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ECOWAS SECURITY PROTOCOLS AND CONFLICT MANAGEMENT IN WEST AFRICA: LESSONS AND THE WAY FORWARD

BONIFACE YAO GEBE¹

Abstract

The Economic Community of West African States has been at the forefront of conflict resolution, management and prevention since the end of the Cold War. The intervention of the ECOWAS in sub-regional conflicts commenced with the Liberian conflict in 1990 and subsequently in Sierra Leone and currently in Cote d'Ivoire. While applauding the organization for its engagement in these security commitments that is meant to ensure regional security and stability, certain fundamental issues come to the fore for consideration. Principal among these are the institutional mechanisms set in place for the discharge of this function and the capacity of the organization in the performance of these tasks. The work looks at three of the protocols that constitute integral parts of the ECOWAS Treaty in the security and defense sector and examines their relevance, application and deficiencies in past and recent conflicts in the sub-region, namely Liberia, Sierra Leone and Cote d'Ivoire. It posits that the framers of the 1978 Protocol on Non-Aggression did not foresee the international systemic challenges of the post-Cold War era. Its provisions were thus not properly employed in the Liberian civil war. Similarly, the 1981 Protocol on Mutual Assistance on Defense was quite contradictory in its provisions and inconsistent with the political developments in the sub-region. It, however, observes with satisfaction the provisions under the 1999 Protocol Relating to the Mechanism on Conflict Prevention, Resolution, Management, Peace and Security. It recommends new policy directives for institutional and capacity building, particularly in the areas of conflict prevention, early warning and democratic consolidation in the sub-region.

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THE SIGNIFICANCE OF INTERNATIONAL LAW IN INTERNATIONAL RELATIONS

KWAME GYAN¹

I have decided in this article to challenge conventional wisdom and to do this presentation in a very unorthodox manner. Please permit me if my approach strays from the norm and the known.

I begin with a problematique. Imagine any of you as a young lawyer serving in the Ghana Army at the end of World War II. You are in the Ghana Armed Forces Legal Directorate, a division of lawyers in the Army that handles various legal questions, primarily cases of court-martial. You have been selected to assist a multinational group of lawyers preparing for the trial of the leading Nazis captured at the time of the defeat of Germany.

Given your position described above how would you answer the following questions?

1. Why try Nazi leaders at all? After all, the Soviet Union was of the view that they should all be summarily executed, and some influential members of the Administration in Washington, D.C also shared this view. But the President Harry, Truman did not.
2. Now if the Nazi leaders were placed on trial under what law should they be charged? Should it be German law? The law of the countries of the various Allied nations? Or should your attention turn to international law?
3. During their trial what possible defences can they put up? Can they simply say that their trial was just a case of victor's justice since the Allied leadership prosecuted the war in as criminal a fashion as anything the German's did? For example the saturated bombings of Dresden, the firebombing of Tokyo suburbs in 1945 and the bombing of Hiroshima and Nagasaki.

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A CRITICAL APPRAISAL OF NIGERIA'S FOREIGN POLICY UNDER MILITARY RULE, 1966-1999

ALADE W. FAWOLE¹

Introduction

It goes without saying that no other national group or institution influenced Nigeria's foreign policy to the same extent and in the same manner as the Nigerian military did in three decades. It dominated the country's political landscape and monopolized power and governance for that long. From its first incursion into national politics and governance on January 15, 1966 till May 1999, when it handed over power, officers of the Nigerian armed forces ruled the country a total of 29 years, allowing the civilians only a four-year interregnum called the Second Republic, 1979-1983. In those years when the military held sway, foreign policy went through a series of twists and turns, ups and downs, depending on both the character of the regime in power at any point in time and the personal idiosyncracies and inclinations of the different leaders. Strong-willed and informed maximum rulers influenced foreign policy to suit their own whims and fancies and thus left considerable personal imprints upon the conduct of external relations, the choices that the country made, and the strategies and methodologies adopted for accomplishing set objectives.

It was in this period that Nigeria went from being merely the most populous African and Black nation right to the pinnacle of power and glory. It became the richest African country and, by extension, the most influential in African affairs. The praise for this is partly due to the oil boom of the 1970s, which spelt unprecedented wealth

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THE FOURTH REPUBLICAN CONSTITUTION OF GHANA AND SUSTAINABLE DEVELOPMENT

KWAME AMEYAW DOMFEH¹

Abstract

One of the most important questions facing mankind is how we can continue improvements in human welfare within the limits of the earth's natural resources. A possible solution to this dilemma is *sustainable development*, a term popularised by *Our Common Future*, the 1987 report of the World Commission on Environment and Development.

Sustainable development has come to mean progress in human well-being that can be extended and prolonged over many generations rather than just a few years. The past two decades have seen states adopting various strategies that aim at achieving the objectives enshrined in sustainable development. At the heart of these strategies is the conviction that economic, environmental, and social equity issues are inextricably linked and must be considered together.

Ghana has sufficiently documented its belief and commitment to the principles and objectives inherent in sustainable development, to the extent that the Fourth Republican Constitution identifies itself with the core principles and objectives. Concrete and far-reaching measures have been adopted and being implemented to translate sustainable development into a reality. In working towards the realisation of this goal, conscious and sustained efforts should be made to make sustainable development socially desirable (fulfilling people's cultural, material and spiritual needs in equitable ways); economically viable (paying for itself, with cost not exceeding income); and, ecologically sustainable (maintaining long-term viability of ecosystems)

Introduction

The Fourth Republican Constitution of Ghana was approved at a referendum on May 8, 1992 and given gazette notification on May 15, 1992. The supremacy and the absolute relevance of the Constitution are captured in Chapter One of the Constitution. The chapter explains that the Sovereignty of Ghana resides in the people of Ghana in whose

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