### LIBERIA'S STRUGGLE WITH WESTERN LAND TENURE

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The introduction of Western values and concepts to developing Africa has created for the African people a dissolution of tribal structure and cohesiveness. Among the factors contributing to these changes is the Western concept of land tenure embodied in fee simple interest in land.\*

In theoretical terms, the conflict introduced by Western land tenure is a result of interaction between a society organized around a market principle and a society based upon kinship. Western societies are integrated according to market principles; "territorial groups are little more than concatenations of contract." African societies, on the other hand, are integrated by kinship or religion; "exploitation of land follows political and social organization rather than the opposite." 3

I became aware of this conflict while stationed among the Kru

Western land tenure is the concept that the earth can be divided into portions of land; it then postulates that it is possible for <u>individuals</u> to have a permanent interest (an interest which passes to heirs or devisees) in a <u>particular</u> portion of land.

For an excellent theoretical analysis of the role of land tenure in Western and African societies, see Paul Bohannan, "Land Use, Land Tenure and Land Reform," Economic Transition in Africa, ed. Melville J. Herskovits and Mitchell Harwitz (Evanston: Northwestern University Press, 1964), pp. 133-149 Cited hereafter as Bohannan, "Land Use." See also Paul Bohannan, "Land, Tenure, and Land-Tenure," African Agrarian Systems, ed. Daniel Biebuyck (London: Oxford University Press, 1963), pp. 101-115.

<sup>&</sup>lt;sup>2</sup>Bohannan, "Land Use," p. 134.

<sup>&</sup>lt;sup>3</sup>Ibid. p. 134-135.

in Liberia as a Peace Corps Volunteer. 4 In this study, I intend to focus on the problems created by the introduction of Western land tenure into Liberia. We are familiar with the break-up of family structure and traditional administration in urban areas. There is also much room for examination of how institutions of Western structure have been adapted by tribes to ease transitional strains. The first part of this study will concentrate on a remote area of Liberia to pinpoint the ways in which Western land tenure impinges on traditional life. Though Liberia is Africa's oldest republic (independence was declared in 1847), Western influence, outside of small enclaves of freed American slave settlers along the coast, has been minimal until quite recently. Thus, compared to formerly colonized West African countries, investigation in Liberia offers us the opportunity to witness the early stages of conflict created by the introduction of Western land tenure.

The second part will be devoted to tribal institutions which have developed in Liberia's capital, Monrovia, in order that some light might be shed on what elements are essential to the functioning of a transitional institution. Finally, this study will note how the concept of Western land tenure itself subjects the actual tribal lands to subjugation by out-side interests. If Liberia would become more sensitive to problems presented by the concept of Western land tenure, it could avoid some of the culturally costly programs initiated by its Western African neighbors.

Liberia occupies the southwest tip of the West African coast. Heavily forested, poorly soiled, and located beyond the fringe of Sudan kingdoms to the north and northeast, this area has historically been a refuge for many groups of people driven from their homeland by expanding kingdoms in the Sudan plains.

<sup>&</sup>lt;sup>4</sup>Materials used for this study are drawn from experiences while stationed among the Kru in Liberia as a Peace Corps Volunteer, December 1968 to December 1969 (one month in Grand Cess during training, and eleven months in Greenville as a teacher at the government high school), as well as from published material available on the subject. The author is also indebted for information obtained from George Buelow, an anthropology student who conducted research in Grand Cess during 1968 and 1969.

Deep in the forest, these groups were at last free from intimidation by conquering states. They were also cut off from influence by outside societies. Unlike the Sudan kingdoms, which had regular trade and religious contacts with Muslim states in North Africa, Liberian groups developed in virtual isolation.

In the sixteenth century, the arrival of European traders along the west coast of Africa brought outside influence to the area; Liberian societies became middlemen in the lucrative trade which drew slaves from as far north as Timbuktu. As the slave trade declined early in the 19th century, a new group of people began to use the Liberian area as a refugered slaves from the United States and captured slave ships. Sponsored by the American Colonization Society, the emigrants (Americo-Liberians) hoped to establish a state in which they could participate and which they could control.

Liberian economic growth has been slow until recently as the country received no investment by a colonizing power. Early penetration by Americo-Liberians into the country from the coast was minimal. It wasn't until the advent of rubber investment following World War I and iron mining and timber investment following World War II that the Americo-Liberians began to gain access and control over hinterland areas. Rapid proliferation of roads and vehicles is now opening large sections of the country to Western contact. This expansion is reaching a point where land will quickly become a scarce commodity.

### THE CHALLENGED

By various estimates, sixteen to twenty-eight indigenous ethnic groups (tribes) inhabit the boundaries of Liberia. Despite this fragmentation, remote similarity of origin, plus a common environment, give Liberian ethnic groups similar sentiments

See J.D. Fage, A History of West Africa (Cambridge: University Press, 1969).

U.S. Army Area Handbook for Liberia (1964), p.50. Cited hereafter as Area Handbook.

regarding land tenure, land use, and the social structure created to maintain subsistence.

Domestic groups—either nuclear or polygynous and extended—combine to form the basic entity of Liberian traditional society: the patrilineal, patrilocal lineage. This fulfills economic, juridical, social, religious and political functions. Lineages group to form towns (in which case each lineage occupies an area called a "quarter"); towns have banded together to form clans organized on a territorial rather than a kinship basis. Since power has been decentralized due to the dense forest which inhibits communication and travel, such clans have traditionally constituted the highest political unit in Liberia. 8

Various practices are followed in regard to land distribution. In cases where the community is hierarchical, a pattern may be followed which is similar to that outlined by Gluckman in his theory of the hierarchy of estates. 9 In more fragmented

Lineages in which inheritance is traced through male lines and where wives move and live with husband's lineage.

An exception to this are secret societies such as the Poro which have an elaborate hierarchy which cross clan and tribal lines. A more detailed description of the traditional structure of Liberian tribes may be obtained from: George Schwab, Tribes of the Liberian Hinterland, ed. George W. Harley, A Report of the Peabody Museum Expedition to Liberia (Cambridge: Peabody Museum, 1947).

Gluckman describes a system of land use in which a hierarchy of tribal superiors such as the "king," village heads, and household heads hold respective rights to administer and control what Gluckman denotes as primary, secondary, and tertiary estates. Tertiary estates, in turn, are distributed by household heads as estates of cultivation in which the cultivator has right to use of the land but no right to sell or alienate. Max Gluckman, Politics, Law and Ritual in Tribal Society (Chicago: Aldine Publishing Co. 1965), pp. 36-42. See also William Allan, The African Husbandman (New York: Barnes and Noble, Inc., 1965), pp. 361-362.

communities, the ultimate power of distribution may reside no higher than the town chief and his counsel of elders. Regardless of the level at which power resides, in no case is there any concept of permanent individual right to a particular piece of land. Permanent control of land is vested in the lineage or town. One gains the right to use land for farming through one's membership in a patrilineal group. But, as will be shown later, in some cases a man can attain farm land through the lineage of his mother. 10

Lineage structure, political organization, and land tenure combine to form a harmonious unified system which provides subsistence. The nature of the soil found in Liberia requires slash and burn shifting cultivation. Crops can only be grown for one or two seasons on any particular plot before the soil is depleted. It must then lie fallow for three to seven years for soil restoration. Hence, it is extremely important for land use to be managed properly; otherwise famine would soon result, and the people would suffer.

Land is the primary resource of traditional societies. This fact, together with the necessity for crop rotation, has led to the establishment of an elitist system of land trust. By organizing land on the basis of patrilineal groupings, the community is able to keep the number of land units being rotated at a constant number. Farm boundaries themselves may be adjusted to conform to either enlargement or decrease in family size. But the number of units rotated remains

Real property as such belongs to ancestors. One gains right to its use as a descendant of particular ancestors. In some areas of Liberia, property is conceived as "hand thing," i.e., a "thing one holds in or by virtue of the hand." The lineage elder--either as part of a town council or as a quarter chief --holds land in trust for lineage descendants by virtue of the hand of his father. This is symbolized by a practice noted by two Western observers: Upon death, the chief's right hand is removed, dried, and placed in his former house. Possession of the hand by the eldest son confirms his authority to the property and vests him with his father's powers. By shaking the hand each morning before shaking anyone else's, the son preserves the virtues and powers created by the dead father. See: Schwab, p.417. Gérard Périot, Night of the Tall Trees, trans. Edward Fitzgerald (London: Frederick Muller Ltd., 1960), p.125.

relatively constant—an important factor when no written records are kept. 11

## THE CHALLENGERS

Liberian tribes, we have noticed, have had a history of contact with the West which goes back at least as far as the 16th century. As this contact was basically in the form of trade, tribal culture remained autonomous. Early in the nineteenth century, however, tribal life was threatened by the settlement of freed slaves from America through the efforts of the American Colonization Society

Though many of the settlers were only a few generations removed from Africa, they had become thoroughly assimilated into Western life; their values and concepts were those of the antebellum American South. Along with Christianity, Western political institutions, Western dress and food, the settlers brought with them the idea of Western land tenure. Upon "purchasing" land from the natives, the colonization society distributed town and farm plots to each settler; settlers acquired freehold interests if they met specified improvement requirements. 13

Tor descriptions of the slash and burn method used in Liberia as well as descriptions of how land is distributed, see: Schwab, pp.55 and 64. Traditional History, Customary Laws, Mores, Folkways and Legends of the Vai Tribe (Monrovia: The Bureau of Folkways, Department of the Interior, 1954), pp.41-44. The Traditional History and Folklore of the Gola Tribe in Liberia, Vol. II: The Folklore (Monrovia: Bureau of Folklore, Interior Department, 1961), pp. 73-76. Agnes McAllister, A Lone Woman in Africa: Six Years on the Kroo Coast (New York: Hunt & Eaton, 1896), pp.233-237. J. Gus Liebenow, Liberia, The Evolution of Privilege (Ithaca, Cornell University Press, 1969), pp. 42-43. Cited hereafter as Liebenow, Liberia. James Gibbs, Jr., "The Kpelle of Liberia," Peoples of Africa ed. James Gibbs, Jr. (New York: Holt, Rinehart and Winston, Inc., 1965), pp.200-216. Area Handbook, pp.93-94, 172, 279-280.

<sup>12</sup> Liebenow, Liberia, p.15. Merran Fraenkel, <u>Tribe and Class in Monrovia</u> (London: Oxford University Press, 1964), pp. 13-14. Cited hereafter as Fraenkel, Tribe.

<sup>13</sup> Fraenkel, Tribe, p.11.

Americo-Liberians have imposed their own patterns on tribal society, among which are restrictions on land ownership. Only Liberian citizens (one must be black to be a citizen) and benevolent organizations (missions) can own land. Land cannot be purchased from 'aborigines' (a term used in Liberian statutes for "uncivilized" tribal people) since the government is the only legal seller. All undeeded land is public land, including land occupied by tribes. This structure has placed tribal land in a vulnerable position to be acquired by "foreign" parties.

Aborigines are granted certain statutory rights by the national legislature (LCL, Liberian Code of Laws, 1956, 32:53; 1:270-273). A tribe has a right to as much land as needed for farming and other tribal necessities. If it wishes, it can have its territory defined by metes and bounds at its own expense. Tribal land can be converted to communal holdings with the tribal authority designed officially as trustee. If sufficiently "civilized," a tribe may petition for a division of its land into family holdings of twenty-five acres per family. Certain procedures are established for the use of tribal land by strangers. Finally, "civilized" aborigines are entitled to an allotment of public land upon meeting specified improvement requirements. An extensive study that was conducted in 1961-2 by four economists from Northwestern University has indicated that these rights are seldom excercised. 16

Statutes outline procedures for the purchase of public land and the recording of deeds, however, these procedures are largely ignored and do not assure the aborigine control of his traditional holdings. Before 1964 the country was administratively divided into five counties along the coast, and three provinces in the hinterland. A party purchasing public land in the interior would first obtain a certificate of consent for its

For a classification of land holding in Liberia at present, see Robert W. Clower et al., Growth Without Development (Evanston: Northwestern University Press, 1966), pp.248-49.

<sup>15</sup> Clower, p.250.

<sup>16</sup> Ibid. p.250-251.

purchase from the tribal authority in exchange for a token payment. 17 No such consent was required for purchasing public land within the counties. In 1964, an administrative change was made which established four new counties in place of the three provinces. Hence, it appears that consent from tribal authorities is no longer required for purchases of public land anywhere in the country.

Once a man obtains a deed, he has to present it before the probate court within four months, or the instrument is void against third parties. 18 The failure of the statutes to establish any priorities between consecutive purchasers of the same land tract, together with the failure of administrators to develop a working index system (the deed is merely recorded in a leger and kept in the Bureau of Archives at the Department of State) means that, in practice, the statutory procedures are useless. 19

## CONFLICTS

With the above outline of traditional and Western concepts of land tenure of Liberia in mind, we can begin an examination of how the two concepts interact. Our first area of inquiry is the coastal town of Grand Cess. Often when studying a transitional area, our attempts to isolate various factors of Westernization is complicated by tribal intermixture. However, due to the geographical isolation of Grand Cess (it is accessible only by air in a bush plane, by boat, or by a difficult walk through the forest), it is moving into a transitional phase with only one tribe present—the Kru.

Grand Cess is really a dichotomous settlement of two enclaves with the Catholic mission church, school, and field physically and symbolically dividing the two. On one side is the traditional tribal settlement of <u>Siklipo</u>, or Bigtown as it is referred to

<sup>&</sup>lt;sup>17</sup>LCL 1956 32:30. Clower, p.249.

<sup>&</sup>lt;sup>18</sup>LCL 1956 29:1-6. Kwamena Bentsi-Enchill and Gerald H. Zarr, "The Assurance of Land Titles and Transactions in Liberia," Liberian Law Journal II (December, 1966), pp.96-97.

<sup>19</sup> Bentsi-Enchill and Zarr, pp.99-110.

in English. It has a population of five hundred and covers one-half square mile in area. To the other side lies the "kwi" or "civilized" sector of Grand Cess known as the "Municipality." Harbouring a population of 1400 and covering several square miles, it contains two schools, three churches, a medical clinic, a post office, the magistrate's court, and completed or uncompleted houses of government officials and other residents.

Approaching the town by air, one can immediately see a contrast between the two settlements. In Bigtown, clusters of one-room pole and daub huts dot the area with no apparent order. Paths form a maze under a heavy covering of palm and breadfruit trees. The "Municipality" is not as forested; its rectangular pole and daub and cement block houses are much more dispersed. In place of paths are trampled grass roads, along which houses align to form a neat grid pattern. Most noticeable are the numerous unfinished cement block structures. Huge uncompleted four-story buildings testify to the abondonment of the "Municipality" by six European trading stores during World War II after boom years in the thirties. The diminished economy of two stores supports only a small circulation of money.

The "Municipality's" founding was due to the arrival of an American Methodist Mission in 1899. Twenty-nine pioneers later moved outside of Bigtown to fashion what was then called "New York." Initial settlement along lineage lines (people from each lineage occupy a separate area called a "quarter") was later abandoned as the power of lineage elders was felt to be too great. Instead, houses were built along one street. 21

A look at the attitudes of missionaries at this time explains why land was sought outside the traditional tribal settlement. "The experienced missionary looks for three things [in picking a site]: high land, free from malarial swamps; clean water for drinking; and reasonable distance from the heathen towns with all their filth and wickedness." Reverend Walter B. and Maude Williams, Adventures With the Krus in West Africa (New York: Vantage Press, 1955), p.41.

Merran Fraenkel, "Social Change on the Kru Coast of Liberia," Africa XXXVI (April', 1966), pp. 164-167. Cited hereafter as Fraenkel, "Kru Coast."

The establishment of municipal status <sup>22</sup> early in the twenties had a number of implications for the settlement: (1) the do facto removal from the town chief's jurisdiction was officially recognized; (2) a new system of administration was introduced in which the top post was that of the superintendant; (3) a new group of officials was created; and (4) all these were symbolically manifested with the introduction of freehold interests in land.

The government initiated surveying in 1922 to facilitate the claims of the "civilized" aborigines to freehold lots according to statutory procedure. 23 Until this time, the settlement had been under the exclusive jurisdiction of the town chief, since "New York" was located upon farmland of Bigtown. Municipal status accompanied by freeholds diminished the town chief's authority and the town's farmland was lost. Hence, a

Until 1964, local administration followed one of the patterns. In the hinterland, a type of indirect rule was established by which the Americo-Liberians attempted to maintain hegemony through Paramount Chiefs (an artificial government prop who was given authority over a number of clans). Along the coast, a dual system was followed. Areas referred to as "uncivilized" were governed in fashion similar to the hinterland. But in "civilized" areas, various levels of local government were provided: townships, municipalities, cities, and commonwealth districts. Townships have largely been founded by settlers. However, in this century a new kind of township has been emerging --tribal settlements of educated Christian converts have begun moving outside the jurisdiction of the tribal authority. movement has largely occured along the coast where township status was avialable as well as missionary settlements. Revision of hinterland administration to more closely parallel that on the coast along with missionary intrusion in the interior opens the possibility of the incorporation of townships in the interior along patterns similar to that on the Kru coast. See Fraenkel, "Kru Coast," pp. 161-163.

 $<sup>^{23}</sup>$ LCL 1956 32:50-53 provides for allotment of public land to aborigines who have become civilized. By regulation, anyone of Grand Cess origin can claim an  $80 \times 100$  foot lot without payment except for \$4.50 for survey costs and certification.

good deal of tension developed with the arrival of the surveyor. Fighting broke out, and the people of "New York" appealed to the government for help. Two squads of soldiers were sent, and fourteen Bigtown men were arrested and sent to Cape Palmas. This created even greater strains, as the men had to be identified for arrest by those living in the new community. By 1924, the community had become incorporated as a township, streets were being layed out, and local officials designated.

To see how the municipality interrelates with Bigtown, we must examine the traditional community itself. The people of Bigtown make up a large segment of the coastal dako, or subtribe, known as Siklio. The basic structural force within the community is the exogamous, patrilineal, patrilocal lineage. Governing power is held by lineage elders in the form of a town council. 26

<sup>&</sup>lt;sup>24</sup>Fraenkel, "Kru Coast," pp. 165, 168.

Due to the topography of the Kru Coast, travel and communication are exceptionally difficult. Aside from the extremely dense forest growth, a number of rivers running in a southwesterly direction from the hinterland branch out like fingers as they approach the coast. As roads and bridges are yet to be constructed, communication entails lengthy hikes through winding bush trails crossing streams and rivers. Traditional tribal structure among the Kru has been particularly fragmented. Organization consists of a number of sovereign towns, with perhaps a few village offshoots, all led by one sovereign. Temporary alliances were sometimes formed for defense. On the basis of sentiment, dialect, and migration patterns, the towns have been grouped into sub-tribes called dako. Six main dako exist along the coast: Jloh, Kabor, Gbeta, Sasstown (Pahn), Grand Cess (Siklio), and "Five Tribes." Further in the interior are the Matro, Volo, Nanke, and Bwa. Finally, still further inland are the Sapo, and Putu. See Fraenkel, "Kru Coast," pp. 154-155.

For a more detailed ethnological description of Bigtown, see Fraenkel, "Kru Coast." H. Scudder Mekeel, "Social Administration of the Kru, A Preliminary Survey," (Part I) Africa X (January 1937) and (Part II) Africa XII (October 1939).

Many of the traditional offices have declined in prestige and power. However, due to his crucial function of controlling land for proper use, the lineage elder is still very important. Land is conceived of as belonging to the town. A man's right to land for both his home and farm is derived from his membership in a lineage of the town. His right to land cannot be denied, but he only holds the land in usufruct.

Each year the council of lineage elders decides what new portion of town territory will be cultivated that year. As a regular pattern of rotation is followed, there is little question as to what portion of land will be cut for a given season. An area within this portion is then apportioned to each lineage. The lineage elder must keep track, by memory, of the boundaries of each family's farm. Since a minimum seven year rotation pattern is followed, each lineage has seven or more locations for farms—all in different areas. In other words, within the Bigtown territory are seven or more large areas used by the entire town on a rotation basis. Each area is broken up into relatively permanent portions—one per lineage.

Each family within the lineage has claims to particular sections within each portion. Since there are no written records the lineage elder, both in his capacity as a council member, and as an individual elder, can manipulate boundaries to meet the particular conditions of a family, or even an entire lineage. He is held to a very strict duty. Enlarging one's own plot for self-enrichment is severely discouraged. When a male marries, he is entitled to a portion of his family's land. If there is a shortage of land within a lineage, or a particular family's farm is believed to be "witched," a male may appeal to his mother's lineage for use of their land. 28

Members of Bigtown and the municipality interrelate in a number of ways.  $^{29}$  One means is the church which is no longer

<sup>27</sup> Fraenkel, "Kru Coast," p. 169. Mekeel, "Part I," pp. 81-82.

<sup>28</sup> Mekeel, "Part I," p. 79. Fraenkel, "Kru Coast," p. 158.

<sup>&</sup>lt;sup>29</sup> Fraenkel, "Kru Coast," pp. 157, 159, 170-172.

exclusively an embodiment of the municipality; members of higtown also associate with it. The extent to which church membership is accepted in Bigtown was manifested to the author one Sunday morning. That day, the last remaining village priest of Bigtown was to show our Peace Corps training group the hut in which he practised his medicine and demonstrate the paraphernalia he used. Before doing so, however, he stopped by to greet us on his way to the morning service at the catholic mission.

The church is relatively new, and its powers over the actions of Grand Cess members is limited. Other factors make contact between the settlements more concrete. Voluntary associations have grown during this century to perform a number of functions. These associations are largely formed along lines of traditional army age-sets, and include members of both communities. Younger age-sets form their own associations as they become adults. Their functions include: supplying the coffin and perhaps expense money for ceremonies held in connection with the death of a member; cooperating in work groups organized to work farms of 'big men' in the municipality; and holding feasts at which the genealogy of its members are called off--particularly stressing maternal lines. 31

Another social force which keeps the communities tied together is the tribal army. Residence in Bigtown is not a prerequisite for becoming initiated into the army. As members, residents of the municipality must share in the army's obligations to do public work required by the government such as cleaning up the grounds in preparation for a government official's visit or in preparation for a holiday. Although the municipality resident

Age-sets constitute the basic unit of the tribal army. Until the Liberian government prohibited their formation to prevent the traditional inaugural war, new age-sets were organized every eight to twelve years, and consisted of men between sixteen and twenty-four years old who represented the various lineage groups of Bigtown.

Kru practice exogamy to the mother's panton as well as the father's. As maternal lines are more easily forgotton when the society is structured along paternal lines, maternal lines of descent are often stressed when genealogies are recited. See Fraenkel, "Kru Coast," p. 170.

can pay money to the army in place of manual commitment, the army is still a socially binding force for him to the extent that he does feel an obligation to pay the army for his failure to do his share of the work.

The strongest tying force appears to be the lineage. It is here that traditional obligations towards members of ones family are most strongly felt. The few square miles of municipal incorporation is the only land beyond traditional jurisdiction, hence, the land upon which people in the municipality farm is still their traditional lineage land. They remain dependent upon their traditional rights within the lineage.

Conflict is inevitable when members of Bigtown, integrated by principles of kinship, interact with residents of the municipality, integrated by market principles. Earlier, we noted the conflict which arose when the municipality was first formed. Wives were abandoned to satisfy the missionaries obsession for monogamy, traditional farmland was confiscated, and tension was only resolved through resort to force by government troops. Though early social strains have subsided, continued mingling of two systems integrated according to different principles dictates that conflict must persist—though it may lie under the surface.

Potential conflict between the communities, arising from association in the church or voluntary associations, may be relatively slight. There will however, be conflict (for example as to what marriage customs should be followed) between church members and non-members. Although some inhabitants of Bigtown belong to the church, membership does not directly pit Bigtown against the municipality as once was the case. Voluntary associations are much more cohesive than disruptive force between the two communities. Regardless of residence, certain common needs such as burial expenses are met by these associations.

There may be some conflict arising from membership in the army. In so far as certain tasks are imposed upon the army by the government, a municipal resident may wish to avoid his responsibilities on the ground that he is now "civilized." However, to the extent that the duties imposed by the government are small, the advantages gained through being a member in good standing with the army are overriding. For example, to assist him in cutting bush for farming, a municipal resident may want

to hire the voluntary association formed around his army age-

One of the main motives for moving to the municipality is prestige. The municipality is "besypo,"--best town and it is kwi--"civilized." The Catholic mission maintains an elementary and junior high school which is well staffed, orgainzed, and equipped. This school, along with the public elementary school, has given the majority of tribal youth in the area at least some taste of Western culture. Having learned 'book' a new residence is required to give physical evidence of the change.

The prestige attached to municipal residence, immunity from porterage and other government work tempt a young man into settling in the municipality. The initial motive for moving is not necessarily to escape family and lineage obligations. However the impulse to break away becomes stronger as one becomes more educated--particularly if one is sent to the mission Migh school in Cape Palmas. The language instructor for our Peace Corps training group is a case in point. "James" was a young man of twenty-five whose job was teaching at the Catholic mission school. "James" had completed high school in Cape Palmas, and had recently been a language instructor for six weeks in Boston for the Peace Corps. He desired to go to an American college and eventually hold a position of prestige in Liberia. In order to save the money required to do this, however, he would have to deny obligations to his family and lineage, which would threaten the security he enjoys with them. To his kin, "James" was already rich. He wore kwi clothes, and worked in a kwi school from which he received a regular salary.

An individual becoming Westernized must seek self-advancement in order to succeed: first, to obtain sufficient money for school; and second, to survive on a fixed salary. Unlike agriculture, in which 'visiting' relatives are able to contribute additional labor, wage employment cannot support an unlimited number of relatives. When "James'" cousin comes to live with him, while going to school, it simply means another mouth for "James" to feed rather than additional labor to exploit the family farm. Desires of self-advancement run against tribal values which are geared toward sustaining subsistance for the

<sup>&</sup>lt;u>'</u>

Fraenkel, "Kru Coast," p. 168.

whole society, and by imposing the necessity for self-advancement, Westernization leads to conflict.

One missionary along the Kru coast has recorded the case of a chief who became relatively wealthy from goods brought to him by his sons. A subsequent bad crop of rice had to be explained and as the chief appeared prosperous while others were suffering he was accused of witching the crops, exiled for one year, and his storage plundered. In the harsh environment of the Kru, it is essential for survival to maintain equality and respect for mutual obligations. The traditional practice of holding land in trust precludes the accumulation of individual wealth, but results in survival and advancement of the society as a whole.

In addition to the need for self-enrichment, an individual in the process of Westernization comes into contact with a new concept of land tenure. As a resident in the municipality the individual finds himself living on a deeded and surveyed plot of land (whether as owner or as tenant). He becomes familiar with the Western idea, introduced by Americo-Liberians, that one has permanent interest in a particular plot of land and that improvement upon the plot are solely for one's own benefit.

The motive of self-enrichment and the Western concept of land tenure conflict with traditional rights to the land. Theoretically, conflicts can arise in three different contexts, according to the three possible ways in which a municipal resident can hold farm land: through traditional rights in town land; by obtaining a deed to land in freehold--either by public allotment as provided in LCL 32:50 and 51 (described on page 7), or by normal purchase procedures; or finally, by the traditional practice of going beyond the area of land used by the Bigtown lineages, cutting the bush, and planting crops. Anyone is entitled to use this land as long as he maintains cultivation. The land is not traditionally conceived as belonging individually to the cultivator, rather, it becomes part of the town farm land, and the town is entitled to a portion of its harvest. 34 Such pioneering is welcomed, and is an example of group advancement through individual effort.

<sup>33&</sup>lt;sub>McAllister, pp. 92-98.</sub>

<sup>34</sup> Fraenkel, "Kru Coast," p. 169.

In practice, however, land is only held in the manner first mentioned—in usufruct through traditional rights in Bigtown land. In this case, the possibility of conflict between Bigtown and the municipality residents is slight. Due to the rapid soil depletion, it is in the self interest of the municipal resident to rotate his farm with the town.

If cultivation of a permanent cash crop were pursued, the case would be different, for then a portion of town farm land would be permanently removed from the control of traditional powers. However, such cultivation would require permission by the town council of elders, and would only be granted upon payment to all the elders. This apparently occured once, but failed miserably because of the number of people who wanted a share. 35

Acquisition of deeded farm land either via public allotment or through normal purchase procedures presents a different situation. At the moment there is no conflict here, as no one holds deeded farm land. This is due to a number of interrelated factors — there is no shortage of land and consequently little motivation to seize a portion by deed; the area is not agriculturally productive because it is too close to the coast for coffee or rubber to grow well; transportation is difficult since there is no road connecting the town to outside areas; and finally, and perhaps most important, no precedents have been developed for inheritance of real property by individuals.

The visible consequences of current inheritance practices on municipal deeded property are manifest. Property passes equally to as many as ten different people, therefore no single inheritor is moved to invest money to complete an estate to which he does not have a clear title; no one is willing to invest heavily in a farm that is not likely to follow clear patterns of descent; there are not sufficient incentives to encourage investment in deeded cash-crop farming. Half finished buildings dot the landscape testifying to the conflict between the attitudes about land ownership. Response to this conflict has largely followed the easiest path — the

As related to me by George Buelow, a graduate student of anthropology who conducted research in Grand Cess during 1968 and 1969.

problem is ignored.

On the other hand, in Bigtown, where title has not been introduced one finds few uncompleted buildings. There, land is held in usufruct, and personal property passes to brothers first (by age), then to one's sons (by age). As long as land is abundant and can be allowed to lie unimproved, the inheritance problem caused by title to land can be ignored. However, as land becomes more scarce (as is already happening in some areas of the interior where roads have penetrated) it will no longer be possible to allow large tracts to lie fallow. Terms of inheritance will then have to be dealt with. The conflict created by holding land individually instead of in usufruct will have to be resolved.

When incentives to acquire deeded farm land develop, further conflict may result from the acquisition procedures followed. As long as the consent of the town council of elders is easily obtainable there should be little problem, however, if that consent is denied, there will almost certainly be discord. We have noted that there are few meaningful statutory safeguards upon which tribal authorities can rely. However, when the municipal resident, with lineage ties to the Bigtown community, wishes to acquire land, he may be subjected to a sufficient degree of informal pressure by the tribal elders to force him to concede to the desires of the tribe.

Finally, conflict might arise from different concepts of land tenure in cases where an individual has ventured beyond town farm land to the outskirts of Bigtown territory and established a a farm in virgin forest. As noted above, such farms were traditionally conceived of as belonging to the town; they fell within the traditional land trust system. Chances for the case to arise seem remote. Pioneering new farm land on the fringe of Bigtown territory is not practiced. People who are foolish enough to farm alone near borders disappear. Territorial boundaries are known down to the foot and are jealously guarded. Boundaries are presently important not for farm land per se, but for control over rights to the oil palms. If a municipal resident did succeed in establishing a farm in virgin forest, the informal pressure which could be brought to bear upon him to comply with traditional procedures would probably be sufficient to keep him from deviating from traditional trust patterns of land control.

Conflict due to Western land tenure thus appears distant in the Grand Cess community. Land is still abundant; transportation is difficult; and the area is basically unproductive. The latent conflict exhibited in numerous uncompleted buildings is resolved by ignoring the problem. Even if conflict between municipal and Bigtown residents were to develop in the open, no municipal resident is in a position to ignore the will of traditional powers. Tribal powers have little effect if the individual holds himself outside of the system. To do so, however, the individual must be willing to be combletely ostracized by Bigtown members as well as by many in the municipality. Such willingness at the moment, or even in the near future, is unlikely. Even tribal Liberians who have attained college degrees in the United States or Europe and reside abroad are hesitant to forgo the ultimate security which one's lineage provides.

In the final analysis, introduction of Western land tenure presents two fundamental challenges to tribal society. It attacks regulation of the land and the lineage structure created to achieve such control. Traditional systems of rotation are delicately balanced. Disruption of that balance presents serious problems for subsistence. Western land tenure constitutes a second challenge.

### TRANSITIONAL INSTITUTIONS IN AN URBAN SETTING

So far, we have been looking at possible conflict arising from the introduction of Western land tenure in a secluded area. Focusing on a relatively isolated community is useful as the number of variables are minimal. It is fairly easy to establish a cause-effect relationship between the variables of Western land tenure and consequent conflict. Establishing such a cause-effect relationship in an urban setting is much more difficult due to the addition of further variables acting upon any one individual or event.

Despite the difficulty involved in focusing upon one variable in an urban setting, certain tribal developments in Monrovia should be noted. In a traditional tribal setting we have noted the importance of the family and lineage: how the patrilineal patrilocal units are indispensible for proper rotation and utilization of land; how values of interdependent obligations and values of equality support the tribal

structure which is geared for survival through a land trust system. Western urban life in Monrovia removes some of the underpinings of tribal structure and life. Survival is no longer dependent upon proper use of land for cultivation, but upon wage employment. Land is held in fee simple interest; homes are built on plots—not quarters. Family structure loses its indispensibility as a basic unit for land control; interdependence is lost. Obligations to family lose their traditional function. Moreover, as noted earlier, meeting obligations while supported by wage employment is much more difficult than in an agricultural setting.

Given the drastic change which urban life presents to traditional forces, it is important to examine what types of institutions have been developed by tribes to cope with the new environment. Different forms of holding property under Western land tenure have been used by three different tribes in Monrovia to create various urban tribal systems which serve as a functional equivalent of the traditional lineage structure and land trust system. These tribes--Kru, Bassa, and Vai--have had extensive contact with Monrovia since settlement days. As Monrovia grew into its present state of urban dimensions, these tribes developed their own urban structure somewhat autonomously. In urban centers, it is natural for people of different tribes to congregate. However, tribal developments in Monrovia has been unique compared to other West African capitals. The capital lacked the substantive and organizational force supplied by colonial powers elsewhere. Consequently, until recently, urban tribal groups functioned largely independently of city administration; each established its own structure and governing bodies. 36

# New Krutown

The most developed urban tribal structure is the Kru Corporation which manages New Krutown. On the surface, it appears strange that the Liberian tribe which traditionally has the most autonomous tribal framework has created the most cohesive urban structure in Monrovia. This switch is due to the occupation composition within New Krutown which gives the corporation control over the community's source of survival—stevedoring

For a description of Monrovia's historical development and present administration, see Fraenkel, Tribe, pp. 1-110.

wage employment.

Though Monrovia is some distance from the Kru territory, the Kru (who were quite accustomed to trading with the Europeans along the coast of their territory) have had contact with Monrovia dating back to the early 19th century. Rejecting domestic service for Americo-Liberians, and traditionally being strong seafaring people, the Kru largely found employment as stevedores and ship laborers. The by the turn of the century, an increase in shipping attracted large numbers of Kru workers. In 1916, the Kru community incorporated in order to buy a thirty acre site near the old harbor. Incorporation was essential for the community as a body to hold land under Liberian law. The plot was surveyed, and the corporation received deeds issued by the Liberian government. 38

Exactly who initiated the incorporation of the community is not clear. It may be that the Kru desiring to establish within a Westernized system the closest possible counterpart to their traditional land holding trusts, found in incorporation, which allowed tribal members to hold land as a tribal group, a viable facsimile of their accustomed social structure. On the other hand, the idea of incorporation may have been initiated by the government in an attempt to gain some control over the Kru community. The period between 1914-1918 was an extremely restive period on the part of various tribes throughout the country--especially the Gola and Kru. 39 At certain points, military assistance provided by the United States was perhaps solely responsible for the government's survival. Under such dire circumstances, it was logical for the government to make some initial attempt at institutional-

The Kru still rank as a predominant tribe in the West African shipping industry; colonies are located in Lagos, Accra, Freetown, London, and New York.

Fraenkel, <u>Tribe</u>, pp. 71-72.

Warren, L. d'Azevedo, "A Tribal Reaction to Nationalism."
Part 2 & 3, Liberian Studies Journal II (1969, 1970) pp. 43-63 and 99-115, respectively. U.S. Department of State Records of the Department of State relating to internal affairs of Liberia 1910-1929. Washington, D.C., 1965 Political Affairs.

izing its control over the tribal elements in Monrovia. Regardless of the initiating factor, the important question is: does incorporation help tribes cope with the overwhelming changes of urban life?

In 1945, construction of a new port inundated land the Kru community occupied. The inhabitants dispersed. New settlements were founded instead on Bushrod Island--New Krutown and Claratown. Members who had become assimilated into Americo-Liberian culture settled in the town center.  $^{40}$ 

Purchased from an individual by the corporation, New Krutown consists of a fifty-two acre plot about a mile north of the port. In contrast to other tribal areas in Monrovia, New Krutown is relatively well spaced and laid out according to a street plan. Individuals may buy a 50 x 100 foot half-lot (1/8 acre) from the corporation for one hundred dollars. 41 Owners have the power to sell, and do not appear to be under any limitation as to the number of houses which may be built on any one lot. Residence within New Krutown tends to correspond to sub-tribes (see footnote 25), but is not broken down into areas of lineage and family as is the case in the interior. 42

All New Krutown residents, and theoretically all Kru in Monrovia, are bound by the administration of the corporation. 43 Originally, the Jloh and Gbeta were the dominant sub-tribes in the community; administration was basically divided between them. Additional sub-tribes settled as the community grew. Eventually sub-tribe hostilities and rivalries were subordinated to the collective needs of the community, and the administrative structure evolved to its present state. At the head is the governor who is appointed by the president of the republic after some consultation with tribal officials. Assisting the governor are seven councillors: one represents the Grebo tribe which is

<sup>40</sup> Fraenkel, Tribe, p. 72.

<sup>41 &</sup>lt;u>Ibid</u>., pp. 51, 72-73.

<sup>42&</sup>lt;u>Ibid.</u>, p. 76.

<sup>43</sup> Ibid..

a closely related coastal tribe abutting the Kru territory; the remaining six represent various sections of the Kru tribe. 44 The councillors are assessors in the governor's court which is located in New Krutown. Their responsibility is to take special interest in members of their own section who come before the court, but assessments are made as a body. Most are tradition-oriented elderly men who have worked as stevedores. The different sections as well as the home towns and villages which have many settlers in Monrovia, each have their own chairman. The chairman have numerous roles as liason officers between the people and the governor, as distributors of welfare, and as settlors of minor disputes. 45

As we noted earlier, the reason the Kru corporation has been able to construct such a strong and cohesive urban organization is due to its close ties with stevedoring and ship-crew employment. In order to work on a ship or stevedoring gang, one must obtain a "ticket." When a ship comes into port, companies give their headmen (comparable to a foreman) "tickets" with which he recruits enough men to perform the particular job assigned. Headmen are required to give one-fourth of their "tickets" to the corporation. Workers who obtain "tickets" from the corporation as much-- usually new workers apprenticing--may pay the corporation as much as fifty per cent of their wages. 46

Further monetary support is gained through dues from residents and individuals throughout the city. Collection of dues from those other than stevedores is done by chairmen. The greatest monetary support is garnered from dues of stevedores (seventy-five cents per man at the end of each trip) due to the corporation's control over the distribution of wages. The corporation treasurer is responsible for collecting stevedore dues. At the time of Merran Fraenkel's study, the treasurer was also the paymaster by presidential appointment to distribute the stevedore wages at the Bureau of Labor. Given the Liberian government's self interest in institutionalizing control over urban Kru

<sup>44 &</sup>lt;u>Ibid.</u>, p. 78.

<sup>45&</sup>lt;u>Ibid</u>., pp. 79, 81.

<sup>46 &</sup>lt;u>Ibid.</u>, p. 81-82.

tribesmen, the situation is likely to be the same today. 47

# - Bassa Community

Another urban tribal system is the Bassa Community. The Bassa, whose territory lies along the coast just south of Monrovia, are a tribe closely related to the Kru. They were members of the Kru Corporation until 1922 when the Bassa Community was founded. Seeking a place for his congregation to live, a Black American Baptist pastor organized the Bassa Brotherhood and Benefit Society which purchased ten acres located between the central part of town and the government and university sector. This original location is now adjoined by another seventeen acres held by the pastor of the Baptist church in the community. Any Bassa may join the Brotherhood for a twelve dollar membership fee. As a member, he is theoretically entitled to a plot within the community. A member cannot sell his house, but the house seems to pass to his discendents.

Perhaps due to earlier ties with the Kru Corporation, the Bassa Community is administered by a system patterned after the Kru. However, the Community does not have the strength of the Corporation. As one Bassa informant lamented to Fraenkel, "The Kru know how to look after their people better than we."50 The Community's inability to provide an alternate structure to perform traditional functions may stem from the nature of its membership. Unlike the Kru, who are largely engaged in stevedoring, members of the Bassa Brotherhood participate in numerous occupations. Thus the Brotherhood does not have natural control over the community's source of survival as does the Kru Corporation. Moreover, the Community's location is not nearly as iso-

<sup>47</sup> 

Even if the treasurer is not the paymaster, collection of dues is easy as each work gang is paid at an established time at the Bureau of Labor. Thus dues are collected at the moment of payment before the money can be used for other things. See Fraenkel, Tribe, p. 148.

<sup>48</sup> Fraenkel, Tribe, p. 87.

<sup>49</sup> Ibid.,

<sup>&</sup>lt;sup>50</sup>Ibid., p. 89.

isolated as New Krutown, As there is no tribal restriction to live in the community, and as the community lies close to a university, government departments, two high schools, and a hospital, its residents constitute quite a mixture of occupations and tribal affinities. Such an atmosphere makes it difficult to create sufficient cohesiveness for the governing body to operate effectively except for superficial matters.

#### Vaitown

The third urban tribal system--Vaitown--again is not as extensive as the Kru Corporation. The Vai are Muslims whose traditional territory lies a short distance northwest of Monrovia. Among the first tribes to form a settlement in Monrovia, the Vai are no strangers to the city. Initial government attempts to exert formal control over the Vai community began in 1914 when Liberia's president commissioned the Vaitown chief. As a group, the Vai did not own land until the 1930's when the government gave the tribe a twenty-five acre deeded site.52 Located at the tip of Bushrod Island near the town center, and right across from the general market and waterside (high density area of Lebanese and European trading stores). The motive behind the government's gift may have been an endeavor to formalize urban administration over tribal elements within Monrovia. Theoretically, any person of Vai descent can claim a plot free to build upon. 53 The combination of free land, convenient location to town, and limited space (ocean on one side, river on the other side), along with lack of any regulation over housing construction has made Vaitown appear a solid maze of rooftops from the air.

Though Vai traditional tribal structure is centralized and hierarchical compared to that of most other Liberian tribes (the most notable exception being the Gola, a traditionally powerful tribe located inland from the Vai), the urban structure is quite decentralized. There is no Vai leader in Monrovia with the breadth of authority held by the Kru Governor. Vai leadership

<sup>&</sup>lt;sup>51</sup><u>Ibid</u>., p. 87.

<sup>52&</sup>lt;u>Ibid</u>., p. 84.

<sup>53 &</sup>lt;u>Ibid</u>..

one is the chief of Vaitown proper. Since 1914, he has been appointed by the president after some consultation with tribal elders. The chief appoints councillors to advise him in his administration of judicial power. Another Vai leader is the Paramount Chief who presides over the Sinkor villages (area toward the outskirts of Monrovia). The administrative structure found here is a variant of that found in the interior. The third Vai leader lives in the town center and has limited power over Vai residing in areas other than Vaitown and the Sinkor villages. His post is that of "Tribal Chief," a post originally created in 1939 (under the title "Tribal Foreman") to assist the government in systematizing recruitment for porterage duty.

Despite Vaitown's long history in Monrovia, the community is not highly urbanized in the sense of containing many individuals whose lives have been spent in an urban area. As the tribe's traditional territory is quite close, there is much shuffling back and forth between Monrovia and home towns. Vaitown inhabitants tend largely to be independent craftsmen such as carpenters, tailors, goldsmiths, blacksmiths, and weavers. So Consequently, the corporate structure does not have a monopoly on the community's source of employment. Instability of residence plus lack of control over the community's source of survival account for the weakness of Vaitown's urban structure.

# The Corporate Entity as Landlord

In all three of the urban tribal systems described above land is held by a corporate entity. With the introduction of Western land tenure and wage employment, the unifying traditional lineage structure no longer has a function to perform and must consequently atrophy.

<sup>&</sup>lt;sup>54</sup>Ibid., p. 86.

There is one clan or district chief who assists the Paramount Chief; under the clan chief are eighteen town chiefs who head the eighteen villages. See Fraenkel, Tribe, p. 86.

<sup>56</sup> Fraenkel, <u>Tribe</u>, p. 85.

raditional solidarity stemmed from the need to properly adinister the community's land, its major resource. A corporate entity cannot re-instill the solidarity of the interior as it is an artificial device imposed on top of the community. Such an entity, however, can build upon the main source of survival in urban areas -- wage employment. In both the council of elders and the corporate entity, governing power is derived from control over the major resources of the community. In addition, just as the uncertainties of traditional agrarian life support interdependence among relatives and the practice of group--not individual--advancement, so too may the uncertainties of urban life--low salaries, unstable employment, relatively high cost of living--support interdependence among relatives and the practice of group-not individual-enhancement. Fraenkel doubts whether it would be possible to support the stevedoring system without some type of family security which sustains workers until their assigned ship returns according to a particular shipping route.57

Incorporation permits members of a tribal community to hold an area of urban land as a tribal group. Corporate ownership of a block of land insures that, except for exceptional circumstances such as the inundation of the Kru Corporation's old location, the community will not be dispersed through land development by an alien owner. This block of land provides a welcome place for the newly arrived immigrant from the interior. The corporate structure provides a structure for dispute settlement, that is acquainted with traditional norms and practices. Most important, under certain conditions a corporate entity can control the community's major urban resource--wage employment--for the community's economic survival. To the extent that a corporate entity controls the community's major resource, regulates corporate land, and resolves disputes, it is a functional equivalent of the traditional lineage and land trust system.

In New Krutown, individuals buy a particular surveyed plot and hold the power to convey. This would seem to detract from the authority of the Kru Corporation. But in an urban

<sup>&</sup>lt;sup>57</sup><u>Ibid</u>., p. 147.

environment, the key resource is wage employment, not land. Therefore, as the Kru Corporation attests, a governing entity may have minimal control over land and still be a powerful institution as long as it controls wage employment. The Brotherhood in the Bassa Community lacks control over wage employment. But the Brotherhood does not sell its land. It merely gives members the right to build a home on land owned by the Brotherhood. A member doesn't even have the power to convey his house. Vaitown is in a similar situation. It lacks power to distribute jobs, but it also does not sell its land. Control over the community's land gives an entity some power to regulate community affairs. But it doesn't bestow the power which is derived from control over wage employment.

The plight of other tribal groups in Monrovia support the contention that the establishment of a cohesive urban tribal structure is dependent upon control over the community's source of livelihood, be it labor or land. Arriving on the Monrovian scene much later than the Kru, Bassa and Vai, other tribes were not able to purchase blocks of land nor corner a particular job market. Though the various tribes have carved out their own general areas within the city, they are subservient to outside landowners. Consequently, they have no base upon which a strong urban structure can arise.

# CONCLUSION

The introduction of Western land tenure by the Americo-Liberians had an effect upon Liberia's traditional tribal society. As we have seen, a change in land tenure affects traditional society; it deprives the lineage system, which is the basic unit of tribal society, of its primary function of land management.

In Liberia, more than the structure of traditional society has been threatened by the introduction of Western land tenure; the territory itself which tribes inhabit is also in danger. As Americo-Liberian power over the interior has been strengthened by large American and European investment, the Americo-Liberians have purchased much land for their own profit. One noted author has recently reported that:

...the 'honorables' and others who have the ear of the President have engaged in one of the most extensive programs of private land acquisition outside of South Africa, Rhodesia, and the Portuguese dependencies.  $^{58}$ 

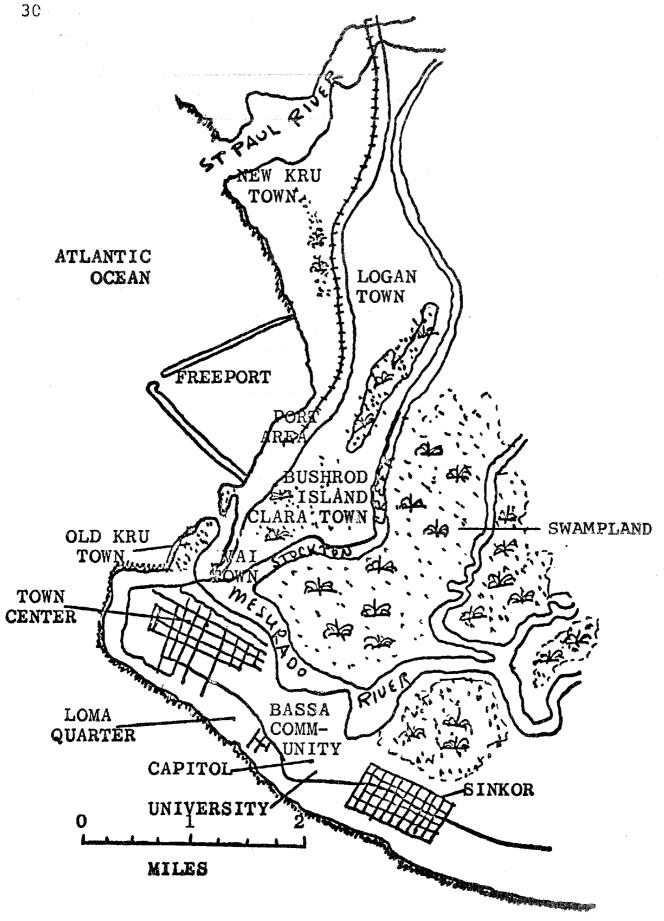
As publicly admitted by President Tubman, several citizens have "...acquired estates of up to twenty thousand acres for as little as fifty cents an acre." 59 Compounding the problem are the mamoth concessions granted to Western firms in increasing numbers. Firestone alone has a ninety-nine year lease covering one million acres.

Few viable avenues of defense are open to Liberian tribal elements. Making war would be difficult against a Western ruling elite armed with high powered firearms and heavily supported by large Western firms and their governments. Tribal elements might adopt a strategy of meeting Americo-Liberians and concessions on their own ground by purchasing territory for themselves. Accumulating the required capital would be difficult. This strategy also assumes that deeds granted to tribal authorities would be upheld against challenging forces, an assumption hard to make given the realities of the land records and Liberian politics. Even if the strategy were to be successful, it is self-defeating; the method itself would change significant aspects of tribal life.

Liberian traditional societies are moving from society integrated by kinship and religion to one integrated according to market principles. At this level of analysis, there is no room for compromise. Grand Cess illustrates an area in which Western land tenure is establishing latent challenges to traditional integration. The journey to integration according to market principles needn't be without transitional rest stops. As the Kru Corporation testifies, under certain conditions viable transitional institutions can be established.

<sup>58</sup> Liebenow, <u>Liberia</u>, p. 209. See also <u>Area Handbook</u>, p. 214.

<sup>&</sup>lt;sup>59</sup>Liebenow, <u>Liberia</u>, p. 209.



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