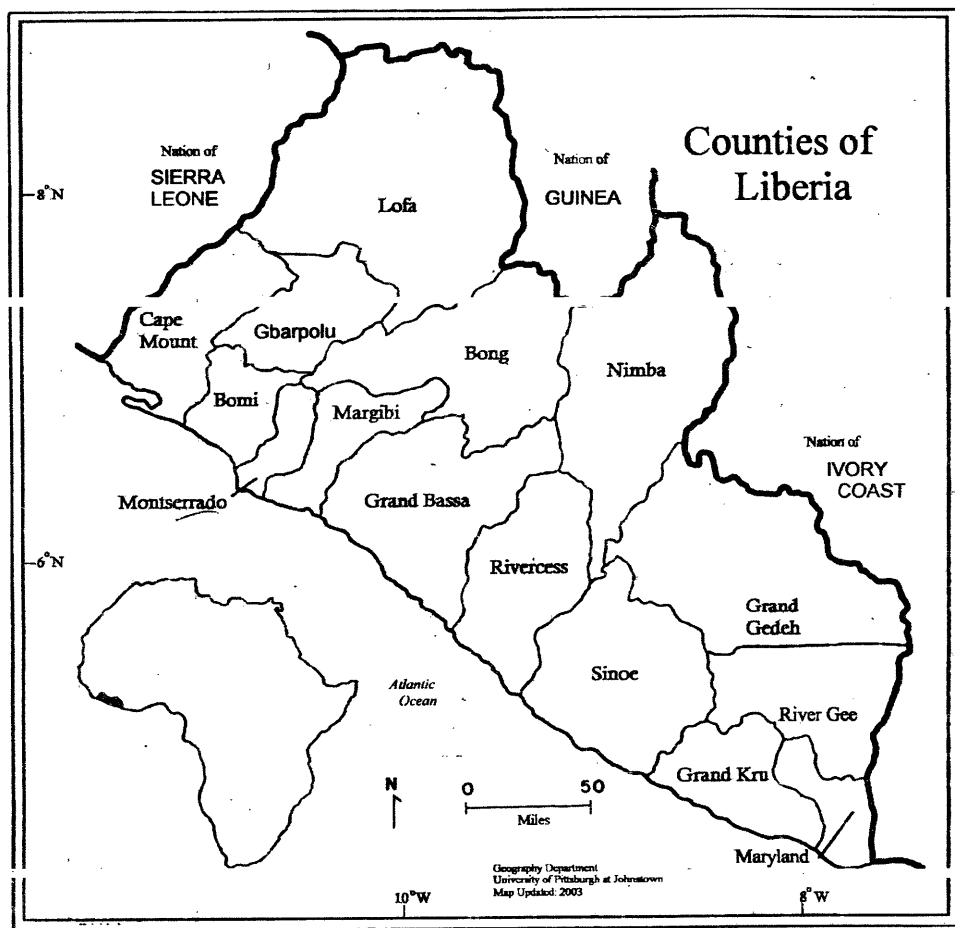


LIBERIAN STUDIES JOURNAL



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LIBERIAN STUDIES JOURNAL

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Amos J. Beyan, Editor
Liberian Studies Journal
Friedmann Hall, Department of History
Western Michigan University
Kalamazoo, Michigan 49008
E-mail: amos.beyan@wmich.edu
Phone: 269-387-2664

All Book Reviews should be mailed to:

Phyllis Belt-Beyan, Associate Editor
Liberian Studies Journal
College of Education, Teaching, Learning & Leadership
3418 Sangren Hall
Western Michigan University
Kalamazoo, Michigan 49008
E-mail: phyllis.belt@wmich.edu
Phone: 269-387-3898

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The University of the South

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A refereed journal that emphasizes the social sciences, humanities and the natural sciences, the *Liberian Studies Journal* is a semiannual publication devoted to studies on Africa's oldest Republic. The annual subscription rate is US \$40.00, US \$15.00 for students, and US \$50.00 for institutions. It includes membership in the Liberian Studies Association, Inc. All manuscripts and related matters should be addressed to Dr. Amos J. Beyan, Editor, *Liberian Studies Journal*, Friedmann Hall, Department of History, Western Michigan University, Kalamazoo, Michigan 49008. Subscriptions and other business matters should be directed to Dr. Mary Moran, Secretary-Treasurer, Liberian Studies Association, Inc., Department of Sociology and Anthropology, Colgate University, 13 Oak Drive, Hamilton, New York 13346-1398. E-mail: mmoran@mail.colgate.edu

Introduction

Combined Volume 28 Number 2 (2003) and Volume 29 Number 1 (2004) is the last of the special issues. As was the case with the first combined issue of Volume 27, Number 2 (2002) and Volume 28, Number 1 (2003) this issue includes articles and documents, four articles and ten documents.

An important feature of the first article about the Liberia Refining Company is an eyewitness account of the plane crash off the Coast of Sinoe County that claimed in 1975 the life of then Finance Minister Stephen Allen Tolbert and a number of his co-workers at the Finance Ministry. The second article is an over view of Grand Gedeh County culled from a 1985 project Handbook for Rural Radio; the third article treats what is termed a one "society state" in Liberia; and the fourth article discusses the misleading view that Liberia was established by emancipated African Americans.

The ten Documentants range from international interest in a politically motivated contempt of court case in the early sixties to a series of addresses and orations shedding light on Liberia in the forties, fifties, and sixties. It is climaxed with two documents — Tubman's last acceptance speech before his political party as he accepted nomination for an unprecedented seventh term of office as president of Liberia (his death six months later precluded his election to the seventh term), and an important University of Liberia Commencement address delivered in December 1980 by the renowned social activist Albert Porte.

As I have had the cause to do this before, I thank the Editor Amos J. Beyan and the members of the Editorial Advisory Board for calling upon me to render this service to the Liberian Studies Association.

Guest Editor,

Dr. D. Elwood Dunn

The Alfred Walter Negley Professor of Political Science

The University of the South

The Liberia Refining Company and the Government of Liberia: Product Pricing Formula

*by Earl D. Burrowes **

In the last decade, Liberia and Liberians have seen an alarming trend in the loss of official documentation, personal libraries, and elder statesmen and women. This may dictate that the more recent history of Liberia be drawn from stereotyped media reports, maligned or cynical Liberianists and outright gossip. In light of the predominantly negative presentation of Liberia's past history, the future of accurately reporting on Liberia's history looks dismal.

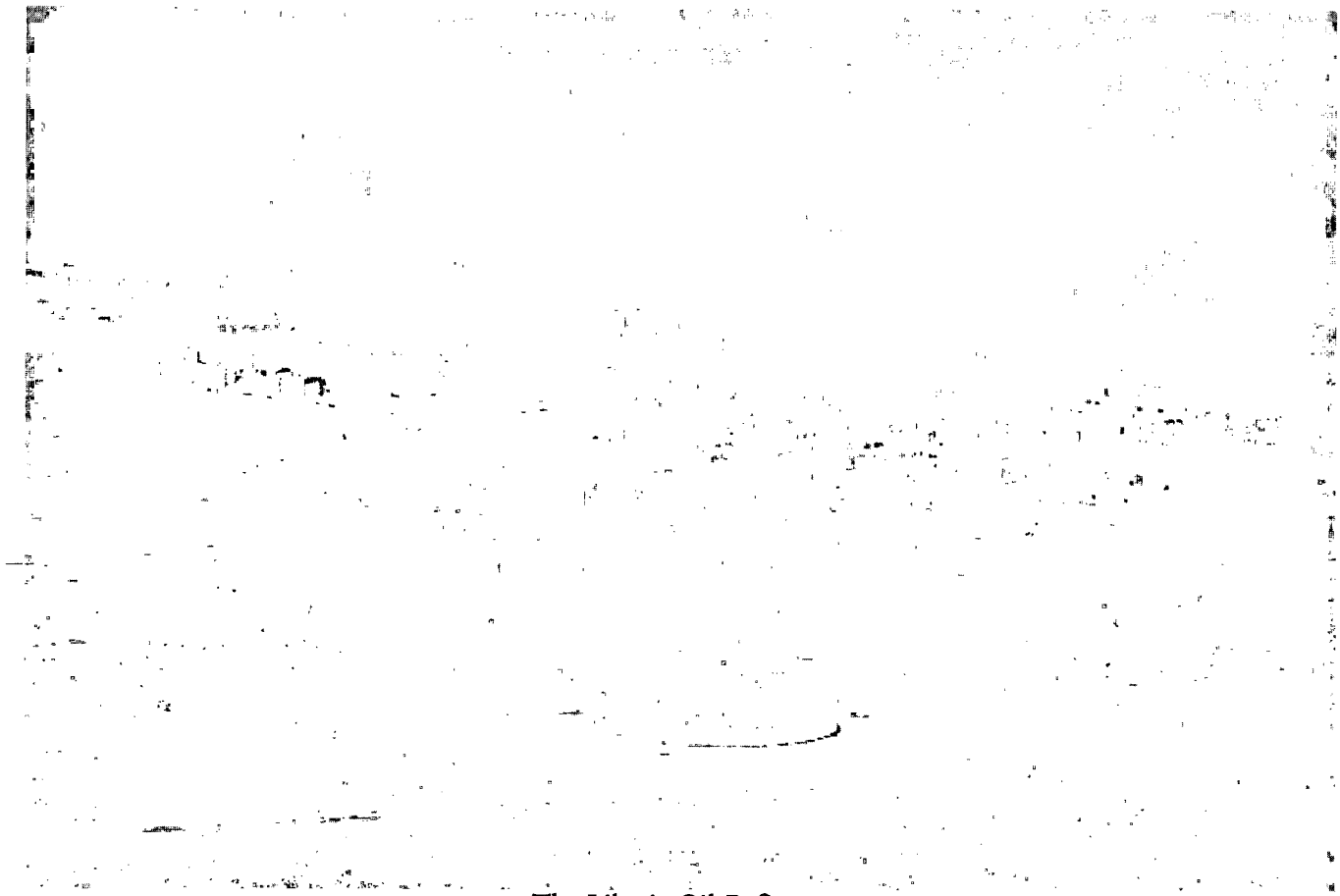
Coupled with the foregoing is the failure of that country more recent leaders to document the reasoning that went into the more recent political, economic, and social decisions and policies. Again, this has left the door open to critics who generally assume that these, often times controversial, decisions were based (intended pun) on official corruption and greed.

In this vein, it behooves all Liberians, independent minded intellectuals of Liberia, and well-intended organizations to assist in facilitating the recording (written and oral) and preserving what is left of Liberia's historical data. This includes preserving those records that are still available, and encouraging those who witnessed recent history in the making, to objectively record their experience and memory before it is too late.

In June of 1989, D. Elwood Dunn wrote asking me to share my "experience with the refinery for-possible publication in the *Liberian Studies Journal*." That letter started this project. In a publication in *Liberian Studies Journal*, XIV, 1 (1989), PP 1-12, Garland R. Farmer - an American business executive with many years of involvement with Liberia - wrote of his experience relating to the establishment of a petroleum refining company in Liberia. In ending his article Farmer suggested that those who have served the refinery "should be asked to tell the rest" of the refinery's story. Shortly after writing that article Garland Farmer died. That experience sealed my resolve to complete this project.

This publication is one in a series designed to cover the petroleum sector in Liberia based on my personal experience, conversations with some of the individuals who

* Earl D. Burrowes, BSc. University of Liberia, is a 25-year-veteran of the petroleum refinery industry, and former Marketing Manager of the Liberian Petroleum Refining Company, 1977-1982.



The Liberia Oil Refinery
Gardnersville, Liberia

influenced that sector, and research in areas of particular relevance to these articles.¹ In developing the background for these series of articles, I selected to deal with those areas that I feel will be important to those individuals on whose shoulders will fall the responsibility of revitalizing - or redefining - Liberia's petroleum sector. Then, I simply provided the facts (the good, the bad and the ugly).

In writing these series of articles, I have attempted to be as objective as humanly possible. This has required avoiding the now common Liberian pendulum of contradictions; criticizing Liberia's best moments while, at the same time, defending her worst. It also requires that one rise above the institutionalized cynicism that has evolved of things Liberian - both by the international media and bureaucrats.

For those articles dealing with WARP (West African Replenishment Program), I have relied on available documentation of the program, my working experience with the major oil companies administering the program in Liberia, and my recollections during that time. In the articles relating to LRC and LPRC, I relied primarily on notes recorded in my trusted Day-Timer(s) going back to 1971 and my recollection of those notes. My special thanks to Carl Cooper who so graciously shared with me copies of documents he saved during the period he served as lead manager; successfully keeping the refinery afloat during its most tumultuous times, while struggling to protect his life and that of his family.

This article dealing with the petroleum product formula negotiated in 1973 is culled from a November 3, 1981 memorandum and general discussion paper I sent to the refinery's Comptroller (Nick Spagnolo)² in which I stated:

In view of the urgency in establishing an acceptable pricing formula, I suggest that the attached be revised and a revision be developed for presentation to the Chairman and Board of Directors for their approval and recommendation to the appropriate authorities.

Nothing was ever done and the refinery continued its ever-increasing spiral out of financial control.

Overview

The single most important error of the government of Liberia and owners of the Liberia Refining Company (LRC) was their failure to develop and implement a fair and realistic pricing formula for petroleum products being produced, sold and distrib-

¹ These writings, compiled under the title "Oil Under Troubled Waters: Petroleum Refining in Liberia" can be placed under four broad headings; a review of the West African Replenishment Program (WARP), the establishment and workings of the Liberia Refining Company, the rise and fall of the Liberia Petroleum Refining Company, and the dream of a national oil policy.

² Nick was an employee of LUMUS out of New Jersey, an engineering and management company out of New Jersey that had won a contract to manage the refinery after it was purchased by the government.

uted in the country, prior to the start of operations. Ironically, it was the oil embargo of 1973 that gave both parties an opportunity to correct this oversight.

After four years of contentious relationship in the area of product pricing, LRC and the government of Liberia were finally able to reach an agreement on establishing a mutually acceptable pricing formula. The framework for the pricing formula was directly negotiated between then Minister of Finance - Stephen A. Tolbert (Steve Tolbert or Steve)— and the General Manager of the refinery — Jim Reeves.³ The working relationship that developed between Tolbert and Reeves was one of corporate and national necessity and urgency.

Reeves, a Sun Oil appointee, had been appointed Managing Director of LRC with the main goal of improving relationship between the refinery and the government as a means of stabilizing and improving on the profitability of the refinery. Reeves' appointment followed a rather confrontational relationship while under the management of John Fouche'.

Stephen Tolbert had been appointed Minister of Finance in 1971 -just in time for the onset of the oil crisis of the early 1970's. Steve Tolbert had been a staunch supporter of constructing a refinery in Liberia when the legislature, seemingly encouraged by the major petroleum product distributors and other concessionaires, sought to derail the projects. Beyond this earlier support for the construction of the refinery, however, the driving force behind Steve Tolbert's (and the government) efforts at reaching an agreement on a pricing formula was the oil crisis, the coupling rise in freight cost, and the crippling impact these 'price surges' had on the Liberian economy. Collectively, these incidents had a devastating effect on the Liberian economy in general, and on the refinery, in particular.⁶

In developing the pricing formula, the Ministry of Finance played the lead role in representing the Liberian government with Whinney Murray, a British auditing and public accounting firm, serving as their advisors. Also representing the government were members of the newly instituted bureau responsible for reviewing GOL's concession agreements. Bruce Elder, then Comptroller of LRC, headed the negotiating team

³ Jim Reeves served as General Manager of Liberian Refining Company (1970-1978); General Manager Sun Oil Company Puerto Rico Refinery.

⁴ Steve Tolbert and Jim Reeves had established a working relationship following the Arab oil embargo of 1973-74. Crude oil supply to LRC supplier (and part owner) had been seriously curtailed, threatening product shortages in Liberia. Following a number of 'crisis' meetings between Tolbert and Reeves it was agreed that GOL would work through the Kingdom of Saudi Arabia in securing a long term crude contract between PETROMIN and LRC. Years later Jim continued to tell the 'Knock, knock' jokes they shared while negotiating that agreement.

⁵ Two days before the Legislature was to vote on the draft concession agreement between GOL and the owners of LRC, Steve Tolbert delivered a radio message in support of a revised concession agreement for the construction and operation of a petroleum refinery in Liberian.. A written copy of his message was kept in the archive at the refinery Gardersville office.

⁶ The refinery's crude oil import cost went from \$11.6 million in 1973 to \$53.1 million in 1976 - over 350% in three years.

from the refinery with the participation of occasional representation from the managers and part owners of the refinery, Sun Company and Dyne Electrons.

LRC's primary concerns with the lack of some product pricing guidelines over the previous years of operation was the issue of profitability and maintaining the operational integrity of the plant; this administration's concerns were expressed as "having product prices... that were responsive to changes in world market conditions" while cushioning any negative impact on the economy and "providing proper incentive for LRC to improve operating expenses." As he had argued before the legislature during the negotiations of the LRC's concession agreement, Minister Tolbert held that the refinery provided Liberia an "advantage of having a domestic refinery with assured domestic product supply and with the enlarged employment opportunities for Liberian citizens."

One of the first pricing formulas considered by the negotiating committee was one based on using product prices in major world-export markets. A formula was already being used at the refinery for the quarterly pricing of Jet Fuel (A-1) sold to the major marketers for supplying their customers at Roberts International Airport (RIA).⁷ This formula was developed around the calculated cost of importing Jet Fuel from Rotterdam to the Free Port of Monrovia and included the CIF cost of the product in Rotterdam, the freight to transport the product to Liberia, insurance and finance charges, and all 'landing' charges such as warfage and other port fees.

Although this formula was supported, and lobbied for, by the mining companies, it was rejected as not being "properly responsive to the interests of Government and LRC." In arguing for this formula the mining companies, supported by other major petroleum product consumers and major petroleum product marketers, were (it was believed) setting the stage for breaking LRC's "monopoly" and exerting their concession right to import the products they required for their operations.

The formula that was then developed, and agreed to, was seen by both parties as adequately covering "most of the problems raised by government and LRC"⁸ and one that identified specific conditions that would automatically trigger an adjustment to prevailing prices.

The object of this pricing formula was to build up the costs that made up the Average Selling Price (ASP) of products in Liberia in a way that would adequately reflect the landed cost of materials (based on international market prices for crude and freight), provide an incentive for the refinery to operate as "efficiently" as possible, provide the refinery (and thus its owners) the opportunity to earn a reasonable return

7 These were Mobil Oil, Texaco and British Petroleum (BP). This formula had been previously worked out between the refinery and these marketers in an effort to keep the price of Jet Fuel sold at RIA competitive with the other Jet Fuel producing West African countries such as Cote d'Ivoire and Nigeria.

8 General Discussion Paper on the petroleum product pricing formula between the government of Liberia and the Liberia Refining Company.

on its investment ("under prudent management"), and allow Government's active participation in monitoring LRC's compliance to the agreement.

Under the pricing formula, raw material would be purchased annually on an open bid basis and the government was "encouraged to participate in determining" which of the bids was most attractive for Liberia. In effect this would open up the entire product pricing review process to all of the major mining companies (and other major product consumers) in whose operations the government had shares and/or interest, and was seen as a means of keeping LRC's management honest.

The entire freight cost under this formula was placed on an adjusted Average Freight Rate Assessment (AFRA) formula basis and priced in line with the average cost of freight in the international petroleum market. This was in an attempt to soften the impact on petroleum consumers and the Liberian economy from the large spot freight rate swings experienced in late 1970 and early 1971.⁹ If, in any given year, LRC paid more for freight than the formula allowed then this would be to LRC's financial detriment. If, however, LRC was able to better the adjusted AFRA rate, the resulting profits would accrue to the benefit of LRC (after payment of income tax).

The issue of providing 'incentives' to LRC was a perplexing one for the government considering the need to keep petroleum product prices at their lowest in their effort to foster economic growth. Conversely, after some five years of operating at what was seen as 'the whim' of the government Pricing Commission, LRC was desperately in need of formula that would keep the refinery operationally viable, provide for capital expansion and a 'fair' profit margin. In a move that was highly unlikely by those of us monitoring the negotiations, LRC agreed to submitting its 'operating cost factors' annually to the government Pricing Commission for 'mutual' agreement.¹⁰ In order to earn the expected rate of return on its investment, LRC would need to equal (or better) the estimates of these costs.

To compliment LRC's agreement to subjecting its operating budget to the pricing formula, the government agreed that it would allow LRC the added incentive 'to obtain any additional cargoes of raw material at prices equal or better than that obtained for the base volume under the bidding procedure.' In other words, if more crude oil or finished product was required than projected for a specific period, LRC had the option of supplying those cargoes if LRC could land them at Monrovia cheaper than the lowest bidder. The formula, however, would reflect the price of the lowest bid thereby giving LRC that 'profit margin' as an added incentive.

⁹ Similar swings in "spot market" freight rates occurred again in late 1978 and lasted through the early part of 1979.

¹⁰ For those of us Liberians in key operations and management positions this was an answer to prayers since opening up the budget in this manner to the Pricing Commission would highlight the financial advantage to speedily 'Liberianizing' top management positions. The issue of relationship between employees of the various 'levels' and 'employment conditions' is covered in another section of this writing and titled 'Employee Relations'.

If LRC could, on average, perform in all the categories estimated in the pricing formula, then LRC would be allowed a 5 percent 'after tax' return on its gross investment.¹¹ The agreement empathized that this rate of return was not a guarantee since actual performances in the factors enumerated could significantly raise or lower this target rate of return.

The pricing formula would determine the Average Selling Price of petroleum products for the coming year.¹² The Pricing Commission would then 'divide the Average Selling Price into product and market sector components in such a manner as to exactly yield the Average Selling Price when weighted.'

Freight rates was then a large part of the landed cost of crude and products at the Free Port of Monrovia and 1973 saw 'significant fluctuations' in those rates. Because of this it was agreed that there would be a 'mid-year' adjustment in the Average Selling Price if (or when) the sixmonth average adjusted AFRA rate, government take, Liberian labor cost, dollar devaluation, etc., changed so much that the Average Selling Price would be affected by 1 percent or more.

One discussion paper gives the following example:

... if an increase in the adjusted AFRA rate causes an increase on July 1 of 0.60% of the Average Selling Price, no adjustment would be made in the Average

Selling Price. If, however, effective August 1, a Government Take increase in the F.O.B. cost of raw materials would result in an increase of 0.50% of the Average Selling Price, then the Average Selling Price would be increased 1.10% effective as of August 1 because cumulatively the two changes total more than one percent of the Average Selling Price.

Below, I've provided the formula used in reaching the ASP, the definitions and methods of calculating the formula, and the implementation of each of the variables and constants.

The Formula

In summary, the formula agreed to for reaching the Average Selling Price (ASP) of petroleum products in Liberia was the sum of the Landed Cost of Raw Materials (Crm) plus the Operating Cost and Profit Margin (Co&p), as shown below.

$$\begin{aligned} & \text{Landed Cost of Raw Materials (Crm)} \\ & + \text{Operating Cost \& Profit Margin (Co\&p)} \\ & = \text{Average Selling Price of Products (ASPF)} \end{aligned}$$

Landed Cost of Raw Material (Crm) The factors used in developing the landed cost of raw material under the formula included: the average F.O.B. raw material cost

¹¹ By agreement the refinery would be considered as operating efficiently if all these categories were met.

¹² Petroleum products not produced by LRC and thus excluded from this formula were aviation gasoline (used by small aircrafts operating in Liberia and imported by Mobil Oil and/o Texaco) and all lube oils.

(crude and imported products), freight from the loading port to Monrovia (based on the adjusted AFRA rate), freight and net and charges, refining in freight and net net. This is expressed in the formula shown below:

$$C_{rm} = [(K_{rm} + V_f) (1 + K_k)] + K_p \& c_w / K_c \& 1$$

where M_{rm} (K_{rm}) The first function in the formula involved establishing the cost of raw material (crude oil and any finished products) needed to meet the country's demand for the next calendar year. In doing this, bids were to be tendered six months before the calendar year in review for the particular mix of crude(s) identified by the refinery. Based on 1972 calendar year figures, the blend of raw material type was 40% Arabian Light crude, 50% Arabian Medium crude and 10% Diesel for a weighted average price of \$1.780 per barrel or \$0.04238 per US gallon.

Just prior to reviewing the bids received, a review committee would be required to develop an estimate of the average adjusted Average Freight Rate Assessments (AFRA) for the coming calendar year. These figures were used to determine the landed cost at Monrovia (excluding consular fees and wharfage charges) from the loading port for bids quoted on F.O.B. basis.¹³

Freight (V_f) Once the best suited crude was selected under the formula, the freight cost from the loading port to the Freeport of Monrovia was then calculated. The formula used to calculate freight cost was the adjusted AFRA worldscale times the basic freight rate. Under the freight cost formula the adjusted AFRA worldscale was defined as *"the arithmetic average of the applicable six monthly Average Freight Rate Assessment (AFRA) for medium range tankers, as published by the London Tanker Brokers' panel, plus a premium of 10% of the arithmetic average."*¹⁴ Medium range vessels referred to here represent tankers from 25,000 to 45,000 Dead Weight Tonnage (DWT) class.

From June to November 1971, the AFRA Medium Range Average was 110.2. Adding the premium 10% allowed for under the formula, the basic freight rate from Ras Tanura to Monrovia for that period worked out to \$6.41 per Long Ton. Based on an average API gravity of 33.2 for the combined raw material blend given above, one Long Ton converts to 7.455 barrels for an average freight rate of \$0.02481 per US gallon.

on Freight Insurance ((K_k) Consular fee was then a constant factor fixed at 1.75%, and freight insurance about 0.05% both based on the delivered cargo of the raw material. For this formula the combined amount of 1.80% (or the decimal 0.018) was represent in the formula as (K_k).

¹³ The formula also required that bids submitted on C.I.F. basis be expressed on F.O.B. basis by subtracting (from the C.I.F. cost) port dues, freight insurance and the average annual freight cost determined by the committee.

¹⁴ The 10% allowance provided here took into consideration the then prevailing practice of spot charters calling at ports such as the Freeport of Monrovia, to charge a premium over normal rates.

Port Dues & Wharfage Charges: (Kp&w) At the time this formula was being developed, Port Dues and Wharfage Charges were each fixed at \$0.305 per long ton of raw material delivered for a total amount of \$0.61 per long ton. This was converted to dollars per gallon using the conversion factor shown above.

Refinery Fuel Consumption, Freight Loss, Refinery Loss (Gain): (Kc&1)¹⁵ Refinery fuel consumption, representing the value of products consumed in LRC's operations was adjusted and reflected in the formula item.¹⁶ Under this formula, refinery fuel consumption was shown as a percentage of the raw material refinery charge and was to be agreed upon by the Pricing Commission and LRC by mid-November. In 1972 refinery fuel consumption amounted to 0.056% of raw material charge.

In calculating 'Freight Loss' for this formula, the committee used the difference between the temperature corrected loaded quantities, and the temperature corrected volume of the discharged quantities from the previous 36 crude oil cargoes delivered to LRC. This averaged out to 0.74%. Based on this, it was 'recommended' that the constant factor of 0.007 be used for Freight Loss for all pricing formula purposes.

Refinery Loss or Gain represents the difference between refinery raw material (crude oil) charge¹⁷ to the unit and products produced (including refinery fuel consumption), given as a percentage of the raw material charged. Over the previous 2 %2 years of operations the committee calculated an average refinery gain of 0.3% or -0.003 as a decimal. The committee recommended that the constant figure of -0.003 be used as Refinery Loss or Gain for all pricing formula purpose.

Operating Cost & Profit Margin (Co&p) The formula for computing Operating Cost and Profit Margin was from the total of Cash Operating Expenses (not including Liberian labor cost), plus Liberia labor cost, plus Interest, plus Depreciation, Amortization of royalty and loss carryforward,¹⁸ plus Profit, plus any adjustment for variances in sales volume and Average Selling Price in the preceding year, all divided by the Estimated Volume of Product Sales in thousand (US) gallons. The actual formula is shown below.

$$\text{Co\&p} = (\text{Kcoe} + \text{Kvov} + \text{Ki} + \text{Kd\&a} + \text{Kp} + \text{Kadj}) / \text{Kev}$$

Cash Operating Expenses: (Kcoe) Under the formula, this item would be taken from LRC's budget annually and agreed to by the Pricing Commission and LRC. It

¹⁵ These figures were needed to convert the landed cost of raw materials, expressed in dollars per gallon of raw material loaded, to dollars per gallon of product sale.

¹⁶ Normally, this item would have been included the refinery's Cash Operating Expenses (now represented as Kcoe under this formula). Products consumed by the refinery included gasoline for company-supplied vehicles and contracted bussing companies, diesel used for electric generation and asphalt for road maintenance.

¹⁷ In the industry, crude oil pumped to the crude unit that was then processed into finished products is termed as 'charge' to the processing unit.

¹⁸ 'Loss carry-forward' only took into consideration those losses experienced up to 1972 since the formula was designed to prevent future losses resulting from delayed and inadequate product price adjustment.

would cover all operating expenses (minus Liberian labor cost such as wages and benefits). The agreement specified that the budget should be agreed to 'by mid-November' in order for it to be used in the pricing formula for the following calendar year.¹⁹ In addition including the salaries and 'benefits' to the expatriate staff, this expense item included the cost of items like the Tetraethyl lead used in increasing the octane of reformed gasoline. The budgeted Cash Operating Expenses for calendar year 1972 totaled \$3,321,000.00.

Liberian Labor Cost: (Vcoe) This cost included Liberian wages, medical benefits and 'employee sundry' expenses, and would also be determined from the budget agreed to by LRC and the Pricing Commission. LRC insisted on a provision under this line item for a recalculation of the Average Selling Price if there was any 'unscheduled Liberian labor cost increases' during the year.²⁰ The government agreed provided, however, that any change to the Average Selling Price would be under the 'plus/minus 1%' automatic trigger guidelines agreed to. In 1972 Liberian Labor Cost amounted to \$642,000.00 with about \$42,000.00 of that amount going to employee benefits.

Interest: (Ki) All interest expenses associated with servicing LRC's debt were included in this category. This item would also be obtained from the budget annually on a fiscal year basis under the formula. In 1972 Interest Expenses after capitalization of \$4,847,000.00 of debt to equity was \$1,122,000.00

Depreciation, Amortization & Carry-forward: (Kd&a) Depreciation, obtained from the budget annually, was to be calculated using the 'straight-line method' based on (then) 16 more years of 'useful life' of the refinery and amounting to \$1,232,000.00 for each of those years. Amortization of Royalty was fixed at \$120,000.00 for fiscal years 1973 through 1975, \$150,000.00 for fiscal year 1976 and nothing (zero) after 1976. In these negotiations LRC did prove to the government that the company had accumulated loss carry-forward in the amount of \$4,766,000.00.²¹ It was agreed that amortization of this amount, plus the actual net income (loss) for 1972, would be spread over 16 years (in other words, the 'useful life' of the refinery).

Profit: (Kp) The profit of the refinery was to be calculated annually on a fiscal year basis and was computed as the Rate of Return, (times) the Gross Investment, (divided) by the Tax Rate as a fraction. For this formula the Rate of Return on an after tax basis was set at 5% of Gross Investment, or 0.05 as a decimal. The Gross Investment was

¹⁹ LRC's fiscal year at the time the formula was being negotiated and developed ran from December to November.

²⁰ LRC's management had anticipated an outright clamor for wages and salary 'adjustment' by Liberian staff members and the Union representing hourly workers once the formula went into effect. In addition to the extraordinarily large discrepancy in labor cost between expatriates and Liberians, the Pricing Commission's refusal to approve earlier requests for price increases had also eroded Liberians bargaining leverage.

²¹ This amount covers the period from the start of operation in 1969 through the fiscal year 1971. In developing this formula it was agreed that any loss for fiscal year 1972 would be added to this amount but any losses after that would not be amortized.

considered as the total capital expenditure of the 'property, plant and equipment since the beginning of the Refinery Concession.' The Gross Investment at the end of the fiscal year was to be used in the pricing formula for the following year. For this formula, the Gross Investment on November 30 1972 taken from the balance sheet would have been used in calculating the pricing formula for 1973. At the end of fiscal year 1972 the Gross Investment value of the refinery was given as \$18,170,000.00. The government's Tax Rate Fraction for LRC was set at 0.50 (or 50%).

Variance in Sales Adjustment: (Kadj) The simple solution to calculating 'operating cost and profit margin' would have been to take all of the factors listed under the fixed Operating Cost & Profit Margin and divide that figure by the total volume of products projected to be sold for that period and arrive at a unit cost.²² The problem here was that there was no guarantee that projected sales would be realized. For example, a 5 percent error in the estimated rainfall for a particular year (a figure used in computing projected diesel oil sale to the electric company) could amount to over 20 percent error in the projected diesel oil sale for that year.

In order to correct for differences between the preceding years projected sales (Kev) and actual sales realized (Kav), and between the Average Selling Price of products (APSpf) calculated by the pricing formula and the Actual Average Selling Price of products (ASPa), a separate formula was developed as shown below.

$$\text{Adjustment of Variance (Kadj)} = \text{Co\&pl}(\text{Kevl}-\text{Kav}) + \text{Kevl} (\text{ASPfl}-\text{ASPa})$$

Under this 'sub' formula, the adjustment for Sales Volume and Average Selling Price (Kadj) was calculated by subtracting the actual volume (in thousand gallons) of product sales in the preceding year (Kav) from the estimated or projected volume (again in thousand gallons) of product sales used in the pricing formula for the preceding year (Kevl), multiplied by the Operating costs and Profit Margin (both in US Dollars per US gallon) used in the pricing formula for the preceding year (Co&pl), plus the difference between the Actual Average Selling Price of products in the preceding year in dollars per US gallons (ASPa) and the Average Selling Price of products derived through the pricing formula for the preceding year - also in US dollars per US gallons - (ASPfl) multiplied by the Estimated volume of product sales used in the pricing formula for the preceding year in thousand gallons (Kevl).

The Average Selling Price (APSpf) would then be calculated for the upcoming calendar year from the input of the items covered above, and the Estimated Volume of

²² Total projected sales figure from the budget of 1973 was estimated at 147,536,000 US gallons for an average of some 9,600 barrels per day. This included L.P.G., two grades of gasoline, Jet A-1 Fuel, Automotive Diesel oil, two grades of residual fuel oil (3200 and 1500 sec.), and two grades of Asphalt (RC 70-80 and AC 100).

²³ This 'variance adjustment only involves the 'fixed' cost items of the Operating Cost and Profit Margin. The 'variable' cost items of the Landed Cost of Raw Material are not impacted by a difference in the actual vs. projected sales volume.

Product Sales (Kev).²⁴ The Pricing Commission would then allocate the average selling price into the various product and market sector components so that the weighted average of all the estimated product sales would be at the average selling price for the coming calendar year.²⁵ As allowed for in this formula, the Pricing Commission could make adjustments at any period during the coming calendar year once the stipulated conditions warranted an adjustment.

The prospect of finally negotiating a mutually acceptable pricing formula raised morale at the refinery. Now long term planning for the future of the refinery and its employees could begin in earnest. Implementing this formula, however, would prove to be difficult - if not impossible. Around this same time the government had also undertaken to 'renegotiate' a number of concession agreements - including those of the mining companies which were also the largest consumers of petroleum products in the country and significant contributors to the Liberian economy. These companies used this leverage in delaying implementation of this formula in attempting to secure a more favorable one. The haggling over a final acceptable petroleum product pricing formula dragged on for over two year.

Before an agreement could be reached on a final formula, however, Finance Minister Steve Tolbert died in a plane crash off the coast of Sinoe. This was to set into action a chain of events that would undermine relations between the LRC management and the government officials, the refinery and the other major concessionaires (in which the government had vested interest), and drive the refinery into insolvency.

Crash of The Big Fisherman

By 1975 the long drawn out delay in implementing a pricing formula had begun to take its toll on the refinery. Required routine maintenance was regularly being sacrificed in order to meet the payroll and crude oil supply. Employee morale went from a peak at the start of 1973 to an alarming low by the end of 1974. This low morale amongst both expatriate and Liberian employees would further negatively impact the refinery's operation.

²⁴ The methods we used in developing our short-term and long-term sales projection is covered under another section dealing with 'Marketing' while at LRC. We were extremely proud of our ability to keep the margin of error between projected sales and actual sales below 10%. Products not included in the estimated volume of product sale for this formula were any product that was exported, imported products not manufactured by LRC, and products used in the refinery.

²⁵ The various products produced by LRC are provided earlier. The 'market sector components' consisted of two groups: the concessionaires and the general public; and allocating prices to these two sectors were like walking a political high wire. For example, if the price of Jet Fuel was lowered, in an attempt to encourage landing and refueling of international aircrafts at Roberts International Airport, this could mean that the price of that same product on the domestic market (here termed 'kerosene' and used for cooking and slash burning of farms in the interior) would have to be increased, and vice versa.

I had begun looking at other employment options and was encouraged to check out Vanply, a logging and plywood-manufacturing subsidiary of Skelly Oil operating in Greenville, Sinoe County.²⁶ There were two reasons I selected Vanply as an alternative to LRC. The first was the unconventional organization and administration of the company. Being a subsidiary of an American corporation (Skelly Oil) Vanply was expected to take its lead from similarly structured foreign companies operating in Liberia - such as, for example, LRC, Bong Mining Company, and LAMCO. Vanply managers, however, were non-conformists who thought nothing of breaking the mold established by foreign concessions — and the government, for that matter. For example, the salary and benefits I and other Liberians eventually negotiated with them were well above the standards offered Liberians by other concessions and agreed to (with a wink) by the government.

This non-conformity carried through even to the operation of the company; when a number of Skelly appointed General Managers failed to accomplish the goals set out by the US based Board of Directors, the directors did away with that position and, for a while, managed the company “by committee” — a committee consisting of the various department managers. In another instance the company, in an unprecedented move, challenged (and won) the National Port Authority (NPA) on the loading of logs on their vessels calling at the Sinoe port. The NPA had been averaging five (5) days to load 5,000 metric tons of logs, resulting in significant demurrage²⁷ cost to the company. With the approval of the President of Liberia, Vanply was permitted to load a vessel with 7,000 metric tons — which they did in 24 hours.

The second reason was my admiration of the genuine and professional (personal and working) relationship that existed between expatriate and Liberian staff at Vanply. Since my initial observation was limited to the interaction between Churchill Cassell, who was then serving as Resident Manager and responsible for the Monrovia office, and the expatriates, I chalked it up to the fact that Churchill’s “exposure” to “expatriates” had taken place in Europe. At the time I had come to the ‘pigeonhole’ conclusion that Liberian staff relationship to their expatriate counterpart fell into three general categories; confrontational, deferential and professional. And I found that, among my fellow Liberian staffers, the professional relationship was more prevalent amongst those Liberians returning from studies in Europe.²⁸

²⁶ Churchill A. Cassell, close friend was at the time serving as Resident Manager of Vanply in its Monrovia office and had been challenged to ‘Liberianize’ a number of key management positions.

²⁷ Vessels loading or unloading (referred to as ‘discharging’ in the case of crude and product vessels) generally allows the charter of that vessel a specific timetable in which the contracted quantity of cargo must be loaded or unloaded. Going beyond the allowed time is considered ‘demurrage’ and results in additional cost (manpower, fuel, etc.) to the vessel owner which is (by contract) passed on to the charterer.

²⁸ Confrontational relationships I found more prevalent between expatriates and Liberians returning from the US and among those of us who never left home, I found the relationship sickeningly deferential.

In April of 1975 I took a week's vacation from LRC to meet with Vanply officials and travel to Sinoe to look over their operations. They had made an offer for me to join their organization as Human Resource Manager.

My timing was off since this was the same period selected by the Ministry of Finance and Agriculture to visit Sinoe on President William R. Tolbert's directions that Ministers visit each and every County to explain government's goals as it relates to each county. Instead of spending the week doing interviews and touring the facilities I was asked to assist in preparing for this high level official visit. The job, I was told, was mine if I wanted it.

A few days before the official delegation arrived, Churchill and I flew into Greenville where he coordinated the program with County officials and Vanply management and arranged accommodations for the delegations. The formal presentation by the delegations was set up at a public building in Greenville on the morning of their arrival. The plan allowed for a short lunch break to be followed by a question and answer period. It was expected that the formal program would end around 4 p.m. giving the delegation and County officials time to get some rest before attending a formal reception and dinner program at the home of the General manager of Vanply.

On the morning of the visit, communication with Vanply's Monrovia office advised that there would be two planes arriving with members of the delegation — one was the President's plane "Speedy One" and the other Finance Minister Steven Tolbert's private plane "The Big Fisherman". Naturally there was a sizable crowd, headed by Sinoe Superintendent Nelson Broderick and Senator Bing, to meet the officials. The first plane on the ground was "The Big Fisherman" which carried Minister Tolbert and a number of key officials from that Ministry.²⁹ The formalities of the terminal were not needed.

Minister Steve Tolbert wanted to know what had been planned and Superintendent Broderick opened a manila folder that apparently had a number of pages — although possibly unrelated to the program. Without looking at the pages Minister Tolbert chuckled, "y'all plan to keep us here tonight, eh?" Superintendent Broderick went over the official program showing the program ending around 5 p.m. that evening with another program the following day. Churchill outlined that evening's program which, although hosted by the Superintendent, was catered by and held on the grounds of Vanply. This portion of the program was scheduled to end around 11 p.m.

After the second plane landed about half an hour later with Agriculture Minister James Phillips and other civil servants from his Ministry. Both Ministers, the Superintendent and Churchill again went over the program and both Minister Tolbert and Phillips agreed that they would go ahead and spend the night. Minister Phillips and the team from the Ministry of Finance would travel to Buto to visit the Oil Palm

²⁹ I recall vividly Churchill asking Minister Tolbert — in jest, and under his breath — "what happen, bra, you don't like the President's plane?" Steve laughed out loud and came back with "...not that, but I rather ride a plane I know is being maintained, and the bills being paid!"

plantation while Minister Tolbert and the team from Finance would make their presentation in Greenville. They would then meet at Vanply housing complex that evening for the reception, and spend the night at the facilities arranged for them. In the morning the Superintendent would pick them up for the second phase of the program and they would fly out of Greenville when this was completed.

Minister Tolbert then spoke with the pilot of his plane, John Moore, instructing him to fly back to Monrovia and return to pick them up the following day. The officials and the reception party then left the airport for downtown Greenville to begin the formal presentation. I waited at the airport while the pilot of the President's plane — a former schoolmate and friend — parked it and locked it down, and then I drove him into Greenville.

The turn out at the presentation was standing room only when I got there. Additional chairs had been brought in after the officials arrived; yet, people still lined the walls. When I got there Minister Tolbert was giving his presentation, which focused on government's overall development plans. Included in this plan was improvement to the iron ore port in Buchanan and a port in Buto for the anticipated shipment of palm oil.

At some point during the presentation Senator Bing raised the issue of the Greenville port. His point was that in granting the concession agreement to Vanply, government had committed to improving the port at Greenville. This had not been done and it was frustrating Vanply's exportation of logs. The limitation of the port's draft meant that vessels could not be loaded to their full capacity alongside the pier. Rather, logs had to be "floated" out to the vessels, which resulted in excessive demurrage charges. It also meant that the exportation of those logs too dense to float ("non-floaters") was severely restricted.

Minister Tolbert, in his reply, pointed out that the government's focus at this time was those areas that would, with improvement, generate additional revenue. In making his case he emphasized that Vanply's primary concession commitment of producing and selling "value added" plywood had also not been met and that the exportation of "round logs" should be secondary to this. This argument between the two men went back and forth for quite a while. Around this time the pilot of the President's plane said he needed to rest and asked that I dropped him off at one of the facilities Churchill had arranged to accommodate the delegation.

When I got back I could see that Churchill, who had been seated in the front row, was somewhat shaken — something serious had happened while I was gone. He was on the podium whispering to Rosetta Stewart, a member of Minister Tolbert's delegation, but with his eyes darting through the crowd seated before them. We soon made eye contact and he headed my way.

From the corner of his mouth he whispered that something had gone seriously wrong as he walked past me, and with a nod of his head indicating he wanted me to follow him outside.

Once outside Churchill said he suspected that Minister Tolbert had concluded that the management of Vanply had prodded Senator Bing to raise the issue of Greenville port to divert attention from their failure to meet their obligation of plywood manufacturing and distribution, while they profit from the exportation of logs.³⁰ He came to this suspicion because Minister Tolbert had told him, Churchill, that they would not be attending the function at Vanply's facilities but would be returning to Monrovia that evening. He also instructed Churchill to contact Monrovia and have his plane brought back to Greenville. Churchill asked me to call for the plane while he tried to assure Minister Tolbert that Vanply had nothing to do with Senator Bing's line of questioning.

Through a radio link operated by the government owned Telecom, I was patched through from Greenville first to the Ministry of Finance and then the Executive Mansion.³¹ I remained at the radio station until John had been located and I was given an estimated time of arrival in Greenville. My recollection is that John arrived at the Greenville airport around 5 p.m. - shortly after the last coastal Air Liberia flight had left Greenville for Monrovia. John was not a happy camper; he had not had any rest since leaving Monrovia that morning and was tired.

We drove back to the program, which was still in progress and had begun to take a toll on the presenters and the crowd. At one point a question was brought up about taxes collected in one of the districts of Sinoe. In attempting to answer the question, Minister Tolbert turned to the tax person on his team for some data, only to be told the data had been left in Monrovia. What had started out as a very casual and informative presentation earlier that morning had now turned into all out confrontation.

Word was sent up to Minister Tolbert on podium that the pilot had arrived and was waiting on his instructions. It was obvious that having made the decision to return to Monrovia that same day, Minister Tolbert was not going to cut and run - he was going to stay up on that podium till there were no more questions. Besides, Minister Phillips and his delegation had not yet returned to Greenville. Nightfall was coming fast in Greenville. As evening fell, John asked that I take him to the house arranged for them at the Vanply compound in order to get some rest before the flight.

When we arrived at the compound, Minister Phillips and his delegation had already returned and were ready for the reception. He was surprised to see the pilot of the Big Fisherman and even more shocked to learn that a decision had been reached to return to Monrovia that night.

³⁰ Churchill had planned raising the issue of the port with Minister Tolbert 'privately' at that evening's reception. He also told me had he known that Senator Bing was going to bring it up at that morning's meeting, he would have asked him not to.

³¹ At Finance I spoke with Patrick King, a childhood friend and employee at the Finance Ministry, who told me that John, the pilot, had been at the Ministry earlier but was now on his way home. He added that John had said that he planned stopping by the Mansion on his way home. He, Patrick, would attempt to track him down and pass along the message. He suggested I also contact the Mansion to see if the pilot was there.

Minister Phillips asked no one in particular what had happened to change the earlier plans. He chuckled when I told him of Churchill's suspicion. He asked the pilot about his night flight qualifications and experience; wanting to know how many hours he had flown at night and from which airports. They casually talked about flying till Minister Tolbert and his delegations arrived.

Minister Tolbert seemed tired but satisfied when he finally arrived, and - if he was — was not letting on that he was upset with anything that went on at the meeting. Well, save for the incident with his tax person. Here he minced no words about his disgust with the incompetence of the individual and suggested that the incident was not over. Churchill, now having had his suspicion confirmed by a member of the Finance Ministry delegation of the reason for the change in plan, wanted to get this directly from Minister Tolbert but he was non-committal. His response was that he had covered everything he planned to, and had lost a full day of work at the office — a day he would have to make up for before making his next county trip.

Over at the General Manager's house, guests had already started gathering for the reception and Superintendent Broderick sent someone over to find out what time we would be coming over. Churchill's face fell when he realized that Minister Tolbert was sticking to his word and was actually preparing to leave the compound. Minister Tolbert had gone into the bedroom to freshen up, and where he and Minister Phillips could talk in private. When they returned to the living room, Minister Tolbert had changed into pale blue cotton Vai shirt and Minister Phillips was now resigned to agreeing with Minister Tolbert's decision to return to Monrovia that night. Minister Tolbert's shirt stands out in my memory because I've always wanted one like that. The material seemed "cool blue" and had conservative white stitching around the round collar and at the top of the three deep pockets — one on the left breast and two on either side of the lower front.

Churchill eventually prevailed in having them delay their departure long enough to eat some food he had brought over from the reception. I recall Churchill, who was preparing plates of food for the two Ministers, asking Minister Tolbert what part of the fried chicken he wanted. "The part that jumped over the fences"³² he replied.

I left while they were taking the two pilots to the airport to prep their planes. As we turned off the main highway into the terminal parking area, we saw a uniformed policeman come down from the flat roof of the terminal. One of the pilots said something to the effect "Well, at least they remembered to assign someone to watch the planes." Arriving shortly after we did was Darryl Shylock (the General Manager of Vanply), his wife, and driver.³³ They joined us as we talked to the Police who told us he had been assigned to watch the planes in the morning and had not been relieved.

³² Everyone there knew that he meant the tail end of the chicken, and almost to a person, chuckled.

³³ Darryl always drove his driver.

Darryl sent the Police officer with his driver back to the reception to get something to eat just as the other members of the delegations started to arrive.

As the luggages were being loaded onto the planes I noticed that John Moore, the pilot of Minister Tolbert's plane was slightly agitated. He wondered out loud what would happen if, when they arrived at Spriggs Payne Airport "There're no lights to land by" he said. Either Minister Tolbert or Minister Phillips suggested that they would then go to Roberts International Airport (RIA). He then wondered, "What would happen if it's raining at RIA?" At this point Minister Phillips sought to reassure him and, with his (Phillips) arm around the pilot's shoulder, explained his plan.

The plan called for two cars to be stationed at either end of the runway with their lights on. Those two cars would serve as markers for take off and — in the case of an emergency — landing. Neither car was to leave its assigned spot until 30 minutes after the last plane had taken off. The President's plane would leave first with Minister Phillips and the delegation from the Ministry of Agriculture followed by the Big Fisherman carrying Finance Minister Tolbert and his delegation.

Both planes would head directly for Spriggs — while attempts were made to get it open for their arrival. If unsuccessful, they would divert to Roberts International (which would be open) and call for ground transport to pick them up. With his right hand on the left shoulder of the pilot of the Big Fisherman, Minister Phillips assured him that he (Phillips) would remain in constant radio contact and sought to reassure him of his (John's) qualifications and night flight experience he had said he had.

Once every one was comfortable with the plan, the officials and their delegation began boarding their various planes. Churchill was still worried about Minister Tolbert's perception of Vanply's role in Senator Bing's earlier line of questioning and wanted to personally assure him that that was not the case. As the passengers boarded the planes, Churchill suggested we return to Monrovia with the delegation; he would travel with Minister Tolbert to talk to him, and I would travel with Minister Phillips.

As Churchill and I were making arrangements to have our assigned cars driven back to Vanply's compound, we heard a commotion and went back to the airplanes to find out what was happening. The tax person who had caused Minister Tolbert's embarrassment at the meeting, and who had traveled to Sinoe on The Big Fisherman, was unloading his luggage from the plane. Minister Tolbert had told him, in no uncertain terms, that he would not be traveling on his plane and to have his luggage removed from the plane. After pleas from other members of the delegation failed to change Minister Tolbert's mind, Minister Phillips told the tax person that there was a vacant seat in his plane and that he could travel with him.

At this point Churchill decided against us returning to Monrovia with the delegation and agreed that we would man the cars that would spotlight the runway. Minister Tolbert listened as Minister Phillips went over the "take-off" plan again. At one point during the discussion Minister Tolbert complained of eye irritation and asked for his eye drops. Rosetta Stewart, who Churchill had been whispering to on the podium in

Greenville, gave Minister Tolbert an eyedropper and after using it he place it in the lower right shirt pocket of his Vai shirt. After all members of both delegations had boarded the planes, we drove onto the runway; Churchill to the end of the runway with the back of his car towards the Atlantic, and I to the other end of the runway with the back of my car towards an old rock quarry.

The first plane to leave the terminal and taxi towards me was the plane carrying Minister Phillips, the delegation from the Ministry of Agriculture, and the Ministry of Finance tax personnel. The plane came towards me on my left side; rolling down the right side of the runway when viewed from the plane. A couple of hundred yards before reaching the car I was driving, it turned and lined up on the runway directly in front of the car. It then revved up and began rolling down the runway, kicking up dust and some gravel. I rolled up the window. Because of a slight crown midway down the runway, the bottom part of the plane disappeared from my view as it passed the terminal. I could, however, still see the navigation light on the tail of the plane. Focusing on that light I followed the plane, as it took off, climbed, and banked to my right.

A few minutes later the Big Fisherman left the terminal, taxing directly towards me. Because of the approach, when the plane turned it was slightly to the right side of the runway. This plane revved up and began its roll for take off. As it passed the terminal at the middle of the runway I looked up to my right to see if I could still see the blinking lights of the first plane. It took a minute or two to get focused but I did locate it - a moving light blinking in the distance. I looked back down the runway but the Big Fisherman must have already taken off. I strained to find that blinking navigation light but found none and thought maybe the pilot banked early after take off — without gaining much altitude — and I had lost him in the darkness or behind some landscape, or cloud.

As agreed with Minister Phillips, I waited at my spot until I saw the headlights of Churchill's car come up the runway and turn into the terminal — I followed. The "farewell party" that had come to see the officials off had already left for Greenville or wherever home was. As I pulled up alongside Churchill's car he yelled out to no one in particular

"Well? Lets go! We got food to eat and drinks to drink."

Churchill had earlier suggested driving the Superintendent back to Vanply's compound so that they could talk about the day's development. The only people left at the terminal were Superintendent Broderick, Darryl Shryrock (the General Manager of Vanply) his wife, and driver.

Darryl and his wife had watched the planes take off from the roof of the terminal and were visibly concerned. They told Churchill they saw the second plane take off but didn't see it climb or bank like the first-plane. Churchill assured them that everything was all right. The plane had taken off directly over his car, he said, and he was sure it had climbed and banked to the right, just like the first plane. Superintendent Broderick agreed with Churchill; he saw the plane take off and bank to the right. I

piped in that I had not seen the navigations lights on the second plane like I had on the first.

Because of the concern some of us had, we all decided we would wait at the airport for another thirty minutes. Everybody agreed that once the planes were air bound they would be communicating with one another and that if there were a problem with one, the other would return. If this were the case, the returning plane would need our car lights to find the runway and to land. We all leaned against the parked cars straining to find navigation lights in the distance.

Suddenly a pick-up truck with two Catholic Priests came racing down the runway from the direction where I had been parked. Seeing us parked at the terminal they skidded to a stop on the runway and yelled out "Everything alright?"

Churchill's yelled back "Yes! Why?"

They turned into the terminal and parked on the opposite side of Churchill's car from where I was parked. They were visibly shaken up and breathing heavily like they had run to the airport and not driven. One of the Priests explained that a short while ago, as they were having dinner at their house near the beach, their houseboy ran in to tell them that "a plane fell into the sea". Knowing that the Ministers were scheduled to return to Monrovia that night, they had driven to the airport to check. We all froze. The first person to react was Superintendent Broderick who was now extremely upset that any one would even suggest that Minister Tolbert's plane had crash, and that it would happen in Sinoe! "Not Sinoe again, not Sinoe!" he kept saying.³⁴

With all the information we had, it was evident to everybody — except Superintendent Broderick — that something had gone seriously wrong. The questions now were, how do we confirm, or rule out, that the plane had crashed into the Atlantic, and at what point (and how) would we go about informing the President that we believed his brother's plane had crashed off the Sinoe coast line — with his brother aboard. Broderick wanted no part of any of this. In spite of all the information we had, he would not bring himself to believe that the plane had crashed. It was something else the houseboy saw, he argued. The plane was safely on its way to Monrovia, he insisted, and he would not give the President "this kind of bad news" only to have the Minister arrive safely in Monrovia.

After a lot of arguing, Churchill reached a compromise with Superintendent Broderick. He, Churchill, would contact someone in Monrovia that was 'close' to the President, and advise that person of the possibility that Minister Tolbert's plane had crashed.³⁵ Broderick would contact and have the Port director — a Mr. Pajibo —

³⁴ Later I asked Churchill about his interpretation of "Not Sinoe again". Although he didn't have a definitive answer, he said he thought it must have had some reference to some 'historical relationship' between Monrovia and Sinoe.

³⁵ Before leaving the airport Churchill took me aside and said he planned on calling Director Wilfred Clark, a friend of his responsible for the president's security, at his home number. If Director Clark were at home he would explain everything to him, and let him (Clarke) give him some guidance on how to handle the situation.

make a tug boat available for us to go out to sea in search of signs of a crash and any survivors. If we found any signs of a crash, Churchill would return to inform Broderick and also confirm the crash to his contact in Monrovia.

We all left the airport and Superintendent Broderick, Churchill and I went to the Superintendent's home to make the call to Monrovia. From the one-sided conversation of Churchill's first call we gathered that presidential security director, Wilfred Clarke, was not at home, but was at an official function with the president. Churchill then called Minister E. Reginald Townsend, then Minister of State for Presidential Affairs, whom we knew generally shyed away from late night official functions in Monrovia - as rumored because he lived so far out of the city. Minister Townsend was at home. Again from the one-sided telephone conversation I gathered that he wasn't buying into Churchill's suggestion to hold on to the information until we had gone out and confirmed the crash. Churchill gave him Superintendent Broderick's home telephone number and he and I collected a couple of flashlights and took off to board the tugboat.

By now word of the possible crash of a plane had gotten around Greenville and groups of individuals could be seen gathering on the road to the port and the beach. The group gathered at the post was somber and offered to help in the search. Some offered to come with us on the tugboat but because of insurance restrictions the tugboat driver declined their offer.

It was dark and the waters choppy as the pilot of the tugboat navigated out to sea. He pointed out, using a map of the coastline, how fool headed our effort was. The map showed major rock formation along the coastline that prevented him from taking the boat anywhere near where we suspected the plane to have crashed. We soon gave up on the search and returned to the port. Churchill suggested we carry out the search on foot along the beach. His reasoning was that from the information the Priests provided, the plane must have gone down very close to shore. Also, if there were any survivors they possibly could have swum to shore. Making his argument Churchill pointed out that Minister Tolbert was a good swimmer. "The man's got a swimming pool in his yard, and uses it regularly", he argued.

From the dock we drove a short distance to where we could access the beach. A much larger crowd than when we first boarded the tugboat had gathered near the beachfront where we eventually parked. No one said anything - they didn't have to, the expression on their faces said it all. Churchill and I headed for the beach and a number of the people who had gathered just followed - some with flashlights, some with lanterns, but without a word being said.

Walking the beach looking out at the blackness of the night made our search seem ridiculous. If we were ever going to find any evidence of a crash we would have to focus on the beach - especially where the waves crashed along the shore. As we got closer to where we believed the beach ran perpendicular to the airport runway I

focused closer at the leading edge of waves with my flashlight - beaming on them as they came in and went back out.

At some points I noticed a telltale 'rainbow' slick on the 'foam' as it ran up the beach - suggesting some type of petroleum product. This I kept to myself. Then I saw it. Up ahead of me at about 10 feet and at the very edge of a wave returning to sea was this small translucent object that seemed to be following the wave back into the sea. I ran over and grabbed it and there was the horrible confirmation of the crash.

In my hands, and with the flashlight focused on it was the eyedropper that Minister Tolbert had used just before boarding his plane. I looked up to see that Churchill had walked back to where I was and had been looking at the eyedropper in my hands. With my flashlight shining in his face and without looking up from my hands he said quietly "Let's keep looking". No more than 200 feet from where I found the eyedropper Churchill found the door to the plane's storage compartment with a portion of "The Big Fisherman" partly written across it. The Big Fisherman was indeed down.³⁶

³⁶ Part II of this article will deal with the recovery of the plane and bodies, and examples of the negative impact Finance Minister Stephen A. Tolbert's death had on the refinery operations and viability.

Time and Place in Upper Grand Gedeh, Eastern Liberia

*Svend E. Holsoe**

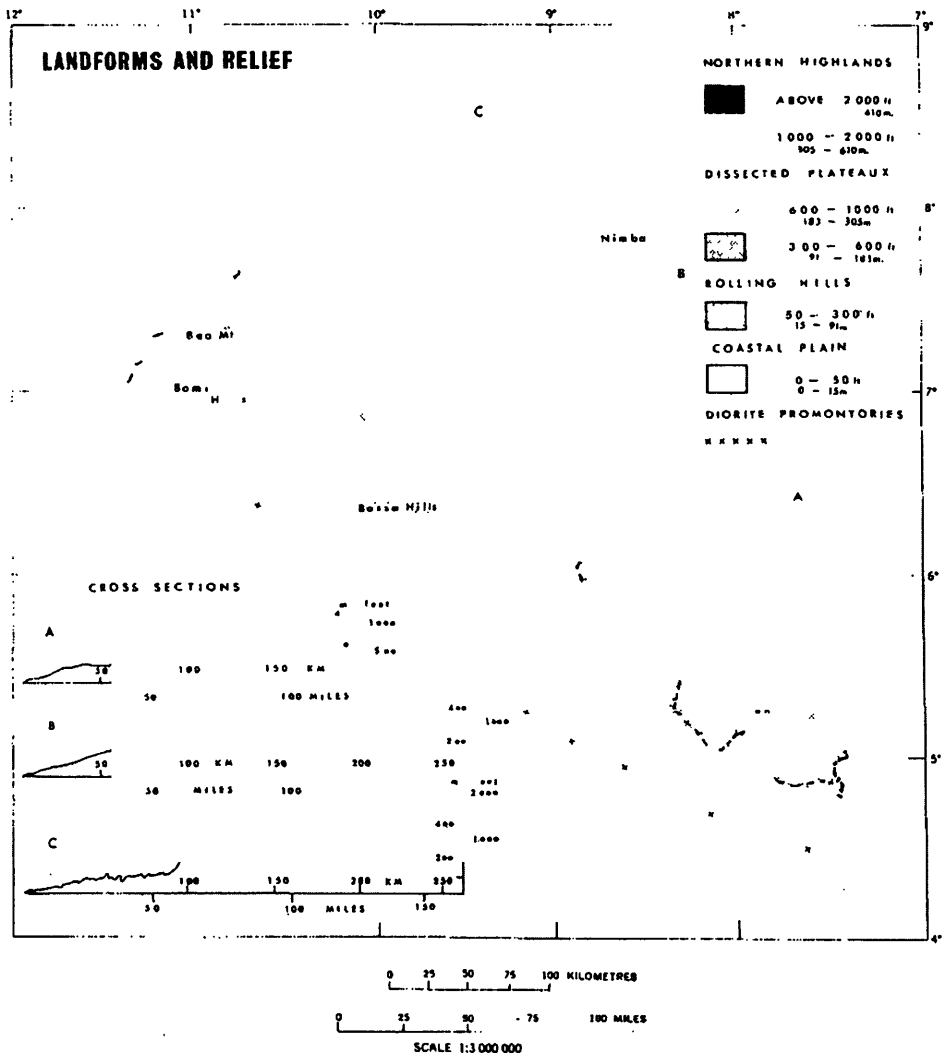
This article was written in 1985 as an introduction to the Grand Gedeh County Handbook for the Rural Radio Project. The decision was made not to include it in the final handbook. However, in reviewing the work, it was thought worth publishing, even though there have been significant changes since then, as for example the impact of the civil war, and subsequently, the creation of a new political entity, River Gee County, encompassing the Gbepo and Webó districts, which were formerly part of Grand Gedeh County. These issues are worthy of exploration, but are not addressed here.

The Setting

Grand Gedeh County, named for the highest mountain in the region, was created as a political entity in 1964 out of a portion of the former Eastern Province. It covers an area of 6,254 square miles (Hasselman 1979:98)¹ and varies in altitude from about 50 feet above sea level in the southeastern portion of the county to the highest point being 1247 feet (380 m.) at Mount Gedeh. Zwedru, the capital of the county stands at 706 ft. (215 m.), and the Tienpo range in the southern part of the county reaches to 1099 ft. (325 m.).

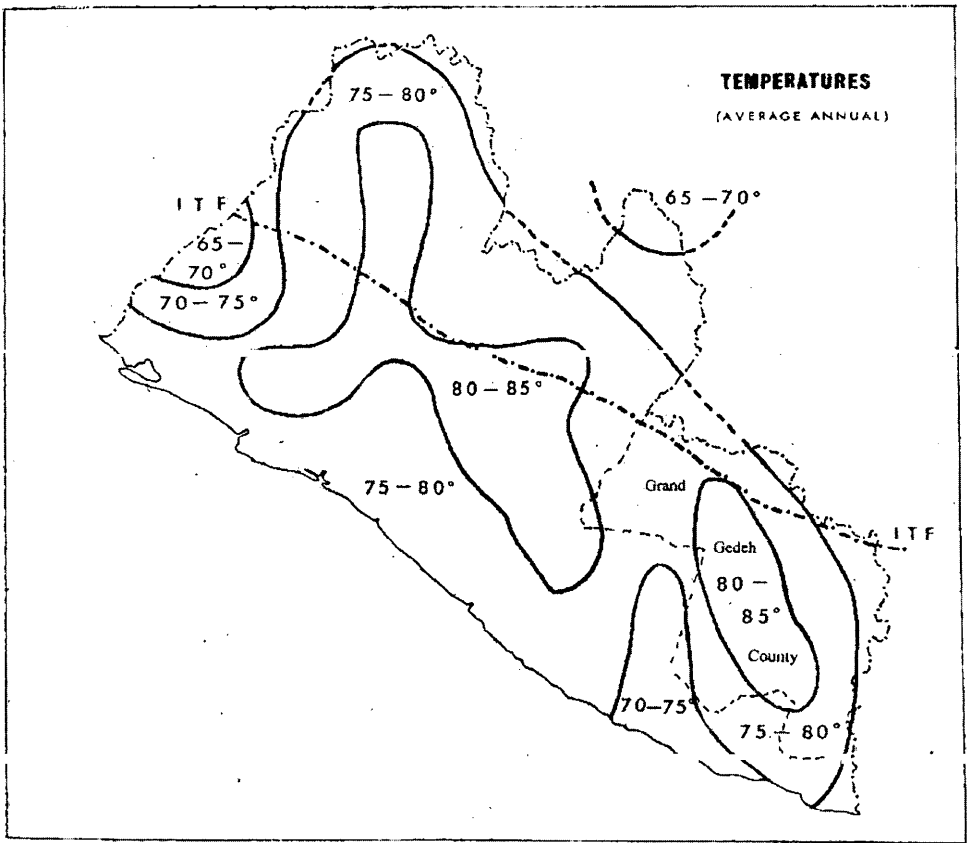
¹ Figures vary from 6,575 (Schulze 1973b: 57) to 6,836 (German Development Atlas 1983). New calculations of jurisdictional areas need to be made for all of the administrative units in the country. For the purposes of this work, the figures given by Hasselman (1979) are used.

* Dr. Svend E. Holsoe, a founding member of the Liberian Studies Association, is Professor-Emeritus, University of Delaware.



Adapted from Stefan von Gnielinski, *Maps in Liberia*. London: University of London Press Ltd., 1972, p. 17.

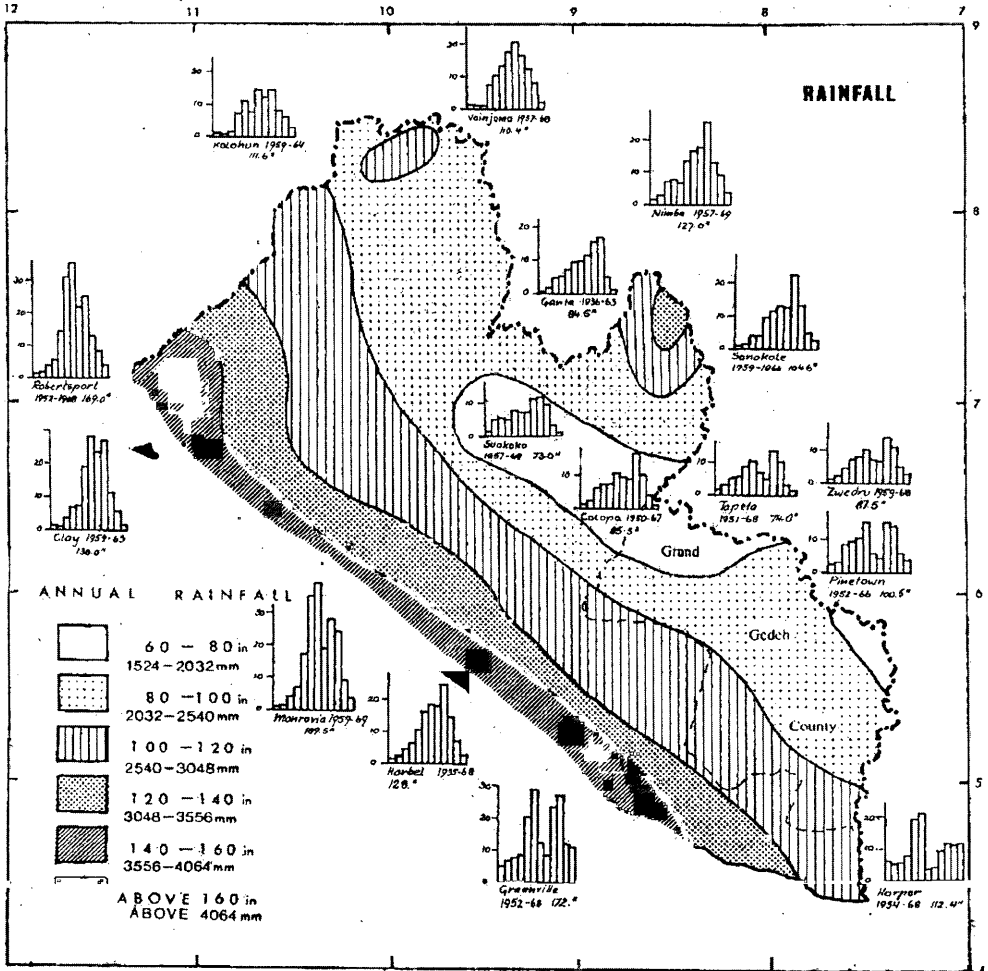
Temperatures in the county are typically tropical, with portions of the central part of the county reaching higher temperatures than many other parts of the county, due to its distance from the coast and to its relatively low elevation. In Zwedru, the afternoon temperatures vary between 87-92° F (31-33° C) during the rainy season and about 96° F (35° C) during the dry season.



Adapted from Stefan von Gnielinski, *Maps in Liberia*. London: University of London Press Ltd., 1972, p. 27.

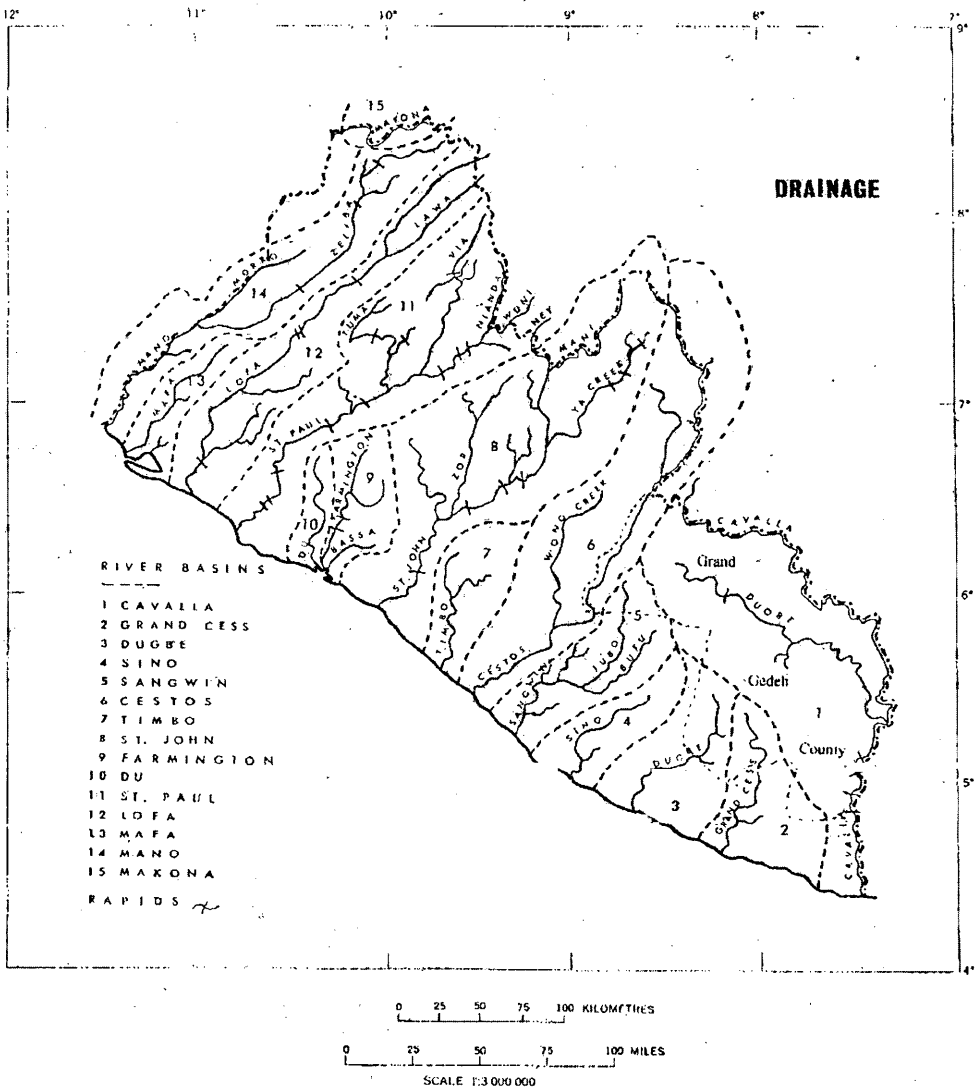
The area receives between approximately 70 inches of rain in the northernmost part of the county to as much as 100 inches directly south of Zwedru. Zwedru itself receives an average of 81 ½ inches a year.² Typically of all of Liberia there is a monsoon weather pattern with a wet period during the months of March to October, with a drop off in July and August (the so-called “mid-dries”) and a dry season for the rest of the year. The lowest rainfall occurs in the month of January.

² The recorded rainfall statistics (in inches) for Ziablor and Zwedru are as follows (Schulz 1872b:201).



Adapted from Stefan von Gnielinski, *Maps in Liberia*. London: University of London Press Ltd., 1972, p. 25.

River basins draining the county include the Cestos [a.k.a. Nuon], which serves as the county's western boundary and the Cavalla on the northern and eastern boundaries. Within the county the major river running from northwest to southeast is the Duobe which bisects the county and finally drains into the Cavalla. This river has a drainage basin of 860 square miles. The river Jii [a.k.a. Gee] also runs in a northwest-southeast direction in the southeastern portion of the county, and it too flows into the Cavalla. There are finally, two rivers which have their sources in the county and run directly toward the coast. The river Nor, eventually called the Grand Cess river, has its beginnings in the Tienpo area of Gbeapo District, and the Sanquin river which originates in the central portion of the Gbarzohn District.



Adapted from Stefan von Gnielinski, *Maps in Liberia*. London: University of London Press Ltd., 1972, p. 21.

Included within the county is the Grebo National Forest consisting of 969 square miles (2510 sq/km), and a part of the Kran-Bassa National Forest (total area: 1,984.5 sq. miles (5,140 sq/km). Most of these forests are considered as typical rainforests, but the upper half of the Grebo National Forest falls within the transitional forest belt.³

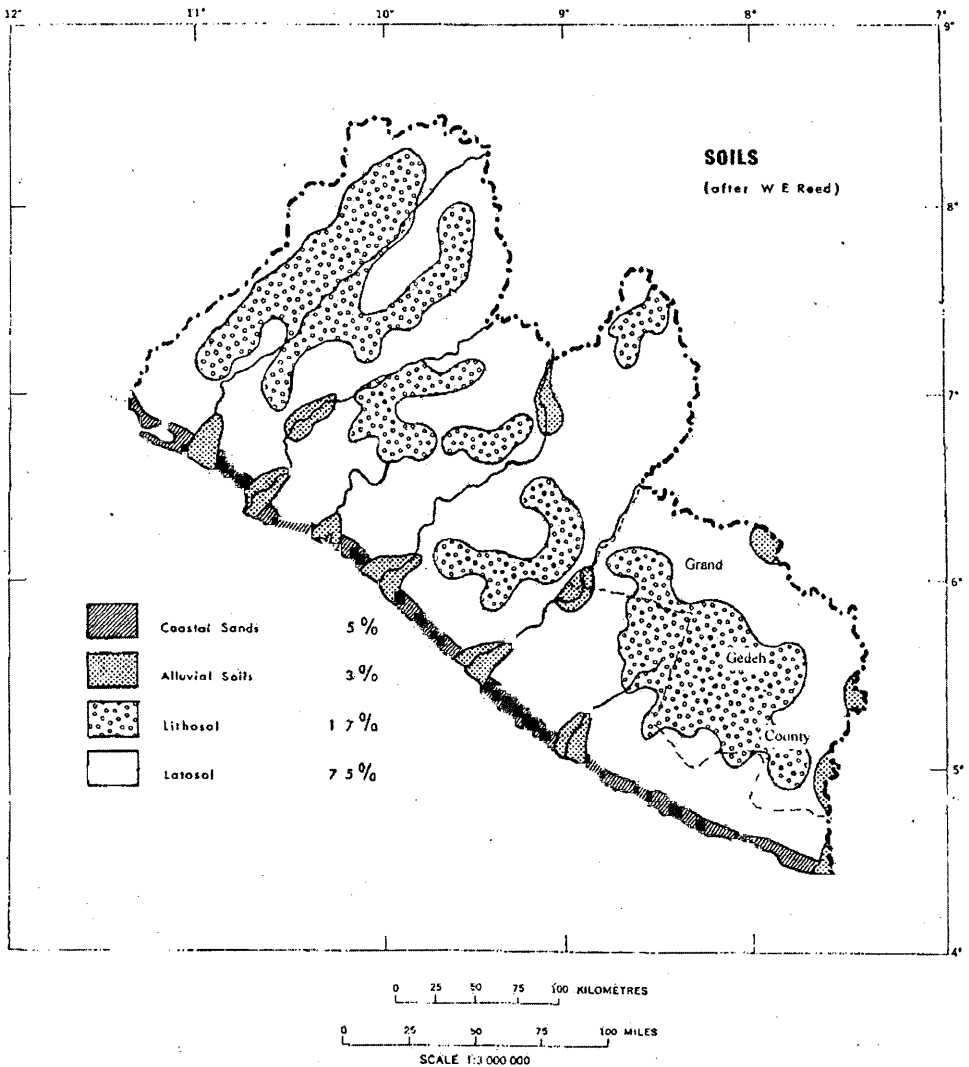
³ For more detailed information concerning these forests and the species found there in, see German Mission 1967 & 1968.

Portions of the rest of the county consist of high forest, but in recent years this has diminished rapidly as both logging and farming activities have increased. Since 1953, when measurements began, hydrologists have noted a decrease every year in the Cavalla river's water flow. They attribute it to the extensive use of land. In addition, it is notable that in January and February, the months of lowest rainfall, many of the major rivers are either dry or have minimal water flow.

Geologically, the county consists of oxisols (laterite, latasol) in the northern and eastern areas of the county, while azonal (lithosol) soils (which erode easily) are found in the central region. In scattered areas along the Cavalla River there are soils deposited by the river, called alluvial soils (Gnielinski 1972).⁴ In addition, from a commercial point of view, gold deposits have been found in the county and various areas have been exploited over the years. We know, for instance, that in 1941 there were 17 gold diggers in the Tchien District, and the same number in Webbo District, both sections of the old Eastern Province. In the following year, 1942, the operators had increased to 33 and 57 respectively (Sherman 1947:20).⁵ Holas indicates that in 1948, gold mining remained extensive in some regions of the Province. For instance, around Kanwiaken (Gbaepo District), there were numerous operators (Holas 1948).

⁴ Greater detail on specific soils may be found on the U.S. Geological Survey Maps for this region.

⁵ Specific places mentioned are Putu Chieftdom, Zoloblay, Pennoh (creeks empty into the Negben), and Kola Town (Jubor creek) - none of these are existing towns as of 1984; Konobo Chieftdom, Zar Town (Debay creek) and Sayonwo (Gorlu creek); Tchien-Zonie Chieftdom, Dolo Town (Nane creek) & Jowey Town (Dren Creek); Gorbo Chieftdom, Garduway (Hunter's Town) (Slemeh, Konee & Juboe creeks); Gbaepo Chieftdom, Joqueken (Kano, Towle, Nehworo and Tokonugba creeks) - very rich, and Tatuke (river Jii).



Adapted from Stefan von Gnielinski, *Maps in Liberia*. London: University of London Press Ltd., 1972, p. 19.

As of 1985, gold exploitation continued, although on a diminished scale. One such site was at Willie Gbeh Camp in the lower part of the Gbilibo section of the Gbilibo-Gbalu Clan (Konobo District). Another was the Bentley International Gold Mining Company at Gbehbli in Tchien Menyon (Tchien District).

Initial exploration for iron in the Putu range was carried out in 1953. During the late 1950's and through the 60's and 70's there were continuing discussions concerning the possible mining of the iron ore found. At one time LAMCO held concession rights to the area, but after extensive exploratory surveys were made, it was decided

that the quality and quantity of the ores available were insufficient to justify the costs of exploitation.

Early Indications of Habitation

There has been no extensive archaeological work done in Grand Gedeh. Thus, the evidence which we have for earlier populations is minimal. John Atherton reports the discovery in an area to the west of Slehbli (Gbazohn Chiefdom) of a variety of different stone choppers and "picks" which, as he says, "would not be out of place in a Sangoan context [10,000-40,000 years ago] or one of the industries derived from it." In addition, several pieces which resemble those found in the Middle and Later Stone age sites in neighboring Sierra Leone and Guinea, also have been found in the region. However, since these tools were not seen in context, which would allow for dating, little can be said about their time of usage, although the Later Stone Age tools have been used elsewhere in Africa from as early as 15,000 years ago to as recently as 600 years ago (Atherton 1970-1971:83-90). Whatever their dates, it would seem that Stone Age hunters roamed this forest region for many years prior to the period of written documentation (Gabel et al. 1972-1974:93).

Another form of human remains has attracted attention and been reported by at least two authors (Olsen 1953; Himmelheber 1981). In the area near the Niabo town of Janzon (Tchien District) are to be found a variety of stone walls, platforms and projectiles. None of these can be culturally linked to present-day inhabitants of the region. Himmelheber notes that among certain Dan groups (to the north of this region), the platforms for house walls are begun with stone and then continued with wood and clay. There is no evidence, however, of earlier Dan occupation of the area. No excavations were carried out, and as a consequence, no dating has been made of these sites.

Two other industries which have left material remains also can be noted for this general region. In the Putu area, particularly around the present-day towns of Penokon and Petrokon, the remains of iron smelting have been noted and described (Schulze 1964). Based on evidence collected at the time, it would seem that this industry existed up until the 1920s. The quantities of slag and numbers of furnaces discovered indicate that this was an important industry and the basis for trade with the surrounding region. What is not clear is whether members of the population who were interviewed in 1964 were the actual manufacturers of iron, since very few of the words associated with the industry were known or remembered. However, as Schulze points out, specialists did the actual smelting and this may account for the lack of knowledge of the process by the general population.

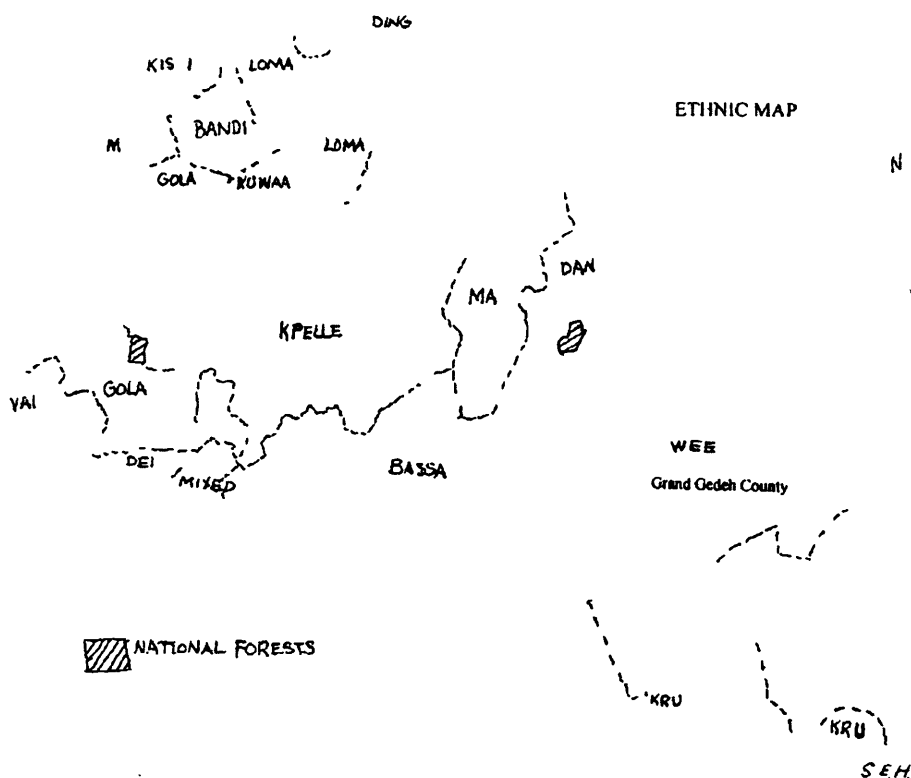
Finally, as part of the general ethnographic work which Frederick McEvoy carried out in the Sabo area of Webo District, he excavated several sites which contained fired clay pots (McEvoy 1970-1971). Some of these items were identified by local informants as having been made by their ancestors.

Historical Peoples

These ceramic remains are the first objects which can be conclusively identified as the material remains of peoples who live today in Grand Gedeh County. For most of the people, no such linkages to the far past are possible. As a consequence, in order to reconstruct their history, it is necessary to turn to other kinds of information. One of the most important of these is linguistic evidence. Since the language a people speak remains rather conservative and only gradually changes over long periods of time, and then without conscious effort by the population, it is possible to identify historical relationships on the basis of the languages which are spoken today.

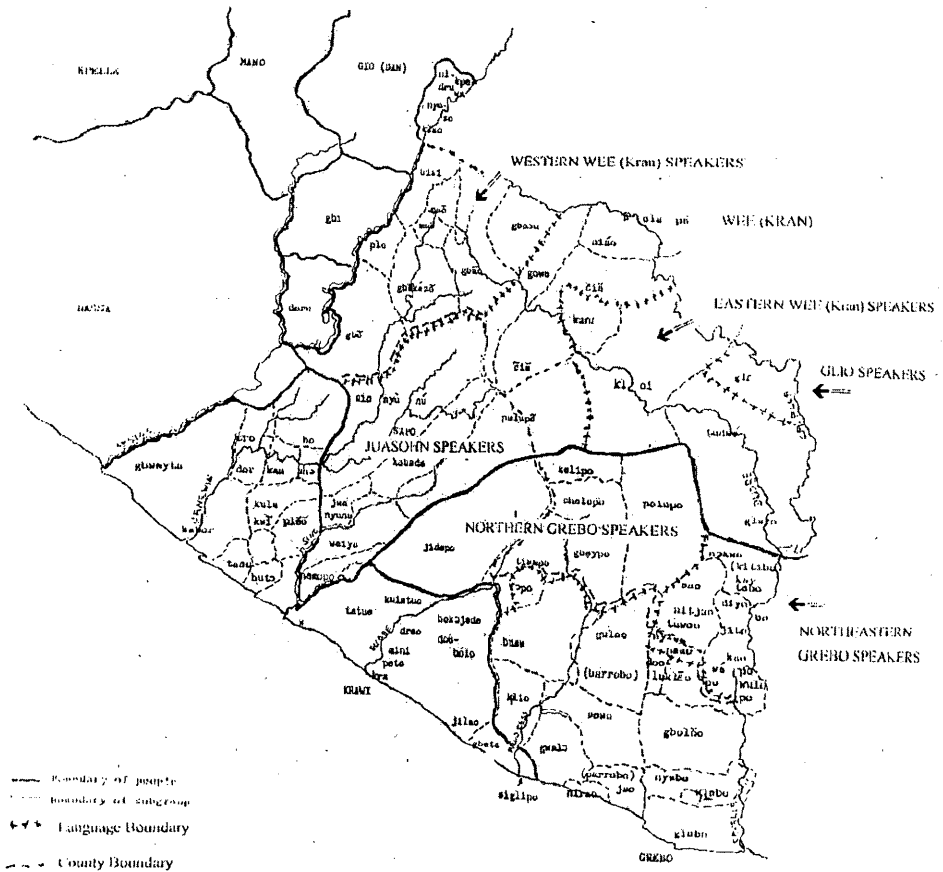
At the broad level of language families, we are able to discern three basic groups in Grand Gedeh County, the Mande-speakers, represented by Manding (Mandingo) people, who probably began moving into the area in the early part of the twentieth century. The second group is the Wee⁶ (Kran) speakers, and the third, the Grebo speaking peoples. The languages of the latter two groups are broadly classified as part of the Kruan languages, which are also spoken in many of the other counties of Liberia, as well as in neighboring Ivory Coast. Liberian Kruan languages include Kuwaa (Belle), Dei, Bassa, Kru, Grebo and Wee. In fact, it is clear that the Ivory Coast-Liberia border artificially divides both Wee-speakers and Grebo-speakers on both sides of the boundary from each other, and thus, should not be taken as a cultural boundary.

⁶ The decision was made by a group of Liberianist scholars that it would be useful to agree upon one common name for the peoples living in the northern two-thirds of Grand Gedeh County who were ethnically similar to the peoples living across the border in the Ivory Coast. Since the peoples of this whole region did not have a common name for themselves it seemed useful to choose a neutral name which would be appropriate for all the peoples, since most of the names already used were either derogatory or had occurred by historical accident. Since the name Wee, meaning "people" was gaining currency in the Ivory Coast over earlier names which had been used, it seemed an opportune time to rectify a situation where it appeared by the use of different names that the peoples of the two countries were different, to change that by adopting the same name as that now being used in the Ivory Coast (Holsoe 1979a).



The Kruan-speakers in the whole of southeastern Liberia have shared a common cultural past, but a combination of time as well as, the more recent internal political boundaries created by the Liberian state, have tended to encourage the widening of cultural differences. In many cases, the differences which exist today among the groups now called Bassa, Sapo and Kru as well as, the Wee and Grebo, at one time were probably not any wider than the differences that today exist among the Wee or Grebo themselves.

As regards these internal differences, linguists have carried out extensive testing of mutual intelligibility among various groups considered Wee- or Grebo-speaking. It is now possible to identify the degree of differences and thus to indicate where there are dialect variations and where the divergence is sufficient enough to classify them as separate languages. Based on these studies the following five language groups have been named (Ingemann & Duitsman 1976-1977; Ingemann et al. 1972).



Adapted from Günter Schröder and Dieter Seibel. *Ethnographic Survey of Southeastern Liberia: The Liberian Kran and the Sapo*. Published for the Tubman Center of African Culture. Newark, DE: Liberian Studies Association in America, Inc., 1974, Map 3.

For the Wee, within Grand Gedeh County, they are as follows:

I. Western or Gbazohn Complex	II. Sapo (Juasohn)/ Tchien Complex	III. Gorbo Complex	IV. Twabo Complex	V. Glio
(Gbo, Plo, Mao, Welao, Nidru, Pennu, Gbarzon, Biai) Gborbo Niabo	Putu Tchien Menzon Niabo Gohboh	Kana Konobo	Glaro	Glio

Likewise, for the Grebo in Grand Gedeh County, the following three language groups can be found:

I. Northern

Polupo

Tienpo

Gbeipo (Gbeypo)

Chedepo (Chelepo)

Kelipo

II Northern

Webo

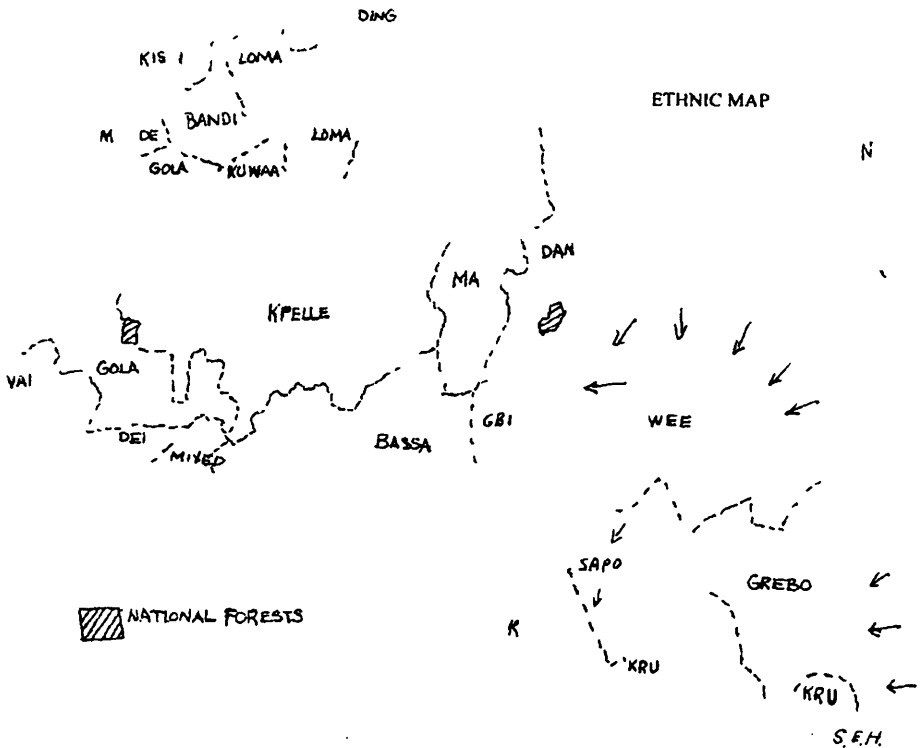
Tuobo (Tuwoo)

Kitiebo (Kitibo)

Sabo (Sao)

III. Central

Nyenebo (Nyineao)



The linguistic evidence, which we have today, gives us some indication of the general pattern of population movements. In a broad sense it is evident that Weespeakers have been moving from the north and northeast toward the southwest, and if there are actually historical ties among the Wee, Gbi and Bassa, as some scholars have claimed, then it is possible to view the Dei and Bassa as the vanguard and extension of the broad sweep of historically related peoples stretching from central western Ivory Coast to Grand Cape Mount county. Similarly, the Grebo-speakers have moved in a westward direction, and if, as has been argued, the Kru-speakers are historically related to the Grebo, then the Kru peoples must be viewed as the vanguard of this group. It can be

hypothesized that this process of movement is an old one stretching back over many centuries and represents generally the expansion toward areas of little or no previous human occupation, and thus, of untouched natural resources suitable for horticultural and hunting practices. The movement of the Sapo peoples in a direction more perpendicular to the other groups, that is, from a more northerly to southerly direction, and thereby thrusting into areas previously inhabited by Kru-speakers, represents a more recent phenomena, and the change in direction may be due to newer opportunities represented by the presence of European traders at and along the coast. These migrations were thus motivated by newer and different opportunities from those of the previous groups.

The Wee Area of Grand Gedeh County

It is apparent from a careful investigation of recent migrants in the Wee-speaking area of the county that the migrations described here are not based on the mass movement of large numbers of peoples from one locality to another, but rather the inching along of small lineage groups with considerable stopping and starting, and the process extended over a considerable period of time. Movement when it occurred was caused by environmental circumstances, population increases with a consequent rise in tensions, and by outside human factors. In the latter case, the expansion of Mande-speaking peoples (the Manding or Mandingo) into the northern border regions of the Wee country in the Ivory Coast may have been sufficient to create a "push" effect which rippled across this region.

It is not possible to reconstruct the process for all of the peoples of this region except in the broadest of outlines (cf. Lauer 1978-1979). Historical memories are relatively shallow. However, if one views the histories of particular groups, it is apparent that there has been considerable movement (cf. Schroder and Seibel 1974).

What is fairly clear from the particular accounts is that migrations involved patrilineal groups (*kye*)⁷ often headed by either a respected elder/father or war leader, who made the decision to move with his group from one locality to another. The reasons given for the departure are many, some of them follow a common and standard formula, but all of them typical of horticultural⁸ peoples who are not so tied to one locality by their crops, and whose material possessions are not so great that they will not naturally move on to more fertile and/or secure land when necessary.

So long as there was sufficient land available, each lineage group was quite content to live separately from others, only interacting when necessary to exchange wives so as not to break incest taboos. Building on these exchanges of women, in time, special

⁷ That is, those groups of people who are related to each other by a male line of descent, that is from father to son.

⁸ Horticultural societies are those in which the people who practice a pattern of farming that involves using only human labor, and where the land is used for a short period of time (1-2 years) and then allowed to return to bush. The common practice of slash and burn in Liberia is an example.

relationships developed among neighboring groups, which became formalized and were called *dodi*. In a *dodi* relationship overt conflict was prohibited and an agreement for mutual defense existed so that each group could help to defend the other against non-*dodi* members (Schroder & Seibel 1974).

This basic organizational structure of scattered lineage groups worked well so long as there was sufficient territory which permitted people to live in relative isolation, and, when necessary, allowed them to move on to new territory as when the surrounding area was exhausted of its wild edible plants and animals, and fertile soil.

As population concentrations began to occur, patrilineages were forced to share territories, and thus were also forced to interact more intensely with each other. Out of this situation *bloa* (shared territories) were formed. These became the largest political and social units among the Wee. They consisted of a number of patrilineages, some of which may have formed a common *bloa* in a previous area, but some of which would have originally been strangers to each other. In whatever way, they came together into a loose *bloa* alliance. One of the main reasons driving them together being fear of attack from enemies and the need for common protection. But under the circumstances, it was necessary to make structural adjustments to accommodate these new situations.

In general, it was these more complex social structures within *bloa* which the early explorers and government agents met when they penetrated the region at the beginning of the twentieth century. Thus, it is possible to describe something of the nature of these societies. However, historically, lineage units had been independent (and most of the Gbazohn area stayed as such), the initial accommodations which occurred were done in such a way as to assure the equality of rights of each patrilineage unit vis-avis others. Thus, decisions were made among lineage heads, where each had equal say. With time certain types of activities, or leadership roles, were assumed by particular lineage elders. One of these "designated" roles was leader of the elders in meetings. He came to be referred to as *bloa dyui* = *bloa* leader. These positions once accorded by the group to an individual were sometimes retained by his lineage and passed on to male descendants. But, there were many cases where this was not the case. Thus, concepts of leadership certainly existed, but it was usually not formalized into inherited chiefly positions.

If disputes arose among the lineages, the elders as a group would try to seek a solution. However, if none was forthcoming, the aggrieved lineage members might choose to leave and move on to a new area. Although that continued to remain an option, as population concentrations increased, it would often mean moving from one group (*bloa*) to another, and in the latter case, it was not always certain that one's lineage would be accepted into the new community on the basis of lineage equality. In addition, it was possible that one might put oneself in a precarious position if one were alone among hostile groups. Thus, there were greater checks on the free movement of people than there had been in earlier times.

As population density increased, inevitably the level of tension and conflict arose. One of the necessary structural modifications was to organize militarily for protection. Since warfare fell to the most able bodied males, and each lineage had only a limited number, it was logical for those living in the same community to band their young men together. What developed was a warrior age group and the consequent age grade system which linked various age groups cross-cutting the separate patrilineages. Not surprisingly leadership of these groups was necessary, and it seemed to emerge on the greater ability of one particular individual in relation to others in the group. The best warrior in an army was called *bior*. However, the power of the warrior group and its leader, although clearly useful for external attack, had to be, and was, held in check by the lineage elders, and by those individuals who had access to political and religious sanctions.

However, even though there was a tendency with time and greater concentrations of people living in close proximity with each other to force individuals to make adjustments toward the common good, nevertheless, the widespread pattern within the society of strong individuality and independent action remained an underlying force. Thus, social stratification was limited and mainly based on age and sex. However, even these were not a certain basis for social or political superiority, as many individuals transcended them. For instance, women had sole control over farm produce and thus had a basis for a certain amount of leverage over men.

Although a few people had slaves, usually captured in wars, the social position of slaves was not seen as one of inferiority and their children usually did not inherit the status. Similarly, few people were "wealthy" and those who were had a few more wives, children, cattle, brass jewelry, iron tools and rice than others. In fact, the "wealthy" man in Wee society was the person who gained prestige, and one of the most common ways of achieving that was by generosity, for instance holding big celebrations with vast amounts of food. Thus, what is apparent from the people of this area was a pattern of strong individuality and only a very limited amount of socially structured constraint.

Among the principle religious groups were the societies formed to carry out the necessary ritualized surgery and ceremonies involving the transition from childhood to adulthood. Separate organizations existed for males from females.

In addition, there were other groups such as the Kwi society which controlled supernatural spirits, and the Gele society which represented spirits through the use of masked figures. The belief system of the Wee included the assumption that mankind was surrounded by a variety of spirits, both human and inhuman. Some of these beings were useful and helpful, and could advance particular individual's causes, while others were malevolent and caused trouble. Thus societies such as the Kwi and Gela were organized so that communities could effectively interact with these beings. The Kwi society was generally found in the modern-day Tchien and Konobo districts, while the Gela society was found in the modern-day Gbazohn district, although masked

figures were certainly used in other areas as well. But it is not surprising that the most extensive use of masked figures should occur in the Gbazohn regions, as they are neighbors to the Dan (Gio) to the north and west, and Dan society is permeated with masked figures.

Likewise, witchcraft societies were widely established among the Wee. In the typical small communities, many of the tensions and rivalries which built up involved individuals seeking to take advantage over others, and the means to carry this out was thought to be through the use of medicine and witchcraft. In order to protect against such ill-intentioned individuals, people either joined anti-witchcraft societies, or else went to ritual specialists, *weorn*, for protective medicines.

Another mechanism for dealing with the world of the unknown, and particularly with the uncertain future, was to consult an oracle. Although there is some evidence that there were several oracles scattered across the Wee countryside, the most famous was the one located at Mount Gedeh in the Putu mountains. The prestige of this particular oracle was so great that peoples from the whole southeastern region of what is modern Liberia came to consult it.

As far as the more immediate issues of health and disease, there were particular individuals who became healer specialists. They had unique knowledge of particular medicines which they gained from a parent, through an apprenticeship with a knowledgeable individual, *weorn*, through the purchase of the particular ingredients and the rules of usage, or from an oracle or directly from a spirit. In addition, throughout the region there were organizations for particular specialties such as snake societies, many of whose members were able to cure snake bites.

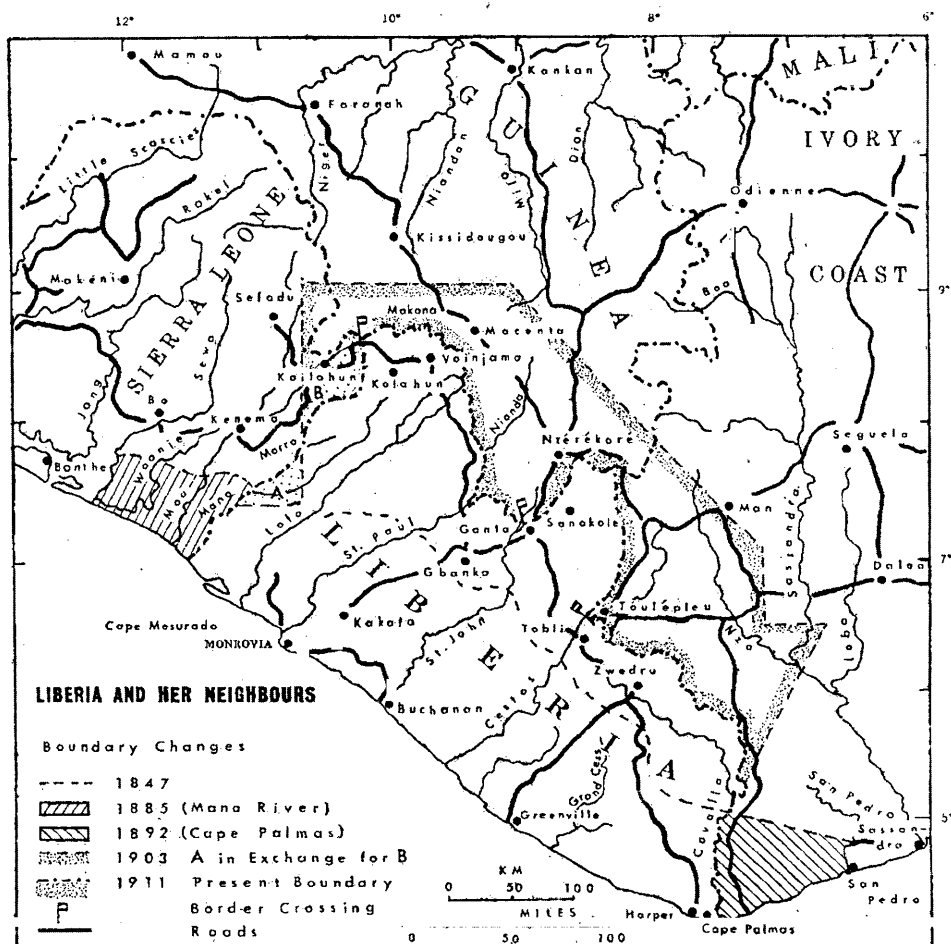
If some social and historical generalizations are to be made about the Wee people as a whole, they would include the following. The western region seems to have been the scene of a larger number of diverse lineage groups, which split off from earlier *bloa*. In their movement westward within the Ivory Coast, they came up against the Dan and could not proceed farther toward the west. As a consequence, they were diverted southward. Thus, Gbazohn District and the region just to the north of it appears to be an area of fractionated groups. It has meant that there were no intrinsic structural unities, and thus the small lineage groups predominated and shaped relationships with each other.

In contrast, in the eastern area, among the Konobo, Kana and Tchien, to take three as examples, the movement of these people into the Liberian region seems to have involved large segments of groups who already formed *bloa* in the Ivory Coast, and thus, just transferred them south of the Cavalla river. It meant that there was much more internal cohesion, and as a consequence, they were better able to defend themselves against attackers as well as waging war. This greater complexity of society stood as a sharp difference to their western cousins, and it would shape their later history.

Needless to say, this is a generalized picture of the social structures of the region, and inevitably there were local variants which did not necessarily fit the form exactly.

Nevertheless, in broad terms it was what the central government officers met when they entered the region. Their task was to integrate these diverse small groups of people into the nation state.⁹

Integration into the National Structure

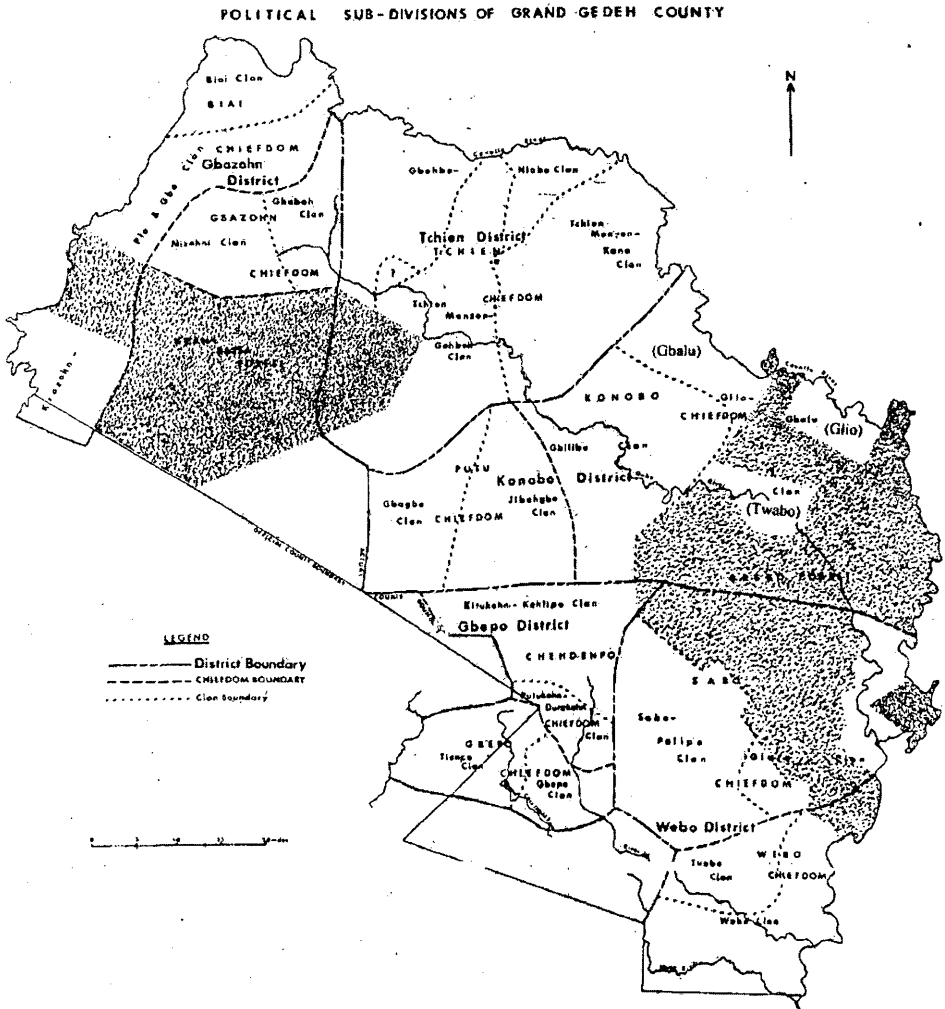


Adapted from Stefan von Gnielinski, *Maps in Liberia*. London: University of London Press, Ltd., 1972, p. 11.

⁹ For greater detail concerning this whole historical process see: Lauer 1978-1979, and Schroder & Seibel 1974.

By the treaty of 1892, the Liberian southwestern bank of the Cavalla river was agreed upon as the boundary between Liberia and the French in the Ivory Coast. At the time, it was thought that the river flowed directly northward for its whole course. The Hostains-d'Ollone expedition of 1899 was sent out to discover the river's route (d'Ollone 1901). Initially, the French claimed the Duobe river as the Cavalla, but the French explorers soon recognized that the more northerly branch of the river was the larger and actual boundary. The Cavalla was reconfirmed as the border by the 1908-1909 boundary commission, although, as the river turned northward and paralleled the Nuon (Cestos) river, the latter river was designated as the continuing border.

The Liberian government's move to occupy the eastern region came late, and the evidence for the process, at this point is still sketchy. Various Liberians had visited the eastern part of the region during the nineteenth century, and the travel account of T. C. Brownell who visited the Putu mountains in 1868 is particularly useful (Brownell 1970). However, the first government official to pass through the area was J. J. Moret in 1909 (Naber & Moret 1910). He came from the north via Toulepleu, now in the Ivory Coast, and passed through the Gbazohn area heading toward the coast. There are indications that Boima Sandimannie, who was a commissioner assigned to the lower Dan (Gio) area at Tape's town, Tapita, may have been the first to establish Liberian presence in the Gbazohn area. It is alleged that in the late teens, he had military barracks constructed (Reeves 1977).



From Svend E. Holsoe, *A Social Survey of Grand Gedeh County, Liberia*. Tenaflly, NJ: Society of African Missions, 1979.

At about the same time, the government established a military camp in the “Pahn” area. From what can be gleaned in the government’s records, this would seem to be the modern Putu Chiefdom area. There had been difficulties for the government with the peoples of this area, and so, the presence of a military camp, it was hoped would bring acquiescence to Liberian rule.

In 1919, difficulties broke out for the government in the eastern part of the region. A party of warriors crossed the Cavalla river and invaded French claimed territory. By this time, the French had established an encampment at Tai, and thus could monitor

the movement of peoples, particularly across the border. The Liberian government dispatched a military contingent from Naiaken (Webo District) under Captain L. L. Smith to investigate. What they discovered was a complex sequence of raids and counter-raids between the people on the two sides of the river. The French officials themselves were not found to be guiltless, as people on the Liberian side, particularly in the Twabo area (Konobo District), indicated that the French had threatened to destroy their towns and animals if they did not move to the French side. Apparently the French were trying to increase the population of their towns.

Proposals were made by Smith and accepted by the Liberian government to establish two military barracks, one in the Glio area and one in Konobo territory. The first was established at Tewor (sometimes referred to as Tienpo, Tebo) (Konobo District) with a trail opened through the Twabo area running southward to the government's main base at Naiaken (Webo District). The government's presence in this area was peacefully accepted by the local people and fairly good working relations were established between the Liberian and French government officials facing each other across the Cavalla river.

The history of the establishment of the second encampment is unclear. The oral histories from the Konobo and Kana areas indicate initial resistance and the need to use the Liberian Frontier Force to overcome local opposition to the government's presence. These local groups had developed a para-military organization due to a more cohesive *bloa* structure and earlier conflicts that had beset them. Thus they were better able to resist the government's military force than groups in the western area. The actual dates of the conflict and final occupation are unknown at this time, but by 1928 the government had an Assistant District Commissioner stationed at Tuzon in the modern-day Gbilibo clan of the Konobo Chiefdom. Because the area and its people were perceived by the government not to be completely under firm control, the commissioners for this region remained military offices until 1944. Only then, was the area finally turned over to civilian officers. A military camp still remained in the 1980s at Tewor.

In the meantime, it was clear that a line of contact was necessary along the southwestern bank of the Cavalla river between the Glio area and the Cestos (Nuon) river to the northwest. It would seem that government forces moved in both directions, but just when and how this process occurred remains to be unraveled.

The government in about 1919, as a first attempt to define districts, designated the eastern region of the country, as District Number 8. An indication of how tenuous its hold of the area was can be seen by the description of the region.

District No. 8, will comprise the territory between the Nuon and Cavalla Rivers. The Southern boundary of this district will be fixed when the present hostile tribes have been subdued (Interior Department c 1919).

By 1923, when the Interior administration was streamlined to reflect a better comprehension of the region and its people, political jurisdictions were outlined with specific boundaries and the particular peoples who inhabited them (Interior Department 1923). In the eastern area of the country, two districts were established, one called the Gbazohn ("Bharzon") District, Number 4, and the other, the Glio ("Gleyo") District, Number 5.

Under this structure, District number 4 was to include the modern-day areas of Gbazohn and Tchien districts, plus the Putu Chiefdom, and the Sinkon area, the latter today a part of Sinoe County. Traditions describe a military barrack which was established at Chehnsila, in today's Nizohni Clan, and it was still functioning there in 1926 (Mills 1926). However, as early as 1923, the district was transferred from military control to a political officer directly responsible to the Department of Interior. According to the new interior regulations of 1923, the political headquarters for the District was to be located at "Suisobli (King Solo Town ...)" in the Gorbora area. What in fact happened was the establishment of the main political center for the district in Zwedru, in the Tchien section. The earliest record found so far for the presence of a District Commissioner there is in 1925, but it is possible that the move occurred earlier.¹⁰

The process of political consolidation by the government remains to be explored in future research, and in particular, the process of defining "traditional" political entities, which would form "Clans" with Clan Chiefs, and "Chiefdoms," composed of a

¹⁰ The following is a list of the District Commissioners who served at or near Zwedru up until the creation of the county in 1964.

Paul Lamandine, 1923-24
 J. A. Dunham, 1924-25
 John B. Watson, 1925-28
 D. D. Freeman, 1928-29
 John A. Brown, 1929-34
 H. R. Wellington Diggs, 1934-36
 L. Y. Walters, 1936-37
 Ernest C. B. Jones, 1937-40
 George P. Conger-Thompson, 1940-42
 James A. Holder, 1942-43
 T. K. Jarrett, 1943-44
 D. Colden Wilson, 1944-46
 Jaiah C. Massaquoi, 1946-49
 Samdu Jangaba Mole Johnson, 1949-50
 F. W. Dargby, 1950-52
 E. D. E. Hoff, 1952-53
 Hezekiah D. Monger, 1953-56
 J. Darkirna Lansanah, 1956-61
 George G. Toweh, 1961-62
 Frank W. Smith, 1962-63
 Francis G. Doe, 1963-64

series of Clans and headed by a Paramount Chief. As is clear from the local histories of peoples living in the Biai and Gbazohn chiefdoms, the variety of *bloa* and the movements of segments of these groups has been complex. Presumably because of the difficulty of establishing identifiable jurisdictions, the peoples of this section are not mentioned among the groups included in the 1923 definition of the Gbazohn District. Those which are included are the peoples who had less complex intermixtures, namely the Gorbo (Gohboh) (listed in 1923 as "Borwo"), Gborbo (Gbohbo, Gorpo), Tchien, and Kana, which were each defined as Chiefdoms. Presumably the same problem as the government faced with the Gbazohn chiefdoms also occurred with the so-called, and misnamed, "Bush Kroo tribes," meaning presumably the Sapo peoples, who are mentioned, but whose political structures were seemingly ill understood.

By the late 1920s open warfare had been brought to a halt. There had been difficulties in the Putu area and a military expedition of 500 soldiers was sent in 1924. The soldiers' occupation of the area was forceful, many were killed, all opposition was quashed, and the well known oracle, which had served the whole region, was killed.

Officials of the government were not always benevolent in their rule. In documents released at the time of the League of Nations enquiry into forced labor shipments to Fernando Po, it became apparent that the District Commissioner located in Zwedru, along with the Commissioner General for the Hinterland, were actively involved in "recruiting" laborers, who were dispatched under guard to Greenville for shipment to the Spanish colony (International Commission 1931: 107-108). A chronic problem for the central administration in Monrovia was the control of its officials who were isolated and many days' walk from the coast. This problem was particularly severe in the eastern section of the country.

In 1931, partially as a consequence of the League's inquiry and the threat to impose expatriate commissioners to govern the hinterland, President Edwin Barclay's government redesigned the interior administration (Interior Dept. 1931). The eastern region was designated as the Eastern Province with three districts, Number 1 - Webo, Number 2 - Tchien, and Number 3 - Juarzon. The first district included Grebo-speakers, those which today fall in the Gbaepo and Webo districts, as well as sections in Maryland County.¹¹ District Number 2 included all of the peoples along the Ivory Coast

¹¹ Webo District was created out of earlier entities. One part of it was called "Gleyo District" in 1927, and then District No. 5 in 1929, and finally District Number 1 in Eastern Province before it became Webo District. The following is a partial reconstruction of the District Commissioners who served in the Webo District area up until 1964.

J. J. Horace, -1924

M. J. Schott, 1927

Carney Johnson, 1929

Joseph Pitman Harmon, Jr. 1931-35

Jude Flomo Reeves, 1939

E. Senesse Freeman, 1942

Joseph Itoka, 1949-52

border, the modern-day Gbazohn, Tchien and Konobo districts. The last district, Number 3, included groups in the northern and east-central part of modern day Sinoe county.

Within the two districts of particular interest here, many of the chiefdoms which had finally been recognized during the previous period, were carried over. The entities which today are recognized as clans were accepted as full chiefdoms then with Paramount Chiefs. Diverse groups such as those found in the Biai clan had been consolidated under one political jurisdiction. The process had not gone completely smoothly, as there were rebellions in late 1929-1930, but by the use of force, the government's decisions were imposed. Although it is not possible to measure the effects of this imposition, nevertheless, a certain sense of belonging to a larger political entity, which superseded *bloa* loyalties, inevitably developed, particularly for the diverse groups in the modern-day Gbazohn district.

One of the main goals of the government was to incorporate the peoples of this region into the body politic. A means to accomplish this was by taxation. Hut taxes were imposed shortly after the area was occupied. The consequence was to force people into the moneyed economy. This is not to say that the concept was totally foreign to all the people of the region. There are indications that at least by 1922, the people of the Gbazohn area were using French five franc pieces and the people in the other sections of the Wee area were familiar with the British two shilling coin. The French coins came into the region through the trade in kola nuts toward the north, while the latter coins had been received in exchange for rubber collected early in the century by the British Rubber Company.

Nevertheless, an annual demand for money to pay taxes forced individuals to look actively for sources of revenue. Many people went to the coast to freely participate in the labor system on board ships sailing down the West African coast, the so-called Krumen. Others, as indicated above, were sent, not always willingly, by family members or local political officials to participate in the export labor system to Fernando Po. The people who sent them received cash from the labor recruiters for each laborer sent, and some of the laborers even returned at the end of their two year contracts with cash.

As the period of the thirties proceeded, the government attempted to establish agricultural and health services for local peoples. By the late 1930s government agricultural agents were assigned both to Webo and Tchien Districts. They encouraged farmers to diversify their production. In the Webo District, a considerable number of farmers began to grow cocoa and coffee, but only a limited acceptance of coffee growing occurred in the Tchien area. Finding a means to transport goods to market may have been one limiting factor. The agricultural agents also began encouraging swamp

rice production, but with the abundance of untouched primary forests, farmers were reluctant to change their ways.

Attention to health matters remained limited. At various times pleas were sent to Monrovia by the District Commissioners for assistance in influenza and small pox epidemics, but given the financial resources of the country and the distances involved, little was done.

In 1949, the hinterland was reorganized again (Interior Dept. 1949). Its impact on the eastern region mainly involved the subdivision of Tchien and Webo Districts, as well as the appointment of a Provincial Commissioner for the first time. District Number 1 - Webo, retained its headquarters at Naiaken, but there was now a sub-district, Buah (today part of Grand Kru County), formed with an Assistant Commissioner.

District Number 2 - Tchien, was also sub-divided, and Konobo Sub-District, which had existed in fact since 1944, when the area was turned over by the military to civilian rule, was finally officially recognized. Konobo's area was controlled by an Assistant District Commissioner.¹²

Commissioners were required by law to submit annual reports on their districts to the Secretary of the Interior, and most of them did so. This was one indication that since the early 1930s the central government had gained firmer control over the activities of the interior administrations. This also was due in part to more regular inspections by central government agents sent out to report. In addition, local rulers had gained new political sophistication and made use of letters and in person interviews to make their desires and complaints known to officials in Monrovia. They thereby served as a check on the more abusive practices of officials. Nevertheless, individual officials could be a force, and at times capricious in the use of their powers (see: Periot 1960).

In general, the concerns of the commissioners were for the improvement of the three main sectors of the province, agriculture, education and health. The agricultural activities of the government, which began in the 1930s and then died out, were given renewed emphasis in the 1950s and agricultural extension agents working with U. S. technicians attempted to change agricultural practices.

As of 19-50, educational facilities were limited in the region. Six public and three mission schools serving 780 students were the total extent. By 1960, the number of

¹² The Assistant District Commissioners who served in Konobo Sub-District were:

D. T. Bropleh, 1944-46

E. V. McGill, 1946-49

A. A. Koffie, 1949-50

William J. A. Bowier, 1950-52

F. W. N. Bryant, 1952-53

Lewis K. Free, 1953-56

Thomas T. Nyebeu, 1956-61

A. E. C. Brown, 1961-63

Martin C. Benson, 1963-64

schools had increased from 9 to 24 and the number of students being educated had jumped from 780 to 1,799.¹³

In the field of health, with the exception of a few sanitary officers who attempted some public health programs, little else was done. Although the government continued to be concerned about development in the region, the pace was slow. All services were hampered by the fact that most people and goods, headloaded by carriers, had to be transported over trails, from the road heads at Tapita, Juarzon and Naiaken. However, one significant change had occurred, the construction of an airfield at Zwedru. Those who could afford the cost were spared the trek by foot to reach the district headquarters.

Dramatic change did not occur until, the building of the motor road. In 1960, with the completion of the bridge across the Cestos River and an all-weather laterite road to Zwedru, the new involvement of the central government in the region was profound. People, goods and services could now move freely and easily. The pace of change quickened. A review of the local newspaper, *Tchien Post*, published in Zwedru during the period 1963-65, reveals a dynamic community clearly setting its sights toward economic and social change. A hospital was functioning, although with lapses in resident doctors. Regular sanitary inspections were carried out in the town to control disease. Educational activities were expanded from just classroom instruction of children. Adult education classes for literacy, and skills such as sewing were instituted. A regular sports program was established with a supervising administrative structure. Economic activities quickened, and resident Lebanese merchants were an indication of the change of pace. Logging companies had moved into the region and now began to exploit their timber concessions. Jobs were suddenly available and people could make a living without having to leave the region for the coast as they had had to do in the past.

The culmination of the rapid process of change came in 1964, and was brought about by the designation of the region as a county. The transformation from Tchien and Webbo districts to Grand Gedeh County was significant in that the people of this area for the first time were granted political equality to the preexisting coastal counties; counties which had been created by the repatriated settlers of the nineteenth century. A unitary governmental structure was established encompassing the whole territory of Liberia, and certain individuals could now participate as political equals with the coastal officials.

Although the new county structure had many positive aspects to it, it also transferred the unsolved problems of the coastal counties to the hinterland. The interior areas were ruled on the basis of tribal or "traditional" law with officials of the Interior Department serving as the intermediaries to the central government, and initially with

¹³ See Endnote A for details of growth.

no, and subsequently, limited representation by local peoples, and that only after the coming of President Tubman to office in 1944. In contrast, in the coastal counties, a dual structure existed, that was based on the statutory law, and the government carried on by the tribal administration based on "traditional" law. This dual system was now imposed upon the Grand Gedeh County.

A phenomenon particularly noticeable in the whole of southeastern Liberia, but which began on the coast, involved the dichotomy between those defined by themselves and others as "civilized" and those who were "native." The coastal political system encouraged this differentiation, for it permitted individuals of indigenous background to cross the boundary to participate in the "civilized," i.e. statutory legal structure. Individuals who spoke English, and especially those who were literate, but also those who were Christian, were often accepted as part of the "mainstream" or at least "peripheral mainstream" of coastal society. Thus, there developed "civilized" communities next to traditional communities, often with members of the same family split between the two. Examples of such as occurred in Sasstown or Grand Cess are cases in point.

As missionaries spread toward the interior, they encouraged their followers to leave their traditional ways for more "modern" practices (cf. Assemblies of God c1940). Although these individuals might not form completely separate communities from their "more conservative" relatives, nevertheless, there was a perception of difference. This phenomena has been analyzed carefully and in depth by David Brown (1979), using Ziablor (Konobo District) as the central base for his investigations.

At the time the new county was created, those individuals who were perceived as falling under the jurisdiction of the statutory law, were those eligible for the numerous government positions which were a part of the new governmental structure. The advantages of their "civilized" ways were clear for all to see, especially those who had not made the shift. And surely those perceptions lie at the base of the extraordinarily enthusiastic modernizing drive on the part of many local people and consequent rapid changes which occurred in Grand Gedeh during the late 1960s and through most of the 1970s.

One indication of the rapid change was the school population which skyrocketed from 5,806 in 1970 to 17,553 in 1980, with 548 teachers in 140 schools. Another indicator of change was road construction, enhanced certainly by the presence of so many timber companies in the region. By 1963, the main road from Zwedru toward Harper, on the coast in Maryland County, had reached near Tatuken (Gbaepo District), when continued progress was broken off due to the lack of funds. In the same year, a motor road was built by the Maryland Logging Company from Naiaken (Webo District) into the southern portion of the Grebo National Forest. Four years afterwards a road link was established between Zwedru and Greenville, in Sinoe County, and the following year, the final connection between Zwedru and Harper was completed, joining for the first time the lower portion of the county with its capital. Not

long afterward a road was constructed to Ziablör in Konobo District. By 1977, nearly all parts of the county, with the exception of Tienpo Chieftdom (Gbepo District) and the lower portion of Krazohn Clan (Gbazohn District) were connected to the national road system. In fact, more government recognized general towns and villages were linked by motor roads, than any other county in the country.

The governmental infrastructure with modern buildings for district commissioners, new school buildings, health facilities and market buildings were all additional physical evidence of the quickening times. The concept of self-help was widely accepted and many communities took the initiative to improve their surroundings (cf. Holsoe 1980).

In addition, the central government moved to streamline the interior administration, consolidating political units into numerically rational units. Beginning in 1973, a decision was made that all officially recognized General (sometimes called, section or amalgamated) Towns should contain at least two hundred houses. It was felt that the expenditure of funds for facilities such as schools, clinics and markets placed in smaller localities would not be justifiable. Thus, numbers served as the framework for decisions, although there were attempts to still recognize *bloa* alliances and antipathies. If those who had *dodi* relationships could be united, they were. As a consequence of this process, by 1976, 28 chieftdoms had been amalgamated into 9, and 292 towns and villages had been consolidated into 29 General Towns. Essentially this is the structure which existed at the middle of the 1980s, although there were a few modifications made since the original decisions were taken. These mainly reflect the increase in population and thus the justification for the creation of additional General Towns.

Out of this whirlwind of activity developed the logical reaction to the dichotomy between "traditional" and statutory law, and it was magnified by the change to county status. During the period 1976-1979, a large number of townships were created in the county and recognized by the National Legislature. By obtaining this legal designation, an area with its inhabitants came under the statutory legal system and were removed from the administered system overseen by the Ministry of Local Government (formerly Interior Department). In addition, it provided for a series of government offices, such as Township Commissioner, Clerk and Magistrate, and thus new employment opportunities. It is clear, and the Ministry of Local Government recognized this, that the process of transformation was abused, but once the law was passed for a particular locality, it served as the basis to pressure the central government to implement the legislation. The process of reconciling Clan and Chieftdom boundaries with Township boundaries, as well as, the duties of the various officials, now all paid government employees, was still in flux in the middle of the 80s, although some communities had come to some form of accommodation. Thus, in some instances, the areas which were included within a General Town, now were also designated as a Township, although the latter is legally defined as "eight miles square" in territory. The territorial measure for a Township indicated by the law is unclear, and it certainly did

not always conform to the area occupied by a General Town. In addition, even though an area might be officially designated as a Township operating under statutory law, nevertheless, the court systems of the Town, Clan and Paramount Chiefs continued to operate and could be appealed to by litigants.

The 1980s

Since the coup of 1980, the pace of change slowed, partially due to the weakening economy. Many of the products grown in the area, coffee and cocoa, for instance, saw world prices drop by as much as 50%. Timber companies were not as active as in the past. Nevertheless, some continued, particularly in Gbazohn, Konobo and Webo districts. A series of cooperatives were formed in the area.¹⁴ The Liberia Coffee and Cocoa Corporative, the Forestry Development Authority and the Ministry of Agriculture's Extension Agents and Home Economics Teachers were still present in the county, although little activity was possible due to the limited funds available from the central government. Foreign donor sponsored activities were limited to technicians from the Republic of China who were working on a swamp rice project near Tuzon, and a primary health care project supported with funds from the United States government.

From the social point of view, several changes from the past were notable. Many of the age-grade systems which had been a part of the pre-central government era were transformed. It was not unusual from them to serve as mutual aid and improvement societies open to both males and females. Quite often one of their functions was to act as financial institutions granting loans to members. Community improvement projects were another activity in which they became involved.

Similarly, rivalries which led to warfare in the pre-central government contact period, warfare which, as we have seen, was terminated by the district commissioners, those rivalries which developed in the recent past were re-channeled so that young men, who in the past would have been part of the warrior age-grade were now football (soccer) players and members of teams with names like "Hungry Lions," "Kaykor Defenders" and "New Invaders." . Rivalries and some forms of competition between communities were now released through football matches.

Cultural troupes, often arbitrarily organized and called "Santa Claus," became the transformed manifestation of the earlier masked figures (*Kela*) which served as agents of social control. They lost that function and were mainly perceived as entertainers. Their previous function was taken over by the judicial powers which the central government accorded the administration appointed chiefs.

Finally, religious activities both Muslim and Christian were widespread, although the latter more so than the former. Most of the major towns had mosques, particularly along the main highways. It was in those locations that there were notable Manding (Mandingo) communities. Christian churches could be found in a wide variety of

¹⁴ See Endnote B for details.

towns and villages, and often with more than one denomination represented. Some of these church institutions had concern for the social welfare of their parishioners, and they were a potential focal point for future social change.

The transformation of Grand Gedeh County occurred in a brief fifty years. Physically the county was dramatically altered from an area almost totally covered by forest. By the late 1980's one had to search to find primary forest, and that usually away from the motor roads. Houses, material culture and dress were dramatically different. Reference to photographs of the earlier period visually make that clear. Zinc roofed houses, transistor radios and blouses and pants were simple examples. Roads and the ease with which people could move had transformed peoples' perceptions of time and distance. The insularity of community and *bloa* affiliations were broken down. Violence as a means of settling disputes were rarer and differences when they did occur were not as easily linked to whole communities, but rather, as affairs of the individuals involved.

The ability to obtain wage paying jobs both inside the county, as well as, in the coastal towns, especially Monrovia, meant that ways of life were transformed, and expectations for one's own future and that of one's children were broadened. Horticulture, and the yearly cycle defined by it, were no longer the sole means of economic support, and the village setting with the extended family present was not the only way that a child could be educated for a more diverse economic future.

In addition, during the middle 1970s, many of the people who had been outside the county were able to return to find jobs comparable to those in Monrovia. A small middle class was beginning to develop. Some of those individuals remained in the county, but their economic future was more precarious as the national economy weakened.

Although all peoples in the county were affected by the changes which occurred, not all transformed their lives and ways to the extent that the past was forgotten. Cultural regularities and continuities remained, sometimes under the guise of a new facade.

Horticultural activities in growing rice remained much as they were in the past. Population densities were still not sufficient to force people into what were perceived of as the unhealthy swamps. Only Manding (Mandingo) people and a few Wee women chose the swamps, and that because they did not have easy access to upland areas, and probably more importantly, because the Manding in particular, were familiar with the technology from the savannah region where the system is widely used.

Little can be said about the persistence of traditional core beliefs and values before more intensive research is done. But it is not inconceivable that many of the concerns about unknown and unpredictable forces and spirits remain. Some of these can be explained and dealt with through an acceptance of the beliefs and values of Christianity, but others from the past probably remain. The fact that witchcraft accusations persisted, and that traditional healers existed in nearly every town and village were an indication that importance was still attached to these activities by the people. The

transformation of peoples' ideas about disease and the cause of illness will be slow, as it involves a radical shift in an understanding of why "things" occur. However, if the traditional healers, who often serve as counselors to the people, are first convinced of the new ideas, they surely will assist in the process of changing perceptions (Holsoe 1983).

In the long run, the strong individuality and traditional emphasis on achieved accomplishment rather than inherited position, which has been noted in the earlier description of the past patterns of the peoples of this area, must surely be a positive factor for a future in a complex market-oriented national state.

ENDNOTE A.

A brief statistical outline of education activities in the Grand Gedeh area.

Pupils

EASTERN PROVINCE
(Webo & Tchien Districts)

Schools:	<u>Public</u>	<u>Mission</u>	<u>Other</u>	<u>Total</u>
1950	585	195	780	

EASTERN PROVINCE
(All Districts)

1960				1,779
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GRAND GEDEH COUNTY

1970	7,553	2,799	708	5,806
1974	6,229	2,788	1,090	10,107 [F:3,319]
1980				17,553
1982				21,439
1983				20,711

Teachers

EASTERN PROVINCE
(Webo & Tchien Districts)

1950	11	4		15
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EASTERN PROVINCE
(All Districts)

1960				54
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GRAND GEDEH COUNTY

1970				219
1974	166	89	40	295
1980				548
1982				606
1983				685

ENDNOTE B

As of 1984, the following were considered by the Cooperative Development Agency to be active cooperative societies in Grand Gedeh County:

Amenu Farmer Cooperative Soc., Gbazon, 675 members

Work and See Farmers Coop., Soc., Zwedru, 671 members

Chedepo Farmers Co-op, Soc., Chedepo Chiefdom, 123 members

Webbo Consumer Co-op Soc., Niaken, 371 members

Grand Gedeh Produce Marketing Co-op. Soc., Zwedru, 961 members

Goodness Produce Marketing Co-op. Soc., Gbabo Town, 830 members

Killepo Multi-purpose Co-op. Soc., Chedepo Town [?], 830 members

River Gbeh Farmers Co-op. Soc., River Gbeh, 125 members

Pity the Poor Farmers Co-op Soc., Cheapo Town, 721 members

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The First Republic in Liberia: The Evolution of a Single Society State

by *Yekutiel Gershoni**

The First Republic of Liberia was identified by many as a one party state. Yet, that was not always the case; it was a two-party system that prevailed in the republic at its inception; the True Liberian, or Republican Party and the Anti-Administration Party.¹ Only from 1877, did the true whig Party gain dominance and continued its domination until 1980. Nevertheless, its dominance was occasionally challenged by a variety of parties.

Perhaps Liberia's first republic can best be described not as a one party state, but rather as a one society state, identified with the Americo Liberian minority. This article will look at the reasons why the Americo Liberians felt it was necessary to exclude other social groups, even though they belonged to the same race, and establish Liberia as a single society state. It will also analyze why they were successful in maintaining this state of affairs for 133 years, and why their single society state eventually collapsed.

1. The Americo-Liberians Leading the First Republic

The founders of the American Colonization Society (ACS) envisioned the revival of the Black Continent by black settlers from the New World. The African American immigrants accepted the tasks of bringing Christianity and Western culture among the "benighted" Africans, as well as establishing an asylum in the African continent for blacks from the New World. The final aim was to create the conditions for integration of the newcomers and their African brethren. ACS agents who headed the young colony received instructions to do everything in their power to spread Christianity and civilization among the indigenous peoples and instruct them in the ways of civilized life.²

After the Republic was established, its leaders followed in the footsteps of the ACS agents and governors. Presidents Joseph Jenkins Roberts (1848-55), Stephen Allen Benson (1856-63), and James Spriggs Payne (1868-69) stressed on various occasions and in different ways the theme that Liberia had a mission to bring Christianity and civilization to the native people; to help them out of their religious and cultural ignorance, and to integrate them with the settlers in one black union.³

That mission was imbedded in the values of the black republic. To achieve it, the Americo-Liberians acted on three parallel paths: the spreading of education; the establishment of "civilized" settlements, and the integration of African leaders into the

* Professor Yekutiel Gershoni is a leading Liberianist and West Africanist. He teaches at Tel Aviv University.

republic's political life. Education was probably the main agent for changing the African way of life. In 1827, Jehudi Ashmun, the ACS agent from 1822 to 1828, suggested that a network of schools be established among both the Americo-Liberian and African populations. Ashmun asked his superiors in America for the necessary funds and materials to realize the plan, but it was soon abandoned.⁴ In 1861 a decision was made to establish a school network in all counties of the newly founded republic, but an inadequate budget and lack of teachers prevented the plan's realization.⁵

Other attempts to establish an education system also ended in failure. In 1872, the newly-re-elected President Roberts complained that the lack of a well-organized educational system deprived both Africans and Americo-Liberians of a proper education.⁶ It can be understood from his statement that there was no intention to deny schooling to African children in particular; the Liberian government was unable to provide schools even for the Americo-Liberian community.

The establishment of widespread Americo-Liberian settlements among the indigenous population was to be another means toward the settlers' end. Heads of the ACS, along with Americo-Liberian leaders, submitted plans in 1857 and again in 1869 calling on the ACS to finance new settlements in the hinterland, with the government of Liberia pledging to organize and train groups of settlers.⁷ Inadequate funds and the meager stream of black immigrants made the fulfillment of these plans impossible.

Immigrants who did arrive preferred to settle along the coast, near established Americo-Liberian settlements. Only three new settlements were established in the interior: Careysburg, east of Monrovia, founded in 1857, and Brewerville and Arthington on the St. Paul River, both founded in 1869.

Paralleled to the above courses was a plan to introduce African political participation in the legislature. Traditional African leaders were invited to take part in legislative sessions. At first, this was a limited experiment. On 4 February 1874, every county was invited to send two chiefs to act as "referees and advisors" in the legislature. The act was to apply only to those ethnic groups living near Americo-Liberian settlements, and the power of these representatives was quite limited. They could advise only in matters pertaining to the African people and could not vote. In 1881, it was decided to extend the scope of African participation. Ethnic groups from the hinterland were allowed to send representatives, and the advisers (now called delegates) were granted the right to vote, although this right was still restricted to matters pertaining to the African population.⁸

This plan, requiring neither money nor the training of officials, such as teachers and principals, seemed feasible, but was nevertheless doomed to fail. Americo-Liberians feared that their Western culture might be overrun by the indigenous one, and that, instead of integrating the Africans into their own society, they would be assimilated into the African majority. That view was expressed rather bluntly by McCants Stewart, a prominent Liberian political figure of the 1880s: "The intention is to give the native element ever larger representation in the future than in the past, going as far as practi-

cable in the matter. Of course, to grant general representation, that is in proportion to numbers, would be to subjugate the Americo-Liberian civilization to native paganism and Mohammedanism."⁹

The settlers were the product of urban Western civilization and were convinced of their cultural superiority to the natives. The Americo-Liberian leadership feared that African representatives would amass too much power in the legislature and would eventually bring about the destruction of civilized enterprise in Liberia. That apprehension put an end to a process which might have served as a bridge between the Americo-Liberians and the indigenous Africans.

The history of relations between Americo-Liberians and Africans in the nineteenth century would be incomplete if described only in terms of Americo-Liberian attempts to integrate the Africans into their community. There were other aspects of the relationship between the two black groups which led to disagreements, clashes, and even wars. These were caused partly by the Africans' reactions to Americo-Liberian settlement attempts and partly by the growing conflict of interest between the two groups, based on settler attempts to abolish the slave trade and their desire to take control of trade routes and lands for settlement. The conflict over economic matters did not help to bridge the cultural gaps between the two communities. The failure of the integration attempts initiated by the settlers coupled with the fear of being overwhelmed by the African masses brought the Americo-Liberians to erect social and economic barriers between themselves and the "uncivilized" local communities. Discrimination against Africans was also formalized in the legal system. All three constitutions of the First Republic restricted Africans and prevented them from automatically becoming Liberian citizens with equal rights. Africans had to meet certain clearly defined criteria in order to receive these rights. An African could vote or be elected to public office only after proving beyond any doubt that he had become a "civilized" person.

The Americo-Liberians' vision of spreading Christianity and Western culture among the Africans and integrating them into their own society was confronted by the reality of the separation between the two groups. Life in Liberia during the nineteenth century was conducted on two parallel levels. On the level of everyday life, there was constant economic, social, and personal contact with Africans. On the official level, however, there was an almost total division between the two groups. The government was not prepared to acknowledge the Africans as citizens with equal rights; it discriminated against them and considered them a threat to the Americo-Liberian community's interests. The task of resurrecting Africa and integrating the African population proved impossible. The Liberian republic was too fragile and lacked the proper human and material resources to cope with a mission of that scale.

That failure led the black republic to close itself off in the "constitutional zone" at the end of the nineteenth century. This was an area 40 miles wide, extending along the coast from Cape Mount in the northwest to Cape Palmas in the southeast, where most

of the Americo-Liberian settlements were concentrated. The Liberian constitution was valid only in that area.

This contraction of the republic into the constitutional zone was a geographical expression of the isolation that the Americo-Liberians chose to adopt in order to maintain their dominance over the Africans. This self imposed isolation also heralded the collapse of the founding fathers' vision of spreading Christianity and civilization among the indigenous tribes, and laid the foundation for Liberia to become a single-society state.

2. The Entrenchment of the Single-society State Concept

The geographical isolation in the constitutional zone was proven to be a temporary solution only. French and British attempts at gaining control over territories in the hinterland which Liberia considered as part of its own territory, pushed the Americo Liberians out of their seclusion in order to show proper governance over the territories and people they claimed as part of their republic. This again put the Americo Liberians before their concern of being swallowed up by the African majority, and hence also lose their distinct and higher social and cultural status.

In 1904, President Arthur Barclay (1904 – 1912) decided to deal with the threat of losing territories by means of establishing effective control over the territories beyond the 40-mile coastal constitutional zone. An administrative system similar to that of the constitutional zone would be set up to organize the Africans in the forest belt into permanent administrative units. The idea, as president Barclay saw it, was to integrate the native population into the state of Liberia in order to create what he referred to as a “national organism”.

It was clear to president Barclay and to the Americo Liberian leadership, that the extension of their rule beyond the constitutional zone meant the integration of a significant numbers of Africans into the republic, while the number of Americo Liberians did not grow because of the almost complete cessation of immigration to Liberia from the new world. The old concern of being swallowed up in the African majority resurfaced and the Americo Liberians could no longer use isolation to deal with it. The solution they came up with was an administrative and legal differentiation of the coastal and hinterland regions. While the coastal region was divided into counties, whose inhabitants were perceived as Liberian citizens with the right to vote and be elected, the hinterland was divided into a variety of colonial like districts and provinces, which were ruled over by commissioners and whose African inhabitants were not thought of as fully fledged Liberian citizens. Indeed, they had no automatic right to Liberian citizenship. They could only attain that status through a strict and meticulous process.

Thus, for example, while according to the republic's law the right to vote was based on individual land ownership, traditionally ethnic group lands would be registered collectively in the name of the entire people. Individual member of such ethnic groups

were thus de facto denied the right to vote. Requests by a particular group for individual partition of lands would be dealt with on a case-by-case basis.¹⁰

The demand for private land ownership was only one in many conditions set to complicate the process for Africans. Indeed, those among them who wanted to qualify for Liberian citizenship had also to adopt the Christian faith, Western lifestyle, and Western standards of conduct, dress, and general appearance. An African, in effect, would have to relinquish his own customs by completely accepting Americo-Liberian values. Citizenship and voting rights might then follow.

The process of extending Liberian authority over the hinterland was gradual and continued for twenty years. Only in the 1920's were Liberia's borders with its colonial neighbors finalized. During this period the differentiation of the coastal zone and the hinterland solidified, which enabled the Americo-Liberian minority to maintain its dominance, and to keep a firm control over any process of social mobility. This single society system held as long as Africa was under colonial rule, as it was then internationally accepted that Africans were not given their civil rights.

Following the Second World War, with the end of colonialism and the beginning of the decolonization period, a new socio-political order emerged in Africa and in the world. The political power was transferred from the colonial governments to the hands of the indigenous leadership. That transfer of power posed a threat to the Americo-Liberian minority Government. It was obvious that the colonial-like administration could no longer serve as a means of maintaining their single society rule. On the other hand, this time, unlike during the colonial period, Liberia could not imitate the colonial powers and give up political control. Furthermore, the Americo-Liberians could not follow the colonial rulers who withdrew to their home countries. The Republic, therefore, had no option other than to find its place in the emerging new order. To that end, the Americo-Liberian leadership was obliged to re-evaluate its internal and external policies. Liberia had to create a situation in which it would be accepted as an equal member in the new political order of African independent states in the continent, while at the same time retaining the Americo-Liberian single society system in control over the country.

With this goal in mind, in 1944, President William Vacanarat Shadrach Tubman (1944-1971) implemented the Unification Policy which ostensibly aimed to break down the barriers between the Americo-Liberians and the African Liberians. Suffrage and civil rights were granted to the Africans in the hinterland. The colonial-like division of the hinterland was abolished, along with titles borrowed from the British colonial vocabulary, such as District Commissioner and Province Governor. Liberia was redivided into nine counties, each headed by superintendents, and each county had the right to send two representatives to the Legislature.¹¹ To the world in general, and to the new African nations in particular, the Unification Policy seemed to be a parallel process to decolonization, and as a consequence, Liberia was accepted as an equal member among the new states in Africa.

3. A Flexible Single Society System?

In spite of the Americo Liberian insistence on maintaining their supremacy, it would be misguided to describe the single society system as being uncompromising, inflexible or unbending. There were various reasons which led to the creation of a single society system; lack of manpower, the failing of the economy, the cessation of the immigration from the U.S.A, and enmity from local ethnic groups towards the settlers. Still, it was clear to the Americo Liberians from the very beginning that avenues need to be found which would enable social mobility. Such mobility would soften the native resistance to the settlers. As time went by, and it became clearer that there would be no more African-Americans leaving the U.S.A for Liberia, steps taken to placate the local population became increasingly important. Moreover, during decolonization, the need to present Liberia as a multi society state rather than a single society one, accelerated the efforts to find a way to bridge the Americo Liberian society with the African one. Yet, in spite of the possibility for social mobility and the openness towards African customs and culture, the Americo Liberians were not willing to let go of their political dominion.

Already at the beginning of the settlement enterprise, two means of social mobility and of integrating Africans into Americo Liberian society were available: apprenticeship and intermarriage. In 1838, the settlers' council enacted an apprenticeship law which enabled settlers' families to keep African boys and girls in their households. These apprentices received clothing and education in return for their services. After the period of apprenticeship (until age 21 for boys and 18 for girls) they became "civilized" and thus eligible to become Liberian citizens.¹²

There was another channel which enabled Africans to cross the line between the two groups: On an individual basis, Africans could become citizens after accepting the Americo-Liberian way of life and identifying themselves with the community's interests.

Those who successfully crossed the cultural and social barriers were considered an integral part of Americo Liberian society. In 1888, for example, the Liberian government planned to settle Christian Grebos in the San Pedro area when the ACS failed to recruit black immigrants from the United States for that purpose. Western educated Africans from the Gola and Grebo ethnic groups served as administrators in the Americo-Liberian government. One example is Too Wesley Henry, a Grebo, who was vice-president (1924 -1928) to president Charles Dunbar Burgess King (1920 - 1930).¹³

The initiative for integration did not come only from the Americo Liberian side; some native Africans too sought to be absorbed in Americo Liberian society. The Dey and the Mamba peoples, for example, were in time willingly absorbed almost completely into the nearby settler community. Some of the Gola referred to as the southern chiefdoms cooperated willingly with the settlers. The Gola tradition of absorbing strangers into their culture had important ramifications for the Americo-Liberians. Adhering to their tradition, they offered their women to Americo-Liberian men and sent

their children to be apprenticed in settler homes. Thus, during the nineteenth century, relations between the two groups developed into an elaborate network of ties and obligations. Gola boys who served in Americo-Liberian homes adopted the family names of their patrons, as did the children born to Gola wives ("country wives") of the settlers. Assimilated Gola entered the ranks of the Americo-Liberian administration.¹⁴

Thus, the extension of the Americo Liberian administration into the hinterland from 1904 was viewed as a reinforcement of the southern chiefdoms' political and economic ties with the settlers, and not as a threat. These chiefdoms identified with Liberian rule to the point that they refused to join their brethren from the north, who saw the Americo Liberian expansion as a threat and rebelled against the Liberian government in 1918.¹⁵

The opposition of native Africans to the expansion of the Americo Liberians into the hinterland, which, as with the Northern Gola, was often violent, confronted the Liberian leadership with a problem that could not be solved by the existing means of apprenticeship, marriage, or individual conversions. There was a need to find ways by which Africans could feel part of the Liberian state without necessarily belonging to the single society state. President C.D.B. King, for example, found such a way when he initiated a program of touring the hinterland and establishing personal contact with traditional rulers. In the course of meetings during these tours, each chief was allowed to speak directly with the president. If there were complaints about a district commissioner or a Liberian Frontier Force officer, the president heard both sides of the case and then delivered a verdict; often, the offending officer or official was punished. This personal contact created a new group of Africans who did not enjoy citizenship privileges, but nevertheless became committed to the republic's government by accepting the personal authority of the Liberian president.

The decolonization forced the Americo Liberian leadership to develop more avenues which would give Africans a sense that they belong to the republic. Yet, they were not willing to adopt ways which would endanger the single society system. The Americo Liberians, therefore, made cultural concessions such as accepting African traditions as part of the republic's cultural makeup.

Moreover, in addition to what was mentioned earlier, i.e. the extension of voting rights, President Tubman expanded on President King's system of touring the hinterland, making the visits regular. The great show of presidential power, expressed by swift sentencing and immediate punishment of offenders, impressed the Africans of the hinterland immensely.¹⁶

More steps were taken to bridge the gap between the Americo Liberians and the Africans. Ethnic folklore was presented as part of the Liberian culture. Tubman himself encouraged the study of ethnic customs and traditions and established a Bureau of Folkways, which published the history and folklore of indigenous ethnic groups such as the Vai and the Gola.¹⁷

Secret ethnic group societies, the Poro and Sande, whose activities were once proscribed by law, were permitted to resume activities publicly in 1962.¹⁸ Tubman himself took part in ceremonies of these societies and added several traditional titles of the Poro to his presidential title.

Replacing Americo-Liberian cultural symbols with African ones continued during the first years of Tubman's successor, William Richard Tolbert Jr (1971-80). The heavy Western-style suits and top hats which had been the official attire of the Americo-Liberians were replaced by the shortsleeved safari suit. African names replaced Americo-Liberian ones on Monrovia's streets. President Tolbert set up a committee to consider the replacement of three of the main symbols of the settlers: the national flag, anthem, and motto, "The love of liberty brought us here."¹⁹

The policies implemented by the Presidents Tubman and Tolbert were not meant to bring to an end the single society system. The equality between Africans and Americo-Liberians was artificial and wasn't meant to fully integrate both groups. The division of the hinterland into counties was no more than window-dressing and a semantic exercise. The hinterland, for instance, was divided into only four counties, while the much smaller coastal strip was divided into five. Since representation in the legislature was based on a fixed number of representatives from each county, Americo-Liberians kept their majority in the legislature despite being a small minority of the population.²⁰ In addition, all senior officials – department heads, government ministers, and heads of the army and police – were Americo-Liberians. The Africans were not permitted to form their own political parties and were deprived of participation in the decision-making process.

The change which Tubman and Tolbert led was not political as much as it was cultural. In fact, the Americo – Liberians bartered their Western culture in exchange for membership in the new political order emerging in Africa after World War II. That sacrifice was unavoidable if the Americo-Liberian society wanted to retain its political power in the republic. The single society system developed new avenues for Africans to identify themselves with the one-society state and was even ready, in extreme circumstances, to give up a large portion of the Americo-Liberian tradition.

These developments served as a safety valve and allowed the single society system to prevail under a disguise of equality and brotherhood. During the tenure of William Tolbert, however, the problematic nature of this disguise was discovered. It had become impossible to present an image of equality only through cultural concessions, if they were not accompanied by political ones as well. However, the truth of the matter was that the Americo-Liberians did not want to share their political power with the Africans. Ultimately, the one society system could not hold fast against the growing demand for empowerment and finally collapsed in the bloody coup d'état of 12 April 1980.

(Endnotes)

- ¹ J. Gus Liebenow, *Liberia: The Quest for Democracy*, Bloomington, 1987, p.89.
- ² American Colonization Society, instructions to Samuel A. Crozier, December 1819, in John Bernard Blamo, "Nation Building in Liberia: The Use of Symbols in National Integration," *Liberian Studies Journal* 4:1, 1971-72, p.29.
- ³ Inaugural Address of President Roberts, 3 January 1848, *African Repository*, 24:4, 1848, p.125; Inaugural Address of President Benson, January 4, 1860, *African Repository*, 26:4, 1860, p.119; Inaugural Address of President Payne, January 6, 1868, *African Repository*, 45:5, 1868, p.136.
- ⁴ J. Ashmun, "Latest from Liberia", *African Repository*, 3:6, 1827, p.10.
- ⁵ Message of the President of Liberia, December 5, 1862, *African Repository*, 49:6, p.77.
- ⁶ Annual Message of President Roberts, December 9, 1872, *African Repository*, 49:6, 1873, p.176.
- ⁷ *Liberian Herald*, 5 January 1857 and 5 March 1857.
- ⁸ Jane Jackson Martin, "The Dual Legacy: Government Authority and Mission Influence among the Grebo of Eastern Liberia, 1834-1910" Ph.D. thesis, Boston University, 1968, p.307.
- ⁹ Thomas McCants Stewart, *Liberia: The Americo-African Republic* New York, 1886, p.62.
- ¹⁰ Inaugural address of President Barclay, 1 January 1906, pp. 7-18.
- ¹¹ Gabriel Farngalo, "Tubman is Fulfilled of R.L. Unification," *The Listener* 15, 65, (29 July 1964): 1-2.
- ¹² Charles Henry Huberich, *The Political and Legislative History of Liberia*, New York, 1947, Vol.I, p. 259.
- ¹³ Martin, "Dual Legacy" p. 357; Inaugural address of C.D.B. King, 7 January 1924, p.16.
- ¹⁴ Warren Leonard D'Azevedo "A Tribal Reaction to Nationalism", *Liberian Studies Journal*, 1:2, 1969, p.19-20.
- ¹⁵ William Sherman to Howard, 26 December 1918, Liberian National Archives.
- ¹⁶ J. Gus Liebenow, *Liberia: The Evolution of Privilege*, Ithaca: Cornell University Press, 1969, pp. 201-202.
- ¹⁷ Bureau of Folkways, Dept. of Interior, Liberia Traditional History, Customary Laws, Mores, Folkways and Legends of the Via Tribe Monrovia; and The Traditional History and Folklore of the Gola Tribe in Liberia, Monrovia, 1961.
- ¹⁸ Bureau of Folkways, Dept. of Interior, Liberia, Laws and Administrative Regulations Governing the Poro and Sande Societies, Monrovia, 1962.
- ¹⁹ G.E. Saigbe Boley, *Liberia: The Rise and Fall of the First Republic*, London, 1983, pp. 88-89.
- ²⁰ J. Gus Liebenow, *Liberia: The Quest for Democracy*, p.454.

To Liberate from an Anomalous Condition or Secure in Ignorance and Wretchedness? Reassessing the Intellectual Origins of the American Colonization Society

*by Andrew W. Kahr**

The impetus behind the founding and settlement of the state of Liberia remains an enduring source of confusion and contention. Frequently, the nation is described as having been founded by “freed slaves.” Such a depiction of African colonization’s origins supports the notion that white Americans formed the American Colonization Society in order to rid the nation of slavery. By extension, this definition implies that purely humanitarian, albeit shortsighted and prejudicial, motives drove the creation of the Liberian state. Cast in this light, the formation of the ACS appears as a last-ditch effort on the part of “enlightened” Anglo Americans to resolve a growing crisis before the young nation slid down an inexorable path to disunion, an attempt at national rebirth through a program of racial homogenization. And indeed, the ACS fits neatly into a popular historical narrative of post-Revolution unity and possibility followed by descent into division and conflict. Founded during the “Era of Good Feelings,” the ACS seemingly exemplified the founding generation’s vain attempts to peacefully resolve the young nation’s most glaring contradiction: the rhetoric of freedom and liberty and the reality of human bondage. Yet as this review of contemporary responses to and historical interpretations of the colonization movement reveals, the ACS’s primary aims defy easy categorization. Moreover, its practical effects on the institution of slavery were, in the minds of its proponents, opponents, and victims, far from clear. The organization’s origins and impact on nascent debates over slavery complicates not only our understanding of the ACS in relation to antebellum era pro-slavery and abolition movements, but more importantly forces us to reassess popular conceptions of Liberia’s founding generation. The uncritical designation of Liberia as founded by freed slaves, as this essay argues, not only distorts the diverse backgrounds of its African American settlers but also grossly oversimplifies the complex and inchoate racial ideologies animating early nineteenth century Anglo American thought and thus clouds our understanding of this critical stage in the histories of the United States, Liberia, and the Atlantic world.

* Andrew W. Kahr is a doctoral student in the History Department at Indiana University.

I.

Formed in 1816 by Rev. Robert Finley, a Presbyterian minister from Basking Ridge, New Jersey, the ACS professed as its goal a peaceful solution to the emerging crisis of slavery through the removal of African Americans from North America. To modern observers, such a proposal appears not only viciously racist but absurdly impractical. Yet to Finley's contemporaries, the idea fell squarely in line with emerging modes of white racial thought. The seeds of African colonization were first planted by Thomas Jefferson. In his *Notes on Virginia*, Jefferson mused on the impossibility of "encorporat[ing] the blacks into the state." "[D]eep rooted prejudices entertained by the whites; ten thousand recollections by the blacks of the injuries they have sustained; the real distinctions nature has made; and many other circumstances," Jefferson concluded, "will divide us into parties, and produce convulsions, which will probably never end but in the extermination of one or the other race." Jefferson's pessimistic view of a multiracial nation coincided with what the historian George Fredrickson identified as the erosion of environmental interpretations of racial difference. Whereas in the eighteenth century, popular racial theorists argued that "differences in pigmentation were a comparatively short-range result of climate and other environmental factors," by the early 1800s such conceptions of race were increasingly dismissed as naive. In its place, a growing consensus emerged that identified the solution to racial conflict as a matter of ensuring greater distance. In correspondence with Virginia governor James Monroe in 1801, Jefferson proposed the acquisition of "lands beyond the limits of the U.S. to form a receptacle" for liberated blacks. By 1805, the Virginia legislature resolved "to exert their best efforts" in procuring a settlement that would serve as "the residence of such people of colour as have been or shall be emancipated in Virginia, or may hereafter become dangerous to the public safety."² Eleven years later, the ACS would put these heretofore vague plans into action.

The emergence of anti-environmentalist racial ideologies in early nineteenth century America did not stem from whites' observations of and responses to slavery. Paradoxically, the initial impetus behind colonization grew out of the gradual dismantling of slavery throughout the North in the late colonial and post-Revolutionary eras. As free black communities took shape throughout the North, whites increasingly castigated free blacks as criminally minded, immoral, and lazy and, more importantly, linked such supposedly inheritable traits to their free status. Throughout the North, the abolition of slavery was accompanied by efforts to limit free blacks' freedom of movement and, in some states, mere presence.³ Though cloaked in racial essentialisms,

¹ George M. Fredrickson, *The White Image in the Black Mind: The Debate on Afro-American Character and Destiny* (New York, 1971), 3-4.

² Claude A. Clegg III, *The Price of Liberty: African Americans and the Making of Liberia* (Chapel Hill, 2004), 21.

³ In 1821, Massachusetts passed a law that severely limited free blacks' ability to reside in the state. See Fredrickson, *The Black Image in the White Mind*, 5.

Northerners' antiblack sentiments indeed bore perverse similarities to earlier environmental interpretations. Freedom, so the logic went, created an environment unsuitable to the formerly enslaved African and set his race on an irreversible course of degradation. (This same rhetoric would be revived again in the Reconstruction era, as whites—both North and South—convinced themselves and others that blacks would, within a generation or two, simply die off.) The idea of repatriating African Americans emerged, in part, out of this growing sentiment amongst white Northerners that the free black posed a grave threat to the embryonic nation's social health. Indeed, contemporary opponents of slavery noted that gradual emancipation in the North exacerbated racial hostilities and, rather than furthering the cause of abolition, dealt it a near fatal blow.

Though the ACS emerged out of the growing racial strife the engulfed Northern cities in the early 1800s, it invoked the rhetoric of progressivism and advancement through colonization to win adherents. Fredrickson and others have noted that the ACS was typical of benevolent movements that took shape in the century's first two decades. Seeking to both quarantine elements dangerous to the social order and scuttle potential harbingers of lower class agitation, the ACS exemplified the sorts of "enlightened" philanthropic causes of the day that sought to solve multiple and conflicting social issues through singular, all-encompassing initiatives. Colonization was framed as not simply an antidote to the perceived threats posed by free black communities, but also an opportunity for free blacks to fulfill their own racial destiny through following (in reverse order) the (metaphorical) path trod by Anglo Americans. As reflected in early speeches endorsing the colonization scheme, the ACS's founders frequently linked their initiative to a longer tradition dating back to the United States's own mythical origins. Just as whites fled from persecution in Europe to found an Eden on the Atlantic's western shores, Finley and others argued, African colonization afforded blacks the same opportunity for cultural regeneration through colonization. As despised outsiders whose color of skin marked them as forever unassimilable, free blacks, so the logic goes, could only hope to achieve true freedom (a precondition for self-advancement) through landing on their own Plymouth rock.

From its inception, the ACS sought to reconcile competing conceptions of African Americans' destiny in the new nation. Founded during a period when immediate abolition drew minimal support amongst Northern whites and elicited comparatively minimal anxieties amongst Southern slaveholders, the ACS benefited from a public less politicized by and inflamed over the issue of slavery, thus allowing it to sidestep the longterm implications and logical conclusion of African repatriation. Remarkably, ACS spokesmen cast their efforts, to different audiences, as a humanitarian check on a brutal regime, a means of shoring up slavery as a social and economic institution, and a solution to the perceived crisis of urban black criminality. Thus, the ACS was to some the first stage in emancipation, to others a means toward strengthening the institution, while to others simply a band-aid on the problem of urban crime.

Nonspecialists in antebellum American history might wonder how an organization dedicated to “solving” the slavery issue could draw substantial support from both ardent opponents and supporters of the institution. And indeed, the ACS forged one of the more unlikely political coalitions in American history through deftly tailoring the elements and implications of its scheme to suit its diverse audiences. Their initial success in winning audiences and later proponents stemmed both from local racial climates and larger patterns of racial thought in the early republic. In the Upper South states, for instance, the ACS’s uncertain goals appealed to slaveholders who, by the 1810s, increasingly found themselves saddled with excess slaves and paralyzed with fear over rebellion. In cultivating this coalition, the ACS performed a delicate balancing act that sought to find a common ground where the free labor, herrenvolk democratic ideologies ascendant amongst white Northerners and Southern nonslaveholders met the pro-slavery views of Southern planters. The support of the latter, ACS leaders averred, was crucial not only to colonization’s ultimate success, but moreover, to its financial solvency.

Ultimately, though, it was the support of slaveholders that proved more crucial to the organization’s growth, its targets for colonization, and its impact on the slavery question. From the outset, the ACS took pains to emphasize its pro slavery credentials. Free blacks rather than enslaved workers, its proponents emphasized, were the primary (if not sole) candidates for repatriation. In its Constitution, the ACS claimed that its purpose was “to promote and execute a plan, for colonizing (with their consent) the free people of color residing in our country, in Africa, or other such places as Congress shall deem most expedient.”⁴ Such a distinction between freeing slaves and repatriating free blacks was not lost on the American public. Free blacks, in white America’s estimation, represented the primary threat to peaceful race relations. Although technically free and equal under the law, free blacks were in reality denied the rights inscribed in the Constitution. By virtue of their contradictory position in society and their public efforts to redress grievances, free blacks posed a threat to the ideals of American egalitarianism popularized during the Jeffersonian era. This point should not be dismissed as cynical posturing by a group of privileged whites espousing the rhetoric of liberty while holding others in bondage. The contradictions inherent in the social structure of the early republic vexed politicians and laypersons alike. Though few whites questioned the inferiority of blacks, they nevertheless looked in askance at the sustainability of a republic that professed such lofty rhetoric while denying it to so many within its borders. Yet those whites who harbored anxieties over the caste status of African Americans both free and enslaved knew all too well that the young nation’s economic survival depended on the growth and maturation of Southern slave economies and its growing presence in transatlantic markets. As the expendable embodiment of this contradiction, free blacks thus found themselves targets for removal, refitted as repatria-

⁴ Clegg, *Price of Liberty*, 31.

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tion to their ancestral home, by conscience-ridden white Northerners in search of alleviation for their moral anxieties.

Yet if free blacks were a constant reminder to these proto-abolitionists of the unsustainability of a racially hierarchical democracy, they proved even more troublesome to Southern slaveholders, who saw them as fomenters of dissatisfaction amongst their enslaved populations and the masterminds behind rebellions. Free blacks were not, however, simply an endemic source of frustration and concern for Southern slaveholders. Rather, larger economic and social forces at work during their period increased Southern whites' efforts to restrict the mobility and later champion the removal of free blacks. In the years prior to the invention of the cotton gin and the rapid expansion of slavery into the Deep South and Southwest, slavery as an economic institution was on the wane.

Slaveholders in Virginia and Maryland, in particular, suffered from depleted soil and a depressed tobacco market. Many were forced to either "hire out" or manumit slaves at rates alarming to fellow whites who, like their Northern counterparts, feared black mobility and the growth of free black communities in the region. Such fears were compounded by the perceived threat free and "hired out" blacks posed to the security of their remaining chattel.

White Southerners linked rebelliousness amongst enslaved African Americans to the presence of free blacks and the freedoms many slaveholders afforded their slaves. Robert Goodloe Harper, a proponent of colonization, commented that "the free people of color ... contributed greatly to the corruption of the slaves, and the aggregate evils of their condition, by rendering them idle, discontented, and disobedient."⁵ Free blacks, whites feared, infiltrated slave quarters, spreading "unnatural" ideas of freedom and equality and hatching plots to overthrow white masters. When, in the summer of 1800, Gabriel Prosser, a slave whose owner hired him out to employers in Richmond, Virginia, incited a failed uprising, slaveholders' fears were seemingly confirmed. Two years later, the Virginia legislature passed a provision that required slaveholders to deport outside the state's borders all manumitees; other states passed laws that banned domestic emancipations. Increasingly, large slave holdings were seen as a threat, rather than a boon, to the region's economy, and by the time of its inception, the ACS found a welcome audience in the South, where colonization was deemed an effective way to protect slavery from internal subversion.

Seeking to appeal to Americans opposed to slavery as well as those economically invested in its perpetuation, the African colonization movement forged a multi-interest and at times conflicted constituency. Chesapeake slaveholders provided the initial monetary and ideological support for the ACS. Motivated by the successful slave rebellion in Saint Domingue and Prosser's unsuccessful revolt in Virginia, Chesapeake planters sought, first and foremost, to remove free blacks as a means of strengthening

⁵ Frederickson, *Black Image in the White Mind*, 8.

their industry and restoring stability to a region beset by social and economic unrest. In many respects, the ACS breathed the last gasps of Federalism before the onset of Jacksonian democracy, and were what Frederickson dubbed a quintessentially “conservative response to a changing social situation.” Indeed, slaveholders and old Federalists from the upper South and border states constituted the financial backbone of the ACS during its initial years and, as evidenced by their personal stake in the “peculiar institution,” sought to strengthen rather than weaken its bonds. Bushrod Washington, the stepson of the nation’s first President and first president of the ACS, owned slaves and participated in the slave trade throughout his tenure. Charles Carroll, who succeeded Washington as president of the ACS, owned over 2,000 slaves, none of whom were freed or repatriated to Liberia. James Madison, the third president of the ACS, left over 100 slaves to his heirs. Indeed, leaders of the ACS openly acknowledged that despite the supposed dangers of a bi-racial nation, America still “must have the blacks for our servants. We cannot consent to sending them [the Negro servant class] out of the country.”⁶ “For men of this background and mentality,” Frederickson notes, “the free Negroes were bound to present a problem, in that they constituted another inadequately controlled and unpredictable element in a social situation that seemed to offer many threats to order, stability, and hierarchy.”⁷

Yet despite its avowed disassociation from nascent abolitionist movements, the ACS nevertheless appealed to those who recoiled in horror at human bondage. The Society of Friends, for example, stood at the forefront of the early anti-slavery movement. Long before the emergence of William Lloyd Garrison and the American Anti-Slavery Society, Quaker communities shunned the slave trade and its detrimental impact on both whites and African Americans. To a certain extent, the Friends’ resistance to slavery stemmed from their own history of persecution and fundamental theological values. Historian Claude Clegg notes, “As a people who had experienced religious persecution and who self-consciously attempted to level social distinctions among themselves, the ill fit of slavery with the Christian ethics of brotherhood, equality before God, and the possibility of redemption from sin was glaringly apparent before many Quakers by the 1750s.”⁸ Yet Friends were equally aghast at the prospect of a free black population coexisting in their midst. Quaker communities routinely practiced racial segregation and paternalist control over free blacks and many communities heartily endorsed and gave financial support to colonization schemes. As Quakers flocked into Ohio and Indiana during the early nineteenth century, their new communities enacted sweeping laws aimed at curtailing and even prohibiting the presence of free black communities, and often led the charge for their removal to Africa. “To many Quak-

⁶ H: Sessions to R.R. Gurley, June 17, 1825, *Papers of the American Colonization Society, Library of Congress*, in Friedman, p. 212.

⁷ Frederickson, *Black Image in the White Mind*, 6-8.

⁸ Clegg, *Price of Liberty*, 12-3.

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ers," Clegg adds, "having blacks as neighbors was not too far removed from having them as slaves, or at least as unwanted, unassimilable dependents."⁹

The funding and marketing of the ACS also provides a telling window into its popular appeal and ability to subsume its conflicting constituencies under the banner of patriotism. Although the federal government, at the time under the leadership of President James Monroe, endorsed the goals of the ACS, it provided only nominal monetary support. Most of the group's funding came via private donations. The ACS sought to cloak itself in ideals of patriotism as a means of garnering popular support, staging Fourth of July celebrations in towns across America and equating African colonization with the future health of the nation. As historian Lawrence J. Friedman points out, the ACS was "probably the nation's most influential patriotic organization in the two decades that followed the War of 1812. The crusade for Negro removal and the crusade for 'the rising glory of America' went hand in hand."¹⁰ The ACS, Clegg adds, was marketed so as to capture a broad constituency that encompassed many cherished societal values: "In the view of many of its proponents, colonization was inherently respectful of property rights, mindful of sectional strife, and above all, moderate. Consequently, emerging from this mosaic of ideologies, motives, and interests, the ACS seemed a kind of national therapy, versatile enough to soothe dilemmas ranging from slavery and white anxieties over free blacks to sectional differences and African barbarism."¹¹

Indeed, appeals to patriotism and national security formed the backbone of the ACS's justification of African American removal. Supporters argued that the two races simply could not live together as equals in peace, thus threatening America's "democratic" experiment. As one Kentucky ACS member remarked, "Nature has made the distinction of color, and in it, had laid the foundation of the partialities which bind us to our own likeness, and if the repugnance which turns us from those who do not resemble ourselves."¹² If America truly sought to uphold the principles of egalitarianism, they argued, it must first rid itself of the glaring contradiction of free yet unequal citizens. As historian David Waldstreicher notes, "For many whites, the national problem was not slavery. It was the problem of freedom vested in a population whose equality they denied."¹³ The ACS also appealed to and sought to identify itself with the growing number of benevolent reform initiatives sweeping across America during this period. During the early nineteenth century, America witnessed the rise of institutions dedicated to categorizing and treating social ills. It was during this era in which

⁹ Clegg, *Price of Liberty*, 137.

¹⁰ Lawrence J. Friedman, *Inventors of the Promised Land* (New York, 1975), 189.

¹¹ Clegg, *Price of Liberty*, 34.

¹² Joseph R. Underwood, in *Address Delivered to the Colonization Society of Kentucky, at Frankfort, January 15, 1835*, in Friedman, *Inventors of the Promised Land*, 192.

¹³ David Waldstreicher, *In the Midst of Perpetual Fetes: The Making of American Nationalism, 1776-1820* (Chapel Hill, 1997), 304.

penitentiaries, asylums, almshouses, and orphanages emerged. The presence of free blacks in a whitedominated society represented, in the ACS's estimation, an illness in need of treatment, with African colonization the antidote. For many colonizationists, this sickness extended to slavery itself, which many ACS advocates denounced as evil not because of its moral dimensions, but rather because it was economically unsound and a threat to the long-term health and security of the nation. Yet in seeking to maintain its fragile coalition, ACS spokesmen suppressed such diagnoses of the true sickness ailing the nation from its speeches and literature.

The public face put forth by ACS spokesmen should not, however, obscure the egalitarian beliefs held by many of its members but should underscore the ambivalences animating racial ideologies during this period. Despite their conclusion that biology foreclosed blacks' ability to achieve a semblance of equality in America, many of its members could best be described as adhering to a perverse mutation earlier modes of social environmentalist thought. Free African Americans' debased status, many ACS proponents concluded, stemmed from their own or their ancestors, along with their fellow blacks', conditions of servitude and, as Henry Clay described it, their "anomalous condition" in American society. Blacks were not, this new generation of social environmentalists argued, inherently inferior, but instead victims of a society that would never accept them as equals, a social construct that bred mistrust, prevented economic mobility, and bred criminality and moral depravity. Since, in their estimation, racial prejudice was ineradicable, blacks could only find relief from their own degradation and depravity through returning to Africa. As Frederickson points out, such beliefs were both radical *and* ultraconservative, for it rejected any notion of inheritable inferiority yet accepted the notion that "popular attitudes that appear to be persistent and deep-seated are in fact unchangeable."¹⁴

To what extent, then, did African Americans view the ACS as a panacea to the nation's poisoned racial climate and a possible escape valve from slavery? A review of African Americans' responses to colonization muddies the waters even further, for if whites sometimes appeared to equivocate on the ultimate goal of black removal, African Americans' responses proved even more conflicted. Drawing support from black communities remained a constant source of frustration for the ACS. African American cleric Henry McNeal Turner endorsed the idea of colonization and traveled throughout the United States encouraging free blacks to consider emigration. Other prominent black leaders, however, condemned the idea of abandoning the United States and denounced ACS leaders as "false prophets." Samuel Cornish, editor of the black newspaper *Rights of All*, called the colonization scheme "[U]nwished for on our part, uncalled for by circumstances, as injurious to our interests, and as unrighteous and

¹⁴ Frederickson, 17. On the notion that prejudice was a fundamental fact of life and thus an immovable barrier to African American social equality in early nineteenth century America, and its roots in Federalist and Calvinist traditions, see Douglas R. Egerton, *Charles Fenton Mercer and the Trial of National Conservatism* (Jackson, 1989).

meddlesome on the part of the society.”¹⁵ David Walker, in his *Appeal to the Colored Citizens of the World*, condemned the ACS as nothing more than attempt by “a gang of slave-holders” to “better secure [their slaves] in ignorance and wretchedness, to work their [masters’] farms and dig their mines, and thus on enriching the Christians with their blood and groans.”¹⁶ Absalom Jones, who helped found the African Methodist Episcopal Bethel Church in Philadelphia, led Philadelphia’s large free black community in drafting a formal resolution condemning the ACS. The resolution read:

Whereas our ancestors (not of choice) were the first cultivators of the wilds of America, we their descendents feel ourselves entitled to participate in the blessings of her luxuriant soil, which their blood and sweat manured....

Resolved, That we view with deep abhorrence the unmerited stigma attempted to be cast upon the reputation of the free people of colour by the Promoters of this measure, “that they are a dangerous and useless part of the community,”....

Resolved, That we will never separate ourselves voluntarily from the slave population of this country; they are our brethren by the ties of consanguinity, of suffering, and of wrong; and we feel that there is more virtue in suffering privations with them, than fancied advantages for a season.... That without arts, without science, without a proper knowledge of government, to cast into the savage wilds of Africa the free people of color, seems to us the circuitous route through which they must return to perpetual bondage...

Resolved, That having the strongest confidence in the justice of God, and philanthropy of the free states, we cheerfully submit our destinies to ... Him who suffers not a sparrow to fall without his special Providence.

Such a rebuke from the nation’s leading black organization reveals the degree to which African Americans resisted colonization and the nature of their objections. Jones affirms the free black community’s American citizenship and cites as their duty to remain in the United States and aid and protect enslaved blacks. Perhaps no source better illustrates free blacks’ resistance to colonization and whites’ motives in seeking their removal. Jones’s congregation was keenly aware of its investment in the founding of the new nation, its rights as citizens, and the implications for enslaved blacks should they acquiesce to whites’ wishes and abandon North America.

¹⁵ Clegg, p. 70.

¹⁶ Clegg, p. 71.

II.

The ACS was, however, able to find African Americans willing and (sometimes) eager to emigrate to the West African coast. And they also found some slaveholders willing to emancipate their slaves on their condition of their removal to the embryonic West African nation. The vast majority of these slaveholders were motivated by economic concerns (the expenses incurred by an excess slave population in the years before demand from prospective planters in the Southwest spiked), or fears of personal safety. (Widows such as Martha Washington chose to summarily free their enslaved workers rather than risk the possibility of an uprising in the wake of a master's death. The ACS proved an easy way out for many in such circumstances.)

The question thus remains: is it correct to say that Liberia was founded by "freed slaves" or "free blacks"? Judging by the demographic composition of Liberian immigrants between 1822 and 1867, both assertions are partially correct. Of the 18,958 immigrants to Liberia during this period, 5,957 were emancipated slaves.¹⁷ By comparison, only 4,541 free born African Americans immigrated to Liberia. Considering the fact that by 1820, over 160,000 free blacks lived in the United States, the ACS failed miserably in its overall objective of eliminating free blacks from American society. The several thousand free blacks who did help colonize Liberia, however, came to occupy an elevated status in the nascent African nation. As Liberian scholar Gus Liebenow points out, free born African Americans formed the core of Liberia's leadership during the nation's formative years. "The ambitions of many in this group," Liebenow notes, "paralleled those of the white founders of the Society."¹⁸ Free born blacks established businesses and schools, tended to the needs of settlers, and spread Christianity amongst the native peoples. Many free-born emigrants abandoned the United States precisely because they possessed talent, skills and a thirst for leadership denied and suppressed by white America. In examining emigrants from North Carolina, Clegg found that freeborn blacks were four times more likely to possess skills outside of farming than freed slaves, thus placing them in an advantageous position in Liberia's emerging social and economic life: "Most of the republic's principle figures in politics, commerce, and religious life were both free born (or free long before migrating) and had at least a rudimentary education."¹⁹ By contrast, freed slaves quickly became a distinct and inferior class. Often lacking the individual means and expertise of free born blacks, freed slaves were generally categorized as second-class citizens and denied an active role in the nation's development.

Free born blacks played a crucial role in shaping the social and cultural identity of Americo-Liberians. Maintaining close economic ties with their American benefactors, this emerging ruling class became active participants in the transatlantic trade while forging a society that bore a close resemblance to their former homeland. "Far from

¹⁸ Liebenow, p. 8 18 Liebenow, p. 9.

¹⁹ Clegg, p. 198.

rejecting the institutions, values, dress, and speech of a society that had rejected them,” Liebenow notes, “the free persons of color painstakingly attempted to reproduce that culture on an alien shore.”²⁰ This emphasis on mimicking the values and mores of white America proved the defining feature of Liberian nationalism during its formative years. Indeed, the ruling class of free born blacks so succeeded in their goals that native tribes soon began referring to America-Liberians as “white” people.

Conclusion

Despite its near universal acceptance amongst the mainstream press, it is indeed misleading to categorize Liberia as having been founded by freed slaves. As evidenced by the motivations of its white benefactors, the ACS did not seek to spur the mass emancipation of African American slaves. Moreover, the colonization of Liberia further reveals the privileged and influential status free born blacks enjoyed in shaping the new nation. Perhaps most significantly, by employing the term “freed slaves” to describe a diverse mix of colonists, one denies the presence and significance of the substantial free black population present in the United States throughout the antebellum era. This tendency to describe all African Americans pre-emancipation as slaves represents not only an injustice to the rich and varied history of blacks in America but also inadvertently denies the contributions of free born blacks to American culture and society during this era and their pivotal role in shaping antebellum racial ideologies. Despite its convenience, the term “freed slaves” as a descriptor of Liberia’s founders obscures and distorts more than it reveals.

²⁰ Liebenow, p. 15

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The Cassell Case Contempt In Liberia

Foreword to Cassell Case

The International Commission of Jurists in Newsletter No. 12 of June 1961 has already commented on the case of Counsellor Christian A. Cassell of Monrovia who was disbarred by the Supreme Court of the Republic of Liberia on grounds of gross constructive contempt. The Court held that this contempt was committed by Mr. Cassell because of his presentation to the African Conference on the Rule of Law, held in Lagos in January 1961, of a report containing some critical observations on the administration of justice in his country.

The Commission is gravely concerned over the fact that a member of the Bar of Liberia should have been found guilty of contempt for statements made moderately and in good faith at a conference of the Commission held in a neighbouring African State.

The Commission recognizes the principle at stake as one of paramount importance and has instituted a study of the law on contempt of court in relation to the Cassell case. The results of this inquiry follow.

August 1961

Leslie K. Munro
Secretary-General

ON May 19, 1961, the Supreme Court of Liberia found Mr. CHRISTIAN ABAYOMI CASSELL, a Liberian attorney of eminence, guilty of contempt, disbarred him and forbade his further practice of law before any of the courts of the country.

This severe sentence arose out of a paper prepared by Mr. CASSELL at the request of this Commission for circulation at the first African Conference on the Rule of Law, held at Lagos, Nigeria, on January 3-7, 1961. Some 194 judges and lawyers, the great majority from Africa but with several important participants from other parts of the world, attended the Conference. Mr. CASSELL's paper was entitled:

“The Responsibility of the Judiciary and of the Bar for the Protection of the Rights of the Individual in Liberian Society.”

This paper (which may be conveniently called the CASSELL paper) can be summarized thus:

Mr. CASSELL first referred to the Constitution of the Liberian Republic and its statutory laws affording, he said, ample protection for the rights of the individual. He considered, however, that certain statutory penal laws for the prevention and prosecution of political offences imposed certain restraints on constructive criticism of Government officials and restricted the growth of a strong Opposition. He admitted that there had been no great abuse of these laws and that the Judiciary, particularly at the highest level, more often than not had prevented their unrestricted abuse.

He referred to the existence in Liberia of two legal systems, namely, the ordinary civil law and the native customary law. With the Bar playing little part in the administration of customary law he thought that it was possible for injustices to be committed in that field.

Mr. CASSELL praised the Liberian Bar for its defence of individual rights but considered the Judiciary to be the weakest link in the chain. He thought there were no great injustices but that the sum total of many little things might be considered a menace to the rights of the individual in any society. He said that it could not be honestly stated that either the Judiciary or the Bar was or is doing its utmost to change these conditions. He regretted that nothing had been done to secure the tenure of judges and to ensure their fitness for office. He had not heard of any investigation into the character or ability of nominees for the Judiciary. But he mentioned that judges are removable only by a joint resolution of both Houses of the Legislature. Mr. CASSELL said that the Bar Association had not appreciated its true role by ensuring that only properly qualified persons were appointed to the Judiciary.

He referred to such "problems" as the collection of illegal bond fees and costs, harassment of "the illiterate population" by petty judicial and administrative officers, delays in trials largely in civil cases but even to a limited extent in criminal ones. However he said that both the Supreme Court and Government Departments, had made efforts to speed up the hearing and disposition of causes and to reduce the crowded dockets. He thought that a great deal would have to be done to modernize the Liberian trial system.

Mr. CASSELL stated "unequivocally" that although the laws of Liberia amply provide for the enjoyment of the rights of the individual these rights will not be fully realized until an absolutely fearless Judiciary and Bar see to it that the basic rights of the humblest individual are safeguarded, especially as Liberia is confronted with a problem of mass illiteracy. He emphasized the necessity for mass education, especially for those living in a semi-primitive state. In referring to the urgency of the problem he stated that he feared the introduction of communism into the African continent unless the imperfec-

tions he mentioned were speedily removed. Thus the Rule of Law might be supplanted by its antithesis.

In conclusion he made some brief observations on Bench and Bar. (In parenthesis, these last observations did not attract the specific attention of the Court.)

The CASSELL paper was copied and mimeographed at the Commission's Secretariat at Geneva to be circulated, as was done, as one of the several reports submitted from various countries for the consideration of the Third Committee of the Conference.

Mr. CASSELL held for twelve years the position of Attorney General of Liberia, returned thereafter to private practice and in that capacity was invited to and participated in the Lagos Conference.

Present when the paper was circulated, along with some Liberian lawyers, was the Chief Justice of Liberia, the Honourable A. DASH WILSON, Jr. The Chief Justice took part in the work of the Third Committee, which considered documents such as the CASSELL paper.

Upon his return to Liberia, the Chief Justice brought copies of the CASSELL paper to Monrovia. Charges were prepared there against Mr. CASSELL and a citation issued against him on grounds of gross constructive contempt.

The Court found the gravamen of the action for contempt in three major points:

1. Mr. CASSELL in his paper had written : "There are, however, certain statutory penal laws (in Liberia) for the prevention and prosecution of political offences, such, as treason, sedition, conspiracy, false publication, for the protection of the head of the state, etc., which, in my opinion, lay certain restraint on the free exercise of what might properly be considered as constructive criticism of government, of certain officials who may be subject to just criticism; and mainly, restrict the flowering of a strong and continuing opposition party, so essential to a democracy, at least to the proper working of a democracy."

The citation omitted the word "however", which linked the text quoted above with a laudatory statement in the first paragraph of the paper referring to the "full protection of all the basic and essential rights known to, accepted and practiced by human civilized societies" afforded under the Constitution and most of the statutory laws of Liberia.

The Court held the cited passage to be contemptuous "because as Attorney-General for more than twelve years, (Cassell) indicted, prosecuted and convicted citizens under these statutes and prayed the courts to render judgments against the citizens so charged and convicted, and these judgments were rendered upon his insistence."

2. Mr. CASSELL said in his paper: "In the past the Bar of Liberia enjoyed an excellent reputation for the fearless defence of the rights of the individual in Liberian society. Today, although strides and advances are being made on some fronts in Liberia, the Judiciary appears to me to be the weakest link in the chain."

The citation omitted the following sentence which concluded the foregoing quotation from the paper: "This does not mean to say or is intended to give the impression that great injustices exist or are practiced in Liberia but the sum total of many little things does add up to something which may be considered a menace to the rights of the individual in any society."

The Court held the cited passage to be contemptuous because according to the judgment, "the weakness:of the Liberian Judiciary was not a subject relevant to the discussions scheduled for the Conference" and, therefore, "the only reason the Counsellor could have had for irrelevantly volunteering discussion on the weakness of the Liberian Judiciary was for the purpose of holding it up to international ridicule". This "can only be viewed as a deliberate and intentional attempt to deride the courts of the Country, and thereby question internationally their efficiency and judicial usefulness". Furthermore, according to the citation, CASSELL "preferred to conceal from Liberians, from the Bar and from the courts, what he regards to be weaknesses in the Liberian Judiciary, and to point them out at an international conference which was without jurisdiction or authority to pass upon them".

3. The act of "circulating such document (the Cassell paper), or allowing it to be circulated; which document so falsely and discredibly reflected upon the Judiciary of which the Chief Justice is head; in his presence and at an international conference" was charged to be "disrespectful, embarrassing and humiliating to him and his office, and therefore constituted contempt".

In answer to the citation Mr. CASSELL filed Returns in which he quoted the following comments in his paper contained in the paragraph immediately following the first quotation under (1) above:

"It must, however, be admitted that there has never been any great or extreme abuse in the application of these particular laws, and more often than not the Judiciary, particularly at the highest level, has struck down any attempt at the unrestricted use or abuse of them."

He invoked his constitutional right of free speech and contended that as the citation failed to charge him with having made "a false, libellous or malicious comment", he should not be held to answer further. He explained his attitude during his tenure as Attorney-General and pointed out that he studied and instituted during that period a number of judicial reforms. He denied that the submission of his paper held up the Judiciary Branch of the Government to ridicule, or in any manner defamed or degraded it, or that the Court had been hindered, embarrassed or belittled, or that justice had been obstructed in any manner. Mr. CASSELL then defined the purpose of the African Conference on the Rule of Law as follows

"14. And also because it is respectfully submitted that the whole idea or purpose of the International Commission of Jurists in holding this conference of African Jurists was to be helpful to them in the reformation of existing sys-

tems and the formation of new systems of jurisprudence. It is further respectfully submitted that in its effort to bring the Rule of Law to the peoples of the earth, and in particular to Africa, its purpose was *"to weave new threads of thought and fresh ideals into the old fabric in such a way as to retain its beauty and continuity without undermining its inner strength"*. With this objective clearly in view a careful reading and consideration of the conclusions reached by the conference should convince one that, if carried into effect, they would be of unlimited and immeasurable benefit to the peoples and states of Africa."

At a public hearing held on March 22, 23 and 27, 1961, Mr. CASSELL appeared in his own defence before the Supreme Court. The Chief Justice did not sit. The decision of the Court was rendered on May 19, 1961, and delivered by Mr. Justice JAMES A. A. PIERRE in the presence of the full Court. Mr. CASSELL was found guilty of contempt of the Supreme Court and, "because of the gravity which (the Court) attach to his contemptuous act", incurred the severe penalties already mentioned.

In its decision, the Supreme Court gave judicial consideration only to the first and third points of the citation and refused to rule on the second - Mr. CASSELL's views on the weakness of the Liberian Judiciary: "That of course, is Counsellor Cassell's personal opinion; his saying so does not weaken the Judiciary, nor could his failure to have said so in any way added to its strength." This finding leads the Commission to the conclusion that the Court accepts in principle reasonable criticism. Indeed in the opinion of the Commission this finding removes any reason for contempt proceedings against Mr. CASSELL.

The judgment, of 42 pages, consists mainly of a political and philosophical argument against Mr. CASSELL's concept of democracy and freedom. The Commission fails to see how Mr. CASSELL's concept of these matters is relevant to a charge of contempt. The judgment further contains a discussion on the appointment and removal of judges, on the independence of the Judiciary, on the ability of judges in Liberian society, on the Bar Association and on free legal service. For the most part this discussion equally appears to be irrelevant to the charge of contempt.

Taking issue with the respondent's Returns, the Court took the following position on the question of freedom of expression:

"The Supreme Court of Liberia has during all of the years of its history, welcomed criticisms from Liberian lawyers, of and concerning our judicial practices; but those criticisms have in the majority of cases, been patriotic and constructive, and advanced for the purpose of bettering our judicial machines. It is expected that lawyers, in keeping with the traditions of the profession, will revolt against any practices which infringe the constitutional safeguards of Liberian citizens, or of litigants in Liberian courts. But the Supreme Court of Liberia has not in the past, and will not now, allow improper behaviour against the courts by members of the profession, and defiant and disrespectful

behaviour to judges, whether at international conferences or anywhere else; no matter what might be the opinion of some who claim new-fangled ideas under the supposed Rule of Law. Unless the lawyers of our Country can enjoy the right to constructively criticise flagrant violations of law, and wilful infringements of the rights of the people; we would have fallen short of what is expected of the profession in our political-society, and of the dreams our fathers dreamt on coming to these shores out of slavery. On the other hand, the Court will not condone license to be insubordinate or subversive; we deprecate and denounce the improper habit of concealing our alleged faults from ourselves, where a proper reference to them might do the Country the greatest good; and we question the patriotism and the professional good intentions of any Liberian lawyer, who prefers to take our alleged faults into foreign countries and before international forums, and there paint the Country and its institutions in the blackest hues, and attempt to drag her good name and honour through the filthiest slime of prejudiced and stilted half-truths. That, the Supreme Court will not tolerate from any member of the Bar, because such behaviour is unworthy of the profession in Liberia; is repulsive to decency in any political society; and in the last analysis, is conduct of which any citizen should be ashamed."

The Commission trusts that on reflection the Supreme Court of Liberia will recede from the extravagance and brutality of this language.

The judgment proceeds:

"Reporting our alleged misdeeds to an international conference, or to a sister state, is like bringing the behaviour of a truant child to the attention of persons other than its own parents; they can do nothing but wish in vain that the child had been theirs to discipline. It is hard to understand the purpose of over-magnifying ones own faults, before a forum which is without jurisdiction to enforce corrections, and to states which have their own closets with their own skeletons."

The Court made these final observations:

"Before concluding this opinion, we would like to make it plain, that although a lot of emphasis was placed on Counsellor Cassell's right to freely write on the subject he chose for the Conference, no one has as yet questioned his right to have done so; that is a right he enjoyed under the Constitution as a citizen, and as a lawyer. The impression that the citation for contempt sought to curb his freedom to write what he liked was first broached from abroad, and we have not been able to understand why the simple wording of the citation should have been so misinterpreted. On this question of freedom of the press, we would like to say, that this freedom should not be interpreted as license to exceed the constitutional liberties a citizen should enjoy. It was in

the case *People v. Groswell* (N.Y.) heard in 1804, that the constitutional privilege of freedom of the press was explained in these words:

'The liberty of the press is the right to publish with impunity, truth, with good motives, for justifiable ends though reflecting on government, magistracy, or individuals.'

Too often some of us are wont to use this constitutional privilege from motives other than could be called good, and for ends far removed from justifiable; therefore the Constitution has made the use of the privilege subject to personal responsibility for its abuse. For reliance see 6 R.C.L. pp. 510/511 under Liberty of the Press; 12 Am. Jur. pp. 413/414 under Liberty of Press. "Other lawyers might have written what Counsellor Cassell wrote, provided it is true, and made a different impression on the Court; since they might not have prosecuted under the statutes referred to as restraints of the right of the citizens. All we ask of lawyers who would write of and concerning the Judiciary and/or courts, is that their reports be the truth, conscientiously and constructively presented. The Court will punish for contempt, any false, or deceptive practice which might have the tendency to reflect discreditably upon the Judiciary Branch of the Government; or which might tend to belittle it or its decisions; or which might embarrass it in the performance of its duties; or which might show disrespect to it or its judges; or which might defy its authority."

In arriving at its judgment, the Supreme Court of Liberia took into consideration an incident in which it perceived no difference from the present case. It referred to a document condemning the Liberian Government and submitted by a Liberian lawyer to the League of Nations at the time when that body was seized with charges against Liberia on grounds of dealing in slavery. The then Chief Justice JOHNSON was quoted as having said in his opening address of the November Term of 1930:

"It is among members of the Supreme Court Bar that we first look for loyalty to the Country, and whenever a Counsellor of this Court resorts to indicting Liberia before an international forum, he is a traitor and unworthy of the silk of the profession."

The Commission draws the conclusion that the Supreme Court of Liberia attaches particular significance to the fact that Mr. CASSELL expressed some criticism of the Liberian administration of justice in a paper circulated at an international conference held outside the borders of Liberia. This in the Commission's opinion has no relevance to a charge of contempt. It is indeed a novel and monstrous proposition that such criticism makes the critic a traitor.

Finally, the judgment of the Liberian Supreme Court cites the case of Counsellor JAMES A. GITTENS (7. L.L.R.) who was "held to answer in contempt for disrespect shown to the Chief Justice out of Court, as in this case. The difference between that case and this is that Counsellor GITTENS recognized the error of his conduct and

filed Returns in which he asked for the Court's forgiveness. There is a great difference in attitude between the Returns filed in that case, and what has been filed in this." GITTENS approached the then Chief Justice in a private medical clinic and discussed pending litigation. The resemblance between the GITTENS case and Mr. CASSELL's appears tenuous. But surely if Mr. CASSELL was not guilty of contempt and so believed, he had no occasion to ask for forgiveness.

The Commission after the most careful examination of the Cassell paper and the judgment of the Supreme Court of Liberia finds itself unable to agree with that judgment and regards it as a most regrettable and unwarranted challenge to the right of a lawyer to criticize in good faith the courts of his country whether in that country or elsewhere. For Mr. CASSELL in his paper is balanced in his observations on the Supreme Court of Liberia. He refers with approval to the Court's striking down of attempts to abuse certain statutory penal laws. Then he offers criticism.

His fault in the eyes of the Court is twofold. First that he criticizes defects which he countenanced allegedly as Attorney-General. If this were so, it is no ground for contempt because he later proceeded, after ceasing to be Attorney-General, to criticize the statutes under which he prosecuted when he held that office. It is only fair to Mr. CASSELL to say that he is far from admitting that he himself initiated prosecutions unfairly under the statutes he later criticized in a private capacity. He claims that while he held office as Attorney-General he endeavoured to have these statutes amended.

Secondly, Mr. CASSELL is held to be in contempt because through "prejudiced and stilted half-truths" he criticized Liberia and its institutions in the "blackest hues" outside his own country.

The judgment on this count is incompatible with the right of a lawyer - certainly not diminished because he is participating in a meeting of his brethren from his own continent and other parts of the world to discuss and criticize in good faith the administration of justice in his own country. To hold otherwise would be to put the courts beyond the limits of criticism.

It is proper to discuss the principles of the law of contempt as they are generally known in Great Britain and the United States, because the law of Liberia, traditionally based on Common Law and with its Constitution patterned on that of the United States, may reasonably be assumed to be influenced by the laws and practices of these two countries.

In the present case we are dealing with constructive contempt. Constructive contempt arises where the act is committed out of the presence of the court or judge whose administration of justice is said to be obstructed or brought into disrepute.

In the leading case of *Ambard v. Attorney-General for Trinidad and Tobago* (1936) A.C. 322 the Privy Council reversed a decision of the Supreme Court of Trinidad holding that an article criticising alleged inequality of sentences imposed for certain criminal offences, had been written with the direct object of bringing the administration of criminal law by the judges into disfavour with the public. The Supreme Court

imputed to the editor untruth and malice. Lord ATKIN, delivering the opinion in rendering the advice of the Board to the Crown said:

“But whether the authority and position of an individual judge, or the due administration of justice, is concerned, no wrong is committed by a member of the public who exercises the ordinary right of criticising in good faith, in private or public, the public act done in the seat of justice. The path of criticism is a public way: the wrong headed are permitted to err therein: provided the members of the public abstain from imputing improper motives to those taking part in the administration of justice, and are genuinely exercising a right of criticism, and not acting in malice or attemptiny to impair the administration of justice, they are immune. Justice is not a cloistered virtue: she must be allowed to suffer the scrutiny and respectful, even though outspoken, comments of ordinary men.”

Following these criteria, Mr. CASSELL's paper was clearly not contemptuous. Because he was endeavouring to improve the administration of justice in Liberia, he was obviously not attempting to impair it. The Commission is unable to find evidence of malice on the part of Mr. CASSELL and indeed he was not specifically charged with malice.

We now come to a consideration of the law of contempt in the United States, which has, as we have earlier said, a bearing on the present case. In 1831 the Congress of the United States enacted a statutory limitation of the power of the Federal Courts to commit for contempt; the definition, written in the Act of March 2, 1831, was embodied in 18 U.S.C. (1952), par. 401:

“A court of the United States shall have power to punish by fine or imprisonment, at its discretion, such contempt of its authority, and none other, as --

- (1) Misbehaviour of any person in its presence or so near thereto as to obstruct the administration of justice;
- (2) Misbehaviour of any of its officers in their official transactions;
- (3) Disobedience or resistance to its lawful writ, process, law, rule, decree, or command.”

In spite of the words “none other”, constructive contempt can still be dealt with by the courts of the United States in their inherent jurisdiction. The Liberian Supreme Court equally claims an inherent jurisdiction in matters of constructive contempt. In such matters the Judiciary of the United States has been mainly preoccupied with cases arising out of the so-called “trials by newspaper”, i.e., improper and prejudicial reporting on pending cases.

The courts of the United States at first made varying interpretations of the Statute of March 2, 1831; one to the effect that the statute was applicable only to such misbehaviour as occurred “in or near the immediate vicinity of the court”. A subsequent decision approached the question as to whether a “reasonable tendency” to

obstruct justice existed or not. "Near thereto in the words of the 1831 statute thus acquired the connotation of a causal rather than geographical proximity.

Finally in the leading case of *Bridges v. California*, 314 U.S. 252 (1931), the United States Supreme Court rejected the "reasonable tendency" doctrine as an uncertain criterion and adopted instead a rule first proclaimed in an espionage case with regard to admissible limitations on the freedom of speech. These were contingent upon establishing "whether or not the words used are used in such circumstances and are of such nature as to create a clear and present danger that they will bring about the substantive evil sought to be prevented" [*Schenk v. U.S.*, 249 U.S.47 (1918)]. In any case, the Court found that the new rule could not be stretched to apply to circumstances of mere criticism, even if unjustified or tending to detract from the dignity of the court.

Bridges v. California is a compendious reference to two cases decided jointly by the United State Supreme Court. The first, *Bridges v. Superior Court*, 14 Cal. 2d 464, 94 P. 2d 983 (1939), involved the publication of a telegram by Mr. HARRY BRIDGES, the trade union leader, characterizing an order made by a Los Angeles judge as "outrageous" and threatening that an attempt to enforce the order would "tie up the whole Pacific coast" in a statewide strike.

In the second case, *Times-Mirror Co. v. Superior Court*, 15 Cal. 2d 99, 98 P. 2d 1029 (1940), the *Los Angeles Times* published an editorial headlined "Probation for Gorillas?" in which it denounced members of the local union who were convicted on charges of assaulting and beating a non-union truck driver and applied for probation. The article admonished the judge before whom the case was pending that he "will make a serious mistake if he grants probation to Shannon and Holmes. This community needs the example of their assignment to the jute mill." The editorial was cited as in contempt for an inherent and reasonable tendency to interfere with the orderly administration of justice in an action before a court for consideration.

In both cases, the contempt citations were affirmed by the California Supreme Court and reversed by the Supreme Court of the United States in a majority decision.

The *Bridges* decision provided a rationale on matters of constructive contempt which was thus expressed by Mr. Justice HUGO BLACK:

"The assumption that respect for the judiciary can be won by shielding judges from published criticism wrongly appraises the character of American public opinion. For it is a prized American privilege to speak one's mind, although not always with perfect good taste, on all public institutions. And an enforced silence, however limited, solely in the name of preserving the dignity of the bench, would probably engender resentment, suspicion and contempt, much more than it would enhance respect."

The Commission is encouraged by the fact that the Supreme Court of Liberia holds Mr. Justice BLACK in great respect, for it says in its judgment on Mr. CASSELL (in the course of observations which do not appear to have any relevance to the charge of contempt against Mr. CASSELL):

“...today Mr. Justice BLACK is known to be among the finest legal minds, and shines as one of the brightest and ablest jurists of our time. His opinions, whether in concurrence or dissent, have been acknowledged -and by some of his original opposers-as being exemplifications of expert legal knowledge, combined with a respect for the law and the rights of human beings.”

The decisions of the courts in Great Britain and the United States make it abundantly clear that general criticism of the Judiciary made in good faith, whether by a lawyer or a layman, will not constitute contempt. Indeed by its judgment the Supreme Court of Liberia recognizes this principle when it says:

“Unless the lawyers of our Country can enjoy the right to constructively criticise flagrant violations of law, and wilful infringements of the rights of the people; we would have fallen short of what is expected of the profession in our political society, and of the dreams our fathers dreamt on coming to these shores out of slavery.”

Then the Supreme Court bases its judgment in finding Mr. CASSELL guilty of contempt on the following reasoning (already cited on page 6 of this publication):

“On the other hand, the Court will not condone license to be insubordinate or subversive; we deprecate and denounce the improper habit of concealing our alleged faults from ourselves, where a proper reference to them might do the Country the greatest good; and we question the patriotism and the professional good intentions of any Liberian lawyer, who prefers to take our alleged faults into foreign countries and before international forums, and there paint the Country and its institutions in the blackest hues, and attempt to drag her good name and honour through the filthiest slime of prejudiced and stilted half-truths. That, the Supreme Court will not tolerate from any member of the Bar, because such behaviour is unworthy of the profession in Liberia, is repulsive to decency in any political society and in the last analysis, is conduct of which any citizen should be ashamed.”

This is amazing and extravagant language to be used in respect of Mr. CASSELL's paper.

The International Commission of Jurists is vitally concerned to see that criticism made by a lawyer in respect of the judicial system of his country and conveyed to his brethren at an international gathering reasonably, in good faith and in temperate language, should not be made the foundation of an action for contempt against him. Otherwise, there may be lawyers who will be discouraged from taking part in a conference devoted to the purposes of the Commission, namely the preservation and extension of the Rule of Law, which judges and lawyers from every part of the free world support.

Dr. T. O. ELIAS, the Minister of Justice and Attorney-General of Nigeria pointed out in a *Working Paper* for the Lagos Conference that “Law is a civilizing as well as a stabilizing influence in human society, and the true jurists are some of the most

unyielding defenders of its prerogatives.” He emphasized that the judges’ and lawyers’ notes of protest can sometimes be heard above the din of hate and clash of values:

“As long as there are such courageous men and women of the law, so long will the reign of the Rule of Law retain its firm hold on the greater portion of the human race. And towards that achievement the International Commission of Jurists will be holding this Conference in the capital city of the Nigerian Federation have contributed not a little in the worth-while effort to realize the ideal of social justice on the Continent of Africa.”

The Commission on examination of Mr. CASSELL’s paper, following a careful consideration of the various authorities and the judgment of the Supreme Court of Liberia, is of the clear opinion that Mr. CASSELL did not exceed the limits of reasonable criticism. It was his undoubted right before an international gathering of lawyers to discuss the courts of his country provided he acted reasonably and without malice. In his carefully reasoned paper there is, it is repeated, no evidence of malice. Accordingly the Commission profoundly regrets and is indeed astonished that under such circumstances Mr. CASSELL should have been found guilty of contempt.

The International Commission of Jurists is a non-governmental organization which has Consultative Status, Category “B”, with the United Nations Economic and Social Council. The Commission seeks to foster understanding of and respect for the Rule of Law. The Members of the Commission are:

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INTERNATIONAL COMMISSION OF JURISTS

6, RUE DU MONT-DE-SION

GENEVA, SWITZERLAND

Christian Abayomi CASSELL Again in Hot Water.

According to Christian Abayomi CASSELL, Liberia's champion of free speech and free thought and a former Attorney General of Liberia from 1944 until September 1957, he apparently is in the process of, at a minimum, being ousted from his current official position as Adviser to the President on African Affairs, or, at a maximum, being disbarred and charged with sedition, all as a result of Casosll's condemnation of the Liberian Judiciary in a formal address delivered before the January 3 to 7 International Commission of Jurists at Lagos, Nigeria in the presence of the very upset Chief Justice of the Liberian Supreme Court, A. Dash WILSON.

Cassell, who had been invited to present a paper on Liberia to the Commission, prepared one entitled "The Responsibility of the Judiciary and of the Bar for the Protection of the Rights of the Individual in Liberian Society" which branded the Liberian Judiciary as the weakest link in the chain of defense of the rights of the individual in Liberian society. He further condemned the Liberian Bar and Judiciary for not doing enough to change the conditions at fault, such as the tenure of judges, their improper removal, their lack of qualifications and moral fitness, and their low pay. He also condemned the Liberian practice of providing only customary or administrative law in the tribal hinterlands, a practice which removes a large portion of the population from the protection of the civil law. He concluded that the basic solution for Liberia would be to educate its illiterate masses so they might understand and appreciate true democracy before Communism successfully insinuates itself and supplants the rule of law with its antithesis. A copy Cassell's paper is attached as Enclosure No. 1.

Cassell, anticipating opposition to his paper, purposely withheld it from scrutiny by Chief Justice Wilson until they both arrived in Lagos. The Chief Justice, upon reading it, told Cassell it was "a hell of a paper". Wilson then apparently sent a copy to his cousin, President TUBMAN, who immediately stopped Cassell's salary as the President's Adviser on African Affairs. Following Cassell's reading of the paper before the International Commission of Jurists. Wilson then asked for a chance to rebut and was allotted 15 minutes at the close of the final session of the Commission, but this was insufficient time for him to complete his 14-page address which he expanded to defend the Liberian Judiciary and also to denounce Cassell. A number of the delegates, including Cassell, reportedly had to take up other business and walked out in the midst of Wilson's tirade, and the Chairman finally was forced to cut Wilson off in order to close the Commission's meeting which was running well beyond its scheduled closing. This apparently further inflamed Wilson's ire. Pertinent extracts from Wilson's address are attached as Enclosure No. 2.

Cassell returned to Monrovia to find that his official salary (as African Affairs Adviser) had been stopped and was informed indirectly that the President probably

would have him arrested for sedition. He also learned that Chief Justice Wilson had caused Speaker of the House Richard A. HENRIES, as President of the Liberian Bar Association, to circulate both Cassell's paper and the Chief Justice's reply in an effort to gain support for procedures to disbar Cassell. President Tubman has yet to act directly in the affair. He has neither summoned Cassell nor arrested him nor notified him of the loss of his official job as African Affairs Adviser. Nonetheless, Cassell has arranged a bail bond and carries it with him, Cassell claims that the Liberian lawyers believe his actions, although inadvisable, do not warrant disbarment. The lawyers apparently are awaiting some signal from the President before taking action against a professionally respected and somewhat grudgingly admired colleague.

Cassell, when asked what he thought the President might do, said the President, under Wilson's goading, probably would regard Cassell's action as a political threat. He said Tubman could easily "go mad" when crossed politically, then laughed ruefully and recalled that his open opposition in 1957 to Tubman's again succeeding himself had resulted in Cassell's having to leave both the Cabinet as Attorney General and his position as a spokesman for the True Whig Party. Toward the end of 1958 the President partially forgave Cassell, welcomed him back to the Party's inner circle, and offered him a job as Legal Consultant to the President which Cassell says he declined as beneath the dignity of a former Attorney General. Following Cassell's participation as a rather vociferous Liberian delegate to most of the African conferences beginning with the December 1958 All African Peoples Conference in Accra, the President appointed Cassell his Adviser on African Affairs in the spring of 1960. This apparently was the high point of Cassell's return to favor, because shortly thereafter he flatly refused to sign the Bar Association's Resolution that Tubman be drafted for a fifth term in 1964 as not in keeping with the dignity and purpose of a self-respecting, non-political association. He also has supplemented this xxx and courageous step by stating that Tubman should have been legally restricted to his original eight-year term, the more so because the law changing the term and tenure of the President was altered for Tubman's personal benefit while he was in office. Indicative of Cassell's mood and determination to stand up as a dissident was his willingness to pour forth his views to the December 1960 U.S. Senatorial visitors (see Embdesp. 206, December 28, 1960 on CODEL CHURCH). As Cassell now puts it, there comes a time when you have to stand up for what you believe.

Coincidental with and apparently related to Christian Abayomi Cassell's recent misadventures, were the dismissals of his brother, Assistant Attorney General Arthur B. CASSELL, and First Judicial Circuit Judge Samuel B. COLE. As announced by President Tubman's Press Secretary on January 10, the two men had just submitted their resignations at the request of the President. Christian Abayomi Cassell, when questioned, attributed his brother's dismissal to a quarrel within the laity of the Liberian Trinity Pro-Cathedral Protestant Episcopal Church as to whether a qualified and experienced American Negro minister should be hired rather than an inexperienced,

less-qualified Liberian. This discussion, which took place in Monrovia at the same time as the International Commission of Jurists' session in Lagos, became a hot and heavy palaver, with former President C. D. B. KING, and former Vice President Clarence L. SIMPSON strongly favoring a Liberian minister over the equally strongly stated opposition of Secretary of the Treasury Charles Dunbar SHERMAN and Arthur B. Cassell. The latter, who is not too well regarded by many Liberians, apparently provided the last straw needed by his political enemies when he accused King and Simpson of not hesitating to go beyond the pale of the Episcopal Church in seeking the assistance of President Tubman, a Methodist at that, in spearheading Episcopalian fund drives which ought, in terms of their own logic, to be headed by such affluent Episcopalians as King and Simpson.

According to Christian Abayomi Cassell, Judge Cole was ousted by the President because he dabbled in politics, a practice which the President now insists should be beneath the dignity of the Judiciary although, as Cassell recalled, President Tubman himself did not hesitate to run for the Presidency while still an Associate Justice of the Supreme Court. Cassell stated that Judge Cole's real political misdemeanor was that he had written a letter to former Vice President Clarence L. Simpson, while the latter was Ambassador to Great Britain (1956-59), suggesting that Simpson return and run against Tubman in 1959 for the Presidency.

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The Embassy believes Chief Justice Wilson has made a sincere effort to improve the status of the Liberian Judiciary, and the Chief Justice's reaction to Cassell's condemnation can, therefore, be attributed at least partly to righteous indignation. Certainly Christian Abayomi Cassell appears to have provided Chief Justice Wilson, an old enemy, ^{1/} with a sufficient spur, if not cause, for Wilson to press his cousin the President to help bring Cassell a cropper - and disbarment would hit Cassell where it really hurts. However, there appear to be several restraining factors which may assist Cassell. The Nigerian Ambassador, N. Ade MARTINS, is reported by Cassell to have passed the word to President Tubman that the Nigerian Government regrets the difficulty that developed at the International Commission of Jurists' session in Lagos and is hopeful that the situation has not embarrassed President Tubman. In addition, the President, whose reactions are frequently precipitant, apparently has satisfied his

^{1/} According to another Liberian source, during World War II Cassell accused then Senator and practicing lawyer A. Dash Wilson of stealing a substantial sum of money from a German client. Wilson is reported to have pressed charges of slander against Cassell in early 1944 and to have been supported to the point of obtaining a judgment against Cassell requiring that Cassell publicly retract or pay a \$500 fine. Tubman, having just started his first Administration, appealed to Cassell, who was the President's Attorney General, to give in and restore harmony to the Party. Cassell said he couldn't retract because his charge against Wilson was true. Tubman then placated Cassell by paying half of the fine. Wilson is said ever since to have been carrying a grudge against Cassell.

immediate pique by cutting off Cassell's salary and discharging A. B. Cassell and Judge Cole. Too, the President's recently busy schedule of travel about Liberia and currently to Guinea has kept him otherwise occupied. In the deliberation of his second thoughts, the President may well conclude, as Cassell himself has suggested, that too great a punitive action against so well known a Liberian as Cassell, who has done much to convince fellow Africans that Liberia does tolerate free speech and free thought, would reverberate to the President's and Liberia's discredit among many of the African states.

Although all this may seem to smack of a tempest in a teapot, one cannot discount the seriousness of Cassell's plight as he, armed only with a bail bond, awaits the President's decision amid rumors of impending dire actions.

For the Ambassador:
L. Milner Dunn
Counselor of Embassy

Embassy pouched copy for Amembassy Lagos
Enclosures:

1. Paper entitled "The Responsibility of the Judiciary and of the Bar for the Protection of the Rights of the Individual in Liberian Society" by C. A. Cassell
2. Pertinent extracts from the Address of Chief Justice A. Dash Wilson

THE RESPONSIBILITY OF THE JUDICIARY AND OF THE BAR FOR THE PROTECTION OF THE RIGHT'S OF THE INDIVIDUAL IN LIBERIAN SOCIETY

Under the Constitution and most of the statutory laws of the Republic of Liberia which deal with the rights of the individual ample provision has been made affording full protection of all of the basic and essential rights known to, accepted and practiced by humane civilized societies. In the Bill of Rights of the Constitution may be found many of the rights provided by the Magna Charta, the English Bill of Rights, the Bill of Rights under the United States Constitution: the rights to the free enjoyment of life, liberty and of the acquisition and protection of property; protection from arbitrary arrest, searches and seizures; etc.

There are, however, certain statutory penal laws for the prevention and prosecution of political offences, such, as treason, sedition, conspiracy, false publication, for the protection of the head of the state, etc. which, in my opinion, lay certain restraint on the free exercise of what might properly be considered as constructive criticism of government, of certain officials who may be subject to just criticism; and, mainly, restrict the flowering of a strong and continuing opposition party, so essential to a democracy, at least to the proper working of a democracy.

It must, however, be admitted that there has never been any great or extreme abuse in the application of these particular laws, and more often than not the Judiciary,

particularly at the highest level, has struck down any attempt at the unrestricted use or abuse of them.

One great problem exists in Liberia which remains unresolved and which is of the gravest import. It is of the existence of two systems of laws which operates side by side in one part of the country and in the other, the greater, only one system is in actual application except enforcement of parts of the penal law. I refer to the civil laws as understood and applied by the Western civilization and of the native customary laws indigenous to the almost uncivilized people of the country who largely inhabit what is called the Hinterland. The latter is a system of laws which are common to most parts of Africa some of which have been codified or reduced to such form as make known or evident the rights of the individual. Liberian Native Customary Laws have not as yet been reduced to written form or codified. This law is administered by civil administrators under authority of the Executive and not directly under the Judiciary, nevertheless subject to its processes. The main sources of review are the Secretary of the Interior and the President. The Judiciary has repeatedly expressed its opinion on this state of affairs but it seems that change is slow to come. The Bar plays very little part in the administration of these customary laws except on the littoral where there are a number of native courts, and so it is possible for injustices to be committed; as it can be readily seen that the enforcement of any form of law being in unskilled hands naturally lead to unskilful application and hardships such as people in the low income bracket, and not able to pay for extended and expensive litigation, must suffer.

In the past the Bar of Liberia enjoyed an excellent reputation for the fearless defence of the rights of the individual in Liberian society. Today, although strides and advances are being made on some fronts in Liberia, the Judiciary appears to me to be the weakest link in the chain. This does not mean to say or is intended to give the impression that great injustices exist or are practiced in Liberia but the sum total of many little things does add up to something which may be considered a menace to the rights of the individual in any society.

It cannot be honestly stated that either the Judiciary or the Bar is doing or has done its utmost to change these conditions. They could deal with the problem of the certain tenure of judges or their improper removal; that of their qualification and moral fitness; their pay, etc. I believe that efforts have been made and some response received in increasing the salaries of judges, magistrates, etc. but, in my opinion, not enough has been done. It is however regrettable to state that nothing has been done to secure the tenure of judges and to ensure their fitness, which to me is of the gravest import. The choice is in the hands of the Executive as provided by the Constitution, subject to a rather formal confirmation by the Senate, one of the bodies of the Legislature. Never in my own time have I heard of any inquiries or investigations having been held into the character or ability of any nominee. Similarly judges are removed by joint resolutions passed by both bodies of the Legislature. In such instance a Legislative trial either by impeachment or otherwise, might be an interesting innovation. This therefore brings

into question the principle of the independence of the Judiciary. It would seem to me that the Bar Association has an important role to play in this matter; such for example, as intervention through the Senate against the appointment of improper persons to the office of judge; but, it does not appear that the Bar Association in Liberia has ever appreciated its true role in this all important field of its responsibility to insure that only proper persons duly qualified are appointed to this high office of trust.

In the day to day operation of the courts it can be generally stated that there is no large scale violation of or infringement upon the rights of the individual. There are, however, numerous problems to be faced and coped with, such as, the collection of illegal bond fees and costs, harrassment of the illlettered population by petty judicial and administrative officers and in some instances by police officers, undue delay in the trial of cases, largely civil but even to a limited extent criminal. It might well be argued that these conditions have been found to prevail even today in the backward areas of the most advanced societies but that is no just excuse. It is the duty of the courts and the legal profession to work unceasingly to eradicate these petty evils which so greatly annoy a large part of the populace.

In connection with the problem of the speedy disposition of causes in the subordinate courts which affect the rights of the individual both the Supreme Court and obligated units of the Government have made efforts to speed up the hearing and disposition of causes and to reduce the crowded dockets of these courts. However, a great deal more will have to be done by way of modernising our trial system. Even where revolutionary changes were made there would still remain the greater problem of manning judicial pests by the ablest and fittest man available.

Considering the grave responsibility of the courts and the bar for the protection and preservation of the sacred rights of the freedom enlarged by the newer and fresher concepts extant today, as clearly enunciated in the Charter of Human Rights a certain urgency appears to attach itself to them. As I stated at the Congress of Delhi, in less advanced societies such as exists in Africa today, that is, using the standards of western civilization and culture as a yard stick, it will take sometime before they attain the apex or peak of the due, just and orderly administration of the law. These communities are not only hampered by the high rate of illiteracy but for many centuries have pursued their own way of life through which have been established their own traditions, mores, manners, customs, laws, superstitions, beliefs, In the transplanting of what is called western culture and civilizations many rude and evil examples have been, sometimes forcibly, introduced into these communities; and the worst of all evils has been the setting up of one people against the other.

It is therefore against this background that what is called democracy has been sought to be established and in which the great and phenomenal problem of introducing the rule of law faces us on this continent. We will have to battle on many fronts and with great courage to bring this great ideal to a full flowering, and thus achieve the enjoyment of the freedoms which many of us dishonestly claim exists in some of our countries.

In fine I wish to state unequivocally that although ample provision exists in Liberian law to assure and insure the enjoyment of these natural and inalienable rights to which our Declaration of Independence so nobly refers, yet, there are phases and facets of these rights that will not be fully realized until an absolutely fearless Judiciary and Bar challenge these, some large and others small, problems and see to it that the basic rights are safeguarded to the humblest individual in the land. It will take time and courage to bring about some of the necessary changes, for we too are faced with a problem of mass illiteracy, especially among those of us who might properly be considered as still living in a semi-primitive state. It will require that mass education be brought to these people at first; then their way of life, concepts, mores and manners be fully exposed to what is known as western civilization and culture. In substance our people will have to learn to understand and appreciate what true democracy means.

There is still hope but I do not know how much time there is. With communism having apparently established a beach-head in parts of our continent unless urgent and immediate steps be taken to speed up these processes I fear and I fear greatly that this ideology may successfully insinuate itself into many of our communities and thus our concept of the rule of law may be supplanted by its antithesis.

On the specific sub-topics of this subject which have not been broadly dealt with I wish to make the following observations:

2. Authority for the creation of courts except the Supreme Court vests in the Legislature under provisions of the Constitution. The Supreme Court makes rules for all courts and controls the operation of the subordinate courts; excepting statutory provisions outlining their functions at the time of their creation, or made subsequent thereto. These statutes follow accepted norms and practices and may in no way be considered as prejudicial.

3. Pending or impending cases may not be affected by any legislative act or resolution. Constitutional safeguards prevent legislative interference.

4. (a) The legal profession as an organized body is perfectly free to manage its own affairs.

(b) The Supreme Court has supervisory power over the admission of members of the bar and their conformity with the ethics of the profession.

5. It may be broadly stated that each individual has equal access to the law.

(a) Legal advice and representation is no major problem for the individual in Liberian society except in the Hinterland where there are no professional lawyers regularly practicing before the native courts.

(b) Obtention of legal service is relatively easy. There is no organized free legal assistance, however, in many cases, it is rendered by individual attorneys.

Prepared for the International Commission of Jurists by C. Abayomi Cassell.

**Christian Abayomi Cassell cited to appear before Liberian
Supreme Court to face contempt charges.**

According to an article appearing in the March 3 issue of the Liberian Age (see Enclosure No. 1), Christian Abayomi CASSELL has been cited to appear before the Liberian Supreme Court on March 13 to face contempt charges growing out of Cassell's address to the International Commission of Jurists at Lagos in which Cassell branded the Liberian Judiciary as the weakest link in the chain of defense of the rights of the individual in Liberian society.

It appears that Liberian Chief Justice A. Dash WILSON, having failed in his initial efforts to have Cassell arraigned on a sedition charge and/or disbarred by direct action of his fellow lawyers, has finally seized upon a charge and a legal arena which will permit the Chief Justice to wreak his own vengeance on Cassell. It is of interest to note that Counselor C. Lorenzo SIMPSON (former Vice President and a considerable champion of free speech and thought in his own right), although requested to sit at the hearing as one of three friends of the Court, has declined that signal honor. There can be little doubt, however, that another friend of the Court, Counselor O. Natty B. DAVIS, will be pleased to attend, especially since he has just been named Legal Adviser to President Tubman, a position Cassell not long ago turned down as beneath his dignity as a former Attorney General. Although Cassell may be able to use his hearing before the Supreme Court to strike a few more oral blows for free speech, he will be subject to the close control of an apparently very bitter and somewhat righteously indignant enemy. The Embassy will undertake to cover the hearing and make a further report.

For the Ambassador:

L. Milner Dunn
Counselor of Embassy

FORMER ATTORNEY GENERAL CITED FOR CONTEMPT BY SUPREME COURT

Growing out of a written address which he presented at the recent International Conference of Jurists held in Lagos, Nigeria, former Attorney General C. Abayomi Cassell has been cited by the Supreme Court of the Republic for contempt and is to appear before the full Bench to answer the charge on March 13.

In a bill of Charges the Court recited portions of the address which it regards as contemptuous and an attempt to make the Court look ridiculous in the eyes of the international world.

In the address the Counsellor had charged that

“There are, however, certain statutory penal laws for the prevention and protection of political offenses, such as treason, sedition, conspiracy, false publication, for the protection of the Head of the State etc., which in my opinion, lay restraint on the free exercise of what might properly be considered as constructive criticism of Government, or of certain officials who may be subject to just criticism; and mainly, restrict the flowering of a strong and continuing opposition party so essential to a democracy, at least to the proper working of a democracy.”

The Counsellor also charged that

“In the past the Bar of Liberia enjoyed an excellent reputation for the fearless defense of the rights of the individual in Liberian Society. Today, although strides and advances are being made on some fronts in Liberia, the Judiciary appears to me to be the weakest link in the chain.”

At the Conference of the International Commission of Jurists which convened in Lagos, Nigeria, in January of this year, Jurists from many countries of the world were in attendance, and lawyers from Liberia were also invited and attended. Among these latter was Counsellor C. Abayomi Cassell, a former Attorney General of Liberia and a member of the Supreme Court Bar; who prepared and circulated a paper on one of the several subjects which had been placed on the agenda of the Conference for discussion.

As is the right of any lawyer, the Counsellor gave expression in his paper to what he claims to be his professional views on the subject of his choice; a privilege which he had every right to enjoy under the Constitution of Liberia, as well as under the Universal Rules of the legal profession as obtain and should be enjoyed in democratic societies, so long as ethical and professional limits in conduct are observed.

However, in the second paragraph of Counsellor Cassell's paper written under the theme:

THE RESPONSIBILITY OF THE JUDICIARY AND OF THE BAR FOR THE PROTECTION OF THE INDIVIDUAL IN LIBERIAN SOCIETY,

he xxxx the document, circulated among delegates of the Conference the following statement: (Statement omitted by Age, but see paragraph 2 Enclosure No. 1, Embdespatch 237.)

I. This portion of Counsellor Cassell's paper making reference to certain penal statutes of Liberia, as being restraints on the rights of the citizens, and restricting privileges essential to the proper working of a democracy, is highly contemptuous to the Supreme Court, for the following reasons to wit:

BILL OF CHARGES

Here is the full text of the Bill of Charges:

a) Because for more than twelve years Counsellor Cassell was Attorney General, and in this capacity was Chief Prosecuting Officer of the Government of Liberia; and he did indict, prosecute and convict numerous citizens whom he charged under the very Penal Statutes his document condemns, for treason, sedition, conspiracy, and for all of the many crimes enumerated in the said document which he published at the Conference in Lagos.

b) That in his presentation of these cases before the courts of Liberia, and especially before the Supreme Court, he did not fail to vigorously contend for and insist upon punishments to be inflicted on all who were charged with these crimes under the Penal Statutes his document now condemns; he insisted then both in his briefs and in arguments that the violation of these statutes were threats to society, and that punishment for their commission would deter future violators of the law.

c) At no time during any one of these several prosecutions which he prepared and conducted, did Counsellor Cassell, the then Attorney General, protest the enforcement of laws which he knew to be "a restraint on the free exercise" of the rights of the citizens, as he now claims they are; but he urged the courts of the Country, and especially the Supreme Court, to render judgments on the convictions he had prayed for and received on the indictments which he drew up, both whilst in office as Attorney General, and also after he had retired from office upon request for his resignation.

d) Having sworn as a Counsellor of the Supreme Court Bar, that he would "protect the Constitution and uphold the laws of Liberia", knowing any statute to be in conflict with provisions of that Sacred Document, insofar as it affects the rights of the citizens who should be protected thereunder and yet insisting upon enforcement of the same under pretended sincerity in motive in discharging his duties, is misleading; and besides being conduct which places the highest Court in the land in a ridiculous light,

it is conduct which holds the Supreme Court up to National and International ridicule, and is therefore conduct unbecoming a Counsellor of the Supreme Court Bar.

Xxxx by counsel, either in briefs or in arguments before the Supreme Court, should be characterized by fairness, truthfulness, sincerity and the highest degree of integrity; in addition to the ethical and professional candor insisted upon in the Moral Code (Rule 18 of the Moral Code). It is both unethical and contemptuous for a lawyer to present an insincere application of the law, and pray for judgment thereon, and then later condemn the said law as violating the rights of the very same parties he had prosecuted or opposed; thereby belittling the very judgments he had prayed for and obtained and making the Court look ridiculous. This conduct is highly deceptive, and any Counsellor found to have indulged in it should be made to answer in contempt of court.

f) Although for more than twelve years Counsellor Cassell was Attorney General, and therefore Legal Adviser to the Administration and the Government of Liberia; and although during these years in office, the Attorney General made an Annual Report, in which all legislation which when enforced violated the rights of the citizens, or ran counter to provisions of their Constitution, were by him recommended for amendment or repeal; yet in no tone of his many Reports did Counsellor Cassell ever mention these Penal Statutes as laying restraint on the free exercise of what might properly be considered as constructive criticism of Government, or of certain Officials who may be subject to just criticism, and mainly restrict the flowering of a strong and continuing opposition party, so essential to, a democracy", as he now claims in his document published in Lagos. This was a duty which the proper functions of his office, and the oath of his profession, imposed upon him; and although he failed to perform it, he now seeks to use his failure to brand the statutes of the Country as being laws which deprive citizens of the rights they should enjoy under provisions of the Constitution. An act tainted with dishonourable intent; professionally unsavory, and opposed to all of the qualities expected of a gentleman lawyer; and certainly an act unbecoming the integrity and dignity of a Counsellor of the Supreme Court Bar.

g) Failure to have advised against the enforcement of Penal Statutes which allegedly "lay restraints" on the rights of the citizens, although he was in the legal position to have done so for more than twelve years; and doing so now after he has been asked to resign from office, is conduct unethical and unbecoming the honour and dignity of the legal profession. Because these penal Statutes have not been amended, so can be no more oppressive now than they were when Counsellor Cassell was in office as Attorney General; and when he prosecuted and convicted citizens under them for the commission of crimes. The same professional oath which bound him in the performance of his duties as Attorney General, still binds him now as a private practitioner, and as a member of the Bar of the Supreme Court, as he was then. It is therefore professionally unethical, and contemptuous to the Supreme Court for the Counsellor to now declare

statutes which he used in prosecuting crimes, "a restraint on the rights" of the very citizens he convicted and prayed for judgments against under these statutes.

WEAK LINK

II. Also written in Counsellor Cassell's paper circulated at the Conference in Lagos, is the following statement:

"Today, although strides and advances are being made on some fronts in Liberia, the Judiciary appears to me to be the weakest link in the chain."

This portion of the Counsellor's paper is also contemptuous, for which he should appear and answer, for the following reasons to wit:

a) Because the alleged weakness of the Judiciary of Liberia of which the Supreme Court is head, was not a subject relevant to the discussions scheduled for the Conference; now were any faults in the judiciary systems of any of the States represented at the Conference, nor the agenda for discussion by sister states; now was alleged weakness in the Judiciary of Liberia the concern of any of the sister States represented there. So the only reasonable purpose Counsellor Cassell could have had for volunteering irrelevant condemnation of the Liberian Judiciary, of which he as a member of the Supreme Court Bar is a part; and for alleging weaknesses in the Government to be due to weaknesses in the Judiciary of Liberia and hold it up to international ridicule and thereby lessen national and international respect for, and confidence in the courts of his country. An act wanting in loyalty; against the ethics of the legal profession; and an act of unbecoming conduct which should be expected of Counsellors of the Supreme Court Bar.

b) Lawyers belonging to the Bar of the Supreme Court, and practicing before the same, to their loyalty to their country; and must also live up to the highest standards allowed by the rules governing the ethical conduct of members of the legal profession. Counsellor Cassell's act of openly degrading the Judiciary of Liberia at an international conference, and in the presence of the head of the branch of Government, where the weakness or strength of the Liberian Judiciary was not a subject of review, can only be viewed as a deliberate, and intentional attempt to deride the courts, and thereby question internationally their efficiency and judicial usefulness. An act which savours of disloyalty to the country; treachery to the Judiciary thereof; and conduct unbecoming a patriotic citizen and a Counsellor of the Supreme Court Bar.

c) According to usage known to the practice of law in Liberia, and therefore usage with which Counsellor Cassell must be conversant, members of the profession are arms of the courts; and in this capacity it is their duty, and they have always been and are still allowed to make suggestions for the good of the Judiciary and the courts. Not only has Counsellor Cassell failed to make any suggestions whereby his alleged weaknesses in the Judiciary might be strengthened, but he undertook to conceal these weaknesses from the Supreme Court and the people of his country; preferring to point

them out at an international conference, which was without jurisdiction to pass upon them, or upon any faults existing in the judicial system of any other State. An act unbecoming a patriotic citizen or a Counsellor of the Supreme Court Bar.

UNBECOMING CONDUCT

III. Intentional and wilful disrespect which embarrasses, humiliates, or discredibly reflects upon a Judge and/or his office, whether in or out of court, is contemptuous conduct, for which a party may be called to answer. Counsellor Cassell's reference to the Judiciary as the weakest link in the chain of governmental operations in Liberia, at an international conference and in the presence of the Chief Justice was disrespectful, embarrassing, and humiliating to the Head of the said Judiciary Branch of the Government; and was therefore not only contemptuous, but was conduct alarmingly unbecoming a Counsellor of the Supreme Court Bar. It is also conduct reprehensible and properly censurable, for which a Counsellor should be called to answer.

In view of the foregoing, the Clerk of this Court will therefore cite Counsellor C. Abayomi Cassell to appear before the Bar of the Supreme Court of Liberia, at 9 o'clock in the morning of the 13th of March A.D. 1961, to show cause why he should not be made to answer in Contempt of the Supreme Court, on the several points listed above.

The following Counsellors of the Supreme Court Bar have been cited to attend the hearing, on the date and at the hour named hereinabove, and are requested to serve as *amicii curiae*:

Counsellor C. Lorenzo Simpson, Esquire, Counsellor-at-Law;
Counsellor O. Natty B. Davis, Esquire, Counsellor-at-Law;
Counsellor Momolu S. Cooper, Esquire, Counsellor-at-Law.

And for so doing this shall constitute his sufficient authority.

GIVEN UNDER MY HAND THIS 13TH DAY OF FEBRUARY A.D. 1961
A. Dash Wilson, Sr.

CHIEF JUSTICE, SUPREME COURT OF LIBERIA

Counsellor Simpson has since notified the Court that he will be unable to serve as requested.

MARCH TERM, A. D. 1961

Present: His Honour A. Dash Wilson, Sr., Chief Justice
Present: His Honour Dessaline T. Harris, Associate Justice
Present: His Honour James A. A. Pierre, Associate Justice
Present: His Honour Lawrence E. Mitchell, Associate Justice
Present: His Honour William E. Wardsworth, Associate Justice

In re: C. Abayomi Cassell)
Counsellor-at-Law, and) CONTEMPT OF COURT
Member, Supreme Court Bar.)

RETURNS

C. Abayomi Cassell, Esquire, Counsellor-at-Law., in obedience to the citation issued on the orders of His Honour the Chief Justice of Liberia on the 13th day of March, A.D. 1961 to show cause why he should not be made to answer in Contempt of the Honourable Supreme Court of Liberia for matters contained in the said order or citation, and in compliance therewith respectfully submits the following matters of law and fact as good cause why he should not be held in Contempt of the Honourable Supreme Court of Liberia, to wit:

1. Because first and foremost it is necessary and important to make clear, and he trusts to the complete and abiding satisfaction of this Honourable Court, that he, the said C. Abayomi Cassell, in the course of his preparation of the paper subject of these proceedings, never had the least intention of contemning this Honourable Court or for that matter any other Court in this Republic, and it is respectfully submitted that inspection of a full transcript of the paper in question, copy of which is annexed hereto and made a part of this Answer, marked Appendix "A", will reveal clearly the absence of intention to commit any act of contempt, in particular by the following:

(a) Following immediately after the excerpt set out at the bottom of the order, citation, charge or complaint in these proceedings from the said paper may be found the following comment, to wit:

"It must, however, be admitted that there has never been any great or extreme abuse in the application of these particular laws, and more often than not the Judiciary, particularly at the highest level, has struck down any attempt at the unrestricted use or abuse of them."

which clearly and unequivocally expresses a favourable opinion of the Judiciary of Liberia, and in particular this Honourable Court, and evidences the absence of intention to ridicule or belittle this honourable Court or for that matter any of the Courts of this Republic.

(b) xxx commenting on the administration of the Native Customary Laws of the Republic by persons not trained in the law the following comment may be found on page two of said paper, to wit:

“The Judiciary has repeatedly expressed its opinion on this state of affairs but it seems that change is slow to come.”

which was meant to say that the Judiciary was playing out its true role and is intended, as is clearly evident, as a further favourable expression of opinion of the Judiciary.

(c) In commenting on the proceedings and operation of the Courts the following comment may be found on page 3 of said paper, to wit:

“In the day to day operation of the courts it can be generally stated that there is no large scale violation of or impingement upon the rights of the individual.”

which plain statement clearly shows the total absence of intention to degrade, ridicule or villify the Courts of this Republic.

(d) In commenting on the problem of the speedy trial of causes the following comment may be found on page 4 of aforesaid paper, to wit:

“In connection with the problem of the speedy disposition of causes in the subordinate courts which effect the rights of the individual both the Supreme Court and obligated units of the Government have made efforts to speed up the hearing and disposition of causes and to reduce the crowded dockets of these courts.”

which shows unequivocally the fairness and justness of the intention of the writer and the clear absence of intention to hold the Honourable Supreme Court of Liberia up to ridicule or to villify it.

Wherefore in view of the foregoing and of the clear absence of intent to condemn this or any other Honourable Court of the Republic, which he hereby disavows, he prays his discharge from further answering in these proceedings.

2. And also because he, the said C. Abayomi Cassell, further here and now respectfully disavows any intention to condemn the Honourable Supreme Court of Liberia or for that matter any of the Courts of this Republic, especially with regard to the excerpt quoted in part of Count II of the order, citation, charge or complaint relative to the reputation of the Bar and suggesting that the Judiciary “appears to me to be the weakest link in the chain”, is in fact and substance intended to be a vindication of the Judiciary and was never intended to be an attack on it, because a famous American Jurists once said that of the three great Branches of the United States Government the Judiciary is the “_____ST”, and he stated as his reason the fact that the Judiciary had to rely on the support of the two other Branches, in particular the Executive, and also on the support of public in the due and orderly exercise of its functions, which is the exact idea sought to be conveyed. It is here respectfully submitted, in view of this postulation, that although blame cannot or may not be attached to either of the other Branches of Government for lack of support, or to either the present Administration

or most of the previous ones, sometime or somewhere down the line apathy sat in and that vigorous support which should have been given or rendered the Judiciary by Government and an active and interested, perhaps aroused, public opinion appears to have been absent. It is respectfully suggested that to blame the Court or any of the individual judges thereof would be unfair, unjust and iniquitous in face of a situation and development that goes back, perhaps fifty years and has developed with time. It is in this light therefore that he, the said C. Abayomi Cassell, viewed the situation and expressed the opinion that to him the Judiciary appears to be the weakest link.

Wherefore and in view of the foregoing he, the said C. Abayomi Cassell, respectfully submits that in the clear absence of intent to condemn this or any other Honourable Court of this Republic, which he hereby disavows, he prays his discharge from further answering in these proceedings.

3. And also because he, the said C. Abayond Cassell, hereby solemnly swears that he is a lover of all of the Institutions of his Country, most especially the one in which he engages in the practice of the choice of his profession, the Courts of Liberia, and that all he has ever wished for them is good and the attaining of the highest standards and measures of success. It is respectfully submitted that if anything in the paper the subject of these proceedings appear to be critical it or they were expressed in good faith and in the absence of any intent to harm, injure, or destroy the good name, fame and reputation of any such Institution and particularly of the Honourable Courts of Liberia.

Wherefore and in view of the foregoing he, the said C. Abayomi Cassell, respectfully submits that in the absence of any intent to commit a contumacious act and upon a declaration of good faith in the preparation and submission of said paper, subject of these proceedings, he respectfully prays his discharge from further answering in these proceedings.

4. And also because in the expression of his opinion in the paper in question, he, the said C. Abayomi Cassell, respectfully submits that he did so in pursuance of the rights guaranteed under the provisions of Section 15 of the Bill of Rights of the Constitution of Liberia, in particular, that portion which asserts: "The free communication of thoughts and opinions, is one of the invaluable rights of man, and every citizen may freely speak, write and print, on any subject, being responsible for the abuse of that liberty." It is respectfully submitted that nowhere in said citation, order, charge or complaint is it specifically shown that he abused said right, that is, by having made a false, libellous or malicious statement; wherefore and in view of the fact that the freedom of the expression of opinions is essential to the security of freedom in the state and of the state the said Bill of rights inhibit the restraint of it. Wherefore he respectfully submits that he should not be held further to answer in these proceedings.

5. And also because he, the said C. Abayomi Cassell, respectfully submits that he is protected from answering in these proceedings by the Constitutional right of ABSOLUTE PRIVILEGE which he enjoys as a lawyer and which he enjoyed when he was Attorney General of Liberia which prevents him from answering for acts, deeds and

things he did in connection with the prosecution of cases before the Courts of Liberia as such officer. It is respectfully submitted that no judge, lawyer or juror can be held to answer for acts such as, originating proceedings, prosecuting or arguing a cause or causes, case or cases in a court of law especially after the same has or have become RES JUDICATA; wherefore the cause or causes, case or cases referred to in said order, citation, charge or complaint having long since become RES DI this and every other Court in this Republic is forever barred from holding him for any acts, deeds or things committed by him at that time because to do so would be to violate a fundamental principle of Constitutional law which entitles him to the ABSOLUTE PRIVILEGE of exemption from answering for same. Wherefore he respectfully submits that he should not be held further to answer.

6. And also because with respect to the charge contained in Sub-Section f) under Count I of the order, citation, charge or complaint, that he never mentioned any of these Penal Statutes in his Annual Reports as Attorney General as laying a restraint on the free exercise of constructive criticism of Government or its officials "or (that they) ran counter to the provisions of the Constitution", he, the said C. Abayomi Cassell, respectfully submits that nowhere in said paper did he say or suggest that these laws were unconstitutional. It is respectfully submitted that the entire question of repeal, amendment or revision of laws being a political function, which does not necessarily involve infringement of the Constitution, should not be the subject of judicial inquiry.

Wherefore he respectfully submits that he should not be held further to answer in these proceedings, and he so prays.

7. And also because with respect to the charge contained in Sub-section f) under Count I of the order, citation, charge or complaint he, the said C. Abayomi Cassell, respectfully submits that the question as to whether or not he ever recommended any change in the penal laws of the Republic involve a question of enormous import, that is, the privilege of CONFIDENTIAL COMMUNICATION in his relation either to the President of Liberia or to the Honourable the National Legislature of Liberia which he, in honour, cannot disclose or should not be expected to do; or can the Honourable Courts of this Republic inquire into or require him to disclose because the question involves possible action by the Executive Branch of the Government and direct action of the Legislative Branch and is political in its nature, in which either use its sound discretion, and its action or inaction may not be the subject of judicial inquiry or review. Wherefore he respectfully submits that he should not be held further to answer, and he so prays.

8. And also because he, the said C. Abayomi Cassell, respectfully submits as to Sub-Sections a) to g) under Part or Count I of the order, citation, charge or complaint with respect to his having prosecuted a number of persons under the said laws without having "protested the enforcement of (these) laws" or in his reports to the National Legislature "recommended (for) amendment or repeal" of these laws that not even the Courts, more powerful and august bodies by xxx officer holding his commission at the

pleasure of the President xxx change unwise legislation, as that power remains in the people, who, by making necessary changes in the Legislative body, may have the unwise, improvident or pernicious legislation of one legislature corrected by another. It is respectfully submitted that the only and best way to get rid of such legislation is to enforce it when the people might realize the enormity of it and demand change. .

Wherefore and in view of the foregoing he respectfully submits that in the lawful exercise of the expression of his opinion on this public question he should not now be held to answer for acts which if true amount to either misfeasance, malfeasance, subjects of other proceedings, and in view of which he should be discharged from further answering in these proceedings.

9. And also because in the realm of thoughts, views, ideas and opinions it is respectfully submitted that every rational person is subject to change of his or her opinion, which is borne out by the fact that even this Honourable Court has been known from time to time to change its opinion and have re-called them; and this is a practice which prevails in most civilised societies; wherefore in such intangible, abstract and ephemeral areas it is most difficult for rules to be set whereby to determine when the mind undergoes change or whether or not a mind has undergone change.

Wherefore and in view of the proposition that whilst he, the said C. Abayomi Cassell, was Attorney General he appeared to hold one view he is bound by it forever or that he "misled", "deceived" and "disrespected" the Judiciary by vigorously prosecuting causes falling under the laws in question and has now expressed an opinion on the effect of said laws he has thereby committed a contempt would be to set a rule whereby any innocent person could be easily emmeshed and entrapped and thereby denied the right of due process of law wherein a clear charge capable of determination should be made out. In view of which he respectfully prays that he be discharged from further answering in these proceedings.

10. And also because he, the said C. Abayomi Cassell, respectfully submits that he has never knowingly or wilfully violated either his oath of office or that as a lawyer by having presented an unfair, untruthful, insincere, unethical, or contemptuous matter or argument either before this Honourable Court or any of the other Courts of the Republic, even in the presentation of the causes referred to in the order, citation, charge or complaint, for in every case he prosecuted he firmly believed from the evidence obtained at preliminary investigations and at the trial of all such causes that the parties were guilty of violating the laws in question. It is respectfully submitted that it was his sworn duty so to do; wherefore he respectfully submits in view of this fact and of the submission made in Count 5 of this Answer he should be discharged from further answering in these proceedings, and he so prays.

11. And also because he, the said C. Abayomi Cassell, respectfully submits that this Honourable Court must be laboring under an unjustified misapprehension as to the accusation that he did by the submission of the paper in question hold up the Judiciary Branch of the Government to ridicule or in any way or manner defame or

degrade it. It is respectfully submitted that in all of the discussion which took place in or those reported out of the Conference no improper reference or suggestion was made to the Liberian Judiciary or to Liberia. It is further respectfully submitted that every member of the Liberian Judiciary who attended the Conference was treated with the utmost respect as far as he is aware; and may he modestly and respectfully suggest, entering into the realm of ideas and thoughts, that it is quite possible that the very paper sought to be construed as evil may have been helpful in creating that atmosphere, for, all honourable jurists appreciate truth and a frank admission of shortcomings in every human undertaking.

In view, therefore, of the foregoing he respectfully submits and prays that he be discharged from further answering in these proceedings.

12. And also because he, the said C. Abayomi Cassell, respectfully submits that in proceedings such as these in their nature partaking of alleged constructive contempt - one not committed in the presence of the Court - it should be shown that the alleged act or acts tended to obstruct justice, or hindered or embarrassed the Court or belittled or degraded it. It is respectfully submitted that no such consequence followed from the submission of said paper which had been prepared and submitted since October, A.B. 1960 and was not as would be inferred from the order, citation or charge issued in these proceedings one which was read in the presence of his Honour the Chief Justice and did in fact embarrass him.

Wherefore in view of the foregoing he, the said C. Abayomi Cassell respectfully submits in the absence of a showing that the Court was in fact obstructed, hindered, embarrassed, belittled or degraded, he should be discharged from further answering in these proceedings, and he so prays.

13. And also because with respect to the charge contained in Sub-section c) under Part or Count II of the order, citation, charge or complaint that he had never made any suggestions whereby the Judiciary might be strengthened, he the said C. Abayomi Cassell, respectfully submits that he did serve on the Liberian Government's Commission to the United States to study methods to improve its Judicial System, which resulted in the revision of the Rules of the Supreme Court and other Subordinate Courts of Liberia. Wherefore he respectfully submits that he should be discharged from further answering in these proceedings, and he so prays.

14. And also because it is respectfully submitted that the whole idea or purpose of the International Commission of Jurists in holding this Conference of African Jurists was to be helpful to them in the reformation of existing systems and the formation of new systems of jurisprudence. It is further respectfully submitted that in its effort to bring the Rule of Law to the peoples of the earth and in particular to Africa, its purpose was "to weave new threads of thought and fresh ideals into the old fabric in such way as to retain its beauty and continuity without undermining its inner strength". With this objective clearly in view a careful reading and consideration of the Conclu-

sions reached by the Conference should convince one that, if carried into effect, they would be of unlimited and immeasurable benefit to the peoples and states of Africa.

Wherefore and in view of the foregoing he, the said C. Abayomi Cassell, respectfully submits that no possible harm could have resulted from a conference at which juridical problems were critically examined with a view to improving the various judicial systems, therefore he prays that he be discharged from further answering in these proceedings.

WHEREFORE, in view of the matters of law and fact hereinabove respectfully submitted and of his clear and unequivocal disavowal of any intention to contemn this Honourable Court or to bring it into disgrace or degradation, rather his sole, only and ostensible purpose having been to fortify its position of independence, and improve and enhance the honour and integrity of the Judiciary of Liberia, he hereby most respectfully prays that he be discharged from further answering in these proceedings and without delay.

Respectfully submitted,

C. Abayomi Cassell
COUNSELOR-AT-LAW

Liberian Supreme Court Finds Christian A. Cassell Guilty of Contempt and Imposes Penalty of Indefinite Disbarment.

In the presence of Chief Justice A. Dash WILSON, Associate Justice James A. A. PIERRE read the Court's opinion in the CASSELL case late in the afternoon of May 19 (toward the end of the Court's March term adjournment program). Speaking with what appeared to be genuinely righteous indignation (seasoned with occasional bursts of barely-suppressed fury) he took more time (well over an hour) to find Cassell guilty than the amici curiae had taken to present and sum up the Court's case in the first place. In its essentials the opinion consisted of four ingredients: an exhaustive recapitulation of the Court's case against Cassell; a highly selective recapitulation and virtually categorical rejection of Cassell's defense (camouflaged with token and, largely spurious efforts at legal justification); a ringing defense of Liberian democracy on the rather interesting grounds that it was not inferior to democracy elsewhere in the world; a stern warning to the Liberian legal profession that the Court had no intention of tolerating "untrue" attacks from any Liberian quarter upon its competence and honor. (See despatch 316 under reference for a summary of the Court's case and Cassell's defense.)

Early in his presentation Associate Justice Pierre referred in an angry manner to non-Liberian elements which, he alleged, had made improper attempts to influence the Court in Cassell's favor. He also made unkind references — some of them direct, some indirect — to the United States. For example, when he held forth on the subject of democracy he compared Liberia favorably with the so-called democracies which permitted segregation. Several times when he made critical references to the United States he glanced briefly but directly at the reporting officer who was sitting in a section reserved for members of the diplomatic corps and other dignitaries to the left of the bench in the front of the Court. It is not pleasant to have to report that his use of this device elicited several murmurs of quite unequivocal approval from the large Liberian crowd. He hinted strongly towards the end of his presentation that the Court might have felt disposed to be lenient toward Cassell if the latter had indicated in his brief that he was sorry about the embarrassment he had visited upon the Court. He observed that Cassell had not said he was sorry, however, and that, therefore, the Court had not felt disposed to be lenient.

Cassell conducted himself with dignity throughout the proceedings. From time to time he betrayed his feelings with a contemptuous smile (e.g. when Associate Justice Pierre extolled the virtues of Liberian democracy). He took his very harsh sentence of indefinite disbarment — without flinching (and probably without surprise) and turned immediately to leave the Court. When several lawyers moved to follow him Chief Justice Wilson insisted in loud and peremptory tones that all lawyers remain seated. (The reporting officer took advantage of an opportunity to leave at this point.) Chief Justice

Wilson then turned his attention to former Vice President Clarence L. SIMPSON (who was present in his capacity as a member of the legal profession) and summarily suspended him from practising law in Liberia for one year for having turned down the Court's request that he serve as amicus curiae at the Cassell hearing. Simpson responded by pointing out that he had refused to serve because he enjoyed Cassell's confidence, Cassell having approached him for legal counsel, prior to the time the Court requested him to serve. He reminded the Court that he had, nevertheless, attended some of the hearings. The Court said it would take Simpson's defense of his conduct under advisement and shortly thereafter adjourned the March term.

Embassy Comment

To understand the Court's opinion in the Cassell case it is necessary to understand the Liberian political system. If it is true that William V. S. TUBMAN is the most successful President Liberia has ever had, it is also true that he is a ruthless and vindictive politician who does not tolerate political opposition. Cassell referred in the paper he wrote for the International Commission of Jurists to a few of the many respects in which Liberian institutions do not conform to democratic standards. By so doing he committed a heinous offence in the Liberian context: He "took on" — in public — Tubman and the Tubman regime (and, as antiCassell Liberians like to put it, he washed Liberia's "dirty linen" in public). On paper, the Court charged Cassell with contempt of court and found him guilty as charged. In reality, Tubman and the Tubman regime tried him for and found him guilty of political apostasy and political opposition: offences which they consider were all the more unforgivable because Cassell committed them outside Liberia at an international conference. The Court's judgment was a punitive, political judgment. In handing it down the Justices, by their own act, substantiated Cassell's principal charges against the Liberian Judiciary under the Tubman regime. To the extent to which the Justices were aware of what they were doing they were contemptible: to the extent to which they were not aware, they were pathetic. The Court's decisions to disbar Cassell because he dared to engage in constructive criticism of his own government and to suspend Simpson because he refused to serve as amicus curiae are sad and sorry blots on the escutcheons both of the Court and of what passes for democracy in Liberia.

The Embassy transmits as enclosure #1 a news story on the decision which the Liberian Age printed in its May 22 edition. The Embassy will transmit the text of the Court's opinion as soon as a copy becomes available. It is an authentic masterpiece of its kind and deserves a prominent place in the long history of the subordination of the legal process to political expediency.

Enclosure:

As stated.

For the Ambassador:

Arthur W. Purcell
Second Secretary

Article From The Liberian Age Dated May 22, 1961
SUPREME COURT ENDS CASSELL'S LEGAL CAREER

Case Sparks One Year Suspension For Counsellor Simpson

Crowded Court Hears 42-Page Opinion

Former Attorney General C. Abayomi Cassell, has been found guilty of Contempt of Court, and debarred as a lawyer and forbidden to practice law in the country.

This action was taken Friday in a Supreme Court Decision handed down in the Contempt Proceedings against Mr. Cassell which grew out of statements made by him in a paper he submitted to the late Lagos meeting of the International Commission of Jurists.

Under the heading, "The responsibility of the Judiciary and of the Bar for the Protection of the individual in Liberian Society", Mr. Cassell dealt lengthily with the Judiciary in the country, observing it to be the "weakest link in the chain" and also referring to certain Penal Codes of Liberia as being "restraints on the rights of citizens and restricting privileges essential to the proper working of a democracy".

In a 42-page opinion read by Mr. Justice James A. A. Pierre, the Court held that remarks of such nature made before an international body were indeed contemptuous since it was "irrelevant, unpatriotic and strange under any circumstances" for the quality of Liberian Judiciary to be raised at an International Commission.

INTENT

Observing that the reasons for criticisms fall under three categories: (1) "to apprise parties of errors; (2) to suggest reforms and (3) to ridicule", Mr. Justice Pierre declared for the Court that Mr. Cassell's sole intent was to heap ridicule upon the Court because the International Commission of Jurists is not a proper forum to direct such criticisms.

Dealing specifically with the points of law raised during the argument of the case, the Court held that "of members of the Presidents Cabinet, the Attorney General is the only one who might professionally or technically disagree in opinion with the President on any issue, and be within the proper proprietary and legal performance of his duty".

It follows then, the Court continued, that "any Attorney General who is either unable to, or who fails to advise against any acts of Government, which in his opinion infringe the constitutional rights of the citizens, is useless to the administration and unfit to continue in office; because he thereby fails to be that efficient legal adviser to the President, and the bold protector of the rights of citizens which the law requires him to be".

This was in answer to Mr. Cassell's argument on points raised in his papers against the Penal Statutes which he described as being "restraints on the rights of citizens".

It was contended that during his 13-year tenure of office as Attorney he failed to recommend a repeal of these statutes but instead prosecuted and sought the conviction of many citizens under the same statutes he now criticizes.

WEAKNESS

In answer to Mr. Cassell's criticism on the weakness of the Judiciary, the Court held that "the Judiciary is only as weak as the concept of those who imagine it to be so; and is as strong as the will of those who administer at its altars and worship within its shrine".

Rejecting Mr. Cassell's argument that the Court or Judiciary is weak because it cannot implement by force its decisions, the Court declared that "the Legislature is only *primus inter pares* with the other two branches of Government; neither is more important than the others... and neither is weaker or stronger than the others". Going further, the Court expounded the doctrine that the "Judiciary is the anchor which holds stabilized government in balance: without it, vested interest might suffer, sacred rights might be violated, constituted authority might be challenged, and in fine chaos in proper administration could result".

SIMILAR CASE

Touching further on the merits of Mr. Cassell's intention in criticizing the Judiciary before an International forum and in the presence of the Chief Justice, the Court noted that in 1930, a case of similar nature arose and Justice Johnson reporting the incident declared that "whenever a Counsellor of this Court resorts to indicting Liberia before an international forum, he is a traitor and unworthy of the silk of the profession." The Court held that it could "perceive no difference between these two cases".

The Court was crowded and hushed during the reading of the opinion.

FREEDOM OF THE PRESS

Freedom of speech or of the Press was also touched upon in the opinion. Mr. Cassell had questioned the propriety of the Press in publishing the case while it was sub judice. The Court held that it is the "liberty of the Press to publish with impunity, truth, with good motives, for justifiable ends though reflecting on government, magistracy or individuals".

Mr. Cassell has been a practising lawyer for 34 years, thirteen of which he spent as Attorney General. When asked by a newsman of the Age to comment on the opinion and judgment, Mr. Cassell said: "I leave the decision of the case to time, history and posterity". "I love my country and will never betray it", he added.

In other matters, Counsellor C. L. Simpson was suspended from practise for one year. It should be noted that Counsellor Simpson was among the Lawyers requested by

the Court to serve as Amicii Curae. He refused to do so stating that he had previously enjoyed the confidence of Mr. Cassell in the case.

Attorneys B. T. Bracewell and R. Barnes were made Counsellors of the Supreme Court.

Immediately following the Decisions the Marshal of the Court cried the Court adjourned until its October Term.

Secretary of Public Instruction Expresses Views to Director Of USOM/Liberia

Secretary of Public Instruction Nathaniel V. MASSAQUOI expressed views on several important subjects to USOM/Liberia Director James O. BABCOCK during a three and one-half hour after-dinner conversation at the latter's residence on April 11, 1961.

Massaquoi said a very important controversy was looming on the country's political horizon between those who believed the government should give first consideration to military requirements in allocating resources (e.g. Secretary of National Defense Harrison GRIGSBY) and those who believed it should emphasize economic and social development (e.g. himself and Secretary of the Treasury Charles D. SHERMAN). He said the GOL's principal priorities in the economic and social fields were first, rural roads, second, education and, third, Rural Area Development. He said USOM/L's position in Liberia was impregnable because it had based its programs upon what the President and other GOL officials had said in public they wanted and because tribal elements who were going to be the principal beneficiaries of USOM/L projects in the hinterland were enthusiastic about the projects. He said much Liberian criticism of the United States and US programs in Liberia stemmed from political in-fighting among Liberians. He said the real aim of certain individuals who attached USOM/L programs was to undermine the position of Secretary Sherman. These individuals, he explained, were trying to bring Sherman into disrepute on the grounds that he had been wasting Liberian money under the influence of the United States.

Massaquoi told Director Babcock that he had received many invitations to visit bloc countries but that he had declined them on the grounds that he had not been able to get "Executive approval" to make the trips.

Referring to the book "Tribes of the Liberian Hinterland" by Schwab and Harley, Massaquoi discussed the various tribes and secret societies in Liberia at considerable length. The Embassy will prepare a separate report on this portion of the conversation.

In evaluating some of his fellow GOL officials, he said the Tolberts (i.e. Vice President William R. TOLBERT and his brother, Secretary of Agriculture and Commerce Stephen A. TOLBERT) and Secretary Grigsby had presidential ambitions but lacked the support both from the True Whig oligarchy and the tribes they would have to have to achieve their objectives. He said nobody in the government took Secretary of the Interior J. Samuel MELTON very seriously. He referred in highly favorable terms to Secretary Sherman whose primary aim, he said, was to improve the welfare of the tribal people.

Embassy Comment

USCM/L Chief Education Adviser H. D. CRAIG regards Massaquoi, whom he likes personally, as one of the least effective and least influential members of the Liberian Cabinet. He describes him, in addition, as a poor administrator and as a poor educator (though he gives him credit for being energetic and enthusiastic). US officers who attend meetings of the Joint Liberian-United States Commission for Economic Development report that the President and others frequently make Massaquoi the butt of their jokes. Under the circumstances it is a little pathetic that Massaquoi should have seen fit to tell Director Babcock (who has attended Joint Commission meetings himself on numerous occasions) that members of the government do not take Secretary Melton very seriously. While Massaquoi has identified himself with Secretary Sherman and other progressive individuals, some of his critics have identified him instead with the more conservative elements in the government. The Provincial Commissioner off the Western Province, for example, in a recent conversation with the reporting officer identified Massaquoi with old-fashioned characters like Postmaster General McKinley A. DeSHIELD and Melton rather than with progressives like Sherman. It would be unfair not to mention, however, that there are people who believe Massaquoi is much shrewder than he has the reputation for being. These people believe that Massaquoi entertains presidential ambitions himself and that there is very definitely "method in his madness". They feel he is content to play the part of court jester on the grounds that "he who laughs last, laughs best".

Director Dabcock characterized and evaluated the views Massaquoi expressed to him as follows in his memorandum of conversation.

"Now these comments by Secretary Massaquoi are not necessarily consistent, throughout the course of the evening, nor are they consistent with previous positions which the Secretary has taken and which have been reported upon.

However, they do represent his position as of the time of the interview."

The reporting officer suggests that Massaquoi probably had partisan reasons for identifying himself to Director Babcock as a Sherman supporter in the current phase of Liberian political in-fighting.

For the Ambassador:

Arthur W. Purcell
Second Secretary

**Secretary of Nigerian Branch of International Commission of Jurists
Visits Liberian Connection with Christian A. Cassell's Hearing Before
Liberian Supreme Court for Contempt**

The Secretary of the Nigerian Branch of the International Commission of Jurists Aliyi EKINEH came to Liberia several days before the hearing opened and attended two or three sessions before he left the country (apparently to return to Nigeria). CASSELL told Embassy officers after the hearing ended that Ekineh had helped him to prepare his brief and had offered to assist him with his presentation to the Supreme Court. He said he had incorporated some of Ekineh's suggestions in his brief but had declined Ekineh's offer to assist at the hearing on the grounds that it would be difficult to get authorization for a non-Liberian to appear before the Court. (In addition, Cassell probably did not want to antagonize the Court in this particular case by employing a non-Liberian colleague. He probably also was reluctant to share the spotlight with another performer.) Cassell said he expected Ekineh to prepare a report on the hearing for both the International Commission of Jurists in Geneva and the Nigerian Branch of the Organization.

For the Ambassador:

Arthur W. Purcell
Second Secretary

Liberian Supreme Court Tries Christian A. Cassell for Contemp

INTRODUCTION

The Supreme Court's charge against CASSELL was that he had presented a paper at the International Commission of Jurists meeting in Lagos in January which had ridiculed the Judicial branch of the Liberian Government in the presence of the Chief Justice of the Liberian Supreme Court. The Embassy has already transmitted the tests of Cassell's paper and the Court's charge with depatches #237 and 283 under reference.

The hearing began at 9 a.m. on April 22 and ended at 10:30 a.m. on April 27, at which time the Court reserved judgment. Senior Associate Justice Dessaline T. HARRIS presided in the absence (in Switzerland ostensibly for medical treatment) of Cassell's accuser, Chief Justice A. Dash WILSON. Counsellors-at-Law Momolu S. COOPER (who was Solicitor General during part of the time Cassell was Attorney General) and O. Natty B. DAVIS (who used to be an Associate Justice of the Supreme Court and who is now Legal Adviser to the President) appeared against Cassell in the capacities of amici curiae. Cassell defended himself with the assistance of his brother A. B. Cassell (who was an Assistant Attorney General until TUBMAN requested his resignation in January of this year). The clerk took about 45 minutes on the first day to read the Court's charges plus Cassell's written returns (see enclosure # 1) and Counsellor Cooper took about 30 minutes to present the Court's case. Cassell then proceeded to speak in his own defense for a total of seven and one half hours - two and one half hours on the 22nd, four hours on the 23rd and one hour on the 27th. Counsellor Davis took about 30 minutes to sum up the Court's arguments on the 27th.

The reporting officer was present at each of the hearing's five sessions.

SUMMARY

In presenting the Court's case Counsellor Cooper argued inter alia

1. That Cassell had intended to embarrass and downgrade the Liberian Judiciary when he prepared his paper for the International Commission of Jurists.
2. Xxxx Cassell had not intended to embarrass and downgrade the Liberian Judiciary his paper constituted prima facie evidence of contempt.
3. That Cassell did not have the right to hold Liberia up to ridicule at an international meeting in a foreign country.

Cassell defended himself by enlarging upon the fourteen arguments he had already presented in his written returns (see enclosure # 1).

He argued inter alia

1. That he had never intended to embarrass or downgrade the Liberian Judiciary.

2. That the Court, in preparing its charges, had quoted his paper out of context.
3. That his paper, taken as a whole, constituted an objective statement of the present condition of the Liberian Judiciary and a constructive appeal for a stronger Judiciary.
4. That the fact that when he was Attorney General he had vigorously enforced laws he was now challenging was irrelevant if only for the reason that a man has the right to change his mind.

Counsellor Davis interrupted Cassell as he was about to complete his presentation on the afternoon of April 23 to request the Court's permission to make additional citations on the grounds that Cassell had brought new material into the proceedings by raising the question of his own character. Cassell objected (the reporting officer believes quite correctly) on the grounds that the Court's charge itself had questioned his character. He maintained that, if Cooper and Davis had wanted to discuss his character, they should have done so on the first day when they presented the Court's case. The Court overruled Cassell, however, and permitted Davis to employ argumentum ad hominem with impunity in his summing-up speech (to which Cassell had no opportunity to reply).

In summing up the Court's case Davis argued:

1. That Cassell had a low and unprincipled character because he had performed his duties as Attorney General in a harsh and ruthless manner.
2. That Cassell had acted in bad faith by engaging in adverse criticism of the Liberian Judiciary at an international meeting when he might and should have confined himself to expressing his views before those responsible bodies within Liberia which had the power to take cognizance of and to deal with them.

PUBLIC REACTION

It is extremely difficult to gauge Liberian reaction to the Cassell case. Some people appear to feel that Cassell committed an unpatriotic act when he prepared a paper critical of Liberia for presentation before a non-Liberian organization. Others appear to feel that it is about time the former Attorney General found out what it feels like to be on the receiving end of Liberian justice. The general consensus seems to be that the Court will render a decision unfavorable to Cassell. Under the circumstances, while there is probably considerable pro-Cassell feeling in Liberia, it is not readily apparent and, since "discretion is the better part of valor", Cassell, at the moment, is not exactly the most sought-after man in the country.

EMBASSY COMMENT

Cooper and Davis in their capacities as amici curiae bore the responsibility of proving — or at least establishing beyond a reasonable doubt — that Cassell had

contemned the Liberian Judiciary. In the Embassy's opinion they failed to discharge this responsibility. Instead they put Cassell on trial (quite irrelevantly) for acts they alleged he committed when he was Attorney General and they "begged the question" by insisting — without proving — that Cassell's paper constituted prima facie evidence of contempt. Cooper and Davis put the Court's most acceptable argument in the form of a question: if Cassell's overall purpose was to strengthen the Liberian Judiciary, why did he express his views at an international conference which lacked power to take appropriate action, rather than before responsible Liberian bodies like the National Bar Association or the Legislature? Cassell did not deal adequately with this question in his formal remarks: however, when Davis maintained with a straight face in his summing-up speech that the best way to seek reform in Liberia was to petition the representatives of the people in the Legislature, Cassell responded from where he was sitting with a brief but eloquent horselaugh. Davis exposed the fundamentally political nature of the Court's action against Cassell in a startlingly crude and obvious manner when he argued in response to Cassell's contention that a man had the right to change his mind, that if Cassell wanted to claim he was Saul become Paul, he was going, like Paul, to have to suffer the consequences of his conversion at the hands of his former associates'.

The Embassy suggests that if the Court finds Cassell guilty it will, by its own act, lend substance to the section of Cassell's paper to which it took its initial and greatest exception. This section reads as follows:

"There are, however, certain statutory penal laws for the prevention and protection of political offenses, such as treason, sedition, conspiracy, false publication, for the protection of the Head of the State etc., which in my opinion, lay restraint on the free exercise of what might properly be considered as constructive criticism of Government, or of certain officials who may be subject to just criticism; and mainly, restrict the flowering of a strong and continuing opposition party, so essential to a democracy, at least to the proper working of a democracy."

In discussing the charge that he had done nothing as Attorney General to change the laws and procedures that he now finds so repugnant, Cassell told an Embassy officer prior to the trial that it was indeed ironic that, because of executive privilege, he would not be able to divulge his many efforts to get President Tubman to recommend the repeal and alteration of the sedition and treason statutes and to make the processes of government more democratic. According to Cassell, he had been instrumental in delivering the Montserrado County (Liberia's most populous county containing the city of Monrovia) vote to Tubman, thus assuring Tubman's success in his first Presidential election. Tubman thereupon rewarded Cassell by making him Attorney General and accepting him as a close and frank consultant. Cassell relates that Tubman assured him, both prior to and after that first election, that the sedition and treason laws would be changed. Following his first election, Tubman reportedly did establish a

committee to review and recommend changes in those statutes but later decided not to act on the committee's and his Attorney General's recommendations. Similarly, according to Cassell, President Tubman also blew hot and cold on abolishing the Commonwealth District system (which provides that the President shall appoint city mayors) by reestablishing the popular election of mayors. (Cassell said the Commonwealth District system was put into effect during President C. D. B. KING's administration (1920 - 1930) when one of King's hand-picked mayoral candidates suffered a resounding and well-deserved defeat at the polls.) Although the Embassy can not vouch for Cassell's claims, they are quite in keeping with President Tubman's wariness concerning Presidential security as well as with his penchant for exploiting all forms of patronage.

Cassell told Embassy officers a week after the hearing ended that, while he had expected his paper would antagonize certain elements in the Government, he had not expected that it would antagonize them as much as it apparently had. He said former President C. D. B. King had approached him between the first and second sessions of the hearing on March 22 and had advised him (1) to limit the arguments he was in the process of presenting in his own defense to those which denied that he had prepared his paper with the intention of embarrassing or downgrading the Liberian Government and (2) to refrain from trying to defend the things he had said in his paper or his right to say them. He said he had rejected King's advice when the latter proved unable to make a deal with the Court in his behalf and that he had gone on to present the most complete and effective legal arguments he was capable of presenting. He observed that President Tubman and not the Supreme Court would make the decision and that he expected the Court would render it sometime this month. He did not appear to believe the decision would be in his favor, but was hopeful that he would sustain only a fine and not disbarment.

The Embassy believes the Court will find Cassell guilty of contempt but that it will impose a comparatively light penalty — probably a modest fine.

Enclosures #2 and 3 contain the texts of two unusually fair and objective news stories on Cassell's hearing which The Liberian Age, printed in its March 24 and 31 editions.

For the Ambassador:

Enclosures:

1. Cassell's Returns
2. Liberian Age article of
March 24, 1961.
3. Liberian Age article
March 31, 1961

Arthur W. Purcell
Second Secretary

Opening Address of His Honour Louis Arthur Grimes Chief Justice of the Supreme Court of Liberia Delivered at the October Term A. D. 1944

October 9, 1944

The Reverend Samuel R. Smith, Associate Pastor of the First Methodist Church, Monrovia, having been previously invited to read a passage of Scripture and offer Prayer on this occasion, read from the Book of Proverbs Chapter 2, verses 1-15 and 19-22, also Chapter 3 verses 1-4, and offered the following prayer:

“Almighty and all merciful God, the source of all life, the Father of us all, Thou Who brought order and law out of chaos, we offer our word of praise and grateful thanks. In this society of ours, it is not Thy will that man should falsely bring suit against man or that by his hand uplifted against his neighbour, hearts that were made for friendship should be filled with hate and fear. Thou hast given us the things out of which man could shape an orderly world. The mind of man has failed to use the many gifts Thou has given him. We ask that Thou might compel us by Thy Spirit to use these talents which are ours to fashion a society of law and order all over the world.

O, Thou Who has placed us in a world of things which are noble and base, true and false, grant us wisdom and understanding and sure judgment whenever good is closely twined with evil and duty conflicts with desire. At all times we ask that Thou gave us a deep desire of seeking Thy will. May we face the problems of life without evasion or deception – give us courage not to yield to pressure or position – office or bribery – but may any uprightness of life be faced squarely and settled with all of the wisdom and understanding of which we are capable. In our thirst for righteousness may we be worthy of the name we bear as Sons of God.

In the days ahead in this Session of the Supreme Court, we pray Our Heavenly Father, that those who have responsible positions may prove loyal to the highest ethics of their calling. Take from them all pride and vanity and give them true wisdom that shows itself by simplicity, true courage which shows itself by gentleness and mercy, true power which shows itself by modesty.

May the Strength of God uphold you, may the wisdom of God instruct you, may the hand of God direct you in all your deliberations! We pray in the Name of Him Who gave His life that justice and righteousness might have a chance to reign among mankind. Amen!"

IN THE SUPREME COURT OF THE REPUBLIC OF LIBERIA
OCTOBER TERM A. D. 1944

Present	His Honour	L. A. Grimes, Chief Justice
Present	His Honour	M. Nemle Russell, Associate Justice
Present	His Honour	Anthony Barclay, Associate Justice
Present	His Honour	Isaac A. David, Associate Justice
Present	His Honour	E. Himie Shannon, Associate Justice

BRETHREN OF THE BENCH
AND GENTLEMEN OF THE BAR:

Since the firing of the initial shot whose repercussions gradually involved the whole world into a struggle between the principles of democracy, and the dictates of totalitarianism, more than five years have not elapsed. Today there seem to be indications that, at last, the grim struggle is reaching its climax, and that, very soon, there will once again be peace upon our planet.

So long as the making of war was the principal preoccupation of mankind, statesmen and other leaders turned instinctively towards the great military leaders, such as admirals, generals and air marshals. These are they who were summoned to all councils, and, no doubt, their opinions were the guide upon which national and international policy for the time being was formulated. The "sword" was truly in the saddle. But, now, as man begins to see, albeit still a good way off, the dawn of a new day of peace when the pen shall again claim its superiority over the sword, statesmen and leaders of thought, begin to bestir themselves, and to meet, and consult upon plans for a postwar world, one in which the sword will indeed be beaten into ploughshares, and men will learn war no more!

Should that Utopian dream ever come true what part will we, the darker races of the earth in general, and the Negro race in particular, be permitted to play?

On July 31, 1914, Austria invaded Serbia, and that began a war that lasted until the "cease fire" on November 11, 1918 sounded all along the firing line. That, we are told, was the "war to end war!" Nevertheless, on September 1, 1939, 21 years later, Germany crossed the Polish boundary, and the present war, in every respect more universal, more horrible, more bloody, ensued. And, do not forget, that in this struggle, the darker races have played a far more important part than they did in the former. Men of

dark hue have offered their lives on the altar of sacrifice in regions far removed from their native land, and have done so with honour to themselves, and credit to their race.

Anyone taking this Court House as a starting point can take a person in search of information on a stroll, and, less than two miles away, cause him to listen to several conversations of which I give but one typical example:

“On a certain Good Friday,” and I deliberately chose a Good Friday story because, on that day, we celebrate the cruel crucifixion of our Lord, “we had just finished our work, and ridden out into a beautiful sea with the sun shining brightly. Some of us, tired from the day’s labour, were peacefully sleeping, others were lying about reading or telling stories, then, suddenly, our escort ship signaled: beware of submarine! Some of us aroused ourselves in time to see a periscope just above the water on the starboard side, and beneath that periscope a torpedo ??? toward us. Our skipper succeeded in dodging that one, but ????? thereafter another one hit us, splitting our ship open. One of my comrades was sent hurling down the hatch, another was pitched into the open sea, and that I found myself still on the deck of the sinking ship is one of the miracles I have not yet been able to solve.”

That is but one illustration of what sacrifices we, Liberians have laid upon the altar of freedom.

A still more important contribution is the number of air bases and landing fields within our territory, from which American planes, and those of the Royal Air Force, have been privileged to take off and to use against prowling submarines, seeking to destroy the ships which had been trying to keep the sea lanes open.

Before said war began Liberia’s quota to the world’s rubber market was 5,810 tons out of a world total of 1,389,695 tons equal to 0.419 of ?? . As the world progressed, and the British and Dutch Indies fell into the hands of Japan, Liberia’s quota to the world’s rubber market without any proportional increase in avoirdupois rose to 6.6? Liberia had thus, by one fell stroke, leaped from one of the worlds smallest producers to that of the world’s 3rd best; and, as that was far too inadequate, there were introduced inter alia the tapping of double panels on all rubber trees so as to increase the volume of production; the search for “wild rubber,” and subdry other expedients to use in lieu of rubber were all part of our quote.

But let us not forget that Africa is the dark continent. Dark, why dark? Is it because of our colour? It can hardly be so. In Holy Writ we have the following expression: “I am black but comely...as the tents of Kedar, as the curtains of Solomon. Look not upon me, because I am black, because the sun hath looked upon me.” Another version reads as follows:- “I am black but beautiful, O, ye daughters of Jerusalem, as the tents of Cedar, as the curtains of Solomon. Do not consider me that I am brown, because the sun hath altered my colour.” Is Africa the dark continent because of any misdeeds of her children? History most emphatically answers: “No!” Why then is Africa the

“dark” continent? Let us disgress for a moment before we endeavour to answer the question.

Our present modern civilization is essentially an African product. From Egypt it radiated north, south, east and west. Reaching Greece it was developed, moulded and, with the conquest of Greece by Rome, it was transplanted by the conquering Roman armies and assimilated into that of their own country. Rome further developed the spark of learning and culture they already had, giving it a flair for law, order, martial exercises, public baths, and sanatoria. She was then indeed mistress of the world not only in martial exercises, but also in learning, in culture, in the sciences and in art. But a day came when the Huns, the vandals, the Goths, Visigoths and other barbarians descended upon Rome, and the great light which had temporarily lightened the world became obscured.

Very fortunate it was for the western world, that previous to this calamity the Christian religion had taken root, and that there had been established in Asia Minor, and in Italy, even in Rome itself, several religious orders. For, during those ages when the light of learning was absured, that light of learning was kept burning in monasteries, and other sacred places of retreat, where the accumulated knowledge of previous centuries was kept alive, while to all outside the pale of that religion, the western world had settled down to a darkness as black as night.

It seems to be true that while the light in Europe had thereby been turned down low it was still burning brightly in Africa. Starting as aforesaid with Egypt, the same light which had traveled northward to Greece, had radiated westward to what is known as the Sudan, Senegambia, and the province of the High Volta, and towards Nigeria and other parts of West Africa. Within those large tracts of territory there flourished in those days, three great African empires known as the Ghana or Ghanata, Melle or the Mellestine, and the Songhay; and I have enumerated them starting from west and going eastward. The Ghana or Ghanata seems to have held away from A. D. 750 to about A. D. 1450, in other words from eleven hundred years after Constantine's attention was drawn to the banner in the skies with the motto: In hoc signis vincit about A. D. 312 until after the invention of printing by Gutenberg in about A. D. 1450 or in other words being coeval with the “dark ages” in Europe. During said period from A. D. 750 to A. D. 1450, a comparison between the civilization of Christian Europe and that of the Moslem world was, as one writer has said, all in favour of the Moham-medan. And Spain, continues said writer, with what is today Morocco, Algeria and Tunis, - first the Caliphate of Cordova and then known as the “Kingdom of the Two Shores” - was, for nearly four hundred years, the fine flower of that civilization. When kings and nobles of Europe were, most of them semi or quite illiterate, the princes and “upper classes” of Spain and Morocco were Poets and geographers, and collected great libraries. The catalogue of the Library of Cordova, we are told, alone filled forty-four volumes. And the knowledge the two peoples had of each other (the Arabs and the Negroes of the Sudan) must have been reciprocal as the communication between them

was so constant. When all scientific research was considered trafficking with the evil one and, in Europe, might lead to the stake, nitric and sulphuric acid, and phosphorus were all used. When neither the princes nor the people of Europe did not consider cleanliness anywhere near to godliness, and hogs roamed the streets of their capitals, the towns of Moorish Spain and especially the province of Andalusia were cleaner than those of most modern cities today, and, in Cordova alone, there were three hundred public baths. The only doctors of medicine of that day were to be found in Spain and northern Africa.

Melle, another black empire to the east, is said to have conquered the Ghanata in the 13th century after a period of independence that had lasted for a thousand years. That means a period comparable, says one, to that which elapsed from the reign of the Heptarchy in England until today.

All, or most, of this information comes to us through a white American source, and is culled from a book called, "A Tropical Dependency," by Lady Lugard, wife of one of the great British Governor Generals in West Africa. Your Chief Justice had the honour and the privilege of reading said book in one of the libraries abroad while for three years a delegate of this Government to the League of Nations; but in spite of strenuous efforts, he was not successful in obtaining a copy, as it was then said by several libraries to be out of print. But, fortunately, he sees that large excerpts therefrom have been reproduced in a book by Miss Anna Melissa Graves, a white American from Baltimore, Maryland, in her book? "Benvenuto Celline had no Prejudice against Bronze." In said book she refers to the travels of one Ibn Batuta in Negro Africa, and the information which he obtained and has preserved for us. What does she quote from Ibn Batuta?

"When he was about twenty-one Ibn Batuta left Fez and returned twenty-five years later in 1349, after having visited Egypt, Western Asia, a little of Eastern Europe, India, Thibet and China." Arriving at home, he intended to travel no more; but he had not seen Negro Africa. "The Sultan was anxious to have him go to the Wellestine and add his description of that land to those travel stories he was writing of lands he had already seen; and promised letters of introduction, and help. Ibn Batuta was himself probably not anxious to go, and in 1352 he left for the south. He returned in 1351, and in 1355 finished his book. Ibn Batuta entered the Mellestine at Aiwalatin, the old capital of Ghana. He then went on to the capital of the Mellestine, a journey of about twenty days. He said that 'it was hardly necessary to have a guide or companion as the road was perfectly safe.' He also says, 'there was no need to take any provisions; food was plentiful, villages succeeded each other at short distances, and the inhabitants were always willing to sell anything that was required.'"

This is neither the time nor the place for me to quote, or comment upon all that he said in commendation of the rule of the blacks, but the introduction of said excerpts into this paper addressed to the Bench and Bar of this court would lose all relevancy

were I to neglect to mention Lady Lugard's reference to what he reported on the judicial system of the people of Melle. Says she, quoting from him:-

"The judicial system of the country though not described in detail would seem to have been carefully and fully organized. The frequent reference which is made to judges...to lawyers and jurisconsults, indicates that men of this profession occupied a very prominent position in the social organization. The fact that it was the custom of the sultan to send cases in which he was appealed to for justice, to be tried at the 'proper tribunal,' would seem also to indicate a severity of the executive and judicial powers which it is the habit of civilization to regain as one of the guarantees of justice, x x. The condition of the country itself was the best proof of the well founded confidence the people must have had in the lack of any reason to expect injustice. X x x amongst the admirable things which Ibn Batuta feels it to be his duty to praise, when at the end of his visit he summarizes his opinion of the people of Melle, is, he says, the rare occurrence of acts of injustice in the country. Of all people, he thinks the blacks are those who most detest injustice. Their Sultan never forgives anyone who has been guilty of it."

In 1464 A. D. Songhay had Sonni Ali as its king, a man of marked military genius, possessed of remarkable administrative ability, and engineering skill.

"If possessing military genius means being remarkable," says Lady Ligard, "he was a very remarkable man. He ???? and rules over more territory than Napoleon ???? though his prime minister, not his son, succeeded him. His empire held together until 1591, longer than Napoleon's or for that matter than Alexander's. He was one of the born soldiers of the world."

This Sonni Ali, otherwise known as Askia the Great, demonstrated his administrative ability in many ways, one of which may be stated as follows:

"To cross the dominions of the Askia was, we are told, a six months journey. Yet so effectively were the measures taken by him for its administration, that before the end of his reign, he was obeyed with as much docility in the farthest limits of his empire as he was in his own palace, and there reigned everywhere great plenty and absolute peace."

Of education in the Mellestine, Ibn Batuta says inter alia:

"Every town has its mosque or mosques with salaried teachers or readers, and in the principal towns such as Melle, Timbuctoo and Gago or Goa he mentions mosques of special importance, as if they were what might be called cathedral mosques. Schools are mentioned in many towns, and, some, as in Zaghan, are specially spoken of as centres of distinguished learning. The trade in written books sent from the north African kingdoms to the Soudan was said to be one of the most profitable."

One of the great centres of learning in the Songhay empire was the University of Sankore, or Timbuctooo attached to the mosque of the same name. Both by frequent

correspondence with, and the personal visits of its professors, said university was kept in touch with the universities of North Africa and of Egypt. Not only that, but this type of contact continued even to Apain. The towns swarmed with Sudanese students who afterwards received diplomas from their masters. Of Mohammed Abou Bekr of Sankore, one of the ablest of said professors, a life sketch has been left. Among other things his biographer, Ahmed Baba, is said to have said of him:

“He was a working scholar, and a man of instinct with goodness. His nature was as pure as it was upright. He was himself so strongly impelled towards virtue, and he had so high an opinion of others, that he always considered them as being, so to speak, his equals, and as having no knowledge of evil.”

As has been seen up to this period there was everything in Africa to be desired, - good schools, large libraries, the impartial administration of justice, well governed empires wherein a young child could go on a journey for days and days without fear of molestation, and plenty of food, etc.

In those days Africa was emphatically not the dark continent, but rather one of the great sources of intellectual, moral and cultural light. But with the advent of the slave trade came a darkness of night.

This traffic in slaves, which was carried on in Africa both from the east and from the west was the beginning of a spiritual, moral and physical degeneracy which manifested itself in the breaking up of all social ties, and such callousness even within the family circle that brothers could be induced to betray their own brethren and to see them with equanimity sold as slaves. For centuries Africa has not yet been able to shake off the baneful effects of this moral degradation, and a most gloomy picture of the African, as a result of that darkness is painted by George Gorer, of Africa under Mandate, in words as follow:

“I was universally informed that the only treatment that negroes can understand is physical violence. It is certainly the only treatment they ever get. Xxxx To watch the average overseer or planter at work you would imagine that all that was needed to produce good results was a sufficiency of kicks, blows and lashes. An administrator from the Gold Coast visited some American missionaries recently,” continues Mr. Gorer, “and after he had left they told their ‘boy’ who he was,” he goes on. In astonishment says he the colloquy proceeds; “‘What, him a governor! I don’t believe it. He didn’t hit or kick a single person while he was here.’”

“If a negro is constantly knocked about and abused as a thief, a liar, a shirker, a dirty nigger, he takes on those qualities,” Mr. Gorer philosophizes. “The uprooted negroes’ character is extraordinarily plastic; within certain limits you can make him what you like. If you treat him as a villain he will quickly become a villain; if, as I did, you assume he is honest and conscientious, he will, after he has got over the first shock, be honest and conscientious. Xxx If

you can watch a man dealing with negroes you have no need to ask his opinion about them; and if you can watch a man's negroes you will know the chief points of his character! They mirror their master faithfully and terrible.

"As soon as negroes have got over their fear of being trapped into making compromising statements for which they will be punished later – a not uncommon practice – they will pour out their woes in a flood. But except for sporadic rioting, such as has occurred at Lome, they do not do anything about it partly because they are too miserable and brow beaten, but chiefly owing to their character. Interracial dislike and the lack of a common language prevent them acquiring any sort of unity."

The above facts quoted as aforesaid from George Gorer's book. "African Dances" the essence of which is the same in several other authors, show the results which still persist, nearly a century after slavery was officially abolished in the western world, and give but an indication of how a social evil has tended to blast the life of a race once the repository of a high state of culture, of a people proud, learned, dignified and happy whose contribution to the advance of civilization is merely obscured not lost.

Is that darkness lifted? Our forebears, when they drew up and signed on July 26, 1847 our Declaration of Independence seemed to have had a pious hope that they would soon be able to dispel that darkness when they wrote:-

"Liberia is already the happy home of thousands, who were once the doomed victims of oppression; and if left unmolested to go on with her natural and spontaneous growth, if her movements be left free from the paralyzing intrigues of jealous ambition and unscrupulous avarice, she will throw open a wider and wider door for thousands, who are now looking with an anxious eye for some land of rest.

Our courts of justice are open equally to the stranger and the citizen for the redress of grievances, for the remedy of injuries, and for the punishment of crime. Our numerous and well attended schools attest our efforts and our desire for the improvement of our children. Our churches for the worship of our Creator, everywhere to be seen, bear testimony of our piety and to our acknowledgment of His Providence. The native African bowing down with us before the altar of the living God, declare that from us, feeble as we are, the light of Christianity has gone forth; while on that curse of curses, the slave trade, a deadly blight has fallen as far as our influence extends."

These are the ideals our ancestors had in mind when Liberia declared her independence and towards the accomplishment of those ideals they did labour. If anything is lacking in achievement it is up to us, their offspring, to see that their dream be fulfilled, and upon us, the members of the legal profession, does that responsibility fall heaviest. Then and in that manner will we be enabled to champion, with more or less hope of success, the cause of our less favoured brethren upon this continent.

When the "war to end war" itself ended, and the peace conference began, many suggestions were taken up, and examined, with the object of making sure that the world would not again be deluged in blood. Demobilization, disarmament and sundry other expedients were resolved upon to be tried, but to none of them did mankind seem to have pinned more hope than on a society of nations, later christened the League of Nations to which every nation on God's earth might be admitted if it only subscribed to the settlement of all disputes with other countries by submitting its quarrel to arbitrators, and promising to be bound by their award. All the nations covenanted with one another against whom any award was made, and who refused to comply with the terms of said award, that they would combine to punish the recalcitrant state that refused to accept an award, by the imposition of sanctions, and in extreme instance by the use of forcible and armed measures. But what practical results have followed in fact. Witness the sanctions imposed on Italy after her aggressive action towards Abyssinia.

Africa is the second largest continent in the world. By whom was she represented? By Liberia alone. The Negro race is one of the principal races upon the face of the globe, by whom was that race represented? By only Haiti and Liberia. True it is that some years later a "friendly" but imperialistic power made it a point to god-father Abyssinia into the said League, but, when it comes to the final analysis, was anyone of the three nations whose names I have just mentioned ever effectively in the League so as to be able to cause its weight to be felt? Not as the facts appeared to me. Said institution, as I saw it, was organized substantially as follows: I. The parent assembly meeting once each year. II. The effective Governing Council or Executive Committee, meeting three times annually. III. Sundry standing committees; and IV. Sundry special committees. III and IV meeting – at any time or place its chairman may elect.

To the first of these, or the parent body, the three black nations hereinbefore mentioned were admitted, and had every privilege that ordinary membership therein entitled them to. ?? remember that that was not the place where decision were taken. The in decisions already taken in body II were more or less ??? ratified. Body II, the Council of the League, ?????governing body. This was composed of permanent ??? of the great powers, non-permanent members elected from certain categories of second rate powers to serve for three years, and occasional members, that is, the delegate of a nation not eligible to membership because his country was neither a first or second rate power, but entitled to sit, to speak and to vote on any question to which his country was a party, in which event he became a member of the Council ad hoc, and ad hoc only. In view of the foregoing, suppose a question came before the League, and the delegate of a given nation was not the delegate of one of the great powers, nor of one of secondary importance, what influence could he exert in shaping the policy of the League on any subject? Yet these three Negro nations were all, in that great war, numbered among the allied and associated powers.

On the other hand Germany was the principal lender of the four central powers then fighting against the allied and associated powers, and of which association the League of Nations was primarily conceived and established, and ultimately grew.

Yet within eight years after the end of the war, we find Germany both admitted to membership of the League, and also and almost simultaneously given a permanent seat on the Council, Brazil alone protesting, and ultimately, and in spite of the controversy with respect to the correctness or intransigency of her contention she found herself outside and Germany firmly entrenched as a member of the League, and as a permanent member of the Council, thereby not only replacing Brazil, but also in a more privileged position than that Brazil had ever enjoyed. See: "Brazil and the League of Nations," by Jose Carlos de Macedo Soares, with an Introduction by Lord Phillimore.

Hence when Italy, in violation of her obligations to the Covenant of the League of Nations, and her further obligations under the Kellogg Pact, began the series of aggressive moves which led to our final conquest of Abyssinia, the latter found herself in the final analysis. Without that moral support which the presence of a Negro or Negroid nation on the League's Council would have led her reasonable to expect; particularly so when the sanctions imposed by those powers which seemed to have shown a sincere desire to stand by their pledged word, were being torn to shreds by the power in question, backed by Germany. That fact, and the full dress rehearsal of arms in Spain helped to precipitate the resent struggle in which we are still entangled Liberia's problems, when presented to the League seemed always to have lacked that sympathetic understanding which we had expected to have evoked. Hence the discussions thereon did not tend to draw the League and ourselves together as should have been the case. So one need not be surprised at the fulfillment of a prediction made eight years previously by Dr. Cesare Zumeta of Venezuela on May 31, 1931, in the Council of the League when he spoke the following prophetic language:-

"The people came to Geneva anxious to substitute a state of law for the rule of force among the nations. They were attempting to achieve a great enterprise of human concord and cooperation. From this standpoint the League of Nations represented the greatest act of hope and faith ever attempted by mankind. If, in the minds of the people who placed their trust in the Council and the League, the impression were created that the old methods still persist under new formulas and that upon those formulas the seal of all nations could be set, the League's work would be seriously impeded by the disappointment ensuing to all who wished it well. The object of the League's existence would cease to be universal.

The civilizing role which the League could play in Liberia, and, through Liberia in those vast districts of Africa where the abominable institution of slavery still survived in certain forms, was an enviable one. Measures other than political or administrative should be used to assist Liberia. Assistance should

be given in matters, of education, health or finance. Effectual aid should be given to help Liberia to put her shoulder to the wheel, secure in the assurance that she had nothing to expect from the League but a sure guarantee of her independence and sympathetic encouragement."

(Minutes of the Council for May 21, 1931, No. 2828.)

But just as the war of 1914-18 did not end war, as we all know, so that association of nations lacked something in its diagnosis of the ills of the world, and hence could not fully prescribe the proper remedy.

???again another struggle will be ending, another effort will be made to outlaw war, another effort will be made to ensure ???doors of the Temple of Janus will remain forever closed. In this new effort will the peoples of Africa and/or more specifically will the Negro as a race, be called into collaboration in making the diagnosis and prescribing the remedy? That question may not immediately concern us as members of the legal profession,- we can confidently leave the solution to our statesmen; but, nevertheless, we should be alert to every phase of it as we do not know how soon we may not have an important part to play in the solution.

Hence arises the importance of preparing ourselves right now, not knowing what may eventuate. Liberia, as a nation more privileged than thousands of our kith and kin, members of our race, needs to be prepared to champion the cause of our fellow Africans and strive for their emancipation from the thralldom and darkness in which they still find themselves. The pertinent question to us is: are you able, are you ready, and are you willing? The answer should be suggested by these words:-

"Be strong!

We are not here to play, to dream, to drift,
We have hard work to do, and loads to lift.
Shun not the struggle, face it, 'tis God's gift.

Be strong!

Say not the days are evil - who's to blame?
And fold the hands and acquiesce - O shame!
Stand up, speak out, and bravely, in God's name.

Be strong!

It matters not how deep entrenched the wrong.
How hard the battle goes, the day, how long;
Faint not, fight on! Tomorrow comes the song."

It is with a keen sense of personal loss that I have to record the death on April 21, of Counsellor Joseph Allen Penson of the Bar of this Court, living and practicing in Grand Bassa County.

Benson was only a little boy, so to speak, when a year before his matriculation into the Freshman Class of Liberia College, while I was occupying a professional Chair therein, he came under my notice, and, as the years went by, he rapidly became one of

my star students. The sudden death a few years later of his father, at a young age, prevented his remaining to complete his course, and obtain the degree of Bachelor of Arts. However, we kept in touch with each other during the balance of his life, and it was with pride we watched him advance, step by step, until on December 22, 1941, we had the honour, and the pleasure of admitting him to the Bar of this Court.

In the County of Grand Bassa he was very highly respected for his knowledge, esteemed for his integrity, and his singular devotion to whatever duty he undertook to perform. This Court mourns his loss; and hereby extends to the people of Bassa, and more particularly to his bereaved family, our sincerest condolence.

Brethren of the Bench and Gentlemen of the Bar, we know not the future, nor what it has in store for us; but as we approach the problems presented for our immediate solution by the 32 cases on our present docket, and the 8 cases on our motion calendar, let us evince such erudition, skill, and such high sense of moral values as will be an incentive, and, advertisement as well for still greater service when called upon therefore. May God bless and preserve Liberia, and us her sons for still larger service Amen!

October 9, 1944

Response of the Attorney General of Liberia at the Opening of the October Term A. D. 1944 of the Supreme Court of Liberia

May It Please Your Honours and
Gentlemen of the Bar:

Today marks the opening of the second term of the year of Our Lord One Thousand Nine Hundred and Forty-four (A. D. 1944) of Your Honourable Court – the second in the administration of our beloved Chief Magistrate – His Excellency William V. S. Tubman, whose enunciated policy in regard to the two other co-ordinate branches of government is that of cooperation; and a free play of each in its own orbit, without interference of one in the scope and functions of the other.

Such a pronouncement is a happy augury for the future; an index that legislation and justice shall be free and untrammelled; and I am certain that we who have heretofore been doing a considerable lot of wishful thinking in this respect, can look prospectively towards the achievement of this goal, as clearly set for us all by our leader.

I observe that the respite the Honourable Members of the Bench have had before this opening appears to have done them immense good; I am certain that both the official and unofficial classes of the citizenry, as well as the strangers within our gates and it goes without saying that the members of the Bar, wish for you gentlemen a long life of usefulness, crowned with good health and happiness; and I go as far as to say that this wish extends to your individual families, whose care and attention of you has

and will enable you to serve competently in your high calling. Pardon me as I digress a little and express a few thoughts which have been pressing themselves upon my mind.

The world crisis today marks a definite turn in the civilization of tomorrow. I have used the word civilization and I intended to use it in its broadest sense, that is, that I intend to convey the scope covered by human relations, in their most developed and fullest sense. For example, I refer to human life, and the defined ways of living it, as governed and controlled by all existing laws, customs, usages, inclinations, both the determinate and indeterminate. All these, gentlemen, are in course of revolution. Many indeed are the complexes involved. And may I ask, who will be the principal shapers of the destinies of any myriads of unborn of mankind, and who, like those now being slaughtered on the battle fronts of the world today, may, unless that hateful element of human nature – SELFISHNESS – is definitely and unequivocally ruled out of the councils where these grave and vital decisions will be made, suffer the identical or a worse fate.

From our class comes the experts in international law and custom, municipal law and custom, and many other phase or angle of this great field in which we work, most commonly called THE LAW.

Gentlemen, it is high time we fully realize our relation to our fellowman, wherein we hold the highest trust; and therefore our morals, reputations and conduct should be able to stand unspotted in the brightest limelight and pass inspection as clear, as the glow from the sun as it shines on a bright day, at its meridian.

We are trustees of the life, of the liberty, of the property and the privilege of our fellow man; and do we feel that this great trust is to be lightly regarded; and that in the practice of our profession, we should be concerned only that we shall have suitable fees, whether the suits be feasible or not; or that those who are not able to defend themselves must go undefended; or that we should sit supinely and permit the organic law to be violated with impunity; or that it is not our duty to defend the rights of the "forgottenman?" That oath which each of us took to uphold the Constitution and laws of this Republic binds us to its most humble citizen, and makes us his keeper.

Besides this, the substance or ??? of all man-made laws, provides principally for the protection, safety and welfare of each unit, by the committee in which he or she lives. So soon as that element enters, which makes unsafe the life of the single individual the whole community is affected; and so in a larger degree or element, in the greater community of nations, where the rights of the most inconspicuous or smallest of them may be violated with impunity, as in the case of Ethiopia, the safety of all is endangered; and may I ask, where did it end, in the violation of the rights of all and the despoiling of the world.

Wrong is like a cancer – it spreads and spreads, until, at last it kills or ends life, unless it is operated on, and this in time. And so, we keepers of our nation and people must be ever watchful and alert for the least wrong or injury committed against the most humble of us, and most importantly to promptly operate upon it by applying the

correct legal remedy in order that we might prevent its spread in time; otherwise like a tentacle of destruction it will spread and spread until those who thought themselves safest fall prey to it.

This, my fellows is the clarion call of this age! It rings out far and wide. It is the most urgent problem, especially for us as a nation. It should be the most popular topic in discussion in all walks of life, and among us all. The burden is upon us, it is our class which lends thought and action in all civilized communities today, and we are principally concerned in shaping the destiny and future of our country and fellow citizens.

This thought I leave with you that you might ponder upon it as we part from each other, within these sacred walls dedicated to the search for the truth and the impartial administration of justice.

Gentlemen of the Bench, please accept the best wishes of the Executive Government for your health, happiness and the success of your efforts to determine within the scale of justice the rights of your fellowmen. All the good that we would do cannot be done by one single stroke; but time will make clear our good wish and disposition.

Gentlemen of the Bar, and the Luminaries in your respective communities, let your light shine forth clearly, both by precept and example.

In conclusion I reiterate that the urge of the age is towards the securing and perpetuation of the rights of our neighbour and brother, with which we are principally charged.

C. Abayomi Cassell
Attorney General of Liberia

October 9, 1944

OPENING ADDRESS OF

HIS HONOUR M. NEMLE RUSSELL;
ASSOCIATE JUSTICE OF THE SUPREME COURT OF LIBERIA,
ACTING FOR HIS HONOUR THE CHIEF JUSTICE

OCTOBER TERM A. D. 1945

also

RESPONSE of the Honourable C. Abayomi Cassell,
Attorney General of Liberia - Official Leader
of the Bar.

October 8, 1945

The Reverend Joseph J. MendsCole, Stated Supply, First Presbyterian Church, Monrovia, having been previously invited to read a passage of Scripture and offer Prayer on this occasion, read the first Psalm, and offered the following prayer:

“O God, most Holy, Wise, and Righteous Judge; we thank Thee for the liberty we enjoy, and the assurance of protection that we have in our Courts, and the discipline that there is to correct us. We humbly beseech Thee to bless this Supreme Court of Justice now assembled in session; give unto the Judges, the lawyers and all concerned the spirit of Wisdom and Understanding, that they may discern the Truth, and impartially administer the law in the fear of Thee alone; that Truth and Justice, Virtue and Piety may be established among us. These and all other necessities, for them, for us, and for the Nation we humbly beg in the Name of Him Who shall come to be Our Judge, Thy Son, Our Saviour, Jesus Christ, AMEN!

IN THE SUPREME COURT OF THE REPUBLIC OF LIBERIA,
OCTOBER TERM A. D. 1945

Absent:	His Honour L. A. Grimes, Chief Justice
Present:	His Honour M. Nemle Russell, Associate Justice
Present:	His Honour Anthony Barclay, Associate Justice
Present:	His Honour Isaac A. David, Associate Justice
Present:	His Honour E. Himie Shannon, Associate Justice

BRÉTHREN OF THE BENCH
AND GENTLEMEN OF THE BAR:

Our first utterance at this time must be one of thanksgiving to Almighty God for having spared our lives, Bench and Bar, to meet once more in this Hail of Justice; for which we praise and thank Him.

Shortly after the commencement of the last term of this Court, His Honour the Chief Justice spread upon our records the fact that after submitting himself to a thorough examination by two eminent physicians in this City, he was strongly advised to take a rest, otherwise he would suffer a sudden collapse. Upon receiving this information, His Excellency the President very graciously granted the Chief Justice a leave of absence from his arduous duties in order that he might have the rest so strongly advised as absolutely necessary, and go abroad for the purpose of obtaining benefit of the most skilful medical aid. We feel certain that the members of the Barr join with us in wishing for the Chief Justice a speedy recovery. Prior to his taking leave, my colleagues and His Excellency the President agreed that, as the senior Associate Justice of this Court, I should carry on the administrative functions of the Judiciary Department of government during the absence of the Chief Justice; hence the honour of delivering this Address from the Bench.

During the closing weeks of August last, the world learned with great relief of the final cessation of the second World War; and that the principles of democracy, characterized in the words of Abraham Lincoln as "government of the people, by the people, and for the people," have once again triumphed over the autocracy and despotism. We the people of Liberia, ought justly to rejoice at such a termination of this last world conflagration. A country without arms, we could not long survive in a world which had as its established creed, "might makes right." We can only expect to carry on where the world is willing to subscribe to the principles of justice and right; where all are equal under the law; and where the justice of a cause – be it an individual's or a nation's – is the only requirement that its contention shall prevail.

During the recess last past, I have had the pleasure of reading Basil Miller's biography of one of the world's greatest men – the late George Washington Carver. After giving a few details of the great Negro scientist's humble beginning – for he was born a slave – the author went on to show that the great man's success was due to his constant and devoted application to the profession of his choice with the result that he made himself into a worthy tool whereby in his complete reliance upon the divine guidance of the Creator, he gave to the world freely, some of the greatest scientific discoveries of all time.

So prolific was this creative genius that he discovered three hundred different products from the peanut; over two hundred from the sweet potato; and from the common clay, over a hundred, among them paints of different tints and colours. With humble modesty this scientist ascribed all his achievements to God; and so sincere was he in his thankfulness that the Creator had seen fit to use him as the organ for these great

discoveries that he has never accepted one cent for any of the products he discovered. Said Dr. A. W. Curtis, the scientist whom Carver selected to carry on his work, and to head the Carver Foundation:-

“Many writers and speakers make it appear that he (meaning Dr. Carver) merely went into his laboratory with a prayer and new product would jump from the end of his magical stick. This was not the case at all. While he believed in prayer, and relied upon divine guidance, yet he furnished God with the best scientific method and approach possible, and out of this consecrated ability under God’s guidance all of the results of his life came.” “In other words he was a matchless scientist, supreme in his field who asked God to use his techniques and training to the best advantage.”

Dr. Carver himself, seeking to encourage the young people who were constantly flocking around him, was wont to quote them his favourite poem by Edgar A. Guest: said he,

“ You can triumph and come to skill,
 You can be great if you only will.
 You are well equipped for the fight you choose;
 You have arms and legs and a brain to use,
 And the man who has risen great deeds to do
 Began his life with no more than you.

Figure it out for yourself my lad,
 You’ve all that the greatest of men have had:
 Two arms, two hands, two legs, too eyes,
 And a brain to use if you would be wise,
 With this equipment they all began.
 So start for the top and say, “I can.”

Look them over the wise and the great,
 They take their food from a common plate,
 And similar knives and forks they use,
 With similar laces they tie their shoes.
 The world considers them brave and smart,
 But you’ve all they had when they made their start.

You are the handicap you must face,
 You are the one who must choose your place.
 You must say where you want to go,
 How much you will study the truth to know;
 God has equipped you for life, but He
 Let’s you decide what you want to be.”

The alarming decrease in the number of lawyers practicing before our Courts has for the last few years caused Members of this Bench the most serious concern; but within the past two years, however, it has assumed an even more ominous spectre, due mainly to two causes: First, because accessions to the bar in recent years have reduced to a mere trickle; and, second, a heavy draft is continually being made upon the bar by the administration, in its search for qualified men to fill important positions in government. It was therefore, with great pleasure that we received the report of the Chairman of the Bar Committee for Montserrado county, recommending the admission of nine young men to the bar of said County, who in keeping with the provisions of Chapter VII of the Acts of 1942-3 were accordingly admitted. During the last month, five others were admitted to the Bar of Grand Bassa County, and six more from Maryland County, making a total of twenty accession during this year. To these young attorneys who so diligently applied themselves as to be able to have reached this mark in the profession of their choice, we extend our heartiest congratulations. If they would be exponents of the greatest and noblest professions on this earth, they would do well to cultivate the assiduity and devotion of the late Dr. Carver of whom we have just spoken. The profession of the law is a jealous and exacting mistress; but who may deny the generous and liberal rewards she affords the faithful?

In a democratic country such as ours where the government has been termed, a "government of laws" the importance of the lawyer in the community is indeed considerable. He is constantly being called upon by his government for expert advice or to fill important positions of trust. Particularly has this fact been demonstrated in countries which have large industrial enterprises and where government seeks to exercise control over their various activities, and to settle labour and other industrial disputes.

Now, with the outlook of greatly expanded commercial activity in our country, as must be inferred from the construction of a large and valuable harbour in the capital, the need for sound legal advice to industrial enterprises which will follow in its wake, will be more and more in greater demand by foreigner and citizen alike. In respect of the important role which the lawyer plays in the life of the democratic state, the director of an important bank in the United States, said:

"I am very much interested in the study of law for this reason if for no other:

"In looking over the field I find, that nearly all the positions commanding a salary of \$10,000 or more are filled by men who have studied law."

Thus again we see that the profession of the law trains men for leadership, and that in whatever activity they have been called upon to enter, the members of the profession have consistently played the leading role.

We therefore direct the young attorneys to the admonition which the learned Judge Story placed in the concluding chapter of his work on equity pleading over a century ago. Said he:-

"Upon a careful review of the whole subject, the attentive reader will perceive, that the task of mastering so complicated a science will require for him the

employment of many hours of deed study, of laborious research, and of undivided diligence. He must give his days and his nights to it with an earnest and unflinching devotion. But the reward will amply repay him for all his toils. Xxx He need not shrink from the most difficult and complicated engagements of his profession. Nay, he will find that while many are willing to rely on their own genius, to carry them through the intricacies of a controverted suit, he may far more justly and safely repose on a solid learning, which will command respect; and a trained and varied discipline, which will command confidence. To no human science better than the law, can be applied the precepts of sacred wisdom in regard to zeal and constancy in the search for truth. Here the race may not be to the swift, but assuredly the battle will be to the strong."

During the recess, a new lawyers' room has been completed at the lower end of this Court Room. It will be used exclusively by members of the Bar; the other smaller room heretofore known as the lawyers' room will henceforth be used by visitors and all other persons having business with this Court.

As a result of the punctuality with which counsels came forward during the last term, to represent their causes, our docket this term is comparatively lean. We have for our consideration only eleven cases on the trial docket and three cases on the motion calendar. It is sincerely hoped that litigants and their legal representatives will be ready to prosecute and defend their causes upon their assignment for hearing, in order that there may be no undue delay in disposing of the matters awaiting our attention.

May God bless our land and country and protect this heritage!

October 8, 1345

RESPONSE OF THE HONOURABLE C. ABAYOMI CASSELL, ATTORNEY GENERAL OF LIBERIA, TO THE ADDRESS FROM THE BENCH DELIVERED BY HIS HONOUR M. NEMLE RUSSELL, SENIOR ASSOCIATE JUSTICE OF THE SUPREME COURT OF LIBERIA, ACTING FOR HIS HONOUR THE CHIEF JUSTICE.

May it please you Gentlemen of the Bench and Bar
of the Honourable the Supreme Court of Liberia:

Cataclysmic events - the death of Franklin Delano Roosevelt; the total defeat and destruction of Nazism and the Teutonic War Lords; the advent of the atomic bomb,

after the harnessing of atomic energy; and the unconditional surrender and occupation of Japan - have rocked the earth and shaken the foundations thereof, since last you met in this capacity.

The great world leader Franklin Delano Roosevelt died suddenly and unexpectedly at his vacation cottage at Warm Springs, Georgia, on the 12th day of April 1945; and lo; the world wept, and why? The world wept because this great champion of democracy, of weaker nations and minorities had fallen at a time when his need was most keenly felt.

The world wept because unto him had been given in charge the task of whipping world opinion into such a shape, of rallying the forces of freedom so as to defeat the wicked monster SLAVERY, which had assumed the shape of totalitarianism and regimentation, and the task was as yet unfinished.

The world wept because tears would be the Peace to be faced; and it felt the need for a Roosevelt, with as brave a heart and as great a soul to embrace the problems of the peace; and in the greatest of all pronouncements to declare and implement, by consistent action: Peace on Earth! Good will toward all men!

Let the world no longer weep, for God has taken into his charge the soul of Franklin Delano Roosevelt; and Christian people; of the world ever firmly believe that his soul will rest in peace; and God will find another to wipe away the tears of the down-trodden and the underdog.

Close upon the death of Roosevelt - not quite a month - came the good tidings of the defeat of Nazism and the Teutonic War Lords by the might and unparalleled passage of the arms of the forces of freedom - known as the United Nations.

The news was the more interesting when it was said that Hitler, that arch foe of freedom and of mankind was no longer of consequence; and that infamy, as it must come to all dictators and dictatorially minded, had caught up with him and his hegemony; and that he and his corps of conspirators were taking flight to all and sundry places - these brave and these daring monsters like so many whipped and beaten curs had fled to no one knows where.

The news was still the more interesting because the principal ideal of the United Nations had been achieved; the total defeat and unconditional surrender of Germany, and the occupation thereof. The myth of the invincibility of German arms has been exploded; and the conviction has set in that the measure of justice, which shall be measured out to her, will insure the world against the launching of another war within a generation from that source.

But, Gentlemen, the world's most alarming event to date is the harnessing of atomic energy, and not so much that, as the use and purpose to which it has been put, the making and forging of a weapon of destruction - THE ATOMIC BOMB. I am wont to cry out in the words of the Holy Writ, when the writer declared: "And lo, they cried Peace, and there is no peace! For just as the world settled down at the serious task of defeating Japan, scientists busy at work discovered a weapon, which has revolutionized

war, and made it more dangerous, and the possibility of treachery being practised in such a manner as to make no nation feel safe, until, like poison gas, all possess this vast secret.

There is however one consolation about the capacity to control atomic energy; and that is that it may also be used for peaceful purposes and as much to the advantage as to the disadvantage of mankind. May keener attention be paid to its peaceful; uses than has been so far paid to its destructive force!

Some authorities claim that Japan had been practically defeated before the use of the atomic bomb was made on her; but what is incontrovertible is that she did not surrender until that had been done. Japan has surrendered unconditionally; and another foe of the principles of freedom and democracy has been brought low. Her empire is dissolving, and the once most powerful institution - the man-god Emperor - today sits in Tokyo and is being dictated to by man. May she and Germany be a lesson to the rest of the world, and may the Holy Spirit which pervades the earth make clear to the hearts of the vain, and those who feel themselves mighty in arms and worldly possessions that wrong shall never forever prevail on the face of the earth, as it is incompatible with the spirit of God, who will raise up forces strong enough to destroy them, each time they appear.

Now that the war is over, men have turned their faces resolutely to the solution of the overwhelming problems of the peace. Some fear the settlements of the peace more than they did the prosecution of the war. They are to be feared if the right spirit does not enter into the discussions and deliberations on these settlements; and if the ever abiding spirit of evil - selfishness - shall dominate the peace, then let us all fix our minds with horror on what the next war will be like, with atomic energy fully developed for destructive purposes; and philosophically settle upon the total destruction of mankind; and maybe it will be just if it be so, for God may have tired of saving hopeless mankind against themselves.

The first step in the right direction was undertaken when the United Nations assembled themselves together at man San Francisco in the United States of America to define the conditions on which nations shall live together from then on. After mature deliberation, considerable demonstration of the spirit of good comradeship, and clear manifestation of the will to compromise, the result is a masterly treatise of peace and is now known as the United States Charter.

It is of interest to mention that just prior to the convening of the Conference at San Francisco, a conference of Jurists was held at Washington D.C. for the purpose of studying and drawing up plans for the reorganization of the International Court of Justice for inclusion in the Charter of the United Nations.

Liberia had the distinguished honour of representation at that Conference by two of her legal minds in person of the Honourable Clarence Lorenzo Simpson, Vice President of Liberia, and a Counsellor of this Honourable Court, and the Honourable Richard A. Henries, member of the Honourable the House of Representatives and an

Attorney-at-law. Rare indeed was the honour conferred by His Excellency the President on these two members of our distinguished profession, and distinguished their privilege of exchanging views with some of the world's greatest jurists, and in participating in the formation of a Statute for the International Court of Justice to continue in location at the Hague.

What has been uppermost in my mind all through the war and which persists until now is, what is the reaction of the members of the legal profession in Liberia to world affairs, both of the war and of the peace. I, in making a response here before, stressed the importance of a due appreciation of the responsibility which rests on the legal class in every country in the world. We are the guardians of the rights, liberties and privileges of all peoples. If we let one little wrong get by, an avalanche will most assuredly follow³ In 1821, Massachusetts passed a law that severely limited free blacks' ability to reside in the state. See Fredrickson, *The Black Image in the White Mind*, 5.. The rape of Ethiopia led to World War II. Let us therefore look well to the duties, the problems, the demands which fill unquestionably upon us as guardians of human rights; for if we do not great will be our punishment.

Gentlemen of the Bench, I am pleased to have been informed that His Honour the Chief Justice has made considerable progress in the recovery of his health; and I am certain that the Bench, Bar and the whole nation is gratified.

I am greatly pleased also to note the presence in apparent good health of all of the others Members of the Bench; and sincere trust that their appearance bespeak the fair condition of their xxxx.

I note also the attendance of a majority of the members of the bar on this Opening Day, and trust that they are enjoying the best of health.

I take this occasion to assure the Honourable Members of the Supreme Court of Liberia that the Executive Government is greatly concerned over the continuance of the great and good being done by you, in this sacred enclosure dedicated to Justice, the pure walls of which have so far been untarnished.

I bear you the greetings and felicitations of His Excellency the President and members of his Government, and express their wish that your deliberations will be characterized by harmony and success, and the assurance that their prayers and solicitude are with you.

God save the Republic of Liberia! God save the Honourable the Supreme Court of Liberia!

ACCEPTANCE SPEECH
OF
DR. WILLIAM V. S. TUB
 PRESIDENT OF LIBERIA AND
 NATIONAL STANDARD BEARER
OF
THE TRUE WHIG PARTY
 ON HIS
NOMINATION FOR A SEVENTH TERM OF
OFFICE
 BY THE
32ND NATIONAL CONVENTION
OF THE TRUE WHIG PARTY
THE E. J. ROYE MEMORIAL BUILDING
JANUARY 28, 1971

MR. NATIONAL CHAIRMAN,
 NATIONAL VICE CHAIRMAN,
 OFFICIALS AND PARTISANS OF THE
 TRUE WHIG PARTY,
 FELLOW CITIZENS:

Once again you have selected and placed your imprimatur upon me to bear the Standard of the True Whig Party for another four years. As I stand before you in this Convention, I cannot employ language adequate to clearly express my feelings of gratitude which have almost reached the emotional point.

I am overwhelmed by your persistent demands which have culminated in this unprecedented summons, that makes me for the seventh time your Candidate for the Presidency of Liberia, a chapter in the history of the True Whig Party and of the nation that is unprecedented.

I have oftentimes said, and I must repeat here, that the basis for your continuing preferment of us bewilders and defies our ability to analyse. We can only say "thank you" from a heart overflowing with gratefulness and recognition of the confidence which you have reposed in us and the tremendous weight of responsibility that your actions today impose.

As I reflect upon some of the vicissitudes through which we have come with some measure of success, I humbly bow in thanksgiving and supplication to God for His unceasing mercy and love vouchsafed to us as individuals and as a Nation. Let us therefore always acknowledge and praise Him.

Fellow Partisans, our policies through the years have been dictated by a firm belief in the Biblical command that we love one another. The implementation of these policies included the granting of equal opportunities to all regardless of family connections, ethnic or tribal origin, for we maintain that the resources of the country should benefit all of the people.

Educational preparedness and unification under these circumstances became the sine qua non and we have attempted to provide the best educational facilities within the limits of the national resources. Where there was need for further specialized training, local and foreign scholarships have been provided and recipients selected from every part of the country on a competitive basis. We shall intensify our efforts in education with such modifications as may be deemed salutary and necessary to meet the demands and peculiar situation of Liberia, believing that education is a never ending process.

We remain committed to the democratic free enterprise system, the objective of which in a developing country such as ours should be to bring the people into the monetary economy and thus develop a strong and viable economic middle class. This will form the true basis for attainment of an ideal political democracy in such a system. We also recognize the right of every Nation and people to follow the system of government that they prefer and we shall, as a matter of policy, endeavour to the fullest of our ability to maintain good relations and friendship with all.

To enable us to prosecute and execute programs to assist in the development of the country, we enunciated the Open Door Policy, which we think has been reasonably successful. The Open Door Policy envisioned a partnership arrangement which we have often emphasized. One of the fundamental objectives of this partnership is preferential consideration and engagement of the services of Liberians, including the utilization of Liberians in the distribution of locally produced commodities and in all other enterprises in the country whether foreign or Liberian owned. We have made no allusion to qualified Liberians being used because eight to ten years ago we stressed this

point and feel that within this period there should be a sufficient number of qualified Liberians available. Then again, employment of Liberians with the same qualifications as foreigners would reduce their operational costs.

I have had reports come in, which I have investigated and found to be true, that there have been foreigners engaged by foreign companies in Liberia with less qualification than Liberians who have been preferred and paid higher salaries. More than this, I have had reports that in one of the Concessions in the Country, of which Government is a partner, a foreigner mis-appropriated company funds and a Liberian employee reported this. The foreigner was sent home, but the Liberian who made the report was demoted and transferred. This is a breach of faith and an insult to any people and it cannot be expected that Government sit supinely and permit this sort of thing to happen in Liberia. It is bad enough for it to be practiced in other areas of the world where discrimination and segregation are the norms of those societies, but certainly not here.

The Government is partner with concessions and we are committed to fair treatment, no nationalization, equality of rights and justice under the law. We have stood one hundred percent by these policies and even when we were in financial difficulties and it was suggested that we review all of the Concession Agreements to bring them up to par with those recently concluded in some other countries as a means of getting us out of the austerity, we refused. We still stand on this principle, but honour and regard for moral business principles cannot be one-sided.

We recognise change to be the essence of life. We change not for the sake of change, but because greater experience and knowledge dictate it, and circumstances warrant it, but most important in human affairs, because justice demands it. We have endeavoured to bring about changes in many of our institutions and in some of our thinking. We are gratified for example, that today women are assuming notes of responsibility outside the home and making outstanding contributions to the development of our country. We are especially gratified that today all citizens enjoy suffrage and each can hold his head high and state with pride: "I am a Liberian; I enjoy the same rights as any others Liberian; I live and move freely about in my country and contribute to its welfare".

There can be no gainsaying the correctness of the Unification and Integration Policy. All programs will continue to be designed to foster this Policy because we believe that divisiveness is the ruin of a Nation; Unity is the prosperer. The Unification and Integration Policy is the foundation-stone and sheet anchor of this administration and will continue to be so.

The True Whig Party has remained in power because of its vision and the soundness of its policies. If the Party is to survive as a strong Party and enjoy the popular support of the people, it must remain the ideal of the people and continue to adopt measures as will bring additional benefit to them. The Party must also adapt itself to changing situations and analyse the trend of the times with a view not only to keeping

abreast thereof, but of anticipating such basic changes and remaining a moving once in the vanguard of change.

I deem it appropriate to mention here that the Republic of Liberia is not a one party State. Under the Statutes of the country, any three hundred citizens have the right to group themselves together, form a political party, have it registered and become a political entity in the country. As I have said on many other occasions, we would welcome the formation of other parties and guarantee to them the same rights and privileges of the True Whig Party, but we will not permit any small dissident groups of political malcontents and cowards to attack and disrupt our peaceful and stable society by immoral, illegal and vicious means. In such cases, the full force of the law will be brought to bear. Like the late President Roosevelt of the United States, I adjure you that we have nothing to fear but fear itself.

I believe that the Platform which has today been approved and adopted should fulfill our national needs and we hereby endorse it and as in the past, pledge our best effort toward its implementation.

The continuing pursuit of ideological supremacy seems to be intensifying. Hardly a day goes by without an alarm being sounded about some uprising, war, rumour of war, terrorism, kidnapping, hijacking of coup d'état. The most unfortunate aspect of this sad state of affairs is that we appear to be incapable of effectively tackling and arresting these terrible practices.

When one considers Vietnam, Cambodia and the conflicts in that area, the Middle East, the recent invasion of Guinea and the disregard for law and order in many parts of the world, one is wont to conclude that the savage nature of man, accentuated by his advanced scientific technology, is becoming more pronounced now than at any time in the history of the world.

We behave as predatory beasts in the name of some ideology when defending it, and Nations appear to have no compunction about voiding the theory of the sanctity of human rights and life.

It seems to me that now is the time for the smaller nations, concerned individuals and men of goodwill to propose possible solutions to this alarming and deteriorating state of affairs.

One of the principal purposes of the United Nations is the adjustment or settlement of international disputes in conformity with the principles of justice and international law, and the primary responsibility not the maintenance of international peace and security rests with the Security Council, but it appears that this primary responsibility is not being effectively discharged with the unfortunate results that are now extant in the world today.

In this context, I think that it might be helpful for the Super Powers, through some media of mutual understanding, to consider the advisability of creating another institution under the aegis and direct supervision of the United Nations, which would seek to adjust or settle disputes when they arise anywhere in the world and attempt to

promptly reconcile the differences rather than lend automatic support to any State which advocates and adheres to the same philosophy as it does whether right of wrong. Other nuclear powers might be asked to form the nucleus of this Council with one of two nations from various continents invited from time to time to assist in arbitration.

The Youth of the world appear to be restless. No one can doubt the energy of the young for we all have been young. I am of the opinion that attempts should be made to harness this restlessness because I attribute the present condition in the world to the negligence and failure of parents, guardians and those responsible for the rearing and attuning of the youth in the home, in society, Church and elsewhere. In one of Solomon's Proverbs he declared: "Train up a child in the way he should go, and when he is old he will not depart from it".

Thus it appears that the True Whig Party should take some action to attract the young into its ranks and give them some responsibility in matters affecting the Party. When I was a young man, we organized the Young Men's Political Association with branches in each County. We requested the authorities of the True Whig Party to permit this Association to become responsible for Municipal elections - the election of Mayors, Common Councilmen and Aldermen. This was granted and it was there that some of us gained our first practical experience in politics and government. It is necessary for one to have the opportunity and benefit of the practical application of theory no matter what his academic attainments or achievements.

Assembled here for the first National True Whig Party Convention to be held in our Party Headquarters, I am filled with pride that each has contributed to the construction of what is probably the best Party Headquarters Building in the world. This is the result of sacrifices made by every Partisan and all of us should be justly proud. It is a duty that as we assemble here for the first time we should reflect on the history of the founding of our Party and the fate of our first Standard Bearer.

The True Whig Party, founded in 1869 under the able and distinguished Leadership of its first National Chairman, the Honourable John Wallace Good, who although blind did not lose his political stamina and acumen, has always been blessed through the years with the good fortune of having able, stalwart men and leaders of select, high and approved political talent, who held high with dignity and honour the Standard of the True Whig Party, its Motto emblazoned thereon: DEEDS NOT WORDS.

These men of such great statute include the following Presidents and Standard Bearers of the True Whig Party: Royce, Gardiner, Cheeseman, Coleman, Gibson, Arthur Barclay, Howard, King and Edwin Barclay, whose spirits I am sure, hover over us today as we meet in National Convention for the first time in these elegant quarters.

Not only do there True Whigs remembers us, but I am sure that joining them in the celestial realm observing ours efforts today are their colleagues of the Republican Party whom they succeeded: Roberts, Benson, Warner and Payne - also great and stalwart sons of Liberia.

Fellow Partisans, men cannot make life nor restore breath to the departed faithful, but we can in our feeble and humble way attempt to redress wrongs, thereby setting the course of history right. It was with this in mind that almost one hundred years later when we selected the spot upon which to build the True Whig Party Headquarters we suggested that the building be named in honour of the Party's first Standard Bearer, Edward James Roye. It was here, upon this identical spot where once stood the old prison house, that Roye was brought, having been dragged half dead from the sea, and thrown down upon the naked earth, there to die! By his death he hallowed these grounds. History will recall that Roye was a progressive, just, upright and dynamic leader with a gifted sense of political vision and moral insight. We cherish his memory and the memory of all our partisans departed.

Fellow Partisans, no man so honoured as you have honoured us for so long, can remain unaffected. I wish that there were some way that I could repay you for the courtesies, honours and gracious kindnesses you have so freely poured on me. As I accept your mandate embodied in my nomination to succeed myself as President of Liberia for another term of office, I rest in the knowledge that we have your sincere support and loyalty; likewise, you can rest assured that you have our constant commitment to serve you to the best of our ability.

As we enter the political arena today for the impending election, I ask that you and the people of this country join me in pledging whole-heartedly to re-dedicate ourselves to undertake the unfinished task of nation building. The years ahead will require sacrificial services, hard work and eternal vigilance from and by all if the vital interest of the Nation and its free institutions are to be ensured, protected, defended and perpetuated.

With the assurance of victory, Let us go forward to the polls determined that our Party through Deeds Not Words will continue to enjoy the confidence of the people. God has been with us in the past and I am sure that He watches over us now. That He may continue to be with us as a Party and Nation let us all unite our voices in resounding our pledge for unity, patriotism, freedom and concord even at the expense of our lives.

MAY GOD BLESS THE TRUE WHIG PARTY
BLESS THE PEOPLE AND SAVE THE REPUBLIC!

Monrovia
January 29, 1971

ORATION
DELIVERED AT THE
BARCLAY TRAINING CENTER

JULY 26, 1951

BY

HONOURABLE OSCAR S. NORMAN, B.A.
PROVINCIAL COMMISSIONER
LIBERIAN HINTERLAND

Monrovia, Liberia

Government Printing Office
(Department of State)

1952

LETTERS

The Executive Mansion
215S/8-b/851

Monrovia, Liberia
12 June, 1951

Honourable Oscar S. Norman:
Monrovia

My dear Honourable Norman:

I would be glad if you would consent to deliver the National Oration on Independence Day of this year.

It is desirable that the Oration should be limited to twenty-five or thirty minutes.

Kind regards.

Sincerely yours,
(Sgd.) Wm. V. S. Tubman,
President of Liberia

His Excellency Wm. V. S. Tubman
President of Liberia,
Executive Mansion,
Monrovia

Monrovia,
June 13, 1951

Mr. President:

I have the honour to own receipt of your letter of the 12th instant, and, referring to the subject-matter thereof pleased be advised that I consent to deliver the National Oration on Independence Day this year. I sincerely consider it a singular privilege to render this service to the State.

With warm sentiments of Official,

Your obedient servant,
(Sgd) Oscar S. Norman
Provincial Commissioner, E. P.

The Executive Mansion

Monrovia, Liberia
28 July, 1951

Honourable Oscar S. Norman
Provincial Commissioner
Eastern Province,
Monrovia

My dear Mr. Provincial Commissioner:

I have pleasure in extending to you the thanks, appreciation and congratulations of myself and the Government, for your historic and inspiring oration delivered on the One Hundred and Fourth Anniversary of the Independence of the Republic of Liberia.

Kind regards.

Sincerely yours,
(Sgd.) Wm. V. S. Tubman.
President at Liberia

Monrovia, Liberia
July 28, 1951

Honourable Oscar S. Norman,
Provincial Commissioner
Eastern Province, Interior Department.
Monrovia, R. L.

My dear Honourable Norman:

I take this occasion with much pleasure and in sincerity to confirm my congratulations verbally extended you for the very up-to-date Oration, which I considered to be a master-piece, delivered by you on the occasion of the 104th Anniversary of our Natal Day.

I am sure all of your said hearers would agree with me when I say that indeed the choice of you by Excellency the President to deliver so important in Oration on such a significant and auspicious occasion was verily no mistake, as you measured up to the said assignment most ably, creditably and honorably, as was expected.

With kindest, regards.

Very sincerely yours.
(Sgd) V. R. Tolbert

JUDICIARY DEPARTMENT
SUPREME COURT OF LIBERIA

Chief Justice's Chambers,
Monrovia-Grand Bassa
29th July, 1951

Honourable Oscar S. Norman
Provincial Commissioner, Eastern Province, Monrovia

Dear Commissioner Norman:

Please accept my sincere congratulations for your historical oration delivered on our Independence Day.

The Oration has touched the real roots and tiny buds of our National Tree.

I am,

Yours truly,
(Sgd) M. NIMLE RUSSELL
Chief Justice of Liberia

Republic of Liberia
POST OFFICE DEPARTMENT
(Post & Telegraphs)
Monrovia

772/34/511)

9th August 1951

My dear Commissioner Norman:

I wish to extend in you my sincere congratulation for the splendid and very able address delivered by you on the occasion of the One hundred and fourth celebration of the Independence of Liberia.

Besides depicting the activities of previous Administrations from the founding of this Republic up to the present Administration and showing the continuity of policy in very many respects, which was high-lighted by the keynote of "Unification" the subject of your address, many other inspiring thoughts were acutely disclosed. You are therefore worthy of praise for your painstaking efforts in collecting such material which you amplified into an address of great merit, thereby tending to serve as both an inspiration and impetus to the rising generation of our beloved country. With sentiments of every good wish for your continue success, I am,

Yours faithfully,

MAD

(Sgd.) Mckinley A. DeShield
Postmaster General of Liberia

LBA

Honourable Oscar S. Norman
Provincial Commissioner,
Eastern Province,
Liberia Hinterland



PROGRAMME
FOR THE CELEBRATION OF THE
NATIONAL DAY OF LIBERIA
AT BARCLAY TRAINING CENTRE
JULY 26, 1951

1. Selection
2. Reading Scripture and Offering Prayer
3. Selection

L. F. F. Band
Dr. T. E. Ward, Ph D
L. F. F. Band

4. Review and Inspection

His Excellency President Wm. V. S. Tubman
Commander-in-Chief, AFL.

5. Oration

Honourable Oscar S. Norman

6. National Anthem

L. F. F. Band

FOREWORD

After one hundred and four years of National Sovereignty, after one hundred and four years of struggling up the hill, encountering foes from without, and political intrigues from within, we can now say "thus far our highest hopes have been realized." The hopes of our pioneer fathers and mothers were, that at sometime, the Negro will have a place where he will be able to enjoy those rights and privileges that God has willed all men should enjoy, irrespective.

This oration shows how, in a country where there are several tribes, with different dialects, different cultures, different ideas and ideals, there has been a continuity of policy to bring about national unity, Which was fully realized during the administration of President William V. S. Tubman. But each one of our eighteen Presidents came into office at the right time to perform a specific task which he did to the very best of his ability and retiring, left the country still enjoying its sovereignty and more improved.

At a time like this when it is not uncommon for more powerful nations to meddle in the internal affairs of smaller nations under the garb of protecting human rights, every orator who stroke on Independence Day, July 26, 1951, struck the note of National Unity. Ignoring political bickerings and dissensions, political rancour and malignancy, all true, loyal and patriotic citizens are determined to close ranks and jealously guard this our common fireside which is a haven not only for Liberians, but for every Negro wherever dispersed over the face of the globe.

This tablet of national vitamins prepared by Provincial Commissioner Oscar S. Norman, a member of the Gola Tribe, when digested by citizens of Liberia, strengthens their patriotic nerves.

The orator gives an account of how this nation has continued its march from 1847 to the present, answering at each stage of National growth. By naming a number of men from the various tribes who have and still are participating in Government and manning this ship of State. The orator has proved that irrespective of the place and/or condition of birth, they who are capable and qualified to serve are always given the opportunity to do so.

The accomplishments of President William V. S. Tubman are many and great, but outstanding among them is the fact that he brought the whole nation into a united people, which has caused him to be rightly named "the greatest Apostle of the Unifying process."

On opening the New Century in 1947, President Tubman gave "a new outlook and a new point of view" which culminated in four important and indispensable requisites for the building of this Nation. The first among them is "Unity at Home" which the President has strickly adhered to.

After enumerating very succintly the contribution that each of the eighteen Presidents has made towards the maintenance and advancement of this Republic, with all barriers broken down, with intermarriage not uncommon, tribesmen and women fully participating in Government and enjoying their franchise, a right given them by the organic law of this Republic, the orator urges every true and loyal Liberian to support our "Illustrious, brilliant and farsighted Captain of the Ship of State" in his effort to develop the human resources of the country that Liberia might continue to "roll forward into greater and broader destinies."

RICHARD A. HENRIES

Monrovia, Liberia,
July 30, 1951

Mr. President, Fellow Citizens, Ladies and Gentlemen:

Over a long period of time our kith and kin were torn from their previous environment and carried to America. Here they found themselves grouped in the homesteads and on the plantations of those who became their masters. Here, thousand of miles away from Africa, in a new world, in a new environment, a new life had to be formed and was formed in the pattern of the new world. In this new world, the Africans began to take hold of life where they could. They began to speak English, to take up the Christian religion, to fall into the labor pattern demanded by the needs and customs of the new world, to fit themselves as best they could into all the mores of the new world.

These unfortunate Africans did not all represent the lower level of life in their original homes, according to the opinion of a certain group of Liberians.

It is a display of gross ignorance of the study of the history of slavery of our race for any body to advance the idea that only the lower class of our kith and kin were torn from West Africa. In the capture process, Professor Melville Herskovits of Northwestern University (of Virginia) tells us, there is no proof of selectivity; that the two most important methods of procuring African slaves were kidnapping and capture and that in these methods it should be perfectly clear to conclude that there could not have been handicaps of the higher-ups or the lower class escaping the slavers. Dr. Herskovits concludes by saying:

"There is, in fact, substantiating historic evidence in the first available accounts of the new world slavery that these upper classes were represented among the slaves where descriptions are given of the difference paid by some slaves to others who, for them, represented their ruler in Africa."

For three hundred years these sons and daughters of Africa, sons and daughters of great Kings, sons and daughters of common men, captured in war or kidnapped while on the outskirts of towns, labored on the plantations of their masters. Ever toiling, ever sweating under the burden of sacks and bricks and logs and like the children of Israel in ancient Egypt, ever waiting for the day of deliverance. In all their trials and tribulations, they developed a "Simple trusting faith" in God; they also developed hardihood, endurance, patience and moral courage that well fitted them for the arduous difficult task of founding a Nation.

And now they return home. In the divine economy of God, after the period of schooling was all over, after passing through the refining crucible which exhibited the strength and beauty and force of a genuine, warm, unconquerable human character, the magnificent idea of founding a home somewhere in Africa for the American Negroes was conceived by prominent leaders of the United States of America. The Zeal, the eloquence, the elevated and fervent devotion and of exalted liberality with which those great men laboured for the founding, upholding and welfare of this Republic can never be over-emphasized.

One hundred and four years ago, today, our forefathers dared to sail upon the turbulent seas of Nationhood, a ship of State patterned after that of the United States of America. One hundred and four years ago, today, twenty-five years after the founding of the Colony of Liberia, the founding Fathers proudly proclaimed to the world in the Declaration of Independence:

"The Native African bowing down with us before the Alter of the living God declare that from us, feeble as we are, the light of Christianity has gone forth: while upon that curse of curses, the slave trade, a deadly blight, has fallen as far as our influence extends."

What a magnificent accomplishment within such a comparatively short time in shedding the light of christianity, the light of abundant life, of spiritual consciousness, and of truth, the abiding truth which makes all men free, among their kith and kin! What a dynamic resolution to arrest the deadly blight of the slave trade!

Fellow Citizens, it is with these resolutions and moral courage the Founding fathers, of our Nationhood accepted the inevitable challenge of establishing a brotherhood here which would include the "Native Africans" they met, that would rest upon the sure foundation of the "simple trusting faith in God" – the Fatherhood of God. With these resolutions they courageously and proudly accepted the challenge of unifying, by educational and cultural expansion in Western Civilization, the tribal element they met here. The unifying and protective hand was practically extended. And on this unique occasion, your interest is solicited in our endeavour briefly to review.

THE NATIONAL TRENDS OF LIBERIA'S UNIFYING PROCESS

Our fathers, the founding fathers, had dreams. Entirely thrown upon their own resources and deprived of aid either from the United States or the Colonization Soci-

ety, which were jointly responsible for its creation as a Colony, left to fight on one hand the unfriendly tribes and the jungles, and on the other hand, the determined and almost constant aggressions of foreign Nations upon their territory, these men of unsurpassed courage and determination to be free men had dreams of building a vast African State, free, sovereign and independent.

With the small population of about 2,790 American Negroes, the hopeful leaders of the young Nation first look to the New World for human resources. But an opportunity for another outlook on the possibility of eventually drawing on the human resources of the native population must have been apparent when, as history recounts, many chiefs and several hundred tribesmen flocked to Monrovia to see the inaugural ceremonies of President Roberts, January 3, 1848. The Missionary spirit which started in colonial days continued. Every prominent citizen took into his family native children for training in Christian principles and in the cultivation of Western culture and civilization. But as a whole the Roberts administration, however, was deeply concerned by force of circumstances in the development of friendly relations with foreign Nations and in making treaties of territorial acquisition with neighboring chiefs.

The administration of President Benson became interested in the Interior of Liberia. His adventures as a Trader gave him considerable experience in the conditions of the hinterland. His object was to penetrate the vast forest of Liberia to the uncharted and unknown regions beyond and to have knowledge of the conditions of the people thereof.

Early in the year 1858, Messrs Seymour and Ash were sent by the President in this quest which lasted for six months. These explorers went as far as the great mountain mass of Nimba where the Cavalla River takes its source. This exploration widely exposed the possibility of extending the borders of Liberia and of also drawing on the great human resources of the interior.

President Warner followed the trends of his predecessors which eventually crystallised into policy of unifying the natives into the body politic of Liberia. In 1865, he declared that the human resources of the interior could be eventually developed into useful citizens and that the proper orientation of their life was the responsibility of the leaders of State.

In pursuance of this policy, with financial assistance from Henry Schiefflin, the Warner administration encouraged the exploratory expedition of Mr. Benjamin Anderson of the hinterland in the year 1868.

This famous Liberian Explorer travelled through Bopolu over the Bo and Kpo mountain ranges through the great dense jungle areas of Ziggida to the stretch of high, healthy grasslands with dry and cool atmosphere. Treaties and understandings were made with the chiefs he met to place their territories within the limits of Liberia, to cope with the consequent problems which would be involved in the accomplishments of this idea an establishment of Government was created by the administration of President Payne which gradually developed into the Interior Department. This

National outlook which gave birth to this new Department was decidedly a new turn in the trends of the unifying process.

During the administration of President Gardner, 30 years after the inauguration of President Roberts, various tribal leaders had risen in power and others fallen in importance. New racial divisions had displaced those with whom President Roberts had made treaties 29 years before and the entire tribal characteristics of the land had undergone some change. The Americo-Liberian population now numbered a little over 10,000 had been increased by fresh accession of negroes from the United States who were mainly distributed about the St. Paul River. A rather foolish system of caste was being developed between the Christian Negroes from America and the Natives of Liberia.

The second expedition of Benjamin Anderson in the year 1874 had little favourable effect on this adverse trend, and there developed a plug in the unifying process.

But all leading Statesmen and leaders of thought had not bowed down to Baal. In the year 1882 Dr. Robert B. Richardson, one of the outstanding leaders of thought sounded most clearly and most loudly the trumpet in his magnificent sermon entitled: "The Gospel Net of Liberia." This venerable man of God and perhaps Liberia's greatest educator, for many years President of Liberia College. Said:

"We have been for years building up a nation and the kingdom of Christ here along the beach. We have been, both metaphorically and literally fishing in shallow water. We have stuck to our narrow and petty interest. We have thought that Liberia was to exist and grow only for the advantage of a few Colonies from America. We turn our backs upon the vast seas of human souls and the illimitable ocean of influence and power on the continent. The result: We have toiled here for more than 36 years and have taken nothing, but are losing the supply of bait which has been furnished us through Providence. The providential command now comes to us to launch out into the deep. Turn away from your narrow ideas of building up a little State exclusively from the House of Bondage. Abandon your contracted notions of living for yourselves alone in this continent. Launch out into the deep sea of humanity."

Again, on another occasion, in one of his reports on the operation of Liberia College as President thereof, to the Board of Trustees, this great scholar said:

"Seriously, it should be remembered that the responsibility of elevating and developing the aborigines is ours by Providence, We cannot shirk it without being culpable; and if we be so selfish as to shirk it, then we surely believe that ancient instrument called the Declaration of Independence; and belying that we undermine our National fabric. God forbid that the present Actors of the Nation should be so guilty."

It is interesting to observe here that Bishop Ferguson, Dr. G. W. Gibson, Dr. Edward W. Blyden and many other prominent Statesmen strongly joined in blowing the trumpet in urging a continuation of the unifying process.

The voice of these great men was heard. After 1880 the process was vigorously assumed by the Leaders of State.

President Cheeseman endeavoured to strengthen the position of Government among the Kru Tribe in 1893, to put an end to foreign intrigues by securing declarations, on the part of the chiefs, to adhesion to the Government of Liberia.

President Coleman favoured vigorous measures in bringing the tribes of the hinterland under the effective control of Government, and in 1900 commenced to open the Millsburg-Bopolu road to free, unrestricted travel and to commercial intercourse. He attempted to carry the influence of Liberia into the Northern regions of the Hinterland. When he was forced to repulse an attack planned against him in Suehn in his attempt to carry out his policy, some members of his Cabinet Ministers became alarmed. They, together with some of the Leaders of State were in favour of a policy of reconciliation towards the tribes of the hinterland. They felt that the policy of the President being so vigorous would eventually prove disastrous.

The domestic ideas of President Gibson, the successor of President Coleman, were gradually to carry the influence of Government in the hinterland and to exploit its mineral resources. To this end the West African Gold Concession Ltd. was established with mining rights in Montserrado and Maryland Counties, and also with rights to construct railway throughout Liberia. Between 1902 and 1904, he dispatched six expeditions to search the hinterland for minerals and to study tribal life to enable the forming of policy of reconciliation.

The administration of Arthur Barclay immediately began the policy of reconciliation towards the tribes of the Liberian Hinterland. He proceeded to hold at Monrovia a Convention of chiefs and headmen from the hinterland. Other meetings of Kru and Grebo men of authority followed, and missions under native commissions were despatched into the interior. These conferences and missions served to establish the influence of government; to greatly improve trade relations between the Americo-Liberians and the interior people; to carry the flag further interiorward, and to prevent tribal wars.

President Barclay struck the keynote of his policy of domestic government when he stated that he considered all negroes from the sea coast to the interior as Liberians. This gave more than effective answer to the French claim that lack of occupation was noticeable on account of absence of Americo-Liberian Settlements in the hinterland.

During this administration, and a little prior to it, marriages between descendants of the pioneer fathers and civilized tribal citizens was encouraged as an important factor in the unifying process. Mr. I. A. Grimes, Nephew of the President, married a Vai girl; Dr. B. W. Payne, a polished, educated Bassa man, a girl from a leading family in Barnesville; Sandi Roberts, a Vai man, the grand daughter of former Vice President Thompson of Maryland County; Rev. T. M. Gardiner, a Vai man, a girl from one of the leading families of Maryland County; Mr. Willie Tubman, Sr. of Cane Palmas, a Gola girl, and popular "Doc" Cooner, a Bassa girl, his first wife.

President Barclay's second wife was a Gola girl, the mother of the wife of former President Edwin Barclay.

Trained, educated tribal men were being brought into government services. By political arrangement a permanent seat was given to the Crebo Tribe within the County of Maryland in the Legislature; T. F. Beysnolow was elected to the House of Representatives from the then Cape Mount Territory, and Mr. N. B. Seton became Professor of English in Liberia College.

President Daniel E. Howard found it expedient to resist the Kru Coast uprising against government control. He travelled through the interior of Cape Mount with some members of his Cabinet, crossed the Lofa River into the Gorjey country and came to Brewerville through the Lofa-Gola areas. It was a good will mission; and he held conferences with the chiefs of several tribes. Following the policy of President Barclay, he established more Military posts and increased the number of administrative officials throughout the hinterland to ensure peace and order. And for the first time in the history of the county he appointed a civilized tribal man in the person of Dr. B. W. Payne in the Cabinet.

The King administration met the hinterland population well under government control, with well established civil and military organizations. He devoted his time in building a net work of motor roads to improve communications; he established and maintained public schools with qualified teachers at every district headquarters. He appointed Dr. Payne and subsequently Momolu Massaquoi, who married during the Howard administration a great grand daughter of famous and celebrated Elijah Johnson, into his Cabinet. He placed Honourable T. E. Beysolow on the Supreme Bench as Associate Justice.

In the political campaign of 1923, when the leaders of the True Whig Party requested President King to accept another nomination as President of Liberia, this great Apostle of the unifying process said he would only accept it provided they have Honourable H. Too Wesley of the Grebo Tribe, then Senator representing Maryland County, as his running mate. The campaign slogan was "no Wesley no King", and in May 1923 Honourable Wesley was elected Vice President of Liberia and served a term of four years. What a progressive and revolutionary stride in the unifying process!

President King was the first President of Liberia to travel throughout the Western and Central Provinces in 1925. He held a general council of chiefs at Suehn in 1923, at Sanniquellie in 1925 and at Kakaka in 1929. His travel and councils enabled him to see how the tribal man moves and have his being in his own home; to know his peculiar problems relating to his social and economic life so as to form an idea of the method government could adopt to ameliorate the adversed conditions. Laws and Administrative Regulations were made for governing the interior.

In 1926 the Firestone Plantations Company was brought into being which offered employment and the advantage of skill labour to thousands of the interior people, thereby increasing their living standard.

President Edwin Barclay furthered the unifying program of President King. His administration inherited a situation of an international character which decidedly had an unsavoury influence over the relation between government and the tribal people. It therefore became necessary for him to travel twice throughout the interior and many parts of the county jurisdiction. He held conferences with the chiefs and people of each district and made adjustments and decisions which confirmed their rights as citizens, guaranteed them further protection against oppression by administrative officials, assuring them that their well-being is a concern of government.

In the Administrative Regulations of 1931 and 1937 Edwin Barclay reorganized the hinterland jurisdiction into three provinces and each province into three districts; created the office of Provincial Commissioner; established the systems of Tribal Authority in tribal government and the Indirect Rules whereby commissioners "administer tribal affairs through tribal chiefs who govern freely according to tribal customs and traditions so long as these are not contrary to law, regulation or the public interest," and ensured the permanent character of the tenure of office of chiefs.

In 1931 the Administration found it expedient to suppress the Sasstown uprising against the authority of government, caused by some unprincipled persons. The settlement of matters which followed the end of hostilities also resulted into the Sasstown people having representation in the House of Representatives, and Honourable Stephen S. Togba was the first civilized Kru man the True Whig party-elected to that post.

During this administration Honourable Nete Sie Brownell of the Grebo Tribe was elevated to the Cabinet as Attorney General after serving as Circuit Judge and Solicitor General.

Towards the close of the first century of our existence there loomed on the National horizon William V. S. Tubman, President of Liberia. He has not only taken a drastic right turn in the trends of the unifying process but has also made a vigorous march towards the realization of the hopes and aspirations of the Founding Fathers.

And with matchless moral courage, he has fearlessly destroyed for all times the barriers of dis-unity and disintegration between the two main elements of Liberia, affording equal, just and fair opportunity to all alike.

President Tubman has travelled more extensively in the interior than any of his predecessors. He visits each Province yearly and holds councils with the chiefs and people thereof with a view to observing whether they are being fairly and justly treated by administrative officials who are charged to see that they are not subjected to undue treatment that is not legal and just.

His Executive Councils held in 1945 at Juarzon, Salala, Sanniquellie and Zorzor, and those in Tchien and Webbo in 1946, also covered decisions which settled definitely the long vexing tribal land problems, the President declaring that every tribal man has the inherent right to hold land in sufficient quantity for farming and other necessities. He clearly and strongly emphasized that no tribal man shall be deprived of

any right guaranteed to citizens by law without due process of law and that his grievancies must be speedily heard and fairly adjusted by Interior Officials.

These considerations have won for him the unbounded gratitude of tribesmen throughout Liberia. As a practical token thereof President Tubman has been made by the Porror Zoes Society and DaZoes of the hinterland Grand Master of the Ancient Porror Society and has been given the ancient token of authority. This is a consideration which no President and no civilized man has ever enjoyed in Liberia and West Africa. It is a manifestation of the implicit confidence tribesmen have in President Tubman.

Intermarriage between the two elements is now common and ordinary event.

Within the seven and half years of President Tubman's Administration, the entire hinterland has been connected at strategic centers by motor roads and airstrips; public schools, offering free education, fairly staffed, have been established nearly in each Chiefdom of the interior; government operated clinics, practically offering free service to tribes people, have been installed in every main section of the interior and, finally, the tribal man has been granted legislative representations.

These accomplishments, under the progressive leadership of President Tubman, the greatest Apostle of the Unifying Process, have

- (a) established harmonious economic, social and political order throughout, the hinterland;
- (b) guaranteed to individual tribesmen a minimum standard of material welfare;
- (c) helped the tribal men in developing the germ complex and,
- (d) transformed the whole Nation into one united people.

And now the dreams of the Founding Fathers have come true. They and their descendants lived and worked and fought for generations to secure and to maintain this heritage for all Africans from the sea to the interior of the land and also those of the Western World of African descent and other parts of Africa who would elect to join us in building this African State.

Today, educated and qualified men and women from the tribal element as well as naturalized citizens are being largely drawn upon to help work out the destiny of the Nation, and this we should do with grateful appreciation to those who have bequeathed this heritage to us in "blood, sweat and tears". We here name a few for example: His Honour Martin Nemle Russell, a Grebo, is Chief Justice of Liberia, heading one of the three co-ordinate Branches of Government. Honourable E. C. B. Jones, of Yuroba-Grebo offspring, is Secretary of War. Honourable Nete Sic Brownell, a Grebo, served this Administration as Acting Attorney General and Postmaster General. Honourable M. Dukuly, a Mandingo, is under Secretary of State and Honourable P. Speare, a Grebo, Assistant Postmaster General. Both of these two gentlemen have acted as Heads of their respective Department. Professor N. V. Massaquoi, a Vai, is Chairman of the National Commission of Liberia to the UNESCO. Counsellor J. D. Beysolow, a Gola, is County Attorney for Montserrado County. His Honor George Cain, a Vai, is Cir-

cuit Judge and Honourable Frank Gailor, a Gola, is Superintendent for Grand Cape Mount County.

From the element of naturalized citizens, Honourable Walter F. Walker, an enterprising man, has served as Secretary of Public Works and Utilities. Honourable Thomas E. Buchanan, is Assistant Secretary of Public Works and Utilities, and is now serving as Acting Secretary of the Department, during the absence of Secretary Duncan. Honourable T. W. Dupigny-Leigh, who served in former administrations as Hinterland and County Commissioner and Inspector of Revenues, is now diligently serving as Social Secretary to the President of Liberia. Rev. D. Larty is Post Master for Montserrado County and Mr. K. J. Adorkor, a Certified Accountant, is travelling Auditor.

Today, fourteen out of 31 members of the House of Representatives are from the tribal element, and 2 out of 10 in the Senate. Fellow citizens, let us, on this unique occasion, resolve to keep inviolate and untrammel the unity of all the people of the land that has now been achieved; let us continue to rally around our illustrious, brilliant and farsighted Captain of the Ship, a vetitable man of Destiny who enjoys more than any of his predecessors the full confidence of the people, in his magnificent and selfless efforts to develop the human resources of the country, and in laying the sure and abiding foundation for Liberia to roll, roll forward into greater and broader destinies.

Centennial Oration

By Abayomi Karnga, LLD.

His Excellency, the President, His Excellency, the Vice-President, the Honourable the Speaker of the House of Representatives and the members of the Honourable the Legislature, their Honour the Chief Justice and Associate Justices of the Supreme Court of Liberia, their Excellencies the Ambassadors, Ministers Plenipotentiary and Envoys Extraordinary accredited to this Government, Ladies and Gentlemen:

Upon the request of His Excellency President William V. S. Tubman, I am before you to deliver the principal Centennial Oration. The subject I have thought proper to present to you on this occasion, is Freedom. To the foreign representatives accredited to this Government I bring the felicitation of the Liberian people.

We have gathered here today under the canopy of Heaven to celebrate a century of our national existence. More than a hundred years ago our fathers from North America and Equatorial Africa – may be from the Empires of the Kongo, the Lunda, the Bushongo, or the Katamari – landed on these shores. They founded colonies; then a Commonwealth; and then a Republic.

The object of their coming was to cherish and indulge those aspirations which a beneficent Creator has implanted in every human heart; and to many untrue the wicked criticisms hurled against us; and to found a home for their sons and daughters and the people of African descent who had been taken away from the land of their nativity. They came to their fatherland bringing with the Christianity and all the blessings of civilization which they had acquired during their sojourn in foreign lands with the improvements of the age in government and the arts to dispense among their brethren as a common boon. Many were their toil; many their sufferings; but they preferred to live under their own vines and fig trees, and approach in security the God of our fathers.

In December, 1822, after the battle of Crown Hill, Lott Cary was asked by a friend if he would like to return to America:

“No!” said the patriot, “there never has been an hour, or a minute, not even when the balls were flying around my head at Crown Hill, when I could wish myself in America.”

So he enjoyed the respect and honour of his countrymen even unto his death.

After the battle of Crown Hill was won, the fathers decided to build their city on this hill. The place was called by the Portuguese, Duro, which means, cruelty in the Portuguese language; in later years, it was corrupted by the Bassas for the word, Dugbo; it was further corrupted by the Vais, who called it, Dukoh. In 1824, the American

Colonization Society, named the city on the hill, Monrovia, in honour of President Monroe of the United States.

The people whom they met here, were the Golas who came from Gallaland, south of Abyssinia; the Quojas, were predominant during the latter part of the 17th century, from Sierra Leone to River Cess; they were cannibals and practiced witchcraft; the Mandingeos, the Vais, the Konohs, the Mendis, the Gtandis, the Lawmas or Ruzis, the Kpeles, from the Sudan, may be, from the Empires of Ghana, Melli, or Songhay.

The Kru, the Bele, the Des, the Rassas, the Gibis, the Gedeboes, the Tchien, the Manohs, and Bush Drus and Gedeboes, from the interior of the Ivory Coast – they were cannibals; and the Gissis from the Gold Coast about one thousand years ago. Since that time we all have been thrown into one melting pot, and with one aim of making a nation; and each and every one of us is proud to be called Liberian.

The condition of the country at that period was far different to that of today. The coast was torn by the Slave Trade. Several tribes wiped out of existence by stronger ones, and sold to slave traders. Cannibalism and inter-tribal wars were the order of the day. Men hid themselves in caves for fear of being caught and carried into slavery. Farmers could not till the soil and famine spread all over the land.

Today such conditions have changed. No more will you hear of slave trade on our coast; no more will you hear of the wild boars, or slave dealers raiding towns and villages to kidnap Negro boys and girls; no more will you see the foaming brine of the Atlantic Ocean raging with man-eating sharks to consume Negro boys and girls. The slave trade is dead: cannibalism has been abolished, and any one may now travel through our territory without fear of being made a supper. All these have been achieved by our efforts.

One hundred years ago our fathers lived in log cabins and thatch huts; today we live in a more beautiful city built of stone and concrete houses and well furnished. Many Liberians have farms which grow our staple food and other plants for the overseas market. We have also contributed other useful articles of export to foreign markets. The palm kernel was discovered in the year 1848 by Samuel Herring, and the piassava in 1880 by James Hughes. Today several Liberian farmers supply rubber to the American and other foreign markets. The Liberian coffee of much commercial value some years ago discovered by C. M. Waring, has presently gone out of market.

On the 26th day of July, 1847, our fathers met on that unique occasion to adopt a constitution and to declare to the world that we are capable of the management of our internal and external affairs; that we are susceptible of all the finer qualities of the human race; that we have attained a period of national development; that free from the narrow jealousies, imperial ambitions and intrigues, we are capable of maintaining on the West Coast of Africa a Christian Negro State. They established a form of Government which has given us our freedom; a freedom which enkindled a new light in this part of the world. Not since fire has been discovered by the cave man, have the people of West Africa, received anything more warming than the protection of a Government

dedicated to man's development with a minimum of hampering laws, and a maximum of individual spiritual growth.

The essentials of the Constitution which they adopted are as follows:

- 1) It established a representative Republic.
- 2) It recognizes the liberty of the individual citizen as distinguished from the collective body of citizens, and protects that liberty by specific limitations upon the power of Government.
- 3) It distributes the Legislative, Executive and Judicial powers into three separate departments and specifically limits the powers of the Officers and Agents in each department.
- 4) It compels observance of its limitations through its courts, and that no law enacted by the Legislature of the State, or by the County Councils, shall be valid if they contravene its limitations. These characteristics are essential to the good conduct of popular Government.

From these essentials issue certain political, or civil rights; such as;

Freedom of speech and of the Press; freedom of religious worship; freedom of locomotion and transportation; freedom from want and fear; freedom of electing our own rulers; and of altering or adopting a new form of Government, and of the pursuit of happiness.

The political theory of our Constitution may then be summed up in the words of President Lincoln in his first inaugural address; "A majority held in restraint by constitutional checks and limitations and always changing easily with deliberate changes of popular opinion and sentiment; is the only true sovereign of a free people. Whoever rejects it does of necessity fly to anarchy, or despotism."

It is a Government of the People, for the people, and by the people of Liberia. Salus

o i s r m l .

The constitutional convention also adopted a new flag composed of square blue field in which appears a lone white star, with six red and five white stripes. There was and still is a spiritual significance attached to that insignia. In that convention the fathers saw in the square blue field the blue heavens of posterity and of the sons of Africa; in the lone white star, a prophecy of the realization of the brightest hopes of an African nation; Of a new Liberia and a new Africa; in the six red stripes a symbol of our manhood and courage to defend that insignia with the red blood of our lives; while in the five white stripes, the purity of our national conscience toward the family of nations, especially the great American nation.

All these put together and translated into world terms would mean, freedom of Liberia; freedom of Africa, and the Africans the world over. For the time may be, when our flag will float in the balmy breeze all over the continent of Africa.

In the year 1815 the great British Prime Minister, William Pitt, in his great speech in Parliament, made the following prophecy:

“We may live to behold the natives of Africa engaged in the calm occupation of industry, in the pursuit of just and legitimate commerce. We may behold the beams of science and philosophy breaking in upon that land, which at some happy period, in still later times, may blaze in luster; and joining their influence to that of pure religion, may illuminate and invigorate the most distant extremities of that immense continent.”

Sic volvere pacas: thus have the fates decreed.

Here before my eyes
Stand o'er Drupple Hills and Plains,
Magnificent, refulgent, Mahais
The city of Negro arts construct'd
Foundation laid by heroes strong,
Whom call we, Fathers, Pioneer.

Johnson, Carey, Williams,
Ashmun, and Buchanan, White,
Roberts, Blyden, Anderson,
Called by urchins uncle Ben,
Sat his compass on the land,
Survey'd Monrovia, Musandu,
And chained from St. Pedro to Bendu.

Today appears William V. S. Tubman
President of the Republic,
A master in state-craft and politics,
Wearing the garlands of honour,
Of roses, and other blossoms,
Showered on him by his compatriots of the Republic.
(A bouquet was here presented to His Excellency the
President by Miss Makeda Karnga, in behalf of His
Excellency's Compatriots.)

Our form of Government does not enter into rivalry with the institutions of others. We do not copy our neighbours, but we are an example to them. Our Government is also a democracy, because the administration is in the hands of the many, and not of the few. When a citizen is distinguished, he is preferred to the public service, not as a matter of privilege, but as a reward of merit. Poverty is not a bar, but a man or woman may serve his country, matters not the obscurity of his or her condition.

In Liberia no barriers of pigment exist. We believe in the brotherhood of all men. In the early days of the Republic some Europeans and Englishmen have married our daughters, without any objections.

The Heaven and Earth join,
And the sweet rain falls,
Beyond the command of men,
Yet evenly upon all.

We live for other people,
And grow richer ourselves,
We give to other people,
And have greater abundance.

Who receives upon himself the
Calumny of the world,
Is the preserver of the State.
Who bears himself the sins of the world
Is the King of the world.

Although the Lord has blessed our efforts and our land thus far, we have not neglected to erect sacred xxxx to our Creator; they may be seen everywhere in xxxx settlements, where people go to worship God. xxxx were 23 churches with 1,014 colonist communicant xxxx recaptured Africans; and 353 natives; making a total of 1,483. Today the number of communicants in all the churches has increased to many thousand per cent.

In matters of education the State has been very much concerned; we have colleges and public schools throughout the country; in order to train our youths to be serviceable to both State and Church. In this effort however, we owe gratitude to the Boards of foreign Missions, for their assistance and co-operation.

About twenty years ago our boys and girls knew very little, or nothing about banking business; today several of them may be seen in the Bank of Monrovia, Inc., efficiently dispatching the business of the Bank. The nation owes gratitude to the Managers of the Bank for this practical help to the Republic of Liberia.

Up to the year 1846, the cost of purchase of our territory was about 700,000 dollars; While the population had increased from 37 souls to about 17,830. Today, we are happy to observe, it is estimated that our number has reached the 3 million mark. So that we have not only made material progress, but we have also multiplied in number; and this has been done in less than a century of our national existence; this number however, includes our hinterland population.

"Lives of great men all remember
We can make our lives xxxx
And, departing, leave behind xxxx
Footprints on the sands xxxx

About a century ago, was founded on xxxx of Africa, a new democracy, by Liberians, xxxx Liberians; maintained by Liberians; and which hold xxxx. The view of every Liberian, the brightest prospects xxxx.

Finally fellow citizens. It seems befitting on this occasion that we express thanks and gratitude to the God of Africa for keeping us as a people among the family of nations, free, sovereign, and independent. We are happy to see the stages of this great Centennial events.

As Liberians, we are thankful to the God of Africa for our husbands, wives, children and friends at home and abroad, and that we retain their affections. We are thankful that we live in Africa, and in a country where men and women may speak their mind, may disagree, and still be free; where men and women may worship as they choose; and where our children are born to live according to the lights the God of our fathers gives them, and to grow to the estates to which their several talents entitle them in a land of free enterprise.

Moreover, we Liberians are very xxxx God of our Forebears for the present xxxx. Which, after elections, political differences xxxx forgotten, and a united people stand xxxx the Government in the interest of xxxx his own words, President Tubman xxxx, Back!" Echo replied; "No, pay, xxxx President Tubman! Cum Summa xxxx."

FINIS.

AUTOBIOGRAPHICAL NOTES

G. Flamma Sherman (1913-1999)

Released at 77th birthday celebration
Middletown, New Jersey, U.S.A.
September 1, 1990

AUTOBIOGRAPHICAL NOTES - G. FLAMMA SHERMAN

I first thought of writing a book about my experiences, and family background after 28th August 1928. My father died on this date and my uncle Blaye, who had succeeded him as head of one of the traditional Ruling Houses of River Cess, had come to Monrovia in this capacity to instruct me as to the customs, practices, and requirements in our House and personally deliver to me relics and kingly souvenirs of the warrior King George Flamma, then spelled Flammie.¹

My intention was to begin with some of the informal learning processes and experiences to which children within a traditional African family, particularly of a Ruling House, are exposed.

Several decades have elapsed since the 1920's. Events of far-reaching significance and worldwide consequences have taken place; also, I have ended four decades of public life.

My father was Joseph Sherman. His father was King George Flamma of River Cess² of the Ruling House of the Sardios.³

I don't believe it was by mere coincidence that the General R. A. Sherman and the Bombo, George Flamma, met and became friends, for, George Flamma was himself a General and Warrior King of River Cess, of world renown as evidenced by gifts and symbols of recognition sent to him by heads of Boards of Directors of foreign companies that were established and operated along the Cestos Coast, under his protection and within areas regarded as his kingdom.

Before his assassination by his younger brother, Kpowuh Kpehjou, he had extended the kingdom and his rule from Zodaë to Draw Creek, a tributary of the River Cestos,

¹ Spelled Flammie by the early European explorers and German traders who first established their factories at the mouth of the Cestos River under his protection, including Jacob West and Company.

² Born in 1799; King in 1819 at the age of 20; assassinated in 1859.

³ The people that throw and catch or fight with the spear - spearmen. They constitute one of the three Ruling Houses of River Cess.

called the Flammie Creek by early Geographers,⁴ and areas around where European traders had factories.

I began service to my country at the Monrovia Customs while I was a teenager and an elementary (primary) school student, serving an apprenticeship of nine years. Excluding this apprenticeship, the period of my service to my country falls into four periods during which I served partly at home and partly abroad.

The first period dates from February, 1939, shortly after I completed Liberia College (now the University of Liberia), until March, 1952. During the whole of this period, I served in the field of Education, beginning under Dr. G. W. Gibson as Secretary of Public Instruction⁵ in the Administration of President Edwin J. Barclay. My first assignment was as a teacher at the Hartzell Academy (later known as the Bassa High School). I became Principal of the institution in 1942 and served until March, 1944, when I was appointed Supervisor of Schools for Grand Bassa County and Marshall Territory (an area which with Gibi Territory is now called Margibi County). I served in this position until 1952. The Administration was that of President William V. S. Tubman and the Secretary of Public Instruction was Dr. J. W. Pearson.

The second period dates from March, 1952, until January, 1956⁶ when I served as Superintendent for Grand Bassa County under President Tubman, a position which brought me to the center of local politics and placed me in touch with the center of national politics. I thoroughly enjoyed and took advantage of this opportunity until, not unlike most individuals in politics where the "die-hard" profess "politics is not righteousness", my own hour of disillusionment and disenchantment came.

The third dates from July 20, 1956, until December, 1969, and covered the years during which I was assigned to serve at different posts in the foreign service of my country. I began as Liberian Consul General in the United Kingdom of Great Britain and Ireland and served from 1956 to 1960. I was then posted as Liberian Ambassador to Accra, Ghana, where I served until December, 1969. Part of this time, from 1963 to 1969, I was Dean of the Diplomatic Corps. This was a most interesting period in post World War II Africa. From July, 1960 to June, 1961 of this period, I served concurrently as Special Representative of the President of Liberia to the Congo (now known as Zaire), in which capacity I was named to and served as a member of the United Nations Conciliation Commission to the Congo. I was then based in Leopoldville (presently called Kinshasha). This was a most intriguing and challenging assignment, at the end of which I returned to Accra. The other concurrent assignment I held was as Ambassador to the Republic of Togo from 1967 to December, 1969.

⁴ See Sir Harry Johnston, *Liberia*

⁵ This title has since 1972 been changed to Minister of Education.

⁶ There followed a period of six months, January to July, 1956, when I served as Assistant Secretary of Public Works and Utilities with Honorable Thomas Buchanan as Secretary.

In January, 1970, I began my fourth and final period of service in the Liberian Government. I was appointed Secretary of Education by President Tubman and was holding this position at the time of Tubman's death in July, 1971. I continued in this position under William R. Tolbert, Jr. who acceded to the Presidency on the death of Tubman.⁷ *In January, 1972, President Tolbert effected a change* in the position title of the Cabinet members from "Secretary" to "Minister". I was appointed Minister of Education, the first person to hold this title. I held this position until my resignation in April, 1973.

Shortly after my resignation, I was invited by the Maryland Logging Corporation, which was having problems with Government, to serve the Corporation in a consultative capacity. I was named Vice President of the Corporation and began an entirely different phase in my life, a position I held until I decided to retire in December, 1987. During this period, I was able to get the Corporation to transform its operations so that there was full compliance with its Agreement with Government, improvement in infrastructure in River Gbeh, center of the Corporation's operations, and in benefits to the workers and the people of the area.

Released at my 77th birthday celebration
Middletown, New Jersey
September 1, 1990

⁷ Tolbert was Vice President at the time of Tubman's death and had been since 1952.

A REPORT OF THE MASSAQUOI COMMITTEE ON EDUCATION, TRAINING, AND RURAL AREA DEVELOPMENT SUBMITTED TO THE JOINT LIBERIAN-UNITED STATES COMMISSION FOR ECONOMIC DEVELOPMENT ON MAY 10, 1960.

I. INTRODUCTION

On March 10, 1960, James O. Babcock, Director, USOM to Liberia, submitted a letter to Honorable Charles D. Sherman outlining the areas of interest of the Special Fund for Tropical Africa. In this letter Director Babcock recommended that the Joint Commission take up this matter and appoint working groups to prepare detailed project proposals.

At the April 19 meeting of the Joint Commission this matter was discussed and Secretary Sherman appointed Secretary of Public Instruction, Nathaniel V. Massaquoi, as Chairman of a special committee to implement the suggestions of Director Babcock. Members appointed to the Massaquoi Committee were: Under Secretary of Public Works and Utilities, Stanley L. Borland; Secretary of Agriculture and Commerce, Stephen A. Tolbert; Director-General of National Public Health Service, Dr. Edwin M. Barclay; Director, USOM/Liberia, James O. Babcock; and Deputy Director, USOM/Liberia, Ernest E. Neal. The duties of this Committee were to develop specific projects in the areas of education, health, agriculture, and a broad training program in all branches of Government with special emphasis on public works.

In addition to the main Committee, Secretary Sherman appointed a Sub-Committee headed by Mr. Romeo Horton, with Mr. Clark, Director of the Bureau of Budget, and a representative from the Department of Justice. The duties of the Sub-Committee were: To make proposals to improve the Civil Service, Public Administration, International Cooperation with Other African Countries, and Economic Development, including Development Bank and Industrial Development.

The Massaquoi Committee held the first meeting Thursday, April 21, 1960. At this meeting Secretary of the Interior, J. Samuel Melton, was added to the Massaquoi Committee and the following Sub-Committees were appointed:

- A. Committee on Vocational and Technical Training, Chairman, Under Secretary of Public Works and Utilities, Stanley L. Borland.

- B. Committee on Community Development (changed to Rural Area Development, RAD), Chairman, Secretary, Department of Agriculture and Commerce, Stephen A. Tolbert.
- C. Committee on Higher Education, Chairman, Secretary of Public Instruction, Nathaniel V. Massaquoi.

These Sub-Committees held their first meeting on Saturday, April 23. The Sub-Committees made reports to the full Committee on May 2 and 6. The report that follows is the result of the work of these Committees.

II. PREAMBLE

In his inaugural address of January 4, 1960, President Tubman made the momentous decision for Liberia to take the great leap from a traditional to a modern society when he said:

"In a country such as ours which has had to devote all of its energies to the supreme struggle for survival against encroachments, intrigues and other basic assaults on the sovereignty of the nation from its inception for almost a hundred years, progress is a most pressing demand if we are to catch up with the advanced nations of the world. Consequently, the action of Government in initiating, sponsoring and promoting economic and social developments must not only depend upon spontaneous actions of individuals but also upon clear leadership spearheaded by a deliberate development process."

This Committee accepted the challenge of President Tubman and set for itself the task of spearheading a deliberate development process. Our first task was to gain an understanding of a traditional society and to determine what were the preconditions necessary for a traditional society to make the transitions to a modern society. Here we are indebted to that brilliant group of economists at The Center for International Studies, Massachusetts Institute of Technology, for the keen insights they developed in a bulletin prepared for the Committee on Foreign Relations for the United States Senate. This report reveals that in nations like Liberia, which are still close to the traditional stage, "The basic problems to be overcome if modernization is to proceed include the training of men capable of conducting modern economic and political activity; the development of modern institutions; the creation of an agricultural framework capable of generating increases in agricultural productivity; the buildup of a modern transport network, sources of power, and other minimum social overhead capital requirements; and the development of natural resources so as to earn necessary foreign exchange."

This Committee has deliberately made proposals which, if accepted, would bring about drastic changes, because the Committee is convinced that before a modern society can be achieved in Liberia a succession of profound changes must take place at every level; for any established society has deeply rooted characteristics which yield

only reluctantly—with pain and the passage of time—and only to strong and persistent pressure for a change.

In this process of change, as the Massachusetts Institute of Technology report suggests:

“Historical experience indicates that modernization does not require the destruction of a traditional culture. On the contrary, the old culture almost always leaves permanent and significant marks of continuity on the fully modernized society. Nevertheless, the traditional culture must undergo drastic alteration.

“Psychologically, men must transform the old culture in ways which make it compatible with modern activities and institutions. The face-to-face relations and warm, powerful family ties of a traditional society must give way to more impersonal systems of evaluation in which men, are judged by the way they perform specialized functions in the society. In their links to the nation, to their professional colleagues, to their political parties, men must find a partial alternative for the powerful, long-tested ties and symbols of the traditional life centered on family, clan, and region. And new hierarchies, based on function, must come to replace those rooted in land ownership and tradition.”

Finally, this Committee was concerned with the broad outlines of a program that should be initiated at this stage of development in Liberia. The type of program that seemed applicable is as follows:

A. The Joint Commission should assist the Government in surveying systematically its priority tasks and the resources for performing them. Such survey should place emphasis on training people and establishing a permanent agency for continuing these surveys.

B. The highest priority should go to the buildup of human resources. Thus primary education, teacher training, and vocational institutes comprise one set of urgent needs, and at the same time there must be emphasis on technical and administrative training for the elite groups who must guide the modernization process. For instance, the development of a core of men who can guide the subsequent transformation of agriculture is critical.

C. Of parallel importance is the building of institutions necessary for modernization. This means, in addition to organizing schools, technical institutions, financial institutions, agriculture extension service, community development, civil service, etc., the indoctrinating of each technician in the importance of generating institutional machinery to make the transfer of knowledge and skills effective. As soon as possible, Liberia must have the institutions to perform the functions now being carried out by foreigners.

III. PROGRAMS AND PRIORITIES

A. EDUCATION

1. Teacher Training

It is generally agreed that primary education is the basic need in Liberia. To meet this need it is necessary to restudy the entire educational structure of the country. The first objective is to train teachers for grades 1 through 3 for the village schools. The need is so great and qualified teachers so few that a temporary adjustment has been made by establishing one rural training center at Zorzor, and plans are being developed for two additional centers at Webo and Kakata, admitting students with an 8th grade education. Those students will be given two years of intensive training. After graduation they will man the village schools. It is hoped that in time these village schools and teachers will be upgraded to the 6th grade level.

To provide the teaching staff for the junior high schools, a Junior Teachers College is being developed in cooperation with the teacher education program at the University of Liberia. The University of Liberia and Church-supported colleges are training teachers for the senior high school level. When the teacher program gets underway it is planned to graduate 150 rural elementary teachers per year from the 3 rural training centers, 75 teachers from the Junior Teachers College and 50 teachers from the schools of education on the college level—or a total of 275 trained teachers annually. While the teacher training program is in the process of development, it is planned to import from the United States, under IVS contract, 50 elementary teachers for the rural schools; and plans are under consideration with USIS to bring in up to 50 apprentice teachers from the United States.

2. University

A two-man survey team from Cornell University arrived on May 4th to begin a study of the needs of the University of Liberia. In view of this, this report will not cover the needs of the University. However, attention will be given to the library and the science laboratories. It is proposed to construct a new library building and acquire 50,000 new volumes. Three professionally-trained librarians and one clerk will be required to operate the new building. For the science laboratory there is a need for \$15,000 of capital equipment and an increased staff of 17 persons, including 4 stewards and 7 janitors.

3. Educational Materials Production

It is proposed that this Center be administered as a part of DPI but that it be developed in conjunction with the proposed Communications Media Project which will produce experimental shortrun materials of several types, such as teaching materials for all grade levels, texts and work sheets; audio visual, film strips, motion pictures, tapes, records; sections of proposed textbooks, etc. This Center will also do the educational mass production work of tested materials for the entire nation. It will also serve as a Center to train teachers in making teaching aids and materials for use in their classrooms. The Center will contain: (a) Audio-visual room, 1200 sq. ft., fully equipped

for production, testing and evaluation of motion picture films, slides, filmstrips, tape recordings, etc. It will be large enough to record entire classes, instrumental and choral organizations, etc., under controlled conditions (air conditioned); (b) Press room, 1200 sq. ft., fully equipped (air conditioned); (c) Five materials production rooms 30' x 20' each containing an office of 10' x 20' for the Advisor and rooms for the following programs: Text book development; teaching aids development; literacy R; adult education development; audio and visual aids development; and art section.

The construction of building and equipment would cost \$231,525 and the recurring cost would amount to \$53,800 annually.

4. Vocational and Technical Training

a. It is accepted that the level of scientific training in the present educational system of the country is low; as a result of this condition training at Booker Washington Institute has had to give greater emphasis to elementary aspects of academic training than should be necessary in an institution of this kind. The upgrading of the academic training of the student to be directed into vocational training is therefore necessary in order that he may be able to fully understand his vocational training. The student entering high school may be directed into a future in academic training or a future in vocational training. During his career in high school, the student should be directed toward one of these destinies. High school education should be broken into two sections: The junior high school and the senior high school level. In the junior high school, there should be a vocational department by which students may be exposed to some degree of vocational training. Abilities that are thus better suited will achieve a greater degree of development and consequently influence personal decision on the part of the student. The junior high school would then become the source from which BWI would receive students, thus making it possible for BWI to produce a vocationally trained graduate at a level equivalent to the senior high school.

b. Priorities

It is the Committee's considered opinion that immediate attention should be given to the establishment of a junior and senior high school in the Monrovia area. Other recommendations as outlined above should be given the following order of priority:

- (1) Establishment of agricultural demonstration plots at each elementary school in the country.
- (2) Junior high school at Harper City.
- (3) Business high school in Monrovia.
- (4) Junior high school at Saniquelle.
- (5) Junior high school at Lower Buchanan.
- (6) Junior high school at Kolshun.

NOTE: Sinoe is omitted from the junior high school list because the basic problem there is the upgrading of the elementary school.

- (7) Vocational centers in Monrovia and Harper City.

(8) Upgrading BWI to junior college level, including teacher training for vocational schools.

(9) Introduction of some vocational training into elementary schools as an accredited course.

The aid of the International Labour Organization should be solicited at any point of this program that is deemed expedient.

c. Workers' Extension Program

While fully realizing the need for vocational training, both pre-service and in-service, it was felt that provisions must also be made for those workers and tradesmen who, though having achieved skills in their occupation, are being hampered from further advancement by a lack of the very basic academic training. It is therefore proposed that extension schools be established to provide workers and tradesmen with basic knowledge of language arts and mathematics. Such a scheme would at a later stage be linked to advanced courses for the various trades in established vocational schools.

It is suggested that the first workers' extension school be established in Monrovia. Workers would, with the agreement of their employers, attend school one day each week. The proposed plan envisages the attendance of 50 students daily, viz a total of 250 workers would be given training during the first year. It is further suggested that this program should be closely coordinated with the International Labour Organization.

d. Technical Training

It is proposed that the existing school of pre-engineering at the University of Liberia should be developed into a Department of Technical Training. It should be further developed into a school of engineering with a department of technical training. Initially this department of technical training should offer diplomas to its graduates after a period of four years. Until such time when high school graduates are available who have achieved the academic level required for college entrance based on a standard curriculum, the diplomas offered by this department of technical training or school of engineering should not be considered equivalent to professional degrees.

Furthermore, when the conditions are such that an engineering school capable of granting professional degrees can be established, this department of technical training should be maintained within the school of engineering but because of the expected high academic attainment of the then available high school graduates, it should be redesigned as a terminal two-year course.

The present facilities of the pre-engineering school at the University of Liberia can be adapted to meet the needs of this technical institution without much additional expense. Coordination of the activities of the soils and materials laboratory of the Department of Public Works and Utilities with the activities of the technical institution could be more effective by the addition of a soils engineer on the staff of the institution.

e. Agricultural Institutional Training

(1) Professional Training

To prepare Liberians for assuming technical responsibility in the areas of research, extension, education and regulatory work, there is need for an agricultural college. Such a college would offer a B.S. degree in agriculture with the following areas of concentration: Animal Science, Tropical Soils, Tropical Crops (Horticulture, Agronomy, Entomology, etc), Agricultural Economics, Farm Management, and Home Economics. It is further proposed that a four-year curriculum leading to the degree be given in such a fashion that two years of basic science core instruction will underlie all areas of specific technical instruction. The program of training should be of sufficient quality to attract students from other parts of Africa.

In order to utilize existing facilities and personnel, and to minimize the total overhead and other costs connected therewith, it is recommended that the College of Agriculture and Forestry be located in the Suakoko area in cooperation or conjunction with the existing agricultural training program of Cuttington College. This will also utilize on the teaching faculty suitable personnel in the research program at the Central Agricultural Experiment Station. Under this complex, the first two years' basic science program could be offered at the University of Liberia and the technical courses at the Suakoko Institution.

The College of Forestry will consist of four departments: Silviculture, utilization, economics, and policy and management.

(2) Sub-Professional Training

In order to meet the need for a solid core of sub-professional workers in agriculture such as extension aides, fieldmen, inspectors, etc., there is need for intensified training at the research center of personnel who have a basic educational background of at least high school or its equivalent. It is recommended that for such training a short course-type instruction be offered. Under this scheme agricultural workers will be brought to the Station from time to time for specialized training, and recent high school graduates in agriculture (from BWI or other high schools offering Agriculture) would also be brought to the Center for orientation and specific training.

(3) Personnel Housing and Facilities

Personnel needed in addition to persons now at the Research Station would include: A Professor of Biology, Physics, Agricultural Engineering, Agriculture Economist and Farm Management, Chemistry and Soil Chemist and a Horticulturist-Botanist. Staff housing and a dormitory would be needed, as well as laboratory space, equipment and supplies.

f. Nursing Arts

The School of Nursing Arts has been operated by the Department of Public Health and Sanitation and it is recommended that this activity be transferred to the University in cooperation with the Department of Public Health and Sanitation. In view of the proposed new hospital and nursing arts building erected in Monrovia, the

University of Liberia could enter into this program without any significant additional expense. This should be planned as part of the Pre-Medical School to be established at the University of Liberia.

ED TI N M Y

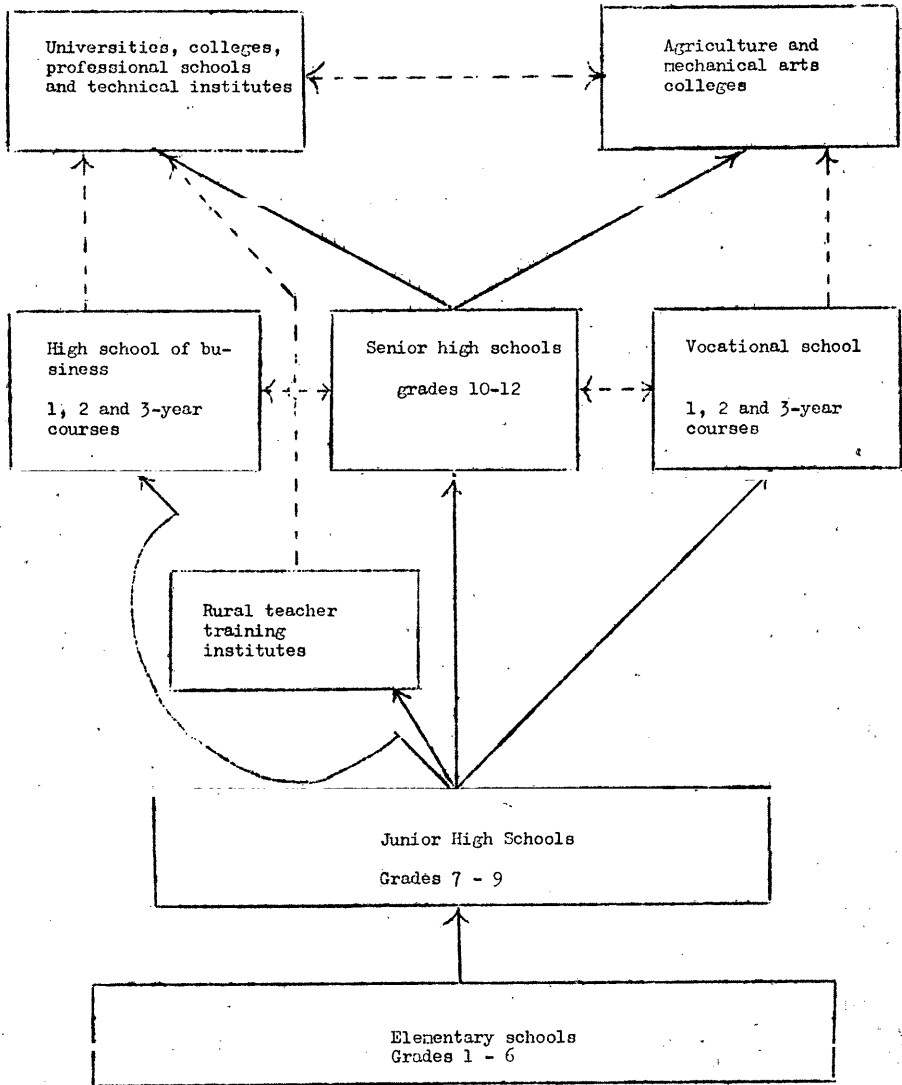
In summary, what this Committee has attempted to present is a plan that works towards universal, free, and compulsory education for all children through grade 6. The biggest bottleneck is not enough trained teachers to do this job. The Zorzor Rural Training Center is an effort to overcome this handicap. The next big effort in the education program will be to provide junior high schools for those students who demonstrate the desire and ability to do work at this level. From grades 1 up through 9 all students will follow a common curriculum. Emphasis will be equally divided between academic and vocational training, which will be compulsory. A Junior Teachers College has been started to prepare the teachers for the junior high schools.

Education at the senior high school level will be provided mainly for the students completing junior high school who have demonstrated above-average performance. At the senior high level students will be given a choice to pursue academic courses preparatory to University study or vocational courses preparatory for agriculture or technical study at the college level.

For the out-of-school adults who desire to improve their vocational competence, trade schools will be established in the urban centers.

Teachers for the senior high schools will be trained at the University of Liberia, Cuttington College, and The College of Our Lady of Fatima. At the college level, the high school graduate can pursue an education in the liberal arts and professions; or in agriculture and mechanical arts; or enroll in a technical institute for sub-professional technical training.

The diagram on the following page attempts to show schematically the goals we are working toward in the planning of the educational program.



At the junior high school level and above, provisions will be made for adult education and training. This will make it possible for those interested to be upgraded to enter the next level.

B. RURAL AREA DEVELOPMENT

The implementation of the President's expanded Rural Development Program requires changes in the administration of the district and county governments. It is proposed to create in each district and county, as rapidly as funds and personnel can be obtained, an administrative and technical service unit comprising all skills deemed essential to support the development of rural areas. The RAD program is designed to plan, spearhead and guide the social and economic development of all districts under the self-help principle.

In order to avoid the multiplication of mistakes in the program, Gbarnga will be selected as the initial pilot project for a survey. As soon as the Gbarnga survey is completed the Survey Team will move on to the District of Zorzor, Voinjama, Saniquelle, and Webo for the purpose of developing rural area programs in these districts. Since the Gbarnga District will be selected for the initial survey, a description of the procedure is given below. This pattern will be followed in the other districts.

As a pilot project it is proposed to assign the Liberian and American personnel to the Gbarnga District to form a coordinated organization having its own budget, working under the administration of the district commissioner. The district organization will be empowered to act on its own responsibility in carrying out the assigned objectives. Its activities will be backstopped by the institutional resources and training and planning services available to the national departments. Periodic progress reports will be prepared by the district organization. Audit functions will be the responsibility of the Treasury Department, with audits performed in conjunction with the USOM/L Controller's Office when ICA funds are involved. Progress will be regularly reviewed and evaluated by a special committee operating from the Joint Commission or a special commission operating under the Executive Office.

The district organization will conduct regular staff sessions as required to assure maximum coordination of all elements of the program, to spot operational problems, and to initiate immediate corrective actions. For this purpose there will be formed a District Executive Staff, chaired by the District Commissioner or his designee and having at least five other members, one each from fiscal, agriculture, education, health and public works. This staff will be responsible for the annual preparation of programs and budgets, assignment and expenditure of funds, and the operational control of projects and social services in the district. In all of its activities the staff will support and promote private agriculture and business activities aimed at achieving an increase in the production of agriculture and industrial goods and services in the district.

To provide the district staff the coordination and support required from the national Government, a Committee will be established under the general guidance of the Joint Commission. This Committee will be composed of the Secretaries of the following Departments: Public Instruction, Interior, Public Works & Utilities, Agriculture and Commerce, Treasury.

A working group for the Gbarnga District will be formed as soon as possible, consisting of such officials of the GOL and USOM/L as are presently available for assignment. District commissioners should, of course, be called in for extensive consultation and briefing before initiating the program. The group immediately available should proceed to Gbarnga to carry out surveys of social and economic development needs and possibilities, looking toward the formulation of a 5-year work program. On returning to Monrovia, the group, in consultation with the Joint Commission, would prepare a detailed schedule of objectives, a staffing pattern, a 1961 Work Plan and Budget (both GOL and ICA funds) and a projection of costs for the remaining 4 years of the district RAD project.

In order to give the Survey Group some guidelines for program planning, the Committee recommends the following areas for consideration:

1. Agriculture

a. That a close working relationship be developed between the agriculture students at Cuttington College and extension workers in the Gbarnga District. Special attention should be given to the development of farm capability maps for agriculture planning.

b. That cooperative credit marketing and processing establishments be explored.

c. That a plan for providing hand tools and power-operated machinery be developed for both individual farm units and cooperatively operated farm units.

d. That the feasibility of establishing a land claim and mapping service be studied.

2. Health Projects

a. Provide sanitary human waste disposal system in all major towns and in such villages as required; the goal to be an estimate of one per thirty huts.

b. Assist any malaria control program operating in the district.

c. Train 150 new midwives and conduct continuous upgrading program for 200 previously trained midwives.

d. Undertake a home treatment program for all lepers.

e. Establish a first aid room in every school.

f. Establish nine additional health clinics and upgrade six existing clinics.

g. Establish community water supply for a minimum of 50,000 people in the five-year period.

3. Education Projects

a. Study feasibility of establishing a materials production center and educational broadcasting station.

b. Develop a plan to provide buildings, teachers, and materials for all children in the district through grade 6. Select schools suitable for ten IVS teachers.

c. Develop a comprehensive adult education program.

4. Liability

a.

(1) Develop plans for constructing secondary roads with roadway width of 12 feet, with a three-foot shoulder on each side. A six-inch laterite surface will be provided to permit all-weather travel for all important villages and economic areas in the district.

(2) Equipment. It is estimated that the minimum equipment needed for the district to carry out a self-help roads project will cost about \$50,900 and operating costs will amount to about \$130.00 per day.

b. Housing

Low Cost Housing Program for 1960

(1) Eight houses for the new schools to be constructed in the Gbarnga District.

(2) Forty houses for families in Fisebu (Zorzor District) and one village in the Gbarnga District.

The program should be organized through either the Department of Public Works or the newly created Housing Authority. Supervision of the construction will be through an Engineer from Public Works who will be assigned to the District Commissioner.

5. Public Administration Projects

Study feasibility of:

a. Establishing a civil police post in Gbarnga.

b. Establishing a formal civil service system in the district which will delineate and assign responsibilities and assure adequate compensation for services performed.

c. Effecting procedural reorganization of the district administration along more effective modern lines. This shall include provision for budgeting and disbursement of funds at the district level.

d. Standardizing the taxation, collection and public funds utilization system. Consideration shall be given to providing for retention of a portion of tax funds to meet certain local costs.

e. Establishing on a sound operating basis a district administrative system which will assure the coordinated utilization of district services to foster to the maximum feasible extent the social and economic development of the district under the self-help principle.

IV. BUDGET - ITALIAN ARRANGEMENT

The following budget is based on estimates because there has not been the time to develop detail budget costs based on engineering studies. However, the members of this Committee have worked on similar projects and it is felt that the estimates are fairly accurate.

A. EDUCATION1. University of LiberiaFY 61

\$200,000	Cornell University Contract
250,000	Construction of Dormitory
200,000	Construction of Library
25,000	Participant Training
<u>20,000</u>	Equipment Science Laboratories
\$695,000	

FY 62

\$300,000	Cornell University Contract
250,000	Construction of Dormitory
300,000	Books & Periodicals for Library
<u>25,000</u>	Participant Training
\$875,000	

FY 63

\$300,000	Cornell University Contract
<u>25,000</u>	Participant Training
\$325,000	

FY 64

\$150,000	Cornell University Contract
<u>25,000</u>	Participant Training
\$175,000	

FY 65

\$100,000	Cornell University Contract
<u>10,000</u>	Participant Training
\$110,000	

TOTAL \$2,180,0002. Teacher TrainingFY 61Teachers College University of Liberia (Junior & Senior)

\$175,000	Construction of Building
50,000	Materials & Equipment

3. Rural Training Centers

a. Zorzor

\$75,000	Construction of Faculty Houses
100,000	Construction Demonstration School
102,000	Materials & Supplies

b. Kakata

\$450,000	Construction
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c. Webo

\$450,000	Construction
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4. Rural Teacher Training Institutes

FY 62

\$250,000	Tuskegee Institute Contract
306,000	Materials & Supplies

FY 63

\$250,000	Tuskegee Institute Contract
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FY 64

\$150,000	Tuskegee Institute Contract
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TOTAL 2 0

5. Materials Production

FY 61

\$135,000	Construction of Building
96,000	Equipment

TOTAL \$231,000

6. Vocational Education

FY 61

Monrovia

\$450,000	Junior High School
300,000	Business High School

FY 62

\$450,000	Senior High School, Monrovia
450,000	Junior High School, Saniquelle

FY 6

\$450,000 Junior high School, Harper City
 450,000 Junior High School, Lower Buchanan

FY 64

\$450,000 Junior High School, Kolahun

TOTAL 000 000

7. Workers Extension Education

FY 61

\$13,350 Construction & equipment two classrooms

BWIFY 61

\$130, 000 New Dormitory
 50,000 Renovating old Dormitory
440,000 New Agricultural Building

TOTAL \$620,000

8. Technician Education

a. Pre-Engineering School, University of LiberiaFY 61

\$140,000 Technicians

FY 62

\$140,000 Technicians

FY 63

\$100,000 Technicians

b. College of AgricultureFY 61

\$615,000 Construction
 135,000 Technicians
 25,000 Participant Training

FY 62

\$135,000 Technicians
 25,000 Participants

FY 63

\$100,000	Technicians
25,000	Participants

TOTAL EDUCATION PROJECT

FY 61	\$4,826,000
FY62	2,631,000
FY63	1,700,000
FY64	775,000
FY65	<u>110,000</u>
	\$10,042,000

B. RURAL AREA DEVELOPMENTFY 61 (Gbarnga District)

\$300,000	Technicians
<u>435,000</u>	Commodities
\$735,000	

FY 62 (5 Districts)

\$850,000	Technicians
<u>1,500,000</u>	Commodities
\$2,350,000	

FY63

\$500,000	Technicians
<u>500,000</u>	Commodities
\$1,000,000	

FY64

\$300,000	Technicians
<u>100,000</u>	Commodities
\$400,000	

C. GOL BUDGET - ANNUALLY RECURRING BUDGET

\$1,000,000	University of Liberia
1,000,000	Teacher Training
55,000	Materials Production
560,000	Vocational Education
300,000	BWI

	300,000	School of Agriculture
	600,000	Pre-Engineering School
	<u>1,000,000</u>	Rural Area Development
TOTAL	<u>\$4,815,000</u>	

V. SUMMARY STATEMENT

This Committee faced the fact of the magnitude of the problem confronting Liberia. It was aware of the tremendous cost, effort, and time that will be required for Liberia to become a member of the advanced nations of the world. The Committee tried to be realistic. It knows that Liberia cannot erase its historical past overnight. New attitudes must be generated, new institutions created, and a new generation must grow up in these new institutions before this country can become completely modernized. The Committee hopes that it has brought to the attention of the Joint Commission and this Government how much detailed planning lies ahead. The Committee requests the speeding up of the finalization of the Northwestern University contract so that the collection of data needed for detailed planning can be completed. The Committee is pleased to know that the Tuskegee Survey Team has about completed the survey phase of the contract. The Committee is also pleased that the Cornell University Survey Team for upgrading the University of Liberia has arrived. When all these programs begin operating this Committee will be able to submit a much more realistic proposal.

Finally, this Committee recommends the approval of this report in principle so that the necessary detail planning can continue for the development of projects to be submitted to Washington.

Commencement Address: “The Challenge of Building Together in a Changing Liberia”

At the University of Liberia

By Albert Porte

December 10, 1980

The Head of State

Madam President and Members of the University Family

The Graduating Class and Students

of the University of Liberia Distinguished Visitors

Ladies and Gentlemen:

We are living in a world of change. Liberia is a part of the world, and is, therefore, a changing Liberia. My very presence here this evening bears testimony to this atmosphere of change. I thank you for the distinction.

All of us on the stage of action form a link between the past, the present and the future. The present, is being so fleetingly swept into the past and the present so hurriedly ushered into the future, that whether we are willing to admit it, or not, we seem to be living at the very brink of the future.

This places a weighty responsibility upon all of us in the spirit of love, tolerance, reconciliation and reconstruction to take concerted, undelayed action toward a change for the better. It would be well, therefore, for us to think together for a while on,

“THE CHALLENGE OF BUILDING TOGETHER IN A CHANGING LIBERIA”

Fortunately for us, Liberia was firmly founded upon the foundationstone of the solid Rock of Ages, the great God of the Universe. It is upon faith and trust in Him that the keel of our Ship of State was built. It was a bold venture of faith when the Founding Fathers of this country on both sides of the negotiating table undertook to enter into the compact of partnership that called Liberia into being in 1822. This partnership endured for twenty-five years, and matured into national sovereignty as the Republic of Liberia, in 1847.

It is indeed significant and graciously providential that two sets of migrations in opposite directions took place in Africa in the distant past: One of these was a land migration from the heart of Africa towards the coast where the migrating tribes more or less realigned themselves into other independent alliances.

There was also another movement of large numbers of Africans from the African coast by sea during the trans-Atlantic-lucrative business in human traffic perpetrated by men of another race. Avaricious barbarity transported millions of Africans to America where they and their offspring were held in involuntary servitude for over four hundred years. History attests to the fact that the brawn, sweat and blood of Africa's sons and daughters made invaluable contributions to the building of America, making her the great nation she is accepted to be. America therefore owes an immense debt of gratitude to Africa, she could scarcely be able to amply repay. The extent of her real greatness will be measured by how faithfully she fulfills this moral obligation.

In my humble opinion, "The Love of Liberty Brought Us Here," as a national motto embracing the history, the goals, aspirations, unity and solidarity of a dispersed people, is a succinct embodiment of a brilliant economy of words, unsurpassed anywhere in the annals of history. We owe homage to our founding Fathers on both sides of the negotiating table for their faith and trust in the future, for their tolerance and valiant courage.

Fostered by Christianity and nurtured by Education, the partnership has bloomed and blossomed into intermarriages between the settler group and the various tribes of the country on the one hand, and among the tribes themselves, on the other, as we have it today. A classic example of this intermarriage and integration is the President of the University of Liberia whose mother was a Vai princess, reared and educated in the home of early settlers in Grand Bassa County, and became one of the first female graduates of Liberia College, a remarkable church and civic personality in her own right.

The father of the University President was a descendant of the immigration of 1865 from Barbados, British West Indies, who became Attorney General, Secretary of State and Chief Justice of the Republic of Liberia. Another example of intermarriage and integration is the first native-born Bishop of the Episcopal Church in Liberia. His father came from an humble Grebo village in Cape Palmas, migrated to Sinoe County, and married his mother who was a descendant of settlers from the United States of America. This is a measure of spontaneous integration unparalleled in many other parts of Africa. It has done much to unite us as a people, under God, even though we have had some unfortunate misunderstandings and setbacks.

Our colonial friends saw and employed the multiplicity of tribes in Africa as an insurmountable obstacle to unity. In Liberia, by God's providence, we converted this monstrous obstacle into a convenient stepping stone to unity. Cupid's arrow bit where it may. And thank God, there is no fear of turning this healthy trend backward.

This nation owes it to the sagacious counsel of one of our great philosophers, the late President Tubman, who drove home to our Muslim friends and brethren the truism that we cannot be a truly united people as long as one segment of our society refuse their daughters in open marriage to others in the same country.

It is irrelevant to argue that the partnership is invalid or impaired because the indigenous people had not actually been included among the signers of the Declaration of Independence in 1847. Education, goodwill and a sense of humour should remind us that this was a classic instance of history repeating itself for the good of a larger number. It was only the lords and barons of England who forced King John to sign the Magna Carta in 1215, relinquishing certain rights to themselves. The precious Writ of Habeas Corpus and trial by jury grew out of the Magna Carta, which is today the cornerstone of civil liberties in the free world. More than this, the serfs or common people of the day were no where around at the signing ceremony.

It is a blunt irony of history that the lords and barons at the time did not even have the serfs in mind nor did these common people even know what was happening; but they benefitted from the signing as equally over the years as the lords and barons did. God in His wisdom was still on the throne bringing wondrous things to pass.

Admittedly, our national leaders have made some serious blunders along the rugged pathway of nationbuilding. Some of these ludicrous mistakes seem to have been by design for selfish reasons. Others were errors of judgment. When as a nation thirsting for change the people from all walks of life reached the point of utter despair, frustration, disappointment and even anger, and all hope for an orderly and constitutional change was lost, these courageous young men from the lowest ranks of the Army and of education, came to the forefront, fulfilling the prophesy in Isaiah XI: 6 that a little child shall lead them.

Like competent surgeons, realizing that it is sometimes necessary to perform major operations, to the extent of even amputating a limb or removing a vital organ to save the life of the patient.

Chief Surgeon Kanyon Doe and his medical assistants performed a delicate, successful surgery. In their zeal, the surgeons cut so deeply that they removed some of the unaffected tissue. However, the national patient will hopefully survive, provided the surgeons concede their limitations, and provided they recognize that the post-operation care is sometimes even more critical than the operation itself; and leave it to others who are specially trained to watch over this delicate convalescing process.

When Jesus raised Lazarus from the dead, He did what others could not do. But He left it to others to do what they were capable of doing. Jesus was teaching a valuable lesson of the division of labour, so essential in a democratic society.

Today, there is more that unites us than divides us. It serves no useful conciliatory purpose to continue, to harp upon the failings of the past which could tend to fan the flames of bitterness it is to the best interest of all to put behind us. We must discipline and restrain ourselves from inflammatory and even exaggerated utterances, especially when we remember that there are many of our number who do not fully understand all the issues involved and could over-react to a given situation with disastrous negative consequences. At the same time, it is important that we be not blind to our failings. We must identify and expose the mistakes we have made and set up danger

warnings against pitfalls of the past, with a determination to avoid them in the future. A few of these mistakes to be avoided are:

- Apathy of our people to public affairs, our number one national weakness;
- The failure of the democratic process in the past;
- The concentration of power in the hands of a few;
- The misuse of power to the detriment of the people;
- emergency powers as a weapon to produce fear and intimidation;
- selfishness, greed and sycophancy;
- Failure of the Ministers of Christ to 'cry aloud' as God's watchmen on the wall;
- The lack of faith and trust of the people in their leaders and vice versa;
- The President or Head of State receiving money at the mansion;
- The utter failure of the press to serve as watchdogs of democracy and moulders of public Opinion;
- The laxity in spending of public funds;
- Large, prestigious missions and delegations abroad;
- Frequent visits of the Head of State to foreign parts, dissipating scarce funds so badly needed for education, health and other nation building priorities;
- The glaring conflict of interest practiced by numerous public officials resulting in the blatant abuse of public office;
- Inroads into the sanctity of the home, and the lowering of the standard of womanhood in this country.

In passing, if we are to profit from our mistakes, it seems to be no offense to admit that to raise the salaries of large numbers of government employees without first ascertaining the actual financial situation is a temptation and poor judgment to be avoided, because it is fraught with dire, irreversible consequences.

Liberia is on the verge of moral and spiritual bankruptcy. We seem to have lost our sense of values. It takes a crisis to bring out the very best or worst in an individual or a nation. The recent crisis in our country showed up weakness and indiscipline in two segments of our society where we should have been strongest: in the Army and in our schools! We seem to be precipitatedly on the path of least Resistance, pursuing the shadow and by-passing the substance. We have the impression, for instance, that the bulk of students in our schools are no longer seeking for excellence. There are persistent reports of their resorting to objectionable means to obtain what they call "a passing grade" to the next class or for graduation. They seem to be satisfied with appearances and to seem, rather than to be. As a result, those who are in a position to know, report that many of our graduates, even *frin cikke*, are poor in expectation and performance.

Such a deplorable condition could not exist unless teachers and instructors themselves were aiding and abetting this practice, which is undermining the very fabric of

the nation and destroying it from within. Similar conditions exist in the offices, in the workshop, in the field, everywhere. We Liberians have lost pride in the dignity of labour. The slogan seems to be, "Get the most you can for the least exertion of effort". This is very sad indeed, and needs to be remedied if we are to build a great and respected nation.

In a changing world, Liberia needs more trained men and women of outstanding calibre, honesty, integrity and reliability. We also need much love, goodwill, forbearance, tolerance, and copious doses of humour and forgiveness in our hearts. We need the spirit of Christ leading us toward speedy reconciliation and reconstruction in togetherness, peace and justice. With our hands in God's hand and in His strength, we can return to normality and stability in a much shorter time than any of our neighbour countries. This is because we have more political maturity and experience which we can draw upon with good advantage, in spite of our limitations and blunders of the past. If we fail to accomplish this in record time, then Christianity, education, and the measure of integration we have attained will have failed this nation.

We can do this with all our political prisoners charged, tried and released, to help in the process. They have suffered enough. They have learned their lessons.

And to those of our fellow citizens who would run a Ay from our crisis. I say to you in the spirit of love: Running away never solves a problem. Job is an example in the revealed. Word of God of the practical reality of the living Christ as our Refuge and Strength under stress. It is only His sustaining grace that can prevent us from losing hope, cursing God and dying, as Job's faint hearted wife foolishly suggested to him. To give up in worry and despair, questions the permissive will of God to work our everything for our good according to His will. It also saps us of the potential intelligence and vitality God Himself has given us as co-partners with Him to solve our problems through spiritual intuition.

Madam President, I need not remind you of the strategic role institutions of higher learning such as yours hold in defending lofty principles, because we know how tenaciously you held on when the odds were against you. You stood firm on the burning ship with the banner of "Academic Freedom" written upon it in bold letters, waving it high in the air. At the same time, all your courageous mates braved the heat of the flames raging all around them on the deck and extinguished the fire, while the student organizations, in the background, faithfully manned the pumps. We say. "Bravo to you and to them." "Who knoweth that thou art come to the kingdom for such a time as this. (Esther IV: 14)" Had it been a man, it might have been different.

To the graduating class, I wish to say that graduation is not an end in itself. In this age of appearances we see all around us, there is a great temptation to follow the crowd and get by with as little effort as possible. I assure you, this does not pay off in the end; and remember, it is the end that counts. Those of you who may find yourself in this category, I say, "Shame on you". You have your reward. You are going out into a competitive world, and have your consciences to live with. To those of you who have done

your best (and I do hope all of you are in this group) I say, Hearty congratulations! Go forth into this exacting world, build upon this solid foundation and make real success. Be not content with half-heartedness and mediocrity. Solomon's advice to you is, "Whatever thy hand findeth to do, do it with thy might. (Ecclesiastes IX: 10.)"

God made man in His own image and sanctified his body when He breathed into his nostrils the breath of His personality and made him co-partner with Him for excellence on this planet. God is not satisfied with anything less than your best. His Omniscience dictated that it was not good for man to be alone, and He took a rib from the side of man, put man to sleep, and made woman. The Bible teaches specifically that the body is the temple of the Holy Ghost to be kept clean and not to be polluted. It is also a fact of history that no nation can rise above its women. If Liberia is therefore to continue to be an example of aspiration, inspiration and a beacon light of hope to Africa, as she is, has been in the past and continues to be, in spite of her shortcomings, we must raise high the standard of womanhood upon the principles laid down in the Bible by God Himself as moral and social guidelines for the protection of society. It therefore falls your lot, young women of the University of Liberia, and young women of Liberia, to accept the challenge and lend your best efforts to uphold the high standard of womanhood, and defend the sanctity of the home, building together in a changing Liberia. And in this regard, you, young men, have the equal responsibility to uphold the standard of womanhood. With clean hearts and minds in clean bodies as the temple of God, with reliance upon God, and with the comforting strength and grace of the Holy Spirit, we can surprise ourselves and the world as we build together in a changing Liberia.

The challenge is yours ... and ours.

