

Chapter 4 examined the ECOWAS' moral justifications for the military intervention in Liberia in the period 1990 to 1997 and the extent to which it embraced ethics in its decision to intervene militarily. The chapter analysed steps enunciated in the first principle of the JWT, *jus ad bellum*, to determine the extent to which ECOWAS embraced ethics to resort to military intervention. It was observed that ECOWAS embraced ethics largely in its decision to intervene in the Liberian conflict. The ECOWAS followed the *jus ad bellum principle* criterion of right intention, just cause, legitimate authority, last resort, and proportionality, to a large extent, while prospects for success were observed to a lesser degree. It was further established that the military intervention, which was necessitated by threshold circumstances of acute human suffering and insecurity, was intended to prevent spill-over effects of the civil war into the sub-region, curb a humanitarian crisis, and render assistance to a fellow member state. It was also noted that both the threshold circumstances and the moral reasons for intervening militarily fall in the realm of right intention, which made the military intervention legal and morally justified in the context of deontological ethics as duty or obligation under collective moral responsibility. Chapter 4 concluded that the ECOWAS embraced ethics largely in its recourse to military intervention in the Liberian conflict and that the intervention was morally justified.

This chapter examined the nexus between the ECOMOG's ethical flaws with the dynamics of the conflict and outcome of the military intervention in Liberia. It analysed the extent to which the ECOMOG, which was the ECOWAS' intervention force, upheld ethics during the intervention in Liberia and whether it was to blame for the dynamics of the conflict and the civil war's longevity. The chapter acknowledged the achievements of the ECOMOG in the intervention as moral goods before analysing its ethical flaws and how the ethical challenges contributed to the prolongation of Liberia's civil war. It then examined other factors outside the control of the ECOMOG that also contributed to the prolongation of the civil war to determine whether the ECOMOG was solely responsible for the prolongation of the war in Liberia and its manifestations.

5.2. Achievements of the ECOWAS Intervention as Moral Goods

Chapter 4 determined the ECOWAS' successes in intervention in Liberia using the moral justifications provided for the intervention. As acknowledged by Chikanga (2018), the ECOWAS is credited for the prevention of a genocide similar to that of Rwanda in 1994 and for avoiding a

situation of unabated conflict as in Somalia since 1991. The ECOWAS is ascribed collective moral responsibility in the context of deontological ethics of duty for the restoration of peace, security, and protection of humanitarian aid workers who facilitated the distribution of relief aid. Equally, the ECOWAS is attributed collective moral responsibility in the form of praise for bringing normalcy and enabling the holding of elections, among other good outcomes of its first military intervention in Liberia from 1990 to 1997. The accomplishment of the assigned tasks by the ECOMOG in line with its broad mandate justified the intervention from an ethical perspective.

As articulated by Kitson (1993:30), “the ECOMOG was mandated to maintain, enforce and monitor a cease-fire, protect life and property, maintain essential services, provide security to the interim administration in Liberia, observe elections and conduct normal policing duties.” In the same vein, as postulated by Tuck (2000), during ECOMOG’s deployment in Liberia, it was involved in diverse activities which included belligerent factions disarming, cease-fire monitoring, peace-enforcement, protection of humanitarian aid workers, and monitoring elections. The ECOMOG mandate that was given by ECOWAS was broad and demanding. The ECOMOG, however, achieved most of the tasks, though some were accomplished over a longer time than expected. From an ethical viewpoint, the ECOMOG achievements or successes are moral goods of the intervention, which, according to Klein (2005), deserve praise and reward.

Furthermore, the ECOMOG also managed to confine Doe’s AFL fighters and Prince Johnson’s INPFL forces to barracks. It reduced the impetus and ferocity of the NPFL’s gruelling activities. The ECOMOG also enhanced the installation of the Sawyer Interim Government of National Unity (IGNU) and a cease-fire in 1997 that brought the fighting briefly to a halt (Howe, 1996; Tuck, 2000; Kabia, 2009; Rizvanovic, 2013; Chikanga, 2018). By 1997, the ECOMOG had negotiated a cease-fire, peace accord, disarmed rebels, evacuated expatriates, and created conditions for free and fair elections (Molnár, 2008; Gilbert, 2014; and Rodriguez, 2018). Although the civil war became protracted despite the ECOWAS’ military intervention and, as Jaye (2000) claims around 200, 000 lives were lost and half of the Liberian population displaced, the restoration of peace and stability in Liberia, according to Brown (1999), was a positive contribution of the intervention. Many scholars and observers have agreed with Brown’s assertion that the ECOWAS facilitated peace and security in Liberia as moral goods.

The ECOMOG’s prevention of large-scale genocide similar to that of Rwanda in 1994 was indeed an achievement since more lives that could have been lost were saved. Similarly, the intervention rescued non-Liberian citizens from West Africa and abroad. The positive outcomes of ECOWAS’

intervention from 1990 to 1997 were important contributions of its collective moral responsibility, duty, or obligation to assist a member of the Community in the realm of deontological ethics and the African *Ubuntu* communitarian ethics. In the foregoing, Didiguni (2001), proclaimed that ECOMOG has been recognised as the first African peacekeeping force to successfully discharge its mandate of peacekeeping and peace-enforcement. Indeed, the ECOWAS achievements were the first military intervention that inspired other African sub-regional organisations such as SADC and EAC, among others, to adopt similar approaches to the restoration of peace and security within their communities.

The positive outcome of the ECOWAS' intervention, particularly at the early stages, was demonstrated by praise from the Liberians, particularly residents of the besieged city of Liberia (Didiguni 2001). Praise, according to Klein (2005), is an outcome of positive moral responsibility. Likewise, Strawson (1974a) identifies praise as one of the moral reactive attitudes (MRAs) associated with positive outcomes of an action by a moral agent. The praise and appreciation by the Liberian population for peace and security as moral goods of the ECOWAS' military intervention is demonstrated by Africa Watch which reported that "One would be hard-pressed to visit Monrovia without hearing Thank God for ECOMOG" (Africa Watch, 2003: 2). The report acknowledges the ECOMOG as the saviour of the Liberian people particularly, in Monrovia, the capital of Liberia. It also points to many Liberians' recognition that had it not been for the ECOMOG's military intervention, Monrovia would similarly have disintegrated into the Mogadishu, where none of the fighting factions was able to win clearly and all were preying upon the civilian population (Africa Watch, 2003).

Contrary to the 1992 US military intervention in Somalia, from a consequentialist approach to ethics, the moral goods for the ECOWAS' intervention were peace and security. In this context, Pitts (1999) recognises that although the ECOMOG military intervention has been criticised for its shortcomings, it was a very important development in that it was an effort by an African sub-regional organisation to conduct military operations to address conflict within an African state without external assistance. Pitts acknowledges that "despite pessimists pointing to the intervention's limited effectiveness, it was a harbinger of potential African solutions to some of Africa's pressing security problems" (Pitts, 1999: 2). Indeed, the 1990 ECOMOG military intervention in Liberia by was a milestone in the achievement of the 'African solution to African problems' mantra, which African leaders have embraced as a moral value or principle.

Notwithstanding some of its motivations that were based on state-centric interests, the ECOMOG achieved its mandate to a large degree, which eventually resulted in a peaceful environment that

facilitated the holding of elections. The elections won by the NPFL briefly brought an end to the armed conflict in 1997, before its resurgence in 1999. Since this study focused on the first ECOWAS military intervention in Liberia from 1990 to 1997, it argued that the ECOWAS achieved its mandate largely in the context of deontological ethics of duty or responsibility. Despite a few ethical flaws, which the next section explores, the ECOWAS' accomplishment of its obligation or duty was a collective moral responsibility, which, according to Rudolph (2007), morally justifies the outcome of a group or collective action.

5.3. Ethical Flaws in the ECOMOG's Military Intervention in Liberia (1990 to 1997)

Although ECOWAS military intervention in Liberia is credited with restoring normalcy in that country, critics such as Tuck (2000), Molnár (2008), Chuka (2009), Obi (2009), Konadu (2009), Gilbert (2014), and Rodriguez (2018) have blamed the ECOMOG for the civil war's prolongation. They argue that ECOMOG protracted the conflict by siding with opposing factions, which was tantamount to a lack of impartiality, an essential but contested ethic of military intervention in internal conflicts. The uniqueness of ECOMOG's lack of impartiality is that despite having intervened for a common purpose ideally as a collective, Anglophone member states covertly supported former president Doe's AFL and its splinter groups, while Francophone participant states were inclined towards Charles Taylor's NPFL and its breakaway factions (Ero, 1995; Obi, 2008; Konadu, 2009; Chikanga, 2018). Whether covert or overt support to opposing warring factions, the ECOMOG contradicted the ethics of impartiality, which in a way compromised its collective moral responsibility as a duty or obligation. Despite the moral good of the military intervention being peace and security, the large number of deaths, displacements, and civil war that spread into the sub-region during the intervention was a morally undesirable outcome, which produced more harm than good. The prevalence of state-centric interests, according to Chikanga (2018), has mainly informed the failure to uphold ethics by participant states in conflict management, which includes military intervention in internal conflicts.

According to Van Walraven (1999), states such as Nigeria, Ghana, and Gambia, which did not share boundaries with Liberia, saw Liberia as being under authoritarian military rule. These countries were concerned that since the uprising in Liberia was against a military regime, if the rebellion was allowed to overthrow the government, the same would happen to their own countries. An element of ethics characterised by a common and shared threat perception was evident in the decisions by these ECOWAS member states to partake in the intervention for regime security and self-interests, and not necessarily for sub-regional security as an altruistic moral value. Most ECOWAS member states

were motivated to take part in the military intervention by regime security and the ruling elite's interests (Van Walraven, 1999), which translated to state-centric interests. Largely due to state-centric interests, participant states became involved in certain unethical acts such as supporting different opposing factions, which contradicted the ethic of impartiality and divided the ECOMOG into two main opposing camps. The ECOMOG participant states' interests were also manifested in some states' involvement in illicit exploitation and selling of Liberian resources such as diamonds (Tuck, 2000; Obi, 2009). These unethical acts by some participant states contributed to the prolongation of the Liberia conflict by about 8 years, which has been blamed on the ECOMOG despite the peace that prevailed as a moral good by 1997.

Conflicting national interests among participant states, which are common in military intervention, among other factors, negatively contribute to the dynamics of the conflict and outcome of the intervention. Scholars such as Qi (2012) have avowed that conflicting interests impacted the civil war dynamics and outcomes of the intervention, being divorced from the moral justifications provided. Competing interests manifest in a lack of unity of purpose, cooperation, and mutuality amongst participant states, creating rivalry among participant states involved in military intervention in an internal conflict. Due to competing interests during the Cold War, the USSR and the US escalated and prolonged Africa's conflicts by supporting rivals either directly or indirectly through proxies (Akopari 2016). The Angolan civil war that broke out after that country's independence in 1975 and went on up to 2002 demonstrates how competing interests, among other factors, contribute to prolonged, intractable, and recurrent civil wars.

The same applies to post-Cold War protracted, unabated, and recurring civil wars in third-world countries, particularly in Africa, where some regional and global powers have had some interests in the outcome of the civil conflicts in question. As such, Cunningham (2010) claims that when third parties' intervention in conflict is largely driven by the need to pursue an independent agenda, it will prolong rather than resolve the conflict. Irrera (2018), who underscored that the intervener's choice on which side to intervene in support, influences the duration and intensity of the conflict, corroborates assertions by Cunningham. Correspondingly, scholars and observers such as Elbadawi and Sambanis (2000), Regan (2002), Von Hippel (2003), Bellamy (2004), Akcinaroglu & Radziszewski (2005), Slaughter (2011), Davidson (2012), Kuperman (2013), Chaminuka (2017), and Chikanga (2018) have similarly asserted that competing interests in military interventions manifest into rivalry, which contributes to protracted and intractable conflicts.

In the case of the ongoing civil war in Syria, Rahman-Jones (2017) underlines that Russia may be interested in testing its military equipment and doctrine and to inform the world that it is a capable and modern military giant, a strong power to reckon with. Russia is also keen to support Assad as a strategic ally, given the position of Syria (Rahman-Jones, 2017). The defence of Assad may be the main reason behind the involvement of Russia in Syria. On the other hand, the US has supported some groups opposed to the Assad regime (Rahman-Jones, 2017). Decisions by both Russia and the US to support opposing sides of their choice in the ongoing Syrian internal conflict that has turned international with the involvement of a number of international players, hinge on the respective states' interests and not moral reasons. The support provided by opposing states to antagonistic sides in the civil war has turned the conflict into a prolonged and intractable proxy war reminiscent of the Cold War era. In addition to being protracted and difficult to resolve, when third parties intervene militarily with divergent interests and take sides, the conflicts have often become recurrent and difficult to end, as in Somalia, Afghanistan, Iraq, and Yemen, among many others. Regan (1996) acknowledges that the preference by an intervener has a bearing on the dimension and duration of the conflict, similar to the ECOMOG in Liberia.

The act of supporting opposing factions by the ECOMOG member states during the first civil war in Liberia, though morally wrong, is therefore no exception. However, unlike in the Syrian conflict, where the main states involved are not a collective and are motivated by different intentions that are divorced from moral reasons, the ECOWAS intervened in Liberia as a collective, apparently informed by common moral reasons. What is unique and even more controversial from an ethical perspective is a divided ECOMOG as a collective supporting two main opposing factional groups, to the detriment of the much-needed ethics of unity of purpose and collectivism, which also brought the ethic of collective moral responsibility into disrepute. The ECOWAS' military intervention in Liberia was characterised by competing interests between mainly Anglophone and Francophone member states, which contributed to the prolonged and abated civil war (Adebajo, 2002; Olonisakin, 2003; Molnár, 2008; Obi, 2009; Chuka, 2009; Rizvanovic, 2013; Rodriguez, 2018). The prolonged civil war, as Molnár (2008) and others put it, caused the death of around 200,000 people and displaced about 1.5 million others while it spread into the sub-region.

The outcome of ECOWAS' intervention in Liberia can be argued to have caused what Hjorth (2015) and Mitchell (2015) refer to as 'more harm than good.' When such action causes 'more harm than good,' it would have failed to uphold the ethic of virtue that stressed one should attain happiness as an outcome. Military intervention should therefore strive to create a morally good outcome that nurtures happiness. Any outcome that does not manifest into happiness as an outcome of Aristotle's

virtue ethics (Richard, 2022) contradicts the moral justification of the intervention. However, in the initial stages of the ECOMOG's military intervention in Liberia, it was praised all over Monrovia as a saviour but as the intervention progressed and became prolonged, and the intervening troops became involved in some unethical conduct, the force quickly lost the praise it had earned earlier on (Van Walraven, 1999; Tuck, 2000; Obi, 2009). These points highlight the importance of the ethic of consistency, which is one of the ethics of military intervention identified by Krieg (2013).

Although from an ethical perspective, the ECOWAS compromised the ethic of impartiality in Gambia in 2019 by supporting the winner of the elections. The threat of the use of force prevented turmoil in the country and the sub-region. Under such circumstances, taking sides is applicable to achieve a favourable outcome, and the intervener was characterised by a unit of purpose amongst participant states as a collective. The same applied to SADC's military intervention in the DRC, where the intervening force opposed the Rwandese and Ugandan-backed rebel forces aiming to overthrow Kabila's regime (Clark, 2002). Contrary to the SADC intervention in DRC, ECOMOG in Liberia, unofficially but visibly became divided into the Anglophone and Francophone groups of participating states, who supported opposing factions in the conflict. As discussed in preceding sections, Anglophone participant states covertly supported former president Doe's AFL and its splinter factions while Francophone member states became inclined towards the NPFL and its breakaway factions (Ero, 1995; Obi, 2009; Konadu, 2009).

Since Nigeria maintained an anti-Taylor stance, Taylor perceived the entire ECOMOG intervention as a threat to his ascendance to power rather than as a neutral peacekeeping force (Ero, 1995). A number of observers have argued that Nigeria's prejudice towards Taylor prevented the NPFL from cooperating with the ECOWAS peace initiatives, resulting in the prolongation of the conflict. According to Ero (1995), Taylor refused to disarm as required by the 1991 Yamoussoukro Agreement, as he accused the ECOMOG of a lack of impartiality, resulting in a long, drawn-out civil war. Lack of the ethic of impartiality, an essential ethic of military intervention, was the main problem that contributed to the prolonged and intractable civil war in Liberia (Molnár, 2008; Chuka, 2009; Rodriguez, 2018). Although enforcement actions were justified against Charles Taylor, who opposed the deployment of ECOMOG and even attacked its troops, the ethical contradiction arises from the divided nature in which the ECOMOG supported rival factions, which divided the intervening force's main effort, dealing with the NPFL as peace-enforcement. By supporting antagonistic factions, the ECOMOG made the civil war difficult to end, and it became intractable (Obi, 2009; Molnár, 2008; Konadu, 2009; Gilbert, 2014).

In most civil wars, particularly in Africa, illegal exploitation and use of local resources for self-enrichment and empowerment of warlords is common. Besides enriching the warlords, proceeds from the sale of lucrative resources such as oil and diamonds, among others, have sustained civil wars, which makes conflict termination difficult and protracted. This observation is vindicated by the Angolan and Sierra Leonean civil wars, where ‘conflict diamonds’, as they were referred to, were used by the UNITA and the RUF, respectively, to finance conflict activities (Ross, 2004). In a bid to support the war effort, the exploitation of diamonds contributed to the prolongation and intractability of the two civil wars from 1975 to 2002 and from 1992 to 2002, respectively (UN,2001; Harsch, 2007). Economic motives became a major driver in the continuation of the civil war in Liberia and made any effective political solution very difficult (Chuka, 2009). To curtail the illicit use of diamonds to fund conflict, the UN imposed sanctions on both UNITA and RUF rebels. It also banned illicit diamond trade through UNSCR 1173 and UNSCR 1176 of 12 June and 24 June 1998, respectively. Illicit exploitation and trading in diamonds and timber, among other resources, by belligerent factions contributed to the prolonged and intractable conflict in Liberia.

Like the opposing factions, in the military intervention in Liberia, the ECOMOG also became involved in looting and illegal exploitation of Liberia’s resources, such as timber and diamonds. Brown (1999), among others, has reported the rampant illegal and unethical exploitation of Liberian resources, such as diamonds and timber, by some ECOMOG participant states, just like the warring factions. Ethical challenges linked to profiteering mostly affect regional and sub-regional conflict management, particularly military intervention in intra-state conflict. In this context, Nieuwkerk (2001:16) identifies (ethical) constraints to regional security cooperation as “the old-fashioned politics where national decisions with regional implications are based on seductive appeal of the national interests....and the politics of greed where profits are extracted by exploiting situations of intractable conflict.” In the ECOWAS intervention in Liberia, such ethical challenges were well noticeable. Observations made by Nieuwkerk on ethical flaws that are common in regional conflict management validate how states take advantage of military intervention in intra-state conflict to realise their national interests, which include profiteering through looting and illegal extraction of the host nation’s resources. Third-party unethical acts, such as looting and profiteering from the host country’s resources, contradict the ethic of altruism. Concerning altruism, Nelson Mandela once underlined that, "There can be no greater gift than that of giving one's time and energy to helping others without expecting anything in return" (Shiviti, 2023). The remarks made by Mandela conform to the ethic of altruism that stresses the moral act of assisting others in need without expecting anything in return, which is unusual in interest-motivated military interventions.

Contrary to the ethic of altruism as underlined by Mandela, in the 1990 to 1997 military intervention by the ECOMOG, some participant states joined opposing factions in the economic dimension of the civil war by exploiting Liberian resources like timber and diamond jointly. For example, Pitts discloses that Nigeria was involved in the economic dimension of the conflict with the ULIMO and the LPC, both of whom were anti-NPFL. The ULIMO faction also traded in Liberian diamonds with Guinea-Conakry officials in turn for weapons from Ukraine (Pitts, 1999). Likewise, Charles Taylor's NPFL was involved in economic deals with Francophone ECOMOG participant states such as Côte d'Ivoire. The NPFL exported timber through its controlled ports in Liberia and via ports in the Ivory Coast as Ivorian timber (Pitts, 1999). Similarly, van Walraven divulges that;

By 1993, the Nigerian troops had begun engaging in commercial ventures with the anti-Taylor factions. The Liberian Peace Council (LPC), one of the various Liberian groups that emerged as a competing actor struggling to control Liberia, developed a particularly close relationship with the ECOMOG soldiers. Together, the Nigerians and the LPC exploited the resources along the Ivoirian border, forcing the population to work in rubber factories and engaged in the timber trade. The faction leaders acting with the Nigerians were in a better situation than their opponents, who in adhering to the various peace agreements and giving up their weapons, stood to lose access to the resources, which translated into the loss of political power. The business ventures seriously undermined ECOMOG's claim to neutrality, compromising its legitimacy as a peacekeeper among the warring factions (van Walraven, 1999: 44).

ECOMOG participant states' involvement in the economic dimension of the civil war in Liberia through exploitation and selling of Liberian resources in collaboration with antagonistic factions largely demonstrated a lack of impartiality and consistency. The economic dimension of the civil war also made it difficult for the ECOMOG to facilitate an early settlement of the conflict that became intractable and prolonged. As mentioned by van Walraven (1999: 44) above, "the LPC faction leaders, acting with the Nigerians, were in a better position than other factions, which by observing the numerous peace agreements and surrendering their weapons, stood to lose access to the resources, which meant loss of political power." The implication of van Walraven's assertion is that benefits accrued through illicit and unethical exploitation and trading in Liberian timber, such as diamonds, influenced other factions to disregard the various peace agreements and not to disarm as required. Disarming would imply loss of access and control of areas where resources like diamonds were found, thereby prolonging the conflict.

In the foregoing, van Walraven (1999), Molnár (2008), Obi (2009), and Rodriguez (2018) blame the ECOMOG for the prolongation and intractability of the Liberian civil war mainly through lack of impartiality and profiteering through Liberian resources, which contributed to the civil war's

economic dimension, emergence of greedy warlords and the appearance of multiple factions. Among the dynamics of the Liberian civil war was the protracted and intractable conflict, which validates the assumption that the ECOMOG's ethical flaws contributed to the civil war's longevity from 1990 to 1997 and manifestations thereof. However, other factors outside the control of the ECOMOG also contributed to the prolongation of the civil war.

5.4. Other Contributing Factors to the Liberian Civil War Prolongation

Despite ECOMOG's contribution to the prolongation and intractability of the civil war in Liberia, there were other factors behind the extension of the conflict. These include the dynamics of civil wars, such as the emergence of numerous splinter factions, control of strategic resources by rival factions as a means for self-enrichment and funding the conflict, the emergence of warlords and child soldiers. There were other constraints, such as a lack of adequate resources, a lack of a clear mandate, and the problem of interoperability and the interests of external actors outside the ECOWAS. Euka Chuka observed that a number of political, technical, funding, institutional, and military problems all hindered the efficacy of the ECOWAS military intervention in the management of the Liberian conflict. Chief among the problems was that the ECOWAS had no standing army of its own, hence it relied on national contingents and weapons from willing member states (Chuka, 2009). The contributing troops had different levels of training and various weapons, which presented interoperability challenges.

Furthermore, the ECOWAS was established to promote economic development and regional integration in West Africa. It was not purpose-made for conflict management that includes military intervention in intra-state conflicts in the sub-region and had no institutional structures for security and peacekeeping functions (Walraven 1999; Fawole, 2000). The ECOMOG encountered institutional and structural challenges in its military intervention in Liberia. Furthermore, the ECOMOG had no clear mandate, nor did it have experience in the use of military force to resolve disputes within or between states. Institutional and structural weaknesses affected the efficacy of the intervention, which contributed to the prolonged conflict.

In terms of mitigating sustainability challenges, since Nigeria assumed a lead-nation role in the intervention, it deployed more troops and weapons, since it solely had the capability within the sub-region. Nigeria, from the inception, accounted for at least 70 percent of the ECOMOG troops, which Pitts (1999) viewed as an extension of Nigerian policy rather than otherwise. The dominance of Nigeria, though necessary, in such operations did not only cause friction with Taylor but with other

participant states who viewed it with scepticism. As the military intervention progressed, it was reported that Nigeria's hegemonic position generated considerable controversy in the sub-region. Nigeria's replacement of ECOMOG commanders at will, for example, the replacement of General Arnold Quainoo of Ghana, with General Joshua Dogonyaro, a Nigerian who created ill feelings between Nigeria and Ghana (Chuka, 2009). Since then, all force commanders were Nigerians (Ero, 1995), and Nigeria displayed hegemonic behaviour, contrary to the ethic of fairness.

There were also bitter differences between Nigeria, an Anglophone country opposed to Taylor, and Francophone member states, namely, the Ivory Coast and Burkina Faso, which were pro-NPFL. This conspicuous lack of sub-regional consensus is a plague to the ECOWAS Liberian peace operation, according to Euka (2009), prolonging the conflict and making it bloodier than anticipated, an observation also made by Howe (1996), Obi (2009), Konadu (2009), Gilbert (2014), and Rodriguez (2018), among others. Consensus, cooperation, and mutuality are important ethics in military intervention whose absence has often contributed to failure or unexpected negative consequences. The protracted conflict in Liberia and the longevity of the military intervention by the ECOMOG were also linked to a lack of a definitive, authoritative West African mandate that affected the power of the SMC independent of ECOWAS directives and actions to dictate the course of the intervention (Pitts, 1999).

Another factor that contributed to the protracted and obstinate civil war was the emergence of multiple factions and warlords. Rich (1999:79) points to "the emergence of factional warlords bent on exploiting economic resources such as diamond and rubber, hence the term 'blood diamonds' as fuelling the conflict." The appearance of warlords and numerous factions bent on illegally exploiting resources such as diamonds and timber for self-aggrandisement and to support the war effort was evident in the Liberian civil war. As Clayton (1995) alleges, there existed by 1995 more than eight major factions and many minor ones. As observed by Pitts (1999), the progressive splitting of militia groups and the emergence of warlords were important dynamics of the Liberian civil war that contributed to the longevity of the civil war in Liberia. Progressive splitting of existing factions into smaller ones modelled along tribal lines was another dynamic of the Liberian conflict. Continuous splitting of militia factions contributed to the longevity of the conflict as the ECOMOG found itself dealing with a number of groups, some of which were not prepared for peace. The continuous splitting of factions was accompanied by the emergence of warlords within the militia groups as another dynamic of the civil war, resulting from weak central control. The warlords were bent on

personal gains and ethnic groupings (Chuka, 2009), which were either linked to the former president Doe's AFL or Charles Taylor's NPFL.

Economic motives also became drivers that made any political solution very difficult. Warlords vied for predominant positions within their ethnic groups, which provided another autonomous dynamic behind the war. The child soldiers were another dynamic complicating the overall situation of the civil war. The child soldiers found it difficult to integrate into society as the conflict progressed (Khobe 1999). Thus, as the conflict became protracted, its nature shifted, thereby complicating ECOWAS attempts to formulate a coherent strategy for a final peaceful solution, which made it protracted. However, although ECOWAS' military intervention was a last resort, it continued to use other peaceful means, such as negotiations, to find lasting peace, bearing in mind that military intervention was not an end in itself but one of the means to an end. Several peace agreements were made during the course of the civil war, but failed to end the armed conflict. The ECOWAS-sponsored peace agreements are in **Appendix 2**.

Lack of adequate resources, particularly funding to sustain the intervention, especially as it became protracted, was a major challenge to the ECOMOG. Lack of adequate resources was akin to challenges related to sustainability, one of the ethics of military intervention suggested by Krieg (2013). Sustainability ensures that the intervention remains self-sustained and self-sufficient. Sustainability also ensures that the intervening force does not abandon the mission before it achieves its morally desired end-state of restoring peace and security or normalcy as moral goods. Lack of adequate resources, particularly funding of the ECOMOG operations, according to Chuka (2009), led its soldiers to be involved in unethical behaviour such as looting. Largely due to a lack of adequate sustainability arrangements, the ECOMOG was accused of corruption and of looting Liberian resources, which led to the ECOMOG being re-coined "Every Car or Movable Object Gone" (Alao, 2001; Tuck, 2008; Chuka, 2009). When a third-party intervening force gets involved in unethical activities, such as looting, just like armed groups, the population to be assisted or rescued loses confidence in the intervener. This was the case with the ECOMOG, some of whose troops became known for looting and other immoral activities.

Sustainability challenges also prolonged the military intervention and, indeed, the conflict, since the ECOMOG had difficulties in carrying out its operations to quickly force the belligerents into a negotiated settlement. Challenges associated with inadequate sustainability include the involvement of external parties outside the sub-region who come in with aid, not really to sustain the intervention but to facilitate their interests. This has been a challenge to African sub-regional military

interventions, which has made the success of the notion, 'African solution to African problems,' difficult. Sustainability as an ethic of military intervention prevents the conflict from being hijacked by external global powers who take advantage of conflicts in Africa to facilitate their interests.

In the ECOWAS' military intervention in Liberia, France and the US, among others, as reported by Pitts (1999), had some interests in the intervention. France covertly tried to reduce the hegemonic influence of Nigeria by propping up the dominance of Francophone countries such as the Ivory Coast and Burkina Faso. Some French businesspersons were reportedly involved in the illicit trading of Liberian resources, such as diamonds, with warlords. The US assisted the intervention through funding and even lured Senegal, which had refrained from participating in the military intervention, to join the ECOMOG at its expense. It also encouraged and facilitated the deployment of Tanzanian and Ugandan troops as part of the ECOMOG, though Tanzania and Uganda are non-ECOWAS members (Obi, 2009). The US rendered assistance, though morally noble, that was largely informed by its interests in Liberia, a state of its creation.

Nevertheless, whether the intent of the US was interest-driven, its assistance sustained the intervention largely. Nonetheless, sustainability remained a major challenge in the ECOWAS' intervention in and has remained in most African sub-regional peace support operations (PSOs). I, however, disagree with Krieg's view that suitability is an ethic of military intervention (Krieg, 2013). Rather, it is a constraint that is not self-caused, contrary to the notion of freewill, but is external and therefore out of control to the third-party according to determinism discussed in Chapter 2. The ECOWAS is therefore not to blame for the lack of adequate suitability arrangements, which were a constraint out of its control.

The blame on the ECOMOG for the prolongation and intractability of the Liberian war may also be mitigated by other factors that also contributed to the protracted and obstinate internal armed conflict. Civil wars, by their nature, are protracted and difficult to end. Roy Licklider underlines that since 1945, fourteen successfully negotiated settlements of civil war cases have been made. He acknowledges that the capability to bring parties to agreement in most cases is achieved through persistent attempts in the presence of external military intervention and major power action, but particular situations can be made difficult by the nature of a civil war itself (Licklider, 1995). The reasons for protracted and intractable civil wars vary from socio-economic, political, and cultural contexts in which the conflicts occur. Achankeng (2013) summarises the main reasons for civil wars' protracted nature as stemming from the material asymmetry between the incumbent and the

insurgents, the conflicts' tendency to become internationalised, and the limited space of compromise. Similarly, Elshelmani provides a number of factors, which contribute to prolonged and intractable internal conflicts as compared to inter-state wars that:

Unlike inter-state wars, which occur between clearly defined armies and are generally amenable to compromise, civil wars, tend to be low-intensity, existential struggles, making them inherently protracted. Secondly, the decentralised organisational structure of contemporary insurgencies and their tendency to fragment and become engulfed in internecine fighting further undermines attempts at reaching a political settlement. Peace is difficult to achieve when for many actors, war is preferable especially when belligerents derive profits and power from local resources (Elshelmani, 2015: 1-8).

Although the mentioned factors by Elshelmani contribute to the prolongation and intractability of internal conflicts in one way or another, the third factor is a major contributor to the prolongation and intractability of civil wars to an extent that the UN has labelled resources which are used to fuel civil conflicts as 'conflict resources.' Diamond is one such resource particularly in some African internal conflicts. Conflict diamonds have been defined as "diamonds that originate from areas controlled by forces or factions opposed to legitimate and internationally recognised governments and are used to fund military action in opposition to those governments" ([www. un. org/ peace/ Africa/](http://www.un.org/peace/Africa/)). Angola and Sierra Leone, both with huge deposits of diamonds, have had protracted civil wars, which were difficult to end. In the foregoing, Doyne and Dambanis (2000) posit that in countries that rely on primary commodity exports, it is difficult to end wars once they have started, while Ross (2004) also acknowledges the resource curse as contributing to the prolongation of internal wars (Ross, 2004). This was evident in the Liberian long-drawn-out civil war in which warlords, besides financially benefiting, also used proceeds from mainly diamonds to buy weapons and ammunition, which, in addition to prolonging the conflict, also made it difficult to end.

Another noticeable major constraint in the 1990 ECOWAS military intervention in Liberia, according to Dowayiro (2000:17), was that "the ECOMOG was mandated to monitor a cease-fire that was not in existence, hence it found itself entangled in the conflict, an eventuality it was not prepared for." Similarly, Fawole (2001:44) observes that "the ECOWAS was not quite clear what the actual mission objective should be, thus allowing different countries to interpret the reasons for the intervention to suit individual agenda." Clarity of a mandate originates from a just cause and right intention, which are essential ethical considerations for resorting to war or military intervention, as provided in the JWT. However, a just cause and intention may be precise from an ethical perspective, similar to the

1990 ECOWAS' intervention in Liberia, but other ulterior motives, which are normally not pronounced, often deliberately contribute to a vague mandate. The mandate for the ECOMOG in Liberia was for peacekeeping instead of peace-enforcement since there was no peace to keep.

According to the United Nations Department of Peacekeeping Operations (UN DPKO) Lessons Learned Unit "a mandate for peacekeeping operations should be clear, realistic and practicable and must provide the necessary means for implementation" (UN DPKO Lessons Learned Unit, 1996: 4). In the 1990 ECOWAS military intervention in Liberia, the mandate did not provide adequate resources for its implementation, which resulted in sustainability challenges contrary to ethics of military intervention proffered by Krieg (2013), and provided for in the UN DPKO Lessons Learned Unit (1996). An operations mandate should be flexible to change with the changing circumstances in the mission area. The ECOMOG's mandate in Liberia struggled to achieve this flexibility since it was given as peacekeeping when, in fact, it was a peace-enforcement mission, as it lacked consent from Charles Taylor's NPFL.

Since ECOWAS lacked sufficient resources for intervention in Liberia, it faced sustainability challenges. Sustainability challenges in the ECOWAS' intervention, among other factors, contributed to Nigeria providing more than 70 per cent of the ECOMOG personnel and equipment, which entrenched its hegemonic position (Obi, 2009). Similarly, Ero (1995) and Chuka (2009), among others, confirm that the ECOWAS was largely resourced by Nigeria and partially funded by the USA through Nigeria. Furthermore, Obi (2009) affirms that Nigeria's huge support to ECOMOG enabled her to extend her policy based on her interests rather than those of ECOWAS. Although it is common in most military interventions that a nation that assumes a lead-nation, mostly by virtue of its contribution, facilitates sustenance, in most cases, such a nation strives to attain its interests in the intervention, contrary to the ethic of altruism. However, it has been observed that without a lead nation prepared to provide more resources, especially at regional and sub-regional levels, the mission is rarely a success.

On the contrary, the notion of lead-nation has often created friction amongst participant states in military intervention as dominant states take advantage of the intervention to entrench their interests and determine the outcome of the intervention in their favour, a practice that has normally compromised the ethics of cooperation and mutuality. In the 1990 ECOWAS military intervention in Liberia, Nigeria, which was the lead nation by virtue of its contribution and leading role, faced opposition from the Ivory Coast and Burkina Faso. Such antagonism created unnecessary friction that

affected rapid decision-making in the intervention, thus prolonging the Liberian civil war. Likewise, Chimanikire (2002) alleges that the conflict between South Africa and Zimbabwe paralysed South African attempts to lead a SADC initiative to resolve the African Great Lakes Crisis. Morgenthau thus notes that states are in constant competition and advance their own interests rather than regional cooperation. They thus resultantly maximise their power through international organisations (Ngwenya, 2002). States have indeed utilised military intervention to realise their interests contrary to altruistic moral responsibility, as was the case in their intervention in Liberia from 1990 to 1997, which became prolonged and intractable.

In the ECOWAS' military intervention in Liberia, Howe (1997:146) has asserted that the ECOMOG degenerated into "an inadequate peacekeeping force..., which prolonged the civil war and weakened regional stability." Howe further argued that the PKO in West Africa, more than being a solution, was a problem which is akin to blame for unethical behaviour. The main ethical flaw in the ECOWAS' intervention in Liberia was a lack of impartiality, which influenced the dynamics of the civil war and the outcome of the intervention, particularly the prolonged conflict and the resultant manifestations. The support rendered to factional groups by some members of the ECOMOG, inspired by self and state-centric interests, contradicted the ethic of impartiality needed in such interventions. It also negatively affected the ECOMOG's effective decision-making during the intervention and likewise affected the ethics of cooperation and mutuality, which Krieg (2013) also underscores as the ethics of military intervention. Similarly, the ECOMOG is accused of stimulating ethnic rivalries by supporting various ethnic factions (Hutchful, 2000). ECOMOG participant states support to marauding factions turned Liberia into a fertile land for the proliferation of armed groups (Amnesty International, 1995; Ero, 1995; Conciliation Resources, 1996), which prolonged the conflict in Liberia (Molnár, 2008; Obi, 2008; Chuka, 2009; Gilbert, 2014; and Rodriguez, 2018). Going by Martha Klein's second component of moral responsibility as blame for a morally undesirable outcome of an act, the ECOWAS is liable to ascription of moral responsibility for the prolonged civil war in Liberia. The protracted civil war caused about 200,000 deaths, displaced around 15 million people, and spread within the sub-region (Obi, 2009; Chuka, 2009; Gilbert, 2014; Rodriguez, 2018). Such a morally undesirable outcome of the intervention calls for moral responsibility on the ECOWAS, which the next chapter discusses in detail.

5.5. Chapter Summary

Chapter 5, which was grounded on the consequentialist approach to ethics, explored the extent to which the ECOMOG embraced ethics in the conduct of the military intervention in Liberia from

1990 to 1997. Ethics of war, which are also applicable to military intervention in internal conflicts, were utilised to determine whether the ECOMOG upheld ethics during its military intervention in Liberia. The ethical standards were determined through the principles underlined in the JWT, LOAC, and ethics of military intervention, underscored by Krieg (2013), namely, impartiality, mutuality, sustainability, complementarity, reflexivity, consistence, accountability, and universality. It was noted that although the ECOWAS upheld ethics largely in its 1990 military intervention in Liberia, it demonstrated some ethical flaws in the execution of the intervention, which, among other inherent factors, prolonged the war.

The chapter identified ethical flaws such as a lack of impartiality where participant supported different belligerent factions of their interests by giving them sanctuary, weapons, ammunition, and training, which caused antagonism within the intervening force. Chapter 5 also revealed that the unethical behaviour of looting and illegal exploitation of Liberian resources like diamonds and timber by some ECOMOG participant states and individual soldiers also contributed to the dynamics of the war and its continuation. Other factors out of the control of the ECOMOG, such as the protracted nature of civil wars, the tendency of armed groups to fragment, the emergence of multiple factions and warlords, as well as illegal exploitation of the host's resources to sustain the conflict and for profiteering, contributed to the longevity of the civil war in Liberia.

The ECOMOG's military intervention in Liberia had numerous ethical shortfalls. The ethical deficits included an unclear mandate, the division between Anglophone and Francophone member states, and conflicting interests among participant states. Ethical challenges during the intervention also included a lack of consent of the NPFL, a lack of impartiality, a lack of sustainability, unethical conduct by some ECOMOG forces, and a lack of interoperability, among other problems, which contributed to the prolonged engagement in the military intervention and the lengthy conflict. The emergence of numerous ethnic armed factions supported by some ECOMOG participant states and sustainability constraints all contributed to the lengthy and obstinate conflict. The protracted civil war in Liberia caused around 200,000 deaths, displaced almost 1.5 million Liberians, and spread to other countries in the sub-region. The division between Anglophone and Francophone member states, in particular Nigeria against the Ivory Coast and Guinea-Bissau, was mainly to blame for the lack of rapid decision-making, unity of purpose, and cooperation, all of which are important ethical values whose absence contributed to the prolonged civil war in Liberia. Philosophers of ethics have been divided on whether responsibility for the dynamics of an internal conflict and the morally undesirable outcome of a military intervention ought to be attributed to the organisation undertaking the

intervention as collective moral responsibility or to individual participant states as shared responsibility, respectively, which is a responsibility gap. Chapter 6, which analysed moral responsibility for the outcome of the ECOWAS' military intervention in Liberia from 1990 to 1997, covered the existing responsibility gap.

CHAPTER 6: MORAL RESPONSIBILITY FOR THE OUTCOME OF THE ECOWAS MILITARY INTERVENTION IN LIBERIA FROM 1990 TO 1997

6.1. Introduction

Chapter 5 examined ethical flaws in the conduct of military intervention in Liberia by the ECOMOG from 1990-1997. The chapter acknowledged positive achievements of the military intervention as moral goods in the form of peace and security or restoration of normalcy by 1997, albeit after almost eight years. It, however, revealed that there were some ethical flaws during the actual intervention and that the ECOMOG's ethical shortfalls contributed to the prolonged and intractable civil war in Liberia. As a direct result of the war in Liberia, some 1.5 million people were displaced, while another 200,000 lives were lost. The unprincipled support to opposing factions rendered by the divided ECOMOG in Liberia and its involvement in illegal exploitation of Liberian resources were serious ethical flaws that triggered friction and competing interests amongst the two main groups of participant states, namely, the Anglophone and Francophone. The friction and competing interests were to the detriment of cooperation, mutuality, and unity of purpose, all of which are essential ethics of military intervention. Chapter 5 established that the ECOMOG was responsible for the civil war dynamics in Liberia and prolonged the conflict through its ethical shortcomings during the intervention execution.

This chapter went on to analyse moral responsibility for the prolonged civil war in Liberia and its manifestations from 1990 to 1997. In order to determine moral responsibility in the prolonged civil war in Liberia and its manifestations, Chapter 6 analysed how the ECOMOG fared morally in the military intervention; how moral responsibility arises for a non-human entity or agent, such as the ECOWAS, and how the ECOWAS was morally responsible for the protracted civil war and its effects. The chapter validated whether ECOWAS was morally responsible for the dynamics of the civil war and the outcome of the military intervention from 1990 to 1997. Chapter 6 further reinforced findings on the link between the ECOMOG's ethical shortcomings and the civil war dynamics, including the emergence of multiple opposing factions and splinter groups, the emergence of greedy factional warlords based on ethnicity, illegal exploitation of lucrative resources to sustain the conflict and for profiteering, and the protracted and intractable conflict. It also provided answers on whether ascription of responsibility for harm emanating from the protracted civil war could be ascribed as collective moral responsibility to the ECOMOG or as shared responsibility to individual participant states for their contribution to the longevity and intractability of the conflict, as well as the manifestations thereof as shared responsibility.

6.2. How the ECOWAS fared morally in the military intervention from 1990 to 1997

The ECOWAS had, by 1997, established a peaceful environment and normalcy in Liberia as moral goods through the ECOMOG's military intervention, among other conflict management mechanisms. The enabling peaceful environment facilitated the holding of elections monitored by the ECOMOG and won by the NPFL, resulting in Charles Taylor assuming the presidency. The ECOMOG accomplished most of the tasks it was mandated to carry out in its military intervention in Liberia, which, according to Karson (1993), included maintenance, enforcement, and ceasefire monitoring, protection of life and property, essential services maintenance, security provision to the interim Liberian administration, election observing, and policing duties. The fulfilment of tangible outcomes such as protection of life and property, maintenance of essential services, provision of security to the interim administration, carrying out normal policing duties, and protection of humanitarian aid workers from August to November 1990 (Ero, 1995) helped to restore peace in Liberia.

During its Liberian deployment, ECOMOG carried out a number of activities, including cease-fire monitoring, peace-enforcement, humanitarian aid workers protection, belligerent factions disarmament, elections monitoring, and other post-conflict measures (Africa Watch, 1993; Tuck, 2000). The ECOMOG had by 1997 successfully negotiated a peace accord and a cease-fire, disarmed rebel fighters, evacuated expatriates, and created conditions for transparent elections (Molnár, 2008; Gilbert, 2014). Didiguni (2001) also acknowledges the ECOMOG's accomplishment of its given mandate as a widely recognised first peacekeeping force of African origin to successfully carry out its mandate of peacekeeping and peace-enforcement. Didiguni maintains that the ECOMOG's military intervention was the first intervention at the sub-regional level that can be used as a model for African sub-regional peacekeeping with some improvements (Didiguni, 2001). The praise that Didiguni, among others give to the ECOMOG over the positive outcome of its military intervention in Liberia is akin to positive moral responsibility, which Martha Klein describes as "the fulfilment of the criteria for deserving praise or reward for a morally significant act..." (Klein, 2005:3). In this context, the ECOMOG, as a moral agent is attributed collective moral responsibility as praise for its action (military intervention in Liberia) that led to a morally desirable outcome demonstrated by peace and security in Liberia by 1997 (Didiguni, 2001; Molnár, 2008 and Gilbert, 2014). The peace and security from a consequentialist approach to ethics, as discussed in Chapter 3, were moral goods.

The intervention produced positive outcomes, which were important contributions of collective moral responsibility within communitarian (community-based) and deontological (duty-based) ethics.

Mertz and Gaie underscore approaches to ethics in terms of community and moral obligation, which apply to the ECOWAS' intervention in that:

One has a moral obligation to be concerned for the good of others, in terms of both one's sympathetic emotional reactions toward other people and one's helpful behaviour towards them ... One has a duty to exhibit solidarity with others ... one has a moral obligation to think of oneself as bound up with others, that is, to define oneself as a member of a common group and to participate in its practices. One also has a duty to identify with others (Mertz and Gaie, 2010: 276).

Views raised by Mertz and Gaie underline the participation of individual persons and in this study, individual states in community collective action as a duty or obligation. Participation of individual states in community actions is the foundation of collective community action, such as military intervention in internal conflicts of member states. Such interventions require states concerned to be worried about the situation in a neighbouring state in order to partake in the intervention as a community, which is typical of collective security. In the same vein, Claude (1964: 251) observes that, "the operation of a collective system must always be unstable unless there is a belief that what is good for world peace is necessarily good for the nation and is deeply ingrained in governments and peoples." Claude's point of view is that states ought to view global, regional, and sub-regional (community) security challenges as affecting their security in order to participate in collective security arrangements in the context of deontological ethics as duty or responsibility. What this entails is that states ought to act collectively, driven by moral concerns rather than self-interests, as argued by realists such as Powers (2014), among others. Such participation in a collective response to a threat within a member state is akin to ECOWAS' intervention in the Liberian war from 1990 to 1997.

Similarly, in order to act collectively and altruistically, Chikanga (2018) argues that African post-colonial states are in a position to develop viable conflict resolution and peace-building mechanisms, upon the appreciation that they have a moral obligation to work in solidarity with other states collectively. States' realisation of an obligation, responsibility, or duty to act for the good of the community, which is essential in successful military intervention in intra-state conflict, is possible through the Afro-Communitarianism approach, where every individual (member state) has a moral duty or obligation to the community. Mertz & Gaie (2010: 276) articulate this important attribute of the Afro-Communitarianism by stressing that, "Every member is expected to consider an integral part of the whole and to play an appropriate role towards achieving the good of all." Such an Afro-Communitarian view of collectivism is central to any altruistic military intervention in a state's internal conflict as collective moral responsibility. It may be argued that although an element of state-

centric interests existed in the 1990 ECOWAS' military intervention in Liberia, moral values and hence ethics had a role in the participation of member states in the intervention. Given the positive outcome of the ECOWAS' military intervention in Liberia, which a number of observers acknowledge, ethically, the ECOMOG fared well to a large extent.

Although the ECOMOG managed to restore normalcy in Liberia after an eight-year military intervention, there were a number of ethical mishaps that numerous scholars of ethics, analysts, and observers alike have argued contributed to the longevity of the civil war in Liberia and the long intervention period. The protracted and intractable civil war cost more lives and property, and it overwhelmed the sub-region with the refugee crisis, while it influenced outbreaks of similar civil wars in Sierra Leone, Guinea-Bissau, and Côte d'Ivoire. The lengthy conflict termination resulted in about 200,000 deaths, while 1.5 million were displaced by 1997 out of a total Liberian population of 2.5 million (Tuck, 2000). Although a sustainable cease-fire was eventually achieved after almost eight years and democratic elections were held, the protracted conflict resolution led critics to question the utility of sub-regional military intervention as a conflict management mechanism. In this context, Olonisakini (2000:19) observes that "Sub-regional economic organisations such as ECOWAS encounter various problems in conflict management, among which are that they are structurally unprepared for peacemaking and peacekeeping roles and suffer from human and financial resource constraints." The constraints underlined by Olonisakini are not only akin to the ECOWAS but are inherent to African sub-regional organisations' conflict management since they are not structured for conflict management roles. Such problems are not self-caused, nor do the sub-regional organisations have control over them according to determinism, which was elaborated in Chapter 3. Constraints highlighted by Olonisakini contribute to the longevity of the conflict and the intervention period, as will be discussed in subsequent sections. However, the ECOMOG had its own self-caused ethical flaws, which contributed to the prolonged civil war in Liberia and its manifestations.

6.3. How Moral Responsibility Arises for a Non-Human Agent as the ECOWAS or a State

Chapter 2 highlighted that the concept of moral responsibility has more often been applied to individual agents for morally undesirable outcomes of their actions rather than to a group or collective. As such, ascription of moral responsibility or accountability for blame has been understood in the context of individual persons rather than collective moral agents (Giesler and Veresiu, 2014). The argument for ascribing moral responsibility to a collective, defined by Risser (2006:17) as "a group of individuals with something in common," has persistently gained prominence. This argument is in the context of collective action or behaviour, which is the result of a

group acting jointly, though not really the result of the collective's intentions. The action is informed by beliefs, desires, or wants of the collective itself, whether or not such beliefs and desires can be accounted for or explained in individualistic terms (Corlett, 2000). Chapter 2 also pointed out that collective moral responsibility is the responsibility of a collective agent such as an organisation, corporation, a nation-state, a business entity, or a club for praise or blame emanating from its actions. Collective moral responsibility was defined according to Risser (2006:1) as "arrangements appropriate for addressing widespread harm and wrongdoing associated with the actions of groups." Shared responsibility, on the other hand, was elucidated as the responsibility of individual group members for harm in cases where they acted together to bring about the injury (Verwoerd, 2001; Velasquez, 2005; Risser, 2006).

Chapter 2 also pointed out that philosophical approaches to collective moral responsibility fall into two main categories, namely, methodological individualists and methodological holists. Rudolph (2007) underscores that collective moral responsibility has raised disagreement between conceptions of methodological individualists who maintain that only individual human agents can be held morally responsible and methodological holists who argue that groups can be held morally responsible as entities, independent of their members. In the context of methodological holists, Valasquez (2005) argues that organisations act as individuals and have intended objectives for what they do. Risser (2006), Rudolph (2007), and Isaacs (2011) corroborate with the methodological holists' view on collective moral responsibility. According to methodological holists, organisations can be held morally responsible for their actions in exactly the same way that human beings are judged. Grounding on the methodological holists' view of collective moral responsibility, the ECOWAS as an organisation and a non-human agent under which the military intervention was undertaken can be ascribed collective moral responsibility for the prolongation of the civil war in Liberia from 1990 to 1997 and the resultant effects.

In his taxonomy of collective responsibility, Joel Feinberg elaborates how moral responsibility arises for organisations when he underlines that:

Whole group can be held liable even though not all of their members are at fault... A group can be held collectively responsible through the fault, contributory or non-contributory of each member. Group liability through the contributory faults of each member. Through the collective but no distributive fault of the group itself, it bears liability independent of its members (Feinburg, 1970: 233).

Based on the methodological holists' collectivist school of thought and Joel Feinberg's taxonomy of collective responsibility, the ECOWAS may be credited for collective moral responsibility for the

prolongation of the civil war in Liberia from 1990 to 1997. In simple terms, what this implies is that the ECOWAS bears accountability or responsibility for the longevity of the civil war in Liberia and its manifestations. Building on Feinburg's first criterion for ascription of collective moral responsibility to a group or collective, a whole group can be held accountable even if not all of its members are at fault. The ECOWAS can therefore be morally responsible for acts committed by any of its members, though not all member states were involved.

The main morally undesirable acts committed by the ECOMOG include alignment and supporting antagonist belligerent factions and illegal exploitation, selling, and even exporting of Liberian resources (van Walraven, 1999; Brown, 2000; Obi, 2009). Although some of the mentioned morally wrong acts have not been verified, most reports consulted provided evidence on some unethical conduct by the ECOMOG participant states and troops during the intervention. The morally wrong act of lack of impartiality arising from supporting opposing factions, as deliberated in Chapter 5, promoted the emergence of more breakaway and new factions headed by greedy warlords, based on self-enrichment and profiteering from local resources. The prevalence of multiple factions in the Liberian conflict made peace negotiations more difficult as the ECOMOG had to deal with many actors in the conflict (van Walraven, 1999; Obi, 2009). Likewise, by profiteering from natural resources, the ECOMOG participant states and individual soldiers would not have wanted to see an end to the conflict, which had become a conduit for amassing wealth just like the warlords and the factions (van Walraven, 1999). As mentioned earlier, the ECOMOG's ethical flaws contributed to the prolongation of the civil war in Liberia.

Conditions set by Rudolph for assigning moral responsibility to a moral agent also suit in holding the ECOWAS accountable or morally accountable for the continuation of the Liberian civil war. Rudolph provides four criteria that must be satisfied to a greater or lesser degree to hold an agent morally responsible. Firstly, the agent's action must relevantly cause the outcome in question. Secondly, the agent must have some awareness of the moral consequences of the actions in question. Thirdly, the agent must have intended the action on at least one true description of the event; and the agent must have acted voluntarily (Rudolph 2007:13). These criteria for ascribing moral responsibility to a collective are acknowledged by Feinberg (1968), Held (1970), French (1979) and May (1992) and can be summarised as causality, awareness, intention and volition. Based on the given conditions, the ECOMOG contributed to the prolongation of the conflict in Liberia through its unethical acts of impartiality by supporting different opposing factions to the conflict and by participating in illicit economic profiteering activities such as the extraction and selling of diamonds

and timber, among other Liberian resources. As a well-constituted organisation, the ECOWAS no doubt willfully and knowingly engaged in unethical acts of supporting belligerent factions, knowing it would impact its ability to resolve the conflict. The revelations by Pitts (1999) that some ECOMOG states supported several rival factions by providing weapons, ammunition, transportation, and intelligence also qualify the attribution of collective moral responsibility to the sub-regional organisation according to Feinberg's criteria for attribution of collective moral responsibility. The criteria used by Feinberg include those members who did not commit wrongful acts during the action (Feinberg, 1968), for this study, during the military intervention.

Nigeria and other Anglophone member states of the ECOMOG reportedly supported factions opposed to Charles Taylor, such as the AFL, ULIMO, and the LPC. Howe (1997) points out that the Nigerian contingent cooperated and assisted the INPFL and the AFL right from the 1990 deployment of the ECOMOG in Liberia. Charles Taylor's NPFL was reportedly supported by Burkina Faso, Côte d'Ivoire, Guinea, and other ECOWAS Francophone members (Nwolise, 1992; Kodjoe, 1994; Ero, 1995; Adebajo, 2002; Olonisakin, 2003). In the second Liberian civil war, in which the ECOWAS intervened in 2003, Adebajo (2002) and Olonisakin (2003) reveal that Guinea and Côte d'Ivoire supported the Liberians United for Reconciliation and Democracy (LURD) and the Movement for Democracy in Liberia (MODEL), which reignited the conflict in 1999. The support rendered by ECOMOG members to various opposing warring factions, according to Hutchful (2000), stimulated ethnic rivalries, which Obi (2009), Chuka (2009), and Rizvanovic (2013), among others, concurred, making the intervention prolonged.

Through violation of moral norms such as impartiality and by being involved in unethical and illegal exploitation and exportation of Liberian resources such as diamonds and timber, among others, the ECOMOG contributed to the prolongation of the conflict and qualifies for collective moral responsibility as blame (Obi, 2009; Chuka, 2009; and Rizvanovic, 2013). Similarly, the ECOMOG may have had some awareness of the moral consequences of its actions since the support rendered to various factions through its divided participant members' provision of sanctuary, training, and supply of weapons and ammunition to opposing factions made the peace process difficult, thereby prolonging the civil war (van Walraven, 1999). The point here is that the ECOMOG participant states acted with full awareness of the consequences of their actions. Likewise, the observation that the ECOMOG member states supported antagonistic factions (Nwolise, 1992; Kodjoe, 1994; Ero, 1995; Adebajo, 2002, and Olonisakin, 2003) meant that those participant states must have intended the action, and it was not coincidental. Likewise, the participant states that as individual moral agents

and not necessarily the ECOMOG must have acted voluntarily according to their interests. Based on the conditions for ascription of moral responsibility to a moral agent provided by Feinburg and Rudolph, the ECOMOG was morally responsible for the prolongation of the civil war in Liberia.

Similarly, to determine attribution of moral responsibility in the prolongation of the civil war in Liberia, the study also used the conditions under which an agent is morally responsible put forth by Velasquez. The conditions are “(1) when the agent knowingly and freely performs an action or brings about harm of which it was morally wrong for it to perform or bring about, or (2) the agent knowingly and freely fails to perform or prevent” (Velasquez, 2005: 47). Building on the first condition, the ECOMOG may not have been ignorant that aligning and supporting opposing factions and their splinter groups was prone to lack of impartiality, and that the action would encourage formation of other factions that would make the conflict prolonged and difficult to resolve. Secondly, the ECOMOG participant states may not have been ignorant that exploiting and trading in Liberian resources were illegal and unethical acts. Still on the same condition, the ECOMOG participant states freely engaged in these unethical activities, largely motivated by state-centric interests and brought about harm in the form of about 200,000 deaths, 1.5 million displacements, and the spread of the conflict into the sub-region (Alao, 1993; Adebajo, 2002; Olonisakin, 2003; Molnár, 2008; Obi, 2009; Chuka, 2009; Rizvanovic, 2013; Rodriguez, 2018).

Furthermore, as put across by Velasquez (2005) and others, organisations qualify for ascription of moral responsibility based on their structure and ability for decision-making. The ECOWAS has a structure, with a Summit comprising heads of state and governments at the helm, which makes decisions for the sub-regional organisation. In the 1990 military intervention in Liberia, the 13th Summit of the Heads of States of ECOWAS countries in Banjul, Gambia, on 30 May 1990, decided to set up a five-member Standing Mediation Committee (SMC) comprising Gambia, Ghana, Mali, Nigeria, and Sierra Leone to find amicable solutions to the conflict in Liberia (Ero, 1995). With peaceful solutions not bearing any fruit, the SMC at the summit meeting in Banjul, Gambia, on 6 July 1990, adopted an extraordinary decision to intervene militarily in Liberia. The multi-national intervention force, the ECOMOG, deployed its first troops in Liberia on 24 August 1990 (Tuck, 2000). In the foregoing, the decision to intervene in Liberia was reached through decision-making structures comprising individuals as heads of state, which qualifies the ECOMOG as a moral agent that can be ascribed moral responsibility according to the criterion put forward by Velasquez (2005).

The same applies to the SADC decision-making structure which according to Ngoma (2005), Chikanga (2018) and Moyo (2018) comprises the Summit consisting of heads of state and

governments, the Organ on Politics, Defence and Security (OPDS) and the Troika (current, incoming and previous heads of state or government), among other structures for decision-making in the sub-region. In both the ECOWAS and the SADC, the summit is the highest or overall decision-making structure, which comprises heads of state and governments (human beings) that are responsible for decision-making for the sub-regional organisations.

The ECOWAS, being a sub-regional organisation with set legal and ethical principles and standards, may have acted freely to compromise the ethical principle of impartiality and accountability; neither was it coerced to engage in illegal exploitation of Liberian resources. The ECOMOG and its participant member states acted freely in partaking in the morally wrong acts of aligning and supporting former President Doe's AFL and its splinter groups by the Anglophone participant states. Similarly, the ECOMOG's Francophone member may also have acted freely to support the NPFL and its smaller factions, all of which contributed to the longevity of the conflict in Liberia (Alao, 1993; Adebajo, 2002; Olonisakin, 2003; Molnár, 2008; Chuka, 2009; Obi, 2009; Rizvanovic, 2013; Rodriguez, 2018).

The ECOMOG member states, driven by state-centric interests, may have acted freely and were aware that they were involved in illegal and unethical acts that would cause injury to the Liberians in particular and the sub-region in the form of spill-over effects. Due to state-centric interest, participant states failed to embrace some ethics of military intervention, such as impartiality. By acting with full knowledge and freedom, which conforms to the philosophical notion of freewill, rather than determinism in which actions are forced onto the agent by external factors such as past events, experience, and the environment, among others, the ECOMOG had control over its actions. The ECOMOG, therefore, qualifies for moral responsibility for the prolonged conflict in Liberia and its effects.

However, as elaborated in Chapter 5, there were other inherent factors that contributed to the prolonged civil war in Liberia that were external to the ECOMOG, and it had no control over them. These included the protracted nature of civil wars due to various circumstances, the existence of multiple factions and warlords, and the availability of natural resources that belligerent factions used for self-enrichment and to sustain the conflict. The support rendered to belligerent factions by some countries outside the sub-region and the existence of child soldiers, among other factors, also contributed to an enduring civil war in Liberia (Pitts, 1999; Van Walraven, 1999; Obi, 2008; Chuka, 2009). These factors were out of the control of the ECOMOG, and based on the concept of determinism, the ECOWAS would have no moral responsibility for any harm. I also argue that the

lack of interoperability and adequate sustenance, which included funding, a major challenge in most African peace support operations (PSOs), was also a factor outside the control of the ECOWAS, according to determinism. These factors also contributed to the prolonged civil war in Liberia. Grounding on the existence of external factors, which were out of the control of the ECOMOG, the moral agent (the ECOWAS) did not qualify for ascription of moral responsibility based on conditions outlined by Velasquez (2005) and the philosophical concept of determinism elaborated earlier on.

However, based on the Anglophone-Francophone divide and state-centric interests, the ECOMOG participant states freely and knowingly engaged in the unethical act of impartiality by aligning and supporting opposing factions, which impacted the much-needed cooperation, mutuality, and decision-making in the intervention (Molnár, 2008; Chuka, 2009; Obi, 2009; Gilbert, 2014; Rodriguez, 2018). By acting freely and with full knowledge that the act of lack of impartiality contradicted the ethics of military intervention as underscored in the JWT and LOAC, the ECOMOG qualified for ascription of moral responsibility for blame in the realm of freewill. Under such circumstances, Velasquez (2005) argues that an agent qualifies for moral responsibility or accountability for blame for morally undesirable consequences of its action. In the foregoing, the ECOWAS, though a non-human collective moral agent, may qualify for moral responsibility for its contribution to the longevity of the civil war in Liberia and the manifestations thereof, according to the theory of collective moral responsibility. The same also applies to respective participant member states for their contribution to the longevity of the civil war in Liberia from 1990 to 1997 and the resultant effects based on shared responsibility. However, there is a gap in policy and literature on whether moral responsibility for harm ought to be ascribed to the ECOWAS as a collective or to participant states for their contribution to harm. The next section examines the ascription of moral responsibility for the protracted civil war and its manifestations.

6.4. Moral Responsibility for the Protracted Civil War in Liberia and Its Manifestations.

Chapter 2 elucidated that there are two main philosophical views that dominate the debate on moral responsibility. These are free will and determinism. The two opposing views concern whether moral agents act freely with control over their actions (freewill) or whether their actions are a result of external influences such as past events, experience, and the environment, among other factors, which render the agents no control over their actions (determinism). These two divergent philosophical views have some bearing on the attribution of moral responsibility to an agent such as the ECOWAS or a particular participant state. Advocates of free will, such as Maya Eddon and Peter Singer, among others, argue that moral agents act freely from within, with self-control over their actions and fully

aware of the consequences of their actions (Eddon and Singer, 2020). Proponents of free will reject the argument advanced by determinists that actions by moral agents (like the ECOWAS) are influenced by external factors and are not self-caused to justify the ascription of moral responsibility to the agent. Eddon and Singer (2020) describe freewill as the power or capacity to choose among alternatives or to act in certain situations independent of natural, social, or divine restraints.

The ECOMOG's participant and their troops might have acted with full knowledge that breaches of ethics of military intervention, such as lack of impartiality, lack of cooperation, lack of mutuality, inconsistency, and lack of accountability, among others, would negatively affect the outcome of the intervention. The ECOMOG may also have acted freely in its actions according to free will. Grounding on Velasquez's second condition for ascription of moral responsibility that "the agent knowingly and freely fails to...prevent" (Velasquez, 2005:21), the ECOMOG Force commanders may have knowingly and freely failed to prevent unethical acts of impartiality amongst participant member states. There is no evidence to demonstrate that the Force commanders, who were mostly Nigerians except the first one, who was Ghanaian, made any efforts to stop the various morally wrong acts by participant states during the intervention. Under such circumstances, blame may be ascribed to respective ECOMOG Force commanders based on the LOAC principle of command responsibility.

Command responsibilities in armed conflicts, which also apply to military intervention in internal conflicts, are mainly meant to promote the protection of civilians. In accordance with the Handbook of International Rules Governing Military Operations, under the principle of command responsibilities, commanders are responsible for ensuring that their subordinates plan and carry out military operations in accordance with the LOAC and that the commander cannot be held accountable if subordinates fail to abide by the LOAC provisions in military operations (Nott, 2012: 259). In the same vein, Emmanuel Maphosa enlightens that:

Just like in an armed conflict setting, the commander bears overall responsibility while troops bear individual responsibility. With reference to UN missions, whether it's a Chapter VI operation (where force is used mainly in self-defence), or Chapter VII where force is expected to be used to neutralise the opposition, the UN SG Bulletin of 1999 acknowledges that any conduct of troops under the command and control of the UN should align with IHL principles. It also follows that the levels of responsibility under IHL apply in military intervention operations. (*Interview response from Dr Emmanuel Maphosa, Programme Advisor in the Department of Arms and Security Forces, ICRC Southern Africa Regional Delegation, Pretoria, South Africa, 9 April 2024*).

As noted above, the commander bears overall responsibility whilst troops bear individual responsibility even in military intervention operations. Building on this provision, the ECOMOG commanders bore overall responsibility for the outcome of the military intervention in Liberia, hence are liable for accountability for the prolonged civil war and its effects. The principle of command responsibilities is mainly meant to ensure that military operations are conducted in a manner that is consistent with ethical principles of distinction, proportionality, and military necessity, all of which fall under the JWT principle of *jus in bello*, as discussed in preceding chapters. The main responsibilities of commanders in military interventions include ensuring compliance with the LOAC provisions and minimising harm to civilians and civilian objects.

Commanders have a duty to ensure that their subordinates comply with the LOAC and to take steps to prevent and punish violations of the law. As noted earlier, there is no evidence to suggest that the ECOMOG Force commanders were firm in preventing moral wrongs, which contradicted the ethics of military intervention; hence, they can be held morally responsible for the harm caused by the military intervention in Liberia. This translates to attributing moral responsibility to individual persons for acts of omission by failing to prevent actions that contradict the ethics of military intervention, such as impartiality and neutrality, among others, as underscored in the JWT and LOAC. However, based on determinism, the ECOMOG Force commanders, who were largely Nigerians, except the first one, may not have acted freely as they were likely subjected to external pressure likely emanating from inherent interests of Nigeria on the outcome of the conflict. As such, the ECOMOG Force commanders may not be held morally responsible for the prolonged civil war in Liberia and its manifestations.

Having absolved the respective ECOMOG Force commanders from blame for the prolongation of the civil war in Liberia, moral responsibility for contributing to the extension of the conflict remains to be ascribed between the ECOMOG as a collective or individual participant states for their contribution to the prolongation of the conflict. The ECOMOG's acts of impartiality, among others, no doubt contradicted the ethics of military intervention, most of which are also stipulated in the JWT, the 1949 Geneva Conventions, and various provisions relating to the LOAC, as highlighted earlier, contributed to the prolongation of the civil war in Liberia. Similarly, the involvement of various ECOMOG participant states in acts of lack of impartiality and illegal exploitation of Liberian resources, which they did freely and with full knowledge, despite being signatories to the Geneva Conventions and LOAC, made the states in question accountable for the undesirable outcome of the intervention. Maphosa (2024) reveals that 196 states have ratified the Geneva Conventions, which is

universal. Going by the conditions for ascription of moral responsibility espoused by Feinburg (1970) and conditions for ascription of moral responsibility on a moral agent underlined by Velasquez (2005) and Rudolph (2007), the ECOMOG is subject to ascription of collective moral responsibility for contributing to the prolongation of the conflict in Liberia from 1990 to 1997 and the resultant harm.

Similarly, various scholars and analysts like Nwolise (1992), Molnár (2008), Olonisakin (2008), Enuka (2009), Obi (2009), and Rodriguez (2018), among others, assign moral responsibility for the prolongation and intractability of the civil war in Liberia to the ECOMOG. They, however, do not refer to other factors or reasons that also contributed to the longevity and intractability of the conflict in Liberia, which were out of the control of the intervening force. For example, the splitting of existing factions and the emergence of new ones, as well as the appearance of warlords and child soldiers, which are normal dynamics of civil wars, particularly in Africa, were factors outside the control of the ECOMOG. Concerning the splitting and emergence of new factions, Momodu (2016) asserts that at least seven factions became involved as the Liberian civil war progressed. Pitts (1999), Chuka (2009), and Obi (2009) refer to eight main factions involved in the conflict, which made peace negotiations by the ECOWAS very difficult.

The factional groups involved in the Liberian conflict, which are listed in Appendix 1, included the Armed Forces of Liberia (AFL), National Patriotic Front of Liberia (NPFL), which split into the Independent National Patriotic Front of Liberia (INPFL) and the National Patriotic Front of Liberia-Central Revolutionary Council (NPFL-CRC). The factions also encompassed the Liberia Peace Council (LPC), the Lofa Defence Force (LDF), the United Liberation Movement of Liberia for Democracy (ULIMO), which further split into the United Liberation Movement of Liberia for Democracy-Johnson faction (ULIMO-J) and the United Liberation Movement of Liberia for Democracy-Kromah faction (ULIMO-K) (Aboagye, 2007; Momodu, 2016). These factions fought against each other for control of both territory and resources such as diamonds, which made peaceful solutions to the conflict by the ECOWAS difficult, thereby prolonging the civil war. Progressive splitting and emergence of new factions as a dynamic of the Liberian civil war, according to Pitts (1999), among others, contributed to the prolongation and intractability of the conflict in Liberia.

As mentioned in Chapter 5, the reasons for protracted and intractable civil wars vary according to the unique socio-economic, political, and cultural settings in which the conflicts occur. Achankeng (2013) underscores the main reasons for prolonged civil wars as stemming from the material asymmetry between the incumbent and the insurgents, their tendency to become internationalised,

and the limited space of compromise. The Syrian conflict is an example of an internal conflict, which has become internationalised due to the involvement of states from various regions and has limited space for compromise. Mona Yacoubian explicates that the Syrian internal conflict, which erupted in March 2011 as part of the Arab Spring, has become protracted and seemingly endless. The involvement of external actors and the waging of proxy conflicts in Syria has worsened and protracted the conflict, with prospects of a lasting political settlement being far. Whilst Syrian civilians continue to bear the difficulties of the conflict. The civil war has become international, with not less than six interlocking conflicts being waged inside Syria. The conflict includes the Assad regime against the anti-Assad rebels, Turkey versus Syrian Kurds, Israel against Iran and Hezbollah militants, the US versus Russia, the ongoing US-led operations against ISIS, and most recently, Turkey versus the Assad regime and its allies in Idlib (Yacouian, 2020). The involvement of numerous international actors has turned the conflict in Syria into an international conflict, which further prolongs and makes it difficult to end.

The armed conflict in Syria has claimed an enormous humanitarian toll on Syrian civilians. By 2016, the estimated 400,000 before the UN stopped counting. More than half of the country's population had been displaced, either as IDPs (about 6.2 million) or refugees (5.6 million) who sought safe havens mainly in adjacent countries like Turkey, Lebanon, and Jordan (Yacouian, 2020). Although external parties did not physically become involved in the fighting in Liberia, the existence of many belligerent factions such as NPFL which was supported by Libya while a number of countries outside the region were involved in diamond trade with some factions in the civil war, vindicates an element of the involvement of external parties with varying interests on the outcome of the conflict (Pitts, 1999; van Walraven, 1999). The given cases validate Achankeng's assertion on the main reasons for civil wars' protracted nature, especially the involvement of multiple factions or belligerents and the civil wars becoming internationalised.

Similarly, Elshelmani identifies factors that contribute to civil wars turning protracted and difficult to resolve as compared to inter-state wars that:

Civil wars tend to be low-intensity, existential struggles, making them inherently protracted. The decentralised organisational structure of contemporary insurgencies and their tendency to fragment and become engulfed in internecine fighting further undermines attempts at reaching a political settlement. Peace is difficult to achieve when for many actors, war is preferable especially when belligerents derive profits and power from local resources (Elshelmani, 2015: 1-8).

As observed by Elshelmani, internal conflicts can, among other reasons, become protracted and intractable due to the decentralised organisational structure of modern insurgencies and their

propensity to fragment and become overwhelmed in internecine fighting, which undermines efforts to attain a political settlement (Elselmani, 2015). Such a situation prevailed in the Liberian conflict, where numerous factions engaged in internal fighting amongst themselves. Furthermore, Doyle and Sambanis (2000) elucidate that civil wars are difficult to end when they occur in countries that rely on primary commodity exports, while Fearon also recognises that the presence of certain types of resources tends to make (internal) wars last longer (Ross, 2004). These factors were inherent in the Liberian civil war, which was characterised by the splitting of existing factions and the formation of new ones. These factions fought against each other, making the resolution of the conflict by the ECOMOG difficult, thereby contributing to the prolongation of the civil war. Similarly, besides financially benefiting from resources such as diamonds, the factional warlords also used the resources or proceeds from selling them to finance their war activities, like buying weapons and ammunition, which contributed to the protracted and intractable nature of the conflict.

The support rendered by some members of the ECOMOG to different antagonistic factions that included sanctuary, training, weapons, and ammunition, no doubt contributed much to the prolongation and intractability of the civil war in Liberia. This justifies the ascription of moral responsibility to the ECOWAS for the prolongation of the civil war in Liberia and the resultant harm. However, the ECOWAS' liability for blame may be mitigated by Aquinas' theory of double-effect. The theory underscores that "any act may have two consequences: one that is intended and the other that is not" (Bellamy, 2004:228). Based on this theory, the ECOWAS, though after almost eight years of military intervention in Liberia, re-established peace and security as moral goods from 1997 to 1999. Peace and security were intended outcomes of the ECOWAS' military intervention in Liberia. As mentioned in Chapter 4, moral goods are abstract qualities that are considered valuable and provide the moral justification for engaging in certain actions, such as military intervention in a member state's internal conflict. Morally good actions, according to Valasquez (2006), are those actions that bring about positive outcomes for oneself and others, like peace, love, happiness, honesty, truthfulness, obedience, and protection. Moral goods in military interventions include the restoration of a peaceful and secure environment or normalcy, protection of a vulnerable ethnic group, prevention of genocide, facilitation of the distribution of relief aid, and enabling the holding of elections, among others.

Positive outcomes of military intervention in an intra-state conflict bring about happiness as a characteristic of virtue ethics. The moral goods for the 1990 to 1997 ECOWAS military intervention in Liberia, from consequentialist and virtue approaches to ethics, were positive consequences of the

intervention as determined by the mandate, intentions, and justifications for the intervention. From 1990 to 1997, the ECOMOG was involved in a diversity of activities, which included cease-fire monitoring, peace-enforcement, protection of humanitarian aid workers, disarmament of belligerent factions, monitoring elections, as well as other post-conflict measures to avert a relapse of the conflict (Ero, 1995; Tuck, 2000).

The fulfilment of ECOMOG's mandate by 1997, though after a protracted engagement, brought about peace, which was a moral good emanating from the military intervention. The restoration of peace in Liberia was an intended outcome, which justified the military intervention from a consequentialist approach to ethics. Nevertheless, the protracted and intractable conflict, which resulted in the death of about 200,000 people in Liberia and displaced 1,5 million others, whilst the civil conflict spread into the sub-region, was, according to Aquinas' theory of double-effect, an unintended consequence. However, Aquinas' theory of double-effect further stresses that the harm (unintended) to be caused must not exceed the evil being corrected (Bellamy, 2004). Similarly, Hjorth (2015) and Mitchel (2015) underline that the intervention must not cause more harm than good. Although it is difficult to determine the degree of acceptable harm based on Aquinas' theory of double-effect, the outcome of the protracted ECOMOG military intervention from 1990 to 1997 is difficult to justify due to its magnitude, which justifies moral responsibility on the ECOWAS for harm. However, if the outcome was unintended, then the notion of determinism in which the moral agent has no control over her action and the outcome, the ECOWAS may not be ascribed moral responsibility for the longevity of the civil war in Liberia and its negative manifestations.

Inasmuch as the ECOWAS may be exonerated from blame and collective moral responsibility for the prolongation of the Liberian civil war, based on Aquinas' theory of double-effect and the notion of determinism, the ECOMOG had a role in the longevity of the Liberian conflict. As revealed by the research, the ECOWAS' contribution to the prolongation of the civil war in Liberia was mainly through the ECOMOG's unethical acts of impartiality by supporting opposing factions to the conflict. It also contributed to the longevity of the conflict through its lack of cooperation emanating from the Anglophone-Francophone divide and participation in the illegal exploitation of Liberia's lucrative resources (Nwolise, 1992; Kodjoe, 1994; Ero, 1995; Adebajo, 2002; and Olonisakin, 2003).

Similarly, the support rendered by ECOMOG participant states to belligerent factions of their choice, which included sanctuary, training, weapons, and ammunition, contradicted the ethic of unity of purpose and led to the ECOMOG being accused of turning Liberia into a fertile land for the proliferation of armed groups (Ero, 1995; Brown, 2000). It also stimulated ethnic rivalries (Hutchful,

2000) and the proliferation of armed opposing groups, some of which were supported by the ECOMOG member states, which contributed to the prolongation and intractability of the conflict. The outcome of the ECOWAS' military intervention in Liberia from 1990 to 1997 validates the assumption that when third parties intervene militarily in an intra-state conflict for motives devoid of moral reasons, though morally justified, they often make the conflict protracted and intractable, manifesting into 'more harm than good' (Hjorth, 2015; Mitchell, 2015).

The case of the ECOWAS' military intervention and the resultant prolonged internal conflict in Liberia, as authenticated proclamation by Regan (2002), Akcinaroglu and Radziszewski (2005), Cunningham (2010), and Mitchell (2015), among others, suggests that third-party military interventions especially motivated by other motives normally make the conflict prolonged and intractable. An outcome of this nature has, in Strawson's view, evoked moral reactive attitudes in the form of blame, which would prevent further moral wrongs, while improving moral standards and facilitating redress (Strawson, 1974a). Such an outcome, in Mitchell's view, evokes consideration (for moral responsibility) for both individuals, people, groups, states, and organisations involved (Mitchell, 2015) in the military intervention. However, powerful states and organisations involved in military interventions have not accepted moral responsibility for their intended and at times unintended harm through their actions, as observed by Risser (2010).

As a recap, collective moral responsibility denotes the accountability of a collective such as a group, an organisation, a corporation, a nation-state, or a club for praise or blame resulting from its actions. In this thesis, a nation-state was categorised as an individual entity, bearing in mind that a state has the ability to make sovereign decisions outside those of a collective, depending on its interests. Risser (1998) describes collective moral responsibility as appropriate arrangements for addressing extensive harm and wrongdoing related to the actions of groups. Risser's conceptualisation of collective moral responsibility refers to accountability for the outcome of a group action, whose blame is on the whole entity as a collective. When critics accuse NATO of the resultant state of insecurity in Libya after its 2011 military intervention in that country, they are ascribing responsibility or accountability for the morally undesirable outcome of the intervention to the whole of NATO, irrespective of who actually killed Gaddafi to finally effect regime change. The outcome was a result of a collective action, which is the consequence of a group or collective acting in unison, though not necessarily the result of the group's intentions. Corlett (2000) further views a collective action as originating from the beliefs and desires or wants of a collective itself, whether or not such beliefs and desires can be accounted for or explained in individualistic terms.

In one of his responsibility arrangements, David Risser includes various conceptions of collective responsibility, which support the form of collective moral responsibility that is independent of any or all group membership (Risser, 2009). To put collective moral responsibility into perspective, Risser points to Feinberg's example of a philosophy department that fails to honour its commitment to supervise a student's dissertation after two faculty members who were supposed to supervise the student left the department. Feinberg argues that the department defaulted on its commitment since none of its residual members was willing to read the student's dissertation (Risser, 2009). In this case, Feinberg ascribes collective moral responsibility to the philosophy department as a collective for failing to keep its promise to the student. Similarly, the structure of the department is faulty for having no mechanism in place to deal with situations such as this. As a conglomerate, the department's identity should be capable of surviving changes in its membership, and if its decision-making procedure is unbroken, it should be able to arrange to keep its promise to the student irrespective of any changes in the department (Risser, 2009). This example concerns group liability with collective, non-distributive fault. Using this approach to collective moral responsibility for the outcome of the ECOMOG's military intervention in Liberia from 1990 to 1997, the ECOWAS as a collective and not to its participant member states would be morally responsible for the prolongation of the civil war in Liberia.

Contrary to collective moral responsibility, which denotes accountability for group action to the collective, shared responsibility is the responsibility of group members for harm in cases where they act together to bring about harm. Collective moral responsibility concerns a single and unified moral agent being credited responsibility for a particular outcome, while shared responsibility is associated with individual moral agents who contribute to harm as members of a group either directly through their own actions or indirectly through their membership in the group (Isaac 2010). The main difference between the two forms of moral responsibility is that, whereas collective moral responsibility is about group responsibility irrespective of the role each member played to bring about harm, shared responsibility takes cognisance of the contribution of each member to a given outcome. Shared responsibility tries to eliminate the problem of 'blanket responsibility' on participant member states in military interventions, especially where harm occurs, and not all members were involved in actions that brought about harm. The 'blanket responsibility' in my view encourages powerful participant states in a military intervention to undertake actions that are morally undesirable for the sake of their state-centric interests, which manifest into morally undesirable outcomes of the intervention whose responsibility is for the collective.

As noted by Risser (2009), most philosophers would perhaps agree to the distribution of moral responsibility based on the degree of contribution each member made to the unfortunate outcome. Feinberg (1970) acknowledges this approach to moral responsibility in which responsibility is collective and distributive, but points to the common constraint of making degree ascriptions of responsibility with accuracy. Despite being subjective, degree judgments of blame are even more challenging since they are based on each member's intentions and state of mind, which are difficult to determine. Risser further advises that there is no determinate amount of responsibility to be distributed, so the group's size is relevant only if it affects the degree of an individual's contribution to the harm. Since conglomerates have decision procedures and leadership features, which render them liable to be held morally responsible, independently of individual members' responsibility, the harm that emanates from their actions must be examined differently. Ascription of moral responsibility in such aggregate conglomerates depends on the size, the degree of organisational intricacy, and the level of the members' joint commitment to shared goals and values. When responsibility is shared among members of a group according to their contribution to harm, Risser adds that group leaders should normally bear more responsibility than their followers (Risser, 2009). Grounding on Risser's view, in the case of the ECOMOG's outcome of the military intervention in Liberia, Nigeria, as the lead-nation ought to bear more responsibility than other participant states.

However, protagonists of the shared responsibility approach do not spell out who should be responsible for sharing the responsibility amongst members of the group, which is a gap in knowledge, policy, and practice. Ideally, it should be the collective, in the case of the ECOMOG in Liberia, the ECOWAS as the mother body. This is difficult given the fact that states join regional organisations on the assumption that their interests will be enhanced and can withdraw their membership if their interests are threatened (Labuschagne, 2003). This demonstrates the constraint of shared responsibility where members must cooperate in accepting responsibility, which is difficult for states as participants in military intervention. For the ECOWAS in Liberia, which was already affected by the Anglophone-Francophone divide, it was going to be even more difficult to share responsibility according to each participant state's contribution to the protracted conflict (outcome). This leaves collective moral responsibility as an option.

Although Zimmerman (1985), like Risser (2009), concurs that there is no finite amount of responsibility for group wrongdoing, he does not agree that moral responsibility should be ascribed based on a member's contribution to the harm or injury caused. He utilises examples of acts by aggregates, but supports ascription of full moral responsibility for all participants' wrong acts, except

in cases, such as a teenager or an adult of diminished mental capacity coerced to partake in an action. Zimmerman's approach to moral responsibility would be more valid if every participant was similarly blameworthy, which is improbable. Likewise, trying to determine relative blameworthiness would be more problematic than disentangling the causal chain of events that Zimmerman's approach evades, by ascribing full responsibility to every participant, irrespective of the member's degree of contribution to harm or injury. Unlike in shared responsibility, where members of a group are ascribed moral responsibility according to their contribution to the outcome, Zimmerman's full responsibility approach to ascription of moral responsibility to a group attributes equal responsibility to individual participant members of a collective, irrespective of the degree of their contribution to the harm. Risser (2009) identifies the normative advantage in Zimmerman's full responsibility approach, such as a larger group affecting the degree of the contribution to harm of each member.

Zimmerman's full responsibility approach evades the argument that adding additional members to a group can reduce the moral responsibility of each member, since, according to him, all participants are subject to full and equal responsibility. Zimmerman's full responsibility approach to ascription of moral responsibility to a group seems to conform to May's approach to shared agency, in which all members of a community share in what each member does. Similarly, each member of a community shares in what each member does, and each member should feel responsible for what the other members do (May 1992). May's notion of shared agency, though in the realm of shared responsibility, ascribes moral responsibility to every individual member of the community, irrespective of participation in an action. This can only be possible when all members of the community share common values, norms, principles, and beliefs and have a unity of purpose, which is rare and difficult, especially with the self-centeredness and egoistic nature of human beings. May's approach would be even difficult to use for the ascription of moral responsibility to a complex collective moral agent, such as a sub-regional organisation like the ECOWAS, made up of sovereign member states, with their own interests. May's shared agency approach is therefore not suitable for ascribing moral responsibility to the ECOWAS for its contribution to the prolonged and intractable conflict in Liberia.

The problem of attributing moral responsibility to the ECOWAS as a collective emanates from the fact that the participant states were also collectives with decision-making ability. The ECOMOG participants were sovereign states with their own national interests and intentions in the intervention. The participant states had their own structures for decision-making, implying that they were capable of making informed decisions on whether to take part in the military intervention or not to participate

in the collective action. In this context, respective participant states were collective moral agents that could be ascribed moral responsibility. Since there were 15 ECOWAS member states involved in the intervention, including Senegal, which was persuaded to join by the US, responsibility for prolonging the conflict in Liberia would ideally be allocated according to each member's contribution to the harm as shared responsibility. The shared responsibility would be distributed according to the degree of contribution towards the untoward circumstances rather than collective moral responsibility to the ECOMOG for the harm emanating from the actions of some of its members during the military intervention in Liberia.

Although some ECOMOG is blamed for the prolongation of the Liberian civil war, it has not taken moral responsibility for the resultant harm, which validates observations by Risser (2010: 24) that, "the most powerful organisations have been, for the most part, immune from moral responsibility and legal liability." It may, however, not be ideal to blame the ECOMOG as a collective since it had no other motives for the intervention. Similarly, it may not be morally correct to hold all participant states accountable for the morally undesirable outcome of the intervention, including those that were not involved in some morally wrong acts that caused the longevity of the conflict. Accordingly, responsibility ought to be ascribed to individual participant states according to their contribution to the perpetuation of the civil war in Liberia. The ECOMOG itself, the AU, and the UN should ascribe shared responsibility to participant states according to their contributions to the overall harm within their respective area of operations. This would reduce injurious acts by participant states that indulge in unethical acts to enhance their state-centric interests that contribute to prolonged and intractable conflicts, likely on the premise that the overall blame and moral responsibility will be on the sub-regional, regional, or global organisation under which the intervention is undertaken as collective moral responsibility.

6.5. Chapter Summary

Chapter 6 determined ascription of moral responsibility for the prolongation of the first civil war in Liberia, which claimed the lives of about 200,000 people in that country, displaced nearly one and a half million people, and spread to other counties in the sub-region among its manifestations. The chapter acknowledged that the ECOWAS fared well morally in its military intervention in Liberia from 1990 to 1997, as demonstrated by the prevalence of relative peace and security by 1997, which were moral goods, though short-lived, as the civil war recurred in 1999. It was, however, established that although the ECOWAS is credited for eventually restoring peace in Liberia, albeit after about eight years from 1990 to 1997, it contributed to the prolongation of the civil war in Liberia. The

magnitude of the manifestations of the protracted and intractable civil war in Liberia was argued to fall into the realm of more harm than good, which contradicts the ethics of military intervention in internal conflicts.

The chapter established how moral responsibility arose for a non-human agent, mainly based on the methodological holists' position that organisations act as individuals and intend the objectives for what they do. Furthermore, methodological holists' position that organisations have structures for decision-making manned by human beings. Methodological holists like Risser (2006), Rudolph (2007), and Isaacs (2011), among others, hold the view that organisations can be held morally responsible for their actions in exactly the same way that human beings are judged. Methodological holists further provide the criterion for qualifying a collective, such as the ECOWAS, with moral responsibility based on organisational structure, an internal decision-making process, an ability to accommodate varying membership, institutional goals, histories, and basic principles, all of which apply to the ECOWAS. For the ECOWAS, the decision to intervene militarily in the Liberian internal conflict was made by the Summit, which comprises heads of state and governments and is the highest decision-making body. As such, the ECOWAS, though a non-human agent, can be ascribed moral responsibility or be made accountable for the prolongation of the civil war in Liberia and the manifestations thereof.

Chapter 6 further analysed how the ECOWAS can be held morally responsible for the protracted civil war and its manifestations. Grounding on the notion of freewill, in which the moral agent acts freely, fully aware of the consequences of its action and has internal control of its action, the ECOMOG itself may not have acted freely since it had external influence from powerful participant states based on their interests. The notion of determinism, which is the opposite of free will, was at play. Instead, the interest-motivated participant states acted freely in unethical acts of impartiality by supporting various opposing factions and were capable of controlling their actions according to the notion of free will. The ECOMOG was therefore absolved from moral responsibility for the longevity of the civil war in Liberia and its manifestations. Instead, the participant states that, by virtue of being signatories to the 1949 Geneva Convention and its Additional protocols, they had full knowledge and awareness that breaches of the ethics of military intervention, mainly a lack of impartiality, by supporting various antagonistic factions, would prolong the civil war. Likewise, by taking part in illegal economic profiteering activities such as the extraction and selling of diamonds and timber, among other Liberian resources, which various participant states did in collaboration with the opposing factions they supported, they contributed to the prolongation of the civil war in Liberia. Different

rival factions became eager to fight to gain control of areas endowed with resources like diamonds, which fuelled the conflict and made peace negotiations more difficult. Furthermore, it is my view that the involvement of some ECOMOG participant states in illicit economic deals during the intervention could have made them want to stay longer in the conflict environment, where profiteering was enticing, which also may have contributed to the prolonged and intractable conflict in Liberia and the longevity of the intervention.

Based on Feinburg's criteria for attribution of moral responsibility to a collective moral agent, the ECOWAS qualified for ascription of collective moral responsibility. However, the criteria used by Feinburg include even those member states that did not commit wrongful acts during the military intervention, which suggests the application of shared responsibility that ascribes accountability for harm according to the contribution of each participant member (prolonged civil war and its manifestations). As opposed to collective moral responsibility, in which responsibility for a morally wrong outcome arising from group action is attributed to a collective as an entity, shared responsibility ascribes responsibility according to each member's contribution to the harm, and it prevents uniform blame on every participant, which makes it relevant for ascription of moral responsibility for outcomes of military intervention. In my view, shared responsibility may discourage powerful participant states in military intervention from undertaking unethical actions that contribute to prolonged and unabated conflicts for the sake of their state-centric interests on the pretext that blame and accountability will be on the collective. My ethical stance is that shared responsibility is more appropriate in the military than collective moral responsibility. As such, shared responsibility rather than collective moral responsibility was adopted for ascription of moral responsibility to ECOMOG participant states for their contribution to the prolonged and intractable conflict in Liberia from 1990 to 1997 and the resultant harm. Chapter 7 went on to provide findings and recommendations to address ethical and moral responsibility challenges in military interventions in internal conflicts.

CHAPTER 7: ADDRESSING ETHICAL AND MORAL RESPONSIBILITY CHALLENGES IN MILITARY INTERVENTIONS IN INTERNAL CONFLICTS

7.1. Summary of the Thesis

The thesis interrogated ethics and moral responsibility in the ECOWAS' intervention in Liberia in the period 1990 to 1997. The study was motivated by the problem of failure to uphold ethics, mainly impartiality, by organisations and states involved in military intervention, which contributes to prolonged, intractable, and recurrent civil wars. Similarly, failure by organisations and participant states to take responsibility for morally undesirable outcomes of their military interventions, such as high civilian deaths, an upsurge in refugees and internally displaced persons, and conflict spilling over to the sub-region, worsens the challenge. Outcomes of military intervention, such as prolonged, intractable, and recurrent civil wars, have, among other factors, often been associated with ethical flaws, mainly a lack of impartiality, where participant states have supported belligerent parties according to their interests. This was the case in the ECOWAS military intervention from 1990 to 1997, in which Anglophone participant states supported former President Doe's AFL and its factions, while Francophone states in the intervention were inclined towards Taylor's NPFL and related factions.

Interest-related support of different factions by two main groups of the ECOWAS participant states amounted to a lack of impartiality, which conforms to observations made by Cunningham (2010:3) that "when third parties intervene in a civil conflict not to end the conflict but to pursue an independent agenda, they make civil conflicts much longer and more difficult to resolve." In the same vein, Qi (2012) underlines that prolonged intra-state conflicts likely arise against the backdrop of participant states' competing national interests, which influence unethical actions and behaviour that impact the dynamics of the conflict and outcome of the intervention. Unethical acts, such as a lack of impartiality, among others, influence the dynamics of internal conflicts and consequences of the intervention, which cause more harm than good. As such, Mithell (2015) argues that the harm that is associated with military interventions evokes consideration for moral responsibility by not only states and organisations, but also individuals and people involved. Nevertheless, organisations and states involved in intervening in internal conflicts within states have not taken moral responsibility for the undesirable outcomes of their actions, which leads Risser (2010: 24) to underline that, "the most powerful organisations have been, for the most part, immune from moral responsibility and legal liability." In addition to causing persistent resentment among the affected population, failure to take moral responsibility for morally undesirable outcomes of military intervention contributes to continued unethical acts and practices by the intervener, which contribute to protracted and unabated

intra-state conflicts. Civil wars in Somalia, Liberia, the Eastern DRC, Libya, Iraq, Afghanistan, Yemen, and Syria, among others, became prolonged and intractable when third parties intervened militarily. The civil war in Liberia went on for about eight years, claiming approximately 200,000 lives, displacing some 1,5 million people in Liberia either as IDPs or refugees, and the civil war spread into the Ivory Coast, Sierra Leone, and Guinea-Bissau. From a consequentialist approach to ethics, the study interrogated ethics and moral responsibility in the ECOWAS Liberian intervention from 1990 to 1997 in order to address a gap in the literature on the nexus between third-party ethical flaws during military intervention in internal conflicts and protracted and intractable civil wars. It also covered a gap in literature, policy, and practice on whether moral responsibility for harm should be ascribed to organisations under which the military intervention is undertaken, as collective moral responsibility, or to individual participant states for their contribution to the undesirable outcome of the intervention, as shared responsibility.

The study adopted a theoretical framework comprising the theory of Collective Moral Responsibility, the Just War Theory, and Aquinas' Theory/Doctrine of Double-Effect. The study espoused Martha Klein's conceptualisation of moral responsibility as; "having a moral obligation to act and the fulfilment of the criteria for deserving blame or praise (punishment or reward) for a morally significant act or omission" (Klein 2005:3). The research was underpinned by the main question on whether there was any link between ethical flaws in the ECOWAS' intervention in Liberia between 1990 and 1997 with the protracted and intractable civil war. The research established that although the ECOWAS re-established peace in Liberia by 1997 as a moral good, it had a role in the prolongation of the conflict, which qualifies it for ascription of moral responsibility as blame. The study upheld assertions by Cunningham (2010), Qi (2012), Mithell (2015), and Chaminuka (2017) that when third parties intervene militarily in an intra-state conflict for motives devoid of moral reasons, though morally justified, they often make the conflict protracted and intractable.

7.2. Major findings and conclusions on the main ethical challenges that affect African sub-regional military interventions in internal conflicts

The main ethical challenges encountered by African sub-regional organisations in military intervention within member states' civil wars, just like global, regional, and individual states, emanate from the pursuit of state interests at altruism's expense, which contradicts the ethics of war as pronounced in the JWT and other sources. Ethics of war, according to Coady (2002), Prosviryakova (2012), and Hoag (2015), among others, apply to military intervention, which also utilises lethal force. Ethical flaws inherent in sub-regional organisational intervention within a state's

internal conflicts are also a result of disregard for military intervention ethics underlined by Krieg (2013) as impartiality, consistency, accountability, cooperation, sustenance, and universality. The main ethical challenge that affects military intervention by African sub-regional organisations, just like global, regional, and states, is a lack of impartiality. During the ECOWAS' military intervention in Liberia from 1990 to 1997, the lack of impartiality manifested in the ECOMOG's Anglophone and Francophone support for two main opposing groups in the conflict, which, to an extent, affected the cooperation, unity of purpose, and decision-making during the intervention, thereby contributing to the protracted and intractable nature of the conflict.

When participant states become divided along their interests and support different opposing groups, they compromise the ethics of impartiality, neutrality, consistency, cooperation, and mutuality, which are essential in military intervention in internal conflicts. The support rendered to antagonistic factions in Liberia by a divided ECOMOG through the provision of sanctuary, training, intelligence, weapons, and ammunition contradicted the ethic of impartiality. Taylor's NPFL was supported by Francophone participant members of the ECOMOG. France and Libya were also reported to have supported Taylor (Olonisakin, 2008). Nigeria and some Anglophone ECOMOG participant states were also reported to have supported factions opposed to NPFL, such as the AFL, ULIMO, and LPC (Olonisakini, 2008; Obi, 2009; Konadu, 2009). By propping up opposing factions in the civil war, the ECOMOG was stimulating ethnic rivalries, which turned Liberia into good ground for the proliferation of armed groups, prolonging the civil war (Molnár, 2008; Chuka, 2009; Obi, 2009; Pitts, 2009; Gilbert, 2014; Rodriguez, 2018).

In addition to a lack of impartiality, a lack of sustainability, and profiteering through illegal exploitation of the affected country's resources by participant states are also common ethical challenges that affect military intervention in internal conflicts, particularly by African sub-regional organisations. In the Liberian military intervention, sustainability challenges contributed to looting by individual soldiers, leading to the acronym ECOMOG being changed to 'Every Car or Moving Object Gone' (Tuck, 2000; Obi, 2009). As for profiteering through illegal exploitation of the affected country's resources, some ECOMOG participant states became heavily involved in this unethical practice. Other motives, such as diamond mining and rubber plantation areas control, became an important dynamic in the continuation of the Liberian civil war and made any effective political solution very difficult (Chuka, 2009). Furthermore, on the ethical flaw of unethical exploitation of Liberian resources such as diamonds and timber by some ECOMOG participant states, Van Walraven has reported that;

By 1993, the Nigerian troops had begun engaging in commercial ventures with the anti-Taylor factions. The Liberian Peace Council (LPC), one of the various Liberian groups that emerged as a competing actor struggling to control Liberia, developed a particularly close relationship with the ECOMOG soldiers. Together, the Nigerians and the LPC exploited the resources along the Ivoirian border, forcing the population to work in rubber factories and engage in the timber trade. The faction leaders acting with the Nigerians were in a better situation than their opponents, who in adhering to the various peace agreements and giving up their weapons, stood to lose access to the resources, which translated into the loss of political power. The business ventures seriously undermined ECOMOG's claim to neutrality, compromising its legitimacy as a peacekeeper among the warring the factions (Van Walraven, 1999: 44),

Ethical flows reported by Van Walveren, among others, which can be summarised as Lack of impartiality and profiteering through illegal exploitation of the target country's resources, among other factors, contributed to the prolongation and intractability of the civil war in Liberia and military intervention in Liberia. The reported ethical challenge contributed to the prolongation and intractability of the civil war in Liberia. Lack of impartiality and profiteering from the host country's resources are major ethical challenges that contribute to prolonged military interventions in internal conflicts.

7.3. Major findings and conclusions on the ECOWAS moral justification to militarily intervene in the Liberian internal conflict between 1990 and 1997

The study established that the ECOWAS military intervention in Liberia from 1990 to 1997 was the first such involvement in the member state's internal conflict by an African sub-regional organisation without the involvement of the UN or other regional organisations at the preliminary stage. The involvement of an African Sub-regional organisation in a member state's internal conflict qualifies the military intervention to the 'African solutions to African problems' mantra. The intervention was primarily premised on peace and security restoration in Liberia (Dunn et al, 1995). Peace and security restoration in Liberia was the main moral reasoning under which all justifications for the military intervention by the ECOWAS were grounded. The military intervention was partly enhanced by the 1978 Protocol on Non-Aggression, which recognises that the Community cannot achieve its objectives without peace and security (Ero, 1995), hence encourages collective action against an attack on a member state. The Non-Aggression Protocol sets the tone for collective moral responsibility through common awareness that the Community cannot achieve its objectives of economic integration and development in the absence of peace and security, hence the need for collective action against an attack on a member state. This signifies ethical principles of common values, common principles, and beliefs as impotent pillars for collective action.

However, the Protocol does not concern intervention in intra-state conflicts; rather, it is to do with inter-state wars. The Protocol also upholds the non-interference principle contained in UN Charter Article 2(4), which illegalises intervention in countries' internal conflict, for example, the Liberian civil war. The Liberian military intervention was therefore largely conducted through the 1981 Protocol. Although PMAD legalised the intervention, it still required some moral justification as required by the JWT. The moral justifications for the 1990 ECOWAS intervention were, according to Adisa (1999), to avert the civil war spill-over effects, prevent a humanitarian crisis, and assist Liberia as a Member State. The intervention was based on humanitarian concerns as the scale of the blood bath, wanton destruction of property, starvation, and rape was so high that it would have been immoral for the ECOWAS not to intervene (Chuka, 2009). Furthermore, the killing of both Liberians and non-Liberians, mainly Ghanaians, Nigerians, and Sierra Leoneans, without any justifiable reason, strengthened the humanitarian moral justification for the ECOWAS' military intervention. In this context, Van Walraven (1999:28) underlines that the decision to opt for military intervention in Liberia "was strengthened by the fact that thousands of ECOWAS member states' nationals were trapped in the carnage," justifying military intervention to rescue people from other countries in the sub-region who were trapped in the fighting.

Similarly, there were also many non-African nationals trapped in the fighting, which further strengthened the humanitarian moral justification for the ECOWAS intervention. Furthermore, the NPFL had embarked on ethnic cleansing against the Krahn ethnic group (Doe's clan) and the Mandingo ethnic group (viewed as strong supporters of the Doe regime), including those mistakenly taken for Krahn or Mandingo ethnic groups such as the Grebo and the Vai. The NPFL also attacked anyone who served or collaborated with the Doe government in all areas that fell under its control (Africa Watch, 1993). Similarly, relief aid organisations had fled Monrovia despite the dire need for humanitarian relief aid, particularly food and medicine, due to attacks on their staff. The humanitarian moral reason was therefore the main moral justification for the ECOWAS' Liberian military intervention. Scholars and analysts such as Greenwood (1993), Ero (1995), Sesay (1995), Adisa (1999), Van Walraven (1999), and Chuka (2009), among others, have acknowledged the motivation of the humanitarian situation towards military intervention as having strengthened the ECOWAS justification for intervening militarily in Liberia. The study found that the fast-deteriorating security situation in Liberia, mainly in the capital Monrovia, morally justified military intervention to save lives and property, prevent escalation of the conflict, and return normalcy to Liberia as a duty or moral responsibility in the realm of deontological and communitarian ethics. This

finding is corroborated by Adebajo (2002), who asserted that the military intervention by the ECOWAS was both necessary and morally justified as the security situation in Liberia posed a serious humanitarian crisis and a threat to sub-regional security.

Based on deontological and communitarian ethics, the intervention was also a moral duty or obligation to assist a member state under attack. Tuck (2000) points out that the ECOWAS argued that it was a duty-bound intervention according to the 1981 PMAD. The then-president of Liberia, Samuel Doe, sought assistance from the ECOWAS through Nigeria, which convinced the rest of the ECOWAS to participate in the collective action. Based on the 1981 PMAD, the JWT, the Ubuntu African concept, and the African solution to African problems maxim, the study concluded that ECOWAS was morally justified to intervene militarily in Liberia.

7.4. Main findings and conclusions on the extent to which the ECOMOG embraced ethics in its decision to intervene militarily and during the intervention in Liberia from 1990 to 1997

To determine the extent to which the ECOWAS embraced ethics in its decision to militarily intervene and during the Liberian intervention, the study used the JWT as the main source of military ethics, which, according to Taylor (2020), sets standards for legitimate entrance and right conduct in war. Coady (2002) asserts that the JWT is applicable to the justification and conduct of military intervention, which, though not in the premise of declared wars, shares all the attributes of a violent and lethal confrontation. Hoag (2015) also concurs that the JWT pronounces suitable standards for judging war and justifying interventions, hence its adoption for the determination of the ECOMOG's upholding of ethics in the military intervention and specifically during the Liberian military intervention.

The study agreed with the argument by Coady and others that since military intervention often involves all or most of the features of war, the JWT, which justifies recourse to war and regulates its conduct, is also applicable in the justification and moral regulation of military intervention. In addition to the JWT, the study utilised the ethics of military intervention underscored by Krieg (2015) and provisions of the Law of Armed Conflict (LOAC) to judge the extent to which the ECOMOG upheld ethics in its decision to resort to military intervention and during the intervention in Liberia. The extent to which the ECOMOG embraced ethics in its recourse to military intervention was judged against the first principle of the JWT, known as the right to war. *Jus ad bellum* provides the criteria for morally justifiable recourse to military intervention, which are: just cause, last resort, right intention, legitimate authority, high probability for success, and proportionality.

7.4.1. Last Resort

The requirement for last resort was conceptualised to imply that military intervention is permissible if other peaceful means are ineffective. The study noted that though it is difficult to justify recourse to military intervention before all non-violent means are exhausted, intervening after enormous losses of lives and huge displacements may result in the third-party intervener being ascribed moral responsibility for acting late or even failing to act as an act of omission, underlined by Klein (2005). Based on the line of reasoning by Hoag (2015), who argues that justifying a war (or intervention) on last resort depends on time or urgency of action, and the probability of the success of non-military measures. The rapidity of the worsening situation determines the urgency of military intervention to prevent the situation from deteriorating to unprecedented levels. Situations of emergencies, therefore, do not warrant exhausting all non-violent means before resorting to military intervention. Contingent on the gravity of the existing security situation, decision-makers must be able to balance between last resort and saving lives to prevent a huge loss of lives, given the fluidity of internal conflicts.

Though the ECOWAS embraced the ethical principle of last resort, it acted after eight months (24 August 1990) after the outbreak of the conflict on 24 December 1989, which was late. By then, many civilians had been killed, though the exact number was not determined at the time of intervention. Peter Takirambudde asserted that by late 1990, the refugee figure had risen to over 700, 000 which represented a third of the Liberian population by then (Human Rights Watch, 1993). Aloyo therefore argues that “last resort should be removed from the just war theory since its inclusion can result in a greater number of harms to innocents than if the principle did not exist” (Aloyo, 2015: 188). It is my view that though the principle of last resort is necessary in military intervention, the severity of the situation and likely harm if action is taken late should determine military intervention even before exhausting all non-violent means.

7.4.2. Just Cause

Applied to humanitarian military intervention, as underscored by Hoag (2015), a just cause for military intervention should be to defend, protect, and rescue. However, the existence of a just cause does not always imply that the intervention is based on that cause, owing to the prevalence of endemic state interests, which brings in other motives for the intervention. Most military interventions have a just cause, though they conceal interest-based ulterior motives, such as the removal of Muammar Gaddafi in 2011, which was regime change under the R2P. However, the intervention had a just cause authorised by the UNSC through Resolution 1973, which demonstrates

how just causes for military intervention have been used for other motives by powerful states. A just cause in the majority of cases has been used to camouflage interest-driven intents for military intervention, which normally causes more harm than good when the civil war becomes prolonged and intractable, claiming more lives and displacing more people than expected. In the ECOWAS' Liberian intervention, the moral justifications summarised as: to prevent spill-over effects, to curb a humanitarian crisis, and to assist a member state, were just causes. Since the ECOWAS's justifications for intervening in the Liberian civil war were morally credible, the decision to intervene was informed by just causes.

7.4.3. Right Intention

The JWT requirement for right intention is an essential ethical consideration to morally justify resorting to military intervention in an intra-state conflict. Aquinas emphasises that “the intention of resorting to war should not be out of greed or cruelty, but for the sake of peace, to restrain the evildoers and assist the good” (Hoag, 2015:13). Like the just cause, the right intention to engage in war according to Bellamy (2004) and Hoag (2015), among others also applies to armed humanitarian intervention. The right intention that should conform to the just cause for military intervention ought to be morally justified despite the prevalence of state-centric motives for the interventions. The intentions of the ECOWAS in the 1990 military intervention in Liberia were to prevent a humanitarian crisis, assist a fellow member state, and avert the spread of the conflict into the sub-region. These were all right intentions for the military intervention, whose end-state would be peace and security as moral goods. However, the ECOMOG failed to achieve its third intent of preventing the conflict from spreading into the sub-region with the eruption of civil wars in Sierra Leone, the Ivory Coast, and Guinea-Bissau. Similarly, ECOWAS had morally justifiable right intentions, but by supporting opposing warring factions as a divided collective and by participating in illegal exploitation of Liberian resources, among other unethical acts, despite having the right intentions, the ECOMOG contributed to the prolongation and intractability of the conflict, which claimed more lives than expected. This conforms to assertions by Bellamy (2004) that an intervention may have the right intention, but the methods and means used in its execution may contradict a morally justified intent.

7.4.4. Right Authority

After determining the right intention for the intervention, the next ethical requirement is the legitimate or right authority to authorise the military intervention. According to the UN Charter (1945), Article 1 (1), the UNSC was primarily responsible for international peace and security maintenance. The UNSC is therefore the right authority for military intervention in any region.

However, Annan (1998:3) reiterates that “the UN lacks the capacity, resources and expertise to address all conflicts that arise in Africa.” Correspondingly, Boutros–Ghali (1992:14) remarks that “The UN Charter devotes Chapter VIII to such arrangements for dealing with matters relating to the maintenance of international peace and security that are appropriate for regional action.” Furthermore, although Article 24 confers upon the UNSC the maintenance of peace and security responsibility, the UN Charter Chapter VIII, Article 52(1), specifies that;

Nothing in the present Charter precludes the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action provided that such activities are consistent with the Purposes and Principles of the United Nations (UN Charter, Chapter V111: Regional Arrangements: www.un.org - accessed 2 July 2022).

Article 53 further states that “...the Security Council shall, where appropriate, utilise such regional arrangements or agencies for enforcement action under its authority...” These provisions make military intervention by regional organisations legal and ethical under enforcement action as authorised by the UN Charter, Chapter V11, and under regional arrangements as enshrined in Chapter V111. At the regional level, the African Union Constitutive Act (2000) articles 4 (h) and (g) make relevant provisions for military intervention by regional organisations within their respective communities. Article 4(h) empowers the Union to intervene in a Member State in the existence of war crimes, genocide, and crimes against humanity, while Article 4(j) empowers Member States to request the Union’s intervention to restore peace and security.

All the threshold conditions mentioned in Article 4 (h) of the African Union Constitutive Act, namely, war crimes, genocide, and crimes against humanity, prevailed in Liberia when the ECOWAS intervened in 1990. Based on the AU and UN provisions, African regional organisations act as the right authority to conduct military intervention in internal conflicts of member states as part of conflict resolution mechanisms. However, the UNSC should be notified urgently to grant authority for the intervention. Such authority may or may not be granted when the intervention is already in place to prevent unnecessary loss of lives. The study concluded that the ECOWAS was the right authority in the military intervention in Liberia from 1990 to 1997.

7.4.5. Prospects for Success

The success of a military intervention is about the fulfilment of the just cause for intervening, such as to stop genocide, facilitate the distribution of relief aid, and restore normalcy, which are also moral goods according to the consequentialist approach to ethics. Prospects for success, though difficult to ascertain, are articulated by Evans *et.al* that:

Military action can only be justified if it stands a reasonable chance of success, that is, halting or averting the atrocities or suffering that triggered the intervention in the first place. Military intervention is not justified if actual protection cannot be achieved, or if the consequences of embarking upon the intervention are likely to be worse than if there is no action at all. In particular, a military action for limited human protection purposes cannot be justified if in the process it triggers a larger conflict (ICISS, 2001: 65).

The criteria for judging a reasonable chance for success in a military intervention are determined by the just cause and the moral intent of the intervention, such as to stop genocide, protect civilians, facilitate distribution of relief aid, restore normalcy, among others, which must be achievable. If a military intervention is assessed to create a situation worse than the one before the intervention, then there are no prospects for success, which means the intervener must find means and methods that facilitate success. Going by the ethical principle of high probability for success, it was argued that the prolonged, intractable, and recurrent civil war in Liberia in the presence of the military intervention reflected on the ECOMOG's lack of high prospects for success, which, to an extent, cast doubt on its moral justifications for the intervention. However, despite its failure to prevent the conflict from spreading to the sub-region, and though after a protracted intervention, the ECOMOG restored peace in Liberia by 1997. The lengthy engagement by the ECOMOG in the prolonged civil war in Liberia does not contradict prospects for success since there was no time limit in its just cause and intent.

7.4.6. Proportionality

Proportionality applies to both the JWT principles of macro and micro-proportionality. Proportionality during the planning stage of the military intervention aims to determine the minimum necessary and morally justifiable means and methods to be used in the military intervention, which should also satisfy the ethical principle of prospects for success. Proportionality considerations during the decision to resort to military interventions weigh the expected gains against collateral damage and injuries likely to occur. In this context, Bellamy (2004) accentuates that the chosen strategy must demonstrate that the intervention is a humanitarian necessity, which should not produce more harm than good. Proportionality in the planning stage of the military intervention is about the relevant means and methods to achieve a desired moral outcome, such as ending genocide, that results in happiness according to virtue and consequentialist ethics.

From the study findings, the ECOMOG upheld proportionality during the decision to intervene in Liberia. However, concerning proportionality during the execution of the intervention, there were some unconfirmed reports of excessive use of force in certain circumstances, which contradicted

proportionality in terms of minimum use of force, military necessity, and distinction. There were also reports of looting by ECOMOG troops and illegal exploitation and selling of Liberian resources (Pitts, 1999; Tuck, 2000; Obi, 2009). Based on the JWT principle of *jus ad bellum*, the ECOWAS largely embraced ethics. It, however, failed to uphold impartiality by being aligned with various belligerent factions in the conflict and becoming involved in illegal and unethical exploitation of Liberia's profitable resources during the conduct of the intervention, which prolonged the Liberian conflict. The study concluded that although the ECOMOG largely embraced most ethics of military intervention, there were incidences of disproportionate use of force, such as the bombing of civilian targets, which contradicted the principle of proportionality.

7.5. Main findings and conclusions on the ECOMOG moral responsibility for the Liberian civil war dynamics and prolongation

As evidenced by the study, most civil wars become protracted and intractable when third parties intervene militarily, mainly arising against the backdrop of individual participant states' competing national interests. Participant states' pursuit of national interests' compromises ethics in the military intervention as they directly or indirectly indulge in unethical activities and behaviour, which influence the dynamics of most civil wars and the outcome of the military interventions. Civil war dynamics include, among others, the conflict becoming prolonged, intractable, and recurrent; the appearance of breakaway factions and the emergence of new ones fighting against each other; the use of child soldiers; the emergence of warlords and illegal utilization of the affected country's resources for self-enrichment and sustenance of the conflict, among others. All these dynamics characterised the Liberian civil war and contributed to the prolongation and intractability of the conflict and its manifestations.

In as much as the ECOWAS is acclaimed for intervening militarily in the Liberian war and eventually restoring peace in Liberia, it is blamed for prolonging conflict leading to approximately 200 000 deaths, about 1, 5 million displacements and outbreak of similar internal conflicts in some sub-regional member states (Molnár, 2008, Chuka 2009; Obi, 2009; Gilbert 2014 and Rodriguez 2018). The process leading to the eventual peace was littered with unethical conduct involving some ECOMOG participant states. Notably, the main ECOMOG's ethical flaw was a lack of impartiality through individual participant states' support of various opposing warring factions, which fuelled the conflict, leading to its prolongation. In addition to a lack of impartiality, some ECOMOG participant states became involved in unethical and illegal exploitation of Liberia's lucrative resources like

diamonds and timber, which also contributed to the prolongation of the conflict, among other factors (Nwolise 1992, Ero 1995, Brown 1999, Olonisakin 2008, Obi 2009).

The support rendered by some ECOMOG participant states to antagonistic factions, which included sanctuary, training, weapons, and ammunition, contradicted the moral reasoning behind the military intervention. The unethical act of supporting different armed groups by some ECOMOG participant states stimulated ethnic rivalry, which turned Liberia into a good ground for the proliferation of armed groups, leading to a protracted conflict. Similarly, illegal exploitation of Liberian resources by both the ECOMOG troops and warring factions alike prolonged the Liberian conflict and the extended military intervention. Brown (1999) and Obi (2009), among others, reported that there were rampant illegal and unethical exploitation of Liberian resources, such as diamonds and timber, by some ECOMOG participant states, just as the warring factions. The economic dimension of the conflict became enticing to some ECOMOG participant states and opposing factions, making the attainment of a negotiated settlement difficult, thereby extending the longevity of the civil war and the intervention period.

Resultantly, Taylor refused to disarm as was required by the 1991 Yamoussoukro Agreement, accusing the ECOMOG of a lack of impartiality. The Taylors' refusal to disarm, citing a lack of impartiality, contributed to the protracted and intractable conflict that claimed many civilian lives and displacements, among other manifestations. Rodriguez (2018:27) posits that, "the most significant consequence of the unethical conduct during the ECOMOG intervention in Liberia was the prolongation and spreading of the war." Likewise, Molnár (2008:60) alludes to various contentious issues surrounding the ECOWAS involvement in Liberia, among which is the "prolongation of the war itself." Chuka (2009) and Obi (2009) also make the same observations, among others.

Although the ECOMOG may be exonerated from blame and moral responsibility for the prolongation of the Liberian civil war, based on Aquinas' theory of double-effect and the notion of determinism, the study uncovered that its role in the longevity of the Liberian conflict was not by coincidence, as Aquinas' theory of double-effect suggests. The study found that the ECOMOG's contribution to the dynamics of the civil war in Liberia and its prolongation was mainly through a lack of impartiality by supporting opposing factions to the conflict. It also lengthened the conflict through its lack of cooperation emanating from the Anglophone-Francophone divide. Participation in the unlawful exploitation of Liberia's lucrative resources, among other ethical flaws, also contributed to the extension of the Liberian civil war. The case of the ECOWAS' military intervention and the resultant prolonged internal conflict in Liberia authenticates the proclamation by Cunningham (2010) and

Mitchell (2015), among others, that third-party military interventions normally prolong and make intractable the conflict.

The ECOMOG's morally undesirable outcome of contributing to the prolongation of the civil war through its military intervention in Liberia, in Strawson's view, evokes moral reactive attitudes in the form of blame that would prevent further moral wrongs and improve moral standards at the same time facilitating redress (Strawson, 1974a). In Mitchell's view, an outcome similar to that of the ECOMOG in Liberia evokes consideration for moral responsibility by individuals, people, groups, states, and organisations involved (Mitchell, 2015). Nevertheless, powerful states and organisations involved in military interventions like the ECOMOG have not considered moral responsibility for harm emanating from their actions. However, the thesis revealed that although the ECOMOG is accused of prolonging the civil war in Liberia, it may not be ideal to blame all member states, including those that were not involved in some morally wrong acts that fuelled the conflict, which justifies the ascription of shared moral responsibility instead of collective moral responsibility.

The thesis revealed that though the main moral reason for intervening militarily in internal conflicts of member states is to reduce human suffering and restore normalcy, most military interventions have often worsened and lengthened the conflict. The problem of long-drawn-out civil wars, notwithstanding third-party military intervention, has become prevalent in the post-Cold War period as in the case of Somalia, Liberia, the Eastern DRC, Libya, Iraq, Afghanistan, Yemen, and Syria, to mention a few examples. An important observation made by the study was that the problem of prolonged intrastate conflicts is not solely due to the nature of the civil wars themselves, but attributed to individual participant states' competing national interests, contrary to the espoused collective moral reason for intervening militarily. Such military interventions, which Bellamy (2004) has referred to as biased since they are motivated by other motives that are not humanitarian, though morally justified, have often compromised some ethics of military intervention. The ECOMOG's lack of impartiality and illegal exploitation and profiteering from Liberian diamonds and timber, among others, were identified as the main ethical challenges that contributed to the prolongation of the civil war in Liberia during the ECOWAS' military intervention from 1990 to 1997. This finding answered the question of whether there was any link between the ECOMOG's ethical flaws during its military intervention in Liberia from 1990 to 1997 and the protracted and intractable civil war. Indeed, there was a link between the ethical flaws and the prolonged civil war and its manifestations.

7.6. Main Recommendations

Based on the findings and conclusions of the thesis, five major recommendations were made. If applied during sub-regional or even regional military interventions in internal conflicts, the recommendations would help to reduce ethical flaws that contribute to prolonged, intractable, and even recurrent civil wars that cause more harm than good. The commendations, if applied, would also reduce the prolongation, intractability, and recurrence of civil wars involving third-party military interventions in internal conflicts of member states. The recommendations may also help to improve the upholding of ethics in decisions to intervene militarily and in the conduct of the intervention, which would ensure credible moral responsibility. Similarly, the recommendations may also enhance accountability for moral wrongs that occur during military intervention in intra-state conflicts, as participant states may become aware that they will be morally responsible or accountable for outcomes of their actions as individuals. The recommendations will also contribute to the improvement of ethics in sub-regional, regional, and even global military intervention in internal conflicts despite the prevalence of state-centric interests.

7.6.1. Upholding the Ethic of Impartiality

Inasmuch as it is not feasible for a third-party involved in military intervention in an intra-state conflict to completely avoid being partial due to the argument that the intervener enforces peace according to Chapter V11 of the UN Charter, the decision on which side to oppose and which one to support should be based on non-compliance and compliance. In the case of ECOMOG, it was forced to intervene against Taylor's NPFL, which opposed the intervention and even went to the extent of attacking the intervening forces. However, impartiality arises when participant states involved in the military intervention support different opposing factions as was the case with the ECOMOG where mainly Anglophone participant states supported the former President Doe's AFL and its splinter groups while Francophone member states propped Charles Taylor's NPFL and its breakaway factions, which manifested into lack of unity of purpose, lack of cooperation and lack of mutuality. Ideally, all participant states in a military intervention ought to oppose the identified non-compliant party as a collective. Impartiality is not compromised when a sub-regional organisation intervenes against a non-compliant belligerent under peace-enforcement authorised by UN Charter, Chapter V11 as a collective under regionalism provided for in Chapter V111 of the UN Charter. The AU Constitutive Act articles 4(h) and 4(j) also allow sub-regional organisations to intervene in cases of genocide, war crimes, crimes against humanity and ethnic cleansing, which does contradict the ethic of impartiality as long as the enforcement is against non-compliant belligerents as a moral responsibility to achieve a moral good such as peace and normalcy.

7.6.2. Sustenance of Military Intervention in Internal Conflicts by Sub-regional Organisations

With regard to sustainability, in which African sub-regional military interventions are found wanting, there is a need to come up with sustainable funding arrangements within sub-regional standby brigades of the ASF. This would prevent reliance on donor funding in line with the 'African solutions to African problems' viewpoint.' To alleviate the problem of funding for African sub-regional organisations' military intervention in internal conflicts, there is a need to establish a sub-regional fund meant for conflict management to which member states should make annual contributions. However, African sub-regional organisations may, even with a special funding arrangement, fail to get adequate sustenance through members' contributions, as some member states may fail to contribute. Considerations for donor and foreign funding for military intervention operations need to be made. As such, despite foreign interests in African conflicts, African regional organisations, for example, SADC, need to reconsider donor and foreign funding if they are to sustain military intervention in intra-state conflicts and other conflict management mechanisms until such a time as they are able to adequately support their peace support operations (PSOs).

7.6.3. Military Intervention as Last Resort

Pursuant to the JWT principle of last resort, military intervention should only be undertaken once all non-violent means have failed to bring about peace. Such an understanding of last resort may lead to further deterioration of the situation, which causes huge losses of lives and property, among other manifestations of highly fluid internal conflicts. The 1994 Rwanda genocide, in which 800,000 people perished within 90 days, bears testimony to what may happen if the last resort is adhered to without any room for flexibility. Under such circumstances, the world, as a third-party military intervener, is liable for moral responsibility for the resultant harm. Third-party interveners ought to take cognisance of Bob Hoag's argument that last resort depends on at least two features of the prevailing situation, which are: time or urgency of action and the likelihood of the success of non-military measures (Hoag, 2015). The study therefore recommended that situations of emergencies should not warrant exhausting all non-violent means before resorting to military intervention. Depending on the gravity of the situation on the ground, decision-makers ought to balance between last resort and prevention of huge losses of lives, given the fluidity of civil wars.

7.6.4. Responsibility for Morally Undesirable Outcomes of Military Interventions in Internal Conflict

Since the ECOWAS had a role in the prolongation of the civil war in Liberia (a morally undesirable outcome), it deserved ascription of moral responsibility for the resultant harm despite its moral good of restoring peace, albeit after close to eight years, and the peace was short-lived as the conflict recurred in 1999. The study, therefore, upheld the argument that when third parties intervene militarily in an intra-state conflict for motives devoid of moral reasons, though morally justified, they often make the conflict protracted and intractable, causing more harm than good. Since not all ECOMOG participant states were involved in interest-driven moral wrongs that contributed to the prolongation of the civil war in Liberia, blame ought to be ascribed to individual participant states according to their contributions to the prolongation of the conflict as shared responsibility rather than collective moral responsibility. As discussed in Chapter 2, collective moral responsibility gives responsibility to the whole organisation or group involved as a collective. It does not accord responsibility to individual participants. For example, one member in a group of people involved in a peaceful demonstration throws a stone which breaks a window of a supermarket, based on collective responsibility, blame, or moral responsibility would be on the whole group or the collective. Using shared responsibility, blame or responsibility would be on the individual who threw the stone, not the whole group. My ethical stand is that shared responsibility is more appropriate in the military than collective moral responsibility. The ECOMOG itself, the AU, and the UN may accord shared responsibility to participant states according to their contribution to harm. This would reduce deliberate injurious acts by member states involved in military intervention once they are aware from the beginning that any unjustifiable harm, accountability will be according to each participant's role and contribution to the Injury. To circumvent the problem of measuring the contribution of each participant member to the harm, each contingent should be deployed in its specific area of responsibility (AOR) or sector, which should make it easy to account for responsibility.

7.6.5. Inculcating Ethics of Military Intervention through Regular Multi-Lateral Training

Regular multilateral exercises at regional and sub-regional levels, such as the SADC Blue Hungwe held in Zimbabwe, Blue Crane conducted in South Africa, and Aman Africa 2, a regional PSOs exercise also held in South Africa, are necessary in the promotion of common values, common procedures, inter-operability, and cooperation, as well as building trust and common purpose among member states. In such PSO exercises, various scenarios related to the ethics of military intervention should be exercised throughout the exercises.

7.6.6. The Lead-Nation Concept

The prevalence of the lead-nation, though mostly informed by state-centric interests, is necessary to facilitate the successful implementation of military intervention and other PSOs. Although the huge contribution of both troops and equipment by Nigeria (over 70 per cent) in the 1990 to 97 ECOWAS' military intervention in Liberia is normally associated with hegemonic interests of the lead-nation, it enhanced successful intervention in Liberia. Notwithstanding the propensity of Nigeria to detect terms and to appoint Nigerian Force commanders, as well as the prevalence of Nigerian interests, the significance of the Nigerian-led ECOWAS military intervention was an expansion of the scope of ECOWAS's roles in the sub-region and a shift from the non-intervention norm (Aboagye, 1999; Sesay, 1999; Adebajo, 2000; Olonisakin, 2000). Nigeria's lead-nation role was pivotal to the success of the intervention. In this context, although I agree with Chikanga's recommendation that "States should not be allowed to adopt a lead-role approach where self-interests are not declared" Chikanga, 2018: 2005), I maintain that the lead-nation role remains necessary to the success of sub-regional, regional, and even global military intervention and other PSOs.

7.7. Further Research Required

This study only evaluated the extent to which the ECOWAS embraced ethics and moral responsibility in its military intervention in Liberia. It only evaluated the JWT ethical principles of *jus ad bellum* and *jus in bello* and did not assess the ECOWAS' adherence to the *jus post bellum* (justice after war/military intervention) principle of the JWT. As highlighted in the study, the conflict recurred in 1999, barely two years after termination, demonstrating that military intervention is only one of the means to an end and not an end in itself, hence it does not guarantee permanent peace. Military intervention only creates conditions for permanent political, social, or economic solutions, which are normally the root causes of internal conflicts. In the foregoing, the recommended next study aligned to this one will evaluate the ECOWAS' post-conflict and peace-building measures to attain the enduring peace that currently prevails in Liberia. The study of conflict transformation using the same case study is therefore recommended.

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LIST OF APPENDICES

Appendix 1: Main Factions in the Liberian Civil War by 1995

Faction	Year	Key Leader	Group
National Patriotic Front of Liberia (NPFL)	1989	Charles Taylor	Original insurgent party allied with the Gio and Mano ethnic groups attempting to seize political control of Liberia through an anti-Doe/anti-ECOMOG campaign.
Armed Forces of Liberia (AFL)	1990	Philip Kamah	The national army under Doe's regime, After Doe's execution in 1990, the organisation became a faction pursuing gain for the members in the scramble for power.
Independent National Patriotic Front of Liberia (INPFL)	1990	Prince Yormie Johnson	Splintered from NPFL because of Taylor's connections to Libya. With support from the Gio and Mano community, engaged in both an anti-Taylor and anti-Doe campaign.
Revolutionary Unit Front (RUF)	1991	Foday Sanko	A Taylor's-backed faction aimed at stopping the trans-border trade between the Mandigo and officials of the Sierra Leone government

United Liberation Movement of Liberia for Democracy (ULIMO)	1991	Roosevelt Johnson and Alhaji Kromah	A splinter group emerging from the AFL. This group represented the anti-Taylor agenda of the Mandigo and Krahn.
United Liberation Movement of Liberia for Democracy – Johnson (ULIMO-J)	1994	Roosevelt Johnson	Splintered from ULIMO when the two leaders decided to pursue individual political agendas. ULIMO-J drew political support from the Krahn.
United Liberation Movement of Liberia for Democracy – Kromah (ULIMO-K)	1994	Alhaji Kromah	Splintered from ULIMO when the two leaders decided to pursue individual political agendas. ULIMO–K drew political support from the Mandigo.
Lofa Defence Forces (LDF)	1994	Charles Taylor	Taylor created this party from within the NPFL in an attempt to create an ally in the political negotiations during the peace process, hoping to increase his influence while presenting the illusion that the government would represent many different parties.

Source: Pitts, M., *Sub-Regional Solutions for African Conflict: The ECOMOG Experiment. Vol. XIX, No. 1, Spring 1999.*

Appendix 2: The ECOWAS Sponsored Peace Agreements

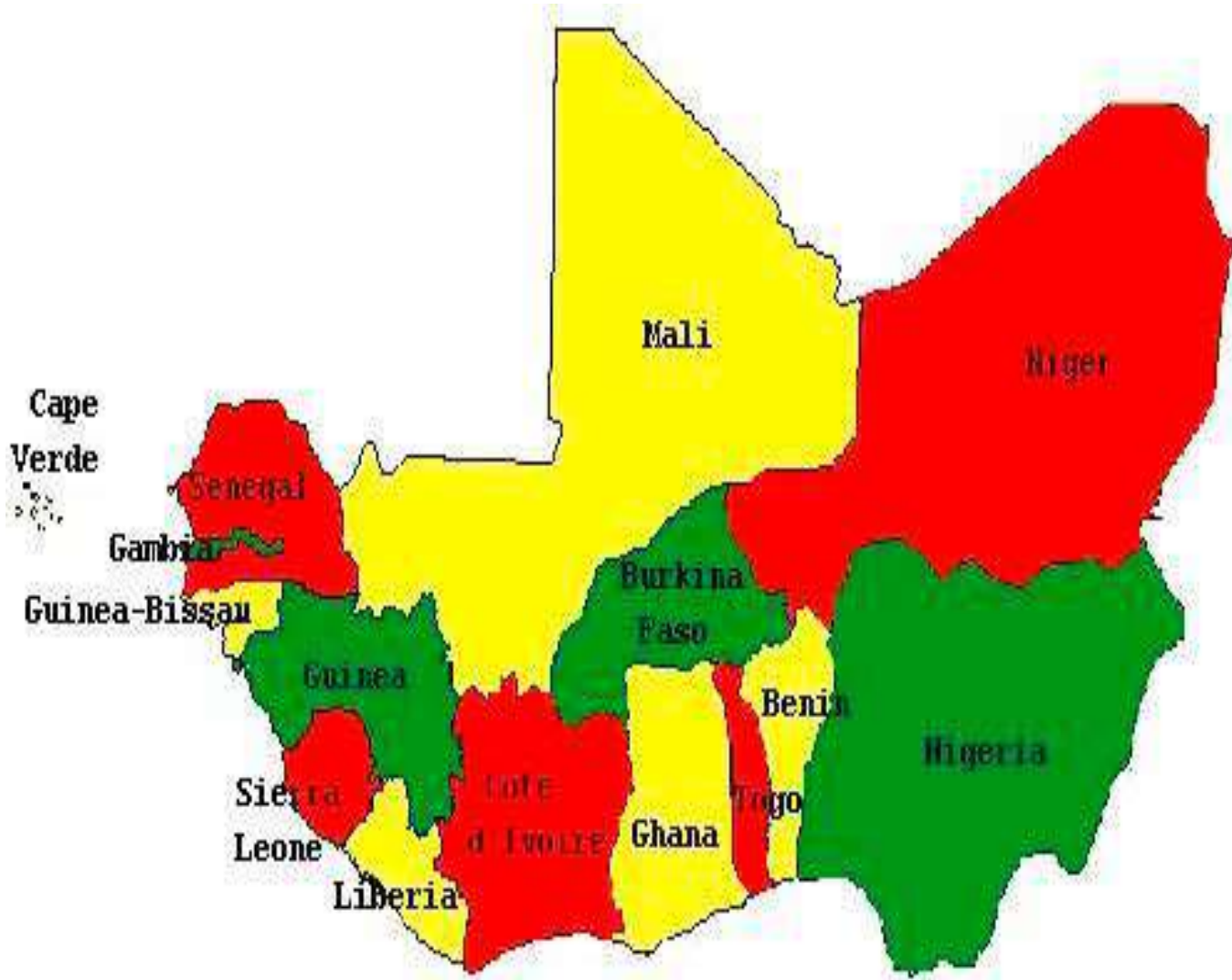
28 November 1990	Bamako Agreement: All of the warring factions agree to a ceasefire.
30 October 1991	Yamoussoukro Agreement: All of the warring factions agree to encampment and disarmament of factions under ECOMOG supervision.
17 July 1993	Geneva Agreement: The NPFL, ULIMO and the Liberian Interim Government agree to a ceasefire.
25 July 1993	Cotonou Agreement: The NPFL, ULIMO and the Liberian Interim Government agree to encampment and disarmament of the factions under ECOMOG supervision. They also agree to a tri-partite transitional government responsible for organizing general elections in February 1994.
12 September 1994	Akosombo Agreement: The NPFL, ULIMO and AFL agree to a ceasefire, the installation of a transitional presidency composed of members decided upon by the three factions, and plan for general elections in October 1995.
21 December 1994	Accra Agreement: The NPFL, AFL, ULIMO-K, ULIMO-J, Lofa

	Defence Force, LPC, CRC-NPFL and the LNC agree to establish safe havens and buffer zones, to have elections in November of 1995, to demobilise, and to re-adopt the transitional presidency of the Akosombo Agreement.
19 August 1995	Abuja Agreement: All of the warring factions agree to a ceasefire, a period of disarmament, the creation of a collective presidency, and plan for general elections in August 1996.
17 August 1996	(Revised) Abuja Agreement: All of the warring factions agree to disarmament, dissolution of all factional militia and plan for general elections in May 1997.

Source: Adopted from Pitts, M., Sub-Regional Solutions for African Conflict: The ECOMOG Experiment. Vol. XIX, No. 1, Spring 1999.

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Figure 1: Map of ECOWAS Member States



Source: <https://www.researchgate.net/figure/Map-of-ECOWAS-West-African-States> (accessed: 21 May 2020).