ARMED HUMANITARIAN INTERVENTION IN COTE D' IVOIRE: ASSESSING THE RATIONALE OF FRANCE'S INTERVENTION

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ABSTRACT

Post-independent Africa is replete with grave incidences of wars, conflicts, and crises, which have sadly repeated across the length and breadth of the continent, have severely undermined the regional supranational institutions which almost always appear helpless and incapable of protecting the peace and security of Africans, inevitably paving the way for externalist interventions with inextricably ulterior motives. Armed intervention is supposed to submit to international convention in order to be accepted as being spurred by genuine humanitarian concern, not by geo-politics, economic, and strategic interests of the intervener. The paper adopts content analysis of literatures, and uses secondary sources. This paper assesses the role of France in the post-election debacle in Cote D' Ivoire, which ended, not by the mechanisms of the AU, ECOWAS, or through the viewpoints of the competing African hegemons, but by the substantial diplomatic networks and sophisticated firepower of erstwhile colonial master, France. The paper's concern is to investigate the reasons France could mediate in Cote D' Ivoire, the rationale for this intervention and its merits in international politics.

Key words: Foreign Armed Intervention, the Notion of International Justice, International peacekeeping, African Union, African Diplomacy

INTRODUCTION

Few continents will compare to Africa in terms of disastrous, catastrophic, and gruesome violence and disturbances that are rooted in the socio-economic and political foundations on which independent African countries were built on. The prevalence of these vices reveal a crippling disconnects between the people and those elected to manage their welfare. This unfortunate reality had misled not a few analysts to place culpability almost completely at the door-steps of European colonizers, whose brand of realpolitics has no place for human values or principles. For all the differences that were palpable in the colonial trajectories of Africa and Asia, Asians – to a considerable extent – have diligently and brilliantly managed the mind-blowing dislocations bequeathed by European colonizers, while Africa gropes in the dark and yearns naively for an externalist holistic liberation, including economic development, to be offered freely from the west.

France has had a unique concept of colonialism very different from that of the British or Portuguese.¹ Even when the error-ridden policy of assimilation failed, its substitute, policy of association, bears clear similarity to the objective of the discredited notions of creating Frenchmen out of Africans. As far as the French government is concerned, colonies in Africa are nothing but foreign outposts, which are integral part of the republic.² This concept underscores France's unwillingness to offer independence to states under its exploitative control, and the rigid, menacing, and debilitating networks it instituted immediately after reluctantly granting independence to states in Africa. France not only institutes a form of economic stronghold on its ex-colonies, there are massive presence of French troops in capitals and other strategic areas.

France's intervention expanded the scope and bounds of humanitarian intervention in crisis zone. First, France was a strong stakeholder in Cote d' Ivoire with financial and military resources in the country, which reveals some legacies of its colonial activities. The presence and active participation of France has been seriously and continuously interrogated by Ivorian who decried the overbearing and dictatorial consequences resulting from the intention of France to protect its investment, by taking side in the political conflict that engulfed Cote d' Ivoire following the death of Felix Houphouet-Boigny. France played the function of an outsider who mistrusted the strength and effectiveness of African diplomacy and had a good knowledge of the dynamics of politics in West Africa. Even with the presence of at least, two supranational institutions – the Africa Union and ECOWAS – still. France deemed it necessary to intervene in what was clearly an African issue, with little international implications.

In part, the reason for this intervention can be deduced from the fact that the AU has not particularly fared better in terms of executing independent peacekeeping due to some structural as well as operational bottlenecks. A lot of peacekeeping missions undertaken since its creation eloquently crystallised this fact. Interventions in the civil wars in Liberia and Sierra Leone, for example, were conducted under the auspices of ECOWAS Monitoring Group (ECOMOG) by ECOWAS,3 with the AU as a blithe observer. Like its predecessor, the AU has equally inherited many unsolved problems the Organisation of African Unity (OAU) was known for. and there was never any institutional, and multilateral attempt to re-position the constructive, continental body for proactive and efficient response to conflict situations in Africa. Rather, the institution is susceptible to the pitfalls of regional politics by contending states competing for hegemonic domination.

The Africa Union was, however, founded to replace the Organisation of African Unity, on the model of the European Union, due to the prevailing notion that the charter of the OAU has become thoroughly incompatible in a rapidly globalizing

world, where national boundaries and even state sovereignty are increasingly threatened. An inexorably, obsessive campaigner and believer in the need to upgrade the OAU to an organisation with powers and standing army to intervene in internal issues of member state was the late Libyan dictator Mummer Gaddafi, alongside Thabo Mbeki of South Africa and other leaders in the continent.

Cote d' Ivoire has been the playground of ethnic chauvinists and impressionable to the debilitating effects of centrifugal forces since the death of its first President Felix Houphouet-Boigny, in 1993. Succeeding Ivorian leaders have shown themselves to be incompetent to surpass his sterling managerial proficiency, and have succeeded in making a once peaceful and stable country a theater of discord and violence. In a space of ten vears, three Ivorian leaders (Henri Konan Bédié, Robert Guei, and Laurent Gbagbo) have struggled for political power leading to unprecedented ethnic disharmony and killings.4 The civil war that began only two years into President Gbagbo's reign bears the hallmark of a disunited country riddled with intolerably ethnic configuration and political instability. Meanwhile, the hordes of armed militias loval to political candidates have been killing real and perceived adversaries of their patron since 2002.⁵ President Gbagbo's impolitic disputation of the result of 2012 elections caused widespread disaffection, deepened ethnic animosity and hatred, and provided impetus for mass killings.6 President Gbagbo's refusal to accept the result of the elections was on the verge of being shoved down the neck of Ivoirians and the international community, except for the timely intervention of an interested foreign power, France.

In view of the foregoing, this paper, among other things, seeks to assess the merits and implications of France intervention in bringing peace and sanity to a visibly troubled and traumatised state. Was this intervention legitimate under internationally recognised principles of humanitarian intervention? Did France

submit to the time-honoured principles of *jus ad bellum* and *jus in bello*?

THEORETICAL FRAMEWORK

This study used the Just War Theory as an explanatory tool to assess the role played by France, ex-colonial master of Cote d' Ivoire in election crisis, even though France became active after it receive a letter from the United Nations. Intervention in cases of general and systemic abuse of human rights does not submit to the rule of states' sovereignty in international politics. This fact undermines the cardinal objective of Westphalia treaty which accords state unlimited power and control over what goes on in its border. It was therefore morally and legally wrong to intervene in a state's internal affairs without being invited. This rule, however, no longer compatible with the features of a rapidly interconnected, globalising world as state's sovereignty, especially humanitarian concern issues, are contracting unprecedented degree. In this vein Coady posits that the "Malevolent action of states against their own population certainly constitutes one of those reasons"7 for intervention to take place and the shrinking nature of state sovereignty.

Since intervention on humanitarian grounds has become one of the principles of international politics; it therefore supposed that clear-cut rules will be delineated to prevent cases of aggression. Just War theory has twin principles – *jus ad bellum* and *jus in bello* – which, if applied by an intervening power, accords legitimacy to his exercise. As aptly stated by Enuka, "The *jus ad bellum* is concerned with the moral justification for waging war, as contrasted with the provisions of the *jus in bello*, which addresses the morality of the methods employed in war. Both are of primary interest to the question of intervention." The relevance of Just War theory, just like Enuka posited, has become since the end of the Cold War and rarity of inter-state war. Wars have taken intra-state characteristics, especially in developing countries plagued by political instability. Consequently, continental and

regional institutions such as the African Union and ECOWAS have provided platforms for intervention on humanitarian grounds.

France was not completely a neutral party, compulsively spurred by the need to protect human dignity and values on the verge of being desecrated by the political gladiators in Cote d'Ivoire. After granting independence to Cote d'Ivoire, France maintained strong and widespread economic interests and formidable military presence, with the overt endorsement of President Felix Houphouet-Boigny even when most Francophone countries were struggling to shake-off French hold and domination. However, it is necessary to assess French activity in Cote d'Ivoire using the tenets of Just War theory.

Cote D' Ivoire and its Ethnic Composition

Like many nation-states in Africa, Cote d' Ivoire was a victim of predatory European colonialism that undermined African history and ethnic relations. Ethnic relations in pre-colonial Africa were not a theme fraught with wars and destructions. Just like the histories of Europe and Asia show, there were instances of wars as well as accounts of diplomatic and economic relations between and amongst states. However, the disparaging attention accorded to it by European scholars has played into the hands of devious politicians who manipulate Africa's fragile political culture to their advantage. Given the fluidity of migration and history of its ethnic groups, Cote d' Ivoire has witnessed one of such sickening manipulation that led to the killing and displacement of many people.

At the bottom of the crisis in Cote d' Ivoire is a complex problem of national identity, which constituted the overriding credential to legitimatise the claims of those seeking to acquire political power. This crisis also has the intended consequence of delineating on who is aboriginal and who is a settler. As J. S. Trimingham has stated, Cote d' Ivoire has been a recipient of unremitting waves of migrant ethnic groups from various parts of West Africa since the 13th century, into modern-day Cote d' Ivoire. Most prominent ethnic groups in Cote d'Ivoire include Akan and

Gyaaman, Baule and Anyi, Kru and Bete, Kankan Senoufo, Mankono, Mossi, Macina, Malian and Burkinabes. According to J. R. Bassey, the Kru were probably the oldest ethnic groups to settle in present-day Cote d' Ivoire, due to their littoral occupations and the fact that they played the function of a middleman between the Europeans at the coast and sedentary communities in the interior. Almost all ethnic groups in Cote d' Ivoire, such Akan and Gyaaman, Buales and Anyi, Kru and Bete, share commercial, cultural or ancestral relationships with many ethnic groups in Ghana. The last wave migration – peopled almost completely by French-speaking Malians and Burkinabes – was manifestly recent and largely spurred by economic motive, concentrated in the northern part of the country, boosted mainly by Muslim population.

Before the death of Houphouet-Boigny, cracks in ethnic relations were already beginning to emerge, bordering mainly on national identity and benefits therein. Prior to this time, complains of marginalisation and accusation of sub-standard treatments were commonplace especially from the northern part of Cote d' Ivoire with huge population of migrants from Mali and Burkina Faso. Felix Houphouet-Boigny's death and the brand of politics that followed completely threatened the fragile political culture of the state, making migrant communities to become more conscious of their status and identity. A new lexicon, 'Ivorite' or 'Ivorianness' – signifying a persons whose parents were not "originally" indigenous to Cote d' Ivoire – was introduced into Cote d' Ivoire's politics with the aim to divide and frustrate purported candidates, rather than build upon the legacies of Houphouet-Boigny.¹¹

The Outbreak of Civil War

Relatively strong economic foundation, manageable ethnic relations and political stability were the indisputable achievements of Cote d' Ivorie's first and long-serving, President Felix Houphouet-Boigny. However, his death in 1993 and the inevitable consequence of producing primary goods for world capitalist

economies, coupled with resurgent ethnic tension and intolerance, conspired to roll back his sterling, imitable achievements. The Nations newspaper noted a section of the newly-published constitution of 2000 that seeks to prevent some aspirants from vying for the highest office in the country, to wit:

Nationality clause seeks to enforce aborigine/settler dichotomy, thereby excluding rivals from political competition. Of course, whipping such bogev was intended to raise the bar against Alassane Quattara whose parents were believed to be a settler in the north. 12 It would have been an equivalent of a political miracle if Cote d' Ivoire had successfully transfer power from a military government to one popularly elected by the citizens without recourse to violence and bloodletting. Discord did not only arise as a result of discrimination based on citizenship. Rival political parties, for example, were poised to wrest political power from the hands of Gen. Robert Guei – a fact clearly seen in the break-up of President Felix Houphouet-Boigny's Democratic Party of Ivory Coast (PDCI). Even so, Gen. Guei had cunningly used the election of 2000 to bolster his image and standing in the international community, and had no intention of relinquishing power to the winner. Midway to the election and fearful of eventual victory of Alassane Quattara, a devious Guei implemented a stricter version of 'Ivoirite' and even went beyond those purported to have foreign origin to targeting those whose parents were aborigines. A visibly power-drunk Guei overreached himself when "on October 24, Laurent Gbagbo, the candidate of another major party, the Front Populaire Ivorien, took the lead. Guei shut down the polls and declared himself the winner."13 The uneasy political climate of discord and animosity endured for incredibly ten years reign of President Gbagbo, and became even more vicious and intense during the elections of 2011 when President Gbagbo was defeated by an opposition candidate, and refused to step down.

France and the Intervention

A lot has been written about the Cote d' Ivoire election crisis, beginning from the massive and catastrophic dislocation the West-African state witnessed in the aftermath of economic downtown which was aggravated by the surge of discriminatory policies that sought to demonise and prevent some individuals from exercising their constitutional rights as citizens. Most of these works did not employ the Just War theoretical standpoint to assess France's intervention in Cote d' Ivoire, as a stakeholder who has huge financial and economic investments to protect. Even when France was already present, military-wise, in the country since 2002 when civil war broke out and rebels loyal to Alassane Quattara seized northern parts of the country as their stronghold.

One of the disadvantages of the Just War theory is the fact that there is no clear-cut description on what constitutes the criteria for an intervener. However, the notion remains that such intervener spurred by humanitarian considerations must not be burdened by narrow interest. On this note, however, France activities in Cote d' Ivoire was not absolutely devoid of the quest to ensure that French firms and citizens are adequately protected. nor was there a genuine and altruistic inclination to prevent abuse of human rights – despite the fact that it received the invitation from the United Nations to intervene, in excerpt of a letter sent to the former French President Nicolas Sarkozy, UN Secretary-General Ban Ki-Moon expressed concern that "the security situation in the Ivory Coast has gravely deteriorated in the last three days." The UN's outrage for the deterioration of human rights became only necessary when according to Bruce Crumley, Gbagbo forces have successfully rallied and pushed the invaders back out to the margins of the city, who had been declared legitimate and republican army by Alassane Ouattara.¹⁴

As stated above, there are conditions which an intervener must abide by for his intervention to be legitimate under the law and not portray as an act of aggression to achieve self-serving objectives. First, what was the motivating factor for the intervention? It has already been stated that France wasn't completely moved by the need to protect lives and properties of Ivoirians and African nationals who were targeted in various parts of Cote d' Ivoire due to the party their home government supported. The second principle of Just War theory demands legitimate authority. Was France a legitimate power to intervene in post-election dispute in Africa uninvited? Are those who accuse France of pursuing neocolonial objectives right in their criticisms? The United Nations' letter seemed to have legitimized France's intervention in Cote d' Ivoire; however, the French *modus operandi* calls for serious interrogation.

Furthermore, France ramped up its activities in Cote d' Ivoire with a litany of explanations aimed at situating the overall context of the intervention as a call to serve humanity on the auspices of the United Nations. Again, Crumley quoted an anonymous French source who was convinced that 'there is absolutely nothing unilateral or independent about this, quite to the contrary,' he argued, but nonetheless insisted that he "wouldn't be surprised if President Sarkozy or someone at the meeting somewhere responded to the seriously deteriorating situation in the Ivory Coast and the Secretary General's request for action by saying "This is Enough; something must now be done. But the people who are actually saying that the loudest are Ivoirians themselves: they elected a new president to power, and are doing what they can to help him take office, despite the violence being deployed against them to prevent them." In other words, it was only a matter of time before France intervenes in the post-election crisis; the UN's letter provided somewhat a veneer of legitimacy.

If one is to situate France's intervention in post-election conflict in Cote d; Ivoire, he mustn't fail to interrogate why France intervened in 2011 but failed to intervene in 1999 when a *coup* swept President Henri Konan Bedie away from power? Why was intervention necessary in 2002 and on an independent, unilateral basis and not necessary when a coup took place in Cote d' Ivoire?

This is necessary if France was purely spurred by humanitarian considerations and not by the need to protect French investment and interests. France's presence in post-colonial Cote d' Ivoire was almost as strong as it were in the colonial period; this is equally true in all Francophone countries. In other to maintain France's interest a mutual defense accord was signed with France in April 1961 which provides for the stationing of French Armed Forces troops in Ivory Coast¹⁵ – just like the British attempted to do in Nigeria, but failed.

France has an enduring tradition of flexing its military might in Africa, even after the end of colonial rule. France is the only European power who has freely and independently deployed its forces in Africa to actualise its economic and strategic interests. Jeremy Bender asserts that "France has over 3, 000 troops spread across five countries in Africa - Mali, Mauritania, Burkina Faso, Niger and Chad – as part of Operation Burkhane,"16 a code name for French's response to transnational terrorist movements among the most famous of them include al Qaeda in the Islamic Maghreb, al Mourabitoun, the Macina Liberation Front, the Islamic State in the Greater Sahel¹⁷ and their destablising activities on states in the Sahel region.

The death of President Felix Houphouet-Boigny created many challenges that were not solved until the removal of Laurent Gbagbo from power in 2011, and the emergence of Alassane Quattara as president. Consequently, the deep-seated ethnic intolerance that undergirded politics arising from the subsisting power vacuum in the internal politics of Cote d' Ivoire, it also revealed the depth of widespread disaffection and resentment Ivoirians have for the French. The long reign of President Houphouet-Boigny was overwhelmingly favourable to French expatriates and immigrant communities, who were employed in almost all strategic sectors of the economy. In the late 1980s, according to Robert, approximately 30,000 French workers were in the private; French citizens held majority of all jobs requiring post-secondary education in Ivory Coast, while some dominated the bureaucracy, middle-level white-collar and blue-collar.18

It was not surprising that majority of Ivoirians; especially after the death of Houphouet-Boigny seize every opportunity to denounced French dominance and control of their country. France became a bogeyman for all that ills Cote d'Ivoire, including endemic corruption and lack of vision on the part of Ivoirian leaders. A former Prime Minister and head of Gbagbo political party Front Populaire Ivoiren (FPI) Pacsal Aflli N' Guessan, railed at the conspiracy of France to ensure complete control of African politics, using Africa as a dumping ground of their finished good. He portrayed Quattara as a subservient politician, a puppet that must do the biddings of his masters to remain relevant.

The real problem of this crisis is the desire of foreign power to dominate Ivory Coast... They want to ambush the emancipation of Ivory Coast... 50 years of independent and poverty has proven this and this is because African countries do not have the real independence, they are not masters of their own destiny, their politics is controlled and imposed by foreign powers and they are not in tandem with reality or development. African states are used as markets for finished goods...The current president of Ivory Coast has decided to liberate Ivoirians and it is because of this foreign powers are supporting Quattara who is more like a puppet in their hands and who they can manipulate to continue their same policy.¹⁹

Abyou Elvis, the youths' representative, shares similar sentiment expressed by Pacsal Aflli N' Guessan. They glossed over the injustice of discriminating political contestants based on a controversial piece of legislation that divides instead of unites the country. The contempt most Ivoirians have for the French was directly transferred to Alassane due to his close relations with France secured by his marriage to a French women. As a young man, Elvis incorrectly holds the French responsible for the political instability in Cote d' Ivoire was engulfed in, and sees the

presence and interference of the French as an attempt to recolonise Cote d' Ivoire.

We are not going to allow the French to re-colonise us. We are against the French policies in Africa. The French are behind the rebels in many Africa countries. Look at Rwanda, Burundi, Congo and many others. The French are against any leader that opposes their policy of re-colonisation. That is why they staged coup to remove Gbagbo. We elected him and we will fight to protect him and our motherland. Please help us tell the French to leave Africans alone to develop their countries.20

The third point speaks of the intervener pursuing a just cause. Was Cote d' Ivoire on the verge of implosion before the French intervention? Yes, it was certainly neck-deep in anarchy. Were we likely to have a repeat of 2002 civil war had France not intervened and helped in removing President Gbagbo from power? With the benefit of hindsight, can we put our hopes on ECOWAS and belief it can replicate the commendable effort seen the Gambia in 2017, in Cote d' Ivoire? ECOWAS or the African Union has no good precedent of intervention in Cote d' Ivoire; therefore, it is likely that the crisis might deterioration just like in 2002, salvaged by a French buffer zone. The cause for which France intervened on was truly a just cause. With President Gbagbo intoxicated with power, it is only the application of superior power that will make him relinquish power, especially when Alassane had been maliciously denigrated as an alien.

On the tenet of prospect for success, Cote d' Ivoire was never a match for the French military. Although the military was divided along ethnic and political lines after the death of President Felix Houphouet-Boigny and the civil war, even a unified Cote d' Ivoire military will not stand the sophisticated, well-equipped French forces. If anything, France has had a sort of monopoly in the training and equipping the military, and even in operation culture. As noted by Cammack et al, "Most of the Francophone states still obtain the bulk of their military equipment from France and also look to her for training and other support."²¹ The UN's reliance on French forces to intervene even though it maintains more than 7000 troops in Cote d' Ivoire²² absolutely reflects French's military prospects for success.

Was intervention the last resort in the post-election crisis in Cote d' Ivoire? Was a compromise possible on the example President Jammel secured in the Gambia? Was President Gbagbo eager to step down for Alassane, or did he expect the medium he used to become president in 2000 will be deployed once again? Clearly, it is only through force, or the threat to use force as was visible in the Gambia that would make President Gbagbo accept electoral defeat. Indeed, any power that had intervened in the crisis must be able to forcefully stamp his presence on the conscience of contending powers if it wishes to bring the crisis to an end. That was exactly what the French did; they targeted the source of the crisis, and once President Gbagbo was arrested, the crisis was over.

The last scriptural canon of the Just War theory posits that the number of people who would have died prior to the intervention must not outnumber those who die after the intervention has taken place. It is very difficult to categorically state the number of people that died in the post-election crisis. What was commonplace, sadly, was the free reign of terror from both the camps of President Gbagbo and Alassane, while the French was in Cote d' Ivoire. The French apparently formed partnership with rebel forces that had been declared "legitimate" and "republican" army by Alassane Quattara, lending legitimacy to the killings of civilians who were accused of supporting President Gbagbo. A report of Human Rights Watch indicates a free reign of terror by both camps. Pro-Gbagbo forces carried out summary executions and sexual violence in Abobo, Yopougon, port Bouet and Cocody neighbourhoods of Abidjan. West Africans became objects of target after the ECOWAS and the African Union have jointly recognised Alassane Quattara as the President of Cote d' Ivoire and asked President Gbagbo to step down. While Quattara's forces were guilty of human rights abuses and killings, for example, in Abobo, Anyama, Anonkoua-Kouta areas.²³ Human Rights Watch further recommended that acts of violence, killings, rapes committed by forces loyal to Alassane to civilians should be investigated and offenders severely punished, including Alassane Quattara who publicly sanction their activities. Unfortunately, only President Gbagbo was arrested, put on trial, while the injustices and crimes committed by the other camp beg for justice.

CONCLUSION

The precarious state of African polity and the inclination of African leaders to stoke conflict through their style of leaderships make it inevitable for intervention to take place. The picture is similar from Congo to Ghana, Liberia, Nigeria, Sierra Leone, Cote d' Ivoire, etc. The inability to use politics as an instrument to build, placate and not to discriminate and alienate is at the core of most crisis in Africa. France's intervention in the post-election crisis in Cote d'Ivoire depicts the low-level status of African diplomacy and development. It often leads to the interference of western powers that are almost always eager to use the crisis to achieve their objectives.

Given the size of its investment in Cote d' Ivoire, it is clear that France has a lot to gain with the ascension of Alassane Quattara as president of Cote d'Ivoire. Relations with Cote d' Ivoire under President Gbagbo had reached its lowest level, and it was likely had President Gbagbo succeeded in perpetuating himself on power, he might endanger French hold on Cote d'Ivoire and its economy. France had already taken measures to forestall such occurrence since 2002 with a stationary force in the northern part of the country. Disenchanted elite, especially those supporting President Gbagbo, were publicly criticizing and denouncing France as a reactionary force bent on railroading Alassane on the country. They sort of declared France a neocolonist; obsessed with only economic benefits and considerations.

Under the Just War theoretical standpoint, French intervention did not completely fulfill all the criteria necessary for intervention. Although the situation calls for intervention and France was invited by the United Nations, France's interest and conduct in Cote d' Ivoire failed to meet other criteria such as right intention and proportionality. As an impartial intervener, it behooves on France to demand that human rights of citizens, especially those in President Gbagbo's stronghold, should be protected. France, by all accounts, wasn't really going to sacrifice its economic and strategic interests; therefore, it is foolhardy to expect a replication of Nigeria's altruism in Liberia and Sierra Leone, for example.

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