

THE PORO AS A SYSTEM OF JUDICIAL ADMINISTRATION
IN NORTHWESTERN LIBERIA

Its Intraclan and Interclan Functions*

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Along the west coast of Africa in the southwestern Ivory Coast and in Liberia and Sierra Leone lies a detached area of tropical rainforest. The inhospitability of the rainforest has operated to isolate the inhabitants from many of the cultural factors operating in the western Sudan. One of the dominant themes in West Africa's history over the past 2,000 years has¹ been the influence of intruders from North Africa and Europe. But this area has largely remained outside the sphere of influence of the great West African empires and European traders and missionaries. It has had some contact with these external cultural forces but the area has never been dominated by them. Murdock has noted that the people in this area exhibit none of the cultural complexity of the Nuclear Mande which probably means they left the Niger Basin prior to² the rise of the great Malinke empire and civilization of Mali. Thus, these forest peoples have been categorized as Peripheral Mande.³

Peculiar to these tribes are the Poro and Sande. These groups are often called the tribal "secret societies" in the early travelers' accounts describing them. Poro is the male society;

* This paper is largely the result of information gathered by the Author while living in Liberia. The bibliography includes almost all the works available on the Poro.

¹ Fage, J.D., History of West Africa (Cambridge: The University Press, 1962), p. 12.

² Murdock, George Peter, Africa (New York: McGraw Hill, 1959), p. 259.

³ Ibid.

Sande is the female society. Variant forms of the word Poro are found among the several tribes in the area: Sande appears to be a more universal term, although the Kissi and Mende use the form "Bundu".

It should be noted that while the various ethnic groups comprising the Poro are referred to as "tribes", in the official terminology of the Liberian government, the term does not imply that at any time one of the groups has formed a single political unit. Rather, such groups with a common name and dialect are composed of small autonomous clans in contiguous territories. The concept of tribes has been introduced into the area, it is not indigenous. For these reasons the term "community" will be substituted for "tribe".

Here I shall attempt to deal with the relationship of the Poro to the administration of law amongst these peoples. No attempt is made to define "law" as it is perceived by the peoples of the Poro, nor is law here used in the form generally utilized by the common law system. Indeed, amongst the Gbande, Kissi, and Mano no single word appears to exist which would refer to the abstract concept of law. Rather, law seems to exist only in the tangible forms of an actual case.

There must always be two parties to a dispute before any form of customary legal machinery is set in motion. Even in cases of natural disasters⁴ a second party will be found so that the case can be litigated, witches---and in special cases ancestor's spirits---provide the needed party in such cases. In the resolution of cases no formal rules of law are set forth to guide the decision. Rather, the arguments before the decision maker are as to questions of fact only, and not as to questions of law. Questions of law are moot---everyone in the community knows what must be done to correct a particular wrong act. The issue being litigated is whether a wrong act occurred, and if so what the act was. When an appeal is available and taken, it is always based on an alleged error in fact finding by the lower forum, and appellate proceedings are of a

⁴Examples of such cases would be an unexplained death, crop failures, and lightning striking a person or a hut.

de novo type. Among the communities of the Poro "law" is a functionally manipulated institution, and rather than yielding to an abstract definition it can best be thought of as being synonymous with social control.

Generalizations will be necessary in this consideration of the Poro, but it should be kept in mind that there are local variations of this society within communities as well as between communities. However, even to the most casual observer there readily appears features of the Poro which are shared by all its various forms. Most basic is that all adult males of free birth are initiated into it because Poro initiation is a necessary prerequisite to citizenship in the community.

The differences between local levels of Poro organization are ones of appearance and not function. The Sande, while paralleling the Poro in many respects, plays only an indirect role in the administration of customary law and will be examined only where it touches on the customary legal system.

The purpose here is to construct a model of the Poro as a system of conflict resolution as it still exists in the communities of northwestern Liberia. Works of other authors, as well as materials I collected will be utilized.⁵ The bulk of my material on the Mano comes from the village of Tunudee where I spent four months. Gbande, Mende, and Kissi materials were collected over a period of eighteen months spent in the area around Kolahun. Finally the Kpelle material comes from a month's stay in the town of Gbonkonimah. Some changes in the Poro are already taking place, and where I have been able to document these I have pointed them out.

No doubt more questions will be raised than answered by this paper for several reasons. First there is little material available on the legal aspects of the Poro. Early writers

⁵ Materials were collected July 1966 - July 1968 while serving as a Peace Corps Volunteer in Liberia. Working as an Agriculture-Rural Developer required travelling into isolated areas, some of which were accessible only by 2 or 3 days walk on foot trails. In these areas the traditional society and culture have remained relatively unaffected by outside forces of change. Because of the nature of my work I soon found myself having to deal with the authorities of the Poro, and it is from those experiences that this paper has originated.

generally concentrated on the mystical functions of the society. Informants who have first hand knowledge of the old Poro are virtually unavailable, and information as to the "old peoples' ways" comes largely from the tales fathers have told their sons. The government outlawed the Poro for a short time. It is now allowed as a protected cultural society, but its members are still leary of exposing their functions, which they see as something more important than those of a cultural society.⁶ Finally, members are sworn to secrecy on the pain of death. The only informants who would consciously divulge the secrets of the society were "civilized" people who had left the traditional tribal ways of life to obtain a western type education and life style.

Intraclan Functions of Poro

One of the widespread customs found among the peoples of Africa south of the Sahara is that of tribal initiation ceremonies. The job of conducting these ceremonies, and instructing the young men in their responsibilities as citizens of the community is one of the functions of the Poro. The initiation ceremony of the Poro is secretly conducted in a sacred grove of trees near the town. The basic unit of community organization which can support the Poro "bush" school, as the initiation institution is called in pigin English, is a town. Several extended families make up a town, and each has its own chief. Smaller satellite settlements may grow up around a town, originally founded by families of slaves who were captured in wars, they could farm the land but could not achieve full citizenship. Settlers from another community might also establish a half-town. Land must be secured from the town and clan officials, and a portion of the crops paid to them as long as the land is occupied.

Should some members of a half-town qualify for Poro or Sande membership they are considered part of the town chapter. They cannot establish a new chapter of their own. There appears to be a great deal of flexibility in the bush school one can attend within the clan - as only one school is in session at a time. However, an individual anxious to join can attend another chapter's bush school and return to be recognized by his own town's chapter. The half-town's affiliation appears to be more important for the support it is required to give the local bush school with food, than as to what school its eligible inhabitants will attend.

⁶See Liberian Code of Laws of 1956; Title 1, Aborigines Law, Chapter 23, Regulation of Conduct of Aborigines.

While towns can have their own bush school, the basic unit of Poro---and community---organization is the clan. Clan is used to describe a geographic area rather than a lineage group with a common ancestor. The authorities of the Poro dress in costumes which represent the spirits of the clan's ancestors, and anyone living in the clan is under the jurisdiction of these spirits. For all practical purposes they become the member's ancestors, and are paid homage just as if they were his actual lineage ancestors.⁷ The term "Poro" has been interpreted to mean "of the Earth"⁷ Regardless of the linguistic accuracy of the translation it does capture the power base of the society---land. Anyone living on the land is subject to the ancestors who inhabit the land.

The relationship between the Poro and the land is all important, for the power of the Poro lies in its function as land manager. Private ownership of land is not practiced under the customary law of these groups, rather land is held in trust by the Poro and allocated to individuals to be farmed. Every few years the land must be redistributed as a slash and burn form of cultivation is used, and prolonged use of a particular plot would soon extinguish the productivity of the soil.

At any given time only part of the land is cultivated. After one or two growing seasons the land is allowed to lay fallow for several seasons while the forest grows back and replaces nutrients into the soil. The life of the people is dependent upon the proper management of the land, for if it were allowed to deteriorate famine would result. In such a culture based on subsistence agriculture the land becomes synonymous with the people---past, present, and future. Thus, the high officials of the Poro among the Gbande are referred to as the "land fathers"⁸ and it is upon their power to manage the land that the authority of the Poro is built.

⁷ Schwab, George, Tribes of the Liberian Hinterland. Ed., with additional material by George W. Harley. (Papers of the Peabody Museum of American Archaeology and Ethnology, Harvard University, XXXI.) Cambridge: The Museum, 1947, p. 267.

⁸ Harley, George Way, Masks as Agents of Social Control in Northeast Liberia (Cambridge, Mass.: Peabody Museum Papers 32, 1959), p. 11. Harley notes that the high official of the Mano Poro, who presides over the secret council of elders, is also referred to as the "owner" of the land.

The Poro appears to be basically conservative in nature. It focuses on the past as an important source of values, and calls upon the spirits of the ancestors for direction and authority. As such the elders in the Poro form an important link between past and present, and are a reservoir of knowledge, for the guidance and maintenance of the society. Consequently, deference to elders and absolute obedience to their commands is a basic tenet of the society's teachings.

Legal Socialization

In any given area the Poro and Sande bush schools are never held at the same time, but are alternatively conducted. This is so because the food required to support the school, and loss of man power to the community, greatly taxes the agrarian subsistence economy. Traditionally the individual would spend from three to seven years sequestered in the bush school. The national government has limited the time a bush school can run to three months, but in the more remote sections of the interior schools are still conducted for periods up to seven years. "Zos", a form of the term is common to all clans having Poro, are the instructors of the initiates while they are in the bush school. "Ges" are the masked representatives of the ancestors' spirits, and they play an important part in the initiation. English speaking Liberians call these spirits "Country Devils", but because of the negative connotation of the term "devil" amongst Westerners it is an unacceptable descriptive form. Thus, the term "Ge" will be used here.

Within the Poro there are several levels of membership, at least two are distinguishable by non-members---commoners, and Zos. Not all Zos are Poro Zos, for Zos are the teachers of all professions. The Poro Zo is generally one by hereditary right. It is the duty of every Zo to teach his son privately of all the secrets of the Poro, save one, before the boy enters the bush school. The one secret no one can learn about outside of the bush school is that the Ge is actually a costumed man.

⁹"Ge" is a Mano word, and Harley has used it in his works. Unlike "Zo" the term is not common to all groups having Poro, and is used here only as a matter of convenience and clarity.

Zos are known to the community at large and are highly respected. They do not wear masks when performing their duties. Besides teaching, Zos function as a visible human intermediary between the community and the Poro. In civil life he might also hold rank in the Poro as a Ge, the two roles are not mutually exclusive. The Sande also has Zos who play a role similar to their male counterparts, and are looked to for guidance in matters concerning women. While most Zos achieve their position by heredity, a child can become a Zo if a diviner so decrees---but this appears to be a relatively rare occurrence. I encountered only one such case, and it was a Mano girl who was apparently afflicted with epilepsy.

In some groups, e. g. the Kissi, a child is given a number when born; issue from a single mother being numbered consecutively. After being successfully initiated the child will be given a name. In all groups having the Poro, the individual is given a new name after successfully completing the initiation. The uninitiated until recently was not held responsible for his actions. However, in the areas being influenced by the government this is breaking down so that now he is expected to observe the government law if he is a grown man. The individual is not assumed to know the prescriptions and proscriptions of the tribal community until he has completed the bush school experience.

The role of "small boy" is assigned to the uninitiated. The individual who is not initiated into the Poro is considered irresponsible, and is expected to act mischievous and disrespectful. Because he is considered a small boy he is given tasks which are beneath a man's dignity. Everywhere in a town one can see children of five or six carrying large loads while their older companions carry nothing. Likewise, only small boys are made to stay at the rice farm to chase rice birds away from the crops.

Before initiation the boy is considered incapable of taking a wife, and he is not entitled to the use of the clan's land for making his own rice farm. Regardless of his age the noninitiate is not expected to know the norms of his community until he has been taught them at the bush school. The cause and effect relationship between norm and sanction is not readily apparent to the uninitiated observer. Indeed, as shall be seen, the bulk of major conflict resolution is conducted by the Poro operating in secret session. In a small community which must remain tightly knit if it is to function, such a system operates so as not to cause unrest and retribution between its members.

The masked representatives of the ancestors, Ges, are of primary importance to the Poro as they manifest its power. While some costumed Ges appear in public, only members can be allowed to see the great Ge of the Poro. The great Ge is the highest office of the Poro. When he comes to town all the women and uninitiated must go inside their huts and close the doors. The penalty for looking is death or immediate initiation if the violator is a qualified male.

Even if one were to get away with looking there is nothing extraordinary to see, for when the great Ge moves about he is not a masked figure. Before he enters town a member heralds a warning to the townspeople. Then music is heard along with the sound of people walking around the town. The great Ge never speaks the language of his tribe, for example the great Ge of the Gbande speaks Kpelle. The voice of the Ge is a rolling falsetto, and everything he says is interpreted into the language of the townspeople by his interpreter.

There is only one great Ge for every clan, but there are a number of lesser Ges residing in the various towns of the clan. Except during the time of the Poro bush school the great Ge makes few appearances. During the time of the men's bush school he is kept busy traveling from school to school, and for the non-member it is a time when little traveling is done for fear of meeting the great Ge. In contrast, when the Sande bush school is in session such anxiety is not present because the great Ge does not attend the Sande.

Women are always to show the greatest respect for any Ge. In Gbande when he appears in public to dance or tell folk tales women take off their headdresses and cannot stand near the Ge but must remain 25 to 30 yards away. Similarly, children and dogs must be kept away from the Ge lest they accidentally betray his identity by disturbing the costume's raffia skirt. The Landau Ge of the Gbande carries a whip and a cutlass and is said to kill any dog or child getting too close to him.

On one occasion early in my stay in Liberia, I was going to the town of a Gbande clan chief who had died. It was night and the town was completely darkened when I arrived. On approaching the chief's compound a large group of men were gathered about. One of the men I knew came forward and warned me that the great Ge was present and I should go inside a house at once.

I entered a house as the sounds of the great Ge were heard. It was not until later that it occurred to me what the men were doing, for like any non-initiate I expected the great Ge to be a single extraordinary looking creature.

To the non-initiate who has heard many stories of the great Ge, and seen the costumed dancing Ges, he is imagined as an awesome figure. The secret of the great Ge is seldom recognized by the non-initiate because of the carefully preserved tradition surrounding him. The severe penalties for "seeing" the great Ge are in fact reserved only for those who recognize the great Ge for what he really is---a man.

At the opening of the bush school a masked spirit announces in town that uninitiated boys will be caught by the great Ge that night. Another masked figure stops all traffic on the roads. Throughout the bush school session a number of men wearing masks will be responsible for various special jobs necessary to maintain the school. Some of these Ges are responsible for gathering food. Each has a specific method (begging, working, borrowing, or stealing), and each has a particular type of food he is responsible for obtaining. In addition, the initiate's family must pay the Poro a fee before the boy can be allowed to enter the bush school. Among the Gbande in 1966 the fee was \$100, in the past specified amounts of rice, animals and iron were required for payment.

Entrance of the uninitiated into the bush school is considered equivalent to death. The myth of the school given to outsiders is that the uninitiated was eaten by a great ancestral spirit who looks like a crocodile. After being in its stomach for a time the boy will be reborn a man. The spirit's teeth are the reason given for scarification markings which some bush schools incise on their members.

Two forms of bush schools have been identified.¹⁰ Among the Mano, Gbande, and Loma there is first the circumcision bush which involves little ceremony and the high officials of the Poro do not attend. This ceremony does not signify initiation into the community, but symbolizes the beginning of the boy's transformation into adulthood. Later, there is the ceremony where the high officials do attend and the initiates have their skin cicatrized. Other communities do not have this second ceremony, and they form the second type of bush school where circumcision is the only physical ordeal ceremoniously conducted in conjunction with tribal initiation.

¹⁰ Schwab, loc. cit.

Besides the ordeals of circumcision, scarification, and ceremonial feasts, the boys' time is spent living and maintaining a model community identical to the one they will return to. Training is by doing and is of a specialized nature. Each boy is taught, and performs, the job he is expected to do in the life he will return to. Discipline is strict and the boys are to have no contact with non-members during the time they are in the bush school. In the past any boy who left the bush school before it terminated was brought back, ritualistically executed, and eaten.¹¹ Such ritualistic deaths have been outlawed by the Liberian Government, but tales from isolated areas in the Gola Forest still speak of such rites. Today people generally believe that poisoning is the sanction employed by the Poro to punish those who violate its secrecy.

Throughout the bush school religious and social training of the boys is accomplished by various masked Ges. At no time is it revealed to them that the Ges are costumed men. All the Ges representing the high officials of the Poro are completely covered with raffia. No one can see the human form underneath. All Ges, including the entertainers everyone can see, have their bodies completely hidden. It is most important to maintain the illusion of unearthly "spirits" to outsiders. It is only at the very end of the session that the boys are allowed to see a man dancing with just a mask.¹² This is the central secret of the Poro. Only those who have

¹¹Harley, George Way, Notes on the Poro in Liberia (Cambridge: Mass.: Peabody Museum Papers 19,1941), p. 17. Harley describes the rite: "Although human sacrifice was used in the Poro in the true sense of sacrifice...it was used also for punishment, and parts of the victim were always saved for their magical properties. It would seem that Poro criminals were simply executed for their crimes, but it was more than a simple execution. In the first place the body was never buried, nor was it thrown away in the case of witches, but eaten just as any other sacrifice. The culprit might be thought of as a sacrifice to law and order. In the second place, a boy sacrificed in the Poro could not be mourned. His name was seldom mentioned, and then it was simply said that he was left in the belly of the great spirit who failed to give him rebirth. The boy was probably not scolded. In fact it is doubtful that he was greatly blamed. Those who broke a law and those who died by infection or accident were treated alike. In each case something had gone wrong."

¹²Harley, Masks, op. cit., p. 5.

endured the long initiation, and are ready to take their place as men in the community are allowed to know.

Another basic function of the bush school is to rigidly discipline the individual to honor and unquestioningly obey the commands of his superiors. Only disciplined individuals can function in the close life of the town.

It is the leaders of the Poro who control the common man, make decisions, and impose sanctions for any breaches. All the civil seats of authority, be they clan chief or head of a family, are subject to the power of the Poro. Despite the supernatural appearance of the Poro it is an organization of men designed to control the community's actions and insure tranquility and stability.

Sande¹³

A folktale is told amongst the Gbande of how at one time all the people of the community belonged to the Poro. For a time all went well, but soon outsiders began to learn the secret of the society. It was discovered that the women were telling, and from that day the women were excluded from the Poro---and the Sande was established.

This folktale points out the key factor distinguishing the Poro from the Sande. The girls in the Sande do not learn the secret of the great Ge. The primary function of the Sande bush school is to prepare the girls to be good wives and mothers. An important woman in the community will be an important man's favorite wife. Unlike the men, women have an opportunity for social mobility because a pretty and intelligent woman from a poor family can become the favorite wife of an important man.

The Sande bush school reflects this by presenting very little specialized training; the majority of the girls' time is spent living in a model village. They hear and settle minor disputes, make rice farms, and perform all the other functions of a village. Unlike the boys they rotate the roles they play so that each girl can gain an

¹³This information on the Sande was obtained from a Gbande informant who was a member of the Sande, but had left her traditional life and was working as a nurse.

overview of the community she will return to. This overview is important as a girl does not know whom she shall marry, whereas the boys know exactly what their role will be in the community.

One reason the girls do not learn the secret of the great Ge is that women can not work any of the land for their own rice farm. Women must work on the land their husband (or father if unmarried) is to farm, for it is the husband who is subject to the Poro's control over the land--- the woman is subject to the control of her husband. In this way the practice of patrilocal and polygamous marriages provides a practical means for the efficient management of the land by the Poro. Such a system insures that while the size of the families might fluctuate, the number of family units remains constant. While the size of a farm might need to be altered as the population fluctuates, the number of land units which will require relocation at any given time will remain constant. Such a simplified and predictable system is vital to efficient management when no written recording system exists.

In all Sandes clitorrectomy is practiced, and ceremonially is synonomous with the male's circumcision. Some Sandes--- Loma, Gbande, Kissi---also practice ritual scarification. The Loma make the incisions on the lower part of the back; the Gbande and Kissi make small incisions along the cheek of the face.

The Sande bush school, like the Poro, is conducted in a special area set off from the town. However, unlike the Sacred Bush of the Poro, the location of the Sande Bush is a matter of common knowledge freely spoken of. On several occasions I was shown Sande Bushes by men. All were located a short distance from town with their entrances fronting on the road. The area is thickly forested so no one can see in. A long curving tunnel is cut out of the dense vegetation as the only entrance way. The tunnel is only big enough so that one can enter by walking in a stooped position. Entrance is permitted only with the permission of the Sande authorities.

No Ges appear at the Sande bush school. While the Sande does have its own masked figures their bodies are not completely covered as are those of the Poro Ges. The head Zo of the Sande is the only woman who can belong to the Poro. Her duties are largely ceremonial. Not even she can use land to make her own rice farm. One of her important

functions is to plan when the Sande will conduct its initiation.

While the Poro bush school prepares young men to be productive members of the community and accept the authority of the Poro, the Sande teaches young women to be productive members of the community and accept the authority of men:

The conduct of the new Sande girls is much improved over their former ways. Now they show great respect for everyone. For 3 days after they came out, whenever they were in public, they walked in a bowed-over position. Until almost a month after Sande was over, if men were sitting along the way in which₁₄ they pass, the girls walked in a bowed position.

Civil Authority and the Poro

The Poro appears to exert its authority over all phases of the customary way of life. It is reported that amongst the Mende and Gbande the Poro at one time controlled currency exchanges at local markets where rods of twisted iron were issued as the medium of exchange.¹⁵ Harley reports that under the old regime a chief was not the central power of₁₆ the community, but he was useful for ordinary matters.¹⁶ Any cases the Poro did not exert original jurisdiction over could be appealed to a Poro tribunal presided over by a masked Ge, and that decision would be final.

Today, this still appears to be the case in the interior. My work involved public works projects, an area traditionally falling under the jurisdiction of the Poro. The first projects I worked on, I attempted to work through the chiefs, but they proved quite ineffective. What developed was a pattern of equivocating, and promises to see to the matter at some unspecified time in the future. After some trial and error, it became apparent that by working through the

¹⁴Kweli, Yakpawolo, Loma Weekly Paper #820, 17 March 1967.

¹⁵Brown, George W., "The Poro in Modern Business", Man, XXXVII, January 1937, p. 8.

¹⁶Harley, Notes, op. cit., p. 7.

town elders work could rapidly be done with little or no delay.

Chiefs in the interior, with the rare exception of a chief who is also an important member of the Poro, are relatively powerless in regards to customary matters. Several informants said that the qualities used to pick a chief were a man who, "would be a good talker to the government and would not bring any trouble down upon the people." Chiefs are elected today, and it is understood that whichever candidate the Poro orders its members to vote for will be elected.

This pattern of weak chiefs appears throughout the area of the Poro. Every chief has his council of elders, and this is where the power of the community lies. The elders who hold high offices in the Poro are even today considered beyond the jurisdiction of any chief and can be tried by their peers only.

It is unclear whether weak chiefs arose as a consequence of the development of the Poro, antedate the Poro, or are a result of the increased control over the traditional community affairs by the Liberian government. Regardless of their origins, the majority of chiefs look to the government in Monrovia for their authority---not to any customary source of power.

In matters which cannot be settled in an informal fashion, or an appeal from a chief's decision, a secret court of high Poro officials is convened. A uniform pattern of procedure is followed, but at such proceedings there are no procedural differences between what the common law might categorize as criminal and civil actions. Among the Mano it is reported:

...This system functioned in secret through a high council of elders meeting at night in a sacred place, called together and presided over by the gonola or "owner" of the land. The gonola was also a high priest in that he was the keeper of the great mask referred to as G_o ge, "Good spirit." When there was to be a meeting of elders he carried this mask to the secret place, laid it on the mat on the ground, and covered it with white cloth. Around it the elders sat and discussed the special palaver for which they had been called together by the gonola, who acted

as chairman. When they had discussed the case fully the chairman guided their opinion into a judgement, which was tentative until approved by the mask.¹⁷

The subject matter jurisdiction of the Poro extends only to matters of customary law, and jurisdiction over the person is limited to Poro and Sande members. Much of the litigation involving women arises out of marital disputes. To settle such disputes a specialized moot is used with an elder acting as arbitrator; Gibbs¹⁸ has described how this moot operates amongst the Kpelle.¹⁸

The subject matter jurisdiction of the chief's court is limited as a result of the customary methods of litigation. The chiefs' courts today derive the bulk of their case load from disputed rights over women, cases where a party is not a Poro member and offenses against the government law. Amongst the Kpelle it is reported that the bulk of litigation in the¹⁹ clan chief's court involves disputed rights over women. In the clan chiefs' courts of Gbande and Kissi I sat in on, only one case was observed that did not involve "women palaver".²⁰ This preoccupation with cases of disputed rights over women in clan chiefs' courts is the result of forum shopping on the part of individuals who can not, or do not wish to, have their marital problems settled by the traditional moot.

Chiefs' courts and government courts are generally considered places best avoided by the traditional oriented people, as those courts are viewed with suspicion and distrust.

¹⁷Harley, Masks, op. cit., p. 11.

¹⁸Gibbs, James L., Jr., "The Kpelle Moot: A Therapeutic Model for the Informal Settlement of Disputes," Africa (London), XXXIII, January 1963, p. 1-11.

¹⁹Gibbs, James L., Jr., "Poro Values and Courtroom Procedure in a Kpelle Chiefdom", Southwestern Journal of Anthropology, XVIII, 1962, p. 348.

²⁰Cavaet: This is only an impression as no systematic survey was made of the courts. However, talks with several chiefs support the impression.

Elder's councils, trials by ordeal, and Poro decrees settle the bulk of their litigation. Two examples of the avoidance of chief's court will illustrate the point.

I was a party to a case involving the theft of a large amount of food from a school storeroom in the Mano village of Tunudee. A council was called when I reported to the village elder that I had observed the theft. The proceedings lasted for approximately four hours, at which time the head elder ended the proceedings by addressing himself to the parties and asking us to reconcile our differences. Having been in the country only a short time I became quite frustrated at the proceedings, for I expected a finding of guilt and an appropriate punishment to be dealt out---as a common law court would have done. When I threatened to take the case to the clan chief's court I was approached by a number of townspeople and told not to make such an appeal as it would be "a very bad thing".

The second case occurred in the Kpelle village of Gbonkoni-mah. A Ge came and demanded a large sum of money, cows, goats, chickens, and three male sons from a man who was farming on land allocated to another. The man agreed to pay the fine; never considering to have the case tried in a government court.

In the first case negative connotations were put on going to the chief's court, in the second it was never considered as a possibility. In both cases original jurisdiction rested in the government court of the District Commissioner, or in the chief's court.

Poro Justice

The advance of an individual through the ranks of the Poro is dependent upon at least four factors: intelligence, wealth, age, and being of the Zo class. The few who mgye up through the ranks achieve the rank of ki la mi (Mano).²² These are the men who meet secretly in the sacred grove to make important decisions and hold the rank of respected elders in the civil life.

²¹see Revised Laws and Administrative Regulations for Governing the Hinterland, 1949. Interior Department, Republic of Liberia.

²²Harley, Notes, op. cit., p. 31.

Rather than calling the ki la mi together all the time, it is much more efficient to use the chief to handle the everyday problems of the community. However, even when the chief is hearing cases the ki la mi are present, ex officio, sitting among the chief's council of elders. All chiefs hold their court in the presence of their council of elders. By advising the chief, the elders, who are ki la mi, guarantee that the civil authority is still regulated by the Poro.

A systematic survey of the substantive laws of the people of the Poro shall not be undertaken here, however, examples of the laws are needed to illustrate the role of the Poro in maintaining community order. Physical violence against the person is a problem of social control upon which data was readily obtained from informants and observations. It also presents a situation which threatens the stability of the community, and necessitates swift handling by the judicial machinery to maintain a homeostatic state in the community.

Two classes of homicide are recognized among the communities of the Poro: where blood is shed, and where "medicine" (whichcraft) is used. The spilling of blood, accidental or by intention, is considered a grave offense. Among the Gbande, blood is a sacred part of the body, and even if a man attempts to commit suicide in a manner that draws blood he will be required to pay a heavy fine. An intentional attack which draws blood, or causes injury, is considered extremely serious.

During the two years in Liberia I observed only two cases of physical violence against the person---between adults in the interior. Both involved antagonists who had broken with their traditional background, and were attempting to take on western values through a western-type education and employment in "civilized" jobs. The reaction of the bystanders was one of shock and disgust. In both cases the men were allowed to fight until the government police arrived to arrest them.

The only killing of a Poro member by another member, that came to my attention, occurred in Kolahun in March, 1968. Two Gbande hunters from the same village were hunting deer in the forest at night. One of them mistook a movement in the bush for the deer they were stalking he fired and killed his fellow hunter. The slayer carried his dead companion back to their village, where he took the body to the dead man's family and told them what had happened. He then went into

his hut and shot himself.

The slayer's family expressed grief when they told the story, but none questioned his actions. It was accepted that he had done what was necessary. Something had gone wrong, the man's spirit had "turned upon him", and caused him to spill blood. It was not important that he had not consciously intended to spill blood, for it was his spirit that was acting through the media of his body. All that was necessary was that the slayer return and tell the villagers what had happened so they would understand why he must kill himself. Any formal inquiry into the matter would have been superfluous---the facts of the case were clear and everyone knew there was but one possible disposition of the case.

A person accused of killing another by making "medicine" is subject to a fine or exile if he confesses to casting a fatal spell upon another. In the past if an accused refused to confess his guilt he would be subjected to the "sassywood" trial.²³ The trial consists of drinking a potion made from the bark of the sassywood tree. If the accused lives he is innocent, and if he dies he is guilty.

Minor ordeals are also conducted under the name of "sassywood" to find thieves, unfaithful spouses, and persons who have used witchcraft in non-lethal forms. Three types of ordeals were observed, but undoubtedly many others exist: trial by a hot cutlass which was pressed to the skin, immersing the hand in a pot of boiling oil, and a divining stick. Only certain individuals know the secrets of conducting such trials by ordeal, and a "sassywood man" never conducts a trial in his own community. No accusations are publically made at such a trial, but a number of people are subjected to the test until the guilty party is found by the sassywood.

The government has banned all forms of the fatal sassywood, but a Gbande informant reported that secret poisonings were being increasingly resorted to by his people. Thus an individual who is known to be a witch would have poison placed in his food or drink. The manner in which guilt

²³ c.f. Harley, George Way, Native African Medicine with Special References to its Practice in the Mano Tribe of Liberia (Cambridge: Harvard University Press, 1941).

is determined is unclear. It appears that it is based upon a public consensus arrived at through shared suspicions of the accused. A special witch society within the Poro is to execute the poisoning. In this way the same results as the sassywood are achieved, only in such a manner that the death looks natural to the outsider. The tales of poisoning are widely told, and many cases of death from apparently natural causes are long discussed to see if any reason for poisoning the individual might have existed.

In the past public executions of defendants have been reported but today there is no evidence of such practices.²⁴ However, tales of persons "disappearing" are occasionally heard. The English speaking man uses "disappear" to describe the intentional elimination of an individual. A case in point is that of a Gbande man suspected of telling Poro secrets to a woman. One night the Poro came to the village and took him away into the forest. The man was not heard from again, and not long after his brother took the vanished man's personal property.

The above cases involve the physical threat of an individual and are situations which threaten to create severe unrest within the community. Among the Gbande and Mano, if retribution is not made for a death or injury, retaliation will follow. Thus, direct physical confrontations between individuals are situations to be avoided. The individual is not conceived of as an autonomous unit of society, but as a member of a family or clan. To threaten the individual is to threaten the larger unit. In this way a conflict between individuals necessarily escalates into a conflict between larger units. In the cases where the community's welfare requires the elimination of an individual, no other member can undertake the task without setting off a series of retaliations which would ultimately destroy the fabric of the group.

The Poro, controlled by spirits of the ancestors is beyond the reach of such retaliations. As the Poro is to be strictly obeyed the option of retaliation is not even available, but such social control is effective only for those who have faith and believe in it. As the two cases of the frightening men show, those who move from the way of the Poro are no longer subject to its controls.

²⁴Schwab, loc. cit.

Interclan Aspects of Poro

For the hierarchy of elders the power of the Poro does not stop at the clan boundary, despite variations in the form the Poro takes. To the ordinary member these variations do limit his intercommunity and interclan activities. While talking to a young Kpelle man about the shortage of farm land around Gbarnga, and where he might go to start a new farm, he indicated that his choice of location was limited:

When a man leaves Kpelle land he does not just move anywhere. We here (southern Kpelle) move to Gbande, Loma or Bassa. A man can be accepted there. But you will never find a Kpelle man moving to Mano or Gio, the societies (Poro) are too different and it would be too hard. A man could never make farm there.

The first thing a man must do when he moves to a new area, to relocate and farm, is to make contact with the Poro. He does not have to go through the initiation ceremony, he presents himself to the elders where he is questioned in order to establish his rank and be accepted. The Poro also works in more subtle ways to accommodate the newcomer.

A young Mano boy, whose father held a high office in the Poro, came with me to live in Gbande country. Another people, the Loma, live between the Gbande and Mano. Because of the minimal contacts this presented a case where there were only limited similarities beyond those of the Poro. About a month after arriving in the area the boy came to warn me of the local taboos I should observe, so as not to offend any of the Gbande people. I asked him how he had learned these things, and he said that some school boys who belonged to the Gbande Poro had told him. In the 18 months I spent with the Gbande, such information was never observed being openly discussed. If the subject was brought into a conversation I would be embarrassingly told that it was "Society business," and the topic of conversation would be abruptly changed.

Some aspects of the Poro are widely known among the people of the Poro communities of northwestern Liberia whether they are members or not. Most of the widely known aspects of the Poro represent the society's image in the community, and are quite carefully maintained. The great Ge has already been discussed and is probably the most important of the Poro images created for the benefit of outsiders. Warning symbols, telling outsiders they are about to trespass into the realm of the Poro are also widely known. The symbols are universal among the area of the Poro.

For example, the "tofa"²⁵ plant is known by all to be the sign of the Poro and Sande. The tofa is planted in clusters along paths leading to the sacred grove where the bush school is conducted. Anyone seeing it knows that if he is not a member he must turn back. If the great Ge is coming to the town the tofa is placed along the paths leading into town. It is also used as a "no trespass" sign around farms, and everyone who violates it will bring "bad medicine" upon himself.

A number of informers told of a sign language Poro members use to communicate with other members. The signs can be used to establish the membership of a stranger, even if no common verbal language is shared between the communicants. They are also used for communicating with one another in a large crowd when secrecy is desired. The signs consist of subtle movements which appear quite insignificant to an outsider.

The interclan ties of the Poro appear to be most established among the higher degrees of membership. This is manifested to those outside the Poro by the Ges never speaking the language of their community, and the use of interpreters. Both Harley²⁶ and Schwab²⁷ report that the highest level of Poro standing creates a brotherhood that gives this elite, working through the secrecy of the Poro, a vehicle whereby they possess interclan powers. The Gola refer to great warriors and soocerers of the Loma, Mende, Gbande and Kpelle as persons who are sought after for the special powers they possess.²⁸

While not knowing how important men from outside the clan can come by their respected rank, all the members of the clan are

²⁵ Schway, op. cit., p. 267. Tofa is the Loma word for a plant of the species *Costus* of the Zingiberaceae family. I was shown the same plant by Mano, Gbande and Kpelle informers.

²⁶ Harley, Notes, op. cit., p. 31.

²⁷ Schwab, op. cit., p. 268.

²⁸ d'Azevedo, Warren Leonard, Uses of the Past in Gola Discourse, Journal of African History, III, No.1, 1962, p. 28.

see also: Gay, John & Michael Cole, New Mathematics and an Old Culture (Holt, Rinehart & Winston, N.Y., 1967) p. 14.

"...Poro within certain Kpelle areas depends on Gola and Loma elders to begin ceremonies."

expected to pay them tribute as they would one of their own respected elders. Ges, likewise, are to be respected as if they are the Ges of one's own clan. A tale is told among the Mano of a Ge who had power to stop battles among warring Mano towns and clans. Appearing at a battle the Ge was struck by a warrior from another clan of what is now called the Gio tribe. The battle immediately ceased, and the Gio warrior was given over to the Mano Poro who fined him heavily. The fine was used to prepare a feast for the elders of both Poro chapters, which they ate in the presence of the Ge. Both groups recognized a wrong had been done, and retribution was in order. It being a Mano Ge who was violated, Mano Poro jurisdiction attached as both groups realized it must.²⁹

In the case of the Ge who was struck by a Gio warrior, a shared set of standards control, for in both groups a Ge is not to be struck. The Poro also operates to allow recognition of uncommon standards, thus avoiding conflicts of different standards between two clans. Both a Mano and a Gbande informant said that an individual, who flees from his community to another in order to escape punishment for an offence which is not recognized in the second community, can be brought back to the place of the offense if the Poro so orders. The witch society of the Poro is responsible for bringing the offender back to the community.³⁰

Before the national government moved into the interior wars between the various clans were frequent. Most often land disputes sparked the conflict. Most of these exchanges were short lived. Nevertheless, the possibility of war was threatening enough to cause towns to be heavily fortified with high earthen walls.³¹ Today, the national government has relieved the Poro of the burden of regulating wars.

²⁹Harley, Notes, op. cit., p. 19. A similar Ge is described by Harley as Gbana Ge.

³⁰Harley, Masks, op. cit., p. 11, and Schwab, op. cit., p. 423 note similar "long arm jurisdictional" powers by the Poro.

³¹The Mano town of Tunudee gets its name from the earthen walls that once surrounded the town. The earthen walls were made from the earth from termite mounds. Literally translated Tunudee means "under the termite hill".

In the past war could only be declared by a decree of the heads of the Poro and Sande, and it could never be declared when the bush school was in session. Similarly the Poro could order a stop to war. The civil authorities had no power over war. They are noticeably absent from the area of interclan relations. Among the Gola it is reported that the least brutal warfare was that between different sections of the Gola, war between Poro communities was tolerable,³² and that between a Poro and non-Poro community unbearable.

The frequency of wars suggest that the outerlimits of the interclan functioning of the Poro as being the interchange between the elite hierachy of the Poro chapters involved. No single individual, or on-going group, controls interclan relations. As a problem dictates, concerned members of the elite meet to solve the problem, and after the problem is solved the group dissolves. The functioning of the elite elders in these matters is that of cultural brokers rather than as overseers controlling interclan relations. It is through the media of common values shared in the Poro that the group can meet and negotiate.

The Poro at its innermost circles forms a reservoir of negotiators the community can call upon to represent it when the occassion arises. This system of negotiation operates only between Poro groups. The Poro provides a mechanism by which two systems of independent values can be transcended by a third shared system to achieve a solution to a common problem. Finally, the interclan functions of the Poro is problem oriented only. It does not provide an on-going superclan political-legal institution for regulating interclan activities.

Modernization and the Poro

While the Poro is today protected by the Liberian government as a cultural society, it is being challenged by the increasing assertion of the national government into the interior. One manifestation of this is the government's use of the traditional civil authorities as legal administrators. The western oriented individual might see the

³²Roberts, T.D., 1964, U. S. Army Area Handbook for Liberia. Washington, D.C.: Dept. of the Army Phamphlet No. 550-38, p.58.

chief as the natural reservoir of power, but for the non-western man in the interior the Poro still represents the power that controls the community. The Poro can still direct its members as to whom to vote for for chief, and has generally used this power to establish weak chiefs who will not challenge its authority.

It is the capital city of Monrovia that the future of the Poro is being shaped as it falls victim to the pressures of modernization and urbanization.³³ The Poro is incompatible with the rapid progress of modernization, for it bases its authority on respect and obedience to the traditions of the ancestors. It is an organization aimed at conserving the past, and cannot cope with the rapid change. Sierra Leone has tried to teach hygiene and agriculture through the Poro bush school, but the program failed. Such failure was inevitable;

...in fact our people strongly believe that if a man wants good luck and long life, he must respect and take good care of what his fathers have left with him. It is a pride to have in one's possession what generations gone by had left behind. Losing hold of it is a sign of hopelessness,³⁴ laziness and unfaithfulness to the ancestors.

People of the Poro speak today of how Seko Toure broke the Poro in Guinea, because he saw it as a threat to the national system of government. A few speak of what must someday happen to the Poro in Liberia. The government is now using the Poro to maintain stability in the interior, but the Poro is dying as nationalization progresses.

³⁴ c.f. Frankel, Merran, Tribe and Class in Monrovia, (Oxford Press, London, 1962).

³⁴ Kellemu, John Bowa, "Why the Kpelle Man Has Found it Difficult to Adapt to Western Methods of Swamp Cultivation, Unpublished paper from Cuttington College, Suacoco, Liberia, 1967.

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